

**House Bill 1052**  
**Senate Judiciary Committee**  
**Testimony Presented by Shawn Peterson**  
**February 9, 2021**

Good morning Chairwoman Larson and members of the Committee. My name is Shawn Peterson and I am a Juvenile Court Director with the North Dakota Court System. I wish to express my support of House Bill 1052. This bill amends N.D.C.C. 27-20-61 and would extend the time period allowing for agency agreements to provide services to youth adjudicated in Tribal Courts in North Dakota. An underlying reason for the need for this section is that officials working in both the Tribal and State juvenile justice agencies agree that delinquent youth under Tribal Court jurisdiction often do not have access to, or receive, the same rehabilitative services as youth in State Courts.

I have had the privilege of working with professionals from the Spirit Lake Tribal Court, Spirit Lake Tribal Social Services, the ND Indian Affairs Commission, the Division of Juvenile Services (Department of Corrections and Rehabilitation), and the Juvenile Court (ND Court System) in the development of a multi-disciplinary team operating under a memorandum of understanding under this Statute. The team staffed the first youth in February 2020 and to date, a total of twelve youth (8 boys and 4 girls) have been referred to the pilot program. In-person meetings were held during the development of the MOU as well as the first few meetings of the MDT team. Since the COVID-19 Pandemic, the team has conducted meetings via Zoom.

One of the key developments over the first year is in regards to risk and needs assessments. Assessing risk is an evidence-based practice in probation. The ND Court System, through its Juvenile Drug Court Program, purchased a Youth Assessment Screening Instrument (YASI) software license for the Spirit Lake Tribal Court. Tribal Court and Juvenile Court staff have worked side-by-side on training on the risk assessment tool. So far, the team has conducted five YASI risk assessments on youth referred to the pilot program. These youth all scored either

moderate or high risk and the YASI results assisted the MDT team in further case planning. Implementing this risk and needs assessment tool will benefit the Spirit Lake Tribal Court regardless of the outcome of this pilot program.

For youth in need of residential treatment services, Division of Juvenile Services staff have offered assistance to Tribal Social Services with the universal application process and matching the needs of the youth to the treatment service options. Additionally, a procedure has been developed to allow Tribal Court youth to be referred to the State's Juvenile Drug Court Program in Devils Lake.

The approach this pilot is taking differs slightly from how the statute describes the cooperative agreements. Rather than the State agencies simply providing all of the supervision and services, Spirit Lake Tribal Court Chief Judge Joseph Vetsch and the pilot team prefer that Tribal staff work in tandem with State staff, when possible, in the delivery of services. The philosophy behind this approach is that if the MOU were to end the systems that serve delinquent youth will be more effective from what is learned during the co-mentoring that happens during the partnership.

The collaboration amongst the agencies involved has been impressive thus far but there is more that can be accomplished. Additional time and opportunities to serve more youth are needed to be able to compile outcome data to show whether the pilot program is successful. Thank you for your time and I urge a "Do Pass" recommendation.