

Incarceration Issues Committee

Sen. Ron Carlisle Chairman

Monday, July 25th, 2016

Harvest Room, State Capitol

Bismarck, North Dakota

Good Morning Chairman Carlisle and members of the committee. My name is Scott Davis, I am a member of the Standing Rock Sioux Tribe and a descendent of the Turtle Mountain Band of Chippewa. I serve the great state of North Dakota as the Executive Director of the North Dakota Indian Affairs Commission Thank you for the opportunity to provide testimony today.

In 2009, the North Dakota Indian Affairs Commission commemorated its 60th year as a legislatively authorized Commission. The nine-member Commission is comprised of the Governor, the ND Tribal Chairpersons and four at-large members appointed by the Governor, three of whom must be of Native American descent. The Commission is authorized to meet on a quarterly basis, or at the behest of the governor. The work of the commission is coordinated and administered by myself a three-member staff.

I'd like to begin my testimony today in addressing the important topic today of Incarceration. As you may be aware, my work over the past 7 years with our 5 Tribes has been challenging, rewarding and covers a wide array of important issues. By working together, sharing resources and a commitment to understanding and communication are key factors in sustaining a true Tribal and State relationship.

I'd like to provide the committee of a few bullet points that we are currently addressing indirectly and directly regarding Incarceration, along with some recommendations for you to think about.

Statistics

- Native American Population in NDDOC is averaging 25%
 - Tribal Affiliation (2010): 35% Chippewa, 11% MHA, 43% Sioux, 11% other tribe.
- Native Americans make up approximately 21% of the parole revocation population.
- Top 3 reasons for revocation:
 - New Crime 2. Chemical Use 3. Termination from Halfway House.

Challenges

- Funding
- Treatment
- Mentoring, Job Skills, Fatherhood, Motherhood, Case Management.
- Jurisdiction
- Extradition: Felony Drug Warrants
- Tribal Support Systems
- Human Trafficking
- Mother-Infant Substance Abuse
- Absconding
- Detox
- Rules of Probation and Resources
- Class C Felony-Barriers to Jobs and Housing

Opportunities-On-going:

- Standing Rock Tribe-State-Federal Re-entry Committee Agreement
- Mentoring before release
- Study of Youth Services
- Law Enforcement Agreement between McLean County and MHA
- Tribal State Court Affairs
- Higher Level of Misdemeanor Charges
- Education
- Addiction-Counseling Requirements
- Expungement
- Funding

In closing, you can see our office is very busy in working toward solutions with small successes. We can all agree, that this issue will not be solved in the near future. It will take time, changes to policy, funding and education. By working closely with our Tribes, Court Systems, Health Care Systems and Education Systems will create a better quality of life for ALL citizens of North Dakota.

Thank you.