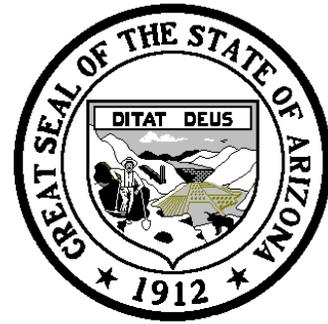


Study Committee on Missing and Murdered Indigenous Women and Girls



**Final Report
November 2020**

Committee Members:

Representative Jennifer Jermaine, Chair
Representative Walter Blackman
Representative Arlando Teller
Representative Myron Tsosie
Monica Antone
Elton Begay
Timothy Chavez
Paul Etnire
Paula Flores (8/28/19 – 6/30/20)
Blaine Gadow
Dimitri Whelan Gonzalez
Leanne Guy

Senator Jamescita Peshlakai, Vice Chair
Senator Sally Ann Gonzales
Senator Frank Pratt
Senator Victoria Steele
Patti Hibbeler
Jon Huey
April Ignacio
Jonathan Mosher
Debbie Nez-Manuel
Kim Russell
Alfred Urbina

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Forward by State Representative Jennifer Jermaine (White Earth Ojibwe), District 18



There is a nationwide epidemic of missing and murdered Indigenous women and girls, and Arizona, with 22 federally recognized Tribes, is at the epicenter. In 2016, there were more than 5,700 federally reported cases of missing Indigenous women and girls.¹ These are the cases we know about, but there are deep gaps in the data that, if closed, would help federal, state, and local authorities better address this epidemic. This Study Committee was created to explore and analyze those gaps in the data so that we can begin to address the horrific ongoing violence committed against Native women and girls in Arizona.

The Arizona State Legislature began exploring the issues around Missing and Murdered Indigenous Women and Girls (MMIWG) in 2016, led by former Representative Wenona Benally Baldenegro² (Navajo, State House of Representatives, D7) who began work with Tribal leaders and community advocates. In 2019, Representative Jennifer Jermaine³ (White Earth Ojibwe, State House of Representatives, D18) and Senator Victoria Steele⁴ (Seneca Nation of Indians, State Senate, D9) partnered with grassroots advocates⁵ to pass legislation creating a Study Committee on Missing and Murdered Indigenous Women and Girls.

¹ Annita Lucchesi and Abigail Echo-Hawk, *Missing and Murdered Indigenous Women & Girls: A snapshot of data from 71 urban cities in the United States* (Seattle, WA: UIHI, 2018).

² "House of Representative Members," Arizona State Legislature, Accessed September 14, 2020, <https://www.azleg.gov/house-member/?legislature=53&legislator=1752>

³ "House Member: Jennifer Jermaine," Arizona State Legislature, Accessed September 14, 2020, <https://www.azleg.gov/house-member/?legislature=54&legislator=1903>

⁴ "Senate Member: Victoria Steele," Arizona State Legislature, Accessed September 14, 2020, <https://www.azleg.gov/senate-member/?legislature=54&legislator=1925>

⁵ See list of people below in Representative Jermaine's Forward

On May 9, 2019, Arizona's Study Committee legislation on Missing and Murdered Indigenous Women and Girls, HB2570⁶ passed both chambers unanimously and was transmitted to Governor Douglas Ducey for signature. Governor Ducey signed it privately on May 14, 2019 with a public ceremonial signing on August 13, 2019 surrounded by survivors, family members of the murdered, Tribal Leaders, Arizona Attorney General Mark Brnovich, and our Legislative champions including the members of the Indigenous Peoples Caucus, Speaker of the House of Representatives Rusty Bowers, and Senate President Karen Fann.

Arizona was the third state in the country to pass legislation on MMIWG when it established the MMIWG Study Committee (Study Committee) through Laws 2019, Chapter 232.⁷ The purpose of the 22-member Study Committee is to:

- 1) conduct a comprehensive study to determine how Arizona can reduce and end violence against Indigenous women and girls;
- 2) establish methods for tracking and collecting data on violence against Indigenous women and girls, including data on missing and murdered Indigenous women and girls;
- 3) review policies and practices that impact violence against Indigenous women and girls, such as child welfare policies and practices;
- 4) review prosecutorial trends and practices relating to crimes of gender violence against Indigenous people;
- 5) gather data on violence against Indigenous women and girls in Arizona;
- 6) determine the number of missing and murdered Indigenous women and girls in Arizona;
- 7) identify barriers to providing more state resources in tracking violence against Indigenous women and girls and reducing the incidences of violence;
- 8) propose measures to ensure access to culturally appropriate victim services for Indigenous women and girls who have been victims of violence;
- 9) propose legislation to address issues identified by the Study Committee; and
- 10) submit a report regarding Study Committee activities and recommendations for administrative or legislative action on or before November 1, 2020 to the Governor, the President of the Senate, and the Speaker of the House of Representatives and provide a copy of the report to the Secretary of State.

Addressing MMIWG is a complex, multi-faceted problem that, by necessity, involves multiple jurisdictions. The Committee examined the problem through multidisciplinary and multi-jurisdictional lenses to identify the issues leading to cold cases, to missed opportunities to act quickly and rescue people, and to systematic problems with access to victim services. The November 1, 2020 report and the field study performed by Tucson-based LeCroy & Milligan Associates Inc.⁸ (through the Arizona Attorney General's office) are starting points. The Study Committee will continue our work through September 30, 2021. Our partnership with Arizona State University School of Criminology and Criminal Justice⁹ and Honwungsi Consulting

⁶ "Bill History for HB2570," AZ Legislature, Accessed September 14, 2020, <https://apps.azleg.gov/BillStatus/BillOverview/73279>

⁷ Establishing a Study Committee on Missing and Murdered Indigenous Women and Girls, H.B. 2570, 54th Leg., 1st Sess. Ch. 232 (A.Z. 2019). <https://www.azleg.gov/legtext/54leg/1R/laws/0232.pdf>

⁸ "LeCroy & Milligan Associates - Tucson Evaluation," LMA, accessed September 14, 2020, <https://www.lecroymilligan.com/>.

⁹ "School of Criminology and Criminal Justice," Arizona State University, Accessed September 14, 2020, <https://ccj.asu.edu/>

Services, LLC¹⁰ will continue working on this topic through 2023 with the opportunity to extend beyond that.

There were a number of problems that we faced when trying to put this information together. ***The first problem that we faced was that the data simply didn't exist in any current law enforcement database.*** Within that problem, we further discovered that many urban police departments were not tracking crimes against Native Americans. Many databases did not contain the simple option for Native American. Since shining light on this issue, several large urban police departments have included new options for race within their databases.

To address the larger problem of missing data, the data sub-committee led by Debbie Nez Manuel (Navajo), Co-Founder of Morning Star Leaders, Inc.,¹¹ worked with the Research on Violent Victimization Lab¹² and Dr. Kathleen (Kate) Fox¹³ at Arizona State University's School of Criminology and Criminal Justice to aggregate data from a broad range of existing law enforcement and vital records databases and cross-referenced information on race and Tribal affiliation with Honwungsi Consulting Services, LLC and other Indigenous advisors.

The second problem we faced is that Arizona lacks any standards for tracking or collaborating across jurisdictions to locate missing adults. Arizona AMBER Alert,¹⁴ Arizona Silver Alert,¹⁵ and Ashlynnne Mike AMBER Alert in Indian Country Act¹⁶ serve as existing models for tracking and responding to missing persons in Arizona. New Jersey's Patricia's Law¹⁷ serves as a model in other states. To learn more about the data gap for missing adults and how to improve it, the Arizona Attorney General Mark Brnovich commissioned a field study from Tucson-based research firm LeCroy & Milligan Associates Inc., in collaboration with Honwungsi Consulting Services, LLC. The field study group conducted a survey of all law enforcement agencies in the state to obtain information on missing persons procedures and protocols in place. The field study group also interviewed survivors and family members of the missing throughout the state of Arizona.

The third problem we discovered is that victims were not able to access the Arizona Victim's Compensation Fund¹⁸ because law enforcement agencies were not consistently taking police reports for missing adults. To address this, we formed a Victim's Compensation sub-committee led by Kim Russell (Navajo), Executive Director, Arizona

¹⁰ Honwungsi Consulting Services, LLC, 2019, "Honwungsi Consulting Services, LLC," Facebook, October 19, 2019, <https://www.facebook.com/Honwungsi-Consulting-Services-LLC-104500244308448/>

¹¹ "The Morning Star Initiative," Nation Building in Indian Country, Accessed September 14, 2020, <https://morningstarleaders.org/>

¹² "Research on Violent Victimization (ROVV) Lab," School of Criminology and Criminal Justice, Arizona State University, Accessed September 14, 2020, <https://ccj.asu.edu/rovv-lab>

¹³ "MMIWG Team," Research on Violent Victimization Lab, Arizona State University, Accessed September 14, 2020, <https://ccj.asu.edu/rovv-lab/mmiwg-team>

¹⁴ Arizona Department of Public Safety, *Amber Alert*, (Phoenix: Arizona Department of Public Safety).

¹⁵ Arizona Department of Public Safety, *Silver Alert*, (Phoenix: Arizona Department of Public Safety). <https://www.azdps.gov/safety/alerts/silver>

¹⁶ U.S. Congress, Senate, *Ashlynnne Mike AMBER Alert in Indian Country Act S.772*, 115th Cong. Introduced to Senate March 29th, 2017. <https://www.congress.gov/bill/115th-congress/senate-bill/772>

¹⁷ Pub. L. 2007-279 <https://www.state.nj.us/njsp/divorg/invest/pdf/mpi-best-practices-protocol-103008.pdf>

¹⁸ Arizona Criminal Justice Commission (ACJC), Victim Services Compensation Program (Phoenix: ACJC) <http://www.azcjc.gov/Programs/Victim-Services/Compensation-Program>

Advisory Council on Indian Health Care¹⁹, Representative Arlando Teller²⁰ (Navajo, State House of Representatives, D7), and Valaura Imus-Nahsonhoya (Hopi Tribe), Honwungsi Consulting Services, LLC. They were tasked with examining the qualification rules for the fund and recommending changes to the Arizona Administrative Code²¹ so that survivors and those with missing persons as family members can obtain necessary medical and psychological care, including traditional Indigenous healing care, and family members can obtain financial assistance for funerals.

Finally, we saw some challenges when the COVID-19 pandemic²² interrupted our field hearings and community interviews and we were forced to innovate and adapt our research methodologies to meet new challenges. Early in our study, we requested vital records from the Arizona Department of Health Services and Office of Vital Records. However, the Office of Vital Records became overwhelmed with requests during the pandemic and was unable to fulfill our request for death certificates. This impacted our ability to narrow down our case queries with law enforcement agencies. The Research on Violent Victimization Lab quickly moved to secondary methods of aggregating data from federal and state level crime databases. We have yet to see the impacts of the COVID-19 pandemic on domestic violence rates, child abuse rates, or calls to social service agencies. We know that the COVID-19 pandemic has not slowed the rate of Indigenous women and girls going missing, turning up deceased or discovered murdered victims because calls from family members have not diminished.

Our work on this topic does not end with this report. This is only the beginning. We will use the findings and data in this report to identify administrative and legislative action needed to help prevent future abductions and murders of Indigenous Women and Girls in Arizona. We dedicate this report to the lives lost and the Tribes who have inhabited this land for time immemorial. It is our hope and expectation that this work will save lives.

¹⁹ <https://aacihc.az.gov/>

²⁰ "House Member: Arlando Teller." Arizona State Legislature. Accessed September 14, 2020. <https://www.azleg.gov/house-member/?legislature=54&legislator=1896>

²¹ Arizona Administrative Code (Phoenix: Office of the Secretary of State, 2018). https://apps.azsos.gov/public_services/Title_10/10-04.pdf

²² Arizona Department of Health Services, Highlighted Infectious Diseases for Arizona, (Phoenix, 2020). <https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/index.php#novel-coronavirus-home>

Acknowledgements

We want to acknowledge that we are not the original driver of this issue in the Arizona Legislature. We are standing on the shoulders of generations of powerful women. We want to thank former Representative Wenona Benally Baldenegro (Navajo, State House of Representatives, D7) who began the work on Missing and Murdered Indigenous Women and Girls in Arizona with Tribal leaders and community advocates in 2016 and laid the groundwork for successful partnerships across jurisdictional lines.

By statute, Arizona's Study Committee is made up of members from both Chambers of the State Legislature; elected Tribal leaders; state, county, and Tribal law enforcement; the Arizona Attorney General's office and Pima County Attorney's office; and the Phoenix Indian Center; as well as community advocates and social workers who specialize in our Tribal communities. We have been mindful to integrate both the urban and Reservation based views and experiences. We would like to thank all of our dedicated Study Committee Members:

Jennifer Jermaine, Chairperson, White Earth Ojibwe (State House of Representatives, D18)
Jamescita Peshlakai,¹ Vice Chairperson, Navajo Nation (State Senate, D7)
Arlando Teller, Navajo Nation, (State House of Representatives, D7)
Myron Tsosie, Navajo Nation, (State House of Representatives, D7)
Walter Blackman, (State House of Representatives, D6)
Victoria Steele, Seneca Nation of Indians (State Senate, D9)
Sally Ann Gonzales, Pascua Yaqui Tribe (State Senate, D3)
Frank Pratt (State Senate, D8)
Blaine Gadow, Arizona Assistant Attorney General
Paul Etnire, Hopi Tribe, Captain, Arizona Department of Public Safety
Barbara LaWall, Pima County Attorney
Dmitri W. Gonzales, Lieutenant, Maricopa County Sheriff's Office, Major Crimes Division
April Ignacio, Tohono O'odham Nation, Founder of Indivisible Tohono
Paula Flores, Salt River Pima-Maricopa Indian Community, Victim Advocate, Salt River Pima-Maricopa Indian Community Government
Leanne Guy, Navajo Nation, Executive Director, Southwest Indigenous Women's Coalition
Kim Russell, Navajo Nation, Executive Director, Arizona Advisory Council on Indian Health Care
Patricia Hibbeler, Salish/Kootenai, CEO, Phoenix Indian Center
Jon Huey, Yavapai Apache Nation, Tribal Chairman, Yavapai-Apache Nation
Monica Antone, Gila River Indian Community, Tribal Council Member D4, Gila River Indian Community
Timothy Chavez, Chief of Police, Gila River Indian Community
Debbie Nez Manuel, Navajo Nation, Social Worker, resident of the Salt River Pima Maricopa Indian Community and Co-Founder of Morning Star Leaders, Inc.
Honorable Alfred Urbina, Pascua Yaqui Tribe, Associate Justice, Pascua Yaqui Courts

We could not have done this research without our Tribal Liaison and Study Coordinator, Valaura Imus-Nahsonhoya (Hopi Tribe). Mrs. Imus-Nahsonhoya is an enrolled member of the Hopi Tribe and the Executive Director of Honwungsi Consulting Services, LLC. Prior to consulting

¹ "Senate Member: Jamescita Peshlakai." Arizona Legislature. <https://www.azleg.gov/senate-member/?legislature=54&legislator=1923>

with us on this project, she worked for the National Criminal Justice Training Center as a Program Coordinator, and for the Bureau of Indian Affairs, Office of Justice Services Victim Assistance Program as a Supervisory Victim Specialist and for the Department of the Interior (DOI), Office of Law Enforcement and Security. She was the first Victim Specialist to work with DOI Office of Law Enforcement & Security and crime victims served by the Bureau of Indian Affairs District III (Arizona). Prior to that she worked for the Hopi Tribe in Arizona as the Program Director of the Hopi Domestic Violence Program and served as Legal Advocate for the Office of the Hopi Tribal Prosecutor. We are eternally grateful to her for guiding us, and for sharing her knowledge and expertise on victim services in our Tribal Nations.

Getting our arms around this epidemic required expertise with federal systems, state systems, and Tribal systems – as well as cultural competency to gather this very sensitive, very traumatic data from our Indigenous population. We would like to thank our program partners without whom we could not have done this research:

Attorney General Mark Brnovich and his staff
Honwungsi Consulting Services, LLC and Executive Director Valaura Imus-Nahsonhoya
Research on Violent Victimization Lab and Dr. Kathleen (Kate) Fox at Arizona State University's School of Criminology and Criminal Justice
American Indian Policy Institute at Arizona State University and Director Traci Morris
LeCroy & Milligan Associates Inc. and Project Manager Katie Haverly, M.S.
Phoenix Indian Center and CEO Patricia Hibbeler
InterTribal Council of Arizona and their staff
Indivisible Tohono Founder April Ignacio
Southwest Indigenous Women's Coalition and Leanne Guy and Tania Harvey
Arizona House of Representatives and Policy Advisor Tracy Lopes and General Council Rhonda Barnes
Arizona State Senate and General Council Lizette Flores
Kristine FireThunder and the Governor's Office on Tribal Relations

This legislation was made possible by our passionate community advocates and grassroots coalition. They played a valuable role in educating Legislators and the Governor on the need for a formal Study Committee. We would like to acknowledge and thank:

Academy For Justice at Arizona State University
April Ignacio (Tohono O'odham)
Brandon Nahsonhoya (Hopi/Tewa)
Carey Onsaе-Namoki (Hopi)
Carol Cooley (San Carlos Apache)
Corey Hemstreet (Navajo)
Debbie Garcia (Piipaash)
Debbie Nez-Manuel (Navajo)
Dorma Sahneyah (Hopi/Tewa)
Edith Starr (San Carlos Apache)
Elayne Gregg (Tohono O'odham)
Eric Descheenie (Navajo, former House of Representatives, D7)
Haleigh LaRose (Navajo)
Holly Figueroa (Hopi)
InterTribal Council of Arizona
Jacqueline Thomas
Jamescita Peshlakai (Navajo, State Senate, D7)
Jared Ivins-Massey (White Mountain Apache)

Jennifer Jermaine (White Earth Ojibwe, House of Representatives, D18)
Late Florence Choyou (Hopi)
Laura Medina (Grand Traverse Band Ojibwe)
LeJeune Howato (Hopi)
Lisa Blackhorse (Tlingit and Yurok)
Lorraine Cooley (San Carlos Apache)
Nalene Gene
Pamela Foster (Navajo), Mother of the late Ashlynn Mike
Patricia Sauer
Phoenix Indian Center
Rosalee Gonzalez (Xicana-Kickapoo)
Rosetta Badhand Walker (Rosebud Sioux)
Roxanne Joseyesva (Hopi)
Roxanne Thomas (Fallon Paiute Shoshone Tribe and Navajo)
Royce Manuel (Auk-Mierl AwThum)
Sadie Woodie-Jackson (Navajo, Assistant to the Navajo First Lady)
Shandiin Manuel (Navajo)
Souta Calling Last (Blackfeet & Blood)
Southwest Indigenous Women's Coalition (Leanne Guy, Navajo & Tania Harvey, Navajo)
Tucson Indian Center
Valaura Imus-Nahsonhoya (Hopi)
Victoria Steele (Seneca Nation of Indians, State Senate, D9)
Violet Duncan (Plains Cree of Kehewin Cree Nation and Taino)
Watts College of Public Service and Community Solutions at Arizona State University
Wenona Benally Baldenegro (Navajo, former House of Representatives, D7)

Additionally, we would like to acknowledge and thank the Tribal Leadership who were present at the State Capitol and helped advocate for this research:

Amber Crotty, Delegate, Navajo Nation
Diane Enos, Councilwoman, Salt River Pima Maricopa Indian Community
Dottie Lizer, Second Lady, Navajo Nation
Monica Antone, Councilwoman, Gila River Indian Community
Phefelia Nez, First Lady, Navajo Nation
Robert Stone, Lt. Governor, Gila River Indian Community
Timothy Nuvangyaoma, Chairman, Hopi Tribe

We would like to thank the following individuals who provided blessings, cedar smudging, and traditional dances and songs prior to our field hearings:

Royce Manuel, a member of the Salt River Pima Maricopa Indian Community
Diana Uqualla, a member of the Havasupai Tribe of the Grand Canyon
Dottie Lizer, Second Lady from the Navajo Nation
Bruce Talawyma, Staff Assistant to Hopi Tribe Chairman Timothy Nuvangyaoma
Monica Antone, Councilwoman from the Gila River Indian Community
Walking Eagle Drum Group, they performed a traditional honor songs ceremony

Finally, we would like to thank the following individuals and organizations for providing presentations during our field hearings:

Arizona Amber Alert System & Collaboration with Arizona Tribes; Chrystal Moore, Arizona State Alert Coordinator, Arizona Department of Public Safety
Missing and Murdered Diné Relatives Forum (MMDR); Jolene Holgate, Co-Coordinator

Hopi-Tewa Women's Coalition to End Abuse; Carey Onsa-Namoki, Executive Director; Victim Services in Indian Country and Metropolitan Areas; Valaura Imus-Nahsonhoya, Honwungsi Consulting Services, LLC; Paula Flores, Salt River Pima Maricopa Indian Community Family Advocacy Center
Investigation and Prosecution Challenges; Alfred Urbina, Pascua Yaqui Associate Justice, Pascua Yaqui Tribal Courts; Jon Huey, Chairman and former Chief of Police, Yavapai-Apache Nation; Valaura Imus-Nahsonhoya, Honwungsi Consulting Services, LLC.



House Bill 2570
Signing Ceremony

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 232
HOUSE BILL 2570

AN ACT

ESTABLISHING A STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN
AND GIRLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Study committee on missing and murdered indigenous
3 women and girls; membership; duties; report;
4 delayed repeal

5 A. The study committee on missing and murdered indigenous women and
6 girls is established consisting of the following members:

7 1. Four members of the house of representatives who are of
8 indigenous descent or who attend meetings and actively work on issues
9 relating to indigenous peoples. The speaker of the house of
10 representatives shall appoint these members. The appointed representatives
11 shall select by a majority vote one representative to serve as chairperson
12 of the study committee.

13 2. Four members of the senate who are of indigenous descent or who
14 attend meetings and actively work on issues relating to indigenous
15 peoples. The president of the senate shall appoint these members. The
16 appointed senators shall select by a majority vote one senator to serve as
17 vice chairperson of the study committee.

18 3. The attorney general or the attorney general's designee.

19 4. The director of the department of public safety or the
20 director's designee.

21 5. The following members who are appointed by the speaker of the
22 house of representatives:

23 (a) One county attorney and one sheriff from a county with a
24 population of eight hundred fifty thousand persons or more.

25 (b) One victim advocate.

26 (c) One peace officer who works and resides on a federally
27 recognized American Indian reservation in this state.

28 (d) One representative who is from the southwest indigenous women's
29 coalition, a tribal statewide organization that provides advocacy for or
30 counseling to indigenous women and girls who have been victims of
31 violence.

32 (e) One member who works with the Phoenix or Tucson Indian center.

33 (f) One member who works in the Phoenix area Indian health
34 services.

35 6. The following members who are appointed by the president of the
36 senate:

37 (a) One county attorney and one sheriff from a county with a
38 population of less than eight hundred fifty thousand persons.

39 (b) One representative of a tribal government.

40 (c) One chief of police who is from a tribal police department.

41 (d) One social worker who works with a tribal, statewide or local
42 organization that provides services to indigenous women and girls.

43 (e) One representative who works with a tribal, statewide or local
44 organization that provides legal services to indigenous women and girls.

- 1 B. The study committee shall meet quarterly or more frequently as
2 the chairperson deems necessary.
- 3 C. Committee members are not eligible to receive compensation, but
4 members who are appointed by the governor are eligible for reimbursement
5 of expenses under title 38, chapter 4, article 2, Arizona Revised
6 Statutes.
- 7 D. The study committee shall:
- 8 1. Conduct a comprehensive study to determine how this state can
9 reduce and end violence against indigenous women and girls in this state.
- 10 2. Establish methods for tracking and collecting data on violence
11 against indigenous women and girls, including data on missing and murdered
12 indigenous women and girls.
- 13 3. Review policies and practices that impact violence against
14 indigenous women and girls, such as child welfare policies and practices.
- 15 4. Review prosecutorial trends and practices relating to crimes of
16 gender violence against indigenous people.
- 17 5. Gather data on violence against indigenous women and girls in
18 this state.
- 19 6. Determine the number of missing and murdered indigenous women
20 and girls in this state.
- 21 7. Identify barriers to providing more state resources in tracking
22 violence against indigenous women and girls and reducing the incidences of
23 violence.
- 24 8. Propose measures to ensure access to culturally appropriate
25 victim services for indigenous women and girls who have been victims of
26 violence.
- 27 9. Propose legislation to address issues identified by the study
28 committee.
- 29 10. Submit a report regarding the study committee's activities and
30 recommendations for administrative or legislative action on or before
31 November 1, 2020 to the governor, the president of the senate and the
32 speaker of the house of representatives and provide a copy of this report
33 to the secretary of state.
- 34 E. This section is repealed from and after September 30, 2021.

APPROVED BY THE GOVERNOR MAY 14, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 14, 2019.

REPORT 2020

Background

[Laws 2019, Chapter 232](#) established the Study Committee on Missing and Murdered Indigenous Women and Girls ([Committee](#)). The purpose of the 22-member Committee is to: 1) conduct a comprehensive study to determine how Arizona can reduce and end violence against Indigenous women and girls; 2) establish methods for tracking and collecting data on violence against Indigenous women and girls, including data on missing and murdered Indigenous women and girls; 3) review policies and practices that impact violence against Indigenous women and girls, such as child welfare policies and practices; 4) review prosecutorial trends and practices relating to crimes of gender violence against Indigenous people; 5) gather data on violence against Indigenous women and girls in Arizona; 6) determine the number of missing and murdered Indigenous women and girls in Arizona; 7) identify barriers to providing more state resources in tracking violence against Indigenous women and girls and reducing the incidences of violence; 8) propose measures to ensure access to culturally appropriate victim services for Indigenous women and girls who have been victims of violence; and 9) propose legislation to address issues identified by the Committee and submit a report regarding Committee activities and recommendations for administrative or legislative action on or before November 1, 2020 to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy of the report to the Secretary of State.

Summary of Committee Activity

The Committee met on the following dates: August 28, 2019, October 29, 2019, December 13, 2019, August 28, 2020 and October 28, 2020.

Committee Hearing August 28, 2019

Chairwoman Jermaine introduced Royce Manuel, a member of the Salt River Pima Maricopa Indian Community to give the blessing for the Committee. A Cedar Burning "Smudging" Ceremony was performed by Diana Uqualla, a member of the Havasupai Tribe of the Grand Canyon.

The Committee heard the following presentations:

- Victim Services in Indian Country and Metropolitan Areas
 - Valaura Imus-Nahsonhoya, HB 2570 Study Director, Honwungsi Consulting
 - Paula Flores, Salt River Pima Maricopa Indian Community Family Advocacy Center
- Investigation and Prosecution Challenges
 - Alfred Urbina, Pascua Yaqui Associate Justice, Pascua Yaqui Tribal Courts

The Committee discussed the following topics and received public testimony:

- Collaborative Agreements & Data Sharing with Tribes
- Methods of Gathering Data & Community Survey

The Committee formed the Data Sharing/Collection and Victim Compensation workgroups.

A video recording of the Committee can be found at:

http://azleg.granicus.com/MediaPlayer.php?clip_id=23270&autostart=0

Committee Hearing October 29, 2019

Chairwoman Jermaine introduced Dottie Lizer, Second Lady from the Navajo Nation to give the opening blessing. An additional blessing was also performed by Bruce Talawyma, Staff Assistant to Hopi Tribe Chairman Timothy Nuvangyaoma.

The Committee heard the following presentations:

- Missing and Murdered Diné Relatives Forum (MMDR)
 - Jolene Holgate, Co-Coordinator, MMDR
- Hopi-Tewa Women's Coalition to End Abuse
 - Carey Onsa-Namoki, Executive Director

The Committee received updates from the Data Sharing/Collection and Victim Compensation workgroups.

The Committee received public testimony.

A video recording of the Committee can be found at:

http://azleg.granicus.com/MediaPlayer.php?clip_id=23331&autostart=0

Committee Hearing December 13, 2019

Chairwoman Jermaine introduced Councilwoman Monica Antone from the Gila River Indian Community and the Walking Eagle Drum group. The group performed a traditional honor songs ceremony.

The Committee heard the following presentations:

- Arizona Amber Alert System & Collaboration with Arizona Tribes
 - Chrystal Moore, Arizona State Alert Coordinator, Arizona Department of Public Safety

The Committee heard an update from the Data Sharing/Collection and Victim Compensation workgroups.

The Committee discussed and adopted by voice vote the following Missing and Murdered Indigenous Women and Girls definition: "**Indigenous women and girls, or Indigenous persons who identify as female, who are missing or have lost their lives from violence caused by another person.**"

The Committee received public testimony.

A video recording of the Committee can be found at:

http://azleg.granicus.com/MediaPlayer.php?clip_id=23374&autostart=0%0

Committee Hearing August 28, 2020

The Committee heard progress from the following presenters on the HB 2570 supplemental report:

- Violent Victimization Lab at ASU School of Criminology and Criminal Justice
 - Dr. Kate Fox, Ph.D.
- LeCroy & Milligan Associates, Inc.
 - Katie Haverly, Project Manager

The Committee received an update from the Victim Compensation workgroup.

No public testimony was held during this hearing.

A video recording of the Committee can be found at:

http://azleg.granicus.com/MediaPlayer.php?clip_id=24479&autostart=0

Committee Hearing October 28, 2020

Chairwoman Jermaine called on Senator Peshlakai to introduce Mae Peshlakai (Navajo) to give the opening blessing.

The Committee heard the following presentations:

- Reducing Missing and Murdered Indigenous Women and Girls – Arizona's Statewide Study in Partnership with HB2570 Legislative Study Committee
 - Arizona State University, Kate Fox, Ph.D.
- Arizona's Field Study of Missing & Murdered Indigenous Women and Girls
 - LeCroy & Milligan, Katie Haverly, Project Manager
- Arizona's Crime Victim Compensation Program
 - Victim Compensation Subcommittee, Kim Russell, Chair
- Criminal Jurisdiction Problems in Arizona Indian Country & Barriers to Protecting Missing & Murdered Indigenous Women & Girls in Arizona
 - Associate Justice Alfred Urbina

The Committee held discussion on the proposed committee recommendations. A motion was made to accept the recommendations presented at 1:05pm on 10/28/2020. The motion CARRIED with a roll call vote of 15-0-7.

No public testimony was held during this hearing.

A video recording of the Committee can be found at:

http://azleg.granicus.com/MediaPlayer.php?clip_id=24490&autostart=0

Appendix A:

August 28, 2019

Minutes and Reference Materials

REVISED - 08/23/19

REVISED - 08/23/19

REVISED - 08/23/19

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

ARIZONA STATE LEGISLATURE
INTERIM MEETING NOTICE
OPEN TO THE PUBLIC

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Date: Wednesday, August 28, 2019

Time: 11:00 A.M.

Place: HHR 1

AGENDA

1. Call to Order
2. Blessing - Royce Manuel, Salt River Pima Maricopa Indian Community
3. Cedar Burning "Smudging" Ceremony - Dianne Uqualla, Member of the Havasupai Tribe of the Grand Canyon ←
4. Welcome & Purpose
5. Nomination and Selection of the Chair and Vice Chair
6. Committee Member Introductions
7. Presentations:
 - Valaura Imus-Nahsonhoya (Honwungsi Consulting) and Paula Flores (Salt River Pima Maricopa Indian Community Family Advocacy Center) - Victim Services
 - Alfred Urbina - Pascua Yaqui Associate Justice - Investigation and Prosecution Challenges
8. Discussion on Collaborative Agreements & Data Sharing with Tribal Nations
9. Discussion on Methods of Gathering Data & Community Survey
10. Public Testimony / Comments
11. Adjourn

Members:

Senator Sally Ann Gonzales
Senator Jamescita Peshlakai
Senator Frank Pratt
Senator Victoria Steele
Monica Antone
Elton Begay
Timothy Chavez
Paula Flores
Blaine Gadow
Dimitri Whelan Gonzalez
LeAnn Guy
Patti Hibbeler

Representative Walter Blackman
Representative Jennifer Jermaine
Representative Arlando Teller
Representative Myron Tsosie
Jon Huey
April Ignacio
Barbara LaWall
Debbie Manuel
Kim Russell
Heston Silbert
Alfred Urbina

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ARIZONA STATE LEGISLATURE

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Minutes of the Meeting
August 28, 2019
11:00 a.m., House Hearing Room 1

Members Present:

Senator Sally Ann Gonzales
Senator Jamescita Peshlakai
Senator Frank Pratt
Senator Victoria Steele
Monica Antone
Paula Flores
Blaine Gadow
Dimitri Whelan Gonzalez
LeAnn Guy
Patti Hibbeler

Representative Walter Blackman
Representative Jennifer Jermaine
Representative Arlando Teller
Jon Huey
April Ignacio
Debbie Nez-Manuel
Kim Russell
Blaze Baggs, Director of the Department of
Public Safety's designee

Members Excused:

Representative Myron Tsosie
Elton Begay
Timothy Chavez
Barbara LaWall
Alfred Urbina

Staff:

Anthony Casselman, House Research Staff
Jake Agron, Senate Research Staff

Representative Jermaine called the meeting to order at 11:04 a.m. and attendance was noted.

BLESSING - ROYCE MANUEL, SALT RIVER PIMA MARICOPA INDIAN COMMUNITY

Royce Manuel, Salt River Pima Maricopa Indian Community, gave a blessing for the Committee.

CEDAR BURNING "SMUDGING" CEREMONY

Diane Uquala, Havasupai Tribe of the Grand Canyon, performed a traditional smudging ceremony.

WELCOME & PURPOSE

Representative Jermaine made opening remarks and welcomed everyone to the meeting.

NOMINATION AND SELECTION OF THE CHAIR AND VICE CHAIR

Representative Jermaine opened the floor for nominations to Chairman and Vice Chairman of the Committee.

Representative Teller moved, without objection, that Representative Jermaine be selected as Chair. Representative Jermaine stated that with no objection, Representative Jermaine is the Chair of this Committee.

Senator Steele moved, without objection, that Senator Peshlakai be selected as Vice Chair by acclamation. Representative Jermaine stated that without any objections, Senator Peshlakai is Vice Chair of this Committee.

COMMITTEE MEMBER INTRODUCTIONS

Representative Jermaine requested that the members of the Committee introduce themselves.

Representative Jermaine requested that staff introduce themselves.

PRESENTATIONS:

Valaura Imus-Nahsonhoya (Honwungsi Consulting) and Paula Flores (Salt River Pima Maricopa Indian Community Family Advocacy Center) - Victim Services

Valaura Imus-Nahsonhoya, Hopi Tribe, distributed and explained a PowerPoint presentation entitled "Victim Services in Indian Country and Metropolitan Areas" (Attachment A). Ms. Imus-Nahsonhoya explained the current system and difficulties in trying to take care of victims and their families. Ms. Imus-Nahsonhoya answered questions posed by the Committee.

Alfred Urbina - Pascua Yaqui Associate Justice - Investigation and Prosecution Challenges

Ms. Imus-Nahsonhoya, in the Honorable Alfred Urbina's absence, testified on excerpts from Mr. Urbina's written testimony (Attachment B). Some of the topics Ms. Imus-Nahsonhoya spoke of were jurisdiction, information sharing and lack of technology in some areas. Ms. Imus-Nahsonhoya answered questions posed by the Committee.

DISCUSSION ON COLLABORATIVE AGREEMENTS & DATA SHARING WITH TRIBAL NATIONS

Jon Huey, Chief of Police, Yavapai-Apache Police Department, testified regarding tribal access to information systems, the Tribal Access Program and differing tribal council rules. Mr. Huey answered questions posed by the Committee.

Ms. Imus-Nahsonhoya answered additional questions posed by the Committee.

Representative Jermaine named Representative Teller and Ms. Russell to work with the State Victim's Compensation Board to attempt to solve any issues with compensating victims that use traditional healing.

DISCUSSIONS ON METHODS OF GATHERING DATA & COMMUNITY SURVEY

The Committee discussed collaborative agreements between agencies and tribes.

Representative Jermaine asked for volunteers for a workgroup to study the various collaborative agreements and what needs to be in the agreements. Ms. Nez-Manuel, Ms. Guy, Ms. Flores, Mr. Whelan Gonzalez, Mr. Gadow, Ms. Ignacio and Ms. Hibbeler agreed to be members of the workgroup.

PUBLIC TESTIMONY / COMMENTS

Representative Jermaine asked if anyone from the public would like to speak, to which no one came forward.

The Committee discussed companies using a derogatory term.

Representative Jermaine mentioned that the Committee would possibly meet next on September 25th.

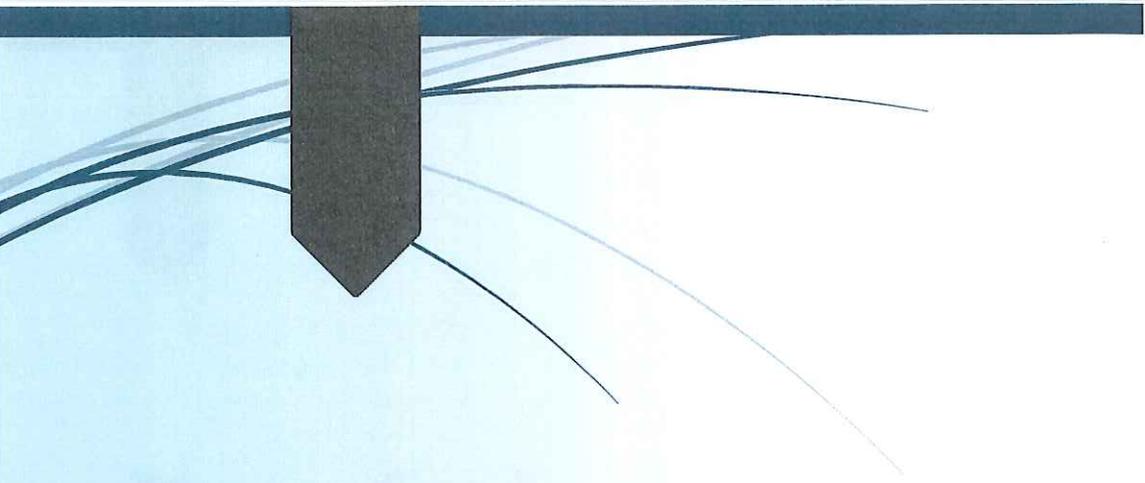
As requested, on the date of this meeting, Debbie Manuel will be noted as Debbie
Nez-Manuel.

There being no further business, the meeting was adjourned at 1:12 p.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



Victim Services in Indian Country and Metropolitan Areas

Valaura Imus-Nahsonhoya, HB 2570 Study Director

What is a Victim?

- ▶ A person that has suffered direct physical, emotional, or pecuniary harm as a result of a commission of a crime.
- ▶ If the victim is an institutional entity, services may be provided to an authorized representative of the entity.
- ▶ If a victim is under 18 years of age, incompetent, incapacitated, or deceased, services may be provided to **one** of the following (in order of preference) for the victims benefit:
 - ▶ Spouse, legal guardian, parent, child, sibling, another family member, another person designated by the court.

Who is Not a Victim?

- A person who is culpable for or accused of the crime being investigated or prosecuted should not be considered a victim for purposes of the rights and services describe in the AG Guidelines.
- Neither the federal government nor any state, local, tribal or foreign government or agency thereof fall under the definition of crime victim for either mandatory services or court-enforceable rights.



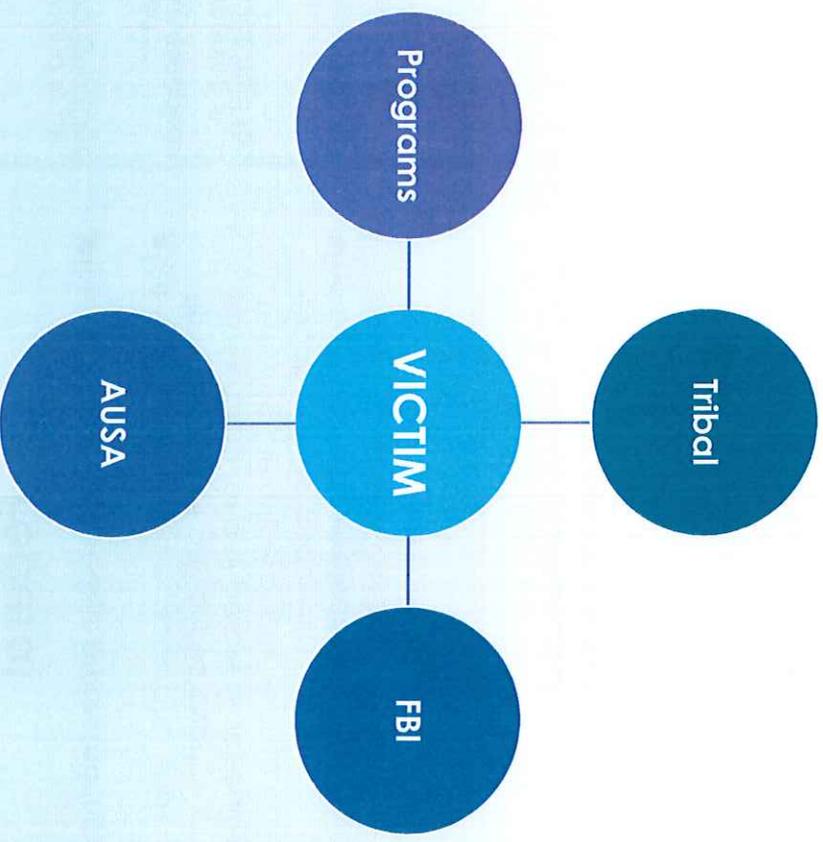
What is an Advocate?

- Serve as liaison between crime victims and law enforcement, courts, etc.
- Notify crime victims of Victims Rights
- Escort and support victims through court proceedings.
- Provide crisis intervention and advocacy support to victims and their families, such as safety planning
- Notify victims that they may seek advice of an attorney with respect to their rights.
- Empower use of support system and refer to appropriate community resources such as Victim Compensation, Support groups, community resources, tribal social services, etc.
- Work with victim in preparing victim impact statement for sentencing.
- Cooperate with ALL law enforcement agencies investigating the crime

“EMPOWER to be INDEPENDENT and be SELF-SUFFICIENT!”

Role of Advocate: A Coordinated Response

- ▶ Through multi-disciplinary teams/child protection team (MDT/CPT).
- ▶ Joint presentations in communities to better understand how the criminal justice system works.
- ▶ Coordination of case management of tribal and federal investigation/prosecution
- ▶ Programs such as therapy, traditional medicine
- ▶ Coordination promotes a victim centered approach and creates a smooth transition in providing effective and efficient victim services



Victim's Rights

State

Federal

Tribal

Tribes may have their **own** victims rights

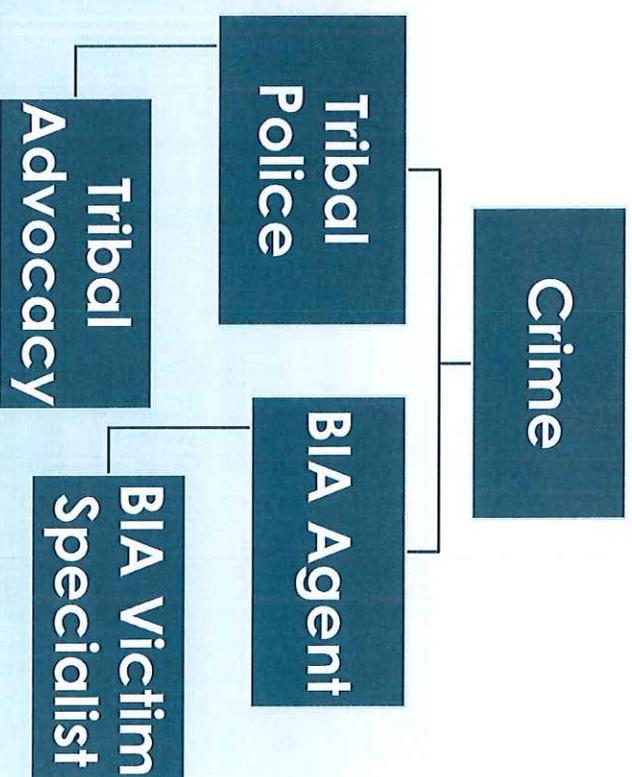
If not, they often will follow the Federal Victims Rights

- ▶ To be treated with fairness, respect, and dignity, and to be **free from intimidation, harassment, or abuse**, throughout the criminal justice process.
 - ▶ To be **informed**, upon request, when the accused or convicted person is released from custody or has escaped.
 - ▶ To be **present** at and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.
 - ▶ To be **heard** at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.
 - ▶ To **refuse** an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant.
 - ▶ To **confer** with the prosecution, after the crime against the victim has been charged, before trial or before any disposition of the case and to be informed of the disposition.
 - ▶ To **read pre-sentence reports** relating to the crime against the victim when they are available to the defendant.
 - ▶ To receive prompt **restitution** from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.
 - ▶ To be **heard** at any proceeding when any post-conviction release from confinement is being considered.
 - ▶ To a **speedy trial or disposition** and prompt and final conclusion of the case after the conviction and sentence.
 - ▶ To have all rules governing criminal procedure and the admissibility of evidence in all criminal **proceedings protect victims' rights** and to have these rules be subject to amendment or repeal by the legislature to ensure the protection of these rights.
 - ▶ To be **informed** of victims' constitutional rights.
- The right to be reasonably **protected** from the accused;
 - The right to reasonable, accurate, and **timely notice** of any public court proceeding, or any parole proceeding, involving the crime or any release or escape of the accused;
 - The right **not to be excluded** from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at the proceeding;
 - The right to be **reasonably heard** at any public proceeding in the district court involving release, plea, [or] sentencing, or any parole proceeding;
 - The reasonable right to **confer with the attorney** for the government in the case;
 - The right to full and timely **restitution** as provided in law;
 - The right to proceedings free from **unreasonable delay**
 - The right to be treated with **fairness and with respect** for the victim's dignity and privacy

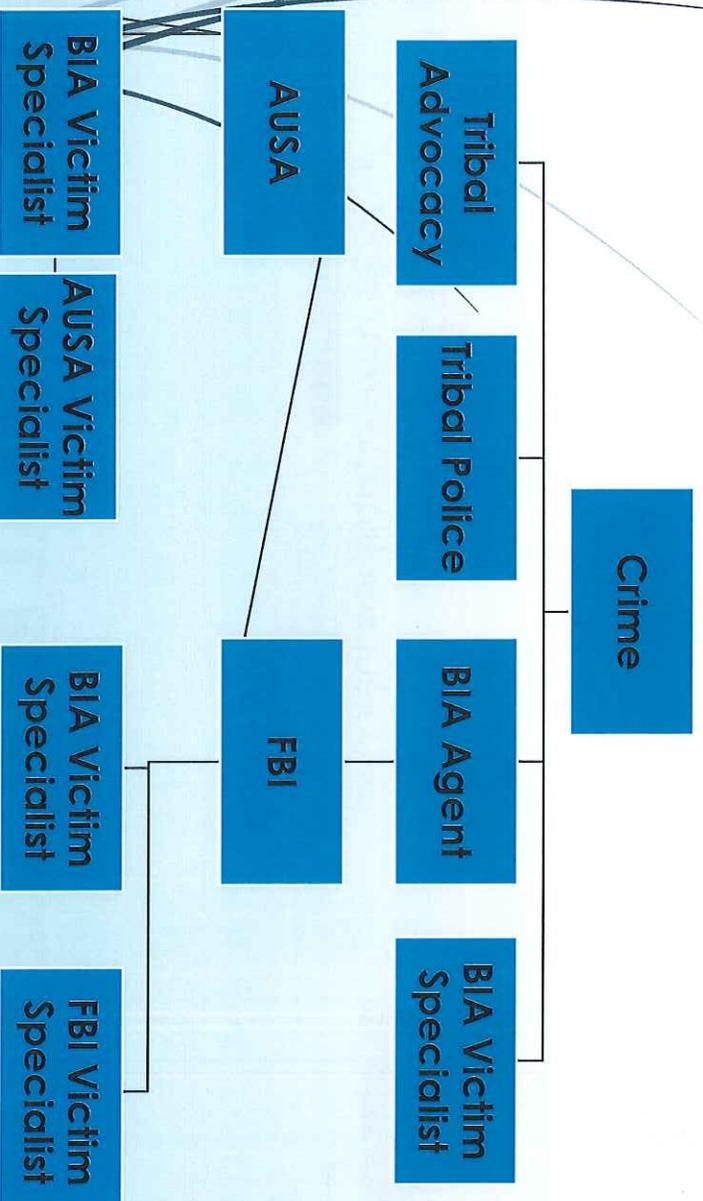
TRIBAL RESPONSE TO CRIME

Types of Crime

- Tribes have established their own Tribal Criminal Codes
- Vary tribe to tribe



Federal Response to Indian Country Crime

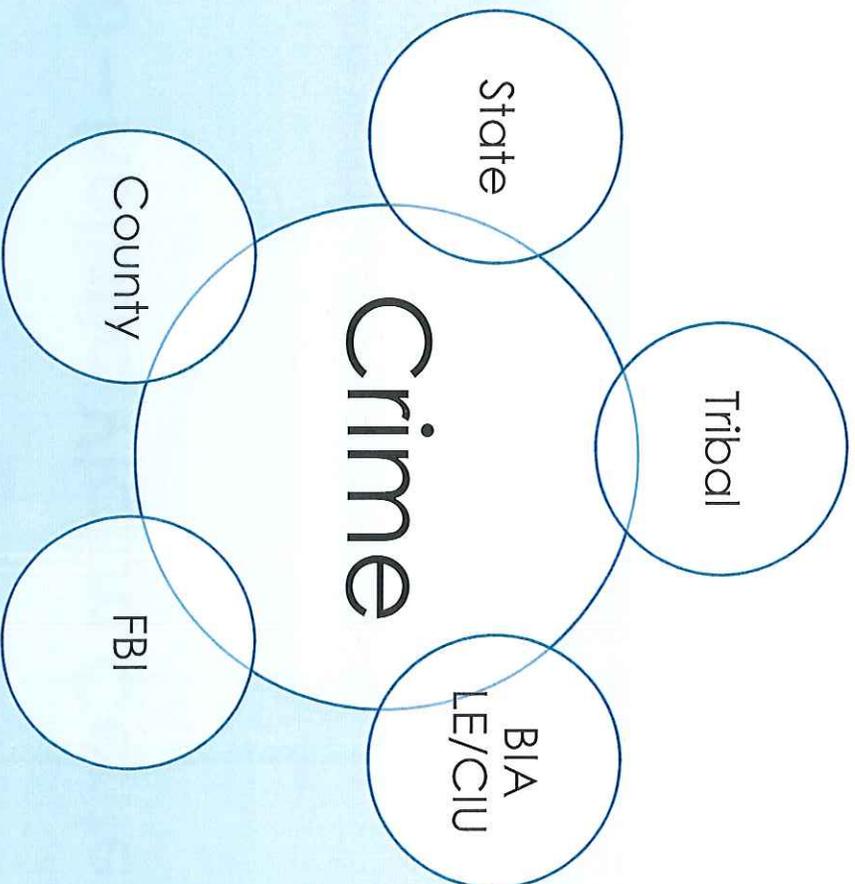


Types of Crimes (18 USC § 1153)

- **Murder**
- Manslaughter
- **Kidnapping**
- Maiming
- A felony under chapter 109A (i.e. sexual abuse)
- Incest
- A felony assault under section 113 (e.g. assault with intent to commit murder or assault with a dangerous weapon)
- An assault against an individual who has not attained the age of 16 years
- Felony child abuse or neglect, Arson
- Burglary
- Robbery, and
- A felony under section 661 of this title (i. e. larceny)

Sex Trafficking

Law Enforcement Response



HB 2570 – Holistic Victim Centered Response

- ▶ Ensure victims, survivors, and families are:
 - ▶ Treated with respect
 - ▶ Have an advocate, counselor or social worker available
 - ▶ Choice to be heard publically or in closed session

THANK YOU!



CORRECTED

Criminal Jurisdiction Problems in Arizona Indian Country & Barriers to Protecting Missing & Murdered Indigenous Women & Girls in Arizona

August 28, 2019

The first responsibility of any government, tribal or otherwise, is the safety and protection of its people. For there can be no security or peace where there is insecurity and fear. Violent behavior against intimate partners or vulnerable family members by tribal members or non-Indians and missing and murdered family members are matters that can no longer be tolerated. Protecting victims of violent crime, domestic violence, and sexual assault is about justice and safety, and it is also about fairness, and dignity. The starting place to reverse historical jurisdictional problems and injustices in Indian Country is with strong tribal justice systems, better data collection, and more coordination between tribal, state, and federal law enforcement and court systems. Arizona is in a unique position to close jurisdictional gaps and safe havens for lawbreakers.

Violence Against American Indian and Alaska Native Women:

“More than 4 in 5 American Indian and Alaska Native women (84.3 percent) have experienced violence in their lifetime. This includes:

- ■ 56.1 percent who have experienced sexual violence.
- ■ 55.5 percent who have experienced physical violence by an intimate partner.
- ■ 48.8 percent who have experienced stalking.
- ■ 66.4 percent who have experienced psychological aggression by an intimate partner.

Overall, more than 1.5 million American Indian and Alaska Native women have experienced violence in their lifetime. More than 1 in 3 American Indian and Alaska Native women (39.8 percent) have experienced violence in the past year. This includes:

- ■ 14.4 percent who have experienced sexual violence.
- ■ 8.6 percent who have experienced physical violence by an intimate partner.
- ■ 11.6 percent who have experienced stalking.
- ■ 25.5 percent who have experienced psychological aggression by an intimate partner.

There are major flaws in the jurisdictional configuration of Arizona Indian Country. The criminal and civil jurisdictional structure, underserved reservations, inadequate federal law enforcement response, and the lack of resources have prevented tribes and the State from properly protecting women and children from harm and has instead, caused them to experience actual physical harm, fear, and marginalization. The lack of access to justice or redress, based on where indigenous women and girls happen to live, their gender, their economic circumstances, and their status as tribal women, helped to create a historic pattern of violence, trauma, abuse, and an increased risk of sexual and economic exploitation, stalking, and sex trafficking. Also, acts of domestic and dating violence perpetrated by non-Indians are still going unprosecuted in Arizona's Indian Country. The long-term trauma associated with the lack of justice has severely impacted the public health, welfare, and vitality of Arizona Reservation communities.

Recent and important Tribal justice measures presented some Indian Nations in Arizona with an opportunity to restore and exercise selected authority to protect their people from crime and violence. Not only are Tribes able to address human rights abuses perpetuated for decades upon women and children, but tribes are also able to do this while guaranteeing the civil rights of the accused. On the other hand, just like when a major storm passes, communities will have to take time to survey the harm, reconcile with victims and families, and rebuild the trust that has been lost. Today, in 2019, a public safety and public health crisis is still present on most Native American reservations and communities, especially in the remote villages of our relatives on the Navajo and Tohono O'odham Nations. There are shattered homes across Arizona's Indian

Country. The long-term lack of security for women and children has brought on a “crisis of confidence” in tribal, state, and federal justice systems.

“Crime does not respect borders” and does not stay in one jurisdiction. The State of Arizona needs additional tools and mechanisms to help address crime in a multi-jurisdictional environment to address violence, drugs, and missing and murdered Indigenous women and girls (MMIWG). Most Arizona Tribes do not exercise criminal jurisdiction over non-Indian offenders and the State does not generally exercise criminal jurisdiction on Indian Reservations.¹ Flexibility exists for tribal law enforcement, in terms of cross-deputization agreements (MOUs), Task Forces, Arizona P.O.S.T. certified officers, and State statutory authority.^{2 3}

When a resident of one State crosses the border to visit another, that individual is subject to the criminal jurisdiction of the State he or she is visiting, his external criminal history may also be considered. Likewise, noncitizens visiting or residing in the United States are subject to federal and State criminal jurisdiction, despite their citizenship status. Similarly, crime in Arizona spills on to and off Reservation communities, Tribes need authority to address wrongdoers who venture onto tribal lands to do harm. However, many tribes do not have the resources to provide comprehensive changes to their systems or guarantee suitable services for victims and their families. Any new legal and jurisdictional framework will not work absent the proper funding for state and tribal courts, victims, and support services.

A three-pronged “jurisdictional maze”⁴ made up of federal, tribal, and State governments lacking proper coordination, communication, and accountability is the primary reason for victims being

¹ See *State v. Carpio*, No. 1 CA-CR 15-0635, 2017 Ariz. App. Unpub. LEXIS 817 (Ariz. Ct. App. June 22, 2017).

² See A.R.S. § 13-3874(A) (2001).

³ *State v. Nelson* (App. Div. I 2004) 208 Ariz. 5, 90 P.3d 206.

⁴ Clinton, Robert. *Criminal Jurisdiction Over Indian Lands: A Journey Through a Jurisdictional Maze*, 18 Ariz.L.Rev. 503 (1976).

neglected, criminals escaping punishment, and for the human rights crisis of MMIWG in Arizona. As a result of a series of federal statutes and court decisions, tribes lack the territorial jurisdiction states possess. Instead, criminal jurisdiction in Indian country is divided between three jurisdictions. This fractured authority creates a great deal of confusion and requires extensive coordination between police departments, prosecutors' offices, court systems, probation/parole offices, and victim service providers.

The primary agencies responsible for Indian Country crime are tribal agencies/systems. Responses by federal and state agencies in Indian Country are informed and affected by limited resources, case law, proximity to tribal lands, limited jurisdiction on tribal lands, and by cross-jurisdictional agreements and MOUs with tribal governments. While most of all crimes prosecuted in Arizona Indian Country are prosecuted in Tribal courts, a large percentage of violent crimes (Major Crimes) are referred to United States Attorney's Office for prosecution. Agencies that refer crimes include the Bureau of Indian Affairs (BIA); Federal Bureau of Investigation (FBI); FBI-led task forces; and local tribal law enforcement. Indian country jails and detention facilities are either operated via tribal authorities, tribal contracted facilities, the BIA, BIA off-Reservation contracts, or the Bureau of Prisons (primarily for federal cases). Some Tribes contract with local counties or with private correctional facilities.

The BIA, Office of Justice Services (BIA-OJS) funds and supports Arizona tribal justice programs through recurring federal appropriations, it includes both BIA-operated and tribally-operated programs. Eighty percent of the total BIA-OJS programs are under contract and control of Arizona Tribes as authorized under Public Law 93-638. These programs have been historically chronically underfunded. Law Enforcement, Detention and Corrections, and Tribal Courts funding

is distributed according to historical allocations. Factors that determine the amount of funding per program include, the violent crime rate, staffing levels and shortages by parity ratios, service population, size and land base to be serviced, calls for service, and prevalence of drug and gang activity. Federal funding, augmented by tribal revenues and federal grants, support tribal law enforcement, detention/corrections, and tribal court programs. All agencies produce and have access to criminal and civil case related data. Some aggregate data is reported and shared directly to the BIA or to grant funders.

Arizona Tribes have begun to obtain access to national record and information systems and are actively sharing some criminal justice information like orders of protection, criminal warrants, sex offender information, and criminal convictions of domestic violence offenders through the Department of Justice Tribal Access Program (TAP). But tribes still need technical assistance in the development of their programs and to help them automate and submit complete records to protect victims or to prevent the purchase of firearms by those who are prohibited from purchasing or possessing a firearm under federal or state law. In Arizona, many tribes still do not have the capability or technology to transmit records to national systems, either through their own infrastructure or through the Arizona Department of Public Safety. Some tribal programs have not yet converted their manual paper records to electronic versions. Tribes in Arizona, either through tribal law enforcement agencies or BIA direct service programs, generally do not share reliable criminal data or statistics to the FBI's Uniform Crime Reports, the National Incident-Based Reporting System (NIMBRS), or the National Institute of Justice's National Missing and Unidentified Persons System (NamUs).

The data that is submitted to national or state databases and repositories by law enforcement agencies have several limitations that make them unsuitable for analyzing tribal and local crime

that impacts the Native American population in Arizona (on and off Reservation). For example, to address this problem, NamUS added additional data fields for missing person cases. These fields were added to “better gather relevant information related to the investigation of a missing and/or unidentified indigenous person case, in the hope of resolving more cases, and to foster better communication across tribal, local, state, and federal jurisdictions.”⁵

The U.S. Department of Justice (DOJ) has also expanded the TAP and Amber Alert in Indian country to make law enforcement more aware of missing persons and to enhance their ability to be responsive to missing persons reports and Sexual Offender Registration and Notification Act (SORNA) registrants in the area. TAP also enables tribal law enforcement to have access to national law enforcement databases and to immediately and directly enter missing persons reports into them.⁶ TAP provided the ability to access and exchange data with national crime information databases for both civil and criminal purposes. Tribes receive a kiosk workstation that provides access to national systems as well as training to support their governmental needs. Tribal agencies including law enforcement, prosecutors, courts, and probation departments have access to the system. Tribal civil agencies are also eligible to use TAP. TAP enhances tribal efforts to register sex offenders pursuant to the Sex Offender Registration and Notification Act (SORNA); have orders of protection enforced off-reservation; protect children; keep firearms away from persons who are disqualified from receiving them; improve the safety of public housing; and allow tribes to enter their arrests and convictions into national databases.

⁵ To help address the significant challenges in collecting data regarding missing and murdered American Indian and Alaska Native people, the Department of the Interior’s Bureau of Indian Affairs (BIA) and the DOJ partnered together to capture tribal data through new data fields in the National Missing and Unidentified Persons System.

⁶ The following Tribes in Arizona now have access to National Criminal Information systems through the DOJ TAP program: Pascua Yaqui, Tohono O’odham Nation, Hopi Tribe, Ft. McDowell, Gila River Indian Community, Salt River Pima Maricopa Indian Community, White Mountain Apache, Colorado River Indian tribes, Yavapai Apache Nation, and the Navajo Nation.

“The DOJ launched TAP in August 2015 and has expanded yearly to provide Tribes access to national crime information systems for both civil and criminal purposes. TAP allows tribes to more effectively serve and protect their nation’s citizens by ensuring the exchange of critical data across the Criminal Justice Information Service systems and other national crime information systems.⁷ TAP is funded by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking , the Office of Community Oriented Policing Services , and the Office for Victims of Crime. Tribes can use TAP to support criminal justice purposes such as: law enforcement efforts in Indian country; sex offender registries authorized by the Adam Walsh Child Protection and Safety Act; and to assist in providing services to victims of crime.”⁸

⁷ <https://www.justice.gov/tribal/tribal-access-program-tap>

⁸ Id. ; <https://www.justice.gov/tribal/national-crime-information-systems>

Appendix B:

October 29, 2019

Minutes and Reference Materials

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ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Date: Tuesday, October 29, 2019
Time: 10:00 A.M. MT / 9:00 A.M. PT
Place: Moenkopi Legacy Inn & Suites
1 Legacy Lane, Tuba City, AZ 86045

AGENDA

1. Call to Order
2. Opening Blessing - Bruce Talawyma, Staff Assistant to Hopi Tribe Chairman Timothy Nuvangyaoma
3. Roll Call
4. Presentations:
 - ~~Kiyoko Patterson, Assistant U.S. Attorney, Role of the U.S. Attorney's Office in Indian Country~~
 - Dustin Driscoll, Regional Program Specialist, National Missing and Unidentified Persons System, NamUS
 - Jolene Holgate, Co-Coordinator, Missing and Murdered Diné Relatives Forum
 - Carey Onsaе-Namoki, Executive Director, Hopi-Tewa Women's Coalition to End Abuse
 - Data Sharing/Collection Workgroup
 - Victim Compensation Workgroup
5. Public Testimony
6. Next Steps
7. Adjourn

Members:

Representative Jennifer Jermaine, Chair
 Representative Walter Blackman
 Representative Arlando Teller
 Representative Myron Tsosie
 Monica Antone
 Elton Begay
 Timothy Chavez
 Paula Flores
 Blaine Gadow
 Dimitri Whelan Gonzalez
 LeAnn Guy
 Patti Hibbeler

Senator Jamescita Peshlakai, Vice Chair
 Senator Sally Ann Gonzales
 Senator Frank Pratt
 Senator Victoria Steele
 Jon Huey
 April Ignacio
 Jonathan Mosher
 Debbie Nez-Manuel
 Kim Russell
 Heston Silbert
 Alfred Urbina

* The committee may go into an executive session to receive testimony or documents pursuant to House and Senate Rules.

10/23/19

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ARIZONA STATE LEGISLATURE

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Minutes of the Meeting
October 29, 2019
10:00 a.m. MT / 9:00 a.m. PT
Moenkopi Legacy Inn & Suites
1 Legacy Lane, Tuba City, AZ 86045

Members Present:

Representative Jennifer Jermaine, Chair
Representative Arlando Teller
Representative Myron Tsosie
Timothy Chavez
Blaine Gadow
Dimitri Whelan Gonzalez

Senator Jamescita Peshlakai, Vice Chair
Senator Sally Ann Gonzales
Senator Victoria Steele
April Ignacio
Debbie Nez-Manuel
Kim Russell
Alfred Urbina

Members Excused:

Representative Walter Blackman
Monica Antone
Elton Begay
Paula Flores
LeAnn Guy
Patti Hibbeler

Senator Frank Pratt
Jon Huey
Jonathan Mosher
Heston Silbert

Staff:

Ingrid Garvey, House Research Staff
Cherie Stone, Senate Research Staff

Chairman Jermaine called the meeting to order at 9:31 a.m. Pacific Time and 10:31 a.m. Mountain Time.

Representative Jermaine introduced Second Lady Dottie Lizer from the Navajo Nation.

Dottie Lizer, Second Lady from the Navajo Nation, gave an opening blessing for the Committee.

Representative Jermaine asked the Committee members to introduce themselves and attendance was noted.

Valaura Imus-Nahsonhoya, Executive Director/Founder, Honwungsi Consulting Services, introduced herself to the Committee as the Study Director to HB 2570.

Representative Jermaine further introduced Bruce Talawyma to give an additional blessing for the Committee.

Opening Blessing - Bruce Talawyma, Staff Assistant to Hopi Tribe Chairman Timothy Nuvangyaoma

Bruce Talawyma, Staff Assistant to Hopi Tribe Chairman Timothy Nuvangyaoma, gave an opening blessing for the Committee.

PRESENTATIONS

Data Sharing/Collection Workgroup

Debbie Nez-Manuel, Advocate for Missing and Murdered Indigenous Women and Girls (MMIWG), also Vice-chair on Subcommittee on Data Sharing/Collection Workgroup, provided information and shared report from their subcommittee meetings on Data Sharing and Data Collection Workgroup.

Representative Jermaine requested that the Committee members give a voice vote to authorize the working group to send out Freedom of Information Act request to the 91 Political Subdivisions.

Representative Jermaine asked if there are any objections, seeing no objections, it is moved and approved that the working group has the authority of the Committee to send out Freedom of Information Act request.

Representative Jermaine requested that the Committee members give an approval to the definition of Missing and Murdered Indigenous Women and Girls that the working group came up with and asked if there are any discussion or revisions to the definition.

Ms. Nez-Manuel explained the definition of Missing and Murdered Indigenous Women and Girls.

Senator Peshlakai asked a question in regards to the definition.

Representative Jermaine asked if there are any objections to this definition of Missing and Murdered Indigenous Women and Girls, seeing no objections, the definition is approved.

Victim Compensation Workgroup

Representative Teller provided brief information regarding their research on the victim compensation program.

Ms. Russell shared information regarding their research on the victim compensation program through the Arizona Criminal Justice Commission. Ms. Russell commented that

it would be very helpful to hear from the tribal members on how accessible these programs are to the tribal communities.

PUBLIC TESTIMONY

Representative Jermaine requested from the audience public testimony regarding the victim compensation fund.

Kim Zahne-Tacheene, representing Hopi Tewa Women's Coalitions to End Abuse, testified and shared her experience with the victim compensation fund and answered questions posed by the Committee.

Jolene Holgate, Co-Coordinator, Missing and Murdered Diné Relatives Forum

Jolene Holgate, Co-Coordinator, Missing and Murdered Diné Relatives Initiative, gave a brief background on the Missing and Murdered Diné Relatives (MMDR) and their partnerships and mission. Ms. Holgate explained their programs and initiatives on creating data institute to track data throughout Navajo communities and the MMDR community action kit for families to help mobilize and navigate jurisdictions issues. Ms. Holgate thanked the State of Arizona for passing HB 2570 and answered questions posed by the Committee.

The Committee discussed their concerns and shared comments for the presentation mentioned above.

RECESS

At 10:56 a.m. Pacific Time, Chairman Jermaine recessed the meeting.

RECONVENE

At 11:10 a.m. Pacific Time, Chairman Jermaine reconvened the meeting.

Carey Onsaе-Namoki, Executive Director, Hopi-Tewa Women's Coalition to End Abuse

Carey Onsaе-Namoki, Executive Director, Hopi-Tewa Women's Coalition to End Abuse, gave a brief background on the Hopi-Tewa Women's Coalition to End Abuse and highlighted their programs and initiatives at Hopi communities. Ms. Ms. Onsaе-Namoki explained the need for data sharing across Tribal, State and Federal jurisdictions which would help in preventing crimes. Ms. Onsaе-Namoki addressed the issue of missing and murdered at Hopi communities and the need for resources to help families in addressing this issue in a culturally specific trauma informed manner. Ms. Onsaе-Namoki answered questions posed by the Committee.

Senator Peshlakai shared her story regarding this horrific problem and made remarks.

The Committee discussed their concerns and shared comments for the presentation mentioned above.

Dustin Driscoll, Regional Program Specialist, National Missing and Unidentified Persons System, NamUS

The presentation did not take place.

PUBLIC TESTIMONY – (continued)

Representative Jermaine called for public testimony.

Senator Peshlakai introduced Isabelle Webster from Cameron, Arizona and stated that she would provide a translation for the testifier.

Isabelle Webster, representing herself, from Cameron, Arizona, via Senator Peshlakai translation, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls. Ms. Webster shared her experience and challenges with her granddaughter who was murdered in Kentucky.

Mae Peshlakai, representing herself, from Cameron, Arizona, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls and shared her concerns on the selling indigenous babies.

Representative Jermaine offered comments.

Elizabeth Whitethorne-Benally, representing Navajo County Constable, from Shonto, Arizona, testified and spoke about the need for more county elected officials from their own native community.

Mary K. James, representing her granddaughter Jamie Yazzie, from Pinon, Arizona, via Senator Peshlakai translation, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls. Ms. James shared her experience and challenges with her granddaughter that still missing and hope that one day she would be found.

Representative Jermaine offered comments.

Marschelle James, representing her niece Jamie Yazzie, from Pinon, Arizona, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls. Ms. James shared her experience and challenges with her niece that still missing and hope that one day she would be found.

Leonard Gorman, Executive Director, Navajo Nation Human Rights Commission, testified and addressed issues that the Navajo communities are dealing with regarding Missing and Murdered Indigenous Women and Girls by the State and Federal systems.

Ms. Marscelle James provided additional comments.

Representative Jermaine offered comments.

Melissa Mix, representing herself, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls. Ms. Mix shared her concerns about her family safety and everyone in the tribal community dealing with this issue.

Representative Jermaine publicly thanked those who testified and offered comments.

NEXT STEPS

Representative Jermaine addressed the next steps that the two workgroups would continue working on.

Representative Jermaine asked the Committee members to check their calendar for open meeting dates and mentioned that the Committee would possibly meet in early December.

Representative Jermaine publicly thanked former Representative Wenona Benally from District 7 in the Navajo Nation.

Representative Jermaine acknowledged and publicly thanked the Committee members and all the organizations for their time and input on this very important topic and made closing remarks.

Attached are forms noting the individuals who submitted a Speaker Slip on the agenda items (Attachment A).

There being no further business, the meeting was adjourned at 1:47 p.m.

Respectfully submitted,

Imee L. Andrew
Committee Secretary
Video Transcription

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



Missing & Murdered Diné Relatives

By MMDR Working Group

History of Missing & Murdered Diné Relatives

- In May 2016, the tragic loss of Ashlyrne Mike in Shiprock spurred a public outcry for leadership to act
- The same month, Council Delegate Amber Kanazbah Crotty sponsored legislation to establish a task force
- The 23rd Navajo Nation Council's Nadbik'íyáítí' Committee approved a resolution to establish the Sexual Assault Prevention Subcommittee (SAPS)
- Reestablished in June 2019 by the 24th NNC

History of Missing & Murdered Diné Relatives

- To support SAPs, Delegate Crotty created the Navajo Nation Sexual Violence Prevention Working Group (SVPWG)
- The SVPWG supported SAPs to address sexual and domestic violence, protecting Navajo children, and aid with policy advocacy at the state/federal levels

Timeline of MMDR Initiative



March 2019: Delegate Crotty met with coalitions, Navajo programs, and stakeholders to propose MMDR



April 2019: Delegate Crotty sought partnerships to aid with developing a data institute



May 2019: Partnerships were created and the MMDR Team was assembled



June 2019: MMDR Team holds its first community forum to begin developing the framework for a proposed data institute

MMDR Initiative Begins

- Through SVPWG, the MMDR Team was created
- Team of subject-matter experts in data, epidemiology, victim advocacy, human rights, policy development, and history
- MMDR Team: SVPWG, Diné College, Navajo Epidemiology Center, Northern Arizona University, Navajo Nation Missing Persons Updates group, Navajo Area IHS, Navajo Human Rights Commission, Office of the Speaker, OPVP, and local coalitions: SWIWC, CSVANW, and RAW

MMDR Data Institute

- When comparing the data information from the Navajo Nation Police Department and the community-based research/data organizations, it is a **stark** contrast
- Understanding that many Navajo programs are underfunded and data information does not interface across the board on the Nation, the MMDR Team have been working diligently to develop a framework for a proposed data institute that would address missing and murdered relatives

MMDR Data Institute (cont.)

- Improve the nation's capability to track cases, collect data, and develop informed policies in the overall effort to bring our Diné relatives home
- Another step towards self-determination in having control over its own data clearinghouse
- Increased access to opportunities such as federal funding, creating strategies to combat violence, and increase awareness/prevention throughout Navajo communities

Community Forums

Objective:

- With stakeholder and community input, the MMDR Team was tasked to create a framework for the Navajo Nation's first MMDR data institute

Rather than labeling MMDR as an epidemic, we recognize that this issue is an ongoing crisis with historical roots dating back to the initial colonization of the American southwest

MMDR Forum #1: Diné College
– Shiprock, NM (June 2019)

MMDR Forum #2: Northern
Arizona University – Flagstaff, AZ
(Aug. 2019)

MMDR Forum #3: TBD – Gallup,
NM (Nov. 2019)

MMMDR Community Action Kit

- In August, we met with NDPS/CI to begin discussions for a missing persons community action kit
- The action kit would include:
 - The missing persons reporting process, proactive steps for prevention, and training to educate Navajo communities on how to mobilize and coordinate efforts to locate their missing relatives within their communities

Navajo Nation Developments

- Coordinating with existing Navajo Nation working groups and available resources to address missing and murdered Navajo people: NNMPU, Diné We Can, NM-MMIW Task Force, AZ-MMIWG Study Committee director;
- Navajo Nation Police Department is developing a Missing Persons Unit
- Expanding the Navajo Nation 911 emergency call services across the Navajo Nation, in coordination with Arizona, New Mexico, and Utah state law enforcement

Navajo Nation Developments (cont.)

- Bulking up the Navajo Nation Police Department's Information Management Section (NNPD-IMS) for data collection and hiring a crime data analyst
- Seeking additional resources for victim advocates in each police district
- Active recruitment for additional police officers; the Nation currently operates law enforcement academy

For more information:

Email: navajommdr@gmail.com

Facebook:

<https://www.facebook.com/MMDRDataInstitute/>

Data References:

- Navajo Nation Police Department
- Federal Bureau of Investigations
- Sovereign Bodies Institute
- Navajo Nation Missing Persons Updates group





Hopi Tewa Women's Coalition to End Abuse

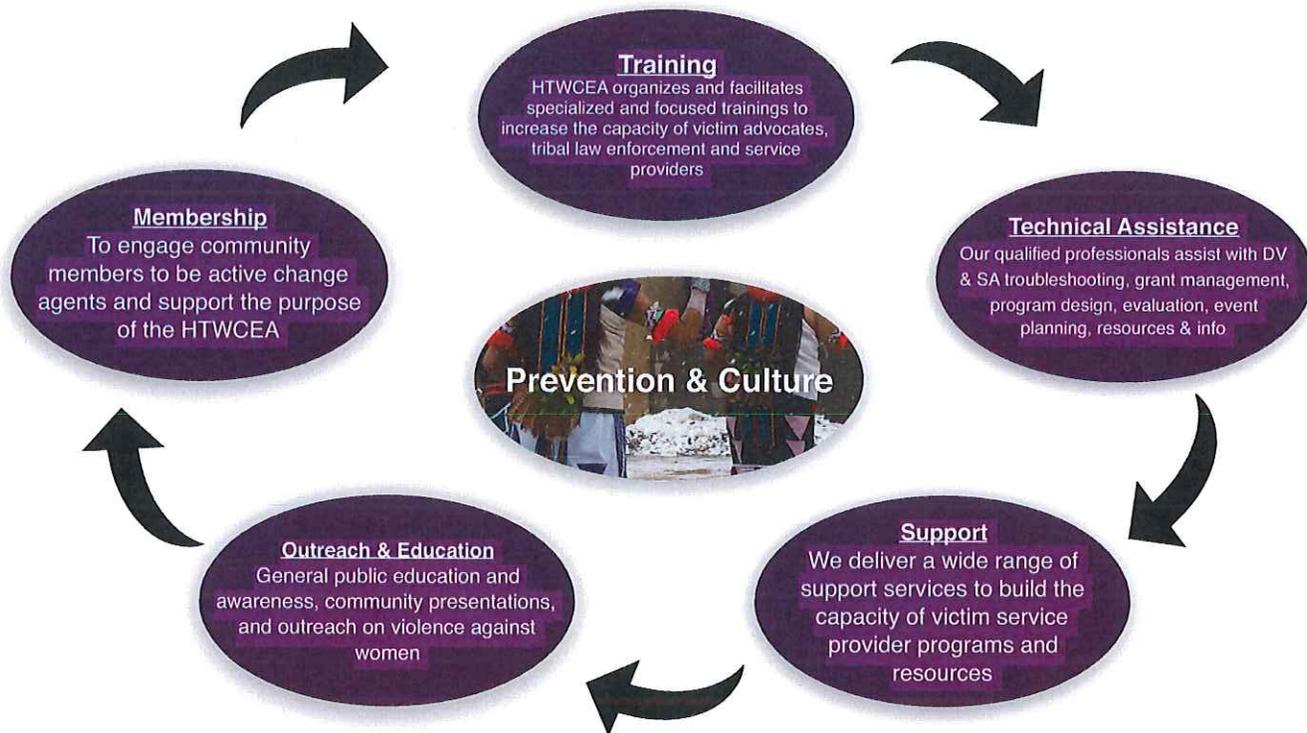
HTWCEA
PO BOX 239
Second Mesa, AZ
(928) 225 -7029
info@htwcea.org



ABOUT US

HTWCEA is a non-profit, non governmental tribal coalition that provides training, technical assistance, education, outreach, policy development and advocacy support to tribal and non-tribal government programs and agencies.

It is Our Mission to advocate for a coordinated and effective response system that creates a safety net towards building healthy communities, while embracing the strength of our cultural values and traditions.



“ Weaving a web of support for victims of domestic violence and sexual assault.”

Hopi-Tewa Women's Coalition to End Abuse believes in honoring and respecting Hopi & Tewa Women through these "Life Supporting Teachings"

- Teach *Kyaptsi* - All living things are respected and honored, especially females. In a healthy relationship, we listen without judgement, value one another's thoughts, feelings and opinions. Honor each other's decisions and choices
- *Wuhti pas hikyayta* – Women and girls are very precious. We must love, honor and respect them as they are vital to the Hopi way of life.
- *Sumi'angwa* – Coming together to do activities for the benefit of all, out of a strong desire & commitment to contribute to benefit society.
- *Nami'angwa*- Helping one another in the times of need, without having to be asked or expected compensation for the deed.
- Teaching *Clanship & Identity*. We receive our lineage from our women. Our identity is given to us by our mothers.
- Teach that Hopi male and female roles are of *Balance and Equality*, not of privilege or power. A woman's role in the Hopi community is vital to the Hopi way of life.

How Can You Get Involved?

Become a Member of the Hopi-Tewa Women's Coalition to End Abuse

One-year membership is available to all interested community members and organizations.

Invite Us to Your Next Event

The Coalition can provide education, training and technical assistance in the area of Domestic Violence, Sexual Assault, Stalking, Dating Violence and more

Attend our Events

Look out for upcoming events, or sign up with our staff to be included on our mailing list so you can be notified of our events.

Volunteer

The Coalition is always seeking volunteers to assist during various activities. See a member of our staff to sign up.

Support Our Mission

Share our resources and services with your family, village and workplace.

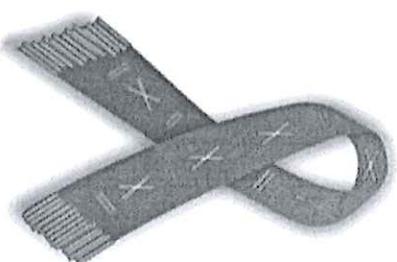
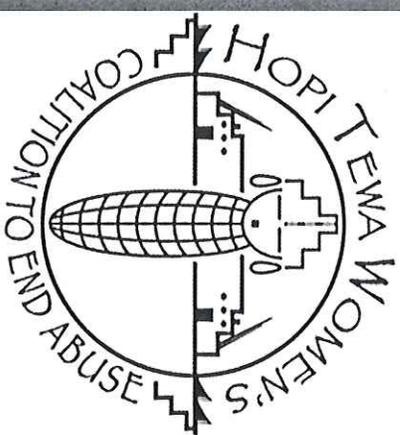
ASKWALLI!

P.O. Box 239
Second Mesa, AZ
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Info@htwcea.org

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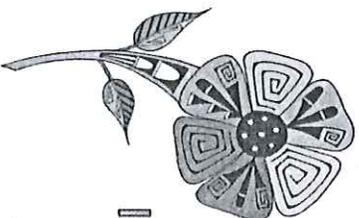
**Violence is NOT
our Hopi
& Tewa Tradition**

MISSION

"To advocate for a coordinated and effective response system that creates a safety net towards building healthy communities, while embracing the strength of our cultural values and traditions."

WHO WE ARE

HTWCEA is a non-profit, non-governmental tribal coalition that provides training, technical assistance, policy development and advocacy support to tribal and non-tribal government programs/agencies.



**Violence Against Women
Is NOT Our Hopi & Tewa Tradition**

Weaving a Web of Support For Victims of Domestic Violence & Sexual Assault

PURPOSE

- Promote leadership development of Hopi & Tewa women to effect social change and systemic reform
- Educate the public toward a better understanding of violence against women
- Build collaborative relationships with agencies to enhance services with a vict ma-

NO MORE
infm



Together We Can End
Domestic Violence in
INDIAN COUNTRY

CURRENT INITIATIVES

- **Training & Technical Assistance** – Training and resources for programs to enhance services to victims of domestic & sexual violence, using trauma-informed practices
- **Public Education & Awareness** – Community informational presentations, conferences, youth violence prevention initiatives, healthy relationship building and awareness month activities
- **Membership Program** – Community involvement in various aspects of the coalition – fundraising, volunteer, policy development & awareness campaigns
- **Project KYAPTSI** – 8-session workshops to enhance knowledge of violence against women in a cultural context with an emphasis on overall health

Appendix C:

December 13, 2019

Minutes and Reference Materials

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

ARIZONA STATE LEGISLATURE
INTERIM MEETING NOTICE
OPEN TO THE PUBLIC

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Date: Friday, December 13, 2019

Time: 10:00 A.M.

Place: Rawhide Western Town Event Center
 5700 North Loop Road
 Chandler, AZ 85226

AGENDA

1. Call to Order
2. Welcome and Invocation, Gila River Indian Community Tribal Officials
3. Introduction of Members
4. Presentation:
 - Arizona Amber Alert System & Collaboration with Arizona Tribes - Chrystal Moore, Arizona State Alert Coordinator
5. Working Groups Update
 - a. Data Sharing
 - b. Victim Compensation
6. MMIWG Definition Discussion and Vote
7. Public Testimony
8. Adjourn

Members:

Representative Jennifer Jermaine, Chair
 Representative Walter Blackman
 Representative Arlando Teller
 Representative Myron Tsosie
 Monica Antone
 Elton Begay
 Timothy Chavez
 Paul Etnire
 Paula Flores
 Blaine Gadow
 Dimitri Whelan Gonzalez
 LeAnn Guy

Senator Jamescita Peshlakai, Vice Chair
 Senator Sally Ann Gonzales
 Senator Frank Pratt
 Senator Victoria Steele
 Patti Hibbeler
 Jon Huey
 April Ignacio
 Jonathan Mosher
 Debbie Nez-Manuel
 Kim Russell
 Alfred Urbina

* The committee may go into executive session to receive testimony or documents pursuant to House and Senate Rules.

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.

ARIZONA STATE LEGISLATURE

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Minutes of the Meeting

December 13, 2019

10:00 a.m.

Rawhide Western Town & Event Center
5700 North Loop Road, Chandler, AZ 85226

Members Present:

Representative Jennifer Jermaine, Chair
Representative Arlando Teller
Representative Myron Tsosie
Monica Antone
Elton Begay
Timothy Chavez
Paul Etnire
Blaine Gadow
LeAnn Guy

Senator Jamescita Peshlakai, Vice Chair
Senator Sally Ann Gonzales
Senator Frank Pratt
Senator Victoria Steele
Patti Hibbeler
April Ignacio
Debbie Nez-Manuel
Kim Russell
Alfred Urbina

Members Excused:

Representative Walter Blackman
Paula Flores
Dimitri Whelan Gonzalez

Jon Huey
Jonathan Mosher

Staff:

Ingrid Garvey, House Research Staff
Cherie Stone, Senate Research Staff

Chairman Jermaine called the meeting to order at 10:12 a.m.

Representative Jermaine introduced Councilwoman Monica Antone from the Gila River Indian Community.

WELCOME AND INVOCATION, GILA RIVER INDIAN COMMUNITY TRIBAL OFFICIALS

Monica Antone, Councilwoman, Gila River Indian Community, introduced the Ak-Chin Keina O'odham dance group. The group performed a traditional honor songs ceremony.

Ms. Antone further introduced the Walking Eagle Drum group.

INTRODUCTION OF MEMBERS

Representative Jermaine asked the Committee members to introduce themselves and attendance was noted.

Representative Jermaine recognized the representatives from Congressman Tom O'Halleran's office and Congressman Ruben Gallego's office and the Victim Services Advocates.

PRESENTATION:

Arizona Amber Alert System & Collaboration with Arizona Tribes - Chrystal Moore, Arizona State Alert Coordinator

Chrystal Moore, Arizona Department of Public Safety, Arizona State Alert Coordinator, shared her background, distributed and explained a PowerPoint presentation entitled "Arizona Amber Alert System & Collaboration with Arizona Tribes" (Attachment A). Ms. Moore answered questions posed by the Committee.

Senator Peshlakai offered comments and addressed the closure of the 911 dispatch center in Flagstaff and stated that she advocates for the reopening of the center in Northern Arizona.

The Committee discussed and shared their comments for the presentation mentioned above.

WORKING GROUPS UPDATE

Data Sharing

Debbie Nez-Manuel, Advocate for Missing and Murdered Indigenous Women and Girls (MMIWG), also Vice-chair on the Subcommittee for the Data Sharing/Collection Workgroup, shared an update report on their Data Sharing workgroup and provided comments regarding the request to Arizona Vital Records for Freedom of Information Act letters and the ongoing training efforts that have been made on National Missing and Unidentified Persons System.

Victim Compensation

Representative Teller distributed a handout entitled "Arizona Criminal Justice Commission – Crime Victim Compensation" (Attachment B) and introduced Valaura Imus-Nahsonhoya.

Valaura Imus-Nahsonhoya, Consultant for Victim Services to HB 2570, gave a brief overview on the Crime Victim Compensation system and highlighted the challenges that the victims within tribal communities are dealing with on processing their case.

Representative Teller shared an update report on the Victim Compensation workgroup and highlighted their recommendation on the potential increase in the overall compensation. Representative Teller further recommended that a tribal member be on the Arizona Criminal Justice Commission.

Ms. Russell commented that the Commission is going to be running a bill to add two (2) members and that they have asked that one of the members on the language of this bill

be specific to a tribal representative. Ms. Russell continued to share an update report on the Victim Compensation workgroup and provided comments regarding data being gathered to determine how successful this program is in assisting the tribal victims. Ms. Russell further commented on the uncompensated costs for the victims that are incurred by the Indian health services and the tribal facilities.

MMIWG DEFINITION DISCUSSION AND VOTE

Representative Jermaine offered comments and read the definition of Missing and Murdered Indigenous Women and Girls (Attachment C).

Indigenous women and girls, or Indigenous persons who identify as female, who are missing or have lost their lives from violence caused by another person.

Representative Jermaine asked if there was any discussion on the definition.

The Committee discussed their concerns and shared comments on the MMIWG definition.

Tracy Lopes, House Democratic Policy Advisor, answered questions posed by the Committee.

Ms. Nez-Manuel further shared information from the Data Sharing workgroup discussions regarding MMIWG definitions.

Senator Peshlakai offered comments.

The Committee further discussed their concerns, shared comments on the MMIWG definition ensuring that the Committee would not be leaving anyone out or leave anyone behind.

Senator Peshlakai stated that the definition now as it reads:

Indigenous women and girls, or Indigenous persons who identify as female, who are missing or have lost their lives from violence caused by another person (Attachment C).

Senator Peshlakai requested a motion that the Committee members would adopt the Missing and Murdered Indigenous Women and Girls definition.

The motion CARRIED by voice vote.

PUBLIC TESTIMONY

Sue Sixkiller, representing her father Jess Sixkiller, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls. Ms. Sixkiller shared her experience and challenges with her dad who was murdered in a home invasion in

Phoenix. Ms. Sixkiller further expressed the need for economic help and support within the indigenous communities.

Jack Jackson Jr., former State Senator, representing the Office of Congressman Tom O'Halleran as Director of Tribal Engagement, testified and provided updates from the federal level to address issues such as sexual violence, domestic violence and missing and murdered indigenous women and girls within the tribal communities as well as the state. Mr. Jackson highlighted the task force that was created by the administration executive order to hire coordinators that will help develop protocols with tribal, state and federal law enforcement on how to handle cases of missing and murdered indigenous women. Mr. Jackson further highlighted bills that Congressman O'Halleran has sponsored and how these bills have impacted the native American communities.

Kristina Bread, representing her cousin Kermitt Gregg, testified in support of the Study Committee on Missing and Murdered Indigenous Women and Girls. Ms. Bread shared her experience and challenges with her cousin who is still missing and hopes that that he will be found alive.

Jolene Holgate, Lead Coordinator for the Navajo Missing and Murdered Diné Relatives Working Group, testified and outlined their MMDR recommendations to help families and address the issue of missing and murdered within the Navajo communities. Ms. Holgate shared her experience and challenges with the lost of her younger cousin in Flagstaff.

Representative Jermaine publicly thanked those who testified and offered comments.

Attached are forms noting the individuals who submitted a Speaker Slip on the agenda items (Attachment D).

There being no further business, the meeting was adjourned at 1:11 p.m.

Respectfully submitted,

Imee L. Andrew
Committee Secretary
Audio & Video Transcription

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



**Arizona AMBER
Alert System &
Collaboration
with Arizona
Tribes**

Presenter: Chrystal Moore
Office 602-223-2212
Cell 623-694-0407
Email cmoore@azdps.gov

12 years Patrol at AZ DPS
4 years State Amber Alert Coordinator / AZ
ACTIC (Arizona Counter Terrorism
Information Center) Emergency
Management division

Arizona AMBER Alert system

- The Arizona AMBER alert system is a voluntary agreement between Law Enforcement, Broadcasters, Arizona Department of Transportation, Arizona Department of Public Safety, the Public, and wireless providers to activate an urgent bulletin in child abduction cases.
- Currently, there is not an AMBER Alert Law.
- Arizona AMBER alerts can only be requested by Law Enforcement agencies to include:
 - Tribal Nations
 - County agencies
 - Municipal agencies
- State and Federal agencies * Out of State Law Enforcement agencies with credible factual information the child, suspect or vehicle is in the State of Arizona

Introduction

The current AMBER Alert system can assist Tribal Nations with the safe recovery of tribal children. The Tribal Nations can utilize the State AMBER Alert system (Pub. L. 108-21) and the Ashlynn Mike AMBER Alert in Indian Country Act (Pub. L. 115-166) in combination or independent of one another.

Arizona AMBER Alert criteria

- There is sufficient descriptive information about:
 - Child
 - Suspect
 - Vehicle
- Enough descriptive information about the child, suspect and circumstances of the abduction to indicate activation of the AMBER Alert will assist in locating or recovering the child, or suspect. There is enough information to disseminate to the general public to assist in the recovery of the child, or apprehension of the suspect.

Arizona AMBER Alert criteria

- Criteria for an AMBER Alert
 - Child is not a runaway
 - Child is under 18 yrs. of age
 - Child has been abducted and the abduction poses a credible threat of imminent serious bodily injury or death to the child
 - Child has not been abducted as a result of a child custody dispute
- *Exception: There is credible or a specific threat of serious bodily harm or death to the child as a result of the custody dispute.

Alert Process



•Missing Child

- Report of Missing person. Investigation from Jurisdiction responding to Missing. Investigate according to the Agency Policy and Procedure

- Investigating agency determines criteria fits the Alert
- Contact AZ DPS Duty office.
- Criteria Review with Duty Trooper/Coordinator
- Criteria Met activation protocol started
- Criteria Not Met no activation, or Missing Endangered Persons Advisory (MEPA)

- Intake information
- Case File creation
- DPS internal activation protocols
- Checklists completed
- JWI files compiled
- CART notification
- NCIC files
- Alert sense website
- Mass Notifications IPAWS

- Recovery Report
- Recovery Questionnaire
- DPS internal deactivation protocols
- File completion
- After Actions report
- Case File finalization
- Duty Trooper review
- Alert Coordinator review

Steps to request an AMBER Alert

- Investigative Law Enforcement agency determines the abduction meets the AMBER alert criteria
- Enters NCIC (National Crime Information Center) entries on child, suspect and vehicle attach hits. Notifies NCMC (National Center for Missing and Exploited Children) Flyer created and emailed to AZ DPS
- Sends an ALETS/NLETS message to the State and all surrounding agencies
- Obtain current pictures and information of child, suspect and vehicle
- Obtain as much information about tattoos, scars, marks, vehicle damages, stickers etc., to assist in recovering child, suspect or vehicle.

Steps to request an AMBER alert

- Agency calls AZ DPS with all the pertinent information
- Email all the collected information, pictures and flyers
- Review the criteria with the ACTIC, Duty Officer or State Coordinator
- Decision will be made to determine that the criteria has been met
- Once criteria is approved the Duty Office will begin the activation process

Activation Process

- ACTIC Watch Center Emergency Manager notified of Alert
- CART (Child Abduction Resource Team) emailed to cell phones about the AMBER Alert. They will call the Detective/Sergeant etc. of the requesting agency
- DPS will notify Dispatch to activate an AMBER alert (Call created for updates)
- Emails to our partners to include: AZ Department of Transportation (sign boards 5 hrs), U.S. Marshalls, US DOJ, BIA, Broadcasters/Media, Mexico AMBER Alert Coordinator, Intelligence Centers, Other State AA Coordinators, Lottery, Navajo Nations Emergency Management, Customs and Border Patrol, TSA and DEMA.

ACTIVATION Process

- Information is added to the Mobile PD application and AZ DPS website pages. Information is shared to DPS Twitter and Facebook pages.
- Criminal Investigation Research Unit (CIRU) at AZ ACTIC notified and create an intelligence flyer to send out to other agencies in the state and surround states. LPR checks on the license plate are conducted and Log scans.

Activation Process

- Phone call to National Center for Missing and Exploited Children (NCMEC)
- Utilize Alert Sense Platform where information is input and sent to IPAWS (Integrated Public Alert and Warning system)
- IPAWS disseminates a message to Broadcasters using the EAS (Emergency Activation system). This interrupts television broadcasts with the AMBER alert information on the television. Sends out a 90 character message to cell phones via WEA (Wireless Emergency Alerts)

Deactivation

- Investigating agency calls to deactivate the AMBER Alert. If they don't call, we can't cancel it. We will ask for specific information on the recovery.
- Investigating agency shall verify the identity of the suspect, child or vehicle.
- AZ DPS Duty Office will deactivate the alert.

Contact Information to Request an Amber Alert

- The ACTIC Duty Office operates 24/7 with one person on the console at all times.
- The Amber Alert line is 602-223-2444
- The Duty Office back-up line 602-223-2212
- For a copy of the AMBER Alert Checklist packet email doffice@azdps.gov
- If you have specific questions or want to schedule training for your agency email Chrystal Moore at cmoore@azdps.gov

Tribal Nations and the AMBER Alert System

- Tribal Nations can utilize the state AMBER alert system like any Law Enforcement agency by, contacting the Arizona Department of Public Safety Arizona Counter Terrorism Information Center Duty Office.
- Sign Boards on State Highways will display vehicle and abduction information
- Media Broadcast of abduction information on TV and Radio
- Arizona Lottery scroll and print pictures on back of lottery tickets
- Wireless emergency alerts to cell phones
- Dissemination of information to partners to include; Mexico AMBER Alert Coordinators; Child Abduction Response Team (resources available to include mobile command van with radio communications, tip and lead management system, dispatchers, law enforcement volunteers who work missing children cases, canvass and road closure materials etc.); Customs and Border Patrol; Department of Justice; U.S. Marshall's; AZ DPS CIRU (Arizona Department of Public Safety's Criminal Intelligence Research Unit (checks for any license plate reader hits on the vehicle); Federal Bureau of Investigation; Dispatch centers state-wide; Broadcasters and public cell phones

Arizona AMBER Alert challenges on Tribal Nations

Infrastructure challenges

- Lack of sign boards on roadways within Tribal Nations
- Radio and TV stations may not broadcast to remote areas
- Tribal cell phone carriers may not provide cell phone alerts on AMBER Alerts
- No cell phone coverage in remote area
- Language (TV & Radio broadcasts in English)
- Boundaries: Cross Country and multiple states
Ex: Mexico
- Community communication challenges Ex: Navajo Nations several different communities (chapters) within one larger Nation

Training and Education challenges

- Unaware of how to contact State for AMBER Alert
- 22 Federally recognized Tribal Nations, only 7 have received training
- No Memorandum's of Understanding or Intergovernmental agreements with Tribes on participation in the State Alert Program (some Tribal Nations require these)
- Unknown how to access the State Plan
- No training or policies in place for an abduction
- Lack of communication/information sharing between the State and the Tribal Nations
- State lacks knowledge of Indian child welfare laws outside of Tribal borders

Arizona AMBER Alert challenges on Tribal Nations

Resource challenges

- Outdated computer systems
- Old vehicles/no command vehicles
- Old call intake systems
- No records management system
- Old radio equipment / areas where radio equipment doesn't work
- Lack of budget for needed resources
- Lack of access to criminal justice information systems Ex: NCIC (National Crime Information Center)

Staffing challenges

- High rate of retirement in LE field
- Inadequate staffing in Dispatch Centers and Law Enforcement (LE)
- Staffing shortages
- Not enough staffing for searches and road blocks in the community
- Staff and time for Tribal training, planning and preparation for an AMBER Alert
- Community members who want to assist but not enough staff to lead/watch/organize

Ashlynnne Mike AMBER Alert in Indian Country Act

This act amends the Protect Act to reauthorize the AMBER Alert grant program. The legislation calls for a report to Congress with an assessment of the readiness, education, training needs, technological challenges, and specific obstacles encountered by tribes in the integration of state or regional AMBER Alert communication plans.

Tribal and State collaboration

- Implementation of the Ashlynnne Mike AMBER Alert in Indian Country Act
- Tribal Training on the State AMBER Alert Plan
- Tribal community training on criteria for AMBER Alert
- AMBER Alert Coordinators meeting with Tribal members
- Assist Tribal Nations in the process of creating an AMBER Alert plan
- Create Memorandums of Understanding or Intergovernmental agreements to allow Tribal Nations to participate in the State Alert system
- Be aware of jurisdictional issues and coordinate appropriately with other States, or Countries

How AMBER Alert and Ashlyln Mike AMBER Alert in Indian Country help rural and urban communities

- Provides grants to assist with building Tribal Alert program
- Training accessibility from the DOJ (Department of Justice)
- Tribal Law Enforcement portal specific to Tribal challenges/resolutions
- Coverage on the Tribal Nation as well as the entire state
- Better cell phone coverage throughout the Tribal Nation (National Center for Missing and Exploited Children works to resolve this issue)
- More resources made available to Tribal communities Ex: movable sign boards, social media pages to communicate alerts in native language

How AMBER Alert and Ashlynn Mike AMBER Alert in Indian Country help rural and urban communities

- Some smaller radio and TV stations request notifications so they can report the information to the smaller communities (Chapters).
- Connects the AMBER Alert State Coordinator with Tribal leaders and community
- State provided training on AMBER Alert system for Tribal Nations
- State participation in Tribal AMBER Alerts
- Galvanize the community to look for the abducted child
- CART (Child Abduction Response Team) resources and training

Ashlynnne Mike AMBER Alert in Indian Country Act

- Navajo Nation is the only Tribe with it's own AMBER Alert system.
- Navajo Nation covers a large area and multiple states (Utah, New Mexico, and Arizona)
- AMBER Alert Coordinator for Navajo Nation is Harlan Cleveland
- Navajo Nation utilizes the Everbridge system to send out information. Utilize it for all types of alerts not just AMBER
- Good relationship with Arizona, New Mexico, and Utah State AMBER Alert Coordinators.
- Signed MOU's
- Participates in the Arizona, New Mexico, and Utah State AMBER Alert plans
- Email or call the state when they have an AMBER Alert for activation/deactivation

Tribal and State Collaboration

- The solution to the abduction of indigenous children, is collaboration with Tribal Nations.
- It is critical for the State AMBER Alert program to work together with the Tribal Nations on the Ashlyne Mike AMBER Alert in Indian Country Act.
- These relationships will lead to cultural understanding and a common goal of rescuing and recovering abducted indigenous children.



Thank you

Presenter: Chrystal Moore
Office 602-223-2212
Cell 623-694-0407
Email cmoore@azdps.gov

Arizona Criminal Justice Commission

Crime Victim Compensation



What is Crime Victim Compensation

- Provides financial assistance to crime victims
- Covers expenses of physical harm, mental distress, and/or economic loss from victimization
- Does not require apprehension or conviction of offender
- The payer of last resort



Background

- First compensation program in U.S. began in 1965 (California)
- Federal grants to states began in 1986 under the Victims of Crime Act
- Each state has a compensation program
- Arizona's program began in 1986
- Administered by the Arizona Criminal Justice Commission (ACJC)
- Arizona is a decentralized program
 - Each county has a compensation board
 - Award decisions made at the local level



Funding Sources

- Federal Sources
 - Crime Victims Fund
 - Federal Government grant monies
 - Victims of Crime Act of 1984
 - Criminal fines and fees
 - Makes up about 1/3 of the program size
- State Sources
 - Criminal Justice Enhancement Fund/Penalty Assessment
 - Inmate work fees
 - Unclaimed restitution
- Other Sources
 - Restitution/Subrogation
 - Donations
 - Clerk of the Court interest monies



Who is Eligible?

- Victim of crime under Arizona or Federal Law
- Report the crime within 72 hours
- Cooperate with law enforcement
- Apply within 2 years of the crime
- Suffer economic loss not covered by a "collateral source"
- No contribution to victimization
- Victims need not to be residents of Arizona to apply
- Arizona residents victimized abroad



Examples of Collateral Sources

- Perpetrator or 3rd Party responsible for perpetrator's actions
- Government programs
 - Social Security, Medicare, AHCCCS, Worker's compensation
- Employer wage continuation programs
- Insurance proceeds
- Donations



Who is Ineligible

- Victims or claimants delinquent in paying a fine, monetary penalty, or restitution
- The perpetrator, accomplice, or a person who participated in the crime in any way
- Persons who are serving a sentence of imprisonment in, or have escaped imprisonment from, a detention facility, home arrest or work furlough
- Persons who refuse to cooperate with law enforcement (unless a substantial health or safety risk is present)



What Does Victim Compensation Pay For?

- Medical costs
- Funeral costs – up to \$10,000
- Counseling – up to \$5,000
- Wage loss – various levels of coverage, based on minimum wage rate
- Crime scene clean up of a residence – up to \$2,000
- Transportation costs – up to \$1,500
- Maximum award for any one claim is \$25,000



Costs Not Covered

- Property Loss or repair
- Pain and suffering
- Attorney fees



The Role of ACJC

- Designation of operational units
- Distribution of Federal and State funds
- Approves program rule changes
- Collects program data (stats and expenditures)
- Completes annual and federal program reports
- Ensures compliance with federal and state statute and Arizona Administrative Code
- Provides training, oversight, and guidance to programs



The Role of County Coordinators

- Investigates claim and collects supporting documentation
 - Completed application
 - Police Report
 - Bills/Invoices
- Prepares for and conducts board meetings
- Serves as point of contact for victim
- Make emergency awards
- Manages cash flow
- Reports quarterly to ACJC



The Role of Board Members

- Board members are volunteers from the community
- Makes final determination on claim eligibility, payment amount, and terms of award
- Determine good cause exceptions for reporting, cooperation, application, or counseling
- Determines the extent of contributory conduct
- Approves, reduces or denies all eligible claims
- Preside over appeals



The Application

- What information do we ask for?
 - About the victim
 - About the claimant (if not the victim)
 - About the crime
 - About the civil lawsuit
 - About benefits from collateral sources
 - About the economic loss
 - Certifying signature
 - Authorize releases – confidential information & protected health information



Claim Process

- Completed application submitted to program
- Program investigates/substantiates claim
- Forward to the board for consideration
 - Board must hear claim within 60 days
 - Board approves/denies claim
- Approved awards are paid to claimant or provider
- Denials/reductions sent certified mail
- Claimant can request a rehearing of a board decision within 30 days



Decisions Board Can Make

- Approve a claim in full
- Deny a claim
- Approve a claim at a reduced amount
- Table a claim until a future meeting
- If there are insufficient funds in program the Board may:
 - Deny the claim
 - Make partial award and reconsider later during the fiscal year
 - Extend the claim into subsequent fiscal year



Rehearing a Claim

- Claimant must request a rehearing within 30 days after the Board serves notice of the decision
- The appeal request must be in writing
- An appeal may be granted for:
 - Irregularity in the proceedings or abuse of discretion that deprives claimant of fair decision
 - Misconduct on part of Board or program staff
 - Newly discovered material evidence
 - Error in admission/rejection of evidence other than error of law
 - Decision not justified by the evidence or is contrary to law



State-Level Claim Review

- Claimant must request a state-level claim review within 30 days
- The request must be submitted to writing to ACJC
- No new or additional information may be presented
- Claimant will be notified of the panel's decision within 10 days following the meeting



Contact Information

Arizona Criminal Justice Commission
1110 W. Washington, Suite 230
Phoenix, AZ 85007
www.azcjc.gov

Heather Bohnet, Program Manager
Phone: 602-364-1168
Email: hbohnet@azcjc.gov



Appendix D:

August 28, 2020

Minutes and Reference Materials

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Date: Friday, August 28, 2020

Time: 10:00 A.M.

Place: Teleconference: The meeting will be held via teleconference software. Members of the public may access a livestream of the meeting here: https://azleg.granicus.com/MediaPlayer.php?publish_id=2

AGENDA

1. Call to Order
2. Progress Reports on Surveys and Reports to be included in the Final Committee Report:
 - Violent Victimization Lab at ASU School of Criminology and Criminal Justice
 - LeCroy & Milligan
 - • Kim Russel, Victim's Compensation Subcommittee
3. Adjourn

Members:

Senator Jamescita Peshlakai, Vice Chair
 Senator Sally Ann Gonzales
 Senator Frank Pratt
 Senator Victoria Steele
 Monica Antone
 Elton Begay
 Timothy Chavez
 Paul Etnire
 Blaine Gadow
 Dimitri Whelan Gonzalez
 LeAnn Guy

Representative Jennifer Jermaine, Chair
 Representative Walter Blackman
 Representative Arlando Teller
 Representative Myron Tsosie
 Patti Hibbeler
 Jon Huey
 April Ignacio
 Jonathan Mosher
 Debbie Nez-Manuel
 Kim Russell
 Alfred Urbina

08/20/2020
 08/21/2020
 JB

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.

ARIZONA STATE LEGISLATURE

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Minutes of the Meeting

August 28, 2020

10:00 a.m., Teleconference:

The meeting will be held via teleconference software.

Members of the public may access a livestream of the meeting here:

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Members Present:

Senator Jamescita Peshlakai, Vice Chair
Senator Sally Ann Gonzales
Senator Frank Pratt
Monica Antone
Blaine Gadow
Dimitri Whelan Gonzalez

Representative Jennifer Jermaine, Chair
Representative Arlando Teller
Patti Hibbeler
Debbie Nez-Manuel
Kim Russell
Alfred Urbina
Barbara LaWall, County Attorney's Designee

Members Absent:

Senator Victoria Steele
Elton Begay
Timothy Chavez
Paul Etnire
LeAnn Guy

Representative Walter Blackman
Representative Myron Tsosie
Jon Huey
April Ignacio

Staff:

Cherie Stone, Senate Research Staff
Julia Paulus, Senate Research Staff
Ingrid Garvey, House Research Staff
Ahjahna Graham, House Research Staff

Chairman Jermaine called the meeting to order at 10:10 a.m. and attendance was noted.

Representative Jermaine made opening remarks.

PROGRESS REPORTS ON SURVEYS AND REPORTS TO BE INCLUDED IN THE FINAL COMMITTEE REPORT:

Violent Victimization Lab at ASU School of Criminology and Criminal Justice

Dr. Kate Fox, Associate Professor, ASU School of Criminology and Criminal Justice, Watts College of Public Service and Community Solutions, updated the Committee on the team's progress, research and scope of the project. Dr. Fox testified regarding the report on which the research group will be submitting and dates for the goals they are working towards.

LeCroy & Milligan

Katie Haverly, Research & Innovation Manager, LeCroy & Milligan Associates, gave an overview of her background, history and introduced her co-presenter, Valaura Imus-Nahsonhoya.

Valaura Imus-Nahsonhoya, M.S., Honwungsi Consulting Services, gave an overview of her background and history.

Ms. Haverly electronically distributed and explained a PowerPoint presentation entitled "HB 2570 MMIWG Field Study Update 8/28/20" (Attachment A). Ms. Haverly explained the research progress and upcoming report.

Ms. Imus-Nahsonhoya further explained the PowerPoint presentation (Attachment A), the research project and the progress that has been made.

Ms. Haverly continued explaining the PowerPoint (Attachment A) and the timeline for reporting of the data. Ms. Haverly answered questions posed by the Committee.

Ms. Imus-Nahsonhoya answered questions posed by the Committee.

Ms. Haverly answered additional questions posed by the Committee.

Ms. Imus-Nahsonhoya answered additional questions posed by the Committee.

Kim Russel, Victim's Compensation Subcommittee

Representative Jermaine stated that Kim Russel had to leave and that Representative Teller and Ms. Imus-Nahsonhoya would be presenting.

Ms. Imus-Nahsonhoya testified on the study that she has been working on with Representative Teller and Kim Russel regarding the Victim's Compensation Fund.

Representative Teller testified regarding the information the Victim's Compensation Subcommittee has compiled and spoke on some of the raw data that is still being analyzed. Representative Teller testified regarding how to put the data into action.

Dr. Kate Fox testified regarding a Memo of Understanding (MOU) that is needed for the Victim's Compensation Fund Institutional Review Board to work with the Victim's Compensation Subcommittee.

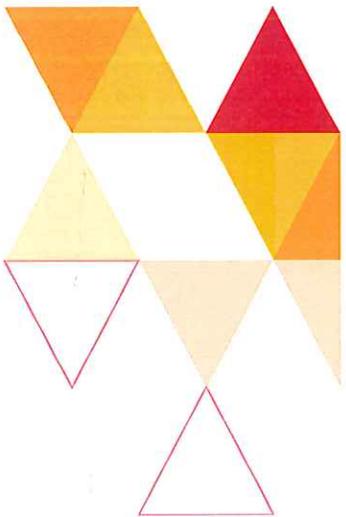
Representative Jermaine made closing remarks.

There being no further business, the meeting was adjourned at 11:07 a.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary
Audio and Video Transcription

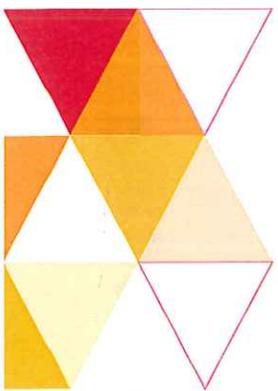
(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



HB 2570

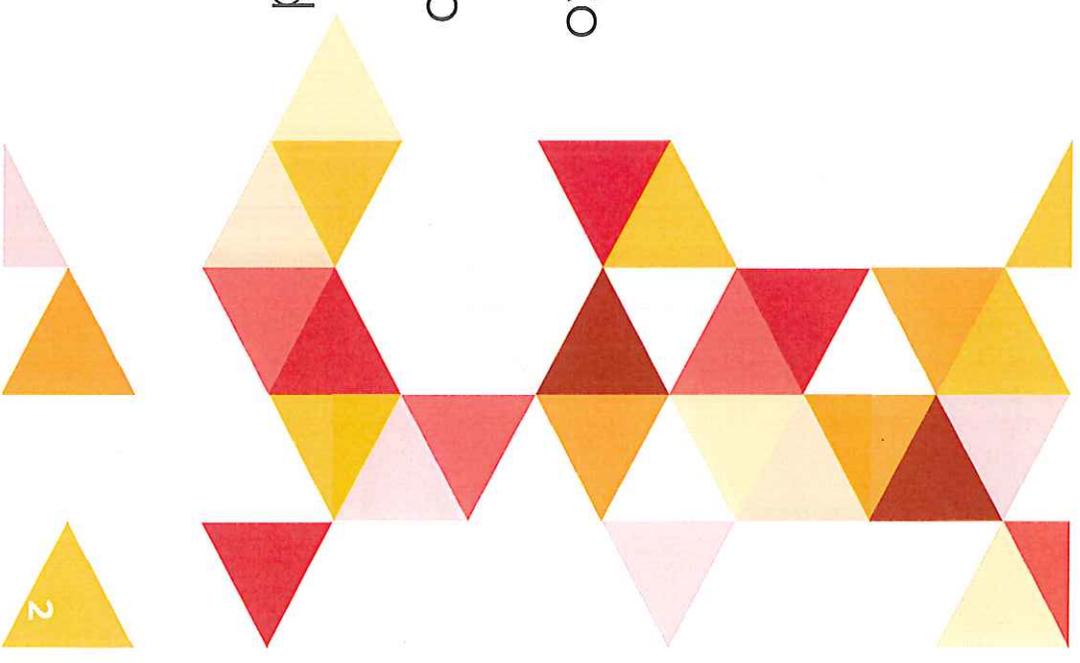
MMIWG Field Study Update 8|28|20

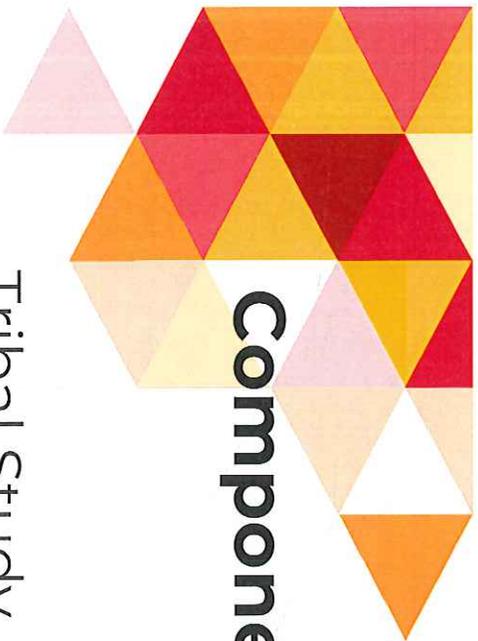
Katie Haverly, M.S. – LeCroy & Milligan Associates
Valaura Imus-Nahsonhoya, M.S. – Honwungsi Consulting Services



Purpose of the MMIWG Field Study

- ▶ To collect primary data with all law enforcement agencies in the state, and all tribal communities
- ▶ The intent is to collect qualitative data to search for trends and identify opportunities for policy improvement to end the epidemic of MMIWG
- ▶ Original intention – all data be collected in person in each tribal community





Components of the MMIWG Field Study

Tribal Study

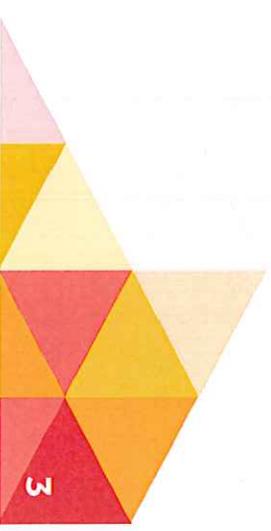
Interviews

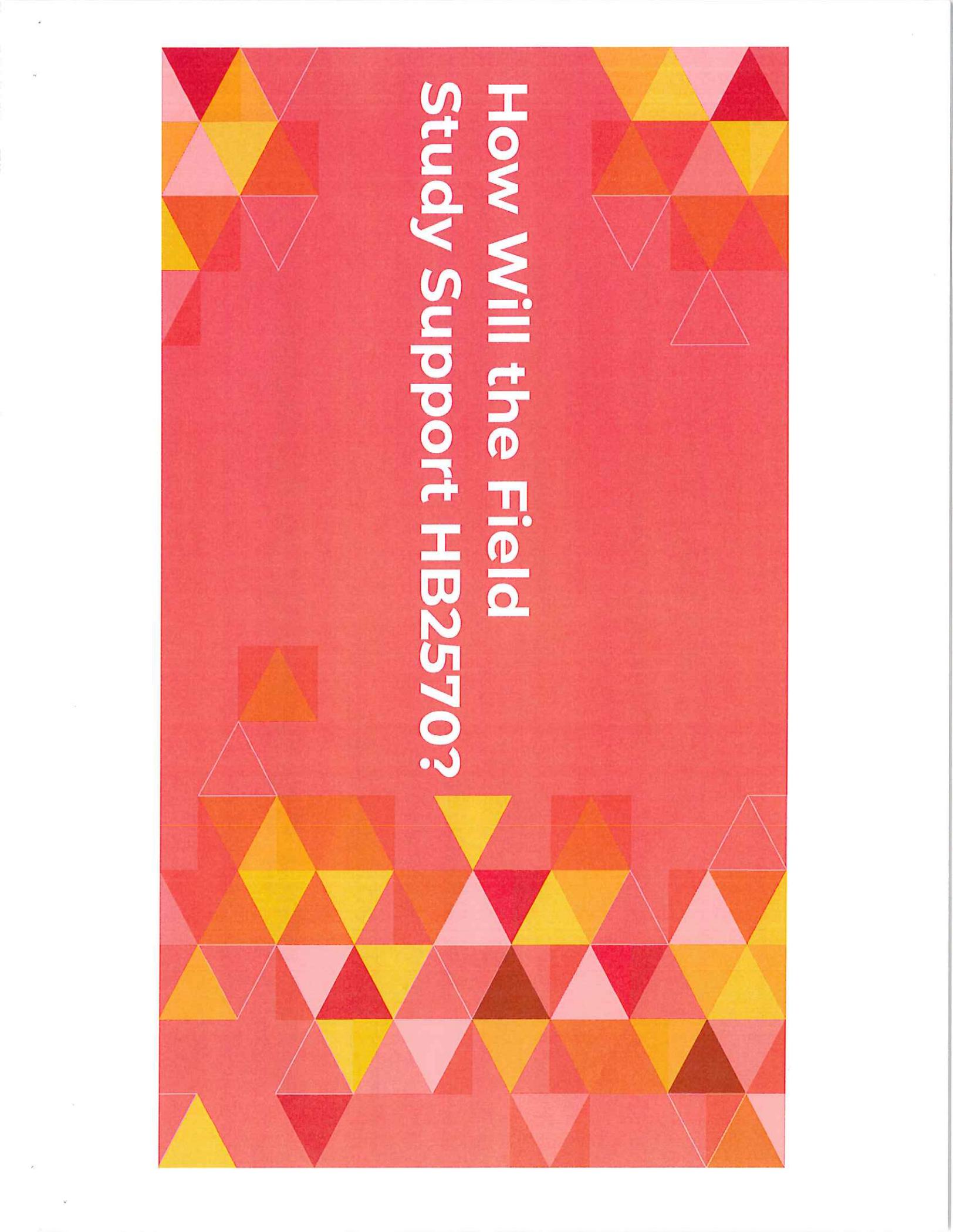
- Families of MMIWG
 - Survivors
 - Law Enforcement Agencies
- Law Enforcement Field Staff Survey

Law Enforcement Study

- ▶ Interviews with Management

- ▶ Field Staff Survey





How Will the Field Study Support HB2570?

Conduct a comprehensive study to determine how this state can reduce and end violence against indigenous women and girls in this state.

Analyze the narrative of stories from families and survivors about their experiences, what are the trends, the policy opportunities?

Analyze what are the current policies and practices of all types of law enforcement agencies when interfacing with these cases and communities. What are the trends, the policy opportunities?

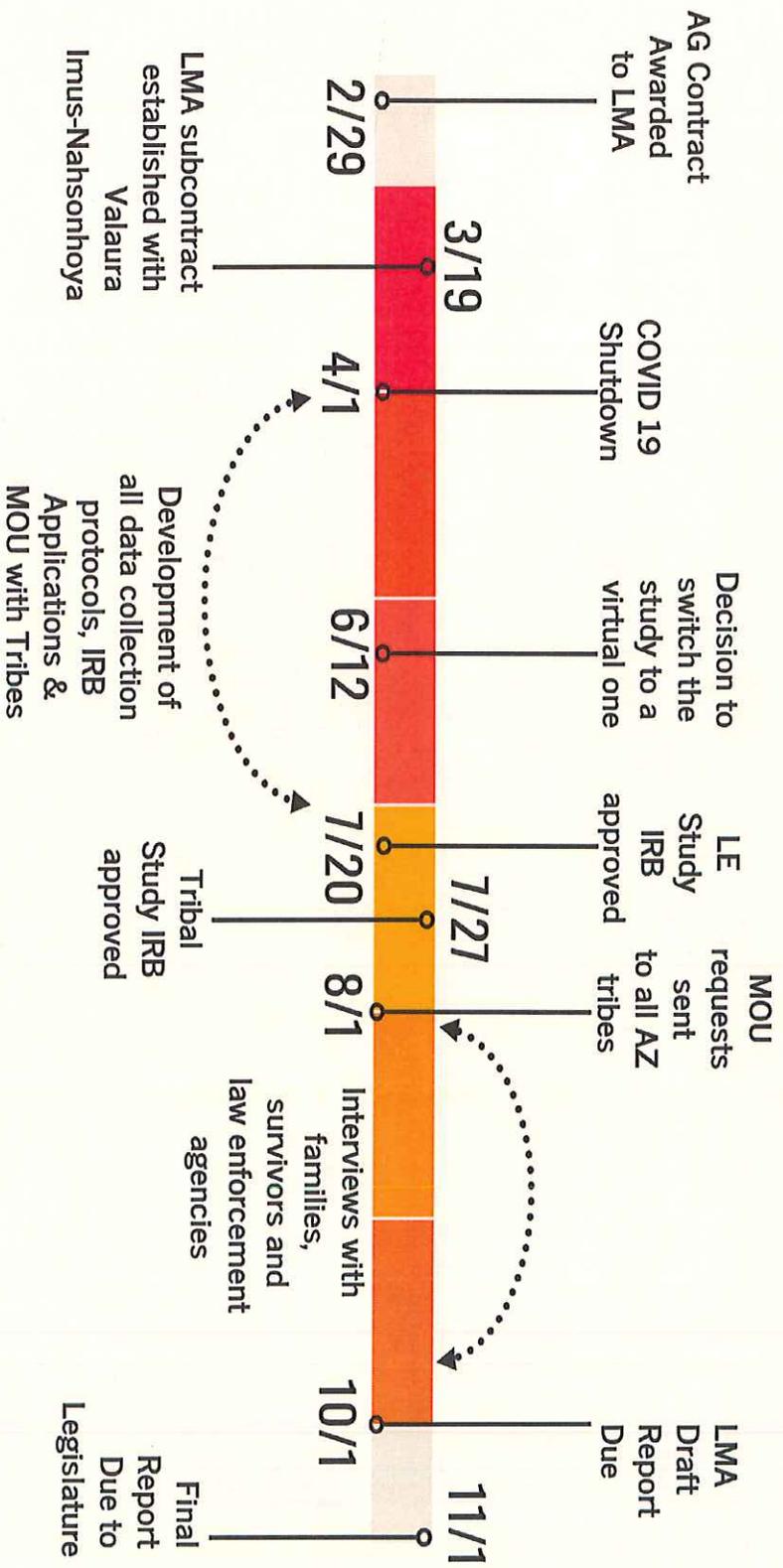
Review prosecutorial trends and practices relating to crimes of gender violence against indigenous people.

Learning from families and survivors who the perpetrators were in their cases and the outcomes of their identification. What are the trends, the policy opportunities?

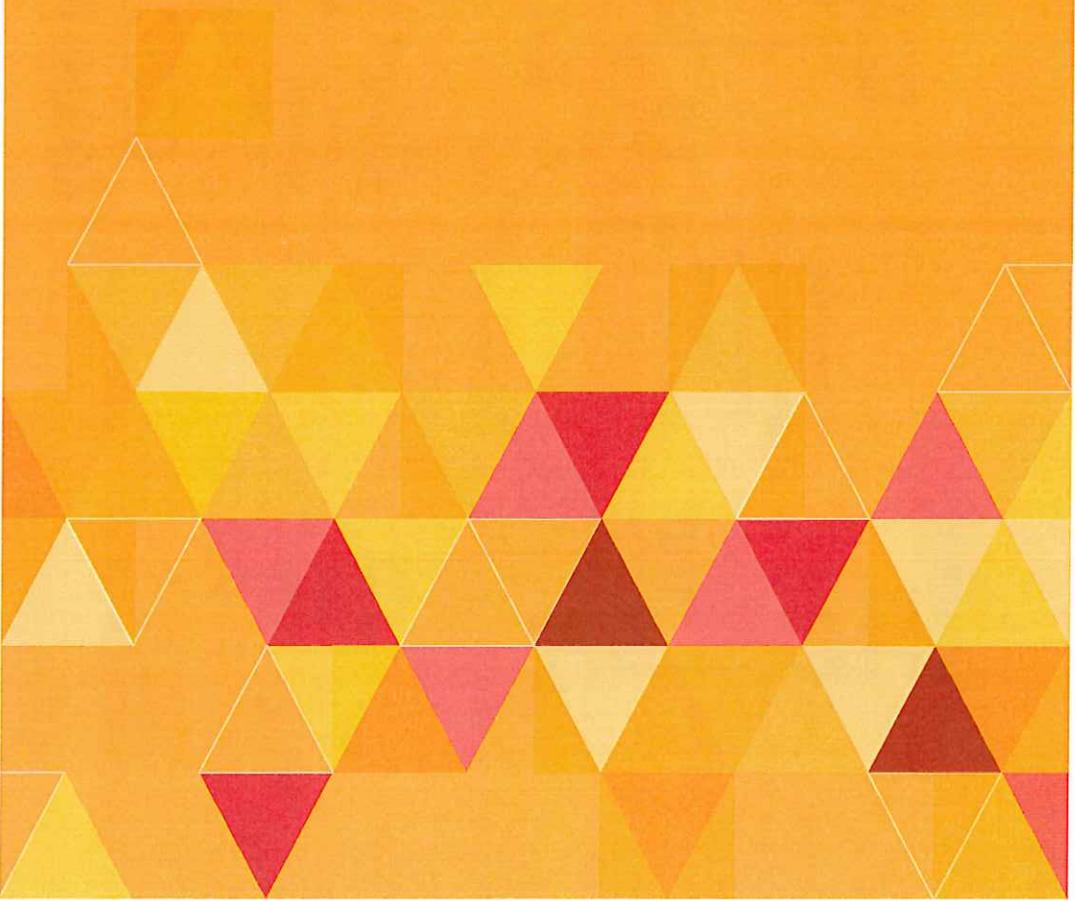
Proposing measures to ensure access to culturally appropriate victim services for indigenous women and girls who have been victims of violence

Learning from families and survivors what their experience was with victim services, issues they encountered, and recommendations they have for improvements.

MMIWG Field Study Timeline - 2020



Law Enforcement Study



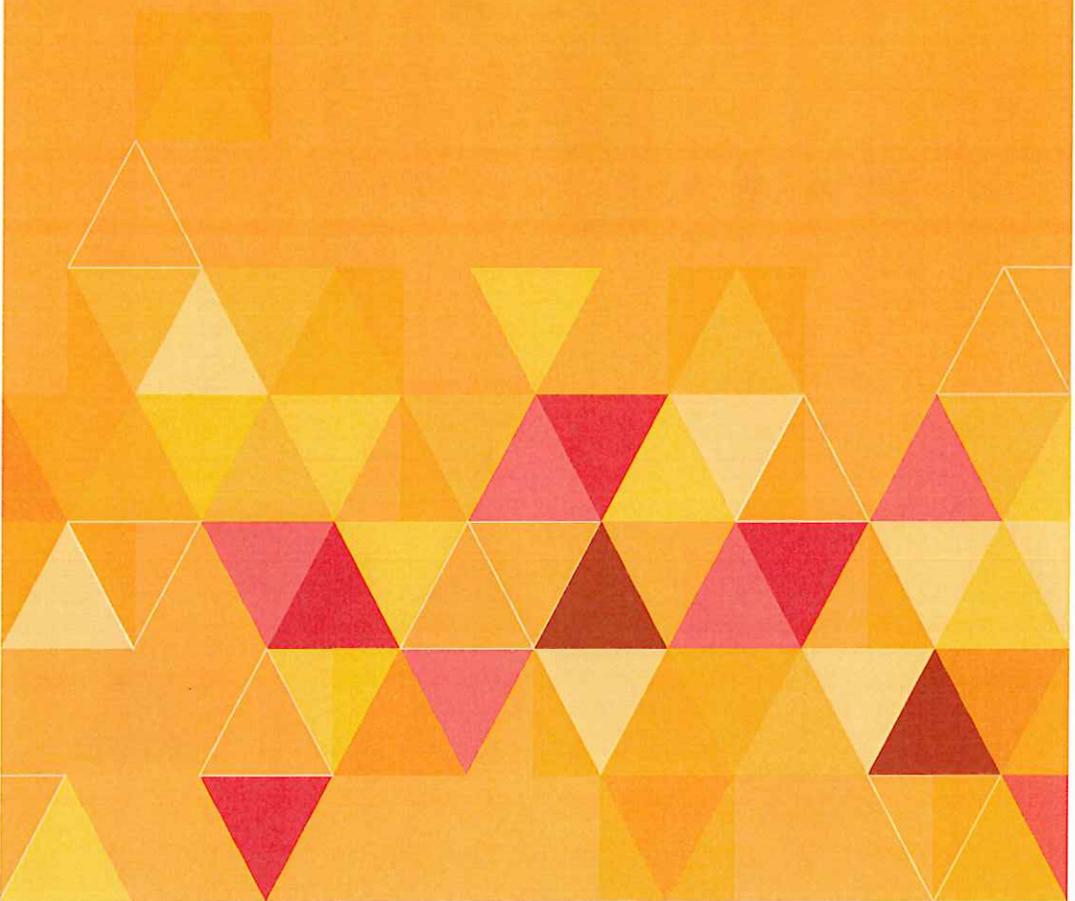
Law Enforcement Study

- ▶ Collaboration with HB2570 Committee members on the interview and survey protocols
- ▶ IRB for study approved on **7/20/20** by Argus IRB
- ▶ Outreach to all law enforcement agencies to request participation began **7/27/20**

As of 8/27/20	
	#
# of Law Enforcement Agencies Contacted	72
# of Contact Attempts Made	182
# of Refusals to Participate	5
# of Interviews Completed/Scheduled	20
# of Field Staff Surveys Completed	21



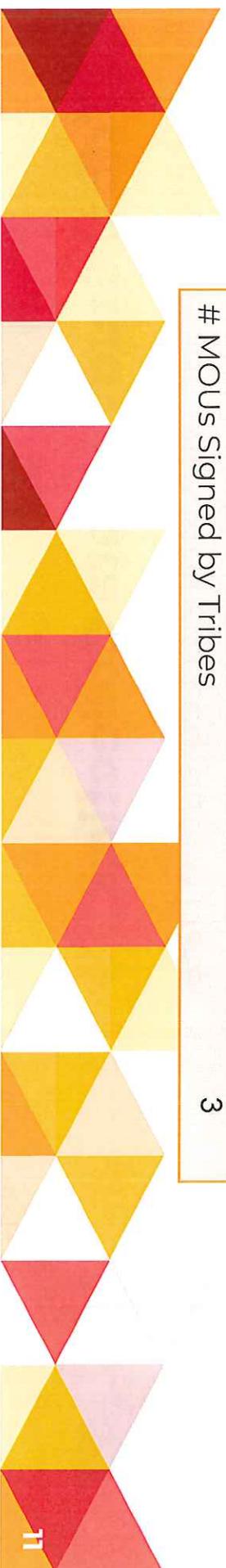
Tribal Study



Tribal Study – MOUs

- ▶ IRB for study approved on **7/29/20** by Argus IRB
- ▶ MOUs sent to all tribes starting as of **8/1/20**
- ▶ Recruitment and interviews cannot begin with tribal members living on tribal lands until a signed MOU is received

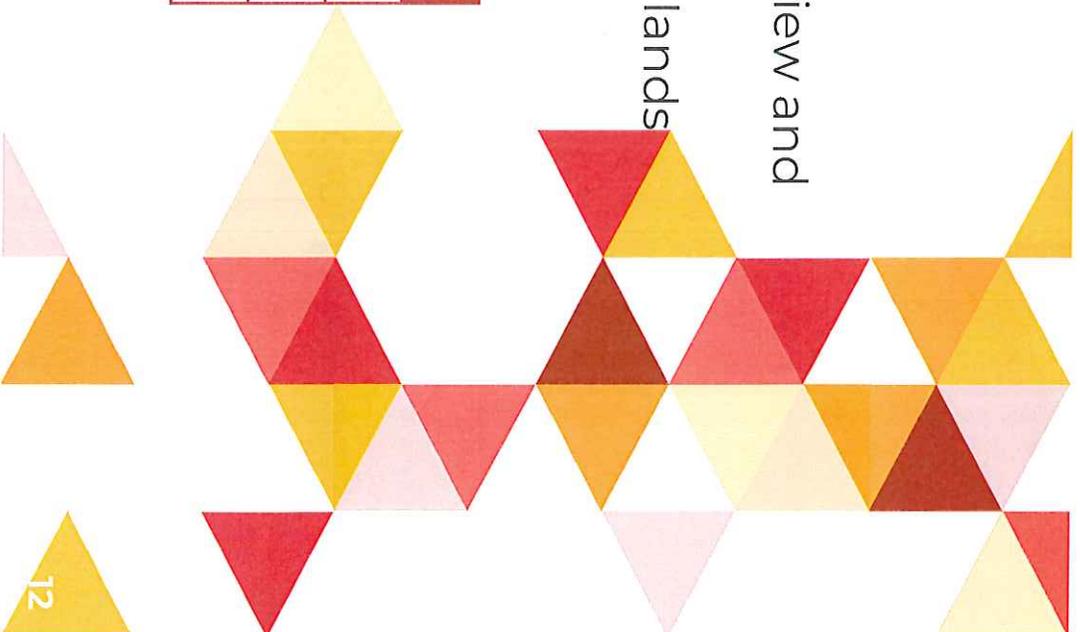
As of 8/27/20	
# of Tribes Contacted for MOU Requests	22
# of MOU Outreach/Follow Up Attempts Made	100
# of Presentations to Tribal Councils	3
# MOUs in Process	6
# MOUs Signed by Tribes	3



Tribal Study – Data Collection

- ▶ Collaboration with MMIWG Legislative Data Subcommittee on the informed consent, interview and survey protocols
- ▶ Outreach to tribal members not living on tribal lands began mid-August
- ▶ First MOU signed mid August

As of 8/27/20		#
# of inquiries of interested individuals		62
# of Interviews Completed/Scheduled - Families		7
# of Interviews Completed/Scheduled - Survivors		1



Next Steps

Law Enforcement Study

- Continue Daily Outreach to request interviews with all LE agencies in the state
- Data collection will end **9/18/20**

Tribal Study

- Continue outreach to tribes for MOU agreement
- Continue recruitment activities for eligible tribal members
- Data collection will end **9/18/20**

Final Report

- 1st draft of report to be submitted to AZ Attorney General's Office **10/1/20**
- MMIWG Legislative Committee to review report around **10/15/20**
- Final report submitted **11/1/20**



Questions? Please contact:

Katie Haverly

Research & Innovation Manager
LeCroy & Milligan Associates, Inc.

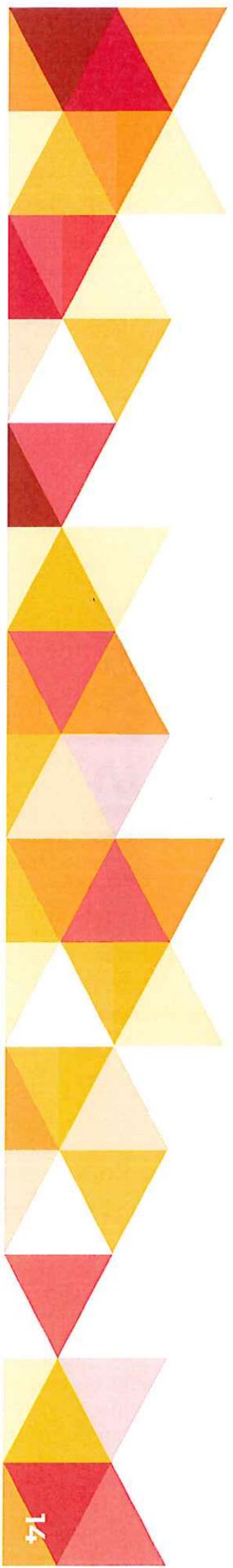
katie@lecroymilligan.com



Valaura Imus-Nahsonhoya

Executive Director/Founder
Honwungsi Consulting Services

honwungsi@gmail.com



Appendix E:

October 28, 2020

Minutes and Reference Materials

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Date: Wednesday, October 28, 2020

Time: 9:00 A.M.

Place: **Teleconference:** The meeting will be held via teleconference software. **Members of the public may access a livestream of the meeting here:**
https://azleg.granicus.com/MediaPlayer.php?publish_id=2

AGENDA

1. Call to Order
2. Blessing
3. Review and Discussion of Supplemental Papers to be included in the Final Committee Report:
 - Reducing Missing and Murdered Indigenous Women and Girls - Arizona's Statewide Study in Partnership with HB2570 Legislative Study Committee - Arizona State University
 - Arizona's Field Study of Missing & Murdered Indigenous Women and Girls - LeCroy & Milligan
 - Arizona's Crime Victim Compensation Program - Victim Compensation Subcommittee, Kim Russell, Chair
 - Criminal Jurisdiction Problems in Arizona Indian Country & Barriers to Protecting Missing & Murdered Indigenous Women & Girls in Arizona - Associate Justice Alfred Urbina
4. Discussion and Adoption of Committee Recommendations
5. Adjourn

Members:

Senator Jamescita Peshlakai, Vice Chair
Senator Sally Ann Gonzales
Senator Frank Pratt
Senator Victoria Steele
Monica Antone
Elton Begay
Timothy Chavez
Paul Etnire
Blaine Gadow
Dimitri Whelan Gonzalez
LeAnn Guy

Representative Jennifer Jermaine, Chair
Representative Walter Blackman
Representative Arlando Teller
Representative Myron Tsosie
Patti Hibbeler
Jon Huey
April Ignacio
Jonathan Mosher
Debbie Nez-Manuel
Kim Russell
Alfred Urbina

10/19/2020
JD

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ARIZONA STATE LEGISLATURE

STUDY COMMITTEE ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Minutes of the Meeting

October 28, 2020

9:00 a.m., Teleconference:

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Members Present:

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Senator Sally Ann Gonzales
Senator Frank Pratt
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Blaine Gadow
Dimitri Whelan Gonzalez

Representative Jennifer Jermaine, Chair
Representative Arlando Teller
Representative Myron Tsosie
LeAnn Guy
Patti Hibbeler
April Ignacio
Debbie Nez-Manuel
Kim Russell
Alfred Urbina

Members Absent:

Timothy Chavez
Jon Huey

Representative Walter Blackman
Jonathan Mosher

Staff:

Cherie Stone, Senate Research Staff
Ingrid Garvey, House Research Staff
Tracy Lopes, House Democratic Staff

Chairman Jermaine called the meeting to order at 9:02 a.m. and attendance was noted.

BLESSING

Mae Peshlakai introduced herself and gave a blessing of the Committee.

Representative Jermaine made opening remarks.

REVIEW AND DISCUSSION OF SUPPLEMENTAL PAPERS TO BE INCLUDED IN THE FINAL COMMITTEE REPORT:

Reducing Missing and Murdered Indigenous Women and Girls - Arizona's Statewide Study in Partnership with HB2570 Legislative Study Committee - Arizona State University

Dr. Kate Fox, Associate Professor, ASU School of Criminology and Criminal Justice, Watts College of Public Service and Community Solutions, displayed and explained a PowerPoint presentation entitled "Reducing Missing and Murdered Indigenous Women and Girls – Arizona's Statewide Study in Partnership with the HB 2570 Legislative Study Committee" (Attachment A). Dr. Fox explained the extent of the problem with missing and murdered indigenous women and girls and the recommendations from the research group. Dr. Fox responded to comments and questions posed by the Committee.

Arizona's Field Study of Missing & Murdered Indigenous Women and Girls -LeCroy & Milligan

Katie Haverly, Research & Innovation Manager, LeCroy & Milligan Associates, displayed and introduced a PowerPoint presentation entitled "HB 2570 MMIWG Field Study Findings 10|28|20" (Attachment B).

Valaura Imus-Nahsonhoya, Honwungsi Consulting Services, explained the PowerPoint presentation entitled "HB 2570 MMIWG Field Study Findings 10|28|20" (Attachment B).

Ms. Haverly further explained the PowerPoint presentation entitled "HB 2570 MMIWG Field Study Findings 10|28|20" (Attachment B) and the findings of the research group.

Ms. Imus-Nahsonhoya concluded the presentation and spoke regarding the continuation of the research.

Ms. Haverly responded to comments and questions posed by the Committee.

The Committee discussed the participation level of various agencies.

Arizona's Crime Victim Compensation Program - Victim Compensation Subcommittee, Kim Russell, Chair

Kim Russell, Arizona Advisory Council on Indian Health Care, displayed and explained a PowerPoint presentation entitled "Arizona Crime Victim Compensation Program" (Attachment C).

Ms. Imus-Nahsonhoya further explained the PowerPoint presentation entitled "Arizona Crime Victim Compensation Program" (Attachment C) and testified regarding the association with the Arizona Criminal Justice Commission (ACJC).

Kayleigh A. Stanek, Arizona State University, testified regarding the methodology and data that was collected and reviewed.

Ms. Russell explained the recommendations from the Victim Compensation Subcommittee and answered questions posed by the Committee.

Ms. Imus-Nahsonhoya answered questions posed by the Committee.

Criminal Jurisdiction Problems in Arizona Indian Country & Barriers to Protecting Missing & Murdered Indigenous Women & Girls in Arizona - Associate Justice Alfred Urbina

Alfred Urbina, Associate Justice, Pascua Yaqui Tribal Court, displayed and explained a PowerPoint presentation entitled "Criminal Jurisdiction Problems in Arizona Indian Country & Barriers to Protecting Missing & Murdered Indigenous Women & Girls in Arizona" (Attachment D).

Representative Jermaine and Senator Steele offered comments.

DISCUSSION AND ADOPTION OF COMMITTEE RECOMMENDATIONS

Representative Jermaine read the Committee recommendations. The Committee discussed and amended the draft of the Committee recommendations.

RECESS

At 12:50 p.m. the Chairman recessed the Committee.

RECONVENE

At 12:52 p.m. the Chairman reconvened the Committee.

The Committee continued the discussion and review of the draft recommendations.

Patti Hibbeler made a motion to accept the recommendations as presented at 1:05 p.m. on 10/28/2020 (Attachment E) and direct staff to make technical and conforming changes. Kim Russell seconded the motion. The motion CARRIED with a roll call vote of 15-0-7 (Attachment 1).

Representative Jermaine made closing comments.

There being no further business, the meeting was adjourned at 1:09 p.m.

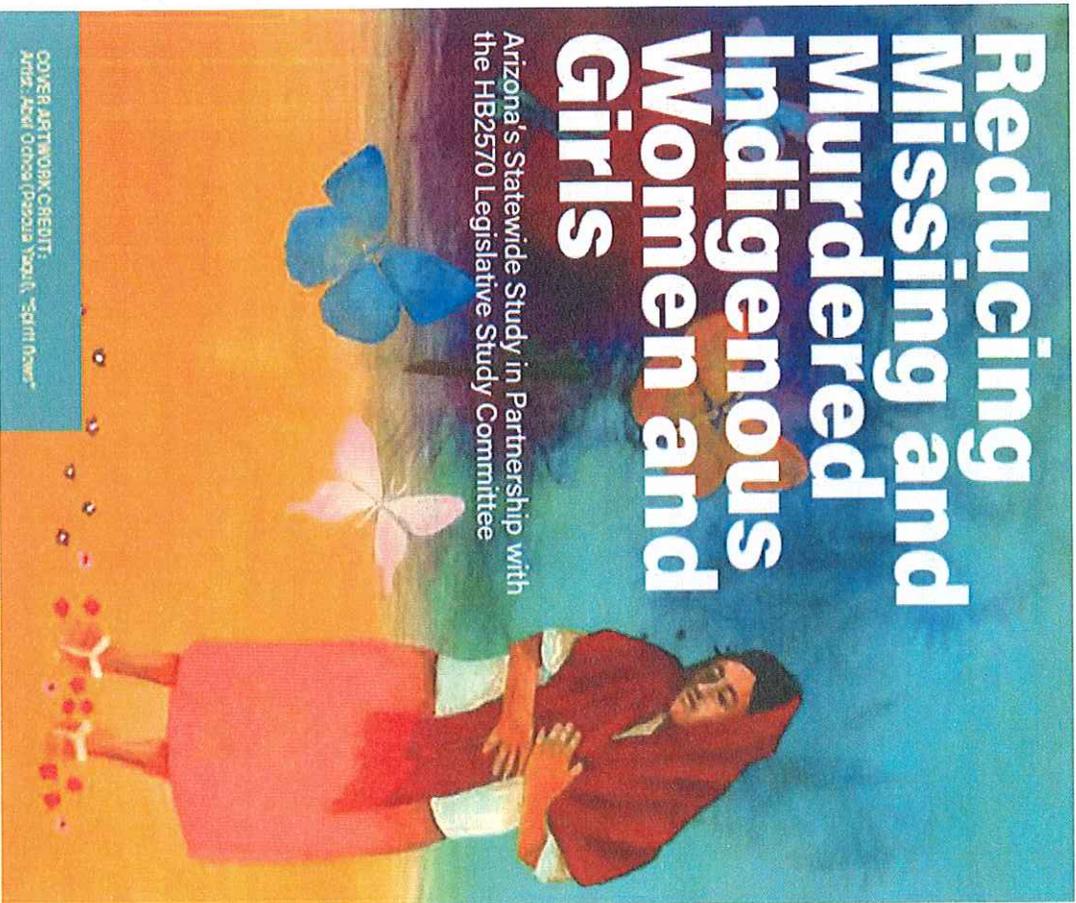
Respectfully submitted,

Shelley Ponce
Committee Secretary
Audio and Video Transcription

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

Reducing Missing and Murdered Indigenous Women and Girls

Arizona's Statewide Study in Partnership with
the HB2570 Legislative Study Committee



Research on Violent Victimization Lab

a unit of the

ASU School of Criminology
and Criminal Justice
Arizona State University

Final Report Presented to Arizona's
MMIWG Study Committee

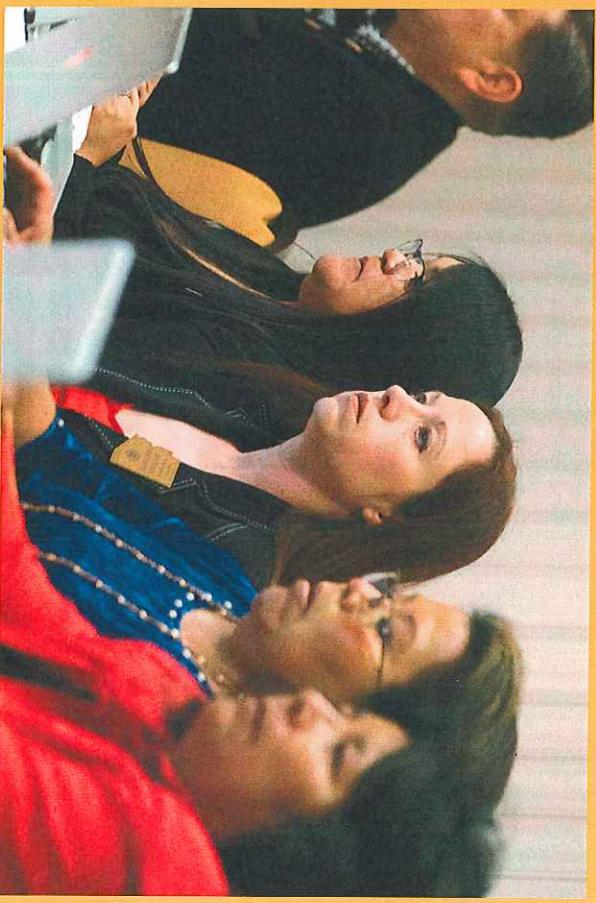
Presented by Kate Fox, PhD

katefox@asu.edu

October 28, 2020

JENNIFER JERMAINE, Chairperson, White Earth Ojibwe (State House of Representatives, D18)
JAMESCITA PESHLAKAI, Vice Chairperson, Navajo Nation (State Senate, D7)
ARLANDO TELLER, Navajo Nation, (State House of Representatives, D7)
MYRON TSOSE, Navajo Nation, (State House of Representatives, D7)
WALTER BLACKMAN, (State House of Representatives, D6)
VICTORIA STEELE, Seneca Nation of Indians (State Senate, D9)
SALLY ANN GONZALES, Pascua Yaqui Tribe (State Senate, D3)
FRANK PRAIT (State Senate, D8)
BLAINE GADOW, Arizona Assistant Attorney General
PAUL ETNIRE, Hopi Tribe, Captain, Arizona Department of Public Safety
BARBARA LAWALL, Pima County Attorney
DMITRI W. GONZALES, Lieutenant, Maricopa County Sheriff's Office, Major Crimes Division
APRIL IGNACIO, Tohono O'odham Nation, Founder of Indivisible Tohono
PAULA FLORES, Salt River Pima-Maricopa Indian Community, Victim Advocate, Salt River Pima-Maricopa Indian Community Government
LEANNE GUY, Navajo Nation, Executive Director, Southwest Indigenous Women's Coalition
KIM RUSSELL, Navajo Nation, Executive Director, Arizona Advisory Council on Indian Health Care
PATRICIA HIBBELER, Salish/Kootenai, CEO, Phoenix Indian Center
JON HUEY, Yavapai Apache Nation, Tribal Chairman, Yavapai-Apache Nation
MONICA ANTONE, Gila River Indian Community, Tribal Council Member D4, Gila River Indian Community
TIMOTHY CHAVEZ, Chief of Police, Gila River Indian Community
DEBBIE NEZ MANUEL, Navajo Nation, Social Worker, resident of the Salt River Pima Maricopa Indian Community and Co-Founder of Morning Star Leaders, Inc.
HONORABLE ALFRED URBINA, Pascua Yaqui Tribe, Associate Justice, Pascua Yaqui Courts

We thank the AZ NMIWG
 Study Committee Members



The problem

The Problem

Indigenous women and girls are missing and murdered at very high rates

10 times the national average in some U.S. counties

Bachman et al. (2008)

Arizona's response to the problem of MMIWG

- HB2570 signed by Gov. Ducey in May 2019
- Created a Study Committee
- Mandated research and policy recommendations with the goal of reducing MMIWG

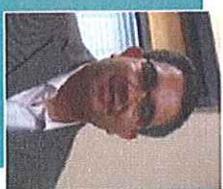


Arizona's MMIWG legislation is significant in our state's and nation's history





Kate Fox, PhD



Chris Sharp, MSW
Colorado River
Indian Tribes



Turquoise Devereaux,
MSW
Salish and Blackfeet



Kayleigh Stanek, MS



Sara Julian, MSW



Michelle Hovel
Navajo Nation



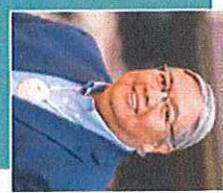
Cheston Dalangyawma
Hopi



Valaura Imus-
Nahsonhoya, MS
Hopi



Traci Morris, PhD
Chickasaw Nation



Jacob Moore, MBA
Tohono O'odham
Nation, Akimel
O'odham, Lakota,
Dakota



Hallie Bongar
White, JD



Dominique Roe-
Sepowitz, PhD



Mak Mars
Oneida Nation of Wisconsin,
Fond Du Lac Ojibwe



Hilary Edwards
Swinomish Indian
Tribal Community



Morgan Eaton

ASU & Community Partners with Study Committee

**Goals for this
study and
today's
presentation**

1.
Identify barriers to tracking violence against Indigenous women and girls

2.
MMIWG scope and characteristics

3.
Recommendations to reduce MMIWG

4.
Future MMIWG work

1. What are the barriers to tracking violence against Indigenous women and girls?

There are many systemic barriers to tracking violence against Indigenous women and girls

- Unique barriers in urban, rural, and remote areas
- Infrastructure challenges prevent implementing AMBER and Silver Alerts in Indian Country
- Racial misclassification
- Distrust of law enforcement (compounded by severe underfunding & understaffing)
- Jurisdictional issues

To understand how law enforcement agencies document Indigenous peoples, we asked them



We called all 92
non-Tribal police
departments



We talked to 36
agencies



All but 1 agency
combines American
Indian and Alaska
Native into a single
category

- A combined American Indian/Alaska Native category is limited
- Only 1 agency allowed for the option for officers to manually input Tribal affiliation (Prescott Valley PD)

2. How often does MMIWG happen in Arizona and what are the characteristics of this crime?

The data on MMWVG are very limited.

**The the real prevalence is undoubtedly
much higher than these numbers show.**

The MMIWG data

Missing persons

Using the National Missing and Unidentified Persons System (NamUs) and Justice for Native Women (JFNW) data.

Homicide victims

Using the FBI's Supplemental Homicide Report (FBI SHR) and JFNW data.



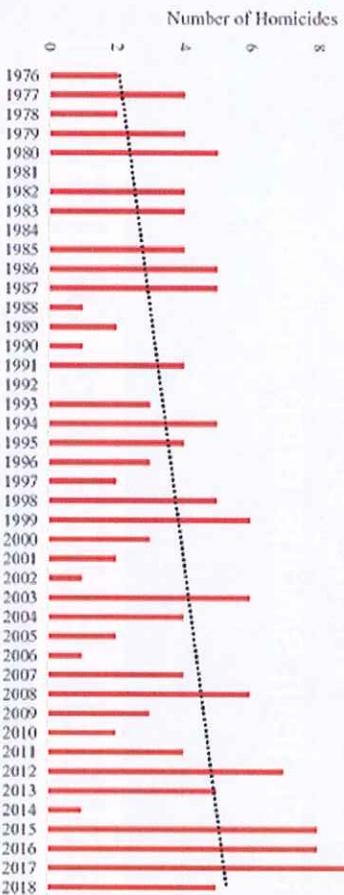
ARTWORK CREDIT:
Artist: Abel Ochoa (Pisocua Youk)
"Combined spirit" 24x36" canvas, acrylics.

Missing Arizona Indigenous women and girls

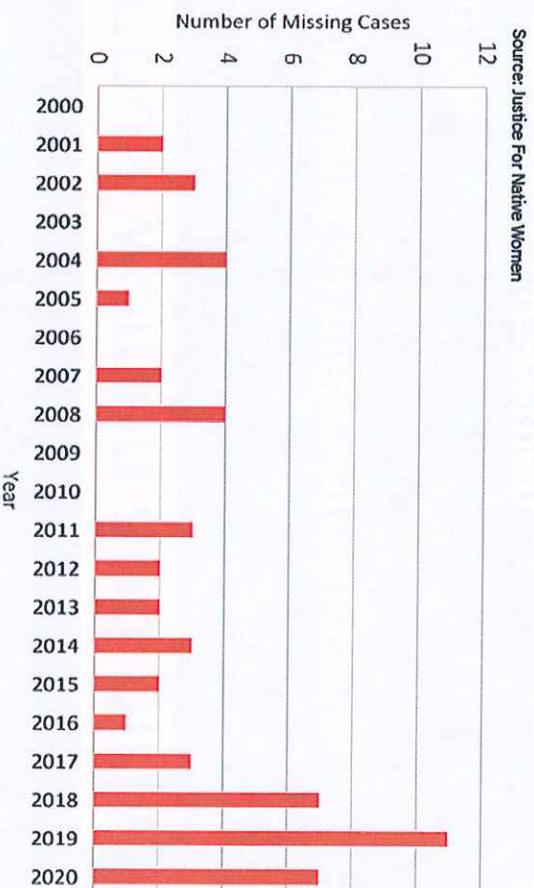
- NamUs data shows that 12 females and 34 males are missing (as of July 25, 2020)
- Women range in age from 20 to 54
- Women are missing for almost twice as long as men
 - Women average 21 years
 - Men average 12 years
- Indigenous Peoples go missing across the state, with the most in Maricopa and Navajo counties

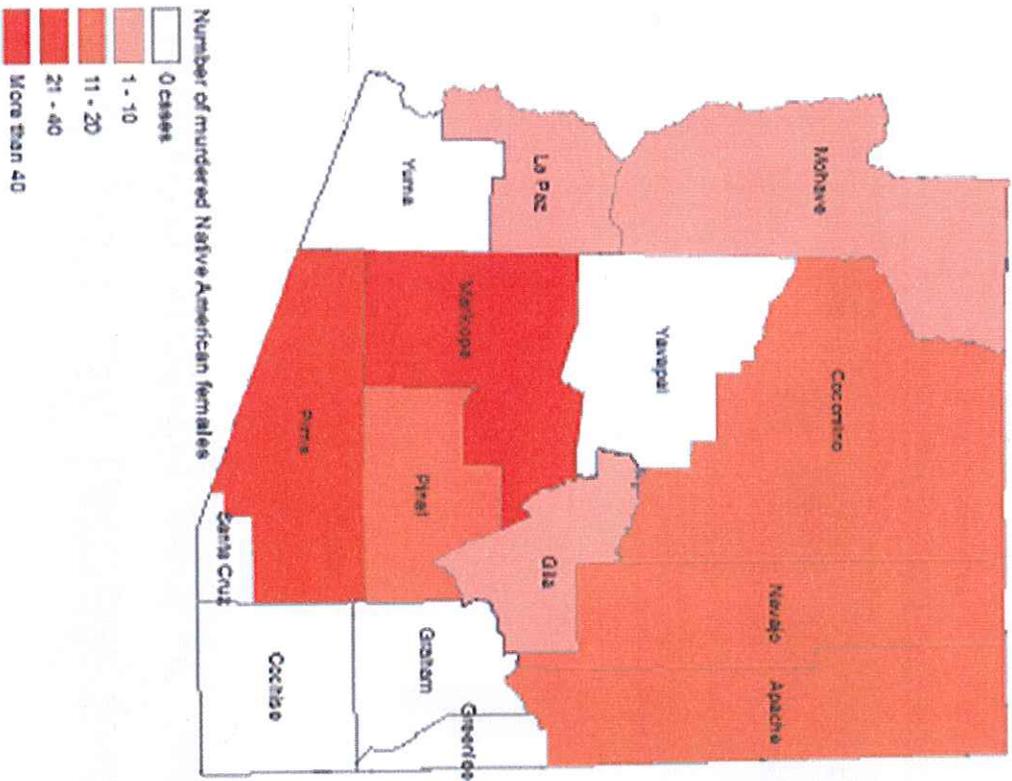
Murders of Arizona Indigenous women and girls are increasing

- FBI SHR data shows that 160 females and 474 males were murdered from 1976-2018



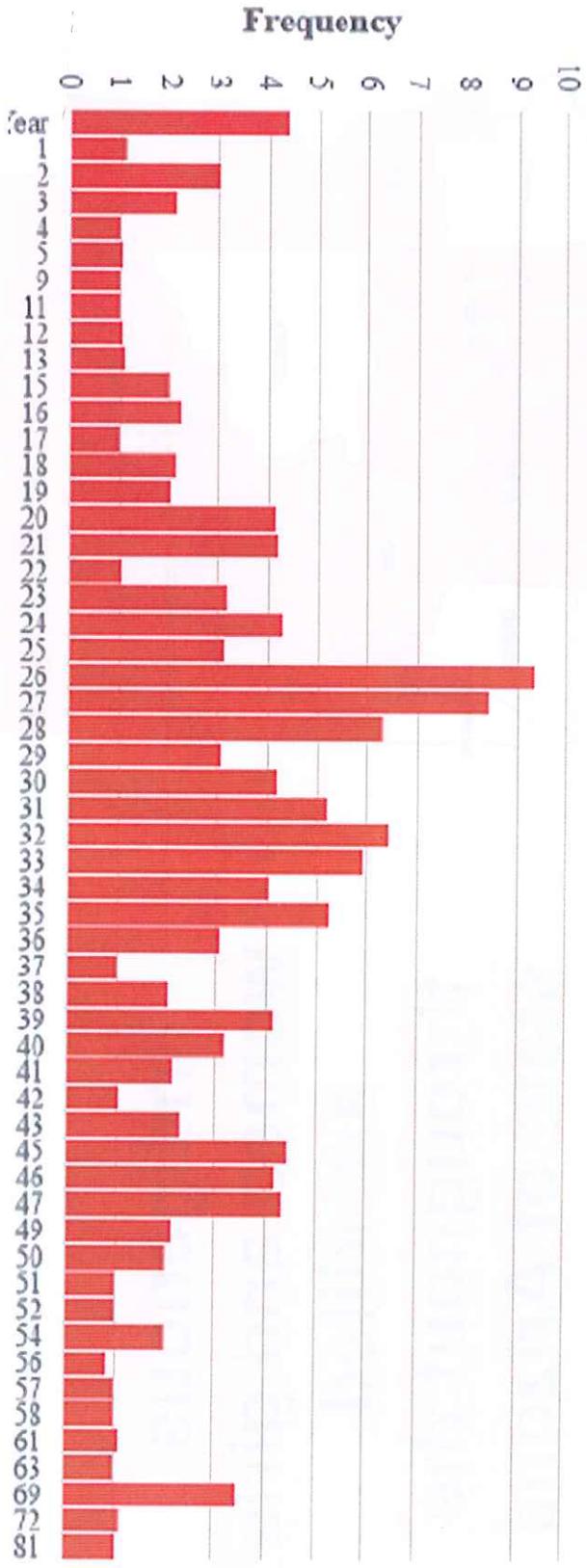
- And JFNW data show the trend is continuing in 2019 and 2020



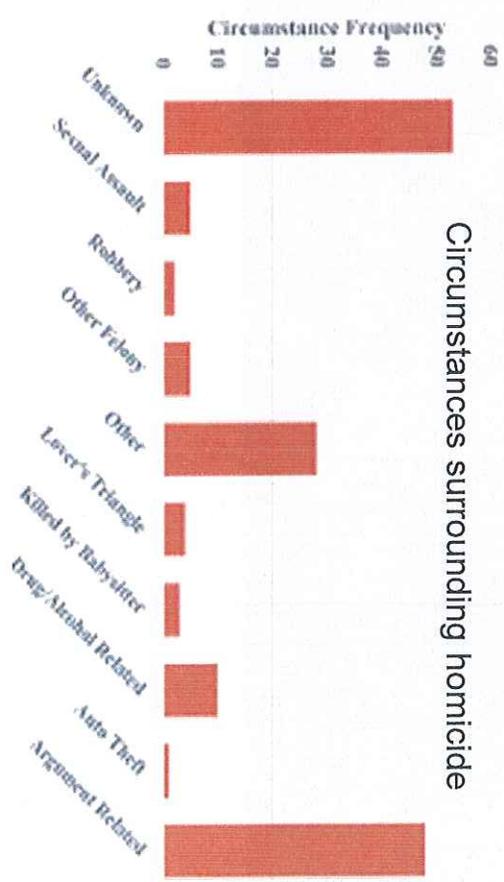
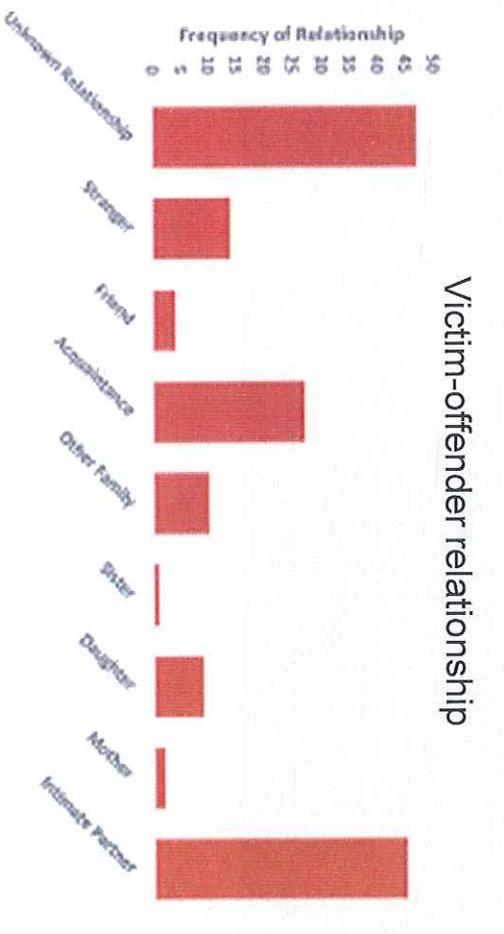


**Indigenous
women and girls
are killed
throughout the
state of Arizona**

Indigenous females are killed ranging in age from infant to elder, with an average age of 31



Much remains unknown about murders of indigenous women and girls, including victim-offender relationship and circumstances surrounding the homicide.



3. What are policy recommendations to reduce MMIWG?

The crisis of MMIWG is solvable.

It is essential for the State of Arizona to consult with Tribal Nations to review, modify, approve, implement, and periodically re-assess the effectiveness of policies that impact Indigenous Peoples.

Provide sustained funding opportunities (and increase current funding) for Tribes and non-profit agencies that serve Indigenous victims within rural, urban, and Tribal communities

Designate annual training for all professionals, especially police officers, to include intermittent education (e.g., 60 hours) on cultural responsiveness, sensitivity to victims and their families, and communication with families and survivors.

NamUs should be required by law enforcement and include data points to publicly document historical missing persons, including solved cases (e.g., person found safe, trafficking, homicide).

4. What is the next step for our work to reduce
MMIWG?

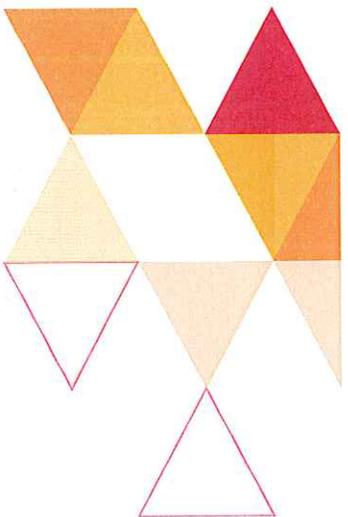
Accomplished HB2570 objectives

1. Conducted a comprehensive study to determine how this state can reduce and end violence against Indigenous women and girls
2. Established methods for tracking and collecting data on violence against Indigenous women and girls, including data on MMIVG
3. Gathered data on violence against Indigenous women and girls in Arizona
4. Determine the number of missing and murdered Indigenous women and girls in Arizona
5. Identified barriers to providing more state resources in tracking violence against Indigenous women and girls and reducing the incidences of violence
6. Proposed measures to ensure access to culturally appropriate victim services for Indigenous women and girls who have been victims of violence
7. Proposed legislation to address issues identified by the Study Committee
8. Submit a report by November 1, 2020
9. Review policies and practices that impact violence against Indigenous women and girls
10. Review prosecutorial trends and practices relating to crimes of gender violence against Indigenous Peoples

Next Steps



THIS STUDY IS IN REMEMBRANCE
OF ALL STOLEN SISTERS AND
INDIGENOUS PEOPLES. THANK YOU.

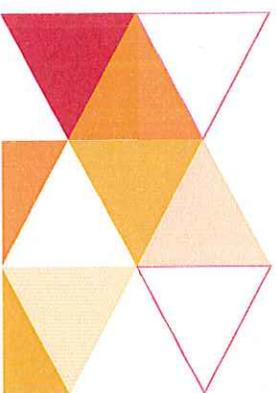


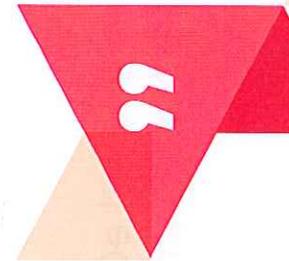
HB 2570

MMIWG Field Study Findings

10|28|20

Katie Haverly, M.S. – LeCroy & Milligan Associates
Valaura Imus-Nahsonhoya, M.S. – Honwungsi Consulting Services





I hope this study is able to do something because every day a child or loved one is missing...

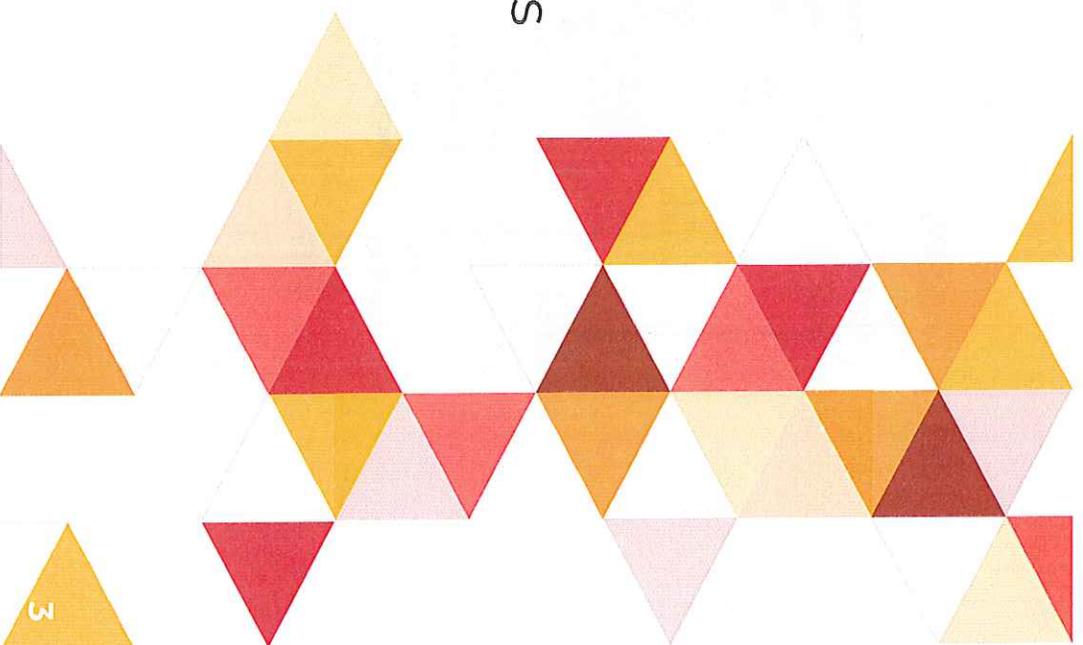
They need to think, what if it was my daughter, or sister, or mother.

Maybe this will change their perspective.

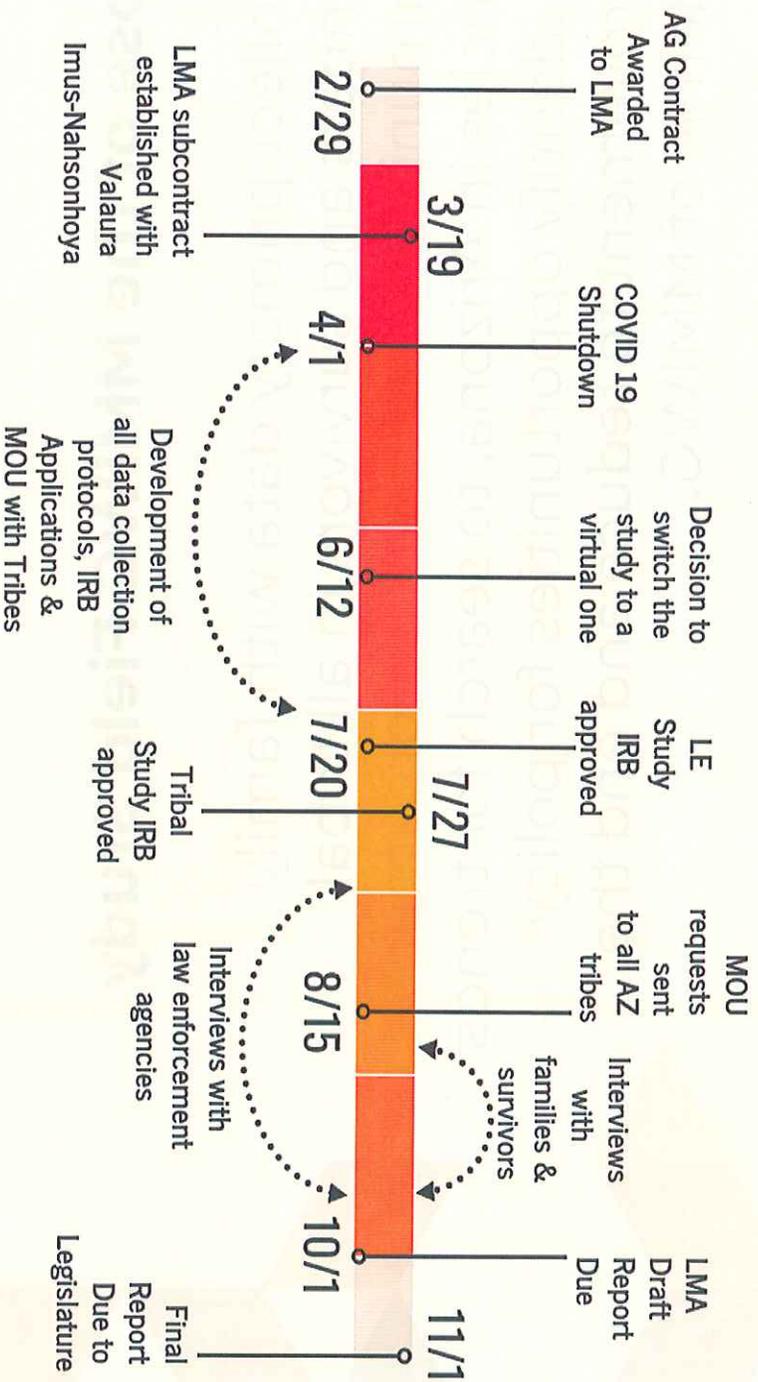
- Mother of Survivor

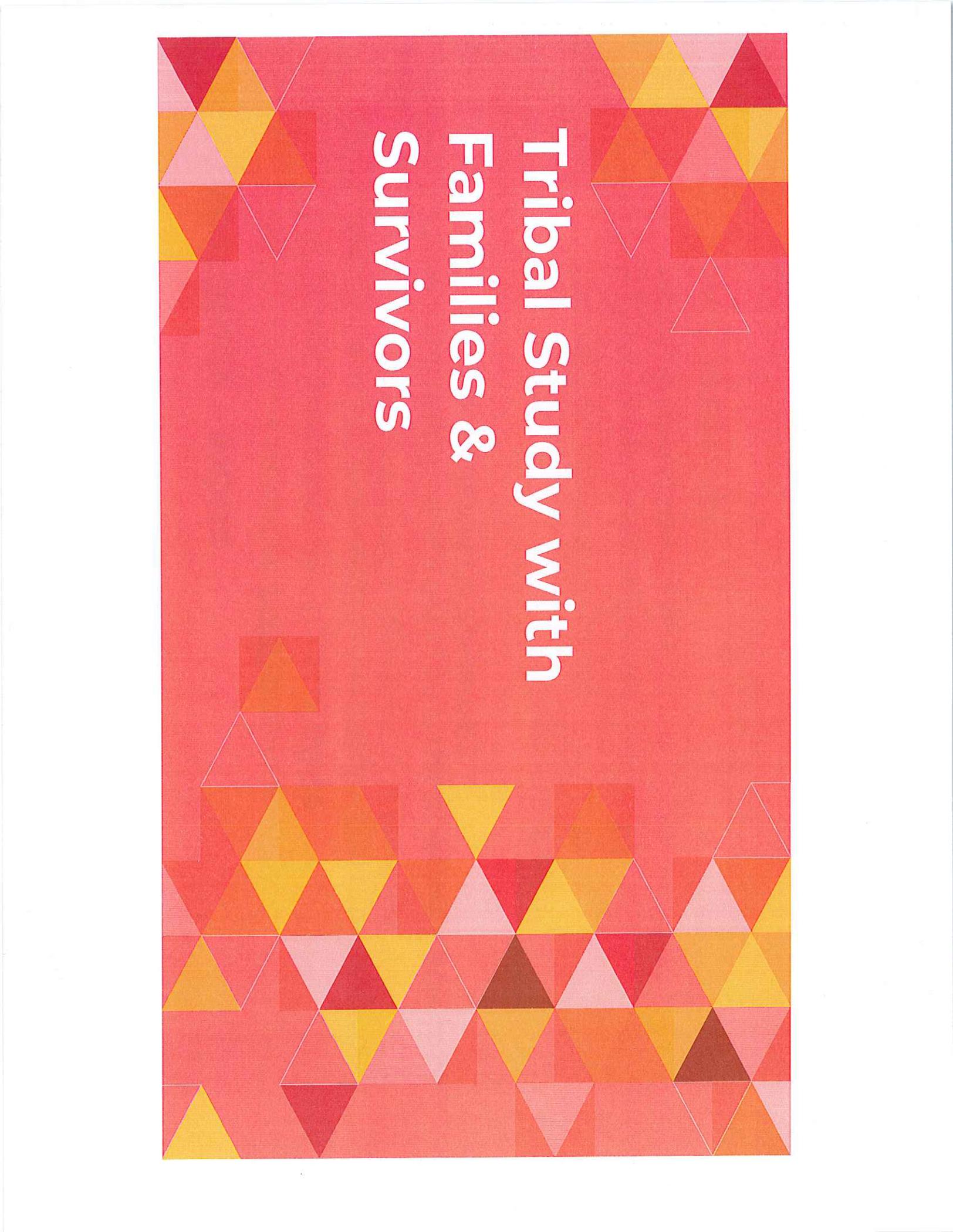
Purpose of the MMIWG Field Study

To collect primary data with family members and survivors in all tribal communities and all law enforcement agencies in Arizona, to search for trends and identify opportunities for policy improvement to reduce and end the epidemic of MMIWG.



MMIWG Field Study Timeline - 2020





Tribal Study with Families & Survivors

Tribal Study – MOUs

- ▶ IRB for study approved on **7/29/20** by Argus IRB
- ▶ MOUs sent to all tribes starting as of **8/1/20**
- ▶ Recruitment and interviews cannot begin with tribal members living on tribal lands until a signed MOU is received
- ▶ Those tribal members not living on tribal lands were able to be interviewed without a MOU agreement

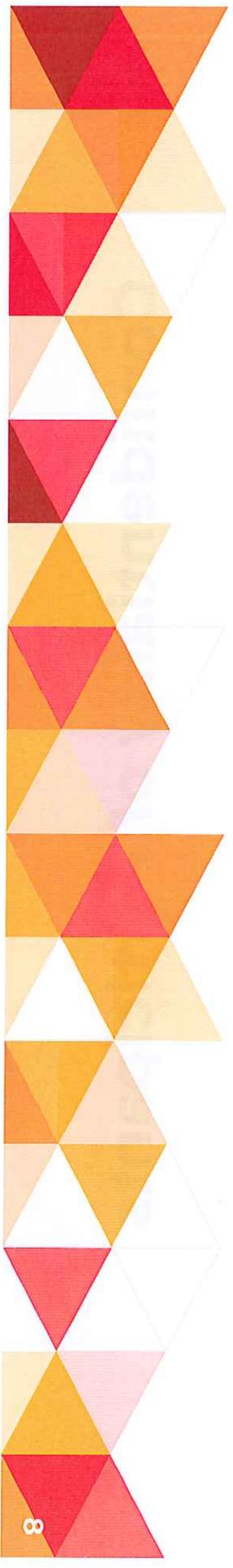
	#
# of Tribes Contacted for MOU Requests	22
# of MOU Outreach/Follow Up Attempts Made	375
# of Presentations to Tribal Councils	5
# MOUs Signed by Tribes	8

Confidentiality of Participants

Confidentiality and protection of families and survivors was of utmost importance for this study.

MOU with tribes indicated:

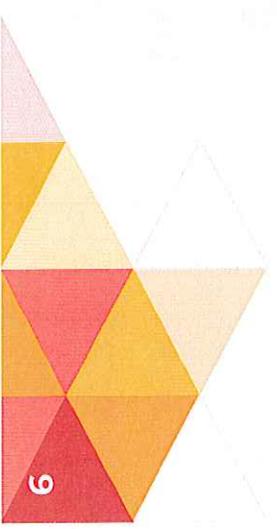
- ▶ Approved by an Independent Review Board (IRB)
- ▶ Interview data would not be shared
- ▶ Interview data would be de-identified
- ▶ Interviewees provided informed consent





Engagement Strategies for Interviews

- ▶ Outreach to tribal victim service agencies
- ▶ Social media promotion
- ▶ Outreach to known survivors and families
- ▶ Presentations to tribal councils

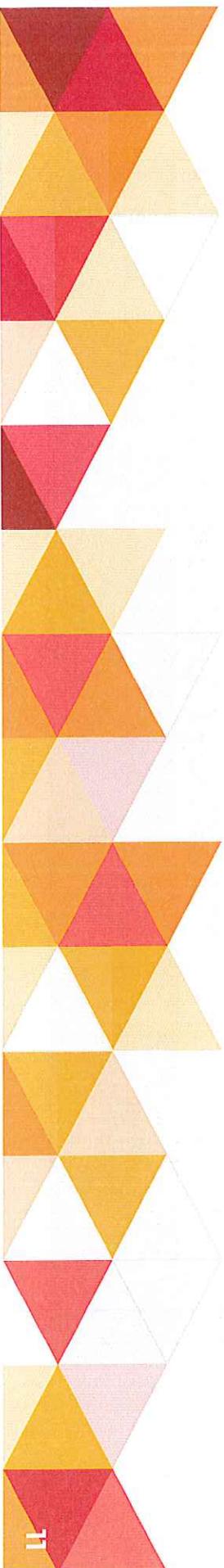


Tribal Study – Limited Time for Engagement and Data Collection

	Date of MOU Signature	# of Days to Engage Interviewees & Conduct Interviews
Tribes 1-3	8/19/20	36 Days
Tribes 4-6	8/25/20	30 Days
Tribes 7-8	8/25/20	30 Days
Tribes 9-11	8/25/20	30 Days
Tribes 12-14	9/15/20	10 Days
Tribes 15-17	9/16/20	9 Days
Tribes 18-20	9/18/20	7 Days
Tribes 21-23	9/22/20	6 Days
Tribes 24-26	9/24/20	1 Day

Tribal Interview Engagement Outcomes

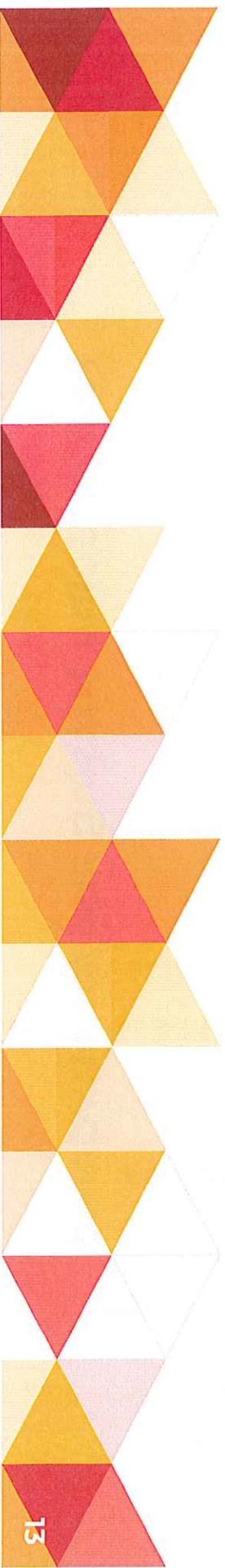
Tribal Interviews	# Inquiries	# Persons Unable to Interview – No MOU	# Persons Unable to Interview – Not Enough time/ Could not Reach	# Completed Interviews	% of Inquiries Interviewed
Survivors	39	25 (6 Tribes)	6 (4 Tribes)	8	21%
Family Members	77	31 (8 Tribes)	16 (6 Tribes)	30	39%
Total	116	56 (8 Tribes)	22 (6 Tribes)	38	33%



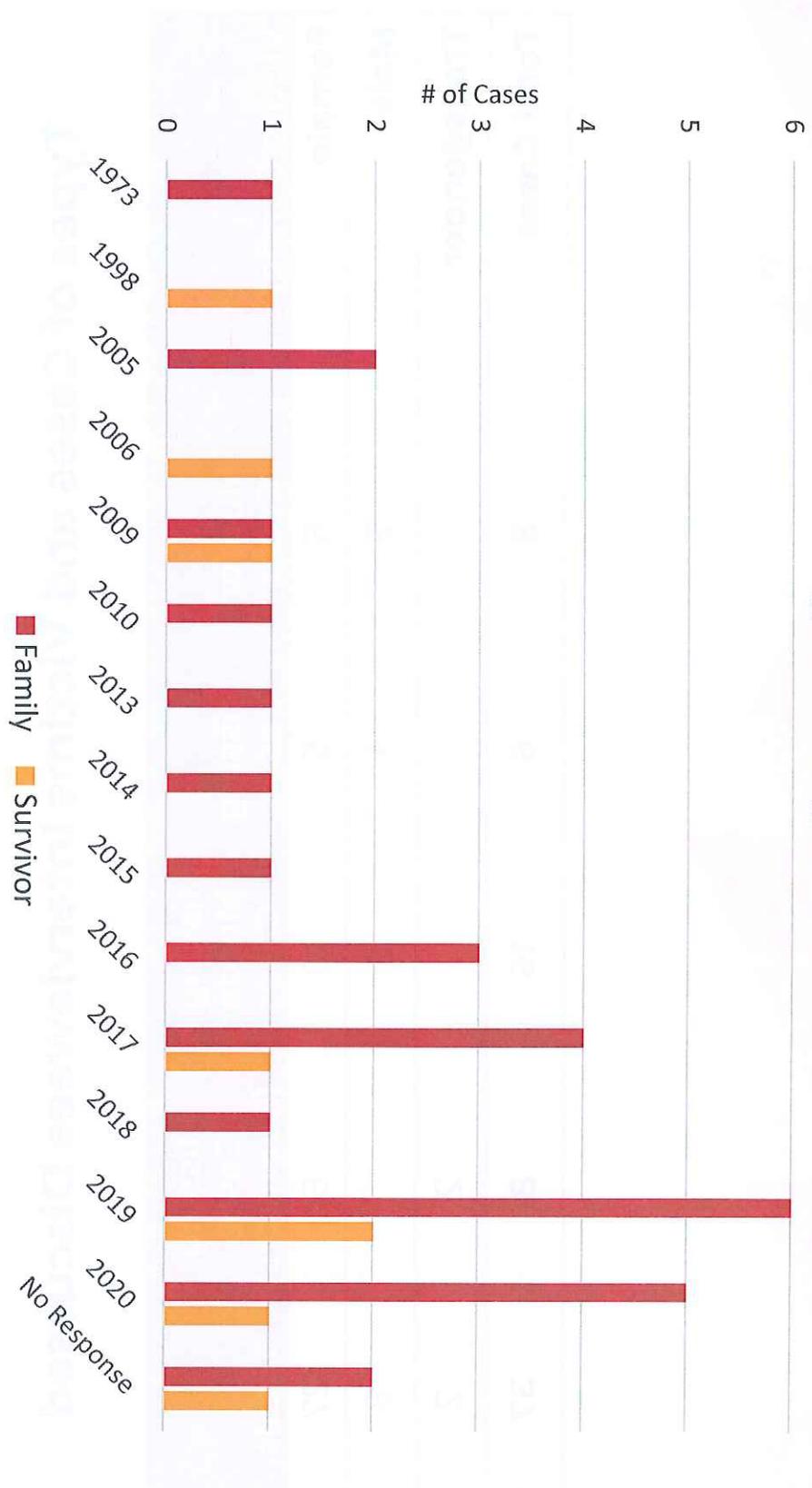
Interviewee Demographics		Family Members N=30	Survivors N=8
# AZ Tribal Enrollments Represented by Interviewees	15	7	
# AZ Tribal Affiliations Represented by Interviewees	6	1	
# AZ Tribal Enrollments Represented by Victim	6		
# AZ Tribal Affiliations Represented by Victim	5		
How the Missing/Murdered Person is Related to Interviewee			
Daughter	6		
Sister	5		
Mother	5		
Brother	4		
Child	3		
Cousin	2		
Father	2		
Spouse or Partner	2		
Friend	1		

Types of Cases and Victims Interviewees Discussed

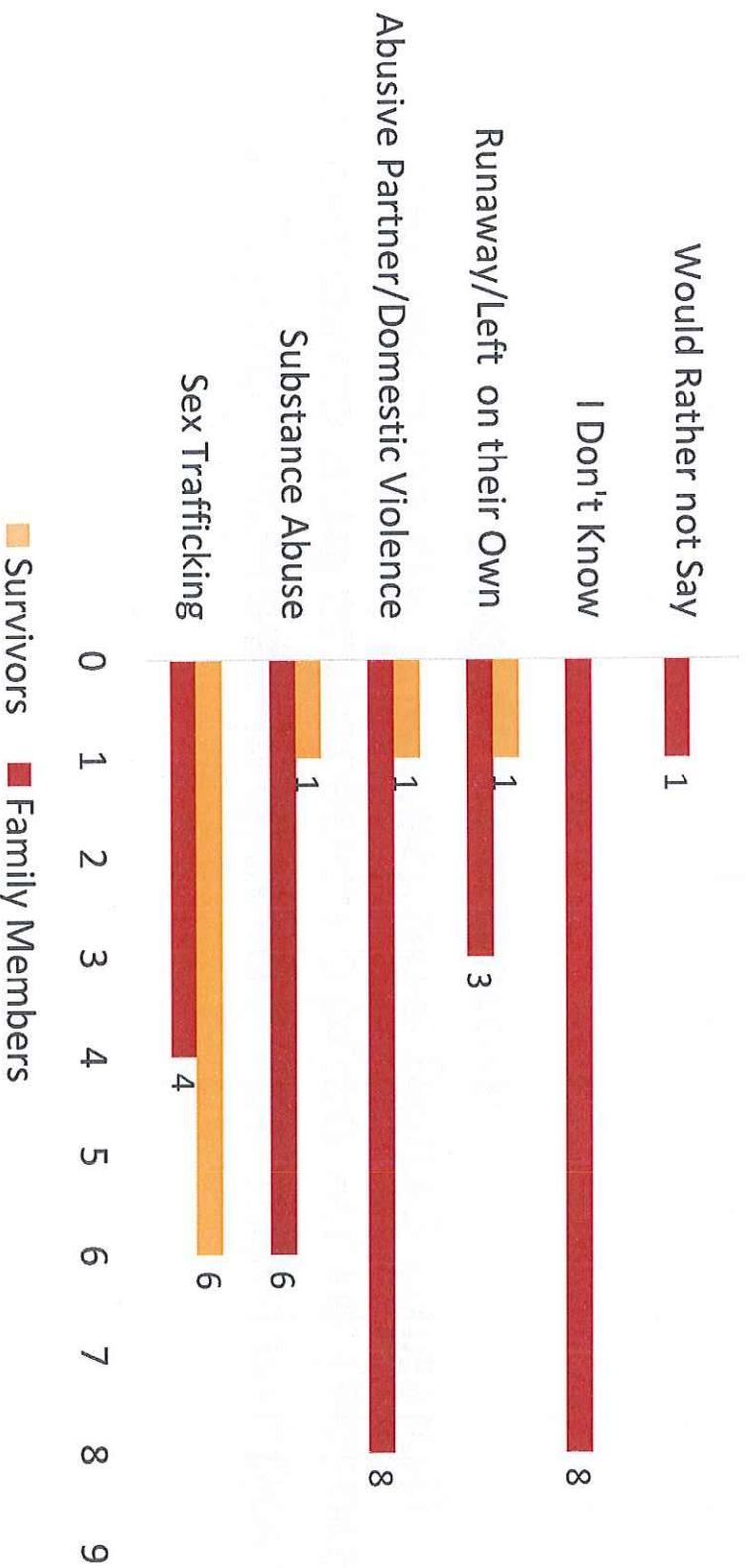
Victim Gender	Murder Cases	Missing Cases	Missing & Murder Cases	Missing Cases (Survivors)	Totals
Female	6	5	10	6	27
Male	2	1	5		8
Transgender				2	2
Total Cases	8	6	15	8	37



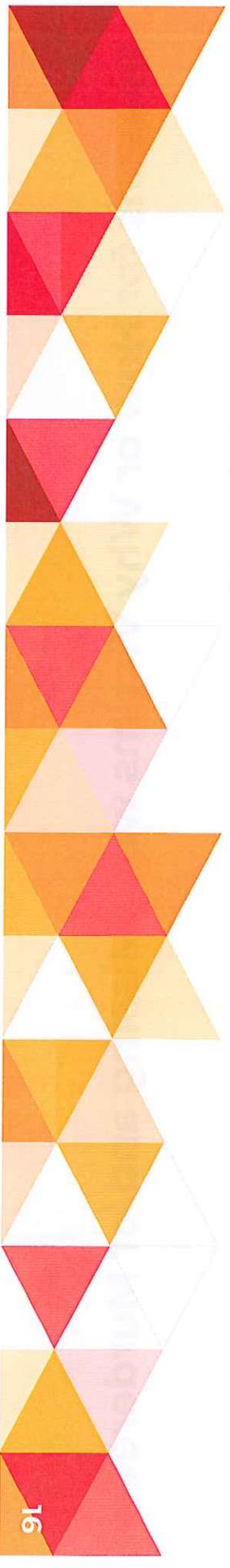
Year of Going Missing and /or Murdered



Reasons for How or Why Victims went Missing and/or Murdered



Many interviewees indicated the intersection of violence and substance abuse were factors that lead to their loved one going missing and/or murdered.



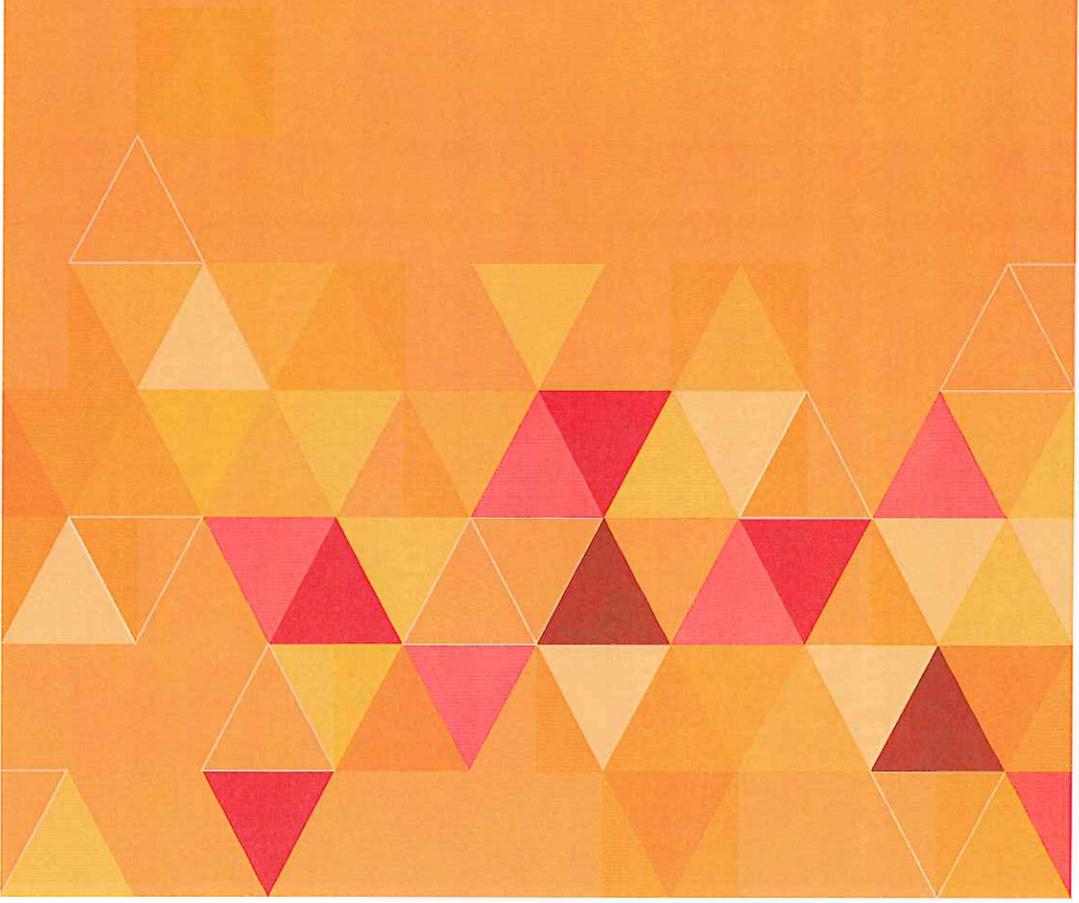
My sister also had medical problems. Her husband didn't care and would force her to drink, and if she didn't, he would beat her. I blame him for killing her. ... I feel that no one really wanted to tell what happened to her.

-Family Member

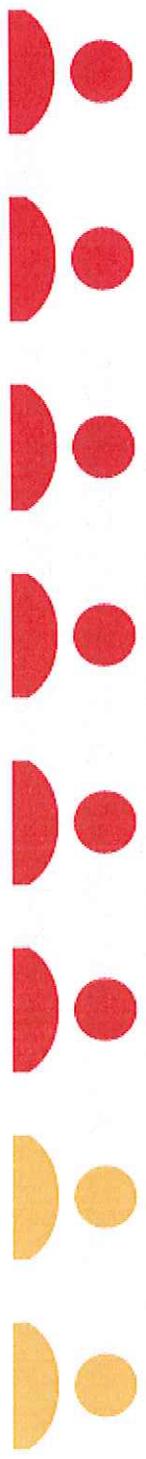
My mom hid domestic violence well, but we would hear it. She would get mad at us if we got into her business. I knew she was getting beat but she never did or said anything.... I didn't live too far from her. Her boyfriend was nice on the outside, but he was mean to my mom; I didn't understand this. He had a nice family. My mom's boyfriend used meth and alcohol. My mom used alcohol.

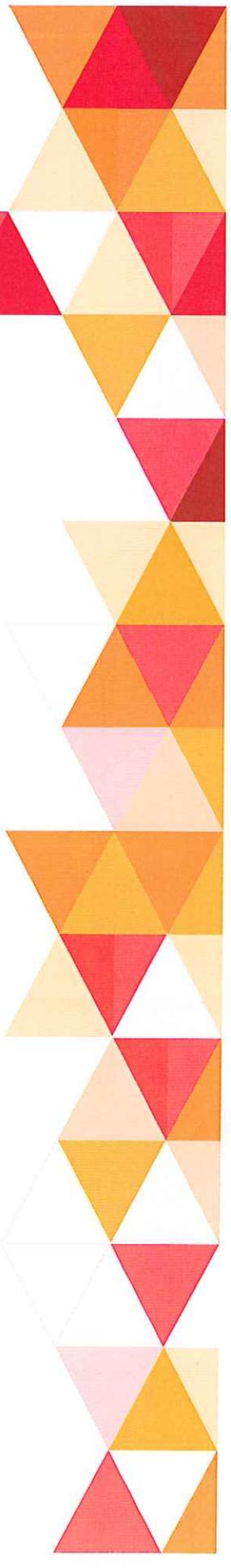
-Family Member

Sex Trafficking



**6 out of 8 Survivors Interviewed were kidnapped,
drugged and sex-trafficked or groomed for
sex-trafficking**



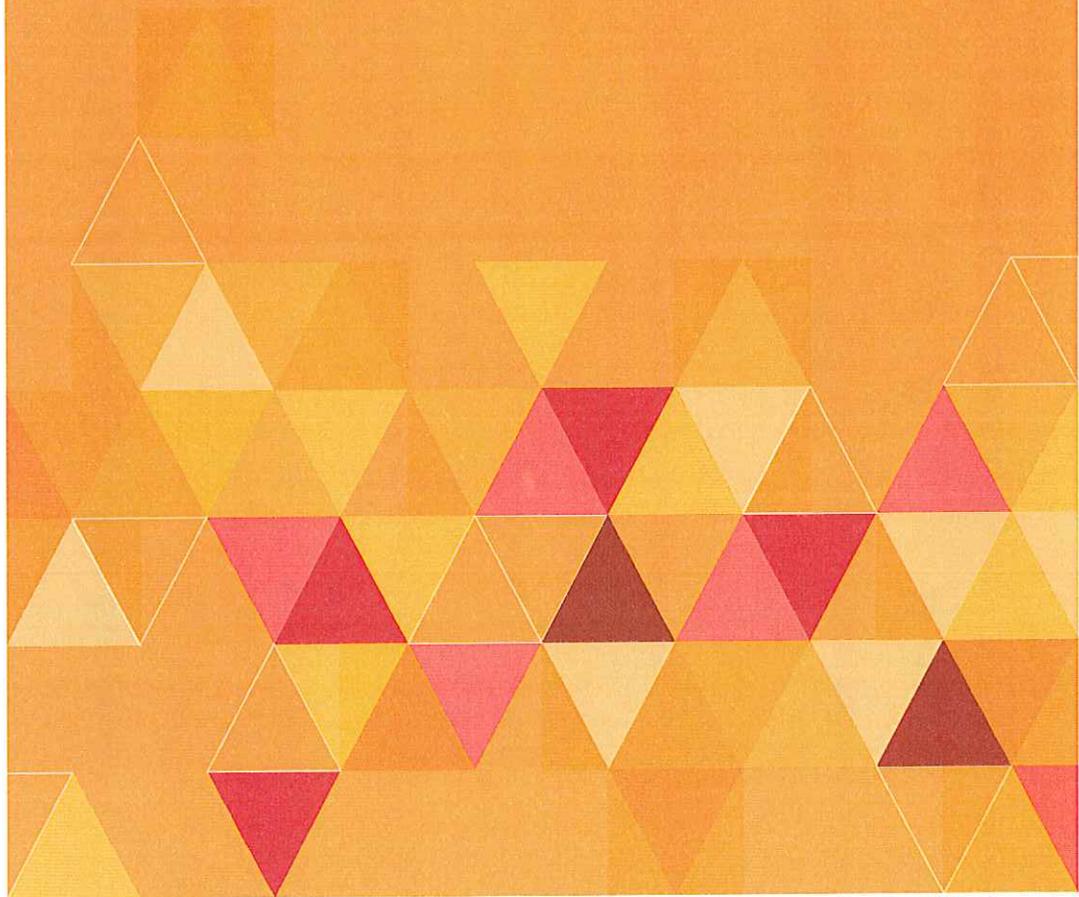


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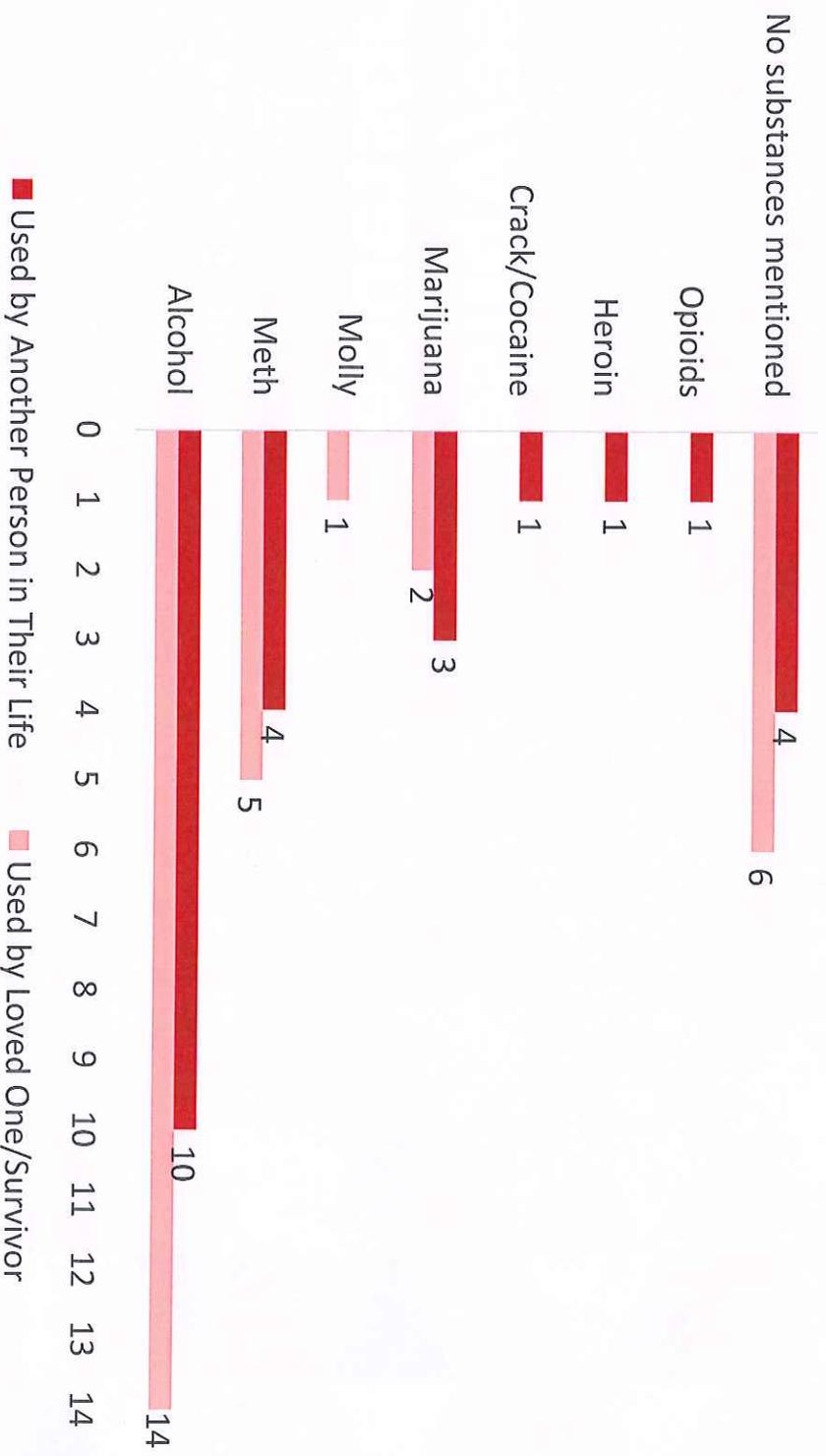
What I want to share is that anyone can be kidnapped. I don't think I am pretty or have the body to be sold or men wanting me. I am a regular Native girl. But on the internet when they sold me ... I was worth \$500 as a Native young woman not having been through a women's ceremony. Now, I am so scared to go anywhere. I feel very violated and all the woman in me was taken.

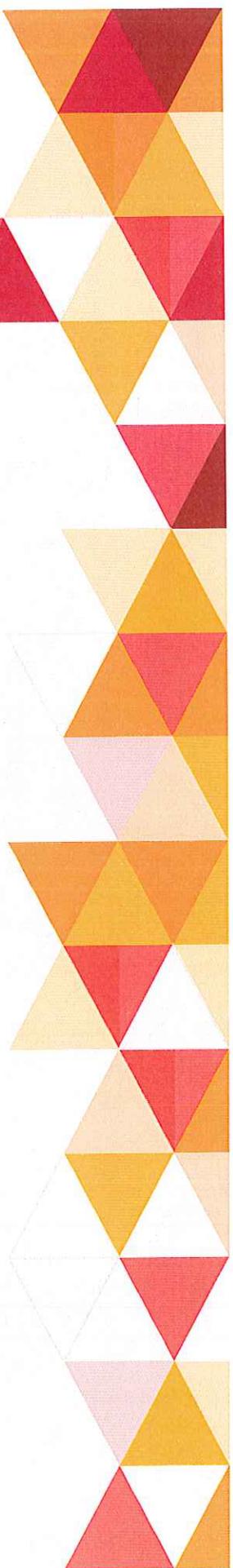
- Survivor

Substance Use/Abuse



Before Going Missing - Substance Use/Abuse in the Home

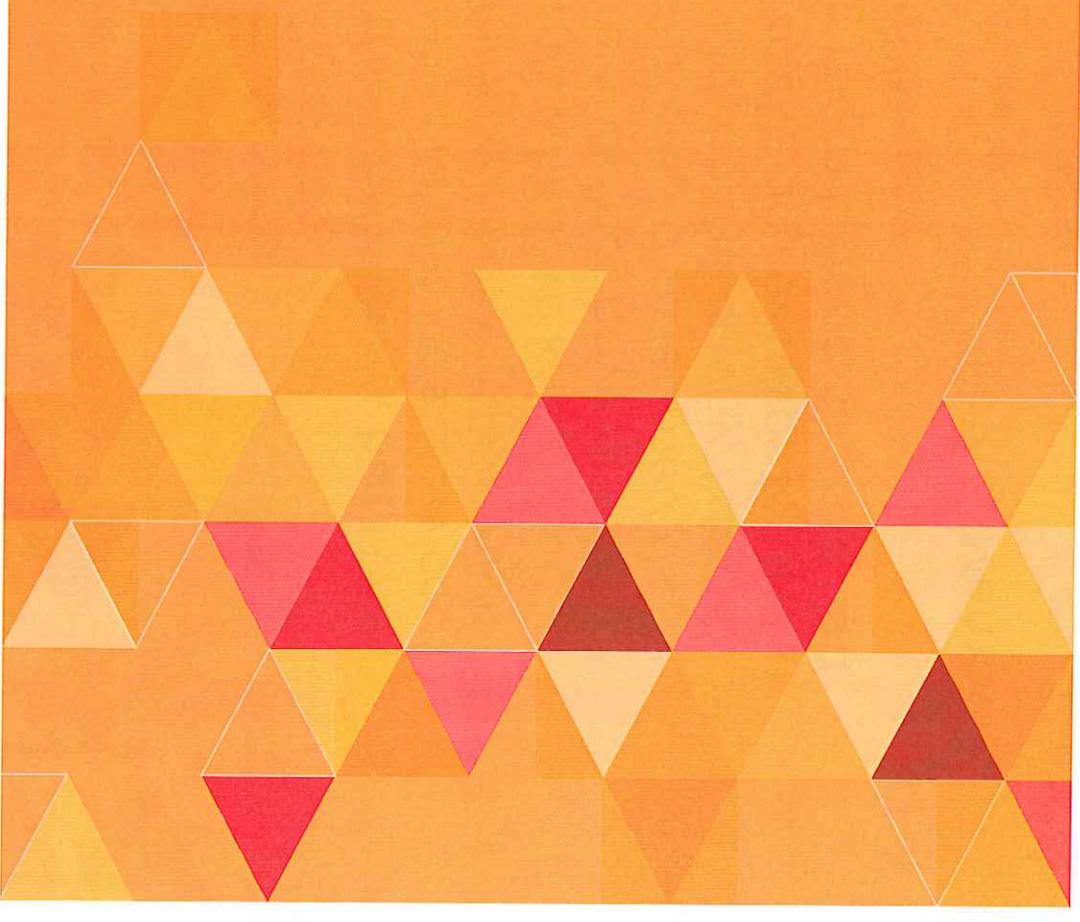




I was so angry with this whole thing, but I was also sad because these are just kids. How could they even think of doing something like this? How could they do this when we know their families and they are or do not have any ill feelings or hate to anyone. I also learned they were on "G" (meth). Maybe this is why, I don't know but it doesn't make any excuses for them killing my mom. Our mom is gone, she still had some life and years left.

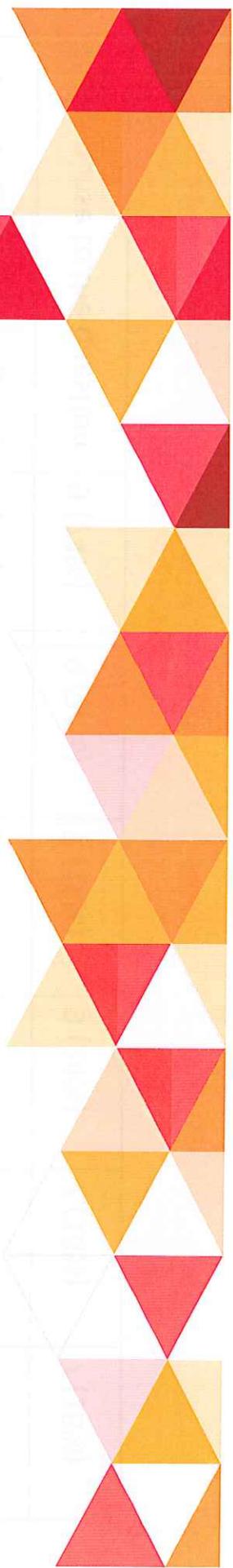
-Family Member

**Experience with
Law
Enforcement**
Families and Survivors



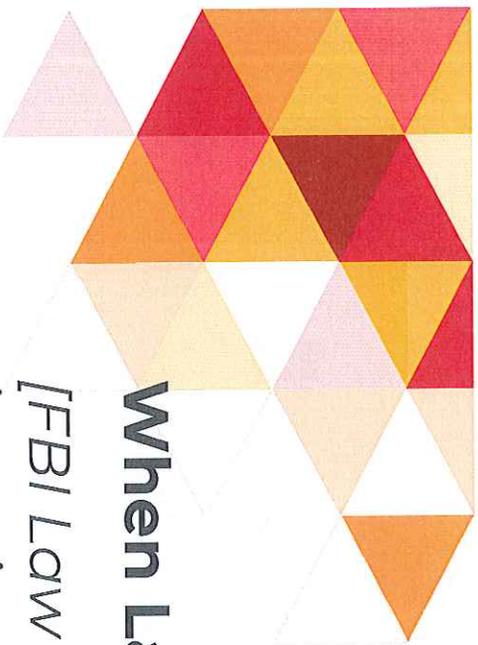
When family members and survivors (38) were asked:
How helpful was law enforcement for you?

	State Police	County Police	City Police	Tribal Police	BIA Police	FBI Police
The agency was helpful	5 (13%)	2 (5%)	8 (21%)	6 (16%)	8 (21%)	7 (18%)
The agency was not helpful	21 (55%)	26 (68%)	22 (58%)	20 (53%)	22 (58%)	23 (61%)
No involvement with agency	3 (8%)	1 (3%)	1 (3%)	3 (8%)	1 (3%)	1 (3%)
No response to the question	9 (24%)	9 (24%)	7 (18%)	9 (24%)	7 (18%)	7 (18%)



They did absolutely nothing [City Police]. They should have taken the missing report seriously. They treated [X] like she didn't know what she was talking about and made it seem like my friend was an alcoholic or drug addict living on the streets or something. I really felt they were being racists to Native American. They never called my friends mom or me. They had no updates for us when we called. They took her off the missing persons list twice, and her mom continues to call to get her back on it.

-Friend of Victim



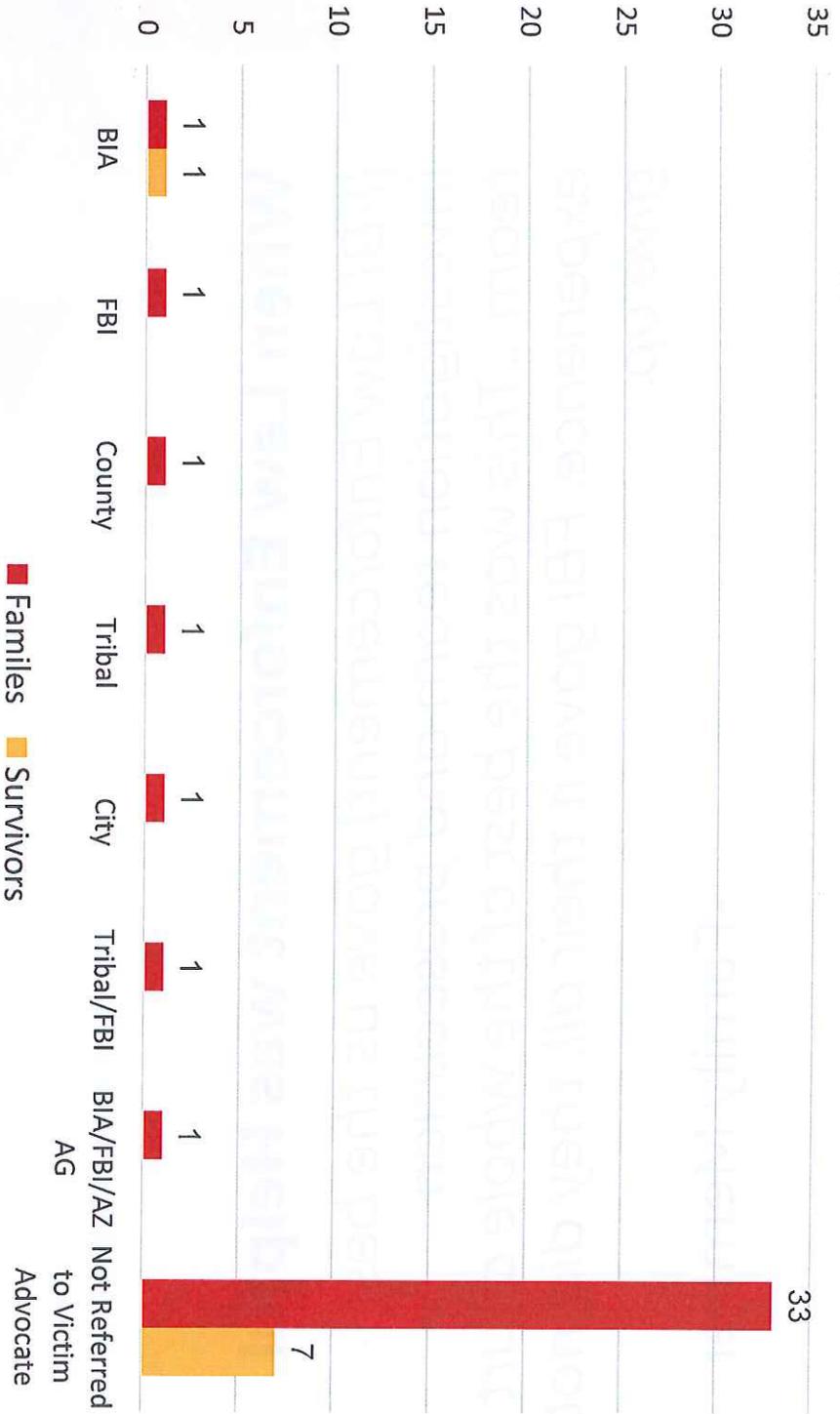
When Law Enforcement was Helpful

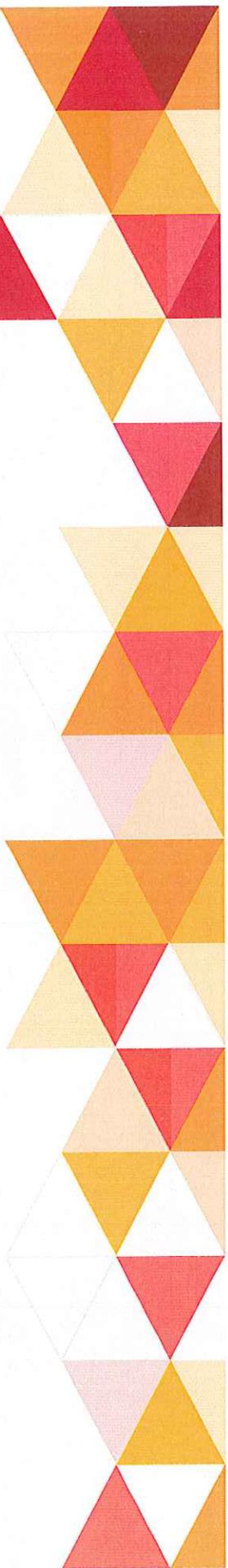
[FBI Law Enforcement] gave us the best investigation team and prosecution team... This was the best of the whole court experience. FBI gave it their all, they did not give up.

-Family Member



Number of Families and Survivors Referred to a Victim Advocates by Law Enforcement Agency



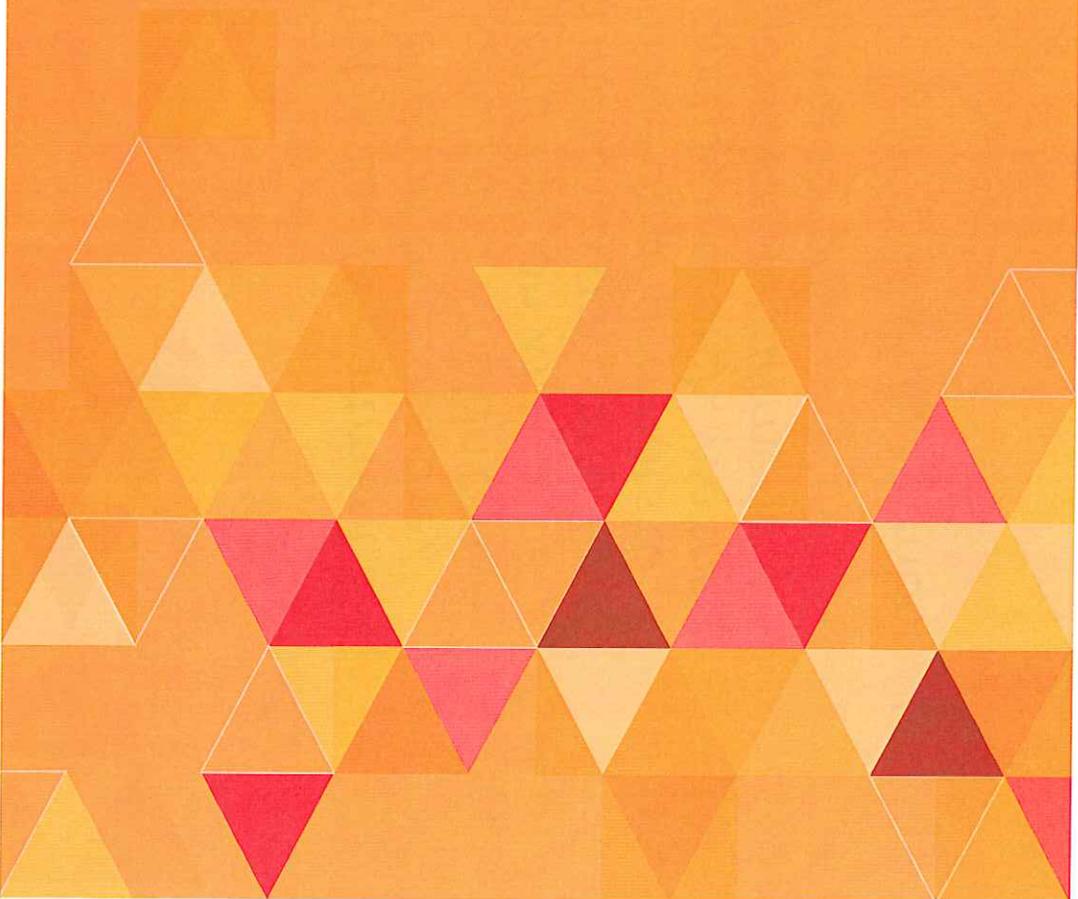


“

I reported this to [City] Police Department, but they didn't take a report because they told me she was an adult and wouldn't take a report. I shared my frustration with a co-worker; she referred me to an advocate. I called her and she made arrangements to meet me in person and do a search. We tried to report again to the police department, and finally they took me serious.

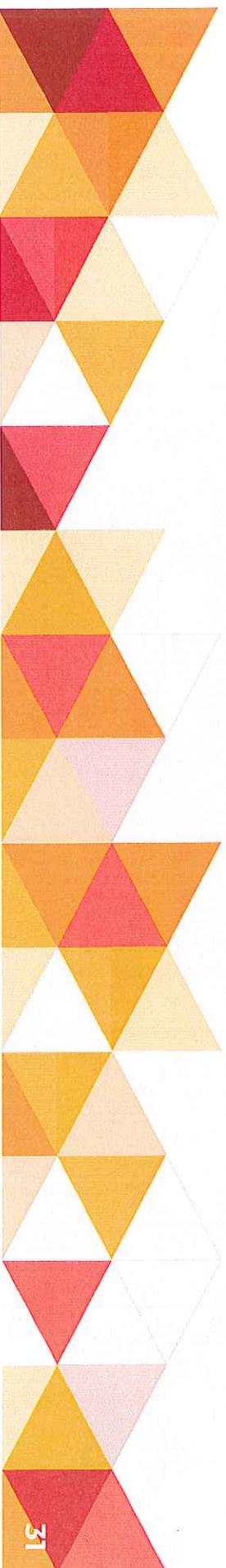
-Family Member

Victim Compensation



Victim Compensation Fund: Reasons for Not Applying

	Family Members	Survivors
I did not know about the fund	21 (70%)	4 (50%)
I did not qualify for the fund - <i>Missing persons was not a crime</i>	2 (7%)	
It was too hard/confusing to apply	1 (3%)	
Incident occurred out of state	1 (3%)	
Waiting on a police report	1 (3%)	





**Family & Survivor
Recommendations:
*Law Enforcement***

- 1 - Take missing cases more seriously for adults**
- 2 - See more effort and a quicker response to MMIWG cases**
- 3 - More empathy, compassion and communication**
- 4 - Address racism, sexism and LGBT-phobia**
- 5 - Refer families to victim services at the time of the investigation**
- 6 - Provide extensive training to all officers on how to better handle MMIWG cases**
- 7 - Work to solve the jurisdictional maze**



**Family & Survivor
Recommendations:
*Victim Advocates***

Victim Advocates

- 1. Provide better and more communication about their cases from victim advocates**
- 2. See more trained Native American victim advocates**
- 3. More guidance, support and sensitivity to the trauma they are experiencing**
- 4. More assistance in understanding the complexities of the judicial system**



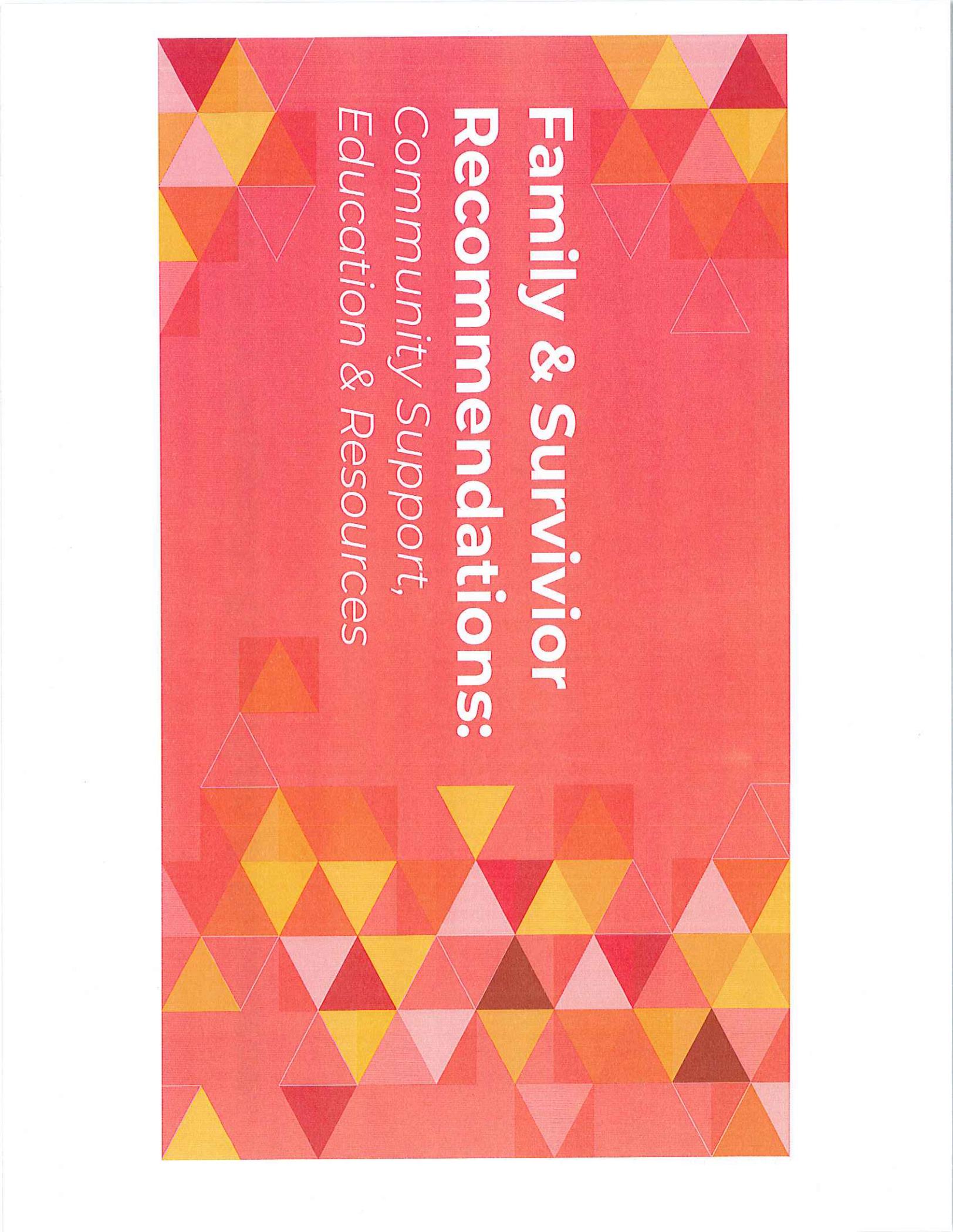


“

More services for families and people who know what they are doing. Not an intern, not someone who doesn't know about Native American people. We need our own people to be trained more and to assist our families.

-Family Member

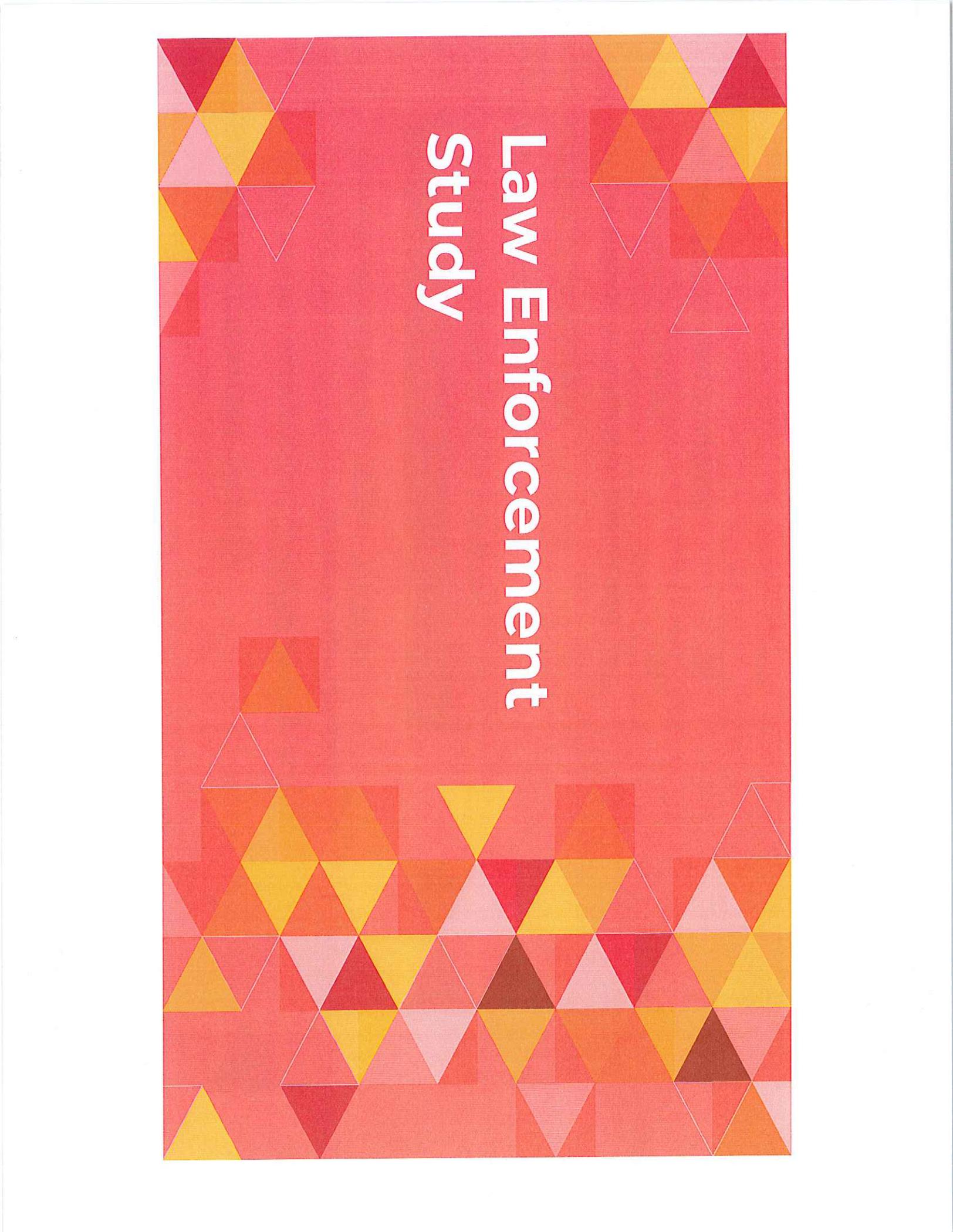
Victim Advocates



**Family & Survivor
Recommendations:**
*Community Support,
Education & Resources*

Community Support, Education & Resources

- 1. More work needs to be done to address substance abuse on Reservations**
- 2. Increase the availability of services for those experiencing alcoholism and/or substance abuse**
- 3. Increase education and awareness on the issue of MMIWG and related issues like violence against women**

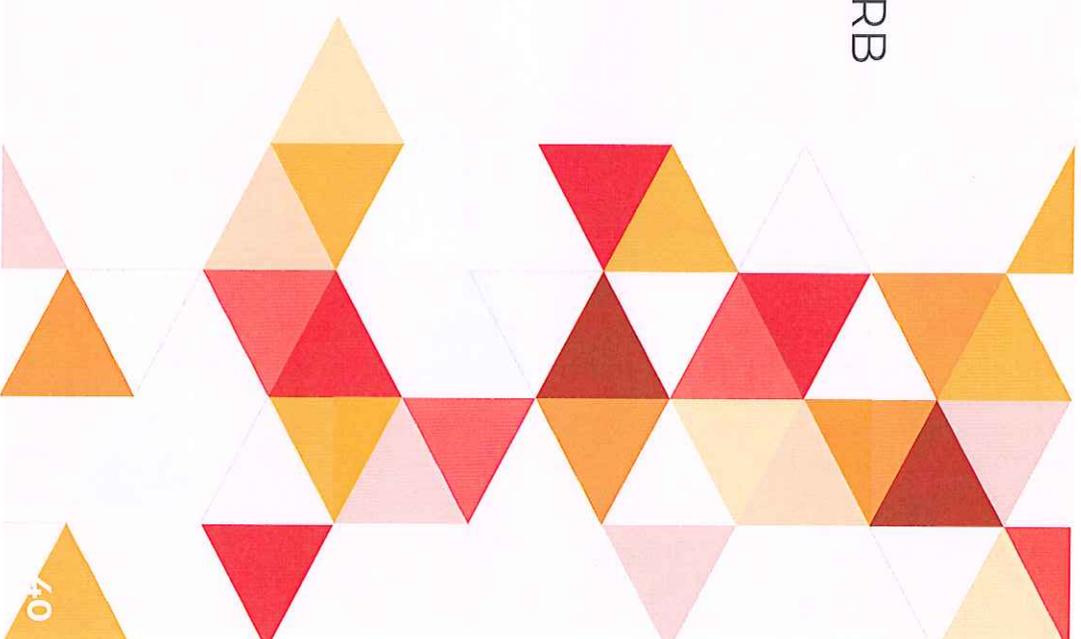


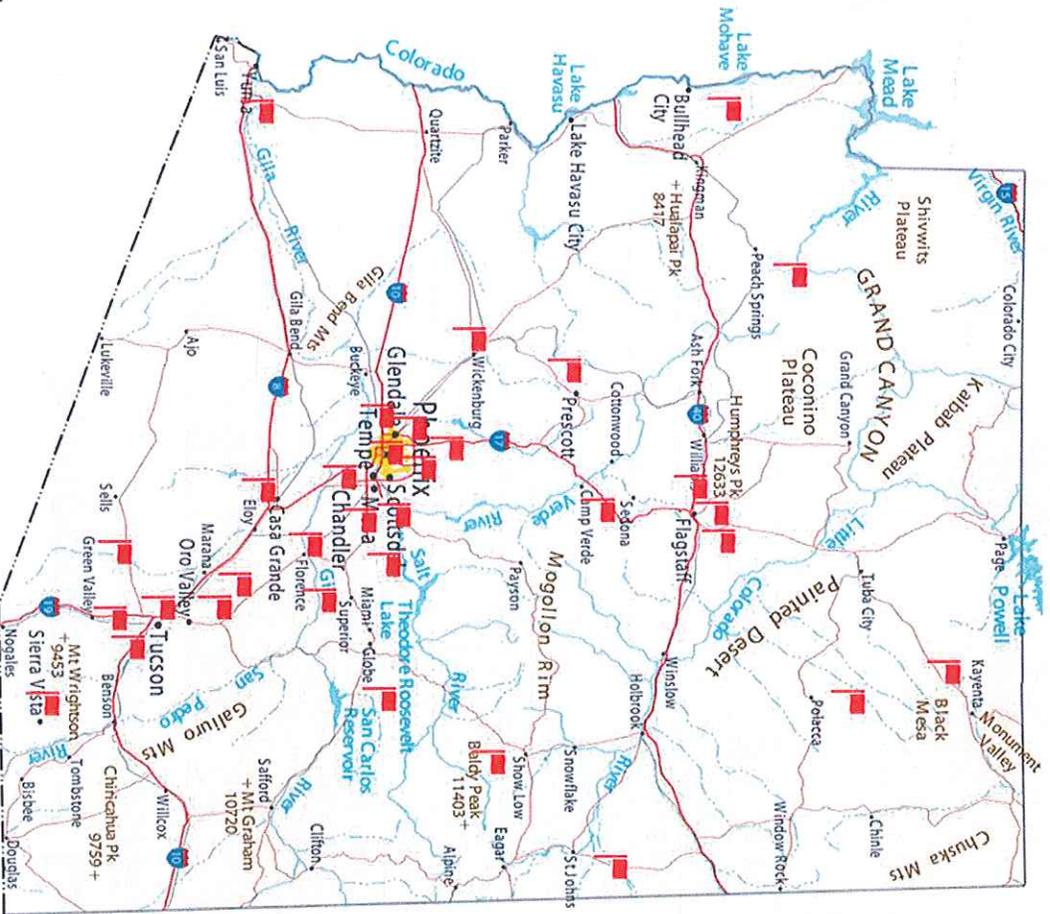
Law Enforcement Study

Law Enforcement Study

- ▶ IRB for study approved on **7/20/20** by Argus IRB
- ▶ Outreach to all law enforcement agencies to request participation began **7/27/20**

	#
# of Law Enforcement Agencies Contacted	72
# of Contact Attempts Made	208
# of Refusals to Participate	5
# of Law Enforcement Agencies Interviewed	33
# of Interviews Completed	41
# of Field Staff Surveys Completed	40



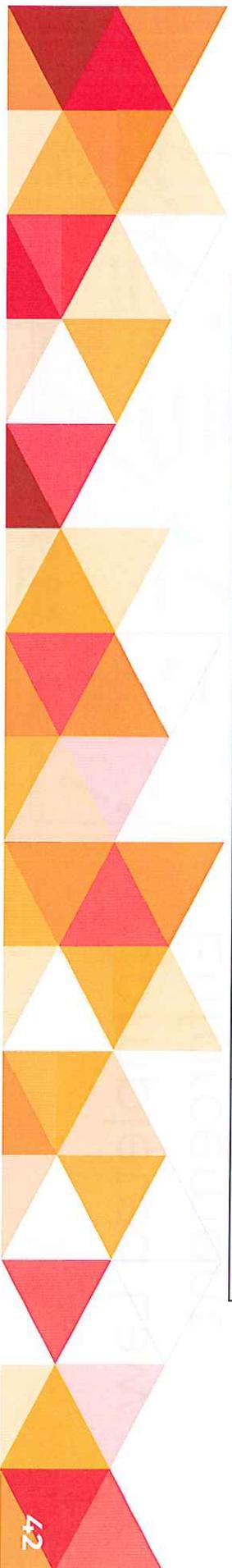


Completed Law Enforcement Interviews

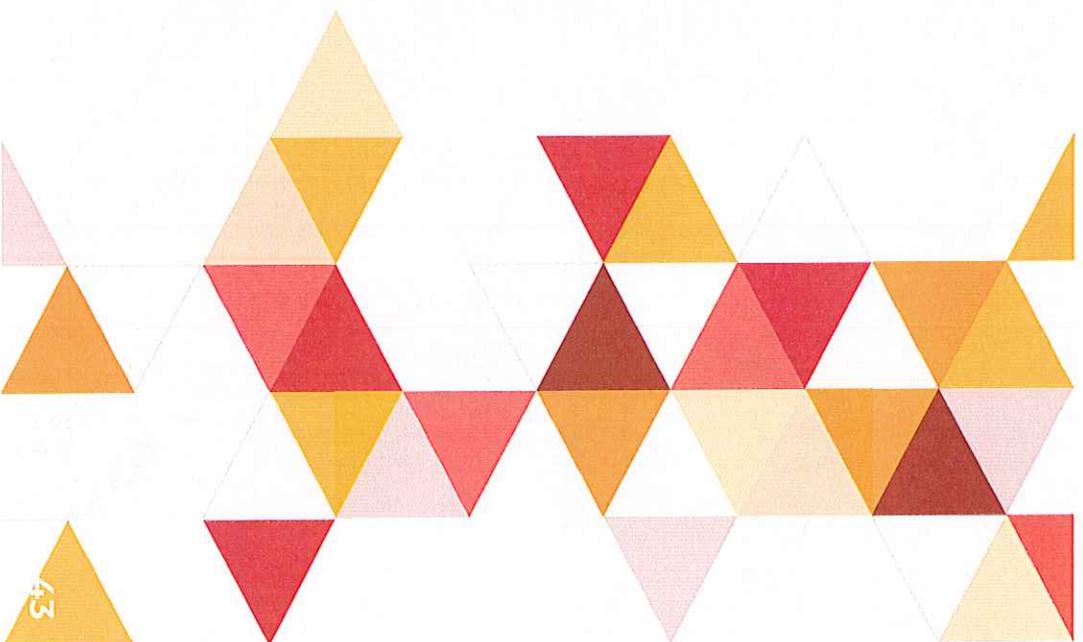
- 3 State
- 6 County
- 17 City
- 2 University
- 5 Tribal

Demographics of Law Enforcement Interviewees/Respondents

	Interview (Management) N=36	Survey (Field Staff) N=40
Affiliated or Enrolled with AZ Tribe	6 (17%)	2 (5%)
Gender: Male	34 (94%)	24 (60%)
Gender: Female	2 (6%)	13 (33%)
Years Worked in Law Enforcement:		
1-3 years	0	4 (10%)
3-5 years	1 (3%)	4 (10%)
6-10 years	0	6 (15%)
10-20 years	12 (33%)	12 (30%)
20+ years	23 (64%)	11 (30%)



Position at Agency:	Interview (Management) N=36	Survey (Field Staff) N=40
Police Chief	12 (33%)	
Lieutenant	5 (14%)	4 (10%)
Sergeant	6 (17%)	5 (13%)
Detective	4 (11%)	9 (23%)
Commander	3 (8%)	
Captain	1 (3%)	
Chief Investigator	1 (3%)	
Sheriff	1 (3%)	
Deputy Chief	1 (3%)	1 (3%)
Patrol Officer		10 (25%)
Investigator		1 (3%)
Corporal		2 (5%)
Administration	2 (6%)	1 (3%)
Crime Scene Technician		1 (3%)
Police Support Assistant		1 (3%)
Background Investigator		1 (3%)





**Recommendations
Regarding MMIWG
from Law
Enforcement**

[We need] plenty of staffing available to respond to assist within minutes, a policy and guide that provides clear instructions for all police departments especially those that don't have a high percentage of these types of cases. Also a large poster board with a bracket that clearly describes step-by-step the directions of conducting a missing person's investigation that begins with the initial phone call from the complainant reporting a missing person and how to proceed from there until the point where the AMBER Alert has been requested and approved and so on.

- Field Officer Survey Respondent

- 1. Provide funding support for specific identified needs and priorities**
- 2. Ensure high quality accessible training**
- 3. Compile and disseminate current and accurate data about the extent of MMIWG**
- 4. Develop more rapport and gain more input from Tribal law enforcement and community members to ensure understanding of needs**
- 5. Develop formal and informal structures to ensure greater collaboration, faster response, and better implementation of standard processes**



“

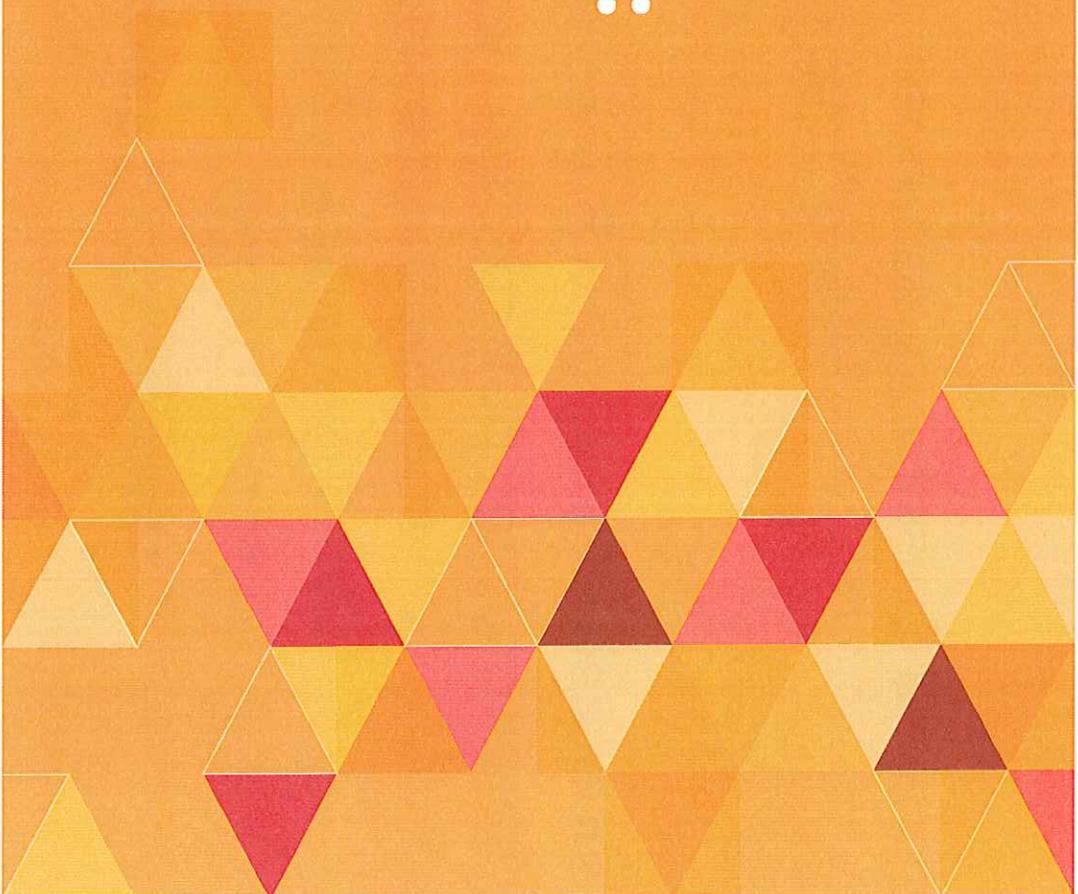
Just let the committee know that we feel for the families that are going through this. We do have compassion although sometimes our officers get bogged down with a lot of paperwork, doesn't mean they aren't thinking about it. Officers go through their own hard times when dealing with these types of cases, they feel it too, they want justice for these families, they want to find missing people. We do care about the families going through these hard times. Our officers and detectives give 110%.

- Tribal Law Enforcement Manager



MMIWG Field Study: *Overall Findings*

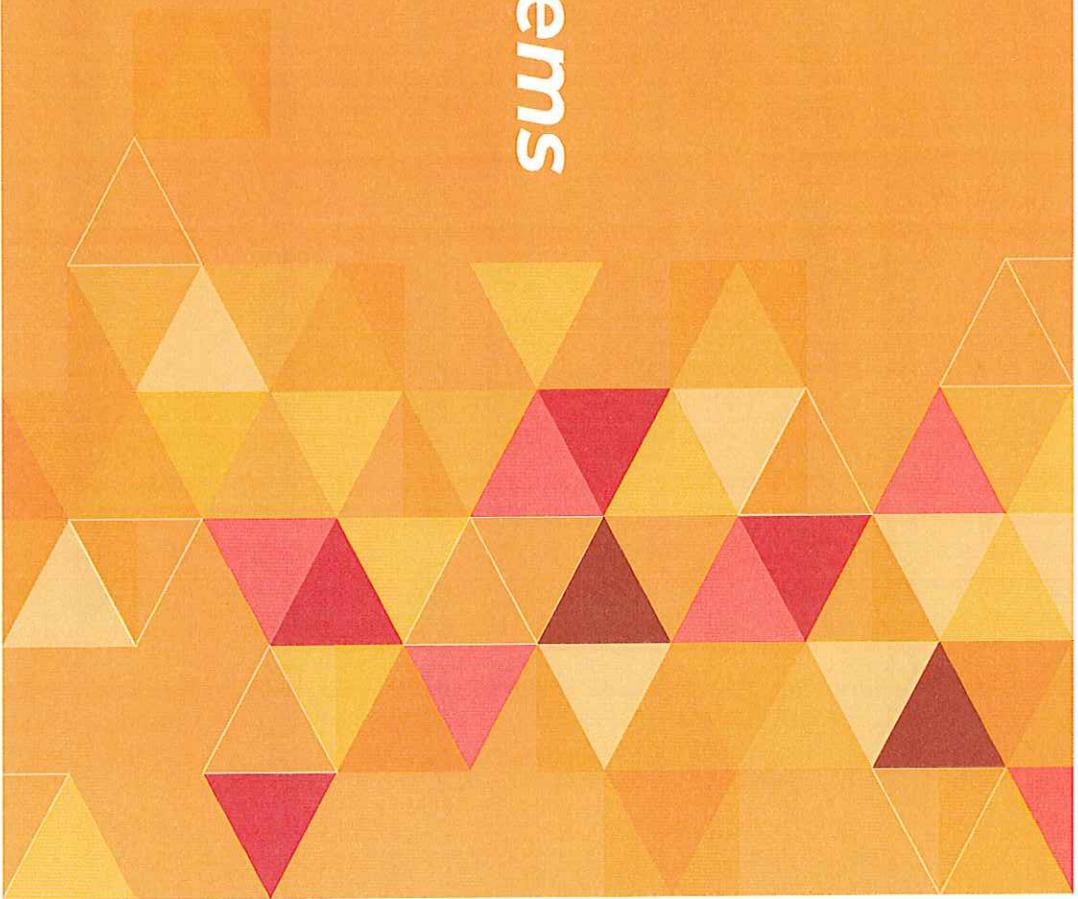
Law Enforcement: *Training*



MMIWG Specific Training Topics to Consider:

- Data on the scope and size of the MMIWG problem
- Investigative skills when working on MMIWG cases
- Bringing agencies together across jurisdictions
- Information on unique cultural customs and communities
- Best practices when communicating with family members and survivors
- Information on Sex trafficking
- Information on implicit and explicit biases
- Information on other existing resources for missing persons

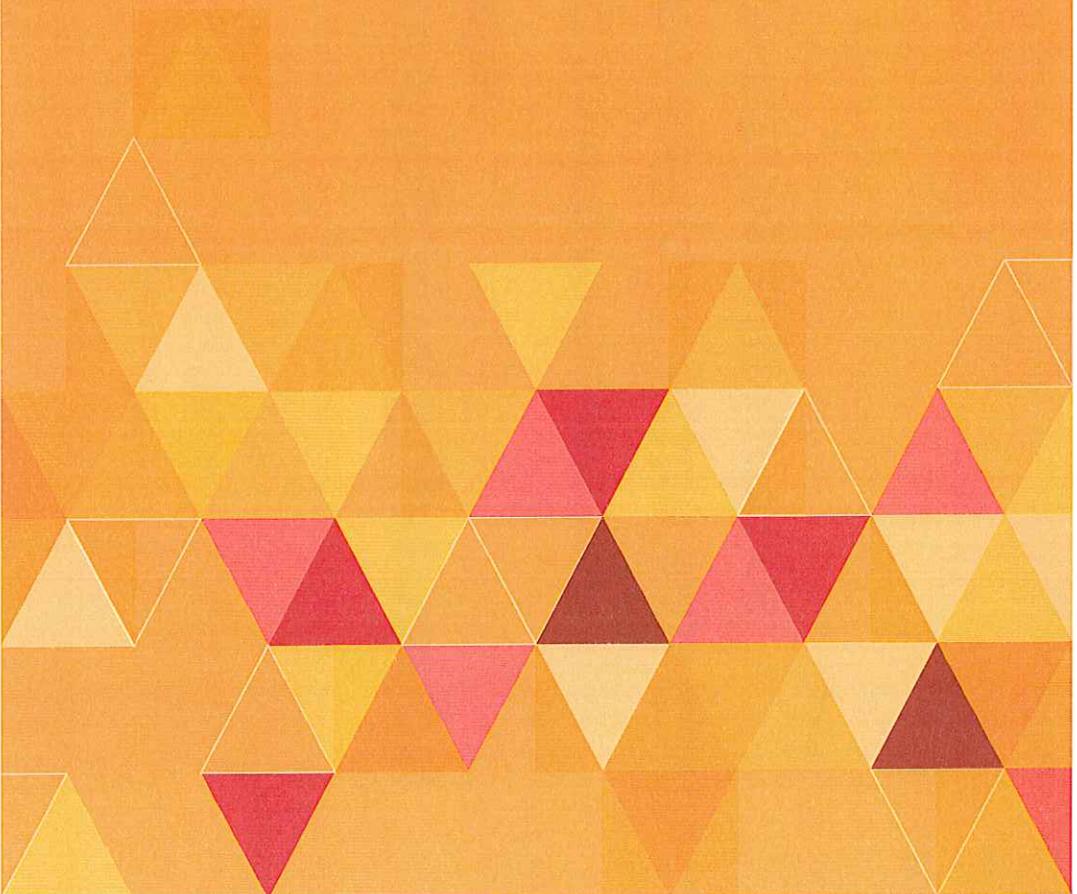
Law Enforcement: Policy/Protocols/Systems



Law Enforcement Policy/Protocols/Systems to Consider

- Establish and enforce clear database protocols (NamUs, NCIC, etc.)
- Create a standardized protocol for investigative response for missing persons cases across all law enforcement agencies at all levels
- Implement state, regional, and/or local Tribal Liaison/Tribal Liaison Office(s).
- Increase priority on cases of adult missing persons
- Create a coordinated approach to address sex trafficking

**Victim
Advocates:
Training &
Supervision**

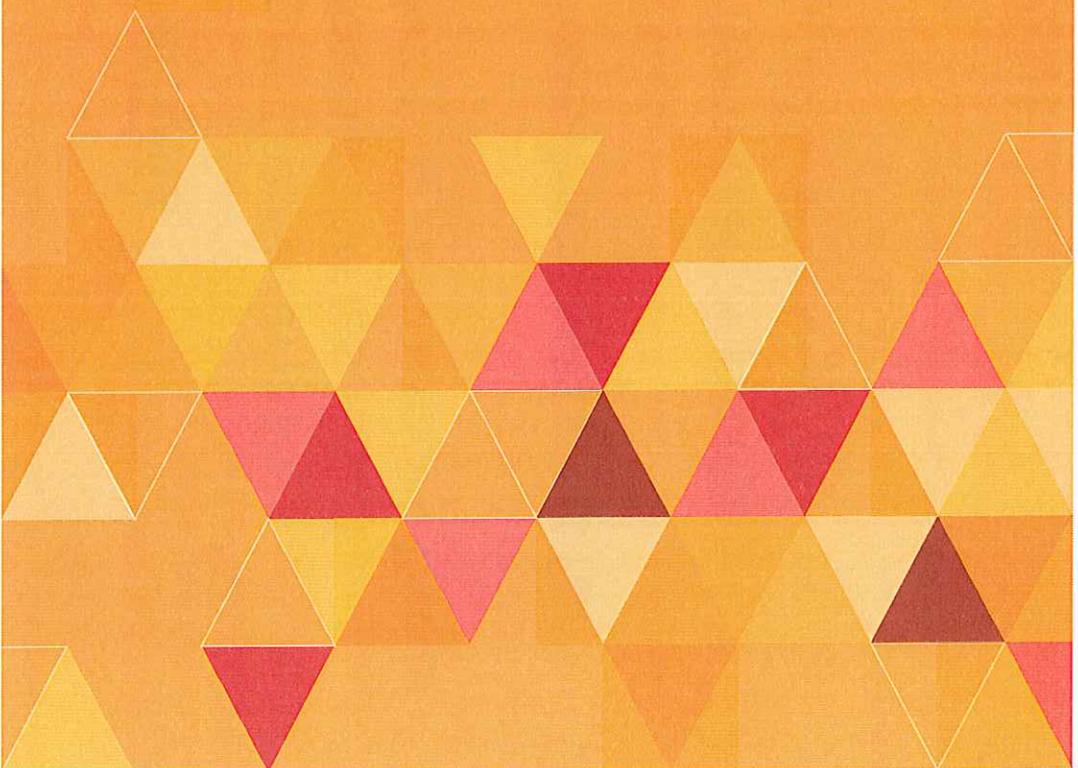




Victim Advocates – Training and Supervision Suggestions to Consider

- Enhance and expand training in victim advocacy
- Recruit and train more Native American victim advocates
- Actively solicit feedback from victims and families

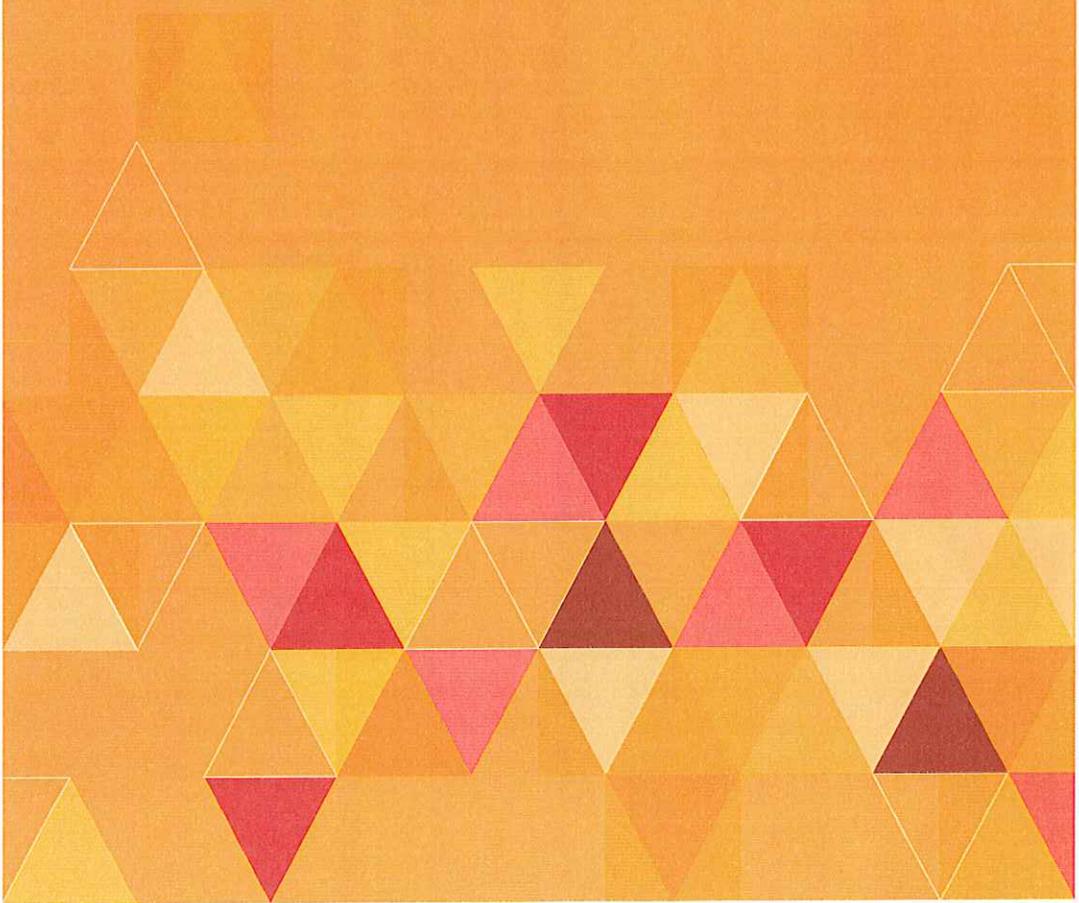
Funding & Resources



Funding and Resource Considerations

- Offer education, resources, treatment, awareness activities and stigma reduction around the issues of substance abuse and domestic violence to support Tribal communities in these areas
- Improve telecommunication and database systems for Tribal law enforcement agencies.
- Fund any mandated law enforcement trainings that could be instituted related to reducing and ending MMIWG.

Jurisdictional Issues

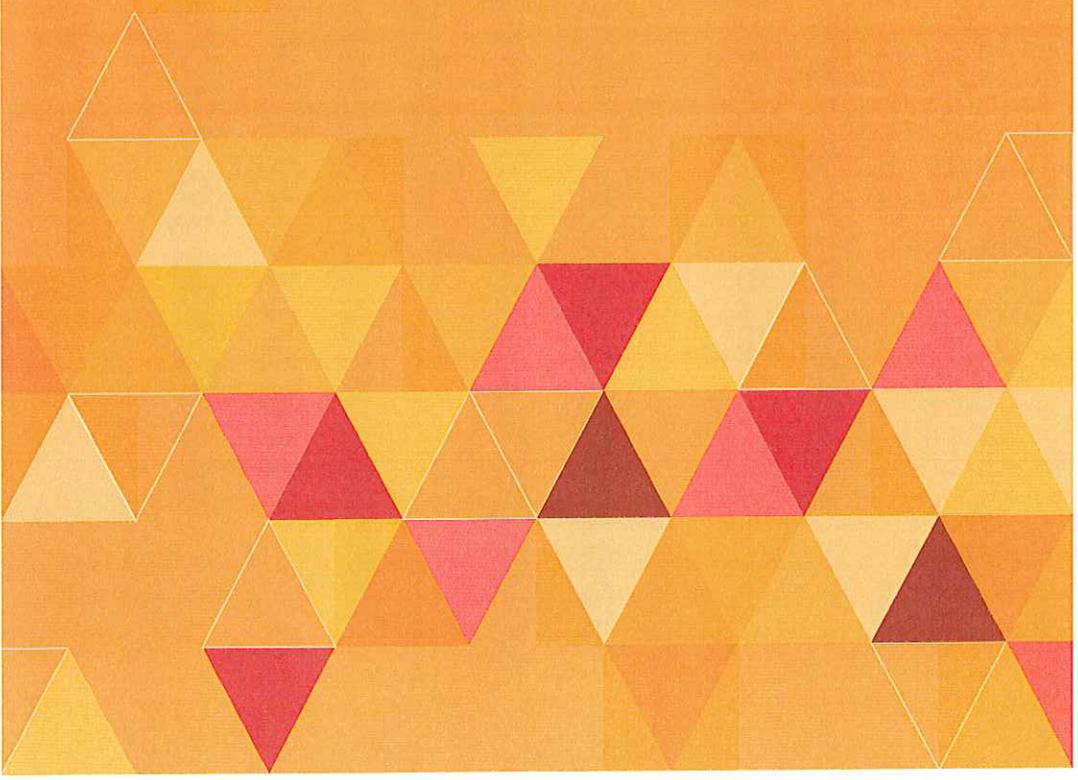


Jurisdictional Issue Suggestions

- Enhance communication between various entities for missing and murdered women including law enforcement, victim and social services, prosecutors, probation, corrections, and the court
- Encourage a multiagency, multidisciplinary approach to MMIWG because the crisis is multijurisdictional in nature



**Extending and
Expanding the Study
Activities of
HB 2570**



This study was limited by a number of factors:

- Truncated timeline affected the number of MOUs established with tribes thus the number of interviews conducted – 78 individuals turned away
- COVID 19 - In person interviews changing to virtual ones
- Low sample sizes and response rates – small proportion of voices and stories heard
- Only 8 out of 22 land-based Arizona tribes are represented by families and survivors in this report

Thank you for your ongoing efforts and support of this research throughout the study period:

Representative Jennifer Jermaine

Tracy Lopes

Rhonda Barnes

Dr. Kate Fox

Debbie Nez-Manuel

Lieutenant Whelan-Gonzalez

Honorable Alfred Urbina

Ryan Anderson of the AZ Attorney General's Office

Chief Counsel Blaine Cadow of the AZ Attorney General's Office

AZ Attorney General Mark Brnovich



A story matrix connects all of us. There are rules, processes, and circles of responsibility in this world. And the story begins exactly where it is supposed to begin. We cannot skip any part.

—Joy Harjo, Native American Poet and Poet Laureate

Questions? Please contact:

Katie Haverly

Research & Innovation Manager
LeCroy & Milligan Associates, Inc.

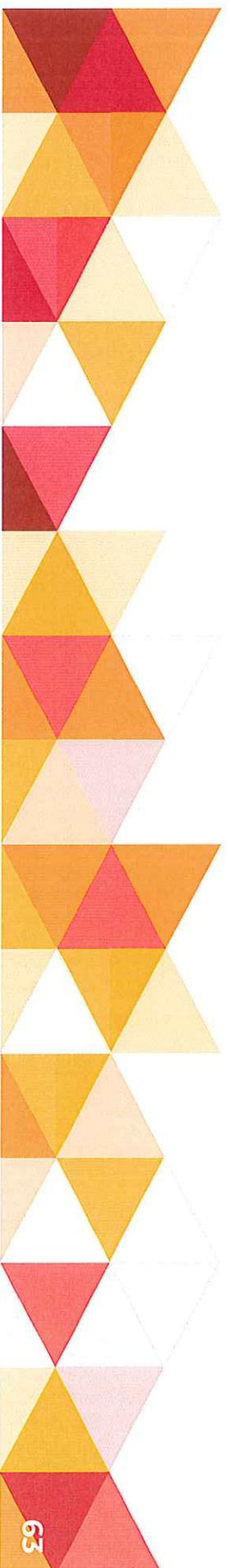
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Arizona Crime Victim Compensation Program

Kim Russell, Arizona Advisory Council on Indian Health Care

Valaura Imus-Nahsonhoya, Honwungsi Consulting Services

Kayleigh A. Stanek, M.S., Arizona State University

Sub-Committee Overview

- ▶ Goal of Sub-Committee: To identify barriers and challenges American Indians experience when trying to access the AZVCP and to provide potential solutions.
- ▶ Members:
 - ▶ Kim Russell, Arizona Advisory Council on Indian Health Care
 - ▶ Rep. Arlando Teller, LD-7
- ▶ Technical assistance provided by Valaura Imus-Nasonhoya

Acknowledgements

- Arizona Criminal Justice Commission Staff
 - Andrew LeFevre, Executive Director
 - Molly Edwards, Public Information Office/Legislative Liaison
 - Heather Bohnet, Program Manager
 - Dorinda Johns, Crime Victim Services Program Coordinator
- Data Analysis & Interpretation
 - Arizona State University's School of Criminology and Criminal Justice
 - Kathleen A. Fox, Director
 - Kayleigh A. Stanek, M.S., Doctoral Student

Purpose of Report

- ▶ To provide an overview of the Arizona Crime Victim Compensation Program, describe how American Indians interact and access it across the state of Arizona.
- ▶ The report includes common barriers and specific recommendations for advocates to consider that will increase access to the program by American Indians and those who are survivors and family members of MMIWG.

Overview of the Arizona Crime Victim Compensation Program

Arizona Crime Victim's Compensation

- ▶ provide financial assistance to victims of crime or others who may have experienced a financial loss as a direct result of a crime.
- ▶ covers expenses of physical harm, mental distress, and economic loss resulting from the victimization.
- ▶ traditional and cultural counseling or activities may be reimbursed through this program if the mental health counseling is provided.



Eligibility

- ▶ Report the crime within 72 hours
- ▶ Cooperate with law enforcement
- ▶ Apply within 2 years of the crime
- ▶ Suffer economic loss not covered by a "collateral source"
- ▶ No contribution to victimization
- ▶ Victims need not to be residents of Arizona to apply
- ▶ Arizona residents victimized abroad



Application for Crime Victim Compensation Solicitud de compensación para víctimas de crímenes

Date Received
for program use

Complete sections 1-12 to the best of your ability / Complete por favor las secciones 1-12 a su mejor leal saber y entender.

Section 1 Personal Information / Información personal

Crime Victim Information / Información sobre la víctima:
(Person who was injured / Persona que sufrió lesiones)

First Name / Primer nombre: _____ Middle / Inicial: _____ Last / Apellido: _____

Mailing Address / Dirección Postal: _____ Apt / Unidad: _____ City / Ciudad: _____ State / Estado: _____ Zip / Código Postal: _____

Home Telephone / Teléfono del la casa: _____ Work Telephone / Teléfono del trabajo: _____ Cell / Celular: _____

Date of Birth / Fecha de nacimiento: _____ E-Mail / Correo electrónico: _____

Month / Mes: _____ Day / Día: _____ Year / Año: _____

Gender / Género: M F Yes / SI No Arizona Resident / Residente de Arizona Yes / SI No If victim is deceased, date of death / Si la víctima falleció, fecha del deceso M F Yes / SI No Month / Mes: _____ Day / Día: _____ Year / Año: _____

Claimant Information / Información del reclamante:
(Fill in the section if you are not the victim, but have suffered an economic loss as a result of the crime / Llene esta sección si usted no es la víctima pero ha sufrido una pérdida económica como resultado del crimen)

First Name / Primer nombre: _____ Middle / Inicial: _____ Last / Apellido: _____

Mailing Address / Dirección Postal: _____ Apt / Unidad: _____ City / Ciudad: _____ State / Estado: _____ Zip / Código Postal: _____

Home Telephone / Teléfono del la casa: _____ Work Telephone / Teléfono del trabajo: _____ Cell / Celular: _____

Date of Birth / Fecha de nacimiento: _____ E-Mail / Correo electrónico: _____

Month / Mes: _____ Day / Día: _____ Year / Año: _____

Gender / Género: M F Your relationship to victim / Su relación con la víctima: _____

Secondary Victim Information / Información de la víctima secundaria:
(Include the information on any derivative victims of the crime. This may include surviving children, dependents, or witnesses / Incluye la información de cualquier víctima derivada. Esto puede incluir niños sobrevivientes, dependientes, o testigos)

Name / Nombre: _____ Date of Birth / Fecha de nacimiento: _____ Relationship to victim / Relación con la víctima: _____

Section 2 Crime Information / Información sobre el crimen

Date of crime / Fecha del crimen: _____ Date crime was reported / Fecha reportado: _____ Crime Report No. / Número del informe del crimen: _____

Location of crime / Lugar del crimen: _____ City / Ciudad: _____ County / Condado: _____ Type of crime / Tipo de crimen: _____

Law enforcement agency reported to / Agencia policial informo a: _____ Name of Officer or Detective / Nombre del oficial o detective: _____

Describe Injuries / Describe las lesiones: _____

Victimization related to (check all that apply) / La victimización relacionada con (marque todas las que apliquen):

Bullying / Acoso moral Domestic/Family Violence / Violencia Doméstica/Familiar Elder Abuse/Neglect / Abuso de un anciano/ negligencia Hate Crimes / Crímenes de odio Mass Violence / Violencia masiva Federal Crime / Delito Federal

Person(s) who committed the crime (suspect, if known / Person(s) que cometió (cometieron) el crimen (suscrito(s), si se conoce(n)): _____

First Name / Primer Nombre: _____ Middle / Inicial: _____ Last / Apellido: _____

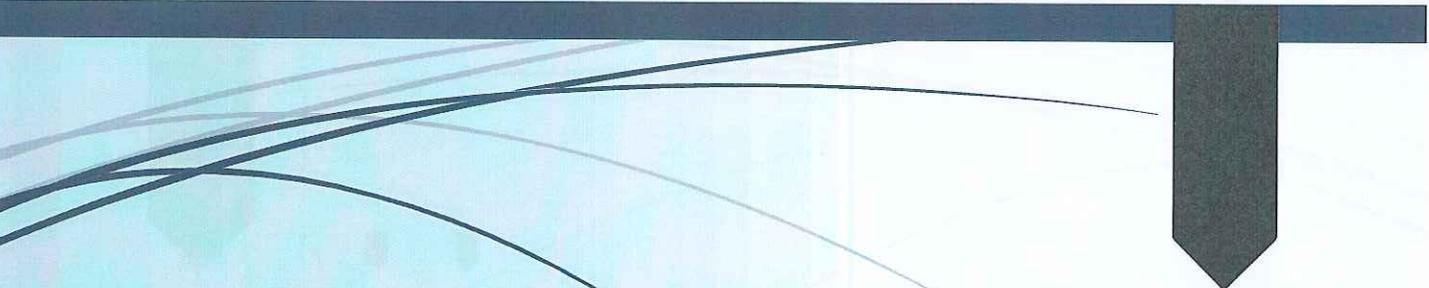
Maximum Award

\$25,000

Benefit	Maximum Award
Medical / Dental Expenses	Up to \$25,000
Funeral Expenses	Up to \$10,000
Mental Health Counseling & Care Expenses	Up to \$5,000
Wage Loss	40 hours at current minimum wage
Crime Scene Clean-up	Up to \$2,000
Transportation	Up to \$2,000

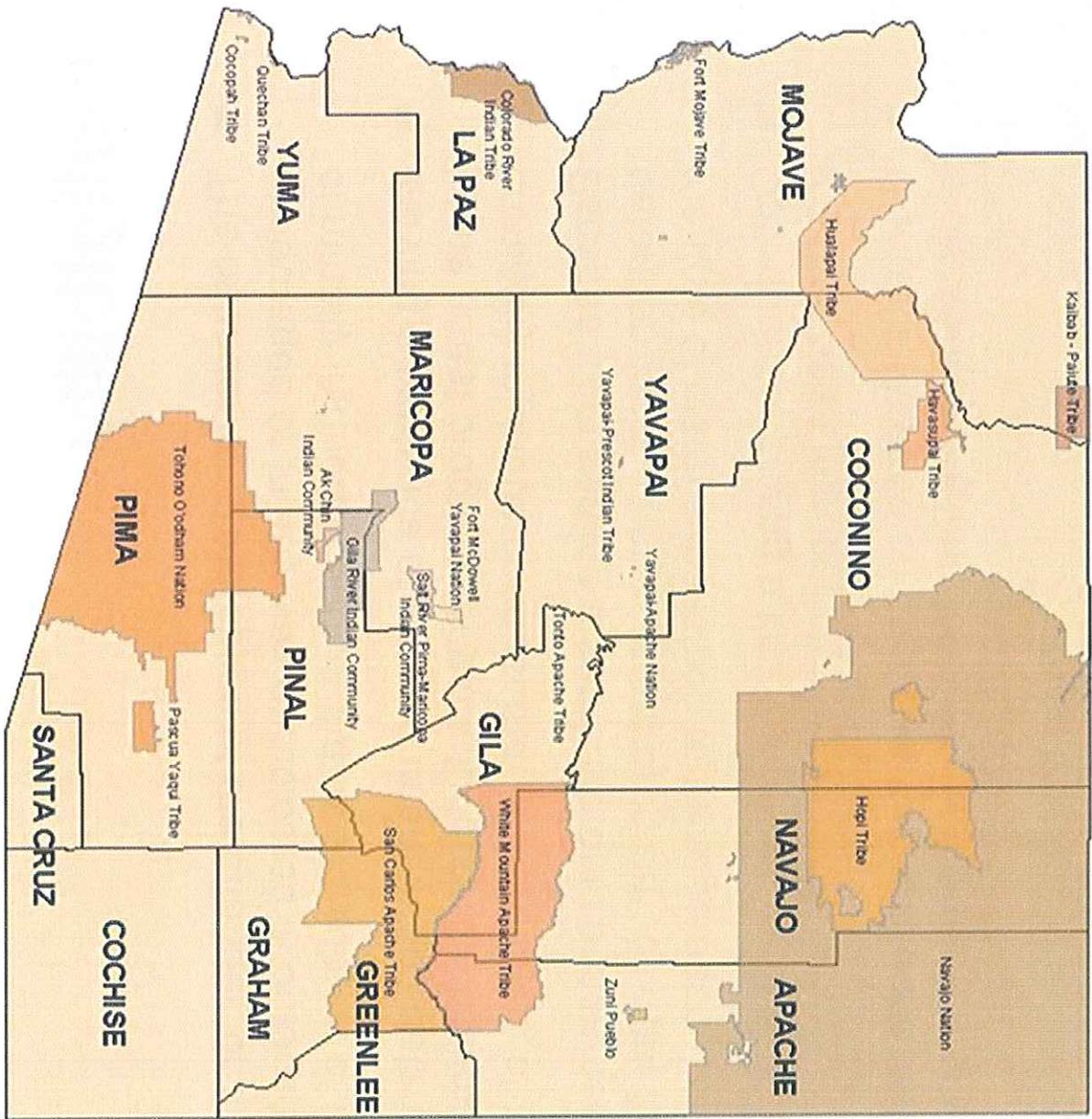
Funding

- ▶ Federal funding make up about 1/3 of the program budget
- ▶ State funding account for 2/3 of the program budget
 - ▶ 37.6% of a \$9.00 penalty assessment on every fine, penalty, and forfeiture imposed and collected by the Courts for criminal offices and any civil penalty imposed and collected for a civil traffic violation and fine
 - ▶ portion of inmate work fees and unclaimed victim restitution
 - ▶ restitution from offenders or subrogation collected from claimants
 - ▶ Donations are also included in victim compensation funds as well as interest earned on clerk of the court monies



Arizona Criminal Justice Commission Responsibilities

- distribution of federal and state funds to the county programs.
- administers the rule making process for the victim compensation program.
- requires that at least once every five years, each agency shall review all of its rules to determine whether any rule should be amended or repealed.
- Program rules may be revised in accordance with the five-year review
- collects program data including victim demographic information and victim compensation expenditures on a quarterly basis
- ensuring compliance with federal and state statutes
- provides training on the victim compensation program



Ineligibility

- ▶ The offender, an accomplice of the offender, or a person who encouraged or in any way participated in or facilitated the criminally injurious conduct that is the subject of the claim;
- ▶ Serving a sentence of imprisonment in any detention facility, home arrest program, or work furlough at the time of the criminally injurious conduct that is the subject of the claim;
- ▶ Escaped from serving a sentence of imprisonment in any detention facility, home arrest program, or work furlough at the time of claim submission to the operational unit;
- ▶ Delinquent in paying a fine, monetary penalty, or restitution that has been imposed
- ▶ Wanted in Arizona on an active warrant, if the warrant status is discovered anytime following submission of a claim

Barriers & Challenges

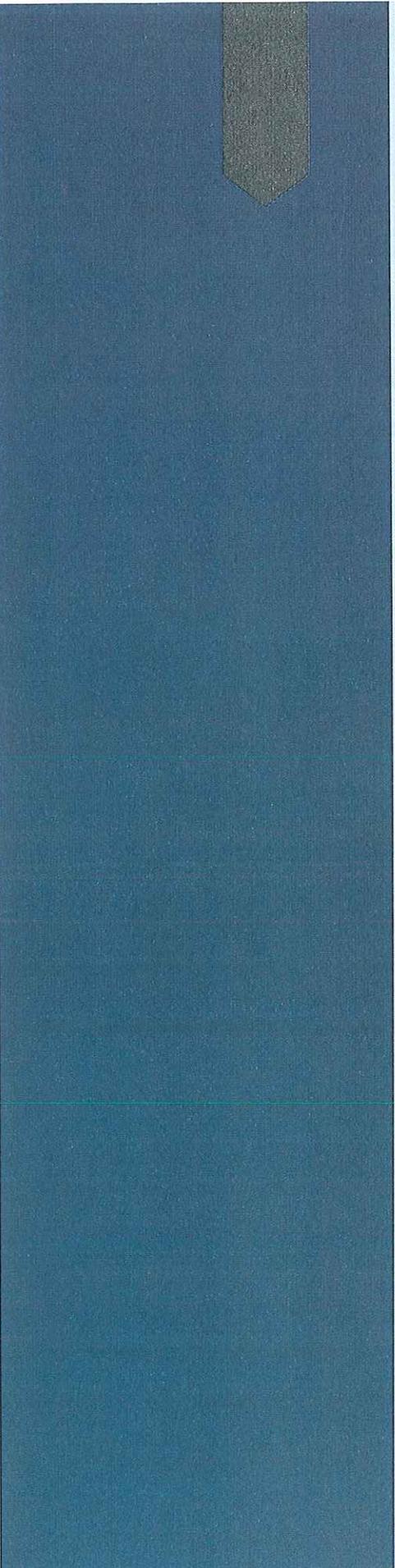
-
- AzVCP Distance from Indigenous Communities
 - Cooperation with Law Enforcement
 - History of Criminal Involvement
 - Lack of Access to the Internet
 - Lack of Police Reports
 - Long Wait Times for Reimbursement
 - Mental Health Counseling Limitations

Missing Persons Ineligibility

- ▶ Only applications that indicate a crime against a victim has been committed are considered.
- ▶ missing persons cases often are not reported until past the required time of 72 hours for various reasons, especially if the missing person is known to be away for periods of time.

**Adult Missing Persons is NOT a Crime,
therefore, NOT Eligible**

Data and Results



Methodology and Data

- In partnership with ACJC
- Data represents applications and payments by County victim compensation programs
- From January 1, 2018 to December 31, 2019
- Shift of data collection system to a new data warehouse which varied county to county
- Pima County continues to send their data in separate data sheets rather than the new system resulting in limitation of aggregate variables
- The data represents a total of 2,109 applications

Victim Compensation Applications

- Majority of applications from Maricopa county (63%, n=1,317)
 - Followed by Coconino (10%, n=208) and Pinal (9%, n=186) counties
- White/Caucasian is the largest group represented (36%, n=753)
- 7% of applications (n=153) were American Indian/Alaska Native

Native American Victim Compensation

95 Female Applications

58 Male Applications

Coconino (44%, n=67)

Apache (34%, n=52)

Maricopa (16%, n=24)

Victim Compensation Request Status

- ▶ Most of the applications received by the state are approved (86%, n=1,816)
- ▶ For American Indian applicants, 91% are approved, 4% are denied, and 4% are either pending or have been tabled
- ▶ For comparison, about 90% of White applicants are approved, 9% are denied, and 2% are either pending or have been tabled
- ▶ In terms of county, the majority are approved with Maricopa having the largest number of applications.

Native American Request Status

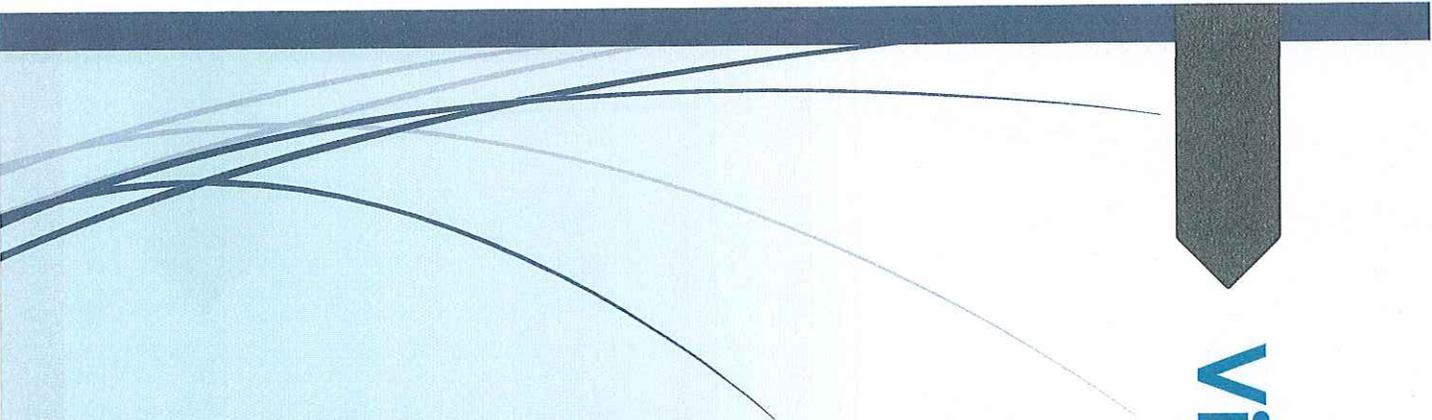
Females (n=95)

- 88% Approved
- 9% Denied
- 1% Pending
- 1% Tabled

Males (n=58)

- 91% Approved
- 7% Denied
- 2% Tabled

Reasons for denial include commission of crime, contributory conduct, failure to report in 72 hours, ineligible application, unwilling to aid, and other.



Victim Compensation Payments

- ▶ Total number of payments: 10,258
- ▶ American Indian applicants received 354 payments which accounts for about 3% of all payments
- ▶ Average payment for American Indian applicants:
 - ▶ Maximum payment received: \$12,621.20
- ▶ \$906.75

Native American Compensation Payments

198 Female Payments

156 Male Payments

Cocconino (45%, n=158)

Navajo (19%, n=68)

Native American Average Payments

Females (n=198)

- Average: \$780.46

Males (n=156)

- Average: \$1,067.05

Native American Victim Type

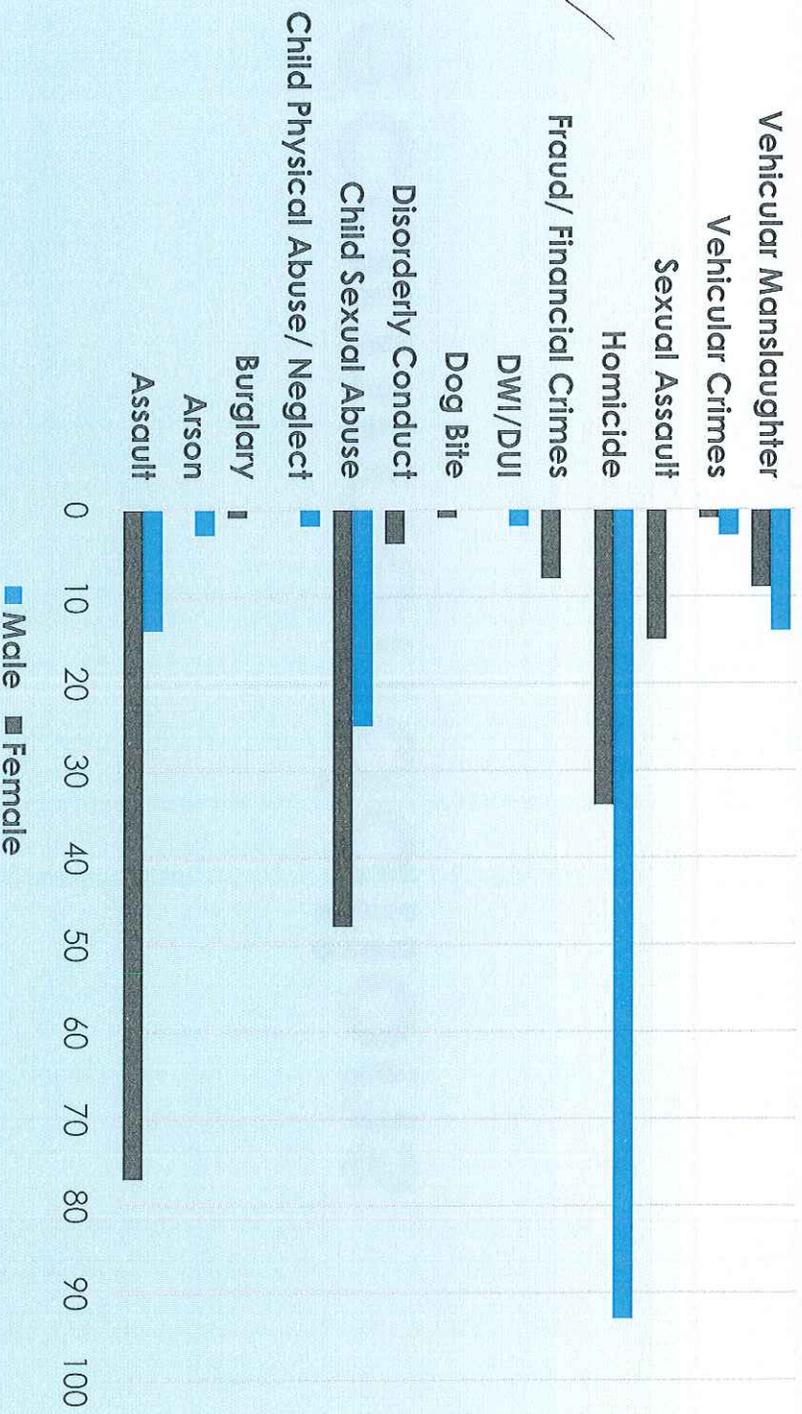
Females (n=95)

- 57% Victims
- 31% Claimants
- 13% Derivative Victims

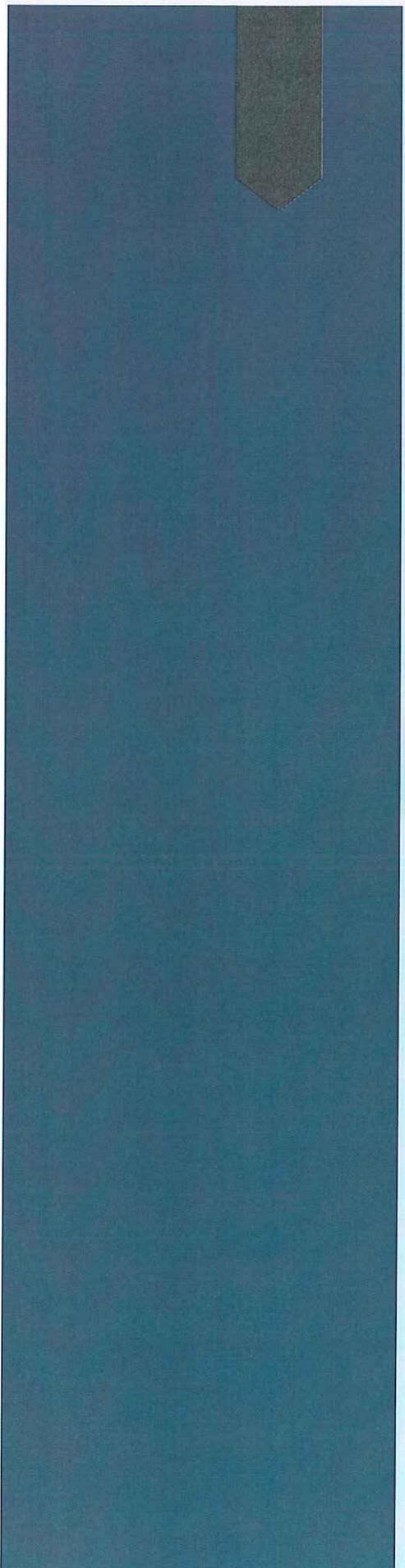
Males (n=58)

- 34% Victims
- 40% Claimants
- 26% Derivative Victim

Victim Compensation Crime Type



Recommendations



Legislative

Recommendations

1. Amend A.R.S. 41-2404 so that it includes a member to the ACJC that represents a Tribe in Arizona.
 - the ACJC is not mandated to have a member from a Tribe on the Commission,
 - Although, currently there is an opportunity to have a member from a Tribe to serve as one of the 14 members that are appointed by the Governor.
2. Establish an Arizona Missing Persons Assistance Fund that can assist family members and individuals to search for missing individuals.

Administrative

Recommendations

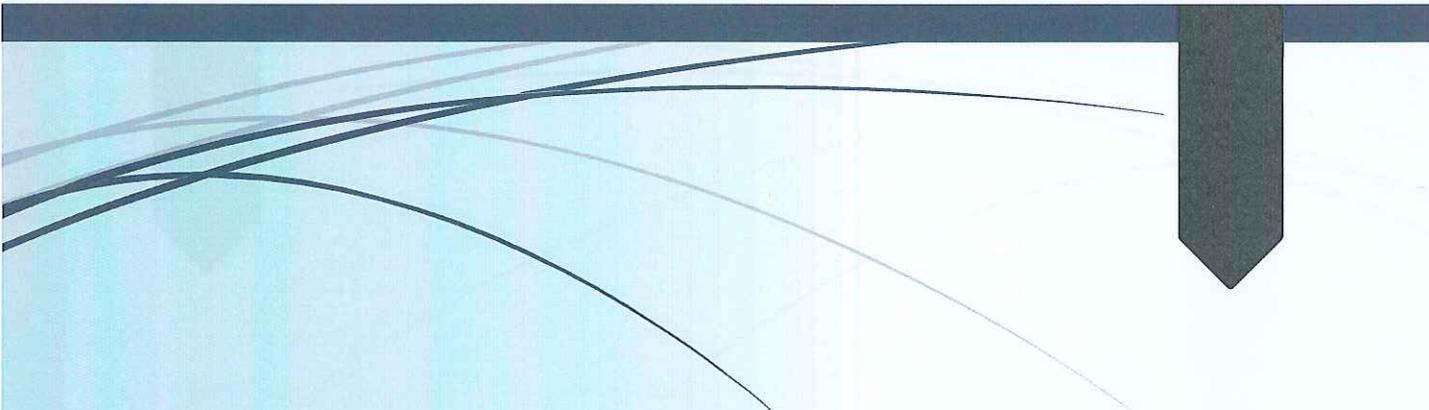
1. Through the Rulemaking Process amend R10-4-108 - Compensation Award Criteria so that:
 - ▶ Native American ceremony or burial are considered reasonable and customary funeral expenses and shall be included in a claim for a compensation award.
 - ▶ The mental health counseling and care that is provided by an individual who is employed or contracted under the auspices of a tribal health care organization, the Indian Health Services, or an Urban Indian Health Program shall be included in a claim for a compensation award.



Administrative

Recommendations

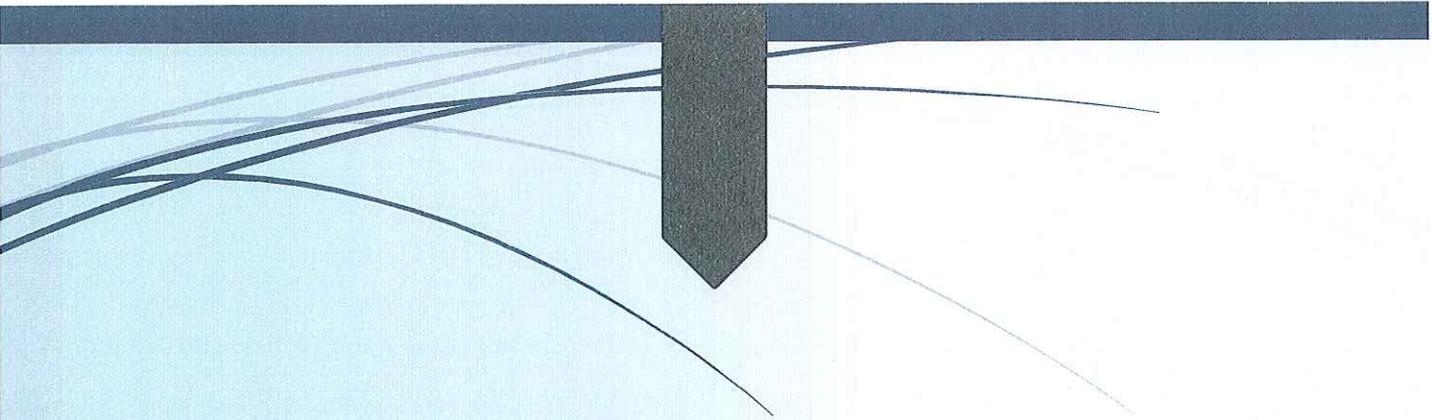
2. Establish a Victim's Compensation Board that is from a Tribal jurisdiction.
3. Require membership on County Compensation Boards to be representative of the Tribal nations that are within their boundaries.
4. Conduct regular and ongoing tribal consultations with the 22 Tribes of Arizona regarding the program and how it can identify strategies to increase access to it .
5. Conduct regular and ongoing outreach and education about the Arizona Crime Victim Compensation Program and other programs within the ACJC to indigenous communities, both on and off reservation.



Administrative

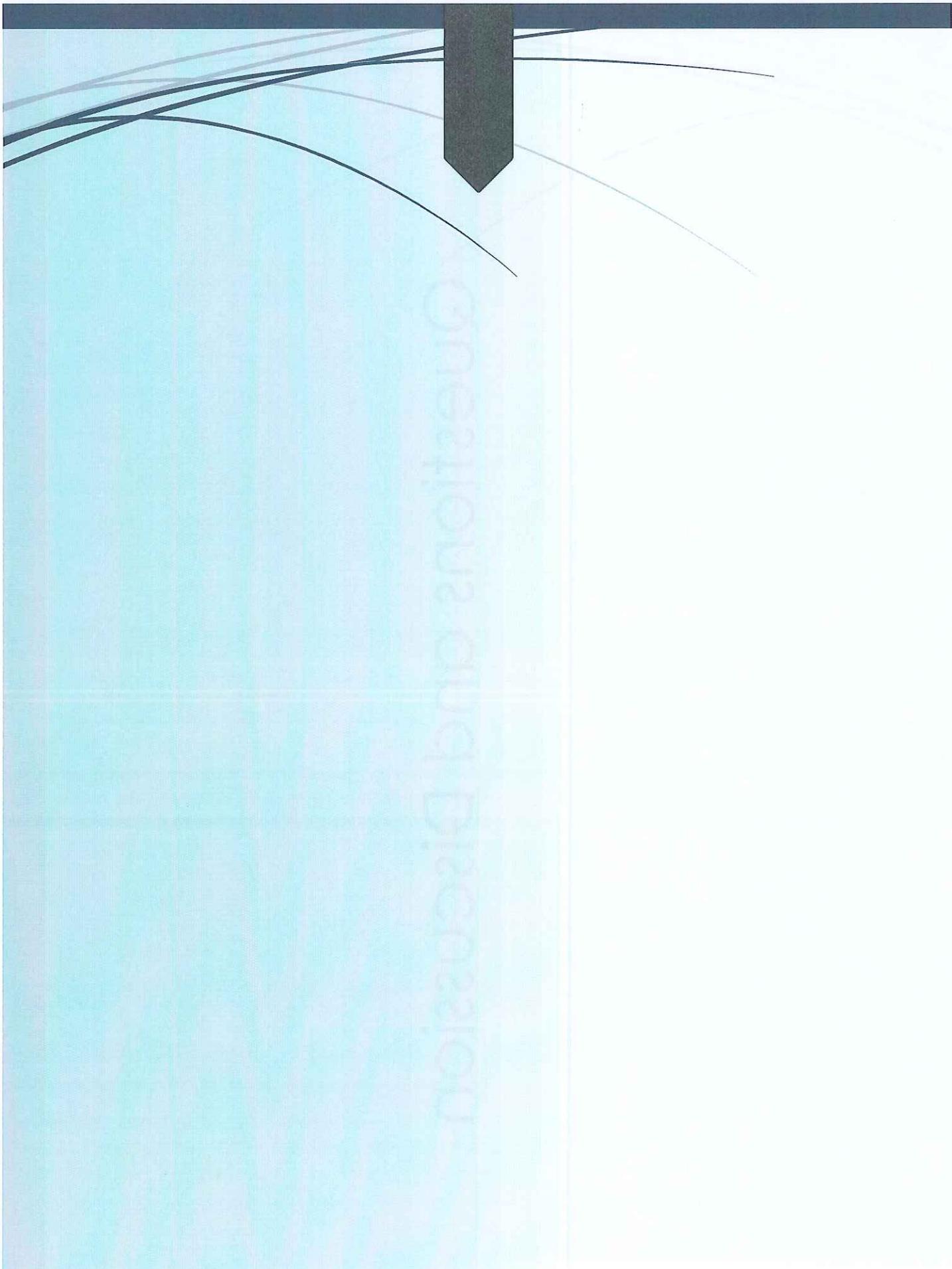
Recommendations

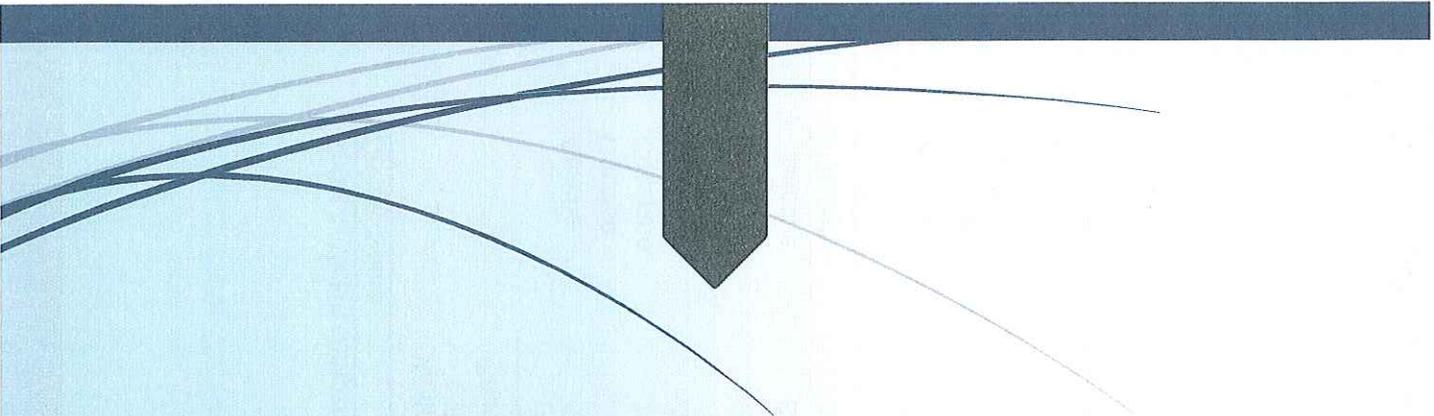
6. Ensure data includes Tribal affiliation of applicant by indicating this as an option on the application.
7. Provide ongoing data analysis and information that describes the trends of indigenous communities accessing the program AVCP.



Questions and Discussion

Questions and Discussion





Appendix: Result Tables

Table 1. Victim compensation applications by ethnicity and county.

County Name	Ethnicity										Decline to Report	Total
	White Non-Latino/ Caucasian	American Indian/ Alaska Native	Hispanic or Latino	Asian	Black/ African American	Native Hawaiian and Other Pacific Islander	Multiple Races	Some Other Race				
Apache	0	0	0	0	0	0	0	0	0	0	0	1
Cochise	20	52	2	0	0	0	0	1	1	2	2	77
Coconino	8	0	3	0	3	0	0	1	1	3	3	18
Gila	108	67	21	7	1	0	2	0	0	2	2	208
Graham	12	2	5	0	0	0	0	0	0	0	0	19
La Paz	1	0	0	0	0	0	0	0	0	0	0	1
Maricopa	7	1	0	0	1	2	1	0	0	0	0	12
Mohave	396	24	536	12	160	6	25	19	19	139	139	1,317
Navajo	60	2	13	3	1	0	0	0	0	0	0	79
Pinal	7	2	0	0	0	0	0	0	0	0	0	9
Santa Cruz	98	2	48	1	7	2	13	3	3	12	12	186
Yavapai	9	0	32	0	0	0	0	0	0	0	0	41
Yuma	16	0	13	0	0	0	0	43	43	2	2	74
	11	1	53	0	0	0	0	0	0	3	3	68
Total	753	153	726	23	173	10	41	67	163	163	2,110	

Table 2. Victim compensation request status by ethnicity.

Request Status	Ethnicity						
	White Non-Latino/ Caucasian	American Indian/ Alaska Native	Hispanic or Latino	Asian	Black/ African American	Native Hawaiian a Other Paci Islander	
Approved	647	137	628	21	138	7	
Denied	74	13	60	1	30	2	
Partial	0	0	2	0	0	1	
Pending	2	2	0	0	0	0	
Tabled	30	1	36	1	5	0	
Total	753	153	726	23	173	10	

Table 3. Request status by Arizona county.

Request Status	County Name												Total	
	Apache	Cochise	Coconino	Gila	Graham	La Paz	Maricopa	Mohave	Navajo	Pinal	Santa Cruz	Yavapai		Yuma
Approved	71	17	192	10	1	12	1,105	71	9	159	37	71	61	1,816
Denied	5	0	15	1	0	0	153	6	0	13	3	2	2	200
Partial	0	0	0	0	0	0	0	0	0	3	0	0	0	3
Pending	0	0	0	3	0	0	0	1	0	0	0	0	0	4
Tabled	1	1	1	5	0	0	59	1	0	11	1	1	5	86
Total	77	18	208	19	1	12	1,317	79	9	186	41	74	68	2,109

Table 4. Victim compensation payments by county and ethnicity.

County Name	Ethnicity										Decline to Report	Total
	White Non-Latino/ Caucasian	American Indian/ Alaska Native	Hispanic or Latino	Asian	Black/ African American	Native Hawaiian and Other Pacific Islander	Some Other Race	Multiple Races				
Apache	32	51	5	0	0	0	0	0	0	0	0	88
Cochise	22	0	13	0	1	2	0	0	0	0	0	38
Coconino	354	158	66	10	1	6	0	5	31	0	0	631
Gila	24	0	1	0	0	0	0	0	0	0	0	25
Graham	6	0	0	0	0	0	0	0	0	0	0	6
Greenlee	1	0	0	0	0	0	0	0	0	0	0	1
La Paz	29	1	14	0	0	0	0	8	0	0	0	52
Maricopa	1,437	45	3,944	46	305	1	292	32	360	0	0	6,462
Mohave	454	4	61	5	3	0	0	0	0	0	0	527
Navajo	102	68	26	0	8	6	2	0	13	0	0	225
Pima	316	25	199	0	46	0	3	42	83	0	0	714
Pinal	365	1	139	0	20	0	53	100	82	0	0	760
Santa Cruz	26	0	73	0	0	0	0	0	0	0	0	99
Yavapai	139	0	2	0	0	0	128	0	1	0	0	270
Yuma	53	1	284	0	9	0	0	8	5	0	0	360
Total	3,360	354	4,827	61	393	15	478	195	575	0	0	10,258

Table 5. Average victim compensation expense amount and number of payments by ethnicity.

Ethnicity	Average Expense Amount	Number of Payments
White Non-Latino/Caucasian	\$616.69	3,360
American Indian/Alaska Native	\$906.75	354
Hispanic or Latino	\$510.80	4,827
Asian	\$853.03	61
Black/African American	\$1,189.81	393
Native Hawaiian and Other Pacific Islander	\$988.71	15
Some Other Race	\$677.58	478
Multiple Races	\$528.00	195
Decline to Report	\$824.23	575

Table 6. Number of Native American applicants by gender and country.

County Name	Gender		Total
	Female	Male	
Apache	33	19	52
Cochise	0	0	0
Cocconino	45	22	67
Gila	1	1	2
Graham	0	0	0
La Paz	0	1	1
Maricopa	11	13	24
Mohave	2	0	2
Navajo	1	1	2
Pima	0	0	0
Pinal	1	1	2
Santa Cruz	0	0	0
Yavapai	0	0	0
Yuma	1	0	1
Total	95	58	153

Table 7. Number of Native American payments made by gender and county.

County Name	Gender		Total
	Female	Male	
Apache	21	30	51
Cochise	0	0	0
Cocconino	92	66	158
Gila	0	0	0
Graham	0	0	0
La Paz	0	1	1
Maricopa	34	11	45
Mohave	4	0	4
Navajo	31	37	68
Pima	16	9	25
Pinal	0	1	1
Santa Cruz	0	0	0
Yavapai	0	0	0
Yuma	0	1	1
Total	198	156	354

Table 8. Request status for Native American applicants by gender.

Request Status	Gender		Total
	Female	Male	
Approved	84	53	137
Denied	9	4	13
Pending	1	1	2
Tabled	1	0	1
Total	95	58	153

Table 9. Reason for denied Native American application by gender.

Reason for Denial (if denied)	Gender	
	Female	Male
Commission of Crime	2	0
Contributory Conduct	1	3
Failure to Report within 72 Hours	1	0
Ineligible Application	2	0
Non-processed/ Withdrawn/ Other	2	0
Unwilling to Aid	1	1
Total	9	4

Table 10. Native American victim type by gender.

Victim Type	Gender		
	Female	Male	Total
Claimant	29	23	52
Derivative			
Victim	12	15	27
Victim	54	20	74
Total	95	58	153

Table 11. Expense type requested by Native American applicants by gender.

Expense Type	Gender		Total
	Female	Male	
Crime Scene Cleanup	0	1	1
Medical - Perm Disabled	2	0	2
Funeral/Burial	26	35	61
Medical/ Dental	31	14	45
Mental Health	65	25	90
Travel -Court	19	29	48
Travel - Forensic Exam/ Interview	10	1	11
Travel - Safety	1	0	1
Travel - Mental Health	24	34	58
Travel - Medical/ Dental	9	4	13
Non-Professional Crime Scene Cleanup	0	1	1
Work Loss	11	12	23
Total	198	156	354

Table 12. Average Native American victim compensation expense amount and number of payments by gender.

Gender	Average Expense Amount	Number of Payments
Female	\$780.46	198
Male	\$1,067.05	156

Table 13. Type of crime for Native American applicants by gender.

Crime Type	Gender		Total
	Female	Male	
Assault	77	14	91
Arson	0	3	3
Burglary	1	0	1
Child Physical Abuse/ Neglect	0	2	2
Child Sexual Abuse	48	25	73
Disorderly Conduct	4	0	4
Dog Bite	1	0	1
DWI/DUI	0	2	2
Fraud/ Financial Crimes	8	0	8
Homicide	34	93	127
Sexual Assault	15	0	15
Vehicular Crimes	1	3	4
Vehicular Manslaughter	9	14	23
Total	198	156	354



**CRIMINAL JURISDICTION PROBLEMS IN
ARIZONA INDIAN COUNTRY &
BARRIERS TO PROTECTING MISSING &
MURDERED INDIGENOUS WOMEN &
GIRLS IN ARIZONA**

INDIAN COUNTRY JUSTICE ROADMAP



Oliphant v. Suquamish

Adam Walsh Child Protection and Safety Act

3-Year Sentence

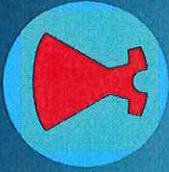
SDV/CJ

Tribal Access Program

1978

2006

2015



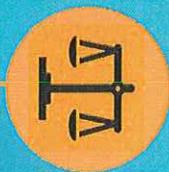
MMIWG



SORNA



2010



2013



DOJ TAP

Tribal Law & Order Act (TLOA)

Violence Against Women Act (VAWA)

HOW ARE TRIBES ADDRESSING MMIWG?

