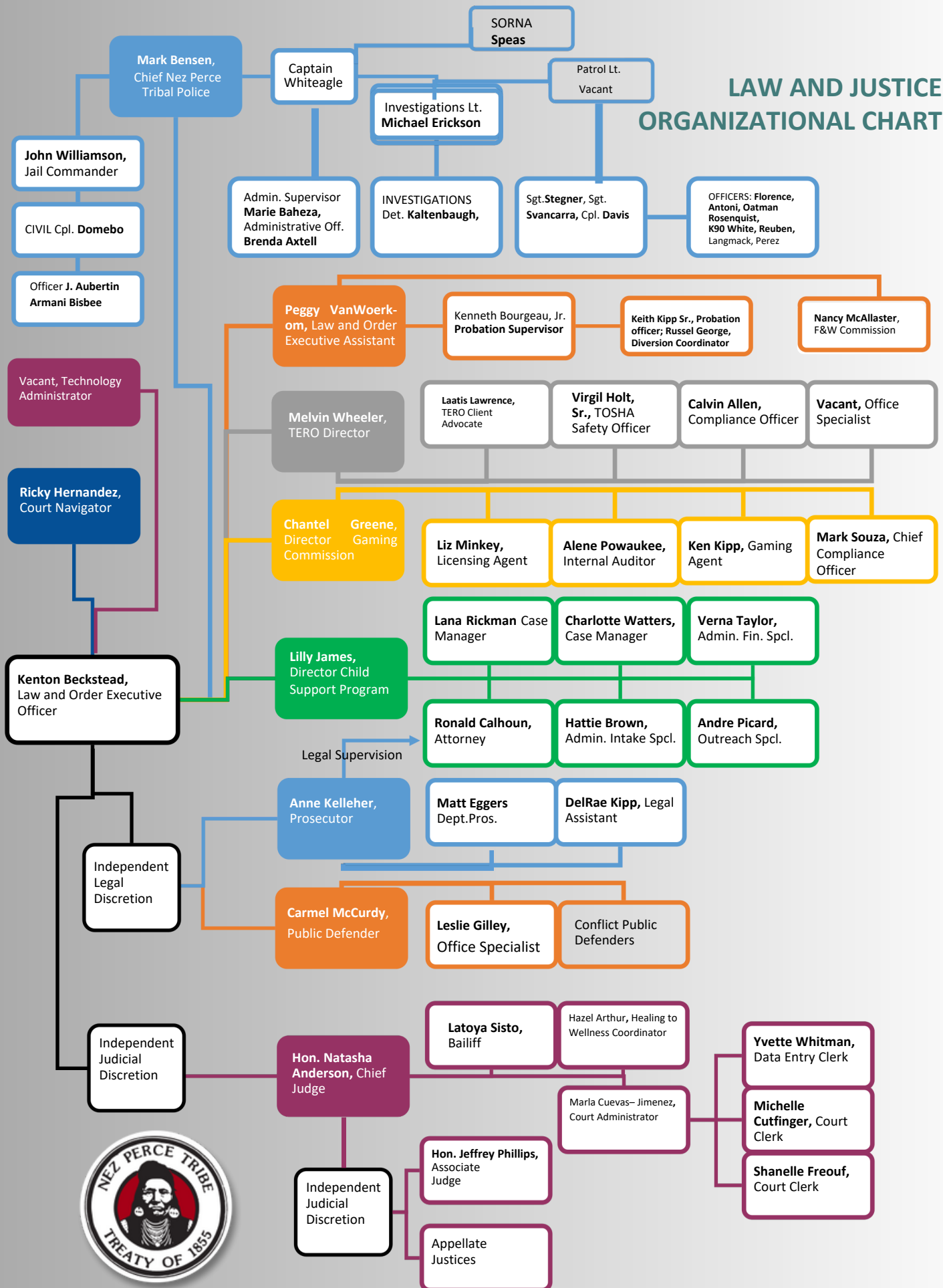


**NEZ PERCE TRIBE
LAW AND JUSTICE**

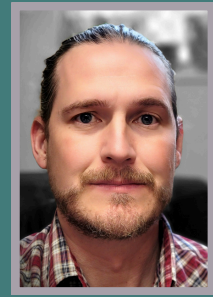


**2024
FALL
REPORT**

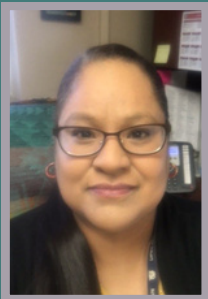
LAW AND JUSTICE ORGANIZATIONAL CHART



Law & Justice **TEAM**



Kenton Beckstead
Executive Officer



Peggy VanWoerkom
Executive Assistant



Natasha Anderson
Chief Judge



Mark Bensen
Chief of Police



Anne Kelleher
Prosecutor



Carmel McCurdy
Public Defender



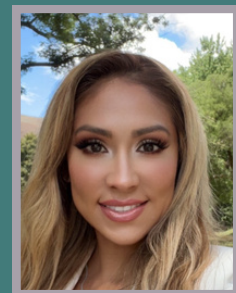
Kenneth Bourgeau Jr.
Probation Supervisor



Lilly James
Child Support Director



Melvin Wheeler
TERO Director



Chantel Greene
Gaming Commission
Director



Semi-Annual Report 2024



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Gaming Commission

- LAW & JUSTICE EXECUTIVE OFFICE -

Mission Statement

The mission of the Law and Justice Department is to provide coordinated, effective services by all the programs within the Department to protect the health, safety and welfare of all the Tribal members, particularly children, the elderly and other vulnerable citizens, and to improve economic opportunity for Tribal members. All programs within the Department will work to preserve and enhance the inherent sovereignty of the Nez Perce Tribe.

Overview

The overarching goal of the Law and Justice Department is to improve the operations of, and coordination between, the various programs in the Department. This will be accomplished by ongoing, regular communication between the programs, and between the LOEO and the Nez Perce Tribal Executive Committee through the NPTEC Chairman and the Law and Order Subcommittee. The programs/LOEO identify issues and develop strategies to resolve problems, and the LOEO reports regularly to the NPTEC Chairman and Law and Order Subcommittee, requesting assistance from the NPTEC when needed.

Accomplishments

The Executive Office has been focused on improving coordination, collaboration, and accountability amongst Law and Order and other tribal departments so that we can better serve the tribe. The 2019 Nez Perce Justice System Strategic Action Plan and the 2024 Nez Perce Tribe Strategic Action Plan serve as our guides.

This Law and Justice General Council report reflects the continued progress we have made toward our shared goals, with each department reporting on their progress, achievements, and challenges. I would like to highlight a few of our recent accomplishments.

