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# MISSING & MURDERED INDIGENOUS WOMEN

PRESENTATION TO THE IDAHO COUNCIL ON INDIAN AFFAIRS

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OCTOBER 3, 2019



# ABOUT NCSL

## SUPPORT

- In-depth research and reports
- Dedicated state contact
- 50 state comparisons
- A-Z issues and contacts

## IDEAS

- State Legislatures magazine
- Searchable bill databases
- Policy newsletters
- Our American States podcast

## CONNECTIONS

- Meetings and online training
- Professional staff associations
- In-state assistance
- Professional development training

## STRONG VOICE IN WASHINGTON, D.C.

- Standing Committees and Task Forces
- Letters to Congress and the administration
- Capitol to Capitol newsletter
- NCSL Capitol Forum



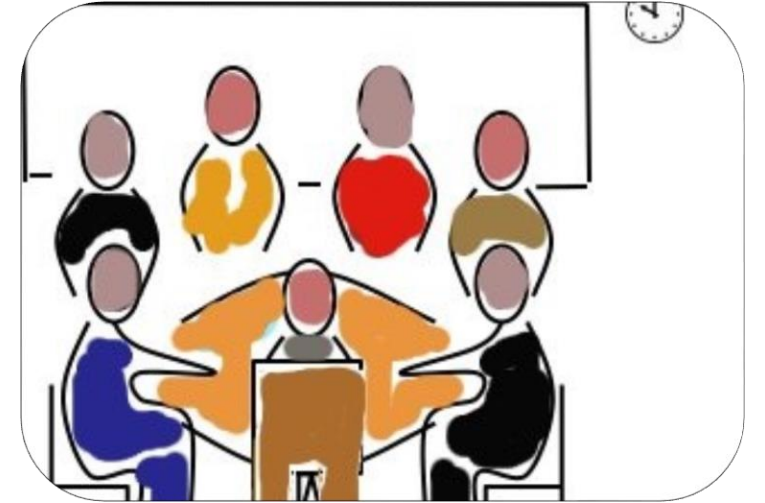
# PRESENTATION OVERVIEW



Federal Action



State Action



National Action

## MMIW...WHAT WE KNOW

- On some reservations, Indian women are murdered at more than 10 times the national average.
- American Indians and Alaska Natives are 2.5 times as likely to experience violent crimes—and at least 2 times more likely to experience rape or sexual assault crimes—compared to all other races according to the National Congress of American Indians.
- More than 4 in 5 American Indian and Alaska Native women, or 84.3 percent, have experienced violence in their lifetime according to the National Institute of Justice.
- More than 4 in 5 American Indian and Alaska Native men, or 81.6 percent, have experienced violence in their lifetime according to the National Institute of Justice.
- According to the Centers for Disease Control and Prevention, homicide is the third leading cause of death among American Indian and Alaska Native women between 10 and 24 years of age and the fifth leading cause of death for American Indian and Alaska Native women between 25 and 34 years of age.



## SOME CHALLENGES

Investigation into cases of missing and murdered Indian women is difficult for Tribal law enforcement agencies due to a lack of resources, such as—

