



**THREE AFFILIATED TRIBES  
JUDICIAL COMMITTEE MEETING  
NO. 05-03-MP  
MONDAY MARCH 23, 2005**

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**CALL TO ORDER @ 1:20 PM**

Committee Chairman Mervin Packineau called the meeting to order at 1:20 p.m.

ROLL CALL: Members present: Committee Chairman, Mervin Packineau,  
Committee Member Hale, and Committee Member Wells, Jr.

Absent: Councilman Spotted Bear, Councilman White Calfe

**01. APPROVAL OF AGENDA:**

Add-On 8A-Dog Issue Reservation Wide

Councilman Hale moved to approve agenda, Seconded by Councilman Wells Jr.

Vote: Motion carried.

**02. Approval of Minutes: January 10<sup>th</sup>, 2005**

Councilman Wells Jr. approved January 10<sup>th</sup>, 2005 minutes, Seconded by  
Councilman Hale

Discussion: approve subjected to Councilman Spotted Bear and Councilman  
White Calfe

Vote: Motion carried

Bring February 16<sup>th</sup> minutes back to judicial meeting for approval next meeting

**03. Tyra Wilkinson- Domestic Violence Code**

- Changes have been made with suggestion from all programs
- Title five domestic relations code
- Reviewed by tribal court, prosecutor, domestic violence
- Set-up ~~meeting~~ to review all changes before it comes to full TBC mtg.
- Come ~~back~~ to Judicial before it goes to Full TBC mtg.

**04. Millie Berry Hill- Tribal Court Tribal Attorney's Licenses**

*Motion to approve list of attorney by Councilman Wells Jr., Seconded by Councilman  
Hale*

*Vote Motion passed*

*Motion to approve renewing of attorney applications and new applicants, Seconded  
by Councilman Hale*

*Discussion: Authorizing the court administer Millie Berry Hill to renew attorney  
license and applicants licenses*

**Vote Motion passed**

#### **05. Publishing Tribal Court Minutes**

- It would be a deterrent, question of what does tribal courts do? People have a right to know who the chronic offenders are. This is pursuant to guilty pleas or found guilty. Feels people have a right to know what is going on and made a comment that the chairman Hall agreed.
- Freedom of Information Act-
- Chairman Packineau asks the committee feels about the publishing. Councilman Wells Jr. doesn't recollect that action was taking on the situation.
- Councilman Hale asks what is being posted...Judge Berry Hill criminal offenses or pursuant to guilty pleas those are the actions are being posted.
- Councilman Wells Jr. Feels that is not an action of the judicial committee
- Millie Berry Hill feels that the knowledge to the public would help to know who is in the
- Chairman Packineau asks committee again how the feel to act on Publishing. Called Jennifer Feyten in for consultant. Freedom of Information Act applies to Federal.
- Millie asks for Legal opinion. Federal statue that was sited in the paper. Background investigations would be a positive
- anyone can come in for judgments. Jennifer will do a legal opinion and bring back to judicial committee

#### ***Judge El Marie Conklin***

- Grants to go through Treasurers Office. Deadline is May 1<sup>st</sup>, 2005
- Councilman Wells Jr. cleared that the treasurer is only tracking grants for match.
- Asking the Committee for the authority for submitting grants- forward to next judicial committee with paper work.
- Need to know how extradition needs to be submitted- Chairman Packineau suggests to bring to committee to be signed.
- Councilman Wells Jr. can it be put back administratively put back into the judge
- Chairman Packineau suggests leaving as is and address it when Councilman White Calfe & Councilman Spotted Bear come back to judicial committee.
- Publication of convictions, issue has brought up several times, Judicial did not take action but was addressed. (Indian civil rights act)

Councilman Wells Jr. moved for support of the Judicial Committee for Court to publish the guilty dispositions, Seconded by Councilman Hale

*Discussion: Forward to Full Tribal Council /April 21, 2005 Chairman Packineau Withdraw motion from Councilman Wells Jr., withdraw from Councilman Hale Councilman Wells Jr. does support publications 1994-95 research being passed by full Council*

Vote: No Vote

**06. Sonny Brugh**

Judgment order that went to appeals court. Asked lawyer for change the judge. Would like the committee to read letter.

- Game & Fish said he was harassing game
- Admitted to shooting a 2 moose
- Maximum fine was \$1,500 and wanted to sell his rifles
- There was no creditable witness to the incident
- Judge Millie Berry Hill said he was found guilty since his attorney is licensed he can file and appeal and he will forward to the judge to file a stay.

**07. G. Tex Fox Justice Center-Mark N. Fox**

- Budget and Fiscal management \$58,000 FY-04 operating cost to help pay for consultant work being done on policy and procedures Use \$31,000 for Bowkar agreement. \$600,000 for carry over
- Construction Budget Close-out
- Bismarck training
- GSA extensions-county contract were extended, notice from Stanley that contracts have been extended. Combined with double bunking we have 52 inmates. Numbers are expected to jump this summer
- Recommend a letter of appreciation to Mr. Four Dance with extensions of contracts to show appreciation.
- 477 Program-Leo Cummings helping with grants/psychotherapy meeting
- Fellow agencies-law enforcement issues, detaining non-native members,
- BIA authority concerns: relayed to Legal department, Surprise inspection by Mr. Felix, Informal/Formal Request of suspension. (Internal suspension of own officers)  
Tours on a weekend-Protocol: when are you to come and, Feb. 23, 24 internal investigator questioned officers. Lead-officer and Mark nor Mike was ever contacted. Asking the investigator what his purpose was doing there he was very elusive who sent him and why he was there.
- Temp-hires
- Certification with employees
- Employee disciplinary actions-
- Facilitate management- double bunking is completed, cameras, padded cell needs to be completed,
- Problem areas venting system, weatherization, Dennis D agreed to get with Mark to go over what needs to be fixed and contacted K.K &E- May 2005 will be coming back in to take care of a lot of
- Inmate management-Mental Health expert to stay on the facility/still a problem with transporting them to I HS

*Councilman Wells Jr. to draft a letter to Elmer Four Dance for GFJC and to be signed by Chairman of Judicial Committee, Seconded by Councilman Hale*

Vote Motion Carried

**Mike Young Bird**

- Letter to open juvenile facility
- Mike put on a waiting list to complete training
- Letter to Judicial for Committee review
- Continuing Education
- PADDY

*Motion by Councilman Wells Jr inviting Greta Baker, Seconded by Councilman Hale*

Vote: Motion carried

08. Other

A. Dog Ordinance

B. Jennifer Feyten

Arrest that was made with child from State of Oregon, No extradition process

- Judge did not sign extradition order
- Councilman Wells Jr. Feels more orientation for departments to be aware of procedures

*Councilman Wells Jr. moved to have an orientation session with organizations, Seconded by Councilman Hale*

Vote: **Motion carried**

Judge Conklin requests that they have some kind of training with Law Enforcement.

26<sup>th</sup> for meeting w/law enforcement cops fast, justice center etc.

09. **Executive Session-Personal Matter**

**Closed Session**

*Councilman Hale moves to adjourn meeting @ 4:50 PM, Seconded by Councilman Wells*

Vote: **Motioned carried**

**CERTIFICATION**

Dated this 27 day of April, 2005.

**ATTEST:**

*Brittney J. Fox*  
Brittney J. Fox/Committee Secretary

*Mervin Packineau*  
Mervin Packineau-Chairman of Judicial  
Committee

