



**CALL TO ORDER:**

Councilwoman V. Judy Brugh called the meeting to order at 11:19 AM

**I. ROLL CALL:**

*Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear, & Councilwoman V. Judy Brugh. *Quorum established.*

**II. APPROVAL OF AGENDA:**

*Motion:* Councilwoman Monica Mayer moved to approve the agenda. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

**III. APPROVAL OF MINUTES:**

- **June 23, 2020 Judicial Committee Minutes**
- **September 15, 2020 Judicial Committee Minutes**
- **October 6, 2020 Judicial Committee Minutes**

*Motion:* Councilwoman Monica Mayer moved to approve the presented Judicial Committee Minutes subject to minor corrects. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

**IV. PROGRAM UPDATES:**

**A. Public Safety Division of Drug Enforcement – Gerald "Chip" White Jr., Chief of Drug Enforcement**

Report submitted that provided summary investigation, arrest, & collaboration information.

**B. TAT Law Enforcement – Nelson Heart, Chief of Police**

Submitted report that included reports on Calls for Service by segment & overdose data by gender & type.

*See Closed Session for additional item.*

**C. Department of Transportation – Blaine Flynn**

*Item deferred.*

**D. TAT Tribal Court – Dr. Elizabeth Yellow Bird, Business Manager**

The Fort Berthold District Court (FBDC) has been working with others on the implementation of a Wellness Court. Kelly Fox has been hired to oversee the Wellness Court through North Segment. Judge Jackson will work closely with Kelly on the implementation of this project. However, there is much to do yet, we are having a wellness court meeting on Friday November 13<sup>th</sup> to continue organization



and getting MOUs in place. The Court continues to address COVID 19 epidemic by screening at the entry for all public and staff who work in the building, face covering for everyone and regular cleaning and sanitizing this facility and practicing social distancing. The Court will try to schedule as many hearings as possible using Zoom or by telephone. We continue the "clean-up of the Full Court files" as well as finishing up filing the boxes of documents from the old court building. Many of our FBDC files were incomplete and needed updating because of the high turnover in Court staff in previous years. The Court Manual has been completed and we are reviewing it again for any updates since our new Chief Judge is in place. The Court is working on assuring the necessary forms are in place and have been approved. As they are approved they will be added to the FBDC website. The Court continues working on the Tribal Codes with the Justice Commission and attorney Sharon Thompson. The tribal code is now in digital form and will be brought to the TBC for approval, then the committee will meet to determine priorities and the process for review and updating of the tribal code. Through the Adult Probation office, a risk assessment was completed regarding safety and security. We are now working on training, equipment and building safety for the court and public. For example, all panic buttons don't work, fire hazard concerns, medical training, and communication, etc. The Court feels this is very important and essential for the safety of the public and the Court. We are working with attorney Thompson on the contracts for the court. Chief Judge, Wellness Court Case Manager have been hired (North Segment originally hired him and paperwork is being done for Kelly to be permanent in the Court). The Court continues to review and update our efforts to put into place a protocol for everyone and anyone entering the building. The new Chief Judge is working on an updated Organizational chart. The Court has set up meetings with the Police Department once per month. And the Court is working on setting up a meeting once per month with the Justice Center. We are hoping to develop good communication with other entities that have an impact on the Court. The Court is setting staff meetings once per month, every 3<sup>rd</sup> Friday. The Court is beginning strategic planning sessions now that we are almost at full staff. Inquired as to the status of consultant contract for Sommer Turner as the court drug evaluator?

The budget continues to be a concern with the Court as we update staffing. Also, with the risk assessment we feel it is necessary to update our equipment, and improve building maintenance.

**E. Homeland Security – Cliff Whitman, Director**

*Item deferred.*

**F. Adult Detention (GTFJC)– Daniel Good Luck, Adult Administrator**

Thus far for the month of October 2020, the Gerald "Tex" Fox Justice Center (GTFJC) currently has 14 Correctional Officers on staff. Positions open. 5 Corrections Officers are currently IPA uncertified. From 10/01/2020 to 10/31/2020 at 0800 hours there were 127 inmates brought into the custody of the GTFJC. Our



capacity is currently 36 inmates. 85 were males and 40 were females. 74 were arrested in New Town, 14 in Four Bears, 18 in Parshall, 13 in Mandaree, 7 in White Shield and 1 in Twin Buttes. 77 were under the influence of Drugs and or alcohol. There were 198 charges assigned to the 127 inmates creating an average of 1.56 charges per person. We had 5 transports for the month, 2 of which were out of the local area. We had 2 Facility Incident Reports and 1 Serious Incident Reports for the month of October.

