



**2023 Interim Report of the Washington State
Missing and Murdered Indigenous Women and People
(MMIWP) Task Force**

Cover Artist Statement:

The woman is wearing our traditional regalia which includes red, representing our MMIP. She is wearing a traditional hat that represents her role as a food gatherer and provider to the people.

When our people pray in our Washaat religion, we put our right hand on our heart. The woman in the image is praying for all the MMIP and families left behind. In the background are some of our foods and medicines that represent all of this woman's good deeds and work that she provides to the community. When someone goes missing or is murdered it is a huge loss to our families and community. That is one less person to provide for our way of life, one less person to pass on our traditions and oral history, and one less person to call on for help. Prayers to those suffering in this crisis.

About the Artist:

The artist, Jon Olney Shellenberger, is an enrolled member of the Yakama Nation (Cowlitz and Wintu decent) and is the owner of NativeAnthro.com.

Letter from Attorney General Bob Ferguson

December 1, 2023

Dear Washingtonians,

Over the past two years, the Attorney General's Office (AGO) worked closely with the Washington State Missing and Murdered Indigenous Women and People (MMIWP) Task Force to identify causes and develop recommendations to address the MMIWP crisis in Washington. The Task Force put forth ten recommendations in its initial report in August 2022, and adds another three in this report. The Washington State Legislature acted on the Task Force's 2022 recommendations with the urgency that addressing this crisis requires. I hope legislators and policy makers give these recommendations the same consideration and act quickly.

The MMIWP crisis in the Northwest spans centuries. Its roots are deep and woven into institutions and systems, and connected to assimilationist laws and policies that deeply harmed Indigenous people, communities, and cultures across the country. The work continues to expand; through June 2025, the AGO will administer and support a truth and reconciliation Tribal Advisory Committee to "conduct research and outreach to understand the operations and impact of Indian

boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices."

There are several successes to celebrate to date, including the establishment in 2022 of a statewide Missing Indigenous Person Alert that is successful in locating missing people, and the creation of the Missing and Murdered Indigenous Person Cold Case Unit within the AGO in the 2023 Legislative session. These changes are positive steps forward, but much more work remains.

Following the Task Force's recommendation, the Washington State Legislature extended the work of the Task Force for two more years and added capacity to identify and pursue meaningful systemic changes. The Task Force and AGO staff continually work to ensure that recommendations are responsive to the lived experiences of people impacted by this crisis. This work would not be possible without the family and community members, survivors, and advocates who trust the Task Force and the AGO to hold and care for their stories and experiences.

The Task Force, my team, and I remain steadfast in the pursuit of justice.

Sincerely,
Bob Ferguson,



Washington State Attorney General

Letter from the MMIWP Task Force Executive Committee

Dear Community,

Over a year ago, we brought you the first interim report of the Washington State Missing and Murdered Indigenous Women and People Task Force. In that report, we detailed what we learned from families, survivors, professionals and others fighting for justice every day on the forefront of this crisis. We reported that major gaps existed within systems and institutions that denied justice and actively harmed Indigenous people and communities through the State.

Additionally, we held to our promise of taking action, whenever and wherever possible by issuing 10 unanimous recommendations. These recommendations provided a starting place for communities, programs, law enforcement and state government to make positive steps toward change while we continue to work to unravel this crisis at every level.

We learned much over the last year and a half. We held more than 200 subcommittee meetings, talking circles, quarterly Task Force meetings and public forums to understand the lived experiences, realities and barriers that Indigenous people experiencing disproportionate rates of violence are dealing with every day.

We also learned that there is a distinct need for more education and awareness about the lives of Indigenous people, the history of tribes and the intersecting social issues that fuel the MMIWP crisis. This report aims to tell the true story of Indigenous communities, to provide a better understanding of how we got here and how we all can make positive steps for the future.

This report builds on the first report, and provides an additional three recommendations, including the first recommendation from the Task Force to the federal government, in recognition of the federal government's trust and treaty responsibilities to tribes and Indigenous people. Over the next year the MMIWP Task Force will be visiting communities and tribes across the state to hear directly from people impacted by this crisis. We will continue to develop recommendations for changes to address the crisis and to seek justice.

Patricia Whitefoot

Sister of Daisy Mae Heath (Yakama Nation/Warm Springs Tribe)

Executive Committee Co-Chair, Washington State Missing and Murdered Indigenous Women and People Task Force

Debra Lekanoff

Representative, 40th Legislative District

Executive Committee Co-Chair, Washington State Missing and Murdered Indigenous Women and People Task Force

Abigail Echo-Hawk

Executive Vice President, Seattle Indian Health Board

Director, Urban Indian Health Institute Executive Committee Member, Washington State Missing and Murdered Indigenous Women and People Task Force

Sam White

Chief of Police, Lower Elwha Police Department Executive Committee Member, Washington State Missing and Murdered Indigenous Women and People Task Force

Anna Bean

Councilmember, Puyallup Tribe of Indians

Executive Committee Member, Washington State Missing and Murdered Indigenous Women and People Task Force



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Task Force Members

- Senator Manka Dhingra, Data & Research Subcommittee Co-chair
- Senator Nikki Torres
- Representative Debra Lekanoff, Executive Committee Co-chair
- Representative Gina Mosbrucker
- Executive Secretary Charlene Tillequots, Yakama Nation
- Councilmember Anna Bean, Puyallup Tribe, Executive Committee Co-chair and Tribes Subcommittee Chair
- Councilmember Anita Mitchell, Muckleshoot Tribe
- Afton Servas, Kalispel Tribe
- Councilmember Yvonne Cagey, Lummi Nation
- Abigail Echo-Hawk, Seattle Indian Health Board, Executive Committee Member and Data & Research Subcommittee Co-chair
- Maureen Rosette, NATIVE Project, Families Subcommittee Co-chair
- Laura Platero, Northwest Portland Area Indian Health Board, Community Services & Resources Subcommittee Chair
- Vicki Lowe, American Indian Health Commission
- Patricia Whitefoot, Community Member, Yakama Nation, Executive Committee Member
- Carolyn DeFord, Community Member, Puyallup Tribe, Families Subcommittee Co-chair
- Craig Bill, Governor's Office of Indian Affairs
- Patti Gosch, Washington State Patrol
- Lucy Smartlowit, Washington State Attorney General's Office
- Sam White, Chief of Police, Lower Elwha Klallam Police Department, Executive Committee Member and Criminal Justice & Public Safety Subcommittee Co-chair
- Councilmember Jani Hitchen, Pierce County Council
- Councilmember LaTrisha Suggs, City of Port Angeles
- Aubony Burns, Senior Deputy Prosecuting Attorney, King County Prosecutor's Office, Criminal Justice & Public Safety Subcommittee Co-chair
- Steven Merrival, Washington Association of Criminal Defense Lawyers

Appreciation

This report and the ongoing work described in its pages are the product of a deep commitment to this work by members of the Task Force, family members, community members, survivors, and loved ones impacted by this crisis and dedicated to pursuing meaningful change and justice. Thank you to the countless community members who shaped and lifted up this work before us. Task Force members and AGO staff are indebted to all of those who shared their experiences, offered their expertise, and entrusted the Task Force with their stories.

Executive Summary

This is the second report of the Washington State Missing and Murdered Indigenous Women and People (MMIWP) Task Force, and provides an interim update on the work of the Task Force. This report builds on the information and recommendations provided in the first Task Force report, published August 1, 2022.

The MMIWP crisis is the culmination of generations of abuse, violence, harmful policy, and broken promises by government institutions. The institutional structures and systems within our state and our nation do not adequately reflect the experiences of Indigenous people and therefore do not respond in ways that promote healing, justice, and accountability.

While the work of the Task Force cannot repair past injustices, it furthers an important conversation regarding the responsibility of state, local, and federal governments to protect and uplift Indigenous people. Families and survivors do not receive the care and support needed to navigate complex systems during times of immense trauma. The Task Force holds this experience at the center of their work, ensuring that impacted community members receive proper support.

In 2021, the Legislature established the MMIWP Task Force, administered by the Washington State Attorney General's Office (AGO), to understand and address the systemic causes of violence against Indigenous people. The Task Force continues to address issues including data collection, jurisdiction, and training, and create best practices and propose actionable recommendations that call on communities, law enforcement, government at all levels, resource and service providers, and other institutions to improve their response to violence against Indigenous people and to meaningfully address the root causes of the crisis.

Task Force Approach to the Work

The solutions to this crisis lie in the experiences, recommendations, and suggestions from impacted Indigenous community and family members. Members of the Task Force and AGO staff are committed to centering these voices at every step and grounding the work in Indigenous knowledge, values, and practices.

In addition to regular public meetings, the Task Force utilizes a number of strategies, including family talking circles, public comment sessions, and subcommittee meetings, to ensure that the public, community members, and MMIWP families have a variety of outlets to tell stories, build community, provide expertise, and take an active part in the work.

2023 Recommendations

State Recommendations

1. Increase state funding for DNA testing and forensic genetic genealogy of unidentified remains through the Death Investigations Account administered by the Forensic Investigation Council.
2. Establish a work group co-led by the AGO, Washington Association of Sheriffs and Police Chiefs, family members, and two Tribal Epidemiology Centers to develop best practices for Indigenous demographic data collection by law enforcement, coroners and medical examiners.

Federal Recommendation

3. The U.S. Department of Justice Office of Justice Programs should establish a nationwide Missing Indigenous Persons Alert.

Looking Forward

Staff for the Task Force take extra care to record public comments, including recommendations and requests that reflect the experiences of MMIWP families and community members. The recommendations in this report are rooted in these comments. The Task Force is deeply committed to equitable, impactful recommendations that improve outcomes for Indigenous people throughout the state, grounded in the partnership and collaboration of MMIWP family members and loved ones.

Many ideas and potential recommendations are at different stages of development, including research, vetting, drafting, and engaging with impacted people, communities, and organizations. A list of additional suggestions from community and Task Force members is in Appendix II.

The Task Force and AGO staff continue to work closely with tribes and tribal leaders to uphold tribal sovereignty and self-determination in addressing this crisis. AGO staff will continue to hold tribal consultation regarding Task Force recommendations as appropriate throughout the term of the Task Force.

The Task Force and AGO are committed to moving forward in a way that is responsive to communities, centers the experiences of families, and actively dismantles systems of oppression, to ensure that Indigenous people in our state and throughout our region can thrive.



Task Force Executive Committee Members Patricia Whitefoot and Representative Debra Lekanoff.

Terminology

Family:

This report uses the terms “family” and “family member.” These terms reflect traditional Indigenous kinship systems that also include immediate family members. For Native communities, family crosses both relational and biological boundaries. Each community, and each family, defines themselves on their own terms, in the context of their own cultural beliefs and based on their own experiences and circumstances. We use the terms broadly here to encapsulate how diverse Indigenous communities practice kinship.

MMIW, MMIWP, MMIP, Missing and Murdered Indigenous Relatives (MMIR):

The terms and acronyms used to identify the crisis of missing and murdered Indigenous people are often community specific and the subject of extensive discussion. The Task Force utilizes the terminology of missing and murdered Indigenous women and people (MMIWP) to be inclusive of the experiences of violence across the gender spectrum, while also honoring that people who identify as women have been at the forefront of this crisis for centuries. This term honors the matriarchal systems that are traditional to many tribes and communities while highlighting the need to understand the impact of the crisis more broadly.

Indigenous, American Indian/Alaskan Native, Native, and tribal:

The Report uses the terms “Indigenous,” “American Indian/Alaskan Native” and “Native” interchangeably. This is to be respectful of the various ways Native people identify and how various institutions and systems identify them. The term “tribal” refers specifically to members of federally recognized tribes.

Summary of the Work Assigned to the Task Force

Initially authorized by the Washington State Legislature in 2021, the Washington State MMIWP Task Force was extended and its scope expanded in 2023. The Task Force is charged with reviewing laws and policies related to MMIWP, including:

- Assessing the systemic causes of violence against Indigenous people, including historical, social, economic, and institutional factors;
- Identifying ways to improve coordination between federal, state, local, and tribal law enforcement and tribes;
- Assessing data tracking and reporting practices related to violence against Indigenous people;
- Recommending improvements for collection and reporting of data by tribal, local, and state law enforcement to more effectively understand and reduce violence against Indigenous people;
- Establishing best practices for improving jurisdictional and data sharing issues on tribal land and urban areas that impact violence against Indigenous people;
- Reviewing prosecutorial trends and practices related to violence against Indigenous people in Washington;
- Identifying barriers to providing more state resources to tracking cases of violence against Indigenous people;
- Identifying barriers to reducing the incidence of violence against Indigenous people;
- Assessing and identifying state resources to support programs and services for people impacted by MMIWP and tribal and urban Indian service providers working with Indigenous people who have experienced violence; and
- Identifying and recommending increased state resources for trainings for law enforcement agencies on culturally attuned best practices for working with Indigenous people and communities.

The Task Force was required to provide a status report including initial findings, recommendations and progress updates to the governor and appropriate legislative committees by August 1, 2022.

In the 2023 legislative session, the Legislature extended the Task Force work. Further updates are due to the governor and legislative committees by December 1, 2023. A final report is due by June 1, 2025.

During the December 2022 quarterly meeting, Task Force members voted to expand the scope of the work to include tribal and urban Indigenous community site visits. These visits will take place throughout 2024 at locations across the state.

Additional Outreach and Engagement

Task Force members and AGO staff strive to be community centered in all aspects of this work, and ensure it is continually grounded in Indigenous values and practices. The staff at the AGO engages with families and community-based programs to fully understand how to center the needs of impacted communities in the work, and respond to changing needs.

The AGO has a Tribal Consent and Consultation Policy to ensure that tribal consultation occurs at every step of the process when engaging in work that impacts tribes, tribal rights, and tribal land. Asa Washines, AGO Tribal Liaison, continually engages with tribes and tribal leaders to ensure the Task Force and the AGO uphold tribal sovereignty and build stronger government-to-government relationships.

Community centered outreach and engagement involves creating and prioritizing opportunities for consistent community input and engagement. Task Force meetings include opportunities for public comment, and meetings of the MMIWP Families, Criminal Justice and Public Safety, Community Services and Resources, and Data and Research Subcommittees are open to the public and held virtually to facilitate public participation. Meeting information for these subcommittees, including links to join meetings, is available on the AGO website.

Key Partners and Collaborators

AGO staff worked with representatives of the following agencies, organizations, service providers, and programs to understand the roots and scope of the MMIWP crisis and resources and efforts to address the crisis:

- U.S. Department of the Interior
- Bureau of Indian Affairs
- U.S. Department of Justice
- U.S. Attorney's Offices for the Eastern and Western Districts of Washington
- Washington State Department of Children, Youth, and Families
- Washington State Department of Social and Health Services
- Washington State Office of Crime Victims Advocacy
- Washington State Department of Fish and Wildlife
- Washington State Patrol
- Washington State Criminal Justice Training Commission
- Affiliated Tribes of Northwest Indians
- National Congress of American Indians
- National Indigenous Women's Resource Center
- Lummi Victims of Crime
- Puyallup Tribe Community Domestic Violence Advocacy Program
- Coeur d'Alene Tribe STOP Violence Program
- Minnesota Indian Women's Sexual Assault Coalition
- Office of Senator Maria Cantwell
- King County Medical Examiner's Office
- King County Prosecutor's Office
- Seattle Indian Health Board
- NATIVE Project

Activities of the Task Force

Full Task Force Meetings

Following the publication of the 2022 Interim Report, the MMIWP Task Force held full meetings on:

1. September 14, 2022
2. December 16, 2022
3. March 20, 2023
4. June 23, 2023
5. October 18, 2023
6. November 20, 2023

The inaugural Task Force summit was held on December 15-16, 2022, hosted by the Puyallup Tribe at the Emerald Queen Casino in Tacoma, WA. The 2023 Task Force summit was held on November 1-2, hosted by the Kalispel, Colville, Spokane, and Coeur d'Alene Tribes at the Northern Quest Casino in Airway Heights, WA.

All meetings are open to the public. Projected upcoming Task Force meetings (subject to change):

1. March 13, 2024
2. June 11, 2024
3. September 18, 2024
4. December 11, 2024

Over the next year, the Task Force will also conduct at least four site visits across the state in collaboration with Tribes and Native-led organizations. Information about these site visits will be added to the Task Force's page on the Attorney General's Office website at: <https://www.atg.wa.gov/washington-state-missing-and-murdered-Indigenous-women-and-people-task-force>.

Subcommittee Meetings

In addition to the Executive Committee, five subcommittees of the Task Force met regularly in 2023:

1. MMIWP Families
2. Tribes
3. Data and Research
4. Criminal Justice and Public Safety
5. Community Services and Resources.

Each subcommittee met at a regularly scheduled time via Zoom to facilitate broad participation. Members of the public were able to join meetings of the MMIWP Families, Data and Research, Criminal Justice and Public Safety, and Community Services and Resources subcommittees.

Subcommittee Updates

MMIWP Families

Carolyn DeFord and Maureen Rosette, Co-Chairs

The Families Subcommittee is the heart of the Task Force's work. Over the past year, the Subcommittee provided valuable feedback on the development of research tools and the MMIWP Missing Persons Toolkit. The Subcommittee received presentations from the National Missing and Unidentified Persons System (NamUs), the National Center for Missing and Exploited Children (NCMEC), and family members who have lost their loved ones.

TALKING CIRCLES

The MMIWP Families Subcommittee began hosting regular talking circles in early 2022 to provide a space for survivors, family members, and impacted community members to gather to share their experiences, find support, and build community. These spaces keep family members and survivors centered in this work. Throughout 2022, Task Force members and staff joined talking circles as listeners to hear from those with lived experience.

In 2023, community members requested that the talking circles be reserved solely for survivors, family members, and impacted community members. The AGO recognizes that as the work continues, family and survivor needs will shift, and staff and Task Force members are committed to meeting the needs expressed by those most impacted. The AGO provides resources to ensure the talking circles continue.

Tribes

Councilmember Anna Bean, Puyallup Tribe, Co-Chair

The Tribes Subcommittee continually seeks to expand engagement with tribal leaders, and provides a forum for tribal consultation on the Task Force's work. In 2023, the Tribes Subcommittee determined that a quarterly meeting schedule works best for tribal leaders. Meetings of this subcommittee are reserved for tribal leaders to honor tribal sovereignty.

Data and Research

Abigail Echo-Hawk and Senator Manka Dhingra, Co-Chairs

The AGO contracted with the Wyoming Survey and Analysis Center (WYSAC) at the University of Wyoming to provide data and research support to the Task Force. The subcommittee, the WYSAC team and AGO staff meet regularly to make decisions about the research collaboratively and to engage the expertise of Task Force members.

Criminal Justice and Public Safety

Chief Sam White, Lower Elwha Klallam Tribal Police, and Aubony Burns, Co-Chairs

The Criminal Justice and Public Safety subcommittee identified three consistent and often overlapping themes through robust discussion in regular meetings:

1. Need for improved communication;
2. Need to strengthen and broaden networks; and
3. Need for additional education.

The Criminal Justice and Public Safety subcommittee continues to identify barriers and systemic issues that prevent justice for families and communities, while looking for opportunities for immediate or short term fixes for action for investigators/families while developing long-term recommendations.

To meet these goals, the Criminal Justice and Public Safety subcommittee prioritizes listening to family members who generously share their experiences to recognize issues to investigate in our meetings. The subcommittee regularly invites experts and practitioners across law enforcement and communities to provide presentations and engage in these conversations.

Community Services and Resources

Laura Platero, Co-Chair

The Community Services and Resources Subcommittee held roundtables focused on different regions of Washington State to learn about available resources and current needs:

- Southeast and South Central Washington
- South Puget Sound
- Peninsula and Coast
- North Puget Sound
- Northwest Washington
- North Central and Northeast Washington

Washington State Updates

Missing Indigenous Persons Alert

In the 2022 Legislative Session, Representative Debra Lekanoff (40th District) and Attorney General Ferguson introduced H.B. 1725, “Creating an alert to help locate missing Indigenous women and people.”¹ The bill passed both houses unanimously and Governor Inslee signed it into law on March 31, 2022. Utilizing the existing model of the Silver Alert System, H.B. 1725 created the first alert system in the country for missing Indigenous people.

The legislation defined missing Indigenous people as endangered, highlighting the urgency of the MMIWP crisis. Prior to this change in definition, law enforcement agencies had to prove that a person was missing due to foul play or other extenuating circumstances. This change reduces the barriers for law enforcement and expands tools available to them when responding to missing Indigenous persons cases. The Washington State Patrol began to administer the Missing Indigenous Persons Alert in July 2022. When activated, the alerts allow law enforcement to provide messages to the public through press releases to regional media, radio stations, and other outlets. If sufficient information is provided, messages also go up on the variable message boards along highways.

As of October 27, 2023, a total of 72 missing Indigenous person alerts were issued, and 65 of the individuals were located. Tragically, two individuals were found deceased.

2023 Legislative Session

In the 2023 session, the Legislature acted on several of the Task Force’s 2022 recommendations. The 2024-2026 Operating Budget included an updated proviso extending the Task Force through June 2025 and adding funding to expand the AGO’s capacity to support the Task Force.

In addition, the Legislature passed two bills to enact recommendations made by the Task Force:

- House Bill 1177, sponsored by Task Force co-Chair Representative Debra Lekanoff, establishes a missing and murdered Indigenous women and people cold case investigations unit within the AGO. Task Force member Senator Manka Dhingra sponsored the companion bill in the Senate. The unit will be in the Criminal Justice Division of the AGO, and will include investigators, an assistant attorney general, a legal assistant, and a victim advocate case navigator.
- House Bill 1512, sponsored by Task Force member Representative Gina Mosbrucker, directs the AGO to develop a missing persons toolkit, including information specific to MMIWP cases. The AGO hired a policy analyst to develop the toolkit and work with the MMIWP Families Subcommittee to identify resources and develop content.

Update on 2022 Task Force Recommendations

1. *Extend the MMIWP Task Force timeline through June 30, 2025.*

In the 2023 Legislative session, the Legislature passed an updated proviso for the Task Force in the FY 2023-2025 Operating Budget. The updated proviso extends the term of the Task Force through June 30, 2025, requires an interim report to the Legislature and Governor by December 1, 2023, and a final report by June 1, 2025. The Legislature also provided funding for the AGO to expand staff capacity to support the Task Force.

2. *The Task Force data and research team will pay special attention to the link between gender and violence.*

The AGO contracted with the data and research team at the Wyoming Survey and Analysis Center (WYSAC), part of the University of Wyoming, effective in December 2022. Dr. Emily Grant and Laurel Wimbish, researchers at WYSAC, incorporated this consideration into their work from the beginning, and will address the link between gender and violence in their findings.

3. *All law enforcement agencies should expand their collaboration and coordination with federal, state, county, local, and tribal social and health services. The Task Force shall develop best practices for law enforcement agencies and for social and health services to improve this collaboration and coordination.*

This work is ongoing, and more work is needed to develop best practices. The Criminal Justice and Public Safety Subcommittee continues to identify opportunities for improved communication and collaboration between law enforcement agencies and service providers.

4. *Community service and resource programs should utilize inclusive language that reflects the experiences of MMIWP families and survivors.*

This work is ongoing. The Community Services and Resources Subcommittee continues to assess services and resources for families and survivors to identify gaps and opportunities. In the months ahead, the Subcommittee will identify next steps and goals, incorporating considerations around appropriate inclusive language.

5. *The Legislature should establish and fully fund a Cold Case Investigation Unit within the Attorney General's Office with focus on MMIWP cold cases.*

As noted above, in the 2023 Legislative Session, Task Force members Representative Lekanoff and Senator Dhingra sponsored companion legislation to establish a cold case unit within the AGO focused on cases involving missing and murdered Indigenous persons. SHB 1177 passed both houses unanimously and Governor Inslee signed the bill into law. The AGO is in the process of hiring staff for the unit.

6. *All law enforcement agencies should identify and implement strategies and practices to improve communication and transparency with family members in MMIWP cases.*

The Criminal Justice and Public Safety Subcommittee continues to have productive discussions about measures to improve responses to MMIWP cases and coordinate. This work is ongoing.

7. *Require all law enforcement agencies to use the National Missing and Unidentified Persons System (NamUs).*

In Washington State, RCW 68.50.320 requires law enforcement and county coroners and medical examiners to input missing person's cases into the National Crime Information Center (NCIC) within 30 days or anytime foul play is suspected. In their second report, the Urban Indian Health Institute (UIHI) recommended expanding this requirement to include NamUs.² Furthermore, community members and advocates repeatedly requested in subcommittee meetings that law enforcement consistently use national databases such as NCIC and NamUs because this can aid in the immediate sharing of information across jurisdictions. By utilizing existing systems, taking complete reports, and sharing information effectively, law enforcement increases their effectiveness, and signals to the community that these cases are a priority.

Currently, 12 states³ have legislation that supports the mandatory use of NamUs by law enforcement, medical examiners or both.

State	Law enforcement required to use	Coroner or medical examiner required to use
Arizona	X	X
Arkansas	X	
Illinois	X	X
Michigan	X	
New Mexico	X	
New York	X	X
North Carolina	X	
Oklahoma	X	X
Pennsylvania	X	X
Tennessee	X	X
Texas	X	X
West Virginia	X	X

During the 2023 legislative session, SB 5477, sponsored by Senator Nikki Torres, included language to amend RCW 68.50.320 to require the use of NamUs in addition to NCIC.⁴ This legislation did not pass. However, in December 2022, President Biden signed the Help Find the Missing Act, also known as “Billy’s Law.”⁵ This law will require all data entered into the NCIC database to be automatically electronically transmitted to NamUs for case validation and data reconciliation, so the public can access information about cases. Once implemented, Billy’s Law will effectively complete this recommendation.

8. *The Attorney General’s Office shall update and re-issue the Missing Person’s Resource.*

Task Force member Representative Mosbrucker sponsored HB 1512, which requires and provides resources to the AGO to update the Missing Person’s Resource. Throughout the summer and fall of 2023, the Families Subcommittee dedicated several meetings to reviewing the out-of-date resource and identifying information to add, or helpful changes to improve messaging or be relevant to the lived experience of family members. A Policy Analyst dedicated to this work joined the AGO in September of 2023.

9. *Public agencies should consider adopting policies to waive or reduce fees for parks, permitting fees, and other costs, and reduce administrative burdens associated with hosting large events such as MMIWP marches, rallies, vigils, and memorials.*

More work needs to be done to implement this recommendation. The Task Force will explore opportunities to support community searches and awareness events, and will seek opportunities to elevate this recommendation.

10. *The Task Force will continue to provide consultation to federally-recognized tribes in support of sovereignty and self-determination.*

The Task Force, including AGO staff, continues to operate in accordance with the AGO’s Tribal Consent and Consultation Policy.

Recommendations

The following recommendations were adopted unanimously by the Task Force on Monday, November 20. Two additional recommendations were considered but not acted on pending additional work and discussion.

State Recommendations

Recommendation #1

Increase state funding for DNA testing and forensic genetic genealogy of unidentified remains through the Death Investigations Account administered by the Forensic Investigation Council.

The Task Force recommends that the Legislature provide one-time funding to the Forensic Investigation Council in the Death Investigations Account to identify remains in Washington that have not yet had DNA testing completed and, for those for which DNA testing has failed to yield a match, for FGG to be conducted. The Legislature should also provide sustained ongoing funding for DNA testing and FGG for future cases to ensure that identification resources consistently meet the need.

Background

NamUs provides grant funding for DNA testing of unidentified remains. Testing through NamUs is available to investigating agencies nationwide at no cost. Due to a significant backlog, it may take up to 18 months for agencies to receive the results. State funding to test DNA of unidentified remains is currently administered through the Forensic Investigation Council, authorized by RCW 43.103, utilizing the Death Investigations Account.⁶ Medical examiner and coroners offices also receive funding from counties for death investigations.

Identification of remains can happen through a number of means, with increasing cost and complexity:

1. If a tentative identification is available, comparison of dental records or medical imaging.
2. Fingerprint comparisons and dental records, also called forensic odontology.
3. DNA testing, which compares results against the Combined DNA Index System (CODIS). CODIS is a digital database created and maintained by the FBI that merges local, state, and national databases of DNA profiles from convicted offenders, unsolved crime scene evidence, missing and unidentified persons, from family members who have provided samples to law enforcement to aid investigations.⁷
4. Forensic genetic genealogy (FGG), also known as Investigative Genetic Genealogy, which combines DNA testing with traditional genealogy research by using public genetic genealogy databases containing genetic data from consumers. Use of FGG to identify remains is a relatively recent development.

In Washington, death investigations are conducted by county medical examiners and coroners. Coroners are elected officials who are not required to have any medical training and generally do not have dedicated space to do their work, while medical examiners have extensive training, dedicated facilities, and trained staff.⁸ The six medical examiner's offices in Washington sometimes offer space and assistance to under-resourced coroner offices.

As a result of this system, most, but not all, of the 163 unidentified remains in Washington are currently in the possession of the King County Medical Examiner (KCME). These remains have complete fingerprint and dental documentation if the information was obtainable from the remains. DNA testing was generally completed for remains in KCME's possession as of 2019. However, during the COVID-19 pandemic, there was no national funding available through NamUs for DNA testing, which stalled testing across the country. Testing resumed in spring 2022, but has not caught up with the need. NamUs currently prioritizes homicides and tribal affiliated cases and then will focus on cases that have a tentative ID and DNA on file to make a direct comparison. The longest delays are for non-homicide deaths and individuals whose identity is unknown. Funding from local jurisdictions and the state, in addition to NamUs funding, is limited and falls short of the need. State law does not currently require funding from the Death Investigations Account to fully cover the need for DNA testing.

When DNA testing is completed but does not yield a match in CODIS, FGG is the next step. This process focuses on a different portion of the DNA than the profiles entered into CODIS and can be used to locate individuals who are closely related to the unidentified person. According to the KCME, agencies have great success using FGG to identify individuals. FGG can suggest potential matches who are not themselves included in CODIS and thus provide new investigative leads. Although a lengthy process, FGG is the logical next step for unidentified individuals with no match in CODIS.

DNA testing of individual remains and FGG are proven strategies to identify missing Indigenous people and bring a measure of closure to families. The primary barrier to testing is the cost to resource-strapped agencies. DNA testing of individual remains

costs approximately \$2,500, and FGG costs approximately \$8,000. The State provides financial assistance to local coroners and medical examiners through the Death Investigations Account.

Recommendation #2

Establish a work group co-led by the AGO, Washington Association of Sheriffs and Police Chiefs, family members, and two Tribal Epidemiology Centers to develop best practices for Indigenous demographic data collection by law enforcement, coroners and medical examiners.

The Legislature should act to establish a work group to develop best practices for law enforcement agencies, county coroners, and medical examiners on how to implement a self-identification and family-centered procedure for collecting Indigenous demographic data. The work group should seek input, guidance, knowledge, and recommendations from affected individuals and families, as well as from tribal leadership and tribal membership to ensure a culturally informed and sensitive process to the development of these best practice models. The work group should be jointly led by the AGO, the Washington Association of Sheriffs and Police Chiefs (WASPC), members of the Washington State Missing and Murdered Indigenous Women and People Task Force Family Subcommittee, and two Tribal Epidemiology Centers. Each organization should receive adequate funding for staff to administer and support the work group.

Background

Racial misclassification is the inaccurate perception or documentation of a person's race in the context of data collection, and in some cases it can occur due to a data collector's subjective assumptions based on physical appearance or surname, rather than asking a person about their racial background.⁹ Other times, racial misclassification occurs because of outdated or inadequate data collection systems that need reform. For example, racial misclassification occurs when an individual's race is not collected or recorded and the data system defaults to "white,"¹⁰ or when data collection tools only allow for single race identification.¹¹

The issue of racial misclassification has been observed in many systems, including in health services delivery¹² and criminal justice institutions.¹³ Indigenous racial misclassification is a contributing factor to the incomplete understanding of MMIWP, and impacts how resources are allocated to fighting the crisis.

According to research by the Urban Indian Health Institute (UIHI), a number of law enforcement agencies say that they are unable to search their records for categories of American Indian, Native American, or Alaska Native for several different reasons. UIHI was told by law enforcement in Seattle that the letter 'N' was used from the 1960s through the early 1980s to capture the categories of "Negro" and Native American.¹⁴ There are ways to correct racial misclassification in these records, although they are time-consuming and expensive. AGO staff continue to explore opportunities to correct historical data, while focusing here on improving data collection practices going forward.

In addition to their data research, UIHI produced a guide titled *Best Practices for American Indian and Alaska Native Data Collection*.¹⁵ Among their guidance, UIHI provides that:

- American Indian and Alaska Native (AIAN) should always be defined as AIAN alone, and individuals who also identify as another race, including those who identify as Latinx/Hispanic, should be able to select any combination with any other race.¹⁶
- Data tools should have the ability to disaggregate data once collected.¹⁷
- Personnel who collect data should receive training on asking people about their race and ethnicity and on recording responses correctly to enable people to report more than one race if that is how they self-identify.¹⁸

Federal Recommendation

Recommendation #3

The U.S. Department of Justice Office of Justice Programs should establish a nationwide Missing Indigenous Persons Alert.

The Task Force recommends that the DOJ Office of Justice Programs (OJP) appoint a national MIPA (Missing Indigenous Persons Alert) coordinator to facilitate and support states with the development of state MIPA plans, identify and address gaps in MIPA networks as they develop, and provide guidance and regional coordination. The MIPA coordinator should work collaboratively with the existing AMBER Alert coordinator, as well as with DOJ's Office of Tribal Justice and the Bureau of Indian Affairs within the Department of the Interior. The individual appointed to the position should have a background working with tribal governments, law enforcement and families.

The Task Force additionally recommends that the Washington State Legislature take action, by letter or resolution, to express the State of Washington's support for a nationwide MIPA.

Background

The Washington State Patrol (WSP) is the lead agency for America's Missing Broadcast Emergency Response (AMBER) Alert system and Endangered Missing Person Advisory (EMPA), and also operates a Missing Children and Endangered Person (MCEP) Clearinghouse. MCEP distributes information about missing children and endangered persons to local law enforcement agencies, school districts, state agencies, and the general public.

AMBER Alerts, to assist in finding abducted children, are activated by local law enforcement agencies that have approved AMBER Alert plans, or by the WSP if the local agency does not have an approved plan. When a missing person does not qualify for an alert under the AMBER Alert system, an EMPA may be activated by a local law enforcement agency or the WSP. A silver alert designation is used when a missing endangered person is aged 60 or older.

In the 2022 session, legislators passed Substitute House Bill 1725, sponsored by Task Force member Representative Debra Lekanoff and requested by the Attorney General, to create a Missing Indigenous Person Alert (MIPA) as part of the WSP EMPA plan.¹⁹ The law explicitly states that missing endangered person means "a missing Indigenous woman or Indigenous person" in recognition of the fact that missing Indigenous people are endangered. Washington is the first state in the U.S. to establish an alert for missing Indigenous people.

Since Washington enacted the MIPA, other states, including Colorado,²⁰ have explored or established a similar alert. In 2022-2023 the AGO received inquiries from a number of other jurisdictions interested in the MIPA.

Washington's MIPA system is very successful. Previously, the process of activating alerts for missing endangered people was lengthy, taking hours or days. The MIPA system allows alerts to be activated within minutes, and data shows that it helps locate people. As of October 27, 2023, a total of 72 missing Indigenous person alerts were issued, and 65 of the individuals were located. Tragically, two individuals were found deceased.

The AMBER Alert system began with local alerts in the Dallas-Fort Worth area, and similar alerts were adopted by states and localities across the country. In October 2002, following the first White House Conference on Missing, Exploited and Runaway Children, a National AMBER Alert Coordinator was appointed. The 2003 PROTECT Act permanently establishes the Coordinator role within the U.S. Department of Justice (DOJ).²¹ The Coordinator's role is to facilitate the development of the network of AMBER Alerts, support state AMBER plans, identify and close geographic gaps in AMBER networks, and provide guidance and regional coordination.²² The Coordinator position is within the OJP at the DOJ. The PROTECT Act requires the DOJ to issue standards or guidelines for AMBER Alerts that states can voluntarily adopt.

The federal AMBER Alert system can provide a framework for a nationwide MIPA. This is particularly important because state borders do not reflect tribal boundaries. The MMIWP crisis crosses state borders. Missing Indigenous people are endangered regardless of which state they are in, and the federal government has a trust responsibility to protect Indigenous people. The MIPA is a valuable tool that should be available to all missing Indigenous people and their loved ones, to help bring them home. A nationwide MIPA is consistent with Executive Order 14053, issued on November 15, 2021 by President Biden, which commits his administration to prioritizing support of "prevention and intervention efforts that will make a meaningful and lasting difference on the ground."²³ It is also consistent with DOJ's commitment to addressing the systemic violence endured by Indigenous families and communities across the country.²⁴

Appendices

- I. Roll Call Vote for Recommendations
- II. State Actions to Address the MMIWP Crisis
- III. Task Force Proviso Language
- IV. Task Force Bylaws
- V. Additional Suggestions for Continued Work
- VI. Attorney General's Office Tribal Consent and Consultation Policy

Appendix I:

Roll Call Vote on Recommendations

Task Force Member	Recommendation 1	Recommendation 2	Recommendation 3
Dhingra	Aye	Aye	Aye
Torres	Aye	Aye	Aye
Lekanoff	Aye	Aye	Aye
Mosbrucker	Aye	Aye	Aye
Tillequots	Absent	Absent	Absent
Bean	Aye	Aye	Aye
Mitchell	Aye	Aye	Aye
Servas	Aye	Aye	Aye
Cagey	Aye	Aye	Aye
Echo-Hawk	Absent	Absent	Absent
Rosette	Aye	Aye	Aye
Platero	Absent	Absent	Absent
Lowe	Aye	Aye	Aye
Whitefoot	Aye	Aye	Aye
DeFord	Aye	Aye	Aye
Bill	Aye	Aye	Aye
Gosch	Aye	Aye	Aye
Smartlowit	Aye	Aye	Aye
White	Aye	Aye	Aye
Hitchen	Aye	Aye	Aye
Suggs	Absent	Absent	Absent
Burns	Absent	Absent	Absent
Merrival	Aye	Aye	Aye

Appendix II: Other State Actions to Address the MMIWP Crisis

Multi-faceted efforts are underway in many states to understand and address the nature, extent, and causes of the pervasive epidemic of violence against Indigenous communities. Some states, like Washington, have a task force to understand the problem and put forth recommendations for change. Other states established permanent structures to determine the systemic and institutional changes needed to address this crisis.

Alaska

In December 2021, Alaska Governor Mike Dunleavy launched the People First Initiative²⁵ to address five intersecting public safety issues, including MMIWP. The Governor established the Missing and Murdered Indigenous Persons Council to facilitate interagency collaboration to respond to violence against Alaska Natives.²⁶ The Council will develop recommendations for improving investigations as well as data and information sharing and collection.

In August 2023, the Alaska Department of Public Safety and Anchorage Police Department released their first Missing Alaska Native & American Indians Quarterly Report.²⁷ In 2023, legislators introduced Senate Bill 151, which would require the Department of Public Safety to employ two people to investigate MMIWP cases and act as a liaison between law enforcement agencies, tribal communities, and federally recognized tribes.²⁸

Arizona

In 2019, the Arizona Legislature established the Study Committee on Missing and Murdered Indigenous Women and Girls²⁹ to study and propose legislation to determine how the state can reduce violence against Indigenous women and girls and end the MMIWP crisis. In 2021, the Arizona Legislature amended the provision,³⁰ changing the title to the Study Committee on Missing and Murdered Indigenous Peoples and extending the Committee's sunset date to 2025.

In March 2023, Governor Katie Hobbs signed an executive order to create the Missing and Murdered Indigenous Peoples Task Force to build on the Study Committee's work.³¹ The Task Force's inaugural meeting was held in May.³²

California

In 2020, the California Legislature passed A.B. 3099,³³ directing the state Department of Justice to provide assistance to local law enforcement agencies and tribal governments related to crime reporting, policies, investigative tools, and criminal investigations on tribal land, among other provisions. The Department will also conduct research on ways to increase resources for reporting and identifying missing Native Americans throughout the state. The Legislature provided \$5 million in 2021³⁴ to fund this work.

In 2022, the California Legislature passed A.B. 1314, establishing emergency notification services called "Feather Alerts" to notify the public about reported missing Indigenous women or Indigenous people under unexplained or suspicious circumstances.³⁵ Other bills to streamline notification of missing persons and expand access to state-wide databases to tribal nations are pending in the California Legislature.³⁶

In 2023, the California Legislature passed A.C.R. 25, establishing May as "Missing and Murdered Indigenous People Awareness Month."³⁷

Colorado

In 2022, the Colorado Legislature passed a bill establishing an Office of Liaison for Missing and Murdered Indigenous Relatives within the Department of Public Safety to take on numerous duties in collaboration with other entities, such as developing best practices for law enforcement responses to missing Indigenous people and conducting case reviews for missing and murdered Indigenous persons cold cases.³⁸

In 2023, the Colorado Legislature passed a bill establishing the following requirements and duties for the Office of Liaison for Missing and Murdered Indigenous Relatives:³⁹

- Conduct case reviews of violent or exploitative crimes against an Indigenous person and publish a report about the case reviews annually;
- Communicate with relevant department divisions regarding investigations in cases involving missing or murdered Indigenous relatives;
- Review sentencing ranges for crimes relating to missing or murdered Indigenous relatives;
- Develop, publicize, and offer training for victim advocates who work on missing or murdered Indigenous relatives cases; and

- Designate one employee of the office to serve as a point of contact for families in need of support regarding ongoing or completed missing or murdered Indigenous relatives cases.

Hawaii

In 2021, the Hawaii State Legislature adopted a resolution requesting that the Hawaii State Commission on the Status of Women convene a task force to conduct a study regarding missing and murdered Native Hawaiian women and girls. The Legislature directed the task force to identify the cause of the problem, analyze current databases and data collection methods, find barriers to data collection and information sharing, create partnerships to increase reporting and investigations, and make recommendations for legislation to improve data collection and sharing to end harm to Indigenous women and girls.⁴⁰ The first report was released in 2022,⁴¹ with a second report to come in 2023.

Idaho

In 2019, the Idaho Council on Domestic Violence and Victim Assistance, along with the Idaho Coalition Against Sexual and Domestic Violence partnered to find a way to explore data, processes and systems in order to challenge current assumptions and provide more information to the state Legislature about the complex issues around missing and murdered Native people in Idaho. This work ultimately culminated in the Idaho Summit on Missing and Murdered Indigenous People Report,⁴² which highlights the significant work done by tribes, state officials and grassroots organizers. This report also included a number of recommendations for moving forward with a collaborative working body to commit to systemic change.

In 2022, the Idaho Legislature passed Senate Bill 1376 to create the endangered missing person alert system.⁴³ As of October 2023, the system had not been used to issue an alert for a missing Indigenous person.⁴⁴

Minnesota

In 2019, the Minnesota Legislature established a Task Force on Missing and Murdered Indigenous Women.⁴⁵ The Task Force met through December 2020 and submitted a report to the Legislature on recommendations to reduce and end violence against Indigenous women and girls and members of the two-spirit community.⁴⁶

In 2021, following the report, the Legislature created the Office for Missing and Murdered Indigenous Relatives and assigned it various duties, including conducting case reviews, tracking data, and developing recommendations for legislative and agency action to address injustice in the criminal justice system's response to cases of missing and murdered Indigenous relatives.⁴⁷ The Office is creating new training standards for law enforcement officers, and a protocol to guide how MMIP cases are reported, how local and state agencies respond, and what services victims and families will receive.⁴⁸

Montana

In 2019, the Montana State Legislature established the Missing Indigenous Persons Task Force⁴⁹ to identify jurisdictional barriers between local, state, tribal and federal law enforcement and community agencies, identify causes that contribute to MMIP cases, and identify strategies to improve interagency communication, cooperation, and collaboration.⁵⁰

In 2022, the Montana State Legislature passed a bill to extend the Missing Indigenous Persons Task Force to June 30, 2025.⁵¹

Nebraska

In October 2023, Attorney General Mike Hilgers announced a staff person for the Liaison for Missing and Murdered Indigenous Persons for the Nebraska Attorney General's Office.⁵² The Nebraska Legislature funded the position earlier in 2023 to improve investigations and reporting for missing and murdered persons in Native communities.⁵³

Nevada

In 2023, the Nevada State Legislature passed a bill requiring a tribal liaison for the Department of Public Safety to maintain ongoing communication regarding missing or murdered Indigenous persons with Tribes, Tribal organizations, urban Indigenous organizations, and other organizations serving Indigenous people and Tribal communities.⁵⁴ The legislation also requires law enforcement agencies to accept a missing person report of a person missing under suspicious circumstances from a reservation or Tribal land, and to enter the information into NCIC and NamUs.⁵⁵

New Mexico

In 2021, New Mexico Governor Michelle Lujan Grisham signed an Executive Order establishing the New Mexico Missing and Murdered Indigenous Women and Relatives Task Force to develop a state response plan addressing systemic changes that support prevention, reporting, and investigation of MMIWP incidents.⁵⁶ The Order expired in 2022, and the Task Force ended in 2023.⁵⁷ Members of the Task Force are seeking legislative support for extending the group and its work.⁵⁸

New York

Legislators in New York have repeatedly introduced legislation in both houses to create “a task force for missing women and girls who are black, Indigenous, and people of color (BIPOC) to develop policy changes that will work to address the lack of care and concern for missing and murdered BIPOC women and girls with New York state governmental agencies.”⁵⁹ The legislation remains under consideration.

South Dakota

In 2021, the South Dakota Legislature passed a bill establishing the Office of Liaison for Missing and Murdered Indigenous Persons within the state Attorney General’s Office, “to assist with and provide training for locating missing or murdered Indigenous persons.” The Legislature did not provide funding for the Office. In 2022, Native Hope provided funding for three years, and staff were hired for the Office in November 2022.⁶⁰ On January 4, 2023, then-Attorney General Mark Vargo announced the formation of the Attorney General’s Missing and Murdered Indigenous Persons Advisory Council to advise on establishing goals, protocols and parameters for the MMIP Office.⁶¹

Utah

In 2021, the Utah Legislature passed a bill to create the Murdered and Missing Indigenous Women and Girls Task Force.⁶² The duties assigned to the Task Force include:

- Conduct consultations with tribal governments on the scope and nature of issues regarding MMIWG;
- Develop model protocols and procedures, including best practices, to apply to new and unsolved cases of murdered or missing Indigenous women and girls;
- Seek input about how to review cold cases involving MMIWG; and
- Address the need for greater clarity concerning roles, authorities and jurisdiction on cases involving MMIWG.

In 2023, Utah representatives asked the Utah Legislature to extend the Task Force deadline from November 30, 2023, to November 30, 2024.⁶³

Wyoming

In April 2019, in response to the Missing and Murdered Indigenous Women and Girls March, organized by the University of Wyoming student group Keepers of the Fire, Governor Mark Gordon announced that he would convene a task force to address the MMIWP crisis. The Governor appointed Task Force members in July 2019,⁶⁴ and the Task Force released the first report in January 2021.⁶⁵

Wisconsin

In 2020, Wisconsin Attorney General Josh Kaul created a task force on missing and murdered tribal women and girls to research the epidemic of murdered and missing Indigenous women. The task force was scheduled to be assembled 45 days after the passage of Assembly Bill 548 (AB 548) and to convene 30 days after its assembly. The task force has not yet released a report.

Appendix III: MMIWP Task Force Proviso Language

NEW SECTION. Sec. 912.

The Washington state missing and murdered indigenous women and people task force is established.

- (1) The task force is composed of members as provided in this subsection.
 - (a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.
 - (b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.
 - (c) The governor's office of Indian affairs shall appoint five representatives from federally recognized Indian tribes in Washington state.
 - (d) The president of the senate and the speaker of the house of representatives jointly shall appoint the following:
 - (i) One member representing the Seattle Indian health board;
 - (ii) One member representing the NATIVE project;
 - (iii) One member representing the Northwest Portland area Indian health board;
 - (iv) One member representing the American Indian health commission;
 - (v) Two indigenous women or family members of indigenous women that have experienced violence;
 - (vi) One member representing the governor's office of Indian affairs;
 - (vii) The chief of the Washington State Patrol or his or her representative;
 - (viii) One member representing the Washington state office of the attorney general;
 - (ix) One member representing the Washington association of sheriffs and police chiefs;
 - (x) One member representing the Washington state association of counties;
 - (xi) One member representing the association of Washington cities;
 - (xii) One member representing the Washington association of prosecuting attorneys; and
 - (xiii) One representative of the Washington association of criminal defense lawyers.
 - (e) Where feasible, the task force may invite and consult with any entity, agency, or individual deemed necessary.
- (2) The legislative members shall convene the initial meeting of the task force no later than the end of 2023 and thereafter convene:
 - (a) A minimum of two subsequent meetings annually. The membership shall select the task force's co-chairs, which must include one legislator and one nonlegislative member; and
 - (b) One summit annually.
- (3) The task force shall review the laws and policies relating to missing and murdered American Indian and Alaska Native people. The task force shall review current policies and develop recommendations for the purpose of:
 - (a) Assessing systemic causes behind violence including patterns and underlying historical, social and economic, institutional, and cultural factors which may contribute to disproportionately high levels of violence that occur against American Indian and Alaska Native people and recommending changes to address these systemic causes;
 - (b) Identifying ways to improve cross-border coordination between law enforcement and federally recognized tribes that share a border with Washington state;
 - (c) Assessing and recommending improvements to data tracking and reporting practices relating to violence against American Indian and Alaska Native people in Washington state;
 - (d) Making recommendations and best practices for improving:
 - (i) The collection and reporting of data by tribal, local, and state law enforcement agencies to more effectively understand and address issues of violence facing American Indian and Alaska Native people;
 - (ii) Jurisdictional and data-sharing issues on tribal reservation land and urban areas that impact gender-based violence against American Indian and Alaska Native people;
 - (iii) The collaboration and coordination between law enforcement agencies and federal, state, county, local, and tribal social and health services; and
 - (iv) Strategies and practices to improve communication and transparency with family members in missing and murdered

indigenous women and people cases;

(e) Reviewing prosecutorial trends and practices relating to crimes of violence against American Indian and Alaska Native people in Washington state, identifying disparities, and recommending changes to address such disparities;

(f) Identifying barriers to providing more state resources in tracking and addressing violence against American Indian and Alaska Native people and reducing the incidences of violence;

(g) Assessing and identifying state resources to support programs and services for survivors, impacted family members, and tribal and urban Indian service providers working with American Indian and Alaska Native people who have experienced violence and identifying needs of survivors, impacted family members, and tribal and urban Indian service providers that are not currently being met;

(h) Identifying and making recommendations for increasing state resources for trainings on culturally attuned best practices for working with American Indian and Alaska Native communities for tribal, local, and state law enforcement personnel in Washington state; and

(i) Supporting efforts led by American Indian and Alaska Native people to address this crisis, with the recognition that those personally impacted are already doing critical work to address the impacts of the missing and murdered indigenous women and people crisis in communities and that community-led work must be centered in order to identify and fully address the scope of the issue.

(4) The task force, with the assistance of the Washington state office of the attorney general, must consult with federally recognized tribes in Washington state and in states bordering Washington state, and engage with urban Indian organizations to submit reports to the governor and the appropriate committees of the legislature by December 1, 2023, and June 1, 2025.

(5)(a) The office of the attorney general administers and provides staff support to the task force, organizes the summit required under subsection (2)(b) of this section, and oversees the development of the task force reports required under subsection (4) of this section. The task force and the office of the attorney general shall conduct four site visits in different locations across the state in collaboration with tribes and native-led organizations. The office of the attorney general may contract for the summit.

(b) The office of the attorney general may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, training, and other services to the task force for the purposes provided in subsection (3) of this section.

(c) The office of the attorney general may share and exchange information received or created on behalf of the task force with other states, federally recognized Indian tribes, urban Indian organizations, and other national groups working on missing and murdered indigenous women and people issues.

(d) The office of the attorney general must coordinate with the task force to create and update a missing and murdered indigenous women and people resource. The resource must include:

(i) Instructions on how to report a missing indigenous woman or person;

(ii) General information about the investigative processes in missing and murdered indigenous women and people cases;

(iii) Best practices for family members in missing and murdered indigenous women and people cases when working with law enforcement; and

(iv) Other useful information and resources.

(6) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) To ensure that the task force has diverse and inclusive representation of those affected by its work, task force members whose participation in the task force may be hampered by financial hardship may be compensated as provided in RCW 43.03.220.

(8) This section expires June 30, 2025.

Appendix IV: Task Force Bylaws

Washington State Missing and Murdered Indigenous Women and People Task Force Bylaws

Approved on March 15, 2022 by a unanimous vote of the MMIWP Task Force

The Washington State Missing and Murdered Indigenous Women and People Task Force brings together a diverse group of state agencies, tribal leaders, tribal organizations, native grassroots organizers, advocates, families, and community members that all have unique ties to the crisis of missing and murdered Indigenous people throughout the state. As we gather and work on the traditional lands of the American Indians and Alaskan Natives throughout the state and region, we do so by first recognizing that the solutions to this crisis lie in the hearts, minds, and experiences of families, victims, and survivors who have lived with the consequences of gender based violence for generations. We honor that their resilience and collective voice created the foundation for the work of this task force. This work is grounded in Indigenous values, knowledge, and practices as we move towards justice and healing.

Preamble

In order to fulfill the requirements put forth in the final proviso language that governs the Washington State Missing and Murdered Indigenous Women and People Task Force, the membership recognizes that there is a diverse breath of experience, expertise, and knowledge that is crucial to completing the work in front of us. Additionally, these diverse backgrounds also come with unique beliefs, opinions, and barriers. All of the experiences of task force members are vital and important. For that reason, the task force membership puts forth this working agreement as a way of holding each other accountable as we encourage meaningful progress.

The task force members recognize the following truths:

- Today, 29 federally recognized Indian Tribes, out of state tribes with treaty reserved rights, and other tribal communities reside in Washington;
- Washington State is home to a large population of American Indian and Alaskan Native people living in urban and rural communities;
- Tribal governments are sovereign nations with unique governing structures and leadership;
- American Indian and Alaskan Native people experience disproportionate violence, both on and off reservations;
- Participation with the task force in any capacity does not replace or constitute consultation with tribes for any reason.

Whereas the Washington State Missing and Murdered Indigenous Women and People Task Force (“Task Force”) is authorized for the purpose of providing assistance and subject matter expertise to coordinate a statewide response to the urgent problem of gender-based violence in tribes and American Indian/Alaskan Native communities.⁶⁶ Now, therefore, the organization and rules of procedure of the Washington State Missing and Murdered Indigenous Women and People Task Force shall be as follows:

Purpose

The task force shall review the laws and policies relating to missing and murdered American Indian and Alaska Native people. The task force shall review current policies and develop recommendations for the purpose of:

- Assessing systemic causes behind violence including patterns and underlying historical, social, and economic, institutional, and cultural factors which may contribute to disproportionately high levels of gender-based violence that occur against American Indian and Alaska Native people and ways to improve cross-border coordination between law enforcement and federally recognized tribes that share a state border with Washington state;
- Assessing data tracking and reporting practices relating to violence against American Indian and Alaska Native people in Washington state;
- Making recommendations and best practices for improving: (i) the collection and reporting of data by tribal, local, and state law enforcement agencies to more effectively understand and address issues of violence facing American Indian and Alaska Native people; and (ii) jurisdictional and data sharing issues on tribal reservation land and urban areas that impact violence against American Indian and Alaska Native people;

- Reviewing prosecutorial trends and practices relating to crimes of violence against American Indian and Alaska Native people in Washington state;
- Identifying barriers to providing more state resources in tracking violence against American Indian and Alaska Native people and reducing the incidences of violence; and
- Assessing and identifying state resources to support programs and services for survivors, families of survivors, and tribal and urban Indian service providers working with American Indian and Alaska Native people that have experienced violence; and
- Identifying and making recommendations for increasing state resources for trainings on culturally attuned best practices for working with American Indian and Alaska Native communities for tribal, local, and state law enforcement personnel in Washington State.

Article I: Task Force Members

Building trust, honoring relationships and working together in harmony and balance are integral to the work of the task force as a whole and in service to the communities affected by violence. As a result, task force members are expected to abide by a code of conduct that ensures a respectful working environment.

Code of Conduct

Task Force Members are expected to, at a minimum:

- Attend all scheduled task force and subcommittee meetings (exceptions are noted in Article IV);
- Attend and participate in community and public comment sessions;
- Serve on at least one subcommittee;
- Respond by identified deadlines to communications from the Attorney General's Office that relate to the task force and require a response;
- Keep the Attorney General's Office informed about all communications, media interviews and appearances and any other business related to task force operations;
- Work respectfully with other members of the task force;
- Share relevant information regarding task force work;
- Defer to the Attorney General's Office when a consensus cannot be reached;
- Support decisions made in their absence;
- Not use their position on the task force for personal or organizational gain;
- Identify any actual or potential conflicts of interest that arise and recuse themselves from participating in any voting or decision making that give rise to conflict of interests; and
- Not make any statements or act on behalf of the task force independently without written authorization of the executive committee.

Task Force Members will:

- Treat each other with respect and courtesy at all times;
- Center the voices and experiences of victims, survivors and their families;
- Be courageous in challenging biases and previously held beliefs;
- Not engage in comments that perpetuate negative stereotypes about race, gender identity, sexual orientation, mental health status, housing status, political affiliation or religious beliefs; and
- Prioritize care of other members, the community and families.

The Attorney General's Office will:

- Provide administrative and staff assistance to the task force;
- Provide the necessary direction and guidance to make addressing gender based violence in American Indian and Alaskan Native communities a priority throughout Washington State;
- Provide oversight and coordination of the members of the task force;
- Oversee the development of two legislative reports to the Governor and Washington State Legislature;

- Co-facilitate task force meetings with tribes and urban Indigenous programs;
- Act as the fiscal agent for the task force; and
- Educate the community and government organizations on the crisis of MMIWP in Washington State.

Removal of Members Violations of this code of conduct may be used as due cause to remove members of the task force. Violations of this code of conduct should be reported to the Executive Committee as soon as possible after the incident(s). Removal of members will be decided by a simple majority vote of appointed task force members at the next scheduled meeting.

Term of Office The expectation for the term of office is two years. Task force members are appointed by the legislature.

Resignation Task force members who wish to resign from the task force shall notify the Attorney General's Office in writing at least seven (7) days prior to the member's resignation. The member intending to resign must also provide a reason for resignation. Task force members may provide a recommendation for their replacement at their own discretion.

Task Force Members The task force shall consist of a representative from the following organizations as required by the proviso;

- One member from each of the two largest of the caucuses of the Senate
- One member from each of the two largest of the caucuses of the House of Representatives;
- Five members of federally recognized tribes, appointed by the Governor's Office on Indian Affairs;
- One member representing the Seattle Indian Health Board;
- One member representing the NATIVE Project;
- One member representing Northwest Portland Area Indian Health Board;
- One member representing the American Indian health commission;
- Two Indigenous women or family members of Indigenous women that have experienced gender-based violence;
- One member representing the governor's office of Indian affairs;
- The chief of the Washington State Patrol or his or her representative;
- One member representing the Office of the Washington state office of the attorney general;
- One member representing the Washington association of sheriffs and police chiefs;
- One member representing the Washington state association of counties;
- One member representing the association of Washington cities;
- One member representing the Washington association of prosecuting attorneys; and
- One representative of the Washington association of criminal defense lawyers;

Article II: Executive Committee

Election of Officers The task force will elect one legislative co-chair and four non-legislative co-chairs, with at least one co-chair being an elected tribal official from a federally recognized tribe and one co-chair being a representative of MMIWP families. These positions shall cover the full terms of the task force as enacted by the Legislature in the 2022 session. Should the full term of the task force be extended, task force members will serve a two-year term.

Executive Committee The co-chairs, along with the staff representative from the AGO, will form the Task Force Executive Committee. This committee will meet twice monthly, and is responsible for the following:

- Acting as the official spokespersons for the task force;
- Setting meeting agendas; and
- Setting meeting dates, times and locations.

The executive committee represents the majority opinions of the task force as a whole.

Removal of Co-Chairs Any task force member may make a motion to consider the removal of a co-chair from office for due cause at a regular meeting of the task force, provided that at least seven (7) days written notice of such intent is given to all task force members. The motion to consider removal shall be made at the first meeting following the required notice. The motion to remove shall be voted on and requires a three-quarter (3/4) majority vote, by secret ballot, of all appointed task force members to pass.

Article III: Meetings

Time and Place Regular meetings of the task force shall be held at least twice per year. Additionally, the Task Force must hold one

summit on relevant issues by June 30, 2023.

Meetings will be co-hosted by tribes and/or American Indian and Alaskan Native communities. Dates and times will be determined by hosting tribes/organizations and the executive committee.

Responsibilities of hosting organizations:

- Coordinate with AGO staff for logistics;
- Provide support for families, victims and survivors, as appropriate for the organization or community
 - For example: Providing traditional healing ceremonies; providing therapists or mental health services; providing advocacy services; providing transportation to and from meeting/comment session venues; providing food or refreshments for participants and so on; and
- Provide physical and cultural support for elders and those with disabilities.

Task force meetings will meet for the total time allotted. If business is concluded early, members may make a motion to end the task force meeting early, with a majority vote of task force members in attendance.

Task force meetings shall include a designated time for public and community comment that provides ample time for community members to participate. Logistics and specifics for each such comment session will be determined by co-hosting tribes/organizations and the executive committee.

If adequate support or access cannot be guaranteed at any event, the task force will be transparent in their requests of community members and MMIWP families. The task force will make good faith efforts to provide community members with enough information for them to make well informed and empowered decisions regarding providing testimony.

In cases where the hosting communities or tribes do not think they can adequately host or provide support for public testimony or public comment sessions, other arrangements for hosting those sessions can be requested. The hosting community should provide a request, in writing, to the executive committee if they do not have the capacity to host public information sessions.

Task force meetings are open to the public and will be advertised at least one (1) week prior to the meeting date.

Quorum A simple majority of task force members shall constitute a quorum for the transaction of business and meeting operations. A quorum can be met at any time of the meeting, provided there is a simple majority.

If the quorum is not met within fifteen (15) minutes of the scheduled meeting time, the meeting will move forward with discussion and conduct business without voting.

If the business requires a vote and cannot be conducted without quorum, the meeting will be rescheduled for a later time, within four (4) weeks of the original meeting time.

Telephone and Virtual Meetings Members may participate in a meeting of the task force by means of a conference telephone or virtual device, which allows all persons participating in the meeting to hear each other. Participation virtually or by telephone shall be equivalent to presence in person at the meeting for purposes of determining if a quorum is present.

Article IV: Attendance

The work ahead of the task force is both timely and urgent. A systemic, robust response to this crisis cannot wait, and therefore it is the responsibility of each member to prioritize attending all scheduled meetings of the task force. In special circumstances, members who anticipate an extended absence for more than three (3) consecutive task force meetings must provide prior notice to Attorney General's Office and shall designate a proxy to serve in the term of their absence.

Excused Absences An excused absence is defined as the following:

- Illness, including quarantine or other processes related to the COVID-19 pandemic;
- School Events and Holidays;
- Religious, Cultural or Tribal Holidays; or
- Emergency Circumstances.

To arrange an excused absence, members should contact the executive committee prior to the meeting with the specific request.

If it is not possible to submit this request prior to the meeting, the members will inform the executive committee as soon as possible.

Additionally, the task force recognizes the spiritual and emotional toll that this work may take on individuals, communities and organizations. The task force also recognizes that many of the appointed members also are American Indian and Alaskan Native people, some living in American Indian and Alaskan Native communities, and are experiencing the lasting effects of generational trauma. Attendance and full participation in the task force work should be the highest priority of all the members, while recognizing that this is a unique group, with a unique set of circumstances. Task force members agree to be trauma-informed in their decisions to remove members for lack of attendance and to approach subjects in ways that are grounded in Indigenous values and practices.

Removal of Members When any task force member has two unexcused or four excused absences from regularly scheduled meetings within the calendar year, they shall be notified in writing by the executive committee before the next meeting that they may be removed from the task force. The task force may remove any member who is absent without excuse from more than three (3) consecutive meetings. Removal of members requires a majority vote of the task force.

- The Attorney General's Office will work with the appointing entity for the task force member's position to fill the vacancy.

Appeal Process If a task force member desires to continue serving on the task force after receiving notice of removal, the member must submit a written appeal within three weeks of receipt of such notice to the Attorney General's Office indicating an intention to continue serving on the task force.

Article V: Subcommittees

Subcommittees may be formed by a majority vote of task force members to accomplish specific tasks or work outside of regularly scheduled meetings of the full task force. Subcommittees may be added, removed, or amended as needed by a majority vote of the task force.

Chairs of the subcommittees will be appointed by members of the task force and must be an appointed task force member. Time, place, and frequency of the subcommittee meetings are set by the chairs of the subcommittee, which must be published. Subcommittees must meet at least once a month.

A staff member from the Attorney General's Office will attend all subcommittee meetings.

Each subcommittee will have a member representing an MMIWP family. This representative does not need to be an appointed task force member.

Non-appointed members of the task force are eligible to join the subcommittees at the discretion of the subcommittee chair and the executive committee. The subcommittee chair and/or the executive committee may require an application before approving requests to join subcommittees by non-members of the task force.

Subcommittee members must follow guidelines as put forth in these bylaws.

Subcommittee members may not speak on behalf of the task force without written permission from the executive committee.

Subcommittees will provide updates and written recommendations at each task force meeting. Subcommittee members must use simple majority to vote for recommendations they intend to report to the full task force. All recommendations should represent the majority opinion of the subcommittee.

Current Subcommittees:⁶⁷

- Tribes
- Data and Research
- MMIWP Families
- Community Services and Resources
- Criminal Justice and Public Safety

Article VI: Decision Making

Whenever possible, decisions will be made by group consensus. In the event that consensus is not possible, a vote with a simple majority will suffice. Dissenting opinions will be noted. On issues not defined by proviso language, the task force shall consult with the Attorney General's Office for further interpretation. When consensus cannot be met, the opinion of the Attorney General's office shall control.

Proxies Members are not allowed to vote in advance or by proxy. Proxies may attend meetings. Intentions to have proxies attend meetings must be submitted in writing to the Attorney General's Office prior to the meeting. Members may only attend by proxy for as many meetings as necessary but no more than two (2) consecutive meetings.

Electronic Voting Advisory Committee members may *not* vote electronically in accordance with the Open Public Meetings Act RCW 42.30.060(2).

Recommendations The task force is required to make recommendations for reporting to the Legislature and the Governor. Subcommittees are responsible for developing recommendations regarding their subject areas during their regular scheduled subcommittee meetings. Members of each subcommittee should vote using the guidelines outlined earlier in this article and under the quorum rules in Article III.

