



JULY 2021
YEAR 2 PROGRESS REPORT
Missing & Murdered Indigenous Women, Girls
& Two Spirit People of Northern California



Cover Artist

Artist Statement

The artist, Micki Moon has a Visual Communications Degree with an Emphasis in Digital Design and has been a Graphic and Web Designer for 15+ years. She is passionate about her craft, whether she is assisting with branding, creating a flyer, or working on a website. She has had the opportunity to work on local and global projects, creating dynamic deliverables that not only visually communicate to the viewer, but also bring the client's vision to fruition. Her enthusiasm for art, problem solving, and creating has been with her since childhood and has driven her to take on challenging projects that others may decline or ignore.

Nine months ago, she was hired by the Yurok Tribe and it has been a dream come true. She has gained a tremendous amount of knowledge regarding the Yurok Tribe and the culture. Not only has she worked with the Yurok Tribe Legal Access Center she has had the privilege of working with Native Justice.

Micki has been exposed to and impacted by the MMIW crisis through her husband, who is an enrolled member of the Stockbridge-Munsee Band of Mohicans tribe. She is honored that her artwork has been incorporated into this project and hopes that it helps to bring more light to this sensitive and important subject.

In her down time, she enjoys spending time with her wonderful, supportive husband and their fur babies, Stache and Wynter. She also loves crafting, working on her Silhouette Cameo, and experimenting in the kitchen. When I first receive a request to create something for a project as important as this, I remind myself that I need to get in the mindset of someone directly affected by the subject material. For me, this project hits close to home as I have Indigenous family members and have seen the impact it has on them and in turn on me.

About the Cover

The artwork I created for this project is pulled from the pain of the historical trauma that continues to dominate Indigenous people across the globe, specifically the women, girls, men and two spirit people. I believe all the contributors to this project are giving voice to the voiceless, standing up for those unable to stand up for themselves and demanding that they be seen and heard in a society that continues to see Indigenous people as invisible. I hope my small contribution to this project helps to direct a spotlight on the darkness left by the loss of these women, girls, men and two spirit people.

To' Kee Skuy' Soo Ney-wo-chek'
I Will See You Again in a Good Way
Year 2 Progress Report - July 2021

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Dedication

We dedicate this report to the generations of Indigenous women, two spirit people, and young people stolen from their peoples across Northern California. Your presence, stories, teachings, gifts, contributions to the community, laughter, and love are missed each day. There is no undoing the harm that has been done and no way to replace what has been taken, but we will do our best to honor you by caring for your loved ones, fighting for justice, and striving towards a future free from violence, so that your descendants and relatives will never have to experience what you did. You are beautiful. You are loved. You are cherished. You are remembered. You are sacred. We see your legacy in the songs and dances, art, language and stories, and family bonds you left behind, and know in our hearts that you are in a place of goodness, where we will see you again.

Preface

This report is the result of nearly two years of work bringing together voices of survivors, family members of missing and murdered Indigenous women and girls and two spirit people (MMIWG2), tribal court staff, and researchers to fight for justice and safety for Indigenous women and youth in Northern California. This is a family and survivor-led project, with several members of the research and support team identifying as survivors or as a family member of someone who is missing or murdered. This family and survivor leadership has been absolutely essential to the success of the project and is the grounding value that drives our work. We strongly believe that the answers to the problems our communities are now experiencing are to be found among our people, and are deeply honored to feature the voices of so many of our people in this report.

The survivors and families who participated in this project are to be commended for their bravery, strength, resilience, and open hearts. It is not easy to tell anyone our deepest experiences of trauma and grief, especially when those wounds are still fresh or have not had an opportunity to heal. There is no greater honor than the trust they have put in us to hold their stories, fight alongside them, and share their experiences with the world in a good way.

This report contains stories of sexual violence, domestic and intimate partner violence, sex and human trafficking, and deaths and disappearances of Indigenous people. For that reason, it is an emotionally heavy read, especially for those

who have been impacted by this violence. We have worked to write within the boundaries of what is authentic and true to what survivors and families have shared, and what is safe and appropriate to share publicly. This is a challenge we grapple with daily. We encourage families and survivors to read this with care, and seek out support from family, community, tribe, support services, cultural practices, and Sovereign Bodies Institute as needed.

If you are not directly impacted by this violence and still feel discomfort, grief, anger, confusion, or sadness--you are not alone. These are difficult subjects to which each of us has a shared responsibility to bear witness, including the violence in the places we live and work, and to do what we can to help end it. It is our sincere hope that this report is a call to action that inspires tribal leaders, policymakers, law enforcement, service providers, and community and village spokespeople to join this work with us.

Background

About the Project

To' Kee Skuy' Soo Ney-wo-chek' means "I will see you again in a good way" in the Yurok language. The project was fortunate to be gifted such a beautiful name from the Yurok Language Program, and it is the teaching that serves as the foundation for this project. We know that we will see our stolen relatives and community members again. We are striving to show them and their families that we are honoring them by fighting for justice, building better systems of investigation, and stronger circles of protection so that deaths and disappearances of Indigenous people will be accounted for and someday prevented entirely. We also recognize our responsibility to return them to their homelands if they were taken from these lands.

To' Kee Skuy' Soo Ney-wo-chek', a project funded by the US Department of Justice's Coordinated Tribal Assisted Solicitation (CTAS Grant) and the Bureau of Indian Affairs Tribal Justice Support, addresses the severe impact of missing and murdered Indigenous women, girls, and two spirit people (MMIWG2), missing and murdered Indigenous people (MMIP) in Northern California, defined as from the San Francisco Bay Area and Sacramento up to the Oregon border.¹

¹ This area includes the following counties: San Francisco, San Mateo, Alameda, San Joaquin, Amador, Sacramento, El Dorado, Contra Costa, Solano, Marin, Sonoma, Napa, Yolo, Sutter, Placer, Nevada, Yuba, Sierra, Colusa, Lake, Mendocino, Glenn, Butte, Plumas, Tehama, Shasta, Lassen, Humboldt, Trinity, Del Norte, Siskiyou, Modoc.

We set out to collect data, set up protocols, and use the data to create a justice system which speaks to the needs of our communities in a healing way; all the while addressing the need for swift justice in areas where women and girls are vulnerable. Specifically, To' Kee Skuy' Soo Ney-wo-chek' addresses the lack of data on MMIWG2 in Northern California, and establishes a protocol for training other tribal communities on consistent data gathering, community interventions, and best practices in law enforcement and tribal court response and engagement.

Our goals include enhancing investigations and prosecutions of perpetrators, making meaningful progress in existing cases, building capacity of law enforcement and tribal/state courts in responding to cases and collaborating across jurisdictions, increasing community awareness and facilitating community dialogue on MMIWG2 and trafficking, better support for victims and their families, and taking preventative actions to reduce the rates of MMIWG2 and trafficking. Our ultimate goal is to accomplish these objectives by building the capacity, strengths, and skills of Indigenous communities themselves to take proactive leadership in this crisis. Indigenous peoples are resilient, strong, community-minded, and have what it takes to be fierce and effective protectors--instead of waiting for state and local agencies to have the capacity and interest to respond to this crisis, we must empower our own people to create the tribal infrastructures needed to fill the gaps for our Nations.

Indigenous peoples are knowledge gatherers and knowledge keepers - we know that making decisions for the collective good requires information and data collection. For this reason, we believe the first step in addressing the impact of MMIWG2 in Northern California is to address the lack of data surrounding this issue. In the first year of this project, we devoted our efforts to comprehensive quantitative and qualitative data collection and the relationship-building that data collection required. In Year 2 and beyond, we are facilitating the implementation of data-driven recommendations at the tribal, county, and state levels.



About the Yurok Tribal Court

The To' Kee Skuy'Soo Ney-wo-chek' (I Will See You Again in a Good Way) Project is managed by the Yurok Tribal Court. The Yurok Tribal Court has been developed as an effective tribal justice system encompassing both traditional principles as well as contemporary jurisprudence for the Yurok People. The Court was originally established in 1974, by the U.S. Federal government, in response to requests from various agencies and enactment of the Magnuson Act by Congress. Honorable Judge Abby Abinanti has continued to serve as Chief Judge for the Yurok Tribal Court since her appointment in March 2007. For over the last decade, Judge Abby has developed the Tribal Court system that is both modernized as well as incorporating our village values and developing practices grounded in the values of responsibility to and responsibility for one another.

The Yurok Tribal Court manages many social justice and community building programs that supplement the judicial actions of the Court while building the resiliency of the community. Programs such as Yurok Elder Advocacy, Hey-wech-ek' (I Survive) Domestic Violence Advocacy, Yurok Reentry and Coming Home Houses, Yurok Legal Access Center, Yurok Child Support Services, Skuy-ech-son' (To Heal Oneself) Batterer's Intervention, Wellness Courts (Youth, Adult, Family, and Veterans), Yurok Wer'er-gery Court (Youth Court), Youth At-Risk, and Youth Diversion all build on the Court's foundation of responsibility of self and community.

About SBI

Sovereign Bodies Institute (SBI) is a non-profit research center dedicated to research that heals, empowers, and mobilizes Indigenous peoples to address and prevent gender and sexual violence, including the ongoing crisis of MMIWG2 and MMIP. SBI is committed to:

- conducting, supporting, and mobilizing culturally-informed and community-engaged research on gender and sexual violence against Indigenous people
- uplifting Indigenous researchers, knowledge keepers, and data visualists in their work to research and disseminate data on gender and sexual violence against Indigenous people
- empowering Indigenous communities and nations to continue their work to end gender and sexual violence against Indigenous people, through data-driven partnerships that enhance research efforts, develop best practices, and transform data to action to protect and heal their peoples.

SBI is a home for generating new knowledge and understandings of how Indigenous nations and communities are impacted by gender and sexual violence, and how they may continue to work towards healing and freedom from such violence. In the spirit of survivor and family leadership and self-determination, SBI's team, board, and partners are primarily made up of MMIP family members and Indigenous survivors of violence; we believe that those impacted directly by the violence are those with the lived expertise, dedication, and creativity to lead the work to heal and address it.

As an Indigenous-led organization, SBI has deep ties that make community-based research possible. Moreover, because SBI is led and staffed by Indigenous survivors and MMIP (missing and murdered Indigenous people) family members, we are able to earn trust with families and survivors in ways that law enforcement and government agencies or outside researchers have not. This trust is not just trusting SBI enough to listen in a good way, but trusting SBI to care for that story and protect it. This means that SBI has a level of access to data, stories, and information about MMIWG2 cases that is unparalleled--not due to agency clearance or memoranda of understanding, but due to our community standing, integrity, and expertise as survivor-leaders.

Because SBI's data collection relies on community relationship building, we devoted significant time and attention to building relationships with MMIWG2 families and Indigenous survivors of Northern California in the first year of this project, and continued to build on those relationships in Year Two. Most, if not all, MMIWG2 families and Indigenous survivors have been burnt by a system that is not designed to adequately meet their needs, so it is essential to take the time to build the trust and relationships, meet the families where they are at, and work to meet their needs and priorities before and throughout any research they participate in.

At SBI, we believe that our research is stronger when our people are stronger and well taken care of. For that reason, parallel to the research projects we undertake, we also provide direct services to MMIWG2 and MMIP families and Indigenous survivors of violence. The chart below gives a brief summary of the kinds of services SBI offers, however we also work holistically to meet the needs of families and survivors as fully as possible.

Category	Services Included
Basic Needs	Rent assistance, utilities assistance, groceries, phone assistance
Crisis Support	24/7 crisis line available via phone and text; assistance in covering the costs of items such as searches for missing persons, memorials and funerals, and emergency relocation for survivors fleeing abuse; safety planning; referrals to appropriate healthcare providers
Wrap Around Services	Teletherapy with an Indigenous therapist, virtual beading and weaving circles with free supplies, assistance covering costs of headstone, emotional support, holiday gifts, school supplies
Case Advocacy	Media advocacy, liaison with law enforcement & medical examiners, case documentation, support for marches and vigils, referrals to potential legal aid/representation

The trust and relationships SBI builds with families and survivors is essential to our work on MMIWG2 and MMIP. It not only builds the rapport necessary for in-depth interviewing later on, but becomes a learning process in itself. Frequently the most powerful, useful data to be gathered is that which comes from deep, prolonged, direct work with a family or survivor. There is simply no substitute for working directly on cases and reviewing what factors led the violence to occur, how law enforcement responded, and where the case-specific challenges arose. Even in studying common trends such as law enforcement negligence, working individual cases shows nuance and detail on how that negligence occurs that would not be accessible any other way. Moreover, the lessons learned through services provision teach us what services are needed, and best practices to address system gaps. This close work with families and their loved ones' cases ultimately also makes it possible for us to understand and assess legislative efforts aimed at addressing this crisis through the perspectives of those meant to be directly impacted by them--MMIWG2 and MMIP families. Within policy advocacy spaces, this is a special, community-grounded perspective that uniquely positions us to imagine, recommend, and critique systems interventions.

Year One Report Summary

In the first year of To' Kee Skuy' Soo Ney-wo-chek', we established the scope and severity of MMIWG2 in Northern California. Using both quantitative and qualitative methods, the Report outlined the multiple and overlapping historical and contemporary conditions that shaped violence against Indigenous women in the region, with an emphasis on the accumulated trauma resulting from colonial experiences of genocide, slavery, and boarding schools. Over 150 MMIWG2 cases were documented throughout the state, which places California among the top 5 states with the highest number of cases. The far Northern region, including Yurok Country in Humboldt and Del Norte counties, had the highest share of MMIWG2 with 36% of all cases in the state. These areas were also the most grievously impacted by rural policing constraints like limited officer capacity, scant resources including detective hours, and few if any time dedicated to cold case investigation.

Across-the-board, we found that MMIWG2, survivors and their families were often let down by law-enforcement agencies and the justice system by the lack of justice or closure for their cases, and at worst, further victimized by them through victim blaming, suspicion, and stigmatization. The extreme frequency of trauma coupled with few mental health resources in the region further contributed to MMIWG2 and violence against Indigenous bodies more generally. The eccentricities and confusion associated with policing a PL-280 state further exacerbated the at-times fraught nature of community-police relations. When crimes did occur, family and community members were wary to speak to the police for fear of further mistreatment at the hands of law enforcement, which in turn limited law enforcement's capacity to investigate crimes without evidence to move cases forward. Compounding these issues included a general lack of data on MMIWG2, especially for our two spirit relatives, an unwillingness on the part of law enforcement to share such data with tribes and organizations like SBI, despite multiple FOIA requests, and racial classification and incomplete or even inaccurate information marring the data that does exist.

After establishing the scope and severity of the factors shaping MMIWG2 in the state, our Year One report also offers significant recommendations ranging from better and more thorough data collection, inter-agency coordination, law enforcement accountability and justice system follow-through, legislative implication, and an acknowledgment of the protective factors and community strength-building resources that Indigenous peoples and organizations on their behalf bring to the table when

addressing the MMIWG2 crisis. We also offered several data collection instruments for public use, including case file cover sheets, contact logs for tracking MMIWG2 cases, a Community Stakeholder Needs Assessment, a qualitative coding analysis companion, and study instruments that can be found in the Appendix of this report as well.

To' Kee Skuy' Soo Ney-wo-chek' is a multi-year project, and even with this report, the work continues. Though this report marks an end to Year Two, we will continue this project through the design and implementation of regionwide best practices and protocols for addressing the MMIWG2 crisis. Over the first two years of the project, we have done our best to include the voices of as many MMIWG2 families and Indigenous survivors as we can, though we know that there are still those that we do not yet know and that are not yet included here. We also look forward to building more relationships with other vital stakeholders in this process, including policymakers, tribal leaders, law enforcement, and service providers. We will continue relationship-building, outreach, and data collection in Year Three, and circulate this report as a call to action for all who have a stake in this issue to join us at the table moving forward.

Lastly, it is our hope that this project will benefit all of the agencies in the region and the communities they serve, as well as benefit Indian Country as a whole, because it may be used as a blueprint for other tribes to begin addressing these issues in their regions as well. The study instruments and methods published in this report are meant to be used widely: please use them, adapt them for your tribe or community/village, and let us know if we can help or if there are improvements to be made. We know many tribes feel a sense of urgency to address the MMIWG2 crisis but may be feeling paralyzed on how to start. This project is the start of a shared mission to develop effective models we can utilize to end this crisis together.

Overview of Report

In our Year One report, we focused on establishing the scope and severity of the MMIWG2 crisis in the region. Building on this in Year Two, we prioritized assessing the policy, law enforcement, and justice system solutions that have been offered by the Department of Justice, state legislatures, and others, with a focus on what works for tribes, families, and survivors, and where room for improvement remains.

In the first substantive section, we describe various updates to the project, ranging from expanding our data collection priority areas to include foster care and violence against youth, mental health and intergenerational trauma, culturally informed and victim-centered notions of justice and healing, and the inclusion of victims of all genders, including cisgender straight men and boys. We then provide updates on the MMIWG2 crisis in the region, with a consideration of the effects of the COVID pandemic on violence in CA tribal communities as well as updated data on MMIWG2 and MMIP since our 2020 report. In addition, we interface our most recent MMIWG2 data with the most recent 2020 Census data to show the interaction between place and violence as mediated by American Indian/Alaska Native population size. We also provide updates on several of the cases from our Year One report, with the harsh reality front-and-center that all of the families featured have seen little to no progress on their relatives' cases in the time since the 2020 report.

The report also includes an in-depth analysis of existing MMIWG2 legislation and/or task force efforts, including Savanna's Act, the Not Invisible Act, Operation Lady Justice, the Department of Justice's MMIP Coordinator Program, the Department of Interior's Missing and Murdered Unit, and CA AB 3099, also known as the Ramos Bill in California. We evaluate the components of each policy in turn and rate them on an MMIWG2/MMIP policy assessment "bingo card" that breaks down the key components that any legislation or taskforce effort must include in order to center on families and survivors, honor tribal sovereignty, and employ feasible, evidence-based practices with measurable outcomes. In the absence of a "BINGO" for most policies, we offer recommendations on how to bridge this gap between what is currently being done and what more is needed. We also outline specific recommendations on the best practices and protocols for law enforcement and justice system agencies when supporting families and survivors of MMIWG2 and MMIP starting from the moment someone is taken.

We conclude with a discussion of the project's next steps for Year Three, including a concerted emphasis on outlining the connections between historical trauma, the MMIWG2 crisis, and the role of the foster care system as a mediating and potentially contributing factor to the ongoing violence against Indigenous bodies of all genders. We also recommit ourselves to centering our most targeted relatives, including runaways & foster youth, victims of intimate partner violence, survivors of trafficking and survival sex, systems-impacted individuals (i.e. the previously incarcerated), and the two spirit and LGBTQ community. We call on tribes and Indigenous communities to lead the way for this work and show how they are already doing so in a variety of ways, with an emphasis on the role of cultural revitalization efforts and ceremony as pathways to MMIWG2 and MMIP healing for families, survivors, and communities at large.

Updates on the Project



New Priority Areas

After releasing the Year One report in July of 2020, we set our agenda for the second year of this project, focusing on five new priority areas: foster care & violence against youth, mental health impacts, intergenerational trauma, culturally informed ideas of justice and healing, and family and survivor centered justice and healing. In this section, we give a brief overview of why we chose to prioritize these five areas, how we studied them, and our findings regarding each topic.

Foster Care & Violence Against Youth

In our Year One publication, we explored the dual, sometimes cyclical ways that the child welfare system intersects with the crisis of MMIWG2. In particular, we described how children of MMIWG2 are more likely to be placed in foster homes, and how children placed in foster homes are more likely to experience violence that may culminate in death or disappearance. Of the families we spoke with in Year One, 9 children of MMIWG2 were put in foster care after the death or disappearance of their mothers. These children experienced the dual trauma of loss of their mother and disconnect from their community and extended family, facilitated by the child welfare system. Moreover, we found that Indigenous children placed in state care are made targets of further violence and victimization: we reported that nearly three quarters (70%) of all cases in which the MMIWG2 victim was a girl living within the foster care system at time of death or disappearance are girls who also were experiencing domestic violence, sexual assault, and/or trafficking. Further, we have also found that loss of children to the foster care system--often due to factors beyond their control--such as poverty, abuse, and lack of mental healthcare--can be a pivotal moment in the lives of MMIWG2, triggering a ripple effect that can include depression and mental health issues, substance use, and ultimately, lethal violence. Though we have not been able to gather comprehensive data on this phenomenon at this time, this is a pattern we have observed in at least five of the eight cases of missing or murdered Indigenous mothers whose stories are included in this study.

Due to these dramatic and disturbing findings, we set the intersection of foster care and violence against Indigenous youth as one of our priorities for Year Two. In order to better examine this critical issue, we built on the pre-existing questions regarding children in the foster care system in our Community Needs Assessment by facilitating more open-ended, thorough discussions on the child welfare system in particular. We also especially devoted this time to those interview participants that may work with children in foster care and their families in the course of their profession, or who are survivors of the child welfare system themselves.

The most prevalent theme that emerged in these discussions is the widespread institutional and community neglect of Indigenous children in foster care and the child welfare system. In the words of a survivor, "Children without value; that's what I was." Similarly, a service provider we spoke with highlighted that even as children

I don't think that we check on our Native kids that are getting out of foster care, both men and women. Not just men and women, but all genders; we're not set up to have services that address that, that there is a risk [of violence].

One elder survivor courageously shared their story of violence within the child welfare system in Northern California, citing instances of physical, sexual, emotional, and cultural abuse, that culminated in being trafficked:

Even though I was in a home, it wasn't, you know, it was an illegal adoption. And from the beginning, my adopted mother let me know that I was rescued. And you know, she treated her dogs better than she treated her adopted children. And so, yeah, being much more accountable and responsible in a foster care system is a truth...I could say one thing--that the resources that should have been given to me as a child with complex trauma [weren't given]. They knew I was in trouble, right from the beginning. I acted out, I didn't speak till I was five, I suffered from malnutrition. And you know what their answer was? To stick me in a Catholic school, where I wouldn't rebel. Well, I think I needed some other resources than the Catholic system...I think that foster care needs to have more education around what I went through and understand that you cannot hide it. Okay? You cannot hide a person's genetics or their culture. It comes forward. It does come forward. And so preparing that child with the proper resources is what needs to happen within foster care. More conversations about the truth, what's going on in our world. Yeah, I wish I'd had true resources, because I was so frickin mixed up, what the heck am I doing at this Catholic school? My family wasn't even Catholic. And then I was being molested on a daily basis by one of the brothers. And I, you know, I just didn't know what was heads up for most of my life. And of course the trafficker knew exactly. He had the answer to all my trauma, believe me! In a nice package of drugs and alcohol. And then he led me into the next phase of that. And I thought I was in a relationship with that man. I was 14 and he was 29.

In this brief telling of their story, the survivor described what is an all too common whirlwind of abuse, neglect, and trauma for Indigenous children in the foster care system. This violence not only includes physical, sexual, and emotional abuse, but also the cultural abuse of being removed from one's tribal community, kept from accessing cultural teachings and practices, experiencing racism and prejudice at home, and placed in an educational environment that demonizes one's ancestral culture.

It is important to note that this survivor also experienced an illegal adoption spurred by the pervasive bias within the child welfare system which has historically targeted Indigenous children for removal in manners that violate their human rights to culture and community, yet another all too common experience among Indigenous peoples. Typically, this involves a wrongful removal of an Indigenous child from their home and/or wrongful termination of parental rights, and was encouraged as a means of forcing Indigenous children to assimilate into colonial culture and now persists due to widespread bias and racism in child services and justice systems. In Canada, this practice is referred to as the 60's Scoop, because it reached its apex during the 1960s; however it continues in both Canada and the United States to this day. Most of the survivors of this genocidal practice struggle with a lifetime of subsequent violence and trauma, mental health impacts, and disconnection from community and culture. In the United States, the Indian Child Welfare Act (ICWA) is meant to protect Indigenous children from removal from their tribal communities and protect Indigenous families from wrongful child removal; yet ICWA has been repeatedly challenged in varying courts and is undermined by non-compliance daily.

The same survivor quoted above also spoke to this multi-generational experience of the foster care system and the violence it exposes children to:

*The truth and how it's played out in my family has just been something that the family didn't want to hear about. They got real angry with my aunt, who's still alive, my father's sister. And, you know, when I started speaking out, I was with her one afternoon and she told me, I have never said this to anyone, but I lost my mother, your grandmother, early on. And so she was in the foster care system with the Catholic Church and she said on the weekends, they would have her come home to my grandfather's house. And just like my father, he was a drunk and he had his friends all around and she'd come home--this little girl--and he would pass her around like the token for sex. And so she knew exactly what I was talking about. She had so many stories and she cried and sobbed, but, you know, once again, the family was not happy that I was bringing this s*** out, frankly. They looked at that like I was harming by speaking the truth. I was the predator, you know, the whole thing got switched around. And so I find that this is why so much is still hidden. The families do not have the capacity and the proper way to be in the truth. They don't want to go there yet. So it makes it difficult.*

In the above passage, the survivor also highlights the immense challenge of breaking the silence on cycles of violence and abuse experienced by Indigenous children and their families. Several of our interview participants spoke to the importance of culture in these paths to healing, and in the path to providing trauma-informed, effective services and protections for Indigenous children. The survivor quoted above spoke to this by reiterating the violence of cultural disconnect: "My mother didn't tell me the truth [about my Native heritage]. My adopted mother never told me the truth." Similarly, a service provider highlighted connection to community as a major protective factor for Indigenous children in (and transitioning out of) the foster care system:

And so what is the prevention of MMIW? I feel like you can't wait for statistics to happen, right? If there's ways in which we can intervene and really get people to understand that these are risks, these are people you should be checking in with. If they don't have that within their family structure, because they're a child within the system, then how do we create that before they leave those systems? Like, how do we connect them to Indian people, Indigenous people, who are going to be concerned and going to be suspicious when they don't show up?

The above passage is a shining example of how the existing child welfare system does not equip Indigenous children with the support network they need to have, and would have had as an Indigenous person in a broader system of kinship and community had they not been removed. Thus violence prevention and protection of Indigenous children and adults impacted by the child welfare system may start with Indigenous value systems such as expansive kinship networks and community care. Another survivor also cited the need for the child welfare system to be more culturally informed, by recommending that foster families and professionals in the child welfare and justice systems have demonstrated cultural competency to work with Indigenous children and their families:

I think the biggest step would be the cultural competency that comes with it. You know, saying these are the traumas. Sometimes we're not all healed from that. Sometimes those things come up, do they define us? No, but they put barriers up for us.

These calls for cultural competence and culturally informed measures of protecting Indigenous children are also part of a broader set of recommendations made by stakeholders we interviewed that focus on holistic, trauma-informed practices. Del Norte District Attorney Katherine Micks gave an example of a new approach her office has shifted to as they address child neglect and abuse through earlier and more holistic intervention via truancy related issues:

So starting at a very basic level, one of the things that I tried to do when I started as the elected [DA] was to get more involved in truancy. Because I felt like getting kids in school was kind of a good way to help stop some violence against kids. I feel like, I mean, aside from just violence, there's this huge neglect. And if kids are in school, which I would like to consider would be a safe place, then I feel like they're safer. And so starting there, I worked with the board and not in a "I'm going to prosecute you parents," but more like a "what can we do?" And sitting down with families and [asking] "Is it down to an alarm clock, or do you need somebody to come pick you up and get you to school?" So dealing with those families and seeing what [are] the active, physical reasons these families aren't sending their kids to school...starting from general neglect of children, to lots of domestic violence, [to] children, who are, you know, don't have a lot of supervision, [due to] drug and alcohol abuse in the home [or] abuse of their moms, there's this emotional trauma that I've seen children going through, and then the women being abused by their partners [or] child's parent...I feel like sometimes the ways that we deal with these things, like by removal or CPS and the court system, like that's just as traumatic if not more so, often.

By focusing on the material needs of the child and their family, rather than criminalizing the family and ultimately punishing them and the child, DA Micks and her office reshape system practices that have been at best ineffective and at worst abusive, in favor of practices that center child and family priorities. These kinds of practices must happen not only at District Attorney's offices and in courtrooms, but also among law enforcement agencies and victims services. Such changes best serve Indigenous children, their families and other potential victims of violence within the family. In the words of one Humboldt County victims services advocate:

I also think that I've heard more than once that law enforcement will say, "If I get called back here one more time tonight, you're both going to jail." Well, then what happens to the children? And so they're being victimized and they're not going to call because they don't want their child to be taken and put into foster care. And so I think that's another area that we definitely need training. We need to not say something like that.

This gets at the true crux of the matter--however we choose to intervene in Indigenous families, there are lasting potential impacts that can shape the life courses of children and their parents, as well as subsequent generations further descending from the children. For that reason, systems protecting Indigenous children from abuse and neglect must be designed in alignment with Indigenous practices and value systems, and must account for the widespread trauma, unsafety, and precarity of the child welfare system as it stands currently.

Connections to Mental Health

Throughout our conversations with families, survivors, law enforcement, and other stakeholders in Year One, multiple facets of widespread mental health concerns and their intersections with MMIWG2 and violence in Indigenous communities were repeatedly raised. Indigenous communities have and continue to experience a prolonged mental health crisis, culminating in disproportionately high rates of trauma, substance use, violence, self-harm, and suicide. Indeed, Native people experience serious psychological distress at a rate 2.5 times higher than the general population (CDC 2018). Further, the rate of suicide among Native people is 1.7 times higher than the general population, and among youth, is more than double the national rate (IHS 2019). Suicide is the 12th leading cause of death of Native people overall, and other health problems intersecting with mental health problems also figure prominently: deaths due to alcohol use occur at a rate 6.6 times higher as the 5th leading cause of death, chronic liver disease and cirrhosis deaths occur at a rate 4.6 times higher as the 8th leading cause of death, deaths due to drug use occur at a rate 1.5 times higher as the 10th leading cause of death, and homicide occurs at a rate more than double the national rate as the 15th leading cause of death (IHS 2019).

This crisis became so severe locally that in 2016, the Yurok Tribe declared a state of emergency due to the high rate of teen suicides. There are a number of contributing factors to this crisis: extreme rurality and the isolation and lack of services that comes with it, intergenerational trauma, high rates of violence, poverty and lack of opportunity, and the general feeling of hopelessness that these conditions coupled with a saturation of untreated mental health issues in one's family and community create. In order to fully understand how this crisis intersects with MMIWG2 and MMIP, we intentionally targeted Indigenous therapists, elders, knowledge keepers, and relevant service providers for interviews, and devoted additional time in these discussions to dig deep into their thoughts on mental health as a contributing factor.



One of the therapists we spoke with highlighted the extremely high rates of violence in particular as a major contributing factor:

When I worked at another agency in Humboldt County that was providing mental health services, one of our therapists said, "Every Native woman I've seen for therapy is a survivor of domestic violence." Like she wasn't from the area, she wasn't a local therapist and she was really shocked...that's what the feedback was from this other therapist in the Hoopa area. They weren't necessarily coming to her for those reasons specifically, but those are things that came up throughout the session and they were pretty consistent.

Not only does this passage speak to the severe impact of violence on Indigenous communities, it also alludes to the nature of the compounded experiences of violence, mental health impacts, and normalization of trauma present in many Indigenous communities. The reality that domestic violence survivors were not necessarily seeking out therapy for that reason and "just happened" to also be survivors is alarming yet indicative of the multiple layers of trauma many Indigenous people carry, and the systematic nature of domestic and intimate partner violence among Indigenous people.

Many of those who we interviewed also spoke to the ways in which the high rates of substance use and its associated effects intersect with this mental health crisis and MMIWG2 and MMIP. Yurok, Hupa, and Karuk scholar Dr. Kishan Lara-Cooper gave us a useful breakdown of the self-perpetuating cycle trauma and substance use create:

Sometimes when people experience trauma, it can affect the mesolimbic dopamine pathway in their brain, which is our reward system. And so oftentimes when people have this level of trauma, then they have more addictive behaviors. And so when we talk about things like opioid use, tobacco use, cannabis use, all of these different things, sometimes we think of those as behavioral choices, but when that mesolimbic dopamine pathway is interfered with or disturbed in its development, it becomes more of a physical issue. And so then you have to address the actual trauma [because] you have someone who then is trying to self-medicate, they're trying to fill this addiction or this reward system part of their brain that has been affected from these traumas. And so then they get by by engaging in these types of behaviors, then make themselves more vulnerable to even more traumatic events that could happen.

This pattern of trauma, substance use as self-medication, and then further subsequent trauma that Dr. Lara-Cooper described aligns with the experiences of service providers in the area. Said one victims services provider:

I have recently had a number of clients tell me how they really liked [a certain recovery center]...some of their main reasons for really liking it is they felt secure and safe from their abusers...I imagine that there is a bit of self-medicating going on when in abusive relationships. And so I know that the folks that I had been working with were partaking in substance use, as a way to try to cope with the abuse within their relationship. And the idea of being in a locked facility felt secure to them and they liked that.

