

CHAPTER 3-4 CENTRAL RECORDS REPOSITORY

3-4-1 **Purpose**

The purpose of this Chapter is to establish a central data repository for information that can be used to document, reduce, abusive and violent instances between and among tribal members, and to provide better data for the provision of services to victims of perpetrators of violence.

3-4-2 **Repository**

The records and data base require to be established under this Chapter shall be maintained by the Confederated Tribes at an agency of the Tribes established under this Chapter. All safeguards required by section 3-4-3 of this Chapter shall be initiated and utilized to insure confidentiality of the records maintained. The records and data base shall be maintained in computer forms with hard copies either returned to the providing agency or department, destroyed, or locked in a secure vault with no general access.

3-4-3 **Confidentiality-Disclosure**

(a) All data and records collected and maintained pursuant to this Chapter shall be confidential.

(b) In order to insure confidentiality the records and data base maintained pursuant to this Chapter shall meet all standards established by the Indian Health Service for the purposes of internal security, and disclosure of information unless standards contained herein or developed by The Confederated Tribes are more restrictive, in which case the more restrictive standard apply.

(c) All information and data maintained pursuant to this Chapter which is name identifiable may only be released in the following circumstances:

- (1) When the person named in the particular record or data gives prior consent.
- (2) To treating institutions presently engaged in the provision of medical or other treatment to named persons.
- (3) To the Colville Child Protective Service when the Child Protective Service is investigating potential child abuse.
- (4) To the Colville Tribal Police when investigating a criminal event.

(d) Records maintained which are received from departments of the Colville Tribes under contract with the Indian Health Service or from Indian Health Service itself which address alcohol, drug or substance abuse shall only be disclosed pursuant to federal law and regulation allowing for that disclosure. Provided, however, that the provision of data as required by this Chapter from tribal agencies to the central repository shall not be deemed to be a disclosure, but rather continued maintenance of the records within the Colville Tribes. Provided further, that disclosure of alcohol and drug and substance abuse information to the Tribal Police Department shall not be allowed if the information to be disclosed is in furtherance of a criminal investigation, or when such disclosure to a law enforcement agency would be prohibited by federal law.

(e) Data that is purely statistical and that does not disclose the names of persons involved and cannot lead to the disclosure of such names may be disclosed in the following circumstances:

- (1) In furtherance of educational campaigns to inform the Reservation population of violence and its causes, and prevention.
- (2) To a bona fide research institution.
- (3) In report form to the Colville Tribal Business Council, other governmental agency or entity.

3-4-4 Providers of Information

The following agencies and government departments shall be required to provide the information set out in section 3-4-5 to the central repository.

(a) Tribal Departments:

- (1) Tribal Police
- (2) Indian Child Welfare
- (3) Area Office on Aging
- (4) Mental Health (F.A.M.H.E.)
- (5) Paschal Sherman Indian School
- (6) Emergency Medical Services (Tribal EMS)
- (7) Colville Indian Housing Authority (CIHA)
- (8) Colville Tribal Alcohol Program/Substance Abuse and Prevention and Intervention Program

(b) Those federal agencies operating on the Colville Indian Reservation including but not limited to the Indian Health Service, and Bureau of Indian Affairs.

3-4-5 Information to be provided

(a) Those agencies and departments set out in section 3-4-4 shall provide the following information for inclusion in the central data repository established under this Chapter.

- (1) All information relating to or dealing with child abuse.
- (2) All information relating to or dealing with interpersonal incidents of violence including simple assault and/or battery that under tribal law, state or federal law would be considered criminal.
- (3) Information relating to auto accidents when those accidents occur on the Colville Indian Reservation.
- (4) Alcohol and drug abuse information where such disclosure is permitted pursuant to federal law.

3-4-6 Regulations

The Colville Business Council in conjunction with a delegated department, or a delegated department of the Confederated Tribes with the concurrence of the Colville Business Council shall develop regulations and protocols which will implement this Chapter. Principally, protocols and procedures that will implement the confidentiality provisions of the Chapter shall be developed. The confidential procedures shall be in place prior to the time that information is accepted into the Project S.A.V.E. records and data collection repository.

(Chapter 3-4 Adopted 3/16/89, Resolution 1989-222)