

# State Initiatives on the Murdered & Missing Indigenous Persons Crisis

Data Management Practices | November 18, 2020

The Chairs of the Murdered and Missing Indigenous Women and Girls Task Force of the Utah State Legislature (MMIWG Task Force) would like to identify potential best practices in data management pertaining to state-level Murdered and Missing Indigenous Persons (MMIP) initiatives<sup>1</sup>. The MMIWG Task Force Chairs directed staff to survey states with MMIP initiatives, whereupon staff developed and sent a nine-question survey to 17 states. Of those 17 states, staff received responses from nine<sup>2</sup>.

## Survey Questions & Respondent Answers

MMIWG Task Force staff emailed nine questions to 17 states with known<sup>3</sup> MMIP initiatives. In most cases, state MMIP initiative respondents (“respondents”) answered survey questions with a return email; however, there were two cases where respondents preferred to share answers with staff over the phone. When possible, direct quotes from emailed responses have been redacted of identifying information and shared within this document as *italicized* language. Answers that have been transcribed by staff (i.e., answers that staff acquired through interview-style phone calls) are contained in quotes and further denoted by listing the researcher that the respondent spoke to (i.e., [researcher 2]).

The below tables break down the nine states’ responses to the survey questions by category. To safeguard confidentiality, names of states have also been redacted and replaced with generalized terms (e.g., “state 1”).

### Question 1: How would you classify your state’s MMIP Initiative?

	Task Force	Committee	Work Group	Formal Study
State 1			X	
State 2		X <sup>4</sup>		
State 3				
State 4	X			
State 5	X			
State 6	X			
State 7				X
State 8				X
State 9	X			

<sup>1</sup> “Initiative” is the general term used in this document to broadly describe a state’s efforts in responding to the MMIP crisis, such as through a task force, committee, working group, or formal study that is state-initiated; for the purposes of this document, “initiative” does not include Tribal initiatives or Tribal grassroots group initiatives, which are considered separate sovereign movements. The researcher acknowledges that most, if not all, state MMIP initiatives were created as a result of the organizing efforts of separate sovereign movements.

<sup>2</sup> The State 3 respondent did not feel comfortable answering on behalf of their state’s MMIP initiative; staff did not hear back on whether the respondent felt comfortable facilitating a connection between others who may be able to more appropriately respond on behalf of the state’s efforts. The researcher acknowledges certain limitations that may impact the interpretation of this report, including, but not limited to, a relatively small sample size. The respondent rate was 53% (9 states responding / 17 surveyed states).

<sup>3</sup> Utah MMIWG Task Force staff reached out to Presidential MMIP Task Force staff, also known as Operation Lady Justice, for a list of state contacts.

<sup>4</sup> Legislative “study committee.”

**Question 2: What is the enabling act for your state's initiative (if applicable)?**

	State Legislation/Statute	State Executive Order/Proclamation	Other
State 1			X <sup>5</sup>
State 2	X		
State 3			
State 4	X		
State 5	X		
State 6	X		
State 7	X		
State 8	X		
State 9		X	

**Question 3: What/Who is the presiding entity or officer of your state's MMIP Initiative (if applicable)?**

	State Law Enf/CJ/Victim Services Entity	State Legislature	Other
State 1			X <sup>6</sup>
State 2		X	
State 3			
State 4			N/A <sup>7</sup>
State 5	X		
State 6	X		
State 7	X		
State 8	X		
State 9	X		

<sup>5</sup> Presidential Executive Order 13898 prompted State 1 to form its working group (see: <https://operationladyjustice.usdoj.gov/about>).

<sup>6</sup> State 1's MMIP initiative is facilitated by the appointed MMIP Coordinator housed within the U.S. Attorney's Office for the state's federal district.

<sup>7</sup> The respondent for State 4's MMIP Initiative recognizes no formal entity or person leading/"in charge of" its efforts.

