

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

CRIMINAL JUSTICE COMMITTEE

Tuesday, January 13, 1998
Banquet Room, Prairie Knights Casino and Lodge
Fort Yates, North Dakota

Representative Sally Sandvig, Vice Chairman, called the meeting to order at 9:15 a.m.

Members present: Representatives Merle Boucher, Duane L. DeKrey, G. Jane Gunter, Dale L. Henegar, Kim Koppelman, Paul Murphy, Bill Oban, Sally Sandvig, Laurel Thoreson, John M. Warner; Senators Les J. LaFountain, Marv Mutzenberger, Donna L. Nalewaja, Wayne Stenehjem, Darlene Watne

Members absent: Representatives Kathy Hawken, Al Soukup; Senator Steven W. Tomac

Others present: See Appendix A

It was moved by Representative DeKrey, seconded by Senator Nalewaja, and carried that the minutes of the previous meeting be approved as mailed.

AMERICAN INDIAN ISSUES State of Affairs at the Standing Rock Indian Reservation

At the request of Vice Chairman Sandvig, Ms. Sharon Two Bears, Chairman, Tribal Judicial Committee, presented information on the state of affairs on the Standing Rock Indian Reservation. She said she was substituting for Chairman Charles Murphy who was unable to attend the meeting. She read the state of the reservation address, which was written by Chairman Charles Murphy. A copy of the address is attached as Appendix B.

In response to a question from Senator Watne, Ms. Two Bears said the tribal council is composed of 17 members and each member is assigned to a committee. She said tribal council members serve for a term of four years. She said she is assigned to the Judicial Committee. She said the Standing Rock Indian Reservation is made up of eight districts.

In response to a question from Representative Sandvig, Ms. Two Bears said the most pressing problem on the reservation is unemployment. She said Prairie Knights Casino employs approximately 300 people. She said the casino in South Dakota employs approximately 100 people. She

said the weather and long distances make it difficult for many to gain and retain employment.

In response to a question from Senator Nalewaja, Ms. Two Bears said the separate jurisdictions of the state and the tribe do not create many problems. She said the tribe needs to improve the tribe's laws so companies feel safe doing business on the reservation. She said the tribe is in the process of adopting the Uniform Commercial Code. She said the adoption of the Uniform Commercial Code should aid economic development.

In response to a question from Senator LaFountain, Ms. Two Bears said unemployment on the reservation is fairly high. She said there have not been any major problems running the casino business. She said there have been the typical personnel problems.

In response to a question from Representative Koppelman, Ms. Two Bears said positive information in relation to the reservation includes the jobs training program and an additional settlement from the federal government for lands taken by constructing Oahe Dam. She said these funds equal \$19.2 million and are held in reserve so that the tribe may only use the interest on these funds.

In response to a question from Senator Watne, Ms. Two Bears said the tribe has not made a choice as to whether to operate or have the state operate the welfare system for the tribe. She said the recommendation will likely be that the state continue to operate the welfare system. She said the tribe will have to pay for one-half the cost of the welfare system. She said the only tax on the reservation is a cigarette tax. She said additional funding sources will need to be found.

In response to a question from Senator Nalewaja, Ms. Two Bears said there is an early childhood center for children ages birth to three years old in Fort Yates. She said child care in the districts is limited to households that care for up to three children. She said there is an additional need for child care. She said Fort Yates Child

Care is open 24 hours a day. She said the additional hours were funded by the welfare-to-work program.

Crime and Delinquency

At the request of Chairman Boucher, Ms. Two Bears presented information on the juvenile justice system. She said the Judicial Committee is composed of five members. She said the Judicial Committee oversees the tribal court, the laws and codes of the tribe, the Job Training Partnership Act, and personnel issues.

Ms. Two Bears said the outlying areas of the reservation have few businesses. She said most of the businesses are in Fort Yates or McLaughlin. She said most businesses in McLaughlin are owned by non-Indians.

