



2022 Interim Report of the Washington State Missing and Murdered Indigenous Women and People (MMIWP) Task Force

About the Artist:

Malynn Wilbur-Foster is a Salish artist from the Squaxin Island and Skokomish Nations and is an MMIWP family member.

Letter from Attorney General Bob Ferguson



Dear Washingtonians,

Throughout our state and country, there is an epidemic of missing and murdered Indigenous women and people. Native people face disproportionate rates of violence, including sexual violence – and have since first contact with European and American-born settlers. We must uphold our duty to provide justice and accountability for all Washingtonians, and overcome the systemic and institutional racism and sexism embedded in these systems that affect tribal communities. As we do this critical work, we commit to holding families and survivors at the center of this work. It is their expertise, needs and experiences that will help us achieve meaningful change.

In 2021, I convened the Washington State Missing and Murdered Indigenous Women and People Task Force using a framework adopted by the Washington State Legislature, in partnership with Native activists, advocates, and tribal leaders. I appointed Annie Forsman-Adams, our MMIWP Policy Analyst, and our team began organizing and taking action. In the 2022 Legislative Session, the Legislature enacted a proviso and provided funding for the Task Force to ensure that this crucial work continues.

Moreover, in 2022 members of this Task Force supported and the Legislature passed H.B. 1725, a bill Representative Debra Lekanoff and I proposed that creates an alert system for missing Indigenous people. The Washington State Patrol will administer the new alert system that is the first of its kind in the country. Representative Debra Lekanoff championed this bill, and many others supported it as the first step toward systemic change to end the epidemic of missing and murdered Indigenous women and people. It is our hope that other states will follow this example and create similar systems for their missing Indigenous people as well.

At the bill-signing event for H.B. 1725, Tulalip Tribes Chairwoman Terri Gobin said: “The most important thing is bringing them home.” This is the goal of the Task Force: to end the epidemic. There is a long road ahead of us, and my team and I are committed to this essential work.

This is the first interim report on the progress of the Task Force. It includes preliminary recommendations agreed upon by Task Force members to continue progress toward the systemic change that we need. I hope this report helps further the discussion and bring us closer to justice for all of the missing and murdered Indigenous women and people in our state, and for healing for their families and communities.

Sincerely,
Bob Ferguson

Washington State Attorney General

Letter from the Executive Committee

Dear Washingtonians,

The Washington State Missing and Murdered Indigenous Women and People Task Force was brought together in order to address a painful history of violence. Since settlers arrived in the Pacific Northwest, violence against Indigenous people has been a constant and pervasive threat to safety, sovereignty and traditional ways of life. In 1855, the rape and murder of a Yakama woman, her teenage daughter and young baby became the first official recorded instance of an MMIW case.¹ We have been fighting for justice ever since.

In May of 2021, the Washington State Attorney General's Office announced the formation of the MMIWP Task Force, to bring together legislators, advocates, family members, service providers and law enforcement to address the ongoing crisis. We do not take this mission lightly. As an Executive Committee, we are proud to lead a diverse group of people, many of whom are family members and survivors themselves, in this effort.

Every racial group has uniquely experienced white supremacy, systemic racism and institutional violence. The disproportionate violence experienced by Indigenous people is the result of specific, targeted, federal, state, and local laws and policies that sought elimination through forced relocation, removal and brute force with intention of destroying communities and culture. This harm continues when Indigenous people are murdered or go missing, and the compounding effects of this historical trauma are deeply felt in our communities. In fully addressing this harm, we must acknowledge the unique relationship that our communities have to the land, and the responsibility the state and federal governments have to our people. The failure to live up to this responsibility only continues the oppression and subjugation of our families and culture.

Throughout the process to date, families of missing or murdered loved ones shared powerful testimonies about how systemic and institutional barriers create and reinforce existing harm, trauma and pain. These experiences guide us, as we center and uplift the voices of family members and survivors through every step. This report is the first step of many as we work to correct history, restore balance and uphold the unique status of Indigenous people in our state. The information contained here represents just a small portion of what is to come, as we continue to engage with stakeholders, listen to families and unravel generations of trauma. In doing so, we aim to find equitable, implementable solutions that are grounded in Indigenous traditions, values and ways of knowing.

Finally, this is a call to our communities. There is much more work to be done, and we do so moving forward, side by side, guided by the dreams of our ancestors. We will never stop holding systems accountable and searching for answers. As we call all to join us in this pursuit, we also acknowledge that by honoring our experiences as Indigenous people, we will find radical healing and transformation. The journey is long, but it ends with 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

- Washington State Senator Manka Dhingra
- Washington State Senator John Braun (through March 2022)
- Washington State Senator Ron Muzzall (appointed March 2022)
- Washington State Representative Debra Lekanoff
- Washington State Representative Gina Mosbrucker
- Executive Secretary Athena Sanchez-Yallup, Yakama Nation (through April 2022)
- Assistant Secretary Charlene Tillequots, Yakama Nation (appointed April 2022)
- Councilmember Anna Bean, Puyallup Tribe
- Councilmember Anita Mitchell, Muckleshoot Tribe
- Afton Servas, Kalispel Tribe
- Councilmember Yvonne Cagey, Lummi Nation
- Abigail Echo-Hawk, Seattle Indian Health Board
- Maureen Rosette, NATIVE Project
- Laura Platero, Northwest Portland Area Indian Health Board
- Vicki Lowe, American Indian Health Commission
- Patricia Whitefoot, Community Member, Yakama Nation
- Carolyn DeFord, Community Member, Puyallup Tribe
- Craig Bill, Governor's Office of Indian Affairs
- Patti Gosch, Washington State Patrol
- Annie Forsman-Adams, Washington State Attorney General's Office
- Sam White, Chief of Police, Washington Association of Sheriffs and Police Chiefs
- Councilmember Jani Hitchen, Washington State Association of Counties
- Councilmember Chris Stearns, Association of Washington Cities
- Aubony Burns, Washington Association of Prosecuting Attorneys
- Steven Merrival, Washington Association of Criminal Defense Lawyers

Appreciation

The Task Force and AGO staff are indebted to community members who spoke at talking circles and public comment sessions and joined subcommittee meetings to share their experience and lend their voices and experiences to the work of the Task Force to create meaningful systemic change. For safety and privacy reasons, we have not listed their names here, but all have our deep gratitude. Thank you to the countless community members who have shaped and lifted up this work before us. In particular, to the following individuals who directly supported work in this report:

- Malynn Foster
- Jessica Fuentes
- Laura Bluehorse-Swift
- Shane Garcia, Deana Spencer, and Dave Madera with the NATIVE Project
- Keith Shipman, Mark Allen, and Rowland Thompson with the Washington Broadcasters Association

Thank you to the team of Attorney General's Office employees whose knowledge, skills and expertise contributed to the development and production of this report.

- Annie Forsman-Adams
- Asa Washines
- Sahar Fathi
- Ellen Austin Hall
- Simrit Hans
- Mike Webb
- John Hillman
- Todd Bowers
- David Heitzman
- Bob Thompson
- Tami Matheny
- Marty Hill
- Laura Twitchell
- Brionna Aho
- Dan Jackson
- Beth Carlson
- Josh Manning
- Ian Couch
- Judy Gaul
- Anthony Pickett
- Joyce Bruce
- Haylee Anderson
- Morgan Damerow
- Marci Phillips
- Sydney Wright
- Carly Summers
- Joe Zawislak
- Mitchell Riese



Executive Summary

This is the first 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 is part of a larger conversation regarding the MMIWP crisis throughout the state of Washington. While existing data has significant gaps, initial findings indicate that Indigenous people and their communities experience disproportionate rates of violence due to generations of systemic and institutional racism, which also deny justice and accountability. Tribal and urban Indigenous communities face unique obstacles to addressing and responding to incidents of violence.² According to the Washington State Patrol, there are currently 135 missing Indigenous people in Washington, and this number likely represents a significant undercount due to barriers to reporting and racial misclassification.

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 have not received 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 supports throughout the process.

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. In the months ahead, the Task Force will address various issues, including data collection, jurisdiction, and training; and will create best practices and propose actionable recommendations that call on communities, law enforcement, government at all levels, community programs and other institutions to improve their response to violence against Indigenous people.

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 turn 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 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.

Recommendations

1. Extend the MMIWP Task Force timeline through June 30, 2025.
2. The Task Force data and research team will pay special attention to the link between gender and violence.
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.
4. Community service and resource programs should utilize inclusive language that reflects the experiences of MMIWP families and survivors.
5. The Legislature should establish and fully fund a Cold Case Investigation Unit within the Attorney General's Office with a focus on MMIWP cold cases.
6. All law enforcement agencies should identify and implement strategies and practices to improve communication and transparency with family members in MMIWP cases.
7. Require all law enforcement agencies to use the National Missing and Unidentified Persons System.
8. The Attorney General's Office shall update and re-issue the Missing Person's Resource.
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.
10. The Task Force will continue to provide consultation to federally-recognized tribes in support of sovereignty and self-determination.

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. Other comments are in various stages of implementation, and still others need additional analysis. 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.

Additionally, the Task Force and AGO staff will continue to work closely with tribes and tribal leaders to uphold tribal sovereignty in acting to address this crisis. The Task Force and AGO 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.



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 who live on reservations.

Background

As far back as the first arrival of settlers in the Pacific Northwest, Indigenous families suffered missing and murdered loved ones for generations. Recently, there is a renewed energy and awareness of violence experienced by Indigenous women and people, on reservations and throughout the nation. Over the last decade, grassroots activists and advocates began to organize to bring awareness to the issue, build community, and demand action.

Violence against Indigenous people is not a new phenomenon, but rather the product of harmful and oppressive federal and state policy, broken promises, and unchecked violence. For generations, American Indian and Alaska Native women experienced disproportionate levels of violence and injustice, while perpetrators escaped accountability. Meaningful change cannot happen without recognizing that the lack of adequate responses by the state and federal governments have directly exacerbated the missing and murdered epidemic in our state. Further, the AGO fully recognizes that the Office, as an institution, has harmed Indigenous people. While the work to address and end the MMIWP crisis does not absolve the agency of that painful history, it is an important step forward.

Significant gaps in data and research on the violence experienced by Indigenous people are a barrier to understanding the full nature of the problem. According to 2018 data, Indigenous women go missing at a rate four times that of white women in Washington State.³ According to the Centers for Disease Control and Prevention (CDC) homicide is a leading cause of death for Indigenous women.⁴ Additionally, in some areas, the murder rate for Indigenous women is 10 times higher than the national average.⁵ In another study conducted by the CDC, homicide was the fifth leading cause of death for Indigenous men.⁶

The MMIWP crisis is a daily reality for family members, survivors, leaders, and advocates in Indian Country, both in our state and throughout the nation. Inadequate or nonexistent government systems and responses at every level create an environment where individuals and families conduct their own investigations and rely on each other to address the MMIWP epidemic in their communities. Grassroots organizers built a movement because of the continued denial of justice and accountability—this movement provides the foundation for the Task Force’s work.

Too often, the responsibilities of holding communities together through trauma and violence fall on the impacted families and individuals. Those who historically hold institutional power and privilege have actively de-centered, ignored, and dismissed individuals doing the critical work of supporting MMIWP families. The Task Force seeks to begin to change this dynamic. By centering the voices of those most impacted, the Task Force takes a restorative approach to this work to find answers and to aid in communities finding healing and justice.

In the past several years, the Washington State Legislature, the United States Congress, and other states have passed laws and taken other steps to begin to address the MMIWP crisis.

Washington State

Washington State is pivotal in the ongoing regional and national conversation regarding missing and murdered Indigenous women and people. The work of grassroots organizations as well as community activists and advocates built a movement that demands recognition. At the same time, tribal leaders and advocates championed change at the federal level, including expanded jurisdiction and increased protection for Indigenous women experiencing gender-based violence in the re-authorization of the Violence Against Women Act (VAWA).

As part of the movement to bring more awareness and respond to the persistent lack of data on MMIWP issues, in November 2018, the Urban Indian Health Institute (UIHI) released *Missing and Murdered Indigenous Women and Girls: A Snapshot of Data from 71 cities*.⁷ UIHI, an urban Indigenous epidemiology center, gathered data from a variety of sources in order to understand the number of cases in the United States and the specific dynamics of cases involving Indigenous women. Using a variety of data collection methods, researchers found that Washington State had the second highest number of MMIW cases of the states identified in the report. Additional analysis of data from 71 cities found that Seattle had the highest number of MMIW cases. This report was the first to bring the MMIW crisis into the scientific context by providing baseline data that did not previously exist.

In 2018, the Legislature passed H.B. 2951, sponsored by Representative Gina Mosbrucker (14th Legislative District). This bill directed the Washington State Patrol (WSP) and Governor’s Office of Indian Affairs (GOIA) to conduct a study and collaborate with tribal and local law enforcement, federally recognized tribes, and urban Indian organizations, and submit a written report to the Legislature. The bill directed WSP and GOIA to include “data on the number of missing Native American women in the state; any barriers to providing more state resources to the issue of missing Native American women; and recommendations, including proposed legislation to address the problem” in the study.⁸ WSP submitted the final report to the Legislature in June 2019.⁹

In September 2019, UIHI released *MMIWG: We Demand More*. This report asserts that the WSP study was “incomplete” and “[...] offers no meaningful contribution to addressing missing Indigenous women and girls [...]”¹⁰ The *MMIWG: We Demand More* report responds to community concerns about the limitations of the WSP report and provides additional analysis of available data.

In 2019, the Legislature passed H.B. 1713,¹¹ also sponsored by Representative Gina Mosbrucker. This bill created two tribal liaison positions within the WSP, in Eastern Washington and in Western Washington, respectively. The liaisons must “build relationships to increase trust between governmental organizations and native communities.”¹² Specifically, the liaisons must facilitate communications among:

- Indian tribes and tribal organizations and communities;
- Urban Indian organizations and communities;
- Tribal liaisons in other state agencies;
- Law enforcement agencies at the federal, state, local, and tribal level; and
- Nongovernmental entities that provide services to Native American women.

H.B. 1713 also directed WSP to develop a best practices protocol for law enforcement response to missing persons reports for Indigenous women and other Indigenous persons.¹³

During the 2021 Legislative Session, advocates, community members and legislators negotiated a budget proviso establishing a MMIWP Task Force within the AGO. Although the final budget did not include the negotiated proviso language, the AGO committed to moving forward to implement the Task Force according to the negotiated language. The 2022 operating budget included the agreed-upon proviso language.

In 2022, the Legislature passed two bills to address the MMIWP crisis:

1. H.B. 1725, the Missing and Murdered Indigenous People (MMIP) Alert Bill,¹⁴ sponsored by Representative Debra Lekanoff (40th Legislative District), and discussed in detail in the *Approach to the Work* section on page 15 of this report; and
2. H.B. 1571, the Bring them Home Act,¹⁵ sponsored by Representative Gina Mosbrucker, concerning protections and services for Indigenous people who are missing, murdered, or survivors of human trafficking.

H.B. 1571 requires county coroners or medical examiners to notify family members and tribes of the discovery of deceased Indigenous people, provide an opportunity for family and tribes to conduct spiritual practices or ceremonies, and make efforts to contact a deceased person’s family and facilitate the return of their remains before entrusting remains to a funeral home. In addition, it requires that the Office of Crime Victims Advocacy at the Washington State Department of Commerce create two grant programs related to services and resources for Indigenous survivors of human trafficking. Finally, if a jail releases a person known to be the subject of a missing person report from custody, the jail must notify the agency of original jurisdiction for the missing person’s report.

Federal

In November 2019, President Trump signed Executive Order (EO) 13898, “Establishing the Task Force on Missing and Murdered American Indians and Alaska Natives.”¹⁶ The U.S. Attorney General and the Secretary of the Interior co-chaired the two-year Task Force, called Operation Lady Justice (OLJ). OLJ included members from several programs within the Department of Justice, Department of the Interior, and other federal agencies. The EO directed the Task Force to “conduct appropriate consultations with tribal governments on the scope and nature of the issues regarding missing and murdered American Indians and Alaska Natives” and develop a range of best practices and model protocols for new and unsolved MMIWP cases, including data collection and data sharing among jurisdictions, and use of criminal databases.

In October 2020, President Trump signed Savanna’s Act¹⁷ and the Not Invisible Act¹⁸ into law. Savanna’s Act seeks to address problems with MMIWP data collection and access, and directs the U.S. Department of Justice to review, revise, and develop law enforcement and justice protocols to address the MMIWP crisis. The Not Invisible Act establishes an advisory committee composed of tribal leaders, law enforcement, federal partners, service providers, and survivors on reducing violent crime against Native people. On May 5, 2022, the Biden Administration named the members of the advisory committee.¹⁹ The advisory committee is required to make recommendations to the Department of the Interior and the Department of Justice.

VAWA first passed in 1994, and Congress reauthorized the law in 2000, 2005, 2013, and 2022. Each iteration included specific additional provisions to support tribal sovereignty and improve protections for Native American women. The 2005 reauthorization included a Safety for Indian Women Title, increased tribal funding and expanded the scope of protections for Native women.²⁰ In 2013, the reauthorization affirmed tribal criminal jurisdiction over non-Indians committing domestic violence and certain other violent crimes on tribal lands.²¹ The 2022 reauthorization expands special criminal jurisdiction to allow

for the prosecution of non-Native offenders of sexual assault, child abuse, sex trafficking, and assaults on tribal police officers through tribal courts and justice systems.²²

In April 2021, the Department of the Interior established the Missing and Murdered Unit within the Bureau of Indian Affairs Office of Justice Services to pursue justice for missing or murdered American Indians and Alaska Natives.²³

On November 15, 2021, President Biden issued EO 14053: “Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People.”²⁴ The EO expresses the Administration’s commitment to implement Savanna’s Act and the Not Invisible Act, and directs agencies to take a number of steps to do so. The agencies are required to provide a progress report in July 2022.

On May 5, 2022, Department of the Interior Secretary Deb Haaland and Deputy Attorney General Lisa Monaco recognized National Missing or Murdered Indigenous Persons Awareness Day and announced the members of the Not Invisible Act Commission.²⁵ In conjunction, Deputy Attorney General Lisa Monaco launched a Steering Committee at the Department of Justice to address the MMIWP crisis.²⁶

MMIWP in other states

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.

State specific information is in Appendix II on page 33.

Summary of the Work Assigned to the Task Force

The Task Force builds on the work of advocates, family members, and tribal leaders to address the MMIWP crisis. The Task Force will identify systemic changes to reduce or eliminate the disparate violence that Indigenous people experience. Recent reports on the issue of MMIWP by the WSP, the UIHI, and other states and researchers, spotlight the stark disparity in the rates of violence experienced by Indigenous people.

The high rate of MMIWP cases in Washington, as well as a lack of consistent data collection, reporting and sharing, and jurisdictional issues result in the systemic denial of justice and lack of accountability to Indigenous families and communities whose loved ones are missing or murdered.

The Legislature directed the Washington State MMIWP Task Force to review 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 Legislature required the Task Force to provide a status report including initial findings, recommendations and progress updates to the Governor and appropriate legislative committees by August 1, 2022. A final report is due by June 1, 2023.

Additional Outreach and Engagement

In order to maintain work grounded in Indigenous values and practices, AGO staff and Task Force members strive to be community centered in philosophy and practice. The staff at the AGO have started to engage with families and community-based programs in order to fully understand how to center the needs of impacted communities in the work.

In Fall 2021, AGO staff members reached out to the Minnesota, Wisconsin, and New Mexico MMIWP task forces to learn about their efforts and apply lessons learned to the work in Washington.

The AGO has policies that ensure tribal consultation occurs at every step of the process. Tribal leaders additionally developed a specific subcommittee to understand and address the unique issues facing federally recognized tribes, as well as provide ongoing opportunities for engagement and consultation. Asa Washines, AGO Tribal Liaison, consistently engages tribes at every step to ensure the Task Force and AGO act in ways that 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. In addition to the staff at the AGO being available at any time for community members to express concerns, ask questions, or provide insight, the Task Force hosts public comment sessions in conjunction with the Task Force meetings. 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 participation.

Key Stakeholders

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

- United States Department of the Interior
- Bureau of Indian Affairs
- United States Department of Justice
- United States Attorney's Office for the Western District of Washington
- Washington State Department of Children, Youth and Family Services
- Washington State Department of Health and Human Services
- Washington State Office of Crime Victims Advocacy
- Washington State Department of Fish and Wildlife
- Washington State Department of Corrections
- Washington State Patrol
- Wisconsin State MMIW Task Force
- Affiliated Tribes of Northwest Indians
- National Congress of American Indians
- California Department of Justice
- Alaska Native Women's Resource Center
- Coeur d'Alene Tribe STOP Violence Program
- Idaho Coalition Against Sexual and Domestic Violence
- Innovations HTC
- Minnesota Indian Women's Sexual Assault Coalition
- Puyallup Tribe Community Domestic Violence Advocacy Program
- Seattle Indian Health Board
- Tulalip Tribes Tribal Victim Services Program
- The Yarrow Project
- Missing and Murdered Indigenous Women, People and Families
- Cowlitz Tribal Pathways to Healing Program
- Lummi Victims of Crime
- Yakama Nation Victim Resource Program
- Consulate General of Canada
- Yakima Valley Community Foundation
- King County Superior Court
- Confederated Tribes of the Umatilla Reservation
- United States Senator Maria Cantwell
- United States Representative Dan Newhouse
- United States Representative Derek Kilmer

Activities of the Task Force

Following Attorney General (AG) Ferguson's commitment to implement the Task Force, Annie Forsman-Adams, the AGO's MMIWP Policy Analyst, joined the office in August 2021. The Legislature and GOIA appointed Task Force members during the fall. The Task Force held the first meeting on December 2 and 3, 2021. The first meeting was a hybrid meeting, hosted by the Yakama Nation.

Full Task Force Meetings

The MMIWP Task Force held three full day meetings (each including public comment and Task Force business) prior to the publication of the interim report:

1. December 2 and 3, 2021
2. March 15 and 16, 2022
3. June 14, 2022
4. June 28, 2022

In addition, the Task Force held special meetings between regularly scheduled task force meetings to address administrative or other business on:

1. January 26, 2022
2. June 8, 2022

Projected Upcoming Task Force Meetings (Subject to Change)

1. September 13-15, 2022
2. December 13-15, 2022
3. March 14-16, 2023
4. June 13-15, 2023

Beginning in March 2022, each full Task Force meeting consists of a family talking circle on the day before the Task Force meets, a public comment session, and a Task Force meeting to conduct business. All meetings are open to the public.

Subcommittees

Task Force members concurred on the creation of an Executive Committee and five subcommittees. The five subcommittees are:

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

Subcommittee Meetings

Each subcommittee and the Executive Committee meet biweekly. The MMIWP Families, Data and Research, Criminal Justice and Public Safety, and Community Services and Resources subcommittee meetings are open to the public. As set forth in the bylaws, each member of the Task Force is required to serve on at least one subcommittee.

All meetings of the full Task Force, Executive Committee, and subcommittees held to date were virtual, either in full or in part. The Attorney General's Office established a website for the Task Force at <https://www.atg.wa.gov/washington-state-missing-and-murdered-Indigenous-women-and-people-task-force>. The website includes information about the meetings, including dates and times of Task Force and subcommittee meetings, and links to join the virtual meetings.

Talking Circles

Beginning with the March 2022 Task Force meeting, the MMIWP Families Subcommittee hosts talking circles to provide a space for survivors, family members, and impacted community members to gather to share their experiences, find support, and build community. Task Force members and staff join these talking circles as listeners to hear from those with lived experience and to keep family members and survivors centered in the work.

To date, these spaces are successful in providing a place for families to find support, voice concerns, and provide feedback to the Task Force, as well as to hold space for service providers, elected officials, and others to learn how the MMIWP crisis affects the daily lives of families and survivors. Due to the success of these spaces, the MMIWP Families subcommittee commits to holding them on a regular basis. MMIWP family talking circles are monthly and in conjunction with every quarterly Task Force meeting.

Task Force Approach to the Work

In 2021, the AGO issued an anti-racism commitment.²⁷ AGO staff administering the Task Force uphold anti-racism in this work and are mindful that, since first contact with European and American settlers, government institutions at the local, state, and federal level caused significant harm to Indigenous people and tribes.

The AGO intends to lead by example, by first recognizing the power of the agency to instigate real and meaningful change throughout the State of Washington. This power historically furthered the oppression of Indigenous people. In order to move forward, the AGO and Task Force must understand and acknowledge this painful history. This work is one step on a long journey towards justice, accountability, and healing.

Members of the Task Force and staff at the AGO recognize that the answers to this crisis lie in the minds, ideas, and experiences of impacted family members, survivors, advocates, tribal leaders, and urban Indigenous communities. The commitment to end this epidemic starts with centering these voices at every turn and grounding the work in Indigenous values and practices.

The first Task Force meeting began with a full day for public comment on Thursday, December 2. Family members and advocates shared their experience, expertise, and their requests for changes. During the public comment session, and throughout the work since that time, family members and advocates urged the Task Force to center families as the experts in the MMIWP crisis.

In response to this request, the Task Force created the MMIWP Families Subcommittee. In addition, the Task Force seeks two family members to participate regularly in each of the other subcommittees to be sure that discussions represent and center families.

Additionally, family members and survivors shared that providing testimony and telling their stories is often re-traumatizing, and asked for care and support. In response, the Task Force implements culturally appropriate care practices, including opening meetings with a prayer and/or song, providing therapists during family talking circle events for those who need additional support, as well as sending out care packages to participants as requested.

AGO staff take careful notes at each meeting, subcommittee meeting, and talking circle events to capture all of the suggestions and requests from family members. Through June 2022, staff compiled more than 100 such comments from family members. Each subcommittee works from these comments and will continue to do so in the months ahead.

In addition, the Task Force upholds tribal sovereignty throughout the process. The Tribes Subcommittee provides a forum for ongoing discussion with tribal leaders, stays updated on the Task Force work, and collects feedback from tribal leaders. The AGO staff held a tribal consultation regarding recommendations in this report on Thursday, June 2.

Indigenous people come from diverse communities and backgrounds. While some live on reservations, many also live in urban and rural communities off reservations. When organizing the work, the Task Force recognized the importance of acknowledging and addressing the unique challenges and barriers faced by both groups in the research, recommendations, and process as a whole. Task Force members work to be inclusive in their approach, consider different needs of unique communities, and produce thoughtful recommendations.

Alert Bill

In the 2022 Legislative Session, Representative Debra Lekanoff (40th District) introduced H.B. 1725, “Creating an alert to help locate missing Indigenous women and people.”²⁸ The Attorney General joined in requesting this legislation. The bill passed both houses unanimously, and Governor Inslee signed it into law on Thursday, March 31, 2022.

Utilizing the existing model of the Silver Alert System, H.B. 1725 creates the first alert system in the country for missing Indigenous people. The legislation draws on the current infrastructure that helps to locate vulnerable adults and other endangered missing people by broadcasting information on message signs, in highway advisory messages, and by providing information to local and regional news agencies.

Silver Alert systems in states reporting data show high rates of success locating missing individuals.



The legislation also defines 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. Based on current research and conversations with the community, this was clearly a major barrier to draw attention to and ultimately help find missing Indigenous people. The legislative language closed this gap by expanding the definition of endangered to include missing Indigenous women and people. 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 will administer the Missing Indigenous Persons Alert by the end of 2022. When activated, the alerts will allow law enforcement to provide messages to the public through press releases to regional media, radio stations, and other outlets. If provided with sufficient information, messages may also go up on the variable message boards along highways.

The Task Force stands firm in its commitment to take action early and often. H.B. 1725 is an early step toward addressing the MMIWP crisis, and the first of many reforms that will come out of the Task Force work.



Findings

The work of the Task Force covers a breadth of topics and directives. The Task Force developed a shared foundation of findings to guide their work by listening to family members, professionals, advocates and activists. This list will grow as the Task Force continues to conduct outreach, build partnerships and uncover additional complexities in addressing this crisis.

- Family members and survivors are the experts, and the Task Force needs to center their experiences.
- Continuous engagement and transparency is essential for meaningful progress and for building trust among all of those engaged in MMIWP work. Previous efforts to address this crisis, particularly by government, failed to make meaningful change and caused harm.
- This work must take into account different needs and considerations for tribes and urban Indigenous communities. These communities face unique barriers and have unique needs.
- Indigenous people have higher rates of racial misclassification than other racial groups, misidentified as white, another race, or both.
- Family members are often unaware of programs or resources available to them.
- Victim resource programs face barriers to providing services to family members, due to both the nature of their funding and the definition of “victimization.” Agencies find ways to provide limited services to family members through existing programs. However, these programs are not always able to respond to all the needs of MMIWP families based on existing capacity, training and expertise.
- Many families reported law enforcement might refuse to take missing persons reports or assist when a loved one is missing, with some families reporting that the failure to allocate resources is due to the missing person’s transient or addiction status.
- Cross-jurisdiction collaboration needs to be improved. The lack of coordination across jurisdictions has deep roots in history and in the development and evolution of the legal and criminal justice system. This also includes the coordination and consultation with tribes when missing persons or homicide incidents occur beyond reservation borders.
- Not all jurisdictions give tribal court orders full faith and credit. This includes search warrants, warrants for evidence, and protection orders.
- Tribal law enforcement routinely experiences barriers accessing basic investigative tools and resources, including polygraphs and forensic investigators. Tribal law enforcement agencies do not always have the capacity to maintain these types of positions within their agencies. Due to the ongoing jurisdictional issues and a lack of support on the federal level from the Federal Bureau of Investigation (FBI), tribal law enforcement must contract these services from private companies, causing strain on resources and investigations.
- The Task Force must understand and respect tribal data sovereignty and ensure that improved data integrity and collection practices do not become a tool to oppress Indigenous people.

Missing Persons Data from the Washington State Patrol

Washington State Patrol: Missing Native American Persons as of 7/18/22*** *Italicized names = Juveniles at the Time Reported*

