



**A Year 1 Project Report on Missing and Murdered Indigenous Women, Girls, and Two Spirit People of Northern California**



## *Artist Statement from Cover Artist Mahlija Florendo*

Art is something that has been a constant in my life. It has become a part of my daily life, and something I will forever practice. It has become a huge part of practicing my culture. As Indigenous people who have fought to overcome the pain of colonization and genocide, we as contemporary people have found aspects of our life that speak to us and speak our old language in a way that we understand. For me art has been that ancient language of my ancestors that has been passed along to me to understand and to bring back to my people. I have spoken and incorporated this language of art in many different tongues, one of them being my work as an organizer and advocate for Indigenous rights. Everyone speaks their resiliency in some form of life, and I have found creating pieces that reflect that resiliency has truly made me feel empowered as an Indigenous Woman. As an Indigenous Woman I have seen the importance of fighting for other Indigenous Womxn and reflect that here in this piece.

I prefer to use watercolor, India ink, and Acrylic for my work. I enjoy playing with color and black and white because it gives balance to my work. I often include symbols of my culture and Indigenous Womxn because they inspire the core of my work. I find comfort personally creating safe spaces for Indigenous Womxn through my paintings and depictions of the culture that I felt disconnected to coming into this world but have found through speaking the language of my ancestors.

### *About the Cover*

This piece was greatly inspired by other Indigenous Womxn in my community, from their strength and fire they ignite on the world as a powerful unit. It was made for Indigenous Womxn whose voices were suppressed by the colonization and genocide Indigenous people face every day. It was made for the Indigenous Womxn of future generations who look back on their ancestors and see those who we may not see now but may "see again in a good way." It is made for the Womxn who fought to make sure those Womxn's voices were not silenced but heard. Abalone was a powerful Womxn who is still made heard today from her own story. She is represented on the outside of the graphic. The Womxn who stand for her and carry medicine for her, and all the Womxn she represents, make up the color in the middle of her shell. The dogwoods provide beauty and healing for these Womxn as they carry this medicine. The Madrone berries represent the specific movement of the Missing and Murdered Indigenous Women for their bright red color. The constellation of the Seven Sisters hangs above the three women as protection, providing the shine and empowerment of the Abalone shell. This piece represent women standing together and making medicine for those who are spirits, not seen, still here, and those to come.

*To' Kee Skuy' Soo Ney-Wo-Chek'  
I Will See You Again in a Good Way  
Progress Report  
July 2020*

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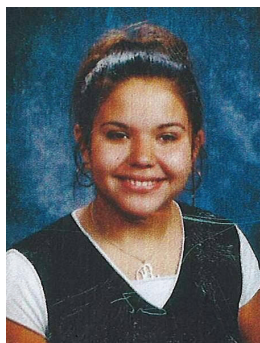
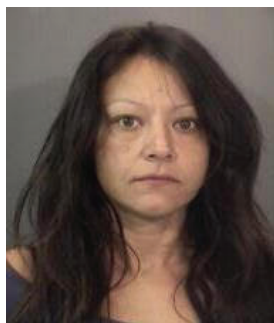
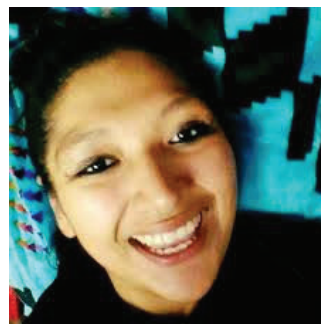
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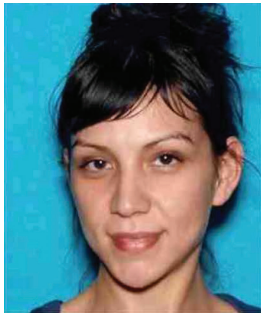
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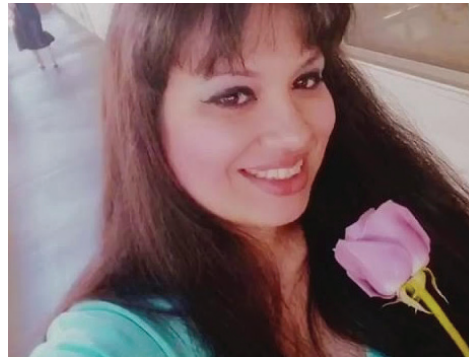
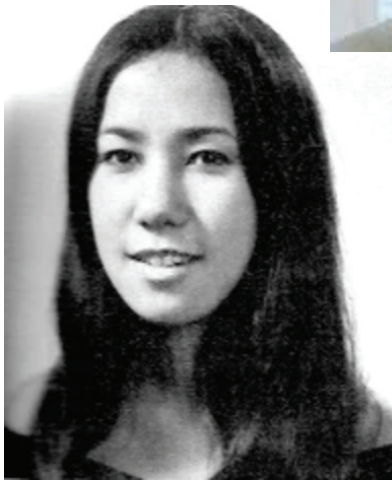
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# Dedication

We dedicate this report to the generations of Indigenous women, two spirit people, and young people stolen from their peoples across Northern California.

Your presence, stories and teachings, gifts and contributions to the community, laughter, and love are missed each day. There is no undoing the harm that has been done and no way to replace what has been taken, but we will do our best to honor you by caring for your loved ones, fighting for justice, and striving towards a future free from violence, so that your descendants and relatives will never have to experience what you did. You are beautiful. You are loved. You are cherished. You are remembered. You are sacred.

We see your legacy in the songs and dances, art, language and stories, and family bonds you left behind, and know in our hearts that you are in a place of goodness, where we will see you again.

# Preface

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

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

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

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

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

# About the Project

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

To' Kee Skuy' Soo Ney-Wo-Chek' addresses the severe impact of missing and murdered Indigenous women, girls, and two spirit people (MMIWG2) and trafficking of Native people in Northern California, defined as from the San Francisco Bay Area and Sacramento up to the Oregon border<sup>1</sup>. We set out to collect data, set up protocols, and use the data to create a justice system which speaks to the needs of the community in a healing way, all the while addressing the need for swift justice in areas where women and girls are vulnerable. Specifically, To' Kee Skuy' Soo Ney-Wo-Chek' addresses the lack of data on MMIWG2 in Northern California, and establishes a protocol for training other tribal communities on consistent data gathering, community interventions, and best practices in law enforcement and tribal court response and engagement.

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

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

Indigenous peoples are knowledge gatherers and knowledge keepers--we know that making decisions for the collective good requires information and data collection. For this reason, we believe the first step in addressing the impact of MMIWG2 in Northern California is to address the lack of data surrounding this issue. We devoted the first year of this project to comprehensive quantitative and qualitative data collection and the relationship-building that data collection required, and look forward to implementing data-driven recommendations in future years of the project.



*Specifically, To' Kee Skuy' Soo Ney-Wo-Chek' addresses the lack of data on MMIWG2 in Northern California*

**To' Kee Skuy' Soo Ney-Wo-Chek' is a multi-year project--we know this report is only the beginning.** Though this report marks an end to Year 1, we have plans to continue this project for several years, including plans to release subsequent publications with updated data and findings. We did our best to include the voices of as many MMIWG2 families and Indigenous survivors as we could in this report, though we know that there are many more that we do not yet know and that are not included here. We also look forward to building more relationships with policymakers, tribal leaders, law enforcement, and service providers, who also have a stake in this. We plan to continue relationship-building, outreach, and data collection in Year 2, and hope that this report is a call to action for all who have a stake in this issue to get involved as the project progresses.

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

# Overview of Report

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Over the course of this report, we establish the scope and severity of MMIWG2 in Northern California based on our Year 1 findings, drawn from both quantitative and qualitative sources. We preface these findings with a description of the existing literature on missing and murdered Indigenous women, girls, and two spirits, as well as their overexposure to violence over the life course before they are taken or killed. We showcase the methods that we used for this analysis, including a discussion of the quantitative analysis and interview-based qualitative investigation, with templates for similar data collection efforts by other tribes and law enforcement agencies included in the Appendix. These methods are placed within a study apparatus that highly prioritized relationship-building with MMIWG2 families and survivors, and this report reflects this community-based participatory research design.

We offer a discussion of the specific contextual considerations for California MMIWG2, and for Northern California in particular. These include the state's designation as a PL 280 jurisdiction as well as its existing legislative framework for addressing MMIWG2. With these factors in mind, the findings are divided into the following categories. In the first substantive section, we outline the scope and severity of the MMIWG2 crisis in the Northern California region, including a discussion of the challenges associated with establishing these data; key trends and characteristics of the data; and how the connections between families, communities, and law enforcement agencies structure the long-term ripple effects of a case long after a MMIWG2 is taken or murdered. We discuss the role of systemic inequities in shaping the crisis, and describe how a variety of law enforcement and justice system failures have resulted in

the disempowerment of MMIWG2 families and survivors, an experience further exacerbated by the widespread abuse culture that pervades the region and targets the lives of Indigenous women, girls and two spirits for violence, trafficking and murder.

We end the report with a discussion of the identified gaps in services and needs for additional support as stated by families, survivors, law enforcement officers, and justice system representatives, with an emphasis on where these gaps and needs align or differ. We offer recommendations across eight categories ranging from data collection and inter-agency coordination to considerations for law enforcement and justice agencies, as well as protective factors and existing efforts on the part of MMIWG2 families and survivors to build their own strength in the absence of legal action and/or closure for loved ones who are missing or murdered. The report concludes with a description of anticipated Year 2 research activities and a request for participation to families, survivors, tribes, law enforcement and justice agencies, service providers, and other MMIWG2 stakeholders.

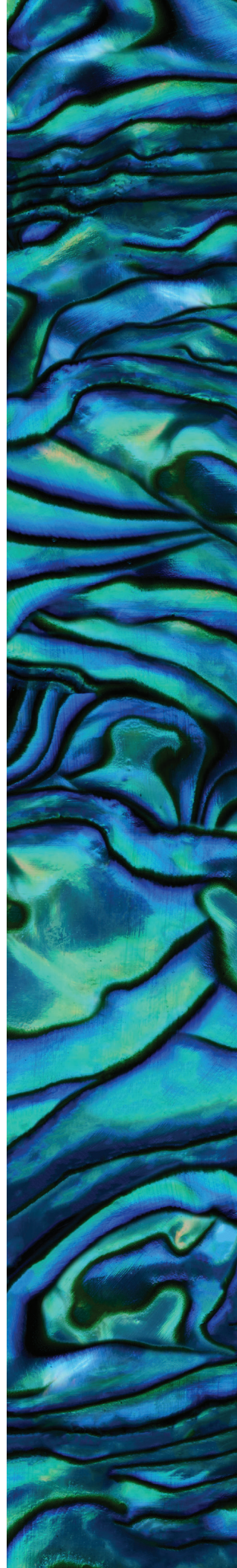
# Background Study and Design

## Literature Review

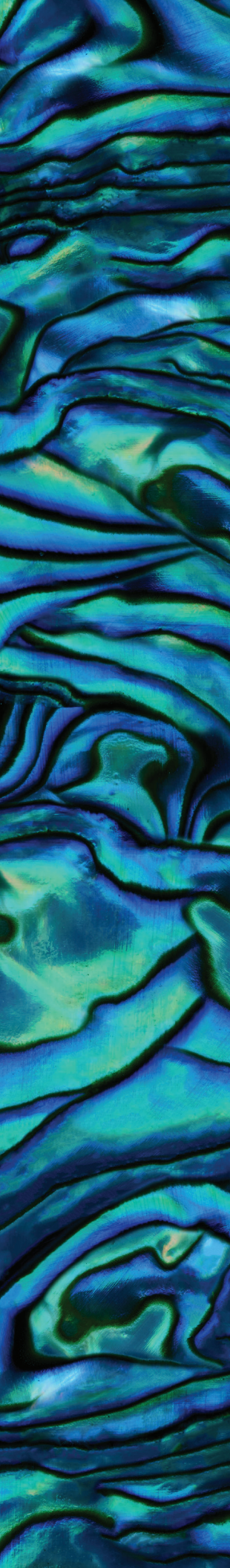
MMIWG2 as a crisis is particularly concerning given the importance of Indigenous women to their communities in the thousands of years before white settler contact. Their power as life givers and resulting connection to the land meant they were seen as threats to Western colonization efforts because any and all Indigenous claims to the land had to be eradicated to make way for white settlers. Since first contact, subsequent generations of violence and assimilation resulted in significant intergenerational trauma such that most Indigenous women are victims of violence in some form or another in their lives, especially those who are missing or murdered. The extreme frequency by which Indigenous women are taken or killed is an alarming trend that spans multiple geographies, yet receives little media attention or public interest outside of the communities those taken call home. In this section, we draw from existing work on issues of MMIWG2 to contextualize the regional specifics of this phenomenon in Northern California as described in later sections. With this investigation, we seek to identify points of policy intervention as well as recommendations for law enforcement and the justice system.

The centrality of women (Bourgeois 2015, Chenault 2011, Deer 2004a, 2004b, Lavell et al. 2016) and two-spirits (Matthen et al. 2016, Miranda 2010) to Indigenous worldviews and ways of life pre-invasion cannot be understated. In the case of Yurok and other world renewal tribes, Indigenous women were doctors, healers, teachers, and leaders (Buckley 2002, Risling Baldy 2018). Before white settlers came, rape was rare, survival sex work scant, and family violence infrequent (Deer 2005, 2009, 2010, Granzow & Dean 2016). Such violence is a direct byproduct of the colonial state and remains one of the lasting legacies of contact for many tribal communities.

For the white settler colonial nations of Canada, Australia, and the United States (Bourgeois 2015), conquering the land meant first conquering the Indigenous people who called it home (Kaye 2017, Lavell et al. 2016, Lucchesi 2017, 2018, Taggart 2015). Women in particular were targeted for their social power by the patriarchal value systems of invading settlers, with rape and sexual violence more generally used as an explicit tool of conquest (Deer 2004a, 2004b, 2005, 2009, 2010, García-Del Moral 2011, Miranda 2016). Unending onslaughts of state violence, assimilation, and patriarchy in the centuries since invasion further exacerbated experiences of historical oppression (Burnette 2015, Burnette &







Hefflinger 2017), with subsequent generations experiencing both contemporary and intergenerational traumas (Bingham 2014, Brave Heart 1999). For example, the removal of thousands of children to boarding schools to be raised in harsh and inadequate facilities with absent or abusive caretakers severed the vital transmission of parenting skills between generations (Amnesty International 2008, Savarese 2017, Boyer & Kampouris 2014, Million 2000, Jones 2008). In California, labor-hungry white settlers stole Indigenous children to work as indentured slaves, a practice that was legal through the Civil War (Madley 2016, Magliari 2020). In the years since such removals, family violence, intimate partner violence, and neglect have manifested in Indigenous households (Bourgeois 2015, Burnette 2015, Burnette & Hefflinger 2017, Holmes et al. 2017), with their sheer frequency in fierce tension with the rarity of such practices pre-contact (Deer 2005, 2009, 2010, Granzow & Dean 2016). Domestic violence, incarceration, and substance use are particularly salient contextual manifestations of intergenerational trauma to contemporary violence against Indigenous women, and to MMIWG2 in particular.

Indigenous women are at a higher risk of intimate partner violence (Amnesty International 2007, 2008, Luna-Firebaugh 2006, McGillvray 1999), trafficking (Bailey & Shayan 2016, Bingham et al. 2014, Bourgeois 2015, Boyer & Kampouris 2014), and more likely to experience serious violence, kidnapping, and homicide than their non-Indigenous counterparts (Anderson et al. 2018, Ambler 2014, Ingram 2016, Hargreaves 2015, Walter 2015, Bubar & Thurman 2004, Lavell et al. 2016). Far too often these “vulnerabilities” are painted as the reason why MMIWG2 are taken or murdered, yet critical theorists instead assert the “multiple jeopardies” (Kubik et al. 2009, Lucchesi 2019a) experienced by Indigenous women by virtue of their gender, ethnicity, and very Indigeneity. Linking back to the constant onslaught on Native lands and therefore Native bodies, MMIWG2 scholars underscore the connections between the violence experienced by Indigenous women to the continued subjugation of such bodies by the colonial state (Razack 2011, 2014, 2015). Despite their vibrant presence in the lives of their loved ones as daughters, mothers, sisters, cousins, aunts, and grandmothers, MMIWG2 are cast by the media and the criminal justice system alike as “disposable women” (Morton 2016) who are targeted as “receptacles of violence” for perpetrators (García-Del Moral 2011, Razack 2011, 2014, 2015).

The connections between settler colonialism and MMIWG2 are increasingly supported theoretically and empirically (Deer 2010, Razack 2015, Dean 2015, Ambler 2014), yet what is undeniable at this point-in-time is that Indigenous women experience disproportionate violence at the hands of perpetrators, both

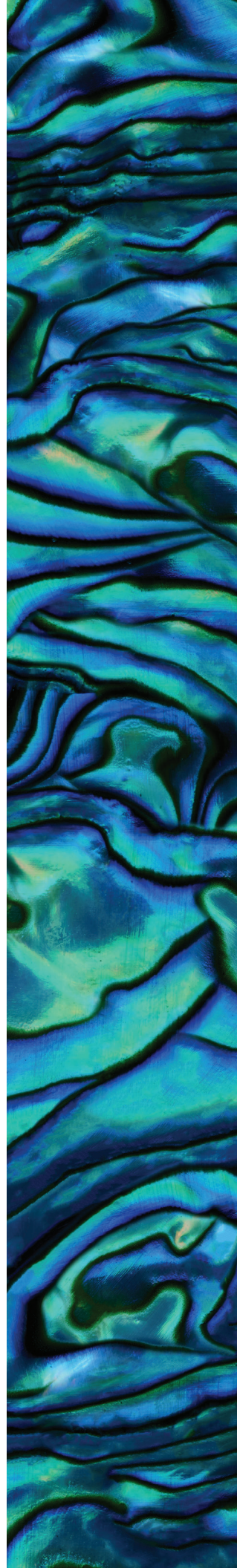


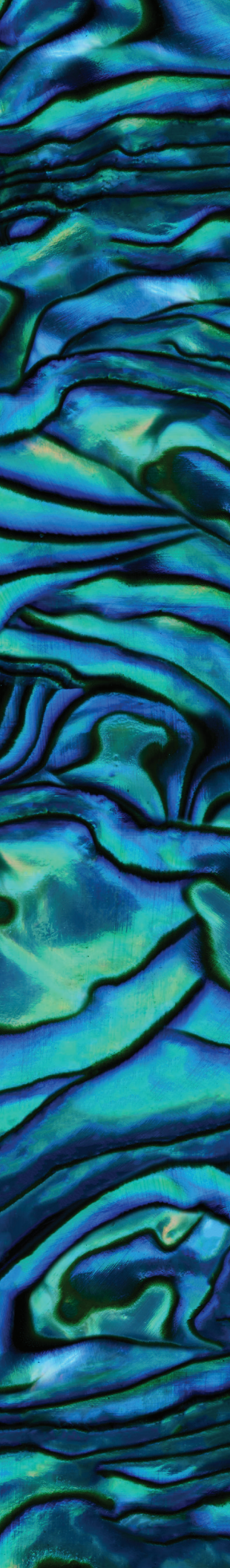
Native and non-Native. Studies of Aboriginal women in Canada (Anderson et al. 2018, Chenault 2011, Hargreaves 2015, Lavell et al. 2016, Walter 2015,) as well as Native Americans in the Great Plains (Lucchesi & Spotted Eagle 2019), the Great Lakes region (Farley et al. 2016, Pierce 2012), in 71 American cities (Lucchesi & Echo-Hawk 2018), and in the Chihuahuan capital city of Ciudad Juarez (García-Del Moral 2011, 2018) have all made one thing clear: that the violence experienced by Indigenous women is especially severe and frequently a precursor to their disappearance and/or death (Anderson et al. 2018, Ambler 2014, Balfour 2008, Bubar & Thurman 2004, Ingram 2016, Hargreaves 2015, Walter 2015, Lavell et al. 2016, Lucchesi 2018). Going further, the phenomenon of MMIWG2 is distinguished by a conspicuous lack of justice for the families and survivors of such violence (Ambler 2015, Craig 2014, Dumont et al. 2017, Razack 2015), with closure a luxury afforded to far too few as perpetrators remain uncharged even as their victims and their victims' families lives are changed forever. This miscarriage of justice is exacerbated by the near invisibility of this crisis in the mainstream (Craig 2014, Amnesty International 2008, Goulding 2001, Hargreaves 2015, Longstaffe 2017), whether in media coverage (Dean 2015, Ferris 2017, Jiwani & Young 2006) or in the eyes of law enforcement and the criminal justice system more broadly (Bourgeois 2015, Deer 2010, Razack 2015). Most MMIWG2 cases remain unsolved despite their families' best efforts in reporting and memorializing their missing and murdered loved ones (Ambler 2015, Craig 2014, Dumont et al. 2017, Hargreaves 2015, Razack 2015).

The lack of justice for families and survivors is especially concerning in light of the minimal albeit growing nationwide data on MMIWG<sup>2</sup>. The Center for Disease Control reports that homicide is the third-leading cause of death of American Indian and Alaska Native women, while the National Crime Information Center reported a total of 5,712 cases of missing Native women and girls across the US in 2016. Moreover, a report published by the Urban Indian Health Institute utilizing data held by Sovereign Bodies Institute cites 506 MMIWG2 cases across 71 cities in the United States, demonstrating how this violence is an issue in both reservation-based and urban Indian communities. Sovereign Bodies Institute, which maintains the largest and most comprehensive database of MMIWG2 cases in the US and Canada, documented 4,293 MMIWG2 cases across the US and Canada, of which 2,306 are documented in the United States. Of these 2,306 cases, over half (58%) are homicide cases, 713 of victims are girls ages 18 and under, and the average victim

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<sup>2</sup> We utilize MMIWG rather than MMIWG2 here to honor that while there is some data that has emerged from federal agencies, the data is either solely victims coded as female or all AI/AN victims regardless of gender or sexual identity. The only data available on deaths and disappearances of two spirit and Indigenous LGBTQ people in the US is held in SBI's database--no federal agency gathers this data.





age is 27 years old. Of the victims identified as mothers, 87% were homicide victims. Nearly three quarters (70%) of all cases in which the victim was a girl living within the foster care system at time of death or disappearance are girls who also were experiencing domestic violence, sexual assault, and/or trafficking. Overall, 13% of MMIWG are victims of domestic violence, and 5% were victims of sexual assault—strongly indicating that DV/SA programming alone will not be enough to meaningfully address this violence.

In the case of Northern California, which comprises a majority of MMIWG2 cases in the state, these issues and connections have yet to be considered as they relate to Indigenous peoples on and off-reservation, in urban and rural areas, living within their ancestral territories, and outside of them. The need to adapt investigations of MMIWG2 to a local level of analysis cannot be understated (Ambler 2014, Hargreaves 2015, Jones 2008, Olive 2015) and this project is motivated with a community-based participatory lens in mind (Holkup et al. 2004). With this investigation, we seek to establish the scope and severity of MMIWG2 cases in the Northern California area as well as determine the degree to which Indigenous women in this area are disproportionately victims of violence. In addition, we consider the perpetrators of such violence and establish key similarities to and departures from trends observed elsewhere (Chenault 2011, Deer 2005, Kuokkanen 2015). Lastly, we investigate the degree to which a lack of justice permeates the experience of MMIWG2 in Northern California, and whether the “killing indifference” (Razack 2011, 2014, 2015) that has claimed Indigenous lives in other localities also manifests in this service area to the detriment of MMIWG2 survivors, families, and stakeholders.

# Study Design & Methods

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

Because SBI's data collection relies on community relationship building, we devoted significant time and attention to building relationships with MMIWG2 families and Indigenous survivors of Northern California for this project. In some cases, SBI worked with families for over a year before doing an interview for this report. Most, if not all, MMIWG2 families and Indigenous survivors have been burnt by a system that is not designed to adequately meet their needs, so it is essential to take the time to build the trust and relationships, meet the families where they are at, and work to meet their needs and priorities before expecting them to participate in any research study.

There is no special formula for how to support families and survivors. In a first meeting, one of the MMIWG2 families from the region asked SBI staff, "what's your menu?" Though it was a humorous moment, it was also a powerful one--our answer was, "whatever you need." Every family and survivor is at a different place in their journey to justice or healing, and thus needs something a little different. SBI advocates meet with the



families and survivors at a time and place of their choosing (thus far we have met at places like a grocery store, a community center, coffee shops, and their homes), ask the family or survivor to share as much as they are comfortable sharing, and then work with them to determine triaged needs and priorities for support services.

In general, SBI's support services for families and survivors can include emotional support, referrals for mental health support or medical care, assistance locating legal aid or an attorney, assistance raising awareness on their case, supporting vigils and memorials, emergency food or shelter assistance, help gathering documentation and statements on their case, serving as a liaison with law enforcement or the courts, and general advocacy to try to push their case forward or meet their goals. Though there are many grassroots activists who do this work, SBI is one of very few formal organizations that provide these services, and the only such organization to work nationally and internationally.

In addition to the case-by-case services SBI provides, we also provide community engagement opportunities and spaces for families and survivors to build relationships with each other. For example, SBI hosts a Survivors Leadership Council entirely comprised of Indigenous survivors of sex trafficking and survival sex work; the confidential peer support and leadership opportunities have been healing and empowering, and have created a strong sisterhood. SBI also has a crisis phone line for families and survivors, weekly virtual support groups, and weekly 'art therapy' virtual workshops, where families and survivors can confidentially meet to share and get peer support while learning traditional arts like weaving or beading. SBI mails out kits with free supplies for all the projects in the workshops, creates private Facebook groups where group members can communicate with each other throughout the week, and has ensured that instructors and emotional support helpers have experience working with families and Indigenous survivors (all are Indigenous, and most are survivors or family members themselves). These





Photo caption: SBI executive director Annita Lucchesi speaking at a Justice for Jessica Alva rally alongside Jessica's mother Cindy Martin-Wolfe and Jessica's family in San Francisco, where Cindy continues to fight for justice for her daughter.

groups have been highly popular and due to high demand, have continued even during the pandemic.

SBI provides all of these supports with the knowledge that our research is stronger when our people are strong. Caring for families and survivors is an indispensable part of the research process--any research effort that does not take these measures will produce incomplete findings that lack the full power of family and survivor voices and experiences (Ambler 2014, Hargreaves 2015, Jones 2008, Lucchesi 2019b, Olive 2015).

The trust and relationships SBI builds with families and survivors is essential to our work on MMIWG2. It not only builds the rapport necessary for in-depth interviewing later on, but becomes a learning process in itself. Frequently the most powerful, useful data to be

gathered is that which comes from deep, prolonged, direct work with a family or survivor. There is simply no substitute for working directly on cases and reviewing what factors led the violence to occur, how law enforcement responded, and where the case-specific challenges arose. Even in studying common trends such as law enforcement negligence, working individual cases shows nuance and detail on how that negligence occurs that would not be accessible any other way.

# Quantitative Data Gathering

To' Kee Skuy' Soo Ney-Wo-Chek' partnered with Sovereign Bodies Institute (SBI) and utilized data from SBI's international MMIWG2 database for quantitative analysis on MMIWG2 of Northern California. For the purposes of this project, we defined Northern California MMIWG2 as any cases that occurred from the San Francisco Bay Area and Sacramento up to the Oregon border, and any cases that were perpetrated against a member or descendant of a tribe from the same area, regardless of where the violence occurred. This is an understanding of tribal sovereignty that defines tribal belonging and citizenship as a political and cultural reality and not a geographic convenience that ends at reservation boundaries. This definition holds tribal nationhood responsible for the peace and safety for anyone anywhere on tribal territory.

SBI gathers data for its database through a multi-prong approach that is centered on relationship-building with MMIWG2 families and their communities. This is based on years of experience that shows that law enforcement data, while vital, is usually incomplete and difficult to access. SBI thus combines these sources by filing Freedom of Information Act (FOIA) requests with law enforcement agencies, searching missing persons databases, and using data sourced from social media posts, news articles, historical archives, tribal enrollment data (when tribes are willing to make that data available confidentially), and direct contact with families and community members.

As survivor-researchers based in the community, SBI understands the kinds of data that are important to track, and how to implement decolonizing practices in our MMIWG2 data collection. For example, SBI does not ascribe to colonial measures of Indigeneity--official tribal enrollment/citizenship or blood quantum are not required for a MMIWG2 to be documented in the database. We understand that Indigenous identity is complex and shifts in definition across varying regions that have experienced

colonialism differently; SBI documents all cases in which the victim was part of an Indigenous community and claimed by that community, as well as cases in which the victim may have been enrolled, spoke their Indigenous language, or showed other markers of Indigenous identity (e.g. name in an Indigenous language).

Likewise, SBI does not rely on colonial law enforcement or justice agencies to determine which cases should be documented as missing or murdered; stories of cases wrongfully classified as accidental, suicide, or undetermined are so common across Indigenous communities, SBI makes the conscious choice to include any case that involves suspicious circumstances that were never fully investigated, regardless of official classification.

Moreover, SBI has made it a policy to track every data point Indigenous community members ask us to track, in the manner that is most appropriate and reflective of their experiences. As a result, the database grows constantly, not just with new cases but with new data points added on a rolling basis. Currently, SBI's database includes information on the victim, the violence they experienced, the perpetrator(s), how law enforcement and the justice system responded, and if the violence is tied to larger issues such as domestic violence or trafficking. By tracking what the community asks SBI to track and engaging in continuous consultation, the database becomes representative of the collective expertise and knowledge of Indigenous communities across the continents SBI works in (North and South America).





