

SENATE BILL NO. 312

INTRODUCED BY J. SMALL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE LOOPING IN NATIVE COMMUNITIES NETWORK  
5 GRANT PROGRAM; PROVIDING A COMPETITIVE GRANT FOR A TRIBAL COLLEGE TO DEVELOP AND  
6 MAINTAIN THE CENTRAL LOCATION FOR COLLECTING, STORING, AND SECURING NETWORK DATA;  
7 PROVIDING GRANT FUNDS TO TRIBAL AGENCIES TO ESTABLISH ACCESS TO THE LOOPING IN NATIVE  
8 COMMUNITIES NETWORK; REQUIRING THE BOARD OF CRIME CONTROL TO ADMINISTER THE GRANT  
9 PROGRAM AND PROVIDE TECHNICAL ASSISTANCE TO ESTABLISH AND MAINTAIN THE NETWORK; AND  
10 PROVIDING AN EFFECTIVE DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 **NEW SECTION. Section 1. Looping in native communities network -- missing indigenous persons**

15 **reports -- grant program.** (1) (a) There is a looping in native communities network grant program. The program  
16 is established to create a network in support of efforts by Montana tribes to identify, report, and find indigenous  
17 persons who are missing. The grant program is administered by the board of crime control established in  
18 2-15-2306.

19 (b) The grant program includes a competitive grant to be awarded to one tribal college to create and  
20 administer the central administration point for the looping in native communities network. The board of crime  
21 control shall develop the application and the criteria to award this grant to a tribal college. The criteria must  
22 include:

23 (i) policies and standards for technology and equipment, including data storage and security of  
24 information entered into the network;

25 (ii) standards for data verification;

26 (iii) job qualifications and requirements for a data specialist to administer the network;

27 (iv) development of a system to provide automatic initial alerts pursuant to subsection (4)(e) when a  
28 missing indigenous person report is made, including determining which law enforcement agencies will receive  
29 the automatic initial alert;

30 (v) development of a standard reporting form that includes space to provide the information specified in

1 subsection (4)(b) to be used by the data specialist; and

2 (vi) administrative rights for a designee at each participating tribal agency to ensure continuity of access  
3 to and functionality of the looping in native communities network.

4 (c) (i) The grant program includes additional smaller, noncompetitive grants to be awarded to a qualifying  
5 tribal agency at each reservation that submits a complete application. The purpose of the grants awarded under  
6 this subsection (1)(c) is to provide funding for the startup costs for each tribal agency to set up and maintain  
7 access to the looping in native communities network.

8 (ii) To be eligible to receive a grant under this subsection (1)(c), a tribal agency shall develop a plan to  
9 create and implement the looping in native communities network. As part of the grant application, the tribal  
10 agency shall submit the completed plan and request funding for:

11 (A) equipment that must be purchased to allow the tribal agency to connect to the looping in native  
12 communities network; and

13 (B) equipment or services required to develop a new website or adapt an existing website to post missing  
14 indigenous persons reports that are accessible to the public.

15 (d) For the grants awarded pursuant to subsection (1)(c), the board of crime control shall prorate the  
16 available funding and award the grants to cover an equal percentage of the costs submitted on the application  
17 to each qualifying tribal agency.

18 (2) A tribal agency that receives a grant under subsection (1)(b) or (1)(c) may use up to 10% of the grant  
19 funds for the administrative costs related to the looping in native communities network.

20 (3) The board of crime control shall provide technical assistance and expertise to the participating tribal  
21 agencies to establish and maintain the looping in native communities network. Participating tribal agencies may  
22 also consult with the staff at the Montana missing persons clearinghouse at the department of justice.

23 (4) A tribal agency that receives a grant under subsection (1)(c) may coordinate with other local agencies  
24 to create access for full participation in the looping in native communities network. To participate in the looping  
25 in native communities network, each tribal agency shall:

26 (a) develop the job qualifications and duties for a data specialist. The duties for the data specialist position  
27 may be assigned to an existing employee of the tribal government or tribal college who meets the job  
28 qualifications.

29 (b) allow for the data specialist to enter information related to the missing indigenous person, including  
30 the missing indigenous person's:

- 1 (i) name and any aliases or nicknames;
- 2 (ii) gender, age, height, weight, and other physical descriptive characteristics;
- 3 (iii) last known location and related information, including the date of last contact with the missing  
4 indigenous person and the person with whom the missing indigenous person last made contact; and
- 5 (iv) photographs, including photographs obtained from online or social media profiles;
- 6 (c) require that access to the network be administered by a data specialist, who shall have authority to  
7 create missing indigenous person reports and upload photographs to the database;
- 8 (d) connect and share data and missing indigenous persons reports with the other participating tribal  
9 agencies; and
- 10 (e) ensure that the tribal agency's program will automatically generate a missing indigenous person initial  
11 alert that is sent to the tribal law enforcement agency at each Montana reservation and the state, county,  
12 municipal, and federal law enforcement authorities in the quadrant of the state where the missing indigenous  
13 person report was entered.
- 14 (5) Each tribal agency shall provide a notice on the publicly available website required under subsection  
15 (1)(c)(ii)(B) to notify the public that any information or tips that the tribal agency receives about the location of a  
16 missing indigenous person are unofficial and will be shared with the law enforcement agencies that received the  
17 missing indigenous person initial alert under subsection (4)(e).

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19 **NEW SECTION. Section 2. Notification to tribal governments.** The secretary of state shall send a  
20 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
21 Chippewa tribe.

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23 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an  
24 integral part of Title 44, chapter 2, and the provisions of Title 44, chapter 2, apply to [section 1].

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26 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2019.

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