

Idaho Summit on Missing & Murdered Indigenous People Report, December 2019



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Hosted by:

Idaho Council on Domestic Violence & Victim Assistance
<https://icdv.idaho.gov>
PO Box 83720
Boise, ID 83720-0036
Phone: (208) 332-1540
Toll-Free: 1-800-291-0463
Fax: (208) 334-2279

and

Idaho Coalition Against Sexual & Domestic Violence
<https://engagingvoices.org>
Linen Building, 1402 W Grove Street
Boise, Idaho 83702
Phone: (208) 384-0419
Fax: (208) 331-0687

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Welcome

Idaho has seen and nurtured leadership across agencies, tribes, and communities for years. We are putting that leadership and bridge-building to the test as the Missing & Murdered Indigenous Women (People) crisis is escalating in Indian country.

In October 2019, many of our communities celebrated as a motion to create a MMIW task force carried during the Idaho State Senate Indian Affairs Committee meeting. Policy analysts and leaders from each of Idaho's tribes immediately took action: initiating research and data analysis, as well as seeking community input. What does it mean for Idaho tribes to be able to move forward in protecting the most vulnerable?

I am honored and humbled to present this Idaho Summit on Missing & Murdered Indigenous People report which shares the significant findings of what we all learned together. My goal is that this report will assist tribal leadership, tribal advocates, policymakers, and community stakeholders in understanding the urgent need for a collaborative solution to the Missing and Murdered Indigenous People facing our country and our state. Multifaceted problems need multifaceted solutions.

I offer my deep gratitude to those of you who attended and I look forward to our strategic partnerships in the future. I especially want to thank Nicole Fitzgerald of the Idaho Council on Domestic Violence and Victim Assistance and Kelly Miller of the Idaho Coalition Against Sexual & Domestic Violence for believing in my vision to end violence in Indigenous communities, for believing that we can find a community focused, collaborative solution.

I hope this report encourages you to not only think deeply about the issue, but also to take action.

Qeciyewyew. Yox kalo. (*Thank you, that is all*)

Tai Simpson, Nez Perce Tribe of Idaho
Social Change Associate
Idaho Coalition Against Sexual & Domestic Violence
tai@engagingvoices.org
208.921.3924

Introduction

Within Indigenous communities across the continent we are seeing the longterm damaging effects of colonization, namely human trafficking, sexual assault, and domestic violence. This violence adversely affects women within those communities. Conversely, there is a growing and compelling body of research illustrating how the damage of violence can be addressed, slowed, and even remedied through collaborative partnerships between agencies, tribes, and community stakeholders. In addition, the recent establishment of a task force on "Missing & Murdered Indians & Alaskan Natives" on a federal level shows promise that the challenge is not ignored, nor is it insurmountable.

During the Idaho State Senate Indian Affairs Committee meeting in October of 2019, we heard in response to a MMIW report from the National Caucus of Native American State Legislators, "I don't understand what the problem is." This is the reality for many Native American tribes across the country: repeatedly conveying the urgency and tragic nature of our lost, missing, or murdered community members. This begs the questions: **How significant is the problem in Idaho? What do we know? What pieces are missing?**

To help understand and answer these questions, the Idaho Council on Domestic Violence and Victim Assistance partnered with the Idaho Coalition Against Sexual & Domestic Violence to provide space to explore the data, processes, and systems we have in place while at the same time identifying challenges facing our tribes, law enforcement agencies, and criminal justice professionals. We are challenging the current assumptions.

The purpose of the Idaho Summit on Missing & Murdered Indigenous People was to share methods, challenges, and obstacles, as well as to deepen our understanding of the critical relationship building necessary to address the issue. For the purpose of this report and the work "people" is used in place of "women." Anecdotal evidence illustrates that men in Idaho are also susceptible to victimization. People is inclusive of men, women, girls, boys, two spirit, and trans Indigenous individuals.