Name	AGE*	DATE MISSING	MMIWP TYPE	REPORTING AGENCY**	CASE #	CONTACT #
AFTERBUF-FALO	ELIJAH	A 16	07/10/22	JUVENILE	CLARK CSO	22-6798 (564) 397-2211
ALLEN	MALACHI	F 17	07/01/22	JUVENILE	SPOKANE PD	202220113411 (509) 459-2233
ATKINS Jr	KENNETH	52	05/01/22	OTHER	TACOMA PD	2212900960 (253) 287-4455
BAEZA	EVAE	13	03/25/22	JUVENILE	YAKAMA NTPD	22-001873 (509) 865-2933
BANKS	ZOEY	S 12	06/01/22	JUVENILE	CLARKSTON PD	22P03141 (509) 758-1680
BEASTON	DAKOTA	L 14	04/04/22	JUVENILE	SEATTLE PD	22-85813 (206) 625-5011
BECKER	DOUGLAS	J 45	08/31/94	OTHER	ISLAND CSO	(360) 679-7310
BESSARABOV	MONICA	S 13	07/09/22	JUVENILE	KENT PD	22-9088 (253) 856-5800
BILL	SYERA	T 13	07/05/22	JUVENILE	LUMMI TPD	22I05484 (360) 312-2274
BLEVANS	DALE	33	10/18/16	OTHER	SPOKANE PD	201620023863 (509) 459-2233
BLOWER	PENELOPE	L 54	10/12/21	OTHER	TACOMA PD	2128801718 (253) 287-4455
BURKE	CASEY	D 39	04/03/03	INVOLUNTARY	COLVILLE TPD	20032392 (509) 634-2472
CALDERA	BROOKLYN	B 13	07/12/22	ENDANGERED	YAKIMA PD	22Y022130 (509) 575-6200
CALDERA	MILKAHTAN	M 12	07/12/22	ENDANGERED	YAKIMA PD	22Y022121 (509) 575-6200
CAPOEMAN	ALEECE	S 16	07/10/22	JUVENILE	TACOMA PD	2219101347 (253) 287-4455
CAPOEMAN	DALLAS	F 17	07/04/21	JUVENILE	TACOMA PD	2120000729 (253) 287-4455
CARSON	MALCOLM	D 42	11/15/21	OTHER	COLVILLE TPD	22-0775 (509) 634-2472
CASTRO	LOGAN	M 35	04/21/21	OTHER	SEATTLE PD	21-110498 (206) 625-5011
CLAVER	EDITH	M 59	11/27/09	ENDANGERED	RENTON PD	09-13457 (425) 430-7500
CLAW	ANDREW	L 63	02/22/20	OTHER	LAKEWOOD PD	2105300698 (253) 830-5000
COLEGROVE	BOYD	R 80	01/10/99	ENDANGERED	ABERDEEN PD	99-11442 (360) 533-3180
COLLINS	KELSEY	E 31	05/09/09	ENDANGERED	EVERETT PD	9009852 (425) 257-8400
COPSEY	MISTY	D 44	09/17/92	ENDANGERED	PUYALLUP PD	92005967 (253) 841-5415
CORTEZ	CHARLIE	J 31	11/17/20	OTHER	TULALIP TPD	20-2890 (360) 716-4608
CROFF	SHERRY	L 51	01/01/20	OTHER	SPOKANE PD	2022-20043125 (509) 459-2233
CULPS	ELIAS	C 28	10/29/18	OTHER	YAKAMA NTPD	19-009167 (509) 865-2933
DAVIS	TERESA	K 66	11/01/73	ENDANGERED	KING CSO	4049384 (206) 296-4155
DEAN	MATTHEW	W 40	01/14/20	ENDANGERED	CLALLAM CSO	20-01186 (360) 417-2262
ELLEFSON	MARTIN	G 61	03/14/99	INVOLUNTARY	SPOKANE PD	99-97424 (509) 459-2233
GAMBER	NEVAEH	P 18	10/16/21	JUVENILE	TACOMA PD	2128901160 (253) 287-4455
GAMET	HELENA	A 16	03/24/22	JUVENILE	KING CSO	C22009887 (206) 296-4155
GEORGE	ADAM	C 43	07/22/19	OTHER	YAKAMA NTPD	19-007228 (509) 865-2933
GEORGE	DELVIS	G 15	06/03/22	JUVENILE	TACOMA PD	2215401934 (253) 287-4455
GIBSON Jr	CLAYTON	18	06/25/21	JUVENILE	YAKAMA NTPD	21-004012 (509) 865-2933
GRAY	PETER	G 62	07/01/92	INVOLUNTARY	SEATTLE PD	92-437016 (206) 625-5011

*Current Age

**PD - Police Department, CSO - County Sheriff's Office, TPD - Tribal Police Department

***Printed with permission from Washington State Patrol.

GREEN	AMANDA	E	38	05/15/21	OTHER	TACOMA PD	2121600891	(253) 287-4455
GUSS	DOROTHY	M	16	05/16/22	JUVENILE	TULALIP TPD	22-1802	(360) 716-4608
HAHN	TERESSA	K	15	06/07/22	JUVENILE	COLVILLE TPD	22-0824	(509) 634-2472
HALL	JESSICA	L	26	06/12/22	OTHER	YAKAMA NTPD	22-004666	(509) 865-2933
HALL-WAH-SISE	AURORA	O	21	04/18/22	OTHER	YAKAMA NTPD	22-002512	(509) 865-2933
HANDY	BESSE	A	36	09/02/20	ENDANGERED	PUYALLUP TPD	21-02028	(253) 680-5656
HANNIGAN	JANICE		67	03/01/71	OTHER	YAKIMA CSO	17C00300	(509) 574-2500
HANSEN	MICHAEL	E	59	11/04/07	INVOLUNTARY	YAKAMA NTPD	1357790	(509) 865-2933
HARVEY	DEAN	A	56	11/25/14	INVOLUNTARY	SAN JUAN CSO	14-006880	(360) 478-4151
HEADDRESS	MARINA		16	05/04/22	JUVENILE	YAKAMA NTPD	22-002876	(509) 865-2933
HERDA	BRYCE	F	33	04/09/95	ENDANGERED	MAKAH TPD	95-2759	(360) 645-2701
HOLDEN	COURTNEY	M	30	10/09/18	OTHER	SPOKANE PD	2019-20191912	(509) 459-2233
HOPPER	RAYMOND	S	14	03/16/22	JUVENILE	AUBURN PD	22-02720	(253) 931-3080
HUSKEY	AUSTIN	J	26	06/01/22	OTHER	KITSAP CSO	K22006582	(360) 337-7101
HYASMAN	JERRY	H	61	10/05/16	OTHER	GRAYS HARBOR CSO	16-17004	(360) 249-3711
JACKSON	LINDA	L	58	05/03/83	ENDANGERED	KING CSO	94091386	(206) 296-4155
JAMES-BOOME	CORDELIA	A	13	11/28/21	ENDANGERED	BELLINGHAM PD		(360) 798-8800
JEFFERSON	JOSHUA	K	25	06/26/22	ENDANGERED	LUMMI TPD	22I05144	(360) 312-2274
JOHNSON	MARY	E	40	11/24/20	OTHER	TULALIP TPD	20-3063	(360) 716-4608
KAHCLAMAT	IRA	E	17	05/05/22	JUVENILE	YAKAMA NTPD	22-003073	(509) 865-2933
KEESY	DAVID	D	51	02/02/04	OTHER	TACOMA PD	1917800906	(253) 287-4455
KINDNESS	RUTHIE	F	31	02/03/11	ENDANGERED	AUBURN PD	1244687	(253) 931-3080
KINSEY	LEONA	S	68	10/25/99	ENDANGERED	LaGRANDE (OR) PD	99-1782	(541) 963-1017
KNOWS HIS GUNS	FREDA	J	40	10/18/16	OTHER	BIA (MONTANA)	BO16155917	(406) 638-2361
LAMERE	JAIDEN	D	15	05/25/22	JUVENILE	NISQUALLY TPD	22-104	(360) 456-5221
LANE	TYRAN	A	18	03/26/22	JUVENILE	WHATCOM CSO	22A-08149	(360) 778-6000
LEONARD	KAYLI	A	17	01/01/22	JUVENILE	KING CSO	C22000011	(206) 296-4155
LEWIS	TEEKAH	L	26	01/23/99	ENDANGERED	TACOMA PD	990231121	(253) 287-4455
LHOTKA	LORELEE	S	67	01/01/75	ENDANGERED	KING CSO	5232769	(206) 296-4155
LONG	BENITA	D	40	03/26/22	OTHER	YAKAMA NTPD	22-004079	(509) 865-2933
LONGEE	ROSALITA	F	25	09/18/15	OTHER	YAKAMA NTPD	15-006682	(509) 865-2933
LOVEJOY	HAYDEN	J	16	11/22/21	JUVENILE	TACOMA PD	2132601920	(253) 287-4455
LUSCIER	ELSIE	E	56	01/01/79	ENDANGERED	SEATTLE PD	04-431911	(206) 625-5011
MACIAS	RUDY		66	06/23/06	ENDANGERED	PACIFIC CSO	2151432	(360) 875-9395
MADPLUME	DHELILA		22	03/28/22	OTHER	SPOKANE CSO	202210038314	(509) 477-2240
MATA	DANIEL	J	75	05/24/22	ENDANGERED	VANCOUVER PD	2022-14098	(360) 487-7400
MCCONVILLE	JUSTIN	L	31	01/11/15	OTHER	YAKAMA NTPD	16-010019	(509) 865-2933
MCCULLOCH	BRUCE	C	62	11/17/10	OTHER	ISLAND CSO	10-119129	(360) 679-7310
MCDONALD	GEORGE	W	74	07/13/82	INVOLUNTARY	COLVILLE TPD	2005-6916	(509) 634-2472
MCDONALD	JESSICA	C	46	09/16/97	ENDANGERED	SKAGIT CSO	97-08982	(360) 416-1911
MCLEMORE	ALYSSA	A	34	04/09/09	OTHER	KENT PD	732921	(253) 856-5800
MICHELLE	JUSTICE	E	17	09/24/21	JUVENILE	SPOKANE PD	202120165466	(509) 459-2233
MILLER	JULIE	K	62	01/01/89	INVOLUNTARY	COLVILLE TPD	1995-0375	(509) 634-2472

