

Idaho Criminal Justice Commission

Missing and Murdered Indigenous Persons (MMIP) Subcommittee

Shoshone-Bannock Casino Hotel, Chief Taghee room, 777 Bannock Ave Building B, Fort Hall, ID 83203

October 24, 2022

Time: 9:30am-3:00pm

Mission Statement: Research and identify current systems and resources dedicated to addressing and combating significant and unacceptable rates of missing & murdered Indigenous persons in the State of Idaho, and among members of Idaho tribes in neighboring states. Identify and seek to implement evidence-based strategies and community-centered practices not currently utilized in the state. Evaluate Idaho's statutory scheme related to MMIP and, if necessary, propose legislation to address and support efforts to curb the current trend.

Members Present:

Audrey Jim, Shoshone Bannock Tribe	Tai Simpson, Idaho Coalition Against Domestic Violence
Jack Haycock (representing Josh Hurwit, U.S. Attorney)	
Tanea Parmenter, ISP	Adam Mabey, Caribou County Sheriff
William Barquin, Kootenai Tribe	Ed Jacobson, FBI
Jared Larsen, Governor's Office	Bernie LaSarte, Coeur d'Alene Tribe, Co-Chair
Heather Cunningham, ICDVVA, Co-Chair	Kevin Dunton, Retired FBI (via Zoom)
Samuel Abrahamson, Coeur d'Alene Tribe	Jackie McArthur, Nez Perce Tribe

Members Absent:

Scott Sergeant, Kootenai County	Jason Davis, Lewis Co. Sheriff
Daniel Chadwick, ICJC Public Member	Leotis McCormick, Nez Perce Tribal Officer

Staffed by Jessica Marshall, ICDVVA

Members of the public: Melanie Fillmore, Cheryl Miller

1. Welcome and Call to Order

- a. Bernie LaSarte called the meeting to order at 9:33am.

2. Action Item: Approve minutes from September 26, 2022, meeting

- a. Tanea Parmenter moved to approve the September 26th, 2022, meeting minutes with 2 corrections: 1) remove "acting" from Josh Hurwit's title, and 2) remove John Hurwit listed as "members absent." Tai Simpson seconded and the motion carried.

3. Discussion Item: Law enforcement panel

- a. Tai Simpson described how there is a gap between law enforcement and advocates in handling MMIP issues/cases. We need to bring groups together to get to a point of understanding on how we can tackle jurisdiction issues, training needs, and day to day practices of working together.
- b. Tanea Parmenter noted that any changes to POST training would require IDAPA rule change at the legislative level. However, she can add an MMIP module to her training, but it would not be required.

- c. Heather Cunningham asked law enforcement members to describe barriers in working together:
 - i. Sam Abrahamson described how cross deputization in his area is a success and enabled regional partners to work together more effectively on a case; each department may have tools and resources that another may not. Communication can still be improved. Many departments have young, new officers who may not know the appropriate point person for a specific case detail, such as felony domestic violence or victim services.
 - ii. Ed Jacobson added statewide, there is a trend of young, fresh officers lacking experience. There are also disagreements between missing and foul play. Adults have a right to leave and not want to be found, and this does not indicate foul play. It is difficult to balance upset families of those who voluntarily intentionally went missing to those who are victims of foul play. The FBI has immediate jurisdiction of children, but adults are different. There is a 24-hour window on adults if there are no signs of foul play and a request from a local agency.
 - 1. Tanea Parmenter noted that Suzanne's Law there is no waiting period for adults 18-20 years old.
 - 2. Ed Jacobson responded that the federal understanding is that there will need to be some sort of criminal activity for FBI to be involved, and a person must meet at least one condition on a long list of ways to be considered indigenous.
 - iii. Adam Maybe shared that Fort Hall is challenging because there are many counties surrounding it. It is challenging to get agreements in place because tribal leadership changes so frequently and undo previous work. There is no cross deputization in Fort Hall, which makes responding to emergencies challenging. He shared an instance where his office received a medical emergency call, could not get in contact with tribal law enforcement, and had to make the decision to respond anyway. While there are concerns that officer training is not the same, it would still be helpful to have cross deputization.
 - iv. Billy Barquin shared that the Kootenai tribal officers and surrounding law enforcement are cross deputized. MOUs took time to get in place but are working well now. The region operates under "respond now", figure out jurisdiction later. Billy also recommends holding regional law enforcement summits so people stay connected and new officers can connect.