# Study Instruments for Qualitative Research

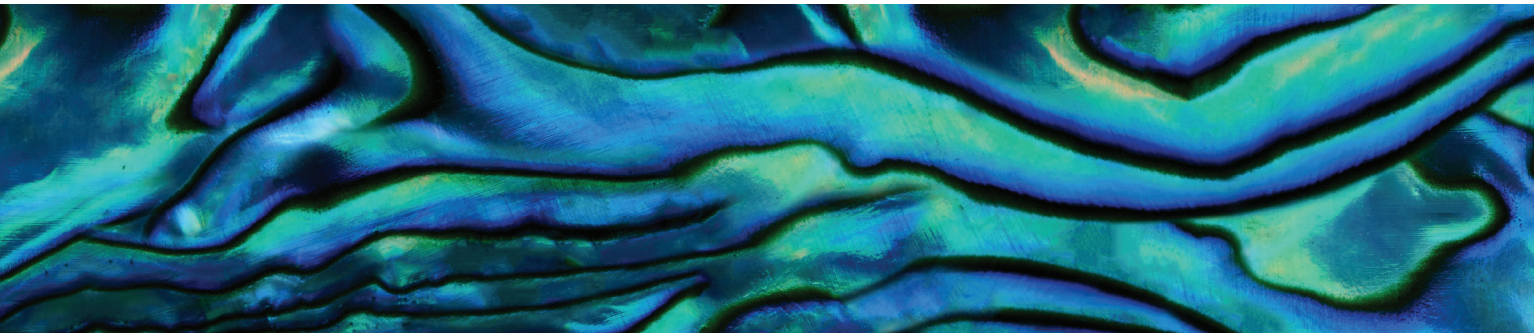
Given the lack of up-to-date, complete, and verified data on MMIWG2 in Northern California, building a repository of these data from the ground up was the first step in data collection. Drawing from the existing SBI database, we constructed a dataset of 105 case files spanning 20 counties. With the templates included in the Appendix, the research team collated information for each case file, using cover sheets to track case developments; contact logs for any and all contact with family, law enforcement, and other stakeholders for a given case file; and research logs for documenting database searches and other research queries on a rolling basis. These study instruments were vital to indexing the ever-growing database of case files, and provided a way to quantify the relationship-building efforts made by the SBI team in real-time. A description of how to use these tools is included in the Appendix along with their templates for the use of others in tracking MMIWG2.

To enrich the data included in the quantitative dataset, the research team piloted a qualitative Needs Assessment for MMIWG2 stakeholders, including but not limited to: families and survivors of MMIWG2, service providers (county, nonprofit, tribal), police (county, tribal, federal, etc.), CPS/youth services, DV/victim

services, tribal court staff, policy advocates, and other community leaders. As described in the *Gathering Data in a Pandemic* section, this Needs Assessment was designed for use in one-on-one in-depth, semi-structured interviews<sup>3</sup>, as well as with focus groups and in listening sessions for MMIWG2 stakeholders. In spite of this, the full launch of this study component had to be adapted to reflect the ongoing shelter-in-place order in the region. At the time of this Progress Report, this Needs Assessment has been completed by over 30 stakeholders across 24 interview sessions, comprising over 50 hours of audio data. This Needs Assessment is ongoing and will continue through Year 2 of the project, with the quotations and narratives included in this report drawn in large part from these qualitative data.

With this Needs Assessment, we sought to collect the following data points from key MMIWG2 stakeholders in Northern California: the extent of their existing knowledge base on the scope and severity of MMIWG2 in Northern California; their perceptions of the pressing needs of MMIWG2 families, survivors and other stakeholders; and stakeholder recommendations for local, state, and federal law enforcement agencies as well as the justice system in their

<sup>3</sup> Semi-structured interviews allowed the researcher to draw from a pre-existing list of questions, categorized by topic and module (family/survivor module vs. non-family/survivor module), to guide a participant through their personal narrative, knowledge base, and recommendations for addressing MMIWG2. Yet, such interviews also allowed for a level of flexibility akin to a conversation, thereby allowing the researcher to delve deeper into spontaneous points as they emerged in real-time. This exchange between participant and researcher is moderated by a number of factors, including but not limited to: the interview medium (in-person vs. over-the phone- vs. via video-conference), the information shared during the scope of the discussion, the emotions of the participant (and even researcher at times), the scope of the relationship between participant and the interviewer(s), etc.



responses to issues of MMIWG2. To design the content of the Needs Assessment, its questions, and the order in which they are asked, we drew from our extensive quantitative research, literature review, and consultations with families and survivors to produce a “family-approved” Needs Assessment. The research team modified this study tool in real-time based on the specifics of any one participant’s narrative, adapting questions as they resonated (or not) with a variety of stakeholders. Those who participated in these pilot interviews were instrumental to designing and redesigning the Needs Assessment, with their candor and patience greatly enhancing this component of data collection. We crafted this study tool to maximize its personal and cultural sensitivity, and to minimize participant discomfort. While we will continue to refine this instrument in Year 2, we offer it now for use by other tribes, law enforcement agencies and other justice bodies hoping to intervene in MMIWG2 (see Appendix).

To analyze the qualitative data collected through the Needs Assessment, the research team adopted a modified grounded theory approach (Glaser & Strauss 1967, Corbin & Strauss 1990, Charmaz 1995, Small 2009), using a codebook covering over 30 content areas, roughly sorted into the categories of law enforcement and

justice agencies, contextual and individual characteristics, survivance, and perpetrator patterns. We also added codes over the course of analysis, using content memos to track themes that inductively emerged through coding. The research team used MAXQDA coding software to analyze project files, generating issue-based and cross-case thematic groupings of interview and case file data. As with the study instruments above, this codebook is included in the Appendix and we offer these templates to tribes and law enforcement agencies alike in their efforts to collect and analyze MMIWG2 data for the purposes of coordinating family support and outreach. These are tangible tools for streamlining data collection and sharing, and adopting them will facilitate joint task force efforts in intervening in the scope and severity of MMIWG2.

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<sup>4</sup> Survivance refers to the dual processes of survival and resistance that have gone hand-in-hand for Indigenous peoples since contact (Vizenor 2008). Coding for survivance allows us to speak to the role of resilience in the lives of MMIWG2 families, survivors, and other stakeholders.



# Gathering Data in a Pandemic

We experienced several challenges in implementing this study. The first was that bureaucratic challenges of grant funding, contracting, and staffing required more 'up-front' time than we anticipated, which led to less time to do the work we had set out to do. We highly recommend that funding agencies and tribes work together to make funding for work such as this more accessible and ready to implement, to prevent future projects from being slowed down in this way. Moreover, so little philanthropic funding is allocated for projects centering Indigenous women and girls, we also encourage funders to make more efforts

to support work that tribes and Indigenous organizations are doing to protect Indigenous women and girls and get justice for MMIWG2. That said, the biggest limitations were those imposed by the COVID-19 pandemic. We had initially planned focus groups, community workshops, and listening sessions, and all of those events were canceled due to health concerns. We hope to offer these events as it becomes safe to do so, but the precarity of the pandemic makes it difficult to plan. The pandemic also made outreach and communication challenging, especially with families and community members who are based on reservations that do not have reliable cell coverage or home internet. Outreach and communication with law enforcement, court staff, and medical examiners was also difficult due to office closures or increased need. We were able to take some of our work into virtual spaces (the weaving and beading circles, for example),

but some things just simply could not be done virtually.

Even as shelter-in-place orders across the state shuttered the doors of county courthouses, tribal buildings and SBI itself, the extensive time invested by the research team, and in particular SBI Executive Director Lucchesi, meant that the launch of the Needs Assessment was incredibly successful, global pandemic notwithstanding. In many ways, as the world ground to a halt, MMIWG2 families, survivors, and other stakeholders appreciated the chance to speak on these matters and many relished the chance to do so. The research team recruited participants remotely while sheltering-in-place, and these pilot interviewees included MMIWG2 families, survivors, law enforcement officers, court officials, and service providers. In many cases, researchers and participants came together from their respective remote workspaces in their own homes to conduct the interview via Zoom. Commiserating over current events provided a brief reprieve and small camaraderie in the shared circumstances, offering a chance to connect at a human level even as a virtual medium filtered our interactions. In the place of in-person consent procedures, all interviews were recorded with participant consent, and every interviewee provided their verbal and/or written consent to participate in the study after reviewing a multi-page consent form with the researchers.

# Contextual Considerations

## About California: Historical & Legal Characteristics

Any summary of the traits of Indigenous California can only capture a sliver of the sheer linguistic diversity and extreme biodiversity produced by the multitude of altitudes, weather conditions, and terrains that characterize this vast state (Anderson 2005, Baker 1981, Buckley 2002, Risling Baldy 2018, Thompson 1916). In many ways, the enormous environmental variation in an area spanning over 160,000 square miles corresponded with nearly as many different Indigenous peoples as biomes. Even still, as observed everywhere on Turtle Island, each area's local inhabitants identify strongly as environmental stewards, with individual responsibilities revolving around the communal obligations to the surrounding landscape. These responsibilities are affirmed in daily life and ceremony alike, with both basic and spiritual needs met through the use of traditional knowledge bases derived from their relationships to the natural world since time immemorial.

In both the Northern and Southern parts of the states, villages thrived as part of an expansive regional trade network that included relationships with Indigenous peoples along the Pacific Rim as well as with Portuguese, Italian, and other seafaring traders. Despite this shared legacy as the ancestors of the state's tribes and rancherias,<sup>5</sup> the two regions had majorly disparate colonizing experiences. Beginning in the 18th century, Southern California was colonized as an extension of Spanish missionizing efforts in Mexico and South America, with Catholic missions serving as vectors for infectious diseases and enslavement.

<sup>5</sup> Rancherias are a California-specific jurisdiction: tribal bodies formed by the descendants of villages that were nearly decimated by genocide and disease such that only a handful of survivors remained. Descendants of these survivors formed new communities in shared ancestral lands, communities that have been recognized by the federal government as equivalent to tribal nations. This designation is a direct reflection of the especially genocidal history of California settlement (Henson 2008, Madley 2016).



By contrast, much of the white settlement in the study area in Northern California took place as a result of the Gold Rush, the largest migration of humans in world history (Lehman 1998, Madley 2016). The Gold Rush of 1849 left a bloody legacy in its wake—in a mad dash for gold, land, and whatever else white settlers required for subsistence, historians estimate that as many as two out of three California Indians were killed in the two years following the discovery of gold (Lehman 1998). According to some estimates, the entire state population reached a nadir of just 15,000 at the turn of the 20th century (Lehman 1998, Madley 2016). For context, this genocide and subsequent population decline is temporally as close to present day as the Civil War and pre-World War I eras, yet this history of violence and murder is largely shrouded from public knowledge.

In Northern California, the ensuing rush for timber, land, and fish outlasted the rush for gold,<sup>6</sup> with the corresponding need for cheap labor resulting in decades of forced labor on the part of genocide survivors (Madley 2016, Magliari 2020). Children in particular were explicitly taken for such purposes. In 1850, the Indian Slave Act codified such slavery as legal, the same year California formally became a US state. This legislation created a formal market for the trafficking of Indigenous children (up to age 18 for boys, and up to age 15 for girls). Legislators amended this act in 1860, on the eve of the Civil War, to extend the age range to age 35 for boys and age 25 for girls. White

<sup>6</sup> The Klamath River on which the Yurok, Karuk and other tribes have resided since time immemorial was once the third largest salmon run in the contiguous United States. Deteriorating river conditions and dam construction have greatly reduced historic levels, but these natural resources were a major draw to land-hungry white settlers.



settlers purchased these children for forced labor, sexual exploitation, and sport hunting. This continued for generations, and created wounds that have yet to fully heal. The legacy of this violence cannot be understated—even in today’s Indigenous communities, there are living elders who knew people who were enslaved. In both regions of California, boarding schools built on the state’s legacy of Indigenous slave labor, characterized by extreme abuse, neglect, and assimilative pressures. Beginning in the late 1800s, Indigenous children were stolen from their families and taken to boarding schools. Their hair was cut, their language and cultural beliefs banned, and they were forced to adopt Christianity and settler cultural norms. These schools were sites of horrific abuse, including widespread sexual violence, forced labor, physical abuse, and neglect (Lomawaima 2004, Norton 1979). Thousands of children died in these schools, and many have mass graves that to this day have not been fully mapped nor accounted for.<sup>7</sup>

Beyond the grievous abuse on-site at the boarding schools, their full legacy manifests for generations in subsequent cycles of parental neglect, child abuse, and domestic violence. Each of these kinds of family violence, as well as frequently co-occurring substance dependencies, all represent modern-day symptoms of the historical and intergenerational trauma that has collected after the systematic and repeated victimization of generations of Indigenous peoples and their descendants (Brave Heart 1999, Burnette 2015, Duran et al. 1998, Evans-Campbell 2008). As with violence against Indigenous women, these abuses stem from the constant desire for Native lands (Deer

<sup>7</sup> Northern Cheyenne researcher Marsha Small is working to map such grave sites at schools like Chemawa Indian School, located in Oregon. For more information, see Dadigan (2016).

2009, Razack 2015). Forced relocation efforts to urban centers further attenuated this tie through programs that sought to sever the link between Native families and their homelands under the guise of “mobility” (Henson 2008, Miller 2013). The resilience of family and cultural ties thwarted such attacks, however, as urban California Indians maintain strong connections to their ancestral communities and thriving social networks in the urban spaces they now call home (Clark 2016, Lucchesi 2019, Robertson 2012, Weibel-Orlando 1999).

These thriving urban communities are incredibly diverse due to the relocation policies implemented through the Indian Relocation Act of 1956, which incentivized American Indian people to move to large cities by offering assistance with housing and employment. Thousands of Native people took up the offer, moving to cities like San Francisco and Los Angeles. However, upon arrival, most found that the resources offered to them did not exist. Stranded in an unfamiliar city, these Native people banded together to create new kinship and support networks (Miller 2013, Weibel-Orlando 1999). The American Indian Movement is a product of this time period, with the 1969-71 Occupation of Alcatraz in San Francisco the result of a large intertribal community seeking the home and resources they were promised (Wilkinson 2005). To this day, cities like San Francisco and Los Angeles have large Indigenous communities-- a mix of families that participated in the relocation program, new generations seeking education and employment opportunities, and people whose lands those cities are built on (Ohlone in San Francisco, and Tongva in Los Angeles). These large communities are one of the reasons why some urban areas in California have a high number of MMIWG2 cases, and why California has so many MMIWG2 from tribes outside California.



# Legal Systems

## Impacts of PL 280 & Termination on Tribal Justice in California

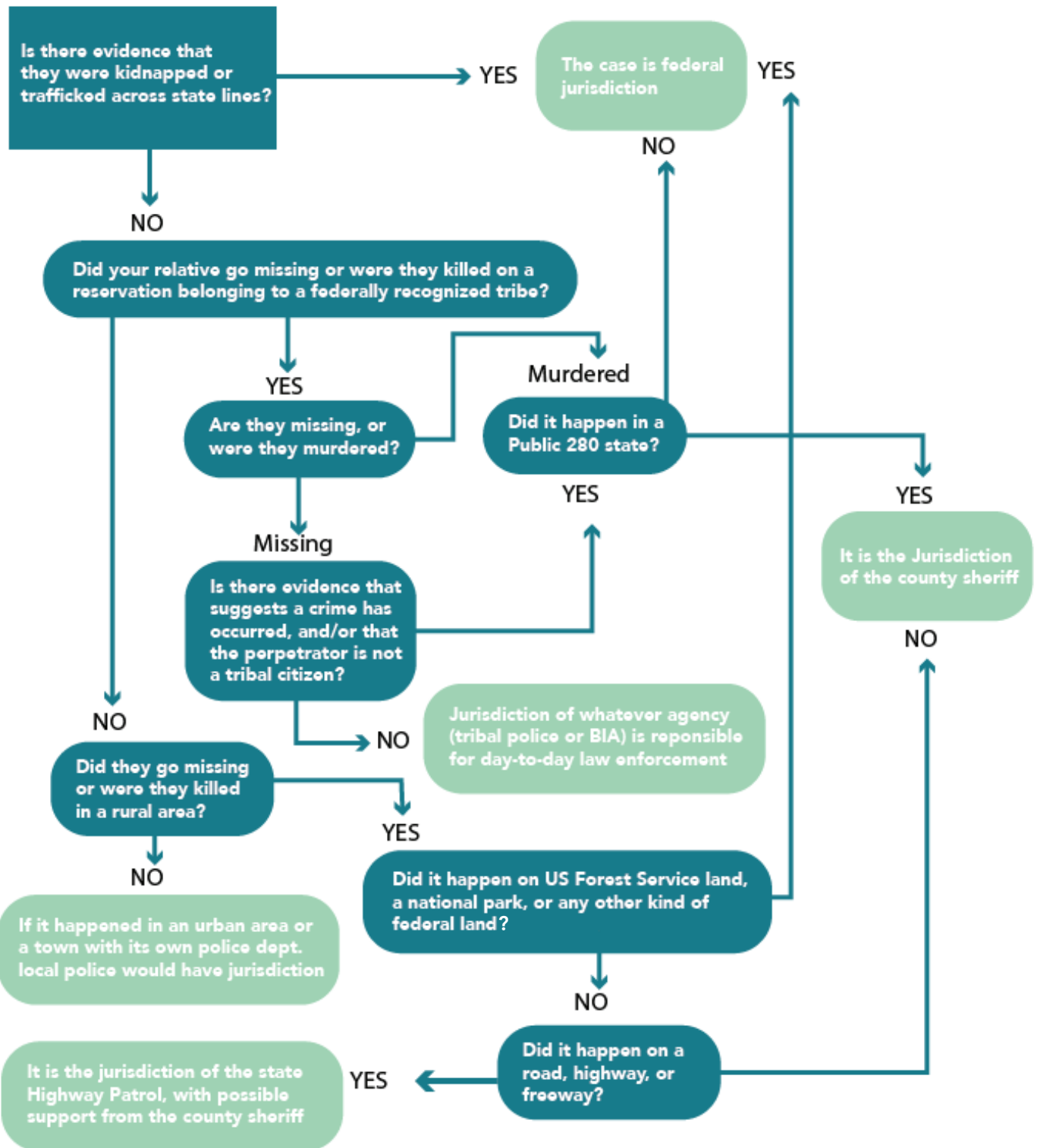
While there are 109 federally recognized tribes and over 70 state recognized tribes in California, none have a ratified treaty with the United States (Pevar 2012). This does not mean that Indigenous people in California never signed a treaty. In fact, 18 tribes signed a treaty and were removed from their traditional homelands as part of the agreement. Unfortunately, these treaties are not legally enforceable because the United States Senate voted against ratifying them during a secret session, in part, because the California State Legislature lobbied for this outcome through official debates, reports, and resolutions. The vote was not on public record until 1905 (Johnston-Dodds 2002). This means that there is no legal basis to settler occupation of the entire state of California.

Determining what level of law enforcement is responsible for solving a crime in Indian Country<sup>8</sup> is a complicated task. A crime could fall under tribal, federal, or state jurisdiction depending

<sup>8</sup> The term "Indian Country" is legally defined in Title 18 of the U.S. Code in section 1151 as "all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same."

upon the Indian status of the victim and perpetrator, the location of the crime, and the type of crime. We have included our MMIWG2 Jurisdiction Flowchart, originally printed in SBI's MMIWG2 & MMIP Organizing Toolkit, here. SBI created this flowchart to try to simplify it for beginning learners while also demonstrating how unnecessarily challenging it can be to understand. To read the flowchart, start at the top left rectangle box and follow the arrows that eventually lead to one of the five light green rounded boxes. The light green boxes contain information on who has jurisdiction depending upon the factors listed in the darker green rounded boxes.

There are three primary laws governing jurisdiction in Indian Country: Indian Country Crimes act of 1834 (ICCA), Major Crimes Act of 1885 (MCA), and Public Law 83-280 (PL 280). Legislators passed PL 280 during the Termination Era of federal Indian policy in 1953. It delegated federal criminal jurisdiction to the state in six "mandatory" states, including California, and also opened up the option for the other 44 states to implement the law as "optional" states. In non-PL 280 states, the authority of state law enforcement to arrest and prosecute is severely



limited in Indian Country and with tribal citizens. In PL 280 states, however, state law enforcement agencies have the authority to arrest and prosecute Native people in Indian Country.

While several mandatory states have specific tribal lands that were exempted from PL 280 because of treaty language, and other states have returned jurisdiction back to the federal government, there were no exemptions or subsequent retrocessions made in California (Pevar 2012), aside from the pathways to concurrent federal jurisdiction set forth in the 2010 Tribal Law and Order Act (TLOA)<sup>9</sup> As a result, federal law enforcement has a diminished role in California Indian Country and county sheriff departments end up dealing with a majority of California MMIWG2 cases, unless they agree to retrocede jurisdiction back to the United States.

Despite the clear distinction between PL 280 and non-PL 280 states, federal Indian Country legislation frequently does not include language that specifically includes PL 280 states. For example, Savanna's Act--a federal bill that would enhance data collection efforts on MMIWG2--did not include PL 280 states until Indigenous women advocates worked hard to require it. Moreover, in the recent West Coast virtual listening session for Operation Lady Justice (the federal government's initiative to study MMIP nationally), SBI Executive Director Lucchesi asked about the taskforce's ability and plans to meaningfully address MMIWG2 in PL 280 states in her testimony. The response from taskforce staff indicated that there were no concrete plans.

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<sup>9</sup> In 2012, the Hoopa Valley Tribe requested concurrent federal criminal jurisdiction over major crimes occurring on the Hoopa Valley reservation, as mandatory PL 280 tribes are able to do under TLOA. This request was implemented in late 2017. This concurrent jurisdiction means that US Attorneys have the ability to prosecute major crimes under the General Crimes Act and Major Crimes Act, and state authorities can prosecute violations of the state penal code.



Photo caption: Andrea LaDeroute, a Tolowa woman suspected to have been murdered at age 20 by white serial killer John Annibel in 1980. Her remains were missing for 22 years; her skull was found in 2002. Despite DNA evidence, the Humboldt County District Attorney's office never charged him for her murder.

Exclusion of PL 280 states from federal MMIWG2 legislation is concerning because PL 280 states account for a large number of states with high numbers of cases. Of the nine PL 280 states (Alaska, California, Florida, Idaho, Minnesota, Nebraska, Oregon, Washington, Wisconsin), four are among the top ten with the highest number of MMIWG2 cases, and account for 40% of MMIWG2 cases. This highlights the importance of addressing the unique factors of PL 280 states in federal initiatives and the critical need for PL 280 states to engage this issue on the state level.

Shortly after PL 280 was passed, the California Rancheria Termination Act of 1958 rescinded federal recognition for 41 California rancherias. Like PL 280, this was presented as a method for the federal government to save money by eliminating treaty rights and services to Indigenous people (Pevar 2012). The impact of termination is still felt today. Despite the fact that several rancherias and tribes have regained recognition, California still has a large number of tribes and rancherias who lack federal or state recognition. This not only impacts the legal geography of the state, but shapes how we understand social issues such as crime or violence against women in Indigenous communities. For example, the Tolowa Dee'ni' Nation was terminated in 1960, and reinstated in 1983; for Tolowa MMIWG2 like Andrea LaDeroute, who was murdered in 1980 and was not recognized as Tolowa at the time due to termination, it is unclear if law enforcement understood her as white or as Indigenous, and if her racial identity was changed when the tribe was reinstated three years after her death. Says Dr. Joseph Giovannetti--researcher, Tolowa Dee-ni' Nation tribal council member, and cousin to Andrea,

*Andrea LaDeroute, had she not been killed, would have been eligible for enrollment at Smith River Rancheria, through her paternal grandfather's sibling, who received a parcel of land on the Rancheria at the time of termination (1966). The apathy about identifying Natives correctly (whether one is relying on the fictitious "race" label, or more accurately "ethnicity") dated way back. In the 1900 federal U.S. census several principal Tolowa families were simply visually identified as white because of their mixed blood background. My inference is that the U.S. 1900 census misidentified certain Tolowas as white because of the phenotype the affected Tolowas presented to the census takers due to their mixed-blood status. The arbitrariness of Indian identification shows itself in many settings, including how the inclusion of any other "race" cancels tribal status for persons who list multiple ethnicities in census.*

An unknown number of women like Andrea LaDeroute exist in this legal limbo, thereby contributing to the severe undercount of MMIWG2 cases that we work with today.



# Summary of Existing & Proposed Policies

There is little substantive MMIWG2 legislation or existing policies in the state of California, despite the increased role of the state of California in Indian Country justice. The California State Assembly designated May 2019 as California's Missing and Murdered Indigenous Women and Girls Awareness Month through Assembly Concurrent Resolution No. 83. The City Government of San Francisco and the Los Angeles City/County Native American Indian Commission both issued proclamations recognizing May 5, 2019 as an official MMIWG2 awareness day. The proclamation from the San Francisco Board of Supervisors is especially unique because it takes a step beyond saying MMIWG2 is an issue by committing to community conversations:

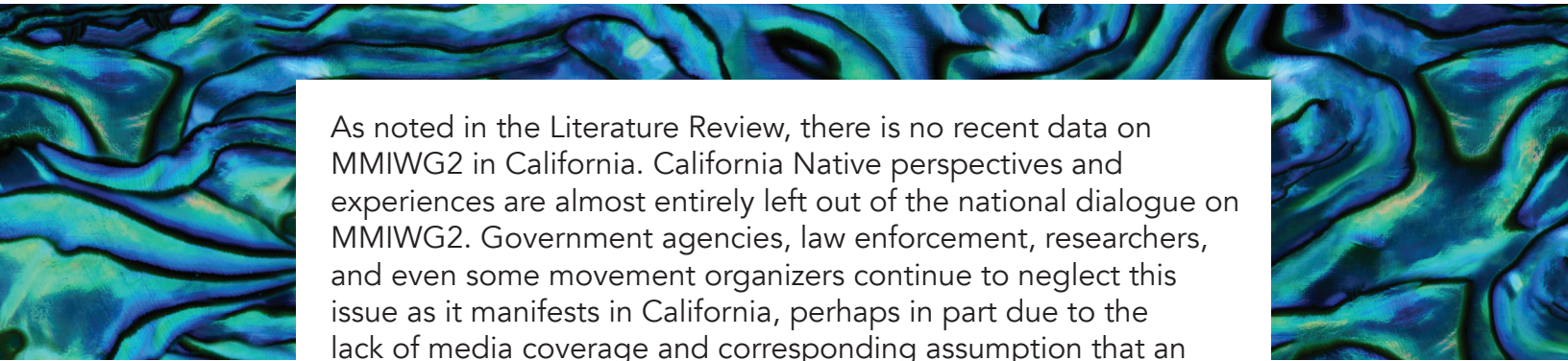
*FURTHER RESOLVED, That the City and County of San Francisco will begin discussions with urban Native American organizations, neighboring Native American tribes and local tribal organizations to develop recommendations for local and indigenous victim advocacy services, local and tribal justice responses, including coordination, and identify and implement solutions to strengthen the safety, health, and well-being of indigenous women.*

While proclamations do not always create processes to bring our relatives home, they are important in bringing attention to the issue and pushing for more substantive MMIWG2 legislation.

Assemblyman James Ramos proposed Assembly Bill 3099 (AB 3099) on February 21, 2020, and as of the publication of this report, it has not yet been passed. AB 3099 seeks to establish a taskforce to study MMIWG2 in California and to provide technical assistance and grants to law enforcement and tribal governments. There are serious concerns that there are no mentions of including researchers, California tribes, tribal people of both in and out of state tribes, survivors, or families of victims in any aspect of the study the proposed amendment seeks to establish. It is also unclear what technical assistance and grants will be made available to California tribes specifically. AB 3099 needs further engagement of California tribal governments, community members, and urban Indigenous communities before passage.




# California MMIWG2



As noted in the Literature Review, there is no recent data on MMIWG2 in California. California Native perspectives and experiences are almost entirely left out of the national dialogue on MMIWG2. Government agencies, law enforcement, researchers, and even some movement organizers continue to neglect this issue as it manifests in California, perhaps in part due to the lack of media coverage and corresponding assumption that an absence of such coverage means that MMIWG2 is not prevalent in the state. However, the lack of media coverage on MMIWG2 in California is representative of stereotypes of Indigenous people, in particular the ignorance of California's many thriving and culturally diverse Indigenous communities. For example, in the course of this project, a news outlet based in California asked a member of our team where they should go to cover the issue; when we advised them to stay in California and offered to connect them with families in the state, they declined and instead opted to go to Oklahoma "because it has the highest number of tribes of any state." When we informed them that Oklahoma has 39 tribes and California has nearly 200 tribes (109 federally recognized and over 70 state recognized), they chose to focus on Oklahoma anyway. This is an example of the stereotype that Indigenous peoples are restricted to specific geographies or locations, rather than the fact that they live on and off their ancestral homelands across Turtle Island, California included.


Thus, this report is a critical intervention in the widespread erasure of violence against Indigenous women, girls, and two spirit people in California. Such violence has deep roots, roots that have impacted the very social fabric of Indigenous communities in California. From San Diego to San Francisco, Spanish colonizers enslaved Indigenous peoples at missions, where sexual abuse was commonplace. Indigenous women resisted this violence from the very beginning--just 16 years after the first European settlement was built in California, Tongva medicine woman Toyupurina helped to lead a revolt against the San Gabriel mission in 1785. In the present day, this legacy of Indigenous resistance to gender violence in the state is largely unknown.

65 years later, California formally became a US state; that same year, the state passed the Indian Slave Act, which created a formal market for trafficking of Indigenous children. This institutionalized



trafficking and sexual abuse continued for generations, and created wounds that have yet to fully heal. The legacy of this violence cannot be understated--even in today's Indigenous communities, there are living elders who knew people who were enslaved, and to many, sexual violence is a when and not an if.

Beyond this lack of awareness, the state also abounds with examples of the ways in which violence against Indigenous women has been memorialized. Local landmarks like Larabee Creek (located in Humboldt County) are named after men who perpetrated this violence: Henry P. Larabee. Larabee was known for sport hunting the children he bought on the afore-named creek, and once bragged about having killed 60 Indigenous babies. Larabee is also thought to have been one of the perpetrators of the massacre on Tuluwat, a Wiyot sacred site also located in Humboldt County, where an estimated 80 women and children were murdered while on the island for ceremony, unaccompanied by men.



