

WASHINGTON STATE PATROL

MISSING & MURDERED NATIVE AMERICAN WOMEN REPORT

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ACRONYM LEGEND (by appearance in document)

WSP	Washington State Patrol
GOIA	Governor's Office of Indian Affairs
AGO	Attorney General's Office
ATNI	Affiliated Tribes of Northwest Indians
FBI	Federal Bureau of Investigation
NamUs	National Missing and Unidentified Persons System
MUPU	Missing and Unidentified Persons Unit - WSP
HITS	Homicide Investigation Tracking System
WASPC	Washington Association of Sheriffs and Police Chiefs
DOJ	Department of Justice
MMIW	Missing and Murdered Indigenous Women
UIHI	Urban Indian Health Institute
NCIC	National Crime Information Center
ACCESS	A Centralized Computerized Enforcement Service System
ORI	Originating Agency Identification Number
CRD	Criminal Records Division - WSP
NCIC	National Crime Information Center
Nlets	National Law Enforcement Telecommunication System
TAP	Tribal Access Program
LEO	Law Enforcement online
NDIC	National Dental Image Repository
CJIS	Criminal Justice Information Services
CPIC	Canadian Police Information Center

EXECUTIVE SUMMARY

A recent federal [National Institute of Justice funded study](#) found that more than four in five American Indian and Alaska Native women and men have experienced violence in their lifetime, and more than one in three experienced violence in the past year. The Legislature directed the Washington State Patrol (WSP) to conduct a study to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women in the state.

[Substitute House Bill 2951](#) directed WSP to convene meetings to:

- Determine the scope of the problem
- Identify barriers
- Create partnerships to increase reporting and investigation

In developing this study, the WSP must consult and collaborate with:

- Tribal and local law enforcement
- Federally recognized tribes
- Urban Indian organizations

At the end of data gathering and statewide meetings, the WSP and GOIA were directed to write a report on our findings and submit the report to the legislature by June 1, 2019.

The community outreach consisted of representatives from the Attorney General Office (AGO), WSP Missing and Unidentified Persons Unit (MUPU), the Governor Office of Indian Affairs (GOIA) and the community.

This report reflects the voices of the people that attended the community outreach meetings.

Major findings:

- There is broad agreement that Native American women face unique challenges with regard to safety and success
- There are unique barriers to gathering data regarding missing Native American women
- Greater coordination and collaboration between tribal, state, local, and federal law enforcement agencies is needed to accurately assess the scope of the problem and determine potential solutions
- While new resources need to be developed, there are resources already in place but under-utilized and can be applied to assist in improving these conditions
- Many individuals and groups are eager to be a part of a solution-based approach to this problem¹

¹ See addendum A for Yakama Nation's letter of support

BEGINNING STEPS

April 18, 2018 - representatives from the WSP, GOIA, and the AGO met to discuss plans on moving forward.

Beginning steps were as follows:

- Share the legislation and plan with as many members of the Native American community as possible
- Create a sufficient plan to meet and have dialogue with the 29 tribes and the urban Indian communities
- Understand the historical challenges that have occurred in the past with reporting missing Native American women
- Find out what law enforcement and the legislature can do to enhance the reporting process with the Native American community

The group agreed that WSP would write and distribute a letter to leaders within the Native American communities providing information regarding SHB 2951. WSP would also attend Centennial Accord, which was held at the Clearwater Casino and the Affiliated Tribes of Northwest Indians (ATNI) Conference in Idaho to share information regarding SHB 2951 and the proposed meeting dates and locations.

June 1, 2018 - WSP Chief, John R. Batiste sent a letter to a list of tribal leaders provided by Craig Bill, Director of GOIA to announce the upcoming meetings². This letter served as an official invitation to attend meetings, share ideas, express concerns and identify challenges regarding reporting missing Native American women.

July 16, 2018 - Ms. Sue O'Neill, Agency Principal for Cyber Investigations LLC, convened a meeting at the University of Washington. Ms. O'Neill facilitated a conversation regarding missing and murdered Native American women. If you are interested in Ms. O'Neill's report please contact her at info@cyberinvestigationsllc.com.

The attendees included representatives from WSP, urban organizations, private investigators, Department of Justice, native attorneys, National Missing and Unidentified Persons (NamUs), GOIA and AGO.

² See addendum B for letter from Chief Batiste

At this meeting, the discussion included:

CHALLENGES

- Significant under reporting
- Misclassification of Native people - “N” was used for negro and Native (could be connected to underreporting)
- Numbers collected may not illustrate the seriousness of this issue
- Tribes do not have access to National Crime Information Center (NCIC) for reporting
- Native people do not know if their loved ones are entered into NCIC once a report is completed
- Native Americans might complete forms as white because of historic stereotypes. Reporting race inaccurately leads to incorrect data.

SUGGESTIONS FROM PARTICIPANTS

- Distribute a questionnaire to all tribal and urban organizations to solicit feedback and gather information on missing family members
- Important to reach out to elder centers and build trust with them. This is one of the keys to repairing relationships between law enforcement and tribes.
- Reach out to urban communities to ensure their voices are in the conversation
- Audit law enforcement on their reporting
- Scientific study and analysis should be completed to align with the goals of the study
- Find a way to stop Native American women from disappearing
- Add missing family members to NamUs

September 19, 2018 - WSP and GOIA traveled to Idaho to the Affiliated Tribes of Northwest Indians (ATNI) conference. Our purpose for attending ATNI conference was to provide a brief review of SHB 2951, announce upcoming meetings, and provide handouts that included dates and location of the meetings hosted by WSP and GOIA. While at ATNI, we requested assistance with sharing information regarding scheduled meetings that would occur around the state.

COMMUNITY OUTREACH

The WSP and GOIA, hosted several community outreach throughout the state. Stories of missing and murdered loved ones were shared along with their frustration and heartache. During these meetings we discussed what resources were available to assist in finding missing and murdered Native American women, what barriers/challenges they faced when reporting and suggestions on how to improve the process.

RESOURCES INCLUDE

National Missing and Unidentified Persons System (NamUs)

- NamUs is a powerful tool for law enforcement, medical examiners and coroners. NamUs is a national clearinghouse and resource center for missing, unidentified and unclaimed person cases throughout the United States. Funded by and administered by the National Institute of Justice, all NamUs resources are provided at no cost to law enforcement
- NamUs has forensic services including: fingerprints, DNA Analyses, Forensic Odontology, Forensic Anthropology and Analytical Services

WSP Missing and Unidentified Persons Unit (MUPU)

- Provides a poster with a photo for an active missing adult. This only occurs when requested by a family member/legal guardian or the law enforcement agency handling the investigation. The MUPU provides a data packet for the requestor to fill out and provides essential information on the missing adult. They will request the most recent, color, good quality digital photo to include on the poster. Once the packet is completed and signed, MUPU can proceed with the poster and other investigative assistance requested
- All missing persons must be reported to the primary law enforcement agency where the person was last seen before any assistance from MUPU can begin
- MUPU keeps dental records for 99 years in their Dental Records Repository

Attorney General's Office –Missing Persons and Unidentified Remains Taskforce

- The Missing Persons and Unidentified Remains Taskforce provides information to facilitate the recovery of missing people
- One of their services includes their Missing persons toolkit, which is available on the AGO's website (requires updating)
- Homicide Investigation Tracking System (HITS) is a program within the AGO that tracks and investigates homicides and rapes occurring in Washington and Oregon. It is the only statewide central repository for information relating to violent crimes against persons
- The information stored in HITS is crime-related information that is voluntarily contributed by police and sheriff's departments in the Pacific Northwest
- HITS has data from more than 10,600 murder investigations and 8,200 sexual assaults
- HITS responds to approximately 800 requests for assistance on information annually
- Services are free of charge on cold case investigations

September 27, 2018 – Tulalip Administration Building

There were approximately 12 attendees. Among those were Representative Gina Mosbrucker and Senator John McCoy.

