

Gnoozhekaaning, *Place of the Pike*,
or Bay Mills Indian Community
Tribal Community Response Plan
Missing or Murdered Individuals



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This plan and its appendices will be reviewed annually to ensure that it continues to meet the needs of the Bay Mills Indian Community. The annual submission will be presented to the Executive Council at the first meeting of May of each year to commemorate Missing and Murdered Indigenous Persons Month. A training is recommended to occur after the annual approval.

This Tribal Community Response Plan (TCPR) provides internal guidance for the Bay Mills Indian Community. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.

Mission and Purpose Statement

MISSION STATEMENT

This Tribal Community Response Plan (TCRP) for Missing Persons Cases provides guides tailored to the specific needs, resources and culture of the Gnoozhekaaning, *Place of the Pike*, or Bay Mills Indian Community, to utilize when responding to missing and murdered persons cases.

Maanda Naaknigewin mii omaa Anishinaabe-akiinsing wii-nakaaziing ezhi-ngonaagzijig bbaa-gkenjigaazikewinan mii yaa go e-ndiwendmaawaad, e-yaawaad miinwaa Anishinaabe-aadiziwin Ginoozhekaaning pii wii-bbaa-gkendigaazwaad gii ngonaagziwaad miinwaa gii-nshiwenaawaad.

PURPOSE STATEMENT

Tribal governments and American Indian and Alaskan Native (AIAN) organizations have serious and legitimate concerns of missing and murdered members of tribal communities. In response, in November of 2019, by Executive Order, President Trump established a task force on missing and murdered AIAN persons, and Attorney General William P. Barr launched a national initiative to address missing and murdered indigenous persons (MMIP). In addition, in October of 2020, President Trump signed Savanna's Act into law. All three responses include direction to develop guidelines or protocols to apply to, address, or respond to missing AIAN person cases.

Informed by initial input from tribal leaders, tribal law enforcement and other community members, experts from the Departments of Justice, with assistance from the Department of Interior and other federal government components, created a draft guide to help develop the following four parts of a TCRP:

- Law Enforcement Agency Guidelines for Missing Persons Cases;
- Victim Services Guidelines for Missing Persons Cases;
- Media & Public Communications Guidelines for Missing Persons Cases; and
- Community Outreach Guidelines for Missing Persons Cases.

Within certain timeframes, Savanna's Act requires the Attorney General to direct U. S. Attorneys to develop guidelines to respond to cases of missing or murdered AIAN persons.

Bay Mills Indian Community, as one of the first pilot project teams in the nation, collaborated with the Department of Justice, assisted primarily by Michigan MMIP Coordinator Joel Postma, through the use of the draft guides, to establish our TCRP. This document has been tailored to the specific needs of the Bay Mills Indian Community. Bay Mills Indian Community takes great pride in developing a guide that will be used by tribal governments and U. S. Attorneys' Offices, working with other partners, to develop TCRPs for tribal communities nationwide.

Law Enforcement Response Plan

PURPOSE

Bay Mills Police Department will give cases involving a missing person high priority by responding to take the report, initiating a search if necessary, and quickly entering the information into the appropriate local, state, and NCIC law enforcement databases. This will also establish responsibilities regarding Bay Mills Police Department's response to reports of missing persons. There is no formal waiting period required before the officer will accept a missing person report.

GENERAL INFORMATION

The manner in which missing person cases are initially handled, and the speed with which pertinent information is distributed to local officers and area law enforcement agencies is critical to the successful outcome of the case.

- Officers will conduct proper investigations, prepare necessary reports, and request appropriate state and NCIC computer entries. All entries for missing persons shall meet the FBI, CJIS AND NCIC missing person criteria.
- Officers will notify local FBI agent as soon as a missing-person case is reported/confirmed.
- Dispatchers will expedite entering missing person information into the appropriate database and ensure that the entry contains accurate and complete information.