This Idaho Summit on Missing & Murdered Indigenous People Report is designed to illustrate the significant finding from current work and assess both state and tribal-level policymakers in understanding catalysts to advance collaborative prevention methods as a core of community safety:

1. Interagency, cross-sector collaboration of policymakers;
2. A strong focus on changing our community safety systems;
3. A strong mutual understanding and definition of "missing"; and
4. A sustained, coordinated effort of state- and tribal-level partners over time

Catalysts to Advance Collaborative Missing & Murdered Indigenous People Prevention

Drawing from knowledge and discussion at the Idaho Summit on Missing and Murdered Indigenous People this report presents five key catalysts to advance collaborative prevention methods as a core of community safety. These major findings are:

- INTERAGENCY COLLABORATION
- COMMUNITY SAFETY SYSTEMS CHANGE
- DEFINE "MISSING"
- SUSTAINED COMMITMENT

1. Interagency Collaboration

Critical to addressing the issue of Missing & Murdered Indigenous People is ensuring teamwork and collaboration. Each agency has different roles and responsibilities, whether it is protecting sovereignty, honoring constituencies, or providing law enforcement services but our collective effort is to end violence against Indigenous people. The summit helped to identify the key decision-makers from across Idaho. From historical initiatives, it is clear the most successful teams consist of some combination of representation of legislators, Governor's representatives, tribal leadership, public safety individuals, as well as the amplified perspectives of survivors of violence. This issue provides space for working across agencies, working from varied backgrounds, and provides the opportunity to look at the Missing and Murdered Indigenous People issue from multiple perspectives.

Represented at the Idaho Summit on Missing and Murdered Indigenous People included representatives from the following agencies:

- Office of the Governor of Idaho
- Idaho State Police
- Coeur d'Alene Tribe
- Shoshone-Paiute Tribes
- Shoshone-Bannock Tribes
- Nez Perce Tribe
- United States Attorney's Office, Idaho District
- United States Department of Justice, Federal Bureau of Investigation
- Boise State University
- Idaho State House of Representatives
- Idaho State Senate
- Idaho Coalition Against Sexual & Domestic Violence
- Idaho Council on Domestic Violence & Victim Assistance

2. Systemic Change

The purpose of the community study by a formal task force or other organization is to generate recommendations to reduce and end violence against Indigenous people. To this end, stakeholders must examine systemic causes behind violence. The discrepancies in "missing" numbers necessitates an examination of the methods stakeholders currently use for tracking and collecting. The study will allow for accurate reporting on policies and institutions that may adversely impact violence against Indigenous people. And lastly, understanding and implementing system changes affords stakeholders an opportunity to examine measures to support and help to heal people, their families, and communities impacted by violence.

This is not to assert that systemic problems can be immediately solved. They can be addressed by individuals and institutions willing to look beyond silos and find common ground with other stakeholders who share similar goals, albeit with different experiences and roles. This lends itself to supporting interagency collaboration. Many of the issues of violence against Indigenous people and the subsequent epidemic of Missing and Murdered Indigenous People are interconnected on several levels: education, healthcare, law enforcement, economic, and political.

3. Definitions & Methodology

The tribes of Idaho have expressed individually, and at times, collectively that there is a disconnect in terminology, definitions, and methods when addressing the issue of "missing" people. This causes difficulty in collaboration across agencies. For example, the common definition in criminal justice and legislative systems is the quantitative data definition, while in Indigenous communities storied or qualitative definitions are used and provides more context. Families of people who experience violence or are murdered understand the behavior of their relatives and can speak to extraordinary behavior as it relates to "missing" even if that experience is not recognized in a law enforcement assessment. A community study conducted by a task force will assist in a mutually agreed upon definition of "missing."

Making room for tribes to determine data collection methods using the agreed upon definitions will improve accuracy in missing and murdered numbers, subsequently making prevention measures more successful. Partnerships and collaboration with state agencies around missing person databases (ISP Missing Persons Clearinghouse, National Crime Information Center, National Center for Missing & Exploited Children, and National Missing & Unidentified Persons system) will also improve accuracy. Further exploration of methodology and definitions is necessary in this work. The implications for an improved system span across the state, regardless of racial identification.

4. Sustained Commitment

When various stakeholders within the state's political, tribal, and community safety systems agree upon common goals for addressing Missing and Murdered Indigenous People, subsequent success is much more likely. Sustaining stakeholders efforts to collect data, plan, and engage the community in prevention lends itself to bridge-building in a historic way.