Workaround and Piecemeal Tribal Solutions to Jurisdictional Puzzle

- General Justice, law enforcement, and court reform/Investment, court assessments, & training
- The T.A.P. (DOJ) program provides Tribes access to national criminal databases (CJIS). Uploading disposition data, warrants, sex offender data, & orders of protection. Amber Alert Systems, “Ashlynnne Mike AMBER Alert on Tribal Lands Act”
- VAWA Implementation: Expanded jurisdiction over Non-Indian Offenders.
- TLOA Implementation: SAUSA Program & enhanced sentences. Public Defenders, SLEC, Judges.
- SORNA Implementation: Sex offender management programs.
- Joint Jurisdiction Court Agreements-Task Forces, Extradition, Writs of offenders, & State absconders
- Outreach/Advocacy/Lobbying: HB 2570, VAWA/TLOA Reauthorization.
- Indian Child Welfare Act (ICWA) and Tribal Child Welfare reform.
- Self-Governance (ISDEA) & Code/Constitution Reform
- Alternative programming: BIA Recidivism Reduction, Pretrial Services & Risk Assessments (GAIN RRI)
- Digital Case Mgmt. systems (data analysis, reports, sharing intrinsic case data)
- Victim Programs (DOJ CTAS Grants, VOCA Set-Aside)

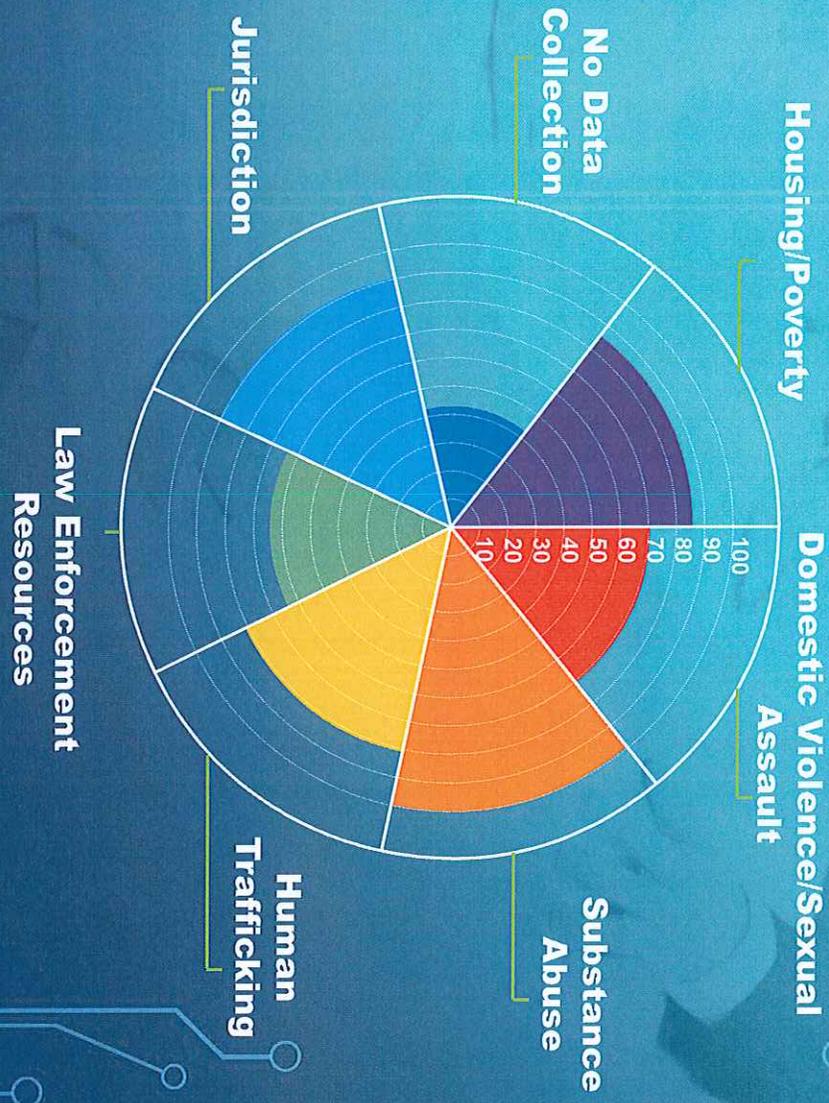


MISSING & MURDERED INDIGENOUS WOMEN & GIRLS



Multiple Factors & Reasons

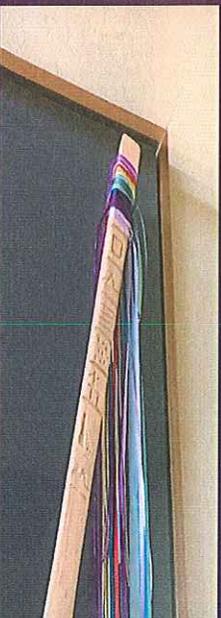
- There is currently no comprehensive method for tracking and collecting data on violence against indigenous women and girls
- There are many reasons or factors to consider, including jurisdiction, policies, and practices within our criminal justice, civil, tribal, state, and federal systems.
- There are many barriers to developing intra-jurisdictional resources for tracking and reducing the incidences of violence.
- There is a shortage of culturally appropriate victim service and shelter resources for indigenous women and girls victims of violence.





TRIBAL ACCESS PROGRAM

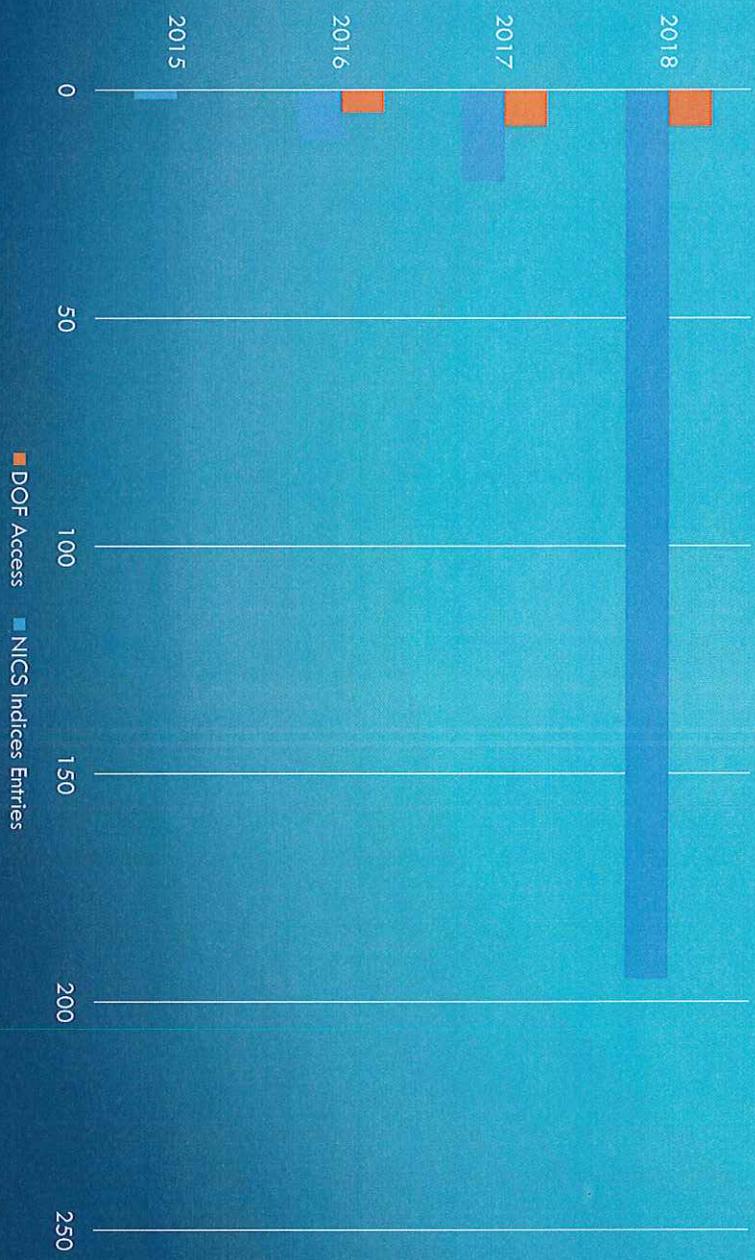
TRIBAL ACCESS TO THE CRIMINAL JUSTICE
INFORMATION SYSTEM



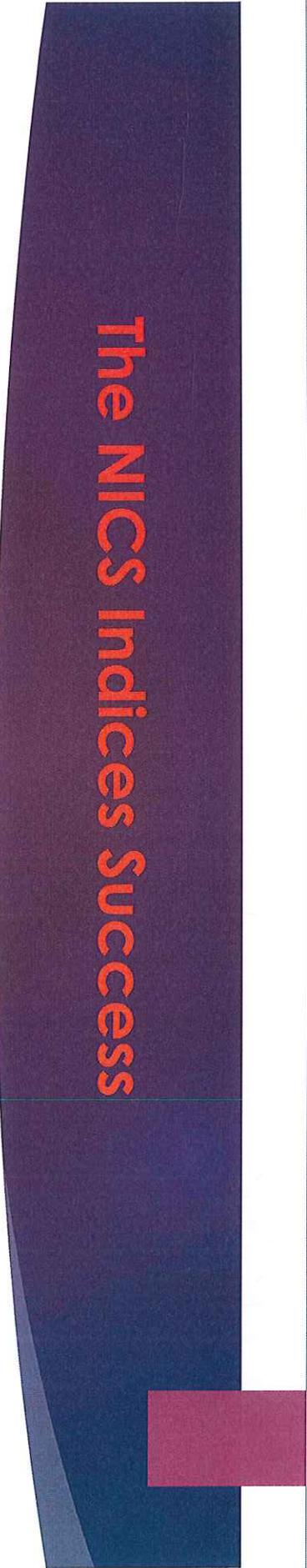
Title 18, United States Code, Section 922

- ▶ (g)(1) Convicted of a crime punishable by more than one year or a misdemeanor punishable by more than two years
- ▶ (g)(2) Fugitives from justice
- ▶ (g)(3) Unlawful user of or addicted to any controlled substance
- ▶ (g)(4) Adjudicated/committed to a mental institution
- ▶ (g)(5) unlawful aliens
- ▶ (g)(7) Renounced U.S. Citizenship
- ▶ **(g)(8) Protection/restraining order**
- ▶ **(g)(9) Misdemeanor crimes of domestic violence (MCDV)**
- ▶ (h) Under indictment/information for a crime punishable by more than one year or a misdemeanor punishable by more than two years

NICS TRIBAL STATISTICS



AS OF 01/24/2018



The NICS Indices Success

On June 26, 2017—denial based on a tribal entry in the NICS Indices

A potential purchaser was attempting to acquire a firearm in the state of North Dakota on June 26, 2017. The individual was denied the attempted purchase by the NICS on June 26, 2017, based on an AZ tribal NICS Indices entry for an active protection order.

Appendix F:

**Reducing Missing and Murdered Indigenous Women and Girls –
Arizona's Statewide Study in Partnership with HB2570 Study
Committee**

Reducing Missing and Murdered Indigenous Women and Girls

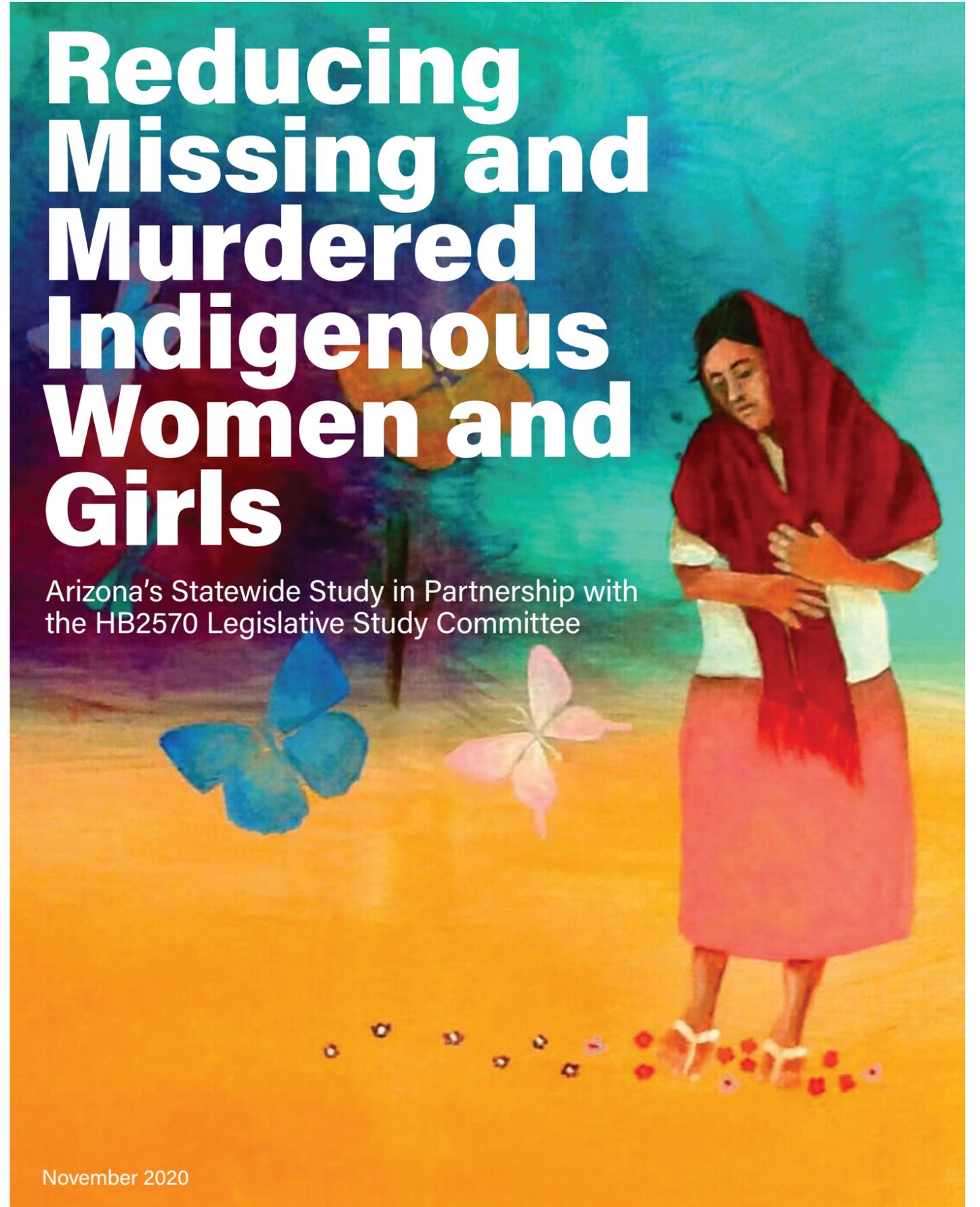
Arizona's Statewide Study in Partnership with the HB2570 Legislative Study Committee

November 2020

Reducing Missing and Murdered Indigenous Women and Girls

Arizona's Statewide Study in Partnership with the HB2570 Legislative Study Committee

November 2020



Reducing Missing and Murdered Indigenous Women and Girls:

Arizona's Statewide Study in Partnership with the HB2570 Legislative Study Committee

November 2020

Kathleen A. Fox, PhD
Christopher Sharp, MSW (Colorado River Indian Tribes)
Turquoise Devereaux, MSW (Salish/Blackfeet)
Kayleigh Stanek, MS
Sara Julian, MSW
Michelle Hovel (Navajo Nation)
Cheston Dalangyawma (Hopi Tribe)
Valaura Imus-Nahsonhoya (Hopi Tribe)
Traci Morris, PhD (Chickasaw Nation of Oklahoma)
Jacob Moore, MBA (Tohono O'odham Nation, Akimel O'odham, Lakota, Dakota)
Hallie Bongar White, JD
Dominique Roe-Sepowitz, PhD
Mak Mars (Oneida Nation of Wisconsin and Fond Du Lac Ojibwe)
Hilary Edwards (Swinomish Indian Tribal Community)
Morgan Eaton

Suggested citation: Kathleen A. Fox, Christopher Sharp, Turquoise Devereaux, Kayleigh Stanek, Sara Julian, Michelle Hovel, Cheston Dalangyawma, Valaura Imus-Nahsonhoya, Traci Morris, Jacob Moore, Akimel O'odham, Hallie Bongar White, Dominique Roe-Sepowitz, Mak Mars, Hilary Edwards, and Morgan Eaton (2020). Reducing missing and murdered Indigenous women and girls: Arizona's statewide study in partnership with the HB2570 legislative study committee

COVER ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui), "Spirit flows"

Research on Violent Victimization Lab
a unit of the
ASU School of Criminology
and Criminal Justice
Arizona State University



ARTWORK CREDIT:
Artist: Benjamin Timpson, "Pima County Jane Doe"



ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yacui), "Resilience, strength and heart" 20" x 40" canvas,

“Our matriarchs in our communities are disempowered. They’re the voices and the community builders in our community. They often times are voiceless because the people that are expected to speak for the community are the men, but remember we are a matriarchal community in [this Tribe]. So, to empower these women means creating safer communities and enabling that safety means allowing them to speak.”

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LIST OF ACRONYMS

- ASRE:** Age, Sex, Race, and Ethnicity
- ASU:** Arizona State University
- CDC:** Centers for Disease Control and Prevention
- CJIC:** Criminal Justice Information Services
- DOI:** Department of the Interior
- FBI:** Federal Bureau of Investigation
- HB2570:** House Bill 2570
- ICPSR:** Interuniversity Consortium for Political and Social Research
- IPV:** Intimate Partner Violence
- JFNW:** Justice for Native Women
- LGBTQ+/2S:** Lesbian, Gay, Bisexual, Trans, Queer, plus all other gender and sexual identities and Two-Spirited. A term used to identify someone within the Indigenous community who identifies as having both a feminine and masculine spirit.
- MPD:** Mammoth Police Department
- MMIP:** Missing and Murdered Indigenous People
- MMIW:** Missing and Murdered Indigenous Women
- MMIWG:** Missing and Murdered Indigenous Women and Girls
- MOU:** Memorandum of understanding
- MMDR:** Missing and Murdered Diné Relatives Forum
- MSA:** Metropolitan statistical area
- NAMUS:** National Missing and Unidentified Persons System
- NCAI:** National Congress of American Indians
- NCIC:** National Crime Information Center
- NCMEC:** National Center for Missing and Exploited Children
- NIBRS:** National Incident-Based Reporting System
- NIJ:** National Institute of Justice
- OAIP:** Office of American Indian Projects
- PTSD:** Post-traumatic stress disorder
- ROVV:** Research on Violent Victimization
- SART:** Sexual Assault Response Teams
- SHR:** Supplemental Homicide Reports
- TAP:** Tribal Access Program
- UCR:** Uniform Crime Reporting
- UIHI:** Urban Indian Health Institute
- VAWA:** Violence Against Women's Act

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Forward by State Representative Jennifer Jermaine (White Earth Ojibwe), District 18



Missing and Murdered Indigenous Women and Girls is a complex problem that spans many jurisdictions, but when you overlay the history of Indigenous Peoples and the matrilineal nature of Indigenous communities, the problem takes on a new meaning.

Often when an individual disappears and is found murdered, it affects the entire family and Clan structure for generations. The children often end up in the Indian Child Welfare and Child Protective Services Systems. Prior to the establishment of the Indian Child Welfare Act¹ in 1978, children were separated from their Tribes and placed with non-Native

families or in Native American Boarding School². This is what happened to my family.

My Grandfather lost both of his parents at age 10. His Mother died of natural causes, but his Father disappeared with no explanation - and because it was the 1930s and he was Ojibwe - there was no law enforcement investigation. My Grandfather ended up in the Native American Boarding School system where he became disconnected from his heritage and his language. Pivotal decisions that my Grandfather made throughout his adult life, tied back to his experience at age 10. He volunteered for the U.S. Navy upon graduating and served for five years in the South Pacific during World War II. In the 1950s, he used the Indian Relocation Act³ to move his family from the White Earth Nation⁴ in Minnesota to the Los Angeles, California area. Both my Father and I grew up in big cities with little connection to our Indigenous roots. In 2005, after searching for more than 50 years, my Grandfather finally

received some closure when he found his Father's remains. Forensics revealed that he had been deceased since the mid-1930s. The effects that rippled through three generations of my family, from the initial missing person, is what is referred to as intergenerational trauma.⁵ Many families are not given any closure or the ability to properly bury a loved one.

The experience of my family and all of the other families is what drives my passion to shine a light on the law enforcement and prosecution gaps between jurisdictions and to reform the services available for victims and surviving family members. I was honored to be able to sponsor the legislation⁶ to study the issue of Missing and Murdered Indigenous Women and Girls in the Arizona Legislature and to Chair the Study Committee that it established.

The Study Committee and I are pleased to partner with Arizona State University (ASU) on our Missing and Murdered Indigenous Women and Girls work. ASU is the ideal partner for this work. ASU is committed to engaging in positive partnerships with Native American communities. The scholars we partnered with at ASU have the training, expertise, and cultural competency needed to examine Missing and Murdered Indigenous Women and Girls. Dr. Kathleen (Kate) Fox is a trusted ally who has mobilized a large and diverse team of Native and non-Native scholars, students, and community partners who have all joined together with a common goal: To end Missing and Murdered Indigenous Women and Girls. We acknowledge the hard work and dedication of ASU's Research on Violent Victimization lab (Dr. Kate Fox, Kayleigh Stanek, Sara Julian, Michelle Hovel of the Navajo Nation, Cheston Dalangyawma of Hopi Tribe, Hilary Edwards of the Swinomish Indian Tribal Community, and Morgan Eaton); the Office of American Indian Projects (Chris Sharp of the Colorado River Indian Tribes, and Turquoise Devereaux of the Salish and Blackfeet); the American Indian Policy Institute (Dr. Traci Morris of the Chickasaw Nation of Oklahoma); the American Indian Initiatives

(Jacob Moore of the Tohono O'odham Nation, Akimel O'odham, Lakota, Dakota; and Dr. Bryan Brayboy); the Office of Sex Trafficking Intervention Research (Dr. Dominique Roe-Sepowitz) and the Academy For Justice (Dawn Walton and Professor Valena Beety). Thank you to all at ASU who contributed and continue to strive toward ending Missing and Murdered Indigenous Women and Girls (MMIWG). We also recognize the contributions of Valaura Imus-Nahsonhoya (Hopi Tribe and Executive Director and Founder of Honwungsi Consulting Services, LLC), Hallie Bongar White (Executive Director of the Southwest Center for Law and Policy), and Mak Mars (Oneida Nation of Wisconsin and Fond Du Lac Ojibwe).

The partnership with ASU School of Criminology and Criminal Justice⁷ and Honwungsi Consulting Services, LLC⁸ will continue working on this topic through 2023 with the opportunity to extend beyond that.

Our work on this topic does not end with this report. This is only the beginning. The Study Committee will use the findings and data in this report to identify administrative and legislative action needed to help prevent future abductions and murders of Indigenous Women and Girls in Arizona. We dedicate this report to the lives lost and the Tribes who have inhabited this land for time immemorial. It is our hope and expectation that this continued work will save lives.

1 <https://www.nicwa.org/about-icwa/>

2 <https://boardingschoolhealing.org/education/us-indian-boarding-school-history/>

3 <https://www.govinfo.gov/content/pkg/STATUTE-70/pdf/STATUTE-70-Pg986.pdf>

4 <https://whiteearth.com/home>

5 American Psychological Association, The legacy of trauma (February 2019), <https://www.apa.org/monitor/2019/02/legacy-trauma>

6 Establishing a Study Committee on Missing and Murdered Indigenous Women and Girls, H.B. 2570, 54th Leg., 1st Sess. Ch. 232 (A.Z. 2019). <https://www.azleg.gov/legtext/54leg/1R/laws/0232.pdf>

7 "School of Criminology and Criminal Justice," Arizona State University, Accessed September 14, 2020, <https://ccj.asu.edu/>

8 Honwungsi Consulting Services, LLC, 2019, "Honwungsi Consulting Services, LLC," Facebook, October 19, 2019, <https://www.facebook.com/Honwungsi-Consulting-Services-LLC-104500244308448/>

Acknowledgements

from Indigenous Team Members of the
Research on Violent Victimization Lab

TURQUOISE SKYE DEVEREAUX (SALISH/BLACKFEET):

I would like to acknowledge the lives of the Matriarchs of our Indigenous communities that have been lost but never forgotten. You continue to carry us through this physical world with your courageous, unwavering spirits. I would also like to acknowledge the Indigenous grassroots organizations and individuals who work so diligently to bring justice to families and communities, as we continue to be impacted by the grief for our women and girls. They have taught us ways to protect and advocate for our most sacred leaders of our Indigenous communities.

CHESTON DALANGYAWMA (HOPI):

I would like to acknowledge that Missing and Murdered Indigenous Women and Girls (MMIWG) is not a contemporary issue rather an issue that has been overlooked for centuries. I would like to express my gratitude to Dr. Kate Fox in extending the opportunity to be a contributing member of her team. I hope that my contributions to this project will be beneficial to creating effective policies in the documentation, understanding and the reduction of missing and murdered individuals no matter what their gender, race, or ethnicity.

CHRIS SHARP (MOHAVE FROM COLORADO RIVER INDIAN TRIBES)

Director of the Office of American Indian Projects
within the ASU School of Social Work:

Thank you to the entire Study Committee and the advocates that moved this legislation to become a reality. I want to acknowledge Kate Fox, the entire research team and our Indigenous scholars who put their hearts into this project. Thanks for allowing me to be a part of this initial step on the journey to raising awareness and addressing the MMIWG problem. I want to acknowledge that MMIWG is not new and took roots in the first encounters with the Columbus voyage and subsequent attempts to subdue and colonize Indigenous Peoples. I acknowledge all of those ancestor women and girls that were murdered or went missing, they are unnamed but not forgotten. By acknowledgment we can take the next step toward healing. Meaningful acknowledgment requires action as a society to prevent and end MMIWG. I would like to acknowledge all of those families that have been impacted by MMIWG, please know that this work will continue, you are always in our minds as we do this work, and you will not be forgotten.

MICHELLE HOVEL (NAVAJO NATION):

I am an enrolled member of the Diné Nation (Navajo Nation). My Diné heritage and lineage fully link to the Tséńjį́kiní (Honey Combed Rock People) clan, who amazingly still reside on their Diné homeland in northern Arizona. I want to acknowledge the strength and endurance of my Diné ancestors for overcoming the continual enforcement of their colonizers' government policies used as campaigns to assimilate or abate them [(e.g., the Long Walk of the Navajo in 1864 and the compulsory attendance of government-sponsored "assimilation" boarding school (1800 - 1900)]. Today, my Diné ancestors' unrelenting resilience allows me to embrace the beauty of the Diné culture and gives me the strength to navigate the modern world. I want to thank Dr. Kate Fox, Ph.D., and the School of Criminology and Criminal Justice at Arizona State University for allowing me to participate in the research project focusing on the epidemic of Missing and Murdered Indigenous Women and Girls (MMIWG). During the time spent working on the research project, I was firmly committed to compiling much research data that would contribute (figurative) in giving the Indigenous women and girls, who are still missing or who were murdered, a voice in bringing national attention to the epidemic of MMIWG.

Acknowledgements

from the Authors

Preventing MMIWG is achievable. The problem of MMIWG is not a reflection of Indigenous Peoples or communities. Instead, MMIWG is a reflection of colonization, genocide, oppression and violence perpetuated against Indigenous Peoples for generations. This moment in time reflects an opportunity to look to Indigenous communities to find solutions. Indigenous Peoples are resilient and know how to support and heal each other. Non-Indigenous people play an important role in reducing MMIWG by supporting Indigenous Peoples and policies, learning to be good allies, sharing tools, including Indigenous Peoples where discussions and decisions are being made about Indigenous communities, and learning about Indigenous history and culture.

The MMIWG work presented in this report is based on the efforts, skills, and collaborations of many Indigenous and non-Indigenous people. Our Indigenous team members contributed immensely to this work, especially in terms of grounding this work in Indigenous knowledge and culture. The non-Indigenous among us are committed to being good allies and learning to be even better ones. Our entire team recognizes that being trusted with MMIWG work is a tremendous responsibility, and one that we approach with respect, cultural humility, inclusivity, and an awareness of systemic racism and power dynamics. While this work has been emotionally difficult for us all, it is important to acknowledge that MMIWG impacts our Indigenous team members, many of whom have a deeper knowledge of and experience with MMIWG, and this makes this work even more difficult. Our diverse team worked together effectively and built capacity in young researchers. We carried out this MMIWG work with very limited resources, which speaks to the energy and dedication to the mission of improving the lives and safety of Indigenous Peoples.

This project was carried out under the guidance of Chris Sharp (Colorado River Indian Tribes), Director of Arizona State University's (ASU) Office of American Indian Projects (OAIP) and Turquoise Devereaux (Salish and Blackfeet), OAIP Project Coordinator and co-owner of Indigenous Community Collaborative. Chris and Turquoise, you both provided incredibly meaningful advice, friendship, support, and perspective and have

shaped this project and our team in such impactful and positive ways. We also owe many thanks to Kayleigh Stanek (PhD student in Criminology & Criminal Justice) and Sara Julian (Institute for Justice Research and Development Law and Policy Fellow) for your long-term commitment to this project, for your creative ideas and thoughtfulness, and for all of your tireless efforts to ensure that our work is of high-quality. We are very thankful to the Indigenous ASU students and members of the Arizona State University Research on Violent Victimization (ROVV) lab, including Michelle Hovel (Navajo Nation), Cheston Dalangyawma (Hopi Tribe), and Hilary Edwards (Swinomish Indian Tribal Community). Your voices shine bright in this report and made our work more grounded, thoughtful, genuine, and strong. Dr. Kate Fox (Director of ROVV) organized our team and provided leadership, research expertise, and vision for our MMIWG work.

Thank you to our Arizona State University (ASU) and community partners, including Dr. Traci Morris (Chickasaw Nation of Oklahoma) who is Director of the ASU American Indian Policy Institute, Jacob Moore (Tohono O'odham Nation, Akimel O'odham, Lakota, Dakota) who is the ASU Assistant Vice-President of Tribal Relations, and Dr. Dominique Roe-Sepowitz who is Director of the ASU Sex Trafficking Intervention Research office. We value your support, expertise, advice, and partnership – and your guidance has considerably strengthened and informed this work. Thank you, Hallie Bongar White, who is Executive Director of the Southwest Center for Law and Policy, for your encouragement, support, positivity, and partnership. Thank you, Mak Mars (Oneida Nation of Wisconsin and Fond Du Lac Ojibwe), who is the founder of Justice for Native Women, for allowing us the privilege and honor of incorporating into our study your data – which took years of difficult and time-consuming investigative work. We also owe many thanks to Dr. James Alan Fox (Northeastern University) for providing data and Dr. Alyssa Chamberlain (Arizona State University) for creating the maps presented in our report.

This project became a reality because of inspiration and encouragement from Dr. Michael Crow (President of Arizona State University [ASU]), Dr. Jonathan Koppell

(Dean of the ASU Watts College for Public Service and Community Solutions), and Dr. Jon Gould (Director of the ASU School of Criminology and Criminal Justice). In 2015, President Michael Crow encouraged the ASU community to “seek to embrace our place, connect with Tribal communities...and integrate Indigenous knowledge and engage Indigenous issues globally.”⁹ That compelling statement motivated our partnership with Indigenous communities, and this became a reality with the support, time, and guidance provided by Dean Koppell and Director Gould. We thank you.

To State House of Representatives Jennifer Jermaine (White Earth Ojibwe) and the MMIWG Study Committee: We humbly thank you for your time, trust, patience, wisdom, advice, and partnership. Representative Jermaine, your strong leadership has woven together all of the people and communities in a way that honors and respects the many perspectives, cultures, and values that impact – and are impacted by – MMIWG. Thank you, Rep. Jermaine, for the opportunity to partner with you and the Study Committee. We also owe many thanks to Debbie Nez-Manuel (Navajo Nation), for your generosity, inspiration, and calming influence. And we are grateful and appreciative of Valaura Imus-Nahsonhoya (Hopi Tribe), who serves as the Tribal Liaison and Study Coordinator, for your guidance, expertise, and kindness. We wish to acknowledge the entire MMIWG Study Committee and especially the Data Sharing Subcommittee (chaired by Debbie Nez-Manuel) who we had the pleasure of getting to know more closely, including Patricia Hibbeler (Salish/Kootenai) who is CEO of the Phoenix Indian Center, April Ignacio (Tohono O'odham Nation) who is Founder of Indivisible Tohono, Honorable Alfred Urbina (Pascua Yaqui Tribe) who is Associate Judge for Pascua Yaqui Courts, Blaine Gadow who is Arizona Assistant Attorney General, and Dmitri W. Gonzales who is a Lieutenant for Maricopa County Sheriff's Office, Major Crimes Division. We also wish to acknowledge and thank the Study Committee legislative staff, Tracy Lopes (Arizona House of Representatives Policy Advisor), Rhonda Barnes (General Council), and Ingrid Garvey (Research Staff), for your time, support, and guidance. And all of these partnerships were made

possible thanks to the support of Serena Denetsosie (Navajo Nation). Serena, thank you so much for your friendship, encouragement, and teachings.

We also received support and solidarity from Dr. Bryan Brayboy (ASU's Special Advisor to the President on American Indian Affairs), Dawn Walton (Executive Director of ASU's Academy For Justice), Professor Valena Beety (Deputy Director of ASU's Academy For Justice), AmeriCorps, Florida State University Institute for Justice Research and Development, Ynez Chacon (Tohono O'odham/Chicanx), Brianna Minjarez, Gabriel Alvarez, Gregg Martinez, Carmen Tsosie (Navajo Nation), Brian Skeet (Navajo Nation) for graphic design, Abel Ochoa (Pascua Yaqui) and Benjamin Timpson for artwork. Thank you.

We acknowledge all of the Indigenous Peoples who have lost their lives and to the families, communities, and entire Tribal Nations who have been impacted by missing and murdered Indigenous Peoples (MMIP). We also acknowledge Pamela Foster, mother of Ashlynne Mike, who fought in her daughter's memory for the Ashlynne Mike AMBER Alert in Indian Country Act of 2018. This project is a step forward toward reducing MMIWG and MMIP. There is much work left to do toward the goal of improving the lives and safety of Indigenous Peoples, and so our work will continue.

⁹ President Michael Crow. ASU Commitment to American Indian Tribes. (Phoenix: Office of the President, Arizona State University, 2015) Available electronically at: <https://americanindianaffairs.asu.edu/Tribal%20relations/office-president>

Arizona State University Commitment to American Indian Tribes

BY MICHAEL CROW,

ARIZONA STATE UNIVERSITY (ASU) PRESIDENT¹⁰

August 31, 2015

Arizona State University is located in Indian Country; there are 22 tribal nations in Arizona. The Tempe campus sits on the ancestral homelands of those American Indian tribes that have inhabited this place for centuries, including the Akimel O'odham (Pima) and Pee Posh (Maricopa) peoples.

In keeping with the design aspirations of the New American University, ASU seeks to embrace our place, connect with tribal communities, and enable the success of each American Indian student. We reaffirm the university's commitment to these goals and acknowledge that everyone, the entire ASU community, is responsible for their achievement.

ASU continues to develop an impressive cohort of scholars engaged in American Indian cultural, social, educational, legal, and economic issues. We have built world-class programs in American Indian Studies, American Indian Legal Studies, and Indigenous conceptions of justice. Our work, however, is not complete. We must further enhance our capacity to leverage place, transform society, conduct use-inspired research, enable student success, work across disciplines, integrate

Indigenous knowledge and engage Indigenous issues globally. We are committed to providing access, retaining and graduating American Indian students in a climate that is welcoming and respectful of their languages and cultures. Foundational to these goals, we commit to creating an environment of success and possibility for American Indian students at ASU.

We are dedicated to supporting tribal nations in achieving futures of their own making. We will partner with tribal nations to: address the ravages of paternalism; improve educational achievement of American Indian children, youth, and adults; create innovative and appropriate use and development of natural resources; conceptualize and implement responses to physical and mental health challenges; and build and strengthen leadership capacities to address challenges for Native nations in the 21st Century and beyond. And we will enhance and foster an environment of success and unlimited possibilities for American Indians at ASU.

This work acknowledges our indisputable recognition of place and reinforces our mission as the New American University.

¹⁰ President Michael Crow, ASU Commitment to American Indian Tribes. (Phoenix: Office of the President, Arizona State University, 2015) Available electronically at: <https://americanindianaffairs.asu.edu/Tribal%20relations/office-president>

Emotional and Mental Awareness of the Triggering Effect of MMIWG

Missing and Murdered Indigenous Women and Girls (MMIWG) is not a new topic to Indigenous Peoples, especially with the experiences of intergenerational or historical trauma. Historical trauma is known as “unresolved grief response” that is a result of “massive cumulative trauma across generations.”¹¹ This compounded trauma can lead to *post-traumatic stress disorder* (PTSD) whereby an individual “experiences the acute stressors directly.”¹²

The authors would like to ensure your emotional and mental health is addressed through the reading of this report. Reading, learning, and thinking about MMIWG can trigger historical trauma or PTSD-symptoms.

Our coping mechanisms are inherent within us, thus strengthening our resiliency.

CONTACT FOR RESOURCES AND REFERRALS

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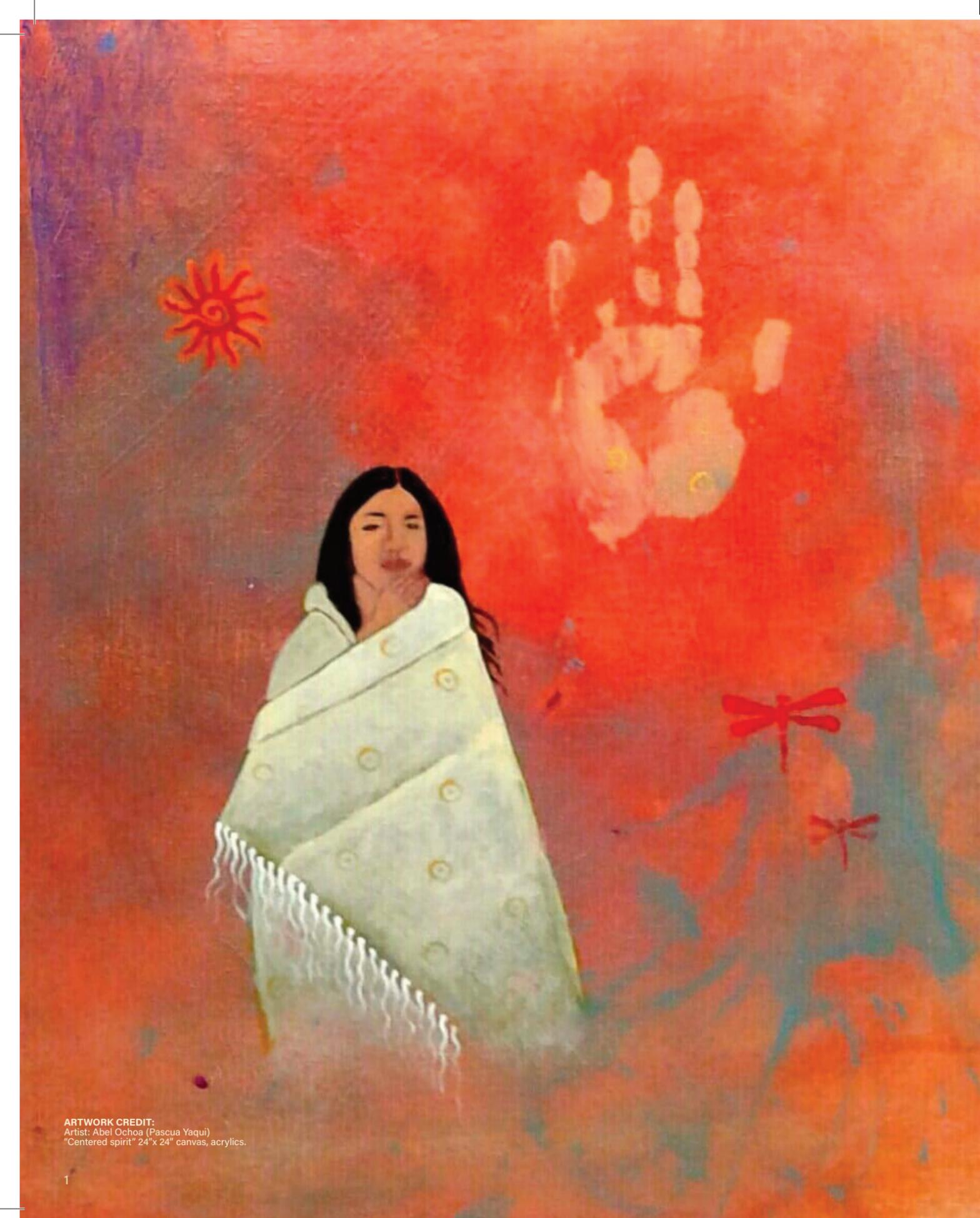
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¹¹ Maria Yellow Horse Brave Heart, *The Return to the Sacred Path: Healing the Historical Trauma Response Among the Lakota*. 68 Smith C. Stud. in Soc. Work 287, 287 (1998).

¹² Holeigh J. Skyler Foundation (2019, February 21). *Intergenerational Trauma*. <https://www.pmtresearch.org/intergenerational-trauma/>



ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui)
"Centered spirit" 24"x 24" canvas, acrylics.

"There's a lot of people that are missing here that people don't talk about."

EXECUTIVE SUMMARY

The United States is now waking up to the fact that Indigenous Peoples have been oppressed by the dominant (non-Indigenous) culture for centuries. This oppression continues today and has led to a national and international crisis involving missing and murdered Indigenous Peoples (MMIP).

This report aims to tell a data-driven story about what is known so far about missing and murdered Indigenous women and girls (MMIWG) in Arizona and offers best-practices to reduce MMIWG. The goal of this work is to improve the lives and safety of Indigenous Peoples and communities. We thank the State of Arizona for recognizing the importance of this issue and being at the forefront in terms of legislation. The focus on women and girls is a direct mandate from Arizona's MMIWG legislation and an initial step toward understanding and reducing murder and disappearance of all Indigenous Peoples in the state including lesbian, gay, bisexual, transgender, and Two Spirit people.¹³

Federally-recognized Tribal Nations are sovereign (self-governing) nations and part of the United States family of governments.¹⁴ A government-to-government relationship defines how Tribal Nations are defined in relationship with the U.S. However, few seem to understand this relationship. The Trust Responsibility¹⁵ is the promise to fulfill treaty obligations in perpetuity for giving up nearly all Tribal lands to the U.S. The Trust Responsibility ensures that Tribal Nations will always have seat at the table within the family of government within the U.S. The Trust Responsibility requires the federal government to act in the best interests of Tribal Nations to ensure healthy and thriving Tribal Nations. As this country grew via westward expansion and policies of Manifest Destiny¹⁶ (in and of itself a problematic term)

Tribal Nations were subjected to a multitude of laws and policies that deprived them of land, attempted to assimilate them, and continues –in many ways—to

oppress them. The term for this is Colonization, and the impacts of it is often seen in the form of the erasure of Native individuals, cultures, and nations. This is a contributing factor to the national and international crisis involving the missing and murder of Indigenous Peoples.

It is paramount to remember that Indigenous Peoples and governments have inherent rights and a political relationship with the U.S. government. These rights do not derive from race or ethnicity. Tribal citizens are citizens of three sovereigns: their own Tribal Nations, the U.S., and the state in which they reside. This contributes to the issue of MMIP via jurisdictional issues which will be discussed later. Indigenous Peoples are members of sovereign Tribal Nations. The U.S. recognizes this unique political status in the Trust Responsibility.

The meaning of the word “Indigenous.” For purposes of this study, Indigenous Peoples refers to those of American Indian/Alaska Native descent. The federal government and state governments use the term American Indian/Alaska Native racial category as established by the U.S. Census Bureau. When referring to individuals, this study will use the term Indigenous, but for governments we will use “Tribal Government” and “Tribal Nation” interchangeably. When we discuss other studies, we use the term that the authors used (e.g., Native American, Alaska Native, Hawaiian Native, American Indian, Aboriginal, and Indigenous) in an effort to accurately describe populations.

The first responsibility of any government is the safety and protection of its people. Historically, nothing has been more important or vital to the State of Arizona. In 2020, Indian Country in Arizona is still experiencing a public safety and public health crisis created primarily by violent behavior against vulnerable Indigenous women and family members and growing incidents of unsolved cases of missing and murdered women and girls. Arizona Tribes are in the best position to close jurisdictional gaps and safe havens for lawbreakers. The starting place to reverse historical

jurisdictional problems and injustices in Indian Country, is to strengthen Tribal justice systems and improve state and federal cooperation and coordination with tribal governments. From Tuba City to Sells, federal laws and state policies should not hinder or prevent Tribes from doing what their ancestors once did, protecting their way of life.

Indigenous Peoples in the U.S. have faced the crisis of MMIP for more than 500 years. Strong grassroots movements have propelled public awareness and prevention of MMIP. While the harms from over 500 years cannot be rectified in a report, or by a single piece of legislation, Arizona, along with several other states and our federal government are now officially recognizing this crisis and are working to end it.

The data on MMIWG are limited. The magnitude of MMIWG is likely far greater than the numbers show. As we describe in this report, there are numerous issues impacting the known occurrence of MMIWG. Adequate training among officials or representatives who are responding or serving the victims or families in urban, rural or remote landscapes, underreporting (e.g., not reporting to law enforcement, or law enforcement not documenting) and racial misclassification (e.g., Indigenous person is documented as another race) are but a few of the most common challenges. Key findings are summarized here and are presented in more detail and with descriptive graphs in our report (see Figure 1).

To understand how much MMIWG has happened in Arizona, we examined existing data sources.

Data was gleaned from the National Missing and Unidentified Persons System (NamUs) related to missing Indigenous females in the state of Arizona:

- 12 Indigenous females were recorded as missing in Arizona as of July 25, 2020 and ranged in ages from 20 to 54.
- Of the Indigenous Peoples documented as missing in Arizona as of July 25, 2020, females were missing for an average of two decades (21 years). This is twice as long as the average for males (12 years).
- Most of the missing Indigenous women were missing from rural areas (n=10; 83%).

Data gleaned from the Federal Bureau of Investigation's Supplemental Homicide Reports (1976-2018) provides a fuller picture of the scope of murdered Indigenous females in Arizona:

- 160 murders of Indigenous females were recorded in Arizona from 1976-2018.

- Murders of Indigenous women and girls have been steadily increasing over the past 40 years.
- Counties in Arizona that have higher populations – such as Maricopa and Pima – have more Indigenous female homicides compared to counties with smaller populations.
- 74% of homicides of Indigenous women and girls are handled by municipal police (n=119) whereas far fewer cases are handled by Sheriff's offices (13%; n=21) or Tribal police (12%; n=20).
- Indigenous females of all ages are murdered. In Arizona, Indigenous females were killed ranging in age from infants (less than 1 year old) to elders (81 years old), with the average victim's age of 31.
- Most of the murderers/offenders who kill Native American females are between the ages of 18 to 40, with an average age of 31.
- Nearly 90% of offenders who kill Native Americans are male (n=102).
- Of the cases in which the race of the offender was documented, 63% of those who killed Native American females were also Native American (n=73) and 25% were white (n=25).
- The weapon most commonly used to kill Indigenous females was guns/firearms (n=53; 33%), followed by knives (n=41; 26%), personal weapons (n=25; 16%), unknown weapons (n=21; 13%), blunt objects (n=14; 9%), strangulation (n=4; 3%), and fire (n=1; 1%).
- The most common relationship between murdered Indigenous females and their killers is unknown in 30% (n=47) of cases. Over a quarter of Indigenous females were killed by an intimate partner (n=45; 28%), followed by acquaintances (n=27; 17%), strangers (n=14; 9%), parents (n=9; 6%), friends (n=4; 3%), children (n=2; 1%), siblings (n=1; 1%), or other family members (n=10; 6%).
- While many circumstances of Native American female homicide are unknown (n=53; 33%), the largest known circumstance involved an argument between victim and offender (n=48; 30%).

POLICY RECOMMENDATIONS TO REDUCE MMIWG IN ARIZONA

While respecting the sovereignty and political integrity of Tribal governments, and the values and culture represented by each Tribal Nation, Arizona's response should reflect a full and cooperative relationship in

¹³ A term used by some Indigenous Peoples who identify as having both a masculine and feminine spirit. Two-Spirit is a gender identity distinct to Indigenous communities and does not necessarily mean someone who is queer and has been considered by most tribes to be a third gender – neither male nor female. <https://www.ihs.gov/igbt/health/twospirit/>

¹⁴ National Congress of American Indians (NCAI), Tribal Nations and the United States (Washington DC: NCAI, 2019). http://www.ncai.org/tribalnations/introduction/Indian_Country_101_Updated_February_2019.pdf

¹⁵ Administration For Native Americans. American Indians and Alaska Natives – The Trust Responsibility (2014). <https://www.acf.hhs.gov/ana/resource/american-indians-and-alaska-natives-the-trust-responsibility>

¹⁶ For background on Manifest Destiny, see <https://americanexperience.si.edu/wp-content/uploads/2015/02/Manifest-Destiny-and-Indian-Removal.pdf> and <https://www.khanacademy.org/humanities/us-history/the-early-republic/age-of-jackson/a/manifest-destiny>

Missing and Murdered Indigenous Women and Girls in Arizona

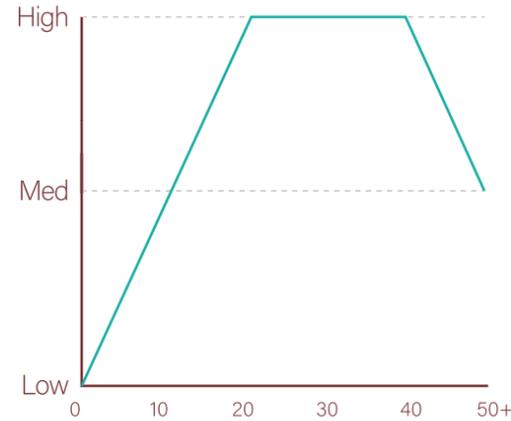
WOMEN AND GIRLS MISSING

160

Native American women and girls in Arizona were known to be missing from 1976-2018

AGE A HIGHEST RISK

Age vs. Level of Risk



Women in their 20s, 30s, and 40s are at the highest risk of being killed.

HOMICIDES INVOLVING ARGUMENT

30%

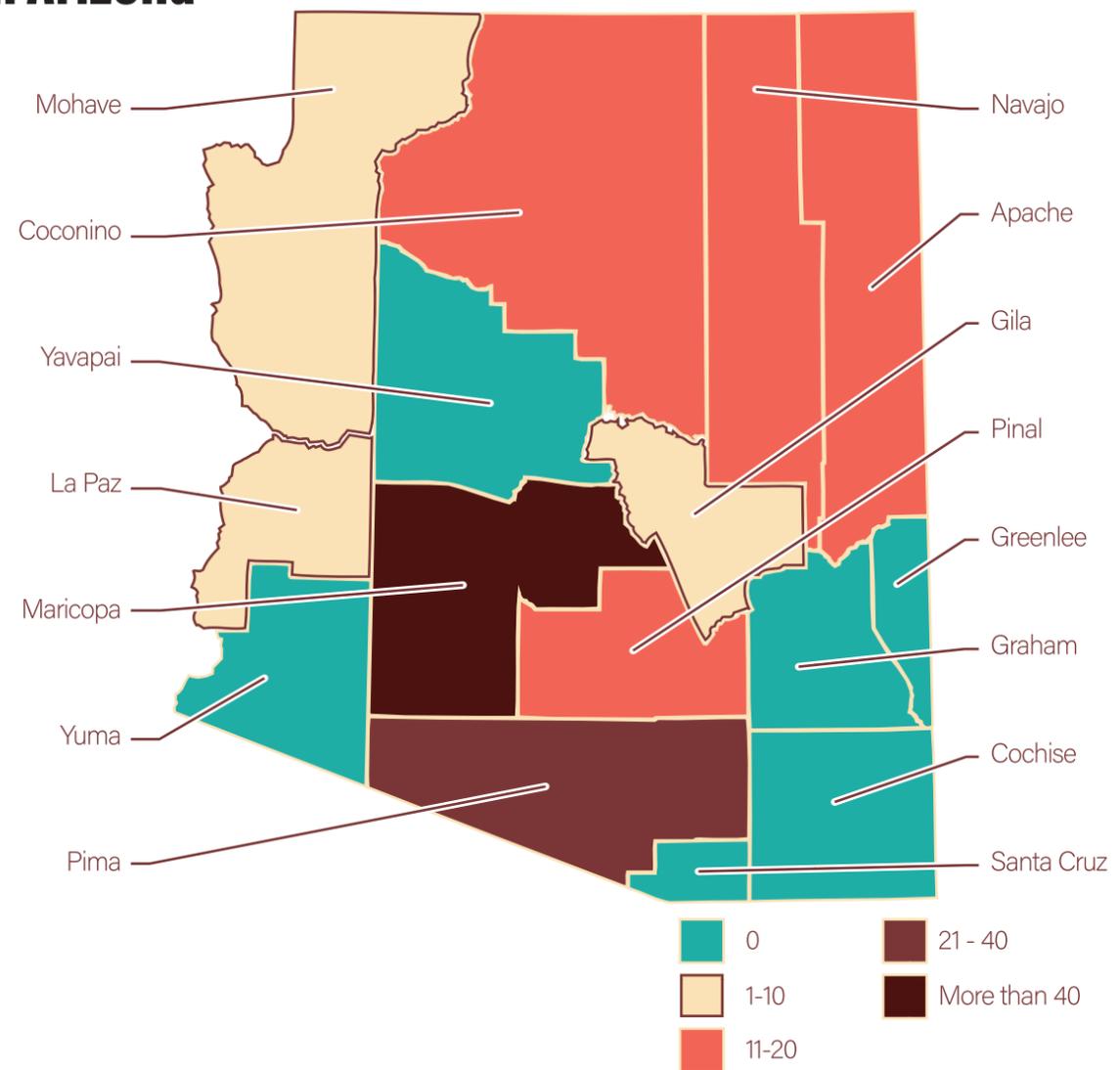
The circumstances of MMIWG is mostly unknown (33%), but many homicides involved an argument between victim and offender (30%).

AGE RANGE OF MMIWG

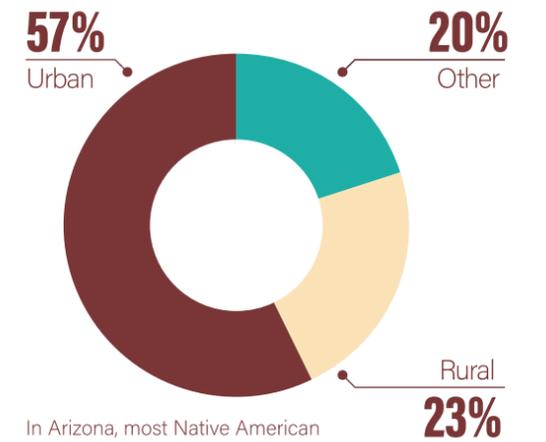


Native American women and girls of all ages are missing and murdered, ranging from infants to elders.

MURDERED NATIVE AMERICAN FEMALES BY COUNTY

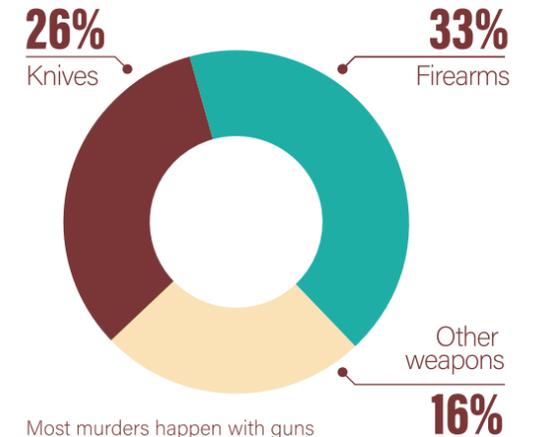


MURDERED BY LOCATION



In Arizona, most Native American women and girls are killed in urban cities of Phoenix/Mesa/Scottsdale followed by rural areas.

MURDERED BY WEAPON



Most murders happen with guns and firearms, followed by knives and other weapons.

A DEADLY TREND

Year vs. Number of Homicides of Indigenous Women in AZ

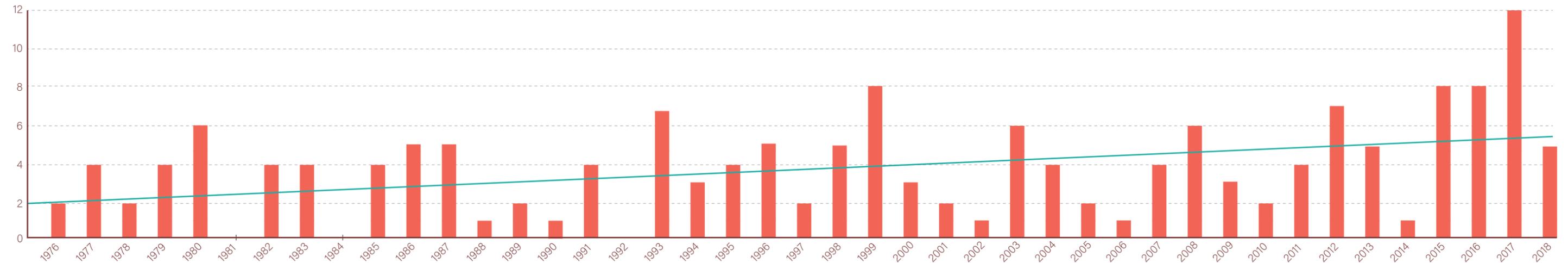


Figure 1. Infographic summarizing key MMIWG study findings

Source: Authors

regard to data collection and mutual information sharing, which will enhance the enforcement of laws and court orders on Reservations by Tribal governments and enhance the enforcement of the same laws outside of Indian Country by states, municipalities, and the federal government, which will serve to improve the safety and security of all Indigenous Peoples, on or off Tribal land.

Engage in consultation with Arizona Tribes to work together to determine the best permanent institutional approach and structure to collectively take action to reduce MMIWG. For instance, one possibility may be a permanent state office, run by Indigenous Peoples, that partners with all 22 Arizona Tribes is necessary to ensure the coordination of training, services, resource allocation, relationship building, collaboration, and data fidelity. Or, perhaps cross-disciplinary and cross-departmental collaborations approach is important among Tribal Liaisons and the state of Arizona entities (e.g., Department of Economic Security, Department of Child Safety, Department of Public Safety, Office of Faith, Youth, and Family, etc.). Either the creation of a state office, or the collaboration among Tribal liaisons among state departments, would be poised to ensure that appropriate considerations are made regarding (1) Tribal sovereignty and the federal trust responsibility (a relationship that supersedes the state for funding and services), and (2) complexities surrounding any recommendations regarding the safety of Indigenous Peoples, including how these recommendations would be carried out, whom would be responsible for ensuring their completion, securing source of permanent funding, and how these recommendations will impact current programs who are providing direct services to avoid unintentional harm. Some of the suggested recommendations are for victim services, law enforcement, and legislation – on and off Tribal land.

For all recommendations, it is essential to consult with Tribal Nations to review, modify, approve, implement, and periodically re-assess the effectiveness of policies that impact Indigenous Peoples. As the State of Arizona works to address crime and violence associated with MMIWG, it should do so through a civil rights protection approach. The State should develop training requirements, transparent protocols, and develop models for solutions to address domestic violence, victim and family safety, victim notification, data collection, and testing and evaluating evidence, by using a trauma informed, human rights framework that respects Tribal sovereignty and the rights of victims

17 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.
18 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.
19 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.
20 Abinanti et al., *To*, 2020.

and families. The State should do so by consultation, informed consent, and by communicating any new process or reform to and through Tribal communities and leaders.

The State of Arizona should work with Arizona's Tribal communities and leaders, and MMIWG experts on the following recommendations:

VICTIM SERVICE RECOMMENDATIONS

1. Provide funding opportunities (and increase current funding) for Tribes and non-profit agencies that serve Indigenous victims within rural, urban, and Tribal communities.
2. Offer survivors and family members of MMIWG wrap-around services from a network of agencies and centralize the service provision where possible to streamline services.¹⁷ However, it should be acknowledged that not all services need to be centralized/wrap-around given that each Tribe is different in their level of capacity.
3. Increase access to shelters/safe houses for survivors fleeing violence in urban areas and in Tribal communities through increased funding.¹⁸
4. Increase access to Indigenous legal advocates to help orient survivors and families within the legal system and to accompany survivors in court proceedings, in urban, rural, remote, and Reservations.¹⁹
5. Provide a centralized reporting site for MMIWG to report missing and murdered persons that honors the unique nature of all of the 22 Tribes and provides an accurate account of MMIWG in Arizona.
6. Establish a 24-hour crisis hotline for MMIWG and related needs (e.g., domestic violence shelters and safe homes, legal assistance, medical care, financial assistance, and housing advocacy referrals).

RESOURCE ALLOCATION RECOMMENDATIONS

1. Centralize and specify permanent funding and technical assistance that will be available to Tribes.²⁰
2. Strategically improve outreach and dissemination of available and up-to-date resources (e.g., Tribal victim services) to urban, rural, and Tribal communities.

This will require an investment in planning and an adaptation of material to account for the unique jurisdictional issues of Tribal land.²¹

3. Develop Sexual Assault Response Teams (SART) within Tribal communities and border towns, with special emphasis on Tribal cultural competency, to increase the support that survivors of sexual violence receive.²²
4. Create and disseminate information kits for survivors and families with resources, service directories, and orientation to the legal system.²³
5. The State of Arizona should call for an increase to federal funding for Arizona Tribal justice systems through the Tribal Justice Support Act, (Title 25 U.S.C. 3602 et seq.) and the Office of Tribal Justice Support, within the Bureau of Indian Affairs. The State of Arizona should work with Tribal leaders and ask Congress to appropriate equitable base increases for Tribal justice systems as contemplated under 25 U.S.C. Sections 3613 and 3621.
6. The State of Arizona should support and call for appropriations by the federal government to directly fund the design, development, and construction of Arizona Tribal courts, multi-purpose justice centers, Tribal correctional facilities, Tribal facilities for law enforcement, drug and alcohol treatment and programming space, public defender offices, and the expansion or renovation of Tribal courts and justice facilities that support alternatives to incarceration. Funding should also be set aside for federal and Tribal systems to support operations and programming.

TRAINING AND EDUCATION RECOMMENDATIONS

1. Designate annual training for all professionals, especially police officers to include 60 hours of intermittent annual training that prioritizes training to all professionals for cultural responsiveness.
2. Train schools and teachers to increase awareness of children who are victimized, as well as the appropriate reporting mechanisms.²⁴
3. Offer human trafficking training resources to Tribal

law enforcement agencies, casinos, and hotels.²⁵ Expand efforts to address sex, labor, and human trafficking, and identify evidence-based practices for intervention to assist victims of trafficking, to include funding for research, technical assistance, training, prevention, and education.

4. Engage the U.S. Department of Health and Human Services, in collaboration with Tribes and the federal government, to ensure services regarding domestic violence, substance use, and mental health are meeting the needs of Tribal communities.²⁶
5. Require all State departments to enforce their Tribal consultation policies regarding any work, activities, policies, etc. that can have impact on Tribes.
6. Increase public-engagement initiatives, with particular attention to the unique circumstances that can impact the participation of Indigenous Peoples, and allocate resources to ensure cultural safety and inclusion for Indigenous Peoples.²⁷
7. Increase public education and advocacy to increase awareness of Indigenous history, rights and safety. Education and training may include non-violent conflict resolution, safety, Internet safety, consent and sexual exploitation prevention, human trafficking prevention, and on human rights.²⁸
8. In partnership with Arizona's Tribal domestic and sexual violence coalitions, support the training for advocacy response and tailor the advocacy to the specific victimization experienced (missing persons, sexual assault, domestic violence, homicide, etc.).
9. Work with Tribes to facilitate NamUs and NCMEC training in their communities and encourage Tribal and non-Tribal law enforcement and family members to utilize.²⁹
10. Encourage community-led prevention and advocacy to empower Indigenous Peoples to report family violence.
11. Organize and conduct education events on the National and State day of MMIWG awareness (May 5th) for prevention, awareness, to identify

21 Lucchesi and Echo-Hawk, *Missing*, 2018.
22 Abinanti et al., 2020.
23 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.
24 Sutter et al., *LB 154*, 2020.
25 Sutter et al., *LB 154*, 2020.
26 Sutter et al., *LB 154*, 2020.
27 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.
28 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.
29 Sutter et al., *LB 154*, 2020.

risk factors, for analysis of plans for victim safety, trauma informed practices, responsiveness to gender/sexual orientation, sex trafficking, remembrance, and community organizing.

12. Create a State MMIWG website with resources, links, data dashboards, information, resources, and reporting links. Create a social media awareness campaign and implement a public-relations initiative to establish community confidence in and support for the justice system.
13. Design, develop, and implement prevention and intervention strategies for youth, men, and boys (e.g. Indivisible Tohono³⁰ and A Call to Men³¹).
14. Develop a "best practices guide" for inter-jurisdictional matters (e.g., contact information, how to report a missing persons or report a crime in each jurisdiction, court information, how to obtain and enforce orders of protection, basic jurisdictional information, how to identify and report suspected human trafficking, and a list of Arizona and Tribal resources).

LAW ENFORCEMENT RECOMMENDATIONS

1. Develop approaches to close law enforcement gaps, delineate jurisdictional responsibility, and enforce accountability while respecting sovereignty, through inter-jurisdictional communication, intergovernmental agreements, and increased coordination.
2. Develop and implement a missing persons policy for both child and adult missing persons that is consistent statewide. The policy should illustrate step-by-step procedures and ensure that missing persons are documented by law enforcement.³²
3. Facilitate cross-deputization (permission to cross-borders) for Tribal law enforcement departments and officers. This will aid in the formation of multi-agency teams to share information pertaining to investigations and case reviews.³³
4. Encourage memorandums of understanding (MOUs) between Tribal and non-Tribal law enforcement agencies.³⁴

5. Establish a law enforcement task force for missing persons and include Tribal law enforcement agencies on the task force.³⁵
6. Increase the recruitment of Indigenous Peoples in all levels of law enforcement (Tribal, federal, state, county, municipal) agencies and allow Indigenous recruits to request being assigned to their home area, if jurisdiction allows.
7. Increase training and community orientations for law enforcement officers, including cultural awareness/competency, sensitivity to victims and their families, and communication with families and survivors.³⁶
8. Provide training to law enforcement agencies and officers on Tribal sovereignty, PL 280 (if applicable),³⁷ and 638 (if applicable)³⁸ MMIWG, and violence against Indigenous Peoples.³⁹
9. Provide cultural training to the federal prosecutors who charge and prosecute crimes reported by Tribal police.
10. Provide cultural sensitivity training to Arizona prosecutors and judiciary who will encounter crimes involving MMIWG. For example, The Arizona Bar hosts an annual Arizona Judicial Conference, and this would be an excellent venue to provide information about the cultural and sensitivity issues surrounding MMIWG.
11. Train cross-deputized departments on tribal jurisdiction considerations.
12. Require Tribal Nation data to be collected on every victim.
13. Train law enforcement officers to ask victims if they are Native American. Just because a victim looks a certain way, does not mean they are a particular race. Ethnicity is not measured by looks. There is no standard Indigenous "look."
14. Ensure that any sexual assault/rape kits submitted by Tribal Law Enforcement agencies to Arizona Department of Public Safety are being tested on a timely basis.

³⁰ Indivisible Tohono, <https://www.facebook.com/indivisibletohono/>

³¹ A Call to Men: The Next Generation of Manhood, 2020, <http://www.acalltomen.org/>

³² Sutter et al., *LB 154*, 2020.

³³ Sutter et al., *LB 154*, 2020.; Abinanti et al., *To'*, 2020.

³⁴ Sutter et al., *LB 154*, 2020.

³⁵ Sutter et al., *LB 154*, 2020.

³⁶ Sutter et al., *LB 154*, 2020; The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

³⁷

³⁸ Pub. L 93-638. <https://www.bie.edu/sites/default/files/documents/idc2-087684.pdf>.

³⁹

COLLABORATIVE RECOMMENDATIONS

1. Create an inter-agency case review team – and encourage each tribe to hold regular meetings with the team. The inter-agency case review team may include Tribal, local, county, state, and federal agencies that handle MMIWG cases, including law enforcement agencies, prosecutors, Tribal and non-Tribal courts, child protective services, direct service providers, medical examiners, Tribal coalitions, tasks forces, and families affected by MMIWG. This will reduce duplicative efforts, streamline service delivery, and minimize the need for survivors and families to recount their trauma repeatedly due to agencies being barred from communicating⁴⁰
2. Designate a Tribal liaison or advocate with each individual Tribe so that families and survivors have an advocate from their own Nations that has a working relationship with those in the recommended inter-agency case review team (e.g., law enforcement agencies, prosecutors, Tribal and non-Tribal courts, child protective services, direct service providers, medical examiners, and families affected by MMIWG).⁴¹
3. Collaborate with Indigenous researchers to carry out studies with Tribal input and support, and ensure that non-Indigenous research partners have Indigenous staff or extensive experience working with Indigenous communities and include extensive networks of Indigenous collaborators.⁴²
4. Promote meaningful collaborations between academics, front-line practitioners, families of MMIWG, survivors of violence, and grassroots organizations to inform policy and service delivery⁴³
5. Develop multijurisdictional Endangered Missing Advisory (EMA) Systems/Plans, which enables collaboration among agencies to broadcast and search for missing persons who are in danger but do not fit AMBER Alert criteria.

⁴⁰ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.; Sutter et al., *LB 154*, 2020.

⁴¹ Abinanti et al., *To'*, 2020.

⁴² Abinanti et al., *To'*, 2020.

⁴³ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

⁴⁴ Abinanti et al., *To'*, 2020.

⁴⁵ Sutter et al., *LB 154*, 2020.

⁴⁶ Sutter et al., *LB 154*, 2020.; The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.; Abinanti et al., *To'*, 2020.

⁴⁷ Abinanti et al., *To'*, 2020.

DATA IMPROVEMENT RECOMMENDATIONS

1. Conduct a comprehensive follow-up study to determine the scope of the MMIWG crisis by examining each of the factors that contribute to incidents of MMIWG, and to continue to uncover the prevalence of MMIWG in Arizona.
2. Establish methods and protocols for tracking, gathering, and collecting data on violence against Indigenous Peoples, including data on MMIWG, by Tribal affiliation, and enhance statewide efforts to prevent and end domestic violence and sexual violence.
3. Request that the federal government fully fund the Department of Justice (DOJ) Tribal Access Program (TAP) to provide access to federal crime databases, in order to enhance the safety of Indian Country, enable information sharing, and eliminate safe havens for criminals, pursuant to the Tribal Law and Order Act (TLOA) 25 U.S.C. §2810 (2010).
4. NamUs should include data points to publicly document historical missing persons, including solved cases. The data should also include information on the outcome of resolved missing persons cases (e.g., person found safe, trafficking, homicide).⁴⁴
5. Data on MMIP should include, where possible, information on race and Tribal affiliations for victims and offenders.⁴⁵
6. Law enforcement agencies need funding and resources to improve training on appropriate ways to avoid racially misclassifying victims.⁴⁶
7. Invest in technological infrastructure and public records administration resources of all law enforcement agencies, including making records digital to expedite tracking.⁴⁷
8. Increase access to local and national data and remove restrictions to enable the compilation of comprehensive case files.
9. Streamline and reduce the burdens of Freedom of Information Act (FOIA) requests, including reducing financial costs and time delays.

10. Allow Tribes to have full access and input to information available in currently-restricted databases, such as NamUs, Tribal Access Program (TAP),⁴⁸ National Crime Information Center (NCIC), and Criminal Justice Information Services (CJIS). Provide Tribes access to edit or add to the data on their citizens, as well as be notified when a Tribal member has been added to a database.⁴⁹

LEGISLATIVE RECOMMENDATIONS

1. The State of Arizona should support the full restoration of inherent Tribal civil and criminal jurisdiction to Tribal governments over all wrongdoers for Arizona federally recognized Indian tribes that wish to exercise such jurisdiction. The State of Arizona should work with Tribal Congressional representatives to reauthorize and amend the Violence Against Women Act (VAWA) to fully restore tribal inherent criminal and civil jurisdiction, through a full "Oliphant-Fix."
2. Expand the language of legislation pertaining to the safety and protection of all people to be inclusive of people of color, the LGBTQ+/2S community, and Indigenous Peoples.⁵⁰
3. Mandate NamUs entry among law enforcement agencies within a designated time period to report missing and unidentified persons. Currently, several states mandate the use of NamUS (e.g., Oklahoma, New Mexico, Tennessee, New York, Michigan, and Illinois).⁵¹
4. Mandate reporting to NCMEC among police departments.
5. Require all law enforcement training to be co-developed with Tribal governments and Tribal organizations.⁵²
6. Create legislation to ensure statewide consistency in the documentation of race, gender, and ethnicity.
7. Enact (or reauthorize) funded MMIWG and MMIP legislation.
8. Expand VAWA and Tribal Court jurisdiction where available.
9. Develop with the Arizona Legislature, and fund, a model state statute creating Special County Deputy Prosecutors. County Prosecutors may appoint

attorneys to assist County prosecuting attorneys when the public interest requires, including the appointment of qualified Tribal prosecutors to assist in prosecuting and helping to coordinate the prosecution of state offenses committed in Indian Country.

10. Form an Arizona State Missing and Murdered Indigenous Persons Task Force.
11. Add Indigenous representatives to Arizona Boards or Commissions (e.g., Arizona Criminal Justice Commission and Arizona Department of Homeland Security Regional Advisory Councils).

CONCLUSIONS AND NEXT STEPS TO REDUCE MMIWG

This study's 3 goals work together to collectively meet the overarching goal of shedding light on and reducing MMIWG to create safer communities in Arizona and across the nation and the globe. Our study investigated the barriers to tracking violence against Indigenous women and girls and reducing the incidences of violence and MMIWG. We provided an overview of the barriers to tracking MMIWG and conducted a statewide investigation into the ways that law enforcement agencies document Indigenous race (Goal 1). We also examined 3 national data sources to investigate the prevalence of MMIWG in Arizona. Improving knowledge about the scope and contextual characteristics of MMIWG has the potential impact of broadening Arizona's, and the nation's, understanding of the pervasiveness and seriousness of this problem (Goal 2). Based on our study and the groundbreaking work of others, we offered a number of practical, culturally-appropriate, and data-driven policy recommendations to reduce MMIWG (Goal 3). Taken together, this study is a comprehensive and in-depth first assessment of MMIWG in Arizona. Yet given the data limitations, this study offers an incomplete presentation of MMIWG. Data sources that completely and accurately portray MMIWG do not yet exist. Even so, the 3 data sources we examined in this study offer valuable insight into the known – albeit underrepresented – extent that MMIWG occurs.

Arizona's MMIWG legislation called for an ambitious number of objectives to be met within a single year. We have accomplished a great deal of progress without funding, under a compressed 1-year

timeframe, on a highly complex and sensitive topic, among a population that is underserved and hard-to-access, and in the chaos of a global pandemic. Of the 10 objectives called for by the legislation, we accomplished the following within our 3 project goals (given that some legislative objectives were overlapping):

1. Conducted a comprehensive study to determine how this state can reduce and end violence against indigenous women and girls in this state
2. Established methods for tracking and collecting data on violence against Indigenous women and girls, including data on MMIWG
3. Gathered data on violence against indigenous women and girls in Arizona
4. Determine the number of missing and murdered Indigenous women and girls in Arizona
5. Identified barriers to providing more state resources in tracking violence against Indigenous women and girls and reducing the incidences of violence
6. Proposed measures to ensure access to culturally appropriate victim services for Indigenous women and girls who have been victims of violence
7. Proposed legislation to address issues identified by the Study Committee
8. Submit a report regarding the Study Committee's activities and recommendations for administrative or legislative action on or before November 1, 2020 to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy of this report to the Secretary of State.

This study is the beginning of Arizona's statewide dedication to reduce violence against Indigenous People – particularly MMIWG – and a tremendous amount of work remains to improve the lives and safety of Indigenous Peoples. Arizona's MMIWG legislation called for the following objectives that we plan to meet in our future work:

1. Review policies and practices that impact violence against Indigenous women and girls, such as child welfare/foster care policies and practices, law enforcement protocols, housing policies, systemic racism, border patrol/immigration policies.
2. Review prosecutorial trends and practices relating to crimes of gender violence against Indigenous Peoples.

To expand this work, our future efforts will also include – but are not limited to – the following:

1. Indigenous-led community interviews with volunteers who wish to speak about their MMIWG stories. This is important for understanding the (a) contributing factors of MMIWG (b) community needs, (c) experiences with criminal justice systems, and (d) effectiveness of data systems to track and publicize MMIWG in urban, rural, and Reservation areas.
2. Incorporate additional state, local, and Tribal data sources (e.g., medical examiner)
3. Centralize a database of victim services among Tribal and non-Tribal entities
4. Indigenous-led partnerships with Tribes to include information and data to meet the needs of individual communities (e.g., criminal justice response, services, and needs of the community as a whole)

This study is in remembrance of all Stolen Sisters and Indigenous Peoples. Thank you.

⁴⁸ Under TAP, the Department of Justice allows selected federally-recognized Tribes to exchange critical data across the Criminal Justice Information Services (CJIS) systems and other national crime information systems. Department of Justice, Office of Public Affairs, "Attorney General Jeff Sessions Announces New Actions to Support Law Enforcement and Maintain Public Safety in Indian Country," The United States Department of Justice. Accessed September, 20, 2020. www.justice.gov/tribal

⁴⁹ Abinanti et al., *To*, 2020.

⁵⁰ Abinanti et al., *To*, 2020.

⁵¹ Abinanti et al., *To*, 2020.; Lucchesi and Echo-Hawk, *Missing*, 2018.

⁵² Abinanti et al., *To*, 2020.

“The whole family gets involved. If it’s one person [missing], it’s the whole family that gets involved.”

Reducing Missing and Murdered Indigenous Women and Girls (MMIWG):

Arizona’s Statewide Study in Partnership with the HB2570 Legislative Study Committee

Violence against indigenous peoples, including MMIWG

Background and history of violence against Indigenous peoples in Arizona

Early European encounters

Advent of the Americans

Assimilation through education and removal of ceremonial practices

Interpersonal violence against Indigenous women and girls

Indigenous women and girls are missing and murdered at high rates

STATEMENT OF THE PROBLEM AND REVIEW OF THE LITERATURE

VIOLENCE AGAINST INDIGENOUS PEOPLES, INCLUDING MMIWG

The purpose of this study is to understand the scope of missing and murdered Indigenous women and girls (MMIWG) in Arizona and to identify culturally-accurate and appropriate recommendations to reduce MMIWG. Missing and murdered Indigenous women and girls (MMIWG) is the catastrophic, sudden, and inexplicable disappearance of Indigenous women and girls. For generations, Indigenous communities have been all too familiar with the devastation, injustice, and heartbreak of losing family and community members.

Missing and murdered Indigenous Peoples (MMIP) is an enduring national and international crisis. Violence against Indigenous Peoples is recognized internationally as a human rights violation and is disproportionately experienced by some of the most vulnerable within Indigenous communities, including elders, youth, women, the LGBTQ+/2S community, and people with disabilities.⁵³ Human rights abuses against Indigenous Peoples persists globally and includes forced assimilation, marginalization, displacement, removal of sacred lands, denial of land,⁵⁴ and genocide.⁵⁵ Internationally, violence against Indigenous women includes sexual and domestic violence, sexual violence as a weapon of war,⁵⁶ conquest,⁵⁷ harassment by non-Indigenous people, labor exploitation, and trafficking.⁵⁸ Violence against Indigenous children includes the forcible removal from their family, forced placement in boarding schools, forced adoption into non-Indigenous

families, abuse (physical, sexual, psychological, neglect), and recruitment into armed conflicts.⁵⁹ The totality of human rights abuses committed against Indigenous Peoples is catastrophic. In some cases, the culmination of violence against Indigenous Peoples results in the missing and murder of Indigenous Peoples (MMIP).

*Missing and Murdered Indigenous Peoples (MMIP) is comprised of two different, yet often connected events, (a) a missing person who either involuntarily or voluntarily vanishes; and (b) the intentional killing of another person.*⁶⁰ Early reports show Indigenous Peoples are murdered and become suddenly missing at rates that are alarmingly high compared to non-Indigenous people.⁶¹ In some U.S. counties with large Indigenous communities, Native women are 10 times more likely to be murdered than the national average.⁶² While the focus of this publication will be on the prevalence and experience of interpersonal and gender-based violence in the form of missing and murdered Indigenous women and girls (MMIWG), it is important to address that MMIP happens to individuals of all gender identities including men, women, and LGBTQ+/2Speople.⁶³ However, there has been very little inclusive research conducted to date. We will later discuss the limited research that is available shows Indigenous Peoples suffer from interpersonal violence at rates significantly higher than other people of color.⁶⁴ To ground this study, we next present the background and history of Arizona's Indigenous Tribes.

BACKGROUND AND HISTORY OF VIOLENCE AGAINST INDIGENOUS PEOPLES IN ARIZONA

In order to get a sense of the "Tribal landscape" this section presents a brief and most certainly oversimplified description of the Tribes in Arizona. Nevertheless, it is important for the readers to understand the diversity of the Tribes in the state, of which there are currently 22 federally recognized tribes making up 7.4% of Arizona's population.⁶⁵ Additionally, urban centers such as Phoenix and Tucson include residents and families from many of the 574 federally-recognized and 60+ state-recognized tribes within the United States. Tribal populations are growing with a 39% increase since 2000 and the median age is 29, as opposed to the national average of 38.⁶⁶ While the landscape is diverse, there were common experiences across all Tribes in their relations with explorers, immigrants, and colonizing forces.

Within what is now known as Arizona, the various Tribes practiced ways of life based on the environmental resources available within their ancestral territories and organized themselves according to their lifeways and traditions such as clanship and lineage (matrilineal or patrilineal), which often were rooted in Origin Stories. While some Tribes established sedentary and agrarian societies, the environment of the region necessitated other Tribes to engage in more migratory, nomadic patterns often based on the seasons.⁶⁷ Most Arizona Tribes engaged in combinations of agricultural, hunting, and gathering practices.

*The Tribes in the Southwest, generally known to include Arizona and New Mexico, have been linked to various "roots of Southwestern culture" known as Anasazi, Mogollon, Sinagua, Hohokam, and Patayan Cultures.*⁶⁸ The Anasazi (now known as Ancestral Pueblo),⁷⁰ Sinagua, and Mogollon⁷¹ cultures are linked to Pueblo tribes, including Hopi and Zuni Tribes both whom reside or have lands in Arizona.

The Hohokam culture has established linkages with the O'odham tribes in Arizona including Gila River Indian Community, Ak-Chin Indian Community, Tohono O'odham Nation, and Salt River Pima-Maricopa Indian Community.⁷² Patayan culture has been linked to the River Yuman (Mohave, Quechan, Cocopah, Maricopa) and Pai Yuman (Hualapai, Havasupai, and Yavapai) Tribes,⁷³ all of which currently reside on Reservations in Western and Central Arizona.

It should be noted that other Tribes of Arizona include the Athabaskan language Tribes of Navajo Nation and Apache Tribes, Paiute Tribes, and the Pascua Yaqui hold their own lineage to the ancient cultures. In all, the Southwest has a dynamic area of multiple cultures, languages, and ways of life. For thousands of years the Tribes have engaged in inter-Tribal relations since before European arrival to Arizona. This history is important to acknowledge as it provides a glimpse into the depth and richness of Arizona in particular.

EARLY EUROPEAN ENCOUNTERS

Spanish explorers were the first Europeans to encounter the Indigenous Peoples of the Southwest. In 1540, Francisco Coronado led an expedition through Arizona into what is now New Mexico and encountered Pueblo Tribes along the Rio Grande. Upon intrusion into Indigenous settlements the outsiders demanded food, shelter, and women.⁷⁴

The Coronado expedition also entered Zuni territory and encountered the Hawikuh pueblo in present day Arizona.⁷⁵ A year prior, Estevan, a survivor of the Cabeza de Vaca expedition, also visited Hawikuh and was killed for "presumptuousness with Zuni women."⁷⁶

*In 1598, Juan de Onate, led an invasion into Pueblo territories along the Rio Grande with the express purpose of subjugating Pueblo Peoples to the Spanish Crown and establishing the Spanish colony of New Mexico.*⁷⁷ The subjugation included banning Pueblo

53 United Nations: Declaration on the Rights of Indigenous Peoples. (United Nations, 2008). https://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf

54 Amnesty International, Indigenous Peoples. Accessed July 2, 2020, <https://www.amnesty.org/en/what-we-do/indigenous-peoples/>

55 Jeff Benvenuto, Andrew Woolford, and Alexander Laban Hinton, Introduction, in Colonial Genocide in Indigenous North America 1. (Alexander Laban Hinton, Andrew Woolford, & Jeff Benvenuto eds., 2014).

56 United Nations, Permanent Forum on Indigenous Issues, Report on the fifteenth session (09-20 May 2016) (New York: United Nations, 2016).

57 Amnesty International USA, Maze of Injustice (New York: Amnesty International USA, 2007)

58 United Nations Economic and Social Council, Commission on the Status of Women, Sixty-first session (13-24 March 2017).

59 United Nations, Permanent Forum on Indigenous issues, *Report on the fifteenth session*

60 Kathleen A. Fox, "The Murder and Missing of Indigenous Women and Girls: New Policies on an Enduring Crisis," *Criminal Law Bulletin* (2020).

61 Leah Mulligan, Marsha Axford, and Andre Soledki, Juristat: Homicide in Canada (Statistics Canada Catalogue No. 85-002-X 4 2015); U.S. Department of Justice, Bureau of Justice Statistics, American Indians and Crime, 1992-2002.

62 Bachman, Violence, 2008

63 LGBTQ+/2S stands for Lesbian, Gay, Bisexual, Trans, Queer, plus other sexual and gender identities and Two-Spirit.

64 See: Lawrence A. Greenfield, and Steven K. Smith, U.S. Department of Justice, American Indians and Crime (Washington, DC: U.S., 1999); Ronet Bachman, Heather Zaykowski, Christina Lanier, Margarita Poteyeva, and Rachel Kallmyer, "Estimating the Magnitude of Rape and Sexual Assault Against American Indian and Alaska Native (AIAM) Women," *The Australian and New Zealand Journal of Criminology* 43, no. 2 (2010): 199-222; Ronet Bachman, Heather Zaykowski, Christina Lanier, Margarita Poteyeva, and Rachel Kallmyer, Violence against American Indian and Alaska Native Women and the Criminal Justice Response: What is Known (U.S. Department of Justice, August 2008); Andre B. Rosay, Violence Against American Indian and Alaska Native Women and Men, (National Institute of Justice Research, 2016)

65 NCAI, Tribal, 2019.

66 NCAI, Tribal, 2019.

67 Glen E. Duncan, Jack Goldberg, Dedra Buchwald, Yang Wen, Jeffrey A. Henderson, "Epidemiology of physical activity in American Indians in the Education and Research Towards Health cohort," *American Journal of Preventative Medicine* 37 no. 6 (2009): 488-494

68 Colton, H. S. "Names of the four culture roots in the Southwest." *Science*, 87 no.2268 (1938), 551-552.

69 Archaeology Southwest, Ancient Cultures. (Tucson: Archaeology Southwest, 2020) <https://www.archaeologysouthwest.org/ancient-cultures/>

70 Archaeology Southwest, Ancestral Pueblo. (Tucson: Archaeology Southwest, 2020). <https://www.archaeologysouthwest.org/ancient-cultures/ancestral-pueblo/>

71 Archaeology Southwest, Who or What is Mogollon? (Tucson: Archaeology Southwest, 2020). <https://www.archaeologysouthwest.org/free-resources/fact-sheets/who-or-what-is-mogollon/>

72 Teague, L.S. The Four Southern Tribes and the Hohokam of the Phoenix Basin. (Tempe, 2000).

73 Archaeology Southwest, Patayan. (Tucson: Archaeology Southwest, 2020). <https://www.archaeologysouthwest.org/ancient-cultures/patayan/>

74 David La Vere, "Facing Off: Indian-Spanish Rivalry in the Greater Southwest." In *They Made Us Many Promises: The American Indian Experience 1524 to the Present*, ed. Philip Weeks 1528-1821. Harlan Davidson Inc., 2002.

75 PBS Interactive, "Francisco Vazquez de Coronado: (5510-1554)," *New Perspectives on the West*, 2001. https://www.pbs.org/weta/thewest/people/a_c/coronado.htm

76 PBS, *Francisco*, 2001

77 La Vere, Facing, 2002

religion, building of Catholic churches in each pueblo, establishing the encomienda system of Spanish land ownership and conscripted Indigenous labor, and exacting cruel punishment against resistance. This system lasted for more than 80 years until the Indigenous groups – led by Pueblos along the Rio Grande but also including Arizona Tribes of Zuni, Hopi, Apache, and Navajo⁷⁸ – coordinated an uprising known as the Pueblo Revolt in 1680 and successfully expelled the Spanish colonizers.⁷⁹

After the Pueblo Revolt the Spanish returned to New Mexico and took a more diplomatic approach to relations with Indigenous Peoples. In 1692 in present-day Arizona, Spanish missionary Father Eusebio Kino first entered the territory and initiated the establishment of Catholic missions on O’odham ancestral lands known by the Spaniards as Pimeria Alta (upper Pima lands), near present-day Tucson. One Catholic church, San Xavier del Bac, is still active within the San Xavier District of the Tohono O’odham Nation.⁸⁰ The missions were not always kind to the Indigenous O’odham. There were several documented revolts including the “Pima Revolt” in 1751 that began at Tubac Presidio and spread to other missions along the Santa Cruz and San Pedro Rivers, driving the Spanish out of the area for several years.⁸¹

In 1699, Father Kino first visited the Quechan Tribe and made several visits until 1706. The primary purpose of those visits was to establish relations and gain access to California at the Yuma Crossing. This was one of the only viable crossing points and controlled by the Quechan. Nearly 70 years later, in 1771, Father Francisco Garcés visited the area to re-establish relations and over the course of a decade established trade in order to access the crossing point. A decade later, in 1781, during a Spanish expedition into California, the Quechan launched an attack in response to the Spanish. The attack allowed livestock to trample and destroy Indian crops and “molesting Quechan women” after being told by interpreters that the Spanish wanted to kill them.⁸² Over the next two years the Spanish battled the Quechan and their allied Mohave warriors, but both Tribes were never driven to surrender or subject to Spanish colonization after that incident.

ADVENT OF THE AMERICANS

Between 1821 and 1848, the lands of present-day Arizona were considered to be under the territory of Mexico after its independence from Spain. In 1848, the United States laid claim to a vast amount of territory ceded by Mexico per the Treaty of Guadalupe Hidalgo, including most of the land of Arizona north of the Gila River. In 1853, the U.S. purchased the lands below the Gila River south to the current border with Mexico.⁸³

Within a year, the gold rush of 1849 created an influx of American settlers and prospectors passing through the Arizona territory on the way to California. The period between the acquisition of Arizona 1848 and the end of military conflict with Geronimo’s band in 1886 was a brutal period of subjugation characterized by loss of life, conflict, seizure of ancestral lands and natural resources, and survival for the Indigenous Peoples of Arizona. All were subject to the pouring in of foreigners into their lands and many were subjected to forced removal onto Reservations. Some notable events are listed below, however each Tribe had its own instances of conflicts and disputes with the U.S. government and settlers:

- Apache Wars (1862-1886). Primarily aimed at the Chiricahua Band of the Apaches, the campaign by the U.S. aimed to subdue and subjugate Apache bands onto Reservations. Between 1872-1873, General George Crook engaged in a campaign in Central Arizona against Yavapais and Tonto Apaches in an effort to relocate them from ancestral territories to the San Carlos Reservation.⁸⁴ This era of conflict lasted 24 years, beginning in 1862 and ending in 1886 marked by the surrender of Geronimo.⁸⁵
- Navajo Long Walk. Between 1863-1867 the U.S. Army, led by Colonel Kit Carson, engaged in a scorched-earth campaign against Navajo settlements in Arizona and New Mexico. An estimated 11,500 Navajo men, women, and children were corralled at Fort Defiance in Arizona and forcibly marched 400 miles to Fort Sumner, New Mexico.⁸⁶ Thousands did not survive the journey and some escaped along the way, with an estimated

8,000⁸⁷ subjected to internment until the Treaty of Bosque Redondo was signed in 1868 establishing the Navajo Reservation in Arizona, Utah, and New Mexico.

- Hualapai La Paz Trail of Tears. The Hualapai Tribe were engaged in ongoing skirmishes with the U.S. military between 1866-1869,⁸⁸ but in later years served as scouts for the U.S. in the campaigns against the Yavapai and Apache bands. Despite their service to the U.S., in 1874 men, women, and children were marched from Hualapai ancestral lands to the La Paz lands on the southern edge of the Colorado River Indian Reservation. There they were interned for a year in deplorable conditions and after a year they fled back to their homelands until a Reservation was established in 1883.⁸⁹

The examples listed above are intended to illustrate the initial experiences that the Tribes had with colonization from the U.S. There are many more examples of the challenges that Tribes faced, even for those that were cooperative with the newcomers. Arizona Tribes sacrificed a lot in their transition to Reservations from ancestral lands that included not only natural resources, but also spiritual ties to sacred sites. Embedded in those experiences are stories of survival and resilience. As the Arizona Tribes shifted to Reservation life, the efforts of the U.S. government shifted from military campaigns to efforts to assimilate Tribal people into a new way of life.

ASSIMILATION THROUGH EDUCATION AND REMOVAL OF CEREMONIAL PRACTICES

As the Federal Government took Tribal land, peoples were forced onto Reservations – some at gunpoint and others more willing but in response to threats of violence – the resources and policies of the federal government shifted from military campaigns to efforts to assimilate the Indigenous population. This policy was implemented via targeted campaign toward education and assimilation of young children through forced removal and enrollment in boarding schools and Christianity. The overarching philosophy of boarding schools was, “To kill the Indian and save

the man within,”⁹⁰ as articulated by Richard Henry Pratt who established the first federal, military-style boarding school in Carlisle, Pennsylvania in 1879.

The policy of the schools was to separate children from their families, cultures and natural support systems that were now on Reservations. In fact, parents, elders, family members, and “traditional Indian educational precepts”⁹¹ were not allowed within the schools and would not receive their food rations if they did not send their children. The policy of the schools was to forbid children from speaking their Native languages and expressing any aspect of their Indigenous cultures. The intended outcome of the policies was to destroy Indigenous culture within those young minds, which at the time was viewed as the only way to integrate Indigenous Peoples into American society.⁹² Little consideration was given as to the psychological damage this caused children, parents, families, and communities. Parents often objected to these practices and hid their children from government officials. In 1894, 19 Hopi men were imprisoned at the Alcatraz prison to oppose the U.S. governmental outlaw of traditional religious and cultural practices and forcible separation of children from their families to attend boarding school, eventually being released in 1895.⁹³

The Phoenix Indian School, established in 1891, was one of the federally-run boarding schools in Arizona. By the time it opened its doors, boarding schools had already been established in Tucson, Sacaton, and Fort Mojave.⁹⁴ One of the hallmark programs of the boarding schools was the “outing system”, which boys and girls could participate in but was primarily aimed at girls to teach them Victorian morality and Christian virtue through domestic labor in the homes of White residents near the school in order to become “good wives.”⁹⁵

*The outing system at Phoenix shifted the focus of the program from one that focused on student development to a system that provided cheap labor to nearby residents.*⁹⁶ Soon after establishment of the

78 Matthew Liebmann, Thomas J. Ferguson, and Robert W. Preucel. “Pueblo settlement, architecture, and social change in the Pueblo Revolt era, AD 1680 to 1696.” *Journal of Field Archaeology* 30, no. 1 (2005): 45-60.

79 Joseph R. Aguilar, and Robert W. Preucel. “Sacred Mesas: Pueblo Time, Space, and History in the Aftermath of the Pueblo Revolt of 1680.” *The death of prehistory* (2013): 267-289.

80 Robert J. Stokes, and Andrea Gregory. “Tradition and Trade Beads: The Early Sobaipuri O’odham-Spanish Contact Period at San Xavier Del Bac, Arizona.” *kiva* (2020): 1-21.

81 Stokes and Gregory, *Tradition*, 2020

82 Robert L. Bee, and Frank W. Porter. “Soldiers, Priests, and Colonial Intrigue.” *The Yuma*, Chelsea House, 2014.

83 Arizona State Library, Archives, and Public Records, *Arizona’s Chronology* (Phoenix: Arizona State Library).

84 Arizona State Library, Archives, and Public Records, *Arizona’s Chronology* (Phoenix: Arizona State Library).

85 National Park Service, *The Apache Wars Part I: Cochise*. (Washington DC: U.S. Department of the Interior)

86 The Bosque Redondo Memorial, *The Long Walk*, (Fort Sumner, 2010). https://www.bosqueredondomemorial.com/long_walk.html

87 Jessica R. Goodkind, Julia Meredith Hess, Beverly Gorman, and Danielle P. Parker. “We’re Still in a Struggle” *Diné Resilience, Survival, Historical Trauma, and Healing*. *Qualitative health research* 22, no. 8 (2012): 1019-1036.

88 Henry F. Dobyns and Robert C. Euler. “The Nine Lives of Cherum, the Pai Tokumhet.” *American Indian Quarterly* 22 (3) (1998): 363-385.

89 Dobyns and Euler, *The Nine*, 1998

90 Raymond Cross. *American Indian Education: The Terror of History and the Nation’s Debt to the Indian Peoples*. University of Arkansas at Little Rock, *L. Rev.*, 21, no. 4 (1999): 941-169.

91 Cross, *American*, 1999.

92 Robert A. Trennert. “Peaceably if they will, forcibly if they must: The Phoenix Indian School, 1890-1901.” *The Journal of Arizona History* 20, no. 3 (1979): 297-322.

93 Troy R. Johnson. *The occupation of Alcatraz Island: Indian self-determination and the rise of Indian activism*. University of Illinois Press, 1996.

94 Trennert, *Peaceably*, 1979.

95 Robert A. Trennert. “Victorian Morality and the Supervision of Indian Women Working in Phoenix, 1906-1930.” *Journal of social history* 22, no. 1 (October 1, 1988): 113-128.

96 Robert A. Trennert “From Carlisle to Phoenix: The Rise and Fall of the Indian Outing System, 1878-1930.” *Pacific Historical Review* 52.3 (1983): 267-291.

program, Indigenous women became a major source of domestic labor and as many as 200 girls were providing labor in the surrounding community. The students were susceptible to abuse by the employers of their assigned household and also vulnerable to the community if they were not well supervised.⁹⁷

The following section shifts focus to present information on what is currently known about violence against Indigenous women and girls.

INTERPERSONAL VIOLENCE AGAINST INDIGENOUS WOMEN AND GIRLS

Interpersonal violence defined. Interpersonal violence is defined as “violence between individuals” and includes intimate partner violence, gender-based violence, family violence, stalking, and sex trafficking.⁹⁸ Intimate partner violence (IPV) includes physical, sexual, or emotional abuse, as well as sexual coercion and stalking by a current or former intimate partner.⁹⁹ Gender-based violence is violence inflicted because of a person’s sex or gender identity,¹⁰⁰ and includes sexual assault, sexual abuse, rape, and other unwanted sexual contact.¹⁰¹ Family violence is violence within a family and can include sexual abuse, sibling violence, child abuse, and witnessing intimate partner violence.¹⁰² Stalking involves repeated, unwanted, and harassing behavior that is frightening or threatening.¹⁰³ Sex trafficking is a form of slavery in which a person is held captive and is forced to engage in sexual acts in exchange for money or other goods.¹⁰⁴

Indigenous women and girls are at the highest risk of victimization. Few empirical studies have investigated the prevalence of Indigenous victimization generally, and MMIWG specifically. Yet the limited existing data clearly show that Indigenous women and girls face an alarmingly high rate of violence. In the U.S., 4 in 5 Indigenous women have experienced violence in their lifetime.¹⁰⁵ Compared to women of other ethnicities, Indigenous women and girls are at higher risk of experiencing violence, including sexual assault, domestic and family violence, and MMIWG.¹⁰⁶ In Canada, Aboriginal women have been found to experience violence at 3-5 times more than other women.¹⁰⁷ Aboriginal women are also more likely to experience life-threatening and more severe forms of family violence.¹⁰⁸ National studies consistently find that Indigenous women are victimized by interpersonal violence at much higher rates than non-Indigenous women. Table 1 shows that Indigenous women are more likely than all other racial and ethnic groups of women to be physically abused by an intimate partner, sexually assaulted, and stalked.¹⁰⁹

Table 1. National rates of interpersonal victimization by race and ethnicity

	Indigenous women	African American women	Hispanic women	White women
Physically abused by intimate partner	46%	41%	35%	32%
Sexually assaulted	55%	38%	35%	47%
Stalked	25%	14%	14%	16%

Source: Breiding et al., 2014

Indigenous women experience higher rates of intimate partner violence, sexual assault, and stalking. Nearly half of Indigenous women (46%) are physically abused by an intimate partner in their lifetime, compared to 32% of white women, 41% of African American women, and 35% of Hispanic women.¹¹⁰ More than half of Indigenous women experience sexual violence (55%), which is more than

women who are white (47%), African American (38%), and Hispanic (35%).¹¹¹ In terms of stalking victimization, one-quarter of Indigenous women are stalked (25%) during their lifetime, which again is more than white women (16%), African American women (14%), and Hispanic women (14%).¹¹² Yet studies of local communities show that the victimization of Indigenous women is even higher. Between 75%¹¹³ and 81% of Indigenous women are victims of IPV during their lifetime.¹¹⁴ Additionally, every year American Indian and Alaska Native women are raped or sexually assaulted at a rate that is *double* that compared to Black and White women.¹¹⁵

MMIWG in context of interpersonal violence. There are many forms of interpersonal violence. Interpersonal violence can include intimate partner violence, stalking, sexual assault, and family violence. In reality, many of these forms of interpersonal violence co-exist along a spectrum of violence rooted in oppressions and perpetrated against Indigenous Peoples. In Arizona, the geography of rural and remote landscape in addition to significant delayed law enforcement response times creates one of the greatest risks for victims in need of help. Additionally, the lack of broadband services, technology, and modern resources for communication contribute to MMIWG.

MMIWG is one of the most extreme forms of interpersonal and gender-based violence. While the specific circumstances surrounding MMIWG are not completely known, a report by the Urban Indian Health Institute (UIHI) was able to identify sixty-six cases with direct links to interpersonal violence (13%; including IPV and domestic violence) and gender-based violence (including rape and sexual assault).¹¹⁶ Of the 506 cases, 8% (n=42) were related to IPV, 6% (n=25) involved sexual assault, and 4% (n=18) were related to sex trafficking. In fact, women of all races are more likely to be victimized by their partner,

followed by acquaintances, and least of all likely is strangers.¹¹⁷ A study funded by the National Institute of Justice found American Indian and Alaska Native women were more likely to be murdered as a result of rape or sexual assault.¹¹⁸ Interpersonal crimes go largely unreported¹¹⁹ so the numbers presented above are most likely a severe underrepresentation.

INDIGENOUS WOMEN AND GIRLS ARE MISSING AND MURDERED AT HIGH RATES

In some U.S. counties, Indigenous women are 10 times more likely to be murdered than the national average.¹²⁰ It is unknown whether Arizona is similar to or different from other states or countries. According to studies that have been conducted on MMIWG, American Indian, Alaska Native, and Aboriginal (Canada) women experience higher rates of murder than other races.¹²¹ In the U.S., the Centers for Disease Control (CDC) found in 2017 that homicide was the 4th leading cause of death for Native American girls between the ages of 1-19 and the 6th leading cause of death for Native American women between the ages of 20-44.¹²² National data helps to contextualize the MMIWG crisis, yet local studies provide a more in-depth review of how MMIWG and violence against Indigenous women and girls is experienced at the state and Tribal level. It is important to understand MMIWG in Canada given the proximity of Canada to the U.S., the overlap of some Tribal Nations between the countries, and Canada’s pioneering research. Canadian Aboriginal women are three times more likely to be murdered by a stranger than non-Aboriginal women and to be murdered in an urban area.¹²³ Between 2000 and 2008, Canadian Aboriginal women and girls accounted for 10% of all female murder cases while only making up 3% of the Canadian population.¹²⁴ Of the MMIWG cases identified by the Native Women’s

97 Trennert, From, 1983.
 98 World Health Organization, Violence Prevention Alliance, Definition and typology of violence. Accessed July 2, 2020. <https://www.who.int/violenceprevention/approach/definition/en/>
 99 U.S. Department of Health and Human Services. Office on Women’s Health. <https://www.womenshealth.gov/relationships-and-safety/domestic-violence/>; L. Kevin Hamberger, Sadie E. Larsen, and Amy Lehmer. 2017. “Coercive Control in Intimate Partner Violence.” *Aggression and Violent Behavior*. doi:10.1016/j.avb.2017.08.003
 100 Megan Ott, “What Does That Mean? Gender-based Violence,” Women for Women International (blog). November 21, 2017. Accessed July 2, 2020. <https://www.womenforwomen.org/blogs/series-what-does-mean-gender-based-violence>
 101 Bonnie S. Fisher, Francis T. Cullen, and Michael G. Turner, *The Sexual Victimization of College Women* (U.S. Department of Justice, 2000). <https://www.ncjrs.gov/pdffiles1/nij/182369.pdf>
 102 Murray A. Strauss, Richard J. Gelles, and Suzanne K. Steinmetz, *Behind Closed Doors: Violence in the American Family* (2017).
 103 Kathleen A. Fox, Matt R. Nobles, and Bonnie S. Fisher, Method to the madness: An examination of stalking measurements. *Aggression and Violent Behavior*, 16, 74-84 (2011)
 104 National Human Trafficking Hotline, “Sex Trafficking.” Accessed July 2, 2020. [humantraffickinghotline.org/type-trafficking/sex-trafficking](https://www.humantraffickinghotline.org/type-trafficking/sex-trafficking)
 105 Rosay, *Violence*, 2016
 106 Ronet Bachman, Death & violence on the reservation: Homicide, family violence, and suicide in American Indian populations (New York: Auburn House, 1992); Michelle C. Black, K.C. Basile, M.J. Breiding, S.G. Smith, M.L. Walters, M.T. Merrick, J. Chen, and M.R. Stevens, *National Center for Injury Prevention and Control, The National Intimate Partner and Sexual Violence Survey (NISVS): 2010, Summary Report, 2011 2011*
 107 Native Women’s Association of Canada (NWAC), *Fact Sheet: violence against Aboriginal women* (Ottawa: NWAC, 2015).
 108 NWAC, Fact, 2015.
 109 Matthew J. Breiding, Sharon G. Smith, Kathleen C. Basile, Mikel L. Walters, Jieru Chen, and Melissa T. Merrick, U.S. Center for Disease Control and Prevention, Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization – National Intimate Partner and Sexual Survey, 2011. *Morbidity and Mortality Weekly*, 2014. <https://www.cdc.gov/mmwr/pdf/ss/ss6308.pdf>
 110 Black et al., NISVS Survey, 2011

111 Breiding et al., Prevalence, 2011
 112 Breiding et al., Prevalence, 2011.
 113 Sherry L. Hamby and Mary Beth Skupien, Domestic Violence on the San Carlos Apache Indian Reservation: Rates, Associated Psychological Symptoms, and Current Beliefs, 23 *Indian Health Serv. Provider* 103 (1998).
 114 Lorraine Halinka Malcoe & Bonnie M. Duran, Intimate Partner Violence and Injury in the Lives of Low-Income Native American Women, in *Violence Against Women and Family Violence: Developments in Research, Practice, and Policy 1-2-1, 1-2-6* (Bonnie S. Fisher ed., 2004), <https://www.ncjrs.gov/pdffiles1/nij/199701.pdf>; see also Rosay, *Violence*, 2016.
 115 Bachman et al., *Estimating*, 2010
 116 Lucchesi and Echo-Hawk, *Missing*, 2018
 117 Bachman, *Violence*, 2008
 118 Bachman, *Violence*, 2008.
 119 Heather M. Karjane, Bonnie S. Fisher, and Francis T. Cullen, *Campus Sexual Assault: How America’s Institution of Higher Education Respond* (DC: U.S. Department of Justice, 2000). <https://www.ncjrs.gov/pdffiles1/nij/grants/196676.pdf>
 120 Perrelli, T. (July 14, 2011). Statement of Associate Attorney General Perrelli before the Committee on Indian Affairs on Violence Against Native American Women [citing a National Institute of Justice-funded analysis of death certificates]. Washington, DC. Available from: www.justice.gov/iso/opa/asg/speeches/2011/asg-speech-110714.html; Bachman, *Violence*, 2008
 121 Bachman et al, *Violence*, 2008; John G. Hansen and Emeka E. Dim, “Canada’s Missing and Murdered Indigenous People and the Imperative for a More Inclusive Perspective,” *The International Indigenous Policy Journal* 10, no. 1 (2019).
 122 Center for Disease Control and Prevention, Health Equity, Leading Causes of Death- Females- Non-Hispanic American Indian or Alaska Native, <https://www.cdc.gov/women/lcod/2017/nonhispanic-native/index.htm>
 123 Hansen and Dim, *Canada’s*, 2019
 124 Native Women’s Association of Canada (NWAC), *Fact*, 2015.

