

Idaho Criminal Justice Commission
Missing and Murdered Indigenous Persons (MMIP) Subcommittee
 May 6, 2022

Location: In-person 37914 South Nukwalqw
 Worley, Idaho 83876

Time: 9:00am-2:00pm PST or upon adjournment

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:

Daniel Chadwick, Chair, ICJC Public Member	Heather Cunningham, Idaho Council on Domestic Violence
Kevin Dunton, Retired FBI	Bernie LaSarte, Coeur d’Alene Tribe
Dianne David, Kootenai Tribe	Karee Pickard, Nez Perce Tribe
Audrey Jim, Shoshone Bannock Tribe	Tai Simpson, Idaho Coalition Against Domestic Violence
Rafael Gonzales, Acting U.S. Attorney	Tanea Parmenter, ISP
Scott Sergeant, Kootenai County	Jim Woodward, State Senator, District 1
Samuel Abrahamson, Coeur d’Alene Tribe	Leotis McCormack, Nez Perce Tribal Police
Greg Chaney, State Representative, District 10	

Observers:

Staffed by Kelli Brassfield, Idaho Association of Counties

Agenda		Due Date
9:03 a.m.	Call to Order	

	<ul style="list-style-type: none"> • Welcome and Roll Call • Action Item: Approve minutes from April 2022 	<ul style="list-style-type: none"> • Chairman called the meeting to order at 9:03am • Roundtable introductions of Subcommittee members in attendance • Chairman noted Subcommittee is missing representation of the Shoshone—Paiute tribe <ul style="list-style-type: none"> ○ Kathy Gibson does not have capacity to serve • Subcommittee wants calendar dates of tribal elections to ensure MMIP meetings do not overlap • Consensus among Subcommittee members to send a formal request to Tribal Leaders to serve on the Subcommittee – Chair will handle • Chairman Chadwick read the Subcommittee Mission Statement <ul style="list-style-type: none"> ○ Jared Larsen notes that there are many “unknowns” in regard to MMIP that do not fall within the mission statement, but this is the forum where issues can be brought up • Action: Committee Member Simpson moved to approve minutes from April 25, 2022 <ul style="list-style-type: none"> ○ Committee Member Parmenter seconded ○ Motion approved
Jared Larsen	<ul style="list-style-type: none"> • Action Item: Thank you to SB 1378 sponsors • Conference debrief and takeaways • Workgroup debrief <ul style="list-style-type: none"> ○ Law Enforcement: Leotis McCormack ○ Attorney; Scott Sargent and Dan Chadwick 	<ul style="list-style-type: none"> • Action: Committee agrees to send thank-you letters to SB1378 bill sponsors, Governor Little, Representative Syme and Senator Grow, and the community groups who helped draft the bill • Conference Debrief and Takeaways <ul style="list-style-type: none"> ○ Law Enforcement track <ul style="list-style-type: none"> ▪ Leotis McCormack was unable to attend; Tai Simpson gave a debrief ▪ One suggestion for a future conference is a track for family members to attend or a breakout group for families