Ms. Two Bears said there are many complaints about the judicial system. She said the main complaint is that the courts are not tough enough on offenders. She said court services are prioritized because of limited funding. She said funding for different programs changes often, so priorities change often. She said the tribe is looking at setting up a separate court system for juveniles.

Ms. Two Bears said there needs to be a focus on the family. She said schools and programs can only do so much to help troubled youth. She said sometimes schools provide so many programs that families do not get to have meals together. She said many children do not acquire parenting skills because they are not home taking care of younger siblings.

Ms. Two Bears said parents are involved when juveniles go to court. She said the sacred child grant which comes through the state is used for family-oriented programs. She said if the unemployment rate were lower, then there would be fewer family problems.

Ms. Two Bears said the Judicial Committee is evaluating the reorganization of the tribal court to place more focus on juveniles. At present, she said, juvenile cases seem to be a low priority.

Representative Boucher said children are treated as second-class citizens. He said uniformity between the code of the tribe and the codes of the state and federal government would be a good idea.

In response to a question from Representative Boucher, Ms. Two Bears said there is an agreement with the Division of Juvenile Services to send children who are evading the state authorities by hiding on the reservation back to the state authorities.

In response to a question from Representative Boucher, Ms. Two Bears said the tribe has a chemical prevention program for children. She said the tribe places many delinquent children on waiting lists to receive off-reservation treatment. She said support for the idea of a joint juvenile detention center for Indian children seems to be waning. She said the tribe does not have the facilities to take care of children when foster parents do not meet the needs of the child. She said there is a need for more foster parents.

Senator Nalewaja said there seems to be a disproportionate number of American Indian children at the Youth Correctional Center. She said the main crime that juveniles commit is theft. She said there is a need for the diagnosis program for fetal alcohol syndrome in American Indian children.

Representative Boucher said that the Youth Correctional Center tries to maintain open slots for children from the reservations. He said the tribe is responsible to pay for the services offered at the Youth Correctional Center if there is a slot available. He said most of the children who are at the Youth Correctional Center are adjudicated in district court. When a child is adjudicated delinquent in the district court, he said, the state pays for the services provided at the Youth Correctional Center.

Senator LaFountain said that according to 1990 statistics, American Indians make up seven percent of the total population of this state. He said one-half of the American Indians in North Dakota live off the reservation. He said 40 percent of the population at the Penitentiary and the Youth Correctional Center is American Indian. He said the American Indians who leave the reservation are being pushed into the criminal justice system.

In response to a question from Senator Nalewaja, Ms. Two Bears said there has been an increase in those that have educational disabilities from 17 to 42 percent. She said these children take more of a teacher's time than other children. She said a separate building is being built in Fort Yates for students that have educational disabilities. She said students at the school will be able to work themselves back into the normal education system. If children with educational disabilities are not provided the appropriate education, she said, they will most likely end up in the criminal justice system.

In response to a question from Representative Murphy, Ms. Two Bears said the main complaint from the public with the tribal court is the 72-hour detention period. She said a juvenile is released from custody if there is not a hearing within that

time. She said many times juveniles must be released because an arraignment cannot be held within 72 hours. She said the tribal court has a large caseload. She said the tribal court deals with the adults that have committed severe crimes before it deals with juveniles. If a juvenile is arraigned, she said, the juvenile usually is released. If a juvenile is found guilty, she said, the main punishment is probation. She said the public is upset with this "revolving door."

Representative Murphy said criminals and victims both say that nothing ever happens to American Indian juveniles that commit crimes. He said the tribal court does not seem to be serious about handling juvenile crime.

In response to a question from Senator Stenehjem, Ms. Two Bears said the tribe could change the laws; however, there is no place to house juveniles. She said jail also serves as home for some abandoned children.

In response to a question from Representative Thoreson, Ms. Two Bears said the tribe has the punishment of community service, but it is not well used. She said parents need assistance with raising children when the children are young. She said children listen better and parents are more influential with their children when the children are young. She said there is a meeting building being built in each of the districts so that, among other things, parenting classes may be held throughout the reservation.