#### Question 4: Who is responsible for conducting the data collection pertaining to your state initiative's efforts?

	MMIP Initiative members/staff	Academic Institution	Area Tribe(s)	Independent Research Firm	Law Enf/CJ/Victim Services Agency
State 1	X <sup>8</sup>				
State 2	X	X	X	X	
State 3					
State 4		X			
State 5				X	
State 6	X				
State 7	X				
State 8	X				
State 9	X	X	X		X

#### Question 5: What are the types and sources of data your initiative is collecting?

	Interviews or Focus Groups <sup>9</sup>	Missing and/or Crime Databases <sup>10</sup>	Tribal Consultation <sup>11</sup>	Community Listening Sessions <sup>12</sup>	Other <sup>13</sup>
State 1		X	X	X	
State 2	X	X	X	X	
State 3					
State 4					X
State 5	X		X		
State 6	X	X	X <sup>14</sup>	X	
State 7		X		X	
State 8		X		X	
State 9	X	X	X	X	X

<sup>8</sup> State 1's efforts were predominately focused on encouraging Indigenous Tribes and individuals to participate in the Presidential MMIP Task Force's listening sessions and tribal consultations; State 1 channeled data gleaned from its own efforts to the Presidential Task Force as well.

<sup>9</sup> This category refers to 1:1 interviews and focus groups with Indigenous families and individuals, as well as law enforcement, criminal justice, and victim services providers.

<sup>10</sup> This category refers to the data already collected within the crime reporting databases and missing persons clearinghouses that are administered by law enforcement, criminal justice, and victim services providers, whether at the federal or state level (in some cases, a state's initiative focused on data collected at multiple levels.).

<sup>11</sup> Whether convened directly by the state or by the Presidential MMIP Task Force; State 1, for example, encouraged area Tribes to participate in the Presidential MMIP Task Force's tribal consultations, as well as its own state-level consultations. In State 1's case, all of the state's data was then forwarded to the Presidential MMIP Task Force for data analysis.

<sup>12</sup> Whether convened directly by the state or by the Presidential MMIP Task Force; State 1, for example, encouraged area Tribes to participate in the Presidential MMIP Task Force's listening sessions, as well as its own state-level sessions. In State 1's case, all of the state's data was then forwarded to the Presidential MMIP Task Force for data analysis. Some of the states had set up the means for communities to mail, email, or pre-record statements for listening sessions.

<sup>13</sup> To be determined; artistic projects.

<sup>14</sup> State 6 held separate listening sessions for law enforcement agencies and community members.

**Question 6: Through what mechanism does your state's initiative conduct data collection?**

	Statutory or Regulatory <sup>15</sup>	Contract <sup>16</sup>	MOU <sup>17</sup>	Other <sup>18</sup>
State 1	X			
State 2		X	X	X
State 3				
State 4		X	X	
State 5				X
State 6				N/A
State 7	X			
State 8				N/A
State 9	X	X		

**Question 7: Who is responsible for conducting the data analysis pertaining to your state initiative's efforts?**

	MMIP Initiative members/staff	Academic Institution	Independent Research Firm	Law Enf/CJ/Victim Services Agency <sup>19</sup>
State 1				X
State 2		X	X	
State 3				
State 4		X		
State 5			X	
State 6	X	X		
State 7	X			X
State 8	X			
State 9		X		X

<sup>15</sup> A statewide clearinghouse has been established through statute or rule, or some other means for centralizing all reported crime and missing persons data.

<sup>16</sup> Contracts happen between the state initiative and a partnering entity or multiple partnering entities.

<sup>17</sup> MOUs happen between the state initiative and a partnering entity or multiple partnering entities.

<sup>18</sup> This category includes one situation where a respondent cited the usage of intergovernmental agreements (IGAs) in their state initiative's efforts; and, one situation where a respondent cited access to multiple decentralized databases, whether governmental and non-governmental, and where the researcher was unable to determine whether a formal mechanism is in place pertaining to that access.

<sup>19</sup> This category refers to the data already collected within the crime reporting databases and missing persons clearinghouses that are administered by law enforcement, criminal justice, and victim services providers, whether at the federal or state level (in some cases, a state's initiative focused on data collected at multiple levels).

### Question 8: Through what mechanism does your state's initiative conduct data analysis?

	Statutory or Regulatory <sup>20</sup>	Contract <sup>21</sup>	MOU <sup>22</sup>	Other
State 1	X			
State 2		X	X	
State 3				
State 4				No response
State 5				No response
State 6		X		
State 7				N/A
State 8				N/A
State 9	X	X		

### Question 9<sup>23</sup>: Do you have any suggestions for a new task force getting off the ground based on your experience regarding data collection and analysis?

