

Idaho Criminal Justice Commission
Missing and Murdered Indigent Persons (MMIP) Subcommittee
Draft Agenda
November 15, 2021

Location: Zoom Call **Time:** 3:30 p.m. – 5:00 p.m.

Members Present:

Daniel Chadwick, Chair, ICJC Public Member
Heather Cunningham, Idaho Council on Domestic Violence
Greg Chaney, State Representative, District 10
Kevin Dunton, Retired FBI
Jenifer Porter, Kootenai Tribe
Audrey Jim, Shoshone Bannock Tribe
Rafael Gonzales, Acting U.S. Attorney
Bernie LaSarte, Coeur d’Alene Tribe
Karee Pickard, Nez Perce Tribe
Kathy Gibson, Shoshone Paiute
Tai Simpson, Idaho Coalition Against Domestic Violence
Tanea Parmenter, ISP

Staffed by Kelli Brassfield, Idaho Association of Counties

Members Not Present:

Scott Sergeant, Kootenai County
Samuel Abrahamson, Coeur d’Alene Tribe
Jim Woodward, State Senator, District 1

Others Present:

Melanie Fillmore
Cynder Metz
Calvin Hatch, Judge
Jessica Marshall
Willeena George
Zachery Schoffstall, FBI

Agenda		Due Date
3:30 p.m.	Call to Order	
	<ul style="list-style-type: none"> • Welcome, Roll Call 	The meeting was called to order at 3:30 pm.
	<ul style="list-style-type: none"> • Approve Minutes for October, 2021 Meeting (ACTION ITEM) 	There was a motion to approve the minutes from October 2021 by Heather Cunningham and was seconded by Tai Simpson. Motion carried.

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	<ul style="list-style-type: none"> • Mission Statement, Structure and Purpose (ACTION ITEM) 	<p>Tai – There aren't any strategies and that's why this group was formed. There are systems but this group will come up with the strategies. There is also need to be aware of the relationships with individuals that may not necessarily be in Idaho. Communities are asking for recommended practices. We want to make sure the community voices are heard.</p> <p>Are we going to review what it means to have "high rates?" What does this mean? This group was formed because there is a lack of data to what the actual number of missing individuals is. HCR33 didn't use the word "high" but it did say there was a "crisis" in Idaho. It is yet unknown if the number is high but the rate of missing is unacceptable. There was a recommendation to strike the word "high" and add in "significant and unacceptable rates."</p> <p>There was a motion to approve the mission statement as amended by Tai Simpson and was seconded by Bernie LaSarte. Motion carried.</p>
	<ul style="list-style-type: none"> • Definition of "Missing" (ACTION ITEM) See "Missing Persons Definition" sheet <ol style="list-style-type: none"> 1. How the definition of "missing" is used and why having a good definition is important – (Bernie LaSarte will encapsulate this to kick off group discussion as a starting point) 	<p>The chiefs of police and Idaho policing manual uses this definition. A person may be declared "missing" when his/her whereabouts is unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.</p> <p>We know there are different kinds of missing and missing can mean something different to each organization or agency. This definition is what leads us in our investigation. To advance an organized investigation we need a firm base. It needs to be the same for all tribes so everyone is starting from the same place. The most common example of missing is when someone is missing for a 24hr period. Sometimes this starts as someone who wants to be missing and it progresses from there. We want to define this because agencies need to start acting as soon as possible. After the initial action, the missing person can then be placed into a</p>

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	<p>2. What should the definition include/how should it be framed – (Tai Simpson will give an overview of the definitions summary sheet and suggest a starting point for the group)</p>	<p>classification category. This will help agencies on how to respond. There shouldn't be a waiting period. The definition needs to include everyone. We don't want exclusions for filing a missing person report.</p> <p>What should the definition include? Some have inclusions as more or less critical, etc. Some LE will use vulnerability to exclude someone as missing. For example, when a child goes missing, there is a significant move for action but we don't see this for indigenous individuals. Being indigenous should have the same level of action as there is a certain level of vulnerability. We want to improve response and collaboration.</p> <p>There was a suggestion to have a main definition and then have categories.</p> <p>Is there a proposed definition from the BSU study? Agencies were asked what their definition was? Only 50% of agencies have a policy manual for this. One struggle is handling those that are voluntarily missing. We have a hard time balancing collecting info on that person.</p> <p>Agencies want flexibility on how they use the definition. 11% of cases are racially unidentified. Some of the information is used too late in the process. We are missing the racial aspect of cases. We don't have a starting definition.</p> <p>The definitions in regards to children do not have a waiting period. There is instant action. When it comes to adults, it needs to be the same. We want it to be as expansive and inclusive as possible.</p> <p>For FBI response there needs to be proof of crime... What does the state require? Need to include these items. Indigenous is itself a vulnerability that needs to be included. This should create a sense of urgency.</p>

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	<p>3. What are the logistical steps and obstacles to using a common definition – (Heather Cunningham will kick off discussion on logistical steps/educational outreach components)</p>	<p>Maybe there could be some suggested definitions to start with rather than starting from zero. Racial identifiers could limit those that need to get resources. We could put them into a category based on race. There is federal guidance in regards to children and the response time of two hours. We have to include the right to privacy.</p> <p>A concern from reviewing the definition sheet is that there is a waiting period. A lot can happen during that waiting period. What’s the definition of endangered? We could include endangerment but agencies have the option to use that or not. We could update the training to the agencies to include indigenous vulnerability and to be included in endangerment.</p> <p>Luxi poll: There is no waiting period and no racial aspect. Could trigger immediate action. The second sentence is the only part being used but they aren’t using it for adults.</p> <p>Pg. 4: ISP has a definition that is broad. One sentence. A missing person is someone whose whereabouts is unknown to a parent, caretaker or others who have normal contact with the person.</p> <p>The group liked the fact that luxi poll because it uses the language “reported to LE.” What do we consider normal contact? The group agreed to use ISP’s definition as a starting point.</p> <p>Implementation plan ideas? Rules and law take a long time for implementation. We could use tribal councils to get these out to the agencies. This group could get resolutions done at the conference in May. There could be regional and statewide training and also utilize POST. We also have to work through getting whatever is decided into the policies of the agencies.</p>

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		<p>ISP is looking at making changes to law to the missing person clearinghouse. They are considering creating its own section. This definition could possibly be included.</p> <p>Will circulate the starting definition to various stakeholders for feedback. Maybe revisit this in January or February to review the feedback.</p> <p>There was a motion to use the ISP definition of missing person as a starting point by Tai Simpson and was seconded by Tanea Parmenter. Motion carried</p> <p>We would also like feedback on agency response time and also the community liaison will be or who communicates with the families.</p> <p>Tai and Heather will work on a communication tool to send to stakeholders.</p>
	<ul style="list-style-type: none"> • Issues for Future Discussion 	December topics: Possibly data collection
5:00 p.m.	Adjourn	

Next Scheduled Meeting: December 13, 2021 Via Zoom