Other sites, like Sq\*\*w Creek (also in Humboldt County) are named after racial epithets derived from sexual violence against Indigenous women<sup>10</sup>, and sites of additional massacres<sup>11</sup>. Yurok writer Che-na-wah Weitch-ah-wah (Lucy Thompson) documented some of this violence in her 1916 book *To the American Indian*, stating that,

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<sup>10</sup> Sq\*\*w is an offensive slur used to refer to Indigenous women. Though its roots are contested, many believe French settlers derived it from a bastardization of an Indigenous word for vagina. Since its use in this way, it has been used for centuries as a pejorative, reducing Indigenous women to their assumed sexual organs. Sq\*\*w has also been used to describe Indigenous women as ugly, big or heavy, dirty, and stupid.

<sup>11</sup> There are three Sq\*\*w Creeks in Humboldt County, and two of them are massacre sites. These massacres targeted women and children; at the end of one of them, Theodore Aldrich (buried in Petrolia) picked two babies up by their feet and beat their heads into a tree, stating, "Nits make lice." (Lynette's NorCal History Blog 2011)





*"Young girls [forced onto reservations] had no rights with the soldiers or white men and were diseased, and if an Indian made any objection to the white man's treatment, they were in return kicked and abused, and often killed."  
(pg. 166)*

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Other women were kept by "sq\*\*wmen"--white men who "married" Indigenous women in the late 19th and early 20th centuries in forced arrangements more akin to trafficking and enslavement than a marriage. A profile (Mullen 2015) on Indigenous woman Lucy Romero of Arcata references contemporary events of the era, including news articles that described white men "ravaging" Indigenous women<sup>12</sup>. This narrative traces Lucy's experiences of rape, her marriage to a "sq\*\*wman," her survival of the massacre on Tuluwat while pregnant and caring for two young children, and her eventual unsolved murder at the hands of two white men.

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<sup>12</sup> We believe it is likely Lucy Romero was Wiyot, as she is written as coming from the Humboldt Bay region and attending Wiyot ceremonies. However, since no source has identified her as Wiyot, we have identified her as Indigenous here.

The intergenerational impacts of 170 years of violence, trafficking and murder through missions, massacres, forced relocation, boarding schools, widespread removal of children from their families through the child welfare system, disproportionate incarceration, police violence, and high rates of gender violence are still playing out to this day, and directly contribute to issues like MMIWG2. One interview respondent shared a pervasive feeling of hopelessness in his tribal community stemming from intergenerational trauma and its manifestations in families, and all cited historical trauma and violence as a contributing factor to the MMIWG2 crisis. This has a strong impact on today's families; in the words of Yurok Tribal Court Chief Judge Abby Abinanti,

*I was talking to some social workers about it at one point, and I said, "Now, you have to understand when you're saying--'Oh, these people were horrible parents, and they have always been. That family has always had horrible parents.'" And I said, "Were any members of that family indentured slaves?" Because horrible parenting comes from not being parented in the right way. And those people came home, because we were also horrible slaves, and as soon as we got big enough, we ran. But we hadn't been parented, and then they came home and had children and they didn't know how to parent.*

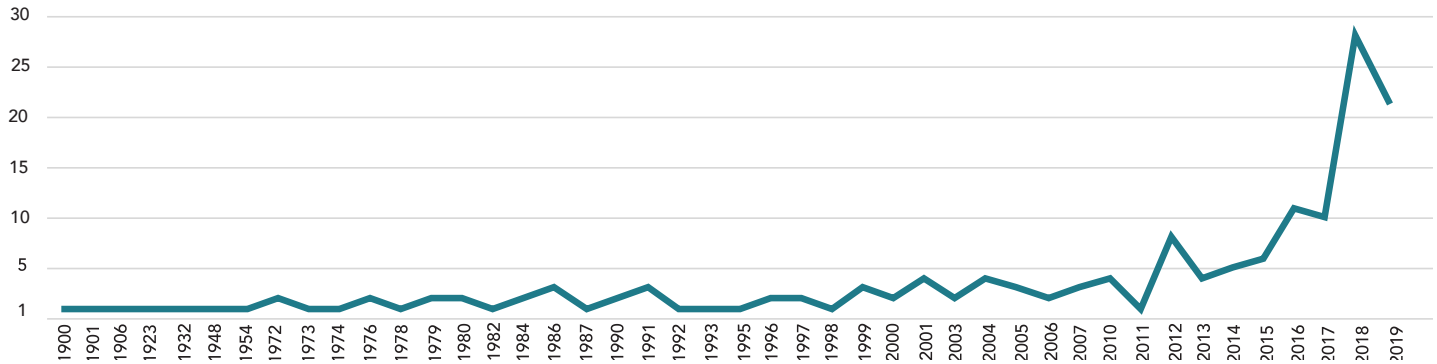
Though we do not have accurate numbers of how many Indigenous women, youth, and two spirit people were stolen due to massacres, trafficking, and boarding schools, we have attempted to honor them and the impact of their loss in this report by including the above history. These are the roots of the violence we see today.

## *MMIWG2 in California: Data Trends*

We have included a graph of SBI's data on MMIWG2 in California by year--though it may seem that the number is skyrocketing in recent years, what the graph actually shows us is that when there are concerted efforts documenting these tragedies, many more cases are counted. Since SBI's database began in 2015, there has been an average of 14 cases in California per year; if we applied that average to every year since 1900, it would total to



1,704 stolen women, girls, and two spirit people statewide. That said, we are confident the number would be much higher, due to historical factors such as boarding schools.

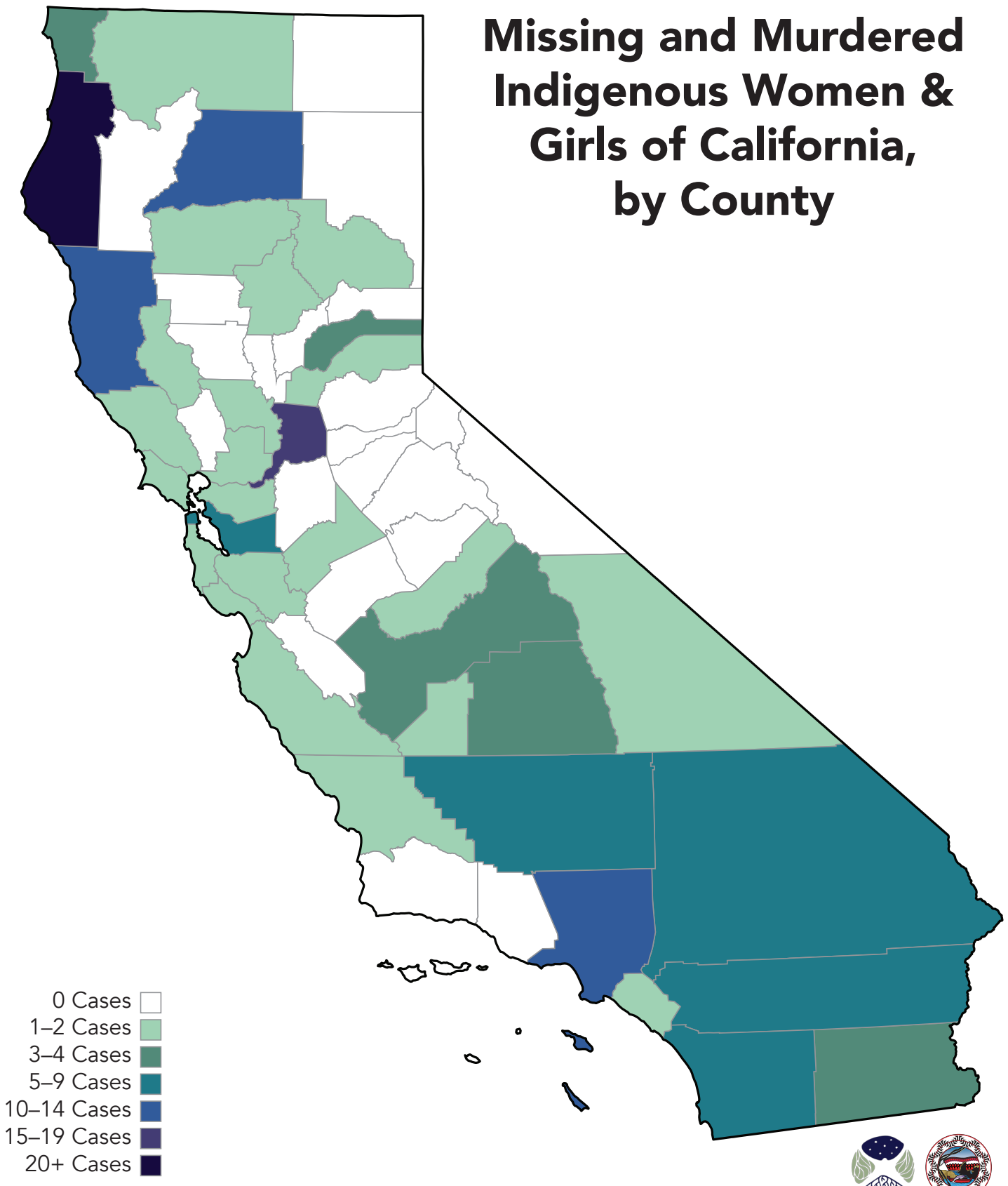


Prior to this report, the only publication to explicitly address MMIWG2 in California is the Urban Indian Health Institute’s 2018 report on urban MMIWG2, which included data on cases in cities like Eureka, Redding, San Francisco, Sacramento, Bakersfield, and San Diego. Altogether, the report documented 41 MMIWG2 cases in urban areas of California, giving it the sixth-highest number of such cases by state nationally. The report also cited San Francisco as among the 10 cities nationally, with the highest number of cases.

As of July 2020, SBI has documented 165 MMIWG2 cases in California. This makes California the state with the fifth-highest number nationally, trailing behind Montana (237), Washington (235), New Mexico (188), and Arizona (188). Notably, Northern California outranks many states, and if it were a state, would be in the top 10, with 105 cases. The other states in the top 10 include Oklahoma (162), Alaska (149), South Dakota (132), Nebraska (97), and Oregon (74). It is important to note that of these states, California is one of two that has not passed any statewide legislation to meaningfully address the MMIWG2 crisis.

The geography of MMIWG2 in California is of serious concern. Approximately two thirds (62%) of identified cases occurred in Northern California, and 15% of cases occurred in the Yurok Tribe’s service area (Humboldt and Del Norte Counties). As we have laid out in this Contextual Considerations chapter, this higher rate of violence stems from a confluence of centuries of violence targeting Indigenous women and children, structural inequities, geography, and policy that create conditions for this violence to grow.

# Missing and Murdered Indigenous Women & Girls of California, by County



- 0 Cases
- 1-2 Cases
- 3-4 Cases
- 5-9 Cases
- 10-14 Cases
- 15-19 Cases
- 20+ Cases





# Year 1 Findings

## Scope & Severity of the Crisis


“ Across the region, law enforcement and justice system records were in various stages of digitization, and when they did exist electronically, they were rarely available for external access. In some cases, this was a direct reflection of the scant resources available for technological investment and public records administration ”




## Challenges in Data Collection

The findings included in this report are based on the most up-to-date, complete, and comprehensive data available on MMIWG2 in Northern California. Nonetheless, there are still open questions and data points that remain uncollected, and these gaps reflect the many challenges faced by the research team and others in accessing these data. As a contextual backdrop, the general lack of resources that marks many rural areas compounded the expansiveness of the region, a deficiency that not only leaves many law enforcement agencies understaffed and spread thin across a large geography, but also limits data collection efforts (Burton et al. 2013, Hart et al. 2005, Weisheit 1996). Across the region, law enforcement and justice system records were in various stages of digitization, and when they did exist electronically, they were rarely available for external access. In some cases, this was a direct reflection of the scant resources available for technological investment and public records administration, especially in rural counties where one or two individuals were responsible for the entirety of a given courthouse’s public records.

Beyond these contextual conditions, other factors also posed challenges to data collection, including roadblocks to accessing data collected by law enforcement. Several of the data points needed to address issues of MMIWG2 are collected as a matter of public record, including a victim’s name, age, gender, race, and other basic demographic details associated with a case. The Freedom of Information Act (FOIA) of 1967 affirms the right of the public, researchers and tribes included, to access such data, yet the process of submitting FOIA requests is time-intensive,



*The absence of such access leaves tribes limited in their ability to support MMIWG2 families and survivors*



expensive, and frequently met with suspicion and evasion on the part of law enforcement and other justice agencies. For example, like many of the agencies who received a FOIA request for data for this project, the California State Attorney General's Office refused to provide access to their records. Reasons ranged from the fact that such data is not collected and would be burdensome to collect, or that such data exists but is not available for the purposes of empirical research, such as data on missing youth. In some instances, both reasons are cited with obscure references to legal code, as if the very effort to find a loophole reason to not share such data was more than the effort expended to collect it in the first place. In the experience of this research team, such responses are counterproductive, lengthy, and unnecessary blocks to establishing the scope and severity of MMIWG2, not to mention intervening in it.

FOIA request issues are compounded by the lack of tribal access to data. Tribal leaders are unable to identify their citizens who have gone missing or murdered without access to law enforcement data, and at times are stonewalled in their efforts to gain access. For example, NamUs, the federal database used for tracking missing persons and unidentified remains, does not notify tribes when one of their citizens is logged into the system. On one hand, this reflects the need for access to tribal enrollment records to verify affiliation, a knowledge base that is unique to each respective tribe. On the other, it is a byproduct of a general unwillingness to provide tribes with open access to criminal data for the purposes of supporting their citizenry. NamUs has made efforts to rectify this by making tribal affiliation available as of June 2020 in response to advocacy efforts by the Yurok Tribal Court. Other agencies would do well to adopt similar policies that recognize the concurrent jurisdiction of tribes in California, and their data sovereignty in particular. Like access to educational data for tribal children (California Department of Education 2019, US Department of Education 2004), there is no reason that tribes should not have full access to the data collected on their citizens by the penal state, yet at present this is far from the case.

The absence of such access limits tribes' ability to support MMIWG2 families and survivors, as well as constrains the capacity of agencies, both tribal and county, to work jointly on a given investigation, as evidenced by the case of Angela McConnell.

Angela was an enrolled member of the Hoopa Valley Tribe with Mohave, Yurok, and Karuk ancestry. She was murdered in Shasta County in 2018, and her mother Tammy Carpenter resides in Humboldt County, where she raised Angela on the Hoopa Valley Reservation. Being in Humboldt means she is effectively a world away from the detectives and district attorney responsible for her daughter's case, with investigative results and efforts not shared with her. The need for advocacy is intense: "Even with the police over there in Shasta County I am-- I feel like they are

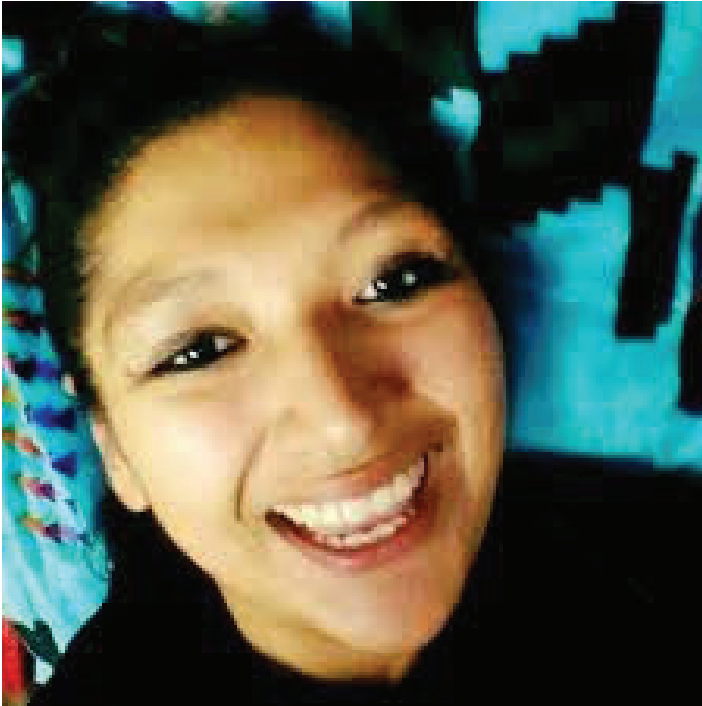


Photo caption: Angela McConnell was a bright young woman, deeply loved by her family and community. She is remembered as someone who brightened every room she entered. Angela was murdered in Shasta Lake in 2018, and her case remains unsolved.

not doing enough. There's nobody there to help me. I need help, for somebody to go over there and start being an advocate for me."

*"Racial misclassification is frequent"*

Tammy and others pointed to tribes as a natural advocate on their behalf as tribal representatives may have access to knowledge bases that could be useful to the investigation. The ability to support Tammy and families like hers starts with open and honest communication between families, tribal bodies, law enforcement agencies, and justice systems, communication that is most tangibly expressed in the form of open and complete data sharing that recognizes the concurrent jurisdiction of tribes over their citizens in a PL 280 state. This can and should lead to cooperation by law enforcement teams.

# MISSING PERSON

## Heather Leann Cameron



MISSING SINCE:	08/18/2012	SEX:	Female
DOB:	08/11/1984	RACE:	White
HEIGHT:	5' 6"	EYES:	Brown
WEIGHT:	115 lbs.	HAIR:	Brown
AKA:	Heather Leann Haller		
SCARS/MARKS/TATTOO:	Tattoo on her back of tribal flowers and a tattoo of a girl on her right calf.		
DENTAL X-RAYS AVAILABLE:	No		

Heather Cameron was last seen on August 18, 2012.

### Contact

AGENCY:	Shasta County Sheriffs Department
PHONE NUMBER:	(530) 245-6025
CASE NUMBER:	201227344

Photo caption: Heather has been missing for nearly eight years, and yet as of July 2020, the California missing persons directory still incorrectly lists her racial identity as white. Heather comes from the Grand Ronde and Pit River tribes, and is a loving mother who is very much missed by her family. Her last contact was a 911 call, saying she had been drugged and taken to a remote area.





Photo caption: Natasha Steele was a beloved mother who died in suspicious circumstances in Del Norte County in 2019. In her family's words, she was "crazy outgoing, full of love, full of life, always out for a challenge and adventure, and always willing to help someone out."

Even after gaining access to data on MMIWG2, data quality considerations are also a matter of concern. Racial misclassification is frequent, as evidenced by the case of Heather Cameron. Heather is an enrolled member of Grand Ronde with Pit River ancestry & community ties who was classified as "White" in the Office of the Attorney General's Missing Persons Database. Unfortunately, Heather's case is not an anomaly—we found 20 instances of racial misclassification in official state and federal databases, 80% of which were incorrect assumptions the victim is white. The highest rate of racial misclassification of missing persons is in California's missing persons database led by the Office of the Attorney General (CA OAG), wherein 56% of Indigenous women and girls are listed as the wrong race. The National Center for Missing and Exploited Children (NCMEC) comes in close second with approximately half of the cases of missing Indigenous girls of California misclassified by race. NamUs (the federal missing persons database) has a much lower rate, however over one third (35%) of the California

*In other instances, the actual case is misclassified in that those who have gone missing or murdered are actually classified as having died as a result of suicide, hypothermia, alcohol intoxication, or even "undetermined" causes of death.*

cases in their system are misclassified racially. Overall, cases in Northern California represent half of all instances of racial misclassification SBI has documented across the state. This rampant misclassification is most frequently rooted in stereotypes about what Indigenous people are “supposed” to look like, without regard to the multitude of skin tones, hair types, heights, and body shapes that exist across Indian Country.

In other instances, the actual case is misclassified in that those who have gone missing or murdered are actually classified as having died as a result of suicide, hypothermia, alcohol intoxication, or even “undetermined” causes of death. In the case of Natasha Steele from the Lytton Rancheria and Round Valley Tribes, she went missing in June 2019 after reportedly kayaking with an acquaintance after midnight near Crescent City, CA. When her body was found, the man who had reported her missing had left the area and her death was ruled an accident despite suspicious circumstances that were never fully investigated.

In another example of case misclassification, Alicia Lara, a Tarahumara woman who died in Weitchpec in 1991, was classified as having died in a car accident. When her daughter Christina Lastra pushed the Coroner’s Office for more information on her death, the County Coroner told her that her mother’s death showed multiple signs that it was actually a homicide. There was no explanation as to why her death was not classified as a homicide and some 30 years later, her daughter Christina is left wondering why--

*I would like to know why the Humboldt County officials didn't do anything and why they felt compelled to tell me and my brother that she had died in a car accident...[The coroner] seemed like such a nice man, but to me...I was told that he was probably trying to protect me, but that's not honoring my mother and that's not honoring his own oath or society by any means, to allow a murderer to not be held accountable.*

Natasha and Alicia’s stories are two of many that were misclassified; we found that in

Northern California, 37% of cases where case classification is known were misclassified as suicide, undetermined, or accidental. Such case misclassification compounds the several limits on MMIWG2 data at present. Without accurate data, tribes, law enforcement officers, and justice agencies are severely limited in their ability to address MMIWG2. This is further exacerbated by the fact that some data just isn’t gathered, data that MMIWG2 families and survivors need in their pursuit of justice. For example, Indigenous community members have asked SBI to track how many children each MMIWG2 had, if the victim was two spirit or LGBTQ2, if they have other MMIWG2 in their family, and what the victim’s name in their tribal language was (where appropriate)--these are all data points that law enforcement agencies do not collect. This omission underscores the importance of law enforcement and justice system consultation with tribes, families, and survivors in the design of data collection, as evidenced by SBI’s community-based data tracking apparatus. We draw from these data for the scope of this report, challenges to data collection notwithstanding.



Photo caption: Alicia Lara was a fiercely loving Tarahumara mother, who was known for her strength and passion. She was killed in Humboldt County in 1991, and her case was never brought to justice.

# General Trends & Statistics

SBI has documented 105 MMIWG2 cases across Northern California. These cases span from 1900 through 2020, though 87% of cases occurred after 1980 and 72% occurred after 2000. As discussed in the California MMIWG2 section, the dramatically high number of cases in recent years is more indicative of the success of concerted efforts to gather and track data than it is indicative of a major spike in violence--what we have seen through our conversations with families and survivors is that they feel the violence they experience and witness now is part of a broader landscape of violence that has been continuous since colonization began.

Though we devoted significant effort to gathering information on these 105 cases, much about the circumstances remains unknown due to difficulties in data collection, a chronic and pervasive failure to investigate, and no response from the justice system. 62% of all cases of missing Indigenous women, girls, and two spirit people of California that SBI documented are not in any official missing persons database (NamUs, CA OAG, NCMEC). 74% of cases SBI has documented have no public information available on how they were classified (e.g. homicide, suicide, accidental, undetermined) or on the possible alleged/charged/convicted perpetrator or person(s) of interest. 12% of cases have no information available on what town or city the death or disappearance occurred in.<sup>13</sup> 56% of cases have no publicly available information on victim tribal affiliation (in large part because law enforcement agencies either do not track this information or do not make this information available to the public or to tribal governments). Some agencies, however, are beginning to change this--NamUs began making tribal affiliation information available as of June 2020, though none of

*Of the 105 victims  
37% are missing and 63%  
have been murdered.*

the 15 cases in their California data have tribal affiliation listed at this time.

Another challenge is inconsistencies across official databases. SBI documented 5 cases where the race of the reported missing person does not match from one official database to the next (comparing NamUs, CA OAG, and NCMEC). Over one third (36%) of cases that are in NamUs are not listed on the CA OAG database, 18% of cases in the CA OAG database are not in NamUs, and there are at least 5 cases that are in the CA OAG database or NamUs and should also be in NCMEC but are not. Overall, NCMEC is missing 28 cases (82% of the total number of missing child & youth cases in SBI's data), the CA OAG database is missing 55 cases (74% of the total number of missing persons cases in SBI's data), and NamUs is missing 52 cases (70% of the total in SBI's data). Northern California cases make up over half of all the cases that are not logged in any database, half of the cases that are entered in one database and not another, and over half of cases that are missing from NCMEC, CA OAG, or NamUs.

<sup>13</sup> Most often, these are missing persons or exploited youth who are solely listed by the jurisdiction responsible for looking for them, i.e. county-level agencies.



Even more troubling, some jurisdictions informed us that they did not have records of missing Native women in their jurisdiction, despite those cases being listed as under their jurisdiction in NamUs. For example, Miwok MMIW Angela Mae Jeff was reported missing from Oakland, CA in 1980, yet Oakland Police Department responded to a FOIA request indicating they had no record of any missing Native female.

Despite these large gaps in data, the data SBI has gathered is likely the most robust data source currently available due to its unique multi-prong methodology.



Photo caption: Angela Mae Jeff was a California Valley Miwok tribal member who disappeared from Oakland in 1980. She experienced domestic violence at the hands of her boyfriend, who is thought to have fled to Mexico after her disappearance.

Of the 105 victims, 37% are missing and 63% have been murdered. This is a higher murder rate than in other areas--in SBI's data across the United States and Canada, the ratio is closer to 50:50. Average victim age is 33 years old, though approximately one quarter of victims were age 18 and under. Average age of missing and murdered youth in the data is 13 years old, revealing that Indigenous youth are targeted for this violence especially at early adolescence. That said, 10% of victims were elders age 60 or older, suggesting a need for increased elder abuse prevention programming.

SBI does not ascribe to colonial notions of gender and includes all missing and murdered Indigenous LGBTQ and two spirit people in our data. However, the data we were able to obtain on missing and murdered Indigenous LGBTQ2 relatives in California is extremely limited. This is perhaps the most challenging data to gather, because law enforcement and government agencies do not document victim preferred gender or sexual identity, media rarely cover cases of violence against Indigenous LGBTQ2 individuals, and Indigenous communities themselves are still learning to heal the violence of imposed settler ideologies that dehumanize LGBTQ2 people. We have not included individual examples of missing and murdered Indigenous LGBTQ2 people in California in this report because the only cases documented in SBI's data are individuals that were not publicly "out," and in one case their friends requested that SBI keep the information private in order to honor the privacy of that individual. We encourage family, friends, and chosen family of missing and murdered Indigenous LGBTQ2 people of California to reach out to SBI so that as this project progresses, we can ensure that your loved one is included.

<sup>14</sup> These tribes include the following: Aboriginal (from Australia), Berry Creek Rancheria of Tyme Maidu Indians, Blackfeet, Cedarville Rancheria Northern Paiute, Choctaw, Comanche, Fort Mojave Tribe, Habematolel of Upper Lake Tribe, Hoopa Valley Tribe, Hopland Band of Pomo Indians, Karuk, Lytton Rancheria, Manchester Band of Pomo Indians, Mescalero Apache, Miwok, Kanaka Maoli (Native Hawaiian), Nez Perce, Oglala Lakota, Pit River, Pomo (unknown band), Round Valley Tribes, Tarahumara, Tolowa, White Mountain Apache, Wintu, Yaqui, Yurok.

<sup>15</sup> The Hoopa Valley Tribe is the formal body of the Hupa people, with the former spelling used to refer to the tribal government, facilities, etc. and the latter to refer to the language, culture, and traditional practices of the original inhabitants of Hoopa Valley.



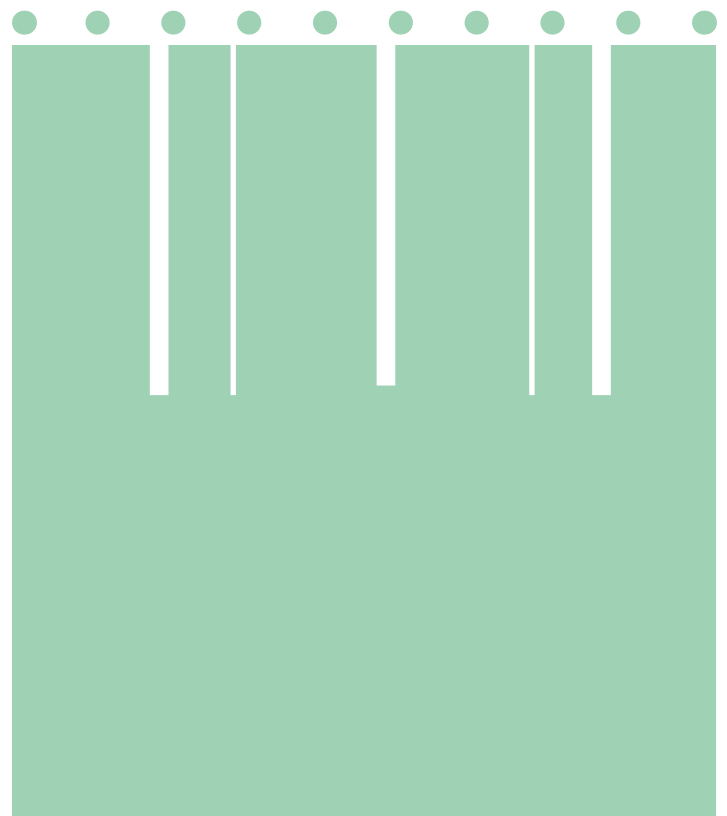
Of the victims whose circumstances or life stories we have details of, two thirds experienced domestic/family violence or intimate partner violence (IPV), and 1 in 4 experienced sexual violence. Approximately 1 in 5 were victims of police brutality or lethal neglect (preventable death in custody). 12% of victims were unsheltered.

28 tribes are represented among the victims,<sup>14</sup> with the Hoopa Valley Tribe, Yurok Tribe, and Round Valley Tribes most highly represented. Of the victims whose tribal affiliation(s) are known, approximately half came from those three tribes--22% were Hupa,<sup>15</sup> 16% were Yurok, and 11% were of the Round Valley Tribes. 18% of victims descended from more than one tribe, highlighting the importance of tribes' willingness to coordinate and work together to bring their people to safety. Over one quarter of victims with known tribal affiliation were from Indigenous peoples outside of California and 15% of California Indian victims experienced this violence outside California, reminding us that any effort to address this crisis in the state must be inclusive of Indigenous people who are not California Indian and empower tribes to advocate for and protect their citizens regardless of where they are. Northern California's varied geography is also well-represented in the data. Humboldt County is the stand-out area, representing one in five cases. Three of the top five counties are rural, and two are highly developed urban areas--Humboldt (22), Sacramento (15), Mendocino (13), Shasta (10), and Alameda (6). The most highly concentrated region is the "Lost Coast" (Humboldt, Mendocino, and Del Norte Counties), which is home to over a third of cases in Northern California (36%). The Bay Area (Alameda, Contra Costa, Marin, Napa, San Francisco, and Solano Counties) came in second with 16% of cases, the Sacramento area represents 14% of cases, and the far northeastern region (Lassen, Modoc, Shasta, Siskiyou, and Trinity Counties) is fourth with 10% of cases.