In response to a question from Senator Nalewaja, Ms. Two Bears said Mr. Billy Mills and Mr. Bob Bennett, a minor league baseball pitcher, have been to the tribe to speak to the youth. She said there is a school paper in the tribal school which recognizes positive activity. She said there is only one tribal school and the other schools on the reservation are public. She said there is a radio station in Fort Yates.

In response to a question from Representative Sandvig, Ms. Two Bears said youth programs on the reservation include programs conducted by child welfare services, the women, infant, and children food supplement program, and the rainbow project--an afterschool activity for small children. She said the early childhood tracking system addresses the first six months of a child's life.

In response to a question from Representative Thoreson, Ms. Two Bears said there are language and culture programs in kindergarten through 12th grade in the reservation school. She said there is a focus on spirituality.

Senator LaFountain said after World War II there was the Marshall plan to rebuild Europe. He said there has not been a Marshall plan for the

reservation. He said problems are magnified on the reservation. He said programs of assimilation do not work on American Indians because the Indian culture is different from the American culture. He said there is a lack of prioritization of children's issues in the tribe and in the state.

In response to a question from Senator LaFountain, Ms. Two Bears said there has been a reduction in the funding from the state for chemical abuse prevention. She said gaming revenue is used for elderly protection and chemical abuse prevention and is channeled to the districts for local programs.

Representative Boucher said it costs a lot of money to send children away from the reservation for treatment. When the child returns from treatment, he said, the child is placed into the same environment and then the same problems reoccur. He said treatment of a child must include treatment of the people around the child. He said the Healthy Start program is for healthy births. He said early childhood tracking is for the education of families with at-risk children. He said the Even Start program is a family-based adult literacy program. He said the Head Start program prepares children for school.

In response to a question from Representative Boucher, Ms. Two Bears said these programs or similar programs are in place on the reservation.

In response to a question from Senator Nalewaja, Ms. Two Bears said there is a Tender Hearts program for domestic violence.

In response to a question from Representative Koppelman, Ms. Two Bears said it is difficult for the state to do anything to help the tribe with juvenile delinquency. She said parents need to take responsibility for their children. She said parents need to be given aid when children are young so parents can spend time with their children.

In response to a question from Representative Koppelman, Ms. Two Bears said welfare reform does not create more problems. She said welfare reform will create more responsibility. She said this responsibility will be forced on the people. She said the tribe needs to prepare the people for this forced responsibility. She said financial counselors and employment counselors will be needed when welfare reform is implemented.

At the request of Chairman Boucher, Ms. Jeni Eagle, Court Administrator and Juvenile Officer, provided information on juvenile court administration. She said juvenile cases are not a priority and are scheduled around more serious adult cases. She said because of the large geographic distances the court is sometimes unable to

provide a hearing for a child within 72 hours. She said there are 75 to 80 children on probation. She said there is a curfew on Friday and Saturday nights of 12:00 midnight and of 10:00 p.m. on the other nights. She said parents are typically charged with neglect or contempt if a child does not follow a court order. She said including the parents in the order began approximately one year ago. She said there is a lack of aftercare services. She said the tribe needs a transitional home where children can stay when they come back from treatment or are released from confinement. She said it is difficult to treat juvenile delinquents if the parents do not go along with the child to treatment programs. She said distance makes it hard to supervise the children on probation. She said cases of the abuse of the elderly are increasing. She said parents are making parents out of grandparents. She said grandparents are being abused by their grandchildren. She said an alternative school will have a positive effect if the school reaches the children when they are young.

In response to a question from Representative Murphy, Ms. Eagle said there has been a new juvenile code as of January 1. She said the tribal court has not been sentencing children to traditional American Indian sentences because of public pressure on human rights grounds and because of the lack of staff. She said 95 percent of the kids do not have a spiritual basis. She said 55 percent of the children have not been baptized. She said a spiritual leader meets with the children in jail. She said the children are interested in spirituality. She said spirituality gives children something meaningful to do.