TRAINING AND JOB OPPORTUNITY: TERO dispatched 51 workers and the Tribal Youth Apprenticeship Program (TYAP) helped 7 participants obtain BTI training in Lummi, Washington. Participants received certification in skills including level One Heavy Equipment Operator, flagging, hazmat, and confined spaces. TYAP also provided a separate flagging training that resulted in 20 clients becoming certified.

Kenton
Beckstead
208.621.4754

- LAW & JUSTICE EXECUTIVE OFFICE -

IMPLEMENTATION OF ENHANCED SENTENCING: NPTEC has adopted codes allowing for Enhanced Sentencing under the Tribal Law and Order Act. Enhanced Sentencing enables the tribe to better protect membership by allowing 3-year jail sentences for felony offenses, and sentences can run consecutively so that a person could serve up to 9 years in prison. The sovereign power of the tribe is expanded and persons incarcerated under enhanced sentencing can be held in federal prisons so that the Tribe does not pay for the incarceration.

IMPLEMENTATION OF SPECIAL TRIBAL CRIMINAL JURISDICTION: (Subject to final NPTEC approval. Expected to implement 10/1/24) The tribe has laid the groundwork to exercise Special Tribal Criminal Jurisdiction. Exercise of this jurisdiction returns to the tribe the sovereign power to exercise criminal jurisdiction over non-Indians who commit “covered crimes” related to intimate partner violence and sexual violence. Jurisdictional gaps, that have routinely negatively impacted tribal members who experience violence, will be closed as our police and justice system hold offenders accountable.

UTILIZATION OF COURT CASE MANAGEMENT SYSTEM: The court has implemented a case management system, called eCourt. This system will make justice administration more efficient, transparent, and user-friendly. Membership will be able to access court dockets and other court information through the eCourt portal.

TRAINING AT THE POLICE DEPARTMENT: Training in law enforcement is an investment for the future of our department and the Tribe. Since October, different commissioned officers have attended the following training: FLETC academy, DUI detection, homicide, strangulation, human trafficking, violent crimes, domestic violence, sexual assault, child abuse investigation, active shooter, tactical med, firearms instructor, taser instructor drug identification, drug interdiction, narcotics investigation, MMIW, SLEC training from the AUSA, FBI LEEDA leadership, FBI basic evidence and Criminal Justice in Indian Country.

COORDINATION WITH OPIOID RESPONSE MANAGER: The Nez Perce Tribe formed the independent office of the Opioid Response to coordinate efforts to address the plague of opioids and other drug misuse on the reservation. Tribe-wide coordination is critical. Brooklyn Baptise, the Opioid Response Manager, has prepared a strategic action plan and Law and Justice Programs are actively engaged in the effort to help implement the plan.

SAFETY IMPROVEMENTS: To improve the safety of the public and staff that utilize the courthouse, we sought out and obtained funding to install a smoke alarm system and emergency panic alarm buttons.

MENTAL HEALTH CRISIS RESPONSE PLAN: Law and Justice Programs, in coordination with other tribal programs, are developing a coordinated mental health crisis response plan. Abe Broncheau has provided key leadership in moving this coordinated response forward.

- LAW & JUSTICE EXECUTIVE OFFICE -

ACTIVE GRANTS:

COURT SECURITY: \$562,669

OJP BJA U.S. Department of Justice Coordinated Tribal Assistance Solicitation
Fiscal Year 2021 Competitive Grant Announcement (10/1/21 TO 9/30/26)

JUVENILE DIVERSION PROGRAM: \$999,442

OJP BJA FY 21 Comprehensive Opioid, Stimulant, and Substance Abuse Site-Based Program
10/1/21 TO 9/30/24 (extension requested)

LAW AND JUSTICE TECHNOLOGY IMPROVEMENTS: \$451,032

OJP BJA Tribal Justice and Victim Services Expansion Project (10/1/20 TO 9/30/25)

POLICE HIRING: \$502,385

COPS Programmatic Tribal Grant Resources Program (9/1/20 TO 8/31/25)

FAMILY TREATMENT COURT: \$480,000

OJJDP FY 2022 Family Treatment Court Program (10/1/22 TO 9/30/25)

SEX OFFENDER REGISTRATION: \$400,000

SMART FY 2023 Support for Adam Walsh Act Implementation Grant Program (10/1/23 to 9/30/26)

POLICE EQUIPMENT AND TRAINING: \$349,480

COPS Office Tribal Resources Grant Program - Equipment and Training (10/1/22 to 9/30/25)

POLICE EQUIPMENT AND TRAINING: \$368,528

Tribal Resources Grant Program - Equipment/Training (9/1/20 to 8/31/25)

POLICE EQUIPMENT AND TRAINING: \$765,499

COPS Office Tribal Resources Grant Program - Equipment and Training (10/1/23 to 9/30/26)

VAWA CRIMINAL JURISDICTION OVER NON-INDIANS: \$385,906

OVW FY 2020 Grants to Tribal Governments to Exercise Special Domestic Violence Criminal
Jurisdiction (10/1/20 to 9/30/26)

VAWA CRIMINAL JURISDICTION REIMBURSEMENT: \$33,425

OVW Fiscal Year 2024 Special Tribal Criminal Jurisdiction Reimbursement Program (1/1/24 to 12/31/24)

YOUTH APPRENTICESHIP READINESS GRANT: \$2,200

Equipment and instructors for youth

- LAW & JUSTICE EXECUTIVE OFFICE -

ACTIVE GRANTS:

ID COMMUNITY FOUNDATION GRANT: \$9,455

Support the training-to-work pipeline for Ne Perce Tribal Members

NEZ PERCE LOCAL EDUCATION GRANT: \$10,000

To obtain advanced training equipment and technology

POTLATCH FUND COMMUNITY RELATIONS AND INNOVATION GRANT: \$7,500

Purchase equipment for TERO/TYAP participants

PENDING GRANT APPLICATIONS:

MMIP PREVENTION PROGRAM-COPS PA 1 PUBLIC SAFETY AND COMMUNITY POLICING

\$827,909

STRATEGIC PLANNING PROJECT-BJA PA 2 COMPREHENSIVE TRIBAL JUSTICE SYSTEMS

\$150,000

BJA PA 3 JUSTICE SYSTEMS AND ALCOHOL AND SUBSTANCE ABUSE

\$899,000

BJA PA 4 TRIBAL JUSTICES SYSTEM INFRASTRUCTURE PROGRAM-JUSTICE CENTER ADDITION

\$1,400,000

BIA JUDICIAL ONE-TIME FUNDING (4TH REQUEST)

\$145,525

SAEEI RTI REIMBURSEMENT AGREEMENT

Supported career exploration for TERO/TYAP clients

\$18,000

INNOVATION GRANT ID WORKFORCE DEVELOPMENT COUNCIL

Baker Technical Institute (BTI) Adult Heavy Highway Construction Trades Academy

\$390,000

GOOD JOBS CHALLENGE

To purchase training curriculum, salaries, and supplies for the TERO/TYAP program

- JUDICIAL SERVICES -

TRIBAL COURT

Mission Statement

To Provide an effective and fair forum to handle all matters of law arising under the duly enacted laws of the Nez Perce Tribal Code. To create and maintain a working relationship within the area of other judicial jurisdictions and service providers.