The following definitions apply:

- Adult: any person aged 18 years or older.
- Amber Alert: a public notification system used to broadcast information about abducted children, aged 17 years of younger, as described in 34 U.S.C. § 20501 et seq.
- Ashanti Alert: a public notification system used to broadcast information about missing adults, age 18 to 75 years, as described in 34 U.S.C. § 21901 et seq.
- At-Risk Missing Person: a missing person aged 18 years or older for whom there is a reasonable concern for his or her safety, or for whom one or more of the risk factors listed below (see 'Risk Factors') is present.
- Endangered Runaway: a missing child older than age 12 but younger than 18, where credible information exists that the child has left parents or legal guardians without permission and for whom there is a reasonable concern for his or her safety, or for whom one or more of the risk factors listed below (see 'Risk Factors') is present.
- Indian Country: as defined by 18 U.S.C. § 1151, this includes (a) all land within the boundaries of an Indian reservation, (b) all dependent Indian communities within U.S. borders, and (c) all Indian allotments held in trust or restricted fee by the U.S.
- Indian Tribe: a federally recognized Indian Tribe or a Native village, Regional Corporation, or Village Corporation (as defined in the Alaska Native Claims Settlement Act or Alaska Native tribal consortium listed as eligible to receive BIA services. (43 U.S.C. § 1602)).¹
- Law Enforcement Agency: a federal, tribal, state or local law enforcement agency.

¹ 43 U.S.C. § 1602

- Missing Adult: an individual who—
 - Is older than the age for which an AMBER Alert may be issued in the state or tribal territory where the individual is identified as missing;
 - Is identified by law enforcement as missing; and
 - Meets the requirements to be designated as a missing adult, as determined by the state or tribal territory where the individual is identified as missing.²
 - For purposes of Bay Mills Indian Community, a missing adult is any person over age 18 whose whereabouts are unknown without a reasonable explanation or in circumstances that cause reasonable concerns for their safety or wellbeing.
- Missing Child: any individual younger than age 18 whose whereabouts are unknown to the individual’s parent or guardian.³
- Risk Factors: Risk factors for missing persons, such as endangered runaways or at-risk missing persons, can include one or more of the following circumstances:
 - Being out of the zone of safety for their age and developmental stage
 - Having physical, mental, behavioral or cognitive challenges or disabilities
 - Being drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
 - Being in a life-threatening situation (e.g., suicidal ideation, experienced past threats or acts of violence)
 - Being in the company of others who could endanger their welfare
 - Being absent in a way inconsistent with established patterns of behavior and the deviation cannot be readily explained
 - Being in a situation causing a reasonable person to conclude the person should be considered at risk (e.g., commercial fishing, hunting, gathering, traditional cultural practices in remote locations and adverse weather events)
- Silver Alert: a public notification system used to broadcast information about missing persons, especially senior citizens and Tribal elders with Alzheimer's disease, dementia, or other mental disabilities, to help locate them.

Jurisdiction in Indian Country			
Identity of Alleged Defendant	Identity of Alleged Victim	Major Crimes as Defined by Major Crimes Act	All Other Crimes
Native American	Native American	Federal and/or Tribal	Tribal
Native American	Non-Native	Federal and/or Tribal	Federal and/or Tribal
Non-Native	Native American	Federal	Federal
Non-Native	Non-Native	State	State
Native American	No Victim/ Consensual	N/A	Tribal
Non-Native	No Victim/ Consensual	N/A	State

² 34 U.S.C. § 21901(7).

³ 34 U.S.C. § 11292(1).

Victim Services Response Plan

Vision:

We envision giving immediate family of a missing or murdered indigenous person(s) an understanding of the investigative process, resources, and emotional support during their time of need. They matter and their voices matter.

Mission Statement:

We will provide a collaborative approach to ensuring families' needs are met with understanding, sensitivity, and trauma centered care while keeping Native American cultural values in mind.

When a person(s) is reported missing within the exterior boundaries of Bay Mills Indian Community and an investigation is started; the Bay Mills Police Department informs the Victim Services Coordinator (VSC) or their designee; the Coordinator or their designee will initiate the Victim Services Response Team (VSRT).

Definitions:

For the purpose of this policy, the following terms will be defined as followed:

- Victim Services Coordinator (VSC) – Person responsible for overseeing the Victim Services Team
- Victim Services Response Team (VSRT) – Those working under the VSC
- Point of Contact (POC) – Person responsible for assisting victims and families for a designated service
- Central Meet Location (CML) – Central meeting place for immediate family members and the VSRT

Victim Services Response Team (VSRT)

The Victim Services Team is comprised of Victim Service Providers such as a Family & Support Liaison, Law Enforcement Liaison and Cultural Specialist Liaison. Each member of the VSRT will be trained in providing care through a trauma informed approach, emotional support, and assess needs through victim centered standards.

- The VSRT will work to ensure that all victim family interaction occurs in a victim centered manner by assessing the needs and concerns of the families and delivering services in a compassionate and non-judgmental manner.
- The VSRT will assist investigators in their interactions with families so that victims can be provided information, heard, and made to feel safe.
- The VSRT will seek to reduce the system impacts that can cause trauma to families while supporting the needs of victim families. This will be accomplished by listening, providing support, managing expectations, planning and sharing information with families with honesty and respect.
- The VSRT will work to ensure that all victim family contact occurs in a culturally appropriate way incorporating the background, belief system, family structure, history, language, and customs of the family.

The VSRT will work collaboratively both with members of the Tribal Community Response Plan along with Bay Mills Social Services, medical and behavioral health providers, the FBI victim specialists, prosecutor's offices or U.S. Attorneys (including USAO victim specialists), and other appropriate agencies. The VSRT can assist these entities with understanding the victimology, vulnerability, and historical context of the victim and their family.

The VSRT will serve as a systems-based Victim Services Program (VSP). As a system-based program there will be limited confidentiality between the team members and the victim and their family. All discoverable information including statements, text, email and social media communications provided to the VSRT will be provided to the investigative agency. The VSRT will encourage collaboration with community-based VSPs recognizing that this collaboration may require a victim's advocate to provide information to law enforcement about any exculpatory or inculpatory statements made by the victim to the advocate. If a community-based VSP will be engaged to assist the family, the VSRT will ensure that appropriate releases for the sharing of information to assist the investigation are executed.

Initiating Victim Services Response Team (VSRT)

Establishing Points of Contact (POC)

Victim Service Coordinator will assign points of contact for the following areas:

- Family & Support Liaison-
Will be the main support person(s) for immediate family of the victim. They will offer comfort, listening, and coordination between other points of contact on the VSRT. They will disseminate informational packets to the family of the victim.
- Law Enforcement Liaison-
Will relay important updates from LE to the VSRT as well as the family. They will also update the LE agencies working on the case of any vital information relevant to the case provided by the family or friends of the victim. The LE will also coordinate with the Family & Support Liaison.

- Cultural Specialist Liaison-
The Cultural Specialist Liaison can offer spiritual guidance, prayer, fire, story-telling and or any other traditional practices requested by the family.

Each point of contact (POC) name and number will be disbursed by the VSC or their designee amongst all Victim Services Response Team members and Law Enforcement currently involved in the investigation. The list will also be written on a board inside the Central Meet Location (CML).

Educating Victim Families.

The VSC or their designee will meet with the victim family as early as possible to explain the roles and duties of the VSRT and the law enforcement agency responsible for the investigation. At this meeting, the VSC will educate the family about the limits of confidentiality and how the VSC will be sharing information with law enforcement. The VSC will gather information about the victim along with past trauma history or involvement with social services or behavioral health providers. The VSC should also establish the legal next-of kin and determine how the family desires to receive updates as they become available.

Services Provided by VST:

- Transportation
- Engagement Activities (for at home & CML, ex. crafts, coloring, painting, sharing stories)
This POC would help with coordinating activities at the CML or activities for children to keep occupied at their temp stay locations.
- Crisis Counseling
- Case Updates
- Coordination with Community Response Team and outside agencies
- Emergency Housing Assistance

Central Meet Location

A distinct CML will be identified for immediate family and the VSRT. This CML will be separate from the CML used by community members and volunteers. If necessary, because of family circumstances, a second CML for family use may be established. The location will be chosen based on availability.

Informational Packets & Dissemination

Informational packets will be given out to immediate family who have been identified as emergency contacts. The Family & Support Liaison will be responsible for disseminating the

informational packets. These packets will include forms that may be filled out and returned to the Family & Support Liaison. It will ensure we have the most up to date information to provide the immediate family involved with any case update information when it becomes available. The Family & Support Liaison should encourage completion of forms in a timely manner to assist the VSC in providing contact to the appropriate family members. The packet will include:

- Immediate Family Contact Form
- Temporary stay location (If applicable, ex. hotel, staying with other family/friend)
- Will include contact information for cultural/spiritual guidance and/or counseling services in the area
- VSRT Contact List
- List of local eateries, lodging facilities, medical facilities, and traditional services locations

Documentation/Files on Missing Person

Each POC will follow their own internal departmental record retention policy.

Missing Person(s) Identified Safely

The VSRT will continue to provide support to immediate family as needed. A Victim Advocate will be assigned by the VSC or their designee to work one on one with the person who has been found safely to assess their needs. The VSC or their designee will provide the following services to the victim and their family:

- Providing transportation and support during any medical examination or forensic examination necessary
- Identifying resources to assist with travel, if necessary for return to the community, and emotional support upon return
- Continue to monitor the needs and provide additional community resources throughout the next stages of the investigation and, if possible, prosecution
- Assist the victim and their family in protecting their privacy needs including, if desired, assistance in relocating
- If a criminal prosecution occurs, providing ongoing assistance through the criminal process

Missing Person(s) Identified Deceased

After the investigating agency notifies the emergency contact(s) and next of kin of the deceased, the VSRT will assist the investigating agency with any other immediate family notifications. The VSRT will continue to offer support to the immediate family of the deceased.