The community study stakeholders commit to participating in meetings and activities as needed.

They provide honest and constructive feedback to system responses that hinder support and create barriers for Indigenous communities in Idaho.

They commit to providing leadership within their community and provide opportunities for feedback and awareness.

They communicate with the public at large any new information regarding the work

They champion any recommendations that emerge from the ongoing collaboration of stakeholders

Moving Forward Collaboratively

The following includes a high-level overview of the suggested research to inform the Missing & Murdered Indigenous People's task force in Idaho (Missing and Murdered Indigenous People TF). It is adapted from the Minnesota MMIWTF and Wilder Research contracted to assist in their effort. Augmentations have been made to reflect the legislative, tribal, and law enforcement structure in Idaho.

The research questions that will guide each of the research activities are:

- What are the root causes of the high number of Indigenous people who experience violence?
- What are the key processes in our current system related to prevention, response, victim search, investigation, adjudication, and victim services?
- What federal, state, tribal, and local laws & policies support or hinder the prevention, investigation, adjudication, and victim services for Missing and Murdered Indigenous People?
- What are the solutions that could potentially help to address this problem in Idaho? What solutions have been tried and proven in other locations? What are the good ideas from within Idaho to consider?

Victim Impact and Public Comment and Interviews:

- It is important to develop guidelines to help focus victim testimony and statements around potential legislative mandate. Guidelines need to be transparent about the purpose of victim testimony:
 - The Missing and Murdered Indigenous People TF is not staffed or trained to help victims process trauma or heal
 - The role of the Missing and Murdered Indigenous People TF is NOT to investigate cases
 - Encourage victims to provide testimony that is less centered around personal experience and more centered on system gaps and processes that they'd like to see changed or other recommendations
 - Public will have alternative means of submitting testimony or experience
 - The Missing and Murdered Indigenous People TF will alert the public to opportunities to submit public comment through social media, tribal, and state listservs"
- It is important to develop guidelines for TF members regarding public comment (i.e. how to respond to victims, how to answer follow-up questions, how to respond to reporters or social media requests)

TASK FORCE TIMELINE:

Fall 2020 - Compile Background Information

Fall/Winter 2020 - Key Informant Interviews

- Victims
- Advocates
- Nonprofit & government service providers
- Tribal service providers
- Tribal leadership
- Tribal and non-tribal law enforcement
- Judges, Prosecutors
- National experts

Winter 2020 - Compile & analyze existing data

Summer/Fall 2020 - Complete tribal consultations

Fall 2020 - Task Force report to Idaho Indian Affairs Committee

Winter 2021 - Task Force report to Idaho Legislature

TASK FORCE STRUCTURE:

Community Impact Team

- Resources
- Education & Public Awareness
- Legislation & Policy Changes

Data Team

- Issues with collecting, tracking, or reporting data
- Cross jurisdictional data is inconsistent or inaccessible
- Data is underutilized

Systems Team

- Intergovernmental Relations
- Health care systems response
- Responses focusing on children
- Criminal justice systems response
- Other
 - Education/Schools - education on Missing and Murdered Indigenous People
 - Transportation System - human trafficking
 - Industries - hotels, casinos

Appendix A - Sample LEGISLATION

The following is SAMPLE legislation adapted & edited as appropriate from the Minnesota Missing & Murdered Indigenous Women (Minnesota Session Laws Chapter 5, Section 28). It can and should be modified to reflect stakeholders and tribal input regarding the organization of a Missing & Murdered Indigenous People Task Force in Idaho.