Vision Statement

Continue to expand and upgrade court services to the public, through involvement in the implementation of new laws and program functions, as well as additional staffing. It is also a program goal to take accountability for all matters of law brought before the Court.

The Nez Perce Tribal Court (“Court”) is excited about strengthening the justice system, training and implementation for the new case management system, and improving court communication. The Court Staff includes:

- Natasha Anderson, Chief Judge
- Jeffrey Phillips, Associate Judge
- Marla Cuevas-Jimenez, Court Administrator
- Hazel Arthur, Healing-To-Wellness Coordinator
- Shanelle Freouf, Court Clerk
- Michelle Cutfinger, Court Clerk
- Yvette Whitman, Data Entry

The Court is also supported by Law & Justice Department staff, specifically:

- Ricky Hernandez, Court Navigator
- Latoya Sisto, Court Bailiff

Court Administration

Clerks, Judges Anderson and Phillips look to strengthen the justice system by utilizing the new case management system to its fullest capabilities, tracking cases for timely disposition, reporting monthly data, holding offenders accountable, and improving communication.

Chief Judge
Natasha
Anderson
208.843.7338

- JUDICIAL SERVICES -

Improved Access to Court Information

The new case management system, called eCourt, is designed by Journal Technologies to make justice administration efficient, transparent, and user-friendly. The transition to eCourt began in late May 2024. Court staff have initiated new cases and uploaded existing cases for a total of 359 cases active in eCourt.

In addition to implementing a case management system, the Court is also focused on scanning paper files to digitize and preserve cases. The Court looks to develop a webpage with revised court forms, frequently asked questions, contact information, and publicly available dockets. The Court also plans to continue to support virtual video appearance via the software platform Zoom when appropriate.

Jury Trials

The Court looks to improve jury pool procedures as parties exercise their right to a trial by jury. The role of the jury is to provide unbiased views or resolution to evidence presented in a case in a court of law. The jurors are the factfinders. Jury service helps to support fairness in trials. Jury service is a civic duty. We are accountable through our participation in jury service.

As September 3, 2024, the Court has one jury trial scheduled in late October 2024. There are two jury trials scheduled in early 2025. The Court keeps an updated list of scheduled jury trials at the following link: <https://nezperce.org/government/law-and-justice/tribal-court/>. Anyone with questions about jury service, especially those in the 2024 Jury Pool, can email JurorInformation@nezperce.org.

Healing-To-Wellness

At last report, the HTW Court had three active participants and two new acceptances waiting to begin. Since Spring General Council, one participant graduated from the Healing-To-Wellness (HTW) Court. That HTW graduate continues to thrive in commitment to their family, job, and community. One participant terminated from the program after failing to appear following treatment.

Another participant started Phase I in July and has impressed the HTW Team. The participant in Phase I at last report, has moved up to Phase II. This participant continues to build a solid foundation and is thriving in sobriety. The final participant who was in Phase II, moved up to Phase III in early May, and recently started Phase IV. This participant has fully claimed their sober lifestyle, is reuniting with their children, and inspires their fellow participants.

It is truly meaningful to celebrate the milestones along a person's sobriety journey, offer support and accountability when there are hurdles, and honor one's healing. Recovery is active change and requires daily maintenance. The HTW Court is only one of several ways the communities on the Nez Perce Reservation support sobriety.

- JUDICIAL SERVICES -

Idaho Tribal Court – State Court Forum

The Idaho Supreme Court hosted the Forum meeting in Boise. The Nez Perce Tribe will host the in-person meeting of the Idaho Tribal Court – State Court Forum later this year on Friday, October 18, 2024, at the Clearwater River Casino. The Forum participants can be reviewed at this link: <https://isc.idaho.gov/tribal-state/forum-participants>. The Office of Legal Counsel is active in assisting Judge Anderson to coordinate hosting.

Northwest Tribal Court Judges Association & National American Indian Court Judges Association

Judge Anderson was appointed to the governing board of the Northwest Tribal Court Judges Association as the NAICJA representative in October 2023. NAICJA is the National American Indian Court Judges Association, which is a national association of tribal justice personnel and advocates for increased funding to tribal courts. As the Northwest representative to NAICJA, Judge Anderson also serves on NAICJA's governing board. Judge Anderson will join tribal court judges from across Indian Country as they gather for NAICJA's Annual Conference to be held in Las Vegas in late October 2024.

LC Valley Domestic Violence Community Response

Along with Social Services/Úuyit Kímti, Prosecutor's Office, Public Defender's Office, Office of Legal Counsel, and respective Tribal programs, Judge Anderson participates in the LC Valley Domestic Violence Community Response Team with local Nez Perce County counterparts. A key focus for the judges is ensuring full faith and credit of court orders. As the fall season approaches, the group will reconvene.

- LAW ENFORCEMENT -

Mission Statement

The fundamental goal of the Nez Perce Tribal Police Department is to enhance the standard of living for those living on the Nez Perce Reservation by optimally using the resources provided to us to reduce crime which will create a safe and productive environment for the people that live, visit, and work on the Nez Perce Reservation. The reduction in crime will result in an increase in community member's standard of living decreasing insurance costs, increasing property values, increasing tourism all of which increase the economic opportunities for community members by creating a community that is desirable to business. The Nez Perce Tribal Police work cooperatively with numerous tribal, state, and federal agencies to meet this goal.

Staff

ADMINISTRATION

- CHIEF OF POLICE: Mark Bensen
- CAPTAIN OF POLICE: Wayde White Eagle (Interim)
- LIEUTENANT OF POLICE: Michael Erickson (Interim)
- ADMINISTRATIVE SUPERVISOR: Marie Baheza
- TECHNOLOGY ADMINISTRATOR: Open
- ADMINISTRATIVE SGT: Open
- RECORDS: Brenda Axtell
- FRONT DESK: (pending background approval for hire)
- JAIL COMMANDER: John Williamson

PATROL

- PATROL SGT: John Svancara
- PATROL SGT: Michael Stegner
- PATROL CPL: Tyson Davis
- OFFICER: Jerry Florence
- OFFICER: Alan Reuben
- OFFICER: Chase Langmack
- OFFICER: Michael Rosenquist
- OFFICER: Titus Oatman (academy October 2024)
- OFFICER: Cassidy White
- K9 OFFICER: Monta
- OFFICER: Meghan Antoni
- OFFICER: Ruben Perez
- OFFICER: VACANT (advertising)
- OFFICER: VACANT (advertising)
- SCHOOL RESOURCE OFFICER: VACANT (advertising)