Representative Mosbrucker kicked off the first community outreach meeting by sharing how the issue came to her and the passion she felt regarding solving the problem.



*Representative Gina Mosbrucker –
Opening Remarks*

Awareness was provided regarding the following topics:

- Savannah Act
- Annita Lucchesi- MMIW Database

CHALLENGES

- No centralized resources
- Law enforcement agencies are uneducated about resources or they don't seem to care
- Data sharing barrier between tribal law enforcement and feds
- Tribal law enforcement has lack of access to systems. They need access to the federal databases and criminal justice systems to solve crimes and to develop prevention strategies

SUGGESTIONS FROM PARTICIPANTS

- Toolkit(s) for families and law enforcement agencies
- More community outreach within the tribes
- Educate the law enforcement agencies regarding missing persons
 - Laws surrounding missing persons
 - Compassion

October 2, 2018 – The NATIVE Project, Spokane

Approximately 44 attended this meeting. The meeting was opened by a ceremonial prayer, sage, and song.

CHALLENGES

- Identification of ethnicity. Native Americans are often mistaken for Hispanic, Asian or Pacific Islander. Also, “N” was used for data collection purposes for Negro and Native. The concern is there is data out there that will never be correct
- How the cases are referred to law enforcement. We were told many Native Americans were not taken seriously when they tried to report a loved one missing. They were either told to come back after the person was missing for 48-72 hours or simply turned away
- Data sources

- Racism has always been a concern for minority communities and remains today. The relationships between law enforcement and the Native community needs continued work and trust building. Several people that attended the meeting in Spokane expressed a serious mistrust for the police and government
- Memorandum of Understanding with law enforcement
- Lack of communication to the tribal community. There is little to no follow up from law enforcement to the family members after a report is taken
- Lack of training for civilian staff in law enforcement agencies
 - Believe that training for civilian staff would assist in building stronger relationships and bridging some of the gaps that currently exist
- Jurisdictional concerns regarding who will handle investigations
 - When a loved one is missing the last thing a person wants to hear is, “*I cannot assist you.*”
- Media does not want to cover stories about Native Americans
 - Native Americans rarely see their loved ones on the news regarding their missing family member. Frustration was expressed regarding the amount of news media coverage there is when a white person is missing vs. a Native person
- Human trafficking
 - Believe human trafficking could be a reason many Native American women have gone missing

SUGGESTIONS FROM PARTICIPANTS

- Tool kits for families and law enforcement
 - The tool kits would provide family and law enforcement instructions regarding what to do when a family member goes missing. What databases to add pictures, descriptions and where the person was last seen or heard from
- Truth and reconciliation process
 - Meetings to discuss the wrongs, concerns and healing between law enforcement, government and community
- Communities need resources
- Government agencies need to hire more Native people
 - By hiring Native people, we all learn. We all grow and theoretically we honor each other’s differences
- Networks- community outreach (not just with the tribes)
 - Networking between businesses, communities and tribes



Diversity: the art of thinking independently together!

October 10, 2018 – Swinomish Casino and Lodge

Mrs. Candice Wilson connected WSP with Ms. Debra Lekanoff, Intergovernmental Liaison. Ms. Lekanoff reached out to WSP and asked for a sit down dialogue. Approximately seven people were in attendance. Many of the challenges identified were heard at most of the meetings.

CHALLENGES

- Concerns regarding racial discrimination and denial of equality under the law
- Federal Government and the hesitancy with sharing data
- Mistrust
- Not enough “safe” places to go
- Undetermined number of missing persons within the tribes-why?
 - Lack of adequate centralized processes and systems to collect data
 - Tribes often receive multiple requests for data from federal agencies. This can be time-consuming.
 - Some tribes may lack systemic capability to collect data
 - Mistrust of data collection and federal government agencies-all government agencies
 - Mixed history of data collection by government agencies. Data has been misused or used in ways that are not shared with communities
 - Tribal government will protect their data. They will question who will “own” data once collected and how it will be used
 - Develop data about strengths and resilience
 - Ownership and control of data material
 - Confidentiality and security of the data
 - Dissemination, publication, and disposition of data and material
- Jurisdictional- Federal, State, County and Tribal
- Lack of emergency services such as Amber Alert
- Counseling and family services
- Relationships between governing entities
- Lack of clear communication between Tribes and FBI
- Overall community awareness

SUGGESTIONS FROM PARTICIPANTS

- Educate the community:
 - Collect data
 - It is time to end racism
 - Relationship building
 - Flexibility between tribes, state and federal government
- Government-to-Government training should be required for all law enforcement.

According to Swinomish Law Enforcement, they have a well-established relationship with the local law enforcement and the FBI. It was expressed that each tribal nation is different.

According to the participants in the meeting, missing and murdered Indigenous women have struggled with addiction or mental health issues. Some have become homeless or put themselves in danger to support themselves. Some may be victims of human trafficking and murderous rapists. With more community education, support and resources, this problem could be reduced.

Dr. William Freeman is the Director of Health at the Northwest Indian College. He was mentioned as a person that was highly respected and appreciated in the Native American Community. Though non-Native, he has spent all of his adult life advocating for better healthcare for American Indians.

During a phone call, Dr. Freeman provided information regarding relationship building between Native American communities and law enforcement. Based on Dr. Freeman's observations over the years, the key to building successful relationships is being long term and consistent with community members. This helps with fostering trust and healthy communication.



"I believe much trouble and blood would be saved if we opened our hearts more." – Chief Joseph

October 15, 2018 – Snoqualmie Casino

Approximately 37 people were in attendance.

CHALLENGES

- Tribes with no access to law enforcement databases
 - Why is that? Do they have to meet certain state criteria to have access?
- Tribal leaders need to buy in to this project
- Law enforcement needs to gain trust from tribes
- Historical pain
- Tribal members don't report due to stigma and gossip
- Public Records Act

- Drug trafficking on reservations targeting the youth
- Jurisdiction issues
- Racial tension
- Lack of services
- Feeling of not being valued in their communities

SUGGESTIONS FROM PARTICIPANTS

- Establish community task force
- Establish task force to audit law enforcement agency records
- Mandate law enforcement to report to NamUS
- Establish an alert like **Red Feather Alert System**
- Work with social media platforms
- Outreach events to tribal communities
- Improve WSP missing person website to have resources such as missing poster templates, checklists of follow up items, resources for missing families (advocates)
- Washington Association of Sheriffs and Police Chiefs (WASPC) website has broken links and WSP website currently lacks coverage of all missing person cases in WA

Red Feather Alert System:

- Alert sent out by text when an individual goes missing in the U.S.
- Sign up on their webpage – enter your phone or email to receive the alerts
- Facebook page – posted flyers regarding the missing person. As of 5/31/19, WSP was unable to access this Facebook page.



