



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
JUDICIAL COMMITTEE
MEETING NO. 13-01-JRP
JANUARY 09, 2013**

CALL TO ORDER:

Committee Chairman J. Randy Phelan called the meeting to order at 1:16 pm.

PRAYER:

Kenneth Hall gave the invocation.

ROLL CALL:

Present: Committee Chairman, Jude Randy Phelan – Committee member V. Judy Brugh and Committee member L. Kenneth Hall. Tribal Court staff, Law Enforcement staff,

APPROVAL OF AGENDA:

Reserve action items Department Reports. The committee requested the latest update on Drug Task Force.

FORT BERTHOLD TRIBAL DISTRICT COURT:

- Domestic Violence Court was in operation until December 31, 2012, whereas confusion on the budget was no longer funded. Sadie Young Bird didn't submit a budget because they were told grant specifically docket for court.
- Ms. Judy Blackhawk was appointed as Judicial Administrative Assistant. Court Administrator position was recommended by top management Norma Baker, December 2012. Restructure Court system: Bring in a transition team and will need assistance working with ND Supreme Court and Jim Fitzsimons.
- Law Enforcement component and citations are in place.
- Correction Center is another component.
- Once we start this –all Programs are going to effect and;
- Jails are overcrowding and have been extremely busy
- Released inmate that was one week short of one week because the Jail overcrowding.
- Put Court dockets in the paper as well as the arrests in the paper.
- This request will come from the judicial committee. Drug users moved in communities and we now live in a dangerous environment and era.
- Serious problem with meth users.
- We will have legal do an opinion before court dockets is put it in the papers when they are charged. Codify it and use some perimeters on spell it out if they are going to be convicted. Combat drug usage.

CHILD SUPPORT DIVISION:

Names of members who are delinquent with child support will be put in the Tribal newspaper. Hopefully it's going to open up minds. It was not in the Judicial Code... there was no motion from the committee:

PASS TO TBC subject to working with Tribal Court. They explained the transparency. Draft a section amending the Judicial code part of tribal law.

MOTION: Councilman Ken Hall moved to approve the recommendation of the judicial programs to print the names of people who were incarcerated with their charges; also to put the names of people in the local papers that are behind in their Child Support payments. Councilwoman Brugh seconded the motion.

DISCUSSION: Everyone in the meeting agreed with the transparency to be pro-active and all on the same page look out for the best interest in everybody involved. Possibly the young people will realize the shame combat this drug use in a positive Way.

VOTE: 3 Ayes. Motion carried.

Redirect drug related offenses and model our court working on Judge McGladly to work out MOA with other programs.

Change the Drug Laws on the reservation that will include longer jail sentences.
Counseling while incarcerated. Being drained now going to tax the court system.

We need Counselors for Meth users.

Invite the Judicial committee to visit the court system to see firsthand send schedules and share with the rest of the counselors.

Recommend other court systems higher court fees for cost, time and effort.

Non-Indian came and paid the \$25 fees: Over 500 K assigns 3 people to work on the fines and costs. Why should the Court system sit on court fees? Fee for LE make arrest for fees to come back to their stem LE. If are fined and plead guilty \$ generated will go back to programs. % of the money goes back to court systems. Fines and Cost Budget used for operation of Tribal Court. Assess to all crimes if we could implement something like that extra \$25 Create a line item where those funds should go a separate give them discretion.

State of ND % of fees administrative fees and separate and State created additional fees and pay \$250 whereas Tribal Court

Mike Young Bird recommended that Court fees would help training fees generate to different departments creating by providing intake fee money going back each department to what is needed. No money if they stay in Jail...\$ to drink and drugs

LKH) police time for fines and costs to come back to departments. Turnover of clerks is a matter of training and experience. Daily functions what are you doing what have you accomplished and

We got a 1/2Mil federal dollars wellness court.

Services 3 people Probation Officers, and Cultural Officers,

Wellness Court intended for a drug type court with a concentration on Culture. Teach clients and people how to smudge. Use money was it is needed.

Cultural should be taught at the college level. Tribal Court needs to utilize every dollars and resources that we have.

Judge Johnson needs to revisit and be aware of all funding sources.

Judicial Committee will be meeting 2 times a month no agenda...Internal deal by Tuesday. Jan. 15, 2012 second and fourth Wednesday of each month @ 1:00pm.