In general, rural regions are highly overrepresented. For example, the Lost Coast area has more than double the number of cases than the Bay Area, despite the Bay Area having an Indigenous population approximately 3 times larger than that of the Lost Coast.<sup>16</sup> Indexed to population, the Lost Coast region's rate is 4 times higher than Sacramento's rate, and 7 times higher than the Bay Area's. The far northeastern region has the highest rate of all, approximately 5 times higher than the Lost Coast, 17 times higher than Sacramento, and 33 times higher than the Bay Area.

19% of cases occurred on tribal lands, 26% occurred in a rural area, and 55% occurred in urban areas.<sup>17</sup> 97% of cases were found to be non-tribal jurisdiction, with county sheriff agencies responsible for 45% of cases statewide and the remaining 52% under the jurisdiction of local (city police) agencies.

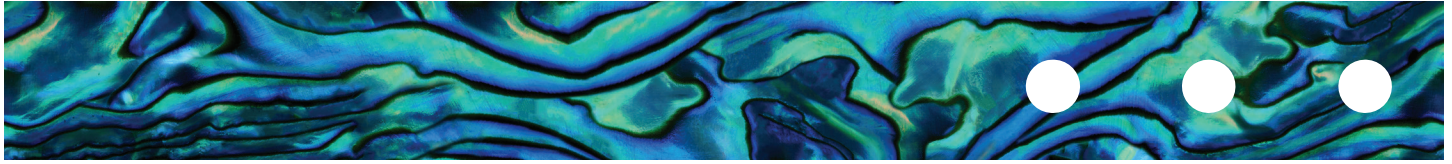
These statistics map a landscape of violence in which death and disappearance create a dangerous norm for Indigenous women, girls, and two spirit people.



<sup>16</sup> This estimation is based on current US Census data, limited to those who identified solely as American Indian/Alaska Native.

<sup>17</sup> For the purposes of this report, any city with more than 15,000 residents was tagged as urban, which meant smaller hubs like Eureka (population approx. 27,000) and Ukiah (population approx. 16,000) are included as urban

# Connections Between Families and Communities



Though the statistics we have shared in previous sections are important and powerful, they cannot truly account for the impact of this violence on the community. We attempted to begin assessing that impact by asking interview participants a series of questions about their personal connection to those who have been victimized.

89% of interview respondents who were asked how many MMIWG2 cases they know of said they know of at least one MMIWG2 case in their community and 79% named more than 1. One in five of these respondents knew of five or more cases. However, a social worker we interviewed expressed concern that the number she knew of was,

*...even higher because of data entry issues from law enforcement and coroners, and even social workers, because sometimes when tribal youth run away social workers are not contacting the tribes and that's a huge problem.*

Other participants also felt the number was likely higher than they knew, and one survivor felt there were likely thousands of cases, especially if the number included cases of women or girls who were reported missing and later found alive, as she was. Of the two respondents who said they did not know of any MMIWG2 cases by name, both were members of Northern California tribes living out of state, suggesting that day-to-day life in the community dramatically impacts whether a person is able to recall any specific cases.

A disturbing 40% of MMIWG2 families we interviewed said they had more than one missing or murdered family member, which speaks to both the scope and severity of this crisis, and the tight interconnectedness of Indigenous communities. These families are put in the challenging position of advocating for multiple people simultaneously, or choosing one person to prioritize over others, while also navigating a complex legal system, a resource desert, a national movement and grassroots organizing, fighting to be heard in policymaking circles, logistical impacts of the violence (e.g. child custody), and severe compounded grief and trauma. Moreover, 100% of MMIWG2 families we asked about more generalized violence said that most or all of the Indigenous women and girls they know have experienced some form of violence, and most identified patterns of sexual abuse or domestic violence as issues within their extended family. This is a significant mental and emotional health toll no family should have to carry. Executive Director of California Consortium for Urban Indian Health Virginia Hedrick spoke to this, saying

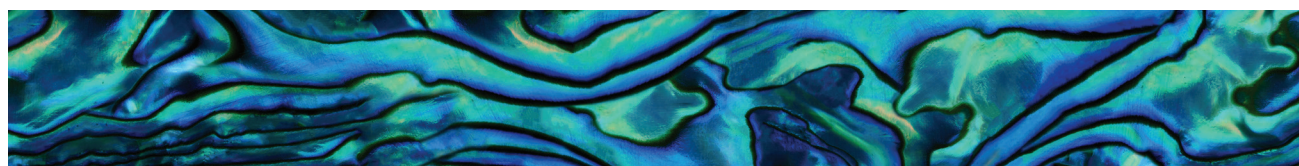
*I imagine for families, it's hard to contribute to a larger cause that doesn't directly impact their missing family member or their murdered family member, [for whom] justice hasn't been served. It must be hard, right? It's like the dirtiest volunteer work. Like I have a need that's so specific and so direct, but I'm going to volunteer on something that's bigger and related, but not mine. And I think that's what we ask of MMIW families. It's what we ask of survivors. And it's a lot to ask of anyone to do, and we ask it of them and they do it. And it goes back to what I said earlier too, about like, who really cares? Should*

*it only be people who have been impacted by it that care? Or should everybody really care? Like, should it not just be only victims and only survivors who get to speak on it? Shouldn't we all be speaking on it?*

In this quote, Hedrick also touches on the importance of community engagement on MMIWG2 as an issue; if we are going to acknowledge the deep and tight knit networks in our community, then we need to activate those networks to support families and survivors. Another participant spoke to this sense of community complicity and responsibility, stating,

*If it takes a tribe to raise a child, it takes a tribe to traffick one. You know, if it takes a frickin tribe to heal one person, it's going to take that entire tribe to also hurt them.*

Yurok Tribal Police Chief O'Rourke also referenced the general community impact when a case like this occurs, saying, "I know people who knew them, I know people or their family members, and so that still has a ripple and an impact." In this way, we can understand the impact of MMIWG2 as far-reaching and profound, perhaps best represented as a ripple effect concentrated around families and progressively growing larger as the loss reaches extended family, friends, and community members.





# Long-Term Ripple

## Effects

These ripple effects impact Indigenous communities and MMIWG2 families in immeasurable ways, and create a complex array of acute, chronic needs that often go unmet. For example, aside from the deep wounds the grief and loss create, families also pay an economic toll when they lose a loved one. For families of murder victims, funerals, headstones, and embalming or cremation costs can total to tens of thousands of dollars. Likewise, for families of a missing person, costs of ground searches can be similarly high. Families in both situations bear the burden of costs of awareness campaigns, rewards for information, memorials and vigils, and advocacy efforts. While some families have been able to receive financial support from Victims' Witness agencies, it typically is not sufficient to cover all of these costs, and does not address the long-term financial and logistical impacts. Some of these impacts are difficult to anticipate and need flexibility in funding and mandates to best support families and survivors, and can also be a result of poor support systems and institutional responses. For example, one family was evicted from their home in tribal housing after their loved one was shot and killed in the home; this is an instance where the family's tribe had an opportunity to support victims of a shooting, but instead actively made the fallout of the violence incredibly harder to manage.

Even when it does exist, programming to support victims and their families does not provide support in perpetuity, and does not acknowledge that no matter how old a case is, new needs will always arise. For example, years after losing her mother, one youth that has received support from SBI became unsheltered and was living on the streets, and engaged in survival sex work. In another instance, a family who lost their loved one nearly 30 years ago needed a referral for a counselor or mediator who could help their family navigate returning to her case. There is no time limit or expiration date on trauma, especially given that the impacts of a lost relative never go away.

These needs are magnified if families lose an adult, especially a mother. In these situations, they have lost a caretaker and breadwinner overnight, which can put families in a precarious financial and child-rearing situation. For family members who take custody of children of MMIWG2, they are thrust into shifting their relationship from extended relative to parent, caring for children coping with extreme trauma, and financially supporting children they did not plan for, all in the midst of their own grief. This toll is especially hard on elders who take in grandchildren;

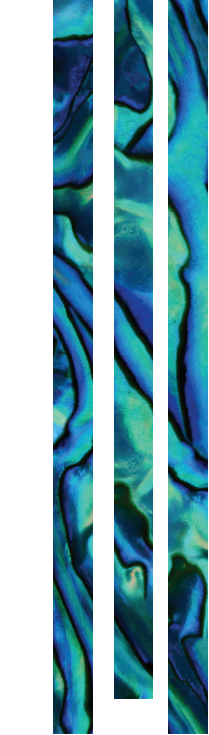


many live on a fixed income and simply do not have the resources to take them in, and stretch themselves to make ends meet for years, all the while navigating aging and the health problems that come along with it. SBI has tried to mitigate some of these struggles by offering emergency financial assistance that prioritizes guardians of children of MMIWG2, and by offering holiday programming like Easter baskets and Christmas gifts, but one organization alone could never meet the full extent of the need.

Children of MMIWG2 disproportionately experience the long-term impacts of this violence. It is common for children to go into the foster care system after their mother has been killed or gone missing, even when there are loving family members who want custody. For example, Jessica Alva's mother Cindy Martin-Wolfe had to fight for custody of her grandchildren when Jessica was killed, even though she is a licensed foster parent and previously had custody of them. She recalled having to go to court to have the custody order enforced, and when the social worker finally reunited her with her grandchildren, they dropped them off in a parking lot and did not even get out of the car. The children had been split up into multiple foster homes across the Bay Area, making the deeply traumatic experience of losing their mother to murder even more traumatizing.



Photo caption: Jessica Alva was a Blackfeet, Yaqui, and Nahua mother of six who was a victim of domestic violence, at the hands of her partner. Jessica worked for Amnesty International and San Francisco Friendship House, and was deeply loved by her community in San Francisco.



Another MMIW family member shared some of her struggles in getting services for the children of her murdered sister, and the deep impact the loss had on the children--

*Those two youngest kids, since 2016, have stayed in various households. The youngest son is in foster care in Tehama County. He has multiple mental health issues. And it's been a struggle. I don't know if you've ever worked with the foster care system, but I worked with Medi-Cal and the foster care folks at the Department of Social Services, and just to continue to get him services has been like pulling teeth. I can't imagine it from the perspective of someone who doesn't know the system or doesn't have contacts within the system.*

*And the daughter, she lost a year of school during all this moving around...So she's not settled either. And she hasn't graduated from high school. She just turned 18...Both of those youngest kids, and the oldest one as well, they are, and have been, deeply impacted by not knowing what happened with their mom. They're constantly looking on the internet and trying to follow up leads of where she could be. And they get the same kind of response from the Sheriff's department--"It's an active case. We can't tell you anything. We'll let you know when we hear something." So for them, I think it's impacted them the hardest, I would say.*

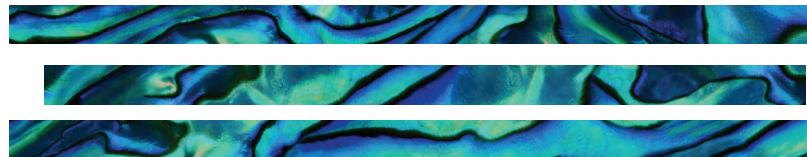
As this family member alluded to, the trauma of losing a mother to violence creates a lasting impact that children spend their whole lives carrying. SBI has documented at least 25 missing and murdered Indigenous mothers across California, and even with effective counseling, healing opportunities, and support systems, their children will still live the rest of their lives without their mother. Nothing can replace that or fix that wholly. In recent years, there has been a national discussion on Adverse Childhood Experiences (ACE), and how they tally to create an ACE score that a child carries into adulthood, that impacts their emotional, mental, and physical health (Anda et al. 2006, Campbell et al. 2016, Dube et al. 2003, Felitti et al. 1998, Liu et al. 2013); however, there has been no study of how MMIWG2 becomes an ACE contributor for Indigenous children, and no resources exist to address this trauma.

In large part due to the compounded trauma of life as an Indigenous child, many Indigenous youth run away or go missing repeatedly. Referred to as repeat runaways, many of these children never get entered into state or national databases, or get public bulletins issued on their case. Especially when these children are foster youth, it is common for the reports to be riddled with inaccuracies, sometimes even getting name or date

of birth wrong. Social workers are put in the frustrating position of not being able to publicly advocate for their missing client, and that combined with law enforcement silence means the general public largely never hears about these cases. For example, in the course of this project, three Indigenous teen girls in the foster care system were reported missing (in separate incidents in Sacramento, San Francisco, and Portland), were known to be actively sexually exploited, and at no point did any local or state agency issue any public information that they were missing. What is especially troubling is that it is all too common for Indigenous children to go missing over and over again, and for the justice system to respond inappropriately. For example, a county judge shared that the majority of runaways that end up in his court are Latinx and Indigenous, and that his simple solution to the problem was to put them on probation the first time they go missing, so that when it happens again, they can simply incarcerate the youth. This casual incarceration of youth who are targeted for violence and not provided with the support they need to feel safe and stable where they are is far too common, and does nothing but exacerbate the issue.

Similarly, there are an untold number of Indigenous women, girls, and two spirit people who go missing and are eventually located alive. This includes trafficking victims, runaways, and those who are held hostage by abusers or kidnappers. Though these survivors are no longer counted among the missing, they bear the scars of the violence they endured, that can remain for a lifetime. In the words of one survivor, "It never goes away. You learn to carry it and cope with it, but it will never be like it never happened."

That said, survivors are incredibly resilient. Survivor Brianna Sylvers shared a powerful story about how she transformed her experiences into a message for others--decades after surviving kidnapping and sexual violence in the back of a vehicle, Brianna created her own arts and media production company, called Backseat Productions, where she helps others amplify their creative voices and stories. In total, eight survivors we talked to now offer healing opportunities, support circles, or direct services to other survivors. This highlights the importance of empowering survivors to take leadership in anti-violence initiatives; it is part of their healing journey, and they demonstrate special strength, resilience, compassion, capacity, and drive to help others.



# Key Issues

## Systemic Inequities

Contemporary violence against Indigenous women is set within a context of systemic inequities targeting Indigenous people, including historical trauma and its multigenerational implications, poverty, incarceration, high rates of gender and sexual violence, foster care and child removal, and a general lack of support services, especially for mental health. All respondents linked the present day crisis of MMIWG2 to the historical violence inflicted on Indigenous communities in both Northern and Southern California. In the words of one Sacramento-based service provider:

*From all across the entire state basically, genocidal tactics during the mission era, that is definitely historical trauma. And even now, because a lot of them are disenfranchised or not recognized, I think that that plays into all of that trauma. Cause it started way, way back then, but it still happens now and still affects everybody now...I honestly feel like if a lot of those things, like old treaty obligations, were met, I feel like it would be different. I feel like it actually would heal so many things.*

In their experience, the fallout from historical trauma manifested in present day with their work with Indigenous youth, often in the form of parental neglect and child abuse. Modern science is still tracing the connections between historical trauma and health impacts on subsequent generations, but these are felt in real-time by MMIWG2 families, survivors, and community members. In her work as Chief Judge of the Yurok Tribal Court, Judge Abinanti underscored a constant need for cultural solutions to the unprecedented violence brought on by colonization for Northern California tribes. She pointed to the experiences of slavery and boarding schools that took community members away from their tribal communities, with their return bringing with it trauma, both individual and intergenerational:

*Part of it was we didn't have a way of processing that, because we never had that kind of cataclysmic behavior introduced into the culture. So when they came back, they didn't want to talk about it. They wanted to go back to the time before, but the problem is you can't. You have to understand whether you want to or not, you've changed, you're different.*



In present day, judges and law enforcement alike are left with the fallout of generations of abuse, including massacres (Madley 2016) and the removal of Indigenous children for slavery and forced schooling (Magliari 2020), traumas further exacerbated by the subsequent generations of substance use, sexual violence and trauma that resulted.

Yurok Tribal Police Chief O'Rourke described how the severance of parental knowledge transmission has normalized abuse in some families, and domestic violence in particular:

*You're still gonna... end up procreating, but you don't have that blueprint of how to be a parent, and so then you start raising these dysfunctional families and that goes down and follows generation to generation. And so with that as the example, that's the type of intergenerational trauma that our families are learning to grow up with. Our women are learning that it's okay to be abused. That's what the norm is. Our young men are learning that it's okay to be the abuser. That's what the norm is. And then not only that, you also have a disconnect from the culture... Our Native culture, and this is something that I think is just truly amazing: our Creator gave us the tools to be able to protect ourselves spiritually. But yet when you have that dysfunction, you have that disconnect from the culture.*

Chief O'Rourke and others like him hoped that by drawing from Indigenous conceptions of justice and community, they can intervene in this cycle of intergenerational trauma, a cycle that results in the "symptoms" of the high violence and crime that mark contemporary Indigenous households and communities. In addition to historical circumstances, high poverty rates, unemployment, and negative health outcomes also impact many of the tribal communities located in Northern California. These social ills directly stem from early colonizing excesses that disrupted and destroyed tribal economies while stealing tribal lands. As observed elsewhere (Ambler 2014, Amnesty International 2008, Bailey & Shayan 2016, Craig 2014, Dean 2015, Kubik et al, 2009, Morton 2016), poverty and its attendant social problems are a fundamental backdrop to MMIWG2.

On the reservations of the Yurok, Hoopa Valley, and Round Valley Tribes, for example, poverty rates are up to 40% with unemployment seasonally peaking in the winter months as high as 80% (American Community Survey 2018, Henson 2008). Crime is also high on-reservation, with tribal men and women over-represented in county and state jails and prisons (George 2020).

To quote Round Valley survivor Brianna Sylvers, such conditions can only be described as "below poverty," a category even

more disadvantaged than those living at the poverty level in the mainstream culture. Off-reservation, Indigenous families are also more likely to live in poorer suburban and urban areas plagued by crime and unemployment (Henson 2008).

According to Craig (2014), substance dependencies, trafficking, and the violence against Indigenous women that frequently goes with them are the byproducts of historical and contemporary marginalization, not their causes. Today, illicit industries perceive these social inequalities as economic opportunities, like cartel grows and manufacturers. Judge Abinanti explained,

*It's a hot mess with the drug cartels and...the geography is horrible. The no electricity is horrible. All of that stuff makes it just much more difficult. And if somebody goes missing for a couple of days, you might think they're at their auntie's or whatever because there's no phones...*

One example of the situation Judge Abinanti described is the case of Sumi Juan, who has been missing from Hoopa since 2010; in the initial days of her disappearance it was presumed that she had left of her own accord and fell out of contact, and she was not formally considered a missing person until her checks went uncashed.



Photo caption: Sumi Juan has been missing from Hoopa since 2010. She was a beloved mother and her daughter Charlene is a strong advocate for her case, and she is well remembered by her community. A woman thought to have information on her disappearance, Debra Jealous Of Him, was found deceased due to suspicious circumstances in Eureka in 2018.

In neighboring Mendocino county, Sheriff Kendall described a phenomenon whereby land-rich, but resource-poor families were targeted by illicit industries, thereby further increasing the risks to their communities and to Indigenous women especially:

*We have non-Natives going onto tribal land to do things they should not be doing. Okay. And some of our Native communities are ripe for the picking. And it's due to poverty, it is due to drug and alcohol abuse. And when somebody shows up and says, "if you let me grow marijuana on your place, I'll give you \$30,000," that is a hard thing to say no to. But they are also bringing with them things that they should not bring. It's methamphetamine, it's heroin, it's pills, it's alcohol. It is shaking hands with the devil and getting burned, you know, and a lot of this comes from poverty because let's face it: there are drug cartels that are taking advantage of the poverty in our Native communities.*

The marijuana, heroin, and methamphetamine industries each shape MMIWG2 in Northern California, with several interview participants linking the crisis to both drug trafficking and individual substance dependencies. This has also been observed elsewhere (Deer 2010, García-Del Moral 2011, 2018), whereby the violence and death associated with the drug trade has a specifically Indigenous face.

Beyond illicit industries, dependency on prescription painkillers and a high risk of opioid overdose were also co-occurring conditions with MMIWG2, especially in areas where Indian Health Services and other healthcare providers excessively prescribed OxyContin and other prescription pills to their patients (*Yurok Tribe v Purdue* 2018). The Yurok Tribe is one of several tribes and states suing the manufacturers of these substances under the assertion that they knowingly marketed prescription opioids as safe and withheld information on their incredibly addictive nature from the public and prescribers alike (Houston 2018). Even as this case and others settle, the impact on Indian Country is stark: according to a report by the Indian Health Service, Native Americans "suffer the highest per capita rate of opioid overdoses," with a fourfold increase in such deaths from 1999 to 2013 (*Yurok Tribe v Purdue* 2018). In some instances, the opiate epidemic was cited as a factor that predators exploit in order to harm Indigenous women--one participant shared that a doctor at her tribal clinic is known to trade opiates for sexual favors from patients. In 2016, the Drug Enforcement Agency (DEA) declared opioid prescription drugs, heroin, and fentanyl as the most significant drug-related threats to the United States, and Yurok Country and tribal lands like it throughout the state are in the crosshairs of these dual crises of MMIWG2 and opioid and opiate overdoses.

In addition to these contextual considerations, Indigenous women are also especially likely to experience gender and sexual violence (Anderson et al. 2018, Ambler 2014, Bailey & Shayan 2016, Bingham et al. 2014, Bourgeois 2015, Boyer & Kampouris 2014, Bubar & Thurman 2004, Hargreaves 2015, Lavell et al. 2016, Luna-Firebaugh 2006, McGillvray 1999). In Northern California, stories of missing and murdered women have circulated in communities since contact. Their unique vulnerability is not lost on the families of MMIWG2, as evidenced by Christina Lastra when she reflects on the gender violence faced by Indigenous women like herself and her mother, MMIW Alicia Lara:

*I think that we're an obvious vulnerable population, you know? I mean, we are triple minorities, right? Where we're women, we're women of color in a patriarchal world. So yeah, I think that's what I believe, that when people who are evil see vulnerability or they see an epidemic, or they see something that is stereotyping or something dysfunctional within a people, then they're going to exploit that. That's what evil people do; evil people hurt, and they want to hurt others, and all this hatred is also learned.*

This correlation is a well studied issue in and outside academia; scholars such as Pierce (2015), Croisy (2020), and Moeke-Pickering et al. (2018) have written on how harmful stereotypes of Indigenous women and girls beget racialized and gendered physical and sexual violence.

As described in the Literature Review, it is hard to deny the connections between the gender, ethnicity and Indigeneity of MMIWG2, and the chronic violence they face. Either in the form of family violence, both child abuse and domestic abuse, or through being targeted by traffickers and serial killers alike, Indigenous women in the region are victimized at rates far disproportionate to their share of the population. The vitality of their communities rests on their safety, yet mothers like Tammy Carpenter were left wondering if it was their very vibrancy and capacity as life givers that makes them targets for violence:

*One lady had asked me a long time ago, "why are all these Indian girls going missing, what's going on?" That's why I said, "you know, it's sad but it's like we are being genocided out, they are taking young girls away." But I just say to myself, young women are the women, like my daughter, who are gonna have children, they are going to make more of the new generation of very young people, like our next generation coming up.*



By being the pathway through which their “nations grow,” is this the reason why MMIWG2 are being “genocided out?” A review of the growing data on this crisis limits drawing alternative conclusions, and this targeting of our Indigenous women is why women like Tammy, Christina, and others like them continue to seek justice for their MMIWG2 loved ones.

Families, survivors and service providers also frequently linked Child Protective Services and placement into foster care as a risk factor to MMIWG2. The imposition of the state into the parent-child relationship is a reoccurring theme in Indigenous lives, dating back to the boarding schools and child slavery in Northern California. Judge Abinanti interprets such attacks on the tribal family as a multi-generational desire for extracting Native children from their ancestral homes for the purposes of assimilation. She focused her critiques specifically on the Adoption and Safe Families Act of 1997:

*It resulted in 2 million children having their parental rights terminated, and to me, that's another phase of the historical trauma of tomorrow, along with the missing and murdered... they just figured out a new way to do it every time, but it's the same thing. It's the same result. It's not the same thing, but then each time you do that, you've created this whole pain and then the trickle down effect of that pain on their children and how they think and how they reason and what they do. That's what people don't understand, is that you're not just hurting this person when this happens to this person, because that person lives in this family, is this family. So that pain is a global pain, you know, it's much bigger than [the individual].*

Family members of children placed into foster homes see this pain firsthand, and its associated characteristics of adolescents acting out and running away:

*I've seen kids, they have problems, you know? I always think it's because they know something [is different when they are not raised by their family of origin] or like they don't know why their relative is [their guardian], they don't understand... I've seen them act out and yeah, I think it definitely has a negative effect on the kids that have been taken away.*

In her work with foster youth, one service provider contextualized the emotional pain of child removal as the current manifestations of historical trauma happening in real-time:

*If it starts back way back then, and we still feel the effects right now, it's not historical, it's current trauma, right? Like how do you get past historical trauma, when it's the same stuff that's happening now? It just is in a different name. It just looks different, you know?*

Several instances in the data proved these theorizations have merit as the daughters and nieces of MMIWG2 from a previous generation themselves go missing and/or are killed after their own life experiences as victims of violence. For example, Rachel Sloan of the Hopland Rancheria was the daughter of murder victim Debra Sloan, who was killed by serial killer John Annibel in 1998. Rachel was found deceased in a refrigerator south of Laytonville in 2013. She had not been seen by her family since a funeral in 2012. Online comments on news articles (AVA News Service 2015) stated that she was estranged from her family after confronting her grandfather about incest--

*"Of course she was mentally disturbed. So are you and the rest of your family. You bury your head in the clouds while your husband sexually bribes your/his own female children and grandchildren. The whole family, with the exception of one son, has been meth-heads for well over 20 years. I have personally witnessed "Dad/Grandpa" offer a car to a daughter or granddaughter to whomever \*ahem\* serviced him first...That's not even scratching the surface with this family. Mendocino Sheriff's Office is just as responsible for letting them get away with all their very well known vile and illegal behaviors. Teachers too. All of you people disgust me for allowing this to continue with all of these innocent children. RIP Rachel, you deserved so much better."*

*"I have told. Under oath. I am so proud of her (Rachel) for busting out the windows of the Sanderson house because of her incestuous Grandfather. This news of her death is heart wrenching...The Sandersons own an enormous amount of property...and are a good 20 minutes deep off of a dirt, washboard, road. Well removed from civilization. Their own immoral, criminal, paradise. Too far, too hard, for Law Enforcement to stay on top of? Lazy. Disgusting."*

Though we will never know how Rachel's life may have been different if she had not lost her mother to violence, the loss most certainly impacted her life. She was a young child when her mother passed. Her allegedly incestuous grandfather was on her paternal side. She was known as a good student with a bright future before she took a turn for the worse with substance abuse and mental health issues in the years before her disappearance and death.

There are, sadly, 51 MMIWG2 like Rachel across the United States and Canada, who have lost a woman, girl, or a two spirit member of their family to this violence in addition to what they experienced themselves. The majority of these 51 cases are mothers, daughters, and grandmothers, though sisters and aunts are represented as well.



Photo caption: Rachel Sloan was known to be a smart, dedicated student, and dreamed of a career in oceanography.

The frequency by which women like Rachel and her mother Debra fell through the cracks and were “lost” after being taken or killed was an alarming reflection of the deep and pervasive systematic inequalities that shaped their lives and the lives of their loved ones. MMIWG2 families, and survivors and others called on tribal governments in particular to step up and lead the way on intervening in MMIWG2, a reoccurring recommendation throughout this report.

