



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
JUDICIAL DRUG & ALCOHOL
COMMITTEE MEETING**

**10-03-MP
JULY 1, 2010**

1. CALL TO ORDER:

Committee Chairman Packineau called to order at 1:10 p.m.

2. MOMENT OF SILENCE:

A silent moment of prayer was said by all.

3. ROLL CALL:

Committee Chairman Packineau, Councilman Eagle, and Councilwoman Brugh are present. A quorum is established with three members present.

4. APPROVAL OF AGENDA:

Council member Brugh moved for approval of the agenda as presented. Council member Eagle seconded the motion.

VOTE: 3 Ayes. Motion carried.

5. APPROVAL OF MINUTES:

The minutes are deferred until the official Recording Secretary returns from Maternity Leave.

6. TRIBAL COURT ASSESSMENT RANDOM REVIEW:

- *Approval to hire under original line item Assistant Prosecutor (Edmund Baker) changed to Civil Clerk and Criminal Clerk which would be two positions @ \$10.40. Fines and Fees Tribal Court has \$123,297.53 is part of the \$400,000 budget and if anything extra would have to come out of budget (don't know the budget each year.) Make sure she has enough in budget doesn't make it go over. Purchase of vehicle has to come out of budget for next year. Trying to trade in 97 police vehicle has a lot of miles on vehicle and wouldn't want to use. Elton) possibly come up with vehicles. Budgets good to go to hire two positions. 638 Contract Carryover added \$62,000.*

7. HUMAN RESOURCES:

- GTFJC – Penelope Hosie Removed. The paper would have a copy of the stamps Jolene Steele said they took it with them, If we find and the charges and investigations.

- Last Sunday Charlene let some prisoners out in the sun one had Felony and he got away. Recommendation is to suspend her for two weeks. The position was advertised and filled before this all happened basically waiting for a council meeting. Sterling Reed is a qualified person that could be placed in the position. If the procedure are not being followed got to go back to procedures and see what has been neglected. Action to be taken: Mark Fox pretty essential in developing procedures. Things going on in the Justice Center former employee is being indicted Sterling Reed at the expense of some employees that are doing drugs we shouldn't have them in there we need to crack down on the behavior. Drug dealing. Employee's random drug testing Committee trying to make a stand point without pay them it would administrative leave without pay. Investigation first then it should be leave with pay while we are doing the investigation Was Sterling Reed suspended if there's something it should be stressed what was it for right off hand transition demoted from Sgt. No other findings making it an acting position until that was investigated by internal affairs. Officer was called to house to another police officer and then it went to internal affairs They could be then put on suspension. She withdrew and evaluated and she was screened and was third to the lowest. Charlene Knight was evaluated as a great employee. Any disciplinary action MOTION: to place Sterling Reed in the position of **Acting Adult Administrator** with a class three administrative leave. Until the investigation is completed. It will go through internal affairs. They will work with Mark Fox as

UNIFORMED DETECTIVES THREE YEAR GRANT TEMPORARY HIRES:

Recommendations: Certified Law Enforcement Officers Angela Cummings Blaine Flynn Fox K-9 Unit if hired purchase the dog and bring back with him. Dennis Howling Wolf Uniform Detective Uniformed Detective Standish On the second Mr. Jay Standish we have an Alternate Baker One Criminal Investigator Mike White The committee let him go and Chief keeps bringing him up and bringing him up. We need three Angela Cummings Blaine Dennis and Romano. All certified police officers don't need a back ground check. Once these four officers are certified placed in segments who has the most complaints. We're still lacking officers and it takes 3 offices to cover the reservation on a 24-7. We have to do what we can to handle calls at night. They back up. We are getting into the Pow-wow season and it would be great BIA 638 Contract would cover 8 officers and with grants we could Budget allocates 620,000 and how many officers does it carries. We carry 7 officers, included with the Chief. Full staff we would have 16 officers and right now we have 13 who are in

training in Grand Forks. We got a tribal budget we need to call in reinforcements and need to call At the meeting attended at NCAI people are worse talked about Oglala The 16 officers would be supervised by the Chief.

“Could the Game and Fish Wardens could they be certified and utilize them when you need additional help. Red Rooster had about twenty members need more patrolling.” They are serving minors and we could have an underage minors and if a sale is made I will personally be down there and close that bar up. Juvenile Code Leonika Charging is working with Norma and do the temporary thing and hire them part-time we had one officer stay in the Casino. The Supt gave the lot to Law Enforcement. Meeting with the North Dakota State Highway Cross Deputized certified in the State of North Dakota.

08. GTFJC- MIKE YOUNG BIRD & CHARLENE KNIGHT

Spoke with Juveniles about making different decisions
Pick –up and hold
Females are getting into mischief
Have the stats in the report
Detainment Orders until their Pre-trial
Contract with Nurse being hired full-time and stationed at correction facility full-time. To be forwarded to the next TBC.

09. EL-MARIE CONKLIN:

Issue opinions against the Judge in private The Legal Department will not address because it puts us in a position to act as Appellate Court. We did transfer to Ethics Committee but no action as yet. Does the Judge has a free rein they were not organized. I want you to address this as you are not the chain of command. Is it in the Code and did he act inappropriately..Sanction him. The other option that I brought is to refer it to the committee that can. The State Judicial Board
I know for a fact in the Dean Birdsbill, case the documents that we filed haven't been forwarded to the judge. Are you receiving any of the pleadings that we filed here? That was one of the Bear cases and why hasn't the Judge ruled and that I can't act in those cases. The Chief Judge reverses decisions and what authorities the Chief Judges have and they are procedural and that is in our rules and that we have to follow them.