ASSUMED duties last Monday.. Diane to meet with Department Heads, COP, DV, and Justice enter into a communication game plan. Dept. Heads meet with Tribal Court etc...

Judge Diane: Anything relates to Judicial referring to Laws. Council provides us Laws. Jennifer Fyten would be the contact person. We will send you Resolutions. "Roads, transportation.

LAW ENFORCEMENT:

- Staff Introductions
- Budget news
- Training for staff and advisors
- Servers
- PROBLEMS: Build area
- NT Night Patrol
- Community is hiring Security Officers
- Radios donated by Fish and Game
- Certified instructors will come up for certify
- Jay Brugh: Send him to a Drug Dog Training too much drug activity going on right in Casino.
- Highway Patrol" Down to one James Big Horn what do they do? Need more collaboration DOT work hand in hand
- Not properly trained could have shoot out
- Same radio frequency
- No access to drivers license
- Need back-up when they stop trucks
- Assisting minor things communication line needs to be there
- Twin Buttes area:
- Need a sub-station in each district IMPORTANT!
- Twin Buttes Heidi Hernandez has a place in there with a holding tank temporary hold public intoxication issue. Hire a Jailer/Dispatcher. Meet half way so Officer won't be pulled out of districts. (10) on the road. Need 30 officers on the Road. Off subject Communities build and provide homes for police officers in district. 300 Million Needs to provide homes for essential staff.

PUBLIC SAFETY: Dawn White

Officer Everett: was the one who denied admittance and communication everyone has to be on the same level.

Legal Department look into a grant.

Council need Rehabilitation Services:

MOTION: Councilwoman Brugh moved to direct the Legal Department to work with CEDS and seek all funding within the boundaries of the Reservation and if we get grants to forward on the full council

VOTE: 3 Ayes. Motion carried.

EMERGENCY PROCEDURES: Could By-pass and transfer on to the TBC Agenda.

MOTOR VEHICLES CODES: chapter 39-29 off-highway vehicles:

Fatality

Synthetic Marijuana

GERALD TEXX FOX JUSTICE CENTER: Titus White Body

YOUTH CORRECTIONS:

12 Correction Officers
5 vacancies pending background
Stats bring back all information

FISH AND GAME DIVISION:

Bruce Crowsheart
One open in Mandaree Problems are Man camps (Pit bulls)
Earmarked for 2 lots let that go for the tribe.
40X60 put a building on their this spring
Earmark2014 waterline frozen
Prohibitive animals get corralled MOA New Town pick up their animals Pit bulls and Rottweiler

ENERGY DEPARTMENT MEETINGS:

Site spills, dumping etc. Energy to take the lead
Illegal dumping in Mandaree
Grievance Procedure
Slawson blow-out
Issues in the for-front.
Scoria bill coming off the reservation
Busy EPA and DOT trying to monitor
Big Citation Collaborative Effort

DOMESTIC VIOLENCE:

Put this Program on the TBC Agenda for action. January 15, 2013.

HOMELAND SECURITY PRESENTATION:

Weather briefing
Amber Alert
Sexual Offender
Amber Alert Signs Money to purchase signs

LEGAL DEPARTMENT:

Staff historically understaffed
Hard to list what we work on Resolutions
3 Attorneys 100% on families
More consistency scheduled meetings involving children
Law School

DIVISION OF CHILD SUPPORT REPORT:

142 Outstanding warrants for child support (July 2009)
LE/GTFJC: Reduced warrants and deferred only had 5 people to do that.
Tribal Members living here
Staff salary matrix

Portion of budget increased because of no money. Issue as they come.
FAMILY WITH MEDICAL CIRCUMSTANCES: Homeless can't get signatures.
Go by

ADJOURNMENT:

Councilwoman Brugh moved to adjourn the meeting at 4:35 pm. Councilman Hall seconded the motion.

VOTE: 3 Ayes. Motion carried

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 Committee** is composed of three (3) members of whom three (3) constitute a quorum _____ were present at the Meeting there of duly called, notice, convened and held on the day of _____, 2013; 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 _____, 2013.

Chairperson, J. Randy Phelan, JUDICIAL COMMITTEE
TRIBAL BUSINESS COUNCIL-THREE AFFILIATED TRIBES

ATTEST:

Member, JUDICIAL COMMITTEE
TRIBAL BUSINESS COUNCIL – THREE AFFILIATED TRIBES

Member, JUDICIAL COMMITTEE
THREE AFFILIATED TRIBES