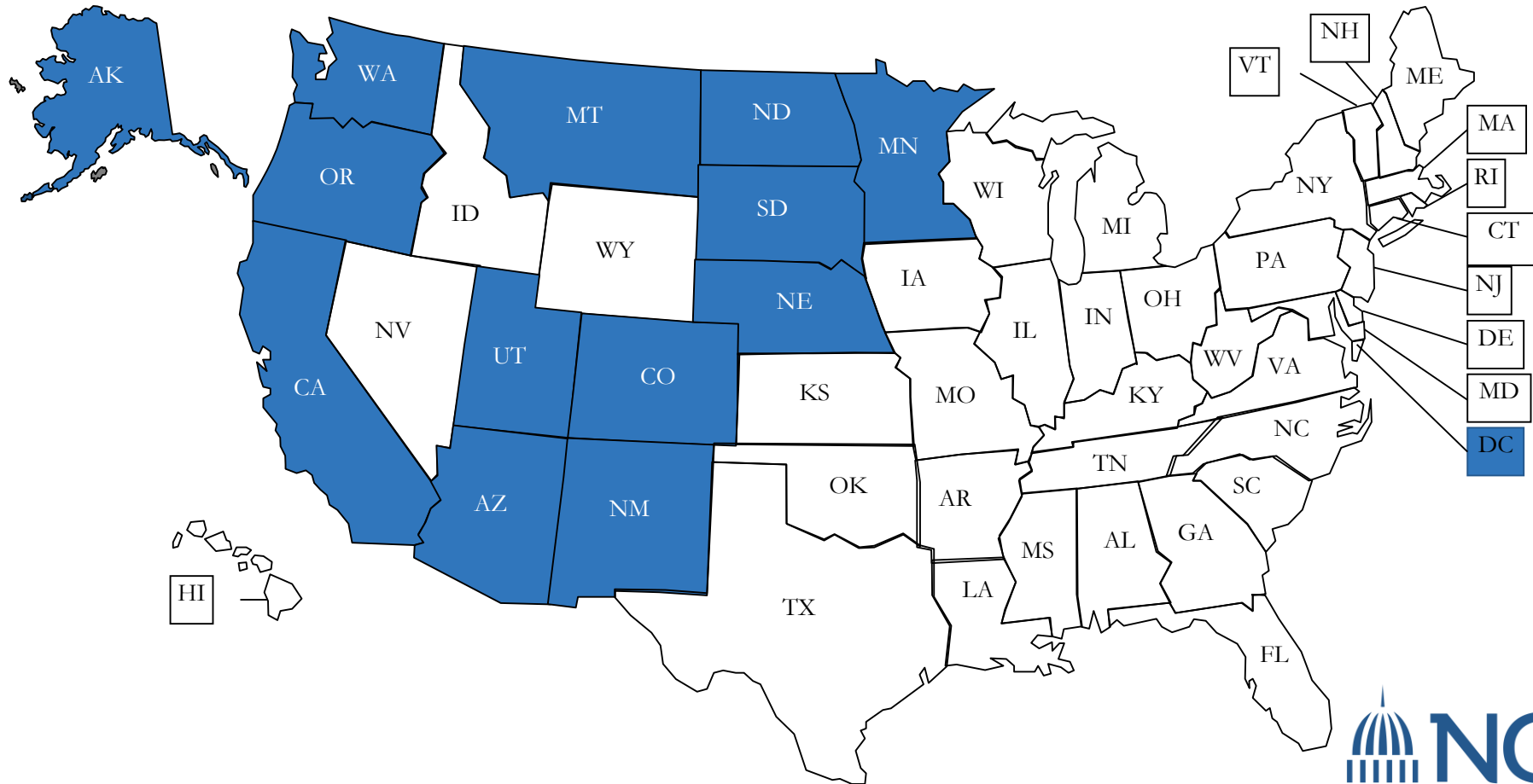
- Necessary training, equipment, or funding;
- Lack of interagency cooperation; and
- Lack of appropriate laws in place.
- The complicated jurisdictional scheme that exists in Indian country (with PL 280)
- Impact the ability to provide public safety to Indian communities;
- Increasingly exploited by criminals; and
- Requires a high degree of commitment and cooperation among Tribal, Federal, and State law enforcement officials.



## STATE ACTIONS

- Lawmakers in 13 states introduced at least 30 measures this year to address the underreporting and data collection problems that make cases of missing and murdered indigenous women difficult to solve
- 17 measures enacted, so far

# STATE ACTIONS-13 STATES WITH MEASURES TO ADDRESS MMIW



# ARIZONA

- HB 2570, passed unanimously by the House, endorsed by the Senate and signed into law by Governor Doug Ducey in May, will create a task force to investigate and gather data about missing and murdered indigenous women.