However, it is not only survivors who may self-medicate with substance: oftentimes perpetrators do as well. Further, substance use and unaddressed trauma are often the contributing factors that lead some to be perpetrators, most commonly when the perpetrator is Indigenous and a member of the victim's community. In this way, it can be difficult to create a solid differentiation between perpetrator and victim, and many of the perpetrators are also victims in their own right in previous life experiences.

For example, Negie Fallis IV and Clayton Rhoades are two suspected perpetrators in two Northern California MMIW cases--that of Khadijah Britton and Jessica Alva, respectively. Jessica's mother Cindy Martin-Wolfe described Clayton (Jessica's abusive partner) in the following way:

He's had a lifetime of violences. He has injured many, many people and gone to prison many times. I was able to go through all of his prison records and in all those times he was returned to prison [it was] for violent crimes. During his stay in prison, he had committed numerous other violent crimes upon other Native inmates, upon guards. [And he] was moving from prison to prison and then released again and again and again, and each time he was released, he went [and did] something worse to the people in the community square he was raised in. So the CRO board and prison system completely failed at reducing most of these men or women who have anger and hate and violence inside of them. And that is what they have done upon others...[he was] a man who had many issues and problems, but never did get the ability to get help [to] not harm other people.



Both Clayton and Negie are Indigenous men with long histories of substance use, incarceration, mental health issues, violence, and trauma. Negie's personal story of violence was well documented in a 2018 Press Democrat article, which cited at least five domestic violence cases in his father's name, stated that his mother was only 14 when he was born, and traced a lifetime of progressively worsening red flags and failed institutional interventions. He was charged with manufacturing meth at age 20, then two years later was convicted of possession of a controlled substance, endangering the health of a child, possession of drug paraphernalia, and carrying a switchblade longer than two inches. At that time, he was 22 and the sole provider for his four children (the oldest of which was born when he was 15), and informed investigators he was using meth every other day. The justice system responded by incarcerating him for two years, and upon his subsequent release, he went on to severely abuse Khadijah and now is suspected of kidnapping and killing her, and is serving time on seven other unrelated charges (violation of Post Release Community Supervision, felony under the influence of a controlled substance while armed, felon in possession of a firearm, possession of ammunition by a prohibited person, carrying a loaded firearm in public or in a vehicle, possession of an assault weapon and felony possession of a stolen firearm (Beneventi 2020)).

These stories lead us to ask, what could have been different if either of these men actually did receive meaningful help to heal? Is it reasonable to expect incarceration to address deeply rooted mental health issues that manifest in substance use and violence against women and children? A common colloquial saying describes the Department of Corrections as "the nation's largest mental health facility;" what is at stake in treating a punitive, carceral system as a temporary repository for abusers acting on unresolved trauma?

Criminalization of mental health issues is also part of a broader societal and institutional stigma weaponized against victims. As one service provider shared:

If there's any indication that the person had ever suffered from seeing a therapist or has suffered from mental health issues, then it's not investigated because we can't even get our regular, very obvious, crimes investigated. Which is really sad because I would hate for somebody that, you know, I'm their lifeline and they're coming to therapy and they've taken it upon themselves to get help and to invest in their own wellness, and then that gets used against them as a way to write off, you know, what's happened to them.

This institutional practice of neglecting cases in which the victim had mental health issues essentially criminalizes and blames victims for their own deaths and disappearances. This practice especially targets victims who used substances, were unsheltered, or who had a criminal record, by dismissing the violence they experienced as a byproduct of a lifestyle that is viewed as purely a personal choice. What this perspective presumes is a framework of personal choice outside of a colonial structure that by its nature lacks Indigenous consent. The reality is that we did not consent to living under a colonial occupation, did not consent to undergoing generations of continued genocidal violence, and did not consent to living in communities that lack basic human needs and resources. These conditions make it challenging just to physically survive, and these are the conditions under which Indigenous people are made to feel that they cannot continue life without coping through self-medication for the stress and trauma forced upon them.

This lack of services and resources and the harsh community conditions this can create was highlighted by a victims services provider we spoke with:

I think we have a couple of big gaps in services in Humboldt County. [One] is mental health services. We at victim witness have a program that is called victim compensation, and it helps with out of pocket expenses for victims of crime. And one of the biggest resources utilized in that is funding for counseling. But it's very hard to find service providers in Humboldt County, and that's by appointment services, the emergency services I think are even harder to access.

The lack of resources is exacerbated by a culture of silence regarding trauma and mental health problems, imposed by the material realities of generations of survival of genocidal violence. One survivor we spoke with shared their own experience of community backlash for seeking out support:

Speaking on my own personal experience, my mental health has suffered tremendously. And it's also difficult because in situations I've been in, it's been used against me. So today, specifically, I was told, "Well, your mental health is all screwed up." And it was like, no--I was hurt...I should be able to get mental health treatment...I'm getting mental health treatment for the experiences that I've been through. And now I'm getting, I guess, backlash for it, which makes me feel like, well, am I really doing the right thing? I think mental health is huge, huge when it comes to violence with Native women and MMIW for sure.

This community stigma against formal mental health care stems from a complex array of factors, namely normalization of violence and trauma as a coping and survival strategy, historic and ongoing abuses of Indigenous people in the medical system, and a preference for culturally relevant forms of healing. As one service provider stated, "In Native communities, there's a pressure to not talk about things that upset other people. And so then it's like, how are they seeking services? Or they don't seek services because they don't talk, they can't talk about it."

Another Indigenous woman service provider added further detail on how this culture of silence disproportionately affects women:

Oftentimes I think as women, we get to a certain age and our family maybe has never had a close relationship or feels like maybe they don't need to check on Native women. Like we're the protectors and we're the people who support and care for other people, we don't necessarily express that we need that. Like we're supposed to be the strong Indigenous females that need for nothing and want for nothing and, you know, and, and things like that. And so I think that contributes to it, because if you don't have a good support system when times get rough, it's twice as hard. And then oftentimes there's a double standard of like, you're not the son, you're

What emerges from the above passage is a pattern of family and community wide gaslighting (a form of emotional abuse in which the victim is manipulated to feel mentally unstable and no longer trusts themselves or their read of reality). Indigenous women experience extreme rates of violence and abuse that can lead to compounded, complex trauma, and then are made to feel hypersensitive, like their needs for mental health care are unwarranted, or like they have to stay strong and persevere on behalf of their family and community without support. This becomes yet another cycle in which unresolved trauma builds over time to facilitate further violence, this time in a uniquely gendered manner.

We hope to continue to delve deep into the intersections with mental health issues in Year Three, particularly among those who are most targeted for violence due to colonial heteropatriarchy. However, we also maintain an interest in continuing to study the life course of suspected Indigenous perpetrators to better understand how victims of violence become perpetrators over time, and to attempt to create a foundation for violence prevention initiatives that acknowledge the full spectrum and roots of violence as it continues to occur.

Intergenerational Trauma

In our Year One report, all interview participants cited historical trauma and violence as a contributing factor to violence against Indigenous women. This finding was echoed in Year Two—“missing and murdered Indigenous women are a consequence of hundreds of years of genocide and perpetuation of this continual concept of what Indigenous women are”—underscoring the need to further reckon with the implications of intergenerational trauma on the MMIWG2 and MMIP crisis. Like our efforts to highlight mental health, we targeted our discussions of intergenerational trauma with elders, knowledge keepers, and other stakeholders who work with the consequences of intergenerational trauma on a daily basis.

The MMIWG2 crisis in California must be contextualized within the historical circumstances that shaped the colonization of the state. This would include the Gold Rush of 1849 which decimated the state’s Indigenous population in the two years immediately following the discovery of gold at Sutter’s Mill (Lehman 1998, Madley 2016). It would also include decades of state sanctioned genocide at the hands of militiamen and private citizens alike, as well as the indentured slavery of tribal children that persisted in the state well past the cessation of slavery in the rest of the United States following the Civil War (Madley 2016, Magliari 2020). Boarding schools were also a defining experience for generations of Northern California Indigenous peoples as they were removed from their families and homelands, forced to experience physical, emotional, and sexual abuse at the hands of cold and brutal institutional caretakers at schools far from home, scantily rationed, and rife with communicable diseases (Lomawaima 2004, Norton 1979).

In Year One, we wrote “these schools were sites of horrific abuse, including widespread sexual violence, forced labor, physical abuse, and neglect.... thousands of children died...and many have mass graves that to this day have not been fully mapped nor accounted for.” In May 2021, the remains of over 200 children were discovered at an unmarked mass grave site at Kamloops Indian Boarding School (New York Times 2021, BBC 2021); one month later, another 751 graves were found at the former Marieval Indian Residential School located near Cowessess First Nation (Coletta & Miller 2021). Though there are ongoing efforts to bring these children home after all this time, it is a struggle to find the dots that connect them to their descendants in the present day, and there are likely thousands more at other sites. Indeed, the Truth & Reconciliation Commission estimated approximately 4,100 Indigenous children were killed at Canadian residential schools, though this number is estimated to be much higher given poor records, destruction of remains, and other barriers. It is this very task that Judge Abby started us on in Year Two:

You need to look at the records, you need to bring people home... you need to look at the indentured slave records and the people who died at those sites to try to find them if it's possible, and it may not be possible. [But] if not, then create a place for them that is for them...if we can set up enough resources and create a way to do that or say, "Here's where our kids were sent." To get somebody to track that and go, "Okay, here's the children that left from here, went to Carlisle or went to Haskell or went to wherever, and here's the graves." And then try to figure it out and talk to their families and say, "What do you want done? How do you want this acknowledged?"...They're our children. It's the only civilized thing to do really.

We were working on tracing the connections between those who never came back from boarding schools and those who came back, but were "different," when Sec. Haaland became the first Indigenous woman to lead the Department of Interior—the very same department that ran the schools that her grandparents went to generations before. In her op-ed to the Washington Post after the discovery of the 215 children at Kamloops Indian Residential School, Sec. Haaland underscored the need to address the intergenerational trauma that stems from boarding schools straight on, because doing otherwise has left us with half measures and lingering effects:

Though it is uncomfortable to learn that the country you love is capable of committing such acts, the first step to justice is acknowledging these painful truths and gaining a full understanding of their impacts so that we can unravel the threads of trauma and injustice that linger.

Less than one month later and on the eve of our Year Two report, Sec. Haaland launched the first federal inquiry into mass and unmarked graves at former and current boarding schools across the nation (The Guardian 2021). Ultimately, in the words of Sec. Haaland,

The lasting and profound impacts of the federal government's boarding school system have never been appropriately addressed. This attempt to wipe out Native identity, language and culture continues to manifest itself in the disparities our communities face, including long-standing intergenerational trauma, cycles of violence and abuse, disappearance, premature deaths, and additional undocumented physiological and psychological impacts.

It is because of the connections between our ancestral violence and the violence we face in the present day (Brave Heart 1999, Burnette 2015, Duran et al. 1998, Evans-Campbell 2008) that we recommitted ourselves to the study of intergenerational trauma and its consequences for future generations, a decision further affirmed by Sec. Haaland's ongoing inquiry. In our interviews, we probed the ways intergenerational trauma manifests, so that skeptical readers are not left thinking such trauma is merely a concern of the past. Participants described the effects of intergenerational trauma on a variety of outcomes, including relationship violence, family violence, poor parenting skills, and even reproductive health. In the words of one survivor:

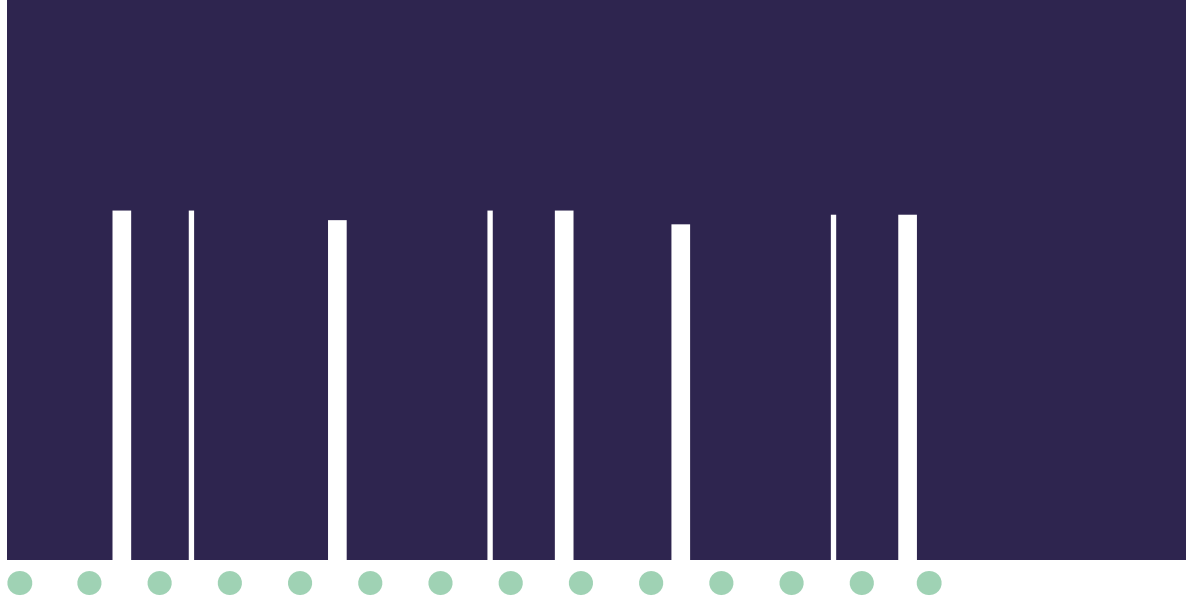
We are at higher risk [of violence] because of the intergenerational traumas we experience. What [do] my... role models for a relationship look like? For me, when I think about it, I don't have good relationship role models. I mean, my parents are together, my grandparents were together, but they had their issues between that, that weren't healthy or weren't okay. And those kind of carry over, the traumas of even my grandparents. And when we think of that, my grandparents weren't even that old and they were still processing and dealing with those things.

Yurok service providers like Two Feathers Native Connections Director Shoshoni Gensaw-Hostler and Humboldt County Victims Services Coordinator Joyce Moser knew the effects of intergenerational trauma when they saw them--not from professional trainings or on-the-job experiences, but rather their own family histories. For Joyce, it was a proximity to boarding schools only one generation before hers:

There was a breakdown when my mom was taken to the boarding school. And so that's where the distrust from the governmental agency came from and then all that she survived there. And many people think that was long ago, but it's only one generation away.

Shoshoni linked the temporal closeness of the traumas experienced by the previous generations to the parenting skills of their descendants, with the interruption of boarding schools obscuring Indigenous ways of parenting in negative ways:

Those parenting practices that were Indigenous to us in how we raise our children and, like, all of those [values were] taken away. How do you know how to raise a healthy family if for generations that knowledge hasn't been there?



As a scholar and sacred knowledge keeper, Dr. Lara-Cooper had the unique privilege of joining these respective knowledges to fully capture the effects of intergenerational trauma over time:

When you have these types of historical traumas, ... [like] adverse childhood experiences, [these could be]... experiences that you have had... intergenerationally. And so we know, for example, [about] fear, "the fear factor."... if a person experiences a traumatic event, they have a heightened level of fear. And so it's harder for them to have like this baseline level that other people have. And that is intergenerational and it can stick with people for up to seven generations. So if you have a person that has experienced sexual violence or a person who has been taken away from their parents, a person that has experienced genocide, that heightened fear level can transfer for generations. So you can have a person that has high levels of anxiety, high levels of fear, that hasn't experienced trauma [but now] it's part of their genetic makeup.

So then it just leads once again to more types of types of issues...and it just continues in that way... we know... [sometimes] that people who have these types of experiences [can be] impacted in their reproductive system and...whatever traumas they're experiencing then become a part of their child, and also a part of their grandchild because when they are creating their child, they're also creating the reproductive system of that child as well....then it continues to manifest in that way and this is what we refer to as cycles, but this is the epigenetic part of the cycle.

The profound impacts of intergenerational trauma on Indigenous peoples at the epigenetic levels, their interpersonal relationships, their parenting skills, their social networks, their community conditions, and a plethora of other outcomes cannot be understated. It is for this reason we dug deeper into intergenerational trauma in Year Two, in particular gauging how much law enforcement and justice system professionals were familiar with the concept. In most cases, such stakeholders were very clear about knowing that they did not know enough, even as they knew historical trauma was a factor they needed to address. For one Assistant District Attorney from an urban county, his exposure to the topic came through personal efforts to find such information as well as access to parallel experiences in other communities:

I'm aware of the term [historical trauma], I can't say that I've taken a deep dive into the term [but] I'm aware of the term because I am actually fairly interested in racial issues as it is, and the interplay between them and the criminal justice system in particular. And you can imagine why. And so I listened to a fair amount of intellectuals, primarily who are African-American, who are dealing with these issues and have thoughts on these issues....They do talk about and touch on issues related to historical trauma.... my understanding of it is that it is trauma that in part originates from tragedies, historical injustices in the past that have in some way seeped into our present culture and have a present effect on people who didn't directly experience the trauma, but still feel the after effects of that trauma for a variety of reasons. And I believe that that is a valid theory. I can understand that people's identities are complex and often have connection to their past and their identification with groups. So to the extent that people feel some of the residual or derivative trauma from a historical event that they didn't necessarily personally experience, it seems to me to be a completely valid theory.

For District Attorneys from more rural areas, the attention to historical trauma was growing as they took individual interests in the subject and thereby set the tone for their offices to do the same. For District Attorney Maggie Fleming, she described this as a constant process of learning more:

I think we're learning so much more now about historical trauma and how it impacts for generations later. And in fact, now they're even looking at the potential that it affects people's DNA. And I think that's really an interesting, sort of new development in science, because of course, it's what people have always known, but now there's actually going to be sort of this other piece of science to show what happened generations ago still profoundly affects how people treat each other, child rearing, love, relationships, how people treat...spouses,...children and other close relationships.

[We're] trying to help [our staff] understand more about this area, what people are going through, the cultural effects of the historical trauma...so that we make sure we're doing a better job helping them and hopefully keeping them out of the criminal justice system.

In Del Norte, District Attorney Katherine Micks had also taken a personal interest in better understanding historical trauma, and was struck by how little others in her office knew even as her own knowledge base grew:

I think that I have a little bit more of an understanding because of my work history and then I've done some reading on it...I think everybody has some sort of general idea about the atrocities and the horrific way Native Americans are treated. But when I talked about some things [like boarding schools,] I think some of them hadn't even heard about [those] and that totally surprised me because ...we are not far removed from all of that... But it surprised me how little of an understanding there was [even] in my own office... To think about what the Native community has suffered not very many generations ago... [yet] there is a very important history [that]... I think a lot of people aren't aware of.

As this section demonstrates, there is no end to the ways that intergenerational trauma shapes contemporary violence and harm against Indigenous bodies. Even as justice system officials and their offices work to learn more and meet these consequences in real time, they are waiting on science to catch up to what Indigenous peoples have always known—that the myriad of negative outcomes that plague us in present day are not merely a combination of many poor choices or “bad behavior,” but rather generations of subjugation, marginalization, and decimation that the survivors of this onslaught carry with them to this day because it lives on in our DNA. In this report’s concluding section, we describe how this legacy is not merely one of trauma and tragedy, but also resilience and fortitude. Yet to describe the latter without holding space for the former would tell an incomplete story. With this section, we hold space for intergenerational trauma in our own lives, in the lives of families and survivors, and in the MMIWG2 and MMIP crisis-at-large.

Culturally Informed Ideas of Justice and Healing

The pervasive nature of intergenerational trauma coupled with contemporary mental health considerations underscores the need to design and implement culturally informed ideas of justice and healing. For Year Two, we shine a light on the ongoing work of tribal nations to intervene in the lives of systems-impacted individuals, with a special emphasis on the culturally resonant Yurok Tribal Court apparatus and its partnerships with the concurrent jurisdictions of Humboldt and Del Norte counties.

In many ways, “crime and punishment” and how societies regulate each in turn speaks volumes about a social group’s core value systems. In the present day, such topics are also some of the most fundamental differences between Western and Indigenous ways of knowing. First and foremost, it is the punitive nature of colonial justice systems whereby incarceration, deprivation, and at worst, loss of life are almost exclusively the only options considered for sanctions. Yet in many Indigenous value systems, including in the Northern California region, the village-centric social networks and resources therein meant that banishment (i.e. incarceration away from the community) would be the last of many alternative ways of punishment, or “settling up.” Rather than emphasizing punitive action, world renewal tribes like the Yurok instead employed a process whereby the person responsible for an offense agreed to a communally-defined settlement in order to make amends for their transgression. In this way, the social tie between victim and offender was maintained, and so too were the village’s worker power resources come harvest time.

In Year One, we underscored how even with the invasion of the Gold Rush, vibrant Indigenous communities and value systems therein remain (Buckley 2002, Risling Baldy 2018). Judge Abby Abinanti, Chief Judge of the Yurok Tribal Court, orients her judgeship and the surrounding court apparatus within the world renewal spirituality that she and others participate in as Yurok, Hupa, Karuk and Wiyot peoples. According to “Judge Abby,” “I think people have sort of a blood memory of it” and with this memory, there has been a resurgence in Indigenous conceptions of justice, conceptions that have much to teach the mainstream in the era of mass incarceration. Going further, Judge Abby explains:

There's very little history of punishing people into the right behavior....I can understand in a moment wanting to create a consequence to punish and to hurt, but the problem is they've already been punished and they're already hurt, and that's why they're acting like this, and you need to ask them “Why? Why they're doing it?”

Dr. Lara-Cooper echoes this need to rethink our justice system's most fundamental assumptions, whether it is the predisposition towards punishment as described by Judge Abby, or that some of these very same systems were once directly targeted at Indigenous bodies:

The system that's supposed to protect us, that's supposed to help find these women, that's supposed to bring justice. They're supposed to make us safe [but it is] the same system that was created during a period of time when Indigenous peoples were being exterminated. Money was paid for scalps of our people when Indigenous peoples were being assimilated through boarding schools, when Indigenous peoples were slaves. And even our children were slaves during the Gold Rush era. And these systems were created at that time. And they were created with very specific purposes to protect very specific people. And that was not us. And now here we are, relying on these systems to help us and to support us, to help nurture safe environments for us. So we really have to think about these systems and develop our own that are meant to benefit us, or find a way to break down, deconstruct, reframe those systems.

By emphasizing the original relationship between tribal peoples and law enforcement agencies and the justice system in the state, Dr. Lara-Cooper vocalizes the very real historical role of institutional violence that sits as a key backdrop to the intergenerational trauma that colors the MMIWG2 and MMIP crisis in present day. It is because the targeting of our bodies was fundamental to the colonial justice system that we must reframe and retool these institutions from their foundations up. If it was on our bodies that the colonial state was built (Deer 2009, Razack 2011, 2014, 2015), it is by these very same bodies that it will be torn down and remade in a way that represents the interests of all community members, not just some over others. Judge Abby explains how this commitment to justice must flow from each person to the collective and back again, with each individual responsible for justice, not merely law enforcement or the courts:

We're trying to set up a justice system [that's] really based on a value system that's in keeping with our communities'. So if you look at village life and you look at what our responsibilities are and what our values are,...then we need to develop different kinds of practices... Non-village lifestyle is very siloed. Our lifestyle [as village people] is not, so that you have all these interlocking responsibilities...You [can't just] go "this is what a court does."... No, I'm a member, a partner in justice. So it's my responsibility also.

The very ethos of village life is in tension with so much of Western society, whether it is the individual mandate to seek “life, liberty and the pursuit of happiness,” or the endless accumulation encouraged by capitalist and neoliberal value systems alike. For village peoples, “the values of the collective support the needs of the individual, who in turn is responsible to the community,” as described by Judge Abby. It was never one without the other. Only with a return to this state of balance will we truly be implementing culturally informed systems of justice and healing, rather than merely paying lip service to them and the importance of culture to ending the MMIWG2 and MMIP crisis (Gordon & Roberts 2021).

Doing so may seem easier said than done, but that’s only if one is not willing to ask the questions that get to the heart of the matter. Judge Abby is one person who is willing to ask them:

What kinds of systemic changes can [the state and federal governments] make and can we make, and what kind of infrastructure should we have?...A little bit by little bit to make amends for that, to make it right...you need a lot of things to be able to do [that], and we just don't have hardly any of them in place.

Without being willing to face the cold truth that Indigenous peoples are now tasked with--asking for help from the very same institutions that hunted down our ancestors and tried to end our bloodlines--we cannot intervene in the MMIWG2 and MMIP crisis. Band-aid fixes, temporary funding, incarceration—all of these address symptoms rather than the core nature of the many overlapping factors that subjugate Indigenous bodies both historically and in the present day. Such symptoms include the mental health crisis and extreme rates of family violence described in previous sections, as well as the polysubstance epidemics that plague far too many tribal communities across the region. All of these factors matter because depending on where one looks at the life course of a given person, victims and offenders can sometimes be one in the same. Additionally, such offenses can be a precursor to MMIWG2 such that intervening in one could prevent the other because in the words of one Indigenous service provider, “I know very much how very split second that can go, from domestic violence to an MMIW case.”

To show that such work is possible, we highlight the ongoing efforts of the Yurok Tribal Court to return tribal justice to the responsibility-based system that existed prior to colonization. Judge Abby has long stated that the Yurok’s traditional system of dispute resolution was rooted in restoration of accepting responsibility to self and the community. The Court is consistently developing programming which has responsibility as its foundation and include wellness courts, family law guardianship, custody cases, a culturally responsive batterer’s intervention program, elder’s advocacy, domestic violence advocates, community outreach, and To’ Kee Skuy’ Ney-wo-chek. Efforts to grow each project while also establishing new, complimentary programs are ongoing. The Yurok Tribe has recently hired a prosecutor whose workload will include assistance with MMIWG2 matters, and the search for funding of an investigator to work these cases in collaboration with tribal, local, state, and federal law enforcement is underway. Yurok Tribal Court is innovative while maintaining the traditional core that is at the

heart of each community program. Recognizing that providing an answer or a solution to these issues, especially in a PL-280 state, will require communication, cooperation, and collaboration with the concurrent jurisdiction held by the state, Yurok Tribal Court has built relationships designed to foster those values which will ensure these relationships result in a better outcome for all.

The collaborative efforts to create dual jurisdiction that operate within and in tandem with the state include joint jurisdiction courts in both Del Norte and Humboldt County in partnership with the Yurok Court. The efforts of the joint jurisdiction courts in Humboldt are described by Judge Abby:

We're doing these family wellness courts now, and we're changing how we're doing dependency court and in Humboldt, where we modeled the program. They have now created and taken the model to non-tribal people that are using it, and it's much more hands on and it's much more "What do you need? Why do you think this is happening?"

While such questions may seem simple, it was clear to Judge Abby across the many years of her time on the bench that far too few defendants knew why they had acted as they did, and were often left sifting through their punishment rather than getting the help they needed to not make those same choices in the future. This process is not unique to tribal offenders, which means neither are the solutions. Instead, Judge Abby explained how it was a process of walking with a defendant to find answers rather than just handing them a sentence:

It's sort of like when you start working with batterers and you go, "Why are you doing that?"...what I learned when I was first on the bench, [I would ask] "Why are you doing that? Why did you do that?" And they'd look [at me] like you were going to tell them, because they didn't know why they did it. So you've got a bunch of people out there who don't know why they did it, and so what we put in our culturally responsive battery intervention program was you got to go back and talk to the oldest people in your family and find out when that behavior came into your family, because whether you knew it or not, that's what trickled down to you, and then you'll know why it happened. You'll know why your father hit you or your grandfather hit your mother or your father, and once you know that, you can work from that forward and then you can understand. Because it's really hard to change a behavior if you have no idea where the hell it came from.

In other instances, it was simply being willing to treat someone as a human and to give them the grace they needed in the moment. Judge Abby shared a particularly poignant example of extending such humanity and the many returns of doing so for both defendants and the justice system alike:

Your brother is dying and if we don't help you get to see him, you won't get to see him. Let me help you find the money for a ticket." You fly the person down there. She walks in, her brother's in a coma. He wakes up and says to her, "Where have you been? I've been waiting." She says, "I'm sorry, I'm here now," and he dies three hours later. You know that then, she's related to you when she comes back, because you saw her as a human being. Because anybody knows that if your brother's dying, you should try to get there and if you don't have the money to do it, or you have a court order that says you can't go out of the County or whatever. But if you're meeting with them every week or two, and they tell you that, then you know that you have to respond as a human being, if you can.

By allowing this defendant to visit her brother on his deathbed, Judge Abby knew that when she returned, they would be family. Such a gesture bonds people deeply, regardless of their previous ties to one another, even Judge and defendant. And who knows what could have happened without such an effort? Whether these are the moments that can make or break one's journey home after incarceration, when walking the Red Road, or the many other junctures by which those navigating the justice system have the chance to keep going or falter. If it is within a Judge's discretion or the larger justice system's capacities to impact such outcomes for the better, it is their ethical responsibility to do so. At present, the ability to see those on the other side of the bench as human is constrained by the system-at-large in ways that help no one.

Even with so much progress, a lot of work remains for tribes to take their rightful place alongside county jurisdictions in PL 280 states like California. For example, the District Attorney for Del Norte County, just one county over and the county that physically encompasses the Yurok tribal office and courthouse, has never visited the Yurok Tribal Court, by her own admission. Pandemic notwithstanding, Del Norte County and the rest of the region have an immense resource "right in their own backyard" when it comes to designing and implementing culturally informed justice and healing systems. The time has long since passed for all jurisdictions in the state to join Humboldt County in their collaboration and joint jurisdiction efforts with neighboring tribal nations.

Family & Survivor Centered Justice and Healing

In our work and path forward to address this crisis, it is imperative that we design interventions that center family and survivor ideas of justice and healing. However, this is a considerable challenge, given that words like justice and healing can mean very different things to different people based on their cultural and spiritual beliefs, relationship to the justice system, and personal experiences. For this reason, in Year Two, we prioritized gathering information that could honor the diversity of opinions, needs, and priorities among families and survivors and their ideas of justice and healing.

One of the most common understandings of justice for families and survivors is a conviction of the perpetrator. In the words of Angela McConnell's mother Tammy Carpenter:

Well, justice for me is finding the people, that person or people, that had done this to my daughter. But overall, just like a lot of people, for myself, I think that justice [means] I'll have a little bit of ease as a parent. I know it's not gonna bring Angela back. It's not going to act like she's going to reappear, but it's going to have a little bit more, um, like I could rest. I can't sleep alone. And you have a little bit of closure--not quite because she's coming back, but at least, that we got the perpetrators, like you can go ahead and rest. Like I can rest now. You can move on, go on with your life, try to go on with your life...right now, justice for me is that we did it, it's done, and we completed it...I feel as a mother, whoever done this to Angela and to her boyfriend, both of them, maybe we'll have a lot more peace, a little bit of peace of mind right now for me.

I can rest now.

The vast majority of cases throughout Northern California and the United States as a whole lack charges, much less a conviction. In light of this cold reality, Tammy's sentiments likely ring true for thousands of families and survivors. A conviction means much more than a punishment for the person(s) that has caused so much grief and harm--it is also a symbol that law enforcement, the justice system, and the government and community as a whole validate that the violence perpetrated was wrong. Convictions also help families and survivors feel cared for, heard, and less isolated in their grief. They communicate to families and survivors that they are worth the time and effort of listening to them, acknowledging their trauma, and holding the perpetrators accountable.

However, it is not only perpetrators who must be held accountable. After decades of negligence, bias, and abuse, law enforcement and the justice system must also be held accountable for their complicity in this ongoing violence. When asked what justice looks like to her, Alicia Lara's daughter Christina Lastra shared:

I think that the truth needs to be documented and needs to be shared and known as to what happened. I think that this case needs to be reopened and all of the notes taken, photographs taken. If there are any [leads] they need to be re-evaluated, re-scrutinized and let the truth be known that my mother was murdered and let it be known that law enforcement didn't do anything about it...So I feel like the best justice would be for law enforcement in Humboldt County to admit their fault and to, as I said, scrutinize the documentation that exists and speak the truth once and for all, and let it be known and let it be recognized that they did not do their job. And I do believe that it is because we are seen as less because we are people of color, because we are Indigenous.

In the above passage, Christina highlights multiple layers of accountability and action as part of a broader definition of justice. First, her mother's case should be re-opened and re-examined, with meaningful action taken to understand not only what happened to her mother, but where gaps or failures in the investigation took place, and how to remedy them. Further, she also asks that the responding agencies acknowledge the harm they have caused by failing to advance the investigation as they should have, and failing to utilize best practices to respond to the case. In this sense, this definition of justice is community-oriented and forward looking; while it centers on her mother and their family's experience, it also requires that positive impact and meaning is made from the institutional failures that have taken place, so that the family's hurts are acknowledged and there is greater possibility that these same harms are not perpetrated against another family and their missing or murdered loved one, through a simultaneous acknowledgement of the colonial and racist underpinnings of the negligent systems.