October 18, 2018 - WA State Native American Coalition, Spokane

While attending a meeting at Snoqualmie Casino on October 15, 2018, an invitation was extended to travel to Spokane and meet with The Washington [WomenSpirit](#) Coalition. They wanted the WSP and GOIA to provide an overview of SHB 2951. In addition, they wanted to offer assistance regarding this issue.

As stated by the Native American Coalition, “Missing and murdered indigenous women have disappeared not once, but three times, in life, in the media and in the data.”

Native women living on tribal lands are murdered at an extremely high rate of more than 10 times the national average according to [Department of Justice \(DOJ\)](#).

No federal agency has a comprehensive data on how many indigenous women are murdered or missing.

October 29, 2018 - Yakima Convention Center

Approximately 225 people were in attendance. This was the largest number of participants of all the meetings.

CHALLENGES

- Families contact tribal law enforcement agencies to report missing family member, then they are transferred to city/county law enforcement agencies
- Lack of communication between families and law enforcement
- Law enforcement agencies will not take the report because of reputation of drug/alcohol issues, criminal history or mental health. Have been told by law enforcement to wait 24-48 hours before reporting
- Cases are not being investigated
- Lack of assistance from tribal leaders
- Lack of knowledge of the resources that are available
- Lack of trust within WA government
- No one to advocate for the families
- Jurisdiction issues
- No emotional support – law enforcement lacks compassion for the families reporting missing family members
- Disconnect within the community – tribal community need to provide support, work together
- No data available – because families don't file an official missing report
- When a person files a missing person report, it is not taken seriously at the time filed
- Coroners/Medical Examiners should be trained in Native American identity/ethnicity profiling

SUGGESTIONS FROM PARTICIPANTS

- Assign an advocate for the families:
 - assist in communicating with the law enforcement agencies
 - making decisions
 - provide resources/information on next steps
- Information on the resources that are available
- Expanded law enforcement training on the missing person process and human emotions
- Stop stereotyping
- Checklist on how to report and next steps
- Educate on prevention:

- Provide specific training for tribal and law enforcement
- Provide training the Native American community so they know what to do when a family member is missing

Representative Mosbrucker asked about Missing Person alerts. Below is the current RCW that addresses the missing children alert system:

[RCW 13.60.010](#) *Missing children and endangered person clearinghouse—Hotline—Distribution of information—Amber alert plan, endangered missing person advisory plan, silver alert designation. "Missing endangered person" means a person who is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance and who is:*

- (i) *A person with a developmental disability as defined in RCW 71A.10.020 (5);*
- (ii) *A vulnerable adult as defined in RCW 74.34.020; or*
- (iii) *A person who has been diagnosed as having Alzheimer's disease or other age-related dementia.*



Yakima Convention Center



*"It does not require many words to speak truth" –
Chief Joseph*

November 8, 2018 - Little Creek Casino, Shelton

This meeting had approximately 25 people in attendance. The WSP and GOIA provided an overview of SHB 2951 and discussed resources for tribal and law enforcement collaboration.

CHALLENGES

- Sex & labor trafficking is a huge issue within the Native American communities
- Little communication between Federal and State government
- FBI should be held responsible for their lack of action on missing persons cases on tribal land
- A member of the community stated there were "66,000 missing Native American women in the United States currently." According to [NCIC](#), in 2018, 9,914 missing persons of Native American decent were entered into the database.

- Lack of assistance from tribal leaders because the perpetrator is a member of their tribes or other tribes and will not report
- Racial misclassifications
- Lack of compassion for the family requesting to file a report
- No trust in state government especially law enforcement agencies
- Media does not acknowledge when tribal members go missing
- Lack of record management in law enforcement agencies

SUGGESTIONS FROM PARTICIPANTS

- Need community healing amongst their tribal communities
- Outreach within their community to educate youth in regards to sex trafficking, alcohol/drug abuse
- Mend bridges between law enforcement agency and tribes to build trust
- Tribal classification on missing report
- Update WSP website on missing persons to add resources, toolkits, what systems are out there and media outlets

It was stated that Nisqually Police Department has a good relationship with the local law enforcement agencies and has developed policies on human trafficking and missing person reporting. A tribal leader spoke up on how his tribe should do more to protect Native American women and youth in vulnerable situations.



November 15, 2018 – WA Healthcare Authority, Tribal Behavioral Health Division

WSP had a conference call with Tribal Affairs Administrator Jessie Dean of the WA Healthcare Authority (HCA).

Mr. Dean shared that the Tribal Behavioral Health Division meets with participants from tribal health organizations on a monthly basis. HCA would like to add the WSP to the agenda to discuss what was learned regarding SHB 2951 and next steps.

November 19, 2018 - Ms. Annita Lucchesi, [Sovereign Bodies Institute](#)

WSP had a phone conversation with Ms. Lucchesi discussed the data from the “[Missing and Murdered Indigenous Women & Girls Report](#).”

Below is information shared with the WSP by Ms. Lucchesi:

- Annita’s report focused on three major cities: Seattle, Tacoma, and Spokane
- Law enforcement agencies do not forward missing reports to WSP or to NamUs
 - Law enforcement agencies required to send missing reports to NamUs or WSP?
- FBI was unwilling to provide murdered/missing numbers
- Tribes do not have data on their murdered/missing members – especially those that went missing on tribal land
- Law enforcement should be held accountable for their poor records management
- The data was collected for the time period of 2010-2018

December 5, 2018 – WA Healthcare Authority

WSP and GOIA provided a short presentation to tribal health organizations overviewing SHB 2951, our goals, what we learned so far and what we need now.

CHALLENGES

- Unreported MMIW because of the individuals illegal activities:
 - Prostitution, drug activity and other criminal past behaviors
- Human trafficking issues
- Audit of law enforcement agency recordkeeping:
 - Should discuss what would that audit entail?
 - Who would be held accountable?

Adrian Dominguez of the Urban Indian Health Institute (UIHI):

- Stated the data we will be collecting will be “junk”
- Says state should fund a statewide research study using scientific methodologies to better understand the MMIW crisis in our state

December 18, 2018 - WomenSpirit Coalition, Silverdale

WomenSpirit Coalition expressed the desire to set up an advisory committee after the study is done to keep the discussion going. This would entail:

- Different organizations from different locations, such as Urban Indian Health Institute (UIHI), small advocacy groups, Tribal Health Care, Tribal Members, etc.
- Discuss barriers, ways to discuss prevention, awareness, education
- Create policy or even law changes

They created a couple “surveys” to post of their webpage, they would like to gather some information that law enforcement agencies do not have, such as:

- Missing persons demographics survey
- Missing persons information form

CHALLENGES

- Lack of access to portal(s)
- Some tribes have paper files, no electronic copies
- Some families do not report their family members missing at first, but after a few years of them being missing they will report to law enforcement agencies, law enforcement agencies would not take it seriously, so many years have passed

December 21, 2018 - Na’ah Illahee Fund, Seattle

A small delegation of concerned Native American women shared their thoughts regarding Native American women in urban areas.

