

MEMORANDUM OF UNDERSTANDING

AMONG

**Bureau of Indian Affairs,
Indian Health Service,
Federal Bureau of Investigation,
Tribal Law Enforcement,
Tribal Child Protective Services and/or Social Services
Tribal Prosecutor
Assistant U.S. Attorney
Federal Bureau of Investigation**

I. Purpose

The Bureau of Indian Affairs Law Enforcement and Social Services, Indian Health Service, Federal Bureau of Investigation, Tribal Law Enforcement and Tribal Child Protective Services/Social Services, Tribal Prosecutor, and Assistant U.S. Attorney have agreed to enter into a memorandum of understanding to address child maltreatment. These agencies have agreed to participate in an effort to address the problem of child abuse and neglect in Indian Country.

This Memorandum of Understanding sets forth the general terms of agreement for joint participation in the Child Protection Team.

The purpose of this initiative is to create and enhance collaborations among child protective services, law enforcement, BIA, IHS, U.S. Attorney's Office and FBI as well as criminal courts and community groups, such as mental health and substance abuse treatment, public health clinics and other health providers, neighborhood groups and natural helping networks, with the goal of providing more effective ways to achieve safety and well-being for children who have been identified as abused or neglected.

II. Responsibilities and Procedures

A. Management of the Child Protection Team

The participating agencies agree to jointly decide the management, design and implementation of the Child Protection Team (CPT). Each agency will have an equal voice in the decisions of the CPT. Disagreement will be settled by discussion and consensus of members and primary agencies.

Decisions and development of materials, protocols and activities for implementing the CPT will be the responsibility of each member and their agency. As deemed appropriate and necessary, the contact person from each agency will get approval in making decisions from responsible officials within their agencies. The representative from each agency will draw upon the expertise within their agencies for support of the CPT, as needed and appropriate. The Chair of the CPT will be rotated on a yearly basis.

The Tribal CPS will provide administrative support to the CPT. CPS will be responsible for organizing and conducting cross training and facilitating communication between the primary systems and other participating agencies. Written record will be kept by CPS of all decisions, activities, and methods of implementation for the CPT.

B. Responsibilities of Each Agency/Member

The Overall Goal of the CPT is to establish effective interventions for maltreated children through policy development, appropriate referrals, timely investigations and prevention activities by service providers, child protective services and the law enforcement systems of the tribe/reservation/jurisdiction.

Each of the members and their agencies agree to:

1. provide leadership for the project,
2. increase collaboration,
3. participate in cross training,
4. implement joint protocols, and
5. increase:
 - services for children who have been maltreated,
 - perpetrator accountability
 - community involvement
 - resources for child maltreatment, and
 - focus on primary prevention.

Each agency, individually, will address specific issues within their systems.

The Tribal CPS/SS and the BIA Social Services agree to:

1. establish screening procedures,
2. develop a coordinated referral system,
3. develop a tracking system of children,
4. revise policies to improve safety for child victims, and
5. develop service plans to address safety of the victim and accountability of the perpetrator.

The Tribal Prosecutor agrees to:

1. provide leadership within the court system,
2. adopt best practices for management of child maltreatment cases,
3. identify resources and make referrals,
4. issue orders that provide for safety of the victim, accountability of the perpetrator, and in the best interest of children.

The Indian Health Service agrees to:

1. develop strategies to identify and address child maltreatment,
2. increase the capacity to provide services,
3. develop new service models for child victims of maltreatment, and
4. work with the criminal justice system to increase accountability of perpetrators.

The FBI agrees to:

1. develop a strategy to determine jurisdictional issues for each referral of child abuse and neglect,
2. increase the capacity to provide services on reservation,
3. provide investigation services when appropriate,
4. work cooperatively with Tribal and BIA law enforcement, and
5. provide leadership within the FBI internal system.

The U.S. Attorney's Office agrees to:

1. cooperate with Tribal, BIA and FBI in the prosecution of perpetrators of child maltreatment on federal jurisdiction,
2. provide leadership within the U.S. Attorney's Office internal system,
3. increase the capacity to prosecute child maltreatment perpetrators,

4. participate in meetings and activities of the Child Protection Team.

In the development of the goals and objectives of this proposal, the CPT foresees a five year vision. This vision includes earlier intervention and investigation in child maltreatment cases; the improved safety and well-being of children who have been victims of abuse/neglect; a strong collaborative relationship between child protective services, tribal law enforcement, BIA and IHS and federal/Tribal court system; increased accountability for perpetrators; and, decreased incidences of child maltreatment through primary prevention efforts.

III. Agency Designated Contacts for the CPT

The following agencies will provide a representative to serve on the Child Protection Team: *Each agency will designate their contact and include a name and phone number where they can be reached 24 hours a day.*

The representatives of the Child Protection Team will be involved in the planning, development and activities of the CPT. The duties will include:

1. attend all monthly meetings,
2. review protocols,
3. approve minutes,
4. provide input into the evaluation,
5. review all materials,
6. actively participate in community prevention activities,
7. contribute to consensus on all matters and
8. provide input into the development of a screening tool and other intervention efforts.

IV. Period of Agreement

This Memorandum of Understanding is effective when accepted and signed by all cooperating agencies and will remain in effect until participating agencies agree to modify the Memorandum of Understanding. This Memorandum of Understanding may be modified by mutual consent of the parties or canceled with 30 days advance written notice by any party.

V. Agency Contributions to the CPT

The CPS and Social Services will contribute the time of staff to attend meetings as well as provide and attend cross training in child protective services and child abuse and neglect.

The Tribal Prosecutor will regularly attend the CPT meetings and will contribute training in prosecution of child abuse and neglect perpetrators and will actively participate in other training and activities offered by the CPT.

The BIA and Tribal law enforcement will provide cross training in the investigation of child abuse and neglect cases and will attend the CPT meetings and participate in other training and activities offered by the CPT.

The Indian Health Service will provide training to CPT members on the appropriate identification, diagnosis and referral of child abuse and neglect victims as well as attend the CPT meeting and participate in other training and activities offered by the CPT.

The FBI will provide and/or assist the Tribal and BIA law enforcement in cross training in the investigation of child abuse and neglect incidents as well as regularly attend CPT meetings and participate in other training and activities offered by the CPT.

The U.S. Attorney's Office will provide training to the CPT on what constitutes adequate evidence to prosecute a child abuse and neglect perpetrator in federal court as well as regularly attend CPT meetings and participate in other training and activities offered by the CPT.

Each of the agencies who have provided a letter of commitment to serve as ancillary members of the CPT have offered to participate in cross training, provide a representative for the CPT when requested and will offer training in their agency's area of expertise.

VIII. Agency Approvals of Memorandum of Understanding

_____	_____
Tribal Social Services	Date
_____	_____
BIA Social Services	Date
_____	_____
Indian Health Service	Date
_____	_____
Tribal Law Enforcement	Date
_____	_____
Tribal Prosecutor/Court	Date
_____	_____
BIA Law Enforcement	Date
_____	_____
FBI	Date
_____	_____
U.S. Attorney's Office	Date