A survivor we spoke with also saw justice as a more holistic practice, that continues long after a conviction:

I guess when we're looking at missing and murdered, it's that final phase in their life. A lot of times they're already on their journey, they're not here anymore. So what are we going to do for them to not only bring justice for them, but to also bring closure to their families? And not just say, "Oh, the case was solved, we're done for the day." But to say, "Hey, this case has been solved. We understand that you're going to be grieving and that grievance could last years--a lifetime. But here's the resources that are available to you as well. Here are some protections that can go into place for your family."

As this survivor points out, it is essential to honor that families and survivors experience long-term impacts of the violence even if and after a conviction is attained. At SBI, we have seen these long-term impacts through the services we offer to families and survivors, which is why we do not require that the violence occurred within a recent time frame in order to determine eligibility. From our perspective, there is no expiration date on trauma. Rather, if left unaddressed, it will fester and grow, and even with responsive supports, will remain a presence in a person's life. For this reason, we understand healing as a lifelong practice, rather than a destination. As the survivor quoted above shares, a conviction in the justice system can be validating and affirming, but it is not a holistic circle of care and protection.

This brings us to a powerful point from another survivor--sometimes systems practices are not healing at all:

*I really have a little bit of trouble with those words [like justice] because those words are system words. They're system words that have a desired outcome...the real medicine is not the healing. Survivors know this--we're right fricking in the dirt, that is not what we're after. We're not after healing. That to me is fake. What we're after is fragmented disowned selves...So I'm very cautious about saying that word healing. When we already have that within us, we have just been oppressed. It is who we are. And so I think it's a ceremony. That's what it is. It's a sacred path, it's a medicine trail. It's a journey...I see some of these organizations, how they light up, they think they've got the answers for healing and justice. And I don't think they do, to tell you the truth. I don't think they do. I don't think that they understand, or have the capacity to understand--we are in it right now. It's happening. And it's standing in the mud, standing in the s***. And I don't think we need to say, "Oh, get over it, you need to heal." Maybe we don't need to get over it. Maybe we don't need to get over it. Maybe our authentic selves know how to be with it in a different way than getting over it. I guess, getting over it kind of, with me, parallels with healing, you know, because I don't think I'm going to ever get over it. I don't. But I'll tell you what--I'm turning it into medicine, turning it into medicine. And that's what our ancestors did. That's what they did. I'm sure.*

As most advocates, law enforcement officers, and members of the justice system will tell you, the actual process of reporting violence and participating in a case up through conviction, sentencing, and parole hearings can be exhausting, traumatic, and abusive to families and survivors. The emotional impacts of having to share the minutiae of your story over and over, and seeing it debated by others and discredited by the defense or in the media, cannot be understated. Moreover, as we discussed in the Year One report, there is a critical lack of culturally relevant services for Indigenous families and survivors as they navigate that process. It thus makes sense, then, that a survivor would share feelings of discomfort with institutional words like “justice” or “healing,” which have been co-opted by systems that at best do not represent them and their experiences and do not address their needs and priorities. This would be especially true for survivors who have multi-generational negative experiences with law enforcement, the justice system, or service providers in their family, or compounded trauma without proper support or help.

For that reason, we must also, in the words of the above quoted survivor, put institutional systems and their rhetoric aside for language and practices that are not only family and survivor centered, but truly defined by families and survivors. Justice and healing are nebulous concepts open to interpretation and the specifics of each person’s path; ultimately they must be defined and led by each person who has been harmed. SBI works to put this teaching into practice daily in all we do, through our deep commitment to family and survivor leadership.



Expanding to Include Victims of All Genders

In addition to centering the project on new priority areas, in Year Two we also expanded data collection efforts to families of victims of all genders. In Year One, we focused on missing and murdered Indigenous women, girls, and two spirit people, but highlighted one story of a missing cis, straight Indigenous man (Nick Patterson of the Pit River Tribe) to also draw attention to the ways in which men's cases often mirror the institutional bias and negligence seen in MMIWG2 cases. In Year Two, we set out to continue to center women, girls, and 2LGBTQ+ people in our work, but to also be inclusive of cis, straight men and boys. Based on our expertise as both scholars and community-grounded researchers, practitioners, and advocates, we felt a transition that could be inclusive of all Indigenous people while still centering the impacts of colonial heteropatriarchy in our analysis and practice would be the best path forward in the midst of an international dialogue on the appropriate boundaries of the MMIWG2/MMIP movement. In this section, we give some background context regarding violence against Indigenous men and boys, and explore in more depth our reasoning and the implications of this expansion.

On Violence Against Indigenous Men & Boys

In both this report and our Year One findings, the scope and severity of violence against Indigenous women, girls, and our two spirit relatives cannot be understated. An even harsher reality still is how prominently Indigenous cisgender straight men are featured as perpetrators of this very same violence. Yet any consideration of the pain and trauma experienced at their hands must also account for the extreme nature of violence and adversity in the lives of Indigenous men and boys across their life course. According to national studies, this group is disproportionately exposed to “adverse childhood experiences” which in turn have been shown to contribute to impulsive behavior, violent outbursts, and coping through substance use which can itself exacerbate violence (Brockie et al. 2015, Kenney & Singh 2016, Warne et al. 2017). Physical abuse and family violence feature prominently in the childhood experiences of American Indian men (Bigfoot et al. 2018, Brockie et al. 2015, Nandi 2020) and such experiences are further compounded by violence experienced through criminal activities and/or incarceration (Western 2018). According to the CDC, from 1995-2015, American Indian men were the most likely group to be killed by law enforcement, yet national efforts to bring attention to police brutality rarely include the narratives of Indigenous cisgender men (Henson 2017).

Such institutional violence is further compounded by contemporary public health concerns for many Indigenous men-- AI/AN men experience many health disparities, such as high death rates from both chronic conditions, like diabetes and heart disease, and accidental causes, like motor vehicle accidents (Adakai et al. 2018, Indian Health Service 2010, Rouse 2015). Additionally, suicide and homicide are especially high for American Indian men, with suicide being a leading cause of death for Indigenous men ages 17-24, and the risk of suicide for Indigenous men outpacing nearly every other group across all ages (Leavitt et al. 2018, Lester 1999, Strickland et al. 2006). Finally, in addition to an overexposure to violence and trauma, Indigenous men are two times more likely to die from homicide than non-Indigenous men (Rouse 2015). Given the extreme frequency of abuse and overexposure to violence as experienced by Indigenous men and boys, our project has expanded to include data collection on this subgroup as victims of violence alongside their MMIWG2 relatives.

Family Perspectives

Most importantly, we expanded our data collection to be inclusive of cis, straight men and boys because MMIWG2 families asked us to. Many of the families we work with also feel an ache for families of missing and murdered Indigenous men and boys, and want justice for them as well. We firmly believe in a “Families First” approach to this study and its related activities, and chose to honor the wishes of the families who also passionately advocate for men and boys.

That said, there are also families that wish for women, girls, and 2LGBTQ+ people to be at the center of our community organizing on this crisis. This is in keeping with the roots of the contemporary MMIWG2 movement; the first known march took place in Vancouver’s Downtown East Side in February 1991 as an outcry against the rampant sexual violence, killings, and disappearances of Indigenous women in the neighborhood, which is a low-income hub of Indigenous community in the city. For that reason, from its inception the movement has been deeply committed to addressing colonial heteropatriarchy and the ways in which Indigenous women, girls, and 2LGBTQ+ people are uniquely targeted for gender violence (Deer 2010, Razack 2015, Dean 2015, Ambler 2014).

In choosing to expand our data collection to victims of all genders, we felt we could meet the desires of both perspectives by being inclusive of cis, straight men and boys while also staying true to our feminist framework that situates this violence within broader heteropatriarchal colonial logics. In particular, we see violence against Indigenous children of all genders as a form of reproductive injustice, in which Indigenous mothers disproportionately experience the trauma and grief of a missing or murdered child and are asked to bring their children into a world in which they are constantly unsafe due to these high rates of violence. Moreover, we see deaths and disappearances of Indigenous men as part of a broader landscape of mass death, dehumanization, and devaluation of the lives of Indigenous people, in part made possible through widespread gender based violence and the political and legal systems that have shifted to allow space for it (Razack 2011, 2014, 2015). From this perspective, it is possible to be inclusive of MMIP of all genders and ages while also continuing to center critique of heteropatriarchal violence, and honor the multiple perspectives of families.



As the issue of missing and murdered men and boys continues to come to light, a troubling question has been asked by the media--are there more missing and murdered Indigenous men and boys than there are women and girls (Hilleary 2019)? Policymakers have attempted to skirt the question by writing policy that addresses MMIP rather than gender violence (such as in the Executive Order to create Operation Lady Justice, which we address in more detail in a subsequent section). While from a legislative standpoint, this makes sense, there are very real data, policy, and public health repercussions to collapsing MMIWG2 and MMICSMB (missing and murdered cis, straight Indigenous men and boys) into a broad MMIP category that should be explored.

The most common argument for expanding MMIWG2 to include cis, straight men and boys is that there may actually be higher numbers of such cases. While it may be possible for data to answer to questions regarding gender differences in rates of violence, we feel the more sensitive and appropriate question is, how are deaths and disappearances of cis, straight Indigenous men and boys different from women, girls, and 2LGBTQ+ people? Are there unique factors in either category that insist they should be studied separately or in a parallel fashion, rather than collapsed into a "missing and murdered Indigenous people" category? Can a close study of one help us better understand the other, either through similarities and shared experiences or through noticeable difference?

We are also interested in simultaneous study of violence against both populations as a means to examine more complex points of connection that could yield violence prevention programming effective for all genders across generations of families and communities. For example, how might we intervene in the flow of Indigenous children to the foster care system after their mother is killed by investing in healthy fatherhood programming that empowers their fathers to meaningfully and safely re-enter their lives? How might creating better systems of care for Indigenous boys impacted by the juvenile justice system prevent them from experiencing violence as an adult or from becoming abusers themselves later in life?

These questions are more sensitive to the grief of families of victims of all genders by refusing to pit families of men and boys against families of women, girls, and 2LGBTQ+ people, and understanding violence against Indigenous peoples of all genders as part of a broader continuum of intergenerational trauma and ripple effects. We also feel questions such as these get at the heart of why studying MMIWG2 and MMIP is important in the first place Updates on the Crisis— **how can we most effectively address the harm that has been done and prevent future harm?** For that reason, in this report, we aim to role model holistic data collection on violence against all genders, without necessarily collapsing them into a universal category. It is our hope that in doing so, other researchers, policymakers, and community organizers may find use in this approach, with the ultimate goal that policy, public health, and community interventions will be informed by a more nuanced understanding of the gender-specific dynamics in deaths and disappearances of Indigenous people of all genders.

Updates on the Crisis

The Pandemic & Violence in California Indigenous Communities

When we published our Year One report in July 2020, we were still navigating the first six months of the pandemic, and a portion of the year's activities took place pre-COVID-19. In contrast, the entirety of Year Two occurred during the pandemic. This had a considerable impact on both the project and the violence it seeks to address.

The ongoing pandemic required us to continue conducting our study virtually. However, as we discussed in our Year One report, the need for Zoom interviews largely was a positive impact--it allowed us to film our interviews easily, and allowed our interviewees the option of sharing in whatever space was most comfortable for them, with the full capability of leaving the conversation at any time. It also allowed us to more easily include participants fully representing the vast geography of Northern California. Additionally, this project was also able to utilize data SBI gathered via online surveys throughout winter 2020 and spring 2021, which yielded some strong findings on community perceptions of violence during the pandemic (discussed in more detail further in this section).

Virtual services provision does come with challenges, but SBI was determined to meet the needs of the families and survivors we serve nevertheless. This included continuing to offer weekly virtual beading circles for families and survivors, with free supplies mailed to each participant (with refills as needed) and trauma-informed Indigenous beading instructors. SBI is also preparing to offer another series of our virtual weaving circles for families and survivors, led by California Indian Basketweaver's Association Chairwoman Alice Lincoln-Cook (Karuk). SBI also continued to offer a 24/7 crisis line available by phone or text, and expanded its services to be available in both English and Spanish, recognizing that there are many migrant Indigenous communities in California who may not feel comfortable communicating in English.

Many of our individualized services are relatively easy to provide virtually or at a distance, such as the basic needs assistance and wrap-around services outlined in our previous About SBI section. However, there are some instances where in-person work must happen. For example, a housing insecure youth client came to us in need of help finding safe housing, and, for lack of a better way of describing it, needed some healing time with aunties after compounded experiences of violence and trauma. In this situation, SBI's pandemic safety protocols for its services staff combined with rapid COVID-19 tests allowed us to safely accompany the youth while they quarantined in a hotel, until they could be transported with a vaccinated SBI advocate to stay with an auntie while more long-term housing arrangements could be made. Had rapid COVID-19 tests and vaccinations not been available, situations such as these would not have been possible to resolve in a good way without compromising the safety of the client and SBI staff. This is a noteworthy finding in its own right--widespread availability of rapid tests and vaccines can be literally life saving for survivors who need immediate in-person assistance.



SBI sought to assess potential pandemic-related barriers to accessing services and support among Indigenous survivors and families in California in a report released in June 2021, published in partnership with the California Rural Indian Health Board, titled “They Failed to Protect Me:” Enhancing Response to and Surveillance of Domestic & Intimate Partner Violence and Missing and Murdered Indigenous Women, Girls, and Two Spirit People of California During the COVID-19 Pandemic. As part of data collection for this project, SBI circulated a Community Perspectives Survey, which invited Indigenous people living in California and people from California tribes to share their perspectives and experiences of violence. Impacts on accessibility of services due to the pandemic were a high concern of survey respondents--approximately 85% of Community Perspectives Survey respondents agreed that COVID-19 has negatively impacted their access to local resources. Moreover, many respondents felt that outreach for services in their area was lacking--on a scale of 1 to 10 (with 10 being extremely confident in their knowledge of services in their area), the average response from those surveyed was 6.2.

In general, respondents living in Indigenous communities also felt that multiple forms of violence had increased during the pandemic. 81% felt that MMIWG2 cases increased, 62.5% felt that domestic violence increased, and approximately half felt that intimate partner violence and child abuse increased during the pandemic. Further, approximately one third felt that elder abuse, sexual assault, and survival sex work increased, and one quarter felt that teen dating violence and trafficking increased. We also asked survey respondents to quantify the impact of violence on their community on a scale of 1 to 10 (10 being the most violent), over the span of the last five years--the average score rose by over 10% between 2019 and 2020, with a 2020 score of 6.4. However, some respondents also communicated that they felt they did not know the full extent of the violence in their community due to lack of reporting; one stated, “In the community, I’m sure all sorts of violence have increased yet there is less reporting.”

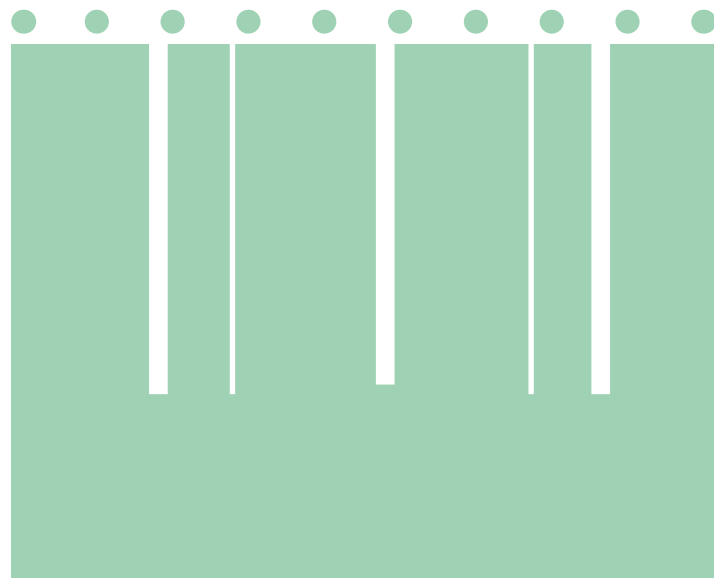
It is true that the pandemic has become an additional barrier to reporting for some

survivors and families, as law enforcement continues to be inaccessible due to health concerns and spread thin due to increases in violence. This further exacerbates the challenges for families and survivors to come forward, which are already considerable--approximately half (47%) of respondents said they felt uncomfortable or unsafe calling 911 for help, and respondents were more than twice as likely to call a friend for help and more than four times more likely to call family for help. In general, this stemmed from poor prior experiences with law enforcement--approximately half of respondents rated their experience of reporting violence to law enforcement as below average or poor. Half also said that their abuser was never arrested or charged, and 1 in 5 said they themselves were arrested and taken to jail when they called for help, or received threats of an arrest.

Altogether, these conditions--increases in violence, exacerbated and additional barriers to reporting, poor relationships between law enforcement and Indigenous people impacted by violence, law enforcement spread thin by geography and increased need, and lack of access to services--create a dangerous "perfect storm" landscape in which cases of MMIWG2 and MMIP may not only increase, but sit unattended and grow cold. Indeed, that is exactly what has occurred throughout the pandemic--nationwide, the annual number of MMIWG2 cases increased by 68% in 2020, and as we will delve into deeper in the following section, the majority of cases have not seen any meaningful progress.

Data on MMIWG2 & MMIP in Northern California

In our Year One report, we published what was the first publicly available breakdown of data on MMIWG2 in California and Northern California, utilizing data from SBI's MMIWG2 Database. However, we also contextualized this data within broad concerns regarding identification of missing and murdered Indigenous women, girls, and two spirit people; underreporting and misclassifications; and barriers to accessing data. In the following sections, we provide an update on MMIWG data throughout the state and region, followed by a more lengthy discussion of available data on violence against Indigenous 2LGBTQ+ people in California, and an additional new section on missing and murdered Indigenous cis, straight men and boys.



MMIWG

First and foremost, we want to honor all missing and murdered Indigenous people for the human beings they are and were--beautiful, sacred, full of life and potential, loving, family members, culture keepers, language speakers, dancers, weavers, community members, friends, and cherished and valued among their peoples. It is impossible to quantify the impact of their loss, what they meant to their family and community, and all they could have contributed. Among the women in the data described in this section, at least 41 were mothers, and there are now generations that have been forced to grow up without them; that is an intergenerational wound too deep to measure. While we focus on quantitative data in this section, we do not do so to dehumanize or decontextualize from the very real people represented in the numbers--we do so to honor their stories and to ensure that they are part of making our communities safer so that this violence does not continue to happen to others.

Last year, we reported a total of 165 MMIWG² cases across the state, since 1900. This year, the number of MMIWG cases (2LGBTQ+ cases are discussed in the next section) rose to 183. This increase is 1.3 times higher than the average number of cases per year (14). As we discussed in our Year One report, we are confident that there are cases that we have not been able to count due to barriers in data collection, and feel it is likely the true number is much higher. Indeed, if the rate were applied to each year since 1900, it is likely there would be over 2,000 cases across California (not accounting for likely spikes due to slavery, massacres, forced removals, and boarding schools). There are two probable reasons for the above average number from 2020-2021--an increase in Indigenous community organizing to properly disseminate information on missing and murdered persons, and an increase in violence due to the ripple effects of the COVID-19 pandemic.

We reported 105 cases across Northern California² in 2020, and have seen a small increase to 107 in 2021. However, though this increase seems relatively minor, it is important to note that there was still consistent case turnover on a month to month basis, particularly with runaway and missing youth. The average age of missing and murdered Indigenous women in California is 26.5, with Northern California's slightly higher at 27.5; this decreased from an average of 33 years old in 2020, further suggesting an increase in youth cases.

Of all cases statewide, 28% are missing, 54% are murdered, and the remaining 18% are "status unknown"--cases in which a person was reported missing but is no longer in a missing persons database, and does not have social media or an obituary available online to verify if they were located safe or deceased. In Northern California, 22% are missing, 62% are murdered, and 16% are status unknown. We will delve deeper into the geography of this crisis further in this section, but this sizeable regional difference in murder rate is worth noting.

² For the purposes of this study, we split the state into northern and southern halves. Where we report on data specific to Northern California in this report, we are including the following counties: San Francisco, San Mateo, Alameda, San Joaquin, Amador, Sacramento, El Dorado, Contra Costa, Solano, Marin, Sonoma, Napa, Yolo, Sutter, Placer, Nevada, Yuba, Sierra, Colusa, Lake, Mendocino, Glenn, Butte, Plumas, Tehama, Shasta, Lassen, Humboldt, Trinity, Del Norte, Siskiyou, Modoc.

The most common relevant issues pertaining to California MMIWG cases are domestic and intimate partner violence (42% of the cases with contributing factors identified), deaths in custody (19% of the cases with contributing factors identified), sexual violence (17% of the cases with contributing factors identified), unsheltered status (10% of the cases with contributing factors identified), police killings (8% of the cases with contributing factors identified), and foster care (4% of the cases with contributing factors identified). Of the cases in Northern California with contributing factors identified, 46% pertain to domestic and intimate partner violence, 23% to sexual violence, 12% to unsheltered status, 8% to police killings, 8% to foster care, and 4% to deaths in custody. From these numbers, we can ascertain that cases involving sexual violence are slightly more prevalent in Northern California, and the number of cases involving foster care are double that of the state as a whole.

It is likely that the true rates of these intersecting issues are higher, but due to poor data collection, barriers to reporting, and inaccessible data, we are not able to gather this information fully. However, findings from SBI and CRIHB's June 2021 report "They Failed to Protect Me" may provide additional insight. Among our Community Perspectives Survey respondents who shared experiences of violence (69.5% of all respondents), three quarters had experienced two or more forms of violence, and one quarter experienced four or more. Half of all respondents reported experiencing domestic violence, 29% experienced intimate partner violence, over one quarter experienced child abuse, 10% experienced teen dating violence, 6% experienced sex trafficking, and 5% experienced survival sex work. Nearly half experienced some form of sexual assault, a rate 1.7 times higher than the national rate of AI/AN sexual assault victimization and 5 times higher than the national rate of victimization regardless of gender. As mentioned, this violence was often compounded--79% of domestic violence survivors also experienced an additional form of violence at some point in their life, as did 100% of intimate partner violence survivors. Every trafficking survivor experienced at least five forms of violence, and 60% experienced six forms of violence in their lifetime.

These statistics describe a landscape of repeated instances of violence, so saturated that to many, it may seem unavoidable. Indeed, many Indigenous women and girls are taught it is not a question of if they will be assaulted, but when and how often. This is perhaps also due to the fact that Indigenous women and girls are one of the few populations that experiences disproportionately high rates of intra-racial violence (violence perpetrated by someone outside their own race), and violence perpetrated by people they do not have close relationships with. Of the Community Perspectives Survey respondents, 55% of those who shared information about their perpetrator(s) experienced violence inflicted by two or more people in separate instances, and 79% said they were harmed by a non-Indigenous person, compared to 62% having been hurt by an Indigenous person. 98% said they had been harmed by a man, and 20% by a woman. Shockingly, one in five said they had experienced violence perpetrated by a casual acquaintance or stranger.

Among California MMIWG, 7% of known alleged and convicted perpetrators are women and 93% are men, and they are split evenly Indigenous and non-Indigenous. Disturbingly, 46.5% of identified alleged and convicted perpetrators had no relationship with their victim, with "random" killers of no relation, serial killers, and police officers being the most common killers in this group. This

rate is even higher in Northern California, comprising exactly half of all known perpetrators. Over half of all known perpetrators in Northern California are non-Indigenous (53%), and 92% are male.

These high rates of violence are also against a backdrop in which law enforcement and the justice system fail to hold perpetrators accountable, and contribute to a culture of hypersexualization of Indigenous women and girls and normalized violence without repercussion. Approximately half (49%) of all California MMIWG cases where case status is known lack charges or a conviction--in other words, a suspected perpetrator has been identified but was never charged or was acquitted. This rate is the same across Northern California. However, this does not only happen through failure to charge or convict, it also happens through failure to investigate cases as homicides--of the cases we know to be murders or suspicious enough to be investigated as a murder statewide, a mere 50% were actually classified as a homicide. 13% were classified as accidental, another 13% as natural causes, 11% suicide, 8% suspicious, and 5% overdose.

What all the above statistics reveal is a widespread pattern of sustained violence, present throughout nearly every area of the state. Indeed, though California is often left out of the national dialogue on this crisis, it remains in the top 5 for total number of cases per state, and if Northern California were its own state, it would also be in the top 10:

- | | |
|---------------------|-----------------------|
| 1. Washington (298) | 6. Alaska (181) |
| 2. Montana (242) | 7. Oklahoma (177) |
| 3. Arizona (227) | 8. South Dakota (176) |
| 4. Arizona (227) | 9. Minnesota (146) |
| 5. California (183) | 10. Nebraska (101) |

Perhaps a small consolation is that among these 10 states, California has the lowest per capita rate (based on per 100,000 people, indexed to AI/AN population):³

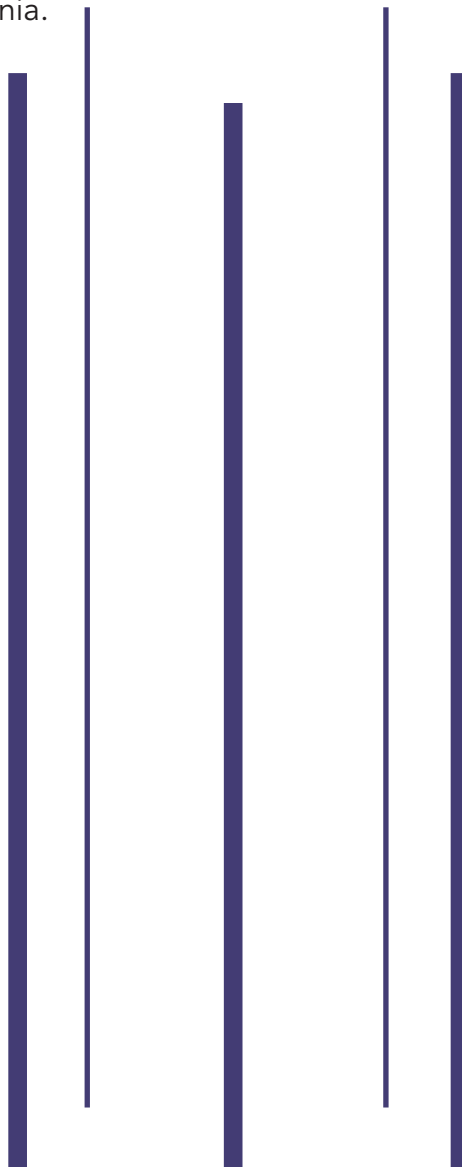
- | | |
|-----------------------|---------------------|
| 1. Nebraska (627) | 6. Washington (215) |
| 2. Montana (310) | 7. New Mexico (100) |
| 3. South Dakota (255) | 8. Arizona (79) |
| 4. Minnesota (251) | 9. Oklahoma (47) |
| 5. Alaska (242) | 10. California (25) |

That said, it is still alarming that California, and Northern California in particular, figures so prominently in national data, especially given its absence from the national dialogue and the relative exclusion of PL 280 states from federal initiatives.

3 By indexing the number of cases to the AI/AN population in any given area, we get a clearer sense of which areas are most disproportionately impacted. For example, it stands to reason that an area with a larger Indigenous population is going to have a higher number of cases--however, if an area has a high number of cases relative to a small Indigenous population, they may still have a lower number of total cases but a higher rate of violence and deeper impact. Analyzing the data in this allows us to see areas where the rate of violence may be especially high given population size, which may reveal additional insights about the geographic distribution of violence and its site-specific contributing factors.

Importantly, California's MMIWG represent 48 different tribes, with more than half (52%) of tribes represented being tribes located outside the state. The mere fact alone that more than half of the cases in the state may have origins or ties in other states (potentially even in federal jurisdictions) should be enough to warrant federal attention, despite California's PL 280 status. The out-of-state tribes are located in Montana, Arizona, Oregon, Oklahoma, Minnesota, Hawaii, Idaho, South Dakota, Maine, and Nevada, and three California MMIWG belong to Indigenous peoples of Mexico. In contrast, in Northern California, 52% of tribes represented are from California, all of which are Northern California tribes. Of all the California tribes represented among California victims, 78% are Northern California tribes. Among California MMIWG, approximately 40% of the cases in which we know victim tribal affiliation are victims that belong to tribes located outside California, and in Northern California, this number decreases to 34%.

Geography also matters at the state level. As the maps below show, this violence is concentrated in what can be understood as three primary types of areas: the rural far north; major urban centers like Los Angeles, Sacramento, and San Francisco; and the rural far south. However, it is here where per capita rates make a striking difference--while the number of cases per county show that Southern California is also struggling with this crisis, the map of per capita cases per county reveals that this violence is disproportionately saturated in Northern California. Indeed, nearly every county with a per capita rate over 150 cases per 100,000 AI/AN people is in Northern California.



Understanding the Geography of the Crisis



All data on these maps is sourced from Sovereign Bodies Institute's database



Lastly, it is important to once again recognize the limitations of this data. Not only are we limited by the data we have access to via formal institutional channels, media coverage, direct work with families, and community connections, in some respects we are also limited by the colonial semantics that dictate the implicit decisions reflected in MMIWG2 and MMIP data. All institutional data and mainstream media coverage is tainted by colonial anxieties over who is considered a woman or girl, who is considered Indigenous, and what is considered murder. For example, Indigenous trans women, women who are Indigenous to lands outside the US, and domestic violence victims whose injuries are dismissed as potentially due to alcoholism (a particularly racist conclusion to draw that happens more frequently than it should in MMIWG cases) would not be considered MMIWG in the eyes of the settler state and its record keeping practices. This is why it is so imperative for tribal nations and Indigenous communities to gather and maintain their own data, as part of a broader effort to assert data sovereignty in a manner that decolonizes our systems of kinship and ideas of gender, and honors all the violence perpetrated against our peoples.



Two Spirit & Indigenous 2LGBTQ+ People

In our Year One report, we discussed numerous barriers and gaps that exist in effectively including Indigenous 2LGBTQ+ relatives in MMIP movement-building. These include law enforcement's lack of documenting victim's self-identified gender and sexual orientation, media's lack of coverage on Indigenous 2LGBTQ+ cases, a significant lack of available services for Indigenous 2LGBTQ+ victims, and rampant homophobia and transphobia in Indian Country.

For this Year Two report, it is notable that we received zero responses after dozens of targeted solicitations and larger call outs to Indigenous 2LGBTQ+ communities for survey input and interviews. Moreover, we experienced the same lack of response for talking circles when outreaching to Indigenous 2LGBTQ+ participants for our recent report with CRIHB (2021). Though we can only speculate reasons as to why we received such a low response, we have considered zoom fatigue during the pandemic, discomfort with participating in a research project, and discomfort with openly disclosing gender and sexual identities to other people.

In stark contrast, 1 in 5 participants identified as Indigenous 2LGBTQ+ in our Community Perspectives Survey with CRIHB (2021). The contrast implies that anonymous surveys and spaces may feel safer for engagement, which we will consider moving forward in our continued research and the ways in which we outreach to Indigenous 2LGBTQ+ communities. The novelty of the data in our report with CRIHB is especially illuminating in its patterns; of the Indigenous 2LGBTQ+ participants:

- 60% have experienced domestic violence
- 53% have experienced intimate partner violence
- 40% have experienced child abuse
- 20% have experienced trafficking or survival sex work
- 93% have experienced sexual assault
- 87% have experienced two or more forms of violence



These rates underscore the harsh realities and systems of violence that Indigenous 2LGBTQ+ relatives are subjected to in a colonial environment that encourages harm against nonheteronormative peoples.

Additionally in our research with CRIHB, of the Indigenous 2LGBTQ+ relatives who participated in the talking circles, two respondents alluded to the incompetence of healthcare professionals working with Native Peoples and especially Two-Spirit Peoples. They spoke about the lack of cultural understanding and lack of education on gender and sexual variance. Similar sentiments were expressed by participants when speaking about their own communities and other service providers. If Indigenous 2LGBTQ+ relatives cannot access basic services by providers who create safe environments, then they are left at further risk to systems of violence.

Lastly, our MMIP database continues to grow and remains the only U.S. national and transnational database that includes missing and murdered Indigenous 2LGBTQ+ peoples. We currently include the cases of 26 Indigenous 2LGBTQ+ relatives from the U.S. and Canada in our data, of which:

- 58% were age 30 or younger when they went missing or murdered
- 23% engaged in survival sex work
- Of the known perpetrators, 100% were men
- Only one third have known charges or convictions for the perpetrators

Consistent with our Year One report, data on Indigenous 2LGBTQ+ people is nearly impossible to collect through official channels due to lack of documenting self-identified gender and sexual orientation, as well as the rarity of media coverage on missing and murdered Indigenous 2LGBTQ+ relatives -- perhaps due to internalized colonialism, homophobia, and transphobia in tribal communities. Even if Indigenous 2LGBTQ+ people disclose their gender and sexual orientation, official channels repeatedly misgender them. For example, we found that nearly half (41%) had changed their given birth name to a chosen name, but law enforcement, media, and even family members regularly reported using their birth/dead names.