CHALLENGES

- It was stated human trafficking is a significant problem through the Port of Seattle. Many believe most of their missing Native American women are being shipped to Canada
- Many worry that the state outreach and all the work that Congress is doing will clash with each other

SUGGESTIONS FROM PARTICIPANTS

- Would like to see Congress and Washington State Legislators work together on this issue, so there is one voice and the same common goal
- Would like to see an advisory committee created after the report is submitted to the legislature. This committee would meet on a quarterly basis to help remove some of the barriers that Native Americans have with law enforcement
- Formulate a plan on how to educate the community to prevent human trafficking
- Would like to see a geographic database to know which tribes are most vulnerable

- Build trust between tribes and law enforcement agencies
- Believes the SHB 2951 is a great start to building relationships between Native American communities and law enforcement agencies are hopeful the work does not end with the information gathered
- Stated that everyone says they want to help, but they gather information/data and afterwards never hear from them again

December 21, 2018 - Daybreak Star Indian Cultural Center, Seattle

There were approximately 75 people in attendance.

CHALLENGES

- Believe that law enforcement agencies do not take the Native American population seriously. It is believed Native Americans have a “reputation” of having alcohol/drug abuse and prostitution
- Lack of data collection
- Racial misclassification

SUGGESTIONS FROM PARTICIPANTS

- Would like to see legislative funding for a statewide research study using scientific methodologies to better understand the extent of the MMIW crisis and to gather data of the MMIW (\$10mil for the methodology and \$5mil for gender-based study)
- Legislative funding for Native American led organizations who provide educational and awareness opportunities
- Improve law enforcement websites to have resources and checklists regarding missing Native American women/people
- Education of Native American culture to first responders so they will be compassionate towards Native people
- Require law enforcement agencies to establish a process regarding what will be done once a report has been filed- what are the next steps, what will be expected and who should be contacted
- Create a family advocacy group to provide assistance to the families
 - Law enforcement could provide a list of local organizations
- Request coroners/medical examiners to conduct blood test to determine the ethnicity of the individual
- More Native Americans in law enforcement agencies to assist with cultural understanding of tribal communities and members
- Resource suggestions – checklists, resources such as media outlets, social media, search and rescue, etc.

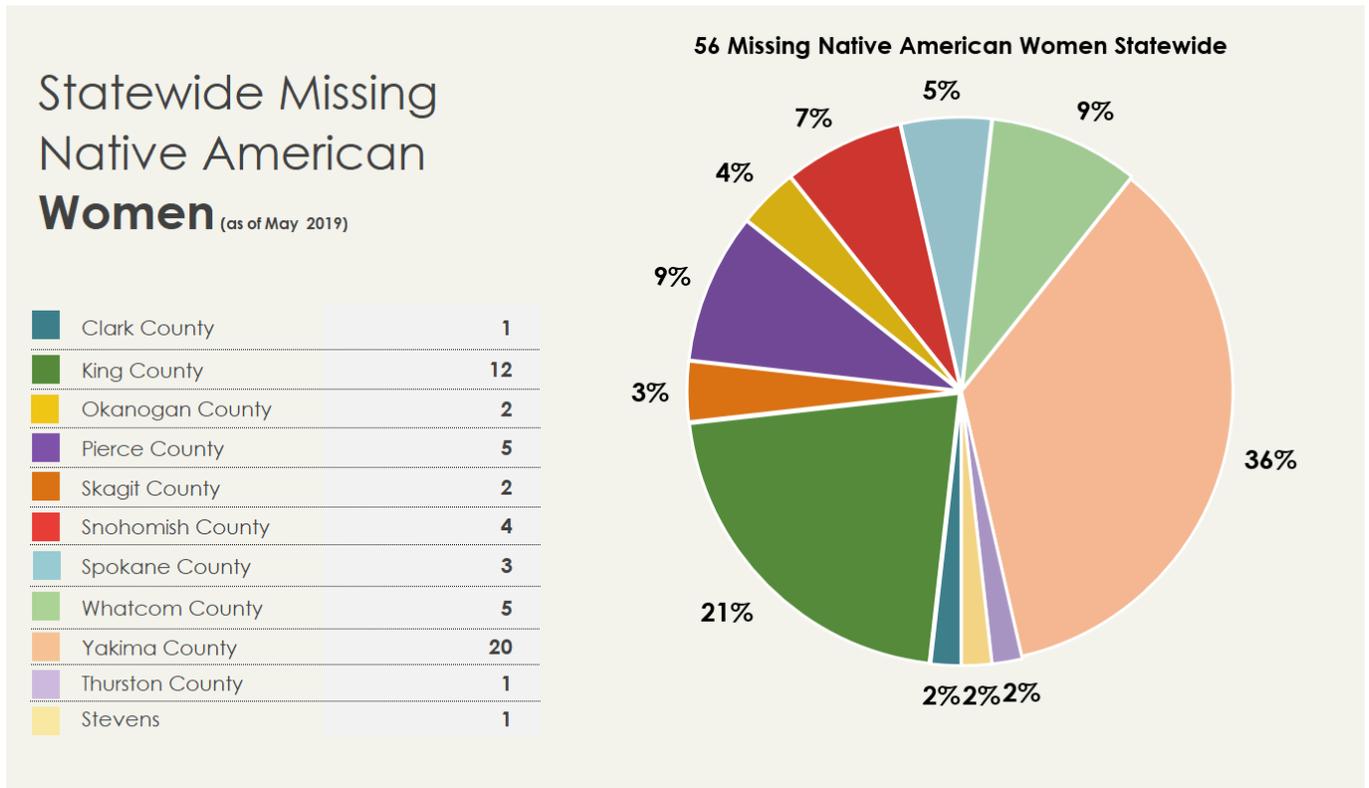
- Would like to see Native tribal liaison within WSP. This could assist with building relationships to increase trust between governmental organizations and tribal communities
- Create best practices for law enforcement response when receiving missing persons reports for indigenous persons
- Immediately develop record keeping protocols for law enforcement agencies to properly respond to violent acts- no agency can adequately respond to violence it does not keep track of
- Track tribal affiliations



"Children learn from what they see. We need to set an example of truth and action." – Howard Rainer, Taos Pueblo-Creek

DATA

According to NCIC, the state of Washington has 1,802 missing persons³. Of those, 56 are missing Native American women.



³ See addendum C for statewide NCIC statistics on missing persons

REPORTING SYSTEMS

National Missing and Unidentified Persons System (NamUs)

When the National Missing and Unidentified Persons System (NamUs) was created by the Department of Justice in 2007, the goal was to establish a publicly available clearinghouse exclusively dedicated to resolving missing persons and unidentified remains cases.

NamUs.gov is divided into the Unidentified Persons and Missing Persons databases.

The Unidentified Persons database redirects to <https://www.namus.gov/Dashboard#> where the public can search the information that medical examiners and coroners have uploaded. Searchable fields include sex, race, ethnicity, and the date, age and state where the person was last known to be alive.

The Missing Persons database connects the user to <https://www.namus.gov/Dashboard#>, where the public can register to upload information about their missing family members or friends. Before a case is uploaded to the database, the information is verified and a NCIC number – the official tracking number that can be obtained through a local law enforcement office or the FBI – must be connected to it.