# MONTANA-SERIES OF DATA COLLECTION BILLS

<b>HB 54</b>	Revises laws related to missing person reports; requiring all law enforcement authorities in the state to accept a report.
<b>HB 20</b>	Revises laws related to the report of missing children; requires reports to be filed in certain custodial interference cases.
<b>HB 21</b>	Concerns establishing Hanna's Act; authorizes the Department of Justice to assist with the investigation of all missing persons cases; allows the employment of a missing persons specialist.
<b>SB 40</b>	Requires Office of Public Instruction to create and maintain electronic directory photograph repository; provides that the directory photographs may be used only if a student is identified as a missing child; requires a parent or guardian to opt in to participate in the repository; requires school district trustees to send an annual notice with opt-in provision to parents and guardians; authorizes Department of Justice staff to access the repository.
<b>SB 312</b>	Creates the Looping in Native Communities Network Grant Program, creates the Missing Indigenous Persons Task Force, provides a competitive grant for a tribal college to develop and maintain the central location for collecting, storing, and securing network data, provides grant funds to tribal agencies to establish access to the Looping in Native Communities Network, requires the Missing Indigenous Persons Task Force to administer the grant program, provides a transfer of funds and an appropriation.

## WASHINGTON-ADDRESSING COORDINATION WITH LAW ENFORCEMENT

- Directs the Washington State Patrol and the Governor's Office of Indian Affairs to work with community and tribal law enforcement to strengthen relations, and the U.S. Department of Justice to share more information and coordinate resources. It also requires the WSP to do a study on how to increase state resources for reporting and identifying missing Native American women in Washington.
- The law's sponsor, Rep. Gina McCabe, R-Goldendale, said it tries to fix a lack of coordination between different law enforcement and government agencies at state, federal and tribal levels.



## FEDERAL ACTION

- Congress is considering two bipartisan, complementary measures: Savanna's Act and the Not Invisible Act
  - Together the bills would enhance coordination among federal and tribal agencies, improve tribal access to law enforcement databases and standardize the Justice Department's handling of cases of missing and murdered indigenous women.
- The U.S. House also amended the Violence Against Women Act, which is up for reauthorization this year. But some of the amendments, including one allowing tribes to prosecute non-Native persons charged with violent crimes, have met resistance in the Senate.



# SAVANNA'S ACT

- Would direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.
- Clarifies the responsibilities of Federal, State, Tribal, and local law enforcement agencies with respect to responding to cases of missing and murdered Indians;
  - to increase coordination and communication among Federal, State, Tribal, and local law enforcement agencies, including medical examiner and coroner offices;
  - to empower Tribal governments with the resources and information necessary to effectively respond to cases of missing and murdered Indians; and
  - to increase the collection of data related to missing and murdered Indian men and women and the sharing of information among Federal, State, and Tribal officials responsible for responding to and investigating cases of missing and murdered Indians.



# NOT INVISIBLE ACT

- Would create a coordinator of federal efforts to combat violence against native people.
  - The Secretary of the Interior shall designate an official within the Office of Justice Services in the Bureau of Indian Affairs
- The coordinator would establish a joint advisory committee on reducing violent crime against native people between the U.S. Department of the Interior and the Department of Justice.
- The advisory committee would establish best practices and recommendations for Indian tribes and Federal, State, and local law enforcement officials in close proximity to Indian lands to follow—
  - To combat violent crime, including missing persons, murder, and human trafficking within Indian lands and of Indians; and
  - to address any gaps in services for Indian victims of violent crime.



# NATIONAL CAUCUS OF NATIVE AMERICAN STATE LEGISLATORS

Last week, NCNASL passed a resolution urging the creation of an accessible and uniform database on missing and murdered indigenous men and women.



NATIONAL CONFERENCE OF STATE LEGISLATURES

## NCSL STATE-TRIBAL DATABASE

- Every year numerous bills are considered by state legislatures that can affect tribal communities. These bills address a variety of issues including the environment, education, health care, taxes/revenue and education. View legislation for the current legislative session here.
- <http://www.ncsl.org/research/state-tribal-institute/database-of-state-and-tribal-legislation.aspx>



# QUESTIONS?

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