DATA SHARING AGREEMENT

between

STATE OF NEW MEXICO

INDIAN AFFAIRS DEPARTMENT

and

[INSERT TRIBE]

**DATA SHARING AGREEMENT**

This Data Sharing Agreement is made and entered into as of [EFFECTIVE DATE] by and between the New Mexico Indian Affairs Department (“IAD”) and the [TRIBE] for purposes of supporting the New Mexico Missing and Murdered Indigenous Women (“MMIW”) Task Force to gather feedback from tribal employees that work in the tribal justice system, specifically tribal law enforcement and service providers that serve victims of crime.

**I. DESCRIPTION OF THE DATA**

The [TRIBE] authorizes IAD on behalf of the New Mexico Indian Affairs Department to collect the following data, consistent with protection of the rights and confidentiality of individuals and the tribe:

* Responses collected though the distribution of surveys to tribal law enforcement officers and service providers working within a tribe’s jurisdiction.

**II. PURPOSE OF THE DATA SHARING AGREEMENT**

The purpose of the data sharing agreement is to ensure that data collected through survey instruments are collected, stored, and shared only as provided for in this agreement.

**III. SCOPE OF THE DATA**

The scope of information to be gathered by surveying law enforcement includes:

1. Policies and guidelines for responding to missing persons and murder/homicide cases. Whether or not there are systems/protocols to track MMIW cases.
2. How MMIW cases are being documented and shared across crime databases.
3. Types of training relevant to addressing violence and crime in Indian country and/or Missing and Murdered cases.
4. Challenges to identifying, reporting and investigating MMIW cases.
5. Barriers related to jurisdiction.
6. Partnerships and resources needed to improve the reporting and investigating of MMIW cases.
7. How to improve collaboration and information sharing with DOJ.

The scope of information to be gathered from surveying service providers includes:

1. Funding sources.
2. Types of services provided and/or accessed by those impacted by MMIW.
3. How many MMIW victims/survivors are being served.
4. Cost/fee structure.
5. Challenges to providing service.
6. Barriers related to poverty, jurisdiction, oppression and colonization.
7. Best practices and prevention methods.
8. Recommendations to include in the final report.

**IV. DATA FLOW**

1. Survey instruments will be sent via email to law enforcement personnel and service providers (or similar personnel that works with survivors of violence or victims of crime).
2. Emails sent to law enforcement and service providers will include a weblink to SurveyMonkey and will request respondents to complete the survey. The email will also include a summary about the purpose of the survey and instructions on how to complete the survey.
3. Responses will be stored on the SurveyMonkey platform until all responses are collected.
4. Data collected will be downloaded and analyzed by the MMIW Task Force’s data collection team, the Native American Budget Policy Institute (“NABPI”).
5. Findings will be summarized, and all findings will be included in the final MMIW Task Force Report that will be submitted to the Governor and Legislature.
6. Only aggregate data will be presented in the final report, barriers and obstacles will be discussed generally without naming individual tribes, nations, or pueblos.
7. Data that has been collected will be stored on the SurveyMonkey platform and will be downloaded by the Indian Affairs Department and stored in compliance with the state’s retention policy for 5 years, then destroyed in accordance with NMAC 1.21.2.120.

**V. CONFIDENTIALITY**

Data that is collected by the Indian Affairs Department on behalf of the MMIW Task Force will be shared only with NABPI, the data collection team. Should IAD receive an Inspection of Public Records Act (“IPRA”) request for survey data, the department will immediately inform parties to this agreement of the request. Information will only be shared after parties to this agreement have acknowledged in writing that they received the request. Surveys will not require respondents (anyone completing the survey) to identify the tribal community that they are employed with.

**VI. SECURITY OF DATA**

Survey responses will be stored on a password protected account via SurveyMonkey. Only IAD staff and the data collection team will have access to this account.