# Law Enforcement Failures

## Jurisdictional Complexities: Geography & PL 280 in Rural Areas

Northern California is characterized by its expansive size and variety of localities, climates, and Indigenous peoples. This vast diversity is an opportunity and a constraint to local law enforcement, the justice system, and the tribes they collaborate with as a PL 280 state. The rurality of the space is a defining feature in many cases, and can be a risk factor for violence against Indigenous women, especially in rural households living off-grid and far from any kind of law enforcement. According to Virginia Hedrick, Executive Director of CCUIH and Yurok woman from the village of Sregon, who grew up in Pecwan, living far from town can leave women with few sources of communication, an isolation that can exacerbate family violence:

*I know that there are things that make Indian women and children more vulnerable...being in a home without access to communication. So a phone, internet, neighbors, being socially isolated is really difficult and makes people really vulnerable...access to other people and information, it's access to call a friend when things are tough, access to reach out and say, "Hey, is this normal?" to other people. Otherwise what's normal to you, you think is normal to everyone. And so then you're not sharing your experience of sexual abuse or domestic violence or interactions even with your boyfriend or partner, because you're working on an assumption that everyone is experiencing it.*

This normalization of violence and abuse is a common thread throughout Indian Country; American Indian and Alaska Native women experience dramatically elevated rates of physical assault (US DOJ 2008), and the rates of domestic and sexual violence against Native women can be up to 50% higher than the next



highest population (Perry 2004). This widespread violence is compounded by the lack of communication and visibility that stems from being far from urban spaces, and is a backdrop to issues of MMIWG2 in Northern California, especially in population-sparse areas like the Lost Coast, where Judge Abinanti presides. According to her,

*Part of it is with under resourced rural area issues...they're just not talking about us, meaning the tribe...rural areas are just ignored, and they also offer different challenges in terms of enforcement and trying to track leads, those kinds of things, and all the while you have a community inside a larger community that does not communicate well, that creates its own set of problems... [Historically,] we weren't seen as somebody that needed to be served and we didn't have the ability to serve ourselves, we didn't have the infrastructure.*

In PL 280 states, tribes and their citizenry depend on county jurisdictions for enforcing law and intervening in crime. Yet the federal government does not provide additional funding to these jurisdictions to police tribal lands, jurisdictions that already face significant burdens in patrolling the vast expanses that comprise Northern California counties. Sheriff Honsal emphasized the enormity of policing over 4,000 square miles, an area the size of some Northeastern states. As Sheriff Honsal explained:

*It's great being a deputy sheriff being a rural part of Northern California, but the challenges are that it's hard for us to be a community based--you know, policing where we're out of our vehicles, meeting with people at parks, walking around in a neighborhood, because we have such a huge jurisdiction and so oftentimes we're running from call to call. We'll go to Orleans, then back down to Willow Creek, up to 99, and even go to Trinity County and back up to Trinity County Sheriff's office.*

Sheriff Kendall of Mendocino echoed this sentiment on the area's very geography as an impediment to policing:

*When we can't get to calls on time, because we have got an hour of driving to get there, do you think that people feel comfortable with telling us the truth, because they know it's going to take us an hour to get back?*

In both counties, sheriff deputies must patrol between areas up to two hours or more apart, and are frequently the only personnel for miles when called to a scene. In an attempt to address long travel times and the few opportunities for community policing that such distances afford, Sheriff Honsal and others are considering the implementation of a resident deputy system whereby sheriffs would live and work on-site in the more remote areas of the county. Such positions could minimize the constraints placed on intervening in and/or investigating MMIWG2 by placing an officer on tribal lands at all times:

*Ultimately my goal in full staffing is to have those resident deputies out in these rural areas to help build trust, and because we oftentimes see as well that there's some great people out there, but there's also people that are doing some not so good things and they're using that geography to hide behind. So it might be our only chance to talk to someone at the store wheremaybe there's human trafficking going on.*

As discussed in the *Contextual Considerations and Systemic Inequities* sections, the rurality of the region coupled with its at-times extreme poverty make tribal lands ripe targets for illicit industries ranging from illegal marijuana grows to cartel drug imports. PL 280 intensifies this lack of visibility as tribal nations depend on county resources for policing. In many ways, this provides an intuitive chance for collaboration between tribal bodies and their adjacent county agencies, and stakeholders like Sheriff Kendall were cognizant of this opportunity:

*We talk about PL 280, because [MMIWG2] affects us just as much as what PL 280 does. I mean, why would we teach these young men about why we are compelled to enforce the laws on Indian Country and not teach them about the missing, murdered and endangered Indigenous women? Because it's just as big an effect on us as what PL 280 is. So yes, we do discuss it. We talk about it. And just like I told you, every opportunity that I had to work with somebody who hadn't grown up where I grew up, I took those opportunities to explain to these young men, because I felt like I was going to help them in their careers.*

As someone who grew up in Northern California, Sheriff Kendall took great pride in his track record of working with the rancherias and tribes located in Mendocino County. This “homegrown” quality was shared by Sheriff Honsal as well, who also expressed a sincere commitment to enforcing PL 280 on behalf of tribes:

*But there are jurisdictional issues. Absolutely. And oftentimes, people get confused. I think we've made it clear here, at least that the Sheriff's office is a part of policing and enforcing state law on tribal land, but we recognize the sovereignty. We recognize the spirit of working together with tribal government and tribal police and not just going there and being the person in charge and saying, "this is our scene," but recognizing that that we can work together.*

The emphatic response of regional law enforcement in support of their role in intervening in crime on tribal lands and at the behest of tribal peoples contrasts with the experiences of MMIWG2 families and survivors. More on this point can be found in the *Mistrust & Broken Relationships* section, but as it relates to the role that jurisdiction complexities play in seeking justice for MMIWG2, one service provider pointed to existing perceptions of law enforcement as uninterested in violence against Indigenous women as a factor in their victimization:

*Law enforcement and the people out there, they know that nobody looks for us. First of all, they know that if they find you on the reservation, that basically they can get away with anything. And yeah, we're targeted, that's what one of our sisters says, we're not necessarily vulnerable. Yes we are because we're women, and I think we're physically smaller. So that's a vulnerability, but we're targeted specifically, we're sold at higher rates online than anybody else, because we can identify as different things or be advertised as different things.*

Predators targeting Indigenous women was a recurring theme throughout the literature and in this report, predicated on the perception that law enforcement do not expend as much effort on the cases of Indigenous women as they do for others (Malcolm 2019), or that jurisdictional complexity makes Indigenous women and youth easy targets for traffickers (Logan 2016). Whether regional law enforcement feels this is a fair assessment is beside the case if predators take this as a fodder to target and take Indigenous women, girls, and two spirit peoples. Going further, others pointed to PL 280 as not the chance to collaborate as heralded by law enforcement, but rather a chance to scapegoat and pass the buck indefinitely on unsolved cases. According to one MMIWG2 family member,

*They have another loophole through that jurisdiction, where the authority comes in on the land-- nowadays we're a checkerboard of where your lands are. Like if I got assaulted by this man right here in Arcata or I get beat up by my boyfriend, what's gonna happen to me is this black-white situation.*

The checkerboard geography referenced by this MMIWG2 family member means that their reservation is a mixed “checkerboard” of varying types of land title--namely fee land and trust land--that have differing jurisdictions and can create an additional layer of complexity (Biolsi 2005). In contrast to the easily distinguishable jurisdictions of urban areas and non-tribal lands, reporting a crime on tribal lands is a matter of navigating shades of grey, and participants felt this resulted in the high number of cases that went unsolved:

*I feel like outside county police, the Sheriff, they do not work with tribal police to the best of all of their ability. I feel like they utilize each other when they need to. They address things when their back's against the wall and the government is demanding an answer. I feel like that's the only time things come in and things get dealt with. And other than that, it's a “turn the cheek, don't ruffle feathers, keep it moving” because people don't want more work. Probably because they feel like they're not getting compensated enough for the work that they're doing...I mean, there's always the excuse that there's never enough money, there's never enough time, there's never enough. Okay, but, so what do you do? You just keep rolling with that? So if you've already identified that, then why don't you just stop, stop, clean it up, redo it then? You already know you need to revamp it, but people just keep going and going and going and that's not solving anything. So there's a ton of work that they could be doing.*

In this quote, the interview participant also vocalizes a frustration that MMIWG2 has languished as an issue for decades in the US, with little to no institutional recognition or intervention until extreme cases like Savanna Greywind's<sup>18</sup> rose to public notoriety and became a national source of pressure. These criticisms of policymakers and law enforcement were frequently ensconced within a very real appreciation by interview participants and researchers alike for the expansive geographies and complex jurisdictions at play in any one case file in the region, much less at the state or national level. Yet even still, stakeholders from all backgrounds underscored a real need to better enact the full scope of PL 280 on tribal lands in order to intervene in and ultimately prevent issues of MMIWG2. Doing so effectively and in a way that upholds tribal sovereignty, however, will require tribal partners from start-to-finish, a reoccurring recommendation for both law enforcement and the justice system more generally.

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**18** Savanna Greywind was a Turtle Mountain Band of Chippewa and Spirit Lake Nation young mother, who was brutally held hostage and murdered while pregnant in North Dakota. Due to the heinous nature of the violence she and her baby endured, her case swept the nation and was published on nearly every national news outlet. Former US Senator Heidi Heitkamp named the first federal MMIWG bill after her, calling it Savanna's Act.





## Mistrust & Broken Relationships

The most common theme among all our interviews was the deeply entrenched mistrust and broken relationships between law enforcement agencies and Indigenous communities. Every interview subject, including law enforcement themselves, spoke to this subject, and nearly all shared personal experiences of how these broken relationships impacted them.

Historically, settler colonial law enforcement have been a source of violence in Indigenous communities, and California is no exception. Throughout the state, law enforcement earned the reputation of “people who take.” In early days of colonization, the lines between law enforcement and paramilitary militias were blurry or non-existent, and Indigenous people quickly learned to see any non-Indigenous man in a uniform as a likely source of danger. These dangers included sexual violence, beatings, theft of children, slavery, and death. After generations of such institutionalized violence through genocidal colonization, concentration camps, boarding schools, and disproportionate incarceration, it is no surprise that to this day, Indigenous people are wary of law enforcement. Chief O’Rourke spoke to this, sharing--

*We have to break that cycle of what that historic and intergenerational trauma has caused. The village enforcer is not historically what we're used to, the Tribal word for police officer translates to “he goes and gets people Jessica.” There's a negative connotation to that word, and it stems from back when kids are being forcibly removed to go to boarding school. I tell fellow officers, I asked them, “do you have kids?” “Oh, yes, I have kids.” “And if a government official tried to take your kids and remove them by force from your home, would you fight?” “Hell yeah, I'd fight.” “Well, they fought back then too, and to keep the social workers safe, they had to bring somebody to guard them, and that was police.” And so that is the route for, you know, us as Native people locally, to where there's an inherent mistrust, and so we're not used to looking to the police for help. We're not used to looking to the government for help. And so as Native people, because of that inherent mistrust, we don't call the cops. Family members don't want to talk to police because they don't want their family members to get in trouble. They don't want their family members to get killed.*

However, it is not just historic violence that leads to this mistrust. Even agencies like the Forest Service have showed contemporary prejudice in their treatment of Indigenous people; Karuk medicine woman Mavis McCovey shared a compelling example of this in her autobiography, *Medicine Trails: A Life in Many Worlds*--

*I got involved with environmental things because the Forest Service started a program of spraying 2, 4-D herbicides in this area...Between 1976 and 1978, we did not have a single baby carried successfully by anyone who lived in the Orleans area...we had spontaneous abortions, bladder infections, and skin infections. By 1977 we had 3000 bladder infections in a community of 650 to 900 people...Around this time twenty-four women got pregnant in the Orleans area and all of them miscarried. Two of the pregnancies were not even real pregnancies. These two fetuses had all the DNA and material of a child, but there was no life, and the fetus grew rapidly, like a mold or a fungus...I thought it was due to the herbicides, because I could see that was the only thing that had changed in our environment. The Forest Service said, "Oh no, they're taking dope"...The Forest Service was saying that the abortions and birth defects that had never been seen around here just happened to coincide with the use of herbicides that were one molecule different from Agent Orange.*

The Forest Service eventually discontinued use of the toxic herbicides, but the damage had been done. This racist assumption that Indigenous women were losing babies due to widespread drug use is one of many such instances. Stereotypes about Indigenous people and drugs and alcohol remain commonplace, and continue to impact how institutional agencies respond to crises like MMIWG2 and gender and sexual violence. For example, SBI has repeatedly been asked to provide help securing alternate shelter for Indigenous women, who felt dehumanized after being asked to do nightly breathalyzer tests at the local homeless shelter. Similarly, Sheriff Kendall shared that he feels the top priority of MMIWG2 families is to address substance abuse--

*We've got to get the drugs and the alcohol out of the home. We've got to get the addictions away from the parents. We've got to get these kids away from any of that stuff. And that's one of those foundations where we get rid of the bad portions in the culture with the help of us, the Sheriff's office.*

While it is true that perpetrators target Indigenous women, girls, and two spirit people who use substances, it is striking that Sheriff Kendall identified this as the primary contributor to a crisis that is highly complex and intersectional. It is also telling that Sheriff Kendall views the Sheriff's Department as responsible for

intervening in “bad portions in the culture,” as if addiction and poor parenting are issues endemic to Indigenous communities that are to be corrected by outside forces. One of the families we spoke with from Mendocino County shared an actual experience of bias and racism with the Sheriff’s Department when they asked to hold a ceremony on land with unclear title--

*So after [the officer] was saying he was sensitive to Native issues because of some training that he did, I was like, “well, we’re just trying to have a ceremony,” and then he’s like, “well, is there gonna be drinking there or is there gonna be drugs there?” And I was like, well for you knowing that you took the sensitivity Native class or whatever it is that you did, why would you think that there would be drugs out at ceremony or alcohol? Like, who’s thinking of Indians getting together, and that we probably are going to be doing drugs and alcohol? But then he has this sensitivity, like he acts like he knew about Natives and all this stuff. So, you know, there’s definitely some kind of racist something happening behind closed doors over there, where they’re already setting their description of who we are and what we do and how we live, and that’s going out to all his new, you know, force, his people that come.*

Lack of experience with Indigenous communities is also an issue among many law enforcement officers. This issue is made even more challenging due to understaffing and the rurality of the area, which can require agencies to recruit from other areas of the state. Sheriff Honsal, for example, informed us that while the Humboldt County Sheriff’s Department was and is understaffed, they have made strides in recruitment and expect to be at full capacity soon, thanks to a large number of recent graduates from the Academy. While this is positive news, it also means that a third of their officers just recently graduated, and by the end of current hiring, over half of their officers will have graduated in the last year. These officers may not be trained to work within Indigenous communities, or aware of the historical legacies of their position, as every law enforcement officer we interviewed alluded to; whatever cultural competency training that currently exists is simply not enough.

Police bias, ignorance of Indigenous peoples, and criminalization has led to disproportionate incarceration of Indigenous people throughout the region. For example, Yurok tribal members are incarcerated in local jails at a rate 11 times higher than the general population (George 2019). According to the Prison Policy Initiative, Native Americans are disproportionately incarcerated statewide, and a recent report from the Sacramento Native American Higher Education Collaborative (SNAHEC) and Community College Equity Assessment Lab (CCEAL) found that Northern California is overrepresented in statistics on the school-

to-prison pipeline for Indigenous youth. The report also states that statewide, Indigenous girls in grades K-3 are 3.7 times more likely to be suspended than other girls, and 9.1% of Indigenous girls in middle school are suspended. The top county for suspensions of Indigenous girls is in Northern California (Modoc County, with a rate of 26.1%), as well as the top district (Loleta Union Elementary, in Humboldt County, where 32.3% of Indigenous girls have been suspended). These early disproportionate experiences of punishment have a lasting impact not just on a child's record, but on their relationships with law enforcement and others in positions of authority.

However, children are not just impacted in schools. Children also have negative experiences with social workers and law enforcement due to CPS removals, and this disproportionately affects children of MMIWG2. Of the families we spoke with, 9 children of MMIWG2 were put in foster care after the death or disappearance of their mothers. These children experience the dual trauma of loss of their mother and disconnect from their community and extended family, facilitated by the child welfare system.

Removal of children also emerged as a common turning point in the lives of MMIWG2, leading up to their death or disappearance. For example, a child of a missing woman shared the following, recalling that her mother went missing the day she went to court to fight for custody,


*I'm still processing things that happened as a kid, and, you know, with my mom, like there's, there's no...she's out there and she's missing, and there are things that led up to her going missing...just that day, that day of her even going out there to fight for her custody rights back like that, that part of it isn't really discussed.*

In total, five MMIWG2 families we spoke with cited loss of child custody as a significant moment in their loved one's story. All five women are remembered as loving mothers who were devoted to earning custody of their children back in the months prior to their death or disappearance. The cumulative impact of separation from their children, depression, shame, and the daily struggle to get on their feet and build a better life for themselves and their children took a toll, and created an emotional and structural vulnerability (being fearful of calling police due to worry that it would impact their custody case) that perpetrators were able to use against them. One family expressed these concerns, sharing,



*I think it's extremely, extremely important that mothers are able to take their children with them to these in-house rehabs because separating them from the children is not good for either. I also think that mothers who get their children taken away by CPS, especially mothers who are addicted to drugs and that's the reason why, I think it just puts them down that path even more. You know, it could either make them straighten up or it could just break their hearts even worse... [when my family experienced violence,] at least they didn't come with CPS knocking on the door. That would have been the thing, I can give them credit for that. They didn't have the ICWA worker waiting by my door for my kids...in all actuality, I wouldn't have, if they would've took my kids, I don't think I would have been able to handle that.*

Law enforcement are also known by Indigenous communities to sometimes be more directly complicit in violence against Indigenous women and girls. In the process of relationship building with MMIWG2 families across Humboldt County, several families raised concerns about a pattern of violence perpetrated by law enforcement. Here are a few of their stories--




*"I've seen how in Humboldt County, one of my friends was with a cop and he would tell us they already know that they have power, so they know they can get away with a lot of stuff. And they do! He even ended up being an abusive person to her and that's why she left him. But that was corrupt in a way because...if she got pulled over or something, "oh, that's so and so's woman, let her go." But now that she hit him up for child support, when he goes to his cops and it's like, "oh, I'm having a hard time. She's this and that, blah, blah, blah." They can remember and they know who she is and give her a hard time. I think there's a lot of, I think they abuse a lot of power for sure, on so many levels, but that's just one example that I know of."*

*"He was a cop and he was a bad cop because...he was a bad cop, oh God, he would take women, young women, young girls through the Hoopa reservation. You know, I don't know if they got warrants. I don't know their story. I know the stories they come back and say, because I know with one girl...they were really nasty...He was abusing the young women, making them do all kinds of sexual things to him just to get out of going to jail...they'd have to come back home after he did what he had to do with them and take them back home. So then a lot of young Hoopa girls, of course it's small, but they talk about it. Then of course, nothing was done about it... There's a lot of different cops that do stuff like that, not just him. There's a lot of people. I think we have it often, we had a Humboldt County Sheriff, and he was having sex in Hoopa and he had a venereal disease and he didn't tell the young girls. And of course he gave them diseases. He was a non-Indian...I heard him say he had an Indian girl, 'I have this, I have that.' He did have cars, he's a cop. You have lots of money, whatever. Well young girls fell for him and in return he gave them this disease and nothing was said about that. And it's just this disgust, nobody got in trouble from nothing, swept under the rug, looked the other way."*

*"We were all labeled as gang members when none of us wore colors, and I remember, we would be cruising, high school, whatever, and being pulled over by police and slammed to the ground face down for no reason. Just being pulled out*

*of the car, and I'm a woman, teenager, young girl, whatever. I remember my face being slammed into the concrete so many times, to where we're laying there, lights shining on us. I'm laying, my face to the concrete with my homies down, face down too, saying, "don't move, just chill." Like, sorry. Like them feeling bad for me that this is happening, because they're supposed to be my protectors, I guess you could say, as my male friends, this is how we are--like siblings. And having my face down, and then all of a sudden, the cops get in a car and go, "sorry, wrong, wrong car, got a call," take off. That's it, and while we're still laying there, face down on the ground. I can think of so many times that happened to me."*

*"I have seen them unnecessarily cuff and throw people against the cop cars. I have a family member by marriage who was shot in the back of the head by the Shasta County Sheriff's department. How are you a threat if you get shot in the back of the head? So there have been incidents, and that's well documented. That's all that I've seen. Where, you don't have to be that, nobody's fighting you, so why are you shoving somebody against the car to cuff them, for instance."*



Though these stories are powerful on their own, they are also supported by growing data on police violence against Indigenous people. Perry (2006) describes this as a simultaneous under- and over-policing, in which Indigenous communities are under-served and underprotected by law enforcement while also being over-policed and criminalized at high rates. Moreover, Native Americans were reported as experiencing the highest per capita rate of fatal encounters with law enforcement from 1995 to 2015 (Hansen 2017). Interestingly, a new report on police violence and deaths of Indigenous people in PL 280 states argues that Indigenous people in PL 280 areas are more likely to interface with non-tribal law enforcement, and may experience more incidents of brutality and fatal encounters than those in non-PL 280 areas (Harvey 2020). This report also found that Native American females have the highest rate of fatal encounters with law enforcement compared to all other populations, at a rate 38 times higher than white females.

The most common stories shared with us on police violence were centered on Sheriff's deputies who were assigned to patrol the Hoopa Valley reservation--especially former Officer Kevin Christie. Christie was charged with six counts of lewd conduct with a child younger than 14, three counts of penetration with a foreign object with a child younger than 14, and one count of penetration with

a foreign object with a child younger than 16. Christie had three trials--the first resulting in a mistrial, the second a conviction, and when the conviction was overturned and the case was sent to trial again, the case was dropped because the survivors could not withstand the mental health impacts of testifying for a third time. Christie is no longer at the Sheriff's Department, though he does maintain leadership in the local community, including at the Eureka chapters of the Elks Club and the National Rifle Association.

## Deputy's touch awoke her, girl testifies at trial

By Charles Winkler  
Times-Standard staff writer

EUREKA — A 13-year-old girl testified Monday that a former Humboldt County sheriff's deputy fondled her in her sleep.

The Humboldt County Superior Court trial of Kevin Christie, 32, began Monday with testimony from a girl who said Christie gave her intimate back rubs and touched her thighs, legs and the backs of her breasts.

The girl testified that she kept the fondling secret until one night when she woke up and found Christie kneeling beside her bed, moving his hands from her stomach to near her groin.

"I felt something on my leg, above my knee near the crotch on the inside," the girl said.

In response to quiet but insistent

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**"He was kind of kneeling and then he just crawled over to the door. I just stared at him."**

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— Teenage girl  
testifying at trial

questioning by prosecutor Michael O'Reilley of the state attorney general's office, the girl said the touches woke her up and she found Christie by her bed.

"He was kind of kneeling and then he just crawled over to the door," she said. "I just stared at him."

When she asked Christie what he had been doing, he replied that he'd been in her room checking to see whether she was covered up and if her stereo was turned off.

The girl, in seventh grade at the time, said the incident was the last of several and prompted her to tell her mother. She said her mother

later told her that Christie denied the incidents.

"She told me she'd talked to Kevin and he said he would take a lie detector test and he got defensive," the girl said.

The girl said one of her teenage friends later told her Christie had also molested her. She said she had never talked directly to Christie of the alleged acts, because "I didn't want to be around him."

The girl's father, who sat on the stand with her during the testimony, was silent throughout the questioning.

Christie is charged with six counts of lewd conduct with a child younger than 14, three counts of penetration with a foreign object with a child younger than 14 and one count of penetration with a foreign object with a child younger than 16.

During the alleged molestations, Christie was serving as a deputy at the Humboldt County Sheriff's Department substation in Hoopa.

He is represented by Sacramento attorney Michael Raines.

## Molestation case dropped

### Girl won't testify in ex-deputy's retrial

By Kie Relyea  
The Times-Standard

EUREKA — Child molestation charges against a former Humboldt County sheriff's deputy have been dropped.

Kevin Christie, 35, had been charged with two felony counts of lewd or lascivious acts with a child under 14 and one felony count of penetration with a foreign object. He was scheduled for trial July 13 before Judge William F. Ferroggiaro Jr.

Two other trials have resulted in

one mistrial and the granting of a new trial after a jury convicted Christie on two counts of child molestation and deadlocked on a third count.

Defense attorney Michael L. Rains said he isn't happy that the charges were dropped and the third trial canceled.

"In a way (I feel) a sense of relief, but at the same time not one of joy," he said in a telephone interview from San Francisco. "I wanted the world to know, to see, to listen to the real evidence. Kevin's the victim in all this."

If the case had been retried, Rains said, it would have shown there was "absolutely no evidence to support the charges."

Court papers indicated the state Attorney General's Office moved to dismiss the charges because the alleged victim, now 17, didn't wish to proceed with the trial, which would have been the third since Christie was arrested on molestation charges in August 1990.

"We had to do this," Deputy Attorney General Alexandra Ramsburg said of the prosecution's decision to dismiss the charges.

Ramsburg enclosed two poems written by the teenager as indicators of why the charges were dropped.

An excerpt from one of the poems reads: "They ask me to

■ See **DROPPED**/Back of Section



The allegations that MMIWG2 families shared about Christie were not ever brought to trial. Like the other officers referenced in the stories shared above, it was widely acknowledged by families that Christie had a reputation for abusing his authority as a law enforcement officer to sexually assault women and girls in Hoopa, along with his partner. One of his victims made plans to report him, despite fears that she would not be believed or that his fellow officers would protect him, however she disappeared before the case had a chance to move forward. As her family shared--

*[My aunt] said that [our missing relative], this happened to her, and, and so she kinda whispered in some people's ears, cause well, there was something weird going on too. So she went and talked to this young woman, this kid, and that kid. So after that, like multiple girls came forward, because he was doing things to other girls. And he was like, mind controlling them saying, "well, you tell on me, I'm going to tell them you were drinking or you were out ditching school.," And my aunt took her to a worker and she wanted to, [my aunt]she was encouraging her to voice what happened, but she said, "who, who would want to say, who would want to, who would want to live through that again? Who would want to do that? Who would want to?" And you don't, you don't. You're so raw. Why would you want to go to a court with the man that did this evil thing to you?..I feel like it is important to have the fact that the two police officers did [her] wrong and it is relevant, it's directly relevant to why they didn't do their job to look for her. It's them covering their own a\*\*es.*

In a conversation on this woman's case with law enforcement in 2019, SBI was informed that Christie was not investigated as a suspect and there is no mention of the rape in her file. Cases like these make it difficult for Indigenous women, girls, and two spirit people to feel that law enforcement will protect them, are trustworthy, and will not hurt them. Many of our interview subjects expressed feelings that law enforcement just do not care about Indigenous women and girls--

*"It's just really, just tremendous how the law enforcement is not really helpful. They only go to a certain point on each case. You know, we did this part. That's why we can't go, they don't care. There's no care for the situation at hand, like I said. But if it was their family members or their sister or your mother, oh, they'd be fighting with all they have. But they just don't care, law enforcement people, I just don't know about them."*

*"And so that's the thing that is so frustrating, is that people, the police, are willing to just write our women off, we're disposable. And you know, we see that in Indian Country because there's so many, there's so many issues, there's so many problems, and this is just another layer for them. They continue to have police brutality against us, but I think also it's just dismissing anything that happens to us because it's like, oh, well, we're disposable. They don't care about us. 'It's just that family, they're just Indians,' and I think that's how it's always been. And I think that when I think about Northern California, like in Del Norte County and Humboldt and Mendocino, I think that I don't know that the hope is there for that to change within the police department and Sheriff's Department. I just don't see that really happening. There's still a systematic racism, it's like a system of generations of old white supremacy that has been there forever and it's still there and they pass it down to their kids and the next kid, and it's never going to stop. So I know that doesn't sound very hopeful, I guess, but that's the reality."*

These perceptions of apathy are intensified when law enforcement fail to maintain regular contact with MMIWG2 families, or engage in poor communication. Every MMIWG2 family we talked to said that they rarely heard from law enforcement or received a call or email back, and most said they had gone years since the last update on their loved one's case or check-in. It is understandably difficult for families to have confidence in law enforcement when their community circulates stories of violence, and no meaningful relationship exists because law enforcement are unresponsive or absent. This is compounded by a general lack of knowledge on MMIWG2 among law enforcement--none of the law enforcement we interviewed could recall more than 10% of the cases in their jurisdictions.

Law enforcement experience the results of this distrust, negligence, and hurt, and do not always understand where it comes from or how to meaningfully work to ameliorate it. That said, the law enforcement officers we interviewed all acknowledged with transparency the wrongdoings of the past and the need to build trust. For example, Sheriff Honsal shared,

*One of the biggest challenges is trust. Some of our deputy Sheriffs' roll through the reservation, we do get the looks, we get the sneers, we don't get the hand wave, so that's part of an issue. And I recognize that that isn't a majority of the people, the majority of people want to see us here, want to work with us, and those kinds of things, but there's sometimes people that just don't trust us no matter what. And so I think building trust is one of the main issues...10 years, 10 plus years ago, trust within the tribal community and law enforcement wasn't the strongest. And people being able to talk to law enforcement and then trust being there wasn't established. And so I understand that there were people that went missing that were never even logged in as a missing person. And then when they didn't show up for weeks or months, that's when they get into a missing person and investigation was never done or not done thoroughly..*

Though there is a very long road ahead to repair the damage that has been done and rebuild new relationships, it is encouraging to hear law enforcement be willing to participate in dialogue on these issues and acknowledge that the roots of this distrust are inaction, negligence, and abuse.

## Justice System Failure

While it is well established that the justice system routinely fails survivors of gender and sexual violence, especially women and girls of color and LGBTQ2 people, there has been no assessment of how California's justice system responds to MMIWG2 cases until this report. Through our conversations with families, survivors, and other relevant stakeholders, as well as through our rigorous quantitative data collection, we found overwhelming evidence that the justice system has failed families and survivors.

Of the victims that have perpetrator information available, over one third of victims were killed by someone they did not know, and at least one quarter of victims are suspected of being killed by white male serial killers. Only 1 in 3 cases involving a serial killer led to a conviction.<sup>19</sup> Identified serial killers in the region include John Annibel, Wayne Ford, and the Zodiac Killer. John Annibel was never charged with Andrea LaDeroute's death despite DNA evidence, Jeanette Kamahale is attributed as a possible victim of the Zodiac Killer, and Wayne Ford is responsible for an unidentified victim found dismembered and in various aqueducts, channels, and marshes in the Eureka area. Notably, Ford was not arrested until his brother convinced him to turn himself in to the Humboldt County Sheriff in 1998, where he pulled a woman's breast out of his pocket to show as evidence. Both Ford and the Zodiac

Killer targeted hitchhikers and women presumed to be sex workers. Because of the lack of accountability for serial killers in the region, some families are concerned that their loved ones may be additional victims of serial killers (known or unknown), that are not being thoroughly investigated.



Photo caption: Jeanette Kamahale was a 20-year-old Kanaka Maoli (Native Hawaiian) college student. She went missing while hitchhiking in 1972. She was known as a high achieving student.

<sup>19</sup> All of these men either were convicted of killing other women or have been established by law enforcement to be serial killers.





Parallel to this lack of meaningful protection, the justice system also sometimes puts Indigenous women and girls at a higher risk of violence. This can clearly be seen in men who become increasingly violent or mentally ill due to incarceration, however it also is due to disproportionate and unjust incarceration of Indigenous women and girls themselves. For example, one of the families we interviewed shared that a young woman in their family recently dialed 911 for help during an assault by her partner; the Humboldt County Sheriff's Department arrested her instead of the perpetrator for domestic violence, because he self-inflicted wounds and told the responding officer that she was at fault. This young woman was eventually released, but was jailed for several weeks.

This highlights a need frequently expressed by families and survivors--access to comprehensive and affordable legal representation. The justice system is not designed to support survivors and families, and is not easily navigable for most. For example, one family member shared,

- *We need people on the forefront for*
- *somebody like me, or others who lost their*
- *loved ones. They should have some legal*
- *people to go to free of charge. [There should*
- *be] somebody to go to [for] my case...I wish I*
- *could talk with a lawyer and have a lawyer in*
- *the forefront saying, "Hey can you look into*
- *this, can you talk to the detective, can you*
- *see what's going on, what's taking so long?"*
- *You know, being on the forefront, having*
- *that resource where we can reach out to*
- *somewhere and say, "This is what happened*
- *to my daughter, is there somebody who*
- *can help us? Is there anybody or any*
- *funds?" That's what I'm looking for, legal*
- *representation. Someone to help people*
- *that can't talk, because people are too*
- *scared or too spooked, they can't speak for*
- *themselves.*

All in all, we have found that not only are the majority of cases throughout the region unsolved, with a large number of cases with no information available and many perpetrators never held

accountable, law enforcement and the justice system are more likely to bring a case to justice if it means imprisoning an Indigenous person, especially in rural areas, where these crimes flourish. Most importantly, the justice system in its current form and practices is inaccessible, intimidating, and ineffective for families and survivors.