Association of Canada, 67% (n=390) of the women and girls were murdered, 20% (n=116) were missing women or girls, and 9% (n=52) died due to unknown causes.¹²⁵

Many MMIWG cases in Northern California go unreported to police. In Northern California, the Sovereign Bodies Institute documented 105 cases of missing and murdered Indigenous women, girls, and Two-Spirit people since the year 1900.¹²⁶ An examination of data collected since 2015 reveals that approximately 14 cases of MMIWG have been documented each year in this region. According to the Sovereign Bodies Institute, if the trend of 14 cases a year is used as an estimate to predict the total number of MMIWG cases, this would mean that 1,704 girls, women, and Two Spirit people have been victims of MMIWG from 1900 to 2020. However, this is still likely an underrepresentation as cases would likely have increased during years that policies, such as boarding schools, were implemented. Notably, of the 105 documented cases of MMIWG, only 62% were reflected in official databases.¹²⁷

Indigenous women and girls go missing in Nebraska and the state of Washington at higher rates than should be observed based on their populations. At the time this report was published, two other states with MMIWG legislation have published their reports. Washington was the first state to publish state-sanctioned research regarding MMIWG.¹²⁸ Given that Washington's report was limited in its research efforts, analysis, and presentation of the findings, the Urban Indian Health Institute (UIHI) conducted a reanalysis of MMIWG in the state of Washington in a poignant report titled "We Demand More."¹²⁹ According to UIHI's study, Native American women make up 7% of missing cases while only making up 1.9% of the female population.¹³⁰ Nebraska's state MMIWG legislative report also reveals that Native American women and girls go missing at a rate of three times higher than should be observed based on their population. For example, Native American's comprise 1.5% of Nebraska's population and 4.6% of missing persons in the state.

125 NWAC, Fact, 2015.

126 Abby Abinanti, Angi Cavaliere, Alanna Nulph, Blythe K. George, Annita Lucchesi, Michaela Madrid, Aryn Fisher, Taylor Ruecker, Viridiana Preciado, Jessica Smith, and Gabriella Balandran. (2020) To' Kee Skuy' Soo Ney-Wo-Chek' [I will see you again in a good way]: A year 1 project report on missing and murdered Indigenous women, girls, and Two Spirit people of Northern California. https://2a840442-f49a-45b0-b1a1-7531a7cd3d30.filesusr.com/ugd/6b33f7_c7031acf738f4f05a0bd46bf96486e58.pdf

127 Abinanti et al., To', 2020.

128 Washington State Patrol, Missing and Murdered Native American Women Report (2019)

129 Abigail Echo-Hawk, Adrian Dominguez, and Leal Echo-Hawk, MMIW: We Demand More: A Corrected Research Study of Missing and Murdered Indigenous Women & Girls in Washington State (Urban Indian Health Institute, 2019)

130 Echo-Hawk et al., MMIW, 2019.

IMPACT OF MMIWG ON LIVES, FAMILIES, AND COMMUNITIES

“Certain people follow me around in the community and so I just always have to watch my own back and wish my luck. I always come across people, relatives. I always come across them and it’s like they saved me for that day [by] coming across my path.”

Impact of MMIWG on children

Mental health effects of MMIWG

Financial impacts of MMIWG

Community and Tribal impacts of MMIWG

Impact of MMIWG on border towns near Tribal reservations and on urban vs. Rural areas

IMPACT OF MMIWG ON LIVES, FAMILIES, AND COMMUNITIES

The history of oppression experienced by Indigenous Peoples is important to remember when understanding the impact of MMIWG on people, families, and communities. As discussed earlier, violence against Indigenous women can be traced back in history to the point of initial contact between Indigenous Peoples and Europeans around the late 1400s. The devastating and brutal violence that past Indigenous generations endured resulted in historical trauma, and transgenerational sorrow that is still so impactful among Indigenous Peoples today. A systematic transmission of such trauma intergenerationally can lead to the emergence of numerous critical societal factors that adds to the daily hardships of an already marginalized community. Historical trauma stems from policies designed to dissolve Indigenous ways of life. Examples of these policies include forced relocation, the forced boarding school era, forced adoptions into non-Indigenous families, forced sterilizations of Indigenous women, and violent victimization.¹³¹ These traumatic events can affect victims or their families in many ways, ranging from emotional and mental trauma resulting in physical and psychological abuse to economic loss leading to poverty.¹³²

Indigenous women and girls face many serious—and often long-term—consequences of MMIWG. Survivors of violence in general often experience physical injuries, permanent disfigurement, posttraumatic stress disorder, and paranoia.¹³³ Indigenous survivors of violence have unique culturally specific needs, including needing help reconnecting with their Tribal Nation and maintaining access to their traditional ways of healing.¹³⁴ Yet violence among Indigenous women and girls has ripple-effects that reach far beyond the individual-level and across the life span. Indigenous victims' children, families, and entire communities are impacted by

violence against women in profound ways. Indeed, the aftermath of violence are transfused throughout the family and community, often for generations. Victimized Indigenous women experience physical, mental, spiritual, and emotional problems that often impede education goals and create barriers to entering the workforce.¹³⁵

IMPACT OF MMIWG ON CHILDREN

The impact of losing a mother, a sister, an aunt, or a grandmother, especially within a matrilineal community/Tribe, impacts the entire community. This is especially significant given that up to 85% of missing and murdered women are mothers.¹³⁶ The loss of a mother leaves an immense hole in a child's life that may result in the children entering into kinship care and/or the foster care system. When children lose their mother, grandmother, sister, cousins, and aunts to trafficking, disappearance, and death, this causes extreme trauma and cumulative impacts, such as chronic acute physical and/or mental health issues that increase the probability of the child being vulnerable to poverty, domestic violence, neglect, runaway, incarceration, substance abuse, suicide, and other types of violence.¹³⁷ Due to the trauma, children can also lose a sense of time from childhood through young adulthood, known as a state of blur or disassociation.¹³⁸

In addition to the loss of a key figure for lifelong ceremony and practices, when a family member goes missing, many emotions can arise, including blame, guilt, confusion, sadness, frustration, rage, and the inability and unwillingness to give up the search. Coping with the loss of a loved one is often devastating, and children often do not have the ability to communicate and process trauma, thereby often becoming more vulnerable to victimization.¹³⁹

Children whose mothers are missing or murdered may also be more likely to become involved with child welfare and juvenile justice systems. The historical forced removal of children from their families resulted in the loss of culture, loss of language, physical abuse, sexual abuse, emotional abuse, and was traumatic for all. It is reported that thousands of children did not survive these boarding schools, either through neglect, inadequate medical care, inadequate food, or even in some cases murder and torture. Traumatic childhood experiences may result in domestic violence, alcoholism, suicide, abandonment of their own children, and/or poor parenting skills in adulthood. These experiences may result in an increased likelihood of sex trafficking or exploitation. And some children impacted by MMIWG are incarcerated or experience other forms of violence as adults, including being trafficked, going missing, or being murdered.¹⁴⁰

MENTAL HEALTH EFFECTS OF MMIWG

Victims and families impacted by MMIWG often need the support of culturally-sensitive and trauma-informed victim advocates to assist with the coping and healing process. Yet in many cases, victims and families have no place to turn for help, and the lack of resources can lead to heightened instances of self-harm, fear, or anxiety. Indigenous communities suffer from chronic underfunding and a lack of resources that can lead to further victimization and trauma. And untreated trauma often results in heightened emotional distress exacerbating physical and mental health problems.

FINANCIAL IMPACTS OF MMIWG

Financial costs created by violence and MMIWG can affect victims and their families in many ways. For example, many Indigenous Peoples participate in sacred traditional ceremonies when grieving the loss of a loved one. These ceremonies are culturally meaningful and promote spiritual health.¹⁴¹ Yet in some cases the financial resources to prepare and conduct a ceremony on Tribal lands may not be available in some areas and finding the most appropriate type of practitioner or another ceremony elsewhere may be not be possible or costly. In many instances, a specific geographic location found along mountains, mesas, rivers, canyons are an essential part of ceremony. Circumstances and families may not be able to make adjustments to customs or

afford these costs or additional costs of moving the ceremony within the territory.

The availability and costs of ceremonial healers is dependent on the healer. Culturally, healers are expected to be available when they are called upon, yet if they are unable to tend to their patients at a given time often another day and time will be determined by the healer and family. Families often will not seek other healers unless they are open and trusting of another. Many families have developed trust and relationships with their healers through family lineage although may choose to go to another healer. The traditional form of payment of a healer usually is made by food, groceries, blankets, etc. Some Tribes, such as Hopi, still practice this form of payment. Other Tribes may use this form of traditional payment and also make monetary payments, which can be costly depending upon the healer and the work that is being done.

*An additional cost related to financial impact of MMIWG pertains to law enforcement fees for services, including printing police reports or accessing data.*¹⁴² If law enforcement in several jurisdictions are involved, each agency may have their own set of costs for accessing records. In Arizona, some law enforcement agencies charge for copies of police reports whereas others do not charge. Often, requests for police reports are submitted through Freedom of Information Act (FOIA) requests, which is a lengthy process. This process often deters families and survivors from moving forward with their requests. Families are not prepared for this type of cost especially if they are searching for their loved one. Requests for police reports that are made through an attorney or Prosecutor's office can be provided at no cost. Most families are unaware of the free services, and make records requests directly to law enforcement.

There may also be civil court-related costs that victims incur. Tribal courts charge copying fees except for Tribal Protective Orders where there is no charge per the federal Violence Against Women Act (VAWA) for a petition of a protective order.¹⁴³ Law enforcement and private agencies are to provide petitions for protective orders through civil court at no charge. An additional expense that may incur is victim and families attending court hearings of the defendant. Attending court hearings often puts a financial burden on victims and families, including travel, lodging, lost time at work, and lost productivity at home. Families and survivors who

¹³¹ Fox, New, 2020; The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (Quebec, 2019), p. 21.

¹³² The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019, p. 29.

¹³³ Jacquelyn C. Campbell, "Health Consequences of Intimate Partner Violence," *The Lancet*, 359, no. 9314 (2002).

¹³⁴ Kathleen A. Fox, Bonnie S. Fisher, and Scott H. Decker, "Identifying the Needs of American Indian Women Who Sought Shelter: A Practitioner-Researcher Partnership," *Family Violence*, 251 no. 254 (2018).

¹³⁵ Fox et al., *Identifying*, 2018.

¹³⁶ Subcommittee for Indigenous Peoples of the United States, Committee on Natural Resources, United States House, One Hundred Sixteenth Congress, First Session, "Unmasking the Hidden Crisis of Murdered and Missing Indigenous Women: Exploring Solutions to End the Cycle of Violence," March 14, 2019. P.2.

¹³⁷ Sovereign Bodies Institute (SBI), *MMIWG2 & MMIP Organizing Toolkit*, 2019

¹³⁸ Maaranen et al. Somatoform Disassociation and Adverse Childhood Experiences in the General Population, *Journal of Nervous and Mental Disease*, 192, no. 5 (2004): 337-342

¹³⁹ Willis, Clarissa A. The grieving process in children: Strategies for understanding, educating, and reconciling children's perceptions of death. *Early Childhood Education Journal*, 29, 4, 221-226.

¹⁴⁰ Abinanti et al., *To'*, 2020.

¹⁴¹ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019

¹⁴² Lucchesi and Echo-Hawk, *Missing*, 2018

¹⁴³ Sarah Henry and Monica N. Player. *VAWA Prohibition on Fees for Service of Protection Orders: Implications for Law Enforcement Agencies*. National Center on Protection Orders and Full Faith and Credit. https://www.bjwp.org/assets/documents/pdfs/vawa_prohibition_on_fees_for_service_of_protection_orders.pdf

wish to attend hearings can do so, often at their own expense. However, in federal court, the Arizona U.S. Attorney General's office is obligated to assist victims or those who are testifying with financial assistance, such as per diem and lodging. Unfortunately, this only provides assistance to the victim and those who are testifying. As Indigenous people, families are also involved as a support to the victims but they are not provided the financial assistance, therefore, their expense is out of pocket.

The economic impacts of MMIWG may be detrimental when a single-parent female head-of-household as the sole provider of her family becomes suddenly missing or murdered. This loss of a caretaker and her household income has significant implications for children, who may be placed with immediate family members – who absorb this financial strain – as Tribal culture dictates to avoid any action taken by the foster care system at the Tribal or state government level. Children in this situation may be particularly at risk of sex trafficking, violent victimization, and being murdered themselves.¹⁴⁴

Other costs that families experience include crime scene clean up, funeral services, burial, or transporting a loved one out-of-state. Tribal communities may assist families by offering financial rewards for information that leads to the discovery of missing persons, or organizing searches for missing loved ones. Volunteer search parties result in costs such as gas, water, food, and printed flyers to distribute.

COMMUNITY AND TRIBAL IMPACTS OF MMIWG

MMIWG impacts entire Indigenous communities in many ways. Many Indigenous communities are matrilineal. When a matriarch is missing or murdered, this can result in a complete unraveling of community and family structure that may have devastating consequences impacting future generations. Entire communities often made up by several clan groups representing family members of all ages collectively grieve and support each other in a manner that is holistic and tied to kinship and cultural traditions. Additionally, Tribal community members seek ways to gather and organize to raise awareness such as hosting vigils, facilitate MMIWG gatherings, attending annual remembrance events, and conducting cultural ceremonies that allow them to heal

and move forward. Some tribes may have rituals carried out after the loss of the victim that include the care of fire between the hour of the loss until the time of actual burial, overnight wakes with traditional singing, the process of sitting revenant until the burial, the cutting of one's hair or the dressing and preparation for the loved one to be "returned home." Depending on the Tribal region, some rituals involve cremation or the passing forward of ceremonial belongings to the next family member. After the rituals, meaningful discussion often takes place regarding who becomes responsible for care of ceremonial sites that women may have held in the community. Sometimes a ceremonial cleansing takes place once the phase of the new moon arrives.

Due to centuries of cultural genocide and assimilation inflicted on Indigenous populations, many victims and surviving members may or may not have experienced a traditional upbringing and may not have cultural ties to their respective Tribal community. A traditional upbringing or cultural ties to a Tribal community has the potential to allow the healing process to start much sooner for many victims and surviving family members. Cultural beliefs using traditional healing are found in every Tribe and are often important ways to promote healing and support to families.¹⁴⁵

There is a spiritual kinship among the world's Indigenous Peoples, whether through connections to their respective traditional homelands, cultural belief systems, or communal reverence to nature, regardless of whether they reside within cities, reserves, villages or Reservations. In some Indigenous communities, families impacted by MMIWG assumed the role of advocates for each other.¹⁴⁶ Through the bond of shared experiences and the ability to assist others in need, families often unite through kinship on a journey of healing.¹⁴⁷ In supporting each other, families impacted by MMIWG provide sound advice on adjusting to life without their loved ones and in dealing with the aftermath of losing their loved ones.¹⁴⁸

IMPACT OF MMIWG ON BORDER TOWNS NEAR TRIBAL RESERVATIONS AND ON URBAN VS. RURAL AREAS

Small towns or cities that border Tribal Reservations are referred to as border towns, and these places can contribute to MMIWG. Residents of Reservations near border towns often frequent these towns for groceries, gas, and other

necessities. Border towns can be hotspots for violence or racial tensions against Indigenous Peoples that are racially-motivated and that has led to MMIP. Border towns are also hotspots for illegal drugs,¹⁴⁹ which may increase violence and MMIWG. In 2006, the Navajo Nation Human Rights Commission was established in direct response to the murder of a Navajo man by a white police officer in the border town of Farmington, New Mexico.¹⁵⁰ Another incident occurred where a police officer claimed justification by stating self-defense in killing a Native American woman in the border town of Winslow, Arizona.¹⁵¹ In a landmark study by the Centers for Disease Control and Prevention (CDC), medical examiner data from 47 states between 1999 and 2011 revealed that Native Americans were among the most likely to be killed by the police.¹⁵² Borders are porous. Crime does not respect Reservation boundaries and it flows from jurisdiction to jurisdiction.

Changes in residences (on and off Reservations) among Indigenous Peoples can introduce challenges to ensuring people's whereabouts and safety. Historically, Indigenous societies have migrated seasonally and year-to-year based on resources of water, food, or necessity. Today it is also common for Arizona Tribal members to move to find employment, access healthcare, attend school, or to secure housing. The residence of some Indigenous Peoples is migrant due to educational or employment opportunities throughout the course of their lives. Some Indigenous Peoples live on-Reservation whereas others live off-Reservation. Others have lived on- and off-Reservation part-time, sometimes called "Cyclers."¹⁵³ Some people live in urban cities and others live in rural areas. Most Indigenous Peoples in the U.S. live in urban areas (71%)¹⁵⁴, and may – or may not – be connected to their Tribal communities. In some cases, these changes in living locations make it difficult to keep track of loved ones, creating a challenging situation in keeping them safe from violence. More research is needed to investigate the impacts of the international border and human trafficking on MMIWG.

Limited resources for Indigenous Peoples, on and off Tribal land, increase their risk of victimization and reduce their ability to access help. Yet those who live on Reservations often have fewer resources (e.g., medical, legal, counseling) due to severe funding disparity of Tribal communities by the failure of the U.S. government to uphold their federal trust responsibility. Indigenous Peoples are nearly

twice as likely to live in poverty and have higher rates of overcrowding compared to non-Indigenous people.¹⁵⁵ Victims of violence, including Indigenous women and girls living on a Reservation, most often experience long wait times before receiving services from a medical practitioner and no or delayed response from law enforcement. There is also inadequate support and resources to address underserved groups of the Tribal Reservations. For instance, LGBTQ+/2S individuals can become isolated due to social stigma which, coupled with the lack of security on Reservations, can lead to dangerous situations. In some situations, LGBTQ+/2S are often faced with a lack of acceptance of friends and family or their own community and also experience cultural discrimination when cultural ceremonies preclude one from participating in gendered activities. One of the complications faced by Tribal law enforcement in Arizona is the lack of cell, analog, and Internet service on Reservations. These technological issues impact the ability of victims to call for help and for loved ones to check on their family members.

144 Abinanti et al., To', 2020, p.47.

145 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

146 Abinanti et al., To', (2020).

147 Abinanti et al., To', (2020).

148 Abinanti et al., To', (2020).

149 U.S. Department of the Interior. *Drugs in Indian Country*, (March 20, 2019), <https://www.doi.gov/oc/oc/drugs-indian-country>

150 Jennifer Denetdale (2019), Denetdale, 2019a, 20:44

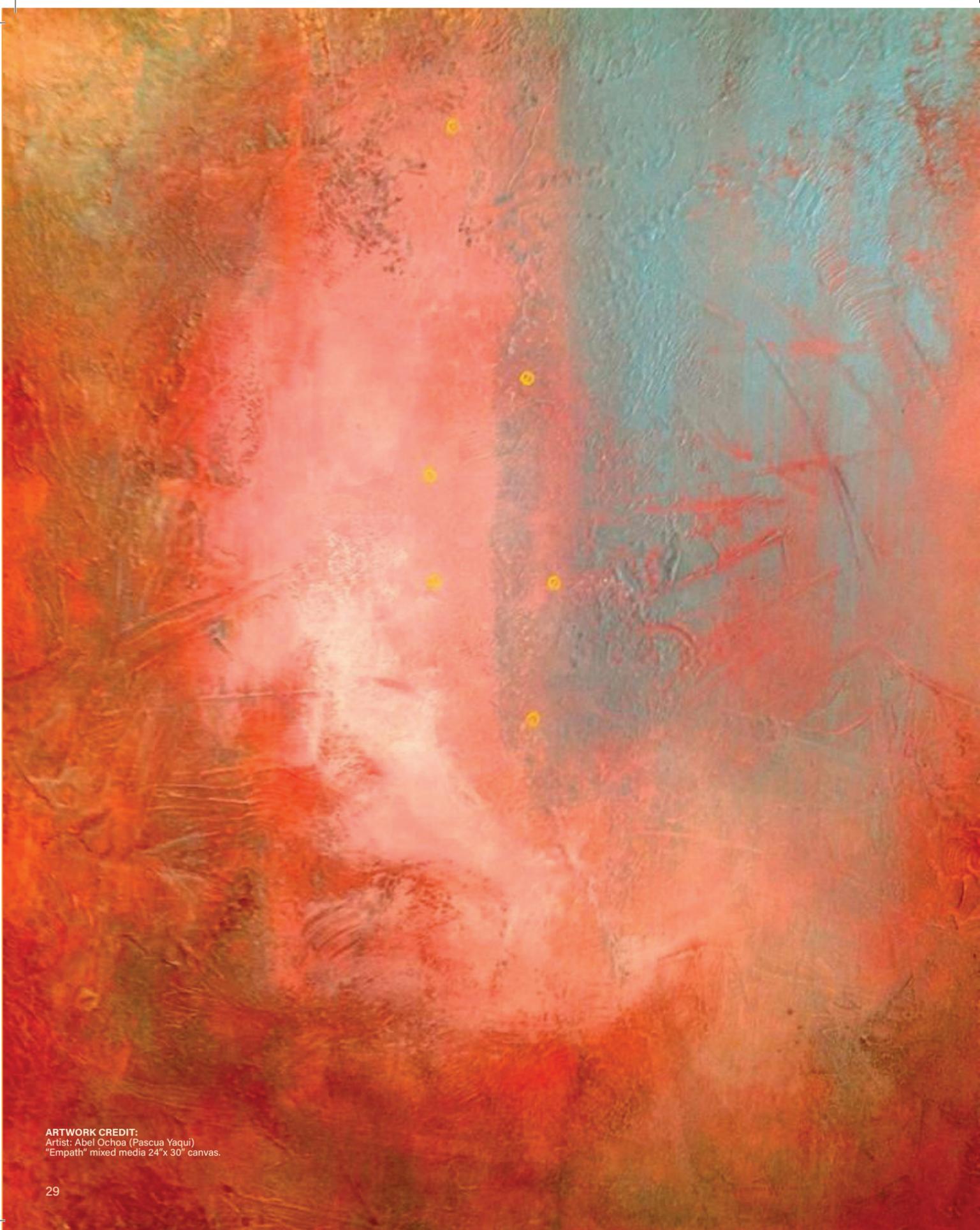
151 Denetdale, 2019a, 46:00.

152 Denetdale, 2019, 48:30.

153 Diane K. Levy et al., *Housing needs*, (January 2017) <https://www.huduser.gov/portal/sites/default/files/pdf/NAHSG-UrbanStudy.pdf>

154 Urban Indian Health Institute, *Urban Indian Health*, <https://www.uihi.org/urban-indian-health/data-dashboard/>

155 Diane K. Levy et al., *Housing needs*, (January 2017).



ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui)
"Empath" mixed media 24" x 30" canvas.

GRASSROOTS MOVEMENT LEADING TO THE CURRENT LEGISLATIVE PROGRESS TO UNDERSTAND AND REDUCE MMIWG

"You don't heal if you don't have an answer."

Grassroots efforts mobilized MMIWG legislation

Arizona's legislatively-mandated MMIWG study committee

Impact of coronavirus (covid-19) on MMIWG and the victimization of Indigenous women and girls

GRASSROOTS MOVEMENT LEADING TO THE CURRENT LEGISLATIVE PROGRESS TO UNDERSTAND AND REDUCE MMIWG

GRASSROOTS EFFORTS MOBILIZED MMIWG LEGISLATION

After more than five centuries, non-Indigenous people are finally beginning to learn of and acknowledge this crisis. MMIWG has only recently begun to receive widespread attention outside of Indigenous communities. One reason for this is the lack of media attention on victimized Indigenous women.¹⁵⁶ Indeed, the Urban Indian Health Institute points out that Indigenous women disappear three times: in life, in the media, and in the data.¹⁵⁷ Yet, grassroots organizations led by Indigenous Peoples who have experienced MMIWG within their community have been vocal about this issue for decades.¹⁵⁸

The murder of Ashlynnne Mike brought about a huge outcry to MMIWG in AZ. Ashlynnne Mike was an 11-year old Navajo girl who was abducted, raped, and murdered on the Navajo Nation on May 2, 2016. Her 9-year old brother was also abducted at the time and escaped – an escape which is presumed by some within the Indigenous community to have been attributed to Ashlynnne’s hard-fought assistance to help her younger brother. Ashlynnne’s brother walked for miles before locating a motorist who was unable to call 911 due to limited cell phone reception on the Reservation, and an AMBER alert was issued for Ashlynnne Mike the following day. This tragedy inspired the recently enacted *Ashlynnne Mike AMBER Alert in Indian Country Act (2018)* to provide grant funding to tribes for the development and enhancement of AMBER Alert activities on tribal land. Ashlynnne Mike’s murder shook the hearts of all who heard about her case. It was pivotal in jarring the movement and creating the momentum needed to push MMIWG to the forefront.

*The following year, in 2017, the murder of a Hannah Harris, a 21-year old Northern Cheyenne Tribal member, resulted in Montana designating May 5 (Hannah’s birthday) as the Day of Awareness for Missing and Murdered Native Women and Girls – and now this day is recognized nationally.*¹⁵⁹ On May 5, 2019, Arizona Governor Doug Ducey issued a Proclamation marking May 5th as the Arizona Day of Awareness for Missing and Murdered Indigenous Women and Girls. This national day of awareness provides forums for Tribal communities and urban areas to collectively unite and bring awareness and support for MMIWG.

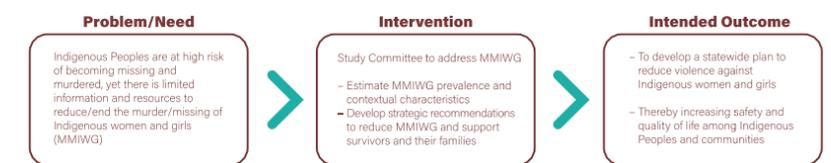
In 2018, Canada conducted a national inquiry into MMIWG,¹⁶⁰ and this had a widespread ripple effect within the U.S., which contributed to propelling the ongoing grassroots movement into the public sphere. As one example, Rosalie Fish, a state of Washington high school track-and-field star, attended a track meet on May 25, 2019 with a red handprint painted over her mouth – the national symbol of MMIWG – and the letters “MMIW” painted down her right leg. The images of her running in support of the MMIWG movement went viral.¹⁶¹

The MMIWG grassroots efforts led to the recently enacted state and federal legislation to address the problem of MMIWG. The dedicated work of organizations such as the Urban Indian Health Institute, the Global Indigenous Council, the National Congress of American Indians, the National Indigenous Women’s Resource Center, Sovereign Bodies Institute, Justice for Native Women, and the grassroots efforts led by Tribal domestic violence and sexual assault coalitions across Indian country, as well as countless others have motivated state-sanctioned research and national policies to be implemented. The U.S. initiated an unprecedented burst of federal and state legislation in late 2019 concerning violence against Indigenous Peoples,

with a particular focus on reducing MMIWG.¹⁶² This legislation includes efforts to expand data sharing,¹⁶³ a bill to enhance law enforcement protocols,¹⁶⁴ and a presidential executive order to improve protocols and procedures for investigations and prosecutions.¹⁶⁵ Legislative efforts at the state level have also occurred with 14 states passing bills to study and reduce MMIWG.¹⁶⁶ These 14 states vary in four distinct ways – the creation of a task force, community outreach and education, data collection and analysis, and policy recommendations.¹⁶⁷ Importantly, Savanna’s Act and the Not Invisible Act were enacted on October 10, 2020, which are vital pieces of legislation designed to address and reduce violence against Indigenous Peoples.¹⁶⁸

governance, political science, law enforcement, and social work. Arizona State Representative Jennifer Jermaine (White Earth Ojibwe, D18) and Arizona State Senator Victoria Steele (Seneca Nation of Indians, D9) introduced the legislation, and Jermaine serves as the Study Committee’s Chairperson.

Figure 2: Arizona’s MMIWG Legislative Impact



Source: Authors in consultation with the study committee

ARIZONA'S LEGISLATIVELY MANDATED MMIWG STUDY COMMITTEE

Arizona’s MMIWG legislation. In the summer of 2019 Arizona enacted HB2570, which established a Study Committee with the purpose of investigating the nature and extent of MMIWG throughout the state and to develop a statewide plan to reduce MMIWG (see Appendix A). The intended outcome of the MMIWG legislation is to improve the safety of Indigenous women, girls, and communities (See Figure 2). The Study Committee is comprised of 23 members which includes Tribal members, legislators, prosecutors, and law enforcement officers located throughout the state of Arizona. The committee includes a wide variety of people with expertise on Tribal



In photo from Left to Right: Representative Myron Tsosie, Navajo Nation Council Delegate Amber Crotty, Representative Arlando Teller, Kathleen A. Fox, Debbie Nez Manuel, Kim Russell, Senator Sally Ann Gonzales, and Representative Jennifer Jermaine

156 Indigenous women are underrepresented in the media compared to their non-Indigenous counterparts, especially White women. See, e.g., Sarah Stillman, “The Missing White Girl Syndrome”: Disappeared Women and Media Activism, 15 *Gender & Dev.* 491 (2007).
 157 Lucchesi and Echo-Hawk, *Missing*, 2018.
 158 Echo-Hawk et al., *MMIW*, 2019.
 159 National Indigenous Women’s Resource Center, *May 5th*, (April 15, 2020), www.niwrc.org/news/join-national-day-awareness-commemorate-missing-and-murdered-native-women-and-girls-may-5th
 160 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2018, p. 5.
 161 Dave Zirin, *Rosalie Fish Runs for the Murdered and Missing*, *Nation* (June 7, 2019), <https://www.thenation.com/article/archive/rosalie-fish-canada-indigenous-women/>.

162 Fox, *New*, 2020.
 163 U.S. Department of Justice, Attorney General William P. Barr Launches National Strategy to Address Missing and Murdered Indigenous Persons, (DC: DOJ, 2019); U.S. Department of Justice, Tribal Access Program (TAP): For National Crime Information, Ensuring the Exchange of Critical Data, <https://www.justice.gov/Tribal/Tribal-access-program-tap>.
 164 S. 228, 116th Cong. (as passed by Senate Mar. 11, 2020), <https://www.congress.gov/bill/116th-congress/senate-bill/227>; see also H.R. 2733, 116th Cong. (2019), <https://www.congress.gov/bill/116th-congress/house-bill/2733>.
 165 Office of Press Secretary, Executive Order on Establishing a Task Force on Missing and Murdered American Indians and Alaskan Natives, (Nov.26, 2019), <https://www.whitehouse.gov/presidential-actions/executive-order-establishing-task-force-missing-murdered-american-indians-alaska-natives/>.
 166 Fox, *New*, 2020.
 167 Fox, *New*, 2020.
 168 Office of Press Secretary. Statement from the Press Secretary Regarding the Signing of Savanna’s Act and the Not Invisible Act. (Oct. 10, 2020), <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-regarding-signing-savannas-act-not-invisible-act/>

In Arizona following the Governor's signing of HB2570, was a gathering on May 5, 2019, called Turn the Capital Red, where several Tribal Nations from around the state gathered in prayer, dance, shared songs and a spiritual run on the perimeter or path around the House and Senate to honor the initial efforts of MMIWG.

IMPACT OF CORONAVIRUS (COVID-19) ON MMIWG AND THE VICTIMIZATION OF INDIGENOUS WOMEN AND GIRLS

Coronavirus (COVID-19)¹⁶⁹ spread across the world rapidly in early 2020, and the pandemic has had – and continues to have – profound impacts particularly within Indigenous communities and among Indigenous Peoples. COVID-19 is a new coronavirus that spreads quickly and often results in severe symptoms, including death.¹⁷⁰ COVID-19 has caused the abrupt and brutal disruption of government and non-governmental organizations' (NGOs) service delivery. Many public services have been forced to close, causing employees to work remotely, and has restricted or delayed services. Many Tribal Nations throughout Arizona implemented prevention efforts in an attempt to minimize the spread of COVID-19 within their communities. These prevention efforts included curfews, stay-at-home orders which are often called quarantine lockdowns, and limited access to Tribal lands for non-Tribal members. To reduce the spread of COVID-19, national and international public health experts and political leaders have promoted varying degrees of "social distancing." In other words, staying away from people will naturally reduce one's risk of contracting coronavirus. A full discussion on the effects of the coronavirus within the Indigenous community is beyond the scope of this study.¹⁷¹ However, given the impacts of coronavirus

(COVID-19) on Indigenous Peoples, it is important to acknowledge the ways in which the pandemic increases victimization of Indigenous women and girls, including MMIWG.

While social distancing may decrease one's risk of exposure to COVID-19, for some people their exposure to violence has increased – especially in terms of intimate partner violence. Among the people most vulnerable to increased violence at home during the pandemic are women, children, people from the disability community, and those who identify as LGBTQ+/2S.¹⁷² Some factors that may lead to an increase of domestic violence due to COVID-19 includes the shutdown of community services, increased stress, frustration, anxiety, financial hardship, and confined living conditions.¹⁷³ And while little research is available at this time due to the recency of the pandemic, limited evidence shows there has been an increase in domestic violence cases around the world. In Palestine, women's organizations have reported a 10% increase in gender-based violence calls.¹⁷⁴ Yet the rates of intimate partner violence are much higher in Argentina (25% increase), France (30% increase), and Singapore (33% increase).¹⁷⁵ Spain witnessed its first domestic violence murder during quarantine on March 19, 2020¹⁷⁶ and Peru has seen nearly 900 women go missing since quarantining began.¹⁷⁷ Domestic violence calls for service have been increasing since the pandemic began in the U.S.¹⁷⁸ and in Phoenix.¹⁷⁹

*The increased rates of intimate partner violence across the globe has resulted in a "second pandemic" for which resources are scarce.*¹⁸⁰ COVID-19 quarantining and social distancing has resulted in fewer services and limited capacity for shelters.¹⁸¹ On some Reservations,

hotels were used to house women when shelters were full, yet because the hotels are connected to the casinos, the hotels have closed as a result of casino closures.¹⁸² These closures and reduced services means that many women have no other option but to stay in their home, in constant contact with their abuser.¹⁸³ To the degree that intimate partner violence is associated with MMIWG – a link that has not been extensively researched at this time – given the dynamics of power and control in IPV it can be surmised that the pandemic has the potential to increase rates of MMIWG.

There are increased barriers and unique challenges for women on Reservations due to COVID-19. Tribal social services are already severely underfunded compared to non-Native social services.¹⁸⁴ For example, there are fewer than 60 Tribal domestic violence shelters for the 574 federally recognized tribes.¹⁸⁵ Even before the pandemic, shelters struggled to keep their doors open and alternate shelters were difficult to access.¹⁸⁶ During COVID-19, there have been temporary closures and suspensions of programs that serve Tribal communities.¹⁸⁷ Online access to resources is often unavailable for rural communities due to lack of internet and cell phone service.¹⁸⁸ Due to travel

restrictions and border closures, many Indigenous survivors of violence cannot access shelters located off Reservations.¹⁸⁹



In photo from Left to Right: Debbie Nez Manuel, Wenona Benally Baldenegro, Elayne Gregg and daughter, Representative Jennifer Jermaine, April Ignacio, Senator Victoria Steele, Valaura Imus-Nahsonhoya, Rosetta Walker, and Navajo Nation Council Delegate Amber Crotty

169 The timing of the virus began during Arizona's MMIWG legislation.

170 Centers for Disease Control and Prevention. (2020). Coronavirus disease 2019 (COVID-19). <https://www.cdc.gov/coronavirus/2019-ncov/faq.html>

171 Some Native American communities are experiencing extremely high cases of COVID-19, such as the Navajo Nation, this is due to lack of adequate funding, resources, multi-generational households, vulnerability due to chronic stress and historical trauma. For more information: <https://www.un.org/development/desa/indigenouspeoples/covid-19.html>

172 Caroline Bettinger-Lopez, "A Double Pandemic: Domestic Violence in the Age of COVID-19," Council on Foreign Relations, May 13, 2020. <https://www.cfr.org/in-brief/double-pandemic-domestic-violence-age-covid-19>

173 Human Rights Watch, Human Rights Dimensions of COVID-19 Response, (2020). https://www.hrw.org/news/2020/03/19/human-rights-dimensions-covid-19-response#_Toc35446584

174 United Nations, The Question of Palestine, "COVID-19 Risks Creating and Exacerbating Women's Vulnerabilities and Gender Inequalities in Palestine, Warns UN Women – Press Release," (2020). <https://www.un.org/unispal/document/covid-19-risks-creating-and-exacerbating-womens-vulnerabilities-and-gender-inequalities-in-palestine-warns-un-women-press-release/>.

175 United Nations Women, COVID-19 and Ending Violence Against Women and Girls, (2020). <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>.

176 Emma Graham-Harrison, Angela Giuffrida, Helena Smith, and Liz Ford, "Lockdowns around the world bring risk in domestic violence," The Guardian, March 28, 2020. <https://www.theguardian.com/society/2020/mar/28/lockdowns-world-rise-domestic-violence>,

177 France 24, "Peru says over 900 girls, women feared dead since pandemic began," accessed Aug 2, 2020. <https://www.france24.com/en/20200727-peru-says-over-900-girls-women-feared-dead-since-pandemic-began>.

178 New York Times, Domestic Violence Calls, (May 15, 2020), <https://www.nytimes.com/2020/05/15/us/domestic-violence-coronavirus.html>.

179 The Associated Press, Domestic violence on rise in Phoenix amid coronavirus pandemic, (April 2020), https://www.azfamily.com/news/continuing_coverage/coronavirus_coverage/domestic-violence-on-rise-in-phoenix-amid-coronavirus-pandemic/article_52dcf808-7a9b-11ea-ab03-5728b08d47a8.html

180 United Nations, COVID-19, 2020.

181 United Nations, COVID-19, 2020.

182 Deborah Bush, Keely Linton, Charlene Casimir, Webinar: Providing Safety for Domestic Violence Survivors in the Time of a Pandemic, (National Indigenous Women's Resource Center, July 8, 2020). <https://www.niwrc.org/resources/webinar-providing-safety-domestic-violence-survivors-time-pandemic>.

183 Ashley Abramson, "How COVID-19 may increase domestic violence and child abuse," American Psychological Association, accessed August 2, 2020. <https://www.apa.org/topics/covid-19/domestic-violence-child-abuse>.

184 National Congress of American Indians (NCAI), Testimony of the National Congress of American Indians "Addressing the Need for Victim Services in Indian Country," Accessed August, 2, 2020. <http://www.ncai.org/resources/testimony/ncai-testimony-on-addressing-the-need-for-victim-services-in-indian-country>.

185 NCAI House letter re Tribal DV.

186 NCAI, *Testimony*, 2020.

187 Mallory Adamski, "Going Virtual: Adapting Advocacy Amid COVID-19," Restoration of Native Sovereignty and Safety for Native Women, 17 no. 2 (2020): 16-19 <https://www.niwrc.org/sites/default/files/restoration.17.2.pdf>.

188 NCAI House letter.

189 NCAI House letter.

PROJECT GOALS AND RESEARCH QUESTIONS

“No one seeks answers in those murders and if the authorities investigate, they don’t share what they know, or nobody comes to tell [us] what they’ve discovered. Even if there is not a conclusion, there’s no ongoing updates. At this time, [I] don’t know if [my] granddaughter will ever come home. We are still waiting.”

Goals and importance of this study

Research questions

ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui)
“MMYW” 18”x 24” canvas, acrylics.

PROJECT GOALS AND RESEARCH QUESTIONS

GOALS AND IMPORTANCE OF THIS STUDY

The overarching project goal is to create safer Arizona communities by reducing MMIWG to inform the formulation of effective strategies to best prevent and respond to MMIWG. This will be the first known study to reveal the documented prevalence of MMIWG in the state of Arizona. Although this prevalence will likely be an underrepresentation of MMIWG, consistent with other recent studies,¹⁹⁰ this study is important for contextualizing the nature and extent of MMIWG. Understanding the prevalence of MMIWG is vital for developing and implementing policy recommendations aimed at reducing its prevalence. This study will also identify culturally-appropriate recommendations for reducing MMIWG and violence against Indigenous Peoples and communities.

Arizona is now the first known state to have articulated a definition of MMIWG. Arizona defines MMIWG as:

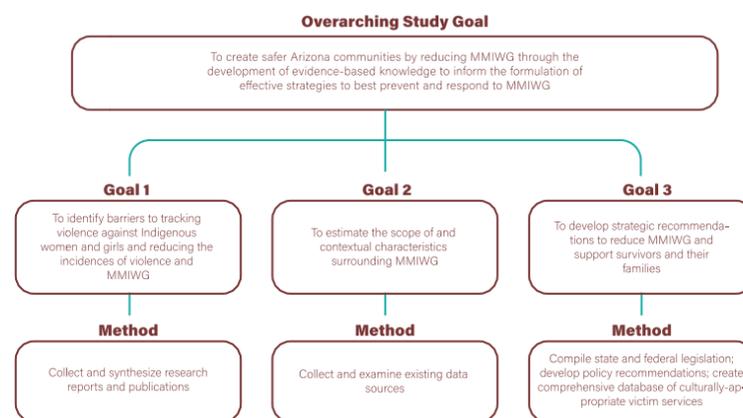
“Indigenous women and girls or persons who identify as female, who are missing, or have lost their lives from violence caused by another person.”

This definition of MMIWG was approved unanimously by the Study Committee on December 13, 2019. Specifying a definition of MMIWG was a critically important step for framing the scope of the study and research design.

In partnership with Arizona’s MMIWG Study Committee, we address several gaps in knowledge and examine three distinct project goals. Figure 3 visually shows this study’s three goals:

- **Goal 1:** To identify barriers to tracking violence against Indigenous women and girls and reducing the incidences of violence and MMIWG;
- **Goal 2:** To examine the prevalence and contextual characteristics surrounding MMIWG;
- **Goal 3:** To develop practical, culturally-appropriate, and data-driven policy recommendations to reduce MMIWG and support survivors and their communities.

Figure 3: Project goals and methodology plan



Source: Authors in consultation with study committee

Understanding the prevalence of MMIWG in Arizona will require a multi-pronged approach to triangulate data from numerous existing sources. The specific objectives – and methods for operationalizing each objective – is featured for each goal.

RESEARCH QUESTIONS

GOAL 1 RESEARCH QUESTIONS

1. What is known about the barriers to tracking violence against Indigenous women and girls and reducing the incidences of violence and MMIWG
2. How do law enforcement agencies in Arizona document Indigenous Peoples on intake forms?

GOAL 2 RESEARCH QUESTIONS

3. How prevalent is MMIWG in Arizona?

4. What are the contextual characteristics surrounding MMIWG in Arizona?
 - a. What is the demographic information (age and sex) of the MMIWG victims and offenders?
 - b. What are the incident characteristics (type of weapon and offender characteristics) of MMIWG?
5. What are the situational characteristics (e.g., related to human trafficking, sexual assault, domestic or family violence; victim-offender relationship) of MMIWG?
6. What is the geographical distribution of MMIWG?

GOAL 3 RESEARCH QUESTION

7. What specific recommendations may reduce MMIWG?

¹⁹⁰ Lucchesi and Echo-Hawk, *Missing*, 2018.

PROJECT DESIGN AND IMPLEMENTATION

“Every day I just pray. Pray that, you know, things will be okay with me again.”

ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui)
“New beginnings” mixed media 24”x 30” canvas.

PROJECT DESIGN AND IMPLEMENTATION

STUDY SETTING

State of Arizona. With more than one-quarter of Tribal land in the state (27%), Arizona is home to 22 of the 574 federally-recognized Tribal Nations across the U.S (see Figure 4).¹⁹¹ Arizona's Indigenous population is four times higher than the national average (e.g., 5.3% versus 1.2%).¹⁹² Arizona was selected as the study site given that the state's MMIWG legislation is the focus of the project. Phoenix, Arizona was also one of the six major settlement sites for the Indian Relocation Act of 1956, which paid Indigenous families to move off the Reservation and assimilate into urban society.¹⁹³

Figure 4: Map of Arizona's federally-recognized Tribes



191 Arizona Indian Gaming Association, Tribal Land and Casinos, 2019. <https://www.azindiagaming.org/member-tribes/tribal-land-casinos/>.

192 U.S. Census, Quick Facts, (Washington DC: U.S. Census, 2019) <https://www.census.gov/quickfacts/AZ#qf-headnote-a>.

193 U.S. National Archives and Records Administration, American Indian Urban Relocation, 2016. <https://www.archives.gov/education/lessons/indian-relocation.html>.

DATA AND METHOD



“I’ve been doing this on my own for 5 ½ years to have my cousin’s name out there. I’m not letting it go. He is not home, and that hurts.”

Goal 1: Identify barriers to tracking violence against Indigenous women and girls and reducing the incidences of violence and MMIWG

Goal 2: MMIWG scope and characteristics

Goal 3: MMIWG recommendations and resources

DATA AND METHOD

GOAL 1:

IDENTIFY BARRIERS TO TRACKING VIOLENCE AGAINST INDIGENOUS WOMEN AND GIRLS AND REDUCING THE INCIDENCES OF VIOLENCE AND MMIWG

We conducted a series of searches for reports and publications on the barriers to tracking violence against Indigenous women and girls, including MMIWG. We read and synthesized the major barriers as identified in existing publications. We also conducted a statewide investigation into the way law enforcement agencies throughout Arizona document Indigenous victims on intake forms.

GOAL 2:

MMIWG SCOPE AND CHARACTERISTICS

Our study examines data from 3 data sources: (1) Federal Bureau of Investigation's (FBI) Supplemental Homicide Reports (SHR), which includes homicide data, (2) National Missing and Unidentified Persons System (NamUs), which features missing person data, and (3) Justice For Native Women data (JFNW), which includes data on both missing and murdered Indigenous females. All three data sources are publicly available and Arizona State University Institutional Review Board approval was obtained to examine the data sources.

The Federal Bureau of Investigation's (FBI) Supplemental Homicide Reports (SHR) was obtained from the Interuniversity Consortium for Political and Social Research's (ICPSR) National Criminal Justice Data Archive (for data years 1976-2018). The SHR data contains incident-level data for homicides in the U.S. as reported by local law enforcement agencies.

The National Missing and Unidentified Persons System (NamUs) established a national online database in 2007 with the goal of improving access to information that would help solve missing and unidentified person cases. NamUs data is publicly available and contains cases reported to the police and those entered by the general public. The data used in this study is the publicly available Indigenous missing persons data in Arizona.

Justice for Native Women (JFNW) is a public blog that was created in December of 2015 with the purpose of documenting MMIWG nationwide. Mak Mars started the blog as an effort to raise awareness for murdered, missing, and unidentified Indigenous women in the U.S. and Canada through the creation of a master-list of cases. Although the majority of information provided by JFNW is publicly available on their website and Facebook pages, we received written permission from JFNW to incorporate their data into this study.

GOAL 3:

MMIWG RECOMMENDATIONS AND RESOURCES

This study presents culturally-appropriate data-driven policy recommendations. Our recommendations, in consultation with the Study Committee, focuses on the following: service provision, resources, training/education, law enforcement, collaborations, data, and legislation.

THE STUDY'S FINDINGS

“The exploitation and rape and abuse and sexual abuse in our communities is very real because I experience it as well. While out in the community or abroad, it’s very real for women.”

Known barriers to understanding the scope of MMIWG (goal 1)

Scope of MMIWG in Arizona (goal 2)

Policy recommendations to reduce MMIWG in Arizona (goal 3)

THE STUDY'S FINDINGS

KNOWN BARRIERS TO UNDERSTANDING THE SCOPE OF MMIWG (GOAL 1)

Problems with data collection obscure the true amount of violence committed against Indigenous Peoples. The following section outlines some of the known barriers in determining the true scope of MMIWG, as documented in other studies that we located and synthesized based on the themes below:

MMIWG among rural and remote communities. The lack of reporting of interpersonal crimes (e.g., domestic violence, sexual assault, stalking) can significantly obscure circumstances surrounding crimes related to MMIWG. This is especially true for women living on Reservations. Women on Reservations experience unique barriers to reporting victimization, including geographical and technological barriers.¹⁹⁴ Despite cell phone providers' claim that signal service coverage is adequate, phone users on Tribal Nations know otherwise. Broadband challenges are only a start to the array of issues and can expand into un-inventoried primitive roads generally used by locals for seasonal activities like winter wood hauling, pinon picking, or medicinal herb gathering and often not found on maps or online mapping systems. Additionally, many Tribal communities lack the public transportation infrastructure for day-to-day travels. According to the National Institute of Justice (NIJ), in 2001, Indigenous Peoples on Reservations were less likely than the majority of Americans to have access to phones.¹⁹⁵ Geographical isolation makes reporting crime and accessing services challenging. Women and girls who live far from a hospital may not be able to access medical treatment or examinations (e.g., sexual assault forensic exams).¹⁹⁶ Many Indigenous victims may be particularly isolated from needed services. Only half of Arizona's federally-recognized tribes have victim services (12 of 22). Even if

victim services are available on the victims' Tribal land, there are many barriers to accessing those services, including the challenges in maintaining confidentiality, shame, mistrust of providers, lack of shelter or safe house alternatives, long distances to travel, and lack of transportation.¹⁹⁷

MMIWG among urban communities. Those residing in urban areas may not be aware of victim services or may not want to access victim services because of a lack of cultural understanding, language, comprehension, and sensitivity. The Arizona State Victim Compensation Fund provides financial compensation for victims or their families. However, in order to be eligible for compensation, a police report is required to document that a crime has occurred. Yet, police often do not issue police reports for missing adults because "being missing" is not in and of itself a crime. This means that many families of missing adults are not eligible for state victim compensation.

Because federal victim compensation funds are administered by the state of Arizona and then distributed through the counties, Tribes are at a significant disadvantage in accessing these funds. Additionally, survivors and families must apply for victim compensation from the county in which the crime occurred – not the county in which the survivor or family resides, which presents barriers to access.

There are challenges that Tribal Nations face that complicate their ability to implement an AMBER Alert, Silver Alert, and Ashlynn Mike AMBER Alert in Indian Country systems. Many Tribes in Arizona (except Navajo Nation) do not have a fully functioning AMBER Alert system.¹⁹⁸ Some Tribes have recently obtained a resolution¹⁹⁹ in support of participating in an alert system, but no actual system are in place yet. Challenges with infrastructure include: (1) lack of signs/billboards on the roadways in Indian Country, (2) radio

and television stations may not broadcast in remote areas, (3) Tribal cell phone carriers may not provide cell phone alerts, (4) language barriers when radio and television are broadcast in English rather than the Native language, and (5) jurisdictional boundaries must often be navigated across Tribal, state, county, and countries (e.g., Mexico). Training and educational challenges to implementing AMBER and Silver alert systems include: (1) lack of awareness among Tribal Nations about how to contact the State of Arizona for AMBER Alert, (2) only 7 of 22 Arizona Tribes have received AMBER Alert training, (3) there are no memorandum of understanding or intergovernmental agreements between Tribes and the state to participate in the AMBER Alert system, although some Tribes are requiring these agreements, (4) Tribes often do not know how to access the state plan, (5) Tribes often do not have training or policies in place to respond to an abduction, (6) the state lacks knowledge on Indian Child Welfare Act (ICWA) and how it applies off reservation.

Regardless of whether Indigenous crime victims live on Reservations or urban settings, there are barriers to reporting crime and seeking services faced by all victims.²⁰⁰ These reasons include shame and humiliation,²⁰¹ fear of the offender and retaliation,²⁰² fear of lack of privacy,²⁰³ feeling as though the law will not be enforced,²⁰⁴ and, many times, love for the perpetrator.²⁰⁵

Racial misclassification. Data are limited due to the inaccurate recording of Indigenous Peoples' race. Many Indigenous Peoples are often racially misclassified as Hispanic, White, or Asian.²⁰⁶ Racial misclassification

occurs when criminal justice personnel attribute an incorrect racial classification to crime victims based on an incorrect best-guess.²⁰⁷ This erasure of Indigeneity cannot be overemphasized. This is a challenging limitation to overcome given the longstanding systemic factors that contribute to this problem (e.g., many law enforcement agencies in Arizona and nationwide still do not feature Tribal affiliation(s) – on police reports). This problem plagues all existing data sources. There are also inconsistencies among racial and ethnic codes within law enforcement databases.²⁰⁸ For example, in the 1960s and 1970s the Seattle police department found a code of "N" was used to identify Black or African American people and also used to identify people who were Native American.²⁰⁹ The Sacramento police department used "Indian American" to identify Native Americans, resulting in combined data of those who were Indian American (Asian) with Native American.²¹⁰ The unavailability of a Native American classification, let alone Tribal affiliation(s), adds to the erasure of Indigenous Peoples in data collection.

Distrust of law enforcement. Indigenous communities' distrust of law enforcement may also lead to incomplete reporting of MMIWG. Distrust of law enforcement is deeply engrained within Tribal communities. Distrust stems from decades and centuries of governing bodies attempting to control Indigenous Peoples,²¹¹ the knowledge that law enforcement is an arm of the state,²¹² the racist foundation from which law enforcement agencies began,²¹³ and the racial discrimination that persists within law enforcement today. A study of 278 Native Americans across 7 states found that Native

194 Stewart Wakeling, Miriam Jorgensen, Susan Michaelson, and Manly Begay, *Policing on American Indian Reservations* (DC: U.S. Department of Justice, 2001).

195 Wakeling et al., *Policing*, 2001.

196 Bachman et al., *Violence*, 2008.

197 Bachman et al., *Violence*, 2008.

198 Missing persons under age 21 fall under the purview of AMBER Alert Statutes. Missing persons over 65 and individuals in danger who are diagnosed with a developmental disability, Alzheimer's disease, and dementia, fall under the Senior/Silver Alert Statutes for vulnerable populations 36 A.R.S. § 36-551 (2016).

199 A resolution is the Tribal Resolution that approves an action, often through Tribal Council.

200 Bachman et al., *Violence*, 2008.

201 Wakeling, et al., *Policing*, 2001; Magen, R.H. and Wood, D.S. Intimate partner violence against Ahtna (Alaskan Native) women in the Copper River Basin Final Report, (DC: National Institute of Justice, 2006); Karjane et al., *Campus*, 2000.

202 Wakeling et al., *Policing*, 2001.

203 Bachman, *Violence*, 2008; Amnesty Intl., *Maze*, 2001.

204 Radon, A., "Tribal jurisdiction and domestic violence: The need for non-Indian accountability on the reservation," (University of Michigan Journal of Law Reform, 37, 2004, pg. 1275-1312).

205 Rachel E. Morgan and Barabara A. Oudekerk, *Criminal Victimization* (Bureau of Justice Statistics, 2018), <https://www.bjs.gov/content/pub/pdf/cv18.pdf>; Fox, New, 2020.

206 Lucchessi and Echo-Hawk, *Missing*, 2018.

207 Lucchessi and Echo-Hawk, *Missing*, 2018.

208 Lucchessi and Echo-Hawk, *Missing*, 2018.

209 Lucchessi and Echo-Hawk, *Missing*, 2018.

210 Lucchessi and Echo-Hawk, *Missing*, 2018.

211 Barbara Perry, "Impacts of disparate policing in Indian Country," *Policing and Society*, 19 no. 3 (2009):263-281.

212 Barbara Perry, "Nobody trusts them! Under – and overpolicing Native American communities, *Critical Criminology*, 14, (2007).

213 Policing began as a tactic to capture runaway slaves. See: Bass, S., "Out of place: petit apartheid and the police," 2001.

Americans' lived experience reflected both an over- and under-policing of the Native community.²¹⁴ Indeed, Native Americans are victims of crime at twice the rate of the general population and are more likely to be the victims of interracial crimes.²¹⁵ Additionally, many Native Americans perceive that police enabled the racial violence and harassment against them. This contributes to the distrust of law enforcement and people's unwillingness to report crime.²¹⁶ Yet, it is important to note that different law enforcement agencies have jurisdiction on Tribal lands. Citizens' trust, or distrust, of law enforcement may vary based on whether the police are from within the Tribal Nation, from the Bureau of Indian Affairs, or city/county.

Law enforcement agencies in Arizona Tribal communities are severely underfunded and understaffed. Due to understaffing, one single Tribal law enforcement officer may cover many square miles, and this can create long delays in officer response time. Sometimes officers are unable to respond to calls. The underfunding of Tribal law enforcement means that some police equipment and vehicles are outdated or underserved, which creates unsafe situations for officers especially when covering large territories and responding to domestic violence situations. There is also a great need for Tribal law enforcement training, yet understaffing and underfunding means that officers may be unable to travel to attend trainings. These challenges make it difficult, or impossible, for some Tribal law enforcement officers to perform their job effectively. Yet it should be acknowledged that some Tribal law enforcement understand the dynamics of power and control and work well with their local domestic and sexual violence advocates.

Jurisdictional issues. Jurisdictional issues significantly exacerbate the under-reporting of crime due to the complex overlapping levels of Tribal, county, state, and federal governments, known as a the "jurisdictional maze."²¹⁷ This maze is due to the myriad of statutes and U.S. Supreme Court decisions to determine criminal jurisdiction in Indian Country. As sovereign nations, in general, state laws do not apply in Indian Country. Tribal Nations are subject to federal jurisdiction in certain criminal instances. The Major Crimes Act of 1885 (with modification via other laws and Supreme Court cases) gives federal courts jurisdiction exclusively over offenses that occur on Tribal lands. Criminal jurisdiction in Indian

County is determined by (1) the status of the offender as Indian or non-Indian, (2) the status of the victim is an Indian or non-Indian, (3) the type of crime, and (4) if the location of the offense is on or off trust land.²¹⁸ Public Law 280²¹⁹ created an exception of state jurisdiction over Indians in Indian Country in six states, and Arizona is not among them. Since Arizona is not a Public Law 280 state, and absent the sharing of jurisdictional authority by a Tribe, non-federal and non-Tribal law enforcement agencies in Arizona lack criminal jurisdiction over Indians for crimes committed in Indian country. The maze results in a "ring of referrals"²²⁰ experienced by Indigenous victims of crime where they are referred from one law enforcement agency to another due to confusion as to who has jurisdiction. This can be especially challenging for crimes that span multiple jurisdictions, or for tribes that border multiple states (e.g. Navajo Nation in Arizona, New Mexico, and Utah). Issues of jurisdiction cause a delay in investigation, prosecution, and justice.

Arizona Indian Country jurisdictional challenges are punctuated by poverty, a lack of housing, unemployment, substance abuse, and unrestrained violent criminal cases. As a result of a series of federal statutes and federal court decisions, tribes lack the territorial, criminal, and civil jurisdiction states possess. Instead, criminal jurisdiction in Indian country is divided between three jurisdictions. A three-pronged "jurisdictional maze" that lacks proper coordination, communication, and accountability is the primary reason for victims being neglected, criminals escaping punishment, and for the human rights crisis of MMIWG. Fractured authority creates a great deal of confusion and requires extensive coordination between police departments, prosecutors' offices, court systems, probation and parole offices, and victim services providers. This confusion helps to perpetuate a lawless atmosphere where marginalized Indigenous women and children must flee their communities, displacing them from their own homelands. They often move away seeking safety and shelter in surrounding cities where support services are not aware of this problem, and where systems may not comprehend the suffering that comes with decades of abuse, racism, and historical trauma, where victims may be targeted for human trafficking, drug trafficking, and may be sexually and economically exploited.

Federally-recognized Tribal Nations are sovereign nations; however, via The Major Crimes Act, the federal government has jurisdictions over major crimes in Indian Country, placing significant limitations on Tribal sovereignty. The majority of tribes in Arizona are prohibited from exercising criminal jurisdiction over non-Indian perpetrators.²²¹ Currently, two Tribes in Arizona (the Pascua Yaqui Tribe and the Gila River Indian Community) exercise Special Domestic Violence Criminal Jurisdiction over non-Indians under the 2013 Violence Against Women's Act. The legal inability to prosecute some non-Indigenous perpetrators can limit reports of sexual violence and MMIWG when the perpetrators are non-Indigenous.²²² This results in a miscarriage of justice on behalf of victims, especially given evidence that two-thirds of sexual assaults against Indigenous women are committed by non-Indigenous offenders.²²³ The extent to which Indigenous women and girls are victimized by Indigenous vs. non-Indigenous perpetrators in Arizona is unclear.

Definition of missingness. Finally, there are issues related to understanding "missingness." A state-wide investigation into Missing Native American women and children conducted by Nebraska identified five challenges in missing persons cases. These challenges are – the legal right for adults to be missing, the circumstances that lead to the missingness (criminal or non-criminal), a lack of entry of missing persons into national databases, different definitions of missingness, and the legal age of adulthood in different jurisdictions.²²⁴ There are additional circumstances that complicate missing data such as accidents in rural or remote areas, mental health issues, such as dementia or depression, and intentional missing to escape present circumstances.²²⁵ All of these circumstances lead to an inaccurate representation of Indigenous women and girls who are missing.

HOW LAW ENFORCEMENT AGENCIES IN ARIZONA CLASSIFY INDIGENOUS PEOPLES

Related to our goal to understand the barriers to understanding the scope of MMIWG, we examined how Arizona law enforcement agencies document Indigenous women and girls who are missing or murdered. We

conducted a statewide study of law enforcement agency intake forms to assess how each agency documents Indigenous race. We identified 109 law enforcement agencies in the state of Arizona including Sheriff Departments, Municipal Police Departments, Tribal law enforcement agencies, and the Bureau of Indian Affairs. Of the 109 agencies, we attempted to contact all 92 non-Tribal law enforcement agencies (Sheriff and Municipal Police Departments) by phone or email in May and June of 2020 requesting information about their race and ethnic categories on intake forms.

As of July 2020, 36 agencies (39% of the non-Tribal agencies) participated by providing information about their race and ethnic categories on intake forms via (a) phone, (b) email, or (c) screenshots of their electronic records management system. An additional 19 agencies (21%) were contacted and pending for requested information. Other agencies were contacted but have not responded to voicemails or emails (n=27, 29%), had non-working phone numbers or incorrect contact information on department websites (n=6, 7%), required fees or information to be mailed to process our request (n=2, 2%), or were unable to participate due to limited staffing to respond to such inquiries due to the COVID-19 pandemic and recent area wildfires (n=2, 2%). Two Tribal agencies were contacted but required information requests to be submitted by postal mail and had to be approved by Tribal council or department supervisor. As this project continues, follow-ups will be conducted with agencies that have not responded or if additional information is needed. Our primary method of communication with agencies was by phone. Prior to calling, we visited each agencies' website to identify records clerks/supervisors, community relations officers, or public information officers as our primary point of contact. Contacting agencies by phone provided the opportunity to better explain the purpose of the project and request specific information that may be misunderstood through email. It also allowed us to be directed to proper personnel when agencies did not have a department directory, official website, or used a social media platform. After the initial phone contact, communication with agencies continued through email which provided a direct contact with proper personnel.

Of the 36 participating law enforcement agencies, we determined that all but one agency documented

214 Perry, Nobody, 2007.

215 Perry, Nobody, 2007.

216 Perry, Nobody, 2007.

217 The National Inquiry into Missing and Murdered Indigenous Women and Girls, Reclaiming, 2019

218 18 USC § 1151.

219 Pub. L. 83-280.

220 Fox, New, 2020.

221 Oliphant v. Suquamish, 435 U.S. 191 (1978).

222 Steven Perry, American Indians and Crime: A BJS Statistical Profile, 1992-2002, (DC: U.S. Department of Justice), found that American Indians were more likely to assaulted and raped/sexually assaulted by a stranger or acquaintance and 60% reported the offender to be white.

223 Bachman et al., Violence, 2008

224 Matthew Stutter, Judi Gaiashkibos, Scott Shafer, Elizabeth Weidner, Tara N. Richards, Emily Wright, and Alyssa Nystrom, LB 154 Report: Prevalence of Missing and Murdered Native American Women and Children in Nebraska; Barriers to Reporting and Investigating; and Opportunities for Partnerships, 2020

225 Stutter et al., LB 154, 2020.

Indigenous race and ethnicity in compliance with the Uniform Crime Reporting (UCR) program. Although the UCR does not specifically mandate that Age, Sex, Race, and Ethnicity (ASRE) is required, documentation of race/ethnicity was not consistent throughout the state of Arizona. Another problem with the UCR data is that some law enforcement agencies may not report their data or may not provide all their data.²²⁶ The Mammoth Police Department (MPD) in Pinal County was the only law enforcement agency that we determined did not document race and ethnicity in their reports by leaving these fields blank. In addition to inconsistent documentation, currently this project has documented that there are at least 11 different records management systems being used in the state of Arizona. However, law enforcement agencies will be transitioning from UCR to the National Incident-Based Reporting System (NIBRS) by January 1, 2021.

Consistent with UCR and NIBRS, law enforcement agencies in Arizona aggregates American Indians and Alaskan Natives into one single category. This measure does not differentiate between the 574 federally-recognized Tribes in the U.S. or provide additional guidance in documenting Tribal affiliation(s). This means that law enforcement in Arizona do not collect information on victims' Tribal affiliation. This is problematic for Tribal Nations because no data at the Tribal level is reported to them. This impacts Nations in many ways. For example, without Tribe-specific data on victims from state law enforcement, Tribes are unable to apply for federal grants because they do not have accurate data. In Arizona, there are 22 federally-recognized tribes. Of the participating 36 agencies, Prescott Valley Police Department (PVPD) is the only agency that has the option for law enforcement officers to manually input Tribal affiliation. According to the PVPD Records Supervisor,²²⁷ documenting Tribal affiliation is not mandatory for UCR and is not required by the department for investigating officers to document. Information about race and ethnicity relies upon citizens to self-disclose to law enforcement.

This report does not address the significant, long standing challenges Tribal courts and law enforcement agencies have with input and access to national and state databases that significantly impact MMIWG. Lack of input and access to criminal databases hampers interjurisdictional efforts to identify and recover MMIWG and to hold perpetrators accountable. For example,

most Tribes do not submit data to FBI's Uniform Crime Reports (UCR), the National Incident-Based Reporting System (NIBRS), or the NIJ's National Missing and Unidentified Persons System (NamUs).

SCOPE OF MMIWG IN ARIZONA (GOAL 2)

Findings below about MMIWG in Arizona are listed first for missing women and girls and then for murdered women and girls based on our analysis of The Federal Bureau of Investigation's (FBI) Supplemental Homicide Reports (SHR), National Missing and Unidentified Persons System (NamUs), and Justice For Native Women (JFNW).

A note about missing person data. NamUs is a national resource center for missing, unidentified, and unclaimed person cases throughout the U.S.²²⁸ This database provides information at low or no cost to law enforcement, medical examiners, and families of the victims in order to help resolve these cases. The data is reported by multiple sources including family members and coroners and are verified by the law enforcement agency with jurisdiction over the reported missing person. The majority of the information provided by NamUs is publicly available on their website for cases throughout the U.S. However, it is important to note that Arizona does not require that missing persons data be reported to NamUs and currently only the Phoenix Police Department and the Navajo Nation report cases on a regular basis. Given that we do not have Arizona missing person data, a comparison was not possible between the population of Indigenous women and girls vs. the number of missing Indigenous women and girls.

As of July 25, 2020, in the state of Arizona, NamUs has 924 open cases listed, 824 resolved cases, and has aided in the resolution of 154 missing persons cases.²²⁹ As for Indigenous missing persons, NamUs has a record of 46 active open missing person cases for Indigenous persons in Arizona. Of these 46 cases, 12 are female and the remaining 34 are males. It is important to note that this data represents a "point in time" count of Indigenous missing person cases in Arizona on July 25, 2020. Due to the dynamic nature of missing person cases (i.e., the ability for the person to be found and the case resolved at any point), this data is by no means a comprehensive list of every Indigenous missing person in Arizona ever, but simply a representation of the missing persons at the time of collection (July 25,

2020). This study utilizes NamUs missing persons data and does not include NamUs unidentified (n=4) and unclaimed (n=0) persons data due to low numbers and difficulty establishing the information of interest in this study (e.g., unknown gender or race/ethnicity). Additionally, this study does not include data from the National Center for Missing and Exploited Children (NCMEC) due to a low number of cases of Indigenous females (n=5).

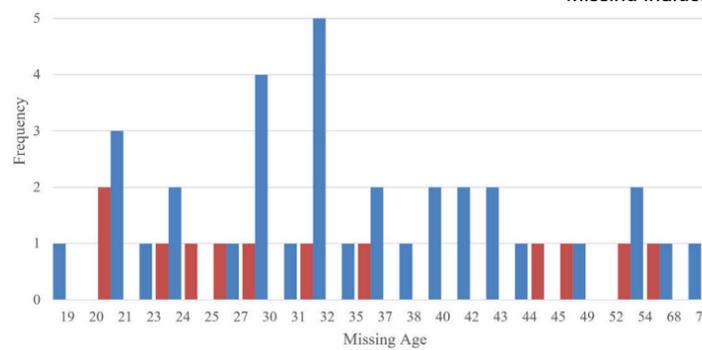
MISSING INDIGENOUS WOMEN AND GIRLS IN ARIZONA

Data was gleaned from the National Missing and Unidentified Persons System (NamUs) and the Justice For Native Women (JFNW) related to missing Indigenous females in the state of Arizona.

AGE OF MISSING INDIGENOUS FEMALES AND MALES

NamUs does not yet show the true number of missing Indigenous Peoples. Therefore, the data and figures do not provide the true picture of the scope of the problem of MMIWG. Instead, NamUs shows us a "snapshot" of Indigenous Peoples who were entered into the database and verified by law enforcement as missing on July 25, 2020. "Missing age" refers to the age the person was at the time they went missing (see Figure 5). In Arizona, the average age of an Indigenous person being reported missing was 33 for females and 36 for males. The youngest missing Indigenous person listed in NamUs as of July 25, 2020 was 20 years old (female) and 19 years old (male) whereas the oldest missing Indigenous person was 54 years old (female) and 76 years old (male).

Figure 5. Age distribution of Indigenous missing persons in Arizona



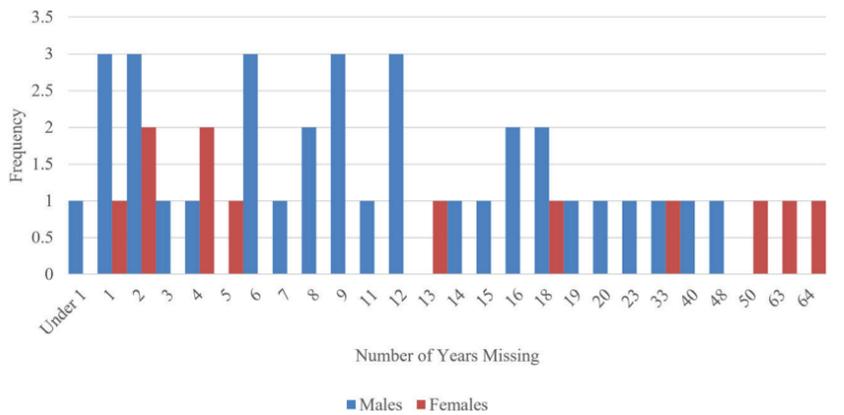
Source: NamUs Missing Persons (1950-2020)

NUMBER OF YEARS MISSING

NamUs data allows for the calculation of years that the person has gone missing based on the date that the missing person was last seen and the current date. Figure 6 shows the number of years that the person has gone missing for both male and female Indigenous Peoples in Arizona. For males and females, the amount of time missing ranged from under 1 year (i.e., a few months) to 64 years.

Indigenous females were missing for an average of two decades (over 21 years). That is almost twice as long as Indigenous males, who were missing for an average of over 12 years.

Figure 6. Number of years missing for Indigenous missing persons in Arizona (females=12; males=34)



Source: NamUs Missing Persons (1950-2020)

ARIZONA COUNTIES WHERE INDIGENOUS PEOPLES GO MISSING

The counties in Arizona that appear to have the highest cases of missing Indigenous Peoples are Maricopa (n=10) and Navajo (n=10) counties (See Table 2).

Missina Indian Peoples are documented across 9 of the 15 Arizona counties, with the highest concentration of female missing persons in Apache (n=3), Coconino (n=3), and Navajo (n=3), followed by Maricopa (n=2) and Pinal (n=1) counties. Indigenous men and boys are reported missing from many of the same Arizona counties as women and girls. Yet missing Indigenous males are more spread out across the state, with the exception of a few counties not reporting any cases. The county of Maricopa (n = 8) had the largest concentration of missing Indigenous males followed by Navajo (n=7) and Apache (n=6) counties. There

226 Michael D. Maltz, Analysis of missingness in UCR crime data. Columbus: Criminal Justice Research Center, Ohio State University, 2006.

227 Personal communication, June 22, 2020.

228 National Missing and Unidentified Persons System (NamUs), *About NamUs*. <https://www.nam.us.gov/About>

229 NamUs, *About*.

were also Indigenous missing person cases reported in Coconino (n=5), Pinal (n=3), Pima (n=2), Gila (n=1), Greenlee (n=1), and Yavapai (n=1) counties.

Table 2. Missing person cases in Arizona by county (females: n=12; males: n=34)

Arizona County	Sex of Indigenous Victim		
	Females	Males	Total
Apache	3	6	9
Cochise	0	0	0
Coconino	3	5	8
Gila	0	1	1
Graham	0	0	0
Greenlee	0	1	1
La Paz	0	0	0
Maricopa	2	8	10
Mohave	0	0	0
Navajo	3	7	10
Pima	0	2	2
Pinal	1	3	4
Santa Cruz	0	0	0
Yavapai	0	1	1
Yuma	0	0	0
TOTAL	12	34	46

Source: NamUs Missing Persons (1950-2020)

ARIZONA CITIES WHERE INDIGENOUS PEOPLES GO MISSING

Not only is it important to understand the counties in which Indigenous Peoples go missing, knowing which cities they go missing from may help identify potential hotspots for missing persons. Table 3 features the number of missing persons according to the metropolitan statistical area (MSA) categorization. The U.S. Office of Management and Budget creates the MSA which categorizes cities and surrounding areas into groups and regions that are linked by social and economic factors and typically have a population over 50,000.²³⁰

Most Indigenous females (n=10; 83%) and males (n=23, 68%) were reported missing from rural areas. Rural

Arizona includes all other areas and cities with either a population under 50,000 or without surrounding cities that are closely linked by social or economic factors.²³¹ Rural Arizona often includes Tribal lands that span across Arizona. The remaining female missing persons went missing from the Phoenix metro area representing the other 17%. For Indigenous male missing persons, the next largest city was the Phoenix metro (n=8; 24%), followed by Flagstaff (n=2; 6%), and Tucson (n=1; 3%).

Table 3. Indigenous male and female missing persons across Arizona cities

Arizona City	Sex of Indigenous Victim	
	Female	Male
Flagstaff	0	2
Phoenix-Mesa-Scottsdale	2	8
Prescott	0	0
Tucson	0	1
Yuma	0	0
Rural Arizona	10	23
TOTAL	12	34

Source: NamUs Missing Persons (1950-2020)

TRIBAL AFFILIATION/ENROLLMENT OF MISSING INDIGENOUS FEMALES AND MALES

The NamUs database provides two unique characteristics especially relevant to studying MMIWG, including missing person Tribal affiliation and whether or not the missing person went missing from Tribal land. Of the 46 missing Indigenous Peoples in Arizona, a little more than a third (n=17, 37%) were enrolled in a Tribal Nation, while a little under half (n=22, 48%) were not enrolled. A smaller percentage (n=7; 15%) of missing persons did not have any information regarding their Tribal enrollment. Specifically, for female missing persons, only one was recorded as being enrolled/affiliated with a specific tribe, 10 were not affiliated/enrolled, and one female missing person case had an unknown Tribal affiliation/enrollment (see Table 4).

Table 4. Tribal enrollment/affiliation of missing persons in Arizona by sex (females=12; males=34)

Tribal Enrollment/Affiliation	Sex of Indigenous Victim		Total
	Females	Males	
Yes	16	1	17
No	12	10	22
Unknown	6	1	7
TOTAL	34	12	46

Source: NamUs Missing Persons (1950-2020)

MISSING PERSONS FROM TRIBAL LAND

The second characteristic uniquely relevant to MMIWG provided by the NamUs data is whether the person went missing from Tribal land. Knowing this can help provide more information as to where these victims are going missing. Although about half of the missing persons cases did not have information about whether they went missing from Tribal land (n=25; 54%), cases that had Tribal information showed that a large number of Indigenous missing persons went missing from Tribal land (n=16; 35%). For female missing persons, 3 went missing from Tribal land, with 8 being unknown, and one person who went missing was not on Tribal land (see Table 5).

Table 5. Number of Indigenous victims missing from Tribal lands by sex (females=12; males=34)

Missing from Tribal Land	Sex of Indigenous Victim		Total
	Females	Males	
Yes	3	13	16
No	1	4	5
Unknown	8	17	25
TOTAL	12	34	46

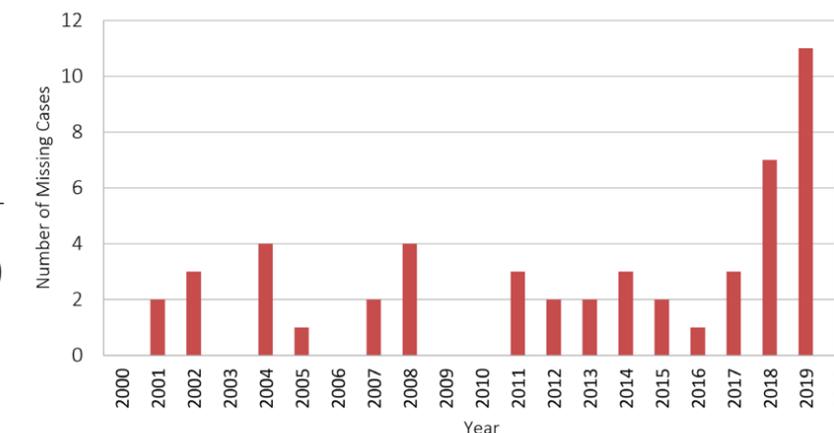
Source: NamUs Missing Persons (1950-2020)

MISSING PERSONS RESULTS FROM JUSTICE FOR NATIVE WOMEN DATA

Justice For Native Women (JFNW) has collected data on 58 missing Indigenous females in Arizona from 2000 to 2020. To date, none of the cases have been considered officially solved. As Figure 7 shows, 2019 had the most reported cases (n=11; 19%). Domestic violence was known to be associated with 5% (n=3) of cases, alcohol/

drugs were known to be involved in 3% (n=2) of cases, the victims were homeless in 9% (n=5) of cases, and suspected foul play²³² was associated with 3% (n=2) of missing persons cases.

Figure 7. Reported cases of missing Indigenous females in Arizona by year (2000-2020)



Source: Justice For Native Women

Note: One case was excluded from the graph due to unknown year. Given that the excluded case is categorized in the data as a current case, it either from 2019 or 2020.

MURDERED INDIGENOUS WOMEN AND GIRLS IN ARIZONA

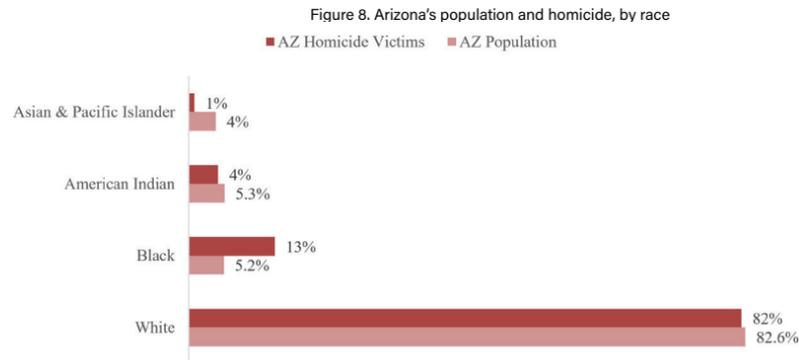
Data was gleaned from the Federal Bureau of Investigation's Supplemental Homicide Reports (1976-2018) and the Justice For Native Women (JFNW) related to murdered Indigenous females in the state of Arizona.

ARIZONA'S INDIGENOUS POPULATION VERSUS KNOWN HOMICIDES

Arizona has one of the highest state populations of Indigenous Peoples, with over 385,000 people.²³³ Official data shows that Indigenous Peoples represent 5.3% of the state's population and 4% of homicide victims (see Figure 8). Yet the rate of homicide for this population is certain to be substantially higher than the data shows given racial misclassification and unreported missing persons that are actual homicide victims. Importantly, Figure 8 is incomplete because it only shows known Indigenous homicides. Over the span of 40 years (1976-2018), the FBI SHR data includes 634 Indigenous homicides, of which 160 are female and 474 are male.

232 This is for cases in which the investigating agencies officially reported a suspicion of foul play.

233 U.S. Census Bureau, *Quick*, 2019.

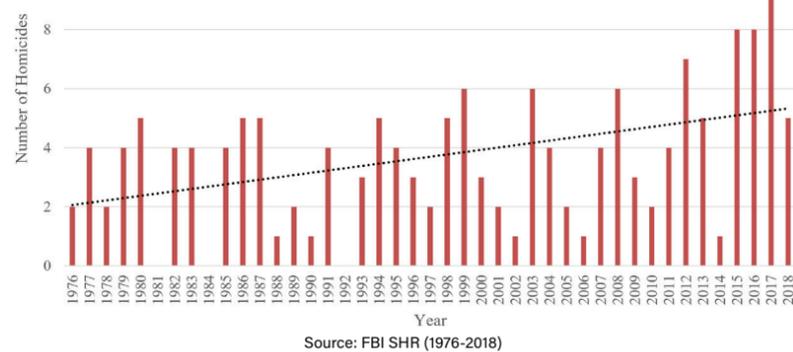


Sources: FBI SHR (1976-2018); U.S. Census Bureau (2018)

MURDERS OF INDIGENOUS FEMALES AND MALES ARE INCREASING IN ARIZONA

Murders of Indigenous women and girls have been steadily increasing over the past 40 years (see Figure 9). This alarming trend may reflect increased community acknowledgement and reporting of MMIWG, better law enforcement tracking systems, or the reality that MMIWG is happening more often now than ever before. It is important to remember that these numbers are most likely a gross underrepresentation of the actual number of homicides committed against Indigenous Peoples. One notable difference in the murder rate of Indigenous women and girls occurred recently in 2017 when there was a noticeable increase in MMIWG. The reason for this increase in 2017 is unknown. It will be critical to continue to closely document whether the homicide of Indigenous females continues to rise or begins to fall, especially after the media attention and anti-MMIWG federal and state legislation that was implemented in late 2019.

Figure 9. Indigenous female homicide victims in Arizona (1976-2018)



Source: FBI SHR (1976-2018)

Murders of Indigenous men have also been continually increasing over the past 40 years (see Figure 10). While this study focuses on females, it is important to understand MMIWG as it relates to the larger existence of homicide among all Indigenous Peoples in Arizona. Indigenous males are murdered at higher rates than females, which is consistent with data from Canada.²³⁴

Figure 10. Indigenous male and female homicides in Arizona, by decade

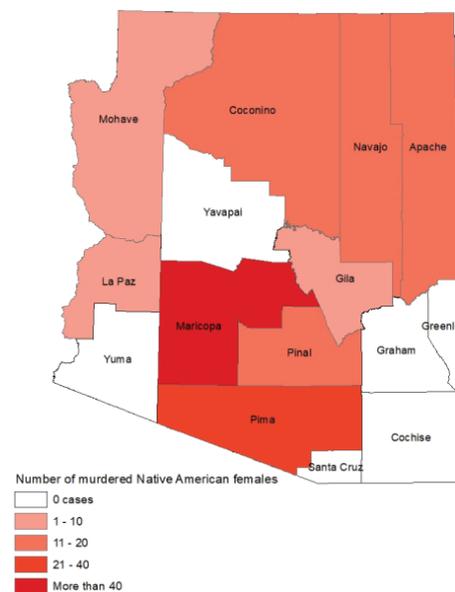


Source: FBI SHR (1976-2018)

LOCATION OF INDIGENOUS HOMICIDES IN ARIZONA

Murders of Indigenous women and girls over the past 40 years (1978-2018) are documented across nine Arizona counties, with the highest concentrations of female homicides in Maricopa (n = 76), Pima (n = 21), Pinal (n = 15), Apache (n = 14), Navajo (n = 14), and Coconino (n = 11) counties. There were also cases located in Gila (n = 4), Mohave (n = 3), and La Paz (n = 1) counties (see Figure 11).

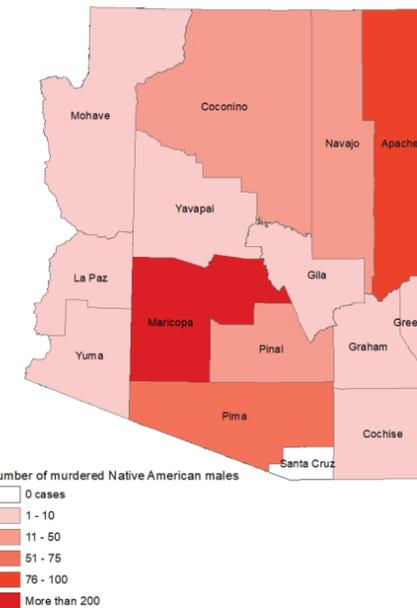
Figure 11. Location of Indigenous female homicides, by Arizona county



Credit: Dr. Alyssa Chamberlain

Indigenous men and boys are murdered in many of the same Arizona counties as women and girls (see Figure 12). Yet homicides of Indigenous males are more spread out across the state, with each county except Santa Cruz having at least one homicide. Similar to the female data, the county of Maricopa (n = 210) had the largest concentration of Indigenous male homicides over the past 40 years (1978-2018) followed by Apache (n = 79) and Pima (n = 59) counties. There were also Indigenous homicide cases reported in Pinal (n = 33), Coconino (n = 32), Navajo (n = 32), Yuma (n = 10), Yavapai (n = 4), Mohave (n = 4), La Paz (n = 3), Graham (n = 3), Gila (n = 3), Greenlee (n = 1), and Cochise (n = 1).

Figure 12. Location of Indigenous male homicides, by Arizona county



Credit: Dr. Alyssa Chamberlain

Identification of the cities within Arizona counties where most homicides of Indigenous persons are committed can reveal important geographical hotspots (see Table 6). The FBI SHR data allows for the study of male and female homicides according to the metropolitan statistical area (MSA) categorization.

Most of Indigenous female and male homicides occur in the Phoenix-Mesa-Scottsdale area (e.g., Phoenix metro area). More than half of Indigenous females (n=91; 57%) and males (n = 243; 51%) are murdered in the Phoenix metro area. About one-quarter of Indigenous females (n=36; 23%) and males are murdered in rural Arizona (n=126; 27%). Rural Arizona includes all other areas and cities with either a population under 50,000 or without

surrounding cities that are closely linked by social or economic factors.²³⁵ Rural Arizona often includes the Tribal lands that span across Arizona. The city of Tucson had next highest number of homicides for both females (n=59; 12%) and males (n=21; 13%). This was closely followed by Flagstaff, (n=11; 7% females and n=32; 7% males).

Table 6. Indigenous male and female homicides across Arizona cities

Arizona City	Sex of Indigenous Victim	
	Female	Male
Flagstaff	11	32
Phoenix-Mesa-Scottsdale	91	243
Prescott	0	4
Tucson	21	59
Yuma	0	10
Rural Arizona	36	126
Total	159	474

Source: FBI SHR (1976-2018)

Note. One case was omitted from the above table due to unknown gender/sex.

Rural Arizona are cities with either a population under 50,000 or without surrounding cities that are closely linked by social or economic factors.

JURISDICTION OF LAW ENFORCEMENT AGENCIES OVER INDIGENOUS HOMICIDE CASES

Identifying the type of law enforcement agency that handles homicides of Indigenous Peoples is an additional important factor in understanding how these cases are handled. The SHR data includes data on the management of homicide cases among four different law enforcement agency types, including: sheriffs, municipal police, special police, and Tribal police.

Most cases were handled by municipal police agencies (see Table 7). About three-fourths of Indigenous female homicides (n=119; 74%) and male homicides (n=321; 68%) were handled by municipal police. Sheriff's offices handled 13% (n=21) of female homicides and 12% (n=59) of male homicides. Tribal police handled 12% (n=20) of female homicides and 20% (n=94) of male homicides. The different law enforcement agencies that handle homicide cases with an Indigenous victim in Arizona may contribute to variations in procedures and reporting.

234 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

235 U.S. Census Bureau, *Quick*, 2019

Table 7. Jurisdiction of Indigenous homicide cases involving an Indigenous victim handled by each Arizona law enforcement agency

Law enforcement agency type	Sex of Indigenous Victim	
	Female	Male
Sheriff	21	59
Municipal Police	119	321
Tribal Police	20	94
Total	160	474

Source: FBI SHR (1976-2018)

Note: One case was not included in the above table due to unknown gender/sex.

Sheriff reflects county-level jurisdiction; Municipal represents city-level jurisdiction; Tribal police are law enforcement on Tribal land (initially, Gila River Indian Community law enforcement was included in the special police but is featured here in the Tribal police category).

THE NUMBER OF VICTIMS AND OFFENDERS IN INDIGENOUS HOMICIDES

Just over half of homicides against Indigenous Peoples in the state involved a single victim and single offender. Fifty-eight percent (n=93) of Indigenous females and 53% (n=251) of Indigenous males were the only person murdered during the incident and were killed by single offenders (as opposed to multiple offenders).

Fewer Indigenous Peoples were killed by multiple offenders. Seven percent of Indigenous females (n=11) and 10% of Indigenous males (n=49) were killed by multiple offenders.

The number of murderers of Indigenous Peoples were known in the majority of cases (see Table 8). Among murders of Indigenous females, the number of offenders were known in 72% of cases (n=116). Among perpetrators of homicide against Indigenous males, the number of offenders were known in 66% of cases (n=313).

This still leaves a high number of homicide cases where Indigenous victims were killed by an unknown numbers of offenders. Over one-quarter of Indigenous females (n=45; 28%) and males (n=162; 34%) were killed by an unknown number of offenders.

Table 8. Number of male victims, female victims, and offenders in crimes involving homicide of Indigenous Peoples in Arizona

Situation of Offense	Sex of Victim	
	Female	Male
Single Victim/ Single Offender	93	251
Single Victim/ Unknown Offender	40	144
Single Victim/ Multiple Offenders	11	41
Multiple Victims/ Single Offender	12	13
Multiple Victims/ Multiple Offenders	0	8
Multiple Victims/ Unknown Offender	5	18
Total	161	475

Source: FBI SHR (1976-2018)

Note: One case was not included in the above table due to unknown gender/sex.

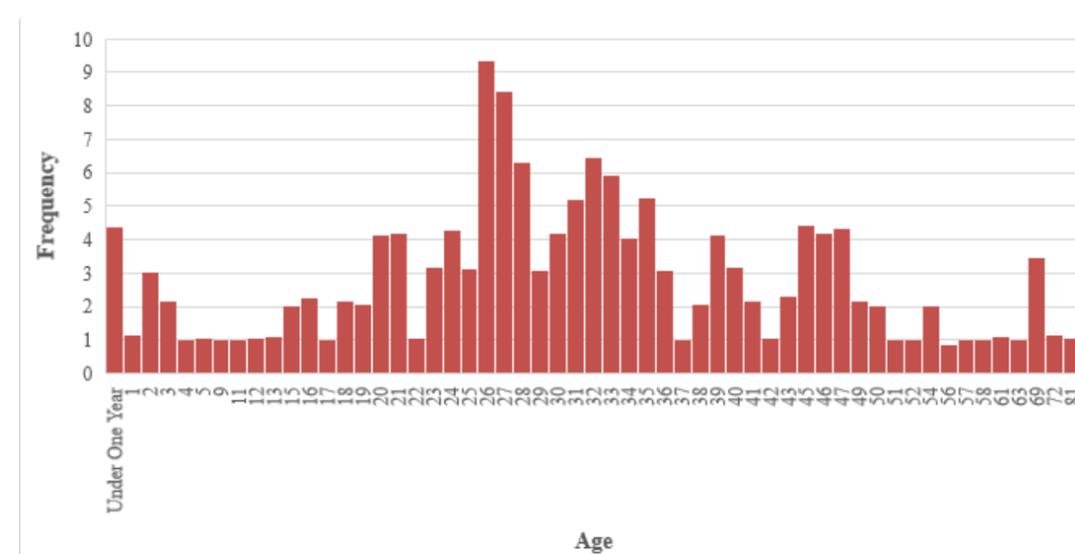
Single = one person; Multiple = two or more people; Unknown = law enforcement did not know the number of people.

AGE OF INDIGENOUS HOMICIDE VICTIMS

MMIWG impacts Indigenous females of all ages. The youngest Indigenous females killed in Arizona were infants less than 1 year old and the oldest was 81 years old (see Figure 13). Indigenous women in their 20s to 40s are at the highest risk of being killed. The average age of Indigenous murdered females is 31 years old.

Although women are at higher risk of being killed, the number of Indigenous girls who are murdered cannot be overlooked. During the past 40 years in Arizona, 14% of homicides committed against Indigenous Peoples were documented to be girls aged 17 and younger (n=22).

Figure 13. Age distribution of Indigenous female victims of homicide in Arizona.

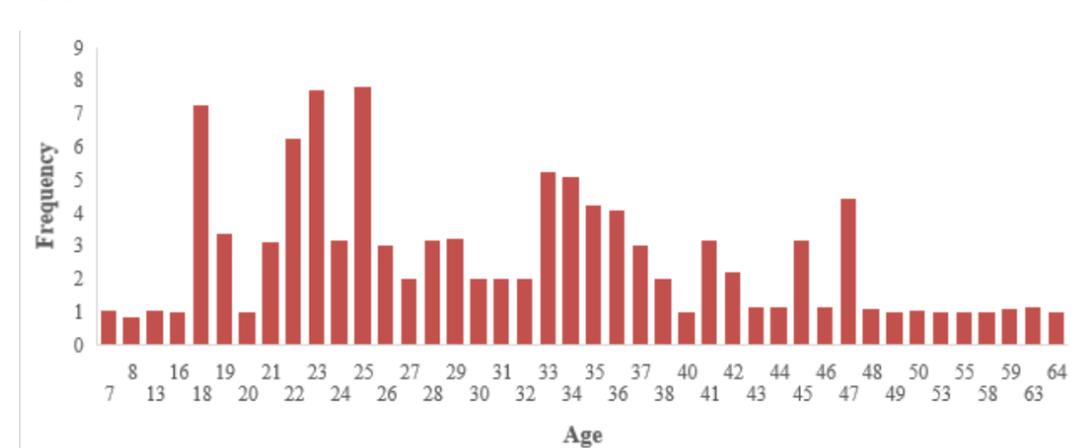


Source: FBI SHR (1976-2018)

CHARACTERISTICS OF INDIGENOUS MURDERERS

Offender Age. Most of those who kill Indigenous females are between the ages of 18 to 40, with an average age of 31 (see Figure 14).

Figure 14. Age distribution of offenders who killed Indigenous females in Arizona



Source: FBI SHR (1976-2018)

Offender sex. Indigenous women and girls are most likely to be killed by men. Nearly 90% of offenders who kill Indigenous women and girls are male (n=102; 89%) (see Table 9).

Offender race. Of the cases in which the race of the offender was documented, 63% of those who killed Indigenous females were also Indigenous (n=73). One-quarter of those who killed Indigenous females were white (n=25; 25%) (see Table 9).

Table 9. Sex and race of offenders who killed Indigenous females in Arizona

Race of Offender	Sex of Offender		Total
	Male	Female	
White	25	0	25
Black	15	1	16
Indigenous	61	12	73
Asian/Pacific Islander	1	0	1
Total	102	13	115

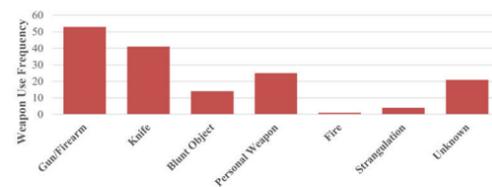
Source: FBI SHR (1976-2018)

Note. Forty-five cases were not included in the above table due to unknown offender race and/or sex. The number of offenders in total can be higher than the number of Indigenous homicide victims because of multiple offenders in some cases.

WEAPON USED IN INDIGENOUS FEMALE HOMICIDES

The most commonly used weapon used in homicides against Indigenous females were guns/firearms (n=53; 33%). One-quarter of Indigenous females were killed with knives (n=41; 26%). The remaining Indigenous homicides involved a personal weapon (e.g., hands, fists, and feet; n=25; 16%), an unknown weapon (n=21; 13%), a blunt object (n=14; 9%), strangulation (n=4; 3%), and fire (n=1; 1%) (see Figure 15).

Figure 15. Weapon used to kill Indigenous females



Source: FBI SHR (1976-2018)

VICTIM-OFFENDER RELATIONSHIP

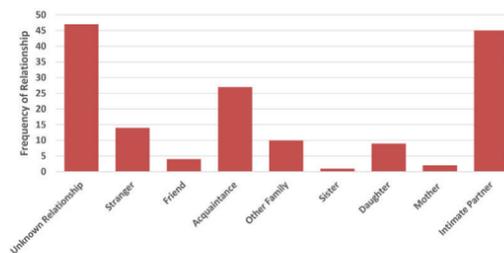
It is important to understand the relationship between victims and offenders in order to identify the source of the violence (see Figure 16). Alarming, much remains unknown about the relationship between Indigenous females and those who murder them. The relationship is unknown among 30% (n=47) of murdered Indigenous females and their murderers.

Over a quarter of Indigenous females were killed by an intimate partner (n=45; 28%). Murders of Indigenous females by intimate partners comprise the largest

known class of victim-offender relationships. Indigenous females are also killed by family members other than intimate partners. In some cases in Arizona, Indigenous females were killed by their parents (n=9; 6%), children (n=2; 1%), siblings (n=1; 1%), or other family members (n=10; 6%).

The victim-offender relationship among homicides of Indigenous females also includes murders by acquaintances (n=27; 17%), strangers (n=14; 9%), and – to a much smaller degree – friends (n=4; 3%).

Figure 16. Female Indigenous homicide victim's relationship with their offender



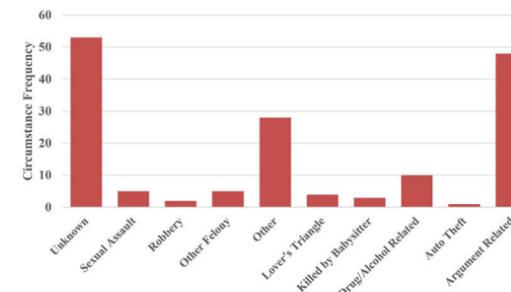
Source: FBI SHR (1976-2018)

Note. One case was not included in the above table representing other known relationship. Wife, common-law-wife, and girlfriend categories were all combined to create the "intimate partner" category. Daughter and stepdaughter were combined into one "daughter" category.

CIRCUMSTANCES SURROUNDING MMIWG

The SHR data provides information regarding the circumstances of each homicide allowing us to better understand what may contribute to the murder of Indigenous women in Arizona (see Figure 17). While many circumstances of homicides against Indigenous females are unknown (n=53; 33%), the largest known precipitating factor involved an argument (n=48; 30%). The next largest category was other (n=28; 18%) which included circumstances such as gang-related homicides or a suspected felony. This category also included cases of justifiable homicide, where a felon was killed by a citizen, or where a felon was killed by police. Drugs or alcohol were known to have been related to 6% (n=10) of homicides of Indigenous females. Other circumstances surrounding the murder of Indigenous females included sexual assault (n=5; 3%), "lover's triangle" (n=4; 3%), murder by a babysitter (n=3; 2%), robbery (n=2; 1%), and auto theft (n=1; 1%).

Figure 17. Circumstances surrounding MMIWG



Source: FBI SHR (1976-2018)

Note. "Rape" was combined with other sex offenses to create the sexual assault category. The brawl under the influence of alcohol and brawl under the influence of drugs categories were combined to create drug/alcohol related. Arguments over money and other arguments were combined to create argument related category. "A lovers' triangle" (term used by the FBI SHR) involves infidelity in a romantic relationship. Gang-related and suspected felony categories were combined into other.

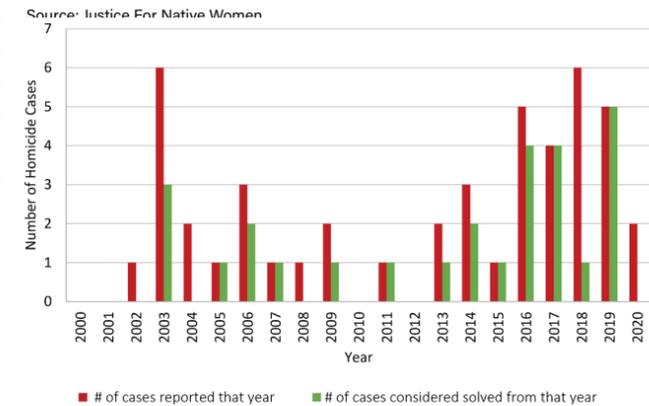
HOMICIDE RESULTS FROM JUSTICE FOR NATIVE WOMEN DATA

As of August 19, 2020, there have been 46 reports of Indigenous female homicide cases in Arizona from 2000-2019 (see Figure 18). There are likely far more cases than this data shows. However, this is the data that Justice For Native Women (JFNW) has been able to compile since their start in 2015.

JFNW data shows that there is more data available regarding recent cases compared to older cases. This is likely due to increases in technology that have allowed more recent cases to be accessed electronically and, therefore, easier to find. Of the 46 Indigenous homicide cases that have been reported after the year 2000, 59% (n=27) have been considered solved, 32% (n=15) are unsolved, and 11% (n=4) of cases are unknown if solved at this point. Of the 46 homicide cases, only 6 of the victims' ages were known at the time they were murdered. The youngest age reported was 18 and the oldest age reported was 53, with an average of age 31.

Although information about the circumstances surrounding the homicides are limited, it was determined that alcohol/drugs were associated with 9% (n=5) of cases, domestic violence was a factor in 11% (n=6) of cases, foul play was suspected in 9% (n=5) of cases, and sexual assault occurred in 4% (n=2) of cases.

Figure 18. Reported cases compared to solved cases of Indigenous female homicide victims in Arizona by year (2000-2020)



Source: Justice For Native Women

Note. One case was excluded in the above table due to unknown year.

POLICY RECOMMENDATIONS TO REDUCE MMIWG IN ARIZONA (GOAL 3)

In partnership with the Study Committee, and in consideration of our extensive research on MMIWG, we present the following policy recommendations with the goal of reducing violence against Indigenous Peoples, including MMIWG.