MONTEZ	ALISHA		16	09/28/21	JUVENILE	YAKAMA NTPD	21-006058	(509) 865-2933
MOSES	SANTANA	V	15	06/22/22	JUVENILE	OMAK PD	K22-2541	(509) 826-0383
NELSON JERRY	KAYLEE	M	24	07/01/19	OTHER	AUBURN PD	19-11631	(253) 931-3080
OLD HORN	KAETAU	E	17	04/29/22	JUVENILE	KING CSO	C22014331	(206) 296-4155
OWENS	NELLIE	L	12	03/15/22	JUVENILE	YAKAMA NTPD	22-001631	(509) 865-2933
OYA	ETHAN	J	17	05/10/22	DISABILITY	TACOMA PD	2213002098	(253) 287-4455
PACHECO	JOSEPH	A	75	01/01/93	OTHER	SNOHOMISH CSO	14-14307	(425) 388-3393
PAROAN	VICTORIA	R	34	04/27/22	ENDANGERED	PT OF SEATTLE PD	2022026309	(206) 787-3490
PARRIS	WILLIAM	G	31	05/29/22	OTHER	OKANOGAN CSO	S22-03424	(506) 422-7200
PATRICK	EARL	N	41	03/09/15	OTHER	YAKAMA NTPD	18-003294	(509) 865-2933
PETERS	ANTHONY	C	64	06/01/14	OTHER	YAKAMA NTPD	15-006132	(509) 865-2933
PETERS	JESSICA	G	15	05/27/22	JUVENILE	AUBURN PD	22-05265	(253) 931-3080
PETERSEN- ZAMBRANO	OCTAVIO	K	16	03/18/22	JUVENILE	SEATTLE PD	22-70319	(206) 625-5011
POOLER	EDWIN	O	76	04/20/91	INVOLUNTARY	COLVILLE TPD	1332-91	(509) 634-2472
POOLER	GEORGE	W	71	11/06/88	INVOLUNTARY	COLVILLE TPD	3963-88	(509) 634-2472
RAINES	ROBERTA	J	40	04/14/02	ENDANGERED	TOPPENISH PD	17P2008	(509) 865-4355
REEVIS	CHARLES	J	32	06/13/22	OTHER	SPOKANE CSO	202210074021	(509) 477-2240
RICHMIRE	JAZZLYNN	A	16	07/14/21	JUVENILE	KING CSO	C21021919	(206) 296-4155
SAM	ANTHONY	K	55	04/17/96	ENDANGERED	KING CSO	96122740	(206) 296-4155
SAMPSON	DANIEL	T	99	10/30/94	ENDANGERED	YAKAMA NTPD	944028	(509) 865-2933
SANCHEZ	CARLOTTA	M	55	01/01/79	ENDANGERED	SEATTLE PD	04-431912	(206) 625-5011
SCONAWAH SAM	ROLAND	W	31	11/20/13	OTHER	KLICKITAT CSO	13-004109	(509) 773-4455
SCOTT	RAYMOND	J	13	06/01/22	JUVENILE	YAKIMA PD	22Y017183	(509) 575-6200
SERRANO	ISIS	L	14	07/07/22	JUVENILE	HOQUIAM PD	22-H07860	(360) 532-0892
SHALE	HARRY	D	70	01/28/00	OTHER	QUINALT NTPD	21-QN0413	(360) 276-4422
SIGO	FREDERICK	J	58	10/31/86	ENDANGERED	KITSAP CSO	K86014217	(360) 337-7101
SIMS	KELLY	D	59	10/15/90	INVOLUNTARY	KELSO PD	90-16710	(360) 423-1270
SMITH	JENNIFER	N	47	05/28/22	ENDANGERED	VANCOUVER PD	2022-17080	(360) 487-7400
SNEATLUM	YAUNNA	L	38	06/19/22	ENDANGERED	PUYALLUP TPD	22-01593	(253) 680-5656
SOLOMON	JENNIFER	R	37	05/19/22	OTHER	LUMMI TPD	22I04497	(360) 312-2274
SPEAR	AIDAN	V	22	01/25/22	OTHER	PIERCE CSO	2205300666	(360) 533-3180
SPENCER	ROLAND	J	41	05/25/84	INVOLUNTARY	YAKAMA NTPD	405273	(509) 865-2933
STAHI	ALBERTA	F	17	05/11/22	JUVENILE	YAKAMA NTPD	22-003071	(509) 865-2933
STARR- VIGALLON	LUNA	R	16	06/30/22	JUVENILE	ISLAND CSO	22-I10568	(360) 679-7310
STEWART	REBA	R	86	08/15/82	ENDANGERED	KING CSO	88283871	(206) 296-4155
SUTTERLICT	ANGEL	M	36	05/06/22	OTHER	YAKAMA NTPD	22-003145	(509) 865-2933
SUTTERLICT	CASPER	R	7	05/06/22	JUVENILE	YAKAMA NTPD	22-003145	(509) 865-2933
SUTTERLICT	JUSTIN	L	37	05/06/22	OTHER	YAKAMA NTPD	22-003145	(509) 865-2933
TALLMAN	DAISEY	M	64	10/29/87	ENDANGERED	YAKAMA NTPD	873732	(509) 865-2933
THOMPSON	DONNIE		16	07/18/21	JUVENILE	VANCOUVER PD	2021-14942	(360) 487-7400
TRUJILLO	ELEANOR	M	64	02/01/96	INVOLUNTARY	YAKIMA PD	97-0062	(509) 575-6200

TYLER	GIOVANNA	K	47	03/28/04	ENDANGERED	TACOMA PD	41060744	(253) 287-4455
WAHSISE	LASHAWN-DA	D	20	06/04/22	JUVENILE	KENNEWICK PD	22-003756	(509) 628-0333
WAHSISE	LASHAWN-DA	D	17	06/04/22	JUVENILE	YAKAMA NTPD	22-003756	(509) 865-2933
WALLAHEE	KAREN	J	63	11/07/87	INVOLUNTARY	YAKAMA NTPD	87-3486	(509) 865-2933
WALSEY	SANDRA	J	55	07/10/22	OTHER	YAKIMA PD	22Y022361	(509) 575-6200
WALSEY-WESLEY	SANDRA	J	55	07/10/22	OTHER	YAKAMA NTPD	22-004766	(509) 865-2933
WASHINES	DEONTE	D	17	05/21/22	JUVENILE	YAKAMA NTPD	22-003297	(509) 865-2933
WATKINS	ALONA	M	14	07/13/22	JUVENILE	SPOKANE CSO	202210089668	(509) 477-2240
WATLAMET	RAYMOND	H	18	06/09/21	JUVENILE	YAKIMA PD	21Y020533	(509) 575-6200
WHITE	ODESSA	L	42	01/22/98	OTHER	SEATTLE PD	98-31470	(206) 625-5011
WINKLER	TANNER	W	14	06/22/22	JUVENILE	SPOKANE PD	2022-20116101	(509) 459-2233
WINNIER-SIMMONS	LELAN	D	16	05/10/22	JUVENILE	YAKAMA NTPD	22-003049	(509) 865-2933
WOOD	STEPHEN	J	66	12/08/21	ENDANGERED	BELLINGHAM PD	21B70529	(360) 798-8800
WYENA	DUSTIN	A	42	10/17/21	OTHER	RENTON PD	21-10252	(425) 430-7500
WYENA	GERALD	J	34	04/26/22	OTHER	YAKAMA NTPD	22-002984	(509) 865-2933
YALLUP Sr	IRA		59	05/20/10	OTHER	YAKAMA NTPD	75515	(509) 865-2933

135 Currently Missing as of 7/18/22:

Found				Active Missing			
ADULT		JUVENILE		ADULT		JUVENILE	
Male	Female	Male	Female	Male	Female	Male	Female
3	4	13	10	42	39	23	31
30				135			

If you are a family member of a missing person and would like their photo to be included on the Washington State Patrol Missing Person's website, please contact:

Missing and Unidentified Persons Unit

mupu@wsp.wa.gov

(800) 543-5678

Or:

Tribal Liaisons

Patti Gosch

patti.gosch@wsp.wa.gov

(360) 280-0567

Dawn Pullin

dawn.pullin@wsp.wa.gov

(360) 890-0150

Cold Cases and Indigenous Communities

The Task Force seeks to understand the nature and extent of missing and murdered Indigenous people in Washington State. While existing data is incomplete, it paints an alarming picture.

Staff for the AGO worked with investigators from the Homicide Investigation Tracking System (HITS) within the AGO to identify preliminary numbers of homicides of Indigenous people in Washington. The HITS database stores crime-related information voluntarily contributed by police and sheriff's departments throughout the Pacific Northwest. The database acts as a central repository for detailed information regarding violent crimes, including homicides and missing person's cases where homicide is assumed.

HITS Data (as of July 27, 2022)

Total Homicides	Homicides with Indigenous Victims	Unsolved Homicides	Unsolved Homicides with Indigenous Victims
10,535	436 (4.14%)	2,268	113 (4.98%)
Population of Indigenous People in Washington State in 2021			
148,997 (1.9%)			

According to the data contained in the HITS database, 4.14% of the 10,535 total homicide cases involve an Indigenous victim. Of 2,268 recorded unsolved homicides, 4.98% involve an Indigenous victim. Indigenous people are 1.9% of the state population. These data show Indigenous people are disproportionately homicide victims, particularly unsolved homicides.

The current data contained in the HITS database is likely a gross underrepresentation of the true nature of the crisis. Due to reporting practices, racial misclassification, data collection, jurisdictional issues and the lack of trust between communities and law enforcement, it is likely that many cases were inaccurately reported, or not reported at all. The actual disproportionality is likely much more significant.

The establishment of a Cold Case Investigation Unit (CCIU) is an opportunity to investigate unsolved cases with dedication to understanding and addressing the disparity of violence against Indigenous people.

Unidentified Remains

The Task Force is aware of numerous instances of unidentified remains. Recent advances in DNA technology identified some of these remains as relatives of Indigenous descent. Despite decades of searching, positive identification can be challenging. Due to systemic and social issues directly resulting from colonization of Indigenous people, some relatives may be more difficult to identify through DNA records, do not have family that are currently looking for them, or were not reported missing due to jurisdictional issues.

Case Studies



Parker Doe

In February of 1988, a horseback rider found human remains near the unincorporated town of Parker, Washington, near the Yakima River. Law enforcement could not determine her cause of death, although they presumed homicide due to the remote area where they found her remains.

Parker Doe, believed to be a Native American female in her 20s or 30s, had a small build, standing around 5 feet tall and weighing no more than 120 pounds. She had brown hair bleached lighter in the front. When found, she was wearing a lavender blouse and pants, along with "bowling" type shoes, though the shoes appeared to be street worn and none of the nearby bowling alleys recognized the shoes.

Several attempts to identify Parker Doe were unsuccessful. In 2021, investigators exhumed her remains in hopes that advancement in DNA technology and other forensic sciences would bring her home to her relatives.

If you have any information about Parker Doe, please call the Yakima County Sheriff's Office.



Helen Doe

In May of 1991, a semi-truck, unable to stop to avoid a backup of traffic on Interstate 5, collided with vehicles and caused a major accident near Kalama, Washington. The driver of the semi-truck and his passenger, identity unknown, died because of the accident.

Investigators pieced together the driver's path through Missouri, Kansas, Colorado, Wyoming, Utah, Idaho, Oregon and Washington. Investigators are certain that the driver picked up the passenger, known as Helen Doe, somewhere along his route. However, they never identified when or where the driver picked her up and her identity remains a mystery.

Helen Doe is a Native American woman in her 20s. Witnesses said she had a long dark ponytail and wore a feather earring and multiple rings on her fingers. She had scoliosis and likely walked with a limp. She also had extensive dental work done.

If you have any information about Helen Doe, please contact the Washington State Patrol, Case #00-004956.

“Once a case goes cold, that is it for most of our people.”²⁹

Malyynn Foster

Recommendations

Staff compiled more than 100 action items and suggestions to date. The Task Force honors the courage and vulnerability of all who provided comments and shared their experience.

The recommendations included here are not the complete list of recommendations provided to the Task Force by family members, activists, community organizations, and tribal leaders. The Task Force implemented some suggestions immediately and some require deeper analysis or other significant research and data before the Task Force can take a vote. Staff will continue to work with Task Force members to develop these as recommendations in the next Task Force report. It is the intent of the Task Force to honor suggestions made by family, community, professionals, and advocates. Task force members did not dismiss any suggestions and a summary of all recommendations, including where they are at in the process, is in Appendix V.

The Task Force voted on and unanimously approved the following recommendations for inclusion in this interim report. A chart of the roll call votes for each recommendation is in Appendix I.

Recommendation #1

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

The Task Force recommends that the Legislature include an amended proviso in the 2023-24 Operating Budget to reauthorize the Task Force for the 2023-25 biennium, require annual reports to the Legislature and Governor, and extend the Task Force through June 30, 2025.

Background:

The Task Force Proviso (see Appendix III) authorizes the Task Force through June 2023 and requires the Task Force to issue its final report, with final recommendations, by June 1, 2023. As the subcommittee work began in early 2022, it became clear to Executive Committee members and AGO staff that addressing the full scope of work set out in the proviso and meaningfully addressing the MMIWP crisis requires a sustained effort beyond the timeline provided in the current proviso.