The NamUs.gov portal handles two issues related to missing person's cases: It provides an online location where family and friends can post information about a missing person, and it is a website where law enforcement agencies and medical examiners can upload data about an unidentified decedent. Both databases are searchable and public facing, and are designed to search for matches against each other.

NamUs detects a possible match between a missing person and an unidentified decedent, the appropriate law enforcement agency or medical examiner/coroner's office is contacted.

NamUs develops and implements programs to train law enforcement to use NamUs, and offers investigative guidance.

Most of NamUs registered users are medical examiners, coroners or other criminal justice professionals. Case information for each unidentified decedent can be minimal in detail depending on how much information was available to the medical examiner.

The information can include: photographs, the date the body was found, estimated age, probable year of death, where the body was found distinctive features like tattoos, fingerprints, clothing, the DNA sample's status and the case manager's contact information.

However, information is seldom passed along to NamUs. With nothing in place to aid the transfer of information, it is unclear if information in NamUs and NCIC will ever match. Not all states mandate their law enforcement agencies to submit cases to NamUs.

The following states are required by state law to use NamUs:

- Oklahoma
- New Mexico
- Tennessee
- New York
- Illinois
- Michigan

NamUs does not have guidelines, like period of time missing, to direct police as to when they should enter case files to NamUs.

FBI numbers and NamUS will always be different – entries like runaway teens who police know are safe and just hiding from parents are not entered into NamUs.

NamUs director is also unwilling to develop criteria for NamUs entries, saying they would create barriers for submissions that do belong in the system.

NamUs is searching on basic demographic information, height, weight, age, geographic information on where that person was found.

NamUs does not directly connect with any other law enforcement systems.

Currently there is an agreement with the FBI CJIS (Criminal Justice Information Services) Division to transfer information from NCIC into NamUs and vice versa.

The interconnection with other federal databases is a big step forward and represents a change in thought process. However, until the numbers from NCIC and NamUs are the same there is an indication the transfer of information is not occurring regularly.

The National Crime Information Center (NCIC)

The NCIC has been known as the lifeline of law enforcement—an electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, 24 hours a day, 365 days a year. It helps criminal justice professionals apprehend fugitives, **locate missing persons**, recover stolen property, and identify terrorists. It also assists law enforcement officers in performing their duties more safely and provides information necessary to protect the public.

NCIC was launched on January 27, 1967 with 356,784 records and five files. By the end of 2015, NCIC contained 12 million active records in 21 files. During 2015, NCIC averaged 12.6 million transactions per day.

How NCIC is used: Criminal justice agencies enter records into NCIC that are accessible to law enforcement agencies nationwide. For example, a law enforcement officer can search NCIC during a traffic stop to determine if the vehicle in questions is stolen or if the driver is wanted, or a person is missing by law enforcement.

A Central Computerized Enforcement Service System (ACCESS) provides telecommunications linkage to law enforcement and other criminal justice agencies. It provides a means for agencies to query multiple state and national databases to include information systems provided by the Department of Corrections, Department of Licensing, Parks, the Washington Crime Information Center (WACIC), and the Washington State Identification Section (WASIS).

The system allows both national and international queries through the International Justice and Public Safety Information Sharing Network (Nlets) switch to include the National Crime Information Center (NCIC) provided by the Federal Bureau of Investigation (FBI). Nlets provides responses from the Canadian Police Information Centre (CPIC), and Interpol as well as other state hot file and licensing information.

Criminal justice agencies must maintain a current user acknowledgment with WSP ACCESS and comply with state and national standards for training, security and auditing.

According to the WSP records, 22 of the 29 tribes have an ORI number which provides access to NCIC.⁴

Through the WSP Criminal Records Division (CRD), the agency requested all Missing Native American women numbers for Washington State that were in NCIC. In addition, WSP requested assistance through WASPC to obtain all law enforcement agencies missing person's numbers. While this appears repetitive, it was important to cross-reference the cases and ensure numbers were not left out of the process.

[Tribal Access Program \(TAP\)](#)

The U.S. Department of Justice (DOJ) launched the TAP for National Crime Information in August 2015 and has expanded yearly to provide Tribes access to national crime information systems for federally authorized criminal and non-criminal purposes. TAP allows selected federally-recognized Tribes to more effectively serve and protect their nation's citizens by ensuring the exchange of critical data across the CJIS systems and other national crime information systems.

⁴ Please see addendum D for list of Tribal law enforcement agencies with NCIC access

There are currently over 50 Tribes with agencies participating in TAP.

National Dental Image Repository (NDIC)

In May of 2005, the FBI's CJIS Management approved the creation of the National Dental Image/Information Repository (NDIR) to facilitate the identification of Missing, Unidentified, and Wanted persons. The NDIR will be housed on Law Enforcement Online (LEO) and will permit law enforcement agencies to store, access and supplement dental records which are currently housed in the Missing, Unidentified, and Wanted Persons files in the NCIC system. The NCIC system is a nationwide computerized database of documented criminal justice information maintained and supported by CJIS. Data in NCIC is exchanged in a shared-management partnership with criminal justice officials of local, state and federal governments in the United States, its possessions, and Canada. Each entry is assigned a unique identifying number by the system. The number is referred to as the "NCIC number." Users may query the system, enter new records, supplement existing entries, modify transactions, locate transactions or remove records from the system. The NCIC database consists of eleven (11) files which concern individuals, three (3) of which may contain dental records (the Missing, Unidentified and Wanted Person Files).

Approximately 90% of dental records identified in NDIC are from Washington State. This is due to RCW 68.50.330.

[RCW 68.50.330](#)

Identification of body or human remains by dental examination—Comparison of dental examination records with dental records of dental identification system.

If the county coroner or county medical examiner investigating a death is unable to establish the identity of a body or human remains by visual means, fingerprints, or other identifying data, he or she shall have a qualified dentist, as determined by the county coroner or county medical examiner, carry out a dental examination of the body or human remains. If the county coroner or county medical examiner with the aid of the dental examination and other identifying findings is still unable to establish the identity of the body or human remains, he or she shall prepare and forward such dental examination records within thirty days of the date the body or human remains were found to the dental identification system of the state patrol identification and criminal history section on forms supplied by the state patrol for such purposes.

The dental identification system shall act as a repository or computer center or both with respect to such dental examination records. It shall compare such dental examination records with dental records filed with it and shall determine which scoring probabilities are the highest for the purposes of identification. It shall then submit such information to the county coroner or county medical examiner who prepared and forwarded the dental examination records.

MUPU has been assigned the duty of custodian of the dental repository for Washington State. The procedures for tracking, coding and entering dental records on missing or unidentified persons are outlined below:

[RCW 68.50.320](#)

Procedures for investigating missing persons—Availability of files

When a person reported missing has not been found within thirty days of the report, or at any time the investigating agency suspects criminal activity to be the basis of the victim being missing, the sheriff, chief of police, county coroner or county medical examiner, or other law enforcement authority initiating and conducting the investigation for the missing person shall: (1) File a missing person's report with the Washington State Patrol missing and unidentified persons unit; (2) initiate the collection of DNA samples from the known missing person and their family members for nuclear and mitochondrial DNA testing along with the necessary consent forms; and (3) ask the missing person's family or next of kin to give written consent to contact the dentist or dentists of the missing person and request the person's dental records.