# Disempowerment of Families & Survivors

## Legal Cynicism in Rural Context

*“Legal cynicism” refers to the lack of faith in policing and in the justice system- at-large as a means of protecting oneself and community and ensuring public safety*

In many ways, the crisis of MMIWG2 in Northern California is set within an area where urban spaces are accessible and often vital sources of support for the more rural parts in the region. Yet as one heads to the far northern and eastern interior portions of the state, the trappings of society are replaced by acres upon acres of forested wilderness. As stated previously, the very nature of the space constrains policing the area, with its expansive nature and scant law presence, producing a ripe environment for legal cynicism.

“Legal cynicism” refers to the lack of faith in policing and in the justice system- at-large as a means of protecting oneself and community and ensuring public safety (Sampson & Bartusch 1998, Kirk & Matsuda 2011). This phenomenon has largely been studied in the context of urban spaces where over-policing and hyper-surveillance have produced an antagonistic relationship between residents and local law enforcement such that the former do not see the latter as a legitimate source of help and do not call 911 accordingly (Carr et al. 2007). In the case of Northern California, such cynicism stems from the tenuous control that law enforcement can maintain in an area comprising hundreds of square miles with only a handful of deputies on shift at times (Burns 2015, Kemp 2020). The very real need to protect oneself in the absence of law enforcement is an ever-present condition shaping life on tribal lands in Northern California, especially those areas that are located an hour or

more from the closest county police station. The lack of faith in law enforcement's ability to intervene in crime and establish order in the region is not lost on law enforcement professionals. As Sheriff Kendall explained, he has reconciled this constraint by embracing his capacity to enable Mendocino county residents to arm themselves for protection. When asked how he encouraged community policing in such a large jurisdiction, he responded with the following:

*Now, this is a controversial thing. I hand out CCWs, concealed carry [weapons] permits to every person who passes a background. And by law, under the second amendment, I have to do it. This enables our people to protect themselves when they know that there's not a deputy coming for an hour, I have never had a problem with it. And to be honest with you, an armed society of good people is way safer than an unarmed society of good people. It's different for people in the city. I understand that it's different, but we have to look at what works for our areas. The governor issues orders. And I understand that he's trying to keep everybody safe, but he needs to look at each County individually because if he tries to make us all look the same, then I have Los Angeles Police Department policing Mendocino County. I don't think anybody wants that. They meet the needs of Los Angeles. They would not meet our needs.*





A major component of the MMIWG2 movement in Canada has been focused on the Highway of Tears, stretching south-to-north in British Columbia, where hundreds of women have gone missing or been killed. Areas such as these are known as hunting grounds for serial killers. Wayne Ford, who was a trucker who murdered women he picked up as hitchhikers or at truck stops, is one example of this pattern in Northern California. Additionally, one participant recalled an experience driving on a rural stretch of highway, and stopping at a rest stop with some friends; when they arrived, they heard screams for help coming from the restroom. The participant said they were too scared it was a predator trying to lure them in, and there was no cell service to call for help, so they ran back inside their vehicle and reported the incident to police after they reached cell service. As they were driving, they saw bloody clothes on the road.

Women in abusive relationships are also frequently victim-blamed. Many ask why women would stay in situations like that, and blame them for enduring the abuse. This blame ignores the fact that it is extremely dangerous, financially challenging, and emotionally difficult to leave an abuser or to intervene in the abuse. For example, Yaqui MMIW and former professional ballerina Veronica Soliz was San Francisco's first murder of 2019. She was killed while filming a man abusing his partner.

It is not just MMIWG2 who are victim blamed, it is also their families. It is common to see families criticized for not reporting a missing person soon enough, for falling out of touch with their loved one and not realizing they are missing until it is too late, for enabling "high risk" behavior, or for somehow being complicit in the violence that led to the death or disappearance. These narratives are internalized by families, and grief and trauma lead them to blame themselves, which can often lead to a spiral of depression and shame. For example, a child of a MMIWG2 shared a story about being blamed--

*[My family member] would say I didn't care about my mom and I'm like, "I didn't do anything, but I was [little.]" Like what was I supposed to do? And that was one of the last fights we had, she tried to choke me cause I was trying to ignore her about what she was saying and I couldn't do it anymore. So I got in her space and was saying, "I cared about her, like what was I supposed to do, I was young." She grabbed my throat and then we started fighting and my uncles had to pull each other apart, and I left.*

In spite of this victim blaming, most MMIWG2 families are very active on their loved one's case, and in the MMIWG2 movement in general. They give their time, energy, and loved one's story selflessly, many times knowing that their advocacy is unlikely to bring justice for their loved one but may protect someone else's.

They also work hard to fill in the gaps in their loved one's case, by tirelessly gathering and documenting information, raising awareness, and sharing tips with law enforcement. However, families are frequently not taken seriously by law enforcement when providing these tips, which can be another form of victim blaming and shaming. Bernadette Smith, sister of Manchester Band of Pomo MMIW Nicole Smith, shared one example of this--

*[The officer] yelled at me and told me, "I know you're not telling us everything, I know dadadada." And I was like, "why would I not tell you everything about my sister's murder, like, why would I hold information back?" ...So they pulled me out of my sister's funeral [to question me] for two hours straight and I was the one doing all the talking. That was the two detectives who aren't even on the case anymore, you know. So that right there, I was really upset with them and they were yelling at me like I was holding back information.*

*So after that I started telling them any little thing...I'm like, "oh, some guy is saying this about my sister's murder and you might want to check this out," and [the sheriff was]*



Photo caption: Andrea "Chick" White was a Yurok and Hupa woman who disappeared in Humboldt County in 1991. She was a loving mother and is deeply missed by her family and community. When asking Native people in Humboldt County about MMIWG2, Chick is always the first case every person mentions.

*like, "you know what, I'm sick of you calling me, I'm sick of you calling me every time you think you know something, we don't need you calling every other day with a new tip wasting our time." And I'm like, "wait a minute, you guys don't have no suspects. You guys don't know what, but you want me to quit calling you?"...I told my mom, "look, they don't want to help. They don't want to know nothing. So I'm not calling them no more. I'm not helping them no more because they told me they're doing their job. They don't want nothing else from us. Quit depending on them, Mom, like they're actually doing something for*

*you cause they're not." They don't call. It's been, I don't know how long it's been. They don't call. They don't nothing. They don't say, "hey, just let me know."...There's been no communication between the Sheriff's department and my family in over a year, I know that. So their performance with that, you know, that's my experience with them. That's the Mendocino County. I know that old sheriff, the sheriff Tom Allman, he's no longer there and so I don't really know, like they haven't told us nothing. I know, we went one time to talk to the detective and, they said, "oh, there's a new one on the case." And another thing that I wanted to let you*

*know, with the Mendocino County Sheriffs, [another Native woman] went missing [right] after my sister's [death]...So I was calling the detectives and he said, "well, you know what, we're the only ones working on this and there's a girl, one of your kind, gone missing in Covelo and we, what do you think is more important? This girl's missing right now and we need to work on her case right now cause she's still alive."*

This is a particularly egregious chain of events, wherein the victim's sister (who also was victimized in the shooting that took her sister's life) is blamed for the lack of information on the case, and pulled from the funeral to be questioned in a manner that could at best be described as insensitive, at length. This was then exacerbated by a refusal to take tips seriously or communicate with the family after that date. In a truly disturbing turn, law enforcement then chose to blame another MMIW for the lack of effort on Nicole's case, as if it is another missing woman's fault that Nicole's case could not be solved. This rhetoric is deeply offensive, and has the potential to pit families and communities against each other rather than come together in pursuit of justice. Beyond that, a law enforcement agency serving more than 86,000 people should have the capacity to handle a homicide and a missing persons case simultaneously without pushing one case to the wayside. Notably, even though the sheriff's department told Bernadette they were prioritizing the missing woman, she remains missing over two years later.

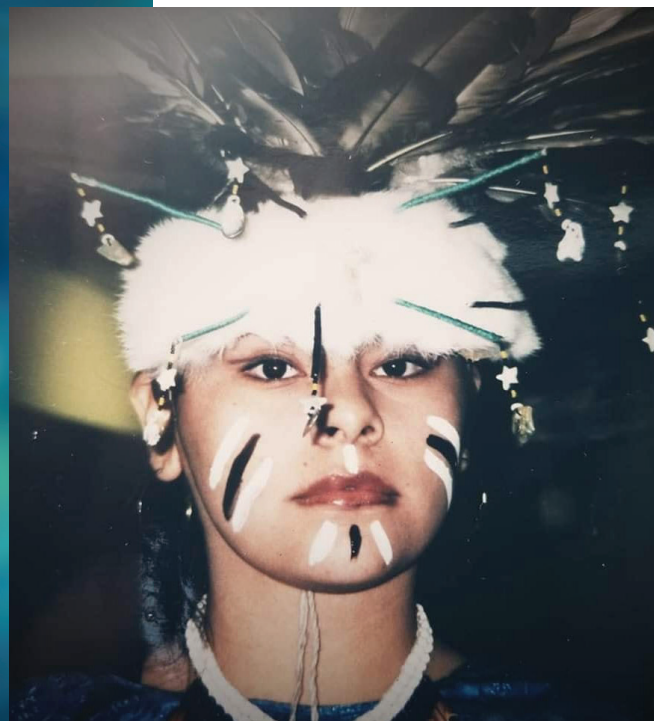
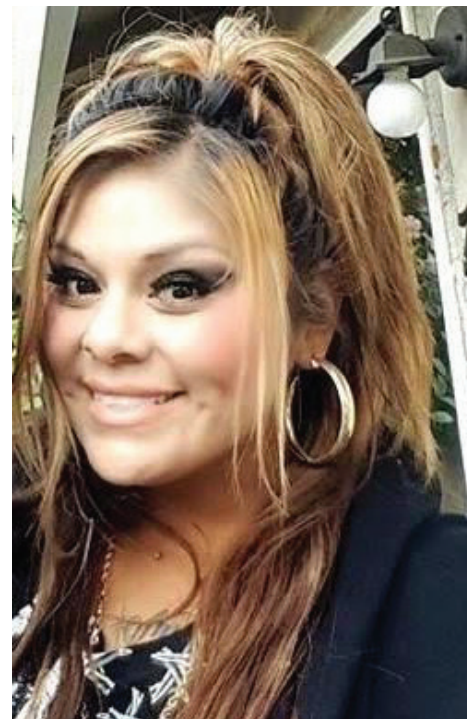



Photo caption: Nicole Smith was strong in her culture as a Pomo woman, and is seen wearing her traditional dance regalia in the photo on the bottom. Nicole was killed in a drive-by shooting in her sister's home in Mendocino County in 2017.





*mammals, and a predator knows how to pick out his prey. If you don't carry yourself as prey, then you will not be targeted. It's that simple. It's that basic, it's basic biology.*

*Predators will target those whom they can manipulate. The sad reality is Native girls are susceptible to being targeted because many suffer from the trauma that causes low self-esteem, being entered into the foster system, physical or sexual abuse in the home. If we as a family and community can help arm our Native girls by giving them an intrinsic self-worth early in their womanhood, I believe we can reduce the number of Native victims. I am glad to say that the victim blaming days are waning. As law enforcement personnel are obtaining more in-depth training into the victimology, that antiquated and damaging notion of victim-blaming can be reduced, and eventually eliminated.*

Bernadette's experience, more largely, is demonstrative of how difficult it is for families and survivors to report, and how things can go wrong even when they make the effort to participate fully in the investigation. 92% of families we talked to said it had been over a year since law enforcement contacted them or responded to an attempt to talk about their loved one's case; these families represent cases in Del Norte, Humboldt, Mendocino, Shasta, Sacramento, and San Francisco counties. These barriers create an environment where information supplied by families and survivors about potential perpetrators is quickly discounted, yet public information on the character of victims is given considerable weight (e.g. rumors about the victim being involved with illicit activities). This is compounded by victim-blaming stereotypes that law enforcement use in their work with victims; for example Yurok Tribal Police Chief O'Rourke shared,

*There was an interview with a trafficker and he was saying that he'll go into a mall or a place where young girls gather. He'll look for the one that doesn't have that self confidence, sitting by yourself head down, reading the book, and go down and sit down next to her, initiate a conversation, start giving her compliments. You're beautiful. You should be modeling, whatever the line is. If she gets shy and kind of giggles, he says, he'll have her in the car within the hour. The one that, you know, looks him in the eye says, no, thank you, says please leave, whatever, he gets up and leaves. And so it's that self worth in trying to instill into our young Native women that gives them the chance to prevent that, because they don't present as victims. They don't walk like victims. We're human beings. Yes. We're advanced yes, blah, blah, blah, blah, blah. We're still*

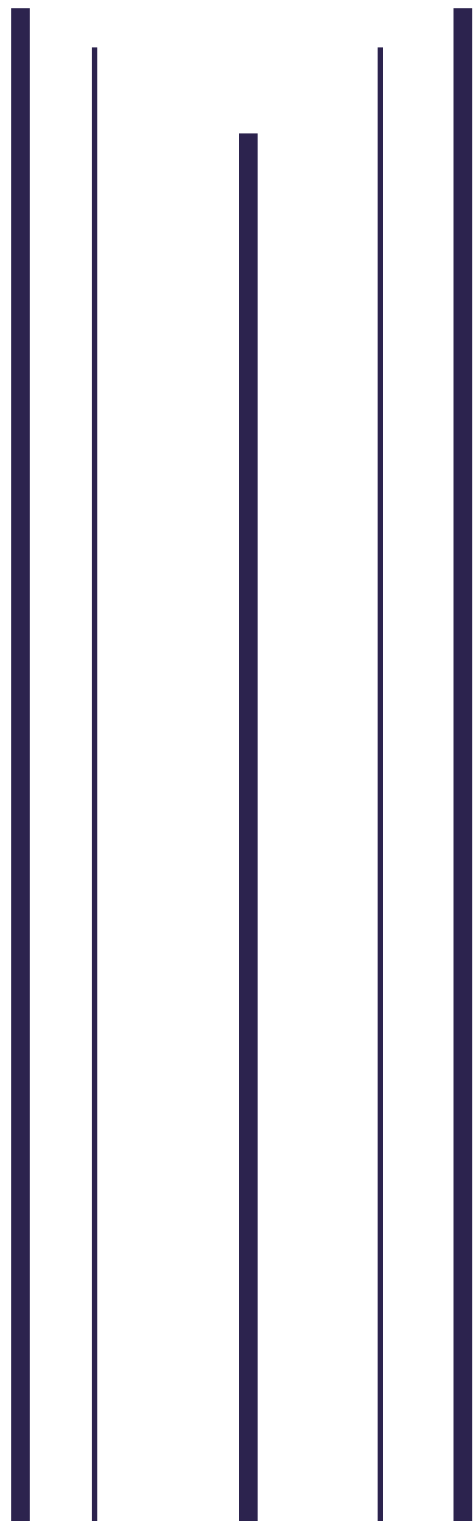
Victim-blaming narratives are dangerous because, while they acknowledge the very real manipulation traffickers and abusers utilize, they place the burden of violence prevention on Indigenous women and girls. The end conclusion--that Indigenous women and girls are responsible for not carrying themselves like prey--is an unfortunate reality that many people perceive and experience. While it is absolutely true that Indigenous women and girls should be encouraged to have high self-worth and confidence, and know what is healthy and safe and what isn't, one of the absolute worst things anyone can tell a victim of violence is that it may not have happened if they had behaved differently. This victim blaming can send victims into a tailspin of depression and self destruction, and emboldens perpetrators to continue abusing knowing they will not be blamed. As Chief O'Rourke reminds us, training law enforcement on victim and survivor perspectives is absolutely crucial to creating an atmosphere where people feel safe to come forward.

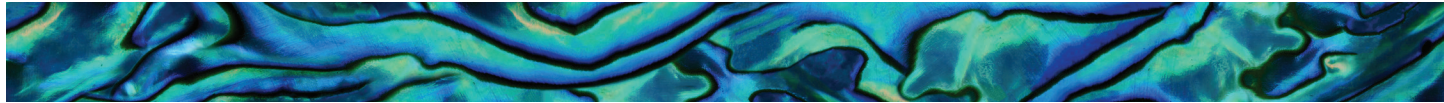
A victim-blaming environment effectively silences many families and survivors, and can make many fearful of reporting or distrust



that they will be believed and supported. For example, one survivor said that when she reported, it was “probably one of the hardest things [she] had to do.” Two other survivors who currently work in services provision and victims’ advocacy shared that they never reported what happened to them at all; even though they had preexisting professional relationships with law enforcement, knew the process well, and had competency navigating the system, they did not feel reporting was worth it. They knew it was unlikely they would be supported or believed, much less protected. Initiatives should include development of skills and education for self confidence, self awareness, and self protection. Indigenous cultures previously did not include these concerns, but present times include a need to evolve to meet the issue. Should this be a burden that the tribal people have to shoulder? Absolutely not, but until systemic changes are made to address the problem, we can only do what is necessary to educate and protect our people, particularly our children.

Altogether, these conditions--created by law enforcement, the justice system, media, and other community members--create an environment abusive to survivors and families. If we hope to take positive steps towards justice for MMIWG2 and protection for Indigenous women, girls, and two spirit people, we must work to end victim blaming and shift how we receive stories from families and survivors.





## High Trauma with Few Mental Health Resources

In light of the many abuses, both individual and systemic, that shape the lives of MMIWG2 before they go missing or are murdered, and subsequently contour the pursuit of justice for survivors, families, and other stakeholders, the need for support services of all kinds is obvious and palpable. Yet, all respondents underscored the extreme dearth of such services for MMIWG2 survivors and families, and this was especially true for mental health services. After the kidnapping or murder of a loved one, the need for mental health counseling cannot be understated, yet few MMIWG2 recalled sufficient access to such resources despite their intense need. After the murder of her sister Nicole in a drive-by shooting in Point Arena, Bernadette Smith recalled a conspicuous lack of services, even from her own rancheria:

*Well I think that my nieces and nephews, her kids, man, they never got no services, no counseling. The kids that were there in the house, they didn't receive any counseling, nobody definitely ever reached out to me. So yeah, there's been nothing, nothing as far as that. And we were kind of left to just deal with it. Her kids have been able to get some slack, even though at school that was about all they gave them, was a break on their homework and stuff. So yeah, definitely a lack of services or even a way, like there wasn't anybody available that knew how to bring these kids back into reality again, you know, like cope. I guess they kind of just dealt with it however they did.*

Disproportionately high rates of mental health issues and lack of mental health services for Indigenous youth is of serious concern (Gone & Trimble 2012), and can lead to suicide and self harm (Dorgan 2010) For some families of MMIWG2, the absence of such services had lifelong implications:

*The death compounded by the injustice can be very wearing and psychologically detrimental to people. Like my brother, who was the apple of my mother's eye, who was orphaned at the age of 15. His life has been entirely dysfunctional.*

Others like Brianna Sylvers had been fortunate enough to receive mental health treatment and desperately wanted that for other survivors as well:

*All the things that help us get through everyday process, the mental state is the key core component for all that next to emotions, and so I think that's also why the Indigenous population tends to fare really low in statistics. Because they don't have the services to uplift themselves, to bring themselves any higher than they are accustomed to and what they're used to. And unfortunately because of the alcoholism, drug abuse, and domestic violence and et cetera, all the stuff that still goes on every single day in someone's life, it's so hard to just take yourself out of the deep trenches of anything and be hopeful for a light in the world you don't ever see.*

For those who have lost a loved one to MMIWG2 or themselves have been victimized, the need to triage emotionally, mentally and spiritually persists in the absence of mental health treatment. Coping mechanisms in the absence of such therapy can be wide-ranging, but alcohol and substance use feature prominently. For one young woman, whose mother went missing when she was a child, the trauma associated with this loss shaped her adolescence, as well as her subsequent placement into foster care. By her teens, she was in a relationship with a man in his 30s and using drugs with him, a predicament she concretely linked to the pain she carried everyday:

*I think I started doing drugs because it made the pain easier to deal with. But after time, it stops working and you just, it just makes it worse. I wasn't just hanging out with an older guy, I was dating him. I think it made me feel like I mattered, that, I don't know, that I was special I guess, and loved.*

Given the conspicuous lack of in-patient treatment and sober infrastructure on tribal lands, she had since moved out of the area to live with sober family members as she attended school. After receiving treatment for her trauma and attendant substance dependencies, she became an advocate for MMIWG2 and felt compelled to help others like her: "I want to tell them they're not alone and it's okay to not be okay right now. Just to be patient with themselves, and that it's going to take time and that it's okay to trust people."

It should be noted that there is a significant lack of services available for Indigenous LGBTQ2 people, even among Indigenous-specific programs. SBI experienced this firsthand when we attempted to locate services for two queer unsheltered Indigenous women. Both unsheltered due to domestic violence, one left an abusive relationship with a male partner and the other left her home when her father physically abused her due to her sexuality. The woman who left an abusive romantic relationship also had significant health issues, including partial blindness.

While surviving the streets together, they formed a tight romantic relationship and friendship. When the partially blind woman was sexually assaulted while in her tent alone, both women came to SBI for help finding safer shelter and healthcare. While some service providers would provide the woman who was sexually assaulted services, no shelter would take them both, and no service provider had the resources to help her partner, because she experienced family violence rather than intimate partner violence. Ultimately, the women were unwilling to part ways and have one in a shelter while the other was still on the streets, so neither of them accessed any long-term services available.

Law enforcement also expressed the need for additional trauma support services, emphasizing their limited scope of intervention in any given crisis. Chief O'Rourke heavily supported expanding funding for existing mental health services in the region:

*We have to respond to so much else, and if anyone asks me "do those child welfare, adult protective services, mental health, if they need more funding?" absolutely 100%. I've worked with social workers and medical personnel from all those agencies. They're overworked, they're understaffed. The burnout rate is something terrible, and a lot of expectation is put on them...working with that advocate, getting the victim in touch, or the families in touch with that advocate, is huge in my opinion, and I encourage my officers to do that.*

Going further, Chief O'Rourke advocated strongly for the need for a Crisis Intervention Team or "CIT" in every police department, a skill set he felt was complementary but separate from his scope of intervention as an officer:

*I'm a big advocate of CIT, which is the Crisis Intervention Team, to be able to help train law enforcement to respond to people in crisis in a different manner and not just, you know, affect an arrest or put some, you know, detain someone in handcuffs. And so I think for trauma informed policing, having an understanding of what trauma is and what that root trauma is leads to compassion, and that compassion is what leads to establishing a trust and rapport within your community. Cause I really do believe that, you know, within the community, if they feel and get a sense that you legitimately are trying to help, and you have that compassion, they're more receptive and they're more open if nothing else, you know, there's a trust there, and so that trust then can lead to, you know, something.*



Law enforcement ranged in their expertise on such trauma-informed policing, with some wholly new to the concept, with others vocally advocating for such methods to be used by their fellow officers. The need for trauma-informed care in policing is vital given the extreme frequency by which perpetrators and victims alike have been trauma survivors. Parental neglect, abuse, and violence were all relevant adverse experiences in the lives of MMIWG2 and their victimizers, as evidenced by the afore-described case of Jessica and her abuser, among others. The need for law enforcement to take mental health and trauma into account is a reality that shapes their jobs as first responders, and this is not lost on officers. According to Sheriff Honsal,

*It can explain a lot and they can explain a lot about victimology and why people do the things they do when they are victimized and I think it is good. I've seen it firsthand, I think the public needs to be informed of it...from the very beginning of these trials. Because it's very difficult to explain why a juvenile was involved in juvenile delinquency for so many years and that kind of stuff, because he was being victimized at home by a sexual predator. And then when it finally comes out, then all these things that this juvenile has been doing over the last five years in the juvenile justice system and how they are a liar and this or that, somebody comes out and they're accused of being a liar and in courts and all their criminal past is brought up.*

The absence of trauma-informed care or mental health services more generally means that those perpetrators who are themselves trauma survivors may receive improper or nonexistent treatment and intervention. This gap has directly led to deaths of others, insofar as those who are victimized as children and adolescents, let alone by the criminal justice system itself as a result of incarceration, go on to victimize others. Judge Abinanti reflected on the need to intervene in this cycle, stating, "there has been very little work on how you heal somebody who has been hurt to the point where they're that violent back."

Beyond access to mental health services, others asked for more intensive cultural programming, where tribes actively sought out MMIWG2 families and survivors as well as other victims of violence and offered them culturally-resonant supports:

*We need more services for them and try to involve them with the tribes, connecting with their tribes and see where they go from there because to me, it's a big epidemic. Every other day, I'm seeing kids, young girls, gone. I think they need resources for someone to help them or to talk to somebody, mostly counseling. Have people come to them and talk to them and try to have that open door communication. That's one thing*

*you always gotta have is communication-- that's where your counselors come in or people you are comfortable speaking with. I think that it's true that people get lost in the system, because it's sad, we really lose them. Who we are, where we come from. So that's really why everyone is trying to think they should always have let them know they are Native American, their tribes, connect them with their tribes and let them know, more services for that.*

Some scholars are beginning to study the need this participant articulated for culturally relevant services and mental health care (Jackson & Hodge 2010). An assessment published in 2011 demonstrated the effectiveness of culturally grounded programming for Indigenous youth of California, finding that Indigenous girls who have the opportunity to participate in activities such as powwows, sweat ceremonies, and roundhouse dances are more likely to have higher grades in school, and that urban Indigenous youth who participate in these activities show an enhanced sense of ethnic identity that can serve as a protective or empowering factor (Schweigman et al. 2011).

# Widespread Rape & Abuse Culture

*... a feeling that the world is generally unsafe for Indigenous women and girls, no matter where they are, how they live, or what they are doing.*

One of the most common overarching themes that emerged from our conversations with families and survivors is a feeling that the world is generally unsafe for Indigenous women and girls, no matter where they are, how they live, or what they are doing. This general sense of precarity and violence is not solely rooted in MMIWG2 as an issue, but also an overwhelming experience of sexual violence and widespread rape and abuse culture.<sup>20</sup>

Of the interviewees who discussed sexual violence with us, approximately one third said that every Indigenous woman and girl they know has experienced violence. 53% said most or “a lot” of the Indigenous women and girls they know have experienced violence, and 16% named somewhere between 5 and 20 victims they knew personally. As mentioned previously, 100% of MMIWG2 families we asked about more generalized violence said that most or all of the Indigenous women and girls they know have experienced some form of violence, and most identified patterns of sexual abuse or domestic violence as issues within their extended family. We would like to honor the bravery of those who were able to have this conversation with us by reprinting some of their words directly; the quotes here were each responses participants gave when asked how many Indigenous women and girls they know have experienced violence.

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<sup>20</sup> Rape culture is used to refer to the institutional practices, popular discourses, and widespread sexual violence that normalize rape and sexual violence throughout our society. We have modified that term here, to account for abuse culture overall, which positions Indigenous women, children, and two spirit people as disposable targets for violence (García-Del Moral 2011, 2018, Morton 2016, Razack 2015).

"You know, I would have to say, most of the Native women that I know even in my family are victims of violence and there's few and far between that are not. But most of them, most of my friends are definitely. And several of my family members--and I have a large family--several of them. It would definitely be in the 90th percentile as to how many people I have in my life that are abused in some way. So it's pretty unfortunate, it's a pretty high percentage. And you know, I have very few friends that don't have a trauma history like that...we try to get past it, you know, make it a big joke, like, okay. whatever, but it really is something that's really traumatizing and I've never, I've never dealt with it."

"All of them. And I know a lot. I mean, honestly all of them. I can't even like...even my elders. My family members, my extended family members, my really good friends, their family members, their grandmothers."

"So many...so many, honestly like over a hundred. Has to be like over a hundred people. I'm not even playing around. I'm not even playing around, and I say that because it's constantly, like it's nonstop."

"I don't know a Native woman that hasn't experienced violence and that is, you know, that's powerful to say...I don't know a Native woman that has not had some form or experience of violence or abuse that they've been witness to, that it's happened to them personally, that they've been ripple-affected by. I think if you're Native, abuse just comes with it. Yeah. Automatic, there's no real divide, there's no moment when it happens, I think it's something innately adopted in the system that we live in."

"Every single one of them, every single...like maybe like the little girls, no, but even they, I think even they are used to some type of abuse in some kind of way. Whether it's drugs being in the home [or something.] Like, I remember weed being a popular thing and they're like, you want us, you don't want me to go to jail, well, then you shut your f\*\*\*ing mouth. Like, you want to get taken away? Like that type of thing. I think that's somewhat of a form of abuse in a way. They're getting trained to not say stuff. But yeah, I'd have to say, almost all."

"I believe that every single Native family that we have up here has dealt with a Native woman in their family being victimized, whether it's through domestic violence, whether it's through familial violence, whether it's outside violence, every single family that we have has felt the impact of violence, and so by default, every single person in the Native community has felt the impact of that violence."