19. SOCIAL SERVICES DEPARTMENT:

- Garden program Business process mapping child protections child welfare campaign of awareness of community. Hoping to implement I had a lady what helped me implement it. New Law passed that tribes can get that money.

- Six staff that are in the process and they are getting their stipends and it is really an opportunity and health assessment of your organization and help identify future grants that you can apply for
- General Assistance Clients are getting small loans and the Bureau is making us send and they sign release that they don't have any source of income and a loan is considered income. They identify it and they have and bring me receipts and show me that you are paying on the loan and that can change it. I spoke to the guy at the Bureau and he insists and we do have a release and there are certain things that can be forgiven there income for a single person for and they aren't going to

20. DOMESTIC VIOLENCE: Bernadette Jackson

- Protection Aside
Understanding why the woman always go back
Legal Department was directed to look at the codes and to bring back to the committee. Worked with 12 woman and protection order is denied. The kinds that come in are basically repeats and revictimizing the victims there should be a higher rate of punishment. We need our Protection Order and how many times are they denied. Working with the woman for 1 ½ weeks and the Judge wants to take care of the criminal part before the domestic and sometimes it turns political. They ex-parte and everyone has their day in court. One client that she works with and because of the date and type on for one year and he denied and he was going to get me for contempt of court.

21. PARSHALL RESOURCES CENTER:

Paperwork that he distributed

- Juvenile Client 8 beds and attendant care
- Need out there we need to do a feasibility study to provide those
- And there not enough room for all of us at the Justice Center
- Proactive focus on the problems when their younger
- Challenges and would not be able to

22. GERALD TEX FOX JUSTICE CENTER:

- Monthly Count for Years 2008, 2009, 2010.
- No numbers are sometimes are
- Overcrowded yet the administrator does not have the authority and I have to call and check on it. P.R. is there anything written up on the We've talked to the Associate Judge and he just referred it back except for medical and in the policy Handbook we have showed it to CEO and its in the Policy and Procedures Handbook. The Chief Judge only over capacity and medical I can't control and doesn't it have something to do with and this is their second DUS

and why does there rap sheet come up. Working on that and a lot times the bring a money order and there bond is \$500

- On the Work Release Program and Tribal Court has taken over on that and we have Susan Hall coming to the Jail and Trustland has come and asked them to come and work for them.
- If the court knows they would be responsible and they are questioning us why are they being denied. And say because the Jude said. So. This person climbed the fence and do you guys have rec time and is that in your handbook and I was always outside and do you sign off and we had to correctional officers out there and that has he been picked up. We notified the Police Department and Terry Gunville and it was a Federal Warrant. He was there for about three weeks there She had visited him earlier and she wasn't afraid of him then., He just ran and jumped the fence One of the Correctional Officers and it is rec time and somebody is that type of character and a danger to some people and if there is a disciplinary action. He probably was cool calm and no problem we do four days in the booking sale.
- For the month of June we had four Federal employees. We received a letter if we had willing to pay \$40@day for five females. Usually we average about 6 females and we only can hold the females and usually our male population is high. Would they be willing to do just females and our male population is fairly high \$40 per day for females. What do they charge \$35 @ day for and everybody has a good time and they are charged. One of the things we are running into problems picked up on a child support warrant and he didn't have a job and he had to stay in jail and it was \$8K and they go to the jail from their jobs, He was making payments every check and child support will not work with us even if are making payments they will have to make the full payments and they don't look at the person trying to make an attempt but they have to pay in full. It depends if the judge and they had a warrant and if they only owe that as long as they Ellen runs the program and it's a civil offense and not different and could make payments and its not paid up. Rectified female has been incarcerated and family put mental health have been working with her and the family don; want to take habeas corpus. She also has a legal guardian and we don't see any results. Sadie Young Bird, Case Manager and they work with Will Fox
- We have a meeting on July 7, 2010. My appointment is over tomorrow for acting adult Coordinator and are rated and some action taken probably get a letter tomorrow and ask if Mike Young Bird can be appointed. One of complaints was if I wasn't addressed professionally and that person didn't know if I had that attire. Sadie Young Bird gave a excellent report.

July 1, 2010

Amanda Bracklin

- \$1500 down payment to purchase Ea Police Unit @ \$19000.

23. LEGAL DEPARTMENT:

- Legal Dept Advocate will have a legal opinion ready El-Marie Conklin within two weeks.
- Props to provide the Law and Order Code review and revision services at a rate of \$125.00 per hour

Council member Eagle moved for approval to forward this to the full TBC for review , contingent on receiving BIA funding, Criminal Code, Civil, to be moved forward to the TBC for review Council member Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

23. ADJOURNMENT:

Council member Eagle moved for approval to adjourn the meeting at 6:00 p.m. Council member Brugh seconded the motion.

Meeting adjourned at 6:00 p.m.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Drug and Alcohol Committee is composed of three (3) members of whom three (3) constitute a quorum ____ were present at the Meeting thereof duly called, notice, convened and held on the ____ day of _____, 2010; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of ____ members; ____ members opposed; ____ members abstained; ____ Members not voting.

Dated this ____ day of _____, 2010

ATTEST:

Amanda Bracklin/ Committee Secretary

Mervin Packineau, Chairman of Judicial Drug & Alcohol Committee