We recognize that this perpetual genocide, erasure of identities, and dishonoring of Indigenous 2LGBTQ+ relatives needs to stop. Our efforts are rooted in shifting these dynamics and lethal ideologies, and we are encouraged to see that we are not alone in these efforts; the national outcry for justice across Indian Country for missing and murdered Indigenous trans women like Jamie Lee Wounded Arrow and Aubrey Dameron are a powerful sign that Indigenous communities are beginning to advocate for our MMI2LGBTQ+ relatives. Through our organizational culture, programming, services provisions, and MMIP movement-building at SBI, we are earnestly working to co-heal and repair our circle to better honor Indigenous 2LGBTQ+ relatives.

Men & Boys

Because our data collection on missing and murdered cis, straight Indigenous men and boys is a relatively new endeavor, the data we share in this section is based on a preliminary sample of 33 cases across Northern California. It is our intent to provide more thorough quantitative data on as many cases as we can identify in our Year Three report. For those that may be unfamiliar with the terms we are using to describe the men and boys in this section, “cis” means that they were identified as male at birth and personally identified as a man or as a boy in their gender expression, and “straight” means they were heterosexual. The reason we make this distinction is to be specific, and to draw attention to the fact that there may be individuals who identify as men or boys but who fall on the 2LGBTQ+ spectrum, and thus are included in the “MMIWG2” category we have previously used.

Of the 33 cases studied, over half (52%) were murders, 45% were missing persons, and 3% were status unknown. Here is our first difference in comparing this to data on women and girls--Northern California MMIWG are 5.3 times more likely to be “status unknown” than cis, straight men and boys. There is no clear reason as to why this is, although two possibilities are that cases of cis, straight men and boys may get more public updates (and thus we are more likely to know when they are found safe or deceased), or conversely, cases of women and girls may be reported and circulated more frequently (and thus we see more posts advertising missing women and girls that are then left unresolved without update). Yet another difference that does not have a clear explanation is tribal representation--a mere 14% of cis, straight men and boy victims in Northern California are from non-California tribes, compared to 48% of women and girls in Northern California. Could it be possible that Indigenous women and girls are more at risk for violence when separated geographically from their tribal community? These are questions we must delve deeper into in Year Three.

Among the 33 cis, straight men and boys studied, average age was slightly higher than women and girls, at 30 years old. Strikingly, cis, straight men and boys are killed by men at a higher rate than women and girls (100% of all known alleged and convicted perpetrators are men). Only 6 of the 33 cases studied have information on the victim’s relationship to the perpetrator publicly available, and of those, half of the killers are police, and another third had no relation to the victim.

Of the identified perpetrators, 37.5% are never charged or convicted, a rate lower than that of women and girls (51% of cases of MMIWG have charges or convictions, compared to 62.5% of cis, straight men and boys). 60% of the cases where case classification is known are wrongly misclassified as something other than homicide (accidental, suicide, etc.). These numbers affirm that when it comes to law enforcement and justice system response, the cases of missing and murdered Indigenous people of all genders are neglected and riddled with biased failures to meaningfully investigate (Razack 2011, 2014, 2015).

One of the most meaningful differences we have been able to identify in Year Two is the difference in relevant issues present in these cases. None of the 33 cases sampled had publicly available information stating the victim experienced intimate partner violence, sexual violence, or foster care. Further, only one case pertained

to domestic violence (3%), one pertained to being unsheltered (3%), and the rate of police killings was nearly identical to that of women and girls (9%). That said, the number of cases of death in custody was more than double that of women and girls in Northern California (9% and 4%, respectively). These numbers both confirm and challenge stereotypes about differences in experiences of violence across gender. They are further evidence that Indigenous women and girls experience uniquely gendered violence in ways that cis, straight men and boys do not, and align with anecdotal evidence that Indigenous men and boys disproportionately experience the violence of the carceral system. However, they also remind us that police violence does not uniquely target men and boys, contradicting the predominant national narrative on racialized police violence as primarily affecting men and boys.

Perhaps the most striking data points among these 33 cases is their relationships to MMIWG cases. Five of the men and boys had missing and murdered relatives, including six missing and murdered Indigenous women and girls and two other men and boys. These relatives represent a mother, a father, a sister, a wife, a daughter, a son, an aunt, and a cousin. These relationships substantiate our previous arguments that intergenerational impacts of violence within a family continue to ripple outwards, causing further violence later on, and remind us that our cis, straight men and boy relatives are not immune from inheriting life-altering (and, if left untreated, life-threatening), trauma.

The Cases in the Y1 Report

Where Are They Now?

In our Year One report, we featured the stories of 13 missing and murdered Indigenous women of Northern California, and one missing (cis, straight) man:

- Alicia Lara (Tarahumara)
- Andrea LaDeroute (Tolowa Dee-ni' Nation)
- Andrea White (Hoopa Valley Tribe, Yurok Tribe)
- Angela Mae Jeff (Miwok)
- Angela McConnell (Hoopa Valley Tribe, Yurok Tribe, Karuk Tribe, Mohave Indian Tribe)
- Heather Cameron (Confederated Tribes of Grand Ronde, Pit River Tribe)
- Jeanette Kamahale (Native Hawaiian)
- Jessica Alva (Blackfeet, Yaqui, Nahua)
- Melody St. Clair Turner (Round Valley Indian Tribes, Wintu)
- Natasha Steele (Lytton Band of Pomo Indians, Round Valley Indian Tribes)
- Nicole Smith (Manchester Band of Pomo Indians)
- Rachel Sloan (Hopland Band of Pomo Indians)
- Sumi Juan (Hoopa Valley Tribe)
- Nick Patterson (Pit River Tribe)

Since the release of the Year One report a year ago, none of these cases have been solved, none have had any arrests or charges made against a perpetrator, and none of the missing persons have been found.



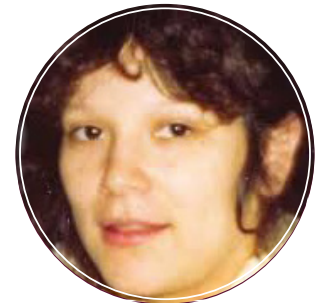
**ALICIA
LARA**

Tarahumara



**ANDREA
LA DEROUTE**

Tolowa Dee-ni' Nation



**ANDREA
WHITE**

Hoop Valley Tribe,
Yurok Tribe



**ANGELA
MAE JEFF**

Miwok



**ANGELA
MC CONNELL**

Hoop Valley Tribe, Yurok Tribe,
Karuk Tribe, Mohave Indian Tribe



**HEATHER
CAMERON**

Confederated Tribes of Grand
Ronde, Pit River Tribe



**JEANETTE
KAMAHELE**

—
Native Hawaiian



**JESSICA
ALVA**

—
Blackfeet, Yaqui, Nahua



**MELODY
ST. CLAIR
TURNER**

—
Round Valley Indian Tribes, Wintu



**NATASHA
STEELE**

—
Lytton Band of Pomo Indians,
Round Valley Indian Tribes



**NICOLE
SMITH**

—
Manchester Band of Pomo Indians



**RACHEL
SLOAN**

—
Hopland Band of Pomo Indians



**SUMI
JUAN**

Hoop Valley Tribe



**NICK
PATTERSON**

Pit River Tribe

Six of these 13 families completed a follow-up survey with SBI in May of 2021. All six reported that there have been no new developments or updates in their loved one's case since July 2020. Notably, these six cases span at least four different jurisdictions (Humboldt County Sheriff, Mendocino County Sheriff, Shasta County Sheriff, City of Oakland Police), and the other eight cases featured in the Year One report include even more (Del Norte County Sheriff, City of San Francisco Police, City of Santa Rosa Police); the fact that none have been able to make any meaningful progress in these cases in the last year shows that this crisis is not a simple matter of individual cases going cold on their own, or of "bad apple" negligent police officers--rather it is indicative of a system that does not prioritize justice for missing and murdered Indigenous people.

Of the families surveyed, the majority have continued to have a challenging experience with the law enforcement agency assigned to their loved one's case. Half rated their experience with their respective agency in the last year as terrible, and another third rated their experience as poor, for a total of 83% reporting a predominately negative experience. When asked to explain why they felt that way, one participant shared, "There is a lack of (no) effort to keep family members updated on any changes to the case." Similarly, another said, "They have given no updates and there is nothing being done. The police are failing to do their part."

These feelings were echoed by more families in a public panel SBI hosted on May 5, 2021, in honor of the National Day for Awareness of Missing and Murdered Indigenous Women. The panel highlighted the voices of California MMIWG2 families, including Bernadette Smith (sister of Nicole Smith), Tammy Carpenter (mother of Angela McConnell), April Carmelo (sister of Mary Carmelo), and Cindy Martin-Wolfe (mother of Jessica Alva)⁴. In the words of Bernadette:

We've been in contact with the Sheriff's department very little. We've tried to communicate. They keep switching new investigators—every time that we get in contact with them, they say there's a new investigator. So it's going to take them some time to get acquainted with the case, so they can't really tell us much. Now we call back, give them a quick couple of weeks and they still don't know nothing. Or they can't say anything. It's either one of those things--there's nothing new and if there is, they can't say.

⁴ Please note that this panel was recorded and is freely available for view at sovereign-bodies.org/webinars. We encourage all readers of this report to learn directly from families through such mediums.

Bernadette is not alone in this experience of high investigative turnover--Angela McConnell's mother Tammy also shared that Angela's case had three different detectives assigned to it within a span of the first year of the case, and Mary Carmelo's sister April recalled investigators being switched twice. April had a similar experience of repeatedly asking for information:

I didn't hear anything for about another year and a half, two years. And I would constantly text [the investigator] or email him and ask him questions about what had happened with my sister's investigation, did they have anything new?

Moreover, not only is there a common lack of communication between law enforcement and families, in the rare cases there is communication, it can be insensitive and unproductive. As Tammy recounts:

[Detective Justin Brewer] told me that there was no leads, no nothing. And I left it like that. And then I called last week with Justin and I talked to a supervisor and it was very--really, really disturbing things that he had spoken to me about. He said, well, I don't like the way you're kind of going off on Justin and stuff. And I said, well, you know, Sergeant Wallace, how would you feel if your daughter, your loved one was taken, was murdered, and you had unanswered questions? And he goes, well right now, Ms. Carpenter--he was very, very disrespectful to me saying that, there's no leads and nothing going on with Angela's case. That it'll never get solved. And it kind of broke my heart at a hard time, trying to digest a lot of the stuff that he had spoken to me about. And I feel just like everybody else in this world--that we have to fight for our women that were murdered and other people that are taken from us. And I told them, well, you can say whatever you want, but you know, I'm going to get justice for Angela McConnell, my daughter. And he goes, well, you could do whatever you want Ms. Carpenter, but you know, she's been passed for years. I told him, well, you know what Sergeant Wallace, it doesn't feel like three years to me, it felt like it was just yesterday. [You talk about it like] it was like putting your sugar and cream in your coffee, I said. And he goes, what do you mean by that? And I go, that's how you're taking it. Like, you're just putting sugar in coffee. You're putting sugar and cream in your coffee. Like, it's just like nothing. But to me, it's something vital to me. She was my only daughter I ever had, I said. I'll never have another daughter.

This need for families to persistently advocate for their loved one's case, conduct their own investigations, and pursue justice on their own repeatedly was raised in the panel and in other interviews. Jessica Alva's mother Cindy shared:

I would say that the majority of the time, as with our case, they will refuse to even do an investigation. We decided that there was so much overwhelming evidence that we got together and did our own investigation. I spent much time in my daughter's apartment after her death...simply praying and listening to the voices, to her. She basically walked me through it and I saw everything that happened. And by doing that, [I saw] things that I would not have ever noticed. I was able to see and document. There are many, many witnesses that have very important information that are now coming...I ran a forensic investigation of the apartment and have all the photos and everything else that show all of the trauma, all the damage, and all of the blood that had been cleaned up throughout the whole area that this event happened at. I have discovered that when you're faced with these things, to see law enforcement will not investigate, it falls upon the family members to set that up almost. I set aside my emotions at the time and was just matter of fact, too determined to find out the truth. If the truth would have not been what I thought it was, that would have been just okay because I would have known the truth and we would have had closure with the truth...We have a huge file that has been put together of factual documentation, actual evidence, forensic evidence, interviews with other people who knew things and a list of names and contacts with the police to be able to interview, and those that are willing to share anything and everything that they know about the details of what happened.

Nicole Smith's sister Bernadette responded to those words from Cindy by stating, "I'm really glad that she took it upon herself to investigate and find answers and stuff. And I really think that's all that we're left with at this point...it seems like everybody kind of has a clear idea of who did something to their loved one yet there's no justice being brought forth." Bernadette even shared experiences of being blamed for the lack of action in her sister's case:

We spoke with the police, the Mendocino County Sheriff's department. We told them everything that we could think of. We turned over all our phones, everything that they asked for. And they're convinced that I'm holding back information that would lead to the arrest and finally close the case. Like I have nothing more to give them, I've given them everything I had. Things that I thought were crucial and important things they seem to just laugh at. So I wasn't sure why they were putting the responsibility of them doing their job on information that I was withholding when I gave them everything that we have.

Unfortunately, some families go decades without communication, much less answers or justice. As Alicia Lara's daughter Christina Lastra shared, "So in July, it will be 30 years that my mother was murdered and since then, there really has not been any kind of new information whatsoever coming to our family regarding her murder." Not only have authorities failed to communicate with Christina on her mother's case, they also provided false information stating her death was not a homicide:

We were told that my mom had died in a single man car accident. And we were told this by a Humboldt County coroner, who was the coroner back in 1991 [when the incident occurred]. So about 10 months after my mom passed, I returned to the United States [from studying abroad] and I immediately called [the coroner, Glen Sipma]. And I told him what I had learned back in September-- that a man had seen my mother and that she looked badly beaten...So when I told him I was pretty irritated with him. And I said, why did you tell me that my mother died in a single man car accident? And there was a very long pause. And then he told me that they were able to estimate that the car went down [the cliff] at five miles per hour due to the breakage of a small tree. He said there were no skid marks. He said that the car was in neutral and that the passenger side window had been rolled all the way down and that my mother had ejected out the passenger side window and was found lodged between the car and a tree. So he basically told me the truth at that time, almost a year later, that my mother, indeed, had been a victim of foul play. But again, he told my brother and I at the time of her death that she had died in a single man car accident...So I just don't understand why he wasn't able to speak the truth about the death of my mother. I know that back in the seventies, eighties, and in the nineties, there was a term that a good Indian was a dead Indian...a lot of homicides occur up in Weitchpec and on the Hoopa Indian reservation and that they call them accidents. They call them suicides and they very rarely investigate murders that occur up in that area. So I just don't understand why we weren't told the truth, why there was no investigation...We were not interviewed by anyone. No law enforcement came by to our home. Nobody spoke with my stepfather and he was a known outlaw...So nothing was done. Absolutely not one question was asked of us. They just simply did not care. There was that perpetuated lack of interest. Like we didn't count, like my mother didn't count.

However, it is not solely law enforcement from previous decades that have provided, at best, misleading information on Alicia's case. In the wake of our Year One report, Christina was interviewed for a news article featuring Alicia's case as one of many examples of institutional bias and neglect. Christina recounts Humboldt County Sheriff Honsal's comments as the following:

In that article, she interviewed the current Humboldt County Sheriff Billy Honsel and asked him what his opinion was on the death of my mother. And so ironically enough, this article was about the lack of interest that we see when MMIW's occur. And he absolutely just perpetuated the problem that is going on in the Northwest with MMIW. He obviously did not prepare for the interview. He did not pull the files and scrutinize over what happened to my mother. I'm pretty sure that it was documented that my mother had ejected out the passenger side window and was lodged between the tree and the car. So he is quoted saying in this article that he didn't find anything suspicious about the murder of my mother. So yet again, there's this perpetuating the problem

How can anyone come away with a different conclusion than Christina's? That even when given the opportunity to speak on this vital topic, law enforcement officials both then and now are left expressing how little they know, or apologizing for "dropping the ball," neither of which mean much in terms of justice nor semblances of closure. It should be noted that thanks to Christina's persistence, her family was able to receive a copy of her mother's autopsy report in June 2021, after 30 years of waiting. As one reads the document, there are noticeable omissions with information neglected that, by today's standards, should have never been overlooked. For example, none of the neck organs were examined at all, despite the cause of death being attributed to "probable asphyxia" (deprivation of oxygen). The report does confirm that she was ejected from the vehicle and lodged between the tree and the car.

Christina also requested a copy of the Coroner's report, which was denied on the basis that the agency is not required to disclose "that portion of those investigative files that reflects the analysis or conclusions of the investigating officer." Why an immediate family member of a deceased person could not access information explaining how law enforcement came to the conclusion that she was not murdered is not clear and was not explained any further. There remains confusion on this point, especially given the code that was cited by the Sheriff's legal department in response (Section 6254 of the California Public Records Act), which states that authorized representatives of the victim of the incident are entitled to receive all diagrams pertaining to the incident, and strictly addresses protections for investigative files or materials that could compromise an ongoing investigation.⁵ That this was used to justify not providing a document Christina is entitled to shows the semantic debates agencies engage in to actively avoid meaningful communication with families--while it may seem arguable that a coroner's examination would be considered investigative, the report itself is not investigative material, rather the results of analysis of investigative material, and the Sheriff

personally went on public record stating he did not see any grounds for an investigation. Further, under the same California Public Records Act, Coroner's reports are considered "non-exempt" documents that are available to the public upon request.⁶

This experience, along with the cumulative experiences of all the families who shared their stories with us, show a pattern of neglect, insensitivity, poor communication, and institutional abandonment of MMIWG2 & MMIP families. This pattern spans multiple jurisdictions--both urban and rural, local and county. It spans generations of law enforcement officers and leadership, including sheriff's departments, local police agencies, district attorney's offices, victim's services programs, and coroner's and medical examiner's offices. For these reasons, we must understand these failures as indicative of system failures, rather than solely individual.

5 The full text of the clause that was sent to Christina reads as follows: "f) Records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, the Office of Emergency Services and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. However, state and local law enforcement agencies shall disclose the names and addresses of persons involved in, or witnesses other than confidential informants to, the incident, the description of any property involved, the date, time, and location of the incident, all diagrams, statements of the parties involved in the incident, the statements of all witnesses, other than confidential informants, to the victims of an incident, or an authorized representative thereof, an insurance carrier against which a claim has been or might be made, and any person suffering bodily injury or property damage or loss, as the result of the incident caused by arson, burglary, fire, explosion, larceny, robbery, carjacking, vandalism, vehicle theft, or a crime as defined by subdivision (b) of Section 13951, unless the disclosure would endanger the safety of a witness or other person involved in the investigation, or unless disclosure would endanger the successful completion of the investigation or a related investigation. However, this subdivision does not require the disclosure of that portion of those investigative files that reflects the analysis or conclusions of the investigating officer."

6 California Public Records Act Section 6276.34 does state that postmortem and autopsy photos are exempt from public records request, but Coroner's reports do not contain such photos and are not listed as an exempt document (California Public Records Act 1998).

What is the Continuing Impact?

One of the most pervasive impacts of such continued system failure and the violence it fosters is the burden it places on families to meet their own needs. Whether it is investigating their loved one's case as outlined above; advocating for their case with law enforcement and the media; ensuring their potentially complex and layered material needs are met (missing persons searches, funerals and memorials, headstones, costs of caring for children of a missing or murdered parent, etc.); creating safe spaces to grieve and receive emotional support; or advocating for public awareness, system change, and legislative intervention-- families are constantly put in the position of doing it all for themselves.

One survivor we interviewed stated this feeling in the following way:

And we hear this all the time when it comes to MMIP individuals or cases-- it's always a family doing all the work. The family goes on Facebook and finds a trail of people and they give it to the law enforcement and the law enforcement says that, well, we didn't have this, we didn't know this. So the families are doing a lot of the work. The communities are doing a lot of the work where law enforcement is like, well, I made a call to so-and-so and got this. Or even case information is closed. It's not accessible to the families. I understand that there's certain privacy restrictions and certain things that, you know, they can't release, but those are the things that we're going to get more informed on. You know, like how is it that some things we can hear and read about, but some things, nope, can't hear that, can't see that, you know, especially when it comes to MMIP.

Tammy Carpenter also discussed the role that families have to take on as advocates, but stressed that while it is challenging and takes a deep toll, it is worthwhile and something families should be doing--

You have to be that voice for your loved one. You have to be an advocate. You have to. It's hard, but you have to do that because if you don't do it, who's going to do it for you?...You have to be that strong one. You have to be the voice, you have to go forward. I know it's hard, being a parent is really difficult, but you'll be strong. You can do it because I'm doing it.

The movement absolutely must be led by families and survivors. But we cannot expect them to carry the weight of caring for themselves and others in the midst of their own grief, much less also expect them to engage with negligent, insensitive agencies, work to shift public consciousness, and fight for effective policy solutions simultaneously. And yet, at present, this is what happens daily. The exhaustion, grief, trauma, frustration, anger, and sadness of having to constantly advocate for their loved ones, themselves, and others takes a lasting toll that can deeply impact mental, emotional, spiritual, and physical health. These health impacts are coupled with disproportionately low access to mental health supports and comprehensive healthcare in general (Barlow & Hammit 2020, Zuckerman et al. 2004, Office of the Surgeon General 2001), as well as already high rates of mental health issues (Gone & Trimble 2012) and associated medical issues such as autoimmune disorders among Indigenous communities (McDougall et al. 2017, Hurd & Barnabe 2018). Such impacts also further exacerbate the struggles families face, and in some instances, can actually lead to more MMIWG2 and MMIP cases occurring across generations as unresolved trauma and its attendant violence accumulate over time in the same communities again and again.

Though these mental health impacts can be extremely challenging to discuss, several of the families we spoke with were strong in sharing how they have been affected. In the words of April Carmelo (whose sister Mary Carmelo was missing for several years before her remains were identified):

It's taken me a long time to get to this point in my life where I'm able to talk about it, but also to be able to move forward...I think it was like my body went through the motions and I don't know where I was for six years until my sister came home. I went to work. I went home. I went grocery shopping. I graduated from college. And I don't know how I did that. I think it was just the trauma that took over and I continued to function, but I wasn't there. And I just told my family, I don't, I don't know where I am, even though I am here. Sometimes I'd be driving down the road, and I didn't know where I was. It was so traumatic.

Tammy Carpenter also said that she has experienced a deep, constant impact:

I personally, as a mother, I deal with it every day and I pray every day and ask, you know, pray to the Lord and ask him to have somebody speak, say something. Because it's difficult every day, every day is a hard day.

Another theme that repeatedly arose was the impact this violence has on the mental health of victims' children. As we shared earlier, at least 9 children of the MMIWG2 we featured in the Year One report went into the foster care system after the death or disappearance of their mother. Aside from the cumulative stress of loss of a parent, separation from family, and removal from community, even the children who do not go into the foster care system are still deeply traumatized and impacted by the grief and loss. As Cindy Martin-Wolfe shared:

[Jessica is] a mother of six children. Two of her younger children were actually there at the time, when she was murdered in their own home. Unfortunately, this is a story that is being told far and far too often. It's tragic. It's sad. It's heartbreaking. These children will know their mother from all of the people that she touched their lives and from all of her family members, but they won't know her personally because they're too young and they won't see that light in her eyes. And that love that was always in her heart, giving her wonderful, warm hugs that she gave to everyone, her laughter and smile. They won't ever know them because of a man who had many issues and problems, but never did get the ability to get help for themselves to not harm other people.

Bernadette Smith shared a similar experience with her sister's children:

The trauma of when it happened was devastating. But to see what happens, this doesn't go away. You know, there's lasting lifetime effects on the people that were around her. My niece and nephew growing up without their mom, you know, it's a crazy thing to see them and their personalities and demeanors, how they changed so much in the last three years since their mother has been gone.

Given that her mother's case occurred 30 years ago, Christina Lastra was able to give us a clear picture of the impacts of unresolved trauma and grief on children of MMIWG2 & MMIP over time:

*So the detriment that the murder of my mother caused-
-complete heartache and dysfunction in my brother. My
mother had four daughters and one son, and he really was
the apple of her eye. And he has had such a tumultuous
and dysfunctional life because of the murder of our mother.
And not only did it affect him, but now it's affecting his own
children. His own dysfunction is affecting the seven children
that he has. So he has been riddled by alcoholism and drug
abuse, and has really affected his own children due to his
dysfunction due to the death of my mother. So it really is
generational, you see this ripple effect happening.*

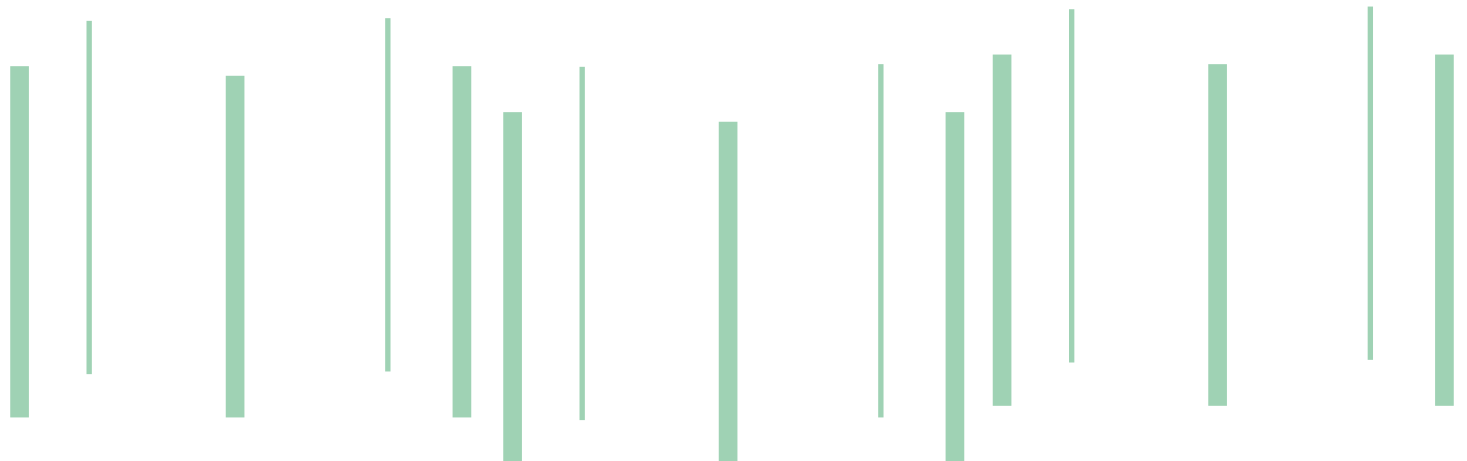
Even with deep grief and years of fallout ahead of them, families go above and beyond to strive towards healing every day. Many of them have taken on leadership in the MMIWG2 & MMIP movement, as well as in other areas and on other issues. Christina Lastra has become a powerful advocate for the rights of undocumented migrants and Black Lives Matter. Bernadette Smith is deeply involved in cultural revitalization practices in her tribal community. April Carmelo has led successful awareness efforts in the greater Redding area, including having the Sundial Bridge lit red on May 5, 2021. Danita Quinn, aunt of Nick Patterson, has become a supportive, loving advocate to many of the other families throughout Shasta County. Charlene Juan, teenage daughter of Sumi Juan, has graduated high school early and plans to pursue a career as a detective. Tammy Carpenter is studying for the LSAT so that she can become an attorney to represent families impacted by this crisis. Marge Grow-Eppard, cousin of Angela Mae Jeff, has led countless MMIWG2 and MMIP and Native rights marches and rallies throughout the Bay Area. April McGill, aunt of Natasha Steele, co-founded the American Indian Cultural Center of San Francisco as its Executive Director and runs the California Consortium for Urban Indian Health's Red Women Rising program, which supports culturally responsive domestic violence programming for urban Indians throughout California. Andrea LaDeroute's cousin Joseph Giovannetti serves as a Council Member for his tribe, the Tolowa Dee-ni' Nation.

These are just a few of the many examples of MMIWG2 and MMIP family leadership in action throughout Northern California. In the words of family members themselves:

I was not going to allow the death of my mom to detour me from being successful and from educating myself. And so that's what I did. I knew that my mom would be proud of me and that she was still with me in some way and watching me.
–Christina Lastra

I know that I do my best to honor my sister in any way I can. The life that I was living when my sister passed away is a whole different life than I lead today. You know, I've dedicated my life to my sister and honoring her and everything I do has been with her in mind, and so that her death hasn't been for nothing.
– Bernadette Smith

The heart, conviction, dedication, and will to be forces of positive change and healing in the above quotes and stories of families are the inspiring reality of the MMIWG2 and MMIP movement. For as much hardship, grief, and trauma that families experience, they also repeatedly choose to be fierce advocates, loving relatives, and powerful community organizers addressing this crisis as well as other issues Indigenous peoples experience. Though they should not have to, they show an unmatched resilience and strength that propels efforts to address violence against Indigenous peoples forward. They are the true heart of the work to end this ongoing genocide.



Ongoing Failures to Account for MMIWG2 & MMIP in California

Barriers to Accessing Data & Building Relationships

In Year One, the extreme need for better, more accurate, and more available data on MMIWG2 and MMIP was resounding. The To' Kee Skuy' Soo Ney-wo-chek' project and SBI in particular have made great inroads in collecting, cleaning, and tending to such data, yet significant barriers to accessing law enforcement and justice system data remain, which in turn impedes the project's ability to build and maintain relationships with these very same community partners. The near radio silence of most law enforcement agencies and justice systems in the region speaks for itself.

No Freedom of Information Act (FOIA) requests have been answered positively since our previous report, despite state, local and even national media coverage of our Year One efforts. For Wave 2 of our Needs Assessment interviews, we contacted every Sheriff and District Attorney in each of the 32 counties in the region to schedule an interview through their online, email, and voicemail forums. We also contacted the California Highway Patrol (CHP) field offices for Yreka, Redding and Arcata. Only four counties responded back and this was in spite of multiple attempts at outreach. While representatives from each of the CHP field offices remained open to the idea of an interview, scheduling efforts with the Humboldt field office stalled after they saw the Needs Assessment questions.

Like families and survivors who have been "left on read" by county law enforcement officials and justice system professionals alike, we as a project team cannot do anything if such stakeholders will not join us at the table to help intervene in the vital issues of MMIWG2 and MMIP. There is little to no recourse when the Sheriff will not answer your calls. In so many ways, this is an enormous loss to their investigative resources and community trust-building efforts. It is also a flagrant disrespect to the tribes, families, and community members who work with this project. Quite simply, it is hard to disagree when families paint law enforcement as non-responsive, evasive, or even rude because our own research team has had some of these very same interactions with a majority of law enforcement and justice system professionals.

We are incredibly grateful to those Sheriffs, District Attorneys, and other law enforcement and justice system professionals who spoke with us, but we wish that our gratitude for their participation was not ensconced within a backdrop of a complete lack of participation on the part of their regional peers. In the words of one such professional, when informed of this near total lack of response, they ventured a tentative guess:

If you feel like the interviewers or the platform is going to be putting you in a negative light, [you might hesitate to participate.] Also that these are not easy things to talk about... Maybe just like how a lot of survivors and families feel hopeless, maybe these people don't feel like there's a lot that can be gained from an interview like this...I'm not saying that that's the way they should feel, but maybe it's like, "what's the benefit to me?"

Such insight is valuable but also rife with concerning implications. If law enforcement professionals and the justice system-at-large are so averse to criticism as to completely ignore genuine requests to collaborate on a national crisis, how could they possibly hope to intervene on this issue and host of others in their own jurisdictions? Community policing models are based on interacting with whom one polices (Brogden & Nijhar 2005, Greene & Mastrofski 1988), yet the experiences of our team and the families and survivors we serve shows that lip service is being paid to these ideals when on-the-ground in daily practice, law enforcement remains tightlipped and unwilling to collaborate. Going further—these are not easy issues to talk about, just ask any of the families and survivors who have to deal with their trauma, grief, and not knowing on a daily basis. But they do not have the option of not talking about it and neither should law enforcement nor the justice system, the very individuals tasked with talking about it. Finally, to question the benefit of collaboration with tribal bodies and Indigenous and survivor-led organizations like SBI on such an intersectional and a wide-ranging issue as MMIWG2 and MMIP would be shortsighted at minimum, and potentially deadly at worst. We remain diligent in our efforts to collaborate with law enforcement agencies and the justice system to combat these negative assumptions and make a sincere plea to anyone reading this report to reach out today to add their county's name to the list of those brave enough to face this issue head on and in a good way.