“ There’s not one of us out there that hasn’t been hurt. ”



*Over half of participants shared stories of violence they themselves experienced. These experiences included date rape, gang rape, child molestation, statutory rape, sexual exploitation or trafficking, intimate partner violence, and domestic/family violence.*

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*"Countless? Like I would say far more than half the Indian women I know have experienced violence. When I say I haven't experienced violence, I am the minority in the room. And I also think that I don't always acknowledge the violence that I've experienced, even though it wasn't inflicted at me or it wasn't between my parents. Like what kind of violence did I see in my life being home on the river with siblings, with friends and their partners? You know, in other homes there was a lot of normalizing, there was a lot of normalized behavior."*

*"A lot...a lot. I can't even put a number on it. I have to be honest with you. Like, I cannot even put a number on it. Just in my family, extended family and community, the community in general."*

Over half of participants shared stories of violence they themselves experienced. These experiences included date rape, gang rape, child molestation, statutory rape, sexual exploitation or trafficking, intimate partner violence, and domestic/family violence. Two of the participants shared stories of experiencing sexual or domestic violence while pursuing a college degree. Three shared stories of being molested or raped by a family member. This high incident rate among our participants is reflected by general statistics on violence against Indigenous women nationally; Native women are 2.5 times more likely to be raped or sexually assaulted than the general public (Perry 2004), 1 in 3 Native women will report sexual violence in their lifetime (Tjaden & Thonennes 2000), and 1 in 5 Native women experience intimate partner rape (Malcoe & Duran 2008). In a powerful moment in one of the interviews, a woman that interviewed alongside women relatives stated that she felt like a more accurate number of Native women who experience sexual violence would be 4 in 5. She gestured to her two relatives and said, "You have three of us right here;" one of the interviewers then stated that she was the fourth.



*It was me and the guy, we were driving and he was pulled over. He was telling me to lie about my age, and he had dope and he took it and he sprinkled it on the floor. [The officer] walked up to the window and I said how old I was, but I didn't know the year that I was born, and they knew that I was lying. They didn't...I'm not sure what they could have [done] then, but they didn't really do anything. They told him to do a better job of hiding the dope that was on the floor, and then we left, they let us go...is that because I was a Native girl and they didn't care, or what?*

This story echoes other stories shared by girls throughout Indigenous communities (Clark 2012), and the overwhelming lack of response has been coined a “pedagogy of indifference” (Scribe 2018) that sustains rather than prevents violence against Indigenous girls, and at times involves direct complicity by law enforcement (Dhillon 2015). These high rates of violence against teen girls and the lack of response to it emerged as a theme throughout our interviews. Charlene, the teenage daughter of MMIW Sumi Juan, shared

*We're easy to manipulate, I guess. I don't want to say that, but I think it's true...I think it's because maybe we don't have, we don't feel like we are cared about. So when someone comes along and they give us attention or they make us feel loved, then it feels good.*

Another respondent who works with youth told us that one of the girls she works with was posting nude pictures online. She said that when she asked why, the girl stated, “I’ve been abused so much that it doesn’t matter anymore, [it doesn’t matter] if I share my body with everybody.” Some of the MMIWG2 in the region are also victims of this violence; for example Melody St Clair became pregnant with her first child at 13 years old, and when her mother went to the sheriff’s department to press statutory rape charges, they told her that Melody would have to decide to press charges herself or there was nothing they could do. Altogether, respondents shared stories of eleven adult men--Native and non-Native--who have preyed on or assaulted underage Indigenous girls and boys. None had been convicted, though one had pending charges.

“ I’ve been abused so much that it doesn’t matter anymore... ”



Photo caption: This is the only photo of Melody St Clair publicly available. Melody is enrolled at the Round Valley Tribes, and is also Wintu. Melody has been missing from Shasta County since 2012. She is remembered as a loving mother who always chose what was best for her children, who worked hard to accomplish her goals.

This leads us to one of the most important findings on this widespread sexual violence-- the severe lack of safe spaces for survivors to come forward and get help. Law enforcement agencies play a major role in this, as discussed in our *Mistrust & Broken Relationships* and *Disempowerment of Families & Survivors* sections, however there are others who also must be held accountable. 100% of respondents felt that service providers could improve their resources for Indigenous victims and their families, and several stated that their community did not have critical resources like a safe house or Sexual Assault Response Team. One respondent shared that a healthcare provider on her reservation continues to employ a doctor who trades sexual favors for opiates with female patients, and another respondent strongly stated the need for tribal leaders and tribal governments to be held accountable for enabling abusive leadership and staff. Lastly, though ceremony and cultural circles were by and large identified as positive healing spaces, some participants also shared that those spaces can also have abusers present, and their reputation as men strong in their culture actually protects them and facilitates continued abuse.

In short, there is no perfect system and no space that is guaranteed to be safe and to have the resources that are needed. This creates a sense of hopelessness and inevitability regarding gender and sexual violence that must be addressed.



# Identified Gaps & Needs

Many of the critical needs of families and survivors have been shared throughout this report. In general, when asked what their needs or priorities were, every family immediately said they wanted justice for their missing or murdered loved one. There is no substitute for justice, and no amount of support will ever replace the significance of bringing a case to justice. That said, justice can mean various things. When asked to define what justice for MMIWG2 looks like, these were some of the responses from families--

*"I would say accountability for those who are killing us and for those who are not doing anything about it. I think as far as my mom goes, I think that to just be allowed to be part of research like this and to share my story is, I want to say it brings me some justice and I think I'm okay to say that just getting the story out there and letting people know this is what has happened. This is what continues to happen. This needs to stop. So I think families deserve at the very least to have that closure."*

*"I guess the system acknowledging it, in putting resources into it, to investigate these cases, to prosecute more of these guys, too, but to bring home their remains. I don't, you know, I'm trying to think what's...to go visit these guys in prison and ask him like, 'why? Can you talk about it now? You're here for life. Are you willing to be in here for 10 years? Are you willing to talk about it now?' Maybe, maybe there's something in that, like, not that they need any healing, the hell with them, but you know, for the families of the victims, maybe there's some kind of hope in that...maybe that would be, some of that could be a pathway to raising the consciousness of our population, for the people in the country to see the extent of the problem. And maybe that could raise the discussion levels and dialogue and something too. How can people be so naive? But then again, look at the serial killers. I look at the case studies, we know how these people become that way, right? By the abuse, right? To get to all of it is our pathways to dialogue about abuse, about trauma."*

*"It's a very touchy situation, as much as I'd love to see the doors open and find out who did what, just so it's really off our chest, to know that she's given some sort of justice for what has happened and that the kids can heal in some way, knowing exactly what happened. It's going to be a tough one for the family. It will be a tough one for the family. But yeah, some of them could definitely use the healing and my mom could*

*definitely use the healing...So it's, it's tough. It's a tough thing to lose somebody that way and not have any closure."*

Through these narratives from families, we can see that justice can include properly investigating the case, convicting the perpetrator, giving families a platform to share their stories and be heard, further researching the issue, spreading awareness, opening dialogue on trauma and violence, and creating system change and preventative measures that protect Indigenous women, girls, and two spirit people from continuing to be disappeared or killed. For example, Jessica's mother, Cindy Martin-Wolfe, shared that her top priority is to ensure that the system never fails a woman and her family the way Jessica was failed. To that point, she has worked tirelessly to advocate for domestic violence victims and law enforcement and justice system accountability.

Relatives of MMIWG2 like Cindy Martin-Wolfe, Tammy Carpenter, and Bernadette Smith have taken on incredible leadership in movement building, community organizing, and awareness and advocacy for MMIWG2. We have also seen Indigenous survivors give their all to this work, and know that the progress that has been made in raising awareness and addressing the crisis is in large part due to the efforts of families and survivors. As stated by one of the families, these leadership roles are healing, and they can empower other families and survivors to break the silence as well. It is absolutely essential that any efforts to address the crisis--whether in an individual MMIWG2 case, services provision design, policymaking, or research--include family and survivor leadership, wherein families and survivors are heard and believed.

This support and encouragement is desperately needed from tribal nations. Though many tribes have shown concern for the issue and a willingness or desire to implement interventions, there seems to be a general paralysis on how best to act, that leads to minimal or no response. As one family stated,

*The leadership in our tribes--tribal chairmen or the vice chairmen, the councilmen people, there should be more involvement with them helping us with the ones who lost their loved ones. They should try to help us to collaborate with MMIW organizations like you (SBI), we should collaborate with each other to help each other, hand in hand, because it's a difficult time for everybody who lost their loved one.*

If tribes do not know how or where to start in their work on MMIWG2, there are a number of resources available to them. The families and survivors in their community will know of locally-specific needs and priorities, and should be consulted first and foremost. Additionally, organizations like SBI, victims services,

shelters, search and rescue, and tribal courts may not only have awareness of existing gaps that tribal leadership can address, but have critical resources that could be pooled together to better support families and survivors. Lastly, gaming tribes and other high-revenue tribes have a unique opportunity to support frontline work to address MMIWG2 throughout Indian Country, by funding pilot projects and service programs, and providing financial assistance to families and survivors.

Support services were another critical need all families and survivors identified. These services, by their nature, must be fluid and able to shift to meet the multi-dimensional needs of families and survivors. This may include wrap-around services offered by tribes, schools, victims' witness and advocacy organizations, healthcare providers (especially mental healthcare), law enforcement, courts, social services and child welfare departments, and non-profits. The needs these entities should be striving to meet span financial assistance, help navigating the child welfare system, referrals to affordable and accessible mental health care, healing programming, and legal aid. These services must also be designed to be inclusive of Indigenous LGBTQ2 populations, who are often left behind or underserved by existing services that are not designed to keep them safe or reflect their unique experiences.

Overall, each of the families and survivors we spoke with communicated feelings of being unheard, ignored, neglected, left behind, and forgotten. Law enforcement in particular must immediately work to correct wrongdoings, repair broken relationships, and hold their agencies accountable to do better by Indigenous survivors and MMIWG2 families. If one thing is clear, it is that the time for token rhetoric is over--families and survivors deserve concrete, tangible action items that we are collectively striving towards.

In addition to the needs of families and survivors, law enforcement officials and justice system officials also listed various gaps in their ability to address issues of MMIWG2, and spoke to the challenges they faced in filling them. Sheriff Honsal of Humboldt was well aware of the limitations posed by understaffing to policing such a large jurisdiction and made active recruitment efforts over the last two years to get the county sheriff's office to full capacity. Others, like Sheriff Kendall of Mendocino County, oversaw a department of 200+ personnel, and even that wasn't enough bodies to cover the several thousand square miles under his jurisdiction on any given shift. As much as marginalized communities are at risk of hyper-surveillance and over-policing, they are also at risk for continued violence in the absence of interventions otherwise, policing included.

In order to maximize such interventions, additional needs must be met on the part of law enforcement and justice agencies, like the need for effective training on issues of MMIWG2. All law enforcement participants indicated that in light of the multiple trainings across a variety of modules that officers take throughout the course of their careers, there is a real need for an “innovative” curriculum. Such a curriculum needs to prepare officers to address issues of MMIWG2 and work directly with families and survivors in a culturally-sensitive and respectful manner.

Officers also explicitly advocated for additional supports for peer agencies such as Social Services or Victim Services. As Chief O’Rourke explained, such services were readily available during business hours, but off-hours, weekends, and other general emergency support was scarce. In the absence of such programming, he and his fellow officers were left as the first point of contact for those in need of other services:

*A lot of those advocate groups are eight to four, eight to five jobs, Monday through Friday. Well, people don’t go into crisis on Monday through Friday from eight to five-- crisis happens on Saturday at zero, two in the morning. And if an officer goes out and responds and needs assistance right then, we don’t have the resources to be able to call out an advocate or call out mental health, because they don’t have the funding to be able to have a night staff or 24 hour response.*

In many ways the need for additional resources for both themselves and adjacent agencies rings true with the general constraint on resources in the region, particularly for addressing issues of MMIWG2. Yet there were other identified needs on the part of law enforcement that were in tension with the needs of families and survivors, and of tribal communities more generally. For example, Sheriff Honsal indicated a great respect for tribal police, but indicated,

*There’s certain things as far as sovereignty that they’re going to have to give up in order to do that. So there’s a lot of challenges to those issues, but I think ultimately that’s going to be the best thing for the tribe, to do that.*

It is important to note that even in a PL 280 state, counties are not superior jurisdictions to the tribes within their boundaries, but rather concurrent jurisdictions. Therefore the need to “give up” sovereignty seems like an unnecessary expansion of county jurisdiction over tribes when the discussion should instead be focused on how to better empower tribal police to address MMIWG2 and safeguard the public safety of tribal lands themselves, rather than relying on already-overwhelmed county resources. New conversations are needed on how to partner to

protect, a fundamental responsibility of all public safety officers. Law enforcement officers also indicated a need for the families of MMIW to be more forthcoming with information on open cases, as well as reporting in general. In the words of one sheriff:

*We have a right to expect when we ask questions of someone, they tell us the truth. When they give us three different stories, we cannot get prosecution on three completely different stories...[in one case,] everyone lied to us right off the get go. So people can say that it's the justice system's fault, but the fact of the matter is people need to stand up and tell the truth. And if someone asked you, you don't make up a bologna story, not knowing that this person is actually missing because you're covering for your buddy. You tell the truth.*

This response stems from a victim blaming approach that is not helpful in crime fighting, as the behavior this Sheriff described is a direct result of the broken trust within Indigenous communities. His desire for families to be more communicative in the investigation process is in glaring opposition to the feelings of rebuff and even suspicion felt by MMIWG2 family members who have actively pursued justice for their loved ones and were rejected by law enforcement in their efforts to do so. These efforts have been recounted numerous times in this section and throughout the report, and one thing is clear: families go above and beyond in sharing information with the police, and it is the police that need to do more at taking them at their word. Quite simply, even as they seek additional officers and other supports, regional law enforcement could and should be doing more at present to intervene in MMIWG2. Whether it's being more communicative about how they are following up on the leads shared with them by families or other case updates, finding ways to make sure MMIWG2 families "understand that they're being heard and they're being believed" is vital to such cases, as explained by Sheriff Honsal. According to him, the burden to do more was on himself and other officers as law enforcement professionals:

*There's no other job that comes with so much responsibility. That someone can instantly take someone's rights away, can instantly judge into a deadly force scenario... That's not just a job. It's a profession in the community.*

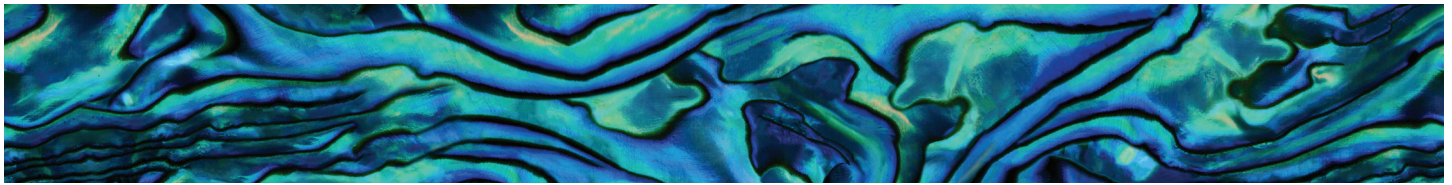
Families were not the only ones to advocate for better policing on the part of law enforcement. As noted by Judge Abinanti, one of the reasons she had taken a deep interest in issues of MMIWG2 was because of how many Indigenous families she knew that had gone years and even decades without any sense of justice or closure for their loved ones who had been taken or murdered. In order for her to do more, Judge Abinanti called on law enforcement to look within for how they could better support MMIWG2 families and survivors:



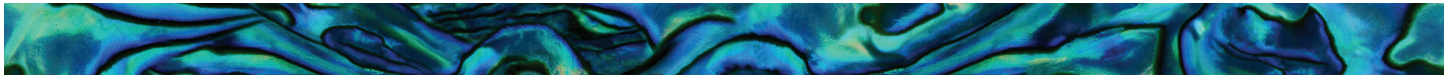
*Part of it is that law enforcement has to change first before they even get to the courts. That's a little more difficult because there's so few [MMIWG2 cases] that get to court...So that part of the system is broken...there has to be a reckoning in this, in terms of no harm, no foul. People have to realize that there is going to be law enforcement. There is going to be a consequence-- there are certain things you can't fix, and killing people is one of the things you can't fix.*

With this recommendation, Judge Abinanti opens the door for further considerations of how law enforcement personnel, justice system officials like herself, and other stakeholders can do more for MMIWG2, survivors, and their families.





# Recommendations ● ● ● ● ● ● ●



## Data

The importance of rich, accurate, and available data on MMIWG2 cannot be understated. There is an intense need to invest in the technological infrastructure and public records administration resources of all police departments, but especially those located in rural areas. In various localities, much work remains to digitize their existing paper records and make them available for the purpose of tracking and research on crime and public safety on tribal lands. Additional data that is tribe-specific in non-rural areas must also be collected, with protocols developed to share all such data with tribes.

Overall, there needs to be a reconsideration of the kinds of data that tribal bodies have access to, and the unnecessary gatekeeping that far too often keeps them from the data they need to intervene on the behalf of their citizenry, and on the behalf of MMIWG2, their families and survivors specifically. Such recommendations would include streamlining the FOIA request process, as well as further mandating compliance to it on the part of state and federal agencies to obligate them to provide data as requested by researchers, but especially by tribal entities. Additionally, tribes need access to the full scope of information available in databases like NamUs and other internal repositories for tracking case file data for their enrolled members, as well as any other Indigenous individuals who are harmed within their jurisdictions.

Finally, there needs to be real care and attention taken when designing and collecting data

on MMIWG2. For example, gaps in the data coupled with the frequency by which cases were racially misclassified or themselves misclassified as “accidental” or “undetermined” was alarming in the scope of this analysis-- up to 56% of cases had no publicly available information on tribal affiliation and more than 10% of cases had no details on the last known location of the victim (pg. 38). Moreover, 62% of cases were missing from all official databases and, depending on which database, between one third and half of the Indigenous women, girls, and two spirit people who were entered were misclassified racially. It is hard to imagine that these omissions and errors would exist if tribal partners as well as MMIWG2 families and survivors were invited to weigh in on the kinds of data they want collected and tracked by local law enforcement and justice agencies. As has been stated previously in this report, without accurate data, stakeholders across-the-board are limited in their capacity to address MMIWG2 and it is up to all of us to do more for these families, survivors and those who have been taken or murdered. At the very least, we can ensure that the data we collect for tracking this crisis is as accurate, up-to-date, and thorough as it can be, a necessary precursor to intervening in the lives of these women before they go missing or are murdered.

## Inter-Agency Coordination

Given the multiple jurisdictional complexities and geographies that inform MMIWG2 in Northern California, it would be unreasonable to expect any actionable recommendations to not include explicit inter-agency coordination as a first order concern. Law enforcement professionals, justice system officials, service providers, community members, and everyone in between need to recognize and hold space for the degree to which MMIWG2 is a crisis across the region. Whether in urban or rural areas, on-reservation or off, tribal communities and the agencies responsible for protecting them inherently work across jurisdictional boundaries. In a PL 280 state and forced relocation destination such as California, there is a real need to acknowledge and uphold the concurrent jurisdictions of tribal bodies over their citizenry as well as over non-citizens who live and commit crimes on tribal lands.

The use of resident deputies is an option favored by county law enforcement. In the scope of this report, we advocate additionally for the expansion of tribal police and the resources under their purview, recommending in particular the cross-deputization of tribal law enforcement officers with county agencies. By building on Indigenous conceptions of justice and peacekeeping in this way, tribal police will be best positioned to meet the needs and keep safe those who live on tribal lands. Additionally this will aid in the formation of multi agency teams for investigations, case reviews, etc.

Law enforcement, state, and tribal agencies must be able to work together to bring missing and vulnerable Indigenous youth to safety, and information sharing is an important component of this. We strongly recommend that an inter-agency alert system be put in place for missing and runaway youth, especially those who are foster children, that includes a protocol for notifying all relevant stakeholders--their family of origin, their foster family, their tribe(s), their attorneys, and advocates working with that child. Perhaps if this alert system was in place, the

rate of cases of missing Indigenous youth not included in official databases would decrease substantially (as it stands, 91% of California's missing Indigenous youth are missing from at least one official database).

It is vital that any effort to intervene in MMIWG2 in Northern California also empower tribes to protect those Indigenous people who are not originally from California but now reside in their jurisdictions, as well as advocate for all of their own citizens no matter where they might live. With 97% of cases occurring outside of tribal jurisdictions (pg. 39), law enforcement professionals ranging from county sheriffs, city police, state officials, Fish & Game, federal agents, and Highway Patrol must all actively commit to intervening in issues of MMIWG2 and in violence against Indigenous women more generally. Coordinating and collaborating with the tribal nations in whose ancestral territories they and their departments reside is the first step in that process.

# Investigatory Resources

It is clear that neither tribal law enforcement nor local law enforcement have all the investigatory resources that they need to fully address MMIWG2. As mentioned in the previous section, tribal law enforcement are uniquely situated to better serve MMIWG2 survivors and families, rather than local law enforcement on their own. As such, steps should be taken to hire more detectives and investigators within the tribal police force. An increase in the size of tribal police forces also has the ability to decrease response times to calls. Just like any other law enforcement agency, tribal police need unfettered access to national and local law enforcement data to be able to build comprehensive case files quickly. Cross-deputization of tribal law enforcement would allow for tribal law enforcement officers to protect their tribal citizens who do not live on the reservation, and to protect all citizens who do live on the reservation.

The fact that there are so many unsolved and unknown MMIWG2 cases in Northern California is not an acceptable justice system response and further reflects the mistrust and cultural disconnects between Indigenous people and local law enforcement. Additionally, it is evidence for the need to expand tribal law enforcement to enhance the capacity of local law enforcement agencies. There is a real opportunity here for healing between Indigenous and non-Native communities, by creating conditions that will enable collaborations between tribal and non-tribal law enforcement. By expanding the capacity of tribal law enforcement, it is also upholding their inherent sovereign right to ensure the safety and security of their citizens.

Developing Sexual Assault Response Teams (SART) within each community would greatly increase the amount of support that survivors of sexual violence receive. The purpose of a SART is to help survivors navigate all of the community

and state services that are available to them, including the reporting and forensic investigation processes. Another benefit of a SART is that it creates an input mechanism for improving sexual assault resources by using survivor experiences to improve services. Rural counties like Del Norte County currently do not have any SART in place, much less a team with cultural competency to respond to the unique needs of Indigenous victims, despite overrepresentation of Indigenous people among sexual assault victims. This can mean that a victim must drive several hours or wait a day to have a rape kit done, preventing them from showering or changing clothes. Many victims understandably cannot withstand the mental health impact of not being able to shower or change, or undergo an exam in a timely manner, and do not report or compromise evidence by not waiting for the kit. Counties can and should be working with tribes in their jurisdiction to develop SART resources that can effectively serve Indigenous victims and assist law enforcement in gathering the evidence they need to secure a conviction.

In addition to increasing investigatory resources for law enforcement, there also needs to be more collaboration capacity amongst other agencies that interact with MMIWG2 such as district attorneys, tribal and non-tribal courts, child protective services, direct service providers, etc. The ability for these agencies to share information will help all involved develop an understanding of the holistic needs of survivors and families. In the current system, survivors and families are forced to recount their trauma over and over again because the agencies are barred from communicating. This creates further traumatization of survivors and families by the agencies that are supposed to be helping them.



# Law Enforcement Accountability

Perhaps the clearest finding of the research we have done thus far is that there is a huge divide between law enforcement and families and survivors. Some of this can be attributed to a fundamental lack of understanding of gender and sexual violence and Indigenous communities, as one law enforcement officer shared--

*I wish I knew how a victim thought. So that way I could effectively relay that message of hope and that they have worth. That's the thing I wish I knew more. I wish I had a, I was able to communicate in a better, in a more concise way, to let victims know that it's okay to speak up...hiding your pain and hiding your shame, I get, but the abuser counts on the victims hiding that shame. That's what allows them to continue to perpetuate that cycle and commit those crimes against them...The biggest thing is I wish I knew how I could speak to a victim. I wish I knew I could teach my officers the things I know and the things that I see that's based off of my own experiences and my own upbringing and my own ties to a culture. I wish that my officers could be able to take that onto the field and reach the people in their work that they do. So it's that, that's where the big gap is, in my opinion.*

That said, the majority of contributing factors that lead to the broken relationships we have described are basic, and well within existing capacity to address. These factors include lack of cultural awareness or competency, lack of sensitivity to victims and their families, poor or non-existent communication with families and survivors, chronic lack of cases being brought to justice, and addressing past and ongoing violence perpetrated by officers. Law enforcement agencies should not need training or additional funding in order to return phone calls or work with victims with compassion or

kindness, and should be doing everything in their ability to close MMIWG2 and sexual assault cases with convictions.

That said, we do have several recommendations for law enforcement agencies interested in improving their response. Training on tribal sovereignty, PL 280, MMIWG2, and violence against Indigenous women, youth, and two spirit people may help correct some of the blind spots law enforcement have, as described in the above quote. Mandatory notification parameters for local law enforcement to update MMIWG2 families on missing person case updates at least once a year would help families feel less forgotten by local law enforcement. Similarly, families who contact law enforcement with questions or additional information deserve a timely response. Tribal law enforcement and local law enforcement need to develop consistent communication and coordination protocols that are uniquely suited for the areas they serve--state funding would be helpful in establishing these protocols. There needs to be an asserted effort to recruit a diverse police force that includes officers of all races, genders, and sexual orientations. Recruiting from the communities that they serve would be especially helpful. Creation of tribal liaison relationships with each individual tribe and Indigenous community would be beneficial, so that families and survivors have an advocate from their own nation that has a working relationship with local law enforcement; one family we spoke with recommended that tribal leaders step into that role. Similarly, an independent police review board could help ensure that law enforcement is being held accountable to protect and serve all communities. This would be a venue for those who have been victimized by police officers to make a confidential report that will lead to corrective action--it will give survivors a chance to be heard and to be believed.



Perhaps most importantly, law enforcement agencies must be held accountable to thoroughly investigate cases. An inter-agency cold case review team that includes tribal, local, and state law enforcement, representatives from state and tribal courts, medical examiners, coroners, MMIWG2 families, and advocates could make a significant impact in not only advancing existing cases by reexamining and pooling together information and expertise, but also could illuminate additional gaps and loopholes that MMIWG2 cases fall through that must be addressed.

## Justice System Follow-Through

The justice system has, by and large, failed MMIWG2 families and survivors. District Attorneys in particular must be held accountable to work with law enforcement to successfully prosecute perpetrators, and improve the disturbingly low rate of conviction for those who kill Indigenous women, girls, and two spirit people, which currently stands at 1 in 2.

In sharing information on MMIWG2 with state court judges in California, one of the most common questions SBI staff are asked is, "I don't get murder cases or Indian cases in my courtroom, what can I do to help?" Our answer is that even if murder cases are rare in their jurisdiction, Indigenous people are much more likely to be in state courtrooms than others, due to disproportionate incarceration, child removal, runaways, and violence. Those are critical moments where the justice system has the power to deeply impact the lives of Indigenous women, girls, and two spirit people. Moreover, due to rampant racial misclassification and stereotypes of what an Indigenous person is "supposed" to look like, some judges and court staff may not realize they have had Indigenous people in their courtrooms. Thus there is a need to work beyond

siloed understandings of MMIWG2, and to think holistically about how courts can address the crisis. This would include how the justice system responds to domestic and intimate partner violence, sexual assaults, survival sex work, runaways, substance use, and child removal.

State courts also must strengthen their relationships with tribal courts, and be willing to support tribal courts in building their capacity to effectively serve the community. This would include expanding concurrent jurisdictional efforts, as evidenced by the Family Wellness Courts led by Judge Abinanti with judges in Humboldt and Del Norte counties. Judge Abinanti also recommends that state courts create a special calendar or designation in dependency proceedings for foster children with parents who are missing or murdered, so that those children can be appropriately monitored throughout the court case and assisted with services specific to children with the direct trauma caused by a missing or murdered parent. There is an inherent unfairness in creating foster care dependents without acknowledgement of the trauma.

# Legislative Implications of the Findings

While the focus of this report is on Northern California, there are legislative changes that need to be addressed at the federal level. The Freedom of Information Act (5 U.S.C. § 552) must be streamlined, compliance must be mandated, and the fiscal burden of the requester must be lessened. All congressional legislation impacting Indian Country must have clauses that speak to the implementation of the act in PL 280 states. The federal database tracking missing persons and unidentified remains, NamUS, must provide tribes with access to edit or add to the data on their citizens, as well as be notified when a tribal member has been added to the database. The House of Representatives must pass Savanna's Act, which passed the Senate on March 11, 2020 and as of the publication of this report is being held at the House desk. The Senate must act to reauthorize the Violence Against Women Act (VAWA). VAWA passed the House of Representatives on April 4, 2019 and as of the publication of this report there has been no action in the Senate. The Indian Child Welfare Act (ICWA), while often cited as the "gold standard" for child welfare law, needs to be strengthened to protect all Native children in all jurisdictions. There is currently no federal agency charged with oversight of ICWA which results in high rates of non-compliance. Lastly, there needs to be a national database that tracks law enforcement officers who have committed violence against citizens, especially sexual violence, both professionally and personally--and those officers must be barred from the law enforcement profession.

At the state level, AB 3099 needs further engagement of California tribes and Native communities. There are specific amendments that will improve the state's ability to fulfill the spirit of the legislation such as: expanding

the language to be inclusive of all Indigenous peoples,<sup>21</sup> specifying the grants and technical assistance that will be available to tribes; mandating that the task force created would be responsible for generating tangible responses to the crisis; requiring all law enforcement training to be co-developed with California tribal governments and organizations; ensuring there is accountability in that the lessons learned in the trainings are actually implemented in law enforcement's daily work; contracting with Indigenous researchers to carry out the study that is currently mentioned in the legislation. This report already achieves several of the goals for the proposed study, so it may be a better use of state resources to contribute to expanding work that has already been done and partnering with tribal and Indigenous-led initiatives as opposed to creating an entirely new process and project.

Outside of AB 3099, there are legislative changes that could help close the gap in justice for MMIWG2 in California's law enforcement system. For example, several states employ mandatory reporting to NamUs within a designated time period--California should implement mandatory reporting as well. This would make information on missing persons and unidentified remains readily available to other collaborating agencies nationwide, who may have information on a relevant case (e.g. a victim who went missing from one state and was found unidentified in another).

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<sup>21</sup> There are over 70 tribes in California that are only recognized by the state, and not the federal government. Additionally, there are likely many more tribes and groups of Indigenous Californians that lack both state and federal recognition. Because of federal relocation policies, there is also a large number of Indigenous people in California who descend from tribal nations throughout the country. There are also large populations of migrant Indigenous communities from Central America in California whose primary language is an Indigenous dialect. Limiting AB 3099 to federally recognized tribes would exclude these communities from justice.