**G. Juvenile Detention (GTFJC) – Mike Young Bird Sr., Juvenile Administrator**

Report submitted. The Gerald Tex Fox Justice Center Juvenile Correctional Facility currently staffs, 1 Lieutenant, 3 Sergeants, and 6 Correctional Officers. There were 44 males and 26 females for a total of 70 admitted and released from the Justice Center during the 2020 fiscal year. The Juvenile programming goal is to interact more with the adolescents and build on rehabilitation. The Juvenile Behavioral Therapist, Mrs. Jennifer Nodland-Lenning, Licensed Clinical Social Worker, Master of Social Work from the University of Nebraska has 20 years of experience working with children and families. Mrs. Nodland-Lenning provides individual and group counseling with the adolescents detained at the justice center. Mrs. Nodland-Lennings also coordinates services to Mental Health units, Drug and Alcohol Treatment programs throughout the state of North Dakota. Case Management services were provided for 57 youth. The Education/Program Coordinator, Kathleen Penland, MEd. National-Louis University, BA Carroll University. Kathleen has 20 years of experience of working with the education system. Mrs. Penland provided educational and programming services for 21 youth. Mrs. Penland resigned in July, 2020 to be closer to her family during this Pandemic. Mrs. Nodland-Lennings continues to work with the juvenile court system on continuum of care plans for the juveniles who are about to be released. The Justice Center provided educational services for 21 adolescents while detained at the correctional facility. Educational services are provided 4 to 6 hours a day throughout the year. The Justice Center utilizes a credit recovery program called A+ courseware. This program is in conjunction with the New Town School District to help the youth work on high school credit while being incarcerated. The area Schools are also contacted for any additional coursework for the youth. The Circle of Life, Parshall Resource Center and North Central provided alcohol and drug evaluations for the youth detained at the Justice Center. The Gerald Tex Fox Justice Center submitted the Bureau of Indian Affairs Abatement Plan on September 30<sup>th</sup>, 2020. The Bureaus Abatement Plan consists of work orders that are in the process of being completed within the facility. The Three Affiliated Tribes Environmental Health Department inspected the Justice Centers Kitchen area and found Zero deficiencies on August 18<sup>th</sup> 2020. The Justice Center adopted the Covid-19 Contingency Plan from the Bureau of Indian Affairs to help guide our department during the pandemic. The Juvenile department has made the adjustments to the Coronavirus outbreak. Mandating masks, temperature checks on the juvenile inmates



and Correctional Officers. Social Distancing between Court staff and the public are limited to phone calls and Zoom.

**H. Child Support – Alison Johnson, Director**

Report submitted with proposed budget & Grant Award Letter. Staffing- We are currently fully staffed with our recent hire of Aaliyah Lucio as an Office Assistant. Monthly collections: Total collected in October 2020 was: \$96,172 .63. Quarterly report for our 4<sup>th</sup> Quarter was at \$340,837.81 in collections. Total for FY2020 in collections was at \$2,218,892.14. Fiscal Year 2021 Budget - We did submit our FY2021 Budget submitted on August 15<sup>th</sup>, 2020 and it was approved by the Office of Child Support Enforcement in Washington, D.C. in September. FY2020 Budget was \$1,310,366.36. FY2021 Budget is at \$1,267,867.12. Total Decrease of -\$42,499.51 from last year's budget. TAT is responsible for the Non-Federal Share of 20% and the Federal share is 80%. Tribal Court -Our next court dates are on November 18<sup>th</sup> and December 2<sup>nd</sup>, 2020. We are continuing to do our best during this pandemic while trying to stay healthy and safe. We continue to operate efficiently with getting our Child Support payments processed twice weekly as well as receiving payments regularly from clients. We are still applying a rotating shift schedule to our staff so that we are all not working together all at the same time in case someone gets infected with COVID. It has been going well and the staff is managing to get their job duties complete.

**I. Victim Services – Sadie Young Bird, Director**

*Item deferred.*

**J. TAT Legal – Tyra Wilkinson, Supervising Attorney**

Sharon Thompson had Tyra email the committee members the code. Looked at all the old resolutions and added them to the code, updating. Juvenile code needs to be done and the criminal code. It is in word format and can be changed and looked at.

**Motion:** Councilman Cory Spotted Bear moved to forward the digital format code to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

**K. HR Departments – Melissa Brady, Director**

Registering for fingerprints. Scheduling random UA's for the HR staff, and all tribal staff. Hiring process is the same, have a question. Can HR be reminded if Council approves to hire. Councilman Cory Spotted Bear asked why his Political appointments have not been hired for a month, Melissa states it's the segments office staff to get SAR to HR. SARS are brought into HR on payday, would like these sooner. HR had a Zoom meeting with lawyers. Have had employees who still are calling in with questions about COVID process, will be sending out another response to this. HR needs more office space. Layoff questions, due to Segment budget



restrictions. Nelly Boyd, Circle of Life Director is trying to bring on two LAC's that live out of state, wants to bring them here. Councilwoman V. Judy Brugh asked about parents who have to stay home and school their children, there is a policy in place.

V. **CLOSED SESSION**

A. **TAT Law Enforcement** – *Nelson Heart, Chief of Police*

VI. **ADJOURNMENT**

**Motion:** Councilman Cory Spotted Bear moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Adjourned at 12:43 PM.





### CERTIFICATION

I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the 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 [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 5<sup>th</sup> day of February, 2021; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 5<sup>th</sup> day of February, 2021.

ATTEST:

Judicial Committee Chairman,  
Councilwoman V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

Executive Secretary,  
Councilman Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes