

September 2020  
State-Tribal Relations Committee  
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# STRC ACTION REPORT: MISSING INDIGENOUS PERSONS TASK FORCE RECOMMENDATIONS



# ACTION REPORT

## MIPTF RECOMMENDATIONS MADE IN MARCH 2020

In March 2020, Montana Department of Justice (DOJ) staff presented draft recommendations from the Missing Indigenous Persons Task Force (MIPTF) that might require legislative action. The STRC asked to hear more detailed information at its May 2020 meeting. From there, the STRC drafted four legislative proposals related to recommendations #1, #3, and #4. The STRC put those proposals, listed on page 2, out for a 30-day public comment period, ending August 6, 2020. On August 24, 2020, the committee adopted the four proposals as committee legislation for the 2021 session.

### RECOMMENDATION #1 - ESTABLISH MISSING PERSONS RESPONSE TEAMS

The task force says missing persons response teams could be established in individual communities similar to child abduction response teams (CARTs), which are multi-agency and often multi-jurisdictional groups trained and equipped to ensure a rapid and comprehensive response to reports of abducted or endangered children. The CART initiative, established in 2006 by the U.S. Department of Justice, also incorporates ready-made lists of available equipment and a network of nontraditional community resources the team can tap into to assist an investigation.<sup>1</sup> The legislature could opt to provide funding to local entities to establish missing person response teams.

### RECOMMENDATION #2 - ESTABLISH MISSING PERSONS INVESTIGATORS

The task force proposes hiring missing persons investigators to assist local law enforcement as requested. DOJ staff says the proposal is akin to the two-person human trafficking enforcement team established via [HB 749 \(2019\)](#) and would require a similar budget because of the significant overtime these types of employees typically experience. HB 749 appropriated \$519,815 in general fund.

### RECOMMENDATION #3 - ESTABLISH MISSING INDIGENOUS PERSONS REVIEW TEAM

The task force says a missing Indigenous persons review team would identify gaps in state and tribal systems for finding missing Native Americans, ways to improve multi-agency coordination, and recommendations for improving outcomes in missing persons cases.

The team could be modeled after the Montana Domestic Violence Fatality Review Commission<sup>2</sup>, which the Legislature established in 2003, and the Montana Native American Domestic Violence Fatality Review Commission, which Attorney General Tim Fox established with federal funding in 2014 after "it became clear that elevated rates of (intimate partner homicide) involving both Indian perpetrators and victims called for a unique approach in ... reducing those deaths."<sup>3</sup>

If modeled after the fatality review commissions<sup>4</sup>, the DOJ estimates the missing persons review team expenses would be about \$67,000 per year. That includes a half-time program coordinator and the in-depth review of two missing persons cases per year. It doesn't include benefits for the half-time coordinator, which would increase the overall cost by approximately \$18,000.

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<sup>1</sup> <https://www.amberadvocate.org/wp-content/uploads/2018/04/CART-Implementation-Guide-Final.pdf>

<sup>2</sup> 2-15-2017, MCA.

<sup>3</sup> Montana Domestic Violence Fatality Review Commissions Report to the Legislature, September 2015, page 2.

<sup>4</sup>Note: The Montana Domestic Violence Fatality Review Commission is no longer eligible to receive the Montana Board of Crime Control victim services grant that has funded the commission since its inception. The DOJ is hoping to combine the statewide commission and the Native American Domestic Violence Fatality Review Commission into one grant funded through the federal Violence Against Women Act.

## RECOMMENDATION #4 - CONTINUE TASK FORCE AND LINC NETWORK GRANT PROGRAM

Established by the 2019 Legislature via [Senate Bill 312](#), the task force and the Looping in Native Communities (LINC) Network grant program that it administers are set to sunset on June 30, 2021. SB 312 appropriated \$25,000 for the grant program through which Blackfeet Community College (BCC) received an award in March to establish the LINC database.

The database project will include a website portal for Native Americans to provide information to the public and others that someone is missing. SB 312 envisioned providing this reporting alternative for those reluctant to report directly to law enforcement. A BCC data specialist monitoring the network will use the information provided to alert law enforcement as needed. Law enforcement will then contact the missing person's family to verify the information and begin a search process.

The database setup by BCC is considered phase one. Extending the network to other native communities in Montana is phase two. DOJ staff suggest \$50,000 is needed per year to maintain the network and access terminals at each tribal government. Funds requested in the next legislative session would provide the maintenance and support of the system and, in some cases, the technology needed to “loop in” to the system.

DOJ staff also suggest amending the grant program's statutory language as follows:

- to allow other tribal entities (not just tribal colleges) to maintain the network and access points;
- to ensure tribes don't have to compete against each other; and
- to make annual costs such as software licensing and technology maintenance eligible expenses for grant awards.

## LEGISLATIVE PROPOSALS ADOPTED

At its August 2020 meeting, the STRC adopted the following proposals as committee legislation for the 2021 session.

- [PD0008](#) - (assigned [LC 296](#), 2021) - establishing a missing persons review commission
- [PD0010](#) - (assigned [LC 297](#), 2021) - establishing a missing persons response team training grant program
- [PD0011](#) - (assigned [LC 298](#), 2021) - extending the Missing Indigenous Persons Task Force
- [PD0012](#) - (assigned [LC 299](#), 2021) - extending the Missing Indigenous Persons Task Force and the Looping in Native Communities grant program