Article VII: Staff

Staff and meeting facilities will be made available to the task force as provided in the Attorney General's Office budget. While administratively responsible to the Attorney General's Office, staff shall act in accordance with directions and positions of the task force in carrying out duties in accordance with the proviso.

Appendix V: Compilation of Suggestions for Continued Work

The following are suggestions and action items provided to the Task Force by MMIWP family members, survivors, community members, and members of the Task Force. AGO staff notes each suggestion provided throughout the full Task Force meeting, subcommittee meetings, and discussions with Task Force members and family members during the course of the work. The suggestions below broadly capture all of the suggestions and action items provided since the Task Force began meeting in December 2021. There is overlap among some of the suggestions here; staff did not combine these suggestions to maintain their integrity and full scope. This list is not exhaustive and staff will add, remove or amend suggestions or action items as the work continues. The suggestions included in this chart adhere as closely as possible to the comments provided by family members, survivors, community members, and Task Force members. In some cases, staff amended the language for clarity. When appropriate, AGO staff identified action(s) to achieve the intent of the suggestion.

Category	Suggestion	Notes
Criminal justice	Crisis counselors should be sent to do welfare checks, rather than armed police.	AGO staff is currently researching other models, potential implementation, and reaching out to stakeholders.
Criminal justice	Training for judges and attorneys on Indigenous cultures and traditions.	AGO staff is currently researching how this recommendation can be implemented and if it is necessary to develop new resources or programs to ensure this is done in a responsive, comprehensive and culturally appropriate way. CJTC is implementing new training for LEOs.
Criminal justice	Restraining orders should be enforced sooner; victims should not have to wait for the perpetrator to be served.	RCW 7.105.150 allows for the electronic service of protection orders for orders issued by state/county courts; tribal court policies and codes may differ from this statute. An amendment to the statute passed in 2022, so any recommendation needs to include training for law enforcement and a public awareness campaign.
Criminal justice	Improve cross-jurisdiction cooperation to reduce barriers to justice.	The Criminal Justice and Public Safety subcommittee continues to work on understanding the barriers to inter-jurisdictional communication and collaboration, and developing best practices to overcome these barriers.
Criminal justice	Tribal councils should not have to send a letter to the Washington State Patrol for them to step in and investigate.	The Criminal Justice and Public Safety subcommittee is currently holding monthly roundtables to understand challenges and processes in law enforcement.
Criminal justice	Tribes should be able to extradite suspects to reservations to face charges.	Legislators are considering proposals to address tribal extradition.
Criminal justice	Review statute of limitation laws.	The Criminal Justice and Public Safety subcommittee is currently researching how statute of limitation laws related to missing persons and homicide cases impact investigations.
Criminal justice	Additional oversight for prosecutors and investigators is needed.	Research. The Criminal Justice and Public Safety subcommittee plans to develop best practices for law enforcement and prosecutors.
Criminal justice	Explore requirement for law enforcement to enter information into the National Center for Missing and Exploited Children database.	Law enforcement in WA is required to enter information into NCIC.

Category	Suggestion	Notes
Criminal justice	Require all law enforcement agencies across the country to use NCIC.	AGO staff is researching options to incentivize broader NCIC use by law enforcement agencies.
Criminal justice	Database for archiving missing persons data.	AGO staff will research what is currently available and if it is appropriate for MMIWP work or if new databases need to be created.
Criminal justice	Standardization of police policies.	The Criminal Justice and Public Safety subcommittee is gathering policies and procedures for responding to MMIWP cases from law enforcement agencies across the state on a voluntary basis.
Criminal justice	Include the Department of Fish and Wildlife (WDFW) in the Task Force work.	WDFW staff regularly join meetings.
Criminal justice	Standardization of training for homicide detectives.	AGO staff is currently working with the Criminal Justice and Public Safety subcommittee to collect information about training for law enforcement officers broadly, including homicide detectives.
Criminal justice	DNA should be collected on every case.	August 2022 recommendation to ensure compliance. This is a requirement in current Washington State law; the 2022 recommendation includes best practices for law enforcement agencies to ensure compliance with this requirement.
Criminal justice	Law enforcement should be required to enter data into NamUs.	August 2022 recommendation. The NamUs mandate is not currently part of the state statute.
Criminal justice	Conduct audits of NamUs data to ensure compliance with legal requirements are met.	Not achievable until data entry into NamUs is required.
Criminal justice	There should be a centralized way for law enforcement agencies to learn about and connect with resources, particularly smaller and rural agencies.	The Criminal Justice and Public Safety Subcommittee is currently working on networking with agencies.
Criminal justice	Unidentified remains should have timely DNA testing completed.	December 2023 recommendation.
Criminal justice	The Attorney General should have the responsibility to ensure prosecutors are doing their job.	The Attorney General does not have authority over prosecutors under current law.
Criminal justice	There needs to be an audit of all the various policies and laws that exist in this area so they can be reconciled with each other and made consistent.	The Criminal Justice and Public Safety subcommittee is currently working on this process.
Criminal justice	Close legal gaps in social media.	AGO staff will conduct more research to understand what the legal gaps on social media are, what barriers law enforcement face, and how to move forward with this recommendation.
Criminal justice	Create an inter-state, inter-jurisdictional cold case unit.	August 2022 recommendation. Legislation enacted in 2023 to establish this unit.
Criminal justice	Amend RCW 74.04.062 to ensure law enforcement can obtain information about missing people.	Legislators are considering proposals to amend this statute.
Criminal justice	Increase the tools law enforcement has to engage with MMIWP cases.	The Criminal Justice and Public Safety subcommittee is currently working on understanding the barriers to investigating these cases, and strategies to overcome barriers.

Category	Suggestion	Notes
Criminal justice	Establish a Missing Indigenous Person alert system nationwide.	December 2023 recommendation.
Criminal justice	Tribal law enforcement agencies should be eligible for state retirement programs to address staffing and retention challenges.	The Criminal Justice and Public Safety Subcommittee is currently discussing this.
Criminal justice	Address practices within the state regarding the failure to automatically give full faith and credit to court orders issued in tribal court.	Legislative discussions are ongoing.
Criminal justice	Law enforcement should always identify themselves when speaking to family members or people experiencing trauma.	August 2022 recommendation.
Criminal justice	Provide tribes access to state and federal crime databases.	Tribes currently lack the ability to input court orders into Washington state and federal databases, causing issues regarding full faith and credit of these orders.
Criminal justice	Create a Tribal Public Safety Toolkit.	The Criminal Justice and Public Safety Subcommittee is currently researching how to develop and what to include in a toolkit.
Criminal justice	All law enforcement agencies should have personnel who can do data entry and data searches.	Collecting information.
Criminal justice	Law enforcement needs to improve communication with family members.	August 2022 recommendation.
Data	Law enforcement needs to improve responses when someone goes missing or is murdered.	The Criminal Justice and Public Safety subcommittee is conducting roundtables with law enforcement across the state to understand what type of training they currently receive, particularly related to missing persons cases. Additionally the committee is looking at differences in agencies' responses to missing persons cases, and how those can be improved and standardized.
Data	Expand who can provide information to law enforcement and file missing persons reports to include advocates, social workers and other professionals who work closely with victims of violence.	AGO staff is currently researching the logistics of implementation of this request.
Data	Identify and correct data inaccuracies, including racial misclassification in police reports and national databases.	This will be part of ongoing work around Indigenous demographic data collection practices.
Data	Family members should be able to fix racial misclassification.	This will be part of ongoing work around Indigenous demographic data collection practices.
Data	Establish a work group to develop best practices for Indigenous demographic data collection.	December 2023 recommendation.
Families	Expand access to therapy, cultural resources and other supports to include MMIWP families and survivors. "When law enforcement takes a report, they need to connect a family to an advocate, to some kind of a support system that can walk them through the process and let them know what to expect."	The Community Services and Resources subcommittee, with guidance from MMIWP families, is examining gaps in services and resources, and where those supports need to be strengthened or created to provide robust, sustainable and culturally responsive services for family members.

Category	Suggestion	Notes
Families	Families need more support to be part of the Task Force work.	The Task Force and AGO staff have engaged in several efforts to provide families with support needed to participate in the task force work, including the implementation of talking circles, sending care packages to families when requested, providing advocacy and support during meetings and opening meetings with prayer and ceremony. We will continue to listen and respond to the needs of families.
Families	Reach out directly to impacted families, as part of the Task Force process.	AGO staff is working, with guidance and support from the MMIWP Families Subcommittee, on outreach and engagement strategies to ensure that as many impacted families are aware of the Task Force work as possible.
Families	Spiritual healing, medicines and other traditional practices should be included as part of the healing work of the Task Force.	AGO staff, task force members and the MMIWP Families Subcommittee are continuously working to ensure that families have the support they need.
Families	Provide consistent and ongoing information about the Task Force, including regular updates about the Task Force work and mechanisms for the families to interact with the process.	AGO staff and the MMIWP Families Subcommittee are currently working on outreach and engagement strategies to ensure that information on the Task Force work and activities is being shared with families.
Families	Families need more guidance on what to do early in an investigation and how to interact with law enforcement.	August 2022 recommendation. This will be part of the missing persons toolkit the AGO is developing.
Families	Local jurisdictions should adopt policies that provide public facilities free of charge to MMIWP families hosting MMIWP events.	August 2022 recommendation.
Families	Create family talking circle spaces for sharing stories, asking questions and building community.	The MMIWP family subcommittee currently hosts these spaces on a monthly basis.
Families	Create a family toolkit to provide centralized resources to families.	August 2022 recommendation. Legislation enacted in 2023 to require the AGO to develop and maintain this toolkit.
Families	Pay family members for expertise, and provide specific funding support for MMIWP families.	AGO staff is developing a process to compensate for expertise when appropriate.
Families	Address frauds targeting MMIWP families.	Collecting information.
Families	Conduct targeted outreach to understand the specific needs to LGBTQ2S+ people and families impacted by MMIWP.	Outreach is in progress, and this will be included in the research conducted by the Wyoming Survey & Analysis Center.
Families	Public agencies should know who is missing within their community and share posters and information to support or expand a search.	AGO staff is engaging in conversations with public agencies.
Families	Explore holding a family gathering for impacted families across Washington.	Collecting information.
Families	Review custody practices and procedures for when someone goes missing, and identify what rights families have and what happens to their children.	Collecting information.