Assessing National & State MMIP Initiatives

Savanna's Act

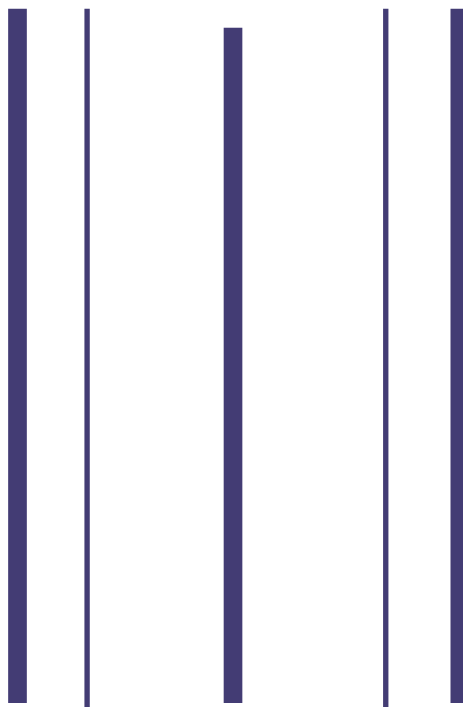
Key Components of Policy ⁷	First law to explicitly require reporting on MMIP
Purpose of the Policy	"Review, revise, and develop law enforcement and justice protocols to address missing and murdered Indians" (Congress.gov, accessed June 2021)
Specific Actions to Be Taken	Trainings, outreach to tribes for NamUs, the development of MMIP guidelines, and tracking MMIP statistics
Entities Involved & Impacted by Policy	Federal law enforcement agencies including USAOs, Department of Justice, tribal nations
Implementation Guidance	"Federal law enforcement agencies must modify their guidelines to incorporate the guidelines developed by DOJ." (Congress.gov, accessed June 2021)
Appropriations and Funding Requirements	Initial funding part of bill but long-term funding structure not identified
Metrics and Accountability	Clear initial deliverables with a clear plan for tracking compliance

⁷ Policy summary chart template based on "Writing & Assessing Policy" by Mary Kathryn Nagle (Cherokee Nation of Oklahoma) and Ashleigh Fixico (Muscogee (Creek) Nation), with support from Whitney Whitehorn (Osage Nation) in SBI's MMIWG2 & MMIP Organizing Toolkit

Signed into law in September 2020, Savanna’s Act is the first attempt by the federal government to reckon with the MMIWG2 crisis. Named after Savanna LaFontaine-Greywind, who was brutally murdered in North Dakota in 2017, this act explicitly requires reporting on “missing and murdered Native Americans” (<https://www.indian.senate.gov/>, accessed June 2021). Going further, it legislates that the Departments of Justice and the Interior work directly with tribal nations to design, develop and implement regionally specific law enforcement guidelines for addressing the MMIP crisis, under the auspices of each US Attorney’s office and tribal nations. According to the January special issue of the Department of Justice’s Journal of Federal Law and Practice,

Savanna’s Act includes improvements to reporting MMIP in databases; improvements to communication between federal, state, tribal, and local law enforcement agencies; increases tribal access to resources; and develops guidelines for responding to Indigenous missing or murdered people and providing training to develop guidelines. (Gordon & Roberts 2021: 54)

According to Congress.gov (accessed June 2021), Savanna’s Act requires each US Attorney’s office (USAO) to “review, revise, and develop law enforcement and justice protocols to address missing and murdered Indians.” This includes trainings, outreach to tribes for NamUs participation, the development of MMIP guidelines, and tracking MMIP statistics. Savanna’s Act also explicitly allows tribal governments to design and implement their own MMWG protocols, a legislative first. Implementation guidance for the state and local levels should be with assistance from the relevant USAO and in partnership with relevant tribes, and is supported with funding incentives for agencies seeking funding to update or maintain their practices to be in compliance.



POLICY ASSESSMENT CHART - SAVANNA'S ACT

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered	<ul style="list-style-type: none"> • Policy was created in honor of the late Savanna LaFontaine-Greywind, with her family's support • Utilizes a federal-centered approach • Policy requires public disclosure of MMIP protocols and agencies in compliance • No specific provisions to address violence against Indigenous 2LGBTQ+ people • Policy gives tribal nations the opportunity to create their own protocols, which could be designed to be victim centered 	3 out of 5 60%
Tribal Sovereignty	<ul style="list-style-type: none"> • Does not incorporate cultural practices or epistemologies • Authorizes tribes to create their own MMIP protocols distinct from their regional USAO's • Accountable to federal agencies, not tribal governments • Requires the Attorney General and Secretary of the Interior to consult with tribes • Aims to promote inter-agency collaboration but does not mandate it 	2 out of 5 40%
Evidence Based Practices	<ul style="list-style-type: none"> • First policy to specifically authorize tribes to create their own MMIP guidelines and protocols • Works in tandem with the Not Invisible Act • Free Space - attempt to address the issue has been made • Drafted policy received and incorporated rigorous feedback from subject matter experts • While this policy does restore significant authority and leadership to tribal nations, it does not restore jurisdiction 	4 out of 5 80%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Feasibility	<ul style="list-style-type: none"> • Policy activity timeline is clear and goals are feasible • The policy does not anticipate obstacles in its implementation and does not mention them • Aligns with Not Invisible Act • Positions tribes to lead efforts in their jurisdiction through creation of their own protocols, inclusive of input from tribes and urban Indian organizations in USAO protocol development • Promotes inter-agency cooperation in implementing protocols, requires federal collaboration with tribal law enforcement 	4 out of 5 80%
Measuring Success	<ul style="list-style-type: none"> • Policy has clear deliverables and measurable outcomes • Policy does not list any plan or methods for measuring positive impacts • Policy does not have any means of documenting or acknowledging potential negative results • Does not have any mechanism for families to advocate for change if the policy is not working • Does not require any agency to meaningfully listen to families 	1 out of 5 20%
FINAL SCORE		14 out of 25 = 56% GRADE: F

Policy Assessment Bingo Card - Savanna's Act

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

Not Invisible Act

Key Components of Policy	Joint Commission on Reducing Violent Crimes Against Indians, housed jointly by the Departments of Justice and the Interior
Purpose of the Policy	Establish commission to provide recommendations on how to “increase intergovernmental coordination to identify and combat violent crime” against Native Americans and Alaska Natives
Specific Actions to Be Taken	Establishment of Joint Commission on Reducing Violent Crimes Against Indians, public response to Commission findings within 90 days by both the Secretary of the Interior and the Attorney General
Entities Involved & Impacted by Policy	Bureau of Indian Affairs and the Department of Justice, including: (i) the Office of Justice Programs; (ii) the Office on Violence Against Women; (iii) the Office of Community Oriented Policing Services; (iv) the Federal Bureau of Investigation; and (v) the Office of Tribal Justice (Senate Bill 982)
Implementation Guidance	Explicit guidance for implementation of Joint Commission yet unclear as to implementation procedures pending commission recommendations
Appropriations and Funding Requirements	No explicit appropriations nor funding requirements
Metrics and Accountability	Explicit expectations for final recommendations, report, and federal response

Also passed in October 2020, the Not Invisible Act complements Savanna’s Act in that it expands the efforts to address MMIWG by establishing a Joint Commission on Reducing Violent Crimes Against Indians, to be jointly housed in the Departments of Justice and the Interior. This Joint Commission seeks to “increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians” (Indian Law Resource Center). The Commission is purposefully designed to include federal, tribal, and local stakeholders and seeks to offer recommendations to both the Departments of Justice and the Interior “best practices both departments can take to combat disappearances, murder, trafficking, and other violent crimes against Native Americans and Alaska Natives” (Indian Law Resource Center). Within 90 days of the receipt of these recommendations, both the Secretary of the Interior and the Attorney General will have to make public written responses to the recommendations. In addition, the Act mandated a report on the following:

1. a summary of all coordination activities undertaken in compliance with [the Not Invisible Act];
2. a summary of all trainings completed under [the Not Invisible Act]; and
3. recommendations for improving coordination across Federal agencies and of relevant Federal programs. (Senate Bill 982)

Finally, in addition to the issue of missing and murdered Native Americans and Alaska Natives, the Not Invisible Act seeks to track trafficking and other violent crimes against Native Americans.

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered	<ul style="list-style-type: none"> • Not created with input from families • Utilizes a federal-centered approach • Mandated public disclosure of Commission recommendations and institutional response to them • No specific provisions to address violence against Indigenous 2LGBTQ+ people • Initiatives create opportunities for families and survivors to feel welcomed and supported in being heard 	2 out of 5 40%
Tribal Sovereignty	<ul style="list-style-type: none"> • Does not incorporate cultural practices or epistemologies • Does not work to strengthen tribal justice systems or restore tribal jurisdiction • Commission is not accountable to tribal nations • Requires participation of tribal leaders, tribal law enforcement, and Indigenous families and survivors • Does not address cases as they occur and thus does not mandate coordination with tribal law enforcement on individual cases 	1 out of 5 20%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Evidence Based Practices	<ul style="list-style-type: none"> • This is the first policy that gives families and survivors leadership at the Commission level • Works in tandem with Savanna’s Act • Free Space - attempt to address the issue has been made • Drafted policy received and incorporated rigorous feedback from subject matter experts • Policy does not actively address on-the-ground solutions implementation, so there are a number of potential additions that could have strengthened it in that way 	4 out of 5 80%
Feasibility	<ul style="list-style-type: none"> • Policy goals are clearly stated and feasible • The policy does not anticipate obstacles in its implementation and does not mention them • Aligns with Savanna’s Act • Builds capacity of tribes and related non-profits to lead the work by requiring tribal leaders, families, survivors, tribal judges, and tribal service providers to be invited to the Commission • Does not mandate inter-agency cooperation outside the federal level 	3 out of 5 60%
Measuring Success	<ul style="list-style-type: none"> • Clearly articulated measurable outcomes • Policy does not list any plan or methods for measuring positive impacts • Policy does not have any means of documenting or acknowledging potential negative results • Mandates family and survivor participation in leadership of implementation • Required to have 6 families and survivors on the Commission 	3 out of 5 60%
FINAL SCORE		12 out of 25 = 48% GRADE: F

Policy Assessment Bingo Card - Not Invisible

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

Operation Lady Justice

Key Components of Policy	Federal taskforce effort to draft training guides and establish cold case offices
Purpose of the Policy	“strengthening law enforcement protocols and working with tribes to improve investigations, information sharing, and [overall] response to missing person and murder investigations of American Indians and Alaska Natives”
Specific Actions to Be Taken	Establishment of seven cold cases offices and multiple training guides for missing persons cases
Entities Involved & Impacted by Policy	Law enforcement in federal jurisdictions; no clear PL 280 supplement
Implementation Guidance	Unknown as of June 2021
Appropriations and Funding Requirements	No explicit appropriations or funding requirements
Metrics and Accountability	Beyond interim and final reports, no clear metrics for program evaluation and accountability

Operation Lady Justice or the “OLJ” Taskforce was a two-year initiative formed as a result of Executive Order 13898 in November 2019:

The Presidential Task Force on Missing and Murdered American Indians, also known as Operation Lady Justice (OLJ), is tasked with strengthening law enforcement protocols and working with tribes to improve investigations, information sharing, and a more seamless response to missing person and murder investigations of American Indians and Alaska Natives. The plans also call for the deployment of the FBI’s most advanced response capabilities when needed and improved data collection and analysis to share with its partners. (Clark 2021: 10)

In order to accomplish these objectives, OLJ hosted 15 in-person meetings pre-COVID-19, four listening sessions from May 27 - June 3, 2020, and 12 virtual tribal forums August 17 - Sept 17, 2020. The OLJ Y1 interim report indicates these sessions included several thousand listeners although it is unclear the diversity of the audience and/or tribes represented, and actual ability to speak was limited to a first come, first serve basis within a very limited time window.

The primary outputs of OLJ include the implementation of seven "Cold Case Teams" with offices spread across the nation: Bloomington, MN; Rapid City, SD; Billings, MT; Nashville, TN; Albuquerque, NM; Phoenix, AZ; and Anchorage, AK (OLJ 2020: 14). These teams are responsible for the review of cold cases in their region, although the specific localities that they will collaborate with is unclear. In addition, OLJ uses ten working groups to draft "training guides" on several subjects, including:

- Guide for Developing a Tribal Community Response Plan for Missing Person Cases (overarching plan) plus:
- Guide for Developing Community Outreach Guidelines for Missing Person Cases
- Guide for Developing Law Enforcement Agency Guidelines for Missing Person Cases
- Guide for Developing Victim Services Guidelines for Missing Person Cases
- Guide for Developing Public and Media Communications Guidelines for Missing Person Cases
- Training Plans to support Tribal communities and law enforcement executing these guidelines (OLJ 2020: 12)

These materials are drafted in concert with the Department of Justice's concurrent "MMIP Coordinator" initiative described in the next section. The Operation Lady Justice taskforce is housed at the federal level and does not include any clear plans for the incorporation of PL 280 states nor the adaptation of its materials for use by state and local jurisdictions. OLJ's taskforce does not include any MMIWG2/MMIP family or survivor representation, or tribal leadership.

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered	<ul style="list-style-type: none"> • Has no families in leadership or mechanisms for family & survivor-led decision making • No mandated participation from families or survivors • No mandated disclosures to families or survivors • No 2LGBTQ+ leadership • Emphasis on enhancing criminal justice systems that are known to be abusive to families & survivors 	0 out of 5 0%
Tribal Sovereignty	<ul style="list-style-type: none"> • Does not incorporate cultural practices or epistemologies • Does not work to strengthen tribal justice systems or restore tribal jurisdiction • Less than half of Task Force members are tribal members & no tribal leaders are represented • Task Force is entirely comprised of representatives of federal agencies • Emphasis on building capacity & power under the auspices & recommendations of federal agencies 	0 out of 5 0%
Evidence Based Practices	<ul style="list-style-type: none"> • Aims to address gaps such as lack of dedicated protocols for MMIP cases and lack of investigative attention on cases • Builds on policies and systems that have actively created and maintained the issue, rather than alleviated it • Free Space - attempt to address the issue has been made • Does not utilize best practices advanced by human rights commissions or proven methods to study or address femicide • There are a multitude of alternative frameworks and potential legislative interventions that are likely to have yielded more tangible results addressing and preventing MMIP violence 	2 out of 5 40%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Feasibility	<ul style="list-style-type: none"> • While goals such as consultations with tribal governments are feasible, the broad goals to develop best practices are not feasible given the composition, structure, and methods of the Task Force • The policy does not anticipate obstacles in its implementation and does not mention them • Directly conflicts with Savanna’s Act (SA), by positioning federal agencies to develop protocols & best practices for tribes, when tribes already have the right to create their own under SA. Also directly conflicts with the Not Invisible Act, which already establishes a commission for reducing violence against Native Americans that explicitly addresses MMIP • Does not provide any mechanism or support for tribal nations or non-profit organizations to lead the activities mandated by the policy • Aims to facilitate inter-agency collaboration but does not mandate it 	0 out of 5 0%
Measuring Success	<ul style="list-style-type: none"> • Minimal and vague required measurable outcomes • Policy does not list any plan or methods for measuring positive impacts • Policy does not have any means of documenting or acknowledging potential negative results • Does not have any mechanism for families to advocate for change if the policy is not working • Does not require any agency to meaningfully listen to families 	0 out of 5 0%
FINAL SCORE		2 out of 25 = 8% GRADE: F

Policy Assessment Bingo Card - Operation Lady Justice

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

MMIP Coordinator Program

Key Components of Policy	11 MMIP coordinators
Purpose of the Policy	“develop common protocols and procedure for responding to reports of missing or murdered indigenous people” for justice system
Specific Actions to Be Taken	Design and pilot of “tribal community response plans”
Entities Involved & Impacted by Policy	US Attorney’s Offices, federal jurisdictions, PL 280 states with coordinator (e.g., Alaska, Minnesota, Oregon, Washington)
Implementation Guidance	Unknown as of June 2021
Appropriations and Funding Requirements	No clear funding source beyond initial \$1.5 million
Metrics and Accountability	Beyond special journal issues and OLJ distribution, no clear metrics for program evaluation and accountability

Also established in November 2019, the Department of Justice’s MMIP Initiative implements the MMIP Coordinator program with 11 coordinators stationed throughout the country: Alaska, Arizona, Montana, Oklahoma, Michigan, Utah, Nevada, Minnesota, Oregon, New Mexico, and Washington. Similar to OLJ, these coordinators are tasked with “develop[ing] common protocols and procedures for responding to reports of missing or murdered indigenous people” (OLJ 2021: 12). Going further, MMIP coordinators also facilitate the “rapid deployment of specialized FBI teams and expert assistance in any appropriate missing Native persons case upon request by a Federal, Tribal, State, or local law enforcement agency” while identifying ways to expand MMIP data collection and analysis (OLJ 2020: 12). The MMIP Coordinator program will distribute its best practices in the form of training guides in tandem with OLJ pending the completion of pilot “tribal community response plans” drafted in the areas where MMIP coordinators have been assigned, like ongoing efforts in Montana and Alaska (Good & Weyand 2021, Weyand & McPherson 2021). A tribal community response plan seeks to:

1. Assess capacity
2. Examine local, state and federal resources
3. Identify non-law-enforcement agencies
4. "Establish MMIP problem in community"
5. Determine gaps in existing policies and training needs (Weyand & McPherson 2021)

For California, the state is split across three MMIP coordinators in accordance with the US Attorney's Offices in the state: the Arizona coordinator oversees Southern California, Oregon for Northern California, and Nevada for the Eastern and Central regions. Relevant outputs for the MMIP coordinator program also include two special issues of the Department of Justice's Journal of Federal Law and Practice in January and March 2021 as well as multiple webinar trainings and other briefings relevant to ongoing MMIP investigation.

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered	<ul style="list-style-type: none"> • Created with no input from or consultation with families • Utilizes a top down, federal-centered approach • No mandated disclosures to families or survivors • No specific provisions to address violence against Indigenous 2LGBTQ+ people or tools to address related hate crimes • Emphasis on enhancing criminal justice systems that are known to be abusive to families & survivors 	0 out of 5 0%
Tribal Sovereignty	<ul style="list-style-type: none"> • Does not incorporate cultural practices or epistemologies • Does not work to strengthen tribal justice systems or restore tribal jurisdiction • Less than half of coordinators members are tribal members & no tribal leaders are represented • No consultation with tribal nations required in creating protocols • Requires agencies to request assistance instead of mandating proactively offering it 	0 out of 5 0%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Evidence Based Practices	<ul style="list-style-type: none"> • Does not address a pre existing gap in policy, rather gaps in implementation of resources • Builds on policies and systems that have actively created and maintained the issue, rather than alleviated it • Free Space - attempt to address the issue has been made • Policy is not built on any methods or practices that have been proven effective by community knowledge or academic study in addressing MMIP • Given the geographic and logistical constraints of the positions and the focus on making resources that should already be available during MMIP cases available, it is likely there are other legislative possibilities that would have done more 	1 out of 5 20%
Feasibility	<ul style="list-style-type: none"> • The stated 3 goals of the policy--to create MMIP coordinator positions, make federal law enforcement resources available upon request, and undertake data analysis--are feasible • The policy does not anticipate obstacles in its implementation and does not mention them • Directly conflicts with Savanna's Act (SA), by positioning federal agencies to develop protocols & best practices for tribes, when tribes already have the right to create their own under SA • Does not provide any mechanism or support for tribal nations or non-profit organizations to lead the activities mandated by the coordinators • Policy offers federal assistance upon request but does not mandate inter-agency cooperation 	1 out of 5 20%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Measuring Success	<ul style="list-style-type: none"> • Minimal and vague required measurable outcomes, and does not specify who will have access to them • Policy does not list any plan or methods for measuring positive impacts • Policy does not have any means of documenting or acknowledging potential negative results • Does not have any mechanism for families to advocate for change if the policy is not working • Does not require any agency to meaningfully listen to families 	0 out of 5 0%
FINAL SCORE		2 out of 25 = 8% GRADE: F

Policy Assessment Bingo Card - US DOJ MMIP COORDINATORS

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

DOI MMU Coordinator Program

Key Components of Policy	Establishment of seven MMU offices for review of all open missing and murdered cases in federal jurisdiction
Purpose of the Policy	Establishes program within the Bureau of Indian Affairs to intervene in MMIWG and MMIP
Specific Actions to Be Taken	Establishes seven MMU offices and advocates for interagency collaboration but specific next steps are unclear as of June 2021
Entities Involved & Impacted by Policy	Department of Interior, Bureau of Indian Affairs, Office of Justice Systems, Operation Lady Justice, federal law enforcement agencies
Implementation Guidance	Unknown as of June 2021
Appropriations and Funding Requirements	Unknown as of June 2021
Metrics and Accountability	Unknown as of June 2021

Secretary Haaland's confirmation as the first Indigenous woman to lead the Department of Interior is truly a historic moment for Indian country, and what many hope will be a drastic shift for the better when it comes to how the federal government addresses the MMIWG2 and MMIP crisis. In one of her first actions in this position, Sec. Haaland collaborated with the OLJ initiative described above to establish the "Missing and Murdered Unit" or "MMU" within the Bureau of Indian Affairs.

According to the MMU's website, the unit is focused on "analyzing and solving missing and murdered cases involving AI/AN... [in collaboration with] tribal, federal, state, and local law enforcement agencies, and other stakeholders as necessary." In particular, the MMU is responsible for:

- Gathering intelligence on active missing and murdered cases,
- Reviewing and prioritizing cases for assignment to investigative teams,
- Developing investigative plans to guide investigators,
- Identify any outside resources that could benefit their investigative efforts and coordinating those resources with their investigative team,
- Management of the tips submitted to Tip411, the Cold Case email and 1-800 line
- Assigning and investigating cases,
- Coordinating with other stakeholders,
- Preparing investigative reports,
- Analyzing current missing-person protocols, and
- Developing missing-person response guidelines (<https://www.bia.gov/bia/ojs/missing-murdered-unit>, Accessed June 2021)

This effort was announced in April 2021 so not much is presently known as to the finer points of how the MMU seeks to accomplish these wide-ranging goals in intervening in MMIWG2/MMIP. So far, the MMU has begun the process of reviewing all cases under federal jurisdiction through their MMU offices located in:

- Bloomington, Minnesota ([Bureau of Indian Affairs Office of Justice Services or "BIA OJS"] Office)
- Billings, Montana (BIA OJS Office)
- Nashville, Tennessee (BIA OJS Office)
- Rapid City, South Dakota (BIA OJS Office)
- Albuquerque, New Mexico (BIA OJS Office)
- Phoenix, Arizona (co-located with the Gila River Tribal Police)
- Anchorage, Alaska (BIA Regional Office)

Currently, the MMU offers three ways to interact with their teams: the tip411 hotline, an anonymous tip line accessible by texting "BIAMMU" to 847411; emails submissions at OJS_MMU@bia.gov; and the "1-800 Missing & Murdered Unit Line" at 1-833-560-2065, a confidential, toll-free hotline available 24/7. As of yet, there are no clear guidance on how the MMU will interact with cases in PL 280 states that fall outside of federal jurisdiction.

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered	<ul style="list-style-type: none"> • Created with no input from or consultation with families • Utilizes a top down, federal-centered approach • No mandated disclosures to families or survivors • No specific provisions to address violence against Indigenous 2LGBTQ+ people or tools to address related hate crimes • Emphasis on enhancing criminal justice systems that are known to be abusive to families & survivors 	0 out of 5 0%
Tribal Sovereignty	<ul style="list-style-type: none"> • Does not incorporate cultural practices or epistemologies • Does not work to strengthen tribal justice systems or restore tribal jurisdiction • No mechanism of reporting unit activities and practices to tribes • No direct consultation with or participation from tribal nations • Level of coordination with tribal law enforcement vague 	0 out of 5 0%
Evidence Based Practices	<ul style="list-style-type: none"> • Does not address a pre existing gap in policy, rather gaps in implementation of resources • Builds on policies and systems that have actively created and maintained the issue, rather than alleviated it • Free Space - attempt to address the issue has been made • Policy is not built on any methods or practices that have been proven effective by community knowledge or academic study in addressing MMIP • Given the geographic and logistical constraints of the positions and the focus on making resources that should already be available during MMIP cases available, it is likely there are other legislative possibilities that would have done more 	1 out of 5 20%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Feasibility	<ul style="list-style-type: none"> • The Unit goals are, for the most part, theoretically possible but likely unfeasible to be carried out by federal agencies alone currently given the poor relationships federal agencies have with families & their communities, and their lack of expertise in addressing this crisis as made clear by the existence of the issue in the first place • The policy does not anticipate obstacles in its implementation and does not mention them • Directly conflicts with Savanna’s Act (SA), by positioning federal agencies to develop protocols & best practices for MMIP, when tribes already have the right to create their own under SA • Does not provide any mechanism or support for tribal nations or non-profit organizations to lead the activities mandated by the coordinators • Policy offers federal assistance upon request but does not mandate inter-agency cooperation 	0 out of 5 0%
Measuring Success	<ul style="list-style-type: none"> • Vague required measurable outcomes, and does not specify who will have access to them • Policy does not list any plan or methods for measuring positive impacts • Policy does not have any means of documenting or acknowledging potential negative results • Does not have any mechanism for families to advocate for change if the policy is not working • Does not require any agency to meaningfully listen to families 	0 out of 5 0%
FINAL SCORE		1 out of 25 = 4% GRADE: F

Policy Assessment Bingo Card - DOI MMU

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

AB 3099

Key Components of Policy	Taskforce to determine gaps and possible fixes for MMIWG data collection and analysis, and coordination between tribal and state police
Purpose of the Policy	Assist CA DOJ, law enforcement, and tribal government better enact PL 280 jurisdiction with special emphasis on MMIWG2 & MMIP; establish CA MMIWG taskforce
Specific Actions to Be Taken	“technical assistance to state and local law enforcement agencies with Indian lands within or near their jurisdictions as well as to tribal governments with a tribal land base” (Bareilles 2020) coupled with ongoing taskforce efforts to address MMIWG in the state
Entities Involved & Impacted by Policy	CA state law enforcement and CA DoJ
Implementation Guidance	Unclear as of June 2021
Appropriations and Funding Requirements	Entirely dependent on appropriations from CA DOJ, which has not funded its activities at this time
Metrics and Accountability	Beyond final report to state legislature, no clear metrics for program evaluation and accountability

In Year One we described CA state Assemblyman James Ramos’s proposal of Assembly Bill 3099 (AB 3099), and it was signed into law by Governor Newsom in September 2020. According to Assemblyman Ramos’s website, AB 3099 seeks to accomplish three goals:

1. Assist the California Department of Justice (DOJ), tribal governments, and local law enforcement, including tribal justice systems, in improving their data collection and collaboration.
2. Authorize DOJ to potentially provide funding to assist tribal police in the reporting of statistics, training, outreach and procedures relating to crime issues on tribal lands and in Native American communities.
3. Aid would include, but not be limited to, missing persons cases involving Native American women and girls.

Require DOJ to coordinate education and outreach between tribal police and state and local law enforcement agencies. (<https://a40.asmdc.org/>, accessed June 2021)

AB 3099 also establishes a CA taskforce on MMIWG and names tribal governments as explicit parts of this taskforce and data collection efforts-at-large. Taskforce efforts include a study report to be made available to the state legislature. This law explicitly focuses on addressing MMIP in the context of a PL 280 state (Bareilles 2020). In spite of these components, no clear accountability metrics nor long-term funding sources are identified.

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered	<ul style="list-style-type: none"> • Created with no input from or consultation with families • Policy utilizes a law enforcement centered approach • No mandated disclosures to families or survivors • No specific provisions to address violence against Indigenous 2LGBTQ+ people or tools to address related hate crimes • Policy explicitly mentions inclusion of Native American community members in the proposed study, as well as community outreach on victims services and victims rights in technical assistance activities 	1 out of 5 20%
Tribal Sovereignty	<ul style="list-style-type: none"> • Does not incorporate cultural practices or epistemologies • Required to support tribal law enforcement in practicing concurrent jurisdiction • Requires direct communication with tribal governments and law enforcement throughout implementation • Requires consultation with tribal governments and law enforcement in all elements of the policy • Requires technical assistance to tribal governments & tribal law enforcement, & requires CA DOJ to facilitate coordination between state & tribal agencies 	4 out of 5 80%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Evidence Based Practices	<ul style="list-style-type: none"> • Does not address a pre existing gap in policy, rather gaps in implementation of resources • Builds on policies and systems that have actively created and maintained the issue, rather than alleviated it • Free Space - attempt to address the issue has been made • Policy utilizes community and MMIWG2/ MMIP movement recommendations to center community and tribal nation input in study model • Policy focuses on enhancing application of already existing (failing) resources, rather than crafting entirely new solutions 	2 out of 5 40%
Feasibility	<ul style="list-style-type: none"> • The policy's stated goals are attainable, but in its current state are not feasible due to lack of funding • The policy does not anticipate obstacles in its implementation and does not mention them • The policy does align with current state-level criminal justice policy • Requires capacity building of tribal governments and law enforcement by requiring support for implementation of concurrent jurisdiction • Requires CA DOJ to assist in improving communication and collaboration between local, state, and tribal law enforcement 	3 out of 5 60%

ASSESSMENT QUESTIONS	ASSESSMENT QUESTIONS POLICY NOTES	OVERALL CATEGORY SCORE
Measuring Success	<ul style="list-style-type: none"> • Vague required measurable outcomes, & the one clear deliverable (study report) is only mandated to be provided to the Legislature • Policy does not list any plan or methods for measuring positive impacts • Policy does not have any means of documenting or acknowledging potential negative results • Proposed study requires community consultation and feedback • Requires the CA DOJ to listen to families in study, but does not have a have a mechanism to require individual responding agencies to take this feedback into account or to require members of the Legislature to act on recommendations 	3 out of 5 60%
FINAL SCORE		11 out of 25 = 44% GRADE: F

Policy Assessment Bingo Card - CA AB 3099

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

Recommendations for Effective Policy Development & Intervention

Our policy recommendations are extensive and wide-ranging considering the many shortcomings of the policy interventions outlined above. The fact that no existing policy scores even a passing grade when assessed according to victim-, family-, and sovereignty-centered metrics is alarming and we seek to remedy this through a critical discussion of alternatives for effective policy development and intervention.

First, we advocate for reorienting MMIWG2 and MMIP policy away from intervening through incarceration and justice policy and instead deploying a public health perspective (ACF 2020, Satter et al. 2021). In an article in the March special issue of the Department of Justice's Journal of Federal Law And Practice, Delight Satter and co-authors from the Public Health Writing Group on Missing or Murdered Indigenous Persons advocate for reframing the violence against Indigenous bodies and against MMIWG2 in particular through a "public health prevention approach" and we agree with this recommendation wholeheartedly. Policy makers, law enforcement, and the justice system each need to recognize that mental health, violence, and trauma are all comorbidities in marginalized communities that are not going to be addressed through incarceration nor the Western justice system more broadly (Pierce-Weeks 2021); in fact, as stated previously, part of what has gotten us to this point in the crisis stems from relying on these institutions to address these issues in the first place. A public health approach identifies the "complex, contextual" risk factors shaping violence in Indigenous communities while also holding space for the "protective factors...[for] strengthening Native communities and preventing MMIP" that individuals and their families already possess (Satter et al. 2021: 50).

For law enforcement and justice system practitioners, the power of a public health perspective should be obvious, as they are on the front lines when it comes to the multidimensional fallout of domestic violence, substance use disorder, and other conditions symptomatic of historical trauma. Such a perspective would also directly facilitate much needed mental health resources, like residential drug rehabilitation and sober living facilities. The importance of making these resources available in-place is vital because at present, having to leave one's community can be an obstacle to treating addiction and the violence that can go with it. In the experience of Humboldt County District Attorney Maggie Fleming, this is especially true for tribal individuals:

I think a residential direct treatment would be really beneficial to this area. I was invited a number of years ago to a Yurok wellness presentation being made about the drug addiction level. And we were talking about... all the ways that help people step out of it. And I know how difficult it is for people to leave their family, their connections, to go to treatment far away. I mean, sometimes people say that it's beneficial because you sort of get out of your group. But for tribal people it's much harder to leave everything like that... having it here I think would really help because sadly we see a lot of violence related to drug issues.

We called for enhanced mental health services in our Year One report and our efforts in Year Two have only underscored these pleas. A public health perspective would pave the way for such investments, and these would help not only tribal communities but also non-tribal residents living in rural areas, where the dearth of mental health services hinders all peoples, regardless of background.

In addition to adopting a public health perspective when it comes to addressing MMIWG2 and MMIP, we also advocate for a more concerted focus on the needs of PL 280 states in federal policy interventions. Far too frequently, the unique characteristics of jurisdiction and policing in a PL 280 state are rarely explicitly mentioned in legislation, trainings, or briefings on the MMIWG2 crisis. For example, while Savannah's Act applies anywhere a case occurs (on and off Indian land), the MMU through the Department of the Interior only applies to federal jurisdiction. Additionally, the MMIP coordinators assigned by the Department of Justice do not give any specific attention to PL 280 states, with California itself split three ways across three different federal coordinators. On top of their shortcomings more generally, none of these policies truly grapple with the jurisdictional complexity of addressing MMIWG2 and MMIP in a PL 280 state.