Be It Enacted by the Legislature of the State of Idaho

- I. By July 1, 2020, the Commissioner of the Task Force on Missing and Murdered Indigenous People, in consultation with the Idaho Indian Affairs Council, shall appoint members to said Task Force to advise in the creation of a report for the Legislature with recommendations to reduce and end violence against Indigenous people in Idaho, and all affected communities including members of the LGBT2Q community. The task force may also serve, at the request of the commissioner, as a liaison to agencies and nongovernmental organizations that provide services to victims, victims' families, and victims' communities. Task force members may receive expense reimbursement as specified in <insert appropriation>
- II. The Task Force on Missing and Murdered People will examine and report on the following:
 - A. the systemic causes behind violence that indigenous people experience, including patterns and underlying factors that explain why disproportionately high levels of violence occur against indigenous people, including underlying historical, social, economic, institutional, and cultural factors which may contribute to the violence;
 - B. appropriate methods for tracking and collecting data on violence against indigenous people, including data on missing and murdered indigenous people;
 - C. policies and institutions such as policing, child welfare, coroner practices, and other governmental practices that impact violence against indigenous people and the investigation and prosecution of crimes of gender violence against indigenous people;
 - D. measures necessary to address and reduce violence against indigenous people; and
 - E. measures to help victims, victims' families, and victims' communities prevent and heal from violence that occurs against indigenous people.
- III. For the purposes of this section, "commissioner" means the commissioner of public safety and "nongovernmental organizations" means nonprofit, nongovernmental organizations that provide legal, social, or other community services.
- IV. The Task Force on Missing and Murdered Indigenous People shall consist of the following individuals, or their designees, who are knowledgeable in the rights of victims of violent crimes or violence protection/mitigation-

especially in underserved communities. Non governmental or emergency worker specific members shall be appointed by the commissioner:

- A. two members of the senate, one appointed by the majority leader and one appointed by the minority leader;
- B. two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader;
- C. two representatives from among the following:
 - a. the Idaho Chiefs of Police Association;
 - b. the Idaho Sheriffs' Association;
 - c. the Bureau of Criminal Apprehension at Idaho State Police;
 - d. the Idaho Police And Peace Officers Association; or a peace officer who works for and resides on a federally recognized American Indian reservation in Idaho;
- D. one or more representatives from among the following:
 - a. the Idaho Prosecuting Attorneys Association;
 - b. the United States Attorney's Office; or a judge or attorney working in juvenile court;
 - c. the Idaho State Association of County Coroners or a representative of the Department of Health;
- E. one representative appointed by the Tribal Government of the 5 federally recognized tribal governments within Idaho's current boundaries, with preference for individuals who have worked with victims of violence or their families.
- F. At large representatives to number no more than 5 from among the following:
 - a. a non governmental tribal, statewide, or local organization that provides legal service to indigenous people;
 - b. a non governmental tribal, statewide, or local organization that provides advocacy and/or counseling for indigenous people who have been victims of violence;
 - c. a non governmental tribal, statewide, or local organization that provides social services to indigenous people;
 - d. the Idaho Coalition Against Sexual & Domestic Violence;
 - e. the Idaho Council Against Domestic Violence and Victim Assistance;
 - f. an Indian health organization or agency in Idaho whose focus is on an urban population of Indigenous Native Americans; or
 - g. an indigenous person who is a survivor of gender violence.

- V. Members of the task force serve at the pleasure of the appointing authority or until the task force sundowns. Vacancies in commissioner appointed positions shall be filled by the commissioner consistent with the qualifications of the vacating member required by this subdivision of appointment.
- VI. The task force members shall annually elect a chair and vice-chair from among the task force's members, and may elect other officers as necessary. The task force shall meet at least quarterly, or upon the call of its chair, and may hold meetings throughout the state and on reservations. The task force shall be allowed to meet sufficiently enough to accomplish the tasks identified in this section. Meetings of the task force are subject to Idaho Statute(s). The task force shall seek out and enlist the cooperation and assistance of nongovernmental organizations, community and advocacy organizations working with the Indigenous American Indian community, and academic researchers and experts; specifically those specializing in violence against indigenous people, representing diverse communities disproportionately affected by violence against people, or focusing on issues related to gender violence and violence against indigenous people.
- VII. The commissioner will convene the first meeting of the task force no later than April 1, 2020, and shall provide meeting space and administrative assistance as deemed necessary for the task force to conduct its work.
- VIII. The task force shall report to the chair and ranking minority members of the legislative committees and sub committees with jurisdiction over public safety, human services, or state government- on the work of the task force. The report shall also include recommendations for reducing and ending violence against Indigenous people and other affected communities, and to help victims and their communities begin healing from the aforementioned issues. The report shall be submitted to the legislative committees by December 15, 2021.
- IX. Suggested appropriation for two years will total no more than \$150,000 to cover stipends for research, meetings, and task force travel.
- X. Notwithstanding Idaho Statute(s), the task force sundowns December 31, 2021.
- XI. This section is effective the day following final enactment.