Category	Suggestion	Notes
Families	Non-biological parents should be respected and granted access to their children's records when they are missing or there is an investigation, and there should be cultural sensitivity about familial ties.	Collecting information.
Health	Continue efforts to address the opioid epidemic, especially fentanyl use.	Additional work is happening on this outside of the Task Force, monitoring.
Jurisdiction	Address the <i>Oliphant</i> decision.	Collecting information.
Jurisdiction	Increasing outreach to Canada and neighboring states.	AGO staff is currently conducting outreach to Canada and First Nations, as well as to Idaho, Oregon, Alaska, and Montana and tribes in those states, beginning with those sharing or in close proximity to the Washington border.
Media	Media organizations should hire Indigenous reporters and staff.	Additional analysis ongoing.
Media	The media should tell the stories of missing and murdered Indigenous people carefully and with family member input.	The AGO will provide guidance for media coverage of MMIWP cases and issues.
Men and boys	More research and attention should be given to men and boys that experience violence.	August 2022 recommendation.
Prevention	Improve access to food and health care, issues that increase vulnerability.	Collecting information.
Prevention	Increase access to housing. Examine the impact of trust land on housing supply.	Collecting information.
Programming	There needs to be additional safe housing for people on reservations.	The Community Services and Resources Subcommittee is working to understand what supportive housing services there currently are, what barriers exist to providing additional housing, and how to overcome these barriers.
Programming	Victim service programs should be easier to use, more visible to families, and collaborate with each other.	The Community Services and Resources Subcommittee is conducting roundtables to compile information about available programming and aid in the collaboration and coordination of service programs.
Programming	Victim service programs should be assessed to see what kind of services they are providing and how they are working for the community.	This is the goal of the Community Services and Resources Subcommittee assessment process.
Programming	Victim and community service programs need more funding and resources.	This is part of the assessment process of the Community Services and Resources Subcommittee.
Programming	More public education is needed on the issues facing Indigenous people.	AGO staff and Task Force members will identify effective Indigenous cultural curriculum and opportunities to use AGO and Task Force communication channels for public education.
Programming	Increase access to healing, therapy, and healthy relationship services for perpetrators.	Community Services and Resources Subcommittee will research resources and services that have demonstrated effectiveness.
Programming	Expand funding and access to Tribal Sexual Assault Nurse Examiner programs.	Collecting information.
Searches	More training, access and visibility of resources for searching/search and rescue.	Research is ongoing to develop a recommendation to support search needs.

Category	Suggestion	Notes
Searches	Community members, tribes, agencies, and government should receive training on how to conduct searches.	Research is ongoing to develop a recommendation to support search needs.
Searches	Families need access to search and rescue groups, and increased organizing around searches.	Research is ongoing to develop a recommendation to support search needs.
Substance use	Support for individuals dealing with active, long term addiction, particularly when at heightened risk of relapse or overdose.	Collecting information.
Trafficking	Increase awareness and outreach to young people about the realities and dangers of trafficking.	Subcommittees will look for models that have been successful in other jurisdictions.
Trafficking	Address the ongoing factors that make casinos trafficking destinations.	Collecting information.
Trafficking	Expand training and education resources regarding trafficking in Indigenous communities.	The Community Services and Resources Subcommittee is assessing trafficking resources throughout the state, and will work on the connection between MMIWP and trafficking.
Trafficking	Engage with transportation industry and organizations to address issues regarding human trafficking.	AGO staff is engaging in conversations with transportation agencies.
Trafficking	Improve lighting at highway rest areas.	Collecting information.
Trafficking	Utilize resources and databases about human trafficking to make connections regarding missing persons cases.	Collecting information.
Youth	Provide outreach to young people to educate and support them, especially when a family member is missing or murdered.	Collecting information.
Youth	Understand the impact of mass media and social media on young people.	Collecting information.
Youth	Support prevention work by Indigenous-led organizations.	AGO staff will reach out to organizations to learn more about this work and coordinate presentations for subcommittees.
Youth	Support cultural and language rejuvenation programs, which are a proven strategy for improved outcomes for youth.	Collecting information.
Youth	Need more detox facilities for youth in Washington.	Collecting information.

Appendix VI: Attorney General's Office Tribal Consent and Consultation Policy

CENTENNIAL ACCORD PLAN

Washington State Office of the Attorney General

I. The Role of the Attorney General in State Government

The Attorney General for the state of Washington is an independent constitutional officer and the legal adviser to state agencies, officers and officials. Among the duties assigned to the Attorney General by law is the duty to “represent the state and all officials, departments, boards, commissions and agencies of the state . . . in all legal or quasi legal matters . . . and advise all officials, departments, boards, commissions, or agencies of the state in all matters involving legal or quasi legal questions . . .” RCW 43.10.040. With few exceptions, the Attorney General is the exclusive source of legal counsel and representation for state officers and agencies.

Because of its role in state government and its comprehensive legal duties and responsibilities, the Attorney General's Office (AGO) is involved in a wide array of issues which potentially impact state agencies and tribal governments in their relations with one another. Because of this unique role, the AGO may be in a position to assist with communications and the facilitation of solutions that employ the diverse expertise and resources of multiple agencies and officials.

II. Overview of the Centennial Accord Plan

This plan covers AGO commitments and the process for consent, consultation and notice. Section IV describes the specific situations where the AGO will request consent from Tribes. Consent in this plan entails receipt of free, prior and informed consent prior to taking the actions specified in this plan that directly and tangibly affect Tribes, rights or tribal lands. Section V and VI describe the consultation between the AGO and Tribes. Consultation is a process where the AGO will share information regarding AGO actions with affected Tribes to ensure a complete understanding of the action and to identify and address tribal concerns. Specifically, Section V describes consultation prior to the AGO initiating litigation and Section VI states that Tribes may request consultation with the AGO. Section VII describes situations where the AGO will provide notice of AGO actions to Tribes.

In this plan, “Tribe” refers to the federally recognized American Indian Tribes in Washington State or the governing body of that Tribe. “Tribal land” includes “Indian Country” as defined in federal law as well as trust lands and lands which have been identified by a Tribe to the AGO as containing cultural, historic or archaeological resources.

III. Contact Within the Attorney General's Office

- Asa Washines
 - Tribal Liaison
 - 1125 Washington Street SE
 - P.O. Box 40100
 - Olympia, WA 98504-0100
 - Phone: (360) 878-0664
 - Email: Asa.Washines@atg.wa.gov

IV. Consent from Tribes on Certain AGO Actions

The AGO will receive free, prior and informed consent prior to taking certain actions specified in this section that directly and tangibly affect Tribes, rights or tribal lands.

A. Actions Subject to Consent

1) Unless prior consent is received, the AGO will not initiate an AGO program or project that directly affects a Tribe that the AGO undertakes under the independent authority of the Attorney General. Consent will not be requested related to AGO investigations, litigation, employment and other internal business decisions, or in circumstances where a failure to act may subject the AGO to sanction from a court.

2) AGO actions on behalf of any other entity in the AGO's role as legal counsel to state officials, agencies, departments, boards and commissions are not subject to consent. Consent also will not, and cannot, be requested on statutory duties and functions of the AGO, including but not limited to issuing legal opinions and formulating ballot titles for state initiatives or referendum measures.

3) Consent will not be requested on broad issues that impact many or all Washington Tribes, because a requirement for "consensus" from all affected Tribal governments would be both impractical and inconsistent with the independent sovereignty of each Tribe.

4) Actions specifically covered in the consultation and notice requirements of this plan are not subject to consent. The requirements for notice and consultation are covered in Sections V, VI and VII of this plan. However, the AGO may choose to request consent for programs and projects outside the scope of this section.

B. Request for Consent

1) The AGO will request consent by sending notification to the chair of the Tribe's governing body or to any person identified by the Tribes to receive the request. The AGO will send a copy of the request to each member of the Tribe's governing body.

2) The request will provide clear information about the AGO program or project and describe its potential impact to the Tribe.

3) Tribes may identify persons to receive the request by sending the name, address and contact information to an AGO Tribal Liaison.

C. Consent

1) Consent is a written resolution from the governing body of the affected Tribe.

2) If a Tribe does not respond within the timeframe designated in the request then the AGO will interpret that as a grant of consent.

3) If a Tribe responds to a request for consent by objecting to the project or program, the AGO may request consultation with the Tribe to see if issues raised by the Tribe can be addressed.

V. Consultation with Tribes Prior to Litigation Initiated by the AGO

The goal of consultation is to further the government-to-government relationship between Tribes and the State, and ensure the mutual respect for the rights, interests and obligations of each sovereign. A further goal of consultation is to share information regarding AGO actions to ensure a complete understanding of the action and to identify and address tribal concerns. Consultation is independent of and in addition to any other public participation process required by law.

A. Litigation Consultation

1) To the extent consistent with the Rules of Professional Conduct, and with the goal to avoid litigation whenever possible, the AGO will consult with a Tribe prior to filing civil litigation against a Tribe or a business owned by a Tribe. The AGO may request consultation on other issues to further the goals of this plan.

B. Consultation Request

1) The AGO will request consultation by sending notification to the chair of the Tribe's governing body or to any person identified by the Tribe to receive notice. The AGO will send a copy of the notice to each member of the Tribe's governing body. Tribes may identify persons to receive notice by sending contact information to an AGO Tribal Liaison.

2) The notice will provide clear information about the dispute or issue.

3) The notice will provide a time of no less than thirty days for the Tribe to respond to the AGO accepting the invitation to consult or declining consultation. Thirty days will run from the date of actual receipt or five days after date of mailing for notices sent by first class mail. The notice will clearly state the timeframe for response and how to respond.

4) If a statute of limitations, court rule, or other factor requires the AGO to provide less than 30 days notice, the AGO will clearly identify the deadline in the notice and make every reasonable effort to consult within the time available.

5) If the Tribe does not respond within thirty days of receipt of the notice, or the amount of time provided under (4), the AGO may conclude that the Tribe has declined consultation on the project.

C. Consultation Process

- 1) Where a Tribe accepts the invitation to consult, the AGO will contact the Tribe to establish a mutually agreed timeline for completion of consultation. The AGO will communicate any time constraints on the process.
- 2) The AGO and the Tribe will identify to each other a point of contact and persons who will participate in the consultation. The AGO and Tribe's point of contact will schedule any necessary meetings. Whenever feasible, the Attorney General or Chief Deputy will personally participate in the consultation.
- 3) The AGO will work in good faith during the consultation process to identify and address the Tribe's concerns.
- 4) The Tribe may choose how to provide feedback and identify concerns including whether in writing, verbally during a meeting or in other form.
- 5) The AGO will provide a response to the Tribe detailing how the AGO will respond to the Tribe's feedback and concerns.

VI. Consultation with the AGO at the Request of Tribes

The AGO is always open to consultation at the request of Tribes on any issue or topic contemplated by the Centennial Accord. The AGO is also amenable to assisting Tribes in resolving disputes with state agencies or officials or with the AGO itself. The nature and extent of the consultation or dispute resolution process may vary depending on the role the AGO occupies in relation to the issue or topic. Tribes may request consultation with the AGO or AGO participation or assistance with dispute resolution by contacting the Attorney General or an AGO Tribal Liaison.

VII. Notice to Tribes of Other AGO Actions

The AGO will provide notice to Tribes prior to:

- Proposing legislation that may directly affect Tribes, rights or tribal lands;
- Filing an amicus brief that may directly affect Tribes, rights or tribal lands.

The AGO will provide notice to Tribes after:

- Filing a ballot title for a state initiative or referendum measure with the Office of Secretary of State on an initiative or referendum measure that directly affects Tribes, rights or tribal lands.

A. Notice to Tribes

- 1) The AGO will send notice to the chair of the Tribe's governing body or to any person identified by the Tribes to receive notice. The AGO will send a copy of the notice to each member of the Tribe's governing body. Tribes may identify persons to receive notice by sending the name, address and contact information to an AGO Tribal Liaison.
- 2) The notice will provide clear information about the action, the timelines associated with the action and will provide information for the Tribe to contact the AGO for additional information.

DATED this 10th **day of May, 2019.**

Endnotes

- 1 Substitute House Bill 1725, Chapter 256, Laws of 2022, Indigenous Persons—Endangered Missing Person Advisory Designation, <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1725-S.SL.pdf?q=20231108092958> (last accessed November 19, 2023).
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