Such an omission is an enormous disservice to families and survivors in these states, as well as to the law enforcement agencies and justice systems responsible for investigation and prosecution respectively in these areas. Living in a PL 280 state does not mean we should be an afterthought nor left with the task of working backwards from federal legislation, trainings, etc. Moreover, Savannah's Act proves that the common federal response to exclusion of PL 280 concerns and state/local level action are not entirely warranted--yes, the federal government has limited authority over states and their local agencies, however as a major funder of law enforcement and victims services agencies big and small, the federal government does have the power to incentivize or require agencies to comply with policy in order to access additional federal funding.

We advocate for every policy that seeks to intervene in MMIWG2 and MMIP to either include an explicit PL 280 supplement or to draft PL 280-specific legislation and fund each accordingly. At present, tribes and state agencies alike are left to sift through general policies written for non-PL 280 states, searching for parts that are relevant to their jurisdictions, cobbling together partial responses in the absence of dedicated support and assistance from the federal government. Even Sec. Haaland's recent MMU effort unnecessarily restricts their intervention to those cases that originate in federal jurisdiction, entirely leaving out the ten PL 280 states, including California. This is in spite of the 45% of US cases in the SBI database that are based in PL 280 states.

To support such legislation, we also underscore the need for longevity in federal and state funding for the addressing MMIWG2 and MMIP, with both sources moving past the unnecessary competition for funding that characterizes programming efforts at present. At the end of the day, there are enough funds to address this issue if we prioritized it as highly as we should. In the words of Judge Abby, "[funding can] create challenges...you can overcome challenges if you have the willpower and the money [but] this is a very, very rich country and they're making really rotten, disgusting choices." To act as if such funding is nowhere to

be found rather than simply misallocated introduces an unnecessary and damaging “scarcity mindset.” In this paradigm, tribes have to compete against one another for the resources that do exist rather than building their programs in tandem and not at the detriment of one another.

Beyond the unhelpful constraints of grant competitions, we also advocate for permanent MMIWG2 and MMIP funding. On a legislative and funding level, we cannot continue to solely fund programs for their first year(s) and then wonder why no programs last long enough to make a difference. Funding infrastructure, salaries and benefits, long-term services programs, and the other minutiae of organizational life might not be publicly exciting or “innovative” but it is this exact funding that is needed for MMIWG2 and MMIP programming to have the staying power to really intervene in the crisis.

At the local level, we push stakeholders to consider those policies that also facilitate law enforcement and justice system accountability to families and survivors. As we have experienced in our own research and interorganizational dealings, there are few if any accountability mechanisms in place that hold these institutions accountable. For example, when the Sheriff is “dropping the ball” or a District Attorney refuses to take a case to trial in a PL 280 state, there is no clear oversight to remedy this, leaving families and survivors at the whim of law enforcement and the justice system-at-large. Even those federal investigators that could provide this accountability must be requested at the behest of county officials, meaning that families are again left going through the county to request accountability on their behalf.

We realize that a great majority of those working in law enforcement and in the justice system have a sincere desire to intervene in this crisis and to help their communities more generally. Therefore, we feel that punitive efforts are unlikely to inspire the institutional change and system of accountability more generally that we seek. Instead, we encourage the use of increased incentives by way of funding, public recognition, and other “carrots” that can incentivize the adoption of best practices and protocols for addressing MMIWG2 and MMIP for law enforcement and justice system agencies.

Lastly, most importantly, we strongly recommend that any policy development at any level--tribal, federal, state, or local--meaningfully incorporate tribal leaders as well as family and survivors, and the grassroots advocates that work with them. Though none of the policies assessed in this section scored a passing grade, the three that scored the highest (Savanna’s Act, the Not Invisible Act, and CA AB 3099, respectively) were the three that were intentionally designed with such input. For example, it should not be surprising that CA AB 3099 scored higher than most policies in the Tribal Sovereignty category, given that it was developed and carried by Assemblymember James Ramos, who previously served as Chairman of his tribe, the San Manuel Band of Mission Indians.

Further, Savanna’s Act and the Not Invisible Act both scored higher than most in the Tribal Sovereignty and Family & Survivor Centered categories precisely because they undertook these principles in the design process. More than the fact that they were carried by Sec. Deb Haaland (Pueblo of Laguna) in her former

capacity as a member of Congress, her staff sought feedback from subject matter experts to review multiple iterations of both bills before their final passage. SBI was one such expert invited to these discussions, where we advocated strongly for increased presence of families and survivors on the Commission established by the Not Invisible Act, and four revisions to Savanna's Act that were eventually adopted in the bill's final language: expansion of the language to encompass all MMIP cases wherever they may occur, the right of tribes to practice their sovereignty by creating their own MMIP guidelines and protocols, a path to public accountability for the agencies that are not in compliance with these guidelines (by publishing a list of those agencies that are in compliance), and funding initiatives that incentivize agencies to update their practices to be in compliance. These items gave the guidelines required by Savanna's Act a stronger chance of actually being implemented, helped to improve lines of communication and accountability between agencies and the communities they serve, and created a pathway for tribal nations to take leadership in addressing the violence in their own communities as sovereigns, and gave families and survivors stronger representation at decision-making tables at the federal level.

This is the true power of having families, survivors, and their advocates at policy development discussions: we write stronger legislation, with more tangible and effective outcomes, because we know this violence better than anyone else. In the words of Angela McConnell's mother Tammy Carpenter:

I do want to talk to the people that lost their loved ones, you know, that we have to be on the forefront. We have to be the voices now, like I'm Angela's voice right now. I'm her mom. She can't talk no more, but I can speak for her and I'm going to speak loud and proud.

As we see in this section's assessments of Operation Lady Justice (OLJ), the MMIP Coordinator program, and the DOI MMU initiative, it can be at best ineffectual and at worst disastrous to advance policy without input from families, survivors, and their advocates. In May of 2021, SBI published an open letter critiquing OLJ and its associated MMIP Coordinator program, with 30 signatures from families, advocates, and organizers across the US. The letter outlined seven specific reasons as to why we collectively felt that OLJ has not only failed families, but disrespected them and appropriated and tokenized their grief in "efforts" that ring hollow. Some of these reasons include examples regarding failures of MMIP Coordinators and OLJ leadership to "walk their talk" and implement the best practices they published in the journal issues quoted in this section, citing repeated hypocrisy and negligence, and asking how administrators can publish best practices on how to address MMIP cases when they have no contact with MMIP families and their loved ones' cases.

This excerpt from the letter speaks to the broader concerns of the lack of family and survivor leadership:

We cannot move forward to address this violence in an effective manner while the United States continues to avoid or deny the fact that this mass death of Indigenous peoples is an ongoing genocide. It is unethical, immoral, and ineffective to allow a violent, oppressive government with a role in ongoing genocide to simultaneously deny that a genocide is occurring while also taking credit for leading tokenizing, hollow efforts to 'save' Indigenous peoples from the deaths they themselves are complicit in.

As MMIWG & MMIP families and advocates working directly with families with our boots on the ground and our hearts in the fight for justice, we know that we deserve to be heard. We are the true experts on the violence we and our loved ones experience, and this violence will not end until we are empowered to take leadership in protecting our peoples and implementing justice.

More than a seat at a colonial table, we have the right to create our own circles from which to design solutions, and we have a right to implement those solutions as sovereign, self-determining peoples. We denounce the practices and structure of Operation Lady Justice and other affiliated federal initiatives as rooted in colonial systems of power, abusive to families and their communities, and antithetical to the mission of creating a world free from violence for Indigenous peoples.

Once again: families, survivors, and their advocates deserve to be meaningfully heard, and deserve to be critical parts of our leadership making decisions about how to address this crisis. It is not "just" a matter of it being the morally and ethically right thing to do--any policy or initiative addressing MMIWG2 and MMIP that does not include them is likely to retraumatize, fail to be effective, and may even cause further harm.



Recommendations for Law Enforcement & Victims Services

The To' Kee Skuy' Soo Ney-wo-chek' project is geared towards not only critiquing the efforts of policy makers, law enforcement agencies, and the justice system in attempting to address MMIWG2 and MMIP, but more importantly providing tangible, actionable solutions that can intervene in this matter in real time. Towards those ends, we provide a variety of recommendations based on several sources. These include the trainings, briefings, special journal issues, and other materials made available by the Department of Justice in 2021. We then establish these practices within a fundamental prioritization of the needs and priorities of victims and survivors, drawing on the rich knowledge bases of their advocates like SBI and others.

Recommendations Based on Best Practices from Federal Agencies

It is a refreshing takeaway that none of the law enforcement officials nor justice system professionals we spoke with felt that they were absolved from working towards establishing better MMIWG2 and MMIP protocols. In the words of one Victims Services Coordinator, this was an ethos that was shared by law enforcement and advocates alike:

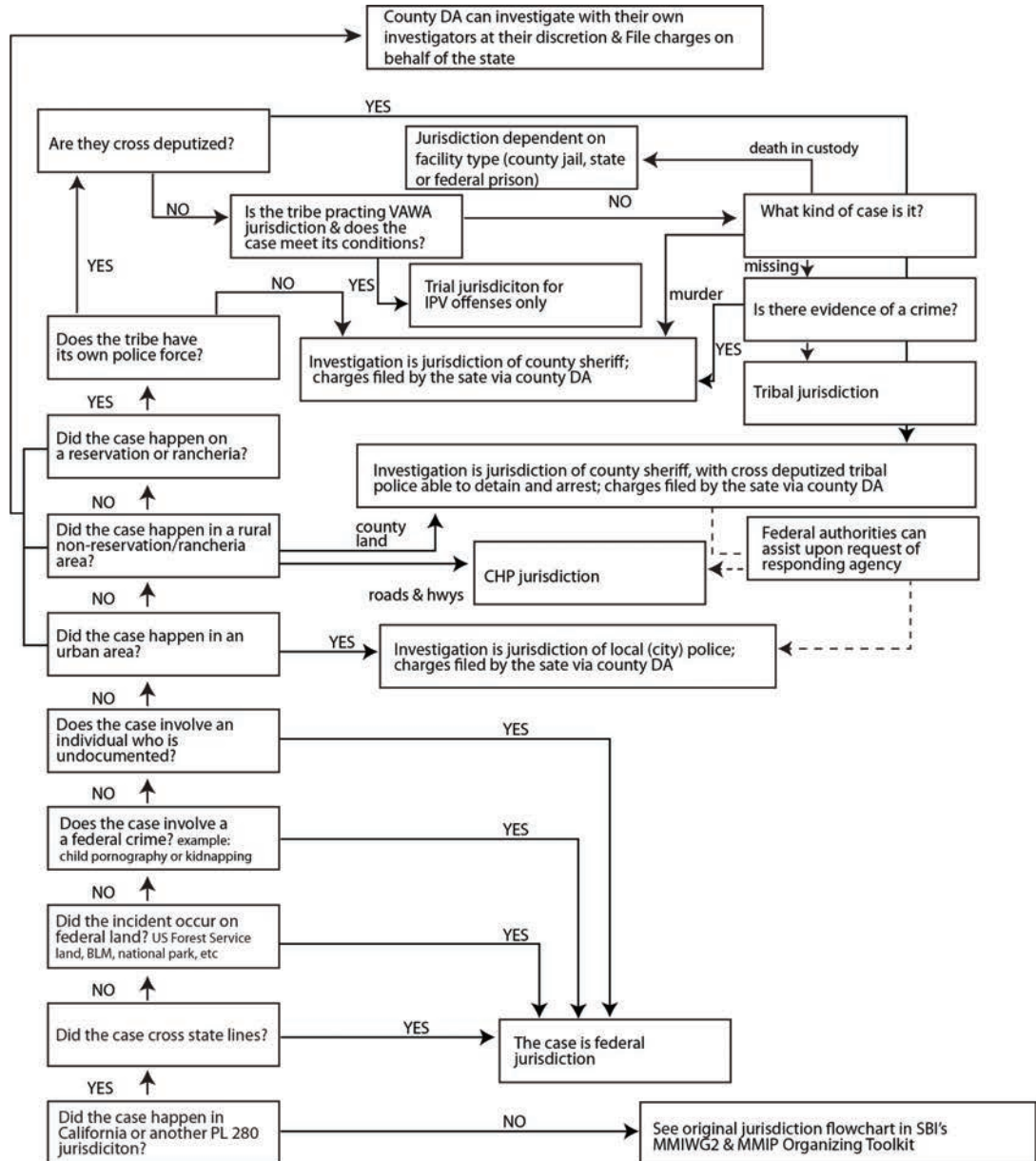
We all know... in everybody's agency, the biggest room is the "room for improvement." And so I don't think [any of us] feel that our offices are in no need of improvement...we could always learn... and we could always be better at what we do.

It is in this spirit that we have prepared the following recommendations, all in an effort to lay groundwork towards establishing a "tribal community response plan" or "TCRP" as recommended by the Department of Justice's ongoing MMIP Coordinator program (Weyand & McPherson 2021). Instead of waiting on the MMIP Coordinators to reach out to regional law enforcement to start this process, we instead encourage tribes to take the lead in sifting through the practices that make the most sense to them as Indigenous sovereigns and partnering with local law enforcement to formalize these recommendations into official policies. Our recommendations cover the various scenarios under which someone might go missing or be murdered, including what resources are available from the moment someone is reported missing through case closure, with a subsection on the "silent crisis" of cold case investigation in the United States as it relates to MMIWG2 and MMIP in Northern California. We conclude with a description of the role of victims' advocates in this process, both systems-based and community-based advocates like County Victims Services departments and organizations such as SBI.

Establishing MMUPs Before Someone is Taken

Even with the great jurisdictional complexity and regional considerations that must be incorporated into any MMIWG2 and MMIP response, there are certain “best practices” relating to missing, murdered, and unidentified persons or “MMUPs” that should be thoroughly defined and put into place well before someone is taken (Adcock 2021, Connell et al. 2021, Moran 2021). In the absence of such policies, valuable time will be wasted as investigators, families, and other stakeholders scramble to find out whom they should notify, what they should be looking for, and other vital data points for leading a missing person investigation.

First and foremost, tribes and law enforcement should work together to establish key resources and partners in the event that someone goes missing or a body is found. As we show in our PL 280 Chart 2.0, tribes in these states have a variety of criminal justice system partners at the county, state, and federal levels. There is no escaping the complexity of these overlapping ties, but such networks also represent rich resources from which to draw on in times of crisis.



The processes for the activation of these investigative assets should be designed for use by “multidisciplinary teams” or “MDTs” to address the variety of scenarios under which someone might go missing (Connell et al. 2021, Weyand & McPherson 2021). According to Jason Moran (2021: 138), a Lieutenant of Police with the Cook County Sheriff’s Office who helped identify two of serial killer John Wayne Gacy’s cold case victims, these scenarios should include any and all of the following scenarios:

- The person is missing as a result of a stranger abduction
- The person is missing under suspicious circumstances
- The person is missing under unknown circumstances
- The person is missing under known dangerous circumstances
- The person is missing for more than 30 days
- The person has already been designated as a high-risk missing person by another law enforcement agency

Those who might be designated as a “high-risk missing person” include:

- They need medical attention, including but not limited to a person needing prescription medication or presenting dementia-like symptoms
- They do not have a pattern of running away or disappearing
- They may have been abducted by a non-custodial parent
- They are mentally impaired or developmentally or intellectually disabled
- They are under the age of 21
- They have been the subject of past threats or acts of violence
- They have eloped from a nursing home
- They are a veteran, active duty, or reserve member of the United States armed forces or National Guard and are believed to have a physical or mental health condition related to their service
- Any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk (Moran 2021: 139)

Going further, Moran (2021) underscores the degree to which every missing persons report should be taken seriously until that person is found to be safe:

Law enforcement agencies should not consider any report of a missing person to be routine and should assume the missing person needs immediate assistance until an investigation reveals otherwise. This approach is similar to death investigations where detectives should assume the death was a result of a carefully planned murder until the case facts and circumstances prove otherwise. (Moran 2021: 141).

Far too often, the families and survivors we spoke with felt that law enforcement were skeptical, uncaring, or minimizing their loved one's disappearance, and when things were taken seriously, the reporting parties were left feeling like potential suspects rather than concerned loved ones. One service provider encouraged law enforcement to instead approach such reports with a "natural curiosity:"

My job is to be naturally curious and interested in people's life. And that's not the role of a police officer, obviously they're there to question and if the initial questions check out, then that's it. But I think investigations would really benefit [if] the person that shows up to talk to you [w]as naturally curious about [what you are reporting]. They're going to tell you more...If I'm the person calling in, [and] you're coming to interrogate me, I'm not going to tell you about my life, you know?

Law enforcement also must do everything they can to dispel the myth that there is a waiting period of any kind when it comes to reporting someone missing, especially if foul play is suspected. The time immediately after a crime is vital because "as we know from major case investigations, like a murder, the more time and distance put between police and an offender, the less likely the case will have a successful conclusion" (Moran 2021: 134). No delay whatsoever should be pushed onto reporting parties, and in the words of Moran: "Law enforcement agencies encountering an individual who wishes to report a missing person should render assistance without delay" (Moran 2021: 137). Just because so many people who have been reported missing do ultimately come home does not mean we should expect that everyone will. We must prepare for the worst until we know better, and stave off any inklings of institutional apathy otherwise.

After someone is reported missing, there are specific steps that should be taken. Within the first 24 hours following the report, all available information should be entered into the following databases:

- The National Crime Information Center (NCIC): All missing persons should be entered into this database, yet it is mandatory for all missing persons under the age of 21 as a result of Suzanne's Law. The missing person's basic information should be entered upon reporting and then reviewed again 90 days later, closing the report if the person was found, and if not, reviewed again every year after (Myers 2021). All data entry into NCIC must be done by the reporting law enforcement agency.
- The National Missing and Unidentified Person System (NamUs): This is a "national information clearinghouse and resource center for missing, unidentified, and unclaimed person cases across the United States. Funded and administered by the National Institute of Justice and managed through a cooperative agreement with the UNT Health Science Center in Fort Worth, Texas, all NamUs resources are provided at no cost to law enforcement, medical examiners, coroners, allied forensic professionals, and family members of missing persons" (Moran 2021: 141). These resources range from investigation support, training, and forensic services--including family DNA collection kits provided at no cost. Unlike NCIC, families can also report to NamUs. That said,

reports submitted by families or advocates will not be displayed in NamUs without confirmation from the responding law enforcement agency. In some family experiences, this confirmation process can take over a year; there simply is no excuse for this, and agencies must begin to be proactive in responding to these requests.

- The National Center for Missing and Exploited Children (NCMEC): Co-founded by John Walsh in 1984 after the abduction of his son, NCMEC provides resources for missing persons investigations involving victims under the age of 20. Reports must be initiated by law enforcement or any person responsible for the child's welfare. (Clark 2021).
 - Special attention should be paid to minor children missing from foster care or group homes. In the January special issue of the Department of Justice's Journal of Federal Law and Practice, John Clark, the President and CEO of NCMEC, explained that "the vast majority of missing children are endangered runaways, many of whom are missing from foster care or group homes and represent some of the most vulnerable children in this country." In these instances, a report should be made to each of these databases in the first 24 hours every time, no exceptions.

Without such data entry, these databases are limited in their capabilities and law enforcement greatly hinders the enormous potential of these technological tools. Entering reports may seem like administrative tasks but they are key nonetheless as the ability of databases like NCIC and NamUs to cross reference and match entries hinges on a fundamental commitment to data entry compliance at all levels of law enforcement and the justice system. Further, agencies like NCMEC have additional resources--such as volunteer search teams of retired law enforcement--to deploy upon request and support local agencies in working as quickly and efficiently as possible.

There are also a variety of alert systems that can be initiated in the event of a missing person. Tribes and counties in PL 280 states need to make sure they have processes in place for the immediate activation of such alerts before someone goes missing. These alerts include:

- Amber Alert: confirmed abduction of a child (Moran 2021, Walters & Blasing 2021)
- Ashanti Alert: missing adult between the ages of 18 and 64 where there is a proven mental or physical disability; or the missing person's physical safety may be endangered; or an abduction or kidnapping is suspected (OLJ 2020)
- Silver Alert: missing senior citizens without Alzheimer's disease, dementia or other mental disability (these include found person reports) (Section 8594.10, California Government Code)
- Blue Alert: a law enforcement officer that has been injured, killed, or is missing and/or abducted (Blue Alert Foundation 2021)

Ultimately, communication is integral in the time after someone is reported missing and these alerts and databases facilitate prompt communication across all stakeholders in the event of an emergency. Tribes have varying degrees of direct access to these alert systems and should work in partnership with local law enforcement agencies to make sure they have access to them in times of need. Funding is also needed to support these mass notification systems because at present, many tribes “faced infrastructure limitations that made it impossible to create their own plans or collaborate with their state’s... Alert plan” (Walters & Blasing 2021: 26).

As an important reminder: “a missing person case may only be closed when the missing person is confirmed as returned or located. This includes locating the missing person as deceased” (Moran 2021: 135). As such, law enforcement agencies and tribes must work in collaboration to establish protocols for the three outcome scenarios for a missing persons report. These include the missing person being 1) recovered alive, 2) recovered deceased, and 3) a long-term missing person investigation. In Scenario 1, law enforcement must physically and visually confirm the missing person is okay, and from there, “information should only be shared with those who are legally entitled to receive it” (Stewart et al. 2021). However, we do recommend that when law enforcement agencies and missing persons databases remove information on a missing person located safely, the original URL linking to their information be rerouted to a generic web page informing the public that that person was located safely. In the absence of basic information sharing with tribes regarding their citizens missing outside tribal jurisdiction, this simple measure would be the only consistent way for tribes to know their citizen is safe.

In Scenario 2, the utmost care and sensitivity must be taken because “a death notification is the start of life without their loved one...It is an unforgettable moment that requires information delivered in a compassionate, professional, and dignified manner” (Stewart et al. 2021: 36) Going further, Crow tribal member and FBI Victim Specialist Michele Stewart and colleagues explain that

Every person remembers when, where, how, and by whom they were told about the death of their family member. It forever impacts their experience. Respect and dignity are shown by planning for death notifications that may need to be provided by teams simultaneously in multiple locations. (Stewart et al. 2021: 37)

Death notifications should only be handled by trained professionals, including law enforcement and victims services providers. We echo the Department of Justice’s recommendation of the Pennsylvania State University training module “We Regret to Inform You,” a 30-minute four-part training on how to deliver this most delicate news that can be found at deathnotification.psu.edu.

In the next subsection, we deal with Scenario 3 in-depth, specifically the time after a missing person report becomes a long-term missing person investigation. Such cases are disproportionately represented amongst cold cases in the nation and comprise a majority of MMIWG2 and MMIP cases. Briefly, we remind the reader of the following:

The transition from an acute investigation to a long-term missing case is devastating for families. Nothing is more important than their missing loved one, and victims continue to have hope that their loved one will be found. Law enforcement and [victim service providers] should work together to update families before, during, and after transitions to answer questions, to hear concerns, and to foster transparency. (Stewart et al. 2021: 37)

No matter the need to pivot for the long-term, this Scenario 3 transition must ensure that the family of the missing person is not left behind. This is far from the case at present, even in some of the very same jurisdictions of the Department of Justice's best practices' authors.

Cold Case Prioritization

According to Jim Adcock, a Retired U.S. Army Criminal Investigative Division supervisory special agent, former chief deputy coroner, and tenured professor, cold cases like long-term missing persons investigations are a massive epidemic in the United States: "since 1980, the United States has accumulated well over 262,661 unsolved murders, and it is estimated that, by the end of the year 2020, that figure will exceed 275,000" (Adcock 2021: 103). Each year, roughly 1,000 unidentified remains are found and never identified, with 40,000 cases of unidentified remains stored by agencies across the nation (Adcock 2021, Moran 2021). Databases like "NamUs call this '[t]he nation's Silent Mass Disaster'" (Adcock 2021: 104) and identify it as a significant component of the MMIWG2 and MMIP crises as well.

It's important to note that it has not always been this way. In 1967, 90% of homicides were cleared, i.e. solved. Homicides have increased since that time for a variety of reasons, peaking in 1993 with 25,000 that year—"in that same year, the solve rate dropped to 67%" (Adcock 2021: 105). This massive decline in clearance rates paralleled an enormous increase in law enforcement funding--according the Urban Institute (2021), when adjusting for inflation, state and local spending on policing increased by nearly 200% from 1977 to 2018. In spite of these increases, cold cases and long-term missing persons investigations are far too often relegated to the last priority after active investigations, especially in small police departments (< 25 officers), which comprise 80% of all police agencies in the country (Adcock 2021). To combat these workforce limitations, Adcock (2021) and others advocate for collaborative efforts across multiple agencies to form "cold case units" that investigate unsolved cases of all kinds, including unsolved murders, long-term missing or unidentified persons, undetermined deaths, and open sexual assault cases. In addition, we urge tribes to do everything they can to secure their own investigative teams to augment the resources of their local agencies who may already be spread thin across expansive rural areas as described in our Year One report.

For investigating long-term missing persons cases, law enforcement agencies and the justice system alike must hold space for the "ambiguous loss" (Stewart et al. 2021), "cruel limbo" (Moran 2021) and "forgotten victims" (Adcock 2021) that the families must carry in the wake of their loved one's disappearance. The best way to

honor these families and bring cold cases to a closed status is to form a dedicated cold case unit to perform a variety of tasks on an ongoing and rolling basis. These unit would be responsible for establishing a variety of baselines:

- How many cases are there?
- What are the types of cases (homicides, sexual assaults, missing persons)?
- How many cases have been reviewed?
- How many had physical evidence?
- How many of those were sent to the laboratory?
- What was the turnaround time for laboratory reports?
- How much time was consumed by detectives to conduct a thorough review?
- How much time was expended by support staff in creating timelines, relationship charts, searches, etc.? (Adcock 2021: 121)

These baselines begin the process of cold case prioritization by establishing an up-to-date and accurate case inventory: “there must be a physical, 100% case file inventory conducted for the period in question” (Adcock 2021: 109). After establishing the scope and severity of a department’s cold cases, the next step involves “meticulous organization” (Adcock 2021: 107) and dedicated effort to systematically catalog each case file along the following typology:

- Priority I: Files with physical evidence and a female victim.
 - “Why female victims first? They tend to provide more physical evidence than males” (Adcock 2021: 112)
- Priority II: Files with physical evidence and a male victim.
 - “Remember Locard’s (French criminalist) theory of exchange: ‘every contact leaves a trace’” (Adcock 2021: 113)
- Priority III: Files with a suspect named in case documents.
- Priority IV: Files with investigative possibilities.
- Priority V: Files that probably are not solvable (Adcock 2021: 112)

This categorization can be time-consuming and laborious, but it is time well spent as it establishes the “lay of the land” for a given agency’s cold case inventory. Adcock and others recommend the use of “properly vetted volunteers” that can assist in “administrative functions that detectives were previously doing” (Adcock 2021: 108) as a way to free up more time for gathering information and other such investigative work. In the final subsection, we detail how our project partners at SBI assist in these very ways yet are at times stymied by law enforcement’s unwillingness to let them help. This is to their detriment as the “Charlotte Mecklenburg Burt County Police Department...utilize[d] nine unpaid volunteers to solve many of their cases... [and] they maintain a homicide clearance rate 15 percentage points higher than the national average” (Adcock 2021: 109). Law enforcement agencies and cold case units in particular should recognize the potential of such resources to “lessen the administrative burden on the detectives, leaving them more time to conduct investigative duties. The key here is to prep the files through logging, organizing, and triaging before handing it off to the detective, thereby saving them time” (Adcock 2021: 113).

Cold cases like long-term missing person investigations are solved through a combination of persistence, the deployment of ever-improving forensic

technologies, the identification of investigative errors, building strong working relationships with the victim's family and community through trust and effort, and a fundamental commitment to the ethos that "a person that went missing or was murdered many years ago is no less important than the one that goes missing or is murdered today" (Moran 2021: 147). Cold case units must also reckon with multiple outcomes beyond case closure, including "reclassification (if appropriate), locating missing persons alive or deceased, identifying Jane Does, and establishing cause and manner of death" (Moran 2021: 146). In addition, bringing cases to "contemporary status" should also be a primary goal. Contemporary status means:

All conventional investigative methods have been completed and all contemporary investigative methods have been applied. Even if the cases are not solved, they are viable, and they have a chance at closure. This is due in part to all information and evidence being placed in environments where it will continually be compared to other data and other evidence that may further the case. (Moran 2021: 146)

In order for cold cases to be treated with the respect and dignity that the victim and their families deserve, the implementation of cold case units should be a first priority for all law enforcement agencies, particularly in light of the "massive epidemic" described previously. Ultimately, we agree with the expectation that joyce

Exhausting leads and the life expectancy of the missing person should not be reasons for closing a case. The missing person case file and all associated documents and evidence must be retained in perpetuity until the individual has returned or been located. (Moran 2021: 134)

In order to honor those left behind waiting for answers, law enforcement must commit to proper maintenance of their MMIWG2 and MMIP cold case files. Additionally, tribes must be given the resources and access to work these cases alongside state investigators. By developing their relationships with state partners, survivors, and families alike, tribes can help guide professional investigators in their efforts, provided they gain the means to do so.

Victims Services: Systems- and Community-Based Advocates

Victim service providers are on the front lines of the MMIWG2 and MMIP crisis, yet their efforts often go unheralded despite the many ways they advocate for victims and survivors on a daily basis. To quote Joyce Moser, Humboldt County Victims Services Coordinator and a near-40-year advocate for survivors and families, victim service providers hold great potential to support and affirm victims of crime by putting their needs front and center: "I believe in their voice, their truth. And I think if more people did that, people would be more prone to share their experiences with us."

According to the Department of Justice, victim service providers or "VSPs" are

A group of professionals who provide direct services to individuals impacted by the disappearance of a loved one and victims of crime. VSPs come from disciplines that include familiarity with social work, criminal justice, and the social sciences. Many VSPs have experience in child welfare, domestic violence and sexual assault advocacy, and counseling. VSPs include tribal advocates, federal victim specialists (VSs), and other victim services personnel. (Stewart et al. 2021: 28)

Victim service providers are the linchpin between law enforcement, the justice system, and families and survivors. No matter where a crime occurs or who is ultimately responsible for investigation and prosecution, a direct line of communication should be established with every family for key case updates, the sharing of leads as possible, and other case information. For many, that point of contact is often Victims Services. Ideally, VSPs make sure that the reporting party in a missing persons case is kept informed as to all case updates and information as it is deemed shareable by law enforcement. They can also advocate on behalf of families and survivors when too much time has passed without any information on their loved one's case, and make sure that survivors and families know when all court appearances, trial dates, and sentencing is scheduled, should they choose to attend. According to FBI Victim Specialist Michele Stewart and colleagues,

The role of VSPs varies depending on factors such as the age of the missing person, the circumstances under which the person is missing, if the person is missing from tribal land, the vulnerabilities of the missing person, and sometimes, whether the person is a victim in an existing or previous case. (Stewart et al. 2021: 34)

For families in our region, they had access to both systems-based VSPs and community-based VSPs, like SBI. In the former, victim services advocates are mandated by reporting requirements to share any information they receive with the justice system and law enforcement. Conversely, community-based advocates can maintain full confidentiality for families and survivors but might struggle to get a response from law enforcement, as SBI has discovered in its own advocacy efforts. In both cases, VSPs are vital for “ensuring regular updates [which] create connectivity and remind families of the deep concern that is felt for their loved one” on the part of law enforcement and the justice system (Stewart et al. 2021: 30). In her own work, VS Coordinator Moser and her advocate team comprised of Indigenous women have actively cultivated Humboldt County’s VSP service provision to meet the needs of tribal clients:

I'm proud of the fact that [we] have created a space. The community is small, even though it's large [geographically], it's small [socially]. And I think people in the community, Native people in the community, know that there's confidentiality in our office and that's of utmost importance.... I have seen survivors, victims of crime come and they'll know the perpetrator is my nephew, but they know the walk that we walk and that we will keep that confidentiality because we know the retaliation rates are so high in outlying areas, not only from the perpetrator, but also the perpetrator's family.... I want everyone to feel welcome when they come.

Like the Department of Justice and others, we also underscore the efforts of VSPs in meeting the MMIWG2 and MMIP crisis head on. We echo the need to “involv[e] VSPs at the earliest opportunity in a missing person case [to] ensure that families are central to the process, supported throughout the investigation, and their needs are addressed” (Stewart et al. 2021: 39). Victims Services in Humboldt and Del Norte counties were particularly noteworthy for their willingness to keep adapting to reflect the needs of their service population, something that was not always the case. According to Moser, this was the result of years of positive change:

We're always open to learning...We are open to... partnership...I've been here 39 years and it wasn't like this years ago. I think we're at a space now to where we're not telling people what their needs are. We're listening and learning what groups of people's needs are. And that's a very important piece...I'm very proud of the progress we've made... I just think we just want to listen more and improve our services.

