

CHAPTER 306: DRUGS TASK FORCE
NOVEMBER 15, 2021 – 12:00 P.M.
MTL COMMITTEE ROOM AND VIA ZOOM

- 1. Call to Order & Roll Call:** Chairwoman Myrna Warrington called the meeting to order at 12:02pm with a quorum present.

MEMBERS PRESENT: Chairwoman Myrna Warrington, Joey Awonohopay, Rachel Fernandez, Annette Westphal, Keith Tourtillott, Scott Wilson, Danica Zawieja, and Wayne Wilber.

MEMBERS ABSENT: Addie Caldwell and Wendell Waukau.

ALSO PRESENT: Todd Otradovec (Lead Detective – MTPD), Jennifer Wilber (?? – Maehnowesekiyah), Randal Chevalier (Office Manager – Maehnowesekiyah), and David Kitson Jr. (Executive Assistant).

- 2. Moment of Silence.**

Chairwoman Warrington requested a moment of silence.

- 3. Approval of Regular Meeting Minutes dated October 18, 2021.**

MOTION MADE BY ANNETTE WESTPHAL TO APPROVE REGULAR MEETING MINUTES DATED OCTOBER 18, 2021 WITH ANY AND ALL CORRECTIONS. SECOND WAS MADE BY JOEY AWONOHOPAY. ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. MOTION CARRIED: 8 for, 0 opposed, 0 abstentions, and 2 absent (CALDWELL & WAUKAU).

- 4. Ch. 80 – Exclusion.**

Chairwoman Warrington commented that she hoped Task Force Members took the time to review the documentation provided by Legal Services regarding Ch. 80 – Exclusion. Danica Zawieja (Legal Services) explained that the changes reflect what was requested by the Menominee Tribal Legislature, as well as the discussions had during Ch. 306: Drug Task Force Meetings. Ms. Zawieja noted that there are two processes for individuals who are Tribal Members and non-members of MITW and most changes are listed under the non-members side. Chairwoman Warrington asked Task Force Members if they agree on having five of the nine MTL Members for voting power regarding the non-members' exclusion. Ms. Zawieja asked Chairwoman Warrington about adding in a "Re-Admission" section. Task Force Member Annette Westphal commented that it should be included so certain requirements are met before they are allowed re-admission, such as rehabilitation. Chairwoman Warrington asked that information regarding what the individual needs to bring forth and who they report to should be listed within the "Re-Admission" section.

Chairwoman Warrington mentioned that MITW Members that are excluded/banished must go in front of the Menominee Language and Culture Commission (MLCC) to request readmission, per rehabilitation requirements. Task Force Member Joey Awonohopay asked that it also include that MLCC would send recommendations to MTL for approval of what MLCC chooses for the MITW Member. Chairwoman Warrington asked Ms. Zawieja about the list of exclusions left blank in the document. Ms. Zawieja replied that it would be a decision of the Task Force. Chairwoman Warrington recommended that anything that results in death should have the heightened consequences.

Task Force Member Rachel Fernandez asked about including sexual assault within Ch. 80 – Exclusion. Ms. Zaweija replied that it could be added in; however, with the Criminal Code of MITW needing a major overhaul, especially in the Juvenile, Sexual Assault, and Internet-Based Sections - that would be another process to bring it to fruition. Ms. Zaweija added in that the current Criminal Code is based off of what was brought forth during the 1970's and that they have identified it as a project that should occur as it continues to be brought up by different committees. Mr. Awonohopay asked other departments within the Drug Task Force, if this hinders any of the work they do to assist with the drug pandemic. Jennifer Wilber (Maehnowesekiyah) responded that all of this would be helpful. Chairwoman Warrington noted that an amendment can occur if needed. Mrs. Fernandez discussed the option of a Task Force being created for the Domestic Violence-Sexual Assault-MMIW-Human Trafficking. Ms. Zaweija replied that when they completed the overhaul of the Drug Code and it was a collaboration effort with input from departments regarding areas of concern needing to be addressed and if that is something that is done, perhaps it be done in two parts so it does not overwhelm everyone involved. Mrs. Fernandez explained that she mentioned this because some MITW Members ask why individuals who have committed sexual assault against another MITW Member is not included in discussions about banishment/exclusion.

Chief of Police Tourtillott asked if MITW Members are able to petition for exclusion and if that is true, a specific amount of MITW Members be included to allow that. Ms. Zaweija responded that would be a decision made by the Drug Task Force. Ms. Zaweija said that any recommendations that the Drug Task Force has, she can add into this document so MTL can use those as discussion points before MTL gets it to final approval. Chief of Police Tourtillott explained that the reason he is bringing it up is due to the validity of the request and how MITW Members might bring forth requests for reasons that could be construed as harassment.

MOTION MADE BY KEITH TOURTILLOTT RECOMMENDING CHAPTER 80 – EXCLUSION BE SENT TO THE UPCOMING MENOMINEE TRIBAL LEGISLATURE MEETING FOR REVIEW AND FINAL APPROVAL. SECOND WAS MADE BY ANNETTE WESTPHAL. ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. MOTION CARRIED: 8 for, 0 opposed, 0 abstentions, and 2 absent (CALDWELL & WAUKAU).

5. List of Convicted Drug Dealers.

Chairwoman Warrington began by discussing the list of Convicted Drug Dealers that was included in the Task Force Packet. Scott Wilson (Tribal Prosecutor) stated that the list has only two individuals on it as those are the only two convictions that occurred. Mr. Wilson reviewed the other list that was submitted by the Assistant US Attorney Andrew Maier and stated that since that list went back to 2016, he would have a revised list that went back to 2016 for the next meeting. Task Force Member Joey Awonohopay asked about the declined cases listed on Mr. Maier's list. Task Force Member Rachel Fernandez asked Mr. Wilson if those cases that were declined by Mr. Maier were picked up and enforced through Tribal Courts. Mr. Wilson responded that some of them were, however there is overlap as the US Attorney takes longer to charge individuals. Chairwoman Warrington asked that Mr. Wilson clarify which cases that were declined by Mr. Maier were picked up by Tribal Courts. Chairwoman Warrington reminded Mr. Wilson to have that combined list with the details for the next meeting.

6. Individuals with Pending Drug Charges.

Chairwoman Warrington stated that this was included in the prior agenda item's discussion.

7. Other Business.

Chairwoman Warrington asked the Task Force if anyone had 'Other Business' to bring the table.

8. Adjournment.

MOTION MADE BY KEITH TOURTILLOTT TO ADJOURN. SECOND WAS MADE BY RACHEL FERNANDEZ. ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. MOTION CARRIED: 8 for, 0 opposed, 0 abstentions, and 2 absent (CALDWELL & WAUKAU).

Meeting adjourned at 12:46 PM.

Respectfully submitted,
David J. Kitson Jr.
Executive Assistant, Chairman's Office
Menominee Indian Tribe of Wisconsin