**State 1:** *The Operation Lady Justice Data Analysis working group<sup>24</sup> is just getting started. If there are specific question [sic] regarding data that you would like access to, please forward those to Brian Speelman, as he his [sic] can carry your data needs directly to the working group. I would also encourage you to talk to your law enforcement partners and tribal partners to look at your existing clearinghouse data and talk about what it represents to them. (For example: % of runaway and recovered, % of halfway house and other facility escape and recovered. . . .)*

**State 2:** *Make sure you have someone on your taskforce who already has deep relationships with your Tribal governments – this will allow you to move faster through the approval process. We worked very hard to be transparent and open with the Tribes to ensure they knew that we were honoring their culture, customs, and practices around the deceased. The research teams presented the project to each Tribal Council and got permission and signed MOUs prior to interviewing their people. We have been extremely cautious and have guarded the names of the families that came forward to tell their stories. All data in our report in anonymized.*

**States 3 & 4:** No response

**State 5:** *The task force has a representation [sic] from all XX tribes here in XX, so they have pretty significant input into the design and process. That additional layer of tribal consultation has been helpful as well to get through some of the nuances specific to each tribe here as well. They have also been conscious about framing this work with both a victim centered, community centered, and Native lens.*

**State 6:** *We did not approach the community listening sessions as a research/data collection project. We decided that providing a safe atmosphere in which people could give their feedback on their experiences would be best. We requested that each Tribal representative from the Task Force help*

<sup>20</sup> A statewide clearinghouse has been established through statute or rule, or some other means for centralizing all reported crime and missing persons data.

<sup>21</sup> Contracts happen between the state initiative and a partnering entity or multiple partnering entities.

<sup>22</sup> MOUs happen between the state initiative and a partnering entity or multiple partnering entities.

<sup>23</sup> Question 9 is an open-ended question; where applicable, respondents' direct quotes have been redacted of identifying information and shared in this document; States 3 and 4 did not respond to this question; States 7 and 8 were transcribed by Researcher 2 and redacted/shared within this document by Researcher 1 (document author).

<sup>24</sup> This is a reference to the Presidential MMIP Task Force; see footnote 3.

*facilitate the listening session in their communities which helped foster some buy-in by community members. COVID has prevented the final three sessions and we feel virtual listening sessions would not be adequate. We hope to hold in-person listening sessions at some point at the remaining communities and then return to those we've been to for more conversations. We held separate meetings with law enforcement so that they were able to give positive and critical feedback on their community experience.*

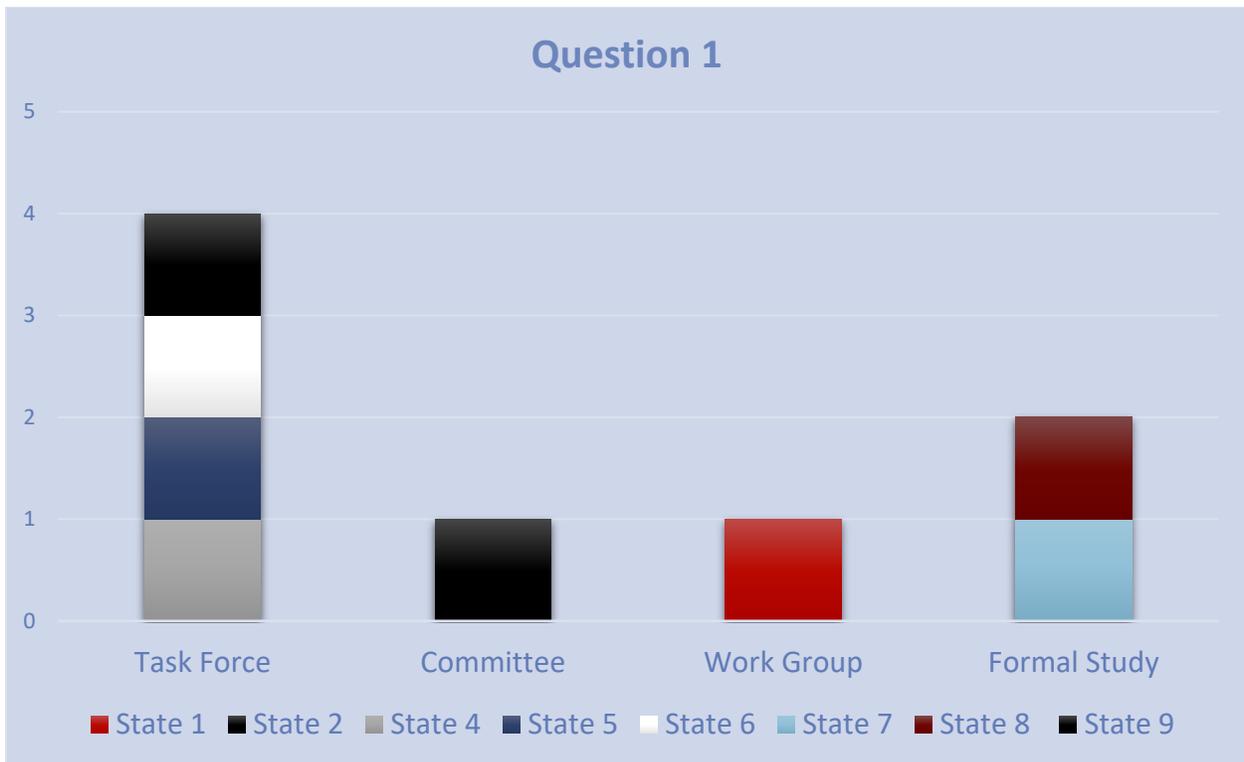
**State 7: [researcher 2]** *"XX stated that the XX report was criticized for not including enough urban indigenous people in their report, so the XX report tried to incorporate that critique. XX wanted to try and identify if certain areas were facing their own unique problems and what problems were seen across the state. This was unfortunately not able to be done due to COVID making the task force stop its meetings. Engagement from the participants can be a little hard. . . . Make sure to have questions to get the ball rolling. . . . Some indigenous tribes may not have access to NCIC which can lead to a lack of reporting from tribes."*

**State 8: [researcher 2]** *"The task force that XX had was not really a task force according to XX, who [researcher 2] spoke to. The group was not able to visit all of the reservations that XX had; furthermore, there was some criticism that XX had read regarding the XX group. The criticism was that XX did not include urban indigenous people in their study enough. XX stated that they reached out to reservations about the listening sessions and that is where the listening sessions were held. XX stated that it is important to include all of the reservations that Utah has in the [Utah] study. Some of the things that XX said that were important to do were to contact the tribal law enforcement first, get ahead of rumors/news, and to be careful with language."*

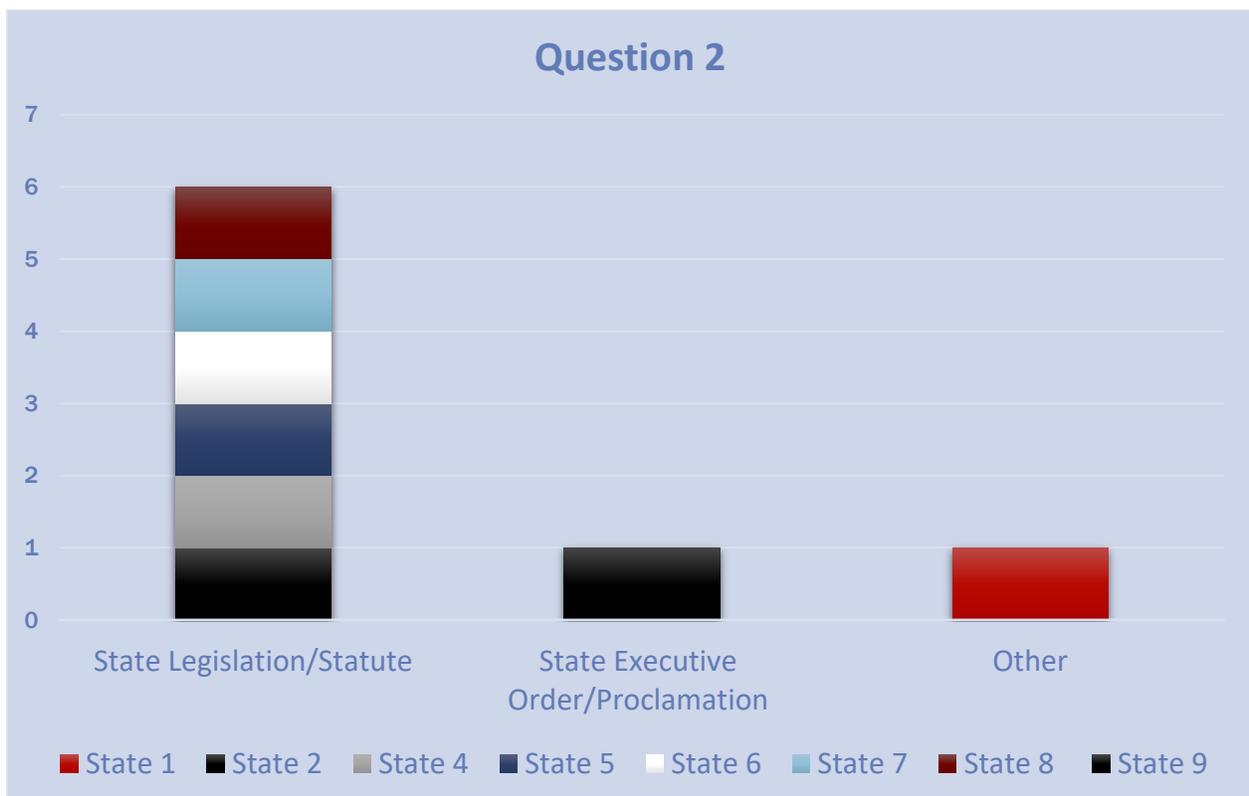
**State 9:** *Since getting the TF up and running, I have had a XX Social Work MS student conduct a thesis on the issue, and she was an invaluable resource! She was able to track down quite a few resources. . . but she also identified a key barrier to our TF. Because we are XX and housed within a "colonial government" agency, we are really hindered (and in some cases out-right prohibited) from collaborating with existing Tribal organizations. I only mention this because to ignore that reality would be naïve. All that aside, we have been very fortunate to have the buy-in and support of XX tribes' XX and have been supported throughout this first year.*

## Analysis

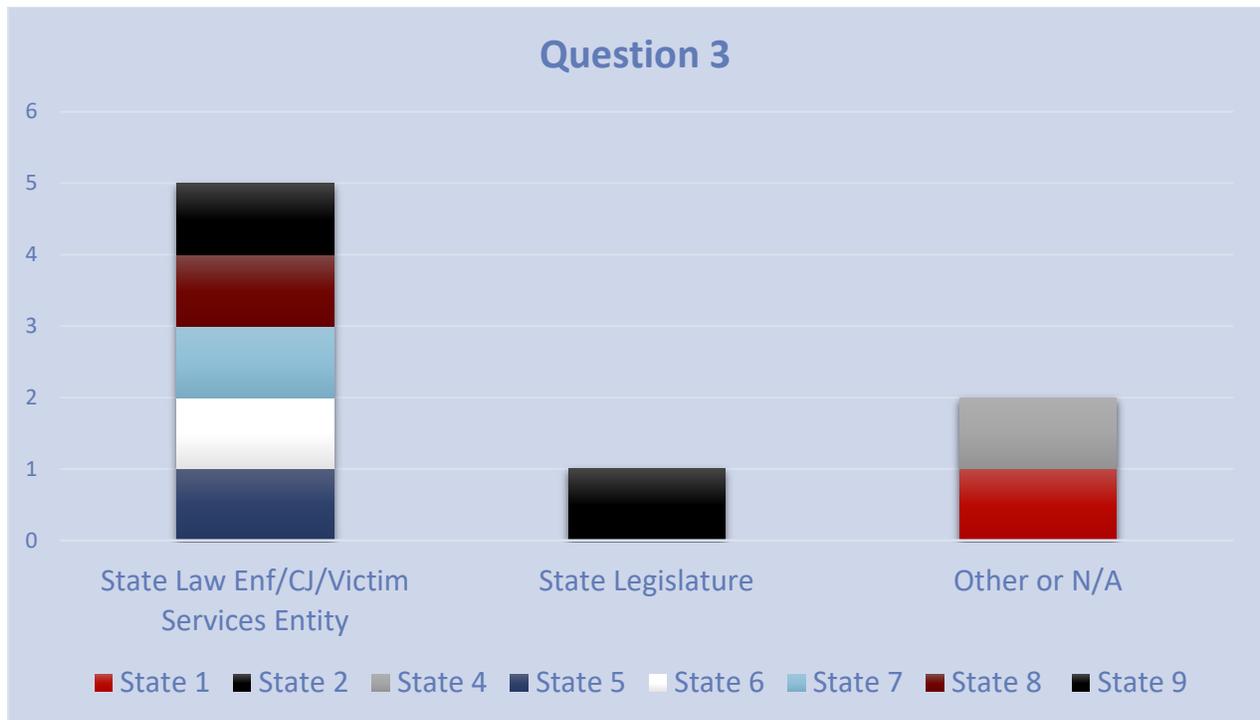
The following section displays state respondents' answers in chart format in an effort to enhance visual interpretation for the reader; each chart is followed by the researcher's general statement of inference based on the researcher's initial interpretation of that chart. This section is intended to facilitate discussion amongst the members of the Utah Legislative Murdered and Missing Indigenous Women and Girls Task Force. States that did not respond to a particular question (or to any question, as is the case for State 3) were excluded from the analysis charts.