In response to a question from Representative DeKrey, Ms. Eagle said the placement of children off the reservation in family foster care is rare. She said placement is usually with an American Indian family.

In response to a question from Representative Boucher, Ms. Eagle said there are quite a few children who live in many different places throughout the year. She said many children live with different members of their extended families throughout the year.

Representative Boucher said there are more children raised by other people than are in foster care.

In response to a question from Representative Boucher, Ms. Eagle said there have been four suicides since October 4. She said she had worked with all four children. She said the common elements in these children were that the parents would not work with the tribe and all the children were from outlying districts.

In response to a question from Representative Boucher, Ms. Eagle said it is typical for people to be reluctant to do things a court orders.

In response to a question from Representative Boucher, Ms. Eagle said outreach programs include Healthy Start, a bus service that brings people to the programs, social workers and investigators at Child Welfare Services, and an in-home service program provided by Sioux County.

In response to a question from Senator Nalewaja, Ms. Eagle said there has been a positive intervention by the schools to stop any gang problems. She said alcohol and inhalants are the most common forms of chemical abuse. She said gangs are not a big problem.

Representative Murphy said children who are sent to the Youth Correctional Center or Chamberlain will be exposed to gangs.

In response to a question from Representative Murphy, Ms. Eagle said children from Los Angeles and Chicago are the children that start the gangs. She said these children are looking for the bonds they had there back here in North Dakota.

Sexual Abuse

At the request of Chairman Boucher, Mr. Leo Gross, Director, Tribal Child Welfare Services, provided information on services offered to children by the tribe. Mr. Gross said Child Welfare Services investigates cases of child abuse and neglect. He said Child Welfare Services has two investigators. He said the investigators conduct an investigation to determine if services are required or recommended. He said a person from the West Central Human Service Center is collocated with Tribal Child Welfare Services and this person provides wraparound services. He said the tribe pays for foster care. He said 110 children were placed in foster care last year. He said cases of sexual abuse are reported to the Federal Bureau of Investigation. He said Child Welfare Services is trying to provide adoption services for special and needy children. He said Child Welfare Services is trying to move children out of foster care. He said Child Welfare Services has placed one child at the Youth Correctional Center since 1995.

In response to a question from Representative Boucher, Mr. Gross said Sioux County is encompassed by the reservation. He said the county government, the tribal government, and the Bureau of Indian Affairs provides social services on the reservation. He said the tribe provides most of the social services to children on the reservation.

In response to a question from Representative Thoreson, Mr. Gross said the population on the reservation is 8,000 people.

In response to a question from Representative Boucher, Mr. Gross said the interstate compact for the placement of children requires the Department of Human Services to approve the transfer of a child by the tribe to South Dakota for foster care. He said this process is cumbersome. He said South Dakota offers treatment that is specialized toward victims. He said there is no specialized treatment for victims in North Dakota. He said there are problems with medical assistance when taking a child from North Dakota to South Dakota.

In response to a question from Representative Boucher, Mr. Gross said welfare reform may cause some parents to not be willing or able to care for their children and they may drop their children off on the tribe's or relative's front door.

In response to a question from Senator LaFountain, Mr. Gross said there are fewer children in foster care than when the tribe took over the foster care program from the Bureau of Indian Affairs in 1995.

In response to a question from Senator LaFountain, Mr. Gross said the Bureau of Indian Affairs had an \$800,000 budget for administration of child welfare services. He said Tribal Child Welfare Services receives \$328,000 to do the same work. He said the Bureau of Indian Affairs received over \$800,000 to provide a group home. He said Tribal Child Welfare Services receives \$300,000 to provide the same program.

In response to a question from Representative Henegar, Mr. Gross said the Bureau of Indian Affairs staff was discontinued when child welfare services were transferred to the tribe. He said the tribe hired two of the previous Bureau of Indian Affairs staff members. He said over \$1 million has been saved by the transfer of services from Washington, D.C.

