



JUDICIAL & ALCOHOL/HUMAN RESOURCES

JUNE 02, 2011

11:00 A.M.

CALL TO ORDER:

INVOCATION:

ROLL CALL: Present) Chairman Mervin Packineau, Member Scott Eagle, Member V. Judy Brugh.

01. APPROVAL OF THE AGENDA: Deferred

02. APPROVAL OF MINUTES:

03. CHIEF OF POLICE: Blaine Flynn

Report closeouts trying to get in place doing homework before I got there. Cases referred to IA complaint notice to me aware of it? Main thing handling situations here.

- Internal Affairs.. Sex Offenders Programs Deadline due next month Kasey Hall; Wait for Jennifer Fyten.. Supposed to pass by July 27 – money in program goes back to state. Waiting on MOU and Criminal Code almost finished with those. Which criminal code sex offenders Child Protection and Safety Act. What that does is Lisa Redford: Tries either implement own program or allow the state to operate. No tribe in full motion two extensions on deadline. Substantial info complete. Bureau of Criminal Investigations. MOU basically working with BCI concerns went to Scottsdale 2010 Obama signed the Law and Order Act. Tell tribes when a sex offender is going to be released. North Dakota all four tribes implement this programs. Substantial Implementation Sex Offenders Act: is ready draft actually going to tribes North Dakota is not in compliance take photos and fingerprints. MOU ready and draft amended code doesn't comply with SORNA. Planned to present put under Judicial and send it off. Applies to everyone not just enrolled members. They will come in do a spot check process sex offender's tier one, two and three depending on charges. Tier one offenders' yearly . Tier two is 6 months and Tier 3 is US Marshalls agreed to do spot checks responsible for checking laws. Tribe doesn't have jurisdiction. US Marshall are going to be here 9-3pm. June 7 at the Casino in the Arikara. Request to waive the reading but could qualify as the first reading. Program unique full jurisdiction. Are they going to have to register with us. Job description 3 tribes website waiting for the program to be established. Notifying any programs. One of our tribal members had their pics up. Other tribes formed an coalition and to let us know. LES Law Enforcement Services. Vehicles two back waiting for one more boundary lines are still a problem and when they do respond are they confronting and contact the Regional Office to publish jurisdiction. Nelson still had to talk to Williston and need something from the Council to support it. Working on getting rid of excess vehicles. Nelson is working on that. Running



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Condition need help to get them running. UTTC is requesting the cars. Parshall needs a Security Vehicle. Cars that are working he pulled aside. Cross Deputization with New Town just within the city limits want to set up meeting then tribal law enforcement is allowed to ticket none members. 18-wheelers are not allowed to park in the Northern Lights. Get it resolved as quick as I can who can site them. Someone from Legal..where we at as far as the tribe. Give Wade Enget a call. Just do an MOA give tribal police. Would only cite them. Add one more Substantial Implementation Packet. Everyone meet in Bismarck, not sure what's going to happen. Glance over material sort of. Jennifer is working resolution civil traffic system built for Law Enforcement in addition to citing them report to companies report them to TERO also. We can stop them and seize their equipment. Manpower? Constantly need someone on the highway. Agreement with the county. Never were around hopefully able to expand see how is works, Take some of the citation \$ and refer to LE. Sending people to State Academy so they know the State Laws.

04. VERDELL SMITH PROBATION:

FEDERAL DRUG COURT place not a DOJ grant. VJB/SE to recommend approval to TBC for approval. Laid a foundation Drug Court actually help people to get into treatment and out of compliance and get throwed out of jail. When brought back add detention center.

VOTE: 3 Ayes. Motion carried.

TRIBAL COURT BUILDING: Flooded out concerns Executive Order try to get a new building where its safe people are getting sick in working in building. Allows us to get money. Planning a Law Enforcement Courthouse Building and going after funds maybe FEMA \$ can repair and want to be on the priority list. Submitted a grant for a multi-purpose bldg. Grant won't fund the project 100%. Verlee did have

PROBATION GRANTS: Used to have Cory Sanders write grants for us. Didn't have time to write and come back to the Council for funds as the grant will expire August 2011. Use IDC and used to pay for grant writer. Grants are under one solicitation. They put under coordinated tribal Solicitation. Grants are between 300 to 500K. All grants have to consolidated. Planning for 2012. Law Enforcement Programs areas will be cut. NA will be the first place to hit. Water cut 98% 2012-2014. Successful grants submitted this year encompassing everything this past year – Lisa does the grantwriting three of us write planning grants.