Finally, legislators need to take all opportunities to raise awareness on the severity of the MMIWG2 issue in California. For major cities, proclamations declaring May 5th as a day of MMIWG2 awareness are a powerful step--especially when those proclamations include language that commits local governments to engaging in conversations with tribes and urban Native communities. State legislators should

change the names of state landmarks whose names highlight violence against Native women, such as Sq\*\*w Creek and Larabee Creek, and use that opportunity to speak on the historical reasons that California has a large number of MMIWG2.

## Support Services

Enhancing support services is perhaps one of the easiest tasks to accomplish, because there are such a large number of places to start. As it stands, SBI is the only organization across the United States that has a 24-hour crisis line for MMIWG2 families; this and other 24-hour advocacy and support services are crucial investments. Additional victims advocates within local law enforcement, tribal law enforcement, and Indigenous direct service providers could make a difference in increasing the level of support for families and survivors, especially if they are within programs that have flexible funding that allows them to meet their clients' needs fully. Healing programming, and funding to support it, is critical. These services could include mental health/counseling services, family-friendly domestic violence shelters and services, parenting classes, peer support groups, self-defense classes, and assistance for families trying to raise awareness on their loved one's case, and addiction/recovery resources.

In particular, participants felt that tribal programming must be expanded and enhanced to serve families and survivors, especially mental health and counseling services, which were cited as needing training to better serve the short and long term needs of MMIWG2 families.

Many of the participants in our study with a missing MMIWG2 family member claimed that the removal of their relative's child on behalf

of child protective services was a primary factor in their loved one going down the wrong path. Funding must be made available to strengthen the foster and child protective services in California, as both state and tribal services need support. There needs to be proactive and preventative services offered to mothers who are in danger of having their kids taken away to help them develop the necessary capacity to be able to keep their children in their custody or allow treatment support--creating a category that allows that treatment time is not used against the parent, for example. Family members we interviewed said they struggled to enforce custody orders over children when their loved one went missing or was killed, despite the fact that they were licensed foster parents. Child protective services needs to be able to quickly and confidently approve family members for custody over youth whose parent is an MMIWG2. Lastly, above everything else, there needs to be a priority to keep kids in the foster care system in one stable house in their community, to keep community/family/cultural ties and to insure they are not retraumatized every time they are forced into a new living situation, where they have to re-explain all of the trauma they have been through.

In general, the power of MMIWG2 family and survivor-led work cannot be understated. Thus it is critical that services are not only improved or created, but that those changes are led by families and survivors themselves. Implementing advisory boards, leadership councils, and other channels for families and survivors to actively participate in program development is of the utmost importance, and initiatives led by families and survivors should be prioritized.



# Protective Factors

In many ways, the tools for intervening in MMIWG2 lie in dismantling the systematic inequalities that have pervaded Indigenous lives since contact, and in so doing, enable tribal nations to protect their citizenry from violence, one of the most fundamental expressions of sovereignty (Deer 2010, Savarese 2017). By contrast, many of the resources for healing the absences left behind by MMIWG2 in the lives of families and survivors can be drawn from the many protective factors that exist in Indigenous communities across the region. In particular, we cannot recommend more highly the need to expand the spiritual resources that Indigenous women, girls and two spirits have access to by virtue of their heritages. As one survivor explained,

*The spirituality piece is single handedly what has saved me. Of course all of the other things help, but that access to elders and spiritual people, medicine men if you will, spiritual leaders. That's what saved me. If I never was introduced to ceremony, I don't know what my life would look like.*

Culture is restorative in the wake of trauma and marginalization (Brave Heart 1999, Burnette 2015, Duran et al. 1998, Evans-Campbell 2008, Long & Nelson 1999). Relevant recommendations for how to enact spirituality as a protective factor in addressing and intervening in MMIWG2 include the implementation of ceremony and elder councils, both of which were traditional tools for resolving disputes, triaging trauma, and fostering healing. It is important to note that these spiritual resources should not be restricted to victims, but offered separately to perpetrators as well, to help make them accountable for their actions. As described elsewhere in this report, frequently both victims and abusers are trauma survivors, and in the absence of effective mental health treatment, coping strategies like substance use and violence can fill that void. In response to this recommendation, in Year 2 we plan to implement a Grandmothers & Aunties Task Force as part of the project and we encourage

other tribal communities to consider how forums for establishing accountability and facilitating healing could be adopted and adapted from their own traditional knowledge bases.

# Community Strength-Building

As stated previously, many of the families and survivors have stepped up to take leadership on MMIWG2 and related issues in their respective communities. Most expressed a desire for interventions in the crisis that build on the inherent resilience of Indigenous communities and empower grassroots community members to get involved in hands-on ways. For example, the Grandmothers & Aunties Taskforce we hope to implement was inspired by a dialogue with Indigenous women elders, who discussed how they rallied together to support a granddaughter who was sexually abused as she navigated the justice system and her healing journey; these elders already took on so much of the burden of filling in existing gaps for this child, we were inspired to build on that leadership by creating more opportunities for it to shine. We asked the group of elders if they would be interested in additional training or credentials to take an active role in MMIWG2 cases--such as sexual assault advocate certification or training on how to oversee volunteer missing persons searches, and the resounding answer was yes. There are many Indigenous people passionate about this issue that would love to step up and volunteer if opportunities were made available--community strength-building creates those opportunities and gives community members the skills needed to help.

It should also be noted that while this project focuses on women, girls, and two spirit people, Indigenous families who have a missing or murdered male relative would also benefit from some of these efforts. The family of missing Pit River tribal member Nick Patterson, for example, shared with us that they too had a frustrating and hurtful experience with Shasta County Sheriff's Department, and would benefit from a tribal liaison or advocate, and resources grounded in the sovereignty and self-determination of their own community--

*While we were doing the searching, [the woman coordinating search dogs] had also discussed that she would be willing to help train the tribe, or members of the tribe or something, in that area of having dogs. Being able to raise your own dog and train them and go through all of that to be able to [help] in situations like this, if it was to ever happen again, that the tribe would have their own resources the same way too. I feel like it'd be beneficial to learn how to fly a drone, you know, as simple as something like that. Cause I have no clue, but that would have really helped, on those rocky areas that we were searching the lava. Gosh, the lava rock, that was just horrible terrain, hard to get through in a vehicle, you gotta do on foot, and then it's like, bam, bam the snow and the rain and things like that. A drone would have been fabulous, to be able to have somebody on the team to go, and you know, you have to know which one was going to be applicable for the situation. So definitely training people...Trying to find somebody to train on how to deal with maps and the way that the big search teams do with GPS and, you know, tracking and all that other kind of stuff that they do, that they have covered all this certain ground...if [law enforcement is] not going to do it, then we can do it. There's nothing in our rule book that says that we can't have tracker dogs out on our tribal lands...sometimes I just sit here and think. I know on my end, cause I work with youth trying to figure out what more we can do besides holding a run or doing a video or things like that or just talking about it. I like that there's more out there that can be done.*



Families should not have to do their own searches for their loved ones, but if they want to take on this leadership, they and their communities should be empowered to do so. Building on these pre-existing strengths of the community could not only help address law enforcement and service provider incapacity, it could bring the community together in the name of justice and safety in ways that may lead to violence prevention altogether.



Photo caption: Nick Patterson disappeared from his home in Burney in early 2020. He is truly loved by his family--our interview with them was the largest family group we met with, as each relative wanted to support one another in advocating for Nick Patterson.



# Conclusion - Moving Forward

*“To recognize she was loved, and she was a human being. She was a mother and she counted.”*

This poignant response from one participant on what they hoped this report could accomplish for their MMIW family member seems at once incredibly straightforward and infinitely complex for any one investigation on MMIWG2 to accomplish. In fact, this “work-in-progress” report was never meant to be an exhaustive review of everything pertaining to this crisis in Northern California. Instead, it was a first step towards establishing the scope and severity of MMIWG2 in this region based on our Year 1 findings for To’ Kee Skuy’ Soo Ney-Wo-Chek’. Yet, we as a research team hope that readers appreciate our intense effort to offer at least a sliver of the wealth of love, resilience, and perseverance that MMIWG2 families and survivors muster on a daily basis in their never-ending pursuits of justice. We hope that over the course of the many pages of this report, we have made it clear how loved missing and murdered women, girls, and two spirit people are, that their humanity was both their source of their resilience and a component of their experiences as targets of violence. They were mothers, aunties, grandmothers, siblings, cousins, and so many more important roles, and they deeply counted in the lives of their loved ones. The absence after they are taken is a backdrop to their families’ lives forever after.

In summary, we have taken the first step in diagnosing the crisis of MMIWG2 in Northern California, drawing from both quantitative and qualitative data points in order to do so. What we found in the region resonates with existing literature on how Indigenous women are targeted for violence by abusers and the State alike (Anderson et al. 2018, Ambler 2014, Bailey & Shayan 2016, Bingham et al. 2014, Bourgeois 2015, Boyer & Kampouris 2014, Bubar & Thurman 2004, Hargreaves 2015, Lavell et al. 2016, Luna-Firebaugh 2006, McGillvray 1999). We completed Year

One of our multi-year study apparatus, and over the coming years, we will continue to flesh out some of the conclusions and recommendations we proposed in this initial report. In the meantime, we offer the templates included in the Appendix for use by other tribes and stakeholders interested in tracking and intervening in MMIWG2.

In order to capture the wide variety of experiences and diversity across cases included in the 105 cases logged in the Northern California region, we structured this report around the systemic inequities, jurisdictional complexities, and social stigmas that endangered the lives of Indigenous women, girls, and two spirit people when they were living, and that complicated the process of finding justice after they were taken. We detailed the long-term ripple effects that the loss of MMIWG2 leaves in their families and described how survivors and those left behind fight back against the victim blaming, abuse culture, and general lack of support services that characterized their search for closure. Law enforcement and the justice system were both implicated in these failures, yet stakeholders from all backgrounds identified them as instrumental in intervening in this crisis. Law enforcement officials themselves committed to doing so within the scope of their individual jurisdictions, and we have detailed how families filled these gaps with their own efforts of resilience and remembrance in the absence of state action on MMIWG2.

We concluded our report with a consideration of identified gaps and needs as stated by families, survivors, law enforcement officers and justice system representatives. We offered recommendations across eight categories including data, inter-agency coordination, investigatory resources, law enforcement and justice system accountability, legislative considerations, support services, protective factors, and community strength-building. We encourage readers to consider these recommendations in light of the rich contextual and evidentiary bases for making them included in this report.

## Looking Ahead to Year Two

In the Year Two of To' Kee Skuy' Soo Ney-Wo-Chek', the research team anticipates expanding several areas of analysis as well as adding additional data points as necessitated by our Year One progress. These include a public awareness campaign to distribute this work-in-progress report, to be launched at a sequence of public events as possible, pending emerging details on the 2020 COVID-19 pandemic.

Additionally we will advocate for the use of billboards in searching for information on missing and murdered women, girls, and two

spirit people in the region, thereby actualizing a recommendation by some participants. We also plan to launch the second wave of our Needs Assessment with stakeholders across all counties in the region, building on the pilot interviews conducted for this work-in-progress report. Finally, in partnership with the Yurok Tribal Court, we will scale up our tribal partnership network to include representatives from all of the tribes and rancherias in the study region. As much as we hope to make these connections and conduct interviews face-to-face, we will continue adapting our relationship building and data collection efforts to virtual means to accommodate the public health orders in effect over the course of Year Two of the project.

It is our intention to increase our efforts in the area of missing children, specifically children missing from foster care. We intend to document these situations, determine the protocol or lack of protocol, and will seek to make changes in a non-responsive system to aid these children and their families. We will examine the relationship of this issue to trafficking in this state, including the failure to prosecute such crimes.

Over the last year, we have been reminded time and time again that the most generative knowledge on MMIWG2 comes from direct work with families and survivors, especially when they are empowered and cared for in a good way. SBI is committed to continuing to provide support services to families and survivors, and is planning to grow existing services by investing in a dedicated Services Coordinator, continued support groups and 'art therapy' sessions, and additional resources. SBI is actively searching for mental health providers and medicine keepers willing to help families and survivors, as well as attorneys who can provide legal aid. SBI is also working to build a broader platform for MMIWG2 families and survivors to create media content for and by each other. This commitment is based on the knowledge that a major component of the processes of healing and seeking justice for MMIWG2 families and survivors is being empowered to share their stories and take leadership in the movement.

In the last year, the Yurok Tribal Court and SBI have also worked to assist legislative staff on the actions taken by legislatures to address MMIWG2 issues. This includes state-level initiatives like AB 3099 and federal bills like Savanna's Act. We also work to support tribally-led initiatives, and believe strongly that tribes must take leadership on this issue by supporting relevant pilot projects, building resources for families and survivors, enhancing their law enforcement agencies, and implementing their sovereignty to protect their citizens. We aim to continue providing this assistance and support in Year 2 of this project.

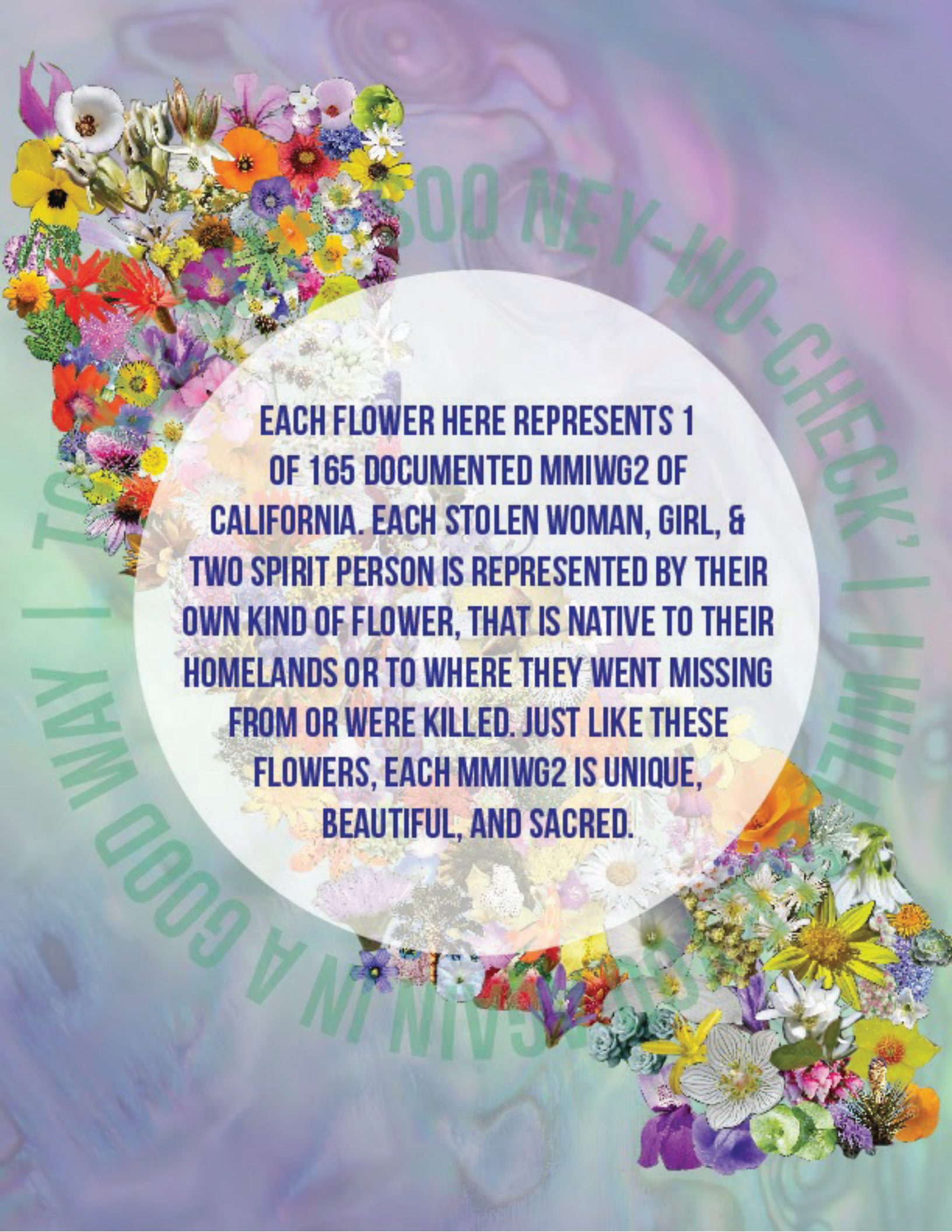
Moreover, we also aim to build the capacity of tribal communities and law enforcement agencies and teams to respond to this violence. For law enforcement agencies and teams, SBI is committed to offering trainings on MMIWG2 and violence against Indigenous women, children and two spirit people. As it becomes safe to do so, we will expand these trainings to the community level, and also include topics like volunteer search and rescue, how to respond when a person goes missing, trafficking and sexual exploitation, and how to support families and survivors. We also are working to support the creation of Sexual Assault Response Teams (SART) in all counties with Indigenous communities.

Finally, one of the critical needs that emerged from the Needs Assessment was open dialogue between MMIWG2 families, survivors, their communities, and the law enforcement agencies that serve them. While we cannot repair the broken relationships ourselves, we can provide opportunities for communication and healing to occur. As it becomes safe to do so, we aim to host listening sessions for families, survivors, and community members to share their experiences, questions, and needs with law enforcement. It is our hope that these sessions are the beginning of concerted efforts to right previous and ongoing wrongs, and move forward towards justice and safety together.

## **Request for Participation**

As we conclude this report, the research team, SBI and the entire To' Kee Skuy' Soo Ney-Wo-Chek' project staff send out a sincere request for participation in the Needs Assessment to all readers of this report, especially MMIWG2 families, survivors and other stakeholders invested in seeking justice for those Indigenous women who have been taken or killed, or who continue to suffer violence and/or trafficking in their lives at present. We are very cognizant of the fact that this report captures only a small amount of the input available on MMIWG2 in the Northern California region, and we request that any and all interested parties contact the research team to participate in an interview. For more information, please contact Sovereign Bodies Institute at (707) 335-6263 or at [mmiwdatabase@sovereign-bodies.org](mailto:mmiwdatabase@sovereign-bodies.org).





**EACH FLOWER HERE REPRESENTS 1  
OF 165 DOCUMENTED MMIWG2 OF  
CALIFORNIA. EACH STOLEN WOMAN, GIRL, &  
TWO SPIRIT PERSON IS REPRESENTED BY THEIR  
OWN KIND OF FLOWER, THAT IS NATIVE TO THEIR  
HOMELANDS OR TO WHERE THEY WENT MISSING  
FROM OR WERE KILLED. JUST LIKE THESE  
FLOWERS, EACH MMIWG2 IS UNIQUE,  
BEAUTIFUL, AND SACRED.**

# Study Instrument Templates

## A Note on Study Instruments

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

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

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

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

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

refine these tools in Year 2 but offer this “family-approved” study instrument for use now by other tribes, LEAs and other justice agencies hoping to intervene in MMIWG2.

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

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

# Case File Cover Sheet

## Identifying Characteristics:

Name:

Name in Tribal Language: (Leave blank if n/a)

Tribe(s):

Area of Residence:

Area Last Seen if missing:

Incident Location:

Incident Area Classification (Reservation/Rural/Urban):

Agency with Jurisdiction:

Assigned Detective:

DOB:

Age At Time of Incident:

Age Now (if missing):

Date Reported Missing:

In case of status change, date of change:

Status:

Customary designation for those passed on?:

Case Status (open/closed/pending):

Contact Notes (see Contact Log for full details):

Contact Person:

Relationship to Individual:

Contact Information & Preference:

Staff Member Assigned to Contact:



# Contact Log - Date:

## Contact Details:

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

## Staff Contact Assigned:

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

---

## Projected Date of Next Contact:

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

---

## Action Steps:

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

---

## Notes on Visit:

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

---

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

# Research Log- Date:

## Search Details:

Date of Search: <Date of Search>

Entered By: <Who is entering this search?>

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

---

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

---

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

## Search Results

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



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

**\*\*COPY AND PASTE OR PRINT PREVIOUS PAGES FOR NEW SEARCH ENTRIES\*\***

# Needs Assessment Template

## Section 1. Lead-In & Knowledge Base

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

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

### **For all:**

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

Data point: Building rapport and providing glimpse of worldview

- What do you know personally about MMIWG2?

Data point: Knowledge base family/individual level

- What do you know about MMIWG2 locally?

Data point: Knowledge base community level

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

Data point: Knowledge base risk factors for MMIWG2

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

Data point: Knowledge base community level

- What is your understanding of violence against Indigenous women?

Data point: Knowledge base risk factors for MMIWG2

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

Data point: Knowledge base identifying gaps in knowledge on MMIWG2

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

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

**For non-family stakeholders:**

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

Data point: Knowledge base MMIWG2

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

Data point: Knowledge base stakeholder expertise

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

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

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

Data point: Knowledge base stakeholder expertise

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

Data point: Knowledge base non-family stakeholder perceptions

## Section 2. Needs Assessment

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

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

### **For all:**

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

Data point: Knowledge base & describing factors that impact MMIWG2

- What healing resources are available? What more is needed?  
Data point: establishing scope of and gaps in service provision

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

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

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

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

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

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

For non-family stakeholders:

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

Data point: establishing stakeholder needs for service provision

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

Data point: establishing stakeholder needs for service provision

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

Data point: establishing stakeholder expertise and needs for service provision



**For non-family stakeholders:**

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

Data point: establishing stakeholder needs for service provision

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

Data point: establishing stakeholder needs for service provision

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

Data point: establishing stakeholder expertise and needs for service provision

**Section 3. Recommendations for Justice System**

For all:

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

Data point: establishing recommendations for justice system

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

Data point: establishing recommendations for justice system

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

Data point: establishing recommendations for justice system

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

Data point: establishing recommendations for justice system

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

Data point: establishing recommendations for justice system

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

Data point: establishing recommendations for justice system

#### Section 4. Recommendations for Law Enforcement Agencies (LEAs)

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

**For all:**

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

Data point: establishing recommendations for LEAs

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

Data point: establishing recommendations for LEAs

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

Data point: establishing recommendations for LEAs

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

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

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

Data point: establishing recommendations for LEAs

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

Data point: establishing recommendations for LEAs

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

Data point: establishing recommendations for LEAs

### *Section 5. Personal Expertise*

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

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

Data point: establishing knowledge base of regional MMIWG2

- How many Native women do you know that are victims of violence?  
Data point: establishing knowledge base of regional violence against Indigenous women

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

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

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

Data point: establishing scope and severity of regional MMIWG2

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

Data point: establishing recommendations for stakeholders

### *Section 6. Conclusion*

- Do you have any questions for me as we wrap up? Anything you'd like to add?
- \*\*\* I am also looking for others to talk with as part of this project. Is there anyone you can think of? \*\*\*
- If so, would you be willing to share their contact info, please?

# CA MMIWG2 Codebook

List of Code Abbreviations = Code Color = Code Name

## Law Enforcement Agency (LEA) Codes: Blues

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

## Contextual & Individual Codes: Oranges/Yellows

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

## Survivance Codes: Reds

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

## Perpetrator Pattern Codes: Greens

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

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

*List of Code Descriptions*

**Law Enforcement Agency (LEA) Codes: Blues**

1. LEAD = LEA Development = Light Blue

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

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

2. LEAI = LEA Inaction = Sky Blue

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

3. LEAV = LEA Violence = Medium Blue

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

4. MUJ = Multiple Jurisdictions = Medium Dark Blue

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

5. COR = Court Ruling = Teal Blue

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

6. DAH = Data Hole = Dark Blue

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

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



## Contextual & Individual Codes: Oranges/Warm Tones

### 1. SC = Structural Constraint = Light Orange

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

### 2. MHC = Mental Health Consideration = Medium Orange

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

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

### 3. SUB = Substances = Dark Orange

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

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

### 4. ULF = Unique Local Factor = Light Brown

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

- a. ULF-MI = Marijuana Industry

### 5. TRF = Trafficking = Dark Brown

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

### 6. SSW = Survival Sex Work = Mustard Yellow

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

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

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

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

8. YTH = Youth = Dark Pink

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

a. YTH-R = Runaway

### Survivance Codes: Reds

1. IW = Indigenous Worldview = Light Red

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

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

2. EKE = Extended Kin Efforts = Medium Red

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

3. AOM = Absence of MMIWG2 = Medium Dark Red

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

4. RAR = Resilience & Remembrance = Dark Red

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

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

### Perpetrator Pattern Codes: Greens

1. VFP = Violence Family/Partner = Light Green

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

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

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

2. VST = Violence Stranger = Lime Green

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

3. VIN = Violence Indigenous = Medium Green

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

4. VNI = Violence Non-Indigenous = Forest Green

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

5. VUK = Violence Unknown = Dark Green

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

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Yurok Tribe v. Purdue. 2018. CASE NO. 3:18-CV-1566 (US District Court).

# Author Bios

## Yurok Tribal Court

Abby Abinanti, JD

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

Angi Cavaliere, JD, MJ, CWLS

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

Alanna Nulph, BS

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

Blythe K. George, Ph.D.

*Dr. Blythe K. George is a member of the Yurok Tribe and currently serves as a Presidential Postdoctoral Fellow in Sociology at University of California-Berkeley. Her research focuses on processes of adversity and resilience in tribal communities, with an emphasis on qualitative methodologies and database creation and management. Dr. George received a B.A. in Sociology from Dartmouth College in 2012, and an M.A. in Sociology and Ph.D. in Sociology & Social Policy from Harvard University in 2016 and 2020 respectively. Dr. George has twice been recognized by the National Science Foundation, the Social Science Research Council's Mellon Mays Initiatives, the Washington Center for Equitable Growth, Harvard University's Native American Program and the Kennedy School's Program in Criminal Justice Policy and Management, the Woodrow Wilson National Fellowship Foundation, and Indigenous Education, Inc. for her work on prisoner reentry on tribal reservations. In 2021, Dr. George will join the faculty of University of California-Merced as an Assistant Professor of Sociology.*

## **Sovereign Bodies Institute**

Annita Lucchesi, MA

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

Michaela Madrid, MPP

*Michaela Madrid serves as the Operations Manager for Sovereign Bodies Institute. She is a member of the Lower Brule Lakota Sioux Tribe and was born and raised in South Dakota. She has a bachelor's in Political Science and Sociology from Black Hills State University. She has a Master's in Public Policy, specializing in intergovernmental relations with Tribal Governments from Portland State University. Prior to working at SBI, Michaela has worked for the Institute for Tribal Government, Affiliated Tribes of Northwest Indians, and U.S. Department of Interior - Indian Affairs, Office of Self Governance. Michaela has helped coordinate several community MMIWG2 awareness events in conjunction with other members of the Portland Native Community and also assisted with the Oregon State Police Taskforce on Missing and Murdered Native American Women as a graduate student. She is a passionate advocate interested in combining traditional cultural values and governance strategies to shape policy that will improve the everyday lives of Indigenous people.*

### Aryn Fisher, BS

*Aryn Fisher (Northern Cheyenne) serves as the Data Analyst for the Sovereign Bodies Institute. She holds a BS in Community Health from Montana State University. She has served as a community-based tribal researcher and local evaluator on public health projects with Indigenous communities in Montana. Aryn has recently returned from New Zealand where she worked as an Indigenous exchange teacher in a New Zealand Maori high school.*

### Taylor Ruecker, BCMM

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

### Viridiana Preciado

*Viridiana Preciado serves as a Research Assistant for Sovereign Bodies Institute and is helping to build the Missing and Murdered Indigenous Women and Girls database for Latin America. Viridiana identifies as Mexican-American, commonly referred to as a Chicana, and is currently pursuing her degree in International Studies at Humboldt State University. Viridiana has witnessed the institutionalized barriers placed specifically on Indigenous women and wants to be a part of the movement to not only recognize the violence against specific victims but to uplift and empower Indigenous women and to ultimately bring closure to victims and their families.*

### Jessica Smith

*Jessica Smith (Gidagaakoons) is a proud member of Sovereign Bodies Institute's Survivor Leadership Council and is a current SBI intern. She is a proud two-spirit member of the Bois Forte Band of The Minnesota Chippewa Tribe. Jessica is a Legal Studies and First Nations Studies student at The University of Wisconsin-Superior and is a McNair Scholar doing research on Missing and Murdered Indigenous People. She received her Associates of Science degree in Law Enforcement from Fond du Lac Tribal and Community College in 2008, and is in her senior year at UWS, where she is a Dean's List Student and has received multiple UW Foundation Scholarships, and received the Justice Service Award from the Criminal Justice/Legal Studies Program for her dedication to MMIP. After she graduates she plans on going to graduate school to get her Masters in Legal Studies in Indigenous Peoples Law. She is a dedicated activist and advocate for social and systemic change, and is committed to helping her people by using her experiences and trauma to fight for justice, the safety, wellbeing and equality of Indigenous people.*

### Gabriella Balandran, BA

*Gabriella Balandran serves as a Research Assistant for Sovereign Bodies Institute. She is from Anaheim, CA. She just received her Bachelors in Sociology with a minor in Native American Studies from Humboldt State University. She will be returning this fall to pursue a Masters in Social Work with an emphasis in tribal social services.*



## Cover art - Mahlija Florendo

*Mahlija Florendo is a 23-year-old Siletz Tribal member and descendant of the Yurok People. She currently resides and works out of Tolowa Dee-ni' Territory and is an activist for Environmental and Social Justice and advocate for Indigenous rights. She grew up on the Klamath River, where she was engaged in her culture that was greatly integrated into her daily life. Her family brought her up to fight for the decolonization of Indigenous people, specifically around local water issues on the Klamath River. Mahlija currently works as a Trainer for the Rx Safe Del Norte Coalition which organizes awareness of Opioid Use Disorder in and around Native Communities. Outside of her organizing work she is also an artist who centers her work around her experience as an Indigenous Woman and the deeply rooted intergenerational trauma that Indigenous people face in their everyday lives. She currently runs her own small business known as Indigenous Women Art where she sells her artwork and jewelry. Her work both as an organizer and artist is a constant fight to keep Indigenous voices heard, and a reminder of the resiliency and power of Indigenous people and their ancestors for the futures of their descendants.*