The missing person's dentist or dentists shall provide diagnostic quality copies of the missing person's dental records or original dental records to the sheriff, chief of police, county coroner or county medical examiner, or other law enforcement authority, when presented with the written consent from the missing person's family or next of kin or with a statement from the sheriff, chief of police, county coroner or county medical examiner, or other law enforcement authority that the missing person's family or next of kin could not be located in the exercise of due diligence or that the missing person's family or next of kin refuse to consent to the release of the missing person's dental records and there is reason to believe that the missing person's family or next of kin may have been involved in the missing person's disappearance.

As soon as possible after collecting the DNA samples, the sheriff, chief of police, or other law enforcement authority shall submit the DNA samples to the appropriate laboratory. Dental records shall be submitted as soon as possible to the Washington State Patrol missing and unidentified persons unit.

The descriptive information from missing person's reports and dental data submitted to the Washington State Patrol missing and unidentified persons unit shall be recorded and maintained by the Washington State Patrol missing and unidentified persons unit in the applicable dedicated missing person's databases.

When a person reported missing has been found, the sheriff, chief of police, coroner or medical examiner, or other law enforcement authority shall report such information to the Washington State Patrol.

The dental identification system shall maintain a file of information regarding persons reported to it as missing. The file shall contain the information referred to in this section and such other information as the Washington State Patrol finds relevant to assist in the location of a missing person.

The files of the dental identification system shall, upon request, be made available to law enforcement agencies attempting to locate missing persons.

If MUPU does not receive dental records of missing person within thirty days of filing the missing person's report, a letter is sent to the law enforcement agency requesting the dental records.

FBI's Violent Crime Apprehension Program (VICAP)

- FBI is responsible for the analysis of serial violent and sexual crimes
- The program is designed to track and correlate information on violent crimes
- Provides software for the database which is widely used by state and local law enforcement agencies to compile information on:
 - sexual assault cases

- solved and unsolved homicides, especially kidnapping, or if they are apparently motiveless, sexual or random or suspected
- missing person, where foul play is suspected
- unidentified person, where foul play is suspected

NEXT STEPS

On April 24, 2019, Governor Inslee signed [2SHB 1713](#) Improving law enforcement response to missing and murdered Native American women.⁵ This bill establishes two liaison positions within WSP for the purpose of building relationships between government and Native communities. It also requires WSP to develop a best practices protocol for law enforcement response to missing persons reports for Indigenous women and other Indigenous people. The bill requires the GOIA to provide WSP with government-to-government training. This bill will take effect on July 28, 2019.

During the summer of 2019, WSP will conduct the hiring processes for the two liaison positions.

WSP looks forward to building the crucial relationships between law enforcement and Native American communities.

CONCLUSION

Between September 27 and December 21, 2018, ten community outreach meetings were held.

The purpose of these meetings was to provide a voice for the Native American communities to lawmakers, law enforcement and to the public. This is a new level of collaboration and partnership between tribes, urban communities, and law enforcement.

The meetings helped identify barriers to collaboration in the past. These have included inconsistency in reporting methods, cultural misunderstanding and distrust, lack of focused and easily accessible resources, as well as communication missteps. All have contributed to the challenges of successfully addressing these problems.

While these challenges are readily apparent, they are not insurmountable.

These bills: SHB 2951 and 2SHB 1713, are strong movements in the direction of progress.

While there are multiple databases, there currently is no centralized database that is all-encompassing of the information necessary to effectively meet the needs of this growing problem.

Our recommendation would be the study and development of such a tool that would allow consistent, more accurate, and more effective recording of the data. Still, we cannot afford to

delay the necessary steps of healing, including bridging the gaps between communities that would allow us to serve.

We appreciate the time and generosity of the Native American community. Without their honest and open dialogue this process would have been deemed worthless. While everyone recognizes there is still a lot of work to do to get to the heart of this issue, we believe this work is worthy of the time necessary to be successful.



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

May 1, 2019

Sent via First Class Mail

Governor Jay Inslee
OFFICE OF THE GOVERNOR
PO Box 40002
Olympia, WA 98504

Chief John Batiste
WASHINGTON STATE PATROL
106 11th Ave NW
Olympia, WA 98501

Captain Monica Alexander
WASHINGTON STATE PATROL
106 11th Ave NW
Olympia, WA 98501

Re: Missing and Murdered Indigenous Women and Girls

Dear Governor Inslee and Captain Alexander,

Shix Patchway. We are four members of Yakama Nation Tribal Council that have formed a special committee, the "MMIW Committee," to address the serious issue of missing and murdered women and girls in both our community as well as other tribes and urban communities facing similar issues. We write to assist the Washington State Patrol in fulfilling its legislative mandate to determine the scope of the problem, identify barriers, and find ways to create partnerships to increase reporting and investigation of missing and murdered Native women.¹

The MMIW Committee has been gathering community input through informal and formal process. On October 29, 2018, the Committee joined Washington State Patrol in hosting a community meeting to listen to all community members regarding MMIW problems and solutions. On January 14, 2019, the Committee hosted a second meeting at Yakama Nation Legends Casino to gather further input and share action items identified following the October 2018 meeting.

Community suggestions gathered so far include: 1) creation of a family advocate position to assist families in reporting missing persons and interactions with law enforcement; 2) one-on-one meetings between law enforcement and community members; 3) more financial resources for law enforcement; 4) more engagement with Columbia River tribal communities by Klickitat County law enforcement; 5) personal safety education; 6) better coordination and cooperation between law enforcement agencies; 7) more programs geared at reaching kids that are at risk; 8) training for outside law enforcement on Yakama culture and traditions and how to engage with Yakama communities; 9) training for law enforcement on interviews regarding sensitive issues; 10) parenting support and education; and 11) more involvement and cooperation by outside law enforcement in the Yakama community.

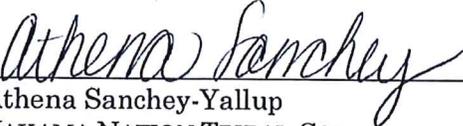
¹ Senate House Bill 2951 adopted March 1, 2018.

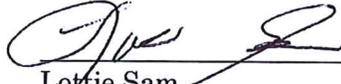
Yakama Nation's Police Department currently has six unsolved cases involving missing or murdered men and women. We also have eighteen historical "cold cases" that remain unsolved. The Yakama Reservation, like other Native communities throughout the United States, is subject to a complex jurisdictional scheme that requires tribal, federal, state and county to work together to ensure that perpetrators of violence against Native women are identified and prevented from causing further harm. Media coverage is also important, not only for general awareness of the issue but also so that the local community is familiar with the faces and details regarding missing individuals.

Yakama Nation's MMIW Committee, Police Department, and Victim's Resource Program is implementing the following action items as we continue to assess all factors that contribute to this problem: 1) awareness and outreach by Yakama Nation Victim Resource Program; 2) Yakama Nation support for state and national legislation; 3) Increased communication between Yakama Nation's Police Department and Victim Resource Program; 4) Implementation of an anonymous tip line and monetary rewards for tips; 5) development of a family advocate position to interface between families and law enforcement; 6) training for Yakama Nation law enforcement in advocacy and sensitivity; and 7) increased communications from Yakama Nation law enforcement with families of missing persons regarding ongoing searches and investigations.