The Family & Support Liaison will start to work one on one with emergency contact(s) and coordinating between the other liaisons of the VSRT to lessen their stress and grief.

The Family & Support Liaison will work with the emergency contact(s) of the deceased with:

- Providing support during interviews of family members with law enforcement
- Providing support if family member is asked to provide identification of the victim
- Funeral arrangements, including the return of the victim from an outside jurisdiction
- Coordination of traditional services (if applicable)
- Coordination with Investigating Agency
- Information on grief counseling
- Any other areas of need

Missing Person(s) Turns Cold Case

After notification from investigating agency that the team's efforts have been unsuccessful thus far in locating the missing person(s) the Law Enforcement Liaison will brief the immediate family on the status of the case going forward. Immediate family will be given the contact information on the investigating agency. The VSC or designee will determine how the family would prefer to be contacted and will document that preference for future reference.

The VSC will have contact with immediate family no less than twice per year while the case remains open. Other contacts should be considered during key periods of the investigation such as:

- Birthdate of the victim and anniversary of the disappearance
- Any changes in the contact person for the VSRT or the law enforcement agency investigating the incident
- Updates on any changes in the case status, such as when remains have been found that are determined not to be the victim or implementation of a new investigative stage

Community Response Plan

Vision:

The MMIP Community Response Team will be readily available to help provide needed resources and support to law enforcement, victim services and the community.

Mission Statement:

We will provide a collaborative approach in ensuring Law Enforcement, Victim Services and community needs are met with understanding, sensitivity and in a timely manner while keeping Native American cultural values in mind.

When a person(s) is reported missing within the exterior boundaries of Bay Mills Indian Community and an investigation is started, the Bay Mills Police Department will inform the Community Response Coordinator (CRC) or their designee; the Coordinator or their designee will initiate the Community Response Team (CRT). This plan will be reviewed on a yearly basis.

Definitions:

For the purpose of this policy, the following terms will be defined as followed:

- Community Response Coordinator (CRC) – Person responsible for overseeing the Community Response Team
- Community Response Team (CRT) – Those working under the Community Response Coordinator
- Point of Contact (POC) – Person responsible for providing Law Enforcement, Victim Services and the community a designated service
- Volunteer Central Meet Location (VCML) – Central meeting place for community members and volunteers

Community Response Team (CRT)

The Community Response Team is comprised of community members and staff such as a Law Enforcement Liaison, Volunteer Coordinator Liaison, Meal and Shelter Liaison, Community Resources Liaison and Behavioral Health Services Liaison. Each member of the CRT has been trained in providing or planning specific services to meet the needs of law enforcement, victim services and the community.

Initiating Community Response Team (CRT)

Establishing Points of Contact (POC)

Community Response Coordinator will assign points of contact for the following areas:

- Law Enforcement Liaison -
Will relay important updates from the investigating agency to the CRT, as well as the community volunteers as needed. The Law Enforcement Liaison will also update the investigating agencies working on the case of any vital information they receive from family, friends, community members and volunteers.
- Volunteer Coordinator Liaison-
Will be the main person organizing volunteer groups for law enforcement. Once specific information is given from law enforcement on their needs, this individual will work to provide those resources in a timely manner.
- Meal and Shelter Liaison
The Meal and Shelter Liaison will have a list of volunteer community members that have been identified to cook meals to feed volunteers that are utilizing the Volunteer Central Meet Location (VCML). The Meal and Shelter Liaison will also work with the Victim Services Response Team to ensure the food and shelter needs of the immediate family member are met.
- Community Resources Liaison
This individual will assess the needs of Law Enforcement, Victim Services and the community, and will work with the CRC to bring in internal and external resources as needed that will benefit the above groups.
- Behavioral Health Services Liaison
Behavioral Health staff will provide crisis counseling as needed to meet the needs of Law Enforcement, Victim Services and the community.

Each point of contact (POC) name and number will be disbursed by the CRC or their designee amongst all Community Response team members and Law Enforcement currently involved in the investigation. A contact list will also be written on a board inside the Volunteer Central Meet Location (VCML).