The following factors contribute to the need for additional time for the Task Force to complete its work:

- The Task Force expected appointment of members in July 2021, but official appointments did not occur until October 2021.
- Due to the appointment delay, the MMIWP Task Force could not meet in an official capacity until December 2021.
- The directives of the Task Force work are wide ranging, and with the current meeting schedule, the Task Force will not be able to develop recommendations to address the full scope of the work prior to the June 1, 2023 deadline.
- The AGO anticipates that the data and research component involving an independent contractor will take 12 months or more to complete the full scope of its work.
- The six subcommittees, composed entirely of volunteer Task Force members, meet twice monthly. Adding additional meetings each month to expedite the work would be unsustainable and unreasonable.
- Addressing the crisis requires time to understand its systemic intricacies, and to develop and assess equitable, sustainable responses and changes that will meaningfully address all of the intersecting issues.

Recommendation #2

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

The Task Force recommends that the data and research team expand the scope of their work to understand how American Indian and Alaska Native people experience violence across the gender spectrum, including by women and girls, men and boys, and the LGBTQ2S community.

Background:

The lack of clear and reliable data on the extent of the MMIWP crisis and violence against American Indian and Alaska Native women and people is a central issue the Task Force must address. Since European settlers arrived in the Northwest, American Indian and Alaska Native people experienced disproportionate violence, and for much of that time, the federal, state, and local governments targeted and oppressed these communities. Until recently, this crisis received little attention outside of Native communities, and much of the media coverage and public messaging still focuses on the violence experienced by American Indian and Alaska Native women and girls. The Task Force commits to understanding and addressing violence experienced by all American

Indian and Alaska Native people, and recognizes that there is not clear and reliable data on how American Indian and Alaska Native men and boys and the LGBTQ2S community experience violence. This data is essential to understand the nature of violence against all American Indian and Alaska Native people and how intersecting identities, focusing on gender, impact experiences of violence.

Recommendation #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.

The Task Force recommends that federal, state, county, local, and tribal law enforcement agencies meaningfully coordinate with all governing bodies providing services for survivors, public health and behavioral health services to ensure that they have the information needed to provide appropriate support and referrals to families, missing people, survivors and other impacted community members, in real time. The Task Force shall work in partnership with law enforcement agencies, organizations serving survivors and families, and public health and behavioral health services to identify and develop guidance and best practices for coordinating to respond to the needs of MMIWP survivors and families. The Task Force shall identify the full range of resources available to survivors, families, organizations providing social and health services, and law enforcement to provide support and assist in MMIWP cases, including how to access these resources and any gaps in these resources.

Background:

Law enforcement is often the first contact for families and people who have experienced victimization. During times of extreme trauma and emotional distress, law enforcement needs to ensure that they are responsive to all of the needs of the people they serve.

MMIWP families have repeatedly indicated that they do not know about services that are available to them. They additionally identify that law enforcement does not adequately inform families and survivors of violence about available services and support during the course of an investigation. Families suggested to the Task Force that law enforcement should meaningfully collaborate with public health, services for survivors, and behavioral health services to provide information and resources to families and survivors in real time. This can include system-based advocates accompanying law enforcement when they make contact with a missing person, or law enforcement providing information and referrals for services to the family member or survivor at the time of contact.

The Task Force supports the development and implementation of a Tribal Community Response Plan (TCRP) in collaboration with the local U.S. Attorney's Office. Additionally, the Task Force urges non-tribal agencies to engage as active partners in the Tribal Community Response Plan, under the guidance of tribal government.

Recommendation #4

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

The Task Force recommends that all federal, state, county, local, and tribal programs serving MMIWP families and survivors review the language they currently use and make appropriate changes to use inclusive language that is not disparaging or stigmatizing, and does not imply individual responsibility for systemic issues.

Background:

Families have shared with the Task Force that referring to state, county, local and tribal programs as “victim” services or “victim” advocates does not fully reflect their experience, and the use of the word “victim” can be disparaging or stigmatizing. Families suggested that more holistic and inclusive language such as “community,” “family,” or “survivor” advocacy is less stigmatizing.

Families have also shared that there is a need for services and resources to recognize and address the trauma that they experience when a loved one is missing or murdered. On several occasions, family members asked the Task Force to remember that they experience harm and trauma when loved ones are missing or murdered, and need appropriate services and assistance.

Additionally, all programs and systems involved in addressing this crisis and supporting impacted people and families must recognize that the MMIWP crisis is the result of systemic racism and institutional oppression, and that American Indian and Alaska Native people have continually resisted this oppression. This crisis is not a result of individual choices or perceived failures, and the language used to address the crisis and to serve MMIWP families and survivors should not, directly or indirectly, assign or imply individual accountability to those who experience violence.

Recommendation #5

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

The Task Force recommends that the Legislature establish and fully fund a permanent Cold Case Investigation Unit (CCIU) in the Attorney General’s Office Criminal Justice Division/HITS Unit to solve MMIWP cases that are not currently under active investigation. The Legislature should provide ongoing funding for CCIU operations and staffing capacity. The Task Force further recommends:

- The CCIU be structured to focus on coordination, collaboration and assistance to jurisdictions across the state and region that do not have sufficient resources to investigate cold cases;*
- The CCIU should have authority to investigate the full scope of MMIWP cases, including missing persons, unidentified remains, and homicide cases;*
- The CCIU should be authorized to provide assistance directly to MMIWP families;*
- The unit should include an advocate or case navigator whose primary function is to work with and maintain regular, consistent communication with MMIWP families and to convey information between the investigators and families using culturally appropriate and trauma-informed practices;*
- The CCIU will intentionally and regularly coordinate with tribal liaisons in other state and regional agencies; and*
- The primary objectives of the unit should be to review, offer on the ground assistance to investigating jurisdictions, and investigate cold cases involving American Indian and Alaska Native people using a trauma-informed and victim/family centered approach. Metrics of success should include many possible outcomes, defined in partnership with the families in each case to the extent possible, including but not limited to the closing or resolution of the case.*

This recommendation is intended to supplement existing resources for investigating agencies and does not preclude funding for additional cold case units across the state.

Background:

There are more than 2200 unsolved homicides in Washington State. The vast majority are “cold” cases unsolved for years or even decades. The Criminal Justice and Public Safety Subcommittee engaged in several discussions about the need for more dedicated resources to solve cold cases. Law enforcement officers, particularly from small and tribal jurisdictions, have shared their experiences of the difficulty finding capacity to dedicate to cold cases while working on more recent cases and emergent issues. Further, when cases go cold, family members often continue to search for their loved one using their own resources, without support from law enforcement and other agencies. In 2018, the AGO conducted a survey asking local law enforcement agencies about their cold case needs. Fifty-six law enforcement agencies responded by indicating they would benefit from cold case assistance from the AGO.

The AGO Criminal Justice Division (CRJ), and in particular the Homicide Investigation Tracking System (HITS) Unit, provides resources to law enforcement agencies that request assistance with ongoing investigations, including cold cases. Under the Washington State Constitution and state law, the AGO cannot investigate or prosecute crimes without a request from a county prosecutor or the Governor. Upon request, the division prosecutes criminal cases throughout the state. CRJ has experience prosecuting homicide cases in smaller counties, sexual assault cases, child predatory cases, public corruption and police accountability cases, and white-collar crimes, including tax fraud and wage theft. The CCIU would expand the capacity of the AGO to provide support, specifically for cold cases, but would not change existing limits on the AGO’s criminal jurisdiction.

The AGO has also spent considerable time working with MMIWP families to build trust and engagement. If funded, the AGO has the infrastructure to support an investigatory unit to review and assist with the investigation of MMIWP cold cases across the state.

The CCIU would expand resources available to law enforcement, coroners, and other agencies. The Task Force recognizes that cold cases often involve specialized expertise that may be difficult for families and local investigators to access, and intends the cold case unit to provide this expertise.

Recommendation #6

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

The Task Force recommends that federal, state, county, local, and tribal law enforcement agencies ensure compliance with legal requirements in missing persons cases and ensure the following best practices are instituted and enforced, if not already:

- *Take complete and detailed reports including relevant information regarding the missing person, and speak to family members to ensure accurate demographic information is collected;*
- *Facilitate requests from family members to correct racial classification information in missing person reports or law enforcement databases;*
- *Communicate regularly and consistently with families and advocates, particularly:*
 - *Their name and the details of their role; and*
 - *When there are changes in the status of the investigation and in personnel working on the investigation;*
- *Implement a requirement that all personnel complete cultural competency training; and*
- *Communicate, collaborate and consult with the missing person's tribal leadership and law enforcement, when requested.*

Background:

The Task Force has heard family members describe numerous experiences in which law enforcement agencies refused to take missing persons reports, expressed reluctance to allocate resources to search for a missing person, and generally failed to provide families with information and updates on their loved ones' cases, including new developments in an investigation or changes in personnel. Additionally, families have asked that law enforcement officers receive cultural competency training to learn about Indigenous cultures and values to inform their communication and work with tribes and American Indian and Alaska Native people.

All federal, state, county, local, and tribal law enforcement agencies should proactively communicate with family members when there is a change or update in the status of a case, and regularly communicate with family members throughout the course of an investigation. Family members have shared how meaningful it is when investigators do proactively reach out to provide information.

The Task Force is also aware that racial misclassification in missing persons reports is common, and that American Indian and Alaska Native people have higher rates of misclassification than any other racial group.³⁰ Best practices for accurate racial classification is to ask family members or next of kin.³¹

Recommendation #7

Require all law enforcement agencies to use the National Missing and Unidentified Persons System.

The Task Force recommends that the Legislature amend RCW 68.50.320 to mandate the investigating agency to enter a missing person's information in the National Missing and Unidentified Persons System (NamUs) within 30 days. The Task Force also recommends that law enforcement agencies ensure compliance with existing requirements for reporting to the National Crime Information Center (NCIC) (RCW 68.50.320) and NamUs databases; and with state law regarding the collection of DNA in missing person's cases (RCW 68.50.320). Nothing in this recommendation is intended to supersede the requirements of the Keep Washington Working Act (KWW), Laws of 2019 ch. 440, E2SB 5497.

Background:

The incomplete nature of the data is a significant challenge to understanding the MMIWP crisis in the State of Washington. Community members and advocates have requested consistent use of national databases such as the National Crime Information Center (NCIC) and the National Missing and Unidentified Persons System (NamUs). In Washington State, RCW 68.50.320 requires law enforcement to input missing person's cases into NCIC. In their second report, UIHI recommended expanding this requirement to include NamUs.