In response to a question from Senator Nalewaja, Mr. Gross said there were 611 allegations of child abuse and neglect in 1996. He said in 57 percent of these cases services were recommended. He said these numbers include approximately 10 juvenile sexual offenders. He said unemployment and depression are the primary causes of child abuse and neglect. He said the problem of recidivism into foster care is a big problem. When a child is returned into the home after foster care, he said, the same problems are present. He said he cannot remember any deaths caused by abuse since 1995.

In response to a question from Representative Boucher, Ms. Two Bears said she had nothing

derogatory to say about the boarding school concept. She said she did not get the chance to learn parenting skills by taking care of her younger siblings because of boarding school. She said boarding schools offer a safe haven for some. She said the older residents of the tribe do not like the boarding school concept. She said her mother tells stories of being beaten for speaking in her native language at boarding school. She said boarding school may be an option instead of family foster care.

DELINQUENCY PREVENTION CONSORTIUM

Superintendent of Public Instruction

At the request of Chairman Boucher, Mr. Gary Gronberg, Assistant Superintendent of Public Instruction, provided information on suspension and expulsion. He said suspension is a limited exclusion or isolation that lasts for a period of up to 10 days. He said expulsion is permanent exclusion from school and requires the action of the school board. He said a few states have programs to educate expelled and suspended students by placing them in alternative settings. He said these states include Arkansas, California, Louisiana, and Nebraska. He distributed the results of a survey entitled *Preliminary Data from the Suspension/Expulsion Survey*. A copy of the survey is attached as Appendix C. He said the survey shows that suspensions and expulsions are rising in number. He said children who are suspended or expelled need skills training or they are going to end up in the juvenile justice or criminal justice system. He said schools do not but should have a continuing responsibility to provide education to expelled and suspended students.

In response to a question from Representative Oban, Mr. Gronberg said some children are suspended or expelled for nonviolent behavior. He said some schools suspend students for wearing hats in school. He said there need to be incentives for schools to deal with children instead of suspending or expelling them.

In response to a question from Representative Thoreson, Mr. Gronberg said in some districts children on suspension get zeros for the days they are gone and cannot make up their class studies. He said individual school boards have the authority to develop policy on suspensions and expulsions.

In response to a question from Senator Watne, Mr. Gronberg said local school boards should have the authority to create policies to maintain the esprit de corps in the school system. He said

he wants to require schools to teach suspended and expelled children and not necessarily in the same building. He said he wants to require schools to provide an alternative education and to pay for the education.

In response to a question from Senator Watne, Mr. Gronberg said he does not know if requiring parents to pay for the education would help the situation. He said payment by parents would have to be based on the ability to pay. He said education should not be based on parents paying or not paying.

In response to a question from Senator Nalewaja, Mr. Gronberg said there are a lot more rules in schools today than there were in years past. He said there are more possibilities to break rules today than in the past. He said schools used to look the other way for certain offenses, for example, cigarette smoking off school grounds. He said schools are becoming stricter.

In response to a question from Senator LaFountain, Mr. Gronberg said schools have to work with other service providers in a partnership. He said schools can create partnerships for alternative education and do not necessarily have to have a separate building or create programs.

In response to a question from Representative Oban, Mr. Gronberg said private schools can set different rules than public schools. He said previous violations in a private school do not require an expulsion upon transfer to a public school.

In response to a question from Representative Oban, Mr. Gronberg said under the present system one of the partners can remove itself from a troubled child's life--the school. He said all the different systems should work together with school-aged children. He said the day treatment program works well. He said the Superintendent of Public Instruction pays 40 percent of the program. He said 60 percent is paid for by the local districts. He said this is a partnership program.

In response to a question from Representative Oban, Mr. Gronberg said foundation aid payments stop for expulsion but not suspensions. He said foundation aid payments would need to continue if a school is still responsible for an expelled student.