Volunteer Central Meet Location (VCML)

A Volunteer Central Meet Location will be identified and communicated to the rest of the CRT through the Community Response Coordinator. The location will be chosen from what is available. The location should have an open space, tables and chairs available, restrooms, and a

kitchen if at all possible. The VCML will be utilized for volunteers to be able to get case updates, counseling services, temporary shelter and meals.

Documentation/Files on Service Provided

Each POC will follow their own internal departmental record retention policy.

Missing Person(s) Identified Safely

If a person is safely found, the CRT will continue to provide needed resources to Law Enforcement and Victim Services for as long as they need.

Missing Person(s) Identified Deceased

After the investigating agency notifies the emergency contact(s) and next of kin of the deceased, the CRT will assist the investigating agency with notifying the volunteers working with the CRT. The CRT will continue to provide support to the community as needed (i.e. crisis counseling).

Missing Person(s) Turns Cold Case

After notification from the investigating agency that the team's efforts have been unsuccessful thus far in locating the missing person(s), the investigating agency will brief the volunteers after the emergency contact and/or family has been notified.

Media and Public Communications Response Plan

PREVENTION

The Media and Public Communications Team (MPCT) will utilize public awareness tactics such as Public Service Announcements (PSA), social media, public outreach & training to bring awareness of the issue. Law enforcement will coordinate with the Media and Public Communications Team to share information and create trust within the community, subject to applicable court rules, orders, and law-enforcement agency policies.

REPORTING

The Media and Public Communications Team will respond to initial reports of missing persons in the following ways:

- Make an initial statement including clarification of whether there is a public threat
- Coordinate communications with all agencies and stakeholders, as appropriate
- Create and distribute missing persons posters
- Utilize the Amber Alert or similar electronic notification systems where available
- Establish a Joint Information Center

The Media and Public Communications Team will provide local media outlets with the following information:

- Recent picture
- Name
- Age
- Attire
- Distinct characteristics (i.e. piercings, tattoos, etc.)
- Tip line information
- Location of where the missing person was last seen

The Media and Public Communications Team will undertake any necessary steps to protect victim privacy rights and due process rights of potential defendants along with the privacy of witnesses. It is imperative that sensitive law enforcement information, sources, and methods are protected. Do not share the missing person's associates/relationships.

INVESTIGATION/SEARCH

The Media and Public Communications Team will continue to provide updated information during the investigation and search phase of a missing person case.

- Hold press conferences and issue press releases as new information becomes available
- Coordinate with the lead law enforcement agency and the Victim Services Response Team
- Appoint a primary public information officer and/or media coordinator and inform partners of the same
- Establish or publicize a tip line or social media page for public reporting

The Media and Public Communications Team will provide local media outlets with the following information:

- Provide contact information for the lead agency's chief of police and/or public relations officer
- Provide updates to timeline of missing person's last known activities and steps take to find the person
- Reiterate information of the missing person and the tip line information

RESCUE/RECOVERY

The Media and Public Communications Team will assist in the announcement of the rescue or recovery of the missing person.

- The Media and Public Communications Team will coordinate with the lead agency to allow the agency to announce the rescue or recovery
- If federal charges are possible, the US Attorney's office should be consulted before any statement and will be invited to join in for any press conference in order to indicate that the investigation remains ongoing
- Reassure the community and account, as needed, for law enforcement actions
- Recognize law enforcement agency and public assistance that was provided to the investigation
- As needed, express sympathy and condolences to the victim and/or the victim's family

If no criminal charges are likely, based on the circumstances, an update should be provided with general information keeping in mind the privacy rights of the victim. If criminal charges are possible, only minimal information should be shared in order to protect the prosecution of the alleged perpetrator.

SEEKING JUSTICE

The Media and Public Communications Team will assist in the periodic updates related to the prosecution of an alleged perpetrator.

- The Media and Public Communications Team may assist the lead prosecution agency in the announcement of any charges at the time of charging, conviction, or sentencing
- The Media and Public Communications Team will recognize the efforts of law enforcement and any public assistance that was provided to the investigation

The Media and Public Communications Team will strive to ensure that any information released will not prejudice a defendant through pretrial publicity or that will otherwise jeopardize the witnesses and victim's right to privacy or the defendant's due process rights. Protection of sensitive law enforcement information, sources, and methods is of the utmost importance.

The Media and Public Communications Team will provide local media outlets with the following information:

- If charges have not yet been issued, the release to the media should focus on the existence of an investigation to ease the public's concern
- If prosecution is possible, a referral to the appropriate jurisdiction and law enforcement agency for information is appropriate