



THREE AFFILIATED TRIBES
JUDICIAL COMMITTEE MEETING
NO. 06-06-NH
Friday July 28, 2006

CALLED MEETING TO ORDER:

Chairman Packineau called meeting to order @ 11:50 am

ROLL CALL:

Committee Chairman Packineau, Councilman White Calfe, Councilman Spotted Bear

01. **APPROVAL OF MINUTES**
April 20, 2006
May 18, 2006
June 06, 2006
Deferred until next meeting
02. **Vance Gillette/Veronica Serdahl-Tribal Court Prosecutor Issue**
Not Present
03. **Dennis Fox/ Fort BHA**
 - **Police Reports**
 - **Agreement with COPS FAST Program**
Who do I work with as far as COPS FAST Program Agreement?
They are eligible on half of their rent to be taking care of.
Bonnie Red Fox: That would be Chief White that will get that information for you and the MOU.
 - **Investigation Proceeding prior to employment of Dennis Fox**
 - **Request of Legal Teams (Fredericks/Amerind)**
History of the Tribal Judge presiding over Housing Authority Cases
Feels that there is a bias toward the housing authority
The request by the law team if there is any case that involves the Housing Authority that Judge Conklin does not preside over the case.
El Marie Conklin-Chief Judge
The procedure is to file to have a change of judge
Jennifer Fyten-TAT Legal Department
I don't think they can make an over all request but they can do it on a case by case base. But I believe they missed the deadline to change the judge.
04. **Joy Mann Poitra-Tribal Court Issue**
Informational
05. **Francine Azure-CLOSED**
Not Present

06. Social Services-Sex Offender Registration Issue

- Where do they register?
- Why is there no notification to SS of the release
- How do we make it mandatory for drug and alcohol evaluation until they are reunited with the child
- Current Sex Offender who has been seen at the pow-wows
- If we know that there is a sex offender how do we get notified.
- Reported a Case to Law Enforcement today.
- How is it being communicated that the sex offender is being released?
- How can we be notified when they are released from the Justice Center?
- Court Order with deal with child welfare cases?

Jennifer Fyten-Legal Department

It is up to the Law Enforcement to notify

Sex Offender notice law says: They cannot have contact with children.

It is up to the Sex Offender to register and if they don't it is a crime.

There needs to be some coordination with the state and some kind of agreement that they are being released from the state and we have to be notified.

This is a fairly new law and it will take it a while to kick in and get all information that is needed and communication.

There is a provision in our code and that the Law Enforcement can enter into a MOU

There is nothing in our law that requires the notification of the Justice Center.

Upon their release they have to register. Certain tribal agencies that are mandated to receive that information under the code.

Jennifer to do a follow up with Human Resource Department with background checks.

Officer Marty Foote-BIA Sergeant

Handed out a Sex Offender Registration Form to committee

Mark N. Fox- Justice Center

07. Cheryl Dixon

Not Present

08. GTFJC-Mark Fox and Mike Young Bird-Update

Mark N. Fox-Adult Administrator

- Budget & Fiscal Management
- Federal Compliance
- Collaboration with Other Agencies
- Employee/Staff Management
- Facility Management

- Inmate Management
Councilman White Calfe moved to approve a full-time nurse position for the Justice Center, Seconded by Councilman Spotted Bear
Discussion: Councilman White Calfe: You have money for that? And they nurse would come in there for 5 days a week?
VOTE: 3-0 Motion Carried
- Other Issues
Councilman White Calfe moved to approve the GTFJC to enter into contract with the New Town ambulance service and to be paid out of the federal funds, seconded by councilman spotted bear
Discussion: No Discussion
VOTE: 3-0 Motion Carried

Mike Young Bird-Juvenile Administrator

Not Present

09. Tribal Court-Update

- Budget Short Fall
- 3 voluntary lay-offs till the end of the FY 06
- Adult Probation Officer-Sy Sterns and Maynard Young Bear
A summer worker that will be paid out of a grant
- Looking at other sources for funding
- If there is an issue and you want information and I will give you whatever information that is being requested.
- Payroll is \$13,374 a pay period

10. TAT Law Enforcement-Update

- Sex Offender Code/Prosecutor-Bill Woods
- Almost Complete with Pow-wow Schedule/ Little Shell & Sig. Event
- Signature Event getting addition assistant from other agencies on the BIA's half. We will be getting 25-30 detailed to Ft. Berthold, 8 National Park Rangers from Mt. Rushmore, 20 Nation Guard. Only officers will have arresting authority will be the Ft. Berthold Police Department.
- Juveniles-What is our long term solution. We are getting juveniles that are repeat offenders, and crimes are taking place off the reservation. They are getting let out and they are the same kids' different days stealing vehicles. We are wondering if there is a better deterrent.
- Rick Little Swallow-Letter
Will be shown to Acting Chief of Police Jeff White
- Over-time for Pow-wow for Officers

Jack Craig-Criminal Investigator

- Two Men from Mandaree that will be indicted on the case of McKenzie bay area.
- Another man that will be indicted

11. TAT Legal Dept.
N/A

12. Doreen Lyons-compliant

- Compliant-Lack of cooperation of Law Enforcement
Protection Order not being honored
Dispatch and Officers arguing with defendant
Police Reports not handed in on time
- Domestic Violence-Wants to send her off to a shelter
We will get in contact with Roberta for Special Proscetor
- Bill Woods(prosecutor)-Wont take personnel calls
What is the time it takes the length of time it takes to respond?
Police reports are an issue and staffing.
- Tribal Court-Lack of attention on Protection Order
Warrants not being done on time
The Prosecutor is the person who issues them to the court.

Officer Marty Foote-BIA Sergeant

We listen to both sides, and have to wait to get paper work together and comply the fear and constant harassment, The Casino incident if she had a witness it should have been put in the report.

With Police Reports we have to try to get as much information at that time. If we stop them, they add more and it is hard to take the full accurate statement. It might also be how the reports are written.

The Law Enforcement will be having a meeting to discuss some of these issues. He will address the issue of breaking protection orders in the next staff meeting. Acting Chief of Police has information on this matter and is currently working on it. The police reports should only have 72 hours for completion for a response.

El Marie Conklin-Chief Judge

Protection Orders

They are not eligible for bond for 72 hours and there is no PR bond for a court order. Canceling court to go to the casino issue: Even if admin leave was granted they are not eligible for that. They do have to have court if court was scheduled. The date that she is talking was a mandatory meeting that everyone has to be there.

Funds are available for a Special Prosecutor and we currently do not have one. We are bogged down and if we had a special prosecutor some of these other issues would be better handled.

13. Newlyn Little Swallow
Civil Matter

14. **Adjournment**

Councilman moved to adjourn, Seconded by Councilman

Discussion:


VOTE:

CERTIFICATION

Dated the 28 day of September 2006,

ATTEST:


Britnee J. Fox/Committee Secretary's


Mervin Packineau/Chairman of
Judicial Committee