It was moved by Representative Oban, seconded by Senator Nalewaja, and carried on a voice vote that the Legislative Council staff be requested to prepare a bill draft to require schools to offer services to suspended and expelled students and receive foundation aid for offering those services.

In response to a question from Representative Boucher, Mr. Gronberg said expulsion and suspension require formal action and due process. He said statistics for dropouts and "pushouts" are not available.

Representative Boucher said day treatment may be cost-effective when compared to out-of-district programs.

In response to a question from Senator Nalewaja, Mr. Gronberg said the social worker is the liaison between the home and the school in the day treatment program.

In response to a question from Representative Boucher, Mr. Gronberg said seven schools in this state have day treatment programs. He said California is trying to address the issue of providing prevention by legislating lower primary class sizes.

In response to a question from Senator LaFountain, Mr. Gronberg said at-risk children are identifiable in the early elementary levels and should be dealt with at that age. He said a problem occurs when teachers teach subjects instead of children. He said teachers need to focus on taking children how they are and working with them based on their individual abilities.

In response to a question from Representative Thoreson, Mr. Gronberg said the state and federal government provide funding for special education programs. He said eight percent of the funding comes from the federal government. He said the state pays 30 percent of special education costs. He said the state and federal governments have regulations that create guidelines for who is eligible for special education.

In response to a question from Representative Koppelman, Mr. Gronberg said there is no one program that will help all children not become delinquent. He said a lower ratio of children to adults in schools would be advantageous.

In response to a question from Representative Koppelman, Mr. Gronberg said charter schools is an idea that could be tried by the state.

In response to a question from Representative Thoreson, Mr. Gronberg said there are supports in schools to fill the gaps left by weak families. He said schools assume or presume the responsibility. He said there needs to be a partnership with the families.

In response to a question from Representative Warner, Mr. Gronberg said he is not aware of any studies in this state of the use of methylphenidate. He said the use of medications to alter the behavior of children is a bothering concept.

In response to a question from Senator Nalewaja, Mr. Gronberg said teachers are

overwhelmed with the tasks they already have to perform. He said if class sizes were more manageable, then teachers could better assess children with fetal alcohol effect and fetal alcohol syndrome. He said teachers need to identify problems so the school system can better educate and provide programs for children.

Juvenile Court Services

At the request of Chairman Boucher, Mr. Greg Wallace, Assistant Director, Trial Court, distributed written testimony entitled *Report of Juvenile Court Activities*. A copy of his testimony is attached as Appendix D.

At the request of Chairman Boucher, Ms. Sheri Langei, Court Services Officer, Juvenile Court, Grand Forks, provided information on the Keys to Innervision program. She said the program is designed to provide a positive relationship with an adult. She said it is an educational program about changing one's beliefs and behaviors. She said the program involves parents. She provided a handout that explains the Keys to Innervision program. A copy of the handout is on file in the Legislative Council office.

In response to a question from Representative Thoreson, Ms. Langei said the program is court-ordered and a self-referral program.

In response to a question from Representative Warner, Ms. Langei said the optimal size for a program class is under 20 people. She said it is an interactive program.

In response to a question from Representative Oban, Ms. Langei said the program is funded by the Supreme Court. She said every juvenile court officer is trained in the program.

In response to a question from Representative Oban, Mr. Wallace said the program changes a child's frame of reference. He said the program says the child has choices and the child can make those choices. He said some schools have been adopting the program.

In response to a question from Representative Oban, Ms. Langei said the Dickinson school system uses the program as a credit class. She said the Fargo School Board is considering the class on a pilot project basis as an elementary school written curriculum class.

In response to a question from Senator Nalewaja, Ms. Langei said the court is working with Mr. Kevin Thompson to evaluate the program. She said in the first six months of the program she had eight children for which she was going to recommend an out-of-home placement. After the program and to date, she said, none of these children have been placed out of the home.