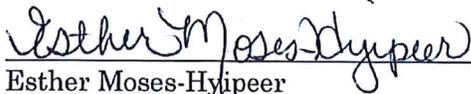
This is not an issue that any one Native Nation or community can address alone. Yakama Nation did not create this problem but we are dedicated to partnering with local and federal agencies to continue identifying solutions to the multiple issues that contribute to the tragedy of losing our Native women and girls. The work that we and others are doing to bring awareness and prevention will benefit all members of our community. We appreciate the ongoing work of the Office of the Governor, Washington State Legislature, and Washington State Patrol to partner with Native peoples to help prevent further violence against Native women and girls.

Sincerely,


Athena Sanchez-Yallup
YAKAMA NATION TRIBAL COUNCIL


Lottie Sam
YAKAMA NATION TRIBAL COUNCIL


Charlene Tillequots
YAKAMA NATION TRIBAL COUNCIL


Esther Moses-Hyipeer
YAKAMA NATION TRIBAL COUNCIL

CC by email: Gina Mosbrucker
Dawn Vyvan
Craig Bill
Asa Washines

JAY INSLEE
Governor



JOHN R. BATISTE
Chief

STATE OF WASHINGTON
WASHINGTON STATE PATROL

General Administration Building • PO BOX 42600 • Olympia, WA 98504-2600 • (360) 596-4000 • www.wsp.wa.gov

June 1, 2018

Dear Tribal Community,

During the 2018 Legislative Session HB 2951 was introduced and passed by law makers.

HB 2951 requires the Washington State Patrol (WSP) to partner with the Governor's Office of Indian Affairs (GOIA) to determine how to increase reporting and investigation of missing Native American women.

On April 18, representatives from WSP, GOIA, and the Attorney General's Office met to discuss next steps.

The group agreed to the following:

1. Establish written communication with the 29 tribes
2. Schedule a series of meetings with tribal communities around the state to explain what tools the group has to offer
3. Establish dialogue with tribal members

At the end of the series of meetings, the WSP will submit a report to the legislators summarizing our efforts and accomplishments.

I am committed to assisting in any possible way, sharing technology resources with the Native American Community is a priority for the WSP. Our hope is by sharing information and ideas we can be a part of starting the dialogue regarding this important issue. In addition, we look forward to strengthening our partnership with the Native American community.

I have appointed Captain Monica Alexander as the liaison moving forward, please feel free to contact her at monica.alexander@wsp.wa.gov or (360) 596-4010 with any questions or concerns.

Sincerely,

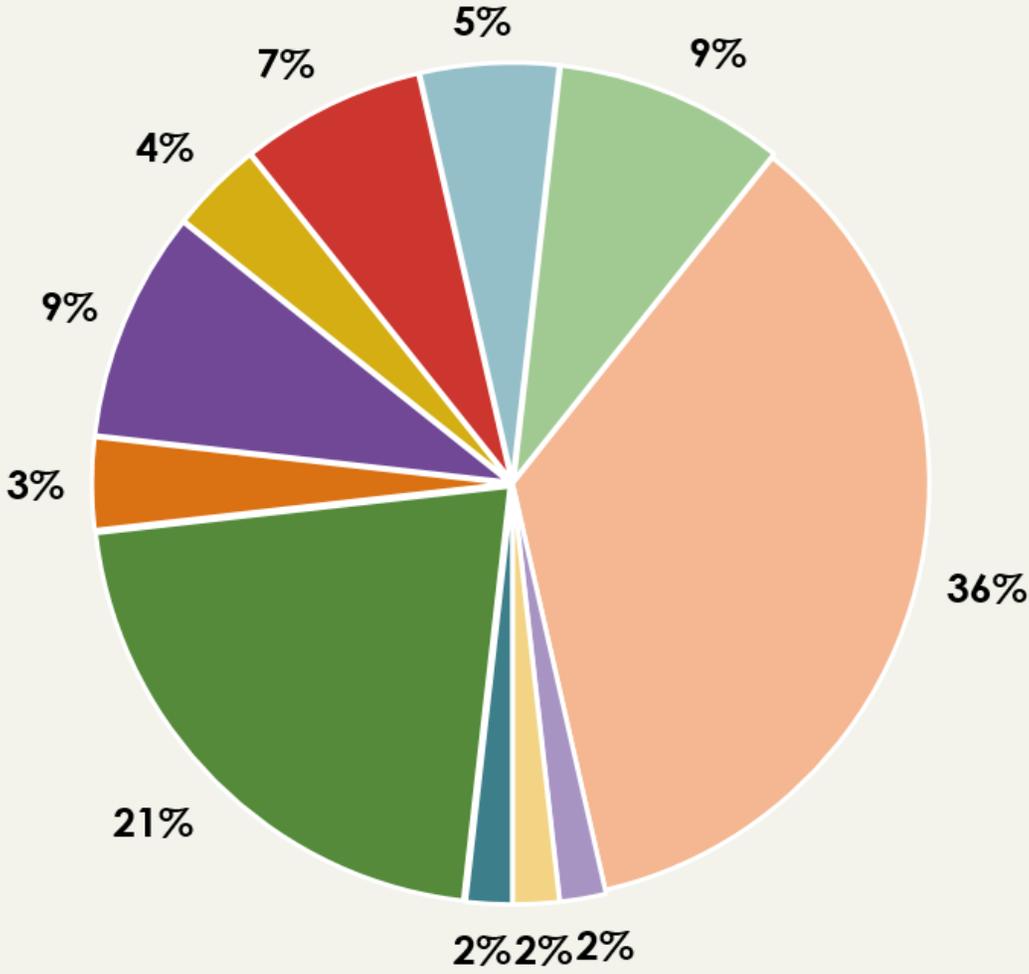
A handwritten signature in blue ink, appearing to read "John R. Batiste".

Chief John R. Batiste

Statewide Missing Native American Women (as of May 2019)

Clark County	1
King County	12
Okanogan County	2
Pierce County	5
Skagit County	2
Snohomish County	4
Spokane County	3
Whatcom County	5
Yakima County	20
Thurston County	1
Stevens	1

