

Attachment 2
HCR 33 3-11-2020
Leslie St. Clair

Statement of Leslie St. Clair

Shoshone-Bannock Tribes

To the Senate State Affairs Committee

In support of Concurrent Resolution on Missing and Murdered Indigenous People

March 11, 2020

I, Leslie St. Clair, am an Assistant Tribal Prosecutor for the Shoshone-Bannock Tribal Court, I am also a tribal member of the Shoshone-Bannock Tribes.

I want to thank you for bringing forward this concurrent resolution on our missing and murdered Indigenous people. This is an important issue for all Indigenous people of the United States. I am here to voice my support for the passage of this resolution.

This is important to me, not only as tribal prosecutor, but as a wife, mother, sister, aunt and grandmother. Our Tribal laws and our rights as citizens of our Shoshone-Bannock Nation are just as important as State and Federal laws and rights. The State of Idaho has five federally recognized Native American tribes within its borders. Each tribe is unique. There is a long history of how the State and Federal Governments have worked with and against each tribe in Idaho. With the passage of this resolution, the Tribes hope to gain not only recognition but a renewed commitment to the working relationships with the State of Idaho, Federal Bureau of Investigation and the Federal Court system.

As a Tribal Prosecutor, I have seen firsthand how wrongful deaths at the hands of bad actors have impacts not only the victims and their immediate families, but our entire community. Whether it is someone drinking and driving which resulted in one or more fatalities, the murder of a spouse, the murder of an acquaintance, a missing teen or missing adult, each of these things have impacted our community. Our families suffer the loss and struggle through the trauma of these untimely deaths or absences of their loved one. They want understanding and answers when these deaths and missing persons reports become trending on social media or in the public news forums. While many do get answers from law enforcement, many have to deal with the stigma of negative stereotypes. Regardless of who the victims are, many people say derogatory, hateful and hurtful things about the victim, their family or about the situation, without knowing, or taking the time to find out what the situation is or how it arose. This is the stigma that Indigenous people deal with on a daily basis.

What many people do not understand is that our reservation has our own set of Tribal Laws. As a prosecutor, our office has had to overcome issues of being short staffed, problems with coordination of services from other Tribal, State and Federal departments and agencies when incidents arise involving major crimes or missing persons.

There is a lack of information sharing, a lack of outreach and collaborations from all sides when it comes to issues of domestic violence, missing and murdered cases.

As with any smaller jurisdiction, it is not uncommon for our police department to call on another State or Federal agency to assist, our department may not have the resources or manpower to effectively respond to an incident, or it is a case where outside law enforcement assistance is mandated. There

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have been many incidents of this occurring. Many times the collaboration of these incidents have been positive, with effective communication and collaboration and with successful prosecution through State, Federal and/or Tribal Court. Our Tribal Court, Fort Hall Police Department and outside agencies should be working together to collectively build these cases to effectively prosecute the bad actors so that justice is served. The rights of the defendants and victims should be protected and justice for both should be served.

Another issue that our reservation faces is Domestic Violence. As stated by the others who are testifying, in writing or orally, domestic violence is a prevalent problem on the Fort Hall Reservation. Law enforcement, victim's advocacy program(s) and Tribal Courts need to work more cohesively to ensure reports, orders, prosecutions, and victim advocacy are being handled appropriately and in the best interests of justice for the defendant, victim and community. We do have policies and procedures in place however, those policies and procedures are only as effective as those who practice them. At times one obstacle all of our programs face is a lack of communication and collaboration between all departments which makes for ineffective prosecution and disposition of a domestic abuse case.

The obstacles we face is not a constant. There are many times when each department and program effectively collaborate on an incident and the victim and family are safe, the defendant is charged and prosecuted, and the judgment is fair and the victim feels as if justice has been served. This scenario is only possible when each department works together and there have been many incidents where the outcome is positive.

As cited by others, we have only 16 known cases of murdered cases in our jurisdiction since 2000. This is number is low, we would like to keep this number low, but we as a Tribe and community need to work together to maintain such a low statistic. Our location, along a 'main vein' of the interstate system, having limited jurisdiction over Native Americans only, and lack of awareness and reporting makes the Fort Hall Reservation and surrounding communities a prime target for increased drug and human trafficking crimes which has a direct correlation to substance abuse, domestic violation, general crimes which can lead to missing and murdered individuals.

Many times Tribal Prosecutors cannot effectively prosecute a case because of witness, victim or community fear of repercussions. With passage of this resolution there are issues that will be addressed and solutions offered such as training and awareness for dangerous situations, policies to address unwanted activities within the community, tip lines, and awareness of reporting and reliving the community fear of reporting such activities. We as a community should be promoting proactive efforts not reactive efforts. I am urging you to vote yes, for this concurrent resolution.

I would be happy to stand for any questions.

Thank you.

Leslie St. Clair
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Shoshone-Bannock Tribal Court