	<ul style="list-style-type: none"> ○ Tribal Leaders: Audrey Jim and Bernie LaSarte ○ Victim Advocate: Tai Simpson 	<ul style="list-style-type: none"> ▪ POST recognition is necessary <ul style="list-style-type: none"> • The Coeur d’Alene Tribe has a method that already works, can we model after theirs? • It would be helpful if all law enforcement used a shared definition of “missing” • It would be helpful if POST training included MMIP, advocacy, and jurisdictional issues • We need to improve information flow between various law enforcement agencies • Cultural awareness • This would be a good training • Committee Member Larsen notes that a disproportionate amount of indigenous people are in the Idaho Correctional system so cultural awareness training could be beneficial to public defense and probation and parole ○ Attorney Track <ul style="list-style-type: none"> ▪ Scott Sargent and Dan Chadwick offered summarized remarks <ul style="list-style-type: none"> • Tribal State Court forum could be a place for judges and others to meet • Lack of POST recognition is a barrier in building trust
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		<p>between law enforcement and the community</p> <ul style="list-style-type: none"> • Community members could benefit from jurisdiction education related to PL280 and the role prosecutors can and cannot play in missing persons cases • Full faith and credit with respect to civil protection orders and no contact orders • Action Item: Chairman Chadwick motioned for Committee member Gonzalez to facilitate meetings county sheriffs and the Subcommittee <ul style="list-style-type: none"> ○ Tribal Leaders track <ul style="list-style-type: none"> ▪ One tribal leader attended ▪ Bernie will try to use the Affiliated Tribes of the Northwest to engage tribal leaders on the issue ○ Victim Advocate track <ul style="list-style-type: none"> ▪ Immediate needs of survivors and their families need to be addressed ▪ There is a need for programs/groups/law enforcement agencies to have shared policies recognizing NCO, civil protection orders, and ROIs across different victim service providers ▪ There is a need to interrupt criminal behavior of victims and ensure they are viewed as victims, not offenders
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	<ul style="list-style-type: none"> • Action Item: Approve definition of “missing” 	<ul style="list-style-type: none"> ▪ Action Item: Subcommittee agrees to begin researching developing a tool similar to the IRAD that examines risk of dangerousness for victims, that may include the following items: <ul style="list-style-type: none"> • ACES • IRAD • Endangerment factors • Action Item: Motion by Committee Member Larsen to adopt the definition of missing (see below) and refer to the ICJC for full consideration <ul style="list-style-type: none"> ○ Second by Committee member Gonzalez ○ Motion approved ○ Definition of missing: A missing person is someone whose whereabouts is unknown to a parent, caretaker or others who have normal contact with the person • Endangerment factors <ul style="list-style-type: none"> ○ ISP needs recommendations for individuals to serve on the committee to establish endangerment factors related to the EMPA system ○ Action Items: Committee Member Cunningham motioned to recommend to ICJC that the endangerment factors as written in the bill be included for consideration as endangerment factors by the EMPA new advisor committee <ul style="list-style-type: none"> ▪ Second by Committee Member Simpson
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	<ul style="list-style-type: none"> • Committee Discussion <ul style="list-style-type: none"> ○ Endangerment Factors for EMPA Committee ○ Action Item: Approve Endangerment Factors ○ Law enforcement training suggestions 	<ul style="list-style-type: none"> ▪ Motion approved ○ Action Item: Motion by Committee Member Cunningham to recommend Tai Simpson represent the Subcommittee on the advisory team for the EMPA <ul style="list-style-type: none"> ▪ Second by Committee Member Gonzalez ▪ Motion approved ○ Law Enforcement Training <ul style="list-style-type: none"> ▪ All trainings must be approved by POST Council ▪ Missing Persons module <ul style="list-style-type: none"> • Tanea Parmenter can modify the existing Missing Persons training to include MMIP • There may be funding needs related to travel for training delivery ▪ Action Item: Committee Member Parmenter motioned to modify existing Missing Persons training provided by the Clearinghouse to include MMIP and cultural awareness surrounding MMIP community <ul style="list-style-type: none"> • Second by Committee Member Larsen • Motion approved • Next Steps <ul style="list-style-type: none"> ○ Committee Member Cunningham motions to identify trainings and meetings for organizations (Sheriff’s Association, Chiefs of Police, Prosecutors, Fraternal Order of
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	<ul style="list-style-type: none"> • Committee Next Steps • June meeting date 	<p>Police, Coroner’s Association, Probation and Parole, Misdemeanor Probation, Juvenile Probation, and Association of Counties) to talk about trainings surrounding MMIP issues and cultural awareness</p> <ul style="list-style-type: none"> ▪ Second by Committee Member Barquin ▪ Motion approved ○ Subcommittee agrees there is no need for a formal task force as Subcommittee is functioning as one <ul style="list-style-type: none"> ▪ Family representation is missing ▪ As meetings move to in person at tribal locations, Subcommittee will offer opportunities for family members to share thoughts, feelings, and concerns ○ Future Subcommittee meetings need to account for various tribal elections, meetings, holidays, and other items that can impact ability to attend ○ Subcommittee agrees local law enforcement representation on the Subcommittee is lacking <ul style="list-style-type: none"> ▪ No Action Item at this time
	<ul style="list-style-type: none"> • Issue(s) for future meetings 	<ul style="list-style-type: none"> • Data Collection and Clearinghouse Updates • Cross Deputization by Cities or Counties of tribal police
2:04 p.m.	<ul style="list-style-type: none"> • Adjourn 	

Next Scheduled Meeting: June 13, 2022 Via Zoom