In response to a question from Representative Thoreson, Ms. Langei said any person may be the adult person in the program. She said a positive relationship with an adult is needed for a child to succeed. She said this program does not replace counseling.

In response to a question from Senator Watne, Ms. Langei said 50 percent of the eight children previously mentioned had a parent involved in the program. She said four of the children learned to survive and four children made the relationship with their parents.

In response to a question from Senator LaFountain, Mr. Wallace said the high number of American Indian children at the Youth Correctional Center may be attributable to the lack of programs in the state and in the tribes for American Indian children. He said he does not know of any American Indian workers in the juvenile court system.

In response to a question from Senator Watne, Mr. Wallace said the changes in the juvenile laws in 1995 have provided useful tools for judges. He said the changes in the transfer to adult court provisions have not had a major impact because the transfers would have happened under the old law.

Division of Juvenile Services

At the request of Chairman Boucher, Mr. Al Lick, Director, Division of Juvenile Services, Department of Corrections and Rehabilitation, distributed written testimony. A copy of his testimony is attached as Appendix E. He provided four handouts to supplement his written testimony. A copy of these handouts is on file in the Legislative Council office. He said there are five programs that have been proven successful and five pilot programs that have potential for expansion. He said the five existing programs include day treatment, intensive in-home, Keys to Innervision, diversified occupations, and tracking services. He said the five pilot programs include the success academy, financial incentives, early intervention with preschool children, the turnabout afterschool program, and the American Indian preservation project.

In response to a question from Representative Oban, Mr. Lick said he will attempt to place funding for the pilot programs in his budget.

In response to a question from Representative Thoreson, Mr. Lick said financial incentives are offered to sophomores and juniors. He said once a child is self-sufficient, the child does not need to be part of the incentives program.

In response to a question from Representative Murphy, Mr. Lick said it goes against the grain to give children money to stay in school; however, it works.

In response to a question from Representative Murphy, Mr. Lick said the only downfall of financial incentives is if children come to the program only to receive the money. He said the program is vocational and not an academic program.

In response to a question from Representative Oban, Mr. Lick said Ms. Jo Christianson works in the special education department in the Grand Forks public school system. He said Ms. Christianson is an aggressive and committed individual. He said she sells new ideas to the school system. He said she is the major reason why many pilot programs begin in Grand Forks.

In response to a question from Senator Nalewaja, Mr. Lick said there is treatment for adolescent sex offenders at the Youth Correctional Center and the Dakota Center in Minot. If there are deep-seeded physiological problems causing the adolescent to be a sex offender, he said, then the child may be sent to a program in Minnesota.

In response to a question from Senator Nalewaja, Mr. Lick said state law does not allow a tribal judge to place a child in the state juvenile justice system. He said the state has a contract with every tribe that states the Youth Correctional Center will take a child if the Youth Correctional Center has an opening. He said the tribe must pay for the service.

In response to a question from Representative Oban, Mr. Lick said he is in favor of the legislation suggested by Mr. Gronberg.

In response to a question from Senator Nalewaja, Mr. Lick said children at the Youth Correctional Center are given jobs during the summer because classes are not offered by the center. He said the Youth Correctional Center needs a 12-month school.

In response to a question from Senator LaFountain, Mr. Lick said the federal juvenile crime bill recently passed by Congress is very punitive. He said the bill directs how money can be spent and directs money to be spent on delinquents who commit violent offenses.

At the request of Chairman Boucher, Representative Oban provided written testimony given to him by Mr. James A. Davis. A copy of his testimony is attached as Appendix F.

In response to a question from Representative Oban, Mr. Lick said he will respond to the testimony of Mr. Davis at a later meeting. He said he was offended by his testimony.

Chairman Boucher provided a memorandum that discusses the topics committee members should consider before the next meeting. A copy of this memorandum is on file in the Legislative Council office.

Chairman Boucher adjourned the meeting at 5:10 p.m.

Timothy J. Dawson
Counsel

ATTACH:6