



**CALL TO ORDER:**

Councilwoman V. Judy Brugh called to order at 1:45 PM.

**I. ROLL CALL:**

*Present:* Councilwoman Monica Mayer, Councilman Fred Fox (Conference Call), & Councilwoman V. Judy Brugh. *Quorum established.*

**II. APPROVAL OF AGENDA:**

*Motion:* Councilwoman Monica Mayer moved to approve the agenda with additions. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

**III. APPROVAL OF MINUTES:**

• **October 4<sup>th</sup>, 2022 Judicial Committee Minutes**

*Motion:* Councilwoman Monica Mayer moved to approve October 4, 2022 Judicial Committee Minutes subject to minor corrections. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

**IV. NEW BUSINESS:**

**A. Janice Morley Contract Close Out**

Ms. Morley stated that the more she looked into the Code the more things she found that needed to be improved. The SORNA Code is just about complete. The Domestic Violence code is still being worked on. One big problem is the court has three different names. There needs to be one name when referencing the court. She stated that the Treaty recognizes us and Fort Berthold and that is how we are known by the Government. Ms. Morley stated that there are a lot of inconsistencies within the Code. She enjoyed her time working for the MHA Nation. Councilwoman V. Judy Brugh stated that she would like Ms. Morley and Officer Phil Packineau to meet with States Attorneys to get things straightened out in regards to non-enrolled members assaulting a tribal member. (Domestic/Sexual Assault) Ms. Morley stated that they should be meeting with Drew Wrigley and other States Attorneys to get this worked out. Councilwoman V. Judy Brugh asked Roger White Owl to set up a meeting with the States Attorneys and our LE to get the jurisdiction issues worked out. We need to let them know that we will not be treaded on any more, something needs to be worked out. Chief Nelson Heart stated that his frustration is that quite often the States Attorneys do not take the cases because they say they are too busy. Ms. Morley stated that her and Officer Phil Packineau will meet with the U.S. Attorneys. Councilwoman V. Judy Brugh stated that Roger and Cesar will help set those meetings up. Councilwoman Monica Mayer stated that she appreciated the work that Roger White Owl and Cesar Alvarez do in regards to Judicial work. She recommended that they be hired full time to ensure that the work continues with the jurisdiction issues.



Councilwoman Monica Mayer stated that the tribe needs to have their ducks in a row before taking the issues to the state level. Mr. White Owl stated that Staff Attorney John Fredericks is looking into the 1825 Treaty which would allow the tribe to hold non-enrolled members until they are picked up.

**B. TAT Law Enforcement (LE) – Emergency Operations Center (EOC)**

Councilwoman V. Judy Brugh stated that the EOC had concerns about LE so that is why they were called in to the meeting. Chief Nelson Heart, Captain Phil Packineau and Criminal Investigator C.J. Whitman Jr. were present. There is no representation from the EOC. 3:08PM- Emily Sitting Bear, Marle Baker and another person were present. Councilwoman Monica Mayer stated her appreciation for the work that the EOC and the work they been doing for the tribe. She also stated that all the programs under Captain Packineau need to work together. Councilwoman Monica Mayer wants to know the issues going on between EOC and LE. Ms. Sitting Bear stated that they have been in operation for 2 years. She did expect a bit of resistance from other programs. They are an advocate for all emergency services. She feels the programs had difficulty understanding what emergency management is. Ms. Sitting Bear stated there are communication and teamwork issues. When emergencies happen, they need to work together. They aren't here to cause issues; they are here to make the programs jobs easier. Team work with all programs is a must. Councilwoman V. Judy Brugh stated that Captain Packineau is the EOC's Supervisor. Ms. Sitting Bear stated that the EOC does stay in their lane. She feels communication needs to be better. They should not be left out of things. Ms. Sitting Bear stated that there was an incident that happened where everybody got to have their say. She feels the EOC should be informed. Captain Packineau stated that in regards to the incident it was an abduction case so LE would take that lead. EOC is just trying to provide Incident Management. Councilwoman V. Judy Brugh stated that the incident mentioned should have been handled by LE because it was an abduction case. Councilwoman Monica Mayer state that Captain Packineau has a very clear work chart and chain of command. She stated that Captain Packineau, Public Safety Administrator (PSA) is in charge. Marle Baker stated that his issue with LE was that they should have more training in Incident Command Center (ICC) duties. Mr. Baker stated that they are trying to start using ICC protocols. At the incident mentioned there was various agencies involved, about 30 to 40 people present. He said an officer started the meeting not knowing exactly how to handle the situation. In the end, they had a good result. Communication must be improved. Mr. Baker recommended that all of LE take the online ICC courses. That training is free and it would help prevent any further confusion.

**V. CLOSED SESSION:**  
**A. Election Board**



**VI. ADJOURNMENT:**

**Motion:** Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 4:03 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 31<sup>st</sup> day of January, 2023; 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 31<sup>st</sup> day of January, 2023.

**ATTEST:**

\_\_\_\_\_  
Judicial Committee Chairman,  
Councilman Robert White  
Tribal Business Council  
Three Affiliated Tribes

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

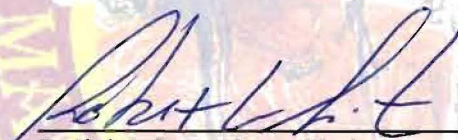


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