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Reporting for programs otherwise they would be planning implementing and grants are not the answer for everything. The % would be establish a rate and contract with someone to write grants. Good practice would be to pay 50% in front and after the total. Grants submit electronically. Don't share the signature and authorization of the Tribe. DV had to basically rewrite the grant and the one they picked for DV basically do a No. of times and is hard to do that. Program working with agencies cut DUI and Underage consumption. Coming to council asking for support CHAMP have to have assessment assigned an advocate and concentrate on what it could be. Throw our people in the river when they need coping skills. Its hard as people don't want others to come into their programs. This would be the first of our kind and its all volunteered. Take the kids to an open meeting and its part of a check list and come to the COL to Jerry Irwin all volunteer and if its in the daytime. CHAMPS was originally utilized in the Justice Center. It a good program. MOTION:

Go ahead to work together to get the CHAMPS Program going with other programs and they are back into the program, employment skills teaches them an aftercare and with the CHAMPS Program have

Motion VJB moved to offer all Programs the support from the Judicial Committee. SE seconded the motion. Horse Therapy going good, GED Employment skills find some money to go ahead and get somebody hired. Probation Grant is expiring Aug. 31, 2011. Court Administrator in position and wondering if he could transfer that program and work right into the position and I'm already set up. Grant is to have our own Tribal Judge, Prosecutor, and why is the Tribal Court Dedicated Domestic Violence Court specifically hear family violence court. Get that developed. Scheduling court cases and allows for contracted judge and prosecutor. Purpose is familiarity Advertised it once and now its being readvertised. Would the court administrator be amenable to that. There going to set up Judge, Prosecutor, and Court Administrator. That would have to come from the Court Administrator. Grant is going to expire and Marlon Mason biggest issue Fines and Fees could fund these positions. They could go back into programs and here's the assessment and they're coming back on July 17. Have Judy BH at the next Judicial Meeting where is the money at and are they following up on that and see what they have done to correct it. Update the committee on the assessment.



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06. **ANIMAL CONTROL:** Fred Poitra

Consultant Agreement to take care of shot records and if they ever had a raby shot. Mr. White Owl on a 90 day three applicants. Two more apps in there 1 Mandaree area – 2 Four Bears Area. Need animal control in the building water freeze. More convenient new system in place it would work better. Bring Parshall dogs to the area. Communities should be able to help out. We get \$500 a month and we sent them a bill and they said this hasn't been approved. Template in the New Town and they can sign off in place. Same price as New Town accomodate. Come in here at 3:00 and get on the agenda. Get the paperwork..gonna build a nice lil house for them .

07. **DOMESTIC VIOLENCE:** Sadie Young Bird

- 68 clients to date calender more active in community more referrals
- Policy and Procedure Handbook calling various tribes and getting copies. Sexual Response Team amazing rape that happens and transport them to hospital to do the rape kit
- Lawrence Baker we can acquire two FEMA Trailers we don't get any tribal funds only grants temporary thing until we can get more permanent housing.
- Sanish should have water
- Wrote a letter to Jerry Nagel about the lot he donated to Domestic Violence. Why is LB promising these FEMA Trailers when they are supposed to be for homeless people. The intent in acquiring tailers was to put homeless people in them.
- Originally the building purchased from Mark Fox in Parshall on main street was designated specifically for domestic violence. Roberta Crows Breast who was the Director at that time did not want it because it was located on main street.
- Northern Star and Tourism has their own office. There is a building tribe owns next to TDH. ***Check with Jerry Nagel about the lot he donated to Domestic Violence Program. Toni Star has all the deeds.***

08. **LISA REDFORD:**

Tribe could possibly have a meeting specifically to approve the Resolution for the grant application which Lisa is submitting for Authorization and Support for the Vocational Rehabilitation Program. Meeting is scheduled at 1:00 p.m., in Bismarck on Monday June 6, 2011 to start negotiating the Tax Agreement.

- Casino after a day of shopping in Minot. Son had a couple of beers



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on the way home. At Casino looking for him not ready to go he was getting roudy and his truck was Caroline Bird Bear and Lavonne helped out. It was common knowledge that I was going to drive him home. I told them to call the police to PI him for the night. After five guys secured him and security provoked him. As I was waiting for Justice Center. Marvel and Sanchez finally getting ready to take him I have to do what Leitinant says. Common knowledge that I was there to drive him home Jonas was taken down right by his truck, I exited the vehicle two issues I found out they had three charges \$900 bond and I know how the Tribal Court reads. He was disorderly only to me. I called the Justice Center and they said he had three charges on him. No basis nor merit to charge him. Because Security guard menacing me, all verbal finally bonded him out didn't have any reason to hold him that. Seen the prosecutor and I think you need to see this report. Jonas mother was there and seemed to be intoxicated. Both police officers knew that I was going to drive. I called the Lieutenant and never complained about an officer and listening to Casino security. Asking for a letter retracting the offenses and non of those have any merit and I think that is wrong. The arrogance of the officer when I asked him. I want on record that officer did not follow procedure that should be shown and I will be talking with him. I've had it ready for quite some time. Future: Should not be on record. Don't have very experienced police officers. Outfitting video cameras on all of the officers to protect themselves.

Grant should have five CI hired for these positions and know of only two that have been hired grant was 1.6Mil and barely spent over a year. Got an extension. They keep saying ununiformed officers. Made attempts to do that. Send to Angie and Mike White. Who is the two detectives Angela Cummings, Oneil Baker and himself. Suggested that we move an officer that came out of the academy. Journal entry by the contracting officer. Positions need recommendation for hire---Equipment is needed for police officers. We don't want to lose money here, Detectives are detectives. SS would be able to have CI's that would follow up crimes against children... Need Police Commission hired and the hiring practices for the police officers needs to be updated. Non-Compliance Officer need a little push for three months your heart seems to with the judicial system. Stepped back from dodging a lot and can't administer grants that I write. I've always had cooperation with the Law Enforcement and how would Blaine feel. SE: Comment no offense - don't we have contracting officers whats posed to be spent, deadlines budgetary ***Background investigations*** expand because of flexibility used model contracts rules and regulations but we have primeters....nothing that says we have to use Michelle Justice, Have a program somebody different judication. Bureau needs to give technical assistance with compliance. Need to change to Region



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Five. Rumors: Police Officers were doing oil field security checks and getting paid while they were on duty. Blaine to follow up on that.

09. **TOM MANDAN COMPLAINT:**

Complaint filed in writing about Officer Dawn White who has a personal vendetta against one of my daughters Jennifer – who is married to Wayne Fox – who Dawn was previously married to. She has since been harassing her and family members. Dawn filed Federal charges against grandson. Dawn White has criminal charges filed against her in Tribal Court and was convicted of assault and disorderly conduct. She was in court with daughter Jennie. Simone went to retrieve boyfriend and woman said leave brother alone got into a fight. In the meantime someone called the police and Dawn White charged her with assault and put her into detox. My son works there Correctional Officer arrived on duty informed sister Simone was in jail and did not know why she was in detox.

They will discuss the issue with Chief Police Flynn to get the other side of the story. He wanted you to visit with Dawn White regarding these issues. She is supposed to be only working in the White Shield Area. She can be transferred back to White Shield. Harrassment Charges.

10. **FBHA / ANGELA CUMMINGS:**

Individual carries weapons and has made threats. Mountrail County say they can't do nothing because they haven't seen him do the crime and they let him go. He has assaulted community members in the bar. Officer is concerned for the safety of our community and doesn't have any problem to exercise her community card. He's someone who's playing the jurisdictional role. We could kick him out of Four Bears but he is capable of assault. He is married to an enrolled member. Council could banish him but then how would you get him to leave. Is Law Enforcement ready to deal with him take him to the border and let him off? North Dakota Law defines his behavior as terrorizing. Officer presented it ICE, FBI, and it seems like they don't want to do anything about it. Officers weren't considered Federal Agents. They need to work out something. He is married to a tribal member who has 3 children with him. Domestic Violence issues – Drug trafficking....Referred to Legal Dept. Jen Fyten **FORWARD TO TBC MEETING JUNE 9, 2011.**

15. **ADJOURNMENT:**

vjb MOTION TO FORWARD TO TBC MEETING: JUNE 9, 2011 SE 2ND. 3 Ayes



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01. MOU AGREEMENT SEX OFFENDER NOTIFICATION PURSUANT TO TRIBAL LAW.

02. Sex Offender and notification Act. (SONA)SE/VJB 3 Ayes.

Discussion: Never had anything in place before.

ADJOURNMENT: vjb/se 5:43 PM. 3 Ayes.



*Please note that some issues are of confidential nature and names of certain individuals may not be disclosed and may require a *closed session*.