NamUs provides law enforcement and families with additional tools for data sharing, DNA analysis, supportive resources and collaboration that can aid in the resolution of long-term missing person's cases. Information in the NamUs database is available to the public, which allows family members, advocates and investigators the opportunity to compare case details, DNA and other information in an effort to locate missing people and unidentified remains. NamUs utilizes protections for the privacy information it contains. Certain information is available only to law enforcement to protect the integrity of investigations.

Most importantly, the use of NamUs fulfills an important request from the community. Impacted family members, advocates and professionals have called for the use of currently existing databases that can aid in the immediate sharing of information across jurisdictions. By utilizing existing infrastructure, taking complete reports and sharing information effectively, law enforcement signals to the community that these cases are a priority and they will use every tool at their disposal to make sure loved ones are located.

Currently, 10 states have legislation that supports the mandatory use of NamUs by law enforcement, medical examiners or both.³² Oklahoma passed Francine’s Law in 2019 in honor of Francine Frost, who had been missing for three decades. Her grandson ultimately used NamUs to search for unidentified remains matching Frost’s description. Law enforcement had never utilized the database. In Washington State, RCW 36.28A.112 states that when funded, the Washington State Association of Sheriffs and Police Chiefs will transmit information on missing persons and unidentified remains to NamUs. This recommendation seeks to clarify this law by making the investigating agency responsible for the transmission of data to NamUs.

Recommendation #8

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

The Task Force recommends that the 2007 “Your Loved One is Missing!” toolkit developed and released by the Attorney General’s Office be updated, tailored, and amended to be MMIWP specific. The update should be guided by the MMIWP Families subcommittee to ensure that it accurately reflects the experiences of family members and their missing loved ones. The updated toolkit should include best practices for families when working with law enforcement.

Background:

In 2004, the Attorney General’s Office convened the Missing Persons and Unidentified Remains Task Force, which developed a toolkit: “Your Loved One is Missing! What You Need to Know and What You Can Do.”³³ The AGO relaunched the toolkit in 2007, but has not updated it since. The 2004 Task Force did not include representatives from tribes or urban Indigenous communities.

In several Task Force and subcommittee meetings, families have asked for resources to navigate the process of an ongoing investigation and understand what they should expect from law enforcement. If updated, the 2007 toolkit can provide that resource.

Recommendation #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.

The Task Force recommends that public agencies, including state, county, and local agencies, consider policy changes to simplify the administrative process and reduce or eliminate fees for using parks and other public spaces for events related to the MMIWP crisis.

Background:

Families regularly organize events to raise awareness about missing loved ones, honor their loved ones, and to call for change to address the MMIWP crisis. Family members have reported to the Task Force that fees for the use of parks or spaces administered by public agencies are burdensome, and administrative requirements, such as applying for special event permits to reserve these spaces, are time consuming and difficult to navigate. Families organize these events on their own time, without systemic support, and use their own resources and funds.

Additionally, the land where these events occur is unceded traditional tribal land. Many jurisdictions practice Indigenous land acknowledgements, but do not take substantive, meaningful action to support American Indian and Alaska Native people in their communities. Cities, counties, and other communities should enact policies that eliminate financial barriers for American Indian and Alaska Native families and community members so they are able to host events and activities.

The City of Seattle already utilizes a process for reduced or waived fees to provide equitable access to public parks and facilities, particularly to organizations and individuals that may find the fees burdensome.³⁴ The City of Portland has also made policy changes that reflect the need for Native people to access public lands for important cultural events and ceremony.³⁵

Recommendation #10

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

The Task Force recommends that Task Force members and AGO staff maintain ongoing communication and conduct appropriate notice and consultation with all federally-recognized tribes in Washington and states bordering Washington. The Task Force further recommends that the AGO facilitate government-to-government training for members of the Task Force. The Task Force also recommends expanding the Task Force membership to include additional tribal nations appointed by the AGO.

Background:

The Task Force involved Tribes at every step in the process, from the development of the proviso language to the first Task Force meeting held in Indian Country. The Task Force and AGO staff uphold tribal sovereignty and work to build stronger government-to-government relationships. The Task Force proviso also requires consultation with tribes in Washington and states bordering Washington. This collaboration and consultation is essential to uphold the sovereignty of tribes. In doing so, the Task Force created the Tribes Subcommittee where all federally-recognized tribal nations can participate in bi-weekly meetings. Subcommittee members have the opportunity to highlight recommendations to local, state, county, and federal governments.

The Task Force and AGO staff are committed to targeted, sustained outreach to engage with each tribe throughout this process. This may include, but is not limited to, presenting at tribal council meetings, conducting roundtables, meeting regularly with tribal leaders, and facilitating participation in tribal subcommittee meetings. Engagement will adhere to the AGO's Tribal Consent & Consultation Policy [see Appendix VI].

The Tribes Subcommittee supports the extension of the Task Force timeline to fulfill this commitment and supports expanding the Task Force membership to include additional tribal nations appointed by the AGO.

Looking Forward

This report tells the story of Task Force work to date, and provides a roadmap of how the work will continue into the future.

It is important to recognize that this report, and the recommendations herein, do not address how to prevent Indigenous people from going missing. We do not yet have enough information to understand the contributing systemic factors for individuals going missing, but this is an important component of the Task Force's work and will be a focus of the data and research team as well.

Families

Families continue to be the cornerstone of this work. In the months ahead, the Task Force will continue to uplift and center their experiences, including consulting them as experts and holding regular talking circles.

Data and Research Team

One of the Task Force's main priorities over the next year is to gain a complete picture of the existing data on MMIWP, including identifying gaps, assessing collection practices by different jurisdictions, and understanding how to protect the sovereignty and integrity of the data once collected. In June 2022, the Task Force began the process of contracting with a data and research team for this work.

This data and research team will assess data tracking and reporting practices, barriers to accurate data collection, jurisdiction and data sharing, racial misclassification, and other related issues to guide the Task Force's recommendations.

In this report, the Task Force recommends additional focus on violence against Indigenous men, boys and LGBTQ2S people. The data and research team will analyze existing data to understand the scope of data and gaps in data regarding Indigenous men and boys and two spirit individuals.

The data and research team, AGO staff, and members of the Task Force will respect tribal data sovereignty at every step, and will work closely with tribal leaders to ensure that the stories told reflect the experiences of Indigenous people across the state.

Criminal Justice and Law Enforcement

Throughout family talking circles and MMIWP Family Subcommittee meetings, family members report to the Task Force that there is a lack of coordination between investigators and family members. Family members express that there is little to no consistency in how law enforcement engages during ongoing investigations, both within and across agencies. Due to a variety of systemic obstacles, both law enforcement agencies and family members report a lack of capacity to maintain consistent and clear communication.

The Task Force will continue to work with law enforcement and families to develop best practices for both parties when working on MMIWP cases. Additionally, part of the Task Force directive is to identify resources for support, advocacy, case navigation and other services. Overwhelmingly, family members and survivors express a need for support when managing the systems involved in a prolonged police investigation, trial and other criminal justice processes.

Family members and survivors additionally request robust training programs for judges, prosecutors, law enforcement and attorneys so that they are well educated in Indigenous history, knowledge, customs, practices, ambiguous loss, and reducing bias, to allow for a trauma-informed and kinship centered response to criminal and court matters.

Tribal Police

Over numerous conversations, tribal law enforcement described their work on MMIWP cases and the barriers they face in the course of investigations. These barriers include: non-responsiveness from other law enforcement agencies and from private entities in response to inquiries including subpoenas, lack of recognition of the authority and jurisdiction of tribal courts, paying a higher cost than other law enforcement agencies to send officers to the Criminal Justice Training Commission,³⁶ and a chronic lack of sufficient resources. Tribal police have implemented many strategies to work around these barriers, but these strategies are time and resource intensive and are not a systemic solution. The Task Force will examine systemic changes that can strengthen the authority of tribal law enforcement agencies and officers.

Investigations

Family members shared stories with the Task Force of when they learned updates about their loved ones' cases from media, rather than law enforcement. They also shared that they do not regularly receive notification when investigators assigned to their case change. During conversations with family members, the Task Force and AGO staff heard testimony that families are often asked to provide investigative insight to law enforcement, including educating investigators and prosecutors on the facts of their cases. Despite having fewer resources and no training, family members reported that they find themselves conducting investigations, organizing searches, strategizing for prosecutions and analyzing evidence. Recommendations in this report are a first step to address these problems, and the Task Force will continue to identify and implement more effective communication practices between families and law enforcement, and improve investigations.

Searches

Family members consistently requested more resources and organizing support for conducting searches for missing loved ones. During the December 2, 2022 public comment session, one person asked the Task Force to “work with and train community members, tribes, agencies, and government to help families and conduct searches.” As we move forward, the Task Force recognizes that there is a significant need for training and support for searches, and anticipates future recommendations related to searches.

Trafficking

Many people who provided public comments talked about the link between trafficking and MMIWP. In the year ahead, the data and research team will work on this connection, and AGO staff will work with colleagues focused on human trafficking in the Criminal Justice Division of the AGO, as well as organizations providing services and support for survivors.

Collaboration Across Jurisdictions

Members of the public and the Task Force repeatedly express the need to work collaboratively with tribes sharing a border with Washington and outside of Washington, as well as other states and Canada. These borders are not tribal borders, and the MMIWP crisis crosses all of these borders. A comprehensive approach to address the crisis includes working across boundaries. People frequently go missing in a different city or state than where they live. Jurisdictions across the Northwest need to improve collaboration. AGO staff initiated some of this work already, and in the year ahead, will continue building collaboration with other jurisdictions.

Programming

The Community Services and Resources Subcommittee will compile an inventory of programs and services in Washington to support survivors and families. Members of the public expressed to the Task Force that the programs providing this support need to do better outreach so that people in need of services can access them. Additionally, many people reiterated the need for more funding and support for resources, including survivor service programs and for people who struggle with addiction or face homelessness. The Task Force will work with community partners to develop an inventory of resources, identify gaps where needs are not met, and opportunities for additional state support of services.

Trauma-Informed Approach

Members of the public and families communicated the importance of the Task Force using a trauma-informed approach in its work. These comments include reminding the Task Force that sharing stories is painful, to care for the people sharing their stories, and to acknowledge that historical and intergenerational trauma are part of this crisis and must be addressed. The Task force is committed to continuously learning from families and communities to ground this work in ways that are Indigenous centered and trauma-informed.

The Task Force will continue to develop findings and a deeper understanding of the crisis, and will put forth another report in 2023 with additional recommendations for policy and law changes to address the MMIWP crisis and achieve greater accountability and justice for families and loved ones.