Chief of Police
Mark
Bensen
208.843.7141

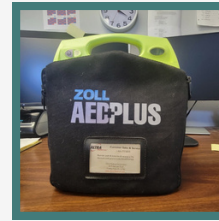
- LAW ENFORCEMENT -

INVESTIGATION DIVISION:

- DETECTIVE: VACANT (advertising)
- DETECTIVE: Jeff Kaltenbaugh

CIVIL/JAIL DIVISION:

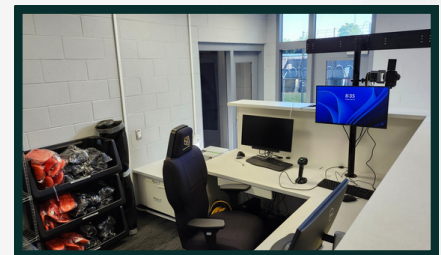
- CIVIL CPL: Austin Domebo
- CIVIL OFFICER: Jacob Aubertin
- DETENTION OFFICER: Armani Bisbee
- DETENTION OFFICER: (multiple open positions)
- SEX OFFENDER REGISTRATION AND NOTIFICATION ACT COORDINATOR: Breanne Speas



NPTPD Statistics

April 1 to September 1, 2024

- Calls for service: 1098
- Domestic Violence calls: 15
- K9 searches with narcotics finds: 14 Deployments/7 Narcotic Finds
- Calls involving narcotics: 48
- Total arrests adult and juvenile: 38 Adult/0 Juveniles



Community Engagement

At NPTPD, we have a clear expectation that all who work here are present and engaged with the community. We have worked diligently meeting many people all over the reservation. Developing relationships with my staff, our community, Tribal employees, and all our neighboring local, state, and federal law enforcement agencies. We have attended several community events to include the Chief Looking Glass Pow Wow in Kamiah. Participated in the Lapwai High School mock lockdown drill. We have provided safe escorts for many memorial services for Tribal members. We have been active with school sports and graduation activities.

Equipment

Grant funding has allowed us to replace 6 patrol vehicles. We used a grant to purchase 14 AED's. All sworn staff now have AED's in their vehicles. We used a grant to purchase 14 same way radar units. Our current radar units are at least 10 years old. 4 patrol vehicles have been outfitted with mobile repeaters to enhance communication with dispatch.

- LAW ENFORCEMENT -

Training

Training in law enforcement is an investment for the future of our department and the Tribe. Since October, different commissioned officers have attended the following training, FLETC academy, DUI detection, homicide, strangulation, human trafficking, violent crimes, domestic violence, sexual assault, child abuse investigation, active shooter, tactical med, firearms instructor, taser instructor drug identification, drug interdiction, narcotics investigation, MMIW, SLEC training from the AUSA, FBI LEEDA leadership, FBI basic evidence and Criminal Justice in Indian Country. May 6th and 7th NPTPD presented a course at the casino. Kyle Sumpter is an excellent instructor and expert witness. Kyle taught "De-escalation and resolving lethal force situations". We had two officers graduate from the FLETC detention academy. Our civilian staff have attended numerous SORNA related courses dealing with registered sex offenders, ILETs, Motorola systems (body cameras) and FBI CJIS.

Criminal Investigations Division

CID has a renewed focus on cooperative work with our regional partners in law enforcement. Nez Perce Tribal Police Detectives have teamed up with the FBI, the Idaho State Police, the Coeur d'Alene Tribe, the Bureau of Indian Affairs, and the City of Lewiston Police Department to proactively target drug use and sales on and adjacent to the reservation. CID is actively working several cases involving child abuse and sexual assault in close cooperation with the Nez Perce Tribe Prosecutor's Office, the FBI and the United States Attorney's Office. CID has partnered with the Idaho Internet Crimes Against Children task force and is attending training and developing protocol with the goal of the Nez Perce Tribal Police Department becoming a full time ICAC affiliate agency to work child abuse and exploitation cases in partnership with the Idaho Department of Justice. CID, the Nez Perce Tribe Prosecutor's Office, and Spokane County Medical Examiner's Office obtained specialized training as a regional team in the investigation of domestic violence strangulation and homicide.

Advancement of Technology

Tribal officers were equipped with new body cameras and have ability to view videos in Evidence Library via cloud server. In addition, this allows for records personnel to easily cloud-share body camera footage with the tribal prosecutors.

The Department of Corrections is now equipped with a new fingerprint machine installed in the jail intake area, which allows for criminal fingerprint submission to the National Criminal Database. In addition, we can electronically submit fingerprints to National Indian Gaming Commission and to Idaho State Police Bureau of Criminal Identification for Social Services, Early Childhood Development Program, or local schools.

- LAW ENFORCEMENT -

In FY2024, Tribal Police was approved to utilize PowerDMS to track trainings, any policy updates to document they are reviewed by department personnel. The training for PowerDMS Software and PowerReady has been completed by Administrative Supervisor. However, the Go Live date is delayed due to changes in vendor personnel.

In May, Administrative Supervisor completed grant reporting for the following grants: FY22 COPS Tribal Resources Equipment & Training, COPS CTAS Hiring, FY23 Tribal Resources Grant Equipment & Training. These grants allow funding for hiring a new officer, financial support for specialized training and equipment for officers to carry out their duties.



In June, Motorola Solutions provided a body camera & evidence library training for officers, records/administrative staff, and supervisors. Through our contractor Clearwater River Casino Surveillance, a network infrastructure rack was installed to house appropriate technology for jail/police operations. The installation of the Jail Server occurred on August 27-28, 2024, this project has been highly anticipated by Jail Commander and Corrections Officers! By having this jail server, we will be able to properly track inmates from the time they are processed through jail intake, day to day activities and up to their release date.

In 2019 Motorola Solutions has acquired WatchGuard systems, this has provided some challenges in the last couple of years. The WatchGuard systems are in the process of being phased out and our products are nearing the end of technical support. In addition, our equipment is past warranty and shelf life, and we are having issues of cameras constantly recording or cameras recording for a few minutes of the call and shutting off. This typically requires a full replacement of the hard drives which cost \$1,500.00 each and to date we have had to replace two (2) hard drives. As you can see it's becoming quite expensive. By having the In-Car Cameras we have transparency and accountability when initiating contact with the community and during any transports. One amazing feature is when an officer initiates a recording on his body camera and there are other officers or police vehicles in the area it group records an event, and those recordings are linked in the Evidence Library. We are proposing upgrade to In-Car Camera system for officers that will be presented to Law & Order Subcommittee on September 5, 2024.