While respecting the sovereignty and political integrity of Tribal governments, and the values and culture represented by each Tribal Nation, Arizona's response should reflect a full and cooperative relationship in regard to data collection and mutual information sharing, which will enhance the enforcement of laws and court orders on Reservations by Tribal governments and enhance the enforcement of the same laws outside of Indian Country by states, municipalities, and the federal government, which will serve to improve the safety and security of all Indigenous Peoples, on or off Tribal land.

Engage in consultation with Arizona Tribes to work together to determine the best permanent institutional approach and structure to collectively take action to reduce MMIWG. For instance, one possibility may be a permanent state office, run by Indigenous Peoples, that partners with all 22 Arizona Tribes is necessary to ensure the coordination of training, services, resource allocation, relationship building, collaboration, and data fidelity. Or, perhaps cross-disciplinary and cross-departmental collaborations approach is important among Tribal Liaisons and the state of Arizona entities (e.g., Department of Economic Security, Department of Child Safety, Department of Public Safety, Office of Faith, Youth, and Family, etc.). Either the creation of a state office, or the collaboration among Tribal liaisons

among state departments, would be poised to ensure that appropriate considerations are made regarding (1) Tribal sovereignty and the federal trust responsibility (a relationship that supersedes the state for funding and services), and (2) complexities surrounding any recommendations regarding the safety of Indigenous Peoples, including how these recommendations would be carried out, whom would be responsible for ensuring their completion, securing source of permanent funding, and how these recommendations will impact current programs that are providing direct services to avoid unintentional harm. Some of the suggested recommendations are for victim services, law enforcement, and legislation – on and off Tribal land.

For all recommendations, it is essential to consult with Tribal Nations to review, modify, approve, implement, and periodically re-assess the effectiveness of policies that impact Indigenous Peoples. As the State of Arizona works to address crime and violence associated with MMIWG, it should do so through a civil rights protection approach. The State should develop training requirements, transparent protocols, and develop models for solutions to address domestic violence, victim and family safety, victim notification, data collection, and testing and evaluating evidence, by using a trauma informed, human rights framework that respects Tribal sovereignty and the rights of victims and families. The State should do so by consultation, informed consent, and by communicating any new process or reform to and through Tribal communities and leaders.

The State of Arizona should work with Arizona's Tribal communities and leaders, and MMIWG experts on the following recommendations:

VICTIM SERVICE RECOMMENDATIONS

1. Provide funding opportunities (and increase current funding) for Tribes and non-profit agencies that serve Indigenous victims within rural, urban, and Tribal communities.
2. Offer survivors and family members of MMIWG wrap-around services from a network of agencies and centralize the service provision where possible to streamline services.²³⁶ However, it should be acknowledged that not all services need to be

centralized/wrap-around given that each Tribe is different in their level of capacity.

3. Increase access to shelters/safe houses for survivors fleeing violence in urban areas and in Tribal communities through increased funding.²³⁷
4. Increase access to Indigenous legal advocates to help orient survivors and families within the legal system and to accompany survivors in court proceedings, in urban, rural, remote, and Reservations.²³⁸
5. Provide a centralized reporting site for MMIWG to report missing and murdered persons that honors the unique nature of all of the 22 Tribes and provides an accurate account of MMIWG in Arizona.
6. Establish a 24-hour crisis hotline for MMIWG and related needs (e.g., domestic violence shelters and safe homes, legal assistance, medical care, financial assistance, and housing advocacy referrals).

RESOURCE ALLOCATION RECOMMENDATIONS

1. Centralize and specify permanent funding and technical assistance that will be available to Tribes.²³⁹
2. Strategically improve outreach and dissemination of available and up-to-date resources (e.g., Tribal victim services) to urban, rural, and Tribal communities. This will require an investment in planning and an adaptation of material to account for the unique jurisdictional issues of Tribal land.²⁴⁰
3. Develop Sexual Assault Response Teams (SART) within Tribal communities and border towns, with special emphasis on Tribal cultural competency, to increase the support that survivors of sexual violence receive.²⁴¹
4. Create and disseminate information kits for survivors and families with resources, service directories, and orientation to the legal system.²⁴²
5. The State of Arizona should call for an increase to federal funding for Arizona Tribal justice systems through the Tribal Justice Support Act, (Title 25 U.S.C. 3602 et seq.) and the Office of Tribal Justice Support, within the Bureau of Indian Affairs. The State of Arizona should work with Tribal leaders

and ask Congress to appropriate equitable base increases for Tribal justice systems as contemplated under 25 U.S.C. Sections 3613 and 3621.

6. The State of Arizona should support and call for appropriations by the federal government to directly fund the design, development, and construction of Arizona Tribal courts, multi-purpose justice centers, Tribal correctional facilities, Tribal facilities for law enforcement, drug and alcohol treatment and programming space, public defender offices, and the expansion or renovation of Tribal courts and justice facilities that support alternatives to incarceration. Funding should also be set aside for federal and Tribal systems to support operations and programming.

TRAINING AND EDUCATION RECOMMENDATIONS

1. Designate annual training for all professionals, especially police officers to include 60 hours of intermittent annual training that prioritizes training to all professionals for cultural responsiveness.
2. Train schools and teachers to increase awareness of children who are victimized, as well as the appropriate reporting mechanisms.²⁴³
3. Offer human trafficking training resources to Tribal law enforcement agencies, casinos, and hotels.²⁴⁴ Expand efforts to address sex, labor, and human trafficking, and identify evidence-based practices for intervention to assist victims of trafficking, to include funding for research, technical assistance, training, prevention, and education.
4. Engage the U.S. Department of Health and Human Services, in collaboration with Tribes and the federal government, to ensure services regarding domestic violence, substance use, and mental health are meeting the needs of Tribal communities.²⁴⁵
5. Require all State departments to enforce their Tribal consultation policies regarding any work, activities, policies, etc. that can have impact on Tribes.
6. Increase public-engagement initiatives, with particular attention to the unique circumstances that can impact the participation of Indigenous Peoples,

and allocate resources to ensure cultural safety and inclusion for Indigenous Peoples.²⁴⁶

7. Increase public education and advocacy to increase awareness of Indigenous history, rights and safety. Education and training may include non-violent conflict resolution, safety, Internet safety, consent and sexual exploitation prevention, human trafficking prevention, and on human rights.²⁴⁷
8. In partnership with Arizona's Tribal domestic and sexual violence coalitions, support the training for advocacy response and tailor the advocacy to the specific victimization experienced (missing persons, sexual assault, domestic violence, homicide, etc.).
9. Work with Tribes to facilitate NamUs and NCMEC training in their communities and encourage Tribal and non-Tribal law enforcement and family members to utilize.²⁴⁸
10. Encourage community-led prevention and advocacy to empower Indigenous Peoples to report family violence.
11. Organize and conduct education events on the National and State day of MMIWG awareness (May 5th) for prevention, awareness, to identify risk factors, for analysis of plans for victim safety, trauma informed practices, responsiveness to gender/sexual orientation, sex trafficking, remembrance, and community organizing.
12. Create a State MMIWG website with resources, links, data dashboards, information, resources, and reporting links. Create a social media awareness campaign and implement a public-relations initiative to establish community confidence in and support for the justice system.
13. Design, develop, and implement prevention and intervention strategies for youth, men, and boys (e.g. Indivisible Tohono²⁴⁹ and A Call to Men²⁵⁰).
14. Develop a "best practices guide" for inter-jurisdictional matters (e.g., contact information, how to report a missing persons or report a crime in each jurisdiction, court information, how to obtain and enforce orders of protection, basic jurisdictional information, how to identify and report suspected human trafficking, and a list of Arizona and Tribal resources).

²³⁶ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

²³⁷ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

²³⁸ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

²³⁹ Abinanti et al., *To*, 2020.

²⁴⁰ Lucchesi and Echo-Hawk, *Missing*, 2018.

²⁴¹ Abinanti et al., 2020.

²⁴² The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

²⁴³ Sutter et al., *LB 154*, 2020.

²⁴⁴ Sutter et al., *LB 154*, 2020.

²⁴⁵ Sutter et al., *LB 154*, 2020.

²⁴⁶ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

²⁴⁷ The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

²⁴⁸ Sutter et al., *LB 154*, 2020.

²⁴⁹ Indivisible Tohono, <https://www.facebook.com/indivisibletohono/>

²⁵⁰ A Call to Men: The Next Generation of Manhood, 2020, <http://www.acalltomen.org/>

LAW ENFORCEMENT RECOMMENDATIONS

1. Develop approaches to close law enforcement gaps, delineate jurisdictional responsibility, and enforce accountability while respecting sovereignty, through inter-jurisdictional communication, intergovernmental agreements, and increased coordination.
2. Develop and implement a missing persons policy for both child and adult missing persons that is consistent statewide. The policy should illustrate step-by-step procedures and ensure that missing persons are documented by law enforcement.²⁵¹
3. Facilitate cross-deputization (permission to cross-borders) for Tribal law enforcement departments and officers. This will aid in the formation of multi-agency teams to share information pertaining to investigations and case reviews.²⁵²
4. Encourage memorandums of understanding (MOUs) between Tribal and non-Tribal law enforcement agencies.²⁵³
5. Establish a law enforcement task force for missing persons and include Tribal law enforcement agencies on the task force.²⁵⁴
6. Increase the recruitment of Indigenous Peoples in all levels of law enforcement (Tribal, federal, state, county, municipal) agencies and allow Indigenous recruits to request being assigned to their home area, if jurisdiction allows.
7. Increase training and community orientations for law enforcement officers, including cultural awareness/competency, sensitivity to victims and their families, and communication with families and survivors.²⁵⁵
8. Provide training to law enforcement agencies and officers on Tribal sovereignty, PL 280 (if applicable),²⁵⁶ and 638 (if applicable)²⁵⁷ MMIWG, and violence against Indigenous Peoples.²⁵⁸
9. Provide cultural training to the federal prosecutors who charge and prosecute crimes reported by Tribal police.
10. Provide cultural sensitivity training to Arizona

251 Sutter et al., *LB 154*, 2020.

252 Sutter et al., *LB 154*, 2020.; Abinanti et al., *To'*, 2020.

253 Sutter et al., *LB 154*, 2020.

254 Sutter et al., *LB 154*, 2020.

255 Sutter et al., *LB 154*, 2020; The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

256

257 Pub. L. 93-638. <https://www.bie.edu/sites/default/files/documents/idc2-087684.pdf>.

258

259 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.; Sutter et al., *LB 154*, 2020.

prosecutors and judiciary who will encounter crimes involving MMIWG. For example, The Arizona Bar hosts an annual Arizona Judicial Conference, and this would be an excellent venue to provide information about the cultural and sensitivity issues surrounding MMIWG.

11. Train cross-deputized departments on tribal jurisdiction considerations.
12. Require Tribal Nation data to be collected on every victim
13. Train law enforcement officers to ask victims if they are Native American. Just because a victim looks a certain way, does not mean they are a particular race. Ethnicity is not measured by looks. There is no standard Indigenous "look."
14. Ensure that any sexual assault/rape kits submitted by Tribal Law Enforcement agencies to Arizona Department of Public Safety are being tested on a timely basis.

COLLABORATIVE RECOMMENDATIONS

1. Create an inter-agency case review team – and encourage each tribe to hold regular meetings with the team. The inter-agency case review team may include Tribal, local, county, state, and federal agencies that handle MMIWG cases, including law enforcement agencies, prosecutors, Tribal and non-Tribal courts, child protective services, direct service providers, medical examiners, Tribal coalitions, task forces, and families affected by MMIWG. This will reduce duplicative efforts, streamline service delivery, and minimize the need for survivors and families to recount their trauma repeatedly due to agencies being barred from communicating²⁵⁹
2. Designate a Tribal liaison or advocate with each individual Tribe so that families and survivors have an advocate from their own Nations that has a working relationship with those in the recommended inter-agency case review team (e.g., law enforcement agencies, prosecutors, Tribal and non-Tribal courts, child protective services, direct service providers, medical examiners, and families

affected by MMIWG).²⁶⁰

3. Collaborate with Indigenous researchers to carry out studies with Tribal input and support, and ensure that non-Indigenous research partners have Indigenous staff or extensive experience working with Indigenous communities and include extensive networks of Indigenous collaborators.²⁶¹
4. Promote meaningful collaborations between academics, front-line practitioners, families of MMIWG, survivors of violence, and grassroots organizations to inform policy and service delivery.²⁶²
5. Develop multijurisdictional Endangered Missing Advisory (EMA) Systems/Plans, which enables collaboration among agencies to broadcast and search for missing persons who are in danger but do not fit AMBER Alert criteria.

DATA IMPROVEMENT RECOMMENDATIONS

1. Conduct a comprehensive follow-up study to determine the scope of the MMIWG crisis by examining each of the factors that contribute to incidents of MMIWG, and to continue to uncover the prevalence of MMIWG in Arizona.
2. Establish methods and protocols for tracking, gathering, and collecting data on violence against Indigenous Peoples, including data on MMIWG, by Tribal affiliation, and enhance statewide efforts to prevent and end domestic violence and sexual violence.
3. Request that the federal government fully fund the Department of Justice (DOJ) Tribal Access Program (TAP) to provide access to federal crime databases, in order to enhance the safety of Indian Country, enable information sharing, and eliminate safe havens for criminals, pursuant to the TLOA 25 U.S.C. §2810 (2010).
4. NamUs should include data points to publicly document historical missing persons, including solved cases. The data should also include information on the outcome of resolved missing

260 Abinanti et al., *To'*, 2020.

261 Abinanti et al., *To'*, 2020.

262 The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.

263 Abinanti et al., *To'*, 2020.

264 Sutter et al., *LB 154*, 2020.

265 Sutter et al., *LB 154*, 2020.; The National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming*, 2019.; Abinanti et al., *To'*, 2020.

266 Abinanti et al., *To'*, 2020.

267 Under TAP the Department of Justice allows selected federally-recognized Tribes to exchange critical data across the Criminal Justice Information Services (CJIS) systems and other national crime information systems. Department of Justice, Office of Public Affairs, "Attorney General Jeff Sessions Announces New Actions to Support Law Enforcement and Maintain Public Safety in Indian Country," The United States Department of Justice. Accessed September, 20, 2020. www.justice.gov/tribal

268 Abinanti et al., *To'*, 2020.

persons cases (e.g., person found safe, trafficking, homicide).²⁶³

5. Data on MMIP should include, where possible, information on race and Tribal affiliations for victims and offenders.²⁶⁴
6. Law enforcement agencies need funding and resources to improve training on appropriate ways to avoid racially misclassifying victims.²⁶⁵
7. Invest in technological infrastructure and public records administration resources of all law enforcement agencies, including making records digital to expedite tracking.²⁶⁶
8. Increase access to local and national data and remove restrictions to enable the compilation of comprehensive case files.
9. Streamline and reduce the burdens of Freedom of Information Act (FOIA) requests, including reducing financial costs and time delays.
10. Allow Tribes to have full access and input to information available in currently-restricted databases, such as NamUs, Tribal Access Program (TAP),²⁶⁷ National Crime Information Center (NCIC), and Criminal Justice Information Services (CJIS). Provide Tribes access to edit or add to the data on their citizens, as well as be notified when a Tribal member has been added to a database.²⁶⁸

LEGISLATIVE RECOMMENDATIONS

1. The State of Arizona should support the full restoration of inherent Tribal civil and criminal jurisdiction to Tribal governments over all wrongdoers for Arizona federally recognized Indian tribes that wish to exercise such jurisdiction. The State of Arizona should work with Tribal Congressional representatives to reauthorize and amend the Violence Against Women Act (VAWA) to fully restore tribal inherent criminal and civil jurisdiction, through a full "Oliphant-Fix."
2. Expand the language of legislation pertaining to the safety and protection of all people to be inclusive

of people of color, the LGBTQ+/2S community, and Indigenous Peoples.²⁶⁹

3. Mandate NamUs entry among law enforcement agencies within a designated time period to report missing and unidentified persons. Currently, several states mandate the use of NamUS (e.g., Oklahoma, New Mexico, Tennessee, New York, Michigan, and Illinois).²⁷⁰
4. Mandate reporting to NCMEC among police departments.
5. Require all law enforcement training to be co-developed with Tribal governments and Tribal organizations.²⁷¹
6. Create legislation to ensure statewide consistency in the documentation of race, gender, and ethnicity.
7. Enact (or reauthorize) funded MMIWG and MMIP legislation.
8. Expand VAWA and Tribal Court jurisdiction where available.
9. Develop with the Arizona Legislature, and fund, a model state statute creating Special County Deputy Prosecutors. County Prosecutors may appoint attorneys to assist County prosecuting attorneys when the public interest requires, including the appointment of qualified Tribal prosecutors to assist in prosecuting and helping to coordinate the prosecution of state offenses committed in Indian Country.
10. Form an Arizona State Missing and Murdered Indigenous Persons Task Force.
11. Add Indigenous representatives to Arizona Boards or Commissions (e.g., Arizona Criminal Justice Commission and Arizona Department of Homeland Security Regional Advisory Councils).

²⁶⁹ Abinanti et al., *To*, 2020.

²⁷⁰ Abinanti et al., *To*, 2020.; Lucchesi and Echo-Hawk, *Missing*, 2018.

²⁷¹ Abinanti et al., *To*, 2020.

CONCLUSIONS AND NEXT STEPS TO REDUCE MMIWG

“You don’t heal if you don’t have an answer.”

ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui)
“The journey home” 18”x 24” canvas, acrylics.

CONCLUSIONS AND NEXT STEPS TO REDUCE MMIWG

This study's 3 goals work together to collectively meet the overarching goal of shedding light on and reducing MMIWG to create safer communities in Arizona and across the nation and the globe. Our study investigated the barriers to tracking violence against Indigenous women and girls and reducing the incidences of violence and MMIWG. We provided an overview of the barriers to tracking MMIWG and conducted a statewide investigation into the ways that law enforcement agencies document Indigenous race (Goal 1). We also examined 3 national data sources to investigate the prevalence of MMIWG in Arizona. Improving knowledge about the scope and contextual characteristics of MMIWG has the potential impact of broadening Arizona's, and the nation's, understanding of the pervasiveness and seriousness of this problem (Goal 2). Based on our study and the groundbreaking work of others, we offered a number of practical, culturally-appropriate, and data-driven policy recommendations to reduce MMIWG (Goal 3). Taken together, this study is a comprehensive and in-depth first assessment of MMIWG in Arizona. Yet given the data limitations, this study offers an incomplete presentation of MMIWG. Data sources that completely and accurately portray MMIWG do not yet exist. Even so, the 3 data sources we examined in this study offer valuable insight into the known – albeit underrepresented – extent that MMIWG occurs.

Arizona's MMIWG legislation called for an ambitious number of objectives to be met within a single year. We have accomplished a great deal of progress without funding, under a compressed 1-year timeframe, on a highly complex and sensitive topic, among a population that is underserved and hard-to-access, and in the chaos of a global pandemic. Of the 10 objectives called for by the legislation, we accomplished the following within our 3 project goals (given that some legislative objectives were overlapping):

1. Conducted a comprehensive study to determine how this state can reduce and end violence against indigenous women and girls in this state
2. Established methods for tracking and collecting data on violence against Indigenous women and girls, including data on MMIWG

3. Gathered data on violence against indigenous women and girls in Arizona
4. Determine the number of missing and murdered Indigenous women and girls in Arizona
5. Identified barriers to providing more state resources in tracking violence against Indigenous women and girls and reducing the incidences of violence
6. Proposed measures to ensure access to culturally appropriate victim services for Indigenous women and girls who have been victims of violence
7. Proposed legislation to address issues identified by the Study Committee
8. Submit a report regarding the Study Committee's activities and recommendations for administrative or legislative action on or before November 1, 2020 to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy of this report to the Secretary of State.

This study is the beginning of Arizona's statewide dedication to reduce violence against Indigenous People – particularly MMIWG – and a tremendous amount of work remains to improve the lives and safety of Indigenous Peoples. Arizona's MMIWG legislation called for the following objectives that we plan to meet in our future work:

1. Review policies and practices that impact violence against Indigenous women and girls, such as child welfare/foster care policies and practices, law enforcement protocols, housing policies, systemic racism, border patrol/immigration policies
 2. Review prosecutorial trends and practices relating to crimes of gender violence against Indigenous Peoples
- To expand this work, our future efforts will also include – but are not limited to – the following:
3. Indigenous-led community interviews with volunteers who wish to speak about their MMIWG stories. This is important for understanding the

(a) contributing factors of MMIWG (b) community needs, (c) experiences with criminal justice systems, and (d) effectiveness of data systems to track and publicize MMIWG in urban, rural, and Reservation areas.

4. Incorporate additional state, local, and Tribal data sources (e.g., medical examiner)
5. Centralize a database of victim services among Tribal and non-Tribal entities
6. Indigenous-led partnerships with Tribes to include information and data to meet the needs of individual communities (e.g., criminal justice response, services, and needs of the community as a whole)



This study is in remembrance
of all Stolen Sisters and
Indigenous Peoples. Thank you.

COVER ARTWORK CREDIT:
Artist: Abel Ochoa (Pascua Yaqui), "Spirit flows"

AUTHORS



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MICHELLE HOVEL (NAVAJO NATION AND WHITE MOUNTAIN APACHE), is currently pursuing a Master of Arts in Criminal Justice at Arizona State University. She is an enrolled member of the Navajo Nation and her maternal lineage extends into White Mountain Apache Tribe. She was born and raised on the Navajo Nation, a descendant of the Tsérijikiní (Honey Combed Rock People) clan and is from Greasewood, AZ. Ms. Hovel earned her B.A. in Criminology and Criminal Justice at Arizona State University. She is currently employed as a Student Success Specialist at Phoenix College, where she provides student support services from an American Indian culturally-oriented perspective. She mentors at-risk American Indian high school students, who participate in Phoenix College's Hoop of Learning Program. As a major accomplishment, her position as a Student Success Specialist allowed her to develop and expand upon an intricate student support systems tailored specifically for American Indian students in two Navajo Language Studies courses and one American Indian History course during the Academic Year 2019-2020. Prior to Arizona State University, she served eleven years as a Maricopa County Sheriff's Office Detention Officer in Phoenix, AZ.

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JACOB MOORE (TOHONO O'ODHAM NATION, AKIMEL O'ODHAM, LAKOTA, DAKOTA), MBA, is the Assistant Vice-President of Tribal Relations at Arizona State University. His expertise is focused on the development, enhancement, and sustained collaborative partnerships between Arizona State University and Tribal Nations and Indigenous communities locally, regionally, and globally. Mr. Moore is a former president and member of the Arizona State Board of Education, and currently serves on several boards of directors, including the Morrison Institute for Public Policy. Mr. Moore was most recently the managing partner of Generation Seven Strategic Partners, LLC, and previously worked as an Economic Development Analyst and Special Assistant on Congressional and Legislative Affairs for the Salt River Pima-Maricopa Indian Community.



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APPENDIX A

ARIZONA MMIWG STUDY COMMITTEE MEMBERS

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HONORABLE ALFRED URBINA, Pascua Yaqui Tribe, Associate Justice, Pascua Yaqui Courts

Appendix G:

**Arizona Field Study of Missing & Murdered Indigenous Women
and Girls**



Arizona Field Study of Missing & Murdered Indigenous Women & Girls

October 2020



LeCroy & Milligan
ASSOCIATES, INC.

Arizona Field Study of Missing & Murdered Indigenous Women & Girls

October 2020

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About LeCroy & Milligan Associates, Inc.:

Founded in 1991, LeCroy & Milligan Associates, Inc. is a consulting firm specializing in social services and education program evaluation and training that is comprehensive, research-driven and useful. Our goal is to provide effective program evaluation and training that enables stakeholders to document outcomes, provide accountability, and engage in continuous program improvement. With central offices located in Tucson, Arizona, LMA has worked at the local, state and national level with a broad spectrum of social services, criminal justice, education and behavioral health programs.

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Notice: Given the nature of this study, this report contains graphic content and sensitive descriptions which may not be suitable for all audiences.



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Executive Summary

I hope this study is able to do something because every day a child or loved one is missing...

They need to think, what if it was my daughter, or sister, or mother.

Maybe this will change their perspective.

- Mother of Survivor

Violence faced by Indigenous women and girls is a nationwide concern. According to a 2016 study, 4 in 5 American Indian and Alaska Native women have experienced violence in their lifetimes.¹ This is just one piece of a complex narrative that combines historical trauma, sex trafficking, jurisdictional dynamics, law enforcement policies and practices, and data limitations with the tragic result of a largely unquantifiable number of Indigenous women and girls disappearing or losing their lives.

Although a long-standing issue, this problem has gained increased attention because of newly passed federal legislation known as Savanna's Act. The goal of the Act is to improve law enforcement policies and practices to track, solve and prevent crimes involving Native Americans. In Arizona specifically, during the First Regular Session of the 54th Legislature, House Bill 2570 passed both legislative chambers and was signed into law on May 14, 2019. The legislation created the Missing and Murdered Indigenous Women and Girls Study Committee (MMIWG). The study committee consists of 23 members; eight are House and Senate members. The Committee's charge is to conduct a comprehensive study to determine how to reduce and end violence against Indigenous women and girls in this state.

LeCroy & Milligan Associates, Inc. (LMA), a research and evaluation firm located in Tucson, Arizona, was contracted by the Arizona Attorney General's office on February 29, 2020, to conduct a field study to inform the efforts of the Arizona House Bill 2570 Missing and Murdered Indigenous Women and Girls (MMIWG) Legislative Study Committee. The field study was designed to hear from survivors, families and law enforcement representatives on this topic and consisted of two components:

- A law enforcement study with all law enforcement agencies in the Arizona including State, County, City, Tribal and University agencies.
- A Tribal study with survivors and families of all 22 land-based Tribes in Arizona that were willing to share their stories about their experiences with MMIWG for those Tribal communities that had an executed MOU for the study.

The evaluation team had a limited data collection window, largely attributable to COVID-19, which reduced the number of individuals who were able to participate. In spite of these

¹ Rosay, André B., "Violence against American Indian and Alaska Native Women and Men," *NIJ Journal* 277 (2016): 38-45.



challenges, **41 management officials at 33 law enforcement agencies** were interviewed across Arizona and **40 field staff officers** completed an online survey regarding their experiences with MMIWG cases. **Eight out of the 22 Tribes** that were contacted signed a Memorandum of Understanding (MOU) to allow the evaluation team to interview their Tribal members. **Eight survivors and 30 family members** were able to be interviewed. Other MOUs were in progress and interviews pending at the time the data collection window closed.

This report tells the story of these experiences from multiple perspectives, that of survivors, families and law enforcement who work on these cases. Overall, the story presented in this report is of loss, heartbreak, and frustration, as well as hardworking people typically trying their best to solve these crimes within the systems that exist and their roles.

The whole MMIWG issue is complex and multi-faceted, making solutions that much harder. For example, confusion and complexity around law enforcement jurisdiction takes time, reporting methods and timelines vary, law enforcement training is sometimes limited, and data collected on Tribal affiliation is often lacking. These systemic barriers may contribute to inefficiencies and gaps in successfully identifying/finding potential victims, supporting those involved, and ultimately finding the perpetrators of these crimes. This field study can only point to these types of challenges, but not quantify the exact number of MMIWG cases each year that go unresolved.

Simultaneously, one must consider how culture, biases (conscious or subconscious) and other factors exist and may further exacerbate these already complex systemic issues. And one could make a case that the systemic issues are at least partly present *because* of these underlying root issues related to treatment of Native Americans historically in this country. Historical trauma and continuing inequalities and discrimination are clearly real for many of the Tribal participants that were interviewed in this study.

Historical trauma - effect of government on the Native community, has eroded that trust overall. Still waters run deep. While culture has been changing, there may still be some people that have the thought that still could go sideways...may take generations to build trust. Some view law enforcement as inept. It is incumbent on us to ensure we provide the best service that we can...speak up to get additional resources to resolve those issues.

When we do not, people lose faith.

- State Law Enforcement Manager

Encouragingly, most of the participants in this study expressed interest and hope in seeing the issue of MMIWG improve. Tribes, while expressing an understandable amount of hesitancy at a study of this nature, ultimately worked hard to push through Tribal support of interviewing their Tribal members so their voices could be heard.



There is not a person involved in this study that does not wish more Tribes and Tribal members had time to be engaged and share their voices on this subject. Law enforcement provided a critical piece of this narrative – some of the reasons behind why victims and families have the experiences that they do in the process and how things could be improved in responding to missing and murdered women and girls. In summary, one can only hope that the findings here provide an initial, be it limited, picture of this issue in Arizona and what perhaps could be done to solve or ameliorate it. Overall, the following are areas that this field study suggests could be considered:

Key Field Study Recommendations

Provide additional law enforcement training specific to MMIWG

Implement law enforcement protocol, policy and system changes that support timely & consistent reporting

Continue to improve and enhance services provided by Victim Advocates

Ensure adequate tribal and law enforcement resources are in place for training, technology and awareness efforts related to MMIWG

Enhance communication and multiagency/ multidisciplinary approaches to MMIWG cases

Continue to collect additional data and information on this issue to further decision-making.

Continue to hear from Tribal members to ensure their perspective and voice is heard as solutions for this issue are proposed.

I get angry, nothing was done, we had no justice. My kids will never see their mom, they will never know who killed their mother. How can we heal not knowing?

I cry for my children that they don't have a mother.

- Family Member

It feels like everyone wants to solve these types of cases.

- Tribal Law Enforcement Manager



Introduction

Before exploring the specific data collected for this field study, this Introduction section provides relevant background information in the following areas: key definitions, a brief look at the national context of this work, and information on Arizona Tribal communities. An overview of the work happening specifically in Arizona is also referenced. This section should only serve as a brief summary of these extensive areas in order to frame the context for the data that follows and should not be considered a comprehensive review of all literature or initiatives in this area.

Key Definitions

In this report, the term Missing and Murdered Indigenous Women and Girls (MMIWG) is defined as:

- 1) **Indigenous** - Refers to any individual that is affiliated or enrolled with any Tribe. Enrollment and affiliation criteria may vary from Tribe to Tribe. Native American and Tribal are also used to reference Indigenous peoples throughout the report.
- 2) **Women and Girls** - Refers to any Indigenous person that is biologically female or any Indigenous person that identifies as female.
- 3) **Missing** – Refers to one whose whereabouts are not currently known and the circumstances indicate that the individual may be at risk of injury or death. Some reasons a person is presumed to be missing could be:
 1. The person is missing as a result of a stranger abduction;
 2. The person is missing under suspicious circumstances;
 3. The person does not have a pattern of running away or disappearing;
 4. The person may have been abducted by a non-custodial parent;
 5. The person is mentally impaired;
 6. The person is under 21 years of age;
 7. The person has been the subject of past threats or acts of violence; and/or
 8. Any other factor that, in the judgment of a law enforcement or a victim advocacy agency, may lead the agency to determine that the person is at risk
- 4) **Murder** – Refers to one that has lost their life from willful (non-negligent) violence caused by another person

Violence against American Indian and Alaska Native Women

Violence against Indigenous women and girls is concerning nationwide. Although a long-standing issue, this problem has gained increased attention because of newly passed legislation know as Savanna’s Act. The goal of the Act is to improve law enforcement policies and practices



to track, solve and prevent crimes involving Native Americans. As Alfred Urbina (2020) reminds us, the first responsibility of any government is the safety and protection of its people.²

According to Rosay (2016), four in five American Indian and Alaska Native women (84.3%) have experienced violence in their lifetime. This includes 56.1% who have experienced sexual violence, 55.5% who have experienced physical violence by an intimate partner, 48.8% who have experienced stalking, and 66.4% who have experienced psychological aggression by an intimate partner. Overall, more than 1.5 million American Indian and Alaska Native women have experienced violence in their lifetime, and more than one in three experienced violence in the past year. When rates are compared with non-Hispanic, White women data shows that American Indian and Alaska Native women are 1.2 times more likely to have experienced violence in their lifetime and are 1.7 times more likely to have experienced violence in the past year.³

According to The Department of Justice, sex trafficking is also a growing concern among Native Americans. The Violence Against Women Reauthorization Act was amended to include sex trafficking as an area of focus:

“Tribal organizations, leaders, and the federal government have identified the importance of addressing human trafficking, including sex trafficking, and prioritizing measures such as providing culturally appropriate victim services, helping Tribes enact trafficking codes, and training law enforcement and other professionals on identifying and responding appropriately to victims. Tribal leaders also have identified a connection between missing and murdered Native women and trafficking and have recommended the use of public alerts and awareness campaigns to help victims find safety and resources.”⁴

A major concern is the overrepresentation of Native American women in prostitution. Further, many Native American women are exposed to risk factors for trafficking such as sexual victimization, unemployment, poverty, and homelessness.⁵

On August 29, 2014, the United Nations Committee on the Elimination of Racial Discrimination released its Concluding Observations.⁶ The report sites more than 20 areas of discriminatory laws, practices, and policies in the United States, including violence against women. The Concluding Observations called on the U.S. “to intensify its efforts to prevent and combat

² Alfred Urbina, “Criminal jurisdiction in Arizona Indian country & barriers to protecting missing & murdered Indigenous women and girls”, 2020.

³ Rosay, André B., “Violence against American Indian and Alaska Native Women and Men,” *NIJ Journal* 277 (2016): 38-45.

⁴ Department of Justice, *Human trafficking (including sex trafficking) of America Indians and Alaska Natives*, September, 2017

⁵ Damaske, S., Bratter, J. L., & Frech, A. (2017). Single mother families and employment, race, and poverty in changing economic times. *Social science research*, 62, 120-133.

⁶ Report of the Committee on the Elimination of Racial Discrimination, 85th session (11-29 August 2014), 86th session (27 April-15 May 2015)



violence against women, particularly against American Indian and Alaska Native women, and ensure that all cases of violence against women are effectively investigated, perpetrators prosecuted and sanctioned, and victims provided with appropriate sanctions.” The Committee reiterated its call for the United States “to take effective measures to guarantee, in law and practice, the right to access justice and effective remedies for all Indigenous women who are victims of violence.”

These research articles point to the importance of the work happening nationwide in this area, and the work specifically of the Arizona House Bill 2570 Study Committee.

In addition, Operation Lady Justice, also known as the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives was a task force established by presidential executive order in November 2019, is charged with addressing the issue of thousands of missing and murdered Indigenous people, particularly women and girls, whose cases have fallen into gaps created by jurisdictional issues.

Tribal Communities in Arizona

American Indian and Alaska Native people comprise 5.3% of the population of Arizona.⁷ Within the American Indian population, there are 22 unique land-based Tribes each with their own history, culture, and language. Arizona has one of the largest percentages of Native Americans in the United States. The Inter-Tribal Council of Arizona includes 21 Tribal Nations and functions to provide member Tribes a united voice.

Most Arizona Tribes function as their own independent Nations with their own governments, schools, law enforcement agencies, etc. In discussing Tribal sovereignty and Tribal self-rule, Kalt and Singer (2004) note, “After centuries of turmoil, oppression, attempted subjugation, and economic deprivation, the Indian nations have asserted their rights and identities, have built and rebuilt political systems in order to implement self-rule, and have begun to overcome what once seemed to be insurmountable problems of poverty and social disarray.”⁸ Nonetheless, Native Americans living on Reservations continue to face high unemployment and poverty. Data from 2015 found that 22.7% of Native American women in the United States lived in poverty.⁹

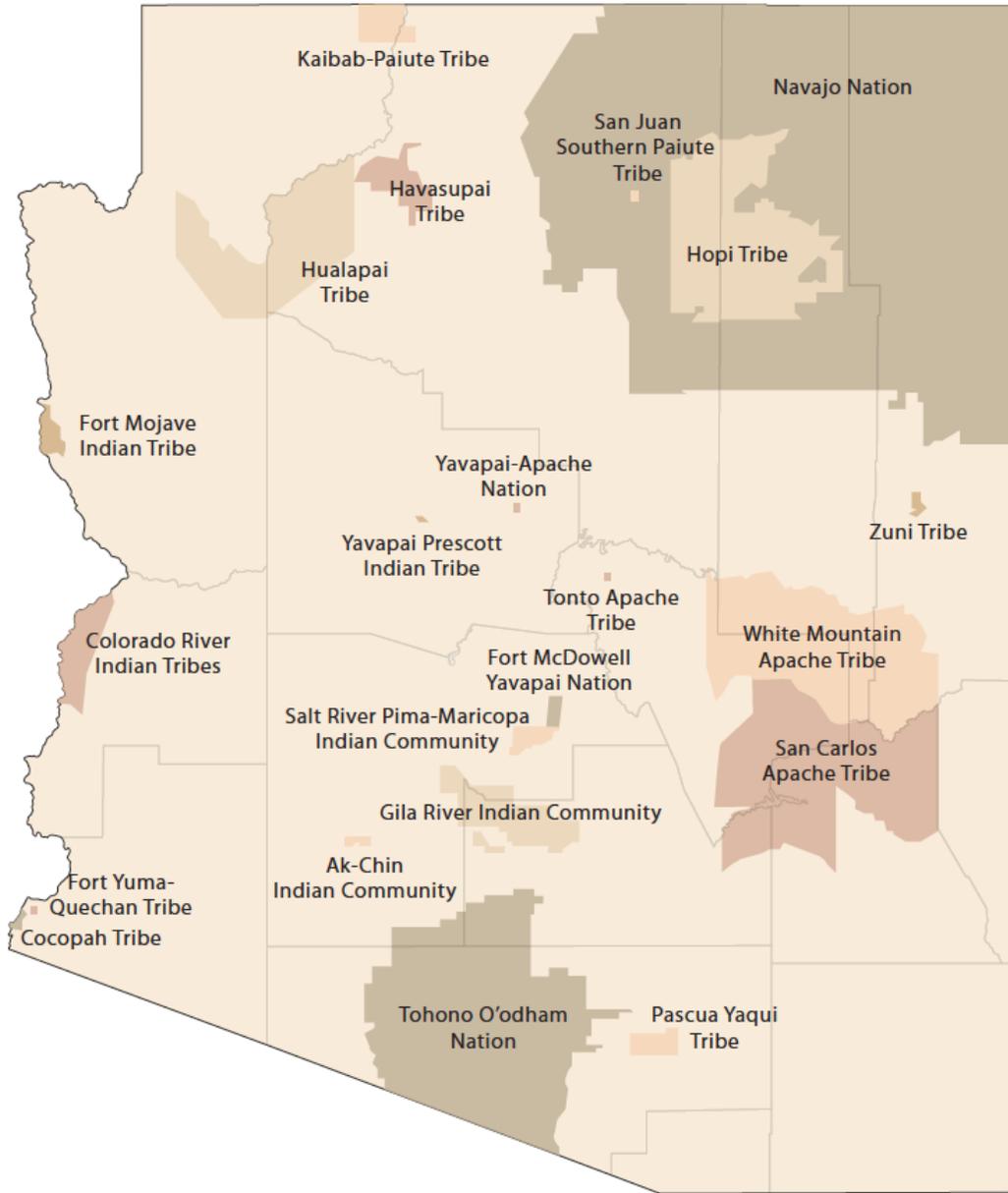
⁷ See <https://www.census.gov/quickfacts/AZ>

⁸ Kalt, J. P., & Singer, J. W., “Myths and realities of Tribal sovereignty: The law and economics of Indian self-rule”, Naïve Issues Research Symposium, Harvard University, 2004.

⁹ J. Tucker & C. Lowell, “National snapshot: Poverty among women and families, 2015.



Exhibit 1: Map of all Federally Recognized Tribal Nations in Arizona



<https://www.azindiagaming.org/member-Tribes/Tribal-land-casinos/>

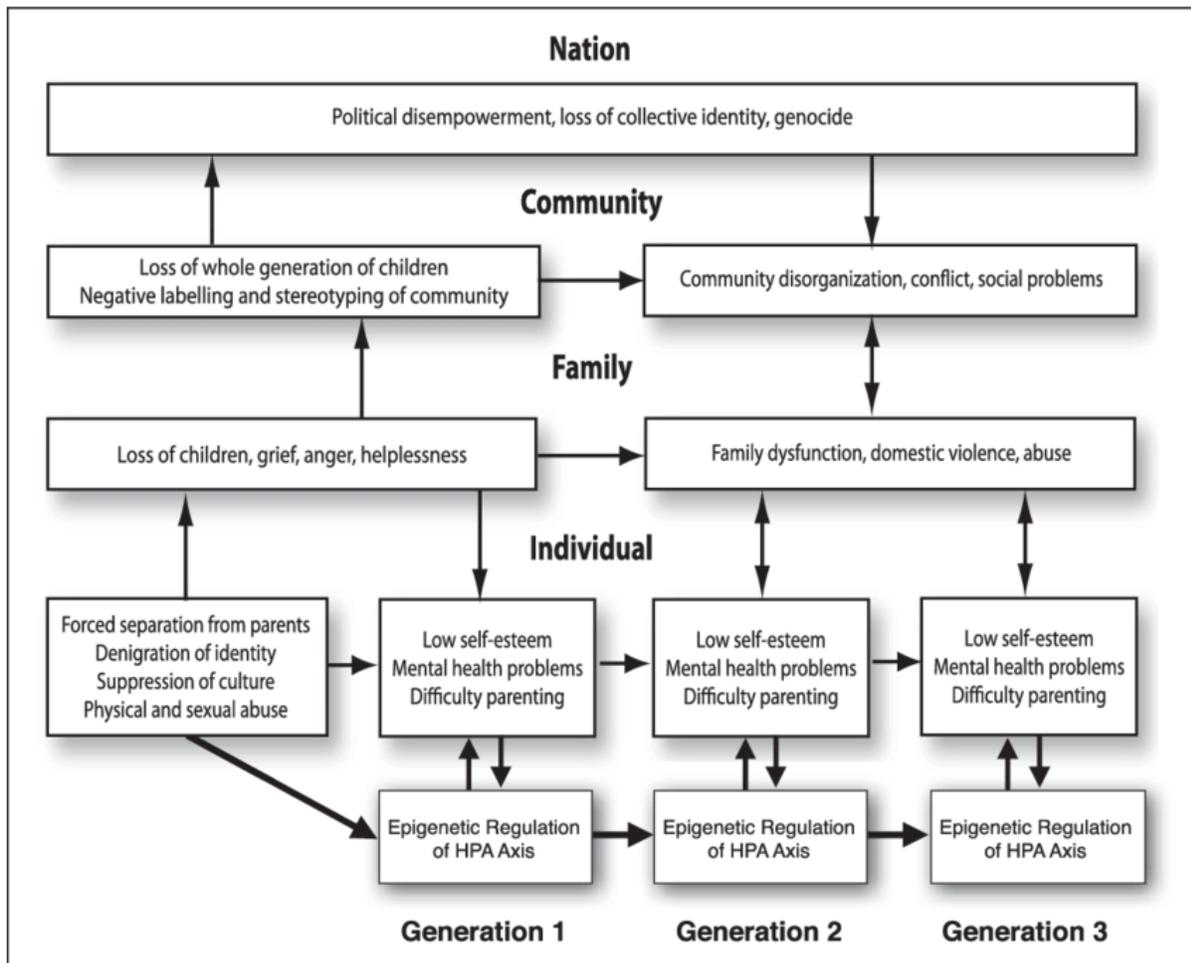
Historical Trauma

Historical trauma has become increasingly recognized as a way to understand the impact of colonization and oppression of Indigenous people. Some authors also discuss the concept of “structural violence” which emphasizes the increased incidence of suffering within current conditions that plays a role in the distress Native American people experience. The historical trauma experienced through suppression of Native American cultures and identities has led to



suffering as well as the structural violence that has disrupted patterns of subsistence, undermined of community autonomy, expropriation of lands, and promoted economic inequalities.¹⁰

The notion of historical trauma also promotes a deeper understanding of transgenerational effects. The understanding is that trauma endured over time within communities impacts future problems for descendants. Intergenerational transmission may occur at different ecological levels as shown below (figure from Kirmayer, et al.):



When discussing historical trauma Urbina (2020) reviews Arizona’s Tribal jurisdiction as a critical point in understanding the current crisis of Missing and Murdered Indigenous Women and Girls, noting “historic displacement, widespread injustices, and the dispossession of land, territories, and resources are key. Colonial flashpoints and genocidal policies disrupted traditional Tribal cultural lifeways, health, safety, food cultivation, subsistence activities, and

¹⁰ L. J. Kirmayer, J. P. Gone, & J. Moses, “Rethinking historical trauma.” *Transcultural Psychiatry*, 51, 299-319.



free seasonal movement for hunting, gathering, and sustainability practices.”¹¹ Historical trauma and injustices of Native American people provide a backdrop to current understanding of the violence against Native American women.

Jurisdictional “Maze”

In 1976, Robert Clinton coined the term “jurisdictional maze,” Alfred Urbina describes a “perfect storm of injustice,” and Amnesty International has written a 100-page report entitled, *Maze of Injustice: The failure to protect Indigenous women from sexual violence in the USA*. All of these authors are underscoring a multi-jurisdictional problem that has impacted the injustice faced today by some crime victims, families and Native American communities.

This issue is confusion over jurisdictional rules that leads to a lack of judicial efficiency, predictability and accessibility. For example, when a crime is committed by a non-Native person against another non-Native person on a Reservation, it typically falls under state jurisdiction. However, consider a crime committed by a non-Native person against a Native person, that is typically federal, and crimes committed by Native people against any victim typically fall under the jurisdiction of the Tribe. This can even vary based on the type and severity of the crime. The Major Crimes Act¹², passed by the United States Congress in 1885 as the final section of the Indian Appropriations Act, places certain crimes under federal jurisdiction if they are committed by a Native American in Native territory. Currently this list of crimes includes:

- Murder
- Manslaughter
- Kidnapping
- Maiming
- A felony under chapter 109A (i.e. sexual abuse)
- Incest
- A felony assault under section 113 (e.g. assault with intent to commit murder or assault with a dangerous weapon)
- An assault against an individual who has not attained the age of 16 years
- Felony child abuse or neglect
- Arson
- Burglary
- Robbery
- A felony under section 661 of this title (i.e. larceny)

¹¹ Alfred Urbina, “Criminal jurisdiction in Arizona Indian country & barriers to protecting missing & murdered Indigenous women and girls”, 2020.

¹² See <https://www.justice.gov/archives/jm/criminal-resource-manual-679-major-crimes-act-18-usc-1123>



Legal experts suggest two opposing views on this issue:¹³ If the federal government is responsible, then the solution is to increase funding to Tribal governments, focus on prosecutions, and commit to reducing crime on Native American Reservations. An alternative solution is to return jurisdiction to the Tribes and allow Tribal governments to prosecute all people who commit crimes on the Reservation. These two views simply point out the true complexity of solving the jurisdictional maze.

The significance of the jurisdictional maze for women in Arizona is described by Urbina (2020):¹⁴

“A three-pronged “jurisdictional maze” made up of federal, Tribal, and State governments lacking proper coordination, communication, and accountability is the primary reason for victims being neglected, criminals escaping punishment, and for the human rights crisis of Missing and Murdered Indigenous Women and Girls (MMIWG) in Arizona. As a result of a series of federal statutes and court decisions, Tribes lack the territorial jurisdiction states possess. Instead, criminal jurisdiction in Indian country is divided between three jurisdictions. This fractured authority creates a great deal of confusion and requires extensive coordination between police departments, prosecutors’ offices, court systems, probation/parole offices, and victim service providers.”

Urbina (2020) goes on to suggest three potential obstacles to effective enforcement of criminal laws:

- 1) Inability of Tribal governments to prosecute non-Indians who violate the law in Indian country;
- (2) Sentencing limitations imposed by the Indian Civil Rights Act; and
- (3) Funding available to support Tribal government justice systems.

Law enforcement faces numerous challenges in investigating these crimes based on these issues. The jurisdictional issues are sobering when one considers the degree of sexual violence experienced by Native American women. It is estimated that 34.1% of American Indian and Alaska Native women will be raped during their lifetime. As noted above, survivors of sexual violence must navigate a maze of Tribal, state and federal law. The practical impact—perpetrators can evade justice, an inadequate investigation takes place, and, in some cases, violence is inadvertently encouraged.¹⁵

¹³ See, E. Medoza, “Jurisdictional transparency and Native American Women, *California Law Review*, May, 2020.

¹⁴ See footnote 7 above.

¹⁵ Maze of Injustice: The failure to protect Indigenous women from sexual violence in the USA. Amnesty International USA (2007). amnestyusa.org



Border Issues

Not surprisingly, border issues compound these problems. Arizona Tribes address border issues on a routine basis and with limited resources. As border security has become a priority, Tribes have been negatively impacted as border crossing encroaches on Tribal land.¹⁶ Urbina sums the situation up concisely: “State courts, court practitioners, federal officials, and other stakeholders, may not fully appreciate or be sensitive to Tribal family culture or Tribal court practices, basic Indian country jurisdiction, and how those matters interplay at the federal, state, and international level. Federal investigative and court resources have been overwhelmed with humanitarian, refugee, and transnational criminal crossings of the Southern Border.”¹⁷ Communication between borders is challenging, and there are language issues and jurisdiction issues. These must also be considered when looking at potential solutions to this overall issue.

Tracking and Collecting Accurate Data

The need for better data collection and tracking of missing and murdered women is well established. In a statement to Congress, Charles Addington with the Department of the Interior, Office of Justice Services, noted the department is focused on strengthening crime data reporting and acknowledged that there are “significant gaps in data that exacerbate the MMIW crisis.”¹⁸

Bringing significant attention to the issue of data tracking is the report, *Missing and Murdered Indigenous Women and Girls: A snapshot of data from 71 urban cities in the United States*. This study examined 506 cases of missing or murdered urban Indian women and girls across 71 cities. As the report points out, the National Crime Information Center included 5,721 reports of missing American Indian and Alaska Native women and girls but NamUs, the United States Department of Justice’s missing persons database, included only 116 cases. The report documents the inadequacies of accurate data collection. The study requested data from 71 police departments and 59 percent did not provide data or provided only partial data.

Arizona Tribes are increasingly accessing criminal justice data through the Department of Justice’s Tribal Access Program (TAP). The goal of the TAP system is to promote the exchange of information across Criminal Justice Information Services systems. The following Tribes in Arizona now have access to National Criminal Information systems through the DOJ TAP program: Pascua Yaqui, Tohono O’odham Nation, Hopi Tribe, Ft. McDowell, Gila River Indian

¹⁶ See <https://www.hcn.org/issues/50.5/tribal-affairs-how-the-u-s-mexico-border-has-split-the-tohono-oodham>

¹⁷ Alfred Urbina, “Criminal jurisdiction in Arizona Indian country & barriers to protecting missing & murdered Indigenous women and girls”, 2020.

¹⁸ C. Addington, MMIW crisis: Reviewing the Trump administration’s approach to missing and murdered Indigenous women (MMIW) crisis, September 11, 2019.



Community, Salt River Pima Maricopa Indian Community, White Mountain Apache, Colorado River Indian Tribes, Yavapai Apache Nation, and the Navajo Nation.¹⁹

To further address the challenges in collecting data regarding missing and murdered American Indian and Alaska Native people, the Department of the Interior's Bureau of Indian Affairs (BIA) and the Department of Justice (DOJ) partnered together to capture Tribal data through new data fields in NamUs.

The U.S. Department of Justice and the Bureau of Indian Affairs is also in the process of opening its "cold case" office in the Gila River Indian Community, aimed at addressing the issues of missing and murdered Indigenous people. The office is another step in implementing Operation Lady Justice.

Other recent federal efforts are designed to improve the process of collecting this needed data.²⁰ There are an array of federal databases that each have their unique focus and purpose. Some of the most relevant databases are described below²¹:

- CODIS(mp) (Combined DNA Index System for Missing Persons): Also known as the National Missing Person DNA Database (NMPDD), CODIS(mp) is a database specifically designed to assemble data on missing persons and unidentified human remains cases. It was created in 2000 by the FBI using existing portions of the CODIS database. The searchable database includes information on nuclear and mitochondrial DNA obtained from unidentified remains, relatives of missing persons, and personal reference samples. Having both types of DNA profiles maximizes the potential for a successful identification.
- IAFIS (Integrated Automated Fingerprint Identification System): Maintained by the FBI's Criminal Justice Information Services Division, this national fingerprint and criminal history database provides automated fingerprint search capabilities, latent search capability, electronic image storage, and electronic exchange of fingerprints and responses. Agencies may submit fingerprints electronically and receive quick turnaround on analyses.
- NCIC (National Crime Information Center): An information system maintained by the FBI and dedicated to serving and supporting Federal, State, and local criminal justice agencies.
- ViCAP (Violent Criminal Apprehension Program): This nationwide data center is designed to collect, collate, and analyze information on crimes of violence, such as homicides, sexual assaults, kidnappings, and missing person cases.

¹⁹ Alfred Urbina, "Criminal jurisdiction in Arizona Indian country & barriers to protecting missing & murdered Indigenous women and girls", 2020.

²⁰ <https://www.justice.gov/Tribal/national-crime-information-systems>

²¹ List is from: N. Ritter, Missing persons and unidentified remains: The Nation's silent mass disaster. National Institute of Justice Journal, issue 256, 2007.



Indigenous Classification

When tracking and collecting data on Native American people, questions about the definition of who is included becomes relevant. Different entities have different approaches to the classification, and this leads to lack of clarity. Within the federal government the definition is as follows: “As a general principle, an Indian is a person who is of some degree Indian blood and is recognized as an Indian by a Tribe and/or the United States. No single federal or Tribal criterion establishes a person's identity as an Indian. Government agencies use differing criteria to determine eligibility for programs and services. Tribes also have varying eligibility criteria for membership.”²²

MMIWG Study Overview

During the First Regular Session, of the 54th Legislature, House Bill 2570 passed both legislative chambers and was signed into law on May 14, 2019. The legislation created the Missing and Murdered Indigenous Women and Girls Study Committee (MMIWG). The Study Committee consists of 23 members; eight are House and Senate members. The Study Committee's charge is to conduct a comprehensive study to determine how to reduce and end violence against Indigenous women and girls in this state.

LeCroy & Milligan Associates, Inc. (LMA), a research and evaluation firm located in Tucson, Arizona was contracted by the Arizona Attorney General’s office on February 29, 2020, to conduct a field study collecting primary data to inform the efforts of the HB2570 Missing and Murdered Indigenous Women and Girls (MMIWG) Legislative Study Committee. The field study consisted of two components, a law enforcement study with all law enforcement agencies in the State, and a Tribal study with survivors and families that were willing to share their stories about their experiences with MMIWG.

Tribal MMIWG Field Study

The aim of the Tribal study was to interview families and survivors of MMIWG at each of the 22 land-based Tribal Nations in Arizona to hear the stories of how they or their loved ones went missing and/or murdered, to learn what their experiences were with law enforcement agencies, victim services and supports, and to identify potential areas for intervention and policy change based on trends or patterns noticed across these stories.

Law Enforcement MMIWG Field Study

The aim of the law enforcement field study was to conduct telephone interviews with law enforcement management (e.g. Police Chiefs, Captains, etc.) at all law enforcement agencies in

²² United States Department of Justice, About Native Americans, <https://www.justice.gov/otj/about-native-americans>



Arizona to learn about their policies and practices related to cases concerning MMIWG. These included State, County, City, University and Tribal law enforcement agencies. In addition to the telephone interviews, a digital survey for field law enforcement officers was also shared with law enforcement agencies to gain information about these issues from the field perspective. The goal was to identify potential areas for intervention and policy change that could help to end the epidemic of MMIWG in Arizona.

Institutional Review Board

Institutional Review Boards serve an important role in the protection of the rights and welfare of human research subjects. The purpose of IRB review is to assure, both in advance and by periodic review, that appropriate steps are taken to protect the rights and welfare of humans participating as subjects in the research study proposed. For both field studies, Institutional Review Board (IRB) applications were submitted to Argus IRB in Tucson and were approved. All members of the evaluation team also completed the CITI Human Research Subjects Certification training. This training provides foundational learning and education in human subjects research and includes the historical development of human subject protections, ethical issues, and current regulatory and guidance information.

Memorandum of Understanding with Tribes

In order to honor the sovereignty of Tribal governments, a Memorandum of Understanding (MOU) was pursued with each Tribe in Arizona to request permission to interview their Tribal members for the purposes of this study. When the MOU was requested, all study materials, including the approved IRB applications, were submitted to each Tribal Council Leader and/or Council Representative for review. As part of the approval process, the LMA evaluation team presented (virtually) to a number of Tribal Councils to explain the importance of the study, and how their Tribal members would be protected. The MOU template itself was designed and revised with support from Study Committee members before submission to Tribal Councils.

Collaboration with Study Committee Members

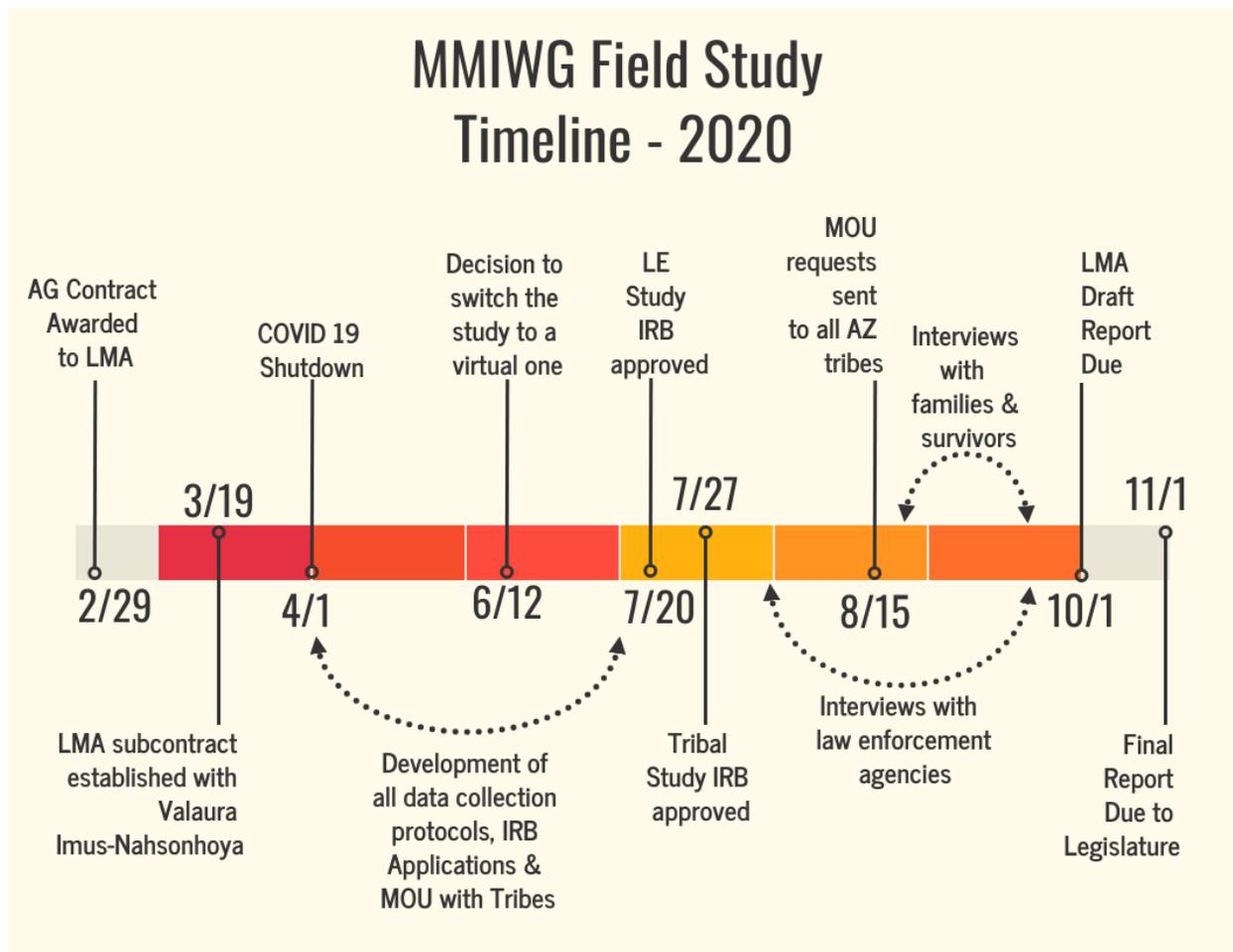
Although the LMA evaluation team was an outside contractor and not part of the Study Committee, collaboration between LMA and Study Committee Members happened in various ways. The LMA evaluation team met bi-weekly with Representative Jennifer Jermaine and key Study Committee members to report on progress, develop data collection tools, discuss best approaches to garner the most participation in data collection activities, and to assist with any challenges that arose. The LMA evaluation team presented once on their progress to the Data Collection Subcommittee and once to the entire Study Committee as well. They also continued to keep the Attorney General's Office apprised of progress on the study.



Timeline of Study

As Exhibit 2 demonstrates below, the timeline to conduct all research for this field study was affected adversely by the late establishment of the original contract, and the interference due to COVID-19. As previously mentioned, the contract for this study was established February 29, 2020, six months after the Study Committee was established, and eight months before the final report to the legislature was due. An already brief timeline was shortened as this study was impacted by delays from COVID-19, as several months were lost waiting to see if in-person interviewing could begin, and the decision by the legislature that there would be no extension for this work. The impact of this timeline is detailed in the Limitations section of this report. Ultimately, the project was conducted between June and September 2020.

Exhibit 2: MMIWG Field Study Timeline 2020



Methodology: Tribal Study

The original plan for the Tribal study was to visit all 22 land-based Tribes in Arizona in-person in order to interview survivors and families that have experienced MMIWG. Due to COVID-19, this data collection approach had to be transformed into a virtual one. Thus, all interviews were conducted by phone or videoconference, depending on the interviewee’s preference.

Instruments and Measures

The specific methods and measures used for the Tribal study are presented in Exhibit 3. These data collection tools were developed in collaboration with the Study Committee members and went through multiple rounds of revisions (Appendices C & D). The instruments were also extensively piloted with Study Committee members and other family members and survivors of MMIWG before the interviews began.

Exhibit 3. Data Collected, Purpose, and Analysis Method for Tribal Study

Data/Instrument	Construct/Purpose	Analysis Method
Interview Protocol for Families of MMIWG (Appendix C)	To learn about the experiences of families who have experienced MMIWG. To identify the trends and patterns in the stories of these cases as well as the potential policy opportunities to reduce and end MMIWG.	Descriptive statistics. Thematic content analysis.
Interview Protocol for Survivors of MMIWG (Appendix D)	To learn about the experiences of survivors who have experience with MMIWG. To identify the trends and patterns in the stories of these cases as well as the potential policy opportunities to reduce and end MMIWG.	Descriptive statistics. Thematic content analysis.

Memorandum of Understanding with Tribes – Outreach Efforts

In order to be able to interview Tribal members living on Tribal lands in Arizona, a Memorandum of Understanding (MOU) was required with each of the 22 land-based Tribes. As stated above, the timeline to begin outreach to Tribes to secure these MOUs could not begin until August 1, 2020, allowing for only a short timeline to secure agreements before the final report was due. See the Limitations section for details.

Tribes will not be identified in this report by name per protocols outlined in the IRB application. Instead, Tribes will be referenced by numbers, and number assignments were assigned randomly to the 22 land-based Tribes in this report.



Exhibit 4 below demonstrates the level of effort made to secure MOUs with all Tribes by the evaluation team. Contact attempts included email and phone, and all presentations to Tribal Councils were done virtually due to COVID-19. The average number of contacts for each Tribe was 17 and the total number of contacts made to Tribes was **375**. Because of the pandemic, many Tribal governments were closed or not operating fully during the time of the MOU outreach efforts. It was learned later that many emails and phone calls attempted with Tribes were often not received for days or weeks later when Tribal Council Members and administrators were back in their offices. This delay was another hurdle for the procurement of these important MOUs.

Exhibit 4: Outreach Efforts to Secure MOUs with all Tribes

MOU OUTREACH	# Contact Attempts	# Presentations to Tribal Councils	Date of MOU Signature	# of Days to Recruit Interviewees & Conduct Interviews
Tribe 1	18		9/16/20	9 days
Tribe 2	28	2	9/24/20	1 day
Tribe 3	14			
Tribe 4	15	1	8/19/20	36 days
Tribe 5	18			
Tribe 6	7			
Tribe 7	20		9/22/20	6 days
Tribe 8	12			
Tribe 9	22	1		
Tribe 10	13			
Tribe 11	28			
Tribe 12	19	1	8/25/20	30 days
Tribe 13	15		9/15/20	10 days
Tribe 14	17		8/25/20	30 days
Tribe 15	16			
Tribe 16	15			
Tribe 17	20			
Tribe 18	13			
Tribe 19	19		9/18/20	7 days
Tribe 20	13			
Tribe 21	14			
Tribe 22	19			
Totals	375	5	8 signed MOUs	



Recruitment for Data Collection

Once an MOU had been executed with a Tribe, recruitment efforts would begin to try and locate and identify MMIWG survivors and families that would be willing to speak with the evaluation team about their experiences. Four main strategies were used for recruitment:

1. Outreach to Tribal Victim Service Agencies – Once an MOU was executed with a Tribe, the Tribal Victim Advocacy/Services Agency was contacted via email and phone to ask directly if the agency would be willing to share a flyer regarding the study with families or survivors that they thought might be interested in being interviewed. In addition, it was requested if they could be a source of resources for immediate access to victim service response to address re-traumatization and/or immediate local counseling or grieving services for participants.
2. Social Media Promotion - Once an MOU was executed with a Tribe, a flyer describing the study was shared with the Tribal government and social service agencies to see if they would be willing to share it on their social media platforms so their members could learn about the opportunity to participate in the study. In addition, Study Committee members shared the flyer with their communities and contacts to encourage distribution on social media channels.
3. Outreach to Known Survivors and Families – The main Tribal Interviewer for this study has worked with many families and survivors of MMIWG for the last 17 years in Arizona. Once an MOU was executed with a Tribe, these individuals were contacted by the Tribal Interviewer to see if they would be interested in sharing their stories and experiences to help support the efforts of the Study Committee.
4. Presentations to Tribal Councils – For some Tribal Council Presentations, the meeting was broadcast over the local radio station for Tribal members. After learning more about the study from the presentation over the radio, some survivors and families reached out to the evaluation team to share their interest in being interviewed.

For those Tribal members who do not live on Tribal lands, interviews were able to be conducted without MOU agreements from their Tribe. These were conducted starting in early August of 2020.

The results of all recruitment efforts for Tribal interviews are summarized in Exhibit 5. It is noteworthy that there were requests from 78 survivors and families living on Tribal lands to be interviewed that could not be completed due to not having an MOU executed with their Tribal leadership in time, a lack of time to interview, or an inability to reach the individual after their initial outreach once the MOU was signed. It is important to note that although this study was focused on women and girls, some families came forward to share their stories of their missing and/or murdered men and boys, which are also included in this report.



Exhibit 5: Tribal Interview Recruitment Outcomes

TRIBAL INTERVIEWS	# Inquiries	# Persons Unable to Interview – No MOU	# Persons Unable to Interview – Not Enough time/ Could not Reach	# Completed Interviews	% of Inquiries Interviewed
Survivors	39	25 (6 Tribes)*	6 (4 Tribes)	8	21%
Family Members	77	31 (8 Tribes)	16 (6 Tribes)	30	39%
Total	116	56 (8 Tribes)	22 (6 Tribes)	38	33%

*Denotes the number of Tribes represented in that group

Tribal Interview Process

All interviews with families and survivors were conducted by two Arizona-based Native Americans, and the main interviewer had over 17 years’ experience providing direct victim services to crime victims working in Tribal communities addressing historical trauma and trauma informed practices. Both interviewers completed the CITI (Collaborative Institutional Training Initiative) Program Human Subjects training before interviews began.

Informed Consent

Before an interview would begin, the IRB approved informed consent (Appendix E) for the study was emailed or texted to the participant for their review. At the very beginning of the interview, the informed consent was emailed or texted then read to the interviewee, and only after a verbal agreement was received did the interview begin. Included in the informed consent were contact information for all Arizona Tribal Victim Advocacy Programs, Tribal Center Health Directors, Urban Health Programs, Indian Health Services Area Directors, and Inter-Tribal State Councils to assist the interviewee if they needed support services after the interview. As part of the informed consent process, the participant was informed that personally identifying information would not be shared with any party, and that the information shared in the interview would be included in an aggregated de-identified report to the Arizona Legislature.

Interview Process

Before the interview began, the interviewer would ask the participant if they would like them to burn sage or offer any other type of prayer or invocation to prepare the space for their conversation. At the end of the interview, this same offer was presented to the interviewee. Interviews lasted from 1-3 hours. At times, multiple pauses and breaks were needed during the interview to help the interviewee manage the overwhelming emotions experienced while telling their stories.



Findings: Tribal Families and Survivors Study

The findings presented below summarize the interviews that were conducted with families and survivors of MMIWG.

Demographics of Interviewees

Thirty family members and eight survivors that had experience with MMIWG were interviewed as part of this study (Exhibit 6). Though one interview was with a friend of a victim, all interviews not with survivors will be denoted as “family members” for simplicity of language in this report. Across the interviewees, 15 Arizona Tribal enrollments and six Arizona Tribal affiliations were represented. Six Arizona Tribal enrollments were represented and five Arizona Tribal affiliations for the victims that the family members discussed. Most interviewees were female (70%). There were many different relationships of the missing and/or murdered victim to the family interviewee, with the most common being daughter, mother, and sister. Although this study was focused on Indigenous women and girls, some family members stepped forward to share their stories of the men and boys in their lives that also went missing and/or murdered. Their stories are also included in this study to honor these families and victims. Thus, findings are not parsed out by victim gender.

Exhibit 6: Interviewees for Tribal Field Study

	Family Members N=30	Survivors N=8
# AZ Tribal Enrollments Represented by Interviewees	15	7
# AZ Tribal Affiliations Represented by Interviewees	6	1
# AZ Tribal Enrollments Represented by Victim	6	
# AZ Tribal Affiliations Represented by Victim	5	
Gender of Family Member /Survivor:		
Male	5	1
Female	21	6
Other: <i>Male and Female</i>	1	
Other: <i>Transgender</i>		1
No Response	3	
How the Missing/Murdered Person is Related to Interviewee		
Daughter	6	
Sister	5	
Mother	5	
Brother	4	
Child	3	
Cousin	2	
Father	2	



Spouse or Partner	2
Friend*	1

Interviewees were asked about the age of themselves or their loved one when they went missing and/or were murdered (Exhibit 7). Almost half of the family members interviewed did not report the age of their loved one, but for those that did report, those aged 19-29 and 40-49 were most commonly reported. For Survivors, most were younger than 25 when they went missing.

Exhibit 7: Ages of Victims and Survivors at Time of Missing and/or Murder

Age Range	Victims	Survivors
18 or Younger	2	2
19-29	5	3
30-39	3	1
40-49	5	
50-59	0	1
60+	1	
Age not Reported	14	1

Exhibit 18 outlines the types and number of cases that families shared during their interviews. All cases that Survivors shared only related to them going missing. A few caveats:

- In one interview, a family member described three different cases in their family (2 murdered, 1 missing & murdered).
- For two cases, both the survivor and the family member were interviewed, thus only 2 cases were represented out of 4 interviews.
- For one case, two different family members shared their story, thus only 1 case out of 2 interviews is represented.

Due to these instances, there are 37 missing and/or murdered cases represented in this sample instead of 38, the number of individuals that were interviewed. For those cases that were told by a survivor and a family member, they are counted only amongst the survivor cases in the Exhibit below.

Exhibit 8: Types of Cases and Victims Interviewees Discussed

<i>Victim Gender</i>	Murder Cases	Missing Cases*	Missing & Murder Cases	Missing Cases (Survivors)	Totals
Female	6	5	10	6	27
Male	2	1	5		8



Transgender - Identifies as Female				2	2
Total Number of Cases	8	6	15	8	37

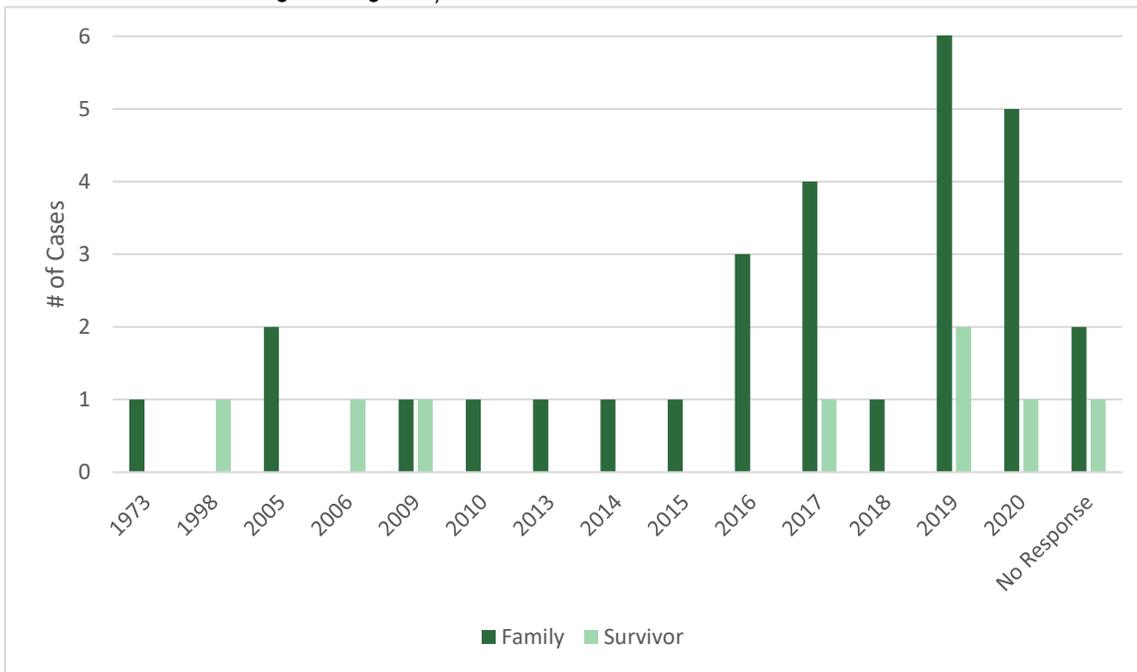
*Includes only those cases where a murder was not involved

Circumstances Leading to Going Missing and/or Murder

Interviewees were asked a series of questions regarding the circumstances surrounding the going missing and/or the murder of themselves or their loved one.

The year that the victim or survivor went missing and/or murdered is presented in Exhibit 9. More than a third of the cases (37%) presented occurred in the last two years.

Exhibit 9: Year of Going Missing and/or murdered



When family members were asked where they last saw their loved one, and where their loved one was last seen by anyone, 8 out of 15 Arizona counties were reported with Navajo, Maricopa and La Paz the most mentioned (Exhibit 10). In addition, almost half of all victims were last reported to be seen on Tribal land (40% seen by anyone, 43% seen by interviewee).

Exhibit 10: County where Victim was Last Seen (N=30)

County	Where the victim was last seen by anyone	Where the interviewee last saw the victim
Navajo	8	9
Maricopa	8	9



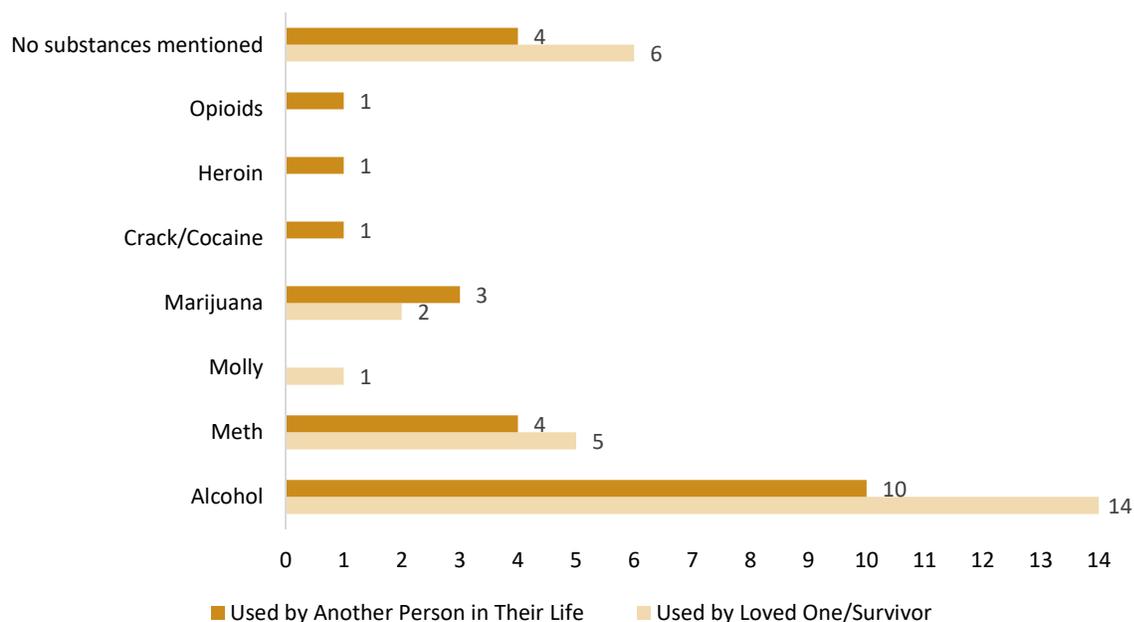
La Paz	4	4
Pinal	2	2
Apache	1	1
Coconino	1	
Pima	1	1
Mohave		1
Not Reported	5	
<i>On Tribal Land</i>	12	13

Substance Use/Abuse

Prior to Going Missing

Family members were asked if they observed or knew about any substance use/abuse by their loved one, or those close to their loved one, before they went missing. Exhibit 11 outlines the different substances that interviewees believed to have been used/abused during the time before their loved one went missing. Alcohol and Meth (Methamphetamine) were most highly reported.

Exhibit 11: Before Going Missing, Was there Substance Use/Abuse in the Home of Your Loved One? If so, what Substances?



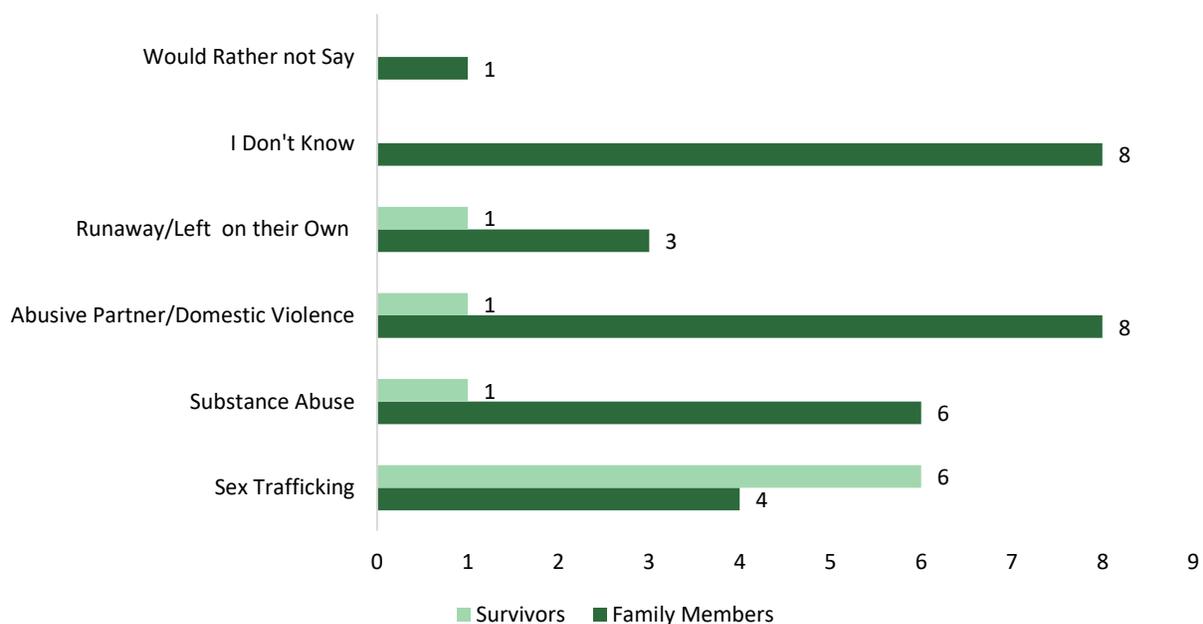
When they went Missing – Survivors

Survivors were asked if they felt substance use/abuse was part of the reason that they went missing. All eight survivors (100%) indicated that drugs and/or alcohol played a part in their experience while missing. Six (75% of survivors) reporting specifically that they were drugged by their perpetrators as they were being sex trafficked while they were missing, most not knowing what drugs they were being given.

Reasons for Going Missing and/or Murder

Family members and survivors were asked how or why they believed they/their loved one went missing and/or murdered (Exhibit 12). Sex trafficking was mentioned in the most cases (10) with 75% of survivors indicating that they experienced sex trafficking as part of their missing experience. Abusive partners and domestic violence were also cited as being involved in nine of the missing and/or murder cases. Substance use and abuse were also mentioned as precursors to going missing and are also described in detail by survivors as tools used by the perpetrator during sex trafficking. Many families were unsure why their loved one went missing and/or were murdered. Of note, interviewees may have shared multiple reasons for the missing and/or murder cases they were describing.

Exhibit 12: Reasons for How or Why Victims went Missing and/or Murdered: Number of Cases



Note: More than one reason could be provided for each case

Sex Trafficking

A number of cases that interviewees discussed involved sex trafficking. Sex trafficking is the action or practice of illegally transporting people from one area to another for the purpose of



sexual exploitation. Six out of eight survivor interviews (75%) and four cases shared by family members related to the victim being kidnapped and sex-trafficked or being groomed to be trafficked. The situations for each case were similar in that each victim was drugged, then kidnapped, then drugged in an ongoing way while they were raped and often beaten by their perpetrators and many others that participated in the sexual violence.

In the beginning, we drank together and got high (marijuana). It was ok until he started beating me. He also forced whiskey down my throat, especially during the time he made me have sex with his so-called friends sometimes his relatives. I didn't want to ever say or admit that I was in a domestic violence relationship. This happened for years, I had many broken bones, black and blue every day, miscarriage often. I was held hostage by being handcuffed and tied to the bed, doorknob or anything I could be tied to, to not leave the room. Only time I ever was able to leave the room was to go to the bathroom, but he would always go with me. This went on for years.

-Survivor

The people who had her left her on the door of an Emergency Room. I got a call that she was there. She had an overdose, and her body did not react well to the drugs she was given. My daughter don't remember anything except the period where they walked into a pool party and met guys and bought them drinks. That's all she remembers.

-Mother of Survivor

I would wake up sore the next morning in my private areas. I would never understand why. It wasn't until, looking back it was probably at least a year or 2 later, that I was being drugged and trafficked. I was beaten when I didn't get enough, but all this time it was very hazy, things did not make sense to me. I felt I was sleeping all the time. But I think I was drugged the whole time. I remember flashes, but I didn't know what it was.

-Survivor

Time had passed and I was actually kidnapped. I knew what was going on. I had to be alert; I did try when they drugged me. Being gay, transgender I was being sold to have sex by a [X] guy. I remember him telling me to do acts in front of men; he dressed me up. I knew I was always drunk or drugged. I was gone or missing from my family. I escaped myself when the door was being unlocked. I remember trying so hard to be alert to run away.

-Survivor

What I want to share is that anyone can be kidnapped. I don't think I am pretty or have the body to be sold or men wanting me. I am a regular Native girl. But on the internet when they sold me ... I was worth \$500 as a Native young women not having been through a women's ceremony. Now, I am so scared to go anywhere. I feel very violated



and all the woman in me was taken.

-Survivor

People I consider friends, I don't consider anyone my friend, the girl I was with she was a friend and she let this happen. I had no idea what was going to happen, and I asked the guys why, why are they doing this to me? If they could just drop me off at home. I wondered what their next move was. Am I going to be passed to someone else? Am I going to be killed or drop me off in some park and let me go my way wherever? I can't comprehend and it's tough for me. Being there I was just going through the motions, the sexual assault, the abuse, the what ifs the what have you. I feel hopeless.

-Survivor

Substance Use and/or Abuse

A common theme across many cases shared by family members and survivors was the influence of drugs and alcohol on the reasons why someone went missing and/or murdered, and the experience that survivors had while they were missing.

Drug and Alcohol Addiction of Missing/Murdered Person

Some interviewees shared their experiences of their loved one's addictions and drug use and how they may have related to them going missing. In addition, some family members reiterated their hope that law enforcement would not take their loved ones missing case less seriously due to the drug and alcohol issues of the missing person.

I didn't know my brother was missing until my family told me they haven't heard from him and if I did, I didn't think about it too much or worry because my brother is known to go on drinking binges. I never knew where he went or with who.

-Family Member

I didn't know where she was that whole time. She usually doesn't stay out that long. Sending her mean messages, not on Facebook, she blocked me from Facebook. Didn't file missing persons on [X]. I didn't because I was mad at her, she's out there drinking, she needs to get her butt home.

-Family Member

I was upset, but I knew my daughter was worried. Do you understand when people use drugs? Well, when we are on drugs nothing matters. I knew I had to go home sometime, so I was coming off I think because I knew I had to go to the police. I was worried about my daughter. I needed to tell her I was ok.

-Survivor



My husband was an alcoholic which is not new on Reservations, although we [have] a law against alcohol, people are still bringing it into our communities.

-Family Member

I worry about our people who are alcoholics or on substance use. They are lost, they need help, but we have no help for them.

-Family Member

We need to find our daughters who are adults. Sometimes they have an illness or addiction, and they sometimes can't control.

-Family Member

Even if she is using drugs or alcohol, according to police, she is my daughter, I love her, and I want her home.

-Family Member

Meth (Methamphetamine)

A number of cases discussed by interviewees involved Meth (Methamphetamine), in particular related to the violence a victim may have experienced by a perpetrator that used meth. Meth is widely recognized as associated with, if not causally linked to, violence and aggression.^{23,24} Dependence also forms quickly to meth, which leads to changes in how the brain functions. Compulsive drug-seeking behaviors and a loss of the ability to control how much and how often meth is taken often occur. Addiction can create a myriad of social, emotional, physical, and behavioral issues. When someone suffers from addiction to meth, getting the drug, using it, and recovering from it can consume them, and other activities take a backseat. Interpersonal relationships suffer as mood swings can be unpredictable, and the person may consistently shirk regular responsibilities and obligations.²⁵ Meth is also very difficult to treat, with a recent study citing that within one year after treatment discharge 61% of patients relapsed to meth use, and another 25% relapsed during years 2-5.²⁶ These combined characteristics of the drug make it highly destructive in the communities where it gains a foothold.

I was so angry with this whole thing, but I was also sad because these are just kids. How could they even think of doing something like this? How could they do this when we know their families and they are or do not have any ill feelings or hate to anyone. I also learned they were on "G" (meth). Maybe this is why, I don't know but it doesn't make

²³ Wright S, Klee H. Violent crime, aggression and amphetamine: What are the implications for drug treatment services? *Drugs: Education, Prevention, and Policy*. 2001; 8:73–90.

²⁴ Tyner EA, Fremouw WJ. The relation of methamphetamine use and violence: A critical review. *Aggression and Violent Behavior*. 2008;13:285–297. [Google Scholar]

²⁵ From <https://americanaddictioncenters.org/meth-treatment/facts>

²⁶ Brecht, M. L., & Herbeck, D. (2014). Time to relapse following treatment for methamphetamine use: a long-term perspective on patterns and predictors. *Drug and alcohol dependence*, 139, 18-25.



any excuses for them killing my mom. Our mom is gone, she still had some life and years left.

-Family Member

One time, [The Victim] told me that [Potential Perpetrator] almost strangled [her] and threatened [her]. She told me they were methed out and intoxicated.

-Family Member

I wrote to the medical examiner in Tucson, asked for an autopsy report, it was only 2 pages long. It was a meth overdose. They said she had no eyes. I never known her to use meth. I never seen it, or my family has never seen her to use it. Her friend [X] who she was to go to [X] with is heavily into drug or knows people who sell. I think my daughter got involved or was in the middle of it. I think she was used for some reason or maybe knew something.

-Family Member

We are supposed to be a safe place in our own homes. This has shown me no one is safe. The drug and alcohol use on the Reservation is crazy and we need to stop this.

-Family Member

Intersection of Violence and Substance Abuse

Many interviewees discussed the intersection of violence, domestic violence, and substance abuse as precipitating factors to their loved one going missing and/or murdered.

My mom had a boyfriend, and they would drink together. I knew that she was being abused, at the time I didn't know this, but I remember hearing her screaming and crying before.

-Family Member

My mom hid domestic violence well, but we would hear it. She would get mad at us if we got into her business. I knew she was getting beat but she never did or said anything.... I didn't live too far from her. Her boyfriend was nice on the outside, but he was mean to my mom; I didn't understand this. He had a nice family. My mom's boyfriend used meth and alcohol. My mom used alcohol.

-Family Member

My ex-girlfriend and mother of my children, we both had drinking issues. The reasons why we separated because it was toxic for us. She continued to drink, and she would drink with people in the community. I think I know who killed her, but they will never admit. She was found in a wash... also believe she was beaten. Someone left her out there, she would not just wander and not go back home, even if she was drunk.

-Family Member



My sister also had medical problems. Her husband didn't care and would force her to drink, and if she didn't, he would beat her. I blame him for killing her. ... I feel that no one really wanted to tell what happened to her.

-Family Member

I did not know she was missing until about 5 days later. She had a relationship with a guy in the community who is known to be violent and family history of drug selling and use. She would deny being in a relationship with him. We learned through his ex-partners he was violent and had domestic violence in their relationships, ex partners were telling me and my family this.

-Family Member

My mom, she did have medical problems. She was also an alcoholic. ... They had already buried her and me and my sister didn't know. I didn't hate her, I disliked what she did and what she was going through. She wasn't a mother to us. But I knew she was beaten a lot and a friend of hers told me she was raped. She was also found and been told she was murdered. I don't know, I don't know how true this is. I don't have any answers. There were times I missed her. I would always tell myself not to miss her and tell myself she didn't take care of us.

-Family Member

My daughter and her husband drank together and did drugs. I am sure there was domestic violence, but I never seen it. I never seen her bruised or hurt. She didn't talk about their relationship. She didn't want his last name. They argued around the time she was missing, and he left her on the side of the road.

-Family Member

Experience with Law Enforcement

Family members and survivors were asked many questions about their experiences with all six different types of law enforcement agencies that may have interacted with for their cases (State, County, City, Tribal, BIA, and FBI). Exhibit 13 summarizes interviewee responses when asked if a particular agency was helpful to them during their missing and/or murder case. Over half of all respondents (38 family members and survivors) indicated that each of the six agencies they worked with was not helpful with County (68.4%), FBI (60.5%), City (57.9%) and BIA (57.9%) law enforcement having the most responses of “not helpful.”

Exhibit 13: Law Enforcement Agency Helpfulness with Cases – Families and Survivors

	State Police	County Police	City Police	Tribal Police	BIA Police	FBI Police
<i>Family + Survivors (N=38)</i>						
The agency was helpful	5 (13%)	2 (5%)	8 (21%)	6 (16%)	8 (21%)	7 (18%)
The agency was not helpful	21 (55%)	26 (68%)	22 (58%)	20 (53%)	22 (58%)	23 (61%)



No involvement with agency	3 (8%)	1 (3%)	1 (3%)	3 (8%)	1 (3%)	1 (3%)
No response to the question	9 (24%)	9 (24%)	7 (18%)	9 (24%)	7 (18%)	7 (18%)

Three families indicated that they did not report their missing loved one to any law enforcement agency due to them not realizing at the time that they were missing, either because they didn't always stay in regular communication with their loved one, or their loved one would often leave for short stretches of time.

Issues with Reporting Adult Missing Persons Cases

One theme that arose was the frustration that missing person's cases were perceived as not being taken seriously law enforcement, especially with adult missing persons. The reason given was that missing persons cases are not considered a "crime."

I learned that missing persons is not a crime but an "Inquiry". This to me means that missing persons is nothing. That a person can go missing when they want. Then when they are murdered, then it becomes a crime. This is not how it should be. We should be finding our sisters and others when they are alive. I don't feel safe.

-Family Member

I felt they don't take reports of many missing people. You have to tell them of their ailments or handicaps or something that will get their attention. I didn't like this because it makes me think how many people who are missing don't get an official missing person's report. This is so sad...Police need to be more serious about missing people. They don't care because they are adults. I don't understand this.

-Family Member

Police need to take this serious, my friend is missing, they have done nothing. Why is it that adults can go missing but children can't? We need the same services such as an AMBER Alert like they do for kids.

-Friend

I heard that missing persons is not a crime, this needs to be changed, I see many posts of missing person and makes me wonder what is happening. If I had a post that I was missing, I wonder if I would still be looked for because it seems they are still missing. This is scary to me. I am just so happy I am alive.

-Survivor

Jurisdiction Issues with Missing/Murder Cases

A few interviewees shared that the jurisdictional complexity between Tribal, BIA, FBI, City and County law enforcement made their experiences working with law enforcement challenging



and confusing. In addition, some interviewees perceive that sentencing laws are too lenient for murder cases in some Tribal jurisdictions.

The jurisdictional fight that separates Tribes from county. What they can and cannot prosecute. Securing the borders. We need higher drug laws, murder laws, assault laws. Many assaults by non-natives, [they] can't press charges because of law. As a Tribe because we are sovereign, we need to update the Law and Order Codes. There is no accountability; the max of murder is 3 years. The missing and murdered, look at human and not how they live. Bring more into investigation. -Family Member

This is the problem, too many agencies and no response. It is very frustrating, even if there is a response, they are all fighting to take the case or solve a case. I feel BIA and FBI just take cases for popularity or even social media exposure. I don't know, sorry, I'm just frustrated, and it frustrated me each time I talk about this.

-Family Member

In [X Tribe], murder is 3 years. This isn't enough, 3 years for my sister's life?

-Family Member

I want to and I hope that this study will change some laws in taking missing and murdered seriously. I want the Federal court to have higher sentencing guidelines not based on their history. I think the State has higher sentencing guidelines than Federal, and it should be reverse. Federal is higher than the State but State has stricter sentencing and laws. This is so sad...

-Family Member

Level of Effort with Missing/Murder Cases

Amongst all responses related to experiences with law enforcement, 20 family members and survivors (67% of all interviewees) indicated that they felt that law enforcement did not do enough to help solve their missing and/or murder cases.

I felt they (Tribal Police) could have continued searching every day, when his body was found, I felt they should have asked more questions, but they didn't. This was frustrating because community members would tell us, we tell law enforcement names... they didn't talk to them. I know this because I asked if police talked to them and the answer was no.

-Family Member

Response from law enforcement was alcohol poisoning; [there was] no thorough investigation. To me, they didn't do anything (BIA). We had to learn about it from others. We were not being notified by law enforcement. A community member was



sharing information of what may have happened. Still to this day, we don't have any kind of answers from law enforcement. Have suspects in mind but no one investigating. We did not have any justice, no thorough investigation. I feel they didn't think this is important.

-Family Member

Communication with Families During Investigations

Amongst all responses related to experiences with law enforcement, 15 family members (50% of all family interviewees) indicated that they felt that law enforcement did not communicate well or enough with them during investigations. Many described this lack of communication as stressful, frustrating and degrading. In addition, a number of family members expressed that a lack of caring or compassion by law enforcement officers made their experience even more challenging during a traumatic time.

When I got the call the police were already investigating. I knew that BIA police was doing the investigation and then FBI. I appreciated federal police doing the investigation; what I didn't appreciate was they didn't tell us much about investigation. Even at federal prosecution, they didn't share too much. Just what we wanted to hear I guess. I felt they didn't want to tell us because it was a brutal stabbing...I understand that but I think we as a family needed to know what happened. We only heard the story during the court hearings and his testimony. This was not fair to my mom or my family.

-Family Member

They (BIA) didn't tell us anything about the investigation, not even a little. Just that they were investigating. They treated us like we were another case, not as people or a family.

-Family Member

They didn't help us as a family (Tribal Police). They just picked up the body and sent to the medical examiner, my dad went to identify the body. No communication, no case updates, nothing.

-Family Member

Another issue that many family members of MMIWG expressed was that law enforcement was too slow in responding to their case, which many families felt affected the outcome and potentially the death of their loved one.

They took my report, but it took days for them to respond. It wasn't after an advocate was involved and supervisors were in [X Tribe]. I wonder if a search and rescue would have even happened if it wasn't for the two entities.

-Family Member



They came in weeks after I reported her missing (FBI). They took her gaming console and desktop. They really didn't tell me what they found or if they found anything. No immediate follow up, no return calls.

-Family Member

Some family members reported that they felt they experienced prejudices related to race, gender, LGBTQ+ identity and substance use as part of their interactions with police when reporting their missing and/or murder cases.

Some (Tribal Police) were disrespectful with my brother (victim) and his sexuality.

-Family Member

They did absolutely nothing (City Police). They should have taken the missing report seriously. They treated [X] like she didn't know what she was talking about and made it seem like my friend was an alcoholic or drug addict living on the streets or something. I really felt they were being racists to Native American. They never called my friends mom or me. They had no updates for us when we called. They took her off the missing persons list twice, and her mom continues to call to get her back on it.

-Friend

Police need to take missing serious. We want our children found but they won't help us. We need missing persons to be a priority. There is discrimination with City police.

-Family Member

BIA was the worst; they blamed my cousin's death on being a meth addict. We as a family, have been so upset with BIA and [X Tribe] police. Telling us [X] was a drug addict - making her to be a bad person and drug addict.

-Family Member

I think because a lot of people say, "she's just no good." It's the stigma that is placed on a woman; there is no respect for women. In [X Tribe], it is so bad with gossiping and blaming. We have homicides at home and no one doing anything. We need resources, education and awareness. It is a hard thing to deal with.

-Family Member

Skills, Training and Experience

A number of interviewees indicated that they felt the law enforcement officers they worked with did not have enough training, skills or experience to effectively work missing and/or murdered cases, in particular with Tribal and BIA law enforcement.

They could have done more in helping or organizing a formal search for her (BIA). They could have explained more about what is available for the family. They don't have the



equipment or skills in these type of cases. I don't think.

-Family Member

Even if they responded to me (Tribal Police), they need training, they need investigative skills.

-Family Member

Need more advocates, law enforcement training - on how to be emotionally and mentally aware of families who have missing loved one or even murdered.

-Family Member

Other Perspectives of Law Enforcement

Some survivors and family members did speak positively about their work with law enforcement agencies. They noted that they provided resources, helped the families, and focused on solving the cases. Other participants who were interviewed did not have much interaction with law enforcement and so could not comment on this area.

[County Law Enforcement] provided Search and Rescue, had dogs, helicopters and I believe every resource they can provide. [They were] very nice, understanding and explained everything to me and my family.

-Family Member

[FBI Law Enforcement] gave us the best investigation team and prosecution team... This was the best of the whole court experience. FBI gave it their all, they did not give up.

-Family Member

[The BJA Law Enforcement] office and the lady were the best. They did everything to help me, everything to keep me safe.

-Survivor

Perpetrators and Prosecution

Of the 43 cases discussed by victims and family members, only four family members and one survivor reported that the perpetrators in their cases were charged with a crime. Three were convicted, and one is still going through court proceedings. The family cases were solved by FBI in one case, FBI and BIA in another, BIA in the third, and City Police in the fourth. It is unknown who solved the case of the survivor.

Victim Advocates and Victim Services

A Victim Advocate is a person who assists victims throughout the criminal process, providing information, support, and resources, help with protective orders, help with submitting Victim Impact Statements and Restitution information, court accompaniment and generally guiding



victims through every stage of a case. The specific things a victim advocate typically does include:²⁷

- Explain the judicial system;
- Give specific information and resources and special resources for Domestic Violence victims;
- Act as a link between the victim and the prosecutor;
- Advise the victim as to the current status of the case and confirm court dates and location;
- Make referrals for the victim for counseling, shelter, food, etc.;
- Answer questions regarding the pretrial, trial, sentencing, and appeal process;
- Escort the victim to and from court and stay in court with them while they testify;
- Assist the victim in obtaining a Protective Order (Order of Protection or Injunction against Harassment);
- Help the victim with submitting a Victim Impact Statement;
- Help the victim with submitting a Restitution request;
- Provide the victim with a safe, private area where they can wait before and after testifying; and/or
- Provide the victim with resource information and referrals to other social service agencies that offer financial and supportive services;

"Victim" refers to a person against whom the criminal offense has been committed or, if the person is killed or incapacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an offense or is the accused.²⁸

Family members and survivors were asked about their experiences with victim services and victim advocates, in particular if they were referred to one, who referred them, what their experience was and any recommendations they had for victim services and advocates.

Referral to Victim Advocates

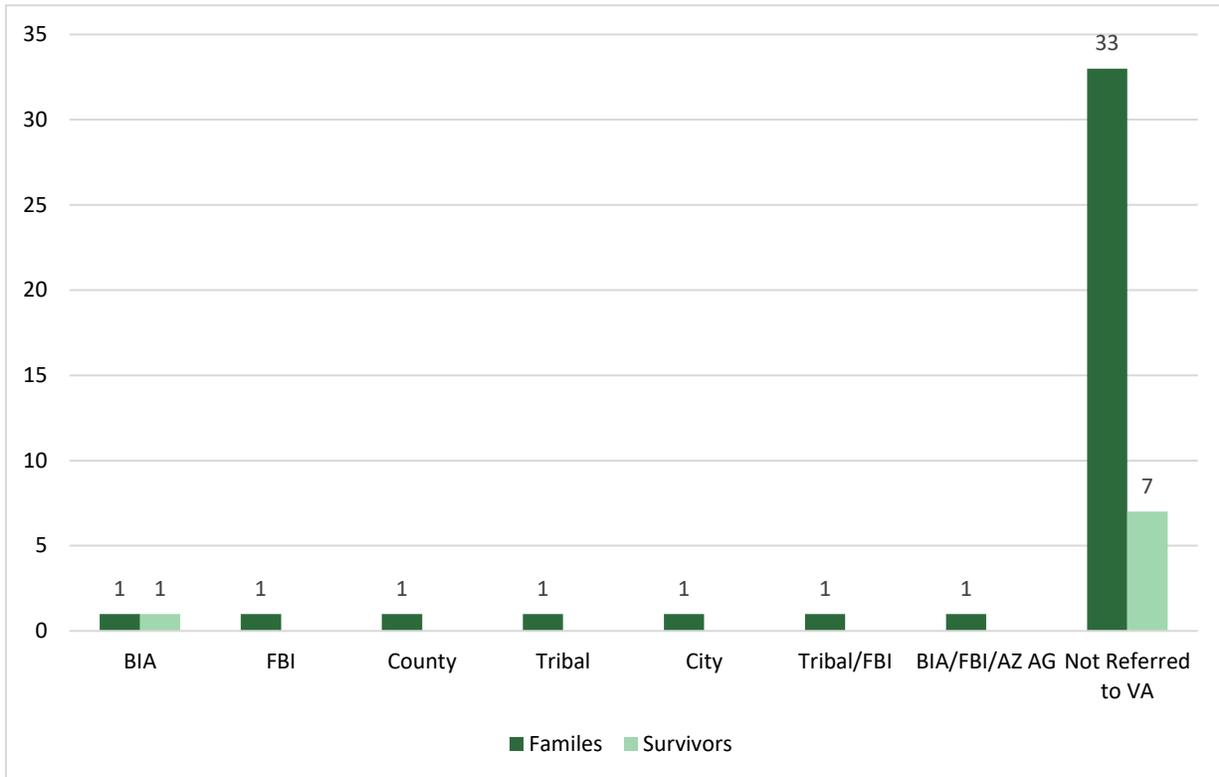
Eight family members who were interviewed reported that law enforcement referred them to a victim advocate. See Exhibit 14 for which law enforcement agencies provided these referrals. Six of the eight referred worked with that victim advocate. Three family members said they provided the help they needed, three said they didn't. Thirty-three family members that were interviewed reported that they were not referred by law enforcement to a victim advocate (83% of family members).

²⁷ From <https://www.phoenix.gov/law/victims/victim-advocate#:~:text=A%20Victim%20Advocate%20is%20a,every%20stage%20of%20a%20case.>

²⁸ From [https://law.lclark.edu/live/files/4917-arizona#:~:text=\(C\)%20%22Victim%22%20means,offense%20or%20is%20the%20accused.](https://law.lclark.edu/live/files/4917-arizona#:~:text=(C)%20%22Victim%22%20means,offense%20or%20is%20the%20accused.)



Exhibit 14: Number of Families and Survivors Referred to a Victim Advocate by Law Enforcement Agency as reported by interviewees



Four family members sought out a Victim Advocate on their own. Three said they were helpful, and one said they were not. One survivor was referred to a victim advocate by law enforcement (BIA), and they did work with them. No survivors sought out a victim advocate on their own. Victim advocates were reported to have provided, or helped to provide, support, education on the judicial system and legal procedures, food, gas, counseling, transportation, and flyers.

Some family members indicated that they needed more support and were not aware of victim services and advocacy, and that they wished they were informed better about their options for support to assist them during such a traumatic time.