This commitment to keep growing and changing to meet the needs of their service population is an important component to addressing MMIWG2 and MMIP, and supporting families and survivors. Given this importance, we advocate for the expansion of the eligibility criteria for such support services. At present, a crime has to advance to the District Attorney's office in order for eligibility for Victims Services from state and federal agencies. This limits the ability of some families and survivors to access support when their loved ones have gone missing without any evidence of a crime having occurred, or whose loved one's case is wrongfully not being investigated as a homicide. This is irrespective of their deep need for services, one potentially exacerbated by the uncertainty surrounding their relative's disappearance or death.

Additionally, we should not be afraid of duplicating Victims Services efforts. For example, in some counties, when a determination is made that one is eligible for tribal Victims Services, families and survivors may be limited in their ability to access county services under the assumption that they are not needed because of the existence of tribal equivalents. The need for culturally resonant services as facilitated by tribes cannot be understated, yet there are so many people who need such support that tribal survivors and families should know that they have access to both sets of services, and that accessing one will not preclude their access to the other. In this scenario, counties and tribes alike can ensure that "services for victims [are] consistent and seamless regardless of jurisdiction" (Stewart et al. 2021: 38).

Community-based victim services providers are also an important part of this process, with organizations like SBI compiling rich resources like the Organizing Toolkit and a variety of other materials that are open access and available to service providers for use with their respective service populations. In collaboration with To' Kee Skuy' Soo Ney-wo-chek', SBI designed a series of templates for case file cover sheets, case logs, and research activity logs in Year One, to facilitate MMIWG2 and MMIP investigations, available in the Appendix. Such instruments are particularly helpful for the cold case categorization described in the previous subsection whereby qualified volunteers such as the advocates and survivor-leaders at organizations like SBI collaborate with investigators to increase case clearance:

Many agencies around the country are utilizing these "free" volunteers, saving their detectives many hours of digging through case files doing administrative work. Plus, in the review of cases, some have done an excellent job of evaluating the case file information with accuracy and bringing to the forefront sound investigative ideas. (Adcock 2021: 125)

When community-based advocates like SBI reach out to law enforcement, they should welcome these resources. This project and others do not seek to simply cajole law enforcement and the justice system-at-large—instead, we want to walk with them in a good way as we bring our relatives home. It is in this spirit that we offer these recommendations as derived from existing federal materials on best practices and protocols for addressing MMIWG2 and MMIP. In the next years of the project, we focus our efforts on facilitating their implementation by law enforcement, justice systems, and tribes throughout the state.

Recommendations From Families, Survivors, & Their Advocates

While there are many useful specific recommendations to law enforcement, medical examiners, and associated members of the law and justice systems available in SBI's MMIWG2 & MMIP Organizing Toolkit (free for download on SBI's website), we want to focus on four broad areas of recommendation in this section, based on experiences of families throughout Northern California.

The first recommendation--and likely most obvious--is to have regular, open communication with families. More than being accessible upon request, this means actively volunteering information to families. Understandably, some information must remain confidential to preserve evidence integrity and not potentially undermine an ongoing investigation; however, no family actually wants to receive any information that would undermine their loved one's investigation. Rather, they want to know that they are not the only ones wondering what happened to their loved one, and they want to know that law enforcement and the justice system are doing everything within their power to get that information and to ensure that the violence perpetrated against their loved one does not go unrecognized or without accountability. As Nicole Smith's sister Bernadette Smith shared:

So we just want answers, like anything, I know they did for Khadijah[, who went missing in the same county], they did a press conference for her, where the sheriff came on and told how many cars were searched, how many hours were put in toward the case, how many people were interviewed, you know, they gave the family some answers, at least. They didn't close the case or find anything. But to know that, this is how many man hours they were putting in, those kinds of things. If they would give that to my family, I think it would give some sort of peace of mind that they actually have done anything for my sister...I'm not sure what more our family can do as far as putting pressure on them. If anything, I'd like to see how other families were able to get that kind of pressure put on, where they were able to get a press conference...what it took for them to say, this is important enough for us to address publicly. I think that would help even, not just ease our minds and spirits of her family, of Nicole's family, but kind of put some kind of public pressure on the murderers or the people who were involved. Like let them know, "Oh, they're asking questions, or they're still investigating this." You know, as far as I'm concerned, I feel like those people thought they've gotten away with it.

Asking law enforcement to provide meaningful updates on the investigation into their loved one's case is not too much to ask, especially when it is basic information on the investigative hours and resources that have been dedicated to the case, which in no way would undermine an ongoing investigation or compromise evidence. It also aligns with the best practices discussed by Stewart and her colleagues in previous sections, and thus is relevant to victims services as well and consistent with best practices put forth by federal agencies.

Our second recommendation is another that may seem (and should be) obvious--engage with families, survivors, tribal agencies, and Indigenous community members with sensitivity to both cultural practices and ideologies, and the present day realities of the community. As one survivor put it:

So they need to come in as a helper. I'm here to help your family. How can I help you? Where's the first way to go? Do we need a smudge before we go out to go find her? Do you want to say a prayer before we go out to find her? What is her name? Do we call her out by her Indian name? Do we call her out by her English name? What, what is it going to do? What do we need to do to make the family more comfortable when we're out there searching for them or finding them?

Many, if not all, of the non-tribal law enforcement agencies we spoke with readily acknowledged that they and the majority of their colleagues were not confident in their cultural competency to work in Indigenous communities, or in their knowledge of Indigenous cultures, community practices, or intergenerational traumas. While we appreciate that the first step to correct a blind spot is to acknowledge it is there, it is not acceptable to stop there--agencies should be actively seeking training or resources to ensure all their staff are best equipped to serve Indigenous populations. This is not simply a matter of learning of historical wrongdoings or an "anti-racism 101" (though those items may help), it is a broader shift to a method of communication and collaborative work that is compassionate, victim-centered, and intentional in cultivating and nurturing relationships characterized by trust and mutual respect, rather than distrust and insensitive remarks. For example, Bernadette recalled the following incident:

[The Sheriff] did tell me that Khadijah had just went missing a few weeks after my sister got murdered. So they told me that they had to stop giving my sister's case all the attention, because there was a girl missing. And what would I rather have--this girl that was still possibly alive not get their full attention or, you know, my sister who had already been passed away? And this was Mendocino Sheriff's department, which I thought was a little bit disheartening. I didn't think that they needed to use another Native woman's situation against my own sister's. I thought that was very classless of them to do that. But even so, we see what happened there; Khadijah's cases hasn't been solved. My sister's case hasn't been solved. Two Native women that went missing or that, you know, murdered or missing within the same year, a few months apart, still haven't been solved.

Families should not be pitted against each other by law enforcement, and made to feel like they have to choose between the safety of one woman and justice for another. While there are very real staffing and resource limitations of law enforcement agencies, especially those in rural areas like Mendocino County, the proper fix to that problem is to ask for additional assistance from federal agencies, expert agencies like NCMEC where relevant, and community organizations like SBI--not to make a family feel that their loved one will never get justice because the agency just does not have the time to pursue it or make it a priority. A shift to trauma-informed, culturally sensitive communication in scenarios like this has the power to cultivate an entirely different dynamic between the family, the responding agency, and the community at large.

Similarly, our third recommendation is for law enforcement and other relevant institutional actors to work with families and their representatives in a good way. Due to the ongoing widespread pattern of poor communication, lack of communication, and lack of progress in investigations, many families seek the assistance of advocates and/or legal representation. In a perfect world, it would not be necessary for families to secure attorneys throughout the process of their loved one's investigation, nor would it be necessary for advocates to have to work so hard to be liaisons between law enforcement and families. However, at present time, this is a chronic need. As Angela McConnell's mother Tammy Carpenter shared:

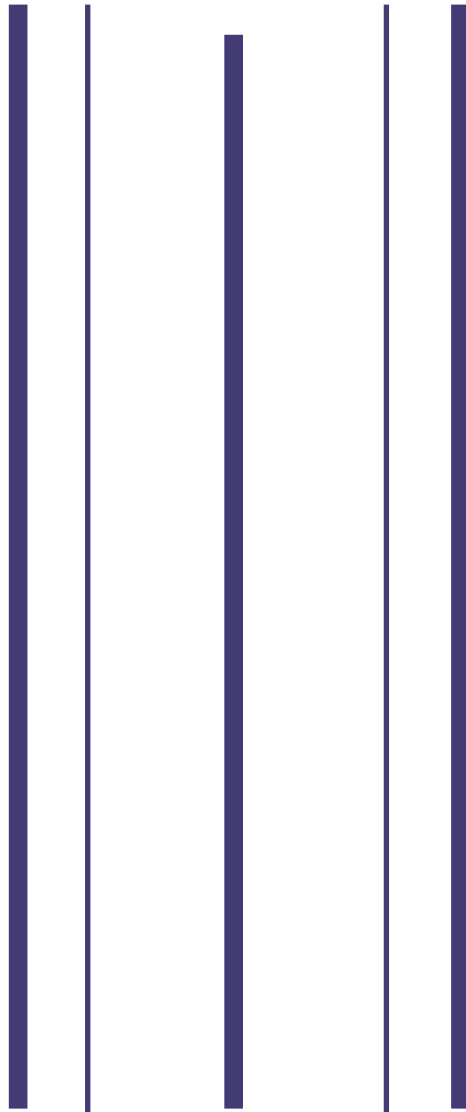
The only thing I really would want as a mother, you know, my only daughter, I would like to have some legal representation. I would like to have lawyers helping us to go on things [and] private investigators coming forward, helping us that way. Because a lot of us, some people are very vocal and very forward, I'm always on the forefront for my daughter. But I would always like people to have help on that, on the legal aspect of our cases.

While law enforcement agencies continue to fail to implement recommended best practices in engaging with families in a good way, they must acknowledge that they have created a situation in which attorneys and advocates are needed, and must be willing to work with them respectfully and collaboratively to the best of their ability. Being evasive, non-responsive, defensive, or confrontational--as is the experience of many families, attorneys, and advocates with law enforcement--does no one any good. It does not repair the very broken relationship already in place, does not help law enforcement advance their investigation, and does not help families cope with the stress and grief of the trauma they are navigating.

This brings us to our last recommendation: walk your talk. We are grateful that many law enforcement agencies, justice system officials, victims services advocates, and policymakers have expressed genuine feelings of concern for this issue and desire to be of service in addressing it--but those words must be followed with actions and tangible results. For example, Humboldt County Sheriff Honsal shared passionate words about this issue in our Year One report, acknowledging the deep wounds it leaves on the community and the many balls his department has dropped, many of which are inherited from his predecessors. As affirming as those words are, we are disappointed to see that a year later, none of the cases

in Humboldt County discussed in the Year One report have advanced. As we referenced in Christina Lastra's quote earlier in this report, when asked to review existing cases like Alicia Lara's for inconsistencies in investigation, Sheriff Honsal ignored key facts and did not see his opportunity to pick up those balls that were dropped. There are many publicly available resources rich with information on best practices for MMIWG2 and MMIP work, and victim-centered efforts to address crime overall; it is time for those best practices to actually be implemented. Moreover, they must be implemented at all levels--local, county, state, federal, and tribal. It is not only individual agencies failing to implement proven best practices; as SBI's May 2021 open letter regarding OLJ reminds us, even the individual administrators and the agencies they work within that are developing and advancing these best practices are failing to implement them.

In conclusion, we want to offer one simple summation of these recommendations: listen to families, survivors, and their advocates. Take their perspectives and questions seriously. Take the time to learn their priorities and needs. Be of service. Take the time to build trust. Learn what it means to be trauma-informed in your work, practice compassion, and work with dedication to the best practices and efforts possible.



Imagining Year 3

You have someone that goes missing. You expect this immediate response, you know? You call 911 and then in your mind, you're thinking there's a team that's going to do something ... to try to find this person. But I think in so many cases, there's been an absence of that. And there's been our own community that has to pull together to try to find people, but it's against all of these obstacles and lack of support, and not just a lack of support, but actually barriers in being able to get this help.

Our Year One and Year Two reports for To' Kee Skuy' Soo Ney-wo-chek' echo the sentiments of this interview participant—all families hope to never have to make the call that their loved one is missing and they fear the worst, but they have a reasonable expectation that if they need to ask for such help, there are processes and protocols already in place that will automatically engage to increase the chances that their loved one is found safe. At present, that is not the case across the Northern California region, the rest of the state, or the nation-at-large.

We seek to fill this gap with our own victim-, survivor-, and family-centered recommendations for what MMIWG2 and MMIP “best practices” can and should look like. Much work remains, however, and in Year Three and beyond, we return to an even deeper investigation of MMIWG2 and MMIP in Northern California. In particular, we will continue to reckon with the effects of historical and intergenerational trauma, actively advocate for centering our most targeted relatives, and spotlight the healing efforts of tribes, Indigenous communities, and community-based organizations even as they grieve their stolen relatives.

Addressing Historical & Intergenerational Trauma

In Year Three, we will continue our efforts to outline the connections between historical and intergenerational trauma and MMIWG2 and MMIP. Boarding schools, indentured slavery, those who never came home from either, and those ones who did but were changed, and our relatives taken in present day—these are not unrelated events and we are developing the methods needed to more cleanly make such connections. Our inquiry will require quantitative, qualitative, and archival methods led by innovative theoretical design to address a problem that is happening in real time. As more and more mass graves are discovered, we must recognize that bringing our relatives home is vital no matter when they were taken. In the words of Judge Abby, “50% of the children that went to boarding schools died there. That meant they were buried there. They weren't brought home and that's not right. Nobody has addressed that [and] they're out there still wanting to come home.” Sec. Haaland echoed the need for such an analysis with her recent Washington Post op-ed in which she writes, “many Native families want the children who were lost to come home, regardless of how long ago they were stolen,” and codified this into policy with her recent boarding school mass and unmarked grave initiative (Coletta and Miller 2021).

In addition to our efforts to “connect the dots” between bringing our ancestors and stolen relatives home in the present day, we also advocate for the design and dissemination of law enforcement, justice system, and service provider training curriculum on the topics of historical and intergenerational trauma. As part of To' Kee Skuy' Soo Ney-wo-chek', we seek to craft such materials in Year Three and pilot them in the region to help promote the need for “cultural humility” training. These curricula seek to help stakeholders from a variety of backgrounds “recognize the historical realities of the legacy of violence and oppression against Indigenous populations” by fostering an environment in which “providers must examine their historical knowledge, values, beliefs, power, and social position in relation to the populations they serve to provide more culturally relevant care” (Tehee et. al. 2021: 254). Our interviews over the last two years indicate that there is a real thirst for this training on the part of law enforcement and justice system agencies alike and we look forward to crafting these materials.

Centering Our Most Targeted

The first two years of To' Kee Skuy' Soo Ney-wo-chek' highlighted how certain groups are particularly impacted by the MMIWG2 and MMIP crisis. In Year Three, we seek to center our most targeted populations, including runaway and foster youth, IPV victims, trafficking victims and survival sex workers, justice-system impacted individuals, as well as our Indigenous 2LGBTQ+ relatives. In the case of runaway and foster youth, we contextualize their removal within the context of a multigenerational attack on Indigenous family structure, with their own precarity and “un-safety” in present day a byproduct of being made to feel as if they are “children without value” by their institutional guardians. A disproportionate number of runaway youth are fleeing traumatic foster homes and they are targeted for trafficking and survival sex work in the absence of support systems that are specifically tailored to meet their needs. Our calls for enhancing culturally informed ways of protecting Indigenous children are part of a broader set of recommendations that emphasize the need for holistic, trauma-informed services across the life course. In order to fully enact such policies and protect our children, however, further collaboration is needed on the part of the child welfare system with their tribal partners.

Building on SBI and CRIHB's June 2021 report “They Failed to Protect Me,” we also seek to dig deeper into the connections between IPV and violence against Indigenous women, girls and two spirit peoples. This survey captured the extreme exposure to violence experienced by a vast majority of participants, echoing out Year One finding that such violence is so frequent as to not be a matter of if, but rather when and how. This survey also underscored the need to actively seek out and hold space for the experiences of trafficking victims and survival sex workers as the overlap between violence and trauma in their lives was even more dire. In spite of this, the stigma surrounding their victimization further exacerbated the general lack of services for these populations. In Year Three, we hope to adapt and expand our existing study apparatus to focus explicitly on those affected by trafficking and survival sex work despite the unnecessary taboos that stifle discussion on these points.

In addition, we also seek to better understand the interaction between the MMIWG2 and MMIP crisis and the experiences of justice-system impacted individuals. In Year Two, it was abundantly clear how much the lines between victim and offender could be blurred in Indigenous communities. Tribal men who were perpetrators of intimate partner violence and other violent crimes were frequently themselves victims of violence through traumatic experiences as children and then later while incarcerated. The extreme dearth of mental health services, as well as the frequency of negative coping mechanisms such as substance use disorders, meant that such traumas festered over time and across generations such that we must reframe violence against Indigenous bodies and the MMIWG2 and MMIP crisis through a public health framework. In Year Three, we will infuse this perspective throughout our research project to capture how the criminal justice system as a penal institution also shapes the MMIWG2 and MMIP crisis.

Finally, we understand that to center Indigenous 2LGBTQ+ relatives in our initiatives is to center the most disproportionately targeted relatives impacted by the MMIP crisis. With any movement work, when we center the most marginalized group, we undertake the core issues that sustain the crisis we are addressing. One of the downfalls of movements is that historically, voices are left behind and people are left unprotected because they are not being heard and considered.

We believe that the first of many steps to centering Indigenous 2LGBTQ+ relatives is to support their leadership development in MMIP movement work. In March 2021, Sovereign Bodies Institute hired our first full-time Program Coordinator of Indigenous 2LGBTQ+ projects, who is a non-binary descendent of Mindanao and the Visayas. They have been working closely with a Two-Spirit member of our Survivors Leadership Council to develop programming and services provisions for Indigenous 2LGBTQ+ survivors.

Even as Program Coordinator, they still experience the same fear discussed by Indigenous 2LGBTQ+ respondents of our Year One report and recent report with CRIHB: the fear of disclosing gender identity and sexual orientation. In other words, even if Indigenous 2LGBTQ+ survivors become advocates and leaders, they are not automatically safe and protected. They still need to navigate and combat toxic heteropatriarchal environments, help facilitate gender-affirming workspaces, and assist with shifting the homophobic and transphobic paradigms that sustain fear of disclosure. The pervasiveness of fear of disclosure creates inaccurate statistics of both Indigenous 2LGBTQ+ service providers and Indigenous 2LGBTQ+ survivors or MMIP relatives.

As an added layer to fear of disclosure, we have seen families, law enforcement, and media refuse to honor Indigenous 2LGBTQ+ relatives by misgendering them or using their birth/dead names. This means that even in their absence or death, heteropatriarchal violence continues to harm them and dishonor their story. One of the ways we address this is by doing diligent research for our Indigenous 2LGBTQ+ database, including categories such as "Name" to honor their chosen name and distinguishing this with "Given Birth Name."

This next year, we will continue building up our Indigenous 2LGBTQ+ programming. As one of our upcoming plans, Sovereign Bodies Institute will be hosting our first Two-Spirit and Indigenous LGBTQ+ Virtual Gatherings for MMIP Movement-Building. All the participants are Indigenous 2LGBTQ+ community leaders and organizers who have already been interviewed and selected. It will be two two-day events featuring talking circles around safe practices in services, actionable demands by Indigenous 2LGBTQ+ survivors to eliminate violence against them, and barriers for Indigenous 2LGBTQ+ participation in the MMIP movement. We will use this event to inform our own services provisions and movement-building.

Tribes & Indigenous Communities Leading the Work

Over the course of this report and our previous publication, we have explored the many ways that tribes and Indigenous communities are already leading the work when it comes to addressing MMIWG2 and MMIP. Even as they navigate their own grief, trauma, frustration, and a host of other emotions, they are stepping up to fight for justice for their loved ones, never content to let their relatives sit neglected as a cold case no matter how much time has passed.

In Year Three, we are going straight to the source by prioritizing tribal sovereignty, and actively seeking the voices of tribal leaders, tribal police, elders, and cultural keepers in designing our prevention, intervention, and postvention protocols for MMIWG2 and MMIP and violence against Indigenous bodies more generally. Immediately following the release of this report, we will launch our Year Three tribal outreach throughout the region, where we will invite tribal leaders and their MMIW and MMIP liaisons to join us in guiding law enforcement and the justice system in intervening in MMIWG2 and MMIP in Northern California.

In our experience, there is a sincere desire on the part of law enforcement officials and justice system professionals to improve how they investigate, prosecute, and otherwise engage with issues of MMIWG2 and MMIP and violence against Indigenous peoples. Most non-Indigenous stakeholders are at a loss, however, for how exactly to go about doing so, and it is up to tribes, Indigenous organizations like SBI, and ultimately family- and survivor-leaders to show them the way. To do this, Holly Hensher, a Karuk tribal member and Victim Witness Specialist underscored the need to spotlight both our adversities and our resilience:

I like to balance the positive with the heavy when it comes to...training... I like the idea of highlighting some of the positive stuff going on within our communities as well...Like most Natives, we strive for balance and I think that you can have a skewed perception of the community if we're just kind of focusing on the generational historical trauma and then addressing... the systematic biases within the systems that are providing services to the tribal community. As part of that, I would hope that there could [also] be highlights of the positive stuff going on within our communities.

While some may see cultural differences as “challenges,” Holly and others know this is far from the truth; it is within our culture where we find the medicine for our traumas time and again, no matter the texture and character of a given threat. Whether it was the invasion following the Gold Rush, the mourning and grief that followed genocide, slavery and child removal, and now in present day as our relatives are stolen with little to no justice in their place. It is in our ceremonies, cultures, and community ties more generally where we will find healing, and the strength to push forward in our fight for justice and safety. In the March special issue of the Department of Justice’s Journal of Federal Law and Practice, Cherokee citizen Melissa Tehee and her Indigenous coauthors explain how for Indigenous peoples,

Healing requires traditional practices, spiritual values, indigenous knowledge, and culture and, importantly, depends on the idea that the health and well-being of individuals, families, communities, and nations require the restoration of balance... While prayers, songs, and ceremonies differ by tribe, these cultural practices have been used in healing trauma and grief since time immemorial. (Tehee et al. 2021: 259)

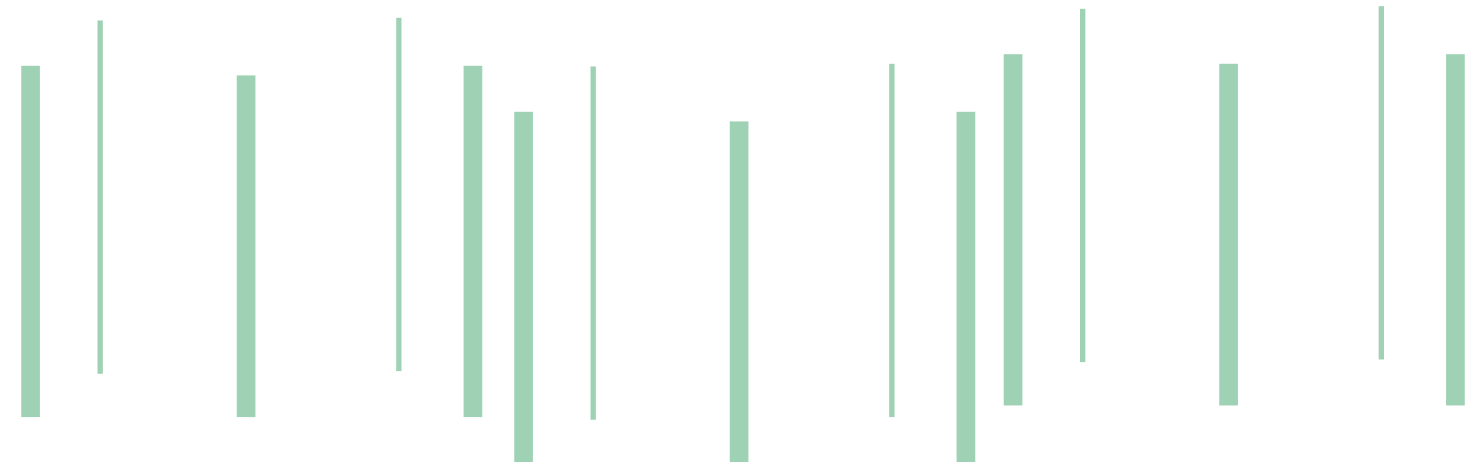
We echo this finding and will expand this line of inquiry in Year Three to include culturally resonant healing practices, ceremonies, and other considerations. In particular, we seek to better understand the role of restoring coming-of-age ceremonies and other spiritual practice as a part of restoring those social processes that honor the sacredness of our Indigenous women. We do not seek to distribute sacred knowledge or delve into the specifics of sacred rituals--rather, we wish to articulate how these ceremonies more broadly can facilitate both healing and prevention for the MMIWG2 and MMIP crisis. Like Satter et al. 2021, we hold up the vital importance of revitalizing ceremonies where women, girls, and two spirit peoples are front and center:

Reclaiming rites of passage from birth to grave bring healing to intergenerational trauma. These rites of passage restore beliefs that women are life givers, women are respected, and women are sacred: conducting ceremonies during birthing; naming; first word; first step; transition from girl to womanhood; weddings; motherhood; first grandchild; and other rites of passage for boys, men, and elders that indicate transferring into a solid cultural identity that brings joy and contentment. (Satter et al. 2021: 151)

Even as we commit to this study area for Year Three, our Year Two findings already show how important ceremony is for healing Indigenous trauma. This healing can take many forms. For example, it can increase self-worth and self-esteem—Yurok elder and recent Honorary Doctorate recipient Dr. Walt Lara Sr. described one poignant example from his time as a dance leader:

You have kids that are not doing too well in school... [or having other problems and then that] child is given a position, an opportunity to dance and an opportunity to sing if they want to try. And when they get out [there], it makes them feel better. It makes them feel that they're doing something.

I can give you an example of this. This boy, his name was [omitted]...he was sitting there and I tell him, "How come you are not dancing?" He said, "Nobody chose me." I said, "Okay, you sit right there. I will dress you first when they come back," and they usually dress the singers... and all that first. And I told him, "I'll dress you first, make sure I get you." "Okay," he said. So he was sitting there and he started singing. "You got a song too?" "Yeah, I got two of them," he said. I said, "Okay, so when we go in there this time, the heavy singer will sing. The song would take us in. And then you follow him with your song." He said, okay....[this] boy, he lost his father too. So it's just his mother and him. And so I did it and I told the [other] boys ... what was going to happen. And so we got in there... and he sang...And so he was really pleased with himself there. And then it went on and so years went by, he was always just there to dance.... He got older, he graduated high school, he went to a college and studied engineering, and now he's a mechanical engineer, I think he has his own business. So you can see how it [helped] his self-esteem.




His daughter, Dr. Kishan Lara-Cooper, expanded on her father's example with the epigenetic implications of Indigenous ceremonies coupled with their restorative capacities, teaching us how ceremony heals us on a cellular level:

[In] our chromosomes in our body,... there are these telomeres that are on the tip of the chromosomes and when a person experiences traumatic events, those telomeres are meant to protect the chromosomes from having any of these kinds of health effects, health risks, cancers, tuberculosis, diabetes, all of these things that Native people have the highest rates of. Those telomeres, when you experience these types of traumas, they shorten. And when they shorten, you become more susceptible to those illnesses. But I think this is the important part:...these telomeres can be elongated. And what studies are showing now is that lengthen[ing] telomeres for Indigenous peoples goes back to culture....culture is the protective factors: language, ceremony, family, community, connection with the natural environment, connection with the spiritual realm, songs, our creation, all of these pieces... When people engage in those activities, they elongate the telomeres, which protects them from these health issues. At the same time, the brain is malleable. So the brain can heal and the brain heals [through] chemicals we release through our bodies. And when people engage in things like regalia making, that chemical releases in their brain and actually helps to heal parts of the brain, like the mesolimbic dopamine pathway, which is connected to addiction... That's why we talk about how culture is not only prevention, but culture is also part of our healing in this process.

Going further, Dr. Lara-Cooper described how science is just now catching up to what Indigenous peoples have always known about the power of ceremony:

The science also supports all of that. And I don't think we need the science to support it... it's always been our belief... all of these things we're talking about, we know it as our community. And when I say we, I'm talking about all of us, all of our community knows this and they know the importance of it. But it's just now starting to be validated. And there's these explanations of how it biologically affects us.



She also encouraged Indigenous people from all backgrounds to delve into the unique knowledge bases of their individual heritages for these healing properties:

People think culture is just ceremony, but it's not... sometimes people who are not involved in ceremony feel like, "well, I don't know anything," but there is cultural knowledge in every family in our community and that knowledge is valuable....Listening to stories within your home, learning about these things, because we all have these tools in our homes and they're valuable and they're important.

In year Three and beyond of To' Kee Skuy' Soo Ney-wo-chek', we will answer this call to action in a good way.

To support these efforts, we extend an invitation to all stakeholders in the region to join us intervening and ultimately ending the MMIWG2 crisis in Northern California.

Appendix

Study Instrument Templates

Case File Cover Sheet

Contact Log Template

Updated Needs Assessment Template

Field Notes Template

Updated Quantitative Data Point List

Policy Summary Chart Template

Policy Scorecard Template

Policy Bingo Card

Codebook

Study Instrument Templates

- A Note on Study Instruments

These are study instrument templates are for tribes and law enforcement agencies alike to use in collecting data and coordinating family support and outreach efforts. These are tangible tools for streamlining data sharing and will help facilitate joint taskforce efforts for addressing the scope and severity of MMIWG2S.

With the cover sheet, contact logs, and research logs, we hope that other research teams will be able to keep a well-organized and thorough documentation of their MMIWG2 files as well as track ongoing family contact and investigatory efforts. They are made for use with both electronic files as well as confidential records that must be kept in hard copy.

As to the Needs Assessment, we have designed this template to speak to the following research questions:

- What is the existing knowledge base of stakeholders as to the scope and severity of MMIWG2 in service area?
- What are the pressing needs of MMIWG2 families, survivors and other stakeholders in service area?
- What are the recommendations of MMIWG2 families, survivors and other stakeholders for the justice system and its response to issues of MMIWG2?
- What are the recommendations of MMIWG2 families, survivors and other stakeholders for local, state, and federal law enforcement agencies and their responses to issues of MMIWG2?

This needs assessment is designed for use in one-on-one in-depth, semi-structured interviews, as well as in-depth, semi-structured interviews with small stakeholder focus groups (3-5 people) and/or nuclear family units. It has been compiled based on our extensive quantitative research, literature review, and in consultations with families and survivors. We will continue to

refine these tools in Year 2 but offer this “family-approved” study instrument for use now by other tribes, LEAs and other justice agencies hoping to intervene in MMIWG2S

This Needs Assessment is designed for use with all stakeholders, including but not limited to: families, service providers (county, nonprofit, tribal), police (county, tribal, federal, etc.), CPS/Youth Services, Domestic Violence/ Victim Services, tribal court staff and other community leaders. For non-family stakeholders, interviewers should also ask the supplemental questions included in each section as relevant.

To analyze this data, we have included our existing qualitative codebook for use by other research teams. This coding scheme is designed with a modified grounded theory framework in mind (Glaser & Strauss 1967, Corbin & Strauss 1990, Charmaz 1995, Small 2009) and should be expanded on a rolling basis to include those themes that emerge over the course of data analysis.

Case File Cover Sheet

Identifying Characteristics:

Name:

Indian Name: (Leave blank if n/a)

Tribe:

Area of Residence:

Area Last Seen if missing:

Incident Location:

Incident Area Classification (Reservation/Rural/Urban):

Agency with Jurisdiction:

Assigned Detective:

DOB:

Age At Time of Incident:

Age Now (if missing):

Date Reported Missing:

In case of status change, date of change:

Status:

Customary designation for those passed on?:

Example: Yurok: A:wok First Name-Last Name

Hupa: E:wak First Name-Last Name

Ojibwe: First Name-Last Name-iban

Case Status (open/closed/pending):

Contact Notes (see Contact Log for full details):

Contact Person:

Relationship to Individual:

Contact Information & Preference:

SBI Assigned to Contact:

Contact Log - Date:

- Contact Details:

Date of Visit:	Purpose of Visit:	Contact Person:	Relationship to Case:	Contact Details:
<Date of Visit>	<Describe purpose of visit, such as establishing first contact, following up on previous visit, court appearance, etc.>	<Whom are you meeting with?>	<How do they know the individual?>	<Contact details including phone, address, email and note their preference for future contacts if known.>

SBI Contact Assigned:

<ID whom at SBI has been assigned to steward this case and any subsequent follow-up.>

Projected Date of Next Contact:

<Identify timeline for completion of next steps and establish when SBI next plans to be in touch regarding this case.>

Action Steps:

<Outline takeaways from visit and follow-up/action steps going forward based on day's visit.>

Notes on Visit:

<Describe qualitatively the visit, from the drive there to the drive back. Think about what you observed with all five senses and note that here. Prioritize details on tasks accomplished as overarching narrative, but do not hold back on descriptive details about all parts of the interaction(s). Note those in attendance, environment/location, time spent together and action steps going forward, etc. This will serve as a fieldnote observation for this visit and therefore our primary record of this encounter. We want to be able to recall it for years after the initial event and interpretable by those beyond the author/attendees.>

Any Last Thoughts?: <Add anything not covered in previous categories, last thoughts, or thoughts that occur after the fact.>

Research Log- Date:

- Search Details:

Date of Search: <Date of Search>

Entered By: <Who is entering this search?>

Database(s) Searched: <What database do these search results come from?>

Search Keywords: <What search keywords were used in this query(ies)?>

Notes on Search Results: <Any notes on the search in general or about particular results/links. If search needs to be conducted on an on-going basis or if certain links no longer work, note these details here. Download media links upon accessing them on a rolling basis to ensure we have a copy even if online archives change/links are no longer active.>

- Search Results

Include links to online resources here and save a version to the case file as 1) a hard copy and 2) a .pdf and/or Word document.