- LAW ENFORCEMENT -

Sergeant Mike Stegner has been testing a cell phone booster and has had successful connectivity in terrain challenged areas. In fiscal year 2025, we will look to equipping all tribal officers with cell phone boosters to increase officer communications reservation wide.

Hiring

We are working diligently to be fully staffed. Since last General Council we have hired one detention officer. Ofc. Armani Bisbee will attend the corrections academy October 6th. We had 8 entry level patrol officer candidates test in August. We are actively working on their background investigations. We have two lateral (experienced officers) that applied for the open School Resource Officers position in September.

Department of Corrections graduates first staff from the Indian Corrections Academy. On November 14, 2023, Cadet Austin Domebo graduated from the ICA in Artesia New Mexico. Fellow Cadet Jacob Aubertin was injured and returned to graduate during the next scheduled class in February. At the time of this report, two additional Officers have their applications on file at the Indian Corrections Academy, pending approval.

Nez Perce Tribe Restorative Justice Center Update

The surveillance system has been installed, purchased, and is ready to use for our Justice Center.

The Commissary Unit is ready at no up-front cost to the Tribe and will include tablets that can be used by the inmates. Tablets can be loaded with books (Nez Perce Language, Historical Books) and other materials (assignments, GED, Life Skills, treatment plans, etc.). This will allow our staff to begin case managing with inmates within the first 72 hours of their stay.

Bed and Jail furniture had been installed.

Uniforms and Hygiene products are purchased and stored.

Food Service-a contract for delivery of food for the inmates has been secured. We currently have a 30-day supply in our freezer.

Transport Van-an 18-passenger transport van was secured, and delivery is set for December.

Records management system (Spillman) for the jail facility was installed in August.

Nez Perce Tribe Restorative Justice Center policies. A draft has been submitted for review to OLC. The policies developed are culturally competent that meet Idaho Jail Association standards.

- LAW ENFORCEMENT -

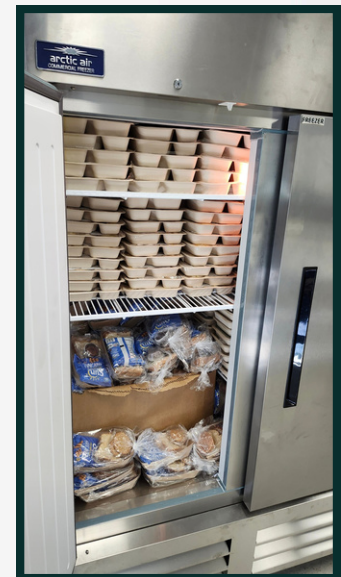
Jail Module

The Spillman jail module (with stand-alone server) has been approved and scheduled to be installed in November. With our own server and records management system, we added those duties of our Correctional staff class descriptions. The Department of Corrections, Master Control Officers essentially will enter, confirm, and removed all orders issued by our court on a 24-hour, 365 day basis. This will include arrest warrants, no contact orders, civil documents, and runaways. The NPTPD has never had a “live” system to account for such crucial records. This is an essential and critical step in improving the Law and Justice Department’s vision of Public Safety.

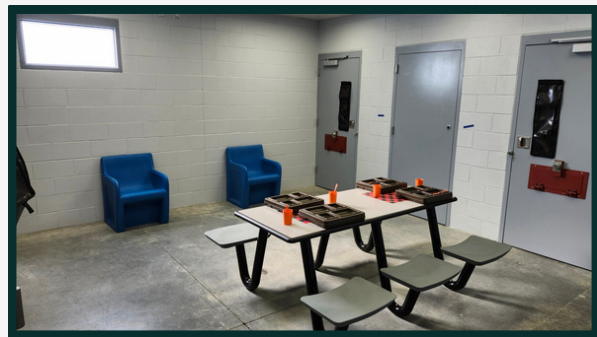
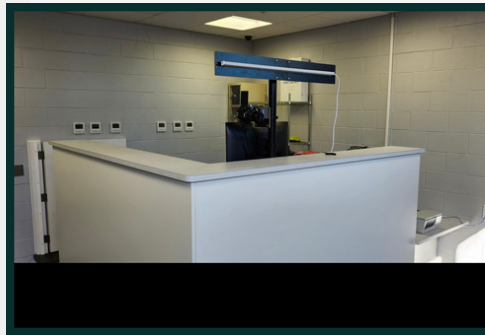
With the approval of the Spillman Jail records management system, we were able to upgrade our current fingerprint system to a digital system, which went live in July. This device can be used in employment verifications, visitors to the jail, and National Indian Gaming Commission background checks among others.

Stats 2023-2024

- Refusals. 38 total refusals.
- Prisoner Transports. 169 total transports. Total miles covered during transports (issued by the Nez Perce Tribal Court) 16,349 miles. There were several “long distance” transports to our partnering facility in Nisqually Washington.
- Training Hours. An estimated 585 hours of designated training have occurred with Department of Corrections staff during the above-mentioned reporting period.



- LAW ENFORCEMENT -



- PROSECUTOR -

Mission Statement

To strive for the protection and safety of the people of the Nez Perce Tribe and its communities, through the zealous enforcement of the laws of the Nez Perce Tribal Code. To effectively and fairly administer a balanced approach to the administration of justice in support of the Sovereignty of the Nez Perce Tribe on and off the Reservation.

Vision Statement

To adequately protect the safety and interests of the Nez Perce Tribal Community through the zealous enforcement of the Nez Perce Tribal Code.

Staff

Anne Kelleher, Lead Prosecutor

Mathew Eggers, Deputy Prosecutor

Del Rae Kipp, Victim Coordinator and Legal Assistant

The past six months have unfortunately been incredibly busy for the Nez Perce Tribe Prosecutor's Office. Fifty-six new cases involving 104 criminal counts were filed by the Tribe since May 1, 2024. The vast majority are drug and alcohol related, committed by men, between the ages of 18-49.

Of the drug offenses, fentanyl remains the clear drug of choice, with fentanyl and fentanyl paraphernalia turning up on traffic stops, calls for service, ambulance calls for overdoses, and search warrants.

Recently, the Prosecutor's Office assisted with a search warrant of a residence in Lapwai where officers observed fentanyl paraphernalia all over the house; in plain view on the front porch and all through the residence. Jail personnel housing some of these suspects told us their withdrawals were worse than anything they had seen to date, requiring hospitalization. Though the investigations arising from the warrant are still underway, we are currently looking at charging nine residents, eight of whom will face felony possession charges.

Prosecutor
Anne
Kelleher
208.843.7361

- PROSECUTOR -

Fentanyl effects more than just the user. This period, the prosecutor's office is working closely with the Indian Child Welfare program as we monitor three babies known to be drug effected at birth in the last six months. Family and friends of those who fall under the influence of this incredibly addictive drug loose those valuable connections, and the drug itself can be hazardous to anyone who comes into contact with it or someone in active use.