Appendix I: Roll Call Vote of Recommendations

Task Force Member	Indigenous to AIAN*	Rec. 1	Rec. 2	Rec. 3	Rec. 4	Rec. 5	Rec. 6	Rec. 7	Rec. 8	Rec. 9	Rec. 10
Dhingra	Aye	Aye	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Muzzall	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Lekanoff	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Mosbrucker	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Tillequots	Absent	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Bean	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Absent	Aye
Mitchell	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Servas	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Cagey	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Echo-Hawk	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Rosette	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Platero	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Lowe	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Whitefoot	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
DeFord	Aye	Aye	Aye	Aye	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Bill	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Gosch	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Forsman-Adams	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
White	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Hitchen	Aye	Aye	Aye	Aye	Aye	Absent	Absent	Absent	Absent	Absent	Absent
Stearns	Absent	Absent	Absent	Absent	Absent	Aye	Aye	Aye	Aye	Aye	Absent
Burns	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Merrival	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

*This vote was on an amendment to all ten recommendations to change “Indigenous” to “American Indian and Alaska Native.”

Appendix II: State Actions to Address the MMIWP Crisis

Alaska

In December 2021, Alaska Governor Mike Dunleavy launched the People First Initiative³⁷ to address five intersecting public safety issues, including MMIWP. The Governor established the Missing and Murdered Indigenous Persons Council, which will facilitate interagency collaboration to respond to violence against Alaska Natives.³⁸ The Council will develop recommendations for improving investigations as well as data and information sharing and collection.

The Alaska Legislature is currently considering legislation to:

- Establish two liaisons in the Department of Public Safety who would be responsible for facilitating communication between law enforcement agencies and federally recognized tribes to address MMIWP cases.³⁹
- Require the Department of Public Safety to complete audits of the investigations for missing and murdered Indigenous women, girls, and two-spirit people done by state and local law enforcement.⁴⁰
- Establish a Review Commission that would review cases from different regions of the state and write a report of its findings and recommendations related to trends, patterns, education, and policy impacting the crisis of missing and murdered Indigenous women, girls, and two-spirit people.

Arizona

In 2019, the Arizona Legislature established the Study Committee on Missing and Murdered Indigenous Women and Girls⁴¹ to study and propose legislation to determine how the state can reduce violence against Indigenous women and girls and end the MMIWP crisis. The Study Committee directives included: understanding data tracking and collection on violence against Indigenous people; reviewing policies and practices; reviewing prosecutorial trends; proposing measures to ensure access to culturally-appropriate victim services; and gathering information from Indigenous people on the impacts of violence in their lives. In 2021, the Arizona Legislature amended the provision,⁴² changing the title to the Study Committee on Missing and Murdered Indigenous Peoples and extending the Committee's sunset date to 2025.

California

In 2020, the California Legislature passed A.B. 3099,⁴³ 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 2021⁴⁴ to fund this work.

Colorado

In 2022, the Colorado Legislature passed a bill⁴⁵ that will:

- Create 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. These duties include developing best practices for law enforcement responses to missing Indigenous people, conducting case reviews for missing and murdered Indigenous persons cold cases, and working with the police officer standards and training board to develop training on issues related to missing and murdered Indigenous persons investigations.
- Establish a Community Advisory Board within the Office of the Liaison to advise the Office on areas of concern.
- Require the Colorado Bureau of Investigation to operate the state clearinghouse database on missing Indigenous persons and operate an alert program for missing Indigenous people, operated by the Colorado Bureau of Investigation, with cooperation from all other levels of law enforcement.

Hawaii

In 2021, the Hawaii State Legislature adopted a resolution requesting the Hawaii State Commission on the Status of Women to 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.⁴⁶

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,⁴⁷ 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.

Minnesota

In 2019, the Minnesota Legislature established a Task Force on Missing and Murdered Indigenous Women.⁴⁸ 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.⁴⁹

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.⁵⁰

Nebraska

In 2019, the Nebraska Legislature passed Legislative Bill 154, mandating that the Nebraska State Patrol, in collaboration with the Nebraska Commission on Indian Affairs, conduct a study to “determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska.”⁵¹ The Patrol and Commission released the report in May 2020.⁵²

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.⁵³ The Task Force will develop a state response plan addressing systemic changes that support prevention, reporting, and investigation of MMIWP incidents.

New York

The New York Legislature 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.”⁵⁴

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.” As of early 2022, the liaison position is vacant. In 2022, the Legislature introduced a bill to fund the position of missing person specialist within the Office for one year.⁵⁵

Utah

In 2021, the Utah Legislature passed a bill to create the Murdered and Missing Indigenous Women and Girls Task Force.⁵⁶ The Task Force is directed to:

- Conduct consultations with tribal governments on the scope and nature of issues regarding MMIWP;
- 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 MMWIP; and
- Address the need for greater clarity concerning roles, authorities and jurisdiction on cases involving MMIWP.

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 2019,⁵⁷ and they released the first Task Force report in January 2021.⁵⁸

Appendix III: Task Force Proviso Language

NEW SECTION. Sec. 943. A new section is added to 2021 c 334 (uncodified) to read as follows:

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 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 gender-based 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:

(i) An agent representing the federal bureau of investigation;

(ii) An agent representing the office of the United States attorneys;

(iii) Federally recognized tribes located in a state adjacent to Washington state; and

(iv) Any experts or professionals involved and having expertise in the topic of missing and murdered Indigenous women and people.

(2) The legislative members shall convene the initial meeting of the task force no later than the end of 2021 and thereafter convene:

(a) A minimum of two subsequent meetings annually. The membership shall select the task force's cochairs, which must include one legislator and one nonlegislative member; and

(b) One summit annually with the state agencies involved with the task force under subsection (1) of this section, federally recognized Indian tribes in Washington state, federally recognized tribes located in a state adjacent to Washington state, and urban Indian organizations.

(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 gender-based 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;

(b) Assessing data tracking and reporting practices relating to gender-based violence against American Indian and Alaska Native people in Washington state;

(c) 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 gender-based violence facing American Indian and Alaska Native people; and

(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;

(d) Reviewing prosecutorial trends and practices relating to crimes of gender-based violence against American Indian and Alaska Native people in Washington state;

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

(f) 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 gender-based violence; and

(g) 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.

(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 a status report including any initial findings, recommendations, and progress updates to the governor and the appropriate committees of the legislature by August 1, 2022, and a final report by June 1, 2023.

(5)(a) The office of the attorney general administers and provides staff support to the task force, organizes the summit, and oversees the development of the two task force reports. The office of the attorney general may contract for the summit.

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

(c) The Washington state 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.

(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 apply for a stipend in an amount not to exceed \$100 for each day during which the member attends an official meeting of the task force or performs statutorily prescribed duties approved by the office of the attorney general. A person shall not receive compensation for a day of service under this section if the person:

(a) Occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and

(b) Receives any compensation from such government for working that day. The office of the attorney general, by staffing the task force, is authorized to assess eligibility for the stipend as limited by available financial resources.

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.⁵⁹ 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;

- i. One member from each of the two largest of the caucuses of the Senate
- ii. One member from each of the two largest of the caucuses of the House of Representatives;
- iii. Five members of federally recognized tribes, appointed by the Governor's Office on Indian Affairs;
- iv. One member representing the Seattle Indian Health Board;
- v. One member representing the NATIVE Project;
- vi. One member representing Northwest Portland Area Indian Health Board;
- vii. One member representing the American Indian health commission;
- viii. Two Indigenous women or family members of Indigenous women that have experienced gender-based violence;
- ix. One member representing the governor's office of Indian affairs;
- x. The chief of the Washington State Patrol or his or her representative;
- xi. One member representing the Office of the Washington state office of the attorney general;
- xii. One member representing the Washington association of sheriffs and police chiefs;
- xiii. One member representing the Washington state association of counties;
- xiv. One member representing the association of Washington cities;
- xv. One member representing the Washington association of prosecuting attorneys; and
- xvi. 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:⁶⁰

- 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: Additional Suggestions Proposed 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.
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 is currently working on understanding the barriers to inter-jurisdictional communication and collaboration, and developing best practices to overcome these barriers.
Criminal justice	Tribal council 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.	The Criminal Justice and Public Safety subcommittee is collecting information.
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.	Research.
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.	In progress. AGO staff reached out to WDFW, and staff at WDFW are participating in subcommittees. Additionally, WDFW staff offered to assist spreading the word about MMIWP cases, and reiterated that they can offer resources for MMIWP cases, particularly in rural areas.
Criminal justice	Standardization of training for homicide detectives.	The staff at the AGO 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 agencies.
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.
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 identifying strategies to overcome barriers.
Criminal justice	Create a tribal liaison position with the Criminal Justice Training Commission (CJTC).	AGO staff is researching how to implement this and will engage with the CJTC.
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.	The Criminal Justice and Public Safety Subcommittee is currently discussing this.

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/Families	Law enforcement needs to improve communication with family members.	August 2022 recommendation.
Criminal justice/families	Families need more guidance on what to do early in an investigation and how to interact with law enforcement.	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.	The Task Force is in the process of hiring a data and research team to assist in identifying and understanding gaps and inaccuracies in data, and will be carefully examining racial misclassification.
Data	Family members should be able to fix racial misclassification.	The data and research team will be doing significant work to understand and address racial misclassification.
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.
Families	Families need more support to be part of the Task Force work.	The Task Force and staff at the AGO have engaged in several efforts to provide the 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 to the needs of families and respond to these needs.
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 members, 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	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 Families Subcommittee currently hosts these spaces on a monthly basis.
Families	Create a family tool kit to provide centralized resources to families.	August 2022 recommendation.
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.
Families	Public agencies should know who is missing within their community and share posters and information to support or expand a search.	AGO staff engaging in conversations with public agencies.
Family services	Review custody practices and procedures for when someone goes missing, and identify what rights families have and what happens to their children.	Collecting information.
Family services	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.
Media	The media should tell the stories of missing and murdered Indigenous people carefully and with family member input.	AGO staff plans to develop a media training for telling MMIP stories in close partnership with family members.
Men and boys	More research and attention should be given to men and boys that experience violence.	August 2022 recommendation.
Other jurisdictions	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.
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 to do public education.
Programming	Increase access to healing, therapy, 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.	Collecting information.
Searches	Community members, tribes, agencies, and government should receive training on how to conduct searches.	Collecting information.
Searches	Families need access to search and rescue groups, and increased organizing around searches.	Collecting information.
Trafficking	Engage with transportation industry and organizations to address issues regarding human trafficking.	AGO staff 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
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.
Trauma-informed	Create training programs that address victim blaming, stigma, and biases related to substance use, sex work and homelessness, targeted for law enforcement, the criminal justice system, and the media.	AGO staff conducting research to identify effective training models.

Trauma-informed	Historical and inter-generational trauma is part of this crisis and must be addressed.	This understanding is foundational to the work and approach of the Task Force.
Tribes	Create procedures that provide safeguards and monitoring regarding who enters tribes and Indigenous communities to conduct business.	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.

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.

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