56 Missing Native American Women Statewide

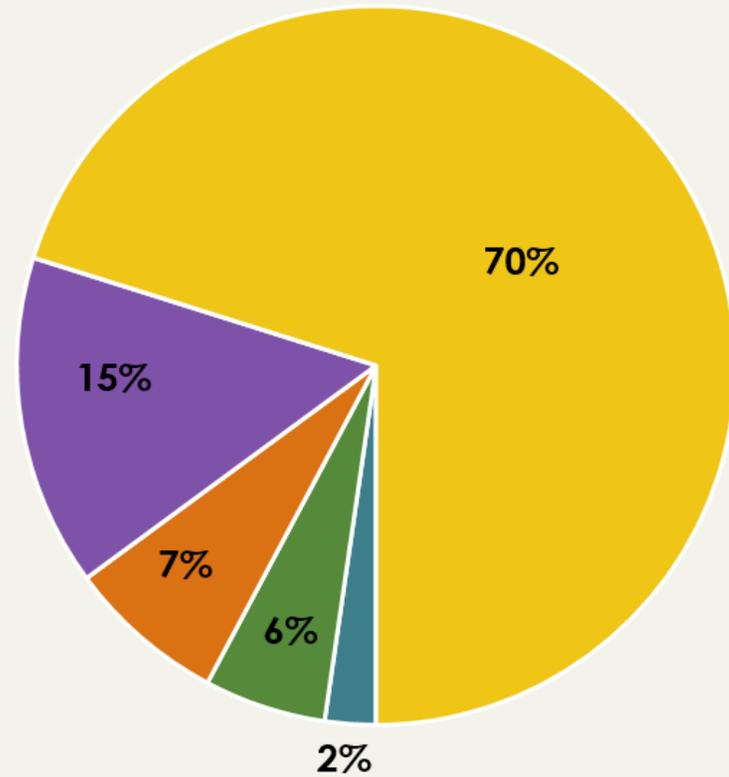


Washington State Missing Persons- Females

(as of May 2019)

Unknown	18
Asian/ Pacific Islander	43
American Indian/Alaska Native	56
Black	117
White	550

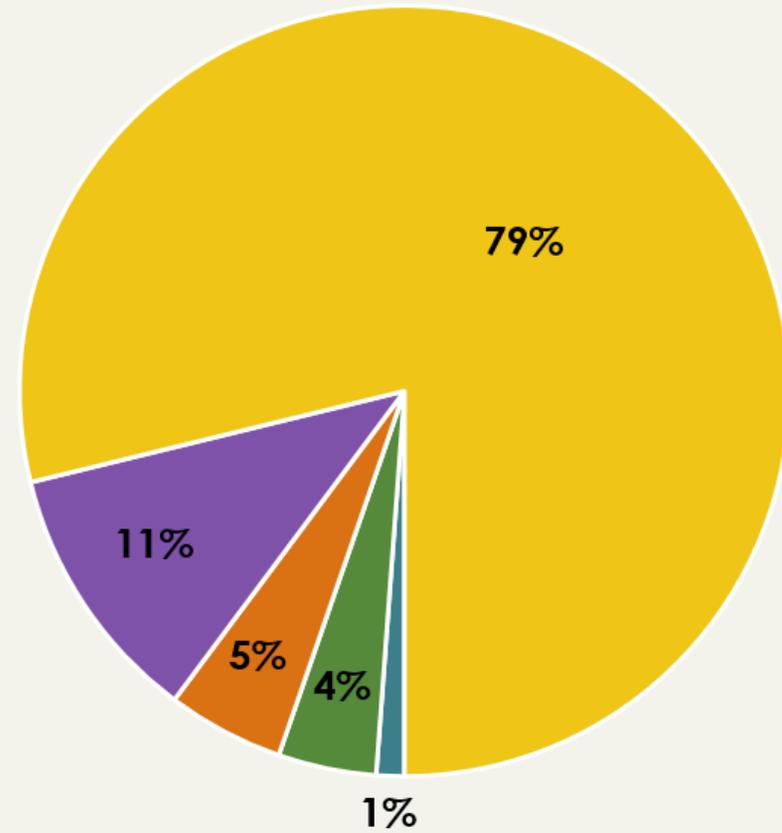
784 Statewide Missing Females



Washington State Missing Persons- Males (as of May 2019)

Unknown	12
Asian/ Pacific Islander	42
American Indian/Alaska Native	50
Black	112
White	803

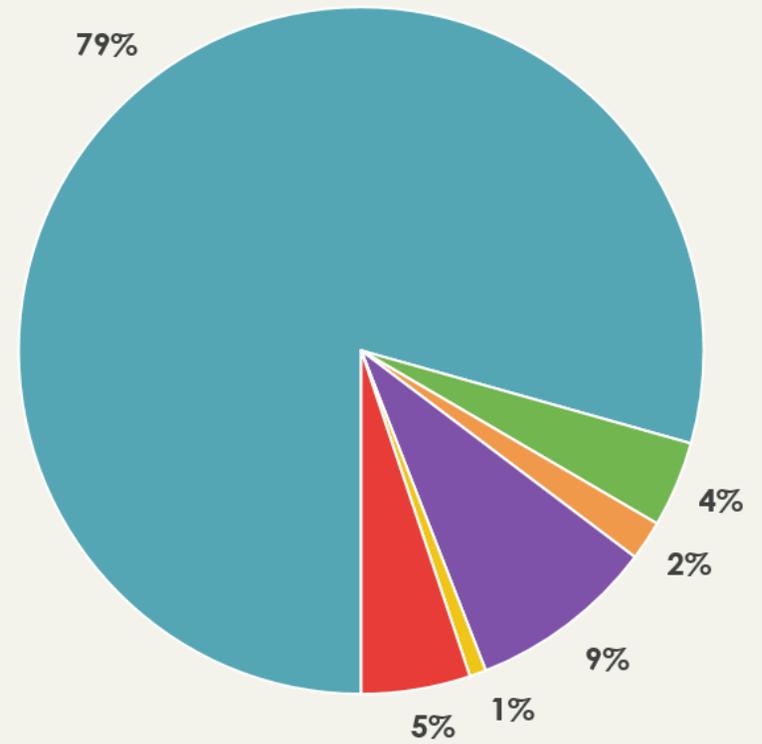
1,019 Statewide Missing Males



Washington State Population by Race 2018 Census Data

White	5,880,784
Black	299,883
American Indian/Alaska Native	138,078
Asian	652,816
Native Hawaiian or other Pacific Islander	58,019
Two or more Races	380,998

Washington State population total = 7,410,578



ADDENDUM D

Agency Name - ACCESS Accounts	ORI
BIA - Chehalis Tribal Police Department	WADI06700
BIA - Colville Tribal Police Department	WADI05700
BIA - Cowlitz Indian Tribal Public Safety Department	WADI01500
BIA - Jamestown S'Klallam Tribe	WADI08200
BIA - Kalispel Tribal Police Department	WADI06100
BIA - La Push Tribal Police Department	WADI07000
BIA - Lower Elwha Klallam Tribe Police Department	WADI08600
BIA - Lummi Tribe Police Department	WADI05900
BIA - Neah Bay Department of Public Safety	WADI05600
BIA - Nisqually Tribal Police Department	WADI00800
BIA - Nooksack Tribal Police Department	WADI01400
BIA - Port Gamble Sklallam Tribal PD	WADI06600
BIA - Puyallup Tribal PD	WADI06200
BIA - Quinault Tribal Police Department	WADI05400
BIA - Shoalwater Bay Tribal Police Department	WADI01200
BIA - Squaxin Island Tribal Police Department	WADI05500
BIA - Stillaguamish Tribal Police Department	WADI01300
BIA - Suquamish PD	WADI00900
BIA - Swinomish Tribal Police Department	WADI06400
BIA - Tulalip Tribal Police Department	WADI06800
BIA - Upper Skagit Tribal Police Department	WADI06500
BIA - Wellpinit tribal Police	WADI05100
BIA - Yakama Tribal Police Department	WADI05800



“Missing and murdered indigenous women have disappeared not once, but three times, in life, in the media and in the data.”