Incarceration is not the answer. But treatment options are limited. We look to the Community and the Membership to help address this crisis. The Prosecutor's Office asks you to look out for your neighbors, if you see something, say something. Help us help those who are self-medicating with substances like fentanyl. Help us intervene before its too late.

- PUBLIC DEFENDER -

Mission Statement

The mission of the Office of the Public Defender is to provide quality representation and zealous advocacy to adults and juveniles accused of criminal offenses filed in the Nez Perce Tribal Court.

Contact Information

Nez Perce Tribe Office of the Public Defender
P.O. Box 365
Lapwai, ID 83540
208-621-3866
Email: carmelm@nezperce.org - leslieg@nezperce.org

Overview for April 2024 – August 2024

The Public Defender appears in tribal court to represent adults and juveniles accused of committing criminal offenses. The purpose of the Office of the Public Defender is to safeguard individual rights in all criminal and related matters, from arrest or threat of confinement through all stages of the criminal proceedings including appeal and probation matters, if any, consistent with applicable laws, court rules, and rules of professional responsibility. This Office also represents clients engaged in the Nez Perce Tribe Healing to Wellness Court.

The Office Specialist II handles tasks such as creating and organizing case files, keeping digital files, and adding documents to individual files. She tracks the number of cases filed and the categories of charges for each. She fields numerous phone calls, calendars court hearings and meetings, coordinates with the conflict public defenders, and works with Nimiipuu Behavioral Health on receipt of treatment recommendations.

This office works to negotiate favorable plea bargains and deferred prosecution agreements for its clients. We research, draft, and file suppression motions, request additional discovery as necessary, and advocate for clients with sentencing and probation issues. We also repeatedly seek the reduction of bail both at initial pretrial hearings and in formal bail-reduction proceedings. We work closely with Healing to Wellness Court participants to ensure that their needs are met and help our clients with intake forms to coordinate appropriate assessments with Nimiipuu Behavioral Health.

Public Defender
Carmel
McCurdy
208.621.4750

- PUBLIC DEFENDER -

The Public Defender continues to be available to provide guidance to individual tribal members on questions concerning civil matters before the Court, so long as the opposing parties in a civil matter are not both Nez Perce tribal members.

Accomplishments

- Current active caseload: 226 cases are open and pending (including Juvenile matters). Currently there are 74 cases (from 2021 to 2024) that are pending for active bench warrants. The bench warrants are cases that will move from pending to active and open upon the defendants being picked up by police on their warrants and brought before the Court.
- This office vigorously pursues motion practice to protect the individual defendants' rights under the Code and the Indian Civil Rights Act. Since April of 2024, the Public Defender has filed briefs for a Motion to Dismiss a case pursuant to a withheld Judgment; a stipulated motion for a treatment furlough; a Motion to modify a no contact order; a Motion for Reconsideration of a court ruling; a Motion to Vacate and Reset Trial and Scheduling Order, and a Reply to Tribe's Response to that motion; and a Motion to Suppress and Modify Conditions of Release and a Reply to the Tribe's Response to that motion.
- This office assists Tribal members with certain civil case questions. The Court Navigator is available to help tribal members with many of the basic questions, although he confers with my office when a member needs further legal assistance.
- The Public Defender takes an active role in grant programs, including the Healing to Wellness Court Team, VAWA implementation team, the Sex Offender Registry grant (working with the SORNA officer to bring convicted offenders into compliance), and anticipates participation in new grant programs such as the Family Healing to Wellness Court, and Special Domestic Violence Jurisdiction program.
- The Public Defender is a member of the LC Valley Domestic Violence Community Response Team.
- The Public Defender maintains professional associations in the Idaho Criminal Defense Lawyers Association and is an At-Large Council Member for the Idaho State Bar Indian Law Section.

- PROBATION -

Mission Statement

The mission of the Adult and Juvenile Probation Program is to deliver high quality probation services to all eligible clients, encouraging the rehabilitation and recovery of all defendants on probation by following fair, consistent, and transparent procedures which are consistent with the historical cultural and traditional practices of the Nez Perce Tribe.

Vision Statement

The goals of the Probation program are (a) to help probationers to meet the conditions of their probation while assuring that probationers are held accountable for their conduct; (b) to reduce recidivism of offenders by assuring that their needs for services (therapy, job skills training, etc.) are identified and, insofar as possible, met by available service providers, educators, etc.; (c) to assure the safety of probationers, themselves and the public by notifying appropriate law enforcement officials when a probationer reasonably appears to be a danger to him or herself or others.

Activities

Probation maintained contact with a Juvenile client and have volunteered to take the client to cultural events, showed him life skills in the mountains, and we toured Lewis-Clark State College welding program. Probation supports him in his high school sports and his education by checking his progress.

NPT Probation Dept has supported numerous community functions such as NMPBH Sobriety event, Pride Parade, and "Through It All" album release sponsored by the Healing Lodge of the Seven Nations in May. We maintain positive contacts and give encouragement to our clients to abstain from substance abuse not only for Court compliance but to be healthier within the community.

Attended the Intertribal Working Group on Special Tribal Criminal Jurisdiction. This is going to be implemented Oct 01, 2024. While we were there, we were privileged to meet with the Tulalip family treatment court staff to learn from them.

Probation
Supervisor
Kenneth
Bourgeau Jr.
208.621.3618

- PROBATION -

Probation has met with Brooklyn Baptiste, Opioid Crisis Manager, NPT Prosecutor and other departments to voice our concerns and give process responsibilities and roles of our departments. We look forward to working together.

Probation has also been working cooperatively with NPT Police Department, Nez Perce County Sheriff's Office, and Idaho State Felony Probation, and US Federal Probation.

Youth Diversion Program

Since last September, Rusty George, Youth Diversion Coordinator has worked with five juveniles that were facing the tribal justice system for various offenses. The goal of the program is to keep juveniles out of the court system. The Diversion Coordinator met with those students over the course of the school year at Lapwai Middle/High school during Power Up Block, as to not take away any classroom time from the students.

The coordinator met with the students individually. The meetings were primarily encouraging and motivating discussions that ranged from making good choices to starting career paths. Some of the morning encounters with the youth were often brief, positive check-ins to see how he or she was doing and feeling that day/week. Active listening to the students' interest were often bridged to career topics. The meetings took place in the mornings to verify the students' attendance as well.

- CHILD SUPPORT PROGRAM -

Mission Statement

Among the NiMiiPuu, children are seen as a gift of the Creator. They represent the future of the Tribe and a link to the values of our culture. In our language, there is no word for orphan. Each child is the center of a circle with deep relationships to his biological parents, his blood relatives and his fellow Tribal members. Adults must put the children first to ensure they are properly nurtured and developed.