4. Discussion Item: Possible Policy Development & Next Steps

- a. Tribal Resolutions and MOUs
 - i. Billy Barquin discussed how the Kootenai have a contract with Boundary County Sheriff's Office, border patrol, and forest service. He will supply these redacted agreements to the Subcommittee to be used as a model and further discussion point for the next meeting.
 - ii. Sam Abrahamson notes that his region already utilizes cross deputization so he will look for documents and share what he can.
- b. Law-Enforcement Feedback
 - i. Adam Maybe notes that there are insurance challenges with sharing deputies or cross deputizing officers. Liability between agencies will be a large challenge.
 - ii. There is tribal hesitation to enter criminal history in NCIC and sharing tribal data due to confidentiality concerns. Ed Jacobson notes that in some cases this gap in knowledge limits what the FBI can do. For example, a domestic violence case

cannot be charged as a felony if law enforcement does not have a record of prior DV cases with the same offender.

- c. Bernie LaSarte asks to halt further discussion on the MOU draft until the Subcommittee can review other examples of MOUs and gain tribal and law enforcement feedback.

5. Action Item: Tribal law enforcement and POST credit

- a. Tanea Parmenter and Jared Larsen note that any changes to POST certification require an IDAPA rule change.
- b. Jared Larsen made a motion for the Subcommittee to recommend to the full ICJC Committee that someone from POST Council be formally invited to serve on this Subcommittee with the express purpose of investigation cross deputization and POST certification from tribal law enforcement, as the subcommittee has a gap in knowledge without POST participation. Tai Simpson seconded, and the motion carried.

6. Action Item: Missing Persons Clearinghouse data points

- a. Tanea Parmenter discussed additional data points she is having the vendor build into the Clearinghouse. Many of these items NAMUS and other law enforcement agencies already collect so it is just a matter of having the field built into the Clearinghouse. The subcommittee members provided suggestions for additional data fields.

7. 1:00pm – Shoshone-Bannock Tribal MMIP Committee

- a. Fort Hall Police Captain Massey shared the Shoshone-Bannock Tribal MMIP Committee is comprised on dispatch, chief judge, public affairs, police, and victim services. The task force is still in its infancy and developing their priorities and role. Captain Massey is holding meetings with surrounding jurisdictions to discuss MMIP issues and how to collaborate.
- b. Sergeant Galindo, Dispatch, shared that they are currently implementing a 911 system with updated addresses. There are challenges with the public and officers using the new address system.

8. Action Item: Subcommittee Legislative Recommendations for ICJC Consideration

- a. Subcommittee discussed and agreed that it is not prepared to make and specific legislative recommendations at this time.

9. Discussion Item: Funding Opportunity – Tai Simpson

- a. Tai Simpson applied for a grant to support the work of the Subcommittee. She is waiting to hear regarding a decision and will keep the subcommittee informed.

10. Discussion Item: Possible Affiliated Tribes of Northwest Indians (ATNI) Regional Summit

- a. Tai Simpson shared that the ATNI MMIP Task Force meeting will be held in December. She will give more information to the Subcommittee as it becomes available.

11. Discussion Item: Subcommittee Next Steps

- a. The Subcommittee will try for another in-person meeting in the Spring.
- b. Tai Simpson motioned to adjourn the meeting. Audrey Jim seconded, and the motion carried. Meeting adjourned at 2:37pm.

Next Meeting **Zoom**: Monday November 14th, 2022, 3:30pm

<https://us06web.zoom.us/j/83700295267?pwd=ZXY4dDFrWE5rekIHNFNLMUxzVjJMZz09>

Meeting ID: 837 0029 5267