Memorials & Obituaries	Missing Persons Data/Postings	Newspaper articles and/or blog posts	Social Media Posts/ Real-Time Data	Videos/ Multimedia
<p><Sort information and/or links here on obituaries, memorials, tributes, remembrances, etc.></p>	<p><Sort information and/or links here on official entries for Missing Persons' databases, NAMUS, etc.></p>	<p><Sort information and/or links here on newspaper articles, blog posts, online profiles, etc.></p>	<p><Sort information and/or links here on social media posts or event data, real-time case updates, police and other LEA announcements [screenshots as best practice for LEA data like Tweets or Facebook posts]. This does not include screenshots of personal family information posts, etc. without consent.></p>	<p><Sort information and/or links here on relevant videos, news coverage and other multimedia case data and/or representations, etc.></p>

COPY AND PASTE OR PRINT PREVIOUS PAGES FOR NEW SEARCH ENTRIES

Needs Assessment Template

Section 1. Lead-In & Knowledge Base

This interview is about me getting to know you, your connections to missing and murdered Indigenous women, girls and two spirit peoples, your needs as part of this community and your recommendations to relevant stakeholders like yourselves, the justice system and law enforcement agencies.

As a participant, you were invited to speak with me today because you are a stakeholder in the missing and murdered Indigenous women, girls and two spirit community. I have a list of questions to guide you, but a lot of what you will tell me will depend on your experience and/or expertise.

For all:

- Tell me more about yourself—where you're from, who's your family, how you spend your time most days, anything else I should know to get a sense of who you are.

Data point: Building rapport and providing glimpse of worldview

- What do you know personally about MMIWG2?

Data point: Knowledge base family/individual level

- What do you know about MMIWG2 locally?

Data point: Knowledge base community level

- What do you think are the contributing factors or intersecting issues that lead to MMIWG2 cases?

Data point: Knowledge base risk factors for MMIWG2

- What do you wish people knew about MMIWG2 based on your experiences?

Data point: Knowledge base community level

- What is your understanding of violence against Indigenous women?

Data point: Knowledge base risk factors for MMIWG2

- Are there any gaps in your knowledge of MMIWG2? About violence against AI/AN women? What are they?

Data point: Knowledge base identifying gaps in knowledge on MMIWG2

- Why do you think Indigenous women experience higher rates of violence than non-Indigenous women? Do you think these issues receive the same level of attention by police, the media, the justice system, etc.?

Data point: Knowledge base Understanding of colonial origins of violence and/or interpretation of violence through Indigenous worldviews

For non-family stakeholders:

- What is your perception of Indigenous women, girls, and two spirit people? How often do you engage with them in your work?

Data point: Knowledge base MMIWG2

- How do issues of MMIWG2 intersect with your work/job responsibilities?

Data point: Knowledge base stakeholder expertise

- Do you feel like you have been trained for MMIWG2? What are other topics you think you may need training on for MMIWG2? On violence against AI/AN women?

Data point: Knowledge base stakeholder expertise and/or gaps therein

- Are there any things that you feel you, other people in your position, or the organization you work for need in order to better respond to MMIWG2 cases, or the contributing factors you identified?

Data point: Knowledge base stakeholder expertise

- What is your perception of MMIWG2 families? What do you think their needs and priorities are?

Data point: Knowledge base non-family stakeholder perceptions

Section 2. Needs Assessment

The following questions can be personal and I want to remind you that you do not have to tell me anything that you do not want to, or that you think may risk your safety or the safety of a loved one. As a reminder, you have consented to share only that information which you are comfortable being included in a publically accessible written report on MMIWG2.

You have the right to skip any questions you do not want to answer, to end the interview at any time, or to retract your comments after today's interview if you decide for any reason at all that you would no longer like to participate.

For all:

- Are there any gaps in service provision for families and survivors of MMIWG2? What are they?
Data point: establishing gaps in service provision
- What else can service providers do to support families and survivors of MMIWG2? Tribal bodies?
Data point: establishing gaps in service provision
- Are there any gaps in service provision for those at risk of MMIWG2, like those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work? What are they?
Data point: establishing gaps in service provision
- What else can service providers do to support those at risk of MMIWG2? Tribal bodies?
Data point: establishing gaps in service provision
- What are the community conditions that contribute to MMIWG2?
If they need further prompting: What about things like poverty, lack of affordable housing, unemployment or school conditions?
Data point: describing factors that impact MMIWG2
- Where are the places here where you think Native women and children are safe? Where are the places where they are unsafe?
Data point: Describing factors that impact MMIWG2
- How does mental health factor into MMIWG2 and violence against Indigenous women?
If they need further prompting: What about things like the lack of access to mental health services in most communities, the absence of drug and alcohol treatment and rehabilitation facilities in rural areas, or any unique local factors that might increase the frequency of MMIWG2 or violence against Indigenous women more generally?
Data point: describing factors that impact MMIWG2
- What is your knowledge of historical trauma in Indigenous communities, nationally and locally? How does historical trauma factor

into MMIWG2 and violence against Indigenous women?

Data point: Knowledge base & describing factors that impact MMIWG2

- What healing resources are available? What more is needed?

Data point: establishing scope of and gaps in service provision

- How do we support those at an increased risk of being taken, like those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work?

Data point: establishing gaps in service provision

Ø Do you think schools can be doing more for children related to MMIW? Please tell me more.

o Data point: establishing gaps in service provision as they relate to schools

- What are the limitations on the justice system and/or local law enforcement's abilities to address issues of MMIWG2? To violence against AI/AN women?

Data point: establishing limitations in addressing MMIWG2

- How do the different jurisdictions and/or the different geographies at play impact the ability of law enforcement agencies and the justice system-at-large to address MMIWG2? Violence against AI/AN women?

Data point: establishing complexities of multiple jurisdictions

- What recommendations do you have for policy makers in designing legislation to address MMIWG2? What would your dream legislation include?

Data point: establishing policy recommendations for MMIWG2

For non-family stakeholders:

- What do you need to better support families and survivors of MMIWG2?

Data point: establishing stakeholder needs for service provision

- What do you need to better support those at risk of MMIWG2, like those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work?

Data point: establishing stakeholder needs for service provision

- What does "trauma-informed services provision to Indigenous victims and their families" mean to you in your work? Do you feel you have the resources to provide trauma-informed services?

Data point: establishing stakeholder expertise and needs for service provision

For non-family stakeholders:

- What do you need to better support families and survivors of MMIWG2?

Data point: establishing stakeholder needs for service provision

- What do you need to better support those at risk of MMIWG2, like those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work?

Data point: establishing stakeholder needs for service provision

- What does “trauma-informed services provision to Indigenous victims and their families” mean to you in your work? Do you feel you have the resources to provide trauma-informed services?

Data point: establishing stakeholder expertise and needs for service provision

Section 3. Recommendations for Justice System

For all:

- What is the role of the justice system in supporting families and survivors of MMIWG2?

Data point: establishing recommendations for justice system

- What can the justice system do to support families and survivors of MMIWG2?

Data point: establishing recommendations for justice system

- What is the role of the justice system in supporting those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work?

Data point: establishing recommendations for justice system

- What can the justice system do to support those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work?

Data point: establishing recommendations for justice system

- What could the justice system do to improve their response to issues of MMIWG2? To violence against AI/AN women?

Data point: establishing recommendations for justice system

- What do those working in the justice system need to know to improve their response to issues of MMIWG2? About violence against AI/AN women?

Data point: establishing recommendations for justice system

Section 4. Recommendations for Law Enforcement Agencies (LEAs)

As a reminder, you may skip any questions you do not want to answer, to end the interview at any time, or to retract your comments after today's interview if you decide for any reason at all that you would no longer like to participate.

For all:

- What is the role of local law enforcement agencies in supporting families and survivors of MMIWG2? Federal or state agencies? Have they been meeting their responsibilities in that role?

Data point: establishing recommendations for LEAs

- What can local law enforcement agencies do to support families and survivors of MMIWG2? Federal or state agencies?

Data point: establishing recommendations for LEAs

- What is the role of local law enforcement agencies in supporting those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work? Federal or state agencies? Have they been meeting their responsibilities in that role?

Data point: establishing recommendations for LEAs

- Do you feel that law enforcement brutality, negligence, or corruption exist in the local region? If so, do you think that contributes to MMIWG2, and are there specific agencies, officers, or other examples you feel comfortable sharing?

Data point: establishing scope of police violence as factor for MMIWG2

- What do those working in local law enforcement agencies need to know to improve their response to issues of MMIWG2? About violence against AI/AN women? How does this extend to federal or state agencies?

Data point: establishing recommendations for LEAs

- What can local law enforcement agencies do to support those in foster care, juvenile detention, runaways, those experiencing human trafficking and/or survival sex work? Federal or state agencies?

Data point: establishing recommendations for LEAs

- What can local law enforcement agencies do to improve their response to issues of MMIWG2? To violence against AI/AN women? How does this extend to federal or state agencies?

Data point: establishing recommendations for LEAs

Section 5. Personal Expertise

The following questions are personal and of a sensitive nature. Please remember to only share with me what you are comfortable sharing.

- How many MMIWG2S do you know of in the region? How many did

you know personally?

Data point: establishing knowledge base of regional MMIWG2

- How many Native women do you know that are victims of violence?

Data point: establishing knowledge base of regional violence against Indigenous women

- Are you aware of any people who abuse their power to hurt Native women or children? I.e. law enforcement, healthcare, educators, tribal admin, etc.

Data point: establishing knowledge base of regional violence against Indigenous women

- Please tell me more about your ties to MMIWG2S and violence against Native women. For example, how it has impacted you, your loved ones? Whatever you are comfortable sharing in this regard.

Data point: establishing scope and severity of regional MMIWG2

- What do you wish people knew about MMIWG2S based on your experiences?

Data point: establishing recommendations for stakeholders

Section 6. Conclusion

- Do you have any questions for me as we wrap up? Anything you'd like to add?

- *** I am also looking for others to talk with as part of this project. Is there anyone you can think of? ***

- If so, would you be willing to share their contact info, please?

Family & Survivor Centered

Tribal Sovereignty

Evidence Based Practices

Feasibility

Measuring Success

FINAL SCORE

Updated Quantitative Data Point List

- Name (Including birth name, maiden name, and cultural name)
- Date of Birth
- Age
- Gender
- Tribal Affiliation(s)
- Tribe Enrollment Status (which tribe enrolled; descendant (enrolled or no))
- Last known location if/when missing (City/County/State)
- Location of deceased (if found) (City/County/State)
- Date of Missing status
- Date of Found status
- State in which found (safe, deceased, injured)
- Deceased Date
- Current Status to include Missing, Murdered, Death (if not ruled a homicide), Found.
- Child Welfare involvement with the person to include:
 - Involvement as a minor
 - Involvement as an adult (parent, foster parent, adoptive parent, etc.)
- Law Enforcement involvement to include:
 - What law enforcement agencies are involved in the MMIW case
 - When law enforcement became involved with the MMIW's case
 - Current Case Status by Law Enforcement (active, cold, closed)
 - Outcome of Law Enforcement case (suspect identified, arrests, charges)
- Prosecution of Identified Suspects
 - Jurisdiction (Tribal, State, Federal)
 - Status (Active, Declination, Trial)
 - Trial Status (Acquitted, Guilty, Plea)
 - Post Conviction Status (Appeal information, Parole Status, Probation Status)
- Demographical information on Suspect Name
 - Age
 - Race
 - Tribal Affiliations if applicable
 - Gender
 - Relationship to MMIW

POLICY SUMMARY CHART TEMPLATE - based on "Writing & Assessing Policy" by Mary Kathryn Nagle (Cherokee Nation of Oklahoma) and Ashleigh Fixico (Muscogee (Creek) Nation), with support from Whitney Whitehorn (Osage Nation) in SBI's MMIWG2 & MMIP Organizing Toolkit

Key Components of Policy	
Purpose of the Policy	
Specific Actions to Be Taken	
Entities Involved & Impacted by Policy	
Implementation Guidance	
Appropriations and Funding Requirements	
Metrics and Accountability	

POLICY SCORECARD TEMPLATE - adapted from "Writing & Assessing Policy" by Mary Kathryn Nagle (Cherokee Nation of Oklahoma) and Ashleigh Fixico (Muscogee (Creek) Nation), with support from Whitney Whitehorn (Osage Nation) in SBI's *MMIWG2* & *MMIP Organizing Toolkit*

ASSESSMENT QUESTIONS	POLICY NOTES	OVERALL CATEGORY SCORE
Family & Survivor Centered		__ out of 5 = __%
Tribal Sovereignty		__ out of 5 = __%
Evidence Based Practices		__ out of 5 = __%
Feasibility		__ out of 5 = __%
Measuring Success		__ out of 5 = __%
FINAL SCORE		__ out of 25 = __%

FAMILY & SURVIVOR CENTERED	TRIBAL SOVEREIGNTY	EVIDENCE BASED PRACTICES	FEASIBILITY	MEASURING SUCCESS
Was this policy created with input from families?	Is the policy culturally relevant?	Does this policy address flaws, limitations, or gaps in existing policy?	Is the policy feasible?	Does the policy require measurable outcomes?
Does the policy utilize a victim-centered approach?	Does this policy support tribal sovereignty and self determination?	Does this policy build on existing policies that have solved or alleviated the issue?	Does the policy address the most critical obstacles that should be anticipated in implementing the policy?	Are there benefits or advantages to the policy, and if so, does the policy have a means of measuring them?
Does the policy mandate disclosure to MMIWG2 & MMIP families?	Does the policy require accountability to tribal nations during implementation?	FREE SPACE - An attempt to address the issue has been made	Does this policy align with or support current policies or programs focused on addressing the same issue?	Does the policy have a means of measuring its potential negative results?
Does this policy meaningfully account for gender diversity and the ways gender violence manifests across Indigenous communities?	Does the policy require tribal consultation, participation, or leadership when creating taskforces or other offices created to address the crisis?	Does the policy rely on evidence from the community, academic studies, data, or other forms of evidence in developing their actions to addressing the issue?	Does the policy build the capacity of tribal nations and/or non-profit organizations run and administered by Native people to meaningfully lead efforts to address the crisis?	Does the policy have protocols or mechanisms embedded in the policy to ensure that families have a voice and are able to advocate for change if the policy is not working?
Does this policy provide solutions that do not potentially criminalize survivors or make survivors and families feel unsafe?	Does the policy consult, engage, and coordinate with tribal nations and their law enforcement when their people go missing or are killed?	Are there no alternatives to the policy that would better address the issue?	Does the policy mandate local, state, tribal, and federal coordination and cooperation?	Does the policy require responding agencies to meaningfully listen to families and take their perspective seriously?

CA MMIWG2 Codebook

List of Code Abbreviations = Code Color = Code Name

Law Enforcement Agency (LEA) Codes: *Blues*

1. LEAD = Light Blue = LEA Development
 - a. LEAD-C = LEAD County
 - b. LEAD-T = LEAD Tribal
 - c. LEAD-S = LEAD State
 - d. LEAD-F = LEAD Federal
2. LEAI = Sky Blue = LEA Inaction
3. LEAV = Medium Blue = LEA Violence
4. MUJ = Medium Dark Blue = Multiple Jurisdictions
5. COR = Teal Blue = Court Ruling
6. DAH = Dark Blue = Data Hole
 - a. INC = Inaccuracy

Contextual & Individual Codes: *Oranges/Yellows*

7. SC = Light Orange = Structural Constraint
8. MHC = Medium Orange = Mental Health Consideration
 - a. HT/IGT = Historical/Intergenerational Trauma
9. SUB = Dark Orange = Substances
 - a. SUB-M = Methamphetamine
 - b. SUB-H = Heroin (also use for morphine)
 - c. SUB-O = Opioids (Oxycodone, methadone, etc.)
 - d. SUB-A = Alcohol
10. ULF = Light Brown = Unique Local Factor
 - a. ULF-MI = Marijuana Industry
11. TRF = Dark Brown = Trafficking
12. SSW = Mustard Yellow = Survival Sex Work
13. CPS = Light Pink = CPS Involvement and/or Foster Care System
 - a. CPS-R = CPS Removal
14. YTH = Dark Pink = Youth
 - a. YTH-R = Runaway

Survivance Codes: *Reds*

15. IW = Light Red = Indigenous Worldview
 - a. TAF = Tribal Affiliation
16. EKE = Medium Red = Extended Kin Efforts
17. AOM = Medium Dark Red = Absence of MMIWG2
18. RAR = Dark Red = Resilience & Remembrance
 - a. REC = Recommendations

Perpetrator Pattern Codes: *Greens*

19. VFP = Light Green = Violence Family/Partner
 - a. IPV = Intimate Partner Violence
 - b. FV = Family Violence

- 20. VST = Lime Green = Violence Stranger
- 21. VIN = Medium Green = Violence Indigenous
- 22. VNI = Forest Green = Violence Non-Indigenous
- 23. VUK = Dark Green = Violence Unknown

List of Code Descriptions

Law Enforcement Agency (LEA) Codes: Blues

1. LEAD = LEA Development = Light Blue

This code will be applied to any case developments on the part of law enforcement agencies (LEAs), including filing a report, assigning a detective, evidence gathering, searches, witness questioning, etc.

- a. LEAD-C = LEAD County: Apply this code to any case developments on the part of county law enforcement agencies (Sheriff, Coroner, etc.)
- b. LEAD-T = LEAD Tribal: Apply this code to any case developments on the part of tribal law enforcement agencies
- c. LEAD-S = LEAD State: Apply this code to any case developments on the part of state law enforcement agencies (both state-level (like CHP) and non-county i.e. city law enforcement)
- d. LEAD-F = LEAD Federal: Apply this code to any case developments on the part of federal law enforcement agencies (FBI, DOJ, AG, etc)

2. LEAI = LEA Inaction = Sky Blue

This code will be applied to the lack of action and/or slow movement on the part of an LEA, whether on a particular case or on the issues affecting MMIWG2 in general.

3. LEAV = LEA Violence = Medium Blue

This code will be applied to instances where an LEA, either as an institution or as an individual, commits violence against an individual or community. This can include direct and indirect acts, failure to provide protection, as well as discursive or verbal acts of violence.

4. MUJ = Multiple Jurisdictions = Medium Dark Blue

This code will be applied to issues where a case file, individual characteristics, or contextual factors interact with multiple LEAs and/or legal jurisdictions.

5. COR = Court Ruling = Teal Blue

This code will be applied to formal court rulings, including convictions, dropped cases, sentencing, etc.

6. DAH = Data Hole = Dark Blue

This code will be applied to instances where a gap in data exists, where a lack of data constrains research and/or interventions, and other examples of "data holes" affecting MMIWG2

- a. INC = Inaccuracy: Apply this code to any instances of factual inaccuracies in the coded data as verified and triangulated with another data source.

1. SC = Structural Constraint = Light Orange

This code will be applied to specific contextual factors in a given case file or other data point, including but not limited to poverty, crime, unemployment, lack of access to utilities like electricity and phone, environmental hazards, etc.

2. MHC = Mental Health Consideration = Medium Orange

This code will be applied to mental health considerations, including but not limited to addiction to substances, psychiatric conditions, trauma and trauma responses, historical trauma, family history, etc.

a. HT/IGT = Historical/Intergenerational Trauma: Apply this code to instances where historical trauma or intergenerational trauma is explicitly named, or in cases where an individual describes witnessing or experiencing violence in the home when growing up, family or ancestral experiences of violence, etc.

3. SUB = Substances = Dark Orange

This code will be applied to any mentions of the role of substances including drugs and alcohol. As possible, double code entries with relevant substance-specific sub-code:

- a. SUB-M = Methamphetamine
- b. SUB-H = Heroin (also use for morphine)
- c. SUB-O = Opioids (Oxycodone, methadone, etc.)
- d. SUB-A = Alcohol

4. ULF = Unique Local Factor = Light Brown

This code will be applied to unique contextual factors. For example, different locations have different climates and therefore different implications for sheltering outdoors or search efforts, etc. Another example includes local economic factors, both licit and illicit. For mentions of the marijuana industry, double code with sub-code ULF-MI.

a. ULF-MI = Marijuana Industry

5. TRF = Trafficking = Dark Brown

This code will be applied to instances of human trafficking, either as direct experience or through social networks and/or extended kin. This code will be sub-coded as necessary.

6. SSW = Survival Sex Work = Mustard Yellow

This code will be applied to instances of survival sex work, either as direct experience or through social networks and/or extended kin. This code will be sub-coded as necessary.

7. CPS = CPS Involvement and/or Foster Care System = Light Pink

This code will be applied to instances of Child Protective Services (CPS) involvement and/or mentions of foster care placements, child removal, custody, etc.

a. CPS-R = CPS Removal: Apply to any case where a victim's child(ren) was/were removed and/or their custodial rights were terminated, especially if this was a turning point for them.

8. YTH = Youth = Dark Pink

This code will be applied to case files involving MMIWG2 that are under the age of 18. This code also applies to descriptions and/or narratives of personal events before turning 18. As relevant, double code entries with the “runaway” sub-code.

a. YTH-R = Runaway

Survivance Codes: Reds

1. IW = Indigenous Worldview = Light Red

This code will be applied to manifestations of Indigenous worldviews, including but not limited to participation in ceremony, family and community beliefs and practices, self-presentation, spiritual considerations, etc. This code will be sub-coded as necessary.

a. TAF = Tribal Affiliation: Apply to instances where the tribal affiliation of a victim/survivor is stated

2. EKE = Extended Kin Efforts = Medium Red

This code will be applied to any efforts on the part of extended kin, either through searches, social media, LEA interactions, remembrance ceremonies and other forms of memorialization. This code will be sub-coded as necessary.

3. AOM = Absence of MMIWG2 = Medium Dark Red

This code will be applied to instances where the absence of an individual or individuals is tangibly and intangibly expressed. This can include but not limited to children being raised without mothers, aunts or grandmothers; families mourning loss; suicide; coping strategies; and the loss of knowledge and presence within a multigenerational framework. This code will be sub-coded as necessary.

4. RAR = Resilience & Remembrance = Dark Red

This code will be applied to instances of resilience and remembrance broadly defined. This can include but not limited to memorials, ongoing search efforts, vigils, fighting for visibility and police action, court attendance, personal narratives of resilience, sobriety, etc. This code will be sub-coded as necessary.

a. REC = Recommendations: Apply this code to any recommendations made for law enforcement, justice system, service providers, tribes, legislators and other stakeholders. This code will be sub-coded as necessary.

Perpetrator Pattern Codes: Greens

1. VFP = Violence Family/Partner = Light Green

This code will be applied to instances of violence where the perpetrator is a family member or current or former intimate partner, husband, boyfriend, etc. This code will be sub-coded as necessary.

a. IPV = Intimate Partner Violence: Apply this code to any instances of intimate partner violence experienced by the victim or survivor, including but not limited to physical, emotional, psychological, and financial abuse.

b. FV = Family Violence: Apply this code to any instances of family violence witnessed by the victim or survivor, including but not limited to physical, emotional, psychological, and financial abuse.

2. VST = Violence Stranger = Lime Green

This code will be applied to instances of violence where the perpetrator is not known to the victim and/or they have been targeted for violence by a non-acquaintance. This code will be sub-coded as necessary.

3. VIN = Violence Indigenous = Medium Green

This code will be applied to instances of violence where the perpetrator is Indigenous. This code will be sub-coded as necessary.

4. VNI = Violence Non-Indigenous = Forest Green

This code will be applied to instances of violence where the perpetrator is non-Indigenous. This code will be sub-coded as necessary.

5. VUK = Violence Unknown = Dark Green

This code will be applied to instances of violence where no details or identifying characteristics are known about the perpetrator.

References

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Author Bios

Blythe K. George, Ph.D.

Dr. Blythe K. George is a member of the Yurok Tribe and currently serves as an Assistant Professor of Sociology at the University of California-Merced. Her research focuses on processes of adversity and resilience in tribal communities, with an emphasis on qualitative methodologies and database creation and management. Dr. George received a B.A. in Sociology from Dartmouth College in 2012, and an M.A. in Sociology and Ph.D. in Sociology & Social Policy from Harvard University in 2016 and 2020 respectively. Dr. George has twice been recognized by the National Science Foundation, the Social Science Research Council's Mellon Mays Initiatives, the Washington Center for Equitable Growth, the Woodrow Wilson National Fellowship Foundation, and Indigenous Education, Inc. for her work on prisoner reentry on tribal reservations. In 2021-22, Dr. George and Judge Abby were honored alongside Yurok Tribal Court Director Jessica Carter as Circle 3 Intergenerational Indigenous Women's Fellows by the Spirit Aligned Fellowship Program for their efforts in helping others build their own tribal justice systems.

Annita Lucchesi, MA

Annita Lucchesi serves as founding Executive Director of Sovereign Bodies Institute. She is a Cheyenne descendant, and a survivor of domestic and sexual violence and trafficking. She was born and raised in Humboldt County, and survived repeated sexual violence that occurred in various areas in Northern California. Lucchesi is pursuing her PhD in the School of Geography, Development & Environment at the University of Arizona, and earned her BA in Geography from the University of California, Berkeley, and her MA in American Studies from Washington State University. She is the founder of SBI's MMIWG2 database. She has published works on Indigenous data sovereignty and cartography, Indigenous mapmaking, and research ethics and methods in studying violence against Indigenous women and girls, and her current academic research explores intersections of data, cartography, and violence against Indigenous women and girls.

Chelsea Trillo, MSW

Chelsea Trillo (Mindanaoan/Visayan) serves as the Program Coordinator for Sovereign Bodies Institute, with a focus on Two-Spirit / Indigenous 2LGBTQ+ programming and database work. For nearly a decade, they have been dedicated to addressing gender and sexual violence through crisis support, program coordination, and community organizing. They received a bachelor's degree in gender studies with an emphasis on state violence, and received a master's degree in social work with an emphasis on #MMIW and violence against Mother Earth. Philosophically, they are guided by movements of mutual aid, consent culture, and land back.

Contributor Bios

Yurok Tribal Court

Abby Abinanti, JD

Judge Abby is the Chief Judge of the Yurok Tribe. She is an enrolled member of the Yurok Tribe. She received her law degree from the University of New Mexico's Law School and was the first tribal woman to be admitted to the California State Bar. She served as a judicial officer in the San Francisco Superior Court for 20 years. She has served as Chief Justice since 2008, helping to establish the judicial system with practices based on the Yurok values of interlocking responsibilities in village society.

Angi Cavaliere, JD, MJ, CWLS

Angi Cavaliere is the Supervising Staff Attorney for the Yurok Tribal Court. She is a member of the Stockbridge-Munsee Band of Mohicans and a descendant of the Brotherton Tribe. She has a Bachelor's Degree in Social Change & Development with a minor in First Nations Studies from University of Wisconsin – Green Bay. She obtained her law degree accompanied by a fellowship in Children's Rights from Whittier Law School. The Public Law Center awarded Angi the Wiley Manuel Award for Public Service in 2011 for the work she did as a law student assisting underrepresented populations. After law school, Angi obtained a Master of Jurisprudence in Children's Law & Policy from Loyola Law School - Chicago. Having previously served as Minor's Counsel in the LA County ICWA Court, she moved north to work with the Yurok Tribal Court in the Spring of 2019. She continues her ICWA advocacy with the National Indian Justice Center where she trains tribal and state social workers and advocates on Dependency and ICWA. In January 2020, she was certified as a Child Welfare Legal Specialist by the National Association of Counsel for Children. Angi's life experiences, both personal and professional, have instilled a deep commitment to preventing violence to Native American people.

Kendall Allen-Guyer

Kendall Allen-Guyer serves as the MMIW Project Manager for the Yurok Tribal Court. Kendall is Yurok, Karuk, Wiyot, and an enrolled member of the Hoopa Valley Tribe. Kendall attended both College of the Redwoods and Humboldt State University. She has worked in the legal field for the past fifteen years performing intense research, drafting, and analytical skills as a Paralegal, Senior Clerk and a Wellness Court Program Director. She contributes to ceremony by creating prayer items, singing, and caretaking for her family's regalia.

Alanna Nulph, BS

Alanna Nulph is a Paralegal and Special Domestic Violence Criminal Jurisdiction Coordinator for the Yurok Tribal Court. She graduated from the University of Utah in 2013 with a Bachelor's in Political Science, and a minor in Environmental Studies. Alanna is a former track and field athlete for the University of Utah and former All-American and Academic All-American. She is currently attending an online law program at Purdue University Global while working full-time for the Yurok Court. Alanna is of the Hupa Tribe, enrolled in the Yurok Tribe, and is from the village of Taki'miLding in the Hoopa Valley. When she is not working or studying Alanna likes to weave baskets, fish the Klamath River, play video games, and garden.

Sovereign Bodies Institute

Michaela Madrid, MPP

Michaela Madrid serves as the Operations Manager for Sovereign Bodies Institute. She is a member of the Lower Brule Lakota Sioux Tribe and was born and raised in South Dakota. She has a bachelor's in Political Science and Sociology from Black Hills State University. She has a Master's in Public Policy, specializing in intergovernmental relations with Tribal Governments from Portland State University. Prior to working at SBI, Michaela has worked for the Institute for Tribal Government, Affiliated Tribes of Northwest Indians, and U.S. Department of Interior -Indian Affairs, Office of Self Governance. She is a passionate advocate interested in combining traditional cultural values and governance strategies to shape policy that will improve the everyday lives of Indigenous people.

Viridiana Preciado

Viridiana formally served as Sovereign Bodies's Research Assistant in effort to help build the MMIP database. She now serves as SBI's Research Coordinator. Viridiana identifies as Mexican-American, commonly referred to as a Chicana. Viridiana is set to graduate in the Fall of 2021 with a Bachelor's degree in International Studies from Humboldt State University. Viridiana has witnessed the institutionalized barriers placed specifically on Indigenous peoples and is dedicated to recognize and address the gender based and sexual violence against Indigenous peoples, but also to uplift and empower Indigenous communities.

Aryn Fisher, BS

Aryn Fisher (Northern Cheyenne) serves as the Data Analyst for the Sovereign Bodies Institute. She holds a BS in Community Health from Montana State University. She has served as a community-based tribal researcher and local evaluator on public health projects with Indigenous communities in Montana. Aryn has recently started an Accelerated Nursing Program and will graduate in August 2022 with her BSN.

Taylor Ruecker, BC

Taylor Ruecker serves as the Graphic Designer for Sovereign Bodies Institute. Taylor is from the Peepeekisis Cree First Nation in Saskatchewan, Canada. She has her Bachelors in Information Design and is currently working on her Masters in Typography and Graphic Communication.

Jessica Smith

Jessica Smith (Gidagaakoons) is a proud member of SBI's Survivor Leadership Council and also a research assistant. She is a member of the Alpha Phi Sigma Criminal Justice Honor Society, a Mcnair Scholar, dean's list student, and volunteer legal advocate for MMIWG2 families. She is a proud two-spirit member of The Bois Forte Band of The Minnesota Chippewa Tribe. Jessica speaks nationally on Indigenous issues and fights for justice for all Indigenous people by taking steps towards systemic change. As a survivor, she is using her voice in and out of academia to be supportive of other survivors throughout their healing journeys.

She has done national training on issues of violence against Indigenous people, including training the judicial council of California on how to better support Native 2LGBTQ+ victims. Jessica has received numerous leadership scholarships and awards, and is the 2021-22 Newman Civic Fellow for the University of Wisconsin. Jessica has been accepted into the Masters in Tribal Administration and Governance at UMD which she will be simultaneously starting while finishing her bachelors in Legal Studies and First Nations Studies at UWS in Fall, 2021.

Shereena Baker, MA

Shereena Baker is the Co-President of the Kiva Club at The University of New Mexico (UNM). The purpose of KIVA club is to encourage student and community involvement with Native American issues and events on the UNM campus and in the surrounding communities. She has also been selected to be a 2020-2021 graduate student intern for Sovereign Bodies Institute (SBI). Shereena is currently enrolled as a PhD student in the Language, Literacy and Sociocultural studies program in the Education department at UNM. Prior to continuing her education at UNM, Shereena received her Master's degree in Indigenous Studies from the University of Kansas and her Bachelor's degree in American Indian Studies from Haskell Indian Nations University.