Vision Statement

The ultimate goal of the CSEP Program is to protect the welfare of the children on the Nez Perce Reservation, through the establishment and enforcement of Child Support orders. By assuring, financial support is provided for these children we believe the cycle of non-support will be broken and future generations of children will be provided for by their parents without intervention.



The Child Support Program (CSP) recently concluded its Child Support Awareness Month in August 2024 with a series of engaging events aimed at raising awareness about child support and fostering community connections. The celebration began with a S'mores Kit Giveaway, offering community members the opportunity to pick up a kit while learning about the services provided by CSP.

One of the highlights of the month was the CSP Yard Sale, where our office yard was opened to anyone interested in setting up a booth and selling their goods. This event aligns with our mission to promote self-reliance within the community.

Director
Lilly
James
208.843.7362

- CHILD SUPPORT PROGRAM -

Parenting classes were also conducted in Lapwai and Kamiah, utilizing the “Linking Generations by Strengthening Relationships” curriculum developed by the Native American Fatherhood & Families Association. These classes provided valuable tools for strengthening family bonds.

To cap off the month, CSP participated in the Lookingglass Powwow, where attendees enjoyed pizza and learned more about the child support program.



In July, the Child Support Program (CSP) played an active role in Lapwai Days by hosting the Great Tipi Race and a Mini Powwow. The Nez Perce Tribe Fire Management Engines #57 & #61 emerged victorious in the Great Tipi Race, winning a new tipi for their program. During the Mini Powwow, a giveaway was held for the dancers and drummers. These events were designed to foster family togetherness, strengthen bonds, and enhance community pride while getting to know their CSP staff.

Our Administrative Financial Specialist, Verna Taylor, was selected to participate in and attend the NCSEAU 2024 Leading with Heart, held alongside the NCSEA Leadership Symposium in Detroit, MI. The National Child Support Engagement Association (NCSEA) is a key partner for our Child Support Program, offering valuable opportunities for professional development and networking. NCSEAU, created by NCSEA, is designed to elevate the educational level and performance of child support leaders. It provides enhanced professional development, including skills in customer service, office ethics, self-care, and knowledge to make a transformative impact on the IV-D program, along with excellent networking opportunities. This is NCSEAU's 8th year, and we are proud to announce that Verna is now an NCSEAU alumni.

- CHILD SUPPORT PROGRAM -



The Child Support Program (CSP) recently completed a thorough review of all inactive child support cases. As a result, 87 cases were closed, with only one case being reactivated. This review provides a clearer understanding of the current caseload, paving the way for more efficient and comprehensive case management within the program.

CSP welcomes new applications while keeping professional superiority. We're proud to offer services without fees, from child support order establishment to paternity testing. For service inquiries, program details, or class suggestions, contact us at (208) 843-7362 or childsupport@nezperce.org. Our commitment to excellence drives every interaction at CSP.

Keep an eye out for upcoming CSP events, including the Homemade Christmas Event and Family Tree Day!

- TRIBAL EMPLOYMENT RIGHTS OFFICE -

TERO

Mission Statement

To ensure that economic opportunities for employment and for contracting within lands subject to the jurisdiction of the Nez Perce Tribe are provided to members of the Nez Perce Tribe and other Native Americans and to businesses owned by members of the Nez Perce Tribe or other Native Americans.

Vision Statement

Full employment for all Nez Perce tribal members in the job market on the Nez Perce Reservation and surrounding areas.

TERO Training Programs

- Youth Apprenticeship Program-The Nez Perce TERO/TYAP Youth Apprenticeship Program began on November 25, 2023, under the State of Idaho, and has actively engaged clients in various training opportunities.
- BTI 5-Week Training from March 18 to April 19, 2024, seven TYAP clients participated in a BTI training held in Lummi, WA, where they received certifications in Level One Heavy Equipment Operator (HEO), OSHA 30, First Aid/CPR & AED, Flagging, Hazmat, and Confined Spaces.
- Flagging Classes-Mr. Wilson held two flagging classes in March, certifying 20 clients out of 24 participants. Each class can accommodate up to 15 clients.
- Virtual Reality Headsets for Training TRANSFR virtual reality headsets were delivered to the TERO/TYAP program for use in the Lapwai High School summer program.
- Summer Youth Program Partnering with the Career Center, TERO/TYAP supported a group of 6 youth clients to work with NPTHA from July 10 to August 22, 2024. Clients participated in financial literacy and First Aid/CPR classes.
- Future Training Programs TERO/TYAP is awaiting confirmation to host a fall five-week BTI construction training in October 2024, targeting 20 clients for OSHA 30, flagging certification, and other construction skills. This training will start October 7th-November 8, 2024.

Director
Melvin
Wheeler
208.843.7363

- TRIBAL EMPLOYMENT RIGHTS OFFICE -

TERO Dispatches (March-August 2024)

Total Dispatches: 51
General Laborers: 26
Cement Masons: 2
Carpenters: 2
Heavy Equipment Operators (HEO): 2
Flaggers/Laborers: 15
General Laborers: 2
Flaggers/Laborers: 2



Gas Cards Distribution (March-August 2024)

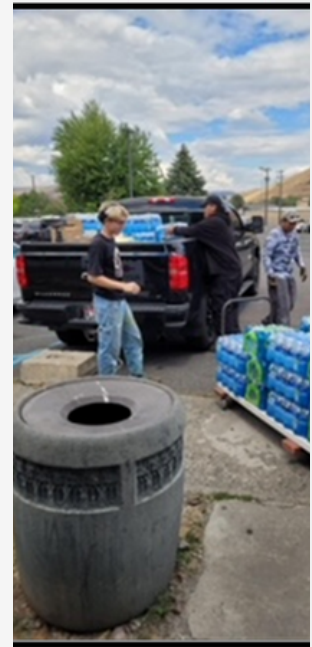
No gas cards were distributed; currently out of stock for June and July.

TERO/TYAP Travel and Conferences

Pacific Northwest Regional TERO Conference
April 8-11, 2024, Bellingham, WA
Attendees: Melvin Wheeler, Laatis Lawrence, Calvin Allen

Western Regional WIOA 166/477 Conference
May 12-18, 2024, Orlando, FL
Attendees: Melvin Wheeler, Laatis Lawrence, Calvin Allen

Northwest Indian College Graduation
June 21, 2024, Bellingham, WA
Attendee: Laatis Lawrence (received BA in Human Services)



- TRIBAL EMPLOYMENT RIGHTS OFFICE -

Strategic Planning Under the Law and Justice Department (1-3 Year Goals)

TERO is collaborating with other Tribal programs, such as the Career Center, to provide cost-sharing support for training, work gear, and off-reservation programs.

Working with Matthew Thompson to secure funding for client work experience.

Enhanced Partnership Efforts

Engaging with NPTVR Program and Career Center to align shared client services and training opportunities. A monthly meeting is being established to discuss coordination.