I needed grieving counseling. Updates and investigation of case. It's so overwhelming. Sometimes we couldn't think of our immediate needs. We need closure and explanation; we know some kind of trauma happened here. Law enforcement did not support us or any judicial component.

-Family Member



I think we could have used more victim services if we knew about it. Now I know they could have helped us more.

-Family Member

We needed help, and we had no guidance. I don't know too much about what they do but learned through MMIWG awareness events an advocate would have been helpful.

-Family Member

Experience with Victim Advocates

Families and survivors that were able to work with a victim advocate had mixed experiences with whom they engaged.

Helpful Victim Advocacy

Some interviewees indicated that their victim advocates were truly helpful during a very difficult time. And some reported that only when a victim advocate was supporting them did law enforcement finally take their cases seriously.

I finally reported him missing to the local police, BIA at the time. I was getting very little updates and this was so upsetting and frustrating to me. I finally had help from an advocate and during this time BIA supervisors from [X] were in [X Tribe]. I believe they contributed to getting a search and rescue organized for me.

-Family Member

I reported this to [City] Police Department, but they didn't take a report because they told me she was an adult and wouldn't take a report. I shared my frustration with a co-worker; she referred me to an advocate. I called her and she made arrangements to meet me in person and do a search. We tried to report again to the police department, and finally they took me serious.

-Family Member

I had a great advocate; without her I wouldn't have participated with prosecution. Sometimes you just need someone to kick you in the ass and guide you. I am so grateful for this lady.

-Survivor

She was great. I can't thank her enough. I still talk to her to this day.

-Survivor

They were very explanatory of all procedures and kept me informed. Help[ed] the boys with a lot of things.

-Family Member



Recommendations for Improved Victim Advocacy

Many family members were dissatisfied with their victim advocate experience and had a number of recommendations to try and help improve the referral, engagement and support processes they offer. Recommendations they offered included better and more communication about their cases, training and recruiting more Native American victim advocates, providing more support than just facilitating paperwork, and more assistance to understand the complexities of the judicial system. Family members reiterated that when their missing/murder trauma occurred, it was very difficult to think straight and remember details, indicating the value and importance of an organized and informed victim advocate.

More services for families and people who know what they are doing. Not an intern, not someone who doesn't know about Native American people. We need our own people to be trained more and to assist our families.

-Family Member

We had victim services and they were nice, but that's all they were, they sat around with us, seemed they were pushing paper-work all the time, or pushing us to apply for this and that. We did apply for victim compensation, another sister worked on that. I do not know the outcome.

-Family Member

I wish they [Victim Advocate] could have been accessible more - better communication.

-Family Member

I wish they told me about the justice system, help[ed] me understand the whys and hows. Advocate[d] for me stronger so I had justice for my daughter. I feel they backed off too when Prosecutors told me or didn't want to share a lot of information.

-Family Member

Need more advocates, law enforcement training - on how to be emotionally and mentally aware of families who have missing loved one or even murdered.

-Family Member

Arizona State Victim Compensation Fund

The Arizona victim compensation fund provides financial assistance to victims of crime or others who may have experienced a financial loss as a direct result of a crime. The program covers expenses of physical harm, mental distress, and economic loss directly resulting from victimization. Eligibility to receive benefits from the program does not require the apprehension or conviction of an offender, and the compensation program is always the payer of last resort.



All other sources of economic recovery must be exhausted before compensation benefits can be paid.²⁹

While the Arizona Criminal Justice Commission is responsible for administering the program at the state level, claims are processed at the county level. Each county program has a compensation coordinator, who is responsible for investigating claims and collect supporting documentation. This begins with a completed application, police reports, and any bills or invoices that victims or claimants are requesting be paid by the program. After the background work is completed, the county coordinator prepares for and conducts compensation board meetings. Compensation board meetings are where decisions are made on whether or not to pay out compensation funds to victims of crime. The compensation coordinator serves as a point of contact for victims, claimants, members of the community, or victim services personnel that would like more information about the victim compensation program.

Family members and survivors were asked whether or not they applied for the victim compensation fund. Only one family member indicated that they had applied for the fund, but they indicated the application was given to another family member, and they did not know the outcome of the application. Three other family members did not respond to this question. One survivor did apply for the victim compensation fund, but they were not awarded any compensation. Two survivors did not respond to this question.

Of those that did not apply for the fund, the main reason provided was that they did not know this resource was available. For one survivor, they were afraid that if they applied for public benefits, they would somehow be found by their perpetrators. Exhibit 15 outlines the other reasons provided for not applying to the fund.

Exhibit 15: Victim Compensation Fund: Reasons for Not Applying

	Family Members	Survivors
I did not know about the fund	21 (70%)	4 (50%)
I did not qualify for the fund - <i>Missing persons was not a crime</i>	2 (7%)	
It was too hard/confusing to apply	1 (3%)	
Incident occurred out of state	1 (3%)	
Waiting on a police report	1 (3%)	
Fear they will be found by their perpetrators if they apply for public benefits/funds		1 (13%)

²⁹ From <https://www.azcjc.gov/Programs/Victim-Services/Compensation-Program>



Recommendations from Families and Survivors

Given the constraints of this study (as detailed in the Limitations section), the above section included information from 38 individuals who came forward to share their stories of pain, loss, and trauma. These stories have provided information and insights that further an understanding of the issue of MMIWG in Arizona. In addition, specific and meaningful recommendations were offered by the interviewees that can assist in the policy making and decision-making process. Their recommendations are summarized below.

Law Enforcement

Many recommendations came forward regarding issues working with law enforcement on these cases. Specifically, family and loved ones:

- Hope to see adult missing persons cases be taken more seriously, whether that be by making missing persons a “crime,” changing policies and practices related to first response of missing persons reports, or a change in attitude by law enforcement personnel. They understand that time is of the essence when a missing person is truly missing.
- Would like to see more effort and a quicker response to MMIWG cases by some law enforcement agencies to increase the likelihood that harm will not come to their loved one.
- Often want law enforcement to contact and refer them to victim services and victim advocates at the time of the incident and/or investigation.
- Would like more communication, empathy and compassion from law enforcement officers when they are working with them on their MMIWG cases.
- Would like law enforcement to follow-up on a missing loved one even if they used or abused drugs and/or alcohol.
- Would like the racism, sexism and LGBT phobia they have experienced in some instances to be addressed in law enforcement agencies.
- Recommend work happen to solve the jurisdictional maze they experience.
- Suggest law enforcement officers have more extensive training to improve their investigative skills and communication skills with families when working their MMIWG case.

Some families identified changes they perceived were needed in the justice system. They encouraged re-consideration of sentencing guidelines for these types of crimes.

Victim Advocates

Interviewees suggested recommendations for improvement in the area of victim advocacy. Family members and survivors:

- Suggested better and more communication about their cases from the victim advocates.



- Would like to see more trained Native American victim advocates with knowledge of their culture and how the dynamics of their MMIWG cases interface with the roles, customs, and issues in their specific communities.
- Would like to experience more guidance, support and sensitivity during the traumatic time these cases are happening.
- Suggest that more assistance be offered to understand the complexities of the judicial system.

Community Support, Education and Resources

Many family members mentioned the need they have for more support and resources in their communities for substance abuse and domestic violence. Some family members indicated that the issues of substance abuse and domestic violence are taboo and difficult to discuss openly in Tribal communities. Some family members also reiterated that their needs to be more education and awareness about MMIWG in their Tribal communities. Specifically, families and survivors:

- Suggested that more work is needed to address substance abuse on Reservations.
- Encouraged the availability of services for those experiencing alcoholism or substance abuse.
- Requested that more education and awareness is needed on the issue of MMIWG, and related issues such as violence against women and runaways.

Methodology: Law Enforcement Study

After deliberation and collaboration with key law enforcement professionals on the Study Committee, the approach and design were finalized for the law enforcement study. The aim was to conduct outreach with all Arizona law enforcement agencies in order to attempt to interview one management official from each agency (e.g. Chief, Captain, Sheriff, etc.) and then survey field officers via a digital survey. The five different types of agencies contacted included:

- **State** - State police officers perform specialized law enforcement duties for state police agencies. For example, state patrol troopers enforce laws governing highways and roadways throughout Arizona.
- **County – Sheriff's Departments** - Sheriff's deputies provide patrol services to residents within the unincorporated areas of the county. Deputies are managed by an elected Sheriff. The Sheriff works with a Board of Supervisors, also elected officials, which allocates and then funds the annual budget to the Office of Sheriff.
- **Municipal- City Police Departments** - City police are generally employees of a city government and patrol in their designated city. Police are managed by a Police Chief who, in turn, answers to a city council.



- **University** - University police serve and protect students and staff on University and College Campuses.
- **Tribal- 638 Contracted Departments** – The Indian Self-Determination Act of 1975 affords Tribes the opportunity to provide for their own police departments and other institutional services through federal grants and contracts commonly referred to as 638 contracts. Tribal police have the authority to exercise criminal jurisdiction over all Tribal members, of non-Indian perpetrators in some cases of domestic violence, and the authority to arrest and detain non-Indians for delivery to state or federal authorities for prosecution of state crimes. These Tribal police powers are generally limited to Tribal lands unless the police officers are state-certified officers. Also, officers can have a federal Special Law Enforcement Commission (SLEC), which gives Tribal officers the authority to make arrests for all violations of federal criminal laws on Indian lands.³⁰
- **BIA** - The Bureau of Indian Affairs Police, usually known as the BIA Police, Office of Justice Services, Law Enforcement Division, is the law enforcement arm of the United States Bureau of Indian Affairs which polices Indian Tribes and Reservations that do not have their own police force, and oversees other Tribal police organizations. BIA also manages federal funding for law enforcement, detention, and courts on Reservations. If a Tribe contracts this authority, they are using BIA funding to support their law enforcement departments.³¹
- **FBI** - The FBI is responsible for investigating the most serious crimes in Indian country – such as murder, child sexual and physical abuse, violent assaults, drug trafficking, public corruption, financial crimes, and Indian gaming violations.³² FBI agents work out of major cities and are not located on Reservations. Most are responsible for the investigation of violent crime but don't live or work in the Tribal communities they serve, and the vast majority are not Tribal members. FBI and U.S. Attorney's offices may have a Tribal liaison who can be a Tribal member.

Instruments and Measures

The specific methods and measures used for the law enforcement study are presented in Exhibit 16.

³⁰ Wakeling, S., Jorgensen, M., Michaelson, S., & Begay, M. (2001). Policing on American Indian Reservations. *National Institute of Justice, US Department of Justice, Washington, DC. September.*

³¹ See <https://www.bia.gov/bia/ojs/who-we-are>

³² See <https://www.fbi.gov/investigate/violent-crime/indian-country-crime>



Exhibit 16. Data Collected, Purpose, and Analysis Method for Law Enforcement Study

Data/Instrument	Construct/Purpose	Analysis Method
Interview Protocol for Law Enforcement Management Officers (Appendix A)	To learn about the current management level policies and practices of all types of AZ law enforcement agencies when interfacing with MMIWG cases and the communities in which they occur. To identify the trends and potential policy opportunities to reduce and end MMIWG.	Descriptive statistics. Thematic content analysis.
Online Survey for Law Enforcement Field Officers (Appendix B)	To learn about the experiences of field officers of all types of AZ law enforcement agencies when interfacing with MMIWG cases and the communities in which they occur. To identify the trends and potential policy opportunities to reduce and end MMIWG.	Descriptive statistics. Thematic content analysis.

The interview protocol (Appendix A) was developed and revised multiple times by the evaluation team and the Study Committee members supporting the study. Piloting occurred with the interview protocol with two law enforcement committee members.

Based on the advice of key committee members, the original recruitment strategy was to reach out directly to the Public Information Officer (PIO) at each law enforcement agency (if they had one) to explain the study and request an interview with their Chief/Captain/Sheriff. Materials describing the study would be emailed to the PIO as requested. For each agency, multiple calls and emails would be completed to try and secure the interview. Since the recruitment began on August 1, 2020, there was limited time to secure the interviews. As the recruitment process unfolded, it became clear that it was taking too much time to have the back and forth communication between the PIO officers, legal team at agencies, and/or administrative staff in order to use this approach. It was decided at that point that all outreach would be directed toward the Chief/Captain/Sheriff. This strategy helped to secure more interviews during this short time frame.

The length of the interview ranged from 30-90 minutes. Before an interview would begin, the interviewee was informed that their responses would be anonymous and that there would be no personally identifying or agency identifying information shared in the de-identified aggregate report to the Arizona Legislature. They were also informed that the conversation would not be audio recorded, and only typed or handwritten notes would be recorded from the conversation. If the interviewee verbally agreed to the terms explained, then the interview would commence.



All interview data collected are anonymous and responses for this report are only categorized by law enforcement agency type (State, County, City, University, Tribal) to protect the confidentiality of the interviewees and per the approved IRB. At the end of the interview, the interviewer asked the management official if they would be willing to distribute a digital survey (Appendix B) to their field officers via email that work directly with these types of cases. The request was that the official distribute the survey immediately and request all responses be submitted in seven days. All management officers agreed to distribute the survey. Survey response rates were low throughout the study period, so multiple attempts were made to follow-up with the management official interviewed to ensure that the survey had been distributed and that they requested participation from their staff. Even with these efforts, the survey data response rates were low.

Recruitment and Outreach Efforts for Data Collection

The specific law enforcement agencies recruited for this study are outlined in Exhibit 17. In total, 72 law enforcement agencies were contacted to participate in the MMIWG Field Study. It is important to note that the only Tribal law enforcement agencies that were able to be contacted for interviews were those Tribes that signed an MOU agreement with LMA to participate in the study. The identity of these agencies are not provided to protect the confidentiality of these Tribes and Tribal members that participated in the study.

Exhibit 17: Specific Law Enforcement Agencies Contacted for Law Enforcement Study

	Law Enforcement Agency Name	Law Enforcement Agency Type
1	Apache County Sheriff's Office	COUNTY
2	Apache Junction Department of Public Safety	CITY
3	Arizona Criminal Investigations Division	STATE
4	Arizona Department of Corrections	STATE
5	Arizona Department of Game and Fish	STATE
6	Arizona Department of Public Safety	STATE
7	Arizona Highway Patrol	STATE
8	Arizona State Capitol Police	STATE
9	Arizona State University Police Department	UNIVERSITY/COLLEGE
10	Avondale Police Department	CITY
11	Bullhead City Police Department	CITY
12	Casa Grande Police Department	CITY
13	Chandler Police Department	CITY
14	Chino Valley Police Department	CITY
15	Clarkdale Police Department	CITY
16	Cochise County Sheriff's Department	COUNTY
17	Coconino County Sheriff's Office	COUNTY
18	Tribe 13 Law Enforcement Department	TRIBE
19	Cottonwood Police Department	CITY
20	El Mirage Police Department	CITY
21	Eloy Police Department	CITY
22	Flagstaff Police Department	CITY
23	Gila County Sheriff's Department	COUNTY



24	Gilbert Police Department	CITY
25	Glendale Police Department	CITY
26	Goodyear Police Department	CITY
27	Graham County Sheriff's Office	COUNTY
28	Greenlee County Sherriff's Office	COUNTY
29	Tribe 14 Law Enforcement Department	TRIBE
30	Huachuca City Police Department	CITY
31	Tribe 4 Law Enforcement Department	TRIBE
32	Jerome Police Department	CITY
33	Kingman Police Department	CITY
34	La Paz County Sheriff's Office	COUNTY
35	Marana Police Department	CITY
36	Maricopa County Sheriff's Office	COUNTY
37	Mesa Police Department	CITY
38	Mohave County Sheriff Office	COUNTY
39	Navajo County Sheriff's Office	COUNTY
40	Northern Arizona University Police Department	UNIVERSITY/COLLEGE
41	Oro Valley Police Department	CITY
42	Paradise Valley Police Department	CITY
43	Tribe 7 Law Enforcement Department	TRIBE
44	Payson Police Department	CITY
45	Peoria Police Department	CITY
46	Phoenix Police Department	CITY
47	Pima County Community College Department of Public Safety	UNIVERSITY/COLLEGE
48	Pima County Sheriff's Department	COUNTY
49	Pinal County Sherriff's Department	COUNTY
50	Prescott Police Department	CITY
51	Prescott Valley Police Department	CITY
52	Tribe 1 Law Enforcement Department	TRIBE
53	Santa Cruz County Sheriff's office	COUNTY
54	Scottsdale Community College Security Department	UNIVERSITY/COLLEGE
55	Scottsdale Police Department	CITY
56	Show Low Police Department	CITY
57	Sierra Vista Police Department	CITY
58	South Tucson Police Department	CITY
59	Springerville Police Department	CITY
60	Superior Police Department	CITY
61	Surprise Police Department	CITY
62	Tempe Police Department	CITY
63	Tombstone City Marshals Department	COUNTY
64	Tombstone Police Department	CITY
65	Tucson Police Department	CITY
66	University of Arizona Police Department	UNIVERSITY/COLLEGE
67	Wickenburg Police Department	CITY
68	Willcox Department of Public Safety	CITY
69	Tribe 19 Law Enforcement Department	TRIBE
70	Yavapai County Sheriff's Office	COUNTY
71	Yuma County Sheriff's Office	COUNTY
72	Yuma Police Department	CITY



Recruitment progress for the law enforcement study was regularly shared with the AZ Attorney General’s office, Representative Jermaine and the Study Committee. As a result, many outreach attempts were also made by Attorney General Staff and Study Committee members to encourage law enforcement agencies to participate in the interviews. It was made clear to the agencies that this was their opportunity to provide their voice and insights regarding the MMIWG issue to try and reduce and end this issue in Arizona.

The level of effort required to secure interviews with law enforcement agencies is presented in Exhibit 18 below. The total number of phone and email contacts made to these agencies was 208. The average number of contacts per agency required to secure an interview was three. Those agencies that refused to participate are indicated in the Exhibit as well. Agencies that did not participate and also did not refuse, were ones for which a response was never received, or interviews were cancelled or postponed beyond the data collection period. Overall, 41 interviews were completed with 33 agencies across Arizona.

Exhibit 18: Outreach Efforts and Outcomes for Law Enforcement Management Interviews

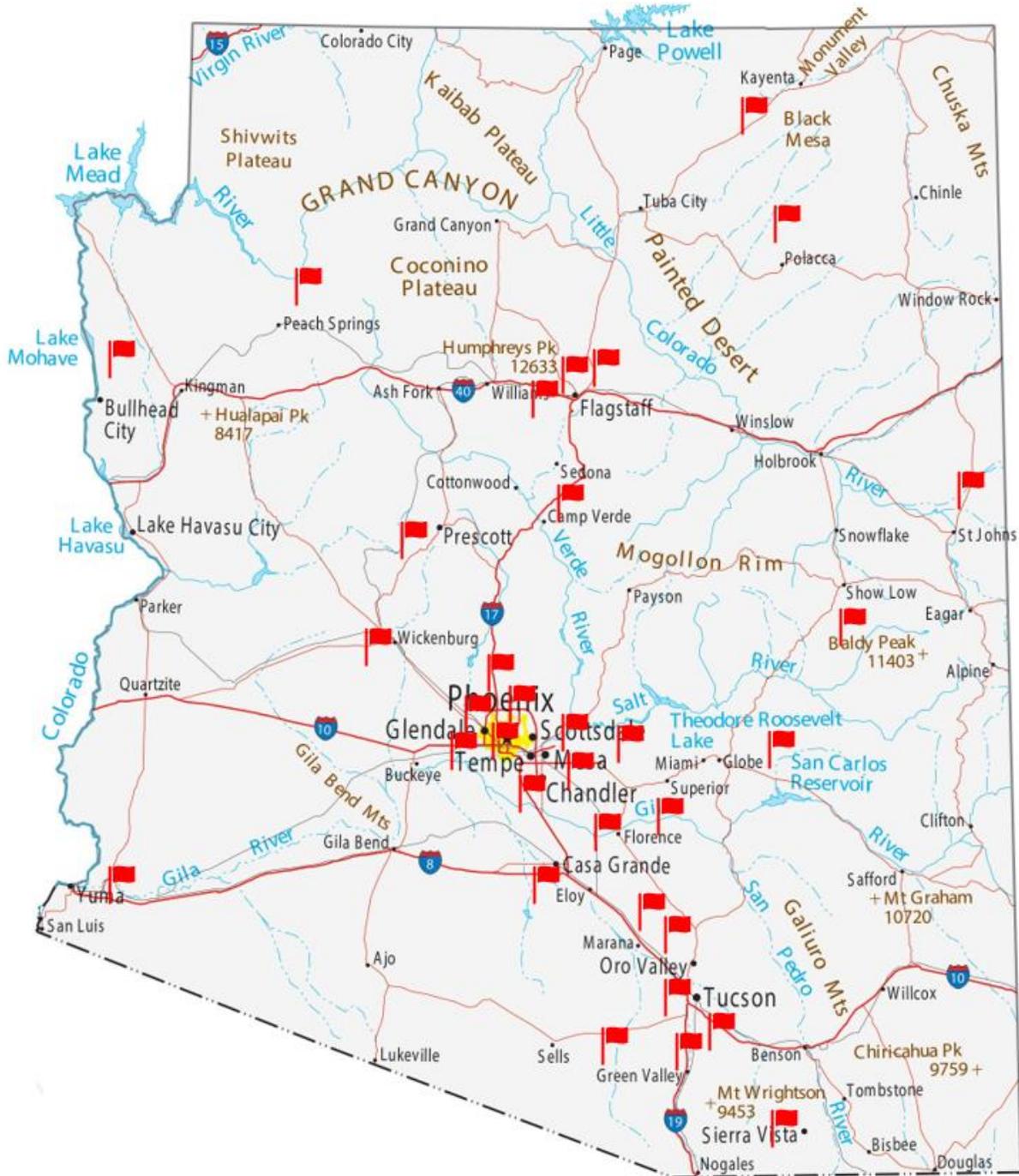
INTERVIEWS	# Agencies Contacted	# Contact Attempts	# Refusals to Participate	# Completed Interviews	#Agencies Represented by Interviews*
State	6	10	0	3	3
County	16	53	0	9	6
City	39	117	4	19	17
Tribal	6	16	0	8	5
University	5	12	1	2	2
Total	72	208	5	41	33

*Note: For 4 agencies there were multiple interviewees during the time of the interview as a group interview.

The geographic distribution of the 33 agencies where completed law enforcement management interviews is presented in Exhibit 19.



Exhibit 19: Arizona Map of Completed Law Enforcement Management Interviews



Map template from <https://gisgeography.com/arizona-map/>



Exhibit 20 outlines the 40 surveys that were completed by field officers by agency type. Due to the importance of the respondent being anonymous, it was unknown which particular agencies responded to the survey. During law enforcement interviews, when asked to distribute the survey to their team, some interviewees felt their staff did not need to fill out the survey because they did not think they ever interfaced with MMIWG cases. Other told the interviewer that they distributed the survey to their staff, but there was no way to confirm.

Exhibit 20: Outreach Efforts and Outcomes for Law Enforcement Field Staff Surveys

SURVEYS	# Completed Surveys
State	3
County	2
City	25
Tribal	5
University	3
Total	40*

*Two respondents did not indicate what type of agency they worked for

It is important to emphasize that not all law enforcement agencies in Arizona are represented in this report, and only a small sample of field officers are represented in the survey data. Findings presented in this report may help illuminate and highlight topics, issues and practices of interest, but may not represent the position of all agencies or law enforcement officers in Arizona. Please see the Limitations section for more information.

Findings: Law Enforcement Study

The findings from the interviews with law enforcement management and the surveys with law enforcement field staff are presented below.

Demographics of Law Enforcement Interviewees

Agency Type

A total of 33 law enforcement agencies participated in the management interviews (Exhibit 21). The majority of law enforcement interviews were conducted with management officials from City law enforcement agencies (52%).



Exhibit 21: Number and Types of Law Enforcement Agencies Interviewed

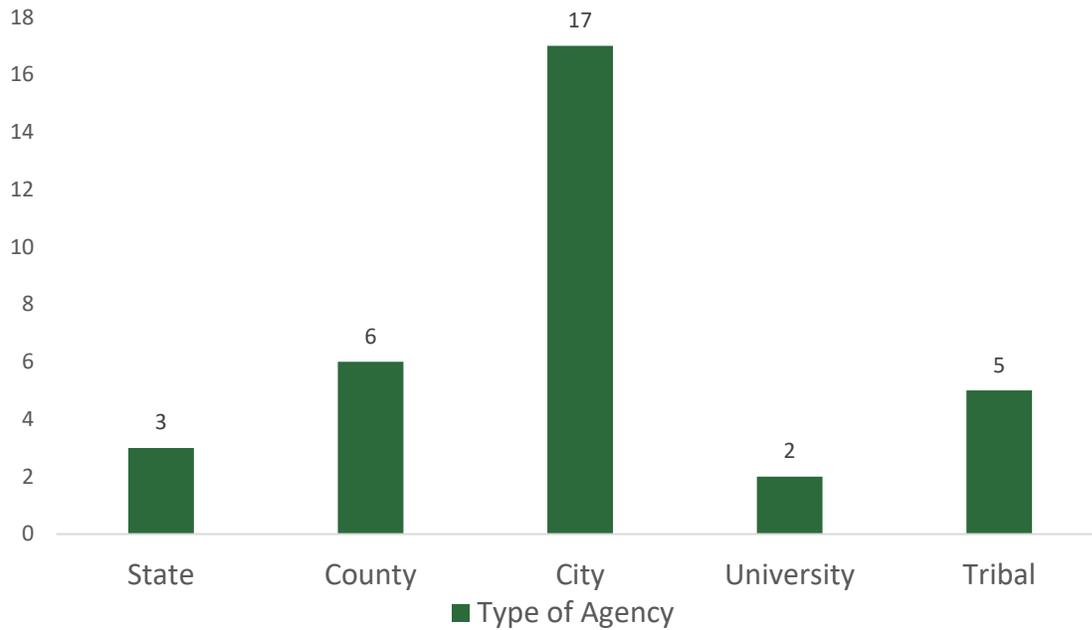


Exhibit 22 provides some demographic information on the interviewees and survey respondents for the law enforcement study. Interviewees were mostly male (94%), between the ages of 40-69 (89%), and had worked 10 or more years in law enforcement (97%). For field officer survey respondents, they were mostly male (60%), ages 30-59 (85%) and had a wide range of law enforcement experience (1-20+ years).

Exhibit 22: Demographics of Participants

	Interview (Management) N=36 ¹	Survey (Field Staff) N=40 ²
Affiliated or Enrolled with AZ Tribe	6 (17%)	2 (5%)
Gender: Male	34 (94%)	24 (60%)
Gender: Female	2 (6%)	13 (33%)
Age: ³		
21-29	0	3 (8%)
30-39	4 (11%)	10 (25%)
40-49	15 (42%)	16 (40%)
50-59	13 (36%)	8 (20%)
60-69	4 (11%)	0

Years Worked in Law Enforcement:



1-3 years	0	4 (10%)
3-5 years	1 (3%)	4 (10%)
6-10 years	0	6 (15%)
10-20 years	12 (33%)	12 (30%)
20+ years	23 (64%)	11 (30%)
Level of Education:		
High School Diploma/GED	7 (19%)	11 (30%)
Some College	0	1 (3%)
Associates Degree	2 (6%)	6 (15%)
Bachelor's Degree	12 (33%)	11 (30%)
Master's Degree	11 (31%)	6 (15%)
PhD Doctorate Degree	1 (3%)	
Position:		
Police Chief	12 (33%)	
Lieutenant	5 (14%)	4 (10%)
Sergeant	6 (17%)	5 (13%)
Detective	4 (11%)	9 (23%)
Commander	3 (8%)	
Captain	1 (3%)	
Chief Investigator	1 (3%)	
Sheriff	1 (3%)	
Deputy Chief	1 (3%)	1 (3%)
Patrol Officer		10 (25%)
Investigator		1 (3%)
Corporal		2 (5%)
Administration	2 (6%)	1 (3%)
Crime Scene Technician		1 (3%)
Police Support Assistant		1 (3%)
Background Investigator		1 (3%)

¹ For 4 agencies there were multiple interviewees during the time of the interview as a group interview. For those agencies, only the demographics of one interviewee were taken. Therefore, a total of 41 individuals were interviewed, but only 36 have demographics for this report, and only 33 agencies are represented.

² Three field officers did not report any demographic information as part of their survey

³Note: Not all percentages total 100% due to some survey respondents not answering certain demographic questions. Regardless, the total N was used to determine the percentages presented in the Exhibit.



Information Regarding Missing Persons Cases

Missing Persons Policies

The key focus of missing person policies is to set forth processes and alerts to accomplish the ultimate goal of finding the missing person. Interviewees and survey respondents were asked about whether they had a missing person policy and what that policy entailed. A common theme amongst police departments was the importance of the policy to help provide guidance and structure to determine the circumstances and type of missing person's case. Making case determinations to be able to bring in appropriate resources quickly was a goal of many of their policies. Especially when dealing with children, having clear information is vital to escalating the proper cases. Initial report taking and proper escalation to supervisors was a common process identified across departments. One interviewee noted:

For children, the first goal is [identifying the] type of missing child we are dealing with. The 911 determines the level of threat from the call. Did not show up from school versus runaway note, range from standard runaway - if there is a mental deficiency that changes the response. If there is a true abductor or kidnapping that heightens the call priority.

- City Law Enforcement Manager

These missing person policies are designed to provide a frame of reference for personnel to understand what their response should be when faced with different missing persons situations. Policies provided by several departments outlined the process of case determination and how to expand investigations. These policies also outline entry into various databases such as the ACJIS (Arizona Criminal Justice Information System), NCIC (National Crime Information Center), AMBER Alerts and ACIC (Arizona Crime Information Center). Interestingly, for some departments these databases are only in the policy for missing children, while missing adults go through DPS' (Department of Public Safety) Endangered Person Alert System.

The process for missing person cases start with the initial report acceptance and judgement of the responding deputy or field officer. These 1st points of contact with the reporting party and scene are seen as critical for making escalation determinations and bringing in additional resources.

Figuring out the circumstances of the case is important to ensure the right response for both children and adults. Furthermore, capturing this initial information is critical to providing complete and accurate entry into database and alert systems. Many of these initial investigative steps are laid out in formal policy, but other elements are based on officer and supervisor discretion.



Initial Response and Investigation

According to interviewees, capturing initial information is often a team effort between dispatchers taking the initial call and the responding field officer to the scene. Making determinations about case factors (both direct and indirect) is often the first step in responding to the situation. Some departments have more formalized missing person's worksheets, others aim to capture as much contextual information as possible in the case narrative. The goal is to answer basic questions such as who, what, when, and where. These pieces of data pave the way to asking for more help and disseminating further information regarding the missing person.

Potential factors of interest are:

- Weather
- Time of Day
- Medical Needs
- Vulnerable Adult/Child
- Disappearance history
- Mental Health Capacity
- Suspected Criminal Activity
- Age
- Potential Danger

One law enforcement officer spoke to the importance of dispatchers also being trained to ask the correct questions to get as much information as possible during a critical period of the case.

We need dispatchers who are trained in proper techniques to get as much info as possible. The investigation truly starts with the phone call. Ask the right questions. Keep them on the phone till officers arrive.
- City Law Enforcement Manager

Across all departments interviewed, a key initial response to missing person cases was sending a field officer to the scene. It is important to note that a field officer may not always be sent onsite if the circumstances of the case appear to not require it. This stresses the importance of the 911 responder and field officer capturing good contextual information relevant to the situation so a determination can be made. Several officers noted that while the initial response on child cases may be similar, the potential for an escalated response is much higher.

Developing a chain of command and activating additional resources and tools was a common practice amongst departments. Getting the team involved early in the case was a goal of the initial response and a determining factor in successful cases. Smaller and more rural departments also often noted the need to bring in support from other nearby agencies.



Patrol supervisor will determine the scale of the search based on the initial investigation statements; we may involve the PIO office to put out a search. Especially for vulnerable adult cases. We want people to be able to help out.

- City Law Enforcement Manager

One department explained their response for a missing minor as follows:

Here's what can happen in our agency. We have an 8-year-old girl. Sister called 911 stating her sister should have been home 1/2 hour ago. That triggers dispatch to send out patrol officer. Everyone available drops everything and goes to the area. While responding, dispatch sends out an instant text message to the command center, Lieutenant, Captain, Sheriff who all get the message, which can trigger the response from detectives, get everyone into the area [as soon as] possible.

- County Law Enforcement Manager

A common escalation response for missing children cases, is to bring in additional resources and agencies to assist with the search and case. The Child Abduction Response Team (CART), a multi-agency response task force including local, state and federal authorities, was mentioned by several agencies as an important partner to bring in for support and additional skilled staffing.

Social media and electronic data were reported as very important considerations. Many departments need skilled staff to be able to properly utilize digital forensic evidence. It was noted by several departments the importance of figuring out social media connections and contacts especially for cases involving children.

The device thing is important with kids. Trying to gather info on social media profiles, communication via smart phones, games, etc. and unusual circumstances. A lot of times we have custody issues between families. A big thing now with juveniles is who they've been in communication with on the internet.

- City Law Enforcement Manager

Another consideration with child cases is the emotional response of officers. Several departments noted that working these cases requires a focus and discipline even when cases are provoking a difficult emotional response.

Missing Persons Skills, Experience and Training

Law enforcement leaders and field officers around Arizona outlined a broad range of skills, experience and training needed to conduct effective missing persons investigations. One of the biggest challenges faced by many agencies is gaining experience, especially for less-tenured officers, when the cases are few and far between. For smaller agencies, cross-training is very important, as "officers do it all," and they do not have special missing persons investigators or



units. Agencies have continual training needs with personnel turnover, changing technologies and new/modified approaches in the field. Most of the agencies interviewed did not have the resources or expertise to provide a Missing Persons training in-house. Over 50% of respondents cited the need for high-level, specialized training in this topic.

The foremost skills and experiences needed by missing persons investigators include investigative skills (prioritizing case elements, interviewing skills, case management, thoroughness in follow up on leads), knowing how to collaborate and network with other agencies, and having computer and database skills so that notices go out quickly. Experience, training, or involvement with CART training was seen as very valuable, and several agencies contacted were members of a CART team. Other key skills include handling crisis situations, relationship building, accessing victims' advocates, and passion and tenacity for this particular type of cases. As noted by one leader, "It takes a special type of law enforcement officer for this work."

Law enforcement leaders emphasized the importance of training in the importance of "frontloading" the initial response to a missing person's report, by using strong interviewing skills and outreach/follow-up skills to activate and mobilize many resources. It was also felt that officers who had case experience and strong networks in the law enforcement community and local community resource agencies were keys to effective work. Being able to shadow and co-investigate cases with a seasoned officer was seen as valuable. Several officers commented that "just Basic Missing Persons training" is needed, because although there are a lot of homicide courses, there seems to be less offered on missing persons.

Tribal Perspectives

One of the strongest themes in interviews with Tribal law enforcement leaders was the need for skills and experience in collaborating across law enforcement agencies at all levels (Tribal, county, state and federal) in order to successfully address MMIWG cases. Often small Tribal law enforcement agencies with limited resources and staff must count on off-Reservation support such as helicopters, search and rescue teams, computer support, DPS, FBI, and others to respond effectively to cases. Also, Tribal officers benefit from having skills and experience around contacting and collaborating with other Tribal agencies such as social services, domestic violence service providers, and substance abuse agencies. One Tribal department noted that they have only one dispatcher, so working together with the county sheriff's dispatcher can help with the call volume they experience. Smaller or remote agencies are still building their technological, database and/or communication infrastructure to be able to send alerts out, or post to crime databases, and so officers must have knowledge and skill of what off Reservation resources are available and how to collaborate with them. As noted by one law enforcement leader:



The majority of Indian country agencies don't have specialized units to handle cases on their own; it's important to know what resources we can reach out to.

- Tribal Law Enforcement Manager

Several leaders mentioned that their agency does not have a lot of experience, because they haven't had that many missing persons cases, and noted:

We get rusty... it would be helpful to have checklists, one place to get all the information and resources to contact, to reach out to...

- Tribal Law Enforcement Manager

Having commitment, passion and training in missing persons was the most common response from Tribal enforcement officers regarding what is important in addressing MMIWG. An important quality for Tribal law enforcement officers is knowing the community, family issues, geographical and social challenges.

Usually officers know the country, 'cause we grew up therewe may know how families are related, so they have more passion [for the work] and have good knowledge to work in the community.

- Tribal Law Enforcement Manager

An interest was expressed to have specialized training in missing persons with a focus on the unique situations in Indian country, as well as general missing persons investigation skills. One leader noted that an MMIWG training recently attended was "eye opening" regarding the problem and issues surrounding Indigenous women and girls. Most training attended by officers is conducted off Reservation, and Tribal leaders see a need for more regional training to bring collaborating agencies together. Training in using a range of helpful databases was also mentioned.

Field Officer Perspectives

Field Officer surveys revealed a comprehensive list of the numerous skills and experience that field officers believe they must have to effectively address missing persons cases. Most frequently mentioned were general investigative and interviewing skills, including knowledge of culture and risk factors, and the ability to build trust and relationships with families. Dedication, passion and tenacity were seen as important qualities in investigative officers.

The ability and knowledge to network and use interagency and intra agency resources was seen as critical to achieving a comprehensive and quick response. Several respondents focused on the need for technological skills and experience, such as how to access technology for locating people, and use of databases and alerts. A number of officers provided specific ideas about abilities that are important for law enforcement staff to possess to be effective in responding to missing persons calls such as organization skills, attention to detail, documentation and writing



skills, thinking outside the box, and geographical knowledge. Attending specific training on missing persons and attending Missing in Arizona Day was mentioned as important. Some mentioned that Missing in Arizona Day is an event that brings together law enforcement agencies and support services all in one place to help the families of missing people, no matter how old the case. Several field officers also mentioned the importance of such things as checklists and experience working on cases in building confidence and increasing skills. The importance of agency-wide training and use of standard protocols was well stated by one respondent:

[We need] plenty of staffing available to respond to assist within minutes, a policy and guide that provides clear instructions for all police departments especially those that don't have a high percentage of these types of case. Also a large poster board with a bracket that clearly describes step-by-step the directions of conducting a missing person's investigation that begins with the initial phone call from the complainant reporting a missing person and how to proceed from there until the point where the AMBER Alert has been requested and approved and so on.

- Field Officer Survey Respondent

The Exhibit below summarizes the types of training mentioned by Law Enforcement management and field officers as important for building skills to address missing persons cases.

Exhibit 23: Types of Training Law Enforcement Officers Recommend for Addressing Missing Persons Cases

Types of Trainings Seen as Critical for an Effective Missing Persons Investigation

CART (Child Abduction Response Team training), FBI, DPS, and Police Academy trainings

Alert systems (AMBER, Silver, etc.);

Registries and databases (NCIC, NamUs, NCMEC, etc.)

Use of technology and communications networks to locate people (e.g. "pinging" phones, social media, etc.)

Understanding mental health issues, crisis intervention skills

NCJTC (National Criminal Justice Training Center) training on Missing Children

Basic Missing Persons training

Child Exploitation and Trafficking

MMIWG issues and approaches in Indian country

Forensic interviewing in cases of missing children

AHEA (Arizona Homicide Investigators Association) trainings



Training in social media, apps, and electronic habits of young people in particular

Current trends, research and patterns and accurate data regarding MMIWG prevalence

Jurisdiction issues in Tribal lands

Training Interests, Commitment and Logistics

Since law enforcement agencies operate 24/7 with continual demands, the first considerations for training are cost, location, and time commitment. More than 50% of law enforcement management staff named time and cost as a primary concern, but an equal number went on to say they welcome and support training in the topic of missing and murdered Indigenous women and girls. A couple of leaders stated the importance of providing training at all levels of the organization, including patrol officers, detectives, and administrative staff because all have a role in responding. A State Law Enforcement Interviewee mentioned that this is an issue relevant to all, “We need to know that it is NOT just an issue for Tribes, Nations...it affects all our communities.”

To address the issues of time, logistics and cost, the following suggestions were made:

- Provide training locally and regionally (e.g., Northern Arizona region);
- Provide on-line learning, webinars (especially during COVID and for those with limited staff coverage);
- Utilize Native American trainers if possible, or trainers who live in Tribal communities;
- Schedule at a variety of times and days, not just one big training, to allow different shifts to attend;
- Conduct regional trainings over a period of days, in 2-4 hour chunks. Eight-hour trainings are too time/cost intensive; and
- To garner support and buy-in to training, reach out to the Arizona Homicide Investigators Association and the Arizona Association of Chiefs of Police.

Those interviewed recommended that content of training around MMIWG should include:

- Research, history, patterns, and causes behind MMIWG;
- Cultural experience and daily experience for kids living in Indian country;
- Protocols and practices for first response in missing persons reports; and
- Trainings tailored around Missing Persons related to Indigenous/Tribal realities and issues.

Another theme that emerged when asked about interest in training was a desire to understand the extent of the problem. A few agencies have had very few cases over the years, and so are not sure if it should be a high priority for their area, and they feel unclear about the scope of the problem.



[We] need to be able to provide data that this issue really exists. [We] need to have the numbers better speak for themselves...[we] have been working on interdiction of protecting children in regards to trafficking...the misperception is that it is international, actually this is mostly homegrown. Need to get info to create eye opening experience...make aware of numbers affected here at home, in our area.

- State Law Enforcement Manager

Many went on to say they still would welcome the opportunity to learn more. For example, one interviewee stated:

If we started having high rates of field reports from on-duty officers, then we would likely want to mandate this type of training.

- State Law Enforcement Manager

Sorting through the many associated aspects of missing and murder cases was a topic for a couple of interviewees, as they discussed training interests in topics of sex trafficking and interdiction techniques.

Databases and Data Tracking

Both Tribal and non-Tribal law enforcement agencies utilize a variety of federal, state, and non-profit-run systems for reporting missing incidents and homicides. These include the National Crime Information Center (NCIC), the National Missing and Unidentified Persons System (NamUs), the National Center for Missing and Exploited Children (NCMEC), and America's Missing: Broadcast Emergency Response (AMBER) Alert. NCIC is an electronic clearinghouse of crime data organized into 21 "files," 7 related to property and 14 relate to people, that are accessible by criminal justice agencies across the United States. NamUs acts as a clearinghouse of information on missing persons and as well provides forensic services, investigative support, training, outreach, and victim services with the goal of helping to resolve missing, unidentified, and unclaimed person cases. NCMEC describes itself as "a private, non-profit 501(c)(3) corporation whose mission is to help find missing children, reduce child sexual exploitation, and prevent child victimization." AMBER Alert is a program operated out of the Arizona Department of Public Safety that sends out alerts on child abduction cases to law enforcement agencies and media outlets to facilitate immediate emergency response.

The law enforcement interviewees were asked to provide information about their agency's use of these systems for reporting.



NCIC (National Crime Information Center)

Most of the non-Tribal law enforcement interviewees reported quick entry of missing persons' incidents into the NCIC, with the time varying by agency and was often described as being dependent on when an agency makes certain determinations about an incident. Some representative responses regarding the timing of such reporting included "Immediately," "within one hour," "within a two-hour time frame," and "ASAP."



Interviewees sometimes reported this was a hard deadline included in their agency's policies on missing person cases. One interviewee noted that while their agency broadcasts a Be on the Lookout (BOLO) within an hour, there is no timeline in their policy manual for entering the information into NCIC; it is understood to be ASAP. The timing of reporting in NCIC was often tied to the processes of confirming that an individual was truly missing, which the interviewees noted as involving further investigation, including visiting the reporting party. Thus, the individual responsible for entering missing person data into NCIC is typically the patrol officer, detective, or deputy who made such a visit although one interviewee indicated their agency calls such cases into a Regional Communications Center for entering into the NCIC.

Some of the interviewees highlighted the difference in the way incidents of missing children, older adults, or other vulnerable populations (e.g., mentally disabled) are handled. At these interviewees' agencies, particularly in the cases of missing children there is a sense of urgency to get the information on the child into NCIC right away. Few interviewees distinguished between missing child and missing adult incidents in how they are handled by their agency, but one reported that their process for adults includes determining whether the person is missing by their own choice; such incidents are only sometimes entered into NCIC. Another interviewee indicated that while children get quickly entered into NCIC "almost immediately," it takes "about 24 hours" before adults are put into the system. One interviewee described their agency's process for determining whether an incident involving a missing child would go into NCIC:

An officer goes on a scene and figures out if it's a repeat similar situation, for example, they run away all the time or if it is different - this run away is suspicious. They know the families deeply in a small community. They determine if it's out of the ordinary and for sure will go in NCIC.

- State Law Enforcement Manager

Most of the Interviewees from Tribal law enforcement agencies (4 out of 5 agencies) reported that their agency used NCIC. One interviewee reported that entry of information into the



database was “case specific, but generally within hours.” Others described a process of investigation to determine whether the individual was truly missing similar to that mentioned by the non-Tribal law enforcement interviewees, with emphasis on as timely a determination as possible when it involves a child. However, it appears making such a determination takes an extended period of time in at least some instances. One Tribal law enforcement interviewee described their agency’s process:

Depends on the report and, if indeed missing, it will go in...usually within the day. We try to do follow up as quickly as possible. Sometimes takes some time to do... We want to be careful not to input not too early to verify they’re truly missing. With most recently reports of missing, by the time we get info, it’s been several days to one to two weeks. So then we’re trying to follow up by end of day. Depending on the info we gather, if it is a young adult with no history of issues, then we are most likely going to do thorough follow-up before entering the info.

- Tribal Law Enforcement Manager

Another Tribal law enforcement interviewee described a similar determination process used before entering a missing minor incident into NCIC: “It depends. The child could be missing [or might have] gone down the river in a kayak. The community is conducting a field search, there’s dive time. Let’s say they get kidnapped. It could be a civil matter, a parent picked up the kid and took off. Or they’re staying with a friend.”

About three-fourths of the respondents to the Law Enforcement Survey also indicated their agency reports missing incidents into NCIC. Many of these respondents reported that this occurs “immediately” or within one or two hours, with some citing the legal requirement of entering such an incident into the system within two hours if the missing person is under 21 years of age.

NamUs (National Missing and Unidentified Persons System)

The non-Tribal law enforcement interviewees were split as to how soon after a missing incident is reported to their agency that it is forwarded to NamUs. A number of the interviewees indicated it is done “immediately” or ASAP. As with NCIC, some interviewees were very specific about when the report goes to NamUs. For example, one interviewee stated, “Within two hours of the initial report, from the report of missing.” Another interviewee said, “ASAP, as soon as practical. NCIC is usually first.” In contrast, some interviewees reported there was no timeline, that the decision to report to NamUs was case-specific and more often used for cases that have stayed unresolved for a period of time. As one interviewee explained, “It’s something the individual detective may do, I couldn’t give you a timeframe. There’s no policy to report into NamUs. It’s



based on the investigator's judgement cases by case. Another interviewee reported, "We do after all other leads are exhausted. It depends on the situation and risk factors.

Most of the Tribal law enforcement interviewees indicated their agency did not report missing incidents in NamUs. One of the two Tribal law enforcement interviewees who affirmed that their agency has used NamUs indicated that they do so only when human remains are found. This interviewee explained, "It's case specific. If they find remains, if there are no leads then it will be put it into NamUs so hopefully other cases and citizens can review." The other such Tribal law enforcement interviewee was unsure when their agency entered a missing incident into NamUs. They reported that the agency's detectives would enter a report into NamUs but was not sure if dispatch staff could.

Only a few of the Law Enforcement Survey respondents indicated their agency reported missing incidents into NamUs. The largest proportion of respondents did not know whether or not their agency reported such cases in NamUs and only two supplied information about how.

NCMEC (National Center for Missing and Exploited Children)



Most of the law enforcement interviewees indicated that their agency "immediately" or quickly reports missing minor incidents into the National Center for Missing and Exploited Children (NCMEC) database. A few interviewees stated that their agency reported a missing minor incident in NCMEC around the same time as when the incident is reported into NCIC.

Some interviewees indicated that their agency's use of NCMEC is not time-specific but rather more related to the specifics of the case. For example, one interviewee qualified their agency's usage of NCMEC:

But only under extreme cases they are immediate. But we don't report every runaway in there. We get hundreds of runaway cases a month with group homes. Anything with an AMBER Alert, severely vulnerable juveniles, or highly probable exploitation.

- City Law Enforcement Manager

Another interviewee tied such reporting to a case remaining unresolved for a certain period of time: "It depends on what kind of info we have. But usually if the individual hasn't been located in a reasonable time. Usually within a week." Similarly, an interviewee related their agency's using NCMEC to lack of resolution in a case: "As soon as reasonably applicable. [When we've] exhausted usual leads."

A number of the Law Enforcement Survey respondents indicated their agency reported missing minor incidents in the National Center for Missing and Exploited Children (NCMEC) database.



However, a larger proportion reported that their agency did not use NCMEC, and an even greater proportion of the interviewees did not know whether their agency reports missing minor cases in it. For those who responded that their agency enters missing minor cases into NCMEC, most indicated such entry occurs quickly. Responses included ASAP, three hours, within a few hours, within 24 hours, and “with the NCIC entry.”

Tracking Race & Ethnicity

The process for tracking race and ethnicity was generally based on self-reported data from victim or reporting party. Race and ethnicity are generally recorded into police record keeping systems and national databases based on federal breakdowns for reporting. Most organizations track the same races and ethnicities as the NIBRS and NCIC systems:

NIBRS & NCIC Race Codes	
American Indian or Alaskan Native	A person having origins in any of the original peoples of the Americas and maintaining cultural identification through Tribal affiliations or community recognition
Asian or Pacific Islander	A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent or the Pacific Islands
Black	A person having origins in any of the black racial groups of Africa
White	A person having origins in any of the original peoples of Europe, North Africa, or Middle East
Unknown	Records for Hispanics should be entered with the race code most closely representing the individual.)

Capturing specific Tribal affiliation or membership was not a practice that any department interviewed had formal tracking for, although many officers noted that Tribal affiliation or membership might be tracked in the case narrative. As federal reporting systems such as NCIC, NIBRS and others do not make a distinction for specific Tribal affiliation or membership, departments need to utilize their own database systems and case narratives to document this information.

Has never happened, typically would document in the reports. Would be in the field notes, our record management system just changed and there is an opportunity to now add in Tribes. Has not been discussed or trained yet. Still primarily would be documented in the narrative.

- University Law Enforcement Manager



We do not, in the demographic. This may be in the narrative report. There is a part of the records system to add additional information. If it was given on the initial call, all the info is searchable so if it was said it would be recorded in the narrative.

- City Law Enforcement Manager

America's Missing: Broadcast Emergency Response (AMBER) Alert

The AMBER Alert was commonly reported by the law enforcement interviewees as being activated for missing minor cases immediately or ASAP. Many of the respondents noted that requests for AMBER Alert activation are made to the Arizona Department of Public Safety (DPS), which operates the system, and that such a request is only made after the agency determines alert criteria have been met. One interviewee explained their agency's AMBER Alert activation process:

There are specific qualifications before we need to activate it. There's no timeline. [Do we] have a vehicle, a suspect, demographic information of the child taken? ASAP after we check the boxes.

- City Law Enforcement Manager

Another interviewee similarly described their agency's process: "Patrol will go through the checklist for AMBER Alert. Once it qualifies, it gets sent in immediately." An interviewee mentioned that it can take their agency as long as an hour to determine if the criteria are met. Some interviewees described a more deliberative process of determining whether to activate the alert. One such interviewee stated, "Immediately if in harm's way. Or late from school, we may wait and see."

Two of the Tribal law enforcement interviewees indicated that their agency has a policy on activating the AMBER Alert. One of these interviewees indicated their agency followed the Arizona protocol for AMBER Alert and explained its activation timing and process: "Usually immediately. If a child is abducted that is automatic AMBER Alert... And then we go back and ask a lot of questions about the situation. Then that helps separate whether it's a runaway versus forceful abduction." The second such interviewee similarly described their agency's AMBER Alert process and experiences:

The child must be in danger, sometimes there is a parent custody battle and one of the parents will take the child which our officers have to discern is it an activation for AMBER alert or not. In the last 10 years, we only have had a few AMBER Alerts; it doesn't happen often here. You have to build up to the alert. Officers may be trying to get information for like an hour.

- Tribal Law Enforcement Manager



Most Law Enforcement Survey respondents indicated that their agency uses the AMBER Alert system. The timing of and criteria for activating the AMBER Alert after a minor is reported missing varied across the respondents. Some cited indicated a very short time – “Immediately,” “within one hour,” “two hours at most.” However, a number of the respondents reported that activation of the alert is dependent on determination that the criteria for the alert have been met. For example, one survey respondent reported, “As soon as information is known that the incident qualifies.” Another survey respondent answered, “County protocols are followed for these cases.”

Next of Kin and Victim Advocates

Most of the non-Tribal law enforcement interviewees provided a broad definition of who their agency considers next of kin when working with missing and murdered cases, which generally involved a hierarchy of relatives by marriage and blood. One interviewee described their agency’s process for identifying next of kin for adult: “We determine the family structure. For an adult male missing, the wife is next of kin. If they’re not married, their mother or father, then siblings.” Another interviewee similarly reported that their agency considers next of kin to be the missing or murdered person’s spouse, followed by blood relatives. An interviewee for one law enforcement agency described a slightly different hierarchy being used in determination of next of kin for an adult:

First, we go to the spouse. If there’s no spouse, their children. We do data research. If there are no children, we’ve ended up doing parent... Sometimes people haven’t had anyone; we’ve reached out to a cousin we had to track down.

- City Law Enforcement Manager

Regarding defining who is considered next of kin for a missing or murdered minor, one respondent noted that commonly a parent or other caregiver is the person reporting the incident. However, another interviewee offered an example of cases involving minors that may require more legal considerations regarding determination of next of kin:

You may have a juvenile not in custody of their mother. In that case, it’s whoever is legally responsible for those individuals. If it’s a foster parent, we probably will have already been in contact, these types of situations we would also notify CPS to notify the case manager.

- County Law Enforcement Manager

One interviewee noted a major limitation regarding who would be considered next of kin in a missing or murdered minor or adult case: “It would have to be the husband, wife, sibling, parent, or legal guardian. Boyfriends and girlfriends don’t count.”



Most of the non-Tribal law enforcement interviewees reported that they communicate with next of kin in missing person cases very quickly. A number of interviewees pointed out that, in fact, the person who reports the case is commonly the missing person's next of kin. Along these lines, one interviewee stated: "It's usually the reporting party. We are very quick to get them involved as they generally are helpful in the investigation." Another of the law enforcement interviewees similarly reported: "As soon as practical, it is often the reporting party. Try and establish a family member quickly." In situations where next of kin is not readily identified, the non-Tribal law enforcement interviewees most commonly reported that they continue their research using in-person and virtual investigative methods. One interviewee described their agency's "on-the-ground" approach: "We sometimes can't reach anyone. So we go out to the residence, going to communities where they live, get family members. We do a lot of searching to find someone, door-to-door." Another interviewee offered a picture of an approach based more on telephonic and e-mail communication and on-line investigation:

We do extensive research of what we can when we can't locate one. Out of state, [in case of a death] we send other law enforcement agencies to contact them. We ask our criminal analyst to come up with someone associated with them. Once it was a good friend. We have notified friends when there's no good alternative. We use a lot of open source databases. Googling. They come up with people associated with the person. If there's a traffic incident, even out of state. Is their vehicle titled solely in their name? Or house or property titled?

- City Law Enforcement Manager

One of the interviewees reported that their agency's approach when no next of kin is initially found is somewhat dependent on the type of missing person in a case. They explained:

That depends on the unit. With vulnerable adults we pretty much have a good idea. But with missing adults, our analysts and records section will continue to locate and contact next of kin, relatives. If it gets to a point, we may have to get in contact with friends to help find relatives. For minors, if it's not parents it's DCS, and they have an idea of who next of kin are.

- City Law Enforcement Manager

The Tribal law enforcement interviewees commonly described blood relations as being considered primary next of kin when working on missing and murdered cases, although some also mentioned aspects of identity relations specific to their culture. For example, one interviewee stated, "Next of kin is by relative. And clan. Whoever they identify as next of kin related to the family." Another interviewee explained, "By blood, the community and society are matriarchal, everything falls into mothers' family. Mom, dad, and extended go down the mother's family side." A third Tribal law enforcement interviewee also reported that blood was dominant but indicated that a partner in a relationship where there is no legal marriage would



also get some consideration: “We would define ours by blood. In Native Country, most people don’t get married, they just live together. So we would do it by blood. Usually if you’re talking about next of kin when someone’s deceased, it’s family blood first. Second – marriage or living together.”

Most of the Tribal law enforcement interviewees indicated that their agency communicates with a missing person’s next of kin when the incident report is filed. One of the interviewee’s offered a somewhat different response regarding such communication: “Within an hour after the responding officer receives case, unless next of kin is suspect.”

Most of the respondents to the Law Enforcement Survey reported that their agency typically gets in communication with the missing person’s next of kin when the incident report is filed. The survey respondents most commonly identified pursuing additional investigation as being what is done if no next of kin is initially identified. A few respondents offered insight into this additional investigative process. One of them explained, “We continue to gather information to provide leads to investigate, contact resources such as schools, enrollment database, social media, and employment to determine who has had guardianship or associations with the missing person.” Another respondent stated, “They would likely have been identified when the report is taken and either some family member or the state, if the minor is a ward, would have that information. If, as an officer, I can't identify, then the detectives will usually take over searching for next of kin.”

Victim Advocates

Of the non-Tribal law enforcement interviewees who indicated their agency contacts a victim advocate in missing person cases, only several identified such communication as occurring ASAP. One of these interviewees reported, “We have victim advocates we use for a myriad of purposes. We have them on speed dial. I would estimate within the first hour of an investigation. We rely heavily on our victim services.” Another interviewee stated, “It really depends on the emotional state and need of the reporting person/next of kin. We may not have the resources to help do counseling, so we try to get in contact with a victim advocate ASAP.” However, the interviewees more commonly described the timing of contact as being more case-specific that attached to set timing. As one interviewee explained, ““Sometimes we’re still doing investigating and the family is not needing assistance. It depends where the investigation goes. With a runaway, it’s their choice. If the family is in crisis, we request it right away. So it’s sometimes immediate and sometimes down the road.” The non-Tribal law enforcement interviewee reported using victim advocates for a variety of crimes mostly common violent crimes such as homicide, domestic violence, and sexual assault. As one interviewee stated, “A majority of use is when the crime is committed against someone else. It’s usually for things like murder, DV, assault. The victim’s advocate help with the attorney. Usually our cases managers advocate for those missing people.”



Most of the Tribal law enforcement interviewees indicated that their agency typically gets in communication with a victim advocate for each missing person's case. As with contacting next of kin, such communication occurs at the time of the filing of the incident report.

Law Enforcement Survey respondents most commonly (n=9) identified the time of filing an incident report as being when their agency would typically get in touch with a victim advocate in a missing person case. Two respondents indicated that such contact would occur when an AMBER Alert is issued. Some respondents reported that contacting a victim advocate depended on the wishes or needs of the family. One of these respondents stated, "We allow the family to make the decision if they would like to speak to one." Another respondent explained, "When the reporting part or family member needs one."

Homicide Cases

Homicide cases and policy frequently reflect the activities undertaken for a missing person case. When discussing homicide case policy and processes with various departments, many noted the initial steps and approaches to murder and missing cases are frequently the same. Again, a large burden is on initial responders to clearly paint a picture of the situation to escalate and bring in additional resources and teams quickly. In many instances departments and officers are not responding to murders but rather to other calls or situations that are later identified as homicide cases. This exemplifies the importance of the initial information intake to ensure officers know how to properly respond to the scene.

Almost 98% you are not responding to a murder, you are responding to something else a shooting, dead body on the road etc. depending on the call in the initial mindset may be different than murder. If it comes in as a shooting, could change the mindset someone could be armed, it could be dangerous. Then goes into securing the scene. Getting statements from witnesses at the scene. Transport to hospital. Get notifications to homicide unit to get them started on it. Very rarely does the dispatcher send someone out for a "murder".

- City Law Enforcement Manager

Patrol and dispatch staff play an essential role in the early stages of the report and investigation as the catalyst for jumpstarting a larger investigation. Initial case identification and developing basic information about the victims and scene is the first step in investigations. Sending a patrol officer or deputy to the scene to accomplish this was the most frequently mentioned response to the first steps of a homicide case. Correlated to sending out patrol officers was the importance of securing the scene evidence and interviewing the reporting party as they are often a critical jumping off point to start identifying additional leads. Once a murder has been identified, departments had a common process of utilizing a strong command structure and supervision



staff to begin mobilizing every part of the agency. Quickly bringing in a supervisor for coordination and mobilization was also noted as an important first response.

Elements of Initial Homicide Response:

- Responding and securing the scene
- Homicide/Crime determination
- Contacting Supervisor
- Activating additional detectives and resources *'all hands-on board'*
- Bringing in external agencies/resources
- Notifications/Dissemination of information

Child homicides bring with them additional challenges and often specialized personnel. When there is a child death in the home, involving the crimes against children or abuse units is a first step to determine what happened and if DCS needs to be involved. These cases also require additional emotional support for both investigators and victim's family members and having victim advocates who can respond and assist the traumatized family members was seen as important. Needing to decipher potential child abuse situations was a common response amongst departments, it was noted these cases are challenging, require nuance and often involve cover-up.

If minor is part of family--- we treat everyone suspiciously, as we don't know. Especially in possible suicide, to find out what truly happened.

- City Law Enforcement Manager

Additional Tribal Perspectives:

Initial case response for both Native Americans and involving Tribal land/Tribal law enforcement have additional complexity for the responding police department. The key factors that create a different initial response for Tribal members are a combination of geographic, technological, resource and jurisdictional factors. With many Tribal law enforcement agencies and communities being highly rural there is often collaboration with neighboring county police and sheriffs. Departments noted that the jurisdictional response is often unclear and that many less experienced officers have difficulty understanding what the proper response is.

Unique Tribal factors in initial homicide response include:

- Jurisdictional issues
- Cell Service
- Technology Capabilities
- Department Resources
- Distance
- FBI response/involvement



This is of particular importance when dealing with Native American victims where case jurisdiction must be identified before serious case work can begin. This can be a challenge for both officers and victims. Officers often lose out on the precious time at the case initiation when evidence is fresh, and leads are most likely to be fruitful. Victims often do not know who to call or will ask for additional help from non-Tribal departments if they feel their case isn't being fully addressed or followed up on. These jurisdictional issues can create delays and complications that can delay actual case work and investigations. One officer noted that it is important to get a Tribal police officer point of contact attached to the case if a non-Tribal agency is assisting, in order to ensure they have authority and clearance to be working the case

Family worked with [X Tribe] policy, ran out of leads, then family contacted Sheriff's department asking for help. They tell family they have to say it was in their area, Sheriffs call [X Tribe] saying they've asked for help and then [X Tribe] usually accepts, oks' their support. They would always attempt to have some [X Tribal] officer attached to the case, even if not familiar, so you have their authority.

- County Law Enforcement Manager

Very important to have FBI help because they have more resources... it is always about who's going to pay for the investigation.

- Tribal Law Enforcement Manager

Timelines can also be an issue, some areas can take a long time for a FBI response, which can leave cases not responded to for several hours, as noted by several Tribal departments, this delay can often be several hours.

FBI response? Not really quick response. They come out of [X City] two hours away. Usually takes 4-5 hours for them to arrive... FBI responds quicker in [X Tribe]. It was a lot slower in [X Tribe]. A lot of distance to travel.

- Tribal Law Enforcement Manager

Homicide Cases Skills, Experience and Training

A consistent perspective of law enforcement agency staff was that the challenges and difficulties surrounding most homicide investigations require extensive specialized training, strong investigative skills, and experienced officers to be successful. For many departments, the homicide detectives are their most seasoned officers, although few of the departments interviewed had a specific 'homicide unit'. It might be a Special or Criminal Investigations unit, with responsibility for all major crimes. Smaller agencies might have only one to several detectives that handle all major crimes, or they may belong to an interagency homicide task force.



Experience on prior violent crime cases is seen as a key quality needed for successful homicide investigations. One challenge for all organizations, but especially for smaller or more remote areas, is that homicide is a relatively rare event, and so getting experience can take many years. Some organizations have a stepped ladder with requirements for advancement or have ways for newer officers to shadow seasoned detectives. Current experience with new methods, experience testifying at trials, and proficiency in evidence gathering can be difficult to get, or to maintain, if a department has turnover.

The most critical training for homicide detectives is seen to include classes on digital forensic training, evidence collection, interview and interrogation training, force dynamics training, case law, tactics, use of technology and database resources, procedures, homicide report writing, and teamwork and collaboration skills. One difficulty noted in training was that some Tribal officers may get training at a policy academy in New Mexico, but then sometimes aspects of that training may not be considered parallel to Arizona requirements, which some may see as an unnecessary barrier. Staying up to date with new methods and technologies is always a concern for law enforcement managers. One interviewee noted the importance of training patrol officers thoroughly:

Patrol officers could use a lot of courses, e.g. blood spatter, child death, infant death, sexual assault---learning all those aspects of situations and what is happening...makes for better investigations and response. Homicide could have been anything, so need to know a lot of different things.

- County Law Enforcement Manager

Training is procured at police academies, at the federal law enforcement academy in Georgia, FBI law enforcement commission training, advanced homicide school, BIA certification, and at various conferences. Law enforcement staff would like to see more cross-agency training with different departments around the state to share techniques and experiences.

Collaboration and communication skills figure prominently in both dealing with interviewing witnesses and gathering evidence, as well as working successfully in a team of investigators within and across law enforcement agencies. Interviewees noted that investigators need to:

Be able to talk to people. Someone who can go to the richest and poorest neighborhoods to be able to get information from the whole spectrum. Getting on an interpersonal level with people can really unlock information.

- County Law Enforcement Manager

Be interacting with other agencies-- federal, state, county and Tribal. They have to be a jack of all trades when it comes to investigation.

- City Law Enforcement Manager



Relationships with Native Communities

This section presents information and perspectives relating to the nature and quality of relationships between law enforcement and the communities they serve. Law enforcement leaders and field staff were asked about the kinds of barriers they experience in building positive relationships with Native communities and the approaches that help establish and improve relationships. Finally, several questions examined how law enforcement partner with Tribal government, and the trends in MMIWG that are perceived by law enforcement personnel.

Barriers Preventing Good Law Enforcement/Community Relations and Response

The most frequently mentioned barrier to positive community relations, is a lack of trust in both Tribal and non-Tribal law enforcement by local Tribal community members. This issue was identified by both Tribal and non-Tribal law enforcement officers. Historical trauma, political dynamics, and social problems were noted as contributing to challenges in establishing trust. As noted by several respondents,

There is a lot of mistrust of government in general with Native American people; they want to keep issues within the Tribe.

- City Law Enforcement Manager

Historical trauma - effect of government on the Native community, has eroded that trust overall. Still waters run deep. While culture has been changing, there may still be some people that have the thought that still could go sideways...may take generations to build trust. Some view law enforcement as inept. It is incumbent on us to insure we provide the best service that we can...speak up to get additional resources to resolve those issues. When we do not, people lose faith.

- State Law Enforcement Manager

Can't mess with people with certain political ties; need to follow what the council wants.

- City Law Enforcement Manager

Generally, society and law enforcement officer relations are difficult right now-- higher risk factors, substance abuse etc. Make it more difficult to engage police, undocumented, alcoholism, substance abuse. General atmosphere with police and police distrust.

- University Law Enforcement Manager

Jurisdiction issues are another of the largest barriers to effective response and good community relations, mentioned by both Tribal and non-Tribal law enforcement leaders. Because very specific steps and limits need to be followed when interviewing family members, collecting information on a case, or following up on case progress, community members and families of missing persons often blame officers for poor service. As stated by one officer:



So then, if on Tribal land, the Sheriff has to explain the jurisdiction and boundaries and how they are not the ones doing the investigation, the Tribal authorities are. That's one of the hardest things for the community to understand.

- County Law Enforcement Manager

The importance of maintaining transparency and explaining why and how the judicial and jurisdictional system works is seen as vital to building trust.

Communication challenges, including a lack of communication and collaboration and information sharing among Tribal and non-Tribal agencies, and a lack of strong personal relationships are mentioned as barriers to good community relations and policing effectiveness. One example of collaboration challenges involves distrust and blocking of non-Tribal law enforcement officers in Casino settings, as they have “strong rules against asking for (non-Tribal) assistance INSIDE the casino.” The bordering non-Tribal agency will offer support to what they perceive as a severely understaffed casino, but they are routinely turned away.

Communication challenges can be technological or relational. Limited cell phone and internet service prohibits good communication with extended family members. Personal relationships and time in the community is seen as vital to building better communication when serving Tribal community members. Having officers more present in the community and having greater retention of officers are viewed as needed to promote better communication and trust.

Additional Tribal Perspectives

Some additional and different perspectives were added by Tribal law enforcement leaders. In addition to lack of trust in law enforcement by community members, another barrier to timely and effective response can be communication barriers resulting from Tribal rules or expectations. For example, “communication (from Tribal law enforcement) to community has to go through Tribal government.” This can prohibit getting the word out about missing persons in a timely and widespread manner. It also can generate a feeling that Tribal government does not trust its law enforcement agency.

Historical federal/Tribal conflict and some national policies were identified as barriers due to resultant miscommunications between Tribal and state agencies. Reaching a mutual level of trust in skills or approach between Tribal/non-Tribal agencies is sometimes a challenge.

Lack of social service resources and overstressed agencies in Tribal communities is identified as a barrier to timely response to families. The sheer load of cases related to domestic violence, substance abuse, child neglect, etc., can overwhelm small local agencies, resulting in slow or no response to police requests for support. Another issue is that local agencies “get stuck on protocols,” so it can be difficult to get action and progress with a family.



The lack of resources they have here, e.g. when child is missing, we call various departments to come and help, like social services - we used to have issues with them as they didn't take investigations serious enough. They were overwhelmed, so we spoke to council that we couldn't get them out to help, law enforcement needed more help. But they are over-stressed and things go unaddressed, then law enforcement was blamed, "we didn't respond in timely manner". We need more resources, and communication and support from other departments.

- Tribal Law Enforcement Manager

Geography and distance can be a barrier for many things in large rural areas, such as getting information out quickly and length of response time due to long distances to travel.

Strategies to Strengthen Law Enforcement/Tribal Community Member Relationships

Interviews and surveys with law enforcement staff consistently emphasized direct one-to-one relationships because even though community members may have general dissatisfaction or distrust of law enforcement in general, a particular deputy or officer may be a trusted person in the community. Developing direct relationships with Tribal leaders and social service agencies was also seen as very important.

Interviewees recognize the difficulties arising from jurisdictional limitations that hinder communications between Tribal and non-Tribal agencies. Many interviewees were positive about interagency collaboration and the need to have frequent communication, as noted:

Feels like everyone wants to solve these types of cases. Makes for inter-agency cooperation very easy. Most often.

- Tribal Law Enforcement Manager

Federal partners are very important with seasoned investigators on Tribal lands, they can provide a warm introduction ...it has to be a collective engagement across national law enforcement. How we treat our day to day contact.

- University Law Enforcement Manager

Exhibit 24 below provides an analysis of the suggested strategies for strengthening relationships between law enforcement and Tribal community members and leaders. There were many shared views across interviews and surveys with Tribal and non-Tribal law enforcement management and field officers.



Exhibit 24: Strategies to Strengthen Relationships between Law Enforcement and Tribal Communities

Theme	Examples of strategies to strengthen law enforcement/community relationships
Nurture long term relationships across agencies	<ul style="list-style-type: none"> • Work together, interagency, on cases with Tribal Police • Develop Mutual Aid Agreements, offer help and be willing to respond to requests for help across jurisdiction boundaries if requested. • Increase the number of Native American officers • “Be and work in the same place for a long time” • Continue to develop and improve relationships with Tribal social services agencies
Better communication with community members	<ul style="list-style-type: none"> • Hold community meetings to discuss problems and develop joint approaches to addressing them • Share the vision of law enforcement goals, policing philosophy and future directions • More foot patrol • Use local Tribal radio stations, Apps, Phone texting and tiplines to distribute information more quickly, especially where internet is spotty. • Attend every children’s event and other celebrations and gatherings • Go to Tribal dances, community events and fairs • Develop direct one-to-one relationships with community members and Tribal leadership/council members • Implement youth programs to develop trust over time
Education and Training for Officers	<ul style="list-style-type: none"> • More training on community-based policing • Having School Resources officers to strengthen relations from a young age • Education events together with officers and community members • Cultural awareness and diversity training



Improve MOUs and Intergovernmental Agreements (IGAs) and other formal structures

- Outline processes to share authority, address jurisdictional issues, liabilities, and protocols so that response is more effective.
- Educate lawmakers on the difficult jurisdiction constraints
- Recruit a 24-hour liaison ('central point of contact') who helps to reach next of kin, identify Tribal affiliation for victims
- Improve communication and collaboration between Tribal and non-Tribal social service agencies to get more resources and action for children

More informal structures to ensure communication about jurisdiction and law enforcement issues

- Develop ways for Tribal and non-Tribal officers to work next to each other.
- More meetings with Tribal and non-Tribal agencies, including state and federal (e.g. FBI)
- Attend conferences and training together
- Meet with Tribal leaders
- Engage more through law enforcement associations for trainings

Partnering with Tribal Law Enforcement and Council

Nearly half of law enforcement leaders had no or very limited experience partnering with Tribal law enforcement agencies, particularly regarding MMIWG cases, which in their experience have been low-occurring events. Some partnering has taken place more in cases such as fraud, drug and alcohol issues, or family issues, but many mentioned that jurisdictional rules affect ability to partner on cases. As one respondent noted:

Our partnership we have with Tribal police is great. In my opinion it is the changing of the federal laws that need to be amended to make it easier to work together.

- University Law Enforcement Manager

Only one of 40 law enforcement field officers who completed online surveys had any experience partnering on cases with Tribal Council or police. A couple of interviewees mentioned there was not a particular Tribal liaison to connect with, but that having a specific person to coordinate with would be beneficial. Non-Tribal law enforcement officers refer to the need for personal relationships and that often any partnering on a case is informal communication. Several non-Tribal interviewees noted that it is not common that Tribal agencies will reach out to them to help on a case.

The types of partnering that have been beneficial include networking and attending training events together, with one city department outlining a specific course they include for new patrol officers, where "Tribal reps bring in artifacts and discuss such things as taboos, rituals they are allowed to share, what they hold sacred." Associations were mentioned as good ways



to build partnerships, with examples such as the Southern Arizona Law Enforcement Administrators (SALEM) (includes city, county and Tribal agencies), the Arizona Homicide Investigators Association, and the Arizona Association of Chiefs of Police.

With regard to relationships with Tribal Councils, there was limited information shared. But one interviewee emphasized that:

You better have everything together when you try to talk to Tribal Council, because they will ask a lot of questions. Got to be prepared when you present. They want...all your numbers to be backed up, who did you see and call, etc.

- Tribal Law Enforcement Manager

Another perspective was that the Tribal Council was impersonal, and the best way to build connections was through the Tribal policy agencies.

Patterns and Trends Related to MMIWG

When asked about trends or patterns that law enforcement officers see in relation to MMIWG, the majority did not share specific ideas on this. Several issues were noted contributing to the problem of MMIWG, including sex trafficking and sex exploitation, domestic violence, substance abuse, homelessness and people 'not wanting to be found'. The use of social media in notifications about missing individuals was seen as a helpful trend, perhaps resulting from a concern expressed by a State Law Enforcement Manager, "It does not seem newsworthy for mainstream media to make these types of announcements."

Tribal Perspectives

Tribal law enforcement officers outlined trends most evident including: sex trafficking, domestic violence, substance abuse, COVID-19, isolation and lack of supervision as contributing to MMIWG. There was a concern that the data about the scope of the problem is not clear and accurate.

About 1 to 1 and a half years ago, I received a report from FBI about MMIWG, when the trend was just starting come to light. They made reference to like 65 thousand outstanding cases, but many of those cases were ongoing or repeat cases, and it was actually the same person. But when they got it whittled down it was actually only 15 thousand cases actually open. So when I hear about missing/murdered children, what are the exact numbers we are looking at? Also, we need to clean up the data, also have heard about misclassification of ethnicity...what is considered "Native"?- Tribal Law Enforcement Manager



Suggestions/Recommendations from Law Enforcement to MMIWG Study committee

The interviews and surveys with law enforcement leaders and field officers concluded by asking them to offer any recommendations they have for the Study Committee on MMIWG. There were a lot of similar themes among all levels of agencies in the suggestions offered. These recommendations are organized into five key areas in the Exhibit below.

Exhibit 25: Recommendations Regarding MMIWG from Law Enforcement

Recommendation	Specific Suggestions from Law Enforcement Professionals
Provide funding support for specific identified needs and priorities.	<ul style="list-style-type: none"> • Identify funding sources to bring the various agencies together for training and to create informal relationships and networks. • Provide more funding to smaller agencies to increase their capacity. • Provide funding to support any mandated training, as suggested by this law enforcement leader, “If any training is mandated, please do not make it an unfunded mandate.” • Provide the same amount of time and money to all Tribal police and other related agencies investigating these types of cases that is provided to all non-Tribal agencies so the response is the same by all agencies.
Compile and disseminate current and accurate data about the extent of MMIWG	<ul style="list-style-type: none"> • Get accurate information out about the extent of MMIWG for all law enforcement agencies so that there is a shared understanding of the issues. • Provide more data from the Tribes, and encourage greater Tribal information sharing and cooperation.
Ensure high quality accessible training	<ul style="list-style-type: none"> • Provide more advanced training focused on Indian country and the unique issues in MMIWG cases. • Hold trainings regionally and encourage the formation of task forces and relationships. • Consider cost and time when developing training. (see section on Training for detailed suggested on training formats and topics).
Develop more rapport and gain more input from Tribal law enforcement and community members to ensure understanding of needs	<ul style="list-style-type: none"> • Be present in the Tribal communities to get a better understanding of culture and needs, understand the systemic issues, and gain trust of the people. • Promote better understanding among families of missing persons about the multi-jurisdictional issues involved. • Be sure to get and include the voices and experiences with victims and relatives into studies. • Develop more rapport with local Tribal leaders and DPS leaders. Visit Tribal Police Departments and open lines of communication.



Develop formal and informal structures to ensure greater collaboration, faster response, and better implementation of standard processes

- Develop a formal communications network, e.g. a 24-hour Tribal liaison, to gather information and get support resources mobilized quickly.
- Develop a stronger overarching policy to create more unity on these issues.
- Possibly develop more standardization of protocols and responses for missing persons cases across all law enforcement agencies.
- Develop quicker ways to resolve jurisdiction issues to ensure faster response time on these cases.
- Encourage more interagency support.
- In any efforts, included every police department and law enforcement agency, with special emphasis on Tribal law enforcement agencies.

Several respondents reflected the general tone of many interviews suggesting interest and willingness to be involved in MMIWG solutions:

There are many agencies that have employees that would be willing to assist with the study. Whatever the need is just reach out and ask. Some of us work for smaller agencies but are still more than willing to share our knowledge and/or time to assist with the study.

-Law Enforcement Field Officer Survey Respondent

Just let the committee know that we feel for the families that are going through this. We do have compassion although sometimes our officers get bogged down with a lot of paperwork, doesn't mean they aren't thinking about it. Officers go through their own hard times when dealing with these types of cases, they feel it too, they want justice for these families, they want to find missing people. Even our records clerk goes through something with these cases. We do care about the families going through these hard times. Our officers and detectives give 110%.

- Tribal Law Enforcement Manager

We are so happy that the government is taking this seriously, appreciate the time you spent with me. Great questions.

- Tribal Law Enforcement Manager



Limitations of MMIWG Field Study

As has been described earlier in this report, there are a number of limitations to this study that need to be carefully weighed when reviewing and interpreting the findings. These limitations are detailed below.

Truncated Timeline

Multiple factors led to a very challenging timeline to complete this study effectively and in a way honoring to the participants:

- (1) Contract Period - In the original Request for Applications for this Study, the final report was required to be submitted on January 31, 2021. Immediately upon award of the contract, this deadline was changed to November 1, 2020. This reduced the study period by three months. In addition, the contract was only executed February 29, 2020, which allowed for only seven months for project work to occur.
- (2) COVID 19 - In addition to the shortened contract time frame, COVID 19 hit two weeks after the contract was established, mid-March of 2020. The original intention was to conduct interviews with all Tribal communities in person to respect and honor those survivors and families of loved ones that were willing to come forward to share their experiences. Not knowing the outcome of the pandemic, the evaluation team, with support of Study Committee members, waited to see if it would be possible to still conduct interviews in person. In June of 2020, it became clear that the pandemic would not abate in time to safely conduct in-person interviews and that the study would have to transition to a virtual modality. Only then could the Institutional Review Board application for the study be submitted, as it had to indicate the methodology of data collection. Due to these factors, the IRB approvals for both the law enforcement study and the Tribal study were then not able to be executed until late July of 2020.
- (3) MOUs with Tribes - Once the IRBs for both studies were approved, the evaluation team still needed signed MOU agreements from each of the 22 land-based Tribes in Arizona to be able to conduct interviews with families and survivors living on their Tribal lands and their law enforcement agencies. The approved IRB applications were included with these MOUs for approval with Tribes. Thus, outreach to Tribes to complete the MOUs began August 1, 2020. Typically, the MOU review process with Tribes can take up to 3-4 months. The draft report was due to the Arizona Attorney General's Office on October 1, 2020, which only afforded the evaluation team two months *total* to secure MOUs, conduct all interviews, analyze all findings and write the final report. Due to the study timeline restrictions, only 8 out of 22 land-based Tribes were able sign MOUs to agree to participate in the study before the study period ended.



Low Sample Sizes and Response Rates

The above-mentioned factors ultimately limited the number of interviews that were able to be conducted with Tribal family members and survivors of MMIWG. In addition, it takes time to reach and schedule personnel from busy law enforcement agencies. As might be expected, it often would take numerous calls to weave through an agency, receive a response and schedule an interview. Distribution of surveys to field officers was also limited as it first required management approval.

Thus, the data presented in this report cannot be viewed as generalizable across all Tribes and law enforcement agencies in the state and should be interpreted with caution. Though the findings can help point towards opportunities for further inquiry and potential policy interventions, the data only represents a small sample of the intended voices that were meant to be heard and understood as part of this study. For example, it should be noted that 78 family members and survivors interested in sharing their stories were unable to do so as no MOU was in place with their Tribe by the time the study period ended. This is concerning, and less than ideal. While COVID-19 was one unique factor, this also points to ongoing system challenges and barriers in even working toward addressing this type of issues statewide.



Overall Conclusions and Recommendations

The purpose of the Study Committee was to work to understand how to reduce and end MMIWG in Arizona through a variety of means. One approach agreed upon by the Study Committee for this project was to conduct a comprehensive field study that included interviewing law enforcement officials to understand protocols and data collection, and interviewing families and survivors to document their experiences, insights and recommendations about MMIWG. Although there are many limitations to this study, many considerations and recommendations came forth that could prove useful to the Study Committee and lawmakers dedicated to reducing and ending the epidemic of MMIWG in Arizona.

Law Enforcement – Training

A major theme across all interviewed parties included providing comprehensive and specific training opportunities focused on MMIWG for law enforcement agencies throughout Arizona. **Some elements to provide through training could include:**

- **Information and data on the scope and size of the MMIWG problem** in Arizona to enhance understanding of the importance of the issue.
- **Investigative skills when working on MMIWG cases** – especially as the first responder. Some key factors include understanding what steps and actions to prioritize during response, use of resources to investigate the case and support victims, conducting an effective assessment of risk in each case, and skills in follow-up and ongoing review of the case.
- **Bringing agencies together across jurisdictions** to create more informal relationships and better interagency networks or task forces to handle cases that cross jurisdictions
- **Information on unique cultural customs and communities** to facilitate better relationships with Tribal communities.
- **Opportunities through training and events to share best practices** when communicating with family members and survivors. For example, invite survivors and advocates to training sessions, hold events in Tribal communities, etc.
- **Information on sex trafficking** - how to better identify when sex trafficking may be occurring when investigating, to learn what are the hotspots in the state and region are, and how to best and most quickly respond to a situation where sex trafficking may be suspected. In addition, as part of this training, highlight that women who are wanted for lawful custody should not get overlooked if they are also missing. Many at-risk women are considered marginalized and vulnerable and can often be the subject of warrants for arrest



due to prostitution or drug offenses and as a result may not be considered in missing person investigations.³³

- **Information on implicit and explicit biases** that may hinder MMIWG investigations including racism, sexism, and LGBT-phobia. Buch (2019) outlines suggestions that include rigorous training, setting goals and metrics for bias reduction, changing policies to reduce or minimize bias, and more frequent interaction with the community.³⁴
- **Information on other existing resources for missing persons** such as the Arizona Facebook page on missing persons, AMBER alerts, Arizona day for missing persons, and other social media outlets.

Law Enforcement – Policy/Protocols/Systems

Protocol and policy change can improve investigation, data collection and tracking to achieve more positive outcomes in addressing MMIWG. Suggested approaches could include:

- **Establish and enforce clear database protocols** across all law enforcement agencies to utilize all missing persons databases, including appropriate adaptations for rural areas which have inadequate technological infrastructure. Ensure all missing persons databases are available and used by law enforcement, including NamUs, NCIC, and NCMEC.
- **Create a standardized protocol for investigative response for missing persons cases across all law enforcement agencies at all levels.** Consider developing a comprehensive guideline for missing persons investigations tailored for Arizona that includes issues specific to Native Americans and Tribal communities. For example, California has such a guide that covers definitions/categories, guidelines for investigations, course implementation, a review of relevant organizations, e.g. AMBER, DOJ, FBI, National Center for Missing and Exploited Children.³⁵
- **Implement state, regional, and/or local Tribal Liaison/Tribal Liaison Office(s).** This could involve establishing formal 24-hour communication network(s) to help facilitate needs and identification for both Tribal and non-Tribal police. The Tribal liaison's office would need to have many interagency connections to best assist departments in gathering information and support resources. This office could assist in communicating with Tribal Councils and family members. Additionally, having a formal communication office to help coordinate approvals for jurisdictional needs and assistance may help quickly address cases and receive approval from Tribal Councils and departments. A Tribal liaison office could help coordinate resources for Tribal officers such as crime labs, digital forensics, drones, and other search resources.

³³ See E. Welch, "Comparative approaches to missing persons procedures: An overview of British, American and Australian policies", *Missing Women Commission of Inquiry*, 2012.

³⁴ Jason Buch, "How can police minimize racial profiling of Native Americans, Others?" *Indian country Today*, December 20, 2019.

³⁵ See https://post.ca.gov/Portals/0/post_docs/publications/Missing_Persons_Investigations.pdf



- **Increase priority on cases of adult missing persons** to be more in alignment with the protocols and dedication given to missing cases with children. Consider establishing an alert system for adult missing persons similar to AMBER alert.
- **Create a coordinated approach to address sex trafficking** in Arizona Tribal and non-Tribal communities.

Victim Advocates – Training and Supervision

Feedback from many families and survivors indicated that their experience with victim advocates could be improved with better trainings and supervision of victim advocates to ensure that families and loved ones are supported effectively during their MMIWG cases. Some suggestions could include:

- **Enhance and expand training in victim advocacy** to include things such as educating families about the judicial system, effective communication and counseling skills, cross cultural communications and traditions, reducing biases that may hinder their work (racism, sexism, and LGBT-phobia).
- **Recruit and train more Native American victim advocates** to serve Native families.
- **Actively solicit feedback from victims and families** about their experience with victim advocates.

Funding and Resources

A number of recommendations related to funding and resources emerged from the study. Tribal communities and law enforcement agencies require resources to combat the issues and challenges they are experiencing that are contributing to MMIWG. Funding and resources may be needed for the following:

- **To offer education, resources, treatment, awareness activities and stigma reduction** around the issues of **substance abuse and domestic violence** to support Tribal communities in these areas.
- **To improve telecommunication and database systems** for Tribal law enforcement agencies.
- **To fund any mandated law enforcement trainings** that could be instituted related to reducing and ending MMIWG.

Jurisdictional Issues

There are many jurisdictional and justice-involved considerations that came forth from this study in handling MMIWG cases overall. Several recommendations to consider include:

- **Enhance communication between various entities** for missing and murdered women including law enforcement, victim and social services, prosecutors, probation,



corrections, and the court. Communication could be enhanced with some type of annual or quarterly meeting to address information sharing and improved processes.

- **Encourage a multiagency, multidisciplinary approach** to MMIWG because the crisis is multijurisdictional in nature.³⁶

Extend the Research and Study Committee Activities of HB2570

Although this field study has proven fruitful in providing specific data-supported considerations for the Study Committee, there were a number of challenges and limitations. Arizona needs more and better data to effectively address the issue of MMIWG, so that the scope of the problem is known and shared. With the passing of Savanna’s Act and the Not Invisible Act at the federal level there are new opportunities to address the epidemic of MMIWG. This study revealed a shared interest and commitment among law enforcement, victims and families to address these issues and generate solutions together.

A story matrix connects all of us. There are rules, processes, and circles of responsibility in this world. And the story begins exactly where it is supposed to begin. We cannot skip any part.

— Joy Harjo, Native American Poet and Poet Laureate

³⁶ Alfred Urbina, “Criminal jurisdiction in Arizona Indian country & barriers to protecting missing & murdered Indigenous women and girls”, 2020.



Appendix A: Interview Protocol for Law Enforcement

Missing & Murdered Indigenous Women & Girls (MMIWG) Interview Protocol for Law Enforcement Management

Date of interview: _____

Type of Law Enforcement Agency:

- | | |
|----------------------------------|--|
| <input type="checkbox"/> City | <input type="checkbox"/> Federal - BIA |
| <input type="checkbox"/> County | <input type="checkbox"/> Federal - BJA |
| <input type="checkbox"/> State | <input type="checkbox"/> Federal - FBI |
| <input type="checkbox"/> Tribal: | <input type="checkbox"/> University |
- BIA 638 DOJ FBI

Hi _____, I'm _____ from LeCroy & Milligan Associates. We are working with the Attorney General's Office to conduct a study to gather information and provide recommendations on improving and/or implementing programs and resources for Missing & Murdered Indigenous Women & Girls (MMIWG) in Urban and Rural Communities in Arizona. As you may know, H.B. 2570 was legislation establishing a Committee on Missing and Murdered Indigenous Women and Girls that was passed last summer. Part of the work of this committee is to conduct a study to understand how law enforcement interfaces with missing and murdered cases of Indigenous women and girls. Information gathered from confidential interviews of all law enforcement agencies in Arizona will help inform the committee and the legislature about current practices.

The interview will take about an hour and your name will not be included with any of your responses and the interview will not be recorded. I'd like to make sure you know that:

- There are no right or wrong answers;
- Your participation is voluntary; and
- You can choose to not answer any question or end the interview at any time.

Do you have any questions before we begin?

Are you ready and willing to move forward with the interview? Yes No



1. Does your agency have a Missing Persons Policy? Yes No I don't know

1a. [If Yes] What are the goals or aims of your Missing Person Policy?

2. Does your agency have a Missing Persons Investigator? Yes No I don't know

2a. [If Yes] What skills, experience and training do you think make a Missing Persons Investigator effective?

2b. [If No] What skills, experience and training do you think would make a Missing Persons Investigator effective?

3. Does your agency have a Missing Persons Unit? Yes No I don't know

3a. [If Yes] What skills, experience and training are required from staff to ensure a Missing Persons Unit is effective in achieving their mission?

3b. [If Yes] What are other essential elements of an effective Missing Persons Unit?

3c. [If NO] What staff skills, experience and training do you think would ensure a Missing Persons Unit is effective in achieving its mission?

4. Does your agency provide a Missing Persons Training? Yes No I don't know

5. What is your agency's first response when notified of a missing person for an adult?



6. What is your agency's first response when notified of a missing person for a minor?

7. After a MISSING incident is reported to your agency, does your agency report the incident into the National Crime Information Center (NCIC)? Yes No I don't know

7a. [If YES] How soon after the incident is it usually reported to NCIC? _____

8. After a MISSING incident is reported to your agency, does your agency report the incident into the National Missing and Unidentified Persons System (NamUs)? Yes No I don't know

8a. [If YES] How soon after the incident is it usually reported to NamUs? _____

9. After a MISSING incident is reported to your agency for a minor, does your agency report the incident into the National Center for Missing and Exploited Children (NCMEC)? Yes No I don't know

9a. [If YES] How soon after the incident is it usually reported to NCMEC? _____

10. Does your agency have a policy on activating an AMBER alert? Yes No I Don't Know

10a. [If YES] How soon after a Missing Minor is the AMBER alert activated? _____

11. How does your agency define next of kin when working with missing and murdered cases (e.g. marriage, blood, etc.)

12. When does your agency typically get in communication with Next of Kin for each missing person's case?

When the incident report is filed When an AMBER Alert has been issued

Other _____ I Don't Know

13. What happens when Next of Kin is not identified?

14. Does your agency typically get in communication with a Victim Advocate for each missing person's case?

Yes No I Don't Know

14a. [IF YES] When does your agency typically get in communication with a Victim Advocate for each missing person's case?

When the incident report is filed When an AMBER Alert has been issued

Other _____

I Don't Know



14b. [IF NO] Does your agency get in communication with a Victim Advocate for any other types of cases? Yes NO I Don't Know

14c. [IF YES] What types of cases? _____

15. What factors do you think help contribute to a thorough investigation of a Missing Persons case?

16. Does your agency have a Homicide Unit? Yes No

16a.[If Yes] What skills, experience and training are required to ensure the Homicide Unit is successful in achieving their mission? _____

16b. [If Yes] What are other essential elements of an effective Homicide Unit?

16c.[If NO] What staff skills, experience and training do you think would ensure a Homicide Unit is successful in achieving its mission? _____

17. What is your agency's first response when notified of a homicide of an adult?

18. What is your agency's first response when notified of a homicide of a minor?

19. What factors contribute to a thorough investigation of a homicide case?

20. Does your agency track the race and ethnicity of missing persons and/or homicide victims? Yes No I Don't Know

20a. [If YES] How does your agency track the race and ethnicity of missing persons and/or homicide victims? _____

20b. [If YES] If a missing person or homicide victim is Native American, do you track what Tribe they are enrolled and/or affiliated with? If so, how?

20c. [If YES] Do you track race and/or ethnicity using the National Incident-Based Reporting System (NIBRS) Yes No I Don't Know



21. What are some of the barriers that prevent good law enforcement - Native American community relations?

22. What are the best strategies to strengthen the relationship between law enforcement and the Tribal community members they serve?

23. Before we spoke today, were you familiar with the State of Arizona Study on Missing and Murdered Indigenous Women & Girls (MMIWG)?

Yes No

24. Have you noticed any trends or patterns relating to MMIWG? (DON'T READ e.g. kidnapping, sex or labor trafficking, runaways)

25. What has been the experience of your agency in partnering with Tribal Council or Tribal law enforcement on MMIWG?

26. What factors would influence your interest in a training on cultural competency for missing and murdered Indigenous women for your agency? (e.g. time, cost, outside trainer)

27. What suggestions or recommendations would you make to the State of Arizona Study on MMIWG?

28. Is there any other information you would like to share that you think would be relevant for this MMIWG Study?

Now I would like to finish up our interview with just a few questions to learn a little bit more about you if that's ok?



29. Are you a Tribal member or affiliated with any Tribe? Yes No Would rather not say

Tribal Member/Enrollment = Tribes establish membership criteria based on shared customs, traditions, language and Tribal blood.

Tribal Affiliation = One may be affiliated with a Tribe by marriage or other means that are not by Tribal blood.

29a. [If YES] Which Tribes you are enrolled or affiliated with? Would rather not say

	Enrolled	Affiliation
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation		
Cocopah Tribe of Arizona		
Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and California)		
Fort McDowell Yavapai Nation		
Fort Mojave Indian Tribe (Arizona, California and Nevada)		
Gila River Indian Community of the Gila River Indian Reservation		
Havasupai Tribe of the Havasupai Reservation		
Hopi Tribe of Arizona		
Hualapai Indian Tribe of the Hualapai Indian Reservation		
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation		
Navajo Nation (Arizona, New Mexico and Utah)		
Pascua Yaqui Tribe of Arizona		
Quechan Tribe of the Fort Yuma Indian Reservation (Arizona and California)		
Salt River Pima-Maricopa Indian Community of the Salt River Reservation		
San Carlos Apache Tribe of the San Carlos Reservation		
San Juan Southern Paiute Tribe of Arizona		
Tohono O’odham Nation of Arizona		
Tonto Apache Tribe of Arizona		
White Mountain Apache Tribe of the Fort Apache Reservation		
Yavapai-Apache Nation of the Camp Verde Indian Reservation		
Yavapai-Prescott Indian Tribe		
Other Tribe:		
Other Tribe:		
Other Tribe:		

30. How would you describe your gender?

- Female Male
 Other: _____
 Would rather not say

31. What is your current age?

- Under 21 50-59
 21-29 60-69
 30-39 Over 69



40-49

Would rather not say

32. How many years have you worked in law enforcement?

Less than 1

6-10

1-3

10-20

3-5

20+ years

Would rather not say

33. What is your level of education?

High School Diploma/GED

Master's Degree

Associates Degree

PhD/Doctorate Degree

Bachelor's Degree

Other _____

Would rather not say

34. Would you be willing to participate further in this study by sharing records or other useful data at some point in the future? Yes No Not sure at this time

34a. [If YES AND If they reported having a Missing Persons Policy] – **Would you be willing to share your Missing Persons Policy with me?** Yes No Not sure at this time

35. About how many officers work on cases like these at your agency? _____

36. Another important part of this study is surveying field law enforcement officers that work with Missing and Murder Cases to understand their day to day experiences with MMIWG. We have an anonymous electronic survey we would like to send to your appropriate staff, would you be willing to email it to them on our behalf and encourage their participation? Yes No

35a. [If YES] Great thank you so much. When could you share this survey with your staff?

35b. [If YES] Could you require responses to be completed within 7 days of the survey being distributed? Yes No I Don't Know

37. And finally, are there any field officers you could recommend that I could speak with that have good firsthand experiences working on these types of cases? If so, could you share their name and contact info with me?

Thank you so much for taking the time to complete this interview. Your insight helps greatly the MMIWG task force moving forward. If you have any questions regarding this study or the MMIWG task force, you may contact Lieutenant Whelan from the Maricopa County Sheriff's Office at 602-876-2083 or

D.Whelan-Gonzales@MCSO.maricopa.gov



Appendix B: Survey for Law Enforcement Field Staff

Missing & Murdered Indigenous Women & Girls (MMIWG) Survey for Law Enforcement Field Staff

Thank you so much for participating in this important survey regarding the H.B. 2570 legislation establishing a Study Committee on Missing and Murdered Indigenous Women and Girls. The purpose of this important study is to gather information and provide recommendations on improving and/or implementing programs and resources for MMIWG in Arizona to this committee. One of the goals of this study is to understand better how law enforcement interfaces with missing and murdered cases of Indigenous women. Information gathered from officers of all law enforcement agencies in Arizona will help inform the committee and the legislature about how to reduce incidents of MMIWG. Your responses will be confidential and reported in aggregate as part of the findings of this study. Your participation is greatly appreciated!

Are you 18 years of age or older and willing to complete this online survey? Yes No

What is today's date? _____

1. What type of Law Enforcement Agency do you work for?

<input type="checkbox"/> City	<input type="checkbox"/> Federal - BIA
<input type="checkbox"/> County	<input type="checkbox"/> Federal - BJA
<input type="checkbox"/> State	<input type="checkbox"/> Federal - FBI
<input type="checkbox"/> Tribal:	<input type="checkbox"/> University
<input type="checkbox"/> BIA <input type="checkbox"/> 638 <input type="checkbox"/> DOJ <input type="checkbox"/> FBI	

2. What is your Title/Position?

- Captain
- Detective
- Investigator
- Lieutenant
- Patrol Officer
- Sergeant
- Social Worker
- Other



3. Are you a Tribal member or affiliated with any Tribe? Yes No Would rather not say

3a. [If YES] Which Tribes you are enrolled or affiliated with? Would rather not say

	Enrolled	Affiliation
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation		
Cocopah Tribe of Arizona		
Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and California)		
Fort McDowell Yavapai Nation		
Fort Mojave Indian Tribe (Arizona, California and Nevada)		
Gila River Indian Community of the Gila River Indian Reservation		
Havasupai Tribe of the Havasupai Reservation		
Hopi Tribe of Arizona		
Hualapai Indian Tribe of the Hualapai Indian Reservation		
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation		
Navajo Nation (Arizona, New Mexico and Utah)		
Pascua Yaqui Tribe of Arizona		
Quechan Tribe of the Fort Yuma Indian Reservation (Arizona and California)		
Salt River Pima-Maricopa Indian Community of the Salt River Reservation		
San Carlos Apache Tribe of the San Carlos Reservation		
San Juan Southern Paiute Tribe of Arizona		
Tohono O’odham Nation of Arizona		
Tonto Apache Tribe of Arizona		
White Mountain Apache Tribe of the Fort Apache Reservation		
Yavapai-Apache Nation of the Camp Verde Indian Reservation		
Yavapai-Prescott Indian Tribe		
Other Tribe:		
Other Tribe:		
Other Tribe:		

4. How would you describe your gender?

- Female Male
 Other: _____

5. What is your current age?

- Under 21 50-59
 21-29 60-69
 30-39 Over 69
 40-49 Would rather not say



6. How many years have you worked in law enforcement?

- Less than 1
- 1-3
- 3-5
- 6-10
- 10-20
- 20+ years

7. What is your level of education?

- High School Diploma/GED
- Associates Degree
- Bachelor's Degree
- Master's Degree
- PhD/Doctorate Degree
- Other _____

8. Does your agency have a missing person's policy? Yes No I don't know

8a. [If YES] **Could you describe what that policy is?**

9. How many MMIWG Incidents for an adult have you personally responded to? _____

9a. [If 1 or more] **For all MMIWG incidents for an adult you have responded to, how many were related to the following issues?**

- Runaway /Own Will
- Sex Trafficking
- Labor Trafficking
- Other _____
- Kidnapping
- Domestic Violence
- Alcohol/Substance Abuse

10. How many MMIWG Incidents for a minor (under the age of 18) have you personally responded to?

10a. [If 1 or more] **For all MMIWG incidents for a minor you have responded to, were they related to any of the following issues? (Select all that apply)**

- Runaway/Own will
- Sex Trafficking
- Labor Trafficking
- Other _____
- Kidnapping
- Domestic Violence
- Alcohol/Substance Abuse

11. After a MISSING incident is reported to your agency, do you report the incident into the National Crime Information Center (NCIC)? Yes No I don't know

11. 11a. [If YES] **How soon after the incident is it usually reported to NCIC?** _____

12. After a MISSING incident is reported to your agency, do you report the incident into the National Missing and Unidentified Persons System (NamUs)? Yes No I don't know

12. 12a. [If YES] **How soon after the incident is it usually reported to NamUs?** _____



13. After a MISSING incident is reported to your agency for a minor, do you report the incident into the National Center for Missing and Exploited Children (NCMEC)? Yes No I don't know

13. 13a. [If YES] How soon after the incident is it usually reported to NCMEC? _____

14. Does your agency have a policy on activating an AMBER alert? Yes No I Don't Know

14a. [If YES] How soon after a Missing Minor is the AMBER alert activated? _____

15. When do you typically get in communication with Next of Kin for each missing person's case?

When the incident report is filed When an AMBER Alert has been issued

Other _____

16. What happens when Next of Kin is not identified?

17. Do you typically get in communication with a victim advocate for each missing person's case?

Yes No Not sure

17a. [If YES] When do you typically get in communication with a victim advocate for each missing person's case?

When the incident report is filed When an AMBER Alert has been issued

Other _____

18. Does your agency have a Missing Persons Investigator? Yes No Not sure

19. What skills, experience and training do you think make a Missing Persons Investigator effective?

20. Does your agency provide a Missing Persons training? Yes No Not sure

21. What factors help contribute to a thorough investigation of a Missing Persons case?

22. How many times have you personally responded to a homicide event for an adult? _____

22a. [If 1 or more] How many of these originated from a Missing Person call for service? _____

23. How many times have you personally responded to a homicide event for a minor? _____

23a. [If 1 or more] How many of these originated from a Missing Person call for service? _____

24. What is the first action taken by your agency when notified of a homicide?

LeCroy & Milligan Associates, Inc. _____



25. What factors contribute to a thorough investigation of a homicide case?

26. What skills, experience and training make a homicide investigator effective?

27. Does your agency track the race and ethnicity of missing persons and/or homicide victims? Yes No
 Don't Know

27a. [If YES] How does your agency track the race and ethnicity of missing persons and/or homicide victims?

27b. [If YES] If a missing person or homicide victim is Native American, do you track what Tribe they are affiliated with? If so, how?

28. What are some of the barriers that prevent good police and Native American community relations?

29. What do you think are some effective strategies to strengthen the relationship between the police and Tribal community members?