Appendix B - Sample STATE RESOLUTION

The following is a SAMPLE STATE RESOLUTION Adapted from NCAI Resolution PHX-16-077: Idaho specific changes created by Indigenous Idaho Alliance. This language can and should be adapted and edited at the individual tribal level as well.

TITLE: Addressing Crisis of Missing and Murdered Indigenous Native American Relatives in Idaho

WHEREAS, we, the citizens, elected officials, and representatives of the great state of Idaho, invoke the blessing of our Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants a better understanding of the inherent sovereign rights of Tribal nations, rights secured under treaties and agreements entered into in good faith with the United States, as well as all other rights and benefits to which we all are entitled under the laws and Constitution of the United States, seek to enlighten the public toward a better understanding of the Indigenous people of Idaho, to preserve their cultural values, and otherwise promote the health, safety and welfare of the Indigenous people of Idaho, do hereby establish and submit the following resolution; and

WHEREAS, the State of Idaho now exists on the ancestral homelands of the "Collective 5 Tribes of <insert tribes in indigenous languages> Idaho; and

WHEREAS, Indigenous, American Indian and Alaska Native women face murder rates that are greater than 10 times the national average; and

WHEREAS, according to the Centers for Disease Control and Prevention, homicide is the third leading cause of death among Indigenous American Indian and Alaska Native women between 10 and 24 years of age and the fifth leading cause of death for Indigenous American Indian and Alaska Native women between 25 and 34 years of age; and

WHEREAS, over 175 tribal, state, regional, and national organizations have already joined with the National Indigenous Women's Resource Center in support of the resolution to create a National Day of Awareness for Missing Native Women and Girls; and

WHEREAS, the Violence Against Women Act of 2005, and 2013, directed the Attorney General of the United States of America, acting through the National Institute of Justice (NIJ), to conduct a program of research to develop a more

comprehensive understanding of violence against Indigenous Native American women, specifically including murder of said Indigenous Native American women.

NOW THEREFORE BE IT RESOLVED, that the State of Idaho does hereby support the resolution creating a Day of Awareness for Missing and Murdered Native Women and Girls; and

BE IT FURTHER RESOLVED, that the Office of the Governor does hereby resolve to call upon the Idaho State Legislature, and sister tribes of Idaho to fully and collaboratively implement an Idaho Missing and Murdered Indigenous People Task Force to research and specifically provide Indigenous Native American tribes information regarding the disappearance and murder of Indigenous Native American women; and

BE IT FURTHER RESOLVED, that the State of Idaho does hereby resolve to advocate for changes to increase safety for Indigenous Native communities by addressing the crisis of missing and murdered Indigenous Native people , with the express interdiction of Idaho agencies including but not limited to the US Attorney District of Idaho, Idaho State Police, local law enforcement agencies, and the United States Federal Bureau of Investigation, the Idaho Council on Domestic Violence, and the Idaho Coalition Against Sexual and Domestic Violence including actions, such as:

1. To review, revise, and create law enforcement and justice protocols appropriate to the disappearance of Indigenous Native American people, including inter-jurisdictional issues; and
2. To provide increased victim services to the families and community members of the disappeared or murdered Indigenous Native American people such as counseling for the children of the disappeared, burial assistance and community walks and healing ceremonies; and
3. Coordination of efforts from non governmental organizations and agencies to increase the response time and investigation into the disappearance or murder of Indigenous Native American people; and
4. Coordination in consultation with Idaho's Indigenous Indian tribes, on efforts to increase the response of Federal, State , city, and municipal governments, to increase response time and investigations, into cases of disappeared or murdered Indigenous Native American people; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the State of Idaho until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the State of Idaho on <Insert Date> at <Insert Location>.

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