Working with Christina Felicio and the State of Idaho to secure funding for two tiny homes to be built by TERO Youth Apprentices.

Short-Term Goals for 2024

- Expand the TYAP Apprenticeship Program by partnering with NPTHA, NPT Bio Control, and the City of Lapwai.
- Develop a budget to maintain the summer youth program for future years.
- Secure grant funding for staffing and infrastructure improvements, including a potential new TERO/TYAP office/training center.
- Grant Funding and Infrastructure Development-new training center & TYAP Office, seeking \$200,000 to host BTI for five-week construction training in October 2024. Collaborating with IBE and NPT Grants Program to secure a \$6 million grant for a new TERO/TYAP office and training center.



- TRIBAL EMPLOYMENT RIGHTS OFFICE -

TERO Compliance Officer Reports (March-July 2024)

On-site Monitoring Reports Completed: 110
March: 28 | April: 17 | May: 15 | June: 26 | July: 24

TOSHA Compliance Officer Reports (March-July 2024)

On-site Monitoring Reports Completed: 10
April: 10 | Other Months: 0

90-Day Short-Term Goals

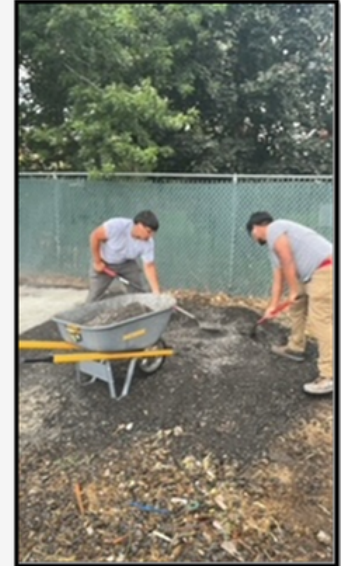
- Update the skills bank application.
- Update the client list for work.
- Revise the Compliance Plan.
- Raise the TERO Fee from 3.5% to 5%.
- Hire a full-time office manager for TERO.
- Employ two additional staff members to assist with the TYAP program.

Planned Solutions

- Increase TERO Fees to bolster training funds and support new projects within the Tribe's jurisdiction.
- Present TYAP program updates to NPTEC and secure further support.
- Collaborate with relevant departments to adjust TERO/TYAP budgets for enhanced funding opportunities.

TERO/TYAP Program Logo Contest

This contest will run until October 31, 2024, and we will select one entry to be the new design for the TERO/TYAP Program logo. This is a contest so there will be a cash prize for the logo selected.



NPT TERO/TYAP Summer Youth Work Group with NPTHA

- GAMING COMMISSION OFFICE -

Vision Statement

The Nez Perce Tribe Gaming Commission's (NPTGC) vision is to protect the assets of the Nez Perce Tribal Gaming Enterprise by insuring adequate internal controls are in place and conformed to. Ensure that all gaming activity is honest and fair. Regulate all forms of permissible and authorized gaming within the jurisdiction of the Nez Perce Tribe.

Commissioners

Gabe Bohnee, President Eva Higheagle, Secretary Vacant

Meeting Schedule

Regular Gaming Commissioner meetings are held on the Second and Fourth Monday of every month at 5:00 p.m.

Purpose

Nez Perce Commission, the single tribal agency primarily responsible for regulatory oversight and for monitoring compliance with tribal, Federal and applicable state regulations.

The Nez Perce Tribe Gaming Commissions (NPTGC) vision is to protect the assets of the Nez Perce Tribal Gaming Enterprise by ensuring adequate internal controls are in place and conformed to. Ensure that all gaming activity is honest and fair. Regulate all forms of permissible and authorized gaming within the jurisdiction of the Nez Perce Tribe.

Accomplishments

The Gaming Commission department is working on improvements to the functionality of the operations and building trust between entities.

The Gaming Commission moved into their new offices in May of 2024. This has been a long process, and we are still organizing our files and security of our new building to meet compliance requirements. We have begun holding our meetings in our building as we rebuild up the offices.

Our website is complete and ready to go live. The website will create an online footprint that will give the community access to the Gaming Commission regardless of our office situation. Our website is modeled after the tribes website to match colors, and will have our forms and contact information. This will also help educate on what the Gaming Commission does and so the community knows who to contact.

Director
Chantel
Greene
208.621.2254

- GAMING COMMISSION OFFICE -

We have finished both the inspection audit to continue doing background investigations, and our NIGC compliance audits. A lot of recommendations will be coming forward from the NIGC audit as well as a technical request to help train our Gaming Commission staff and Commissioners.

We are currently working on organizing and getting up-to-date our internal guiding policies and working together with the Enterprise management team. We recently went through the RFP process, and selected Bluebird CPA's to conduct our External audit for FY24.

For recruitment we have just hired our Chief Compliance Officer, which is Mark Souza, who comes to us from the Gaming Commissioner position that is now vacant and with 20 plus years of gaming knowledge.

We will soon be recruiting for Office Assistance, and are currently recruiting for the Gaming Commission Director position. Working together with the Enterprise team is key to the success of our gaming facility.

We have a lot of work to do and a lot of room for growth and prosperity that can only be achieved through openness and self reflection.

Goals

1. To regulate the gaming operations of the Clearwater River Casino and the It'se Ye Ye Bingo & Casino, by assuring compliance with: a) Nez Perce Tribal Gaming Ordinance, b) Regulations of the National Indian Gaming Regulatory Act (IGRA), c) Class III Gaming Compact between the Nez Perce Tribe and the State of Idaho. d) Tribal Internal Control Standards (TICS)
2. Protect the tribal gaming operations and property from illegal activity.
3. Assure that gaming licenses are issued with adequate background investigations being conducted and suitability determinations made in a timely manner.
4. The Rules and Regulations of the Indian Gaming Regulatory Act, Minimum Internal Control Standards (MICS) and Tribal Internal Control Standards (TICS) are adhered to by Clearwater River Casino & It'se ye Bingo & Casino.
5. Continue to advocate for the training of employees in the applicable internal Controls and rules and regulations. Assist all frontline employees of the Nez Perce Tribe Gaming Enterprises to maintain compliance with and use of the internal controls.

We would like to thank the Maintenance teams and the Day Labor Program for all of the assistance given during our move, you are greatly appreciated!:)

- NOTES -





NEZ PERCE TRIBE
Child Support Program
Motherhood
Fatherhood
Co-Parenting
Child Support

385 Agency Road Lapwai, Idaho
(208) 843-7362

The logo features a circular illustration within a hand shape, depicting a Native American family (a man, a woman, and a child) in a traditional setting. The text is arranged to the right of the illustration, with the tribe name and program title in bold, followed by a list of services and contact information at the bottom.





THANK YOU