30. Are you familiar with the State of Arizona Study on Missing and Murdered Indigenous Women & Girls (MMIWG)?

Yes No

31. Have you noticed any trends or patterns relating to MMIWG?

32. What has been your experience & process in partnering with Tribal Council or police on MMIWG?



33. What suggestions or recommendations would you make to the State of Arizona Study on MMIWG?

34. Is there any other information you would like to share that you think would be relevant for the MMIWG Study?

Thank you so much for taking the time to complete this interview. Your insight helps greatly the MMIWG task force moving forward. If you have any questions regarding this study or the MMIWG task force, you may contact Lieutenant Whelan from the Maricopa County Sheriff's Office at 602-876-2083 or [D. Whelan-Gonzales@MCSO.maricopa.gov](mailto:D.Whelan-Gonzales@MCSO.maricopa.gov)



Appendix C: Interview Protocol for Families of MMIWG

Missing & Murdered Indigenous Women & Girls (MMIWG) Questionnaire for Surviving Family

Date: _____

Interviewee(s): _____

Start time of interview: _____

Method of interview: Telephone Videoconference

Interpreter (who) _____

Number of people interviewed: _____

Relationship(s) of interviewees(s) to Missing Person: _____

The Purpose of this Interview is to gather information, understand, and provide recommendations on improving and/or implementing programs and resources for Missing & Murdered Indigenous Women & Girls (MMIWG) in Urban and Rural Communities in Arizona.

The goal is to learn from families of MMIWG about their loved one and how their loved one went missing and/or the circumstances surrounding their murder. We are also gathering information about the law enforcement and victim service response families received.

Are you ready to answer some questions about your loved one? Please know that you can take a break or stop the interview at any time, and you can skip any questions you don't want to answer.

Note to Interviewer:

If there is more than one missing person they would like to discuss, please direct them to talk about the most recent case



1. First, I'd like to ask you what your Tribal enrollment or affiliation is? (mark all that apply)

	Enrolled	Affiliation
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation		
Cocopah Tribe of Arizona		
Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and California)		
Fort McDowell Yavapai Nation		
Fort Mojave Indian Tribe (Arizona, California and Nevada)		
Gila River Indian Community of the Gila River Indian Reservation		
Havasupai Tribe of the Havasupai Reservation		
Hopi Tribe of Arizona		
Hualapai Indian Tribe of the Hualapai Indian Reservation		
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation		
Navajo Nation (Arizona, New Mexico and Utah)		
Pascua Yaqui Tribe of Arizona		
Quechan Tribe of the Fort Yuma Indian Reservation (Arizona and California)		
Salt River Pima-Maricopa Indian Community of the Salt River Reservation		
San Carlos Apache Tribe of the San Carlos Reservation		
San Juan Southern Paiute Tribe of Arizona		
Tohono O'odham Nation of Arizona		
Tonto Apache Tribe of Arizona		
White Mountain Apache Tribe of the Fort Apache Reservation		
Yavapai-Apache Nation of the Camp Verde Indian Reservation		
Yavapai-Prescott Indian Tribe		
Zuni Tribe		
Other Tribe:		
Other Tribe:		
Other Tribe:		

2. Do you identify as another race or ethnicity as well? If so which one? [SELECT ALL THAT APPLY]

- Asian
- Black/African American
- Native Hawaiian/Pacific Islander
- White
- Other: _____
- Hispanic/Latinx

3. How would you identify your gender?

(If needed, would you like to be addressed as he, she or they?)

- Male
- Female
- Other _____



4. How is the Missing Person you'll be talking about today related to you?

- Mother
- Stepmother
- Grandmother
- Aunt
- Child
- Other: _____
- Sister
- Stepsister
- Step Grandmother
- Spouse or partner
- Friend

5. What is your loved one's Tribal enrollment or affiliation? (mark all that apply)

	Enrolled	Affiliation
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation		
Cocopah Tribe of Arizona		
Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and California)		
Fort McDowell Yavapai Nation		
Fort Mojave Indian Tribe (Arizona, California and Nevada)		
Gila River Indian Community of the Gila River Indian Reservation		
Havasupai Tribe of the Havasupai Reservation		
Hopi Tribe of Arizona		
Hualapai Indian Tribe of the Hualapai Indian Reservation		
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation		
Navajo Nation (Arizona, New Mexico and Utah)		
Pascua Yaqui Tribe of Arizona		
Quechan Tribe of the Fort Yuma Indian Reservation (Arizona and California)		
Salt River Pima-Maricopa Indian Community of the Salt River Reservation		
San Carlos Apache Tribe of the San Carlos Reservation		
San Juan Southern Paiute Tribe of Arizona		
Tohono O'odham Nation of Arizona		
Tonto Apache Tribe of Arizona		
White Mountain Apache Tribe of the Fort Apache Reservation		
Yavapai-Apache Nation of the Camp Verde Indian Reservation		
Yavapai-Prescott Indian Tribe		
Other Tribe:		
Other Tribe:		
Other Tribe:		

6. Would you identify your loved one as any other race or ethnicity as well? [SELECT ALL THAT APPLY]

- Asian
- Black/African American
- Native Hawaiian/Pacific Islander
- White
- Other: _____
- Hispanic/Latinx



7. [If interviewee shares the name of the victim ask] **Is it okay to talk about your [daughter/stepmother etc.] by using her name?**

[If YES, continue with name in bracketed sections, if NO refer to victim as “your loved one”]

8. **Can you tell me the story of how [your loved one] went missing?**

9. **What year did [your loved one] go missing?** _____

10. **How old were they at the time?** [Enter the number of years old] _____

11. **How old were you when [your loved one] went missing?** [Enter the number of years old] _____

12. **At what place or location was [your loved one] last seen by anyone?** (e.g., gas station, library, home)

13. **Could you share the geographic location of where [your loved one] was last seen** (e.g. Tribal land, city, county, state)? _____

Tribal Land	City	County	State

14. **Where did you last see [your loved one]?** (e.g. gas station, library, home)

15. **Could you share the geographic location of where you last saw [your loved one]?** (e.g. Tribal land, city, county, state)? _____

Tribal Land	City	County	State

16. **When did you last see [your loved one] ?** _____



17. Who was the last person [your loved one] was known to be with? (MARK ALL THAT APPLY)

- | | | |
|---|--|--|
| <input type="checkbox"/> Mother | <input type="checkbox"/> Sister | <input type="checkbox"/> Friend(s) |
| <input type="checkbox"/> Father | <input type="checkbox"/> Brother | <input type="checkbox"/> Acquaintance(s) |
| <input type="checkbox"/> Stepmother | <input type="checkbox"/> Stepsister | <input type="checkbox"/> Coworker |
| <input type="checkbox"/> Stepfather | <input type="checkbox"/> Stepbrother | |
| <input type="checkbox"/> Grandmother | <input type="checkbox"/> Aunt | <input type="checkbox"/> Don't Know |
| <input type="checkbox"/> Grandfather | <input type="checkbox"/> Uncle | |
| <input type="checkbox"/> Step Grandmother | <input type="checkbox"/> Spouse or partner | |
| <input type="checkbox"/> Step Grandfather | <input type="checkbox"/> Their Child | |
- Other: (please provide needed detail if acquaintance) _____

18. Was there anything happening in [your loved one]'s home at the time they went missing? For example, was there domestic violence or substance abuse in the home? (Prompt: Could you tell me about what was happening?) _____

18a. Domestic Violence Details: _____

18b. [If affirmed there was substance use by the victim] Which substances did your loved one use?

- Alcohol Marijuana Meth Crack/Cocaine Heroin Opioids (prescription drugs, Fentanyl, etc.) _____ Other _____

18c. If affirmed there was substance use by another person in the victim's life - Who was that person(s) to them? A friend, relative? _____

18d. Substance(s) used by another person in the victim's life:

- Alcohol Marijuana Meth Crack/Cocaine Heroin Opioids (prescription drugs, Fentanyl, etc.) _____ Other _____

19. People go missing for many different reasons. Why do you think [your loved one] went missing?

- | | |
|--|--|
| <input type="checkbox"/> Runaway/Left on their own free will | <input type="checkbox"/> Sex trafficking |
| <input type="checkbox"/> Kidnapped | <input type="checkbox"/> Labor trafficking |
| <input type="checkbox"/> Abusive partner | <input type="checkbox"/> Substance Abuse |
| <input type="checkbox"/> Suicidal thoughts | <input type="checkbox"/> Legal problems |
| <input type="checkbox"/> Left on their own, but now may be held against their will | |
| <input type="checkbox"/> I don't know [<i>probe with Domestic Violence or Substance Abuse</i>] | |
| <input type="checkbox"/> Would rather not say | |
| <input type="checkbox"/> Other _____ | |



Sex trafficking definition= *The action or practice of illegally transporting people from one country or area to another for the purpose of sexual exploitation.*

Labor trafficking definition = *Labor trafficking is a form of modern-day slavery in which individuals perform labor or services through the use of force, fraud, or coercion.*

20. Sometimes families report missing persons to law enforcement and sometimes they don't.

Was [your loved one] reported to law enforcement? Yes No Don't Know

20a. [If YES] **Which law enforcement agency was that? [SELECT ALL THAT APPLY]**

Tribal City County State BIA FBI Don't know Other _____

20b. [If YES] **Could you describe your experience of reporting your loved one to this agency?**

20c. [If NO] **Do you know why they were not reported missing?** (Probe: Do you think the report would have been taken seriously by law enforcement? Do you generally trust law enforcement to help you if needed?)

21. Can you tell me what, if anything, was done to search for [your loved one]? [If NO, skip to #22]

22. Did law enforcement start a search for [your loved one]? Yes No Don't Know

22a. [If YES] **Which law enforcement agency started the search? [SELECT ONE]**

Tribal City County State BIA FBI Other _____

Specific Agency: _____

22b. [If YES] **Were other law enforcement agencies part of the search? [SELECT ALL THAT APPLY]**

Tribal City County State BIA FBI Other _____

23. [If Loved One was a Juvenile] Was an AMBER Alert issued for [your loved one]? Yes No Don't Know

24. Did a Private Organization, like CERT (Community Emergency Response Team), start a search for [your loved one]? Yes No Don't Know

24a. [IF YES] **Which private organization started a search for your loved one?**

CERT (Community Emergency Response Team)



- Honwungsi Consulting Services Missing Persons Team*
- Other* _____

25. Do you know if any money was spent to search for [your loved one]?

- Yes No Don't Know

25c. [If YES] **Do you know what were the main costs for the search?** [SELECT ALL THAT APPLY]

- police reports vehicle/fuel hotel food fliers Don't Know
 Other _____

25b. [If YES] **About how much money was spent on this search?** \$_____ Don't Know

Now I would like to ask you some questions about how helpful law enforcement was for you.

26. Was Tribal Law Enforcement helpful in the search for [your loved one]? Yes No Don't Know

No involvement with Tribal law enforcement [IF NO INVOLVEMENT SKIP TO #27]

26a. [IF YES] **What did you like about how they helped you?**

26b. [IF NO OR DON'T KNOW] **Was there anything you liked about how they helped you?**

26c. **What did you not like about how they helped you?**

26d. **Do you feel they did everything they could to locate [your loved one]?** Yes No Don't Know

26d1. [IF YES] **Could you explain why you think they did everything they could to locate [your loved one]?** _____

26d2. [IF NO] **Could you explain why you don't think they did everything they could to locate [your loved one]?** _____

27. Was State Law Enforcement helpful in the search for [your loved one]? Yes No Don't Know No involvement with state law enforcement. [IF NO INVOLVEMENT SKIP TO #28]

27a. [IF YES] **What did you like about how they helped you?**



27b. [IF NO OR DON'T KNOW] Was there anything you liked about how they helped you?

27c. What did you not like about how they helped you?

27d. Do you feel they did everything they could to locate [your loved one]? Yes No Don't Know

27d1. [IF YES] Could you explain why you think they did everything they could to locate [your loved one]?

27d1. [IF NO] Could you explain why you don't think they did everything they could to locate [your loved one]?

28. Was City Law Enforcement helpful in the search for [your loved one]? Yes No Don't Know
 No involvement with city law enforcement [IF NO INVOLVEMENT SKIP TO #29]

28a. [IF YES] What did you like about how they helped you?

28b. [IF NO OR DON'T KNOW] Was there anything you liked about how they helped you?

28c. What did you not like about how they helped you?

28d. Do you feel they did everything they could to locate [your loved one]? Yes No Don't Know

28d1. [IF YES] Could you explain why you think they did everything they could to locate [your loved one]?

28d2. [IF NO] Could you explain why you don't think they did everything they could to locate [your loved one]?

29. Was County Law Enforcement helpful in the search for [your loved one]? Yes No Don't Know
 No involvement with county law enforcement [IF NO INVOLVEMENT SKIP TO #30]



29a. [IF YES] **What did you like about how they helped you?**

29b. [IF NO OR DON'T KNOW] **Was there anything you liked about how they helped you?**

29c. **What did you not like about how they helped you?**

29d. **Do you feel they did everything they could to locate [your loved one]?** Yes No Don't Know

29d1. [IF YES] **Could you explain why you think they did everything they could to locate [your loved one]?** _____

29d2. [IF NO] **Could you explain why you don't think they did everything they could to locate [your loved one]?** _____

30. Was BIA Law Enforcement helpful in the search for [your loved one]? Yes No Don't Know
 No involvement with BIA law enforcement [IF NO INVOLVEMENT SKIP TO #31]

30a. [IF YES] **What did you like about how they helped you?**

30b. [IF NO OR DON'T KNOW] **Was there anything you liked about how they helped you?**

30c. **What did you not like about how they helped you?**

30d. **Do you feel they did everything they could to locate [your loved one]?** Yes No Don't Know

30d1. [IF YES] **Could you explain why you think they did everything they could to locate [your loved one]?** _____

30d2. [IF NO] **Could you explain why you don't think they did everything they could to locate [your loved one]?** _____



31. Was FBI Law Enforcement helpful in the search for [your loved one]? Yes No Don't Know
 No involvement with FBI law enforcement [IF NO INVOLVEMENT SKIP TO #32]

31a. [IF YES] **What did you like about how they helped you?**

31b. [IF NO OR DON'T KNOW] **Was there anything you liked about how they helped you?**

31c. **What did you not like about how they helped you?**

31d. **Do you feel they did everything they could to locate [your loved one]?** Yes No Don't Know

31d1. [IF YES] **Could you explain why you think they did everything they could to locate [your loved one]?** _____

31d2. [IF NO] **Could you explain why you don't think they did everything they could to locate [your loved one]?** _____

32. As of today, has [your loved one] ever been found? Yes No Don't Know

32a. [IF YES] **How were they found?**

32b. [IF YES] **Who found [your loved one]?** _____

32c. [IF YES] **Is [your loved one] known to be deceased?** Yes No Don't Know

32d. [IF YES] **Is [your loved one] known to have been murdered?** Yes No Don't Know

32e. [IF YES] **Was the perpetrator identified?** Yes No Don't Know

32f. [IF YES] **Who was the perpetrator, and were they charged and convicted of the crime?** (Probe: Was perpetrator a stranger or someone connected to loved one? Was perpetrator part of your community?)

32g. [IF YES] **Who ended up solving the case of the murder (i.e., which law enforcement agency)?** _____



33. Were you referred to the Victim Advocate/Specialist by law enforcement? Yes No [If NO SKIP to #34]

33a. [If YES] **Who referred you?** Tribal BIA FBI County State City
 Other organization _____

33b. [If YES] **Did you work with that victim advocate/specialist?** Yes No

33c. [If YES] **What resources/services/referrals did the Victim Advocate/Specialist provide for you?** Food Shelter Transportation Understanding the judicial system Mental Health Counseling Other _____

33d. [If YES] **Was the victim advocate/specialist able to provide you with the help you needed?** Yes No Don't Know

33e. **What did you like about how they helped you?**

33f. **What did you not like about how they helped you?**

34. Did you seek out a victim advocate/specialist on your own? Yes No [If NO SKIP to #34e]

34a. [If YES] **Was the victim advocate/specialist able to provide you with the help you needed?**
 Yes No Don't Know

34b. [If YES] **What resources/services/referrals did the Victim Advocate/Specialist provide for you?**
 Food Shelter Transportation Understanding the judicial system Mental Health Counseling Other _____

34c. **What did you like about how they helped you?**

34d. **What did you not like about how they helped you?** [SKIP TO #34]

34e. [If NO] **Would you have wanted to work with a victim advocate?** Yes No Don't Know

33e1. [IF YES] **Could you say why you would have wanted to work with a victim advocate?** __

33e2. [IF NO] **Could you say why you would have wanted to work with a victim advocate?** __



35. Did you receive any assistance—such as resources, services, or referrals—from another individual, agency, or organization? Yes No Don't Know Would rather not say

35a. [If YES] **Who provided assistance to you?** _____

35b. [If YES] **What types of resources, referrals, or services did they provide?**

Food Shelter Transportation Understanding the judicial system Mental Health Counseling Other _____

36. Did you apply for Arizona State Victim Compensation? Yes No [If NO, SKIP to #36c]

36a. [If YES] **Were you awarded Arizona State Victim Compensation?** Yes No Don't Know

36b. [If YES] **What did you receive money for?**

Burial assistance Crime scene clean up Mental health counseling
 Medical costs Lost wages Other _____

36c. [If NO] **Can you tell me why you did not apply for Victim Compensation?**

I did not know about the fund It was too hard/confusing to apply
 I did not qualify (specify reason below)

 Other reason

37. Was there anything else that you needed, but didn't get during this whole experience?

38. How has the experience of losing a loved one affected your sense of safety within your community?

39. What do you think is needed, or what changes do you believe are necessary, to address the issue of Missing and Murdered Indigenous women? (can probe with changes to law enforcement, changes to victim services...)



40. For my last question, if you don't mind sharing, what ways have you found to honor your loved one that bring you comfort?

41. That is the end of the interview, is there anything else that you would like me to know?

Thank you for sharing your story with me. I just want to say that I am very sorry that you went through this experience, and your story is very meaningful and purposeful to what we are trying to capture with this study. It is a great gift to help our State understand your experience better to help determine the most effective ways to reduce and end these incidents of MMIWG. As part of the consent form, there are a list of Tribal victim service providers as well as mental health support services if it would be helpful to connect with them after talking today. Again, thank you again for your willingness to step forward and share with us your story.

Post-Interview Notes for Interviewer Only:

Time interview ended: _____ p.m./a.m. (circle one)

Length of interview: _____ hours and _____ minutes

Calculated age of Missing person current age _____

Calculated age of interviewee 1 current age _____

Calculated age of interviewee 2 current age _____

Important notes about interview:



Appendix D: Interview Protocol for Survivors of MMIWG

Missing & Murdered Indigenous Women & Girls (MMIWG) Questionnaire for Survivor

Date: _____ Interviewee: _____

Interviewer _____

Interpreter (who or none) _____

Start time of interview: _____ Method of interview: Telephone Videoconference

The purpose of this Interview is to gather information, understand, and provide recommendations on improving and/or implementing programs and resources for Missing & Murdered Indigenous Women & Girls (MMIWG) in Urban and Rural Communities in Arizona. As we move forward with the interview, I will reference this as MMIWG.

The goal is to learn from Survivors about their experiences as a Missing Person and their experiences returning to their families. We also want to learn about the Law Enforcement and Judicial System response, as well as other assistance Survivors and their families may have received.

Are you ready to answer some questions about your experience? Please know that you can take a break or stop the interview at any time, and you can skip any questions you don't want to answer.



1. First, I'd like to ask you what your Tribal enrollment or affiliation is? (mark all that apply)

	Enrolled	Affiliation
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation		
Cocopah Tribe of Arizona		
Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and California)		
Fort McDowell Yavapai Nation		
Fort Mojave Indian Tribe (Arizona, California and Nevada)		
Gila River Indian Community of the Gila River Indian Reservation		
Havasupai Tribe of the Havasupai Reservation		
Hopi Tribe of Arizona		
Hualapai Indian Tribe of the Hualapai Indian Reservation		
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation		
Navajo Nation (Arizona, New Mexico and Utah)		
Pascua Yaqui Tribe of Arizona		
Quechan Tribe of the Fort Yuma Indian Reservation (Arizona and California)		
Salt River Pima-Maricopa Indian Community of the Salt River Reservation		
San Carlos Apache Tribe of the San Carlos Reservation		
San Juan Southern Paiute Tribe of Arizona		
Tohono O'odham Nation of Arizona		
Tonto Apache Tribe of Arizona		
White Mountain Apache Tribe of the Fort Apache Reservation		
Yavapai-Apache Nation of the Camp Verde Indian Reservation		
Yavapai-Prescott Indian Tribe		
Zuni Tribe		
Other Tribe:		
Other Tribe:		
Other Tribe:		

2. Do you identify as another race or ethnicity as well? If so which one?

- Asian
- Black/African American
- Native Hawaiian/Pacific Islander
- White
- Other: _____
- Hispanic/Latinx

3. How would you identify your gender?

(If needed, would you like to be addressed as he, she or they?)

- Male
- Female
- Other _____



4. Can you tell me the story of how you went missing?

[Probes: Timeframe gone, situation, age and year went missing, age and year found]

5. (If not answered in Q4) What year did you go missing? _____

6. (If not answered in Q4) How old were you at the time you went missing? _____

7. (If not described in Q4) Can you tell me how you were found?

8. (If not answered already) What year were you found? _____

9. (If not answered already) How old were you at the time you were found? _____

10. Where did you live before you went missing?

11. (If not answered in #10) Did you live on the reservation? Yes No

12. Where do you currently live?

13. People go missing for many different reasons. How or why did you go missing? (SELECT ALL THAT APPLY)

- Runaway/Left on your own free will
- Kidnapped
- Abusive partner
- Suicidal thoughts
- Domestic Violence
- Left on your own, but then held against your will
- I don't know [probe with Domestic Violence or Substance Abuse]
- Would rather not say
- Sex trafficking
- Labor trafficking
- Substance Abuse
- Legal problems
- Lured or taken by someone you trusted



Other _____

14. BEFORE you went missing, were you experiencing Domestic Violence ? Yes No Would rather not say

14a. [If YES to Q14] **Was Domestic Violence involved in your going missing?** Yes No Don't know Would rather not say

14b. [If YES to Q14] **Would you mind sharing how Domestic Violence related to your going missing?**

15. During the time you were missing, do you believe you were a victim of Sex Trafficking or Labor Trafficking?

Yes, Sex Trafficked Yes, Labor Trafficked No Don't know Would rather not say

[ONLY READ DEFINITIONS IF NEEDED]

Sex trafficking definition= *The action or practice of illegally transporting people from one country or area to another for the purpose of sexual exploitation.*

Labor trafficking definition = *A form of modern-day slavery in which individuals perform labor or services through the use of force, fraud, or coercion.*

16. Was Substance Abuse involved in the reason you WENT missing? Yes No Don't know Would rather not say

16a. [If YES to Q16] **Would you mind sharing how substance abuse related to your experience of going missing?** _____

17. Was Substance Abuse part of your experience WHILE missing? Yes No Don't Know Would rather not say

17a. [If YES to Q17] **Would you mind sharing how substance abuse was a part of your experience while you were missing?** _____

18. Did you feel like you were missing? Yes No Would rather not say

19. Did you see television, fliers, Facebook posts or other social media, or hear on the radio about you being missing WHILE you were missing? Yes No

19a. [If YES to Q19] **What did you see or hear?** (Probe: social media, flyers, newspaper article, radio?)

19b. [If YES to Q19] **Where were you when you saw/heard it?**



19c. [If YES to Q19] **How did you feel about this?**

20. **Sometimes families or friends report missing persons to law enforcement and sometimes they don't. Do you know if your incident was reported to law enforcement by family or friends?** Yes No Don't Know

20a. [If YES to Q20] **Which law enforcement agency was that?**

Tribal City County State BIA FBI Don't know Other _____

20b. [If NO to Q20] **Do you know why you were not reported missing?**

21. **Did law enforcement start a search for you?** Yes No Don't Know

21a. [If YES to Q21] **Which law enforcement agency started the search? [SELECT ONE]**

Tribal City County State BIA FBI Other _____

Specific Agency: _____

21b. [If YES to Q21] **Were other law enforcement agencies part of the search? [SELECT ALL THAT APPLY]**

Tribal City County State BIA FBI Other _____

Specific Agency: _____

Now I would like to ask you some questions about how helpful law enforcement was for you and your loved ones.

22. **Was Tribal Law Enforcement helpful for you?** Yes No Don't Know No involvement with Tribal law enforcement

22a. [If YES to Q22] **What did you like about how they helped you?**

22b. [If NO or DON'T KNOW to Q22] **Was there anything you did like about how they helped you?**

22c. **What did you not like about how they helped you?**

23. **Was Tribal Law Enforcement helpful for your loved ones?** Yes No Don't Know No involvement with Tribal law enforcement

23a. [If YES to Q23] **What did you like about how they helped them?**



23b. [If NO or DON'T KNOW to Q23] **Was there anything you did like about how they helped them?**

23c. **What did you not like about how they helped them?**

24. Was State Law Enforcement helpful for you? Yes No Don't Know No involvement with State law enforcement

24a. [If YES to Q24] **What did you like about how they helped you?**

24b. [If NO or DON'T KNOW to Q24] **Was there anything you did like about how they helped you?**

24c. **What did you not like about how they helped you?**

25. Was State Law Enforcement helpful for your loved ones? Yes No Don't Know No involvement with State law enforcement

25a. [If YES to Q25] **What did you like about how they helped them?**

25b. [If NO or DON'T KNOW to Q25] **Was there anything you did like about how they helped them?**

25c. **What did you not like about how they helped them?**

26. Was City Law Enforcement helpful for you? Yes No Don't Know No involvement with City law enforcement

26a. [If YES to Q26] **What did you like about how they helped you?**

26b. [If NO or DON'T KNOW to Q26] **Was there anything you did like about how they helped you?**

26c. **What did you not like about how they helped you?**



27. Was City Law Enforcement helpful for your loved ones? Yes No Don't Know No involvement with City law enforcement

27a. [If YES to Q27] **What did you like about how they helped them?**

27b. [If NO or DON'T KNOW to Q27] **Was there anything you did like about how they helped them?**

27c. **What did you not like about how they helped them?**

28. Was County Law Enforcement helpful for you? Yes No Don't Know No involvement with County law enforcement

28a. [If YES to Q28] **What did you like about how they helped you?**

28b. [If NO or DON'T KNOW to Q28] **Was there anything you did like about how they helped you?**

28c. **What did you not like about how they helped you?**

29. Was County Law Enforcement helpful for your loved ones? Yes No Don't Know No involvement with County law enforcement

29a. [If YES to Q29] **What did you like about how they helped them?**

29b. [If NO or DON'T KNOW to Q29] **Was there anything you did like about how they helped them?**

29c. **What did you not like about how they helped them?**

30. Was BIA Law Enforcement helpful for you? Yes No Don't Know No involvement with BIA law enforcement



30a. [If YES to Q30] **What did you like about how they helped you?**

30b. [If NO or DON'T KNOW to Q30] **Was there anything you did like about how they helped you?**

30c. **What did you not like about how they helped you?**

31. Was BIA Law Enforcement helpful for your loved ones? Yes No Don't Know No involvement with BIA law enforcement

31a. [If YES to Q31] **What did you like about how they helped them?**

31b. [If NO or DON'T KNOW to Q31] **Was there anything you did like about how they helped them?**

31c. **What did you not like about how they helped them?**

32. Was FBI Law Enforcement helpful for you? Yes No Don't Know No involvement with FBI law enforcement

32a. [If YES to Q32] **What did you like about how they helped you?**

32b. [If NO or DON'T KNOW to Q32] **Was there anything you did like about how they helped you?**

32c. **What did you not like about how they helped you?**

33. Was FBI Law Enforcement helpful for your loved ones? Yes No Don't Know No involvement with FBI law enforcement

33a. [If YES to Q33] **What did you like about how they helped them?**

33b. [If NO or DON'T KNOW to Q33] **Was there anything you did like about how they helped them?**



33c. What did you not like about how they helped them?

34. Was the person involved in you going missing charged in any criminal procedure? Yes No There was no person involved Don't Know Would rather not say

35. Were you referred to the Victim Advocate/Specialist by law enforcement? Yes No [If NO SKIP to #36]

35a. [If YES to Q35] Who referred you? Tribal BIA FBI County State City
 Other organization _____

35b. [If YES to Q35] Did you work with that victim advocate/specialist? Yes No

35c. [If YES to Q35b] What did you like about how they helped you?

35d. [If YES to Q35b] What did you not like about how they helped you?

36. Did you seek out a victim advocate/specialist on your own? Yes No

36a. [If YES to Q36] What did you like about how they helped you?

36b. [If YES to Q36] What did you not like about how they helped you?

36c. [If NO to Q36] Would you have wanted to work with a victim advocate? Yes No Don't Know
[SKIP TO #38]

37. [If they worked with a Victim Advocate] What resources/services/referrals did the Victim Advocate/Specialist provide for you? Food Shelter Transportation Understanding the judicial system Mental Health Counseling Other _____

38. Did you apply for Arizona State Victim Compensation? Yes No

Definition of ASVC = If you are a victim of a crime or a derivative victim, you can apply to your county's Crime Victim Compensation Board to recover certain expenses. This money comes from surcharges and penalties that are paid by criminals. Victims may apply to recoup losses paid for things like Medical or dental expenses, Mental health counseling, or Lost wages.



38a. [If YES to Q38] **Were you awarded Arizona State Victim Compensation?** Yes No Don't Know

38b. [If YES to Q38] **What did you receive money for?**

- Mental health counseling
- Medical costs Lost wages Other _____

38c. [If NO to Q38] **Can you tell me why you did not apply for Victim Compensation?**

- I did not know about the fund/program It was too hard/confusing to apply
- I did not qualify (specify reason below)

Other reason

39. Was there anything else that you needed, but didn't get during this whole experience?

40. What do you think is needed or what changes do you believe are necessary, to address the issue of Missing and Murdered Indigenous Women and Girls? [Probe with changes to law enforcement, changes to victim services, etc.]

41. That is the end of the interview, is there anything else that you would like me to know?

Thank you for sharing your story with me. I just want to say that I am very sorry that you went through this experience, and your story is very meaningful and purposeful to what we are trying to capture with this study. It is a great gift to help our State understand your experience better to help determine the most effective ways to reduce and end these incidents of MMIWG. As part of the consent form, there are a list of Tribal victim service providers as well as mental health support services if it would be helpful to connect with them after talking today. Again, thank you again for your willingness to step forward and share with us your story.



Post-Interview Notes for Interviewer Only:

Time interview ended: _____ p.m./a.m. (circle one)

Length of interview: _____ hours and _____ minutes

Calculated age of Missing person current age _____

Important notes about interview



Appendix E: Informed Consent for Tribal Interviews

Family Member Participant Informed Consent “Study on Missing & Murdered Indigenous Women & Girls (MMIWG)”

Purpose of the Interview: Our goal is to learn from people who have experience with Missing and Murdered Indigenous Women and Girls (MMIWG). We would like to ask you questions about how your loved one became missing, your experiences with law enforcement, victim services, and anything else you want to share about your experiences. What you share will help with policy recommendations that will be presented to Arizona’s HB 2570 Study Committee to develop culturally appropriate solutions to address MMIWG.

What you will be asked to do: You will be asked questions about your experiences with MMIWG. This will include your thoughts about what happened right before, during, and after your loved one went missing. You will be asked about your contact and experience with law enforcement and victim advocates.

Confidentiality: The information you share will be kept confidential with the research team. In addition, you and/or your Tribe will not be identified in any reports or anywhere else specifically.

Time Required: It may take up to one hour or more to complete this interview.

Benefits of Participation: Your participation will help to create policy recommendations for Arizona’s HB 2570 Study Committee with the goal of reducing MMIWG.

Voluntary Participation and Right to End the Interview: You do not have to answer any questions that you do not want to answer. You can stop participating at any time. No one will be upset or angry if you decide not to participate or if you stop participating at any time for any reason. One potential risk that you may experience by participating in this research is that some of the questions might make you feel uncomfortable or may be upsetting to you. We are going to ask questions about your lost loved one or your experience of going missing, and that could trigger emotional feelings. To minimize this risk, we encourage you to take breaks when you need to, and you may want to talk to mental health counselors or other service providers listed on the back of this document after the interview.

Whom to Contact if you Have Questions About the Study: Katie Haverly, LeCroy & Milligan Associates, 2002 N. Forbes Blvd, Suite 108, Tucson, AZ 85745; Telephone (520) 326-5154 ext. 108; Email: katie@lecroymilligan.com

Whom to Contact About Your Rights as a Research Participant in the Study: This research has been reviewed and approved by Argus IRB; Telephone: (520) 298-7494; Email: argusirb@juno.com

Agreement: By answering the interview questions, you are agreeing to participate in this important study. This informed consent description and the list of resources below are yours to keep.

*Are you ready and willing to move forward with this interview?
(If other family members and/or interpreter is present all parties must agree)*



Arizona Tribal Victim Advocacy

Ak-Chin Indian Community

Collette Susunkewa, Legal
Assistant/Victim Advocate
Office of the Prosecutors
(520) 568-1780
csusunkewa@akchin.nsn.us

Colorado River Indian Tribe

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Advocate
CRIT Victim Advocacy Program
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Fort McDowell Yavapai Nation

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Violence Victim Advocate
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Hopi Tribe

Maude Yoyhoeoma, Domestic
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Domestic Violence Program
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Havasupai Tribe

Canolia Kaska, Domestic
Violence Advocate
Havasupai Domestic Violence
Program
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Gila River Indian Community

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Fort Mojave Indian Tribe

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Domestic Violence Program
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Navajo Nation

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Navajo Nation

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Ama Doo Alchini Bighan, Inc
(928) 674-8314
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Navajo Nation

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Tuba City Regional Health Care
Corporation
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Navajo Nation

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Shelter Director
Tohdenasshai Committee
Against Family Abuse - TCAFA
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tcafa2018@gmail.com

Pascua Yaqui Tribe

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Pascua Yaqui Police-Victim
Service, Tucson, AZ
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canada.valenzuela@pascuayaqui-nsn.gov

Pascua Yaqui Tribe

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Elvira.Osuna@pascuayaqui-nsn.gov

Quechan Tribe

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Quechan Victim Services
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ssvictimadvocate@quechanTribe.com

Tohono O'odham Tribe

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Komckud ki: Domestic Violence
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Salt River Pima Maricopa Indian Community

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HHS/ Behavioral Health
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Salt River Pima Maricopa Indian Community

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San Carlos Apache Tribe

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San Carlos Apache Tribe

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LAMBERtagooday@wmat.us

**Southwest Indigenous Women's
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Arizona Statewide Tribal DV/SA
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(480) 818-7518
leanne.guy@swiwc.org

**Hopi Tewa Women's Coalition to
End Abuse**

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carey.onsae@htwcea.org



Tribal Health Center Directors

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Cocopah Indian Tribe

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Tohono O'odham Nation

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Tonto Apache Tribe

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Yavapai-Apache Nation

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URBAN HEALTH PROGRAMS**Native Americans for Community Action, Inc.**

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Native American Community Health Center, Inc.

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INTER-TRIBAL/STATE

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Arizona Advisory Council on Indian Health Care

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Appendix H:

Arizona Crime Victim Compensation Program

**Subcommittee Report of the Arizona Study Committee on
Missing & Murdered Indigenous Women and Girls**

Arizona Crime Victim Compensation Program

October 2, 2020

**Kim Russell (Navajo), Executive Director
Arizona Advisory Council on Indian Health Care**

**Valaura Imus- Nahsonhoya (Hopi), Executive Director / Founder
Honwungsi Consulting Services, LLC**

**Kayleigh Stanek, MS, Graduate Research Assistant
School of Criminology & Criminal Justice, Arizona State University**

ACKNOWLEDGEMENTS

Arizona Crime Victim Compensation Program Subcommittee

We would like to acknowledge the leadership of the Arizona Crime Victim Compensation Program (AzCVCP) Subcommittee members, Kim Russell, Executive Director, Arizona Advisory Council on Indian Health Care, and Arlando Teller, House of Representatives (LD7). This Subcommittee was authorized at an open meeting of the Arizona Missing & Murdered Indigenous Women and Girls (MMIWG) Study Committee.

Technical Assistance and Expert Advisement

We would like to acknowledge the technical support and guidance provided by Valaura Imus-Nahsonhoya, Executive Director/Founder of Honwungsi Consulting Services, LLC and Tribal Liaison/Study Coordinator under the direction of Jennifer Jermaine, House of Representatives (LD18).

Data Analysis and Interpretation

We would like to acknowledge the ongoing partnership with Kathleen A. Fox, PhD, Associate Professor, Arizona State University, School of Criminology and Criminal Justice and Kayleigh A. Stanek, M.S., Doctoral Student, Arizona State University, School of Criminology and Criminal Justice. Dr. Fox and Ms. Stanek assisted with data analysis and interpretation of results of program data provided by the Arizona Criminal Justice Commission (ACJC).

Arizona Criminal Justice Commission

We would like to acknowledge the cooperation, collaboration, guidance and partnership provided by Andrew LeFevre, Executive Director; Molly Edwards, Public Information Office/Legislative Liaison; Heather Bohnet, Program Manager; and Dorinda Johns, Crime Victim Services Program Coordinator of ACJC. We appreciate their assistance in providing information and data of the AzCVCP.

To the Victims, Survivors and Families of MMIWG

We acknowledge all victims, survivors, and families who have experienced Missing and Murdered in Indian Country and also those who are still missing. Their perseverance, as survivors as a result of crime, bring empowerment to those who are victims going through the process of recovery and survivorship.

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EXECUTIVE SUMMARY

Arizona has various programs available to assist survivors and family members of MMIWG and the AzCVCP is a significant resource to Indigenous communities. The AzCVCP provides financial reimbursement and emergency assistance to victims of crime for out-of-pocket expenses that are a direct result of a crime being committed in Arizona.

Data provided by ACJC highlights a few observations:

- In terms of American Indian applicants, 354 payments were made which is about 3% of all payments made in the state. This finding highlights a potential problem in the victim compensation program. Although American Indians represent only 7% of all applications, they may not know about the program or what they are able to request compensation for.
- The type of crime that an American Indian female applicant experienced and/or is requesting compensation for highlights the violence that impacts Native women in the state. The majority of applicants requested compensation for assault (39%, n=77), child sexual abuse (24%, n=48), homicide (17%, n=34), and sexual assault (8%, n=15).

Multiple barriers and challenges exist for Indigenous communities to access the AzCVCP but most are addressable. The following legislative and administrative recommendations can assist in breaking down barriers and addressing the challenges:

Legislative Recommendations

- Amend Arizona statute to: 1) include a member to the ACJC that represents a land-based Tribe in Arizona, and 2) establish an Arizona Missing Persons Assistance Fund.

Administrative Recommendations

- Amend Rules to: 1) allow for a Native American ceremony or burial to be considered a reasonable and customary funeral expense, and 2) allow mental health counseling and care that is provided by an individual who is employed or contracted under the auspices of a tribal health care organization, the Indian Health Services, or an Urban Indian Health Program to be included in a claim for a compensation award.
- AzCVCP establish a Victim Compensation Board that is from a Tribal jurisdiction.
- Require membership on County Compensation Boards to be representative of the Tribal Nations that are within their boundaries.
- Conduct regular and ongoing tribal consultations with the 22 Arizona land-based Tribes regarding the AzCVCP and how it can identify strategies to increase access to the AzCVCP.

- Conduct regular and ongoing outreach and education about the AzCVCP and other programs within the ACJC to Indigenous communities, both on and off Reservation.
- Ensure data includes Tribal affiliation of applicant by indicating this as a field on the application.
- Provide ongoing data analysis and information that describes the trends of Indigenous communities accessing the AzCVCP.

Support and resources through the AzCVCP are assisting many Indigenous victims, survivors, and families throughout Arizona but the opportunity to assist many more remains. By thoughtfully and genuinely considering the recommendations provided, in consultation and in collaboration with Tribes and Indigenous communities, the appropriate and crucial resources and support can get to those in greatest need, specifically the survivors, families and victims of MMIWG.

INTRODUCTION

Arizona has various programs available to assist survivors and family members of MMIWG. One program that is often considered a significant resource is the AzCVCP administered by the ACJC. Criminal justice agencies and victim advocates refer victims, survivors, and family members of MMIWG to the program and assist with attaining these resources. The AzCVCP provides financial reimbursement and emergency assistance to victims of crime, and their family members, for out-of-pocket expenses that are a direct result of a crime being committed in Arizona.

The AzCVCP has tremendous potential to provide culturally appropriate aid but barriers to access the program exist. Examples of barriers have been cited by tribal advocates who have intricate detail and experience navigating victim's assistance programs on behalf of MMIWG survivors and family members.

The prevalence of MMIWG in this state is widespread and impacts all Indigenous communities, both on and off the Reservation. The families and survivors of MMIWG experience unique needs and circumstances as they navigate life altering events when trying to find a missing relative or providing arrangements for murdered relatives. The AzCVCP has provided resources to Indigenous victims but opportunities to enhance the program are available.

Purpose of the Paper

This paper will provide an overview of the AzCVCP and describe how American Indians interact and access the AzCVCP across the state of Arizona. The report will include common barriers and specific recommendations for advocates to consider that will increase access to the AzCVCP by American Indians and those who are survivors and family members of MMIWG.

This paper is a part of a larger comprehensive report that is being produced by the Study Committee.

BACKGROUND

Across the state of Arizona, Indigenous communities came together to raise their voices to bring awareness to the long-standing issue of MMIWG, including two spirit and transgendered Indigenous peoples. Their numerous voices communicated the alarming rates of family members who go missing and the difficulty and hardships they experience when trying to locate a missing relative. In addition, their stories raised awareness of the many missing relatives who remain unfound and/or murdered.

Missing and Murdered Indigenous Women and Girls in Arizona

The stories and experiences shared by family members, survivors and advocates indicated the need for greater data that would more accurately describe the circumstances in Arizona, as most of the data available was not specific to Arizona. According to the Urban Indian Health Institute, Arizona has the third highest number of missing or murdered indigenous women or girls cases.¹

There is still a lack of quality data and understanding of the MMIWG issue and it can be attributed to: underreporting, racial misclassification, poor relationships between Tribal communities and law enforcement, poor record keeping protocols and institutional racism in the media.²

The prevalence and magnitude of the MMIWG issue in Arizona is largely unknown at this time per the necessity of the passage of Arizona House Bill 2570, Study Committee on MMIWG. Known attributes to MMIWG are through awareness activities in which survivors and families share their stories of their experiences of missing and/or murdered. Lucchessi and Echo-Hawk (2018) provide a small sample of identified cases through their research that brings light to the issue of MMIWG in Indian Country.

Arizona MMIWG Study Committee

The collective advocacy and unrelenting voices of MMIWG families and advocates resulted in Governor Douglas Ducey signing HB 2570 on May 14, 2019, thus establishing the Arizona MMIWG Study Committee. The bill was sponsored by Rep. Jennifer Jermaine (LD18) who garnered overwhelming support from both House and Senate leadership, while organizing advocacy from Tribes, Native organizations, advocates, and families and survivors of MMIWG.

The 23-member Study Committee includes representatives from both legislative chambers of the Arizona Senate and House of Representatives and individuals from

¹ "Missing and Murdered Indigenous Women & Girls – Urban" 14 Nov. 2018, <https://www.uihi.org/resources/missing-and-murdered-indigenous-women-girls/>. Accessed 1 Oct. 2020.

² Missing and Murdered Indigenous Women & Girls, 2019, 4

various Tribal and state agencies (See Appendix for list of Study Committee Members). The purpose of the Study Committee per Session Laws 2019, Chapter 232 is to³:

- 1) Conduct a comprehensive study to determine how this State can reduce and end violence against Indigenous women and girls in this State;
- 2) Establish methods for tracking and collecting data on violence against Indigenous women and girls, including data on missing and murdered Indigenous women and girls;
- 3) Review policies and practices that impact violence against Indigenous women and girls, such as child welfare policies and practices;
- 4) Review prosecutorial trends and practices relating to crimes of gender violence against Indigenous people;
- 5) Gather data on violence against Indigenous women and girls in this State;
- 6) Determine the number of missing and murdered Indigenous women and girls in this State;
- 7) Identify barriers to providing more state resources in tracking violence against Indigenous women and girls and reducing the incidences of violence;
- 8) Propose measures to ensure access to culturally appropriate victim services for Indigenous women and girls who have been victims of violence;
- 9) Propose legislation to address issues identified by the Study Committee and submit a report regarding the Study Committee's activities and recommendations for administrative or legislative action on or before November 1, 2020 to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy of this report to the Secretary of State.

AzCVCP Subcommittee

In order to address the multiple aims of the report, two subcommittees were created, one of which is the AzCVCP Subcommittee. The Subcommittee's goal is to identify barriers and challenges American Indians in Arizona experience when trying to access the AzCVCP and to provide potential solutions. This was accomplished in collaboration with the Arizona State University School of Criminology and Criminal Justice, which provided analysis of data from the AzCVCP.

The Subcommittee met with the staff of the ACJC and the AzCVCP to discuss the available data to be analyzed and to inform them of the history and intent of the study. The staff also provided a presentation of the AzCVCP to the Subcommittee.

OVERVIEW OF THE AzCVCP

³ "Bill Text: AZ HB2570 | 2019 | Fifty-fourth Legislature 1st" <https://legiscan.com/AZ/text/HB2570/id/1884585>. Accessed 1 Oct. 2020.

The AzCVCP provides financial assistance to victims of crime or others who may have experienced a financial loss as a direct result of a crime. Victim Compensation programs are available in all U.S. states and territories to reimburse victims for out-of-pocket expenses resulting from the crime “and while no amount of money can erase the trauma and grief victims suffer, this aid can be crucial in the aftermath of crime” (Crime Victim Compensation: An Overview). Each compensation program operates under its own law, but all compensation programs have the same basic eligibility criteria. In Arizona, the victim compensation program is operated by the ACJC in accordance with the Crime Victim Compensation Program Rules - Arizona Administrative Code A.A.C. § R10-4-101 through A.A.C. § R10-4-111⁴.

Program Purpose

The purpose of the AzCVCP is to provide financial assistance to victims of crime or others who may have experienced a financial loss as a direct result of a crime. The compensation program covers expenses of physical harm, mental distress, and economic loss resulting from the victimization. In addition, traditional and cultural counseling or activities may be reimbursed through this program if mental health counseling is provided. Expenses associated with funerals conducted under Native American tradition are eligible expenses under the victim compensation program as well. The maximum award for any one claim is \$25,000 for all economic loss related to victimization. While eligibility for different compensation benefit categories varies depending on the individual making the request, the following are expenses that may be covered⁵ (Commission, n.d.):

Any victim of crime under Arizona or Federal law is eligible to submit an application to receive benefits providing they meet the following requirements:

- Report the crime within 72 hours;
- Cooperate with law enforcement;
- Apply within two years of the crime;
- Suffer economic loss not covered by a “collateral source”;
- No contribution to victimization;
- Victims need not to be residents of Arizona to apply; and
- Arizona residents victimized abroad.

According to Heather Bohnet, Victim Services Program Manager at ACJC, “eligibility to receive benefits from the program does not require the apprehension or conviction of an offender, and the program is always the payer of last resort” (Bohnet, 2019).

An individual would not be eligible to receive victim compensation benefits if the person submitting the claim or victim is any of the following:

- The offender, an accomplice of the offender, or a person who encouraged or in any way participated in or facilitated the criminally injurious conduct that is the subject of the claim;
- Serving a sentence of imprisonment in any detention facility, home arrest program, or work furlough at the time of the criminally injurious conduct that is the subject of the claim;
- Escaped from serving a sentence of imprisonment in any detention facility, home arrest program, or work furlough at the time of claim submission to the operational unit;
- Delinquent in paying a fine, monetary penalty, or restitution that has been imposed;
- Wanted in Arizona on an active warrant, if the warrant status is discovered anytime following submission of a claim.

History and Funding

The earliest Victim Compensation Program was created by California in 1965. In 1984, Congress passed the Victims of Crime Act which provided funding to states to operate Victim Compensation Programs. In 1986, the Arizona State Legislature established the Crime Victim Compensation and Assistance Fund.

The ACJC is directed by statute to administer the fund and create program rules to guide the awarding of state and federal compensation funds to crime victims. Funding for the crime victim compensation program comes from a variety of sources. Federal sources include primarily the Crime Victims Fund. The federal government annually grants money to state compensation programs to help cover benefit payments. For the state of Arizona,

this federal portion makes up about one third of the program budget. State funding sources account for the other two thirds of compensation program funds.

Arizona's Victim Compensation and Assistance Fund was established pursuant to A.R.S. § 41-2407. State funding sources include 37.6% of a \$9.00 penalty assessment on every fine, penalty, and forfeiture imposed and collected by the Courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine (A.R.S. § 12-116.08). Additionally, a portion of inmate work fees and unclaimed victim restitution are state sources of funding. Other sources of compensation funds include restitution from offenders or subrogation collected from claimants. Donations are also included in victim compensation funds as well as interest earned on clerk of the court monies.

Organizational Structure

The mission of the ACJC is to continuously address, improve, sustain and enhance public safety in the State of Arizona through the coordination, cohesiveness and effectiveness of the Criminal Justice System. To administer the program, ACJC is required every year to designate one operational unit for each county in the State of Arizona. Currently the County Attorney's Offices in each of Arizona's 15 counties are the designated units. Operational Units receive an annual allocation of funding to administer the compensation program at the county level. Operational units also recover amounts paid to victims by working aggressively to seek restitution to the victim compensation program by offenders. In addition to restitution collection, many programs make every effort to recover monies for the compensation program if the victim receives additional payment through a collateral source for expenses already covered by the program.

ACJC is responsible for the distribution of federal and state funds to the county programs. ACJC also administers the rule making process for the Victim Compensation Program. The Administrative Procedure Act requires that at least once every five years, each agency must review its rules to determine whether any rule should be amended or repealed. Program rules may be revised in accordance with the five-year review or on an as-needed basis. ACJC collects program data including victim demographic information and victim compensation expenditures on a quarterly basis and compiles that information and completes annual and federal program reports. ACJC is also responsible for ensuring compliance with federal and state statutes and the Arizona administrative code that governs the Victim Compensation Program. Finally, ACJC provides training on the AzCVCP, program oversight, and guidance to each of the county programs.

While the ACJC is responsible for administering the program at the state level, claims are processed at the county level through each of Arizona's 15 County Attorney's Offices. Each county-based operational unit has a Compensation Program Coordinator and a Victim Compensation Board.

Victims of criminally-injurious conduct submit victim compensation claims to the operational unit for the county in which the crime occurred. Compensation Coordinators or Victim Advocates at the county level investigate each compensation claim, and then present the claim to the county's Crime Victim Compensation Board for review. The Compensation Coordinator serves as a point of contact for victims, claimants, members of the community, or victim services personnel that would like more information about the Victim Compensation Program. These county coordinators are also able to make emergency awards of up to \$1,000 to eligible victims who show a substantial need or hardship. These Coordinators are responsible for managing the cash flow in their own programs including tracking expenditures and activity for the several accounts that are associated with the Victim Compensation Program. And finally, the county Coordinators are responsible for reporting quarterly to ACJC on program expenditures as well as the crime types and payments that were made in the completed quarter.

Critical to the success of the Victim Compensation Program are county Compensation Board members. Board members are volunteers from the community who decide in public meetings whether claims meet eligibility requirements to receive victim compensation awards. Although Board meetings are held in public, the confidentiality of victim information is maintained. Boards are responsible for making a determination on claim eligibility, as well as the payment amount and the terms that are associated with the award. Boards can grant good cause exceptions for reporting, cooperation, and application submission deadlines. Board members also determine the extent of contributory conduct and reduce or deny claims accordingly. Boards have the ability to approve, reduce, or deny all eligible claims. In Arizona, board members are a critical element of the Victim Compensation Program.

BARRIERS & CHALLENGES TO ACCESSING THE AzCVCP

Victims, survivors and families are in disarray at the time of a violent crime and the harms inflicted often do not dissipate during their life time. One of the most immediate hardships is financial strain as a result of their victimization. Crime victims who are physically assaulted and are hospitalized may not be aware of the medical bills associated with their medically-necessary services, especially if the hospital is not a Tribal or Indian Health Service facility. The medical costs often become known when one is recovering at home and the hospital bills begin to accumulate. Furthermore, some victims may experience loss of job which may lead to the inability to meet other financial obligations. The associated stress and burden escalate, resulting in further emotional and mental harm. To compound the situation, survivors are consumed with judicial obligations and often do not seek assistance for themselves. For families whose relatives are murdered, or as a result of the crime death later occurs, preparation for burial and funeral services become unexpected and costly financial obligations.

The experiences of Victim Advocates/Specialists in Indian Country highlight many barriers and challenges to victims, survivors, and families. Below is a list of some common barriers and challenges:

- AzCVCP Distance from Indigenous Communities – For some Indigenous communities, the county based AzCVCP may be in parts of the county that are not easily traveled to or are too far in distance. Because of the lack of internet, applications are not submitted online and require applicants to travel to the County Attorney's Offices, resulting in the application not being submitted.
- Cooperation with Law Enforcement – The requirement to cooperate with law enforcement can be difficult for victims, survivors and families. Limited information is provided by law enforcement which diminishes cooperation and trust and leads to frustration. Ultimately, the families begin searching for information themselves.
- History of Criminal Involvement – There are instances in which victims and/or survivors may have criminal history in which they are a defendant and are required to pay fines or restitution. The cause of being a defendant is not related to the crime but may be a reason for their ineligibility.
- Lack of Access to the Internet – Several Indigenous communities, many of which are in rural and frontier areas of the state, do not have access to reliable internet and/or other computer-based services such as printing capabilities. The lack of internet services serves as a primary barrier to learning about the AzCVCP, accessing the application, and understanding eligibility requirements. Individuals rely on Victim's Advocates to provide the majority of program information and to assist with acquiring, submitting, and filling out the application on behalf of the applicant.
- Lack of Police Reports – The AzCVCP application requires police reports which are not easily accessible, and some departments require Freedom of Information Act requests. Victim Advocates have become resourceful and have begun submitting a summary of the incident verifying the case number associated with the crime thus justifying an incident is factual. Fortunately, ACJC has accepted a summary of events in lieu of a police report to allow the application to move forward.
- Long Wait Times for Reimbursement – If a survivor is awarded medical expenses, it is a lengthy process before payments are made for hospital or emergency care. This results in survivors being late to pay, further resulting in delinquent credit reporting which causes further harm to a survivor during recovery.
- Mental Health Counseling Limitations – If a survivor is awarded mental health counseling, they are awarded, on average, 6 – 10 visits with a licensed counselor. However, this is not enough time to fully address their immediate mental health needs through professional counseling and healing services

Ineligibility for Missing Persons Cases

When a mentally competent adult goes missing, it is not considered a crime thus making any applications to the AzCVCP ineligible. Only applications that indicate a crime against a victim has been committed are considered. Family members are not able to submit applications for reimbursement for costs associated with finding the missing person or for mental health counseling to assist in coping with having a missing relative. In missing person's incidents, a person can be missing for years, and it is not until they are found that the family and survivor can be eligible to apply for victim compensation.

Missing persons cases often are not reported until past the required time of 72 hours for various reasons, especially if the missing person has a history of being away for periods of time. According to Cornelia Perry of the Navajo Nation Department of Criminal Investigations, "missing persons reports were generally taken only after a waiting period. Furthermore, federal and state laws do not require law enforcement to take missing adult reports" (Perry, 2019). This practice with law enforcement is common and many Tribes do not have a law or code addressing missing persons. All too often, missing persons cases are not a priority, especially in adult cases.

EXAMINING DATA OF THE AzCVCP

Methodology and Results

Victim compensation data was acquired from a partnership with the ACJC. Data regarding victim compensation represents applications and payments made by the county Victim Compensation Programs from January 1, 2018 to December 31, 2019.

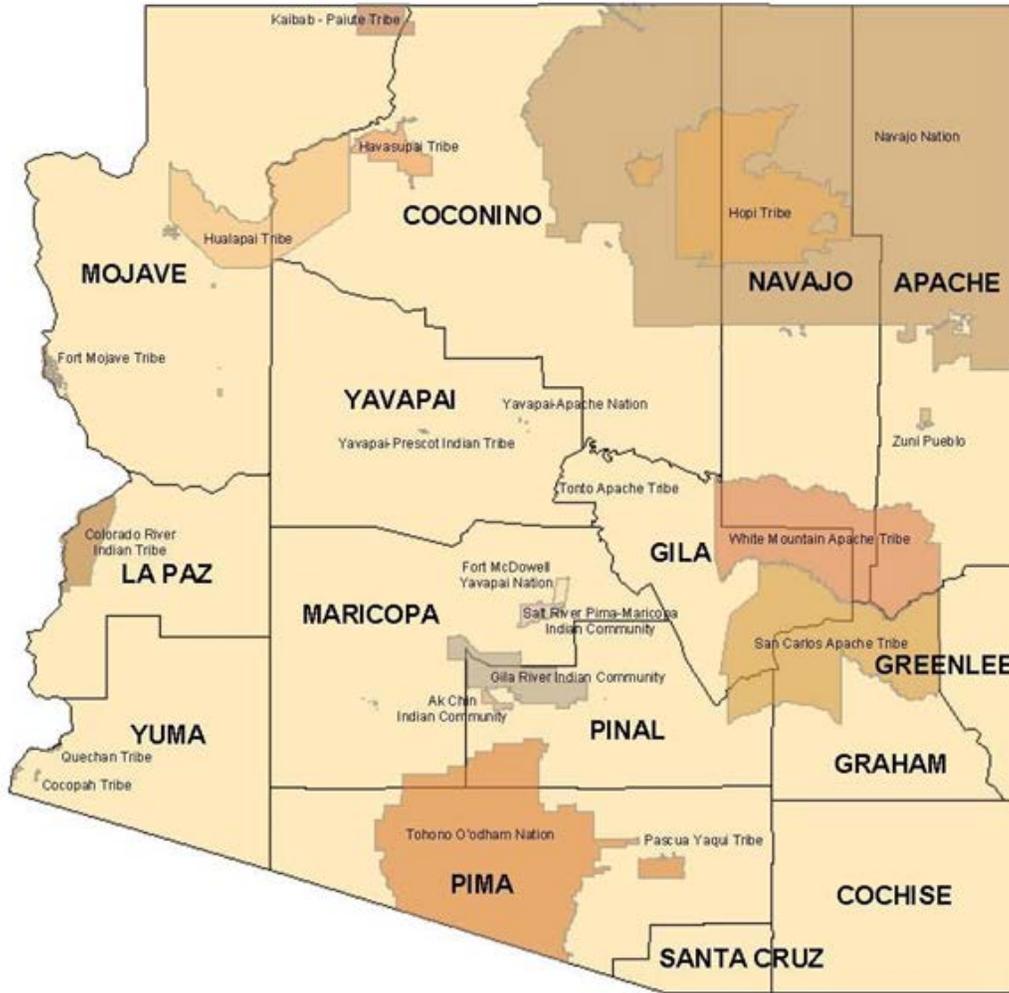
During this time period, the Victim Compensation Program shifted its data collection system to a new data warehouse in which implementation varied from county to county. This data system started in July 2018, with Maricopa, Pima, and Yavapai counties implementing it last. However, Pima County still sends its data in separate data sheets rather than use the new system. Therefore, data from Pima County is extremely limited because it is sent in the aggregate form making it more difficult to explore trends and variables across counties. Within their system, Pima County reported a total of 13 American Indian victim compensation applications during this timeframe. It is important to note that applications to the AzCVCP must be filed in the county that the crime occurred, not where the victim resides. This could possibly account for differences in applications by county.

In order to analyze this data, simple cross tabulations were conducted in order to compare numerous variables to each other. These cross tabulations allow for the identification of trends and gaps in the current AzCVCP.

The AzCVCP received information on applications, awards, and denials through county Victim Compensation Programs. It is important to note that this data only shows the number of applications per county and not what Tribes have specifically applied for compensation. Arizona has 15 counties, and in the following table Tribal Reservations are located within each County except for Cochise, Greenlee, and Santa Cruz Counties.

Apache County	<ul style="list-style-type: none"> ● Navajo Nation ● White Mountain Apache Tribe ● Zuni Pueblo
Cochise County	<ul style="list-style-type: none"> ● None
Coconino County	<ul style="list-style-type: none"> ● Havasupai Tribe ● Hopi Tribe ● Navajo Nation
Gila County	<ul style="list-style-type: none"> ● San Carlos Apache Tribe ● Tonto Apache Tribe ● White Mountain Apache Tribe
Graham County	<ul style="list-style-type: none"> ● San Carlos Apache Tribe
Greenlee County	<ul style="list-style-type: none"> ● None
La Paz County	<ul style="list-style-type: none"> ● Colorado River Indian Tribe
Maricopa County	<ul style="list-style-type: none"> ● Ak-Chin Indian Community ● Fort McDowell Yavapai Tribe ● Gila River Indian Community ● Pascua Yaqui Tribe ● Salt River Pima-Maricopa Indian Community ● Tohono O'odham Nation
Mojave County	<ul style="list-style-type: none"> ● Fort Mohave ● Hualapai Tribe ● Kaibab-Paiute Tribe
Navajo County	<ul style="list-style-type: none"> ● Hopi ● Navajo ● White Mountain Apache Tribe
Pima County	<ul style="list-style-type: none"> ● Pascua Yaqui Tribe ● Tohono O'odham Nation
Pinal County	<ul style="list-style-type: none"> ● Ak-Chin Indian Community ● Gila River Indian Community ● Tohono O'odham Nation
Santa Cruz County	<ul style="list-style-type: none"> ● None
Yavapai County	<ul style="list-style-type: none"> ● Yavapai-Apache Nation ● Yavapai-Prescott Indian Tribe
Yuma County	<ul style="list-style-type: none"> ● Cocopah Tribe ● Quechan Tribe

Map of Arizona indicating County and Tribal boundaries.



Source: Inter Tribal Council of Arizona (N.D.)

Victim Compensation Application

Table 1. Victim Compensation Applications by Ethnicity and County

Table 1 represents the number of victim compensation applicants made from January 1, 2018 to December 31, 2019 in the state of Arizona. The table is divided up by ethnic categories and shows the number of applications received by each county.

The majority (63%, n=1,317) of applications for victim compensation come from Maricopa county followed by Coconino (10%, n=208), and Pinal counties (9%, n=186).

In terms of ethnicity, White Non-Latino/Caucasian is the largest group represented (36%, n=753) followed closely by Hispanic or Latino (34%, n=726), Black/African American (8%, n=173), American Indian/Alaska Native (7%, n=153), some other race (3%, n=67), multiple races (2%, n=41), Asian (1%, n=23), and Native Hawaiian and other Pacific

Islander (0.5%, n=10). Additionally, approximately 8% (n=163) declined to report their ethnicity. Based on the above numbers, it is clear the majority of people who apply to Victim Compensation in Arizona are either White Non-Latino/Caucasian or Hispanic or Latino, which is consistent with the overall ethnic representation of the state.⁶

Table 1. Victim compensation applications by ethnicity and county.

County Name	Ethnicity									Total
	White Non-Latino/Caucasian	American Indian/Alaska Native	Hispanic or Latino	Asian	Black/African American	Native Hawaiian and Other Pacific Islander	Multiple Races	Some Other Race	Decline to Report	
	0	0	0	0	0	0	0	0	0	1
Apache	20	52	2	0	0	0	0	1	2	77
Cochise	8	0	3	0	3	0	0	1	3	18
Coconino	108	67	21	7	1	0	2	0	2	208
Gila	12	2	5	0	0	0	0	0	0	19
Graham	1	0	0	0	0	0	0	0	0	1
La Paz	7	1	0	0	1	2	1	0	0	12
Maricopa	396	24	536	12	160	6	25	19	139	1,317
Mohave	60	2	13	3	1	0	0	0	0	79
Navajo	7	2	0	0	0	0	0	0	0	9
Pinal	98	2	48	1	7	2	13	3	12	186
Santa Cruz	9	0	32	0	0	0	0	0	0	41
Yavapai	16	0	13	0	0	0	0	43	2	74
Yuma	11	1	53	0	0	0	0	0	3	68
Total	753	153	726	23	173	10	41	67	163	2,110

Victim Compensation Request Status

Table 2. Victim Compensation Request Status by Ethnicity

Table 2 represents the majority (86%, n=1,816) of applications approved in the state of Arizona, followed by approximately 9% (n=200) being denied, 4% (n=86) are tabled, and less than 1% each are either partially approved or are currently pending decision.

Specifically, by ethnicity, approximately 90% of White applicants are approved, 9% are denied, and 2% are either pending or tabled. For American Indians, 91% are approved, 4% are denied, and 4% are either pending or tabled. For Hispanic applicants, 80% are approved, 17% are denied, and 3% are either pending or tabled. For Asian applicants, 84% are approved, 10% are denied, and 6% are either pending or tabled. For Black/African Americans, 87% are approved, 8% are denied, and 5% are either pending or tabled. For Native Hawaiian and other Pacific Islander applicants, 93% are approved, 5% are denied, and 2% are either pending or tabled. Approximately 70% of the applicants that identified as some other race were approved, 20% were denied, and 10% received partial funding. Those who identified as multiple races had approximately 94% of applications approved, 3% denied, and 3% either pending or tabled decisions.

⁶ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

Overall, it is clear that the majority of applicants receive approval for their victim compensation applications. Reasons for denial will be discussed later in the report.⁷

Request Status	Ethnicity									Total
	White Non-Latino/Caucasian	American Indian/Alaska Native	Hispanic or Latino	Asian	Black/African American	Native Hawaiian and Other Pacific Islander	Some Other Race	Multiple Races	Decline to Report	
Approved	847	137	828	21	138	7	63	38	137	1816
Denied	74	13	60	1	30	2	2	2	16	200
Partial	0	0	2	0	0	1	0	0	0	3
Pending	2	2	0	0	0	0	0	0	0	4
Tabled	30	1	36	1	5	0	2	1	10	86
Total	753	153	726	23	173	10	67	41	163	2109

Table 3. Request Status by Arizona County

As stated in the previous table, Table 3 displays the request status of applications by Arizona county. Similar to previous findings, the majority of applications are approved, with the most applications being filed in Maricopa county followed by Coconino county.⁷

Request Status	County Name													Total
	Apache	Cochise	Coconino	Gila	Graham	La Paz	Maricopa	Mohave	Navajo	Pinal	Santa Cruz	Yavapai	Yuma	
Approved	71	17	192	10	1	12	1,105	71	9	159	37	71	61	1,816
Denied	5	0	15	1	0	0	153	6	0	13	3	2	2	200
Partial	0	0	0	0	0	0	0	0	0	3	0	0	0	3
Pending	0	0	0	3	0	0	0	1	0	0	0	0	0	4
Tabled	1	1	1	5	0	0	59	1	0	11	1	1	5	86
Total	77	18	208	19	1	12	1,317	79	9	186	41	74	68	2,109

Table 4. Victim Compensation Payments by County and Ethnicity

Within each victim compensation application, an individual may request a number of different expenses incurred by the victimization, resulting in multiple payments. Table 4 displays the number of payments requested by applicants by county and ethnicity. The total number of payments (10,258) is higher than the number of applications (2,110) due to the ability of applicants to request multiple payments within one application. We find similar trends in the payments data compared to the application data; that is, the majority of payments come from Maricopa county and are requested by either White Non-Latino/Caucasian or Hispanic or Latino applicants. In terms of American Indian applicants, 354 payments were made which is approximately 3% of all payments made in the state. This finding highlights a potential problem in the Victim Compensation Program. Although American Indians represent only 7% of all applications, they may not

⁷ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

know about the program or what they are able to request compensation for. It is important to further explore American Indian's knowledge of the Victim Compensation Program and their access to it.⁸

Table 4. Victim compensation payments by county and ethnicity.

County Name	Ethnicity									
	White Non-Latino/Caucasian	American Indian/Alaska Native	Hispanic or Latino	Asian	Black/African American	Native Hawaiian and Other Pacific Islander	Some Other Race	Multiple Races	Decline to Report	Total
Apache	32	51	5	0	0	0	0	0	0	88
Cochise	22	0	13	0	1	2	0	0	0	38
Cocconino	354	158	66	10	1	6	0	5	31	631
Gila	24	0	1	0	0	0	0	0	0	25
Graham	6	0	0	0	0	0	0	0	0	6
Greenlee	1	0	0	0	0	0	0	0	0	1
La Paz	29	1	14	0	0	0	0	8	0	52
Maricopa	1,437	45	3,944	46	305	1	292	32	360	6,462
Mohave	454	4	61	5	3	0	0	0	0	527
Navajo	102	68	26	0	8	6	2	0	13	225
Pima	316	25	199	0	46	0	3	42	83	714
Pinal	365	1	139	0	20	0	53	100	82	760
Santa Cruz	26	0	73	0	0	0	0	0	0	99
Yavapai	139	0	2	0	0	0	128	0	1	270
Yuma	53	1	284	0	9	0	0	8	5	360
Total	3,360	354	4,827	61	393	15	478	195	575	10,258

Table 5. Average Victim Compensation Amount and Number of Payments by Ethnicity

Given the number of payments made to each ethnic category, we can estimate the average expense amount paid (see Table 5). Specifically, for American Indian/Alaska Native applicants, the average expense amount was \$906.75 for the 354 payments. The maximum payment was \$12,621.20 and the minimum was \$0. It is important to note that the maximum that an applicant can receive is \$25,000.⁹

Table 5. Average victim compensation expense amount and number of payments by ethnicity.

Ethnicity	Average Expense Amount	Number of Payments
White Non-Latino/Caucasian	\$616.69	3,360
American Indian/Alaska Native	\$906.75	354
Hispanic or Latino	\$510.80	4,827
Asian	\$853.03	61
Black/African American	\$1,189.81	393
Native Hawaiian and Other Pacific Islander	\$988.71	15
Some Other Race	\$677.58	478
Multiple Races	\$528.00	195
Decline to Report	\$824.23	575

⁸ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

⁹ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

Table 6. Number of Native American Applicants by Gender and County

Table 6 and the following tables focus specifically on American Indian applications made in the state of Arizona. The table below shows the number of applications by county and gender. In Arizona, there were 95 female applications and 58 male applications to the Victim Compensation Program. For American Indians, the majority of applications came from Coconino county (44%, n=67) followed by Apache (34%, n=52) and Maricopa counties (16%, n=24).⁹

County Name	Gender		Total
	Female	Male	
Apache	33	19	52
Cochise	0	0	0
Coconino	45	22	67
Gila	1	1	2
Graham	0	0	0
La Paz	0	1	1
Maricopa	11	13	24
Mohave	2	0	2
Navajo	1	1	2
Pima	0	0	0
Pinal	1	1	2
Santa Cruz	0	0	0
Yavapai	0	0	0
Yuma	1	0	1
Total	95	58	153

Table 7. Number of Native American Payments Made by Gender and County

From the 153 American Indian applications that were submitted, 354 payments were made. About 56% (n=198) were to females while the other 44% (n=156) were made to male applicants. Consistent with the prior table, Coconino county made the most payments to applicants (45%, n=158). However, there was a surprising finding in this data, as the second largest amount of payments was made by Navajo county even though they represent 2 applications. This suggests that even though a county may only have a few applications, they may be making several payments to these individuals based on the compensation they requested.¹⁰

¹⁰ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

County Name	Gender		Total
	Female	Male	
Apache	21	30	51
Cochise	0	0	0
Coconino	92	66	158
Gila	0	0	0
Graham	0	0	0
La Paz	0	1	1
Maricopa	34	11	45
Mohave	4	0	4
Navajo	31	37	68
Pima	16	9	25
Pinal	0	1	1
Santa Cruz	0	0	0
Yavapai	0	0	0
Yuma	0	1	1
Total	198	156	354

Table 8. Request Status for Native American Applicants by Gender

As was the trend with the larger sample of applications, the majority (90%, n=137) of applications are approved. Specifically, for gender, 88% (n=84) of female applications are approved, 9% (n=9) are denied, 1% (n=1) are pending, and 1% (n=1) are tabled. For males, 91% (n=53) are approved, 7% (n=4) are denied, and 2% (n=1) are tabled.

Request Status	Gender		Total
	Female	Male	
Approved	84	53	137
Denied	9	4	13
Pending	1	1	2
Tabled	1	0	1
Total	95	58	153

Table 9. Reason for Denied Native American Application by Gender

Of the 13 total American Indian applications that were denied (female=9; male=4), there are a number of reasons why the application was denied which varies by gender (see Table 9). For females, 22% (n=2) were denied due to the commission of a crime, 22% (n=2) were denied due to an ineligible application, 22% (n=2) were denied due to a non-processed, withdrawn application or another reason, 11% (n=1) were denied for contributory conduct, 11% (n=1) were denied due to failure to report within 72 hours, and 11% (n=1) were denied because they were unwilling to aid. For male applicants, 75%

(n=3) were denied due to contributory conduct and the other 25% (n=1) were denied because they were unwilling to aid.¹¹

Reason for Denial (if denied)	Gender	
	Female	Male
Commission of Crime	2	0
Contributory Conduct	1	3
Failure to Report within 72 Hours	1	0
Ineligible Application	2	0
Non-processed/ Withdrawn/ Other	2	0
Unwilling to Aid	1	1
Total	9	4

Table 10. Native American Victim Type by Gender

There are three different types of people that can apply to the Victim Compensation Program. First is the victim of the crime; second is a derivative victim, which can include persons such as the spouse of the victim; and third, the claimant, which is usually a witness to the crime. For American Indian applicants, the majority were victims (48%, n=74), followed by claimants (34%, n=52), and derivative victims (18%, n=27). For females, the majority filed as the victim (57%, n=54), followed by the claimant (31%, n=29) and derivative victim (13%, n=12). For males, the majority filed as a claimant (40%, n=23), then as a victim (34%, n=20) and derivative victim (26%, n=15).¹¹

Victim Type	Gender		Total
	Female	Male	
Claimant	29	23	52
Derivative Victim	12	15	27
Victim	54	20	74
Total	95	58	153

Table 11. Expense Type Requested by Native American Applicants by Gender

Applicants to the Victim Compensation Fund can request a number of different expenses to be compensated for, the above table displays the type of expenses requested by

¹¹ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

American Indian applicants by gender. For females, most payments made were for mental health services (33%, n=65), followed by medical/dental expenses (16%, n=31), funeral or burial costs (13%, n=26), and travel for mental health services (12%, n=24) being the top expenses females requested. In terms of male applicants, the majority of payments were made for funeral or burial costs (22%, n=35), followed by travel for mental health services (22%, n=34), travel for court (19%, n=29), and mental health services (16%, n=25) being the top expenses requested for males.¹²

Table 11. Expense type requested by Native American applicants by gender.

Expense Type	Gender		Total
	Female	Male	
Crime Scene Cleanup	0	1	1
Medical - Perm Disabled	2	0	2
Funeral/Burial	26	35	61
Medical/ Dental	31	14	45
Mental Health	65	25	90
Travel - Court	19	29	48
Travel - Forensic Exam/ Interview	10	1	11
Travel - Safety	1	0	1
Travel - Mental Health	24	34	58
Travel - Medical/ Dental	9	4	13
Non-Professional Crime Scene Cleanup	0	1	1
Work Loss	11	12	23
Total	198	156	354

Table 12. Average Native American Victim Compensation Expense Amount and Number of Payments by Gender

For each expense requested by American Indian applicants, there is an average expense amount for both females and males (see Table 12). The average expense amount for females is \$780.46 out of the 198 payments, with a maximum payment of \$12,621.20 and a minimum of \$0. For males, the average payment is \$1,067.05 out of the 156 payments, with a maximum payment of \$10,000 and a minimum payment of \$13.78. This table shows that although women are requesting more expenses to be paid out, the amount of money requested and/or paid is less than males. This could be possible due to the type of expenses that women are requesting compared to men.¹²

¹² Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

Gender	Average Expense Amount	Number of Payments
Female	\$780.46	198
Male	\$1,067.05	156

Table 13. Type of crime for Native American applicants by gender The final table displays the type of crime that an American Indian applicant experienced and/or is requesting compensation for by gender. For women specifically, most applicants requested compensation for assault (39%, n=77), child sexual abuse (24%, n=48), homicide (17%, n=34), and sexual assault (8%, n=15). This highlights the violence that impacts Native women in the state. For men, most applicants requested compensation for homicide (60%, n=93), followed by child sexual abuse (16%, n=25), and assault and vehicular manslaughter (9%, n=14). This table shows that there are similarities in the types of crimes experienced and/or applied for by both American Indian women and men.¹³

Crime Type	Gender		Total
	Female	Male	
Assault	77	14	91
Arson	0	3	3
Burglary	1	0	1
Child Physical Abuse/ Neglect	0	2	2
Child Sexual Abuse	48	25	73
Disorderly Conduct	4	0	4
Dog Bite	1	0	1
DWI/DUI	0	2	2
Fraud/ Financial Crimes	8	0	8
Homicide	34	93	127
Sexual Assault	15	0	15
Vehicular Crimes	1	3	4
Vehicular Manslaughter	9	14	23
Total	198	156	354

¹³ Stanek, K. (2020). *Victim Compensation Program Data Analysis*. Arizona State University, School of Criminology and Criminal Justice.

RECOMMENDATIONS

The AzCVCP has impacted many Indigenous people in Arizona by providing financial reimbursement for eligible services. As the data suggests, there is still a need for the AzCVCP to be accessed so that it impacts all Indigenous communities in Arizona. Below is a list of recommendations, to be considered, that may enable greater access of the AzCVCP for victims and family members of MMIWG. The recommendations are categorized into Legislative and Administrative levels of advocacy.

Legislative Recommendations

1. Amend A.R.S. § 41-2404 so that it includes a member to ACJC that represents a Tribe in Arizona. Currently, the ACJC is not mandated to have a member from a Tribe on the Commission. Although, there is an opportunity to have a member from a Tribe to serve as one of the 14 members that are appointed by the Governor.
2. Establish an Arizona Missing Persons Assistance Fund.

Administrative Recommendations

3. Through the Rulemaking Process amend R10-4-108 - Compensation Award Criteria, so that:
 - a. Native American ceremony or burial are considered reasonable and customary funeral expenses and shall be included in a claim for a compensation award.
 - b. The mental health counseling and care that is provided by an individual who is employed or contracted under the auspices of a Tribal health care organization, the Indian Health Services, or an Urban Indian Health Program shall be included in a claim for a compensation award.
4. Establish a Victim Compensation Board that is from a Tribal jurisdiction.
5. Require membership on County Compensation Boards to be representative of the Tribal nations that are within their boundaries.
6. Conduct regular and ongoing Tribal consultations with the 22 land-based Tribes in Arizona regarding the AzCVCP and how it can identify strategies to increase access to the AzCVCP.
7. Conduct regular and ongoing outreach and education about the AzCVCP and other programs within the ACJC to Indigenous communities, both on and off Reservation.
8. Ensure applications include a field that captures Tribal affiliation.
9. Provide ongoing data analysis and information that describes the trends of Indigenous communities accessing the AzCVCP.

These initial recommendations can be a significant first start in ensuring that Indigenous victims, survivors, and families gain greater access to the AzCVCP. The recommendations require collaboration between the state, Tribes, Indigenous

communities, and advocates to ensure implementation is relevant to Indigenous communities.

CONCLUSION

The serious issue of MMIWG has plagued Indigenous communities in Arizona for far too long and has resulted in multiple traumas for entire families and communities. Efforts to more clearly understand the prevalence of MMIWG in Arizona is beginning, as is understanding the necessary support and resources that survivors, victims, and families require. We have studied available data from the AzCVCP that support factors that may lead up to missing and murdered Indigenous women and girls. In addition, we have learned through the stories of families, victims, survivors, and advocates about their experiences in accessing the needed help from the AzCVCP.

It is of the utmost importance that resources, and support be intentionally directed to Indigenous communities to prevent Indigenous women and girls from going missing or murdered in the first place. In addition, resources and support must be focused on the families and survivors who have to deal with the repercussions of these tragic events. The AzCVCP is an available program that may assist with the financial obligations and stress associated when crimes are committed. As evidenced by the data provided, American Indians utilize the AzCVCP, but opportunities and solutions exist to increase the likelihood of them accessing the program.

APPENDIX A: List of Arizona County Victim's Compensation Programs and Phone Numbers

Apache County Attorney's Office
P.O. Box 637
St. Johns, AZ 85936
(928) 337-7560
Website

Mohave County Attorney's Office
Crime Victim Compensation Program
P.O. Box 7000
Kingman, AZ 86402-7000
(928) 718-4967
Website

Cochise County Attorney's Office
Victims Witness Program
P.O. Drawer CA
Bisbee, AZ 85603
(520) 432-8700
Website

Navajo County Attorney's Office
Navajo County Victims Services
P.O. Box 668
Holbrook, AZ 86025
(928) 524-4367
Website

Victim/Witness Services for Coconino
County
Coconino County Crime Victim
Compensation Board
201 E. Birch, Suite 4
Flagstaff, AZ 86001
(928) 679-7770
Website

Pima County Attorney's Office
Pima County Crime Victim
Compensation Program
32 N. Stone Ave., 14th Floor
Tucson, AZ 85701
(520) 724-5525
Website

Gila County Attorney's Office
Victim Services Unit
1400 E. Ash Street
Globe, AZ 85501
(928) 402-8836
Website

Pinal County Attorney's Office
Pinal County Crime Victim
Compensation Program
P.O. Box 1798
Florence, AZ 85132
(520) 866-6805
Website

Graham County Attorney's Office
Victim/Witness Program
800 West Main Street
Safford, AZ 85546
(928) 428-4787
Website

Santa Cruz County Attorney's Office
2150 N. Congress Dr., Suite 201
Nogales, AZ 85621
(520) 375-7780
Website

Greenlee County Attorney's Office
P.O. Box 1717
Clifton, AZ 85533
(928) 865-4108
Website

Yavapai County Attorney's Office
Victim Compensation
255 E. Gurley St., 1st Floor
Prescott, AZ 86301
(928) 771-3485
Website

La Paz County Attorney's Office
1320 Kofa Avenue
Parker, AZ 85344

(928) 669-6118
Website

Yuma County Attorney's Office
Yuma Victim Services Division
250 W. 2nd Street, Suite G
Yuma, AZ 85364
(928) 817-4300

Website

Maricopa County Attorney's Office
Victim Compensation Bureau
301 W. Jefferson, 9th Floor
Phoenix, AZ 85003
(602) 506-4955
Website

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Appendix I:

**Criminal Justice Problems in Arizona Indian Country & Barriers to
Protecting Murdered & Missing Indigenous Women & Girls in
Arizona**

Criminal Jurisdiction Problems in Arizona Indian Country & Barriers to Protecting Missing & Murdered Indigenous Women & Girls in Arizona

August 28, 2019

The first responsibility of any government, tribal or otherwise, is the safety and protection of its people. For there can be no security or peace where there is insecurity and fear. Violent behavior against intimate partners or vulnerable family members by tribal members or non-Indians and missing and murdered family members are matters that can no longer be tolerated. Protecting victims of violent crime, domestic violence, and sexual assault is about justice and safety, and it is also about fairness, and dignity. The starting place to reverse historical jurisdictional problems and injustices in Indian Country is with strong tribal justice systems, better data collection, and more coordination between tribal, state, and federal law enforcement and court systems. Arizona is in a unique position to close jurisdictional gaps and safe havens for lawbreakers.

Violence Against American Indian and Alaska Native Women:

“More than 4 in 5 American Indian and Alaska Native women (84.3 percent) have experienced violence in their lifetime. This includes:

- ■ 56.1 percent who have experienced sexual violence.
- ■ 55.5 percent who have experienced physical violence by an intimate partner.
- ■ 48.8 percent who have experienced stalking.
- ■ 66.4 percent who have experienced psychological aggression by an intimate partner.

Overall, more than 1.5 million American Indian and Alaska Native women have experienced violence in their lifetime. More than 1 in 3 American Indian and Alaska Native women (39.8 percent) have experienced violence in the past year. This includes:

- ■ 14.4 percent who have experienced sexual violence.
- ■ 8.6 percent who have experienced physical violence by an intimate partner.

- ■ 11.6 percent who have experienced stalking.
- ■ 25.5 percent who have experienced psychological aggression by an intimate partner.

There are major flaws in the jurisdictional configuration of Arizona Indian Country. The criminal and civil jurisdictional structure, underserved reservations, inadequate federal law enforcement response, and the lack of resources have prevented tribes and the State from properly protecting women and children from harm and has instead, caused them to experience actual physical harm, fear, and marginalization. The lack of access to justice or redress, based on where indigenous women and girls happen to live, their gender, their economic circumstances, and their status as tribal women, helped to create a historic pattern of violence, trauma, abuse, and an increased risk of sexual and economic exploitation, stalking, and sex trafficking. Also, acts of domestic and dating violence perpetrated by non-Indians are still going unprosecuted in Arizona's Indian Country. The long-term trauma associated with the lack of justice has severely impacted the public health, welfare, and vitality of Arizona Reservation communities.

Recent and important Tribal justice measures presented some Indian Nations in Arizona with an opportunity to restore and exercise selected authority to protect their people from crime and violence. Not only are Tribes able to address human rights abuses perpetuated for decades upon women and children, but tribes are also able to do this while guaranteeing the civil rights of the accused. On the other hand, just like when a major storm passes, communities will have to take time to survey the harm, reconcile with victims and families, and rebuild the trust that has been lost. Today, in 2019, a public safety and public health crisis is still present on most Native American reservations and communities, especially in the remote villages of our relatives on the Navajo and Tohono O'odham Nations. There are shattered homes across Arizona's Indian Country. The long-term lack of security for women and children has brought on a "crisis of confidence" in tribal, state, and federal justice systems.

“Crime does not respect borders” and does not stay in one jurisdiction. The State of Arizona needs additional tools and mechanisms to help address crime in a multi-jurisdictional environment to address violence, drugs, and missing and murdered Indigenous women and girls (MMIWG). Most Arizona Tribes do not exercise criminal jurisdiction over non-Indian offenders and the State does not generally exercise criminal jurisdiction on Indian Reservations.¹ Flexibility exists for tribal law enforcement, in terms of cross-deputization agreements (MOUs), Task Forces, Arizona P.O.S.T. certified officers, and State statutory authority.^{2 3}

When a resident of one State crosses the border to visit another, that individual is subject to the criminal jurisdiction of the State he or she is visiting, his external criminal history may also be considered. Likewise, noncitizens visiting or residing in the United States are subject to federal and State criminal jurisdiction, despite their citizenship status. Similarly, crime in Arizona spills on to and off Reservation communities, Tribes need authority to address wrongdoers who venture onto tribal lands to do harm. However, many tribes do not have the resources to provide comprehensive changes to their systems or guarantee suitable services for victims and their families. Any new legal and jurisdictional framework will not work absent the proper funding for state and tribal courts, victims, and support services.

A three-pronged “jurisdictional maze”⁴ made up of federal, tribal, and State governments lacking proper coordination, communication, and accountability is the primary reason for victims being neglected, criminals escaping punishment, and for the human rights crisis of MMIWG in Arizona. As a result of a series of federal statutes and court decisions, tribes lack the territorial jurisdiction

¹ , No. 1 CA-CR 15-0635, 2017 Ariz. App. Unpub. LEXIS 817 (Ariz. Ct. App. June 22, 2017).

² A.R.S. § 13-3874(A) (2001).

³ (App. Div.1 2004) 208 Ariz. 5, 90 P.3d 206.

⁴ Clinton, Robert. Ariz.L.Rev. 503 (1976).

states possess. Instead, criminal jurisdiction in Indian country is divided between three jurisdictions. This fractured authority creates a great deal of confusion and requires extensive coordination between police departments, prosecutors' offices, court systems, probation/parole offices, and victim service providers.

The primary agencies responsible for Indian Country crime are tribal agencies/systems. Responses by federal and state agencies in Indian Country are informed and affected by limited resources, case law, proximity to tribal lands, limited jurisdiction on tribal lands, and by cross-jurisdictional agreements and MOUs with tribal governments. While most of all crimes prosecuted in Arizona Indian Country are prosecuted in Tribal courts, a large percentage of violent crimes (Major Crimes) are referred to United States Attorney's Office for prosecution. Agencies that refer crimes include the Bureau of Indian Affairs (BIA); Federal Bureau of Investigation (FBI); FBI-led task forces; and local tribal law enforcement. Indian country jails and detention facilities are either operated via tribal authorities, tribal contracted facilities, the BIA, BIA off-Reservation contracts, or the Bureau of Prisons (primarily for federal cases). Some Tribes contract with local counties or with private correctional facilities.

The BIA, Office of Justice Services (BIA-OJS) funds and supports Arizona tribal justice programs through recurring federal appropriations, it includes both BIA-operated and tribally-operated programs. Eighty percent of the total BIA-OJS programs are under contract and control of Arizona Tribes as authorized under Public Law 93-638. These programs have been historically chronically underfunded. Law Enforcement, Detention and Corrections, and Tribal Courts funding is distributed according to historical allocations. Factors that determine the amount of funding per program include, the violent crime rate, staffing levels and shortages by parity ratios, service

population, size and land base to be serviced, calls for service, and prevalence of drug and gang activity. Federal funding, augmented by tribal revenues and federal grants, support tribal law enforcement, detention/corrections, and tribal court programs. All agencies produce and have access to criminal and civil case related data. Some aggregate data is reported and shared directly to the BIA or to grant funders.

Arizona Tribes have begun to obtain access to national record and information systems and are actively sharing some criminal justice information like orders of protection, criminal warrants, sex offender information, and criminal convictions of domestic violence offenders through the Department of Justice Tribal Access Program (TAP). But tribes still need technical assistance in the development of their programs and to help them automate and submit complete records to protect victims or to prevent the purchase of firearms by those who are prohibited from purchasing or possessing a firearm under federal or state law. In Arizona, many tribes still do not have the capability or technology to transmit records to national systems, either through their own infrastructure or through the Arizona Department of Public Safety. Some tribal programs have not yet converted their manual paper records to electronic versions. Tribes in Arizona, either through tribal law enforcement agencies or BIA direct service programs, generally do not share reliable criminal data or statistics to the FBI's Uniform Crime Reports, the National Incident-Based Reporting System (NIMBRS), or the National Institute of Justice's National Missing and Unidentified Persons System (NamUs).

The data that is submitted to national or state databases and repositories by law enforcement agencies have several limitations that make them unsuitable for analyzing tribal and local crime that impacts the Native American population in Arizona (on and off Reservation). For example, to address this problem, NamUS added additional data fields for missing person cases. These fields

were added to “better gather relevant information related to the investigation of a missing and/or unidentified indigenous person case, in the hope of resolving more cases, and to foster better communication across tribal, local, state, and federal jurisdictions.”⁵

The U.S. Department of Justice (DOJ) has also expanded the TAP and Amber Alert in Indian country to make law enforcement more aware of missing persons and to enhance their ability to be responsive to missing persons reports and Sexual Offender Registration and Notification Act (SORNA) registrants in the area. TAP also enables tribal law enforcement to have access to national law enforcement databases and to immediately and directly enter missing persons reports into them.⁶ TAP provided the ability to access and exchange data with national crime information databases for both civil and criminal purposes. Tribes receive a kiosk workstation that provides access to national systems as well as training to support their governmental needs. Tribal agencies including law enforcement, prosecutors, courts, and probation departments have access to the system. Tribal civil agencies are also eligible to use TAP. TAP enhances tribal efforts to register sex offenders pursuant to the Sex Offender Registration and Notification Act (SORNA); have orders of protection enforced off-reservation; protect children; keep firearms away from persons who are disqualified from receiving them; improve the safety of public housing; and allow tribes to enter their arrests and convictions into national databases.

“The DOJ launched TAP in August 2015 and has expanded yearly to provide Tribes access to national crime information systems for both civil and criminal purposes. TAP allows tribes to

⁵ To help address the significant challenges in collecting data regarding missing and murdered American Indian and Alaska Native people, the Department of the Interior’s Bureau of Indian Affairs (BIA) and the DOJ partnered together to capture tribal data through new data fields in the National Missing and Unidentified Persons System.

⁶ The following Tribes in Arizona now have access to National Criminal Information systems through the DOJ TAP program: Pascua Yaqui, Tohono O’odham Nation, Hopi Tribe, Ft. McDowell, Gila River Indian Community, Salt River Pima Maricopa Indian Community, White Mountain Apache, Colorado River Indian tribes, Yavapai Apache Nation, and the Navajo Nation.

more effectively serve and protect their nation's citizens by ensuring the exchange of critical data across the Criminal Justice Information Service systems and other national crime information systems.⁷ TAP is funded by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking , the Office of Community Oriented Policing Services , and the Office for Victims of Crime. Tribes can use TAP to support criminal justice purposes such as: law enforcement efforts in Indian country; sex offender registries authorized by the Adam Walsh Child Protection and Safety Act; and to assist in providing services to victims of crime.”⁸

⁷ <https://www.justice.gov/tribal/tribal-access-program-tap>

⁸ Id. ; <https://www.justice.gov/tribal/national-crime-information-systems>

Appendix J:

Adopted Committee Recommendations

MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS (MMIWG) RECOMMENDATIONS

LEGISLATIVE RECOMMENDATIONS

1. Introduce legislation (A.R.S. § 41-2404) to require that at least one member of the Arizona Criminal Justice Commission (ACJC) be a representative from an Arizona land-based Indian Tribe.
2. Establish an Arizona Missing Persons Assistance Fund.
3. Partner with Congressional delegation to reauthorize and amend the Violence Against Women Act (VAWA) to fully restore Tribal inherent criminal and civil jurisdiction, through a full "Oliphant-Fix."
4. Propose the expansion of legislative language pertaining to the safety and protection of all people to be inclusive of people of color, the LGBTQ and Two-Spirit community, and Indigenous Peoples.
5. Mandate law enforcement agencies report missing and unidentified persons and conduct National Missing & Unidentified Persons System (NamUs) entry within a designated time period.
6. Mandate all police departments report all cases of missing children to the National Center for Missing and Exploited Children (NCMEC).
7. Require all law enforcement training around missing and murdered Indigenous Peoples be co-developed with Tribal governments and Tribal organizations utilizing subject matter experts.
8. Create legislation to ensure statewide documentation of race, gender, and ethnicity in all law enforcement reports and forms.
9. Introduce legislation reauthorizing and funding continued research on MMIWG and Missing and Murdered Indigenous People (MMIP).
10. Work with federal partners to expand VAWA and Tribal Court jurisdiction.
11. Develop a model state statute creating Special County Deputy Prosecutors and provide necessary funding.
12. Form an Arizona State Missing and Murdered Indigenous Persons Task Force or recommend the addition of Arizona members and state funding to existing federal offices located in the Gila River Indian Community (GRIC) or the Indian Country Justice Network.
13. Add Indigenous representatives to Arizona Boards or Commissions (e.g., ACJC, AZPOST, and Arizona Department of Homeland Security Regional Advisory Councils).
14. Introduce legislation to establish the definition of MMIWG as: "Indigenous women and girls, or Indigenous persons who identify as female, who are missing or have lost their lives from violence caused by another person".

LAW ENFORCEMENT RECOMMENDATIONS

1. Develop approaches to close law enforcement gaps, delineate jurisdictional responsibility, and enforce accountability while respecting sovereignty, through inter-jurisdictional communication, intergovernmental agreements, and increased coordination.
2. Develop and implement a statewide missing persons policy for both children and adults that outlines step-by-step procedures.
3. Facilitate cross-deputization (permission to cross-borders) for Tribal law enforcement departments and officers to share information pertaining to investigations and case reviews.
4. Encourage memorandums of understanding (MOUs) between Tribal and non-Tribal law enforcement agencies.
5. Establish a law enforcement task force for missing persons that includes Tribal law enforcement agencies with an emphasis on victims' rights and victim advocacy as part of the process.

6. Increase the recruitment of Indigenous Peoples in all levels of law enforcement agencies and allow Indigenous recruits to request being assigned to their home area, if jurisdiction allows.
7. Increase training and community orientations for law enforcement officers, including cultural awareness and competency, sensitivity to victims and their families, communication with families and survivors, Tribal sovereignty, MMIWG, and violence against Indigenous Peoples.
8. Provide cultural sensitivity training to Arizona prosecutors and judiciary who might encounter crimes involving MMIWG.
9. Train cross-deputized departments on tribal jurisdiction considerations.
10. Require Tribal affiliation data be collected by law enforcement and/or prosecutors on every victim.
11. Train law enforcement officers to ask victims if they are Native American and Tribal affiliation.
12. Ensure that any sexual assault and rape kits submitted by Tribal Law Enforcement agencies to any agency that contracts to process forensic examination evidence and be processed on a timely basis.
** (needs more specific language)
13. Develop a program and partnership with County Medical Examiners and Tribes to create a project that establishes a safe, humane, and effective process for families of MMIWG and MMIP similar to the [Colibri Center](#) and in association with the 12 federally funded Regional Tribal Epidemiology Centers.

ADMINISTRATIVE RECOMMENDATIONS

1. Establish a permanent MMIP focused state office run by Indigenous Peoples that partners with all 22 Tribes to ensure the coordination of training, services, resource allocation, relationship building, collaboration, and data fidelity.
2. Through the Rulemaking Process amend R10-4-108 – Modify the Arizona Victim Compensation Fund Award Criteria so that:
 - a. Native American ceremony or burial are considered reasonable and customary funeral expenses and shall be included in a claim for a compensation award.
 - b. Mental health counseling and care that is provided by an individual who is employed or contracted with a tribal health care organization, the Indian Health Services, any Veteran's Administration (VA) provider, or an Urban Indian Health Program shall be included in a claim for a compensation award.
3. Permit the Arizona Crime Victim Compensation Program (AzCVCP) to include Missing Person cases (both MMIWG and MMIP) as being eligible to receive compensation.
4. Establish a Victim Compensation Board representative of Tribal jurisdiction.
5. Conduct regular and ongoing consultations with the 22 Arizona land-based Tribes regarding the AzCVCP.
6. Conduct regular and ongoing outreach and education about the AzCVCP and other programs within the ACJC to Indigenous communities, both on and off the Reservation.
7. Ensure designation of Tribal affiliation by AzCVCP applicants.
8. Provide ongoing data analysis and information regarding Indigenous communities' access to the AzCVCP.

VICTIM SERVICE RECOMMENDATIONS

1. Provide funding opportunities and increase current funding opportunities for Tribes and Tribal non-profit agencies or those led by Indigenous People that serve Indigenous victims.
2. Offer survivors and family members of MMIWG wrap-around services from a network of agencies and centralize the provisions of services where appropriate.

3. Increase access and funding to shelters and safe houses for survivors fleeing violence in urban areas and in Tribal communities with a prioritization of shelters on Tribal lands.
4. Increase access to Indigenous legal advocates to help survivors and families navigate the legal system and to accompany survivors to court proceedings.
5. Provide a centralized reporting site for missing and murdered persons that honors the unique nature of all of the 22 Arizona land-based Tribes and urban Indian population that provides an accurate account of MMIWG in Arizona.
6. Identify potential placements for a 24-hour MMIWG crisis hotline, whether it be consolidated under an existing hotline or the creation of a new one.

DATA IMPROVEMENT RECOMMENDATIONS

1. Conduct a comprehensive follow-up study to determine the scope of the MMIWG crisis by examining each of the factors that contribute to incidents of MMIWG, and to determine the scope and impact of MMIWG in Arizona.
2. Establish methods and protocols for tracking, gathering, and collecting data on violence against Indigenous Peoples, including data on MMIWG, by Tribal affiliation.
3. Request that the federal government fully fund the Department of Justice (DOJ) Tribal Access Program (TAP) to provide access to federal crime databases, in order to enhance the safety of Indian Country, enable information sharing, and eliminate safe havens for criminals, pursuant to the Tribal Law and Order Act of 2010 (TLOA), 25 U.S.C. §2810 (2010).
4. Establish MOUs to enable Tribal law enforcement agencies without TAP capabilities to gain access to the Arizona Department of Public Safety criminal database.
5. Include data points in NamUs to publicly document historical missing persons, including solved cases. The data should also include information on the outcome of resolved missing persons cases.
6. Incorporate data on MMIP to include information on race and Tribal affiliations for victims and offenders.
7. Fund law enforcement agencies and provide resources to improve training on appropriate ways to classify victims.
8. Invest in technological infrastructure and public records administration resources of all law enforcement agencies, including the digitalization of records.
9. Increase access to local and national law enforcement data and remove restrictions to enable the compilation of comprehensive case files.
10. Streamline and reduce the burdens of Freedom of Information Act (FOIA) requests, including reducing financial costs and time delays, as much as practicable.
11. Allow Arizona Tribes to have full access and input to information available in currently restricted databases, such as NamUs, Tribal Access Program (TAP), National Crime Information Center (NCIC), and Criminal Justice Information Services (CJIS), as much as practicable. Provide Tribes access to edit or add to the data on their citizens, and require notification to the Tribe when a Tribal member has been added to a database.

RESOURCE ALLOCATION RECOMMENDATIONS

1. Centralize and specify permanent funding and technical assistance available to Arizona land-based Tribes.
2. Strategically improve outreach and dissemination of available and up-to-date resources to Arizona Tribal communities.

3. Collaborate with Tribal communities, organizations, and border towns to create and develop Sexual Assault Response Teams (SART), with a special emphasis on Tribal cultural competency.
4. Create and disseminate information kits for survivors and families of MMIWG with resources, service directories, and orientation to the legal system. **(Reference back to VCF program)
5. Call for the increase of federal funding for Arizona Tribal justice systems through the Tribal Justice Support Act, (Title 25 U.S.C. 3602 et seq.) and the Office of Tribal Justice Support, within the Bureau of Indian Affairs.
6. Support and call for appropriations by the federal government to directly fund the design, development, and construction of Arizona Tribal courts, multi-purpose justice centers, Tribal correctional facilities, Tribal facilities for law enforcement, drug and alcohol treatment and programming space, public defender offices, and the expansion or renovation of Tribal courts and justice facilities that support alternatives to incarceration.

TRAINING AND EDUCATION RECOMMENDATIONS

1. Designate annual training for all social services and law enforcement professionals to include 60 hours of annual training that prioritizes training for cultural responsiveness.
2. Offer and fund additional training to schools and teachers on recognizing the warning signs of children who are victimized, as well as the appropriate reporting mechanisms.
3. Offer human trafficking training resources to Arizona land-based Tribal law enforcement agencies, casinos, and hotels.
4. Engage the U.S. Department of Health and Human Services, in collaboration with Arizona land-based Tribes and the federal government, to ensure services regarding domestic violence, substance use, and mental health are meeting the needs of Tribal communities.
5. Require all Arizona State departments to enforce their Tribal consultation policies regarding any work, activities, policies, etc., that can have impact on Arizona land-based Tribes.
6. Increase public outreach initiatives to engage the participation of Indigenous Peoples and allocate resources to ensure cultural safety and inclusion for Indigenous Peoples.
7. Increase public education and advocacy to heighten awareness of Indigenous history, rights and safety.
8. In partnership with Arizona's Tribal domestic and sexual violence coalitions, support training, and technical assistance for advocacy response and tailor the advocacy to specific victimization experiences.
9. Work with Arizona land-based Tribes to facilitate NamUs and NCMEC training in their communities and encourage Tribal and non-Tribal law enforcement and family members to utilize the training.
10. Encourage community led prevention and advocacy to empower Indigenous Peoples to report family violence.
11. Organize and conduct education events on MMIWG awareness day (May 5th) for MMIWG prevention, awareness, identification of risk factors, analysis of plans for victim safety, trauma informed practices, responsiveness to gender and sexual orientation, sex trafficking, remembrance, and community organizing.
12. Create a State MMIWG website with resources, links, data dashboards, information, and reporting links.
13. Create a social media awareness campaign and implement a public-relations initiative to establish community confidence in and support for the justice system.
14. Design, develop, and implement prevention and intervention strategies for youth, men, and boys (e.g. Indivisible Tohono and A Call to Men).

15. Develop a “best practices guide” for inter-jurisdictional matters (e.g., contact information, how to report a missing person or report a crime in each jurisdiction, court information, how to obtain and enforce orders of protection, basic jurisdictional information, how to identify and report suspected human trafficking, and a list of Arizona Tribes and Tribal resources).

COLLABORATIVE RECOMMENDATIONS

1. Create an inter-agency case review team that meets regularly with Arizona land-based Tribes. The inter-agency case review team may include Tribal, local, county, state, and federal agencies that handle MMIWG cases, including law enforcement agencies, prosecutors, Tribal and non-Tribal courts, child protective services, direct service providers, medical examiners, Tribal coalitions, task forces, and families affected by MMIWG.
2. Designate a Tribal liaison or advocate within each individual Arizona land-based Tribe.
3. Collaborate with Indigenous researchers to carry out studies with Tribal input and support and ensure that non-Indigenous research partners have Indigenous staff or extensive experience working with Indigenous communities and include extensive networks of Indigenous collaborators.
4. Promote meaningful collaborations between academics, front-line practitioners, families of MMIWG, survivors of violence, and grassroots organizations to inform policy and service delivery.
5. Develop multijurisdictional Endangered Missing Advisory Systems and Plans, that enables collaboration among agencies to broadcast and search for missing persons that do not fit AMBER Alert criteria.

October 28, 2020, Adopted at 1:05 p.m.