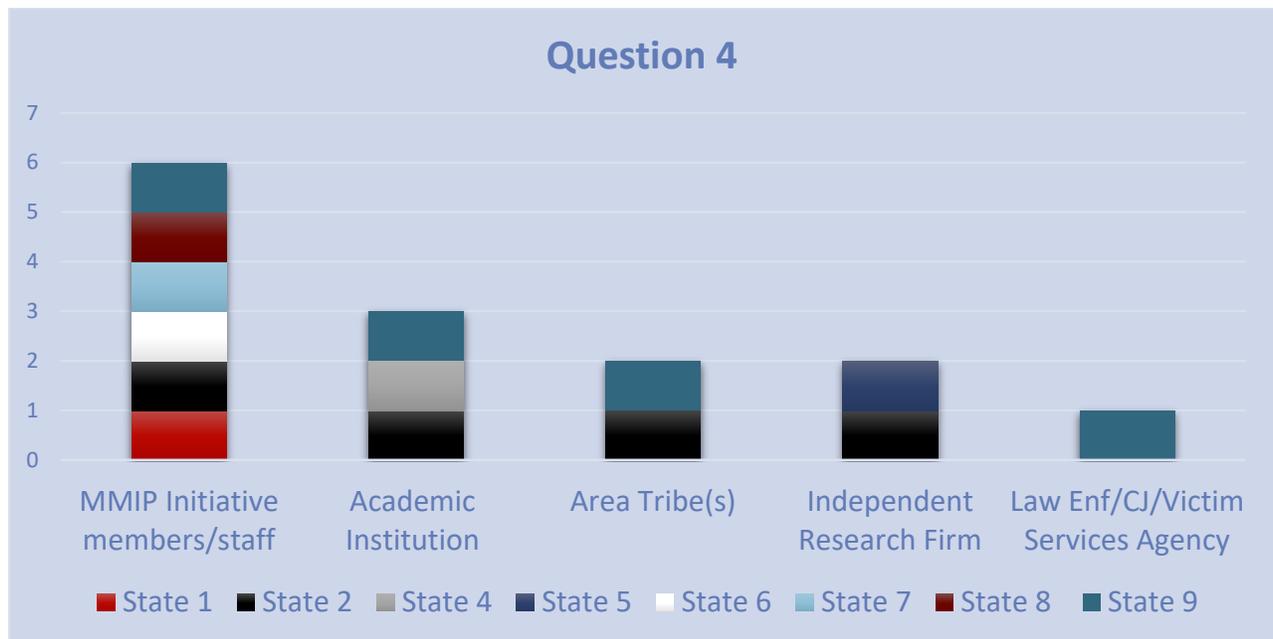
Most of the responding states' MMIP initiatives are classified as task forces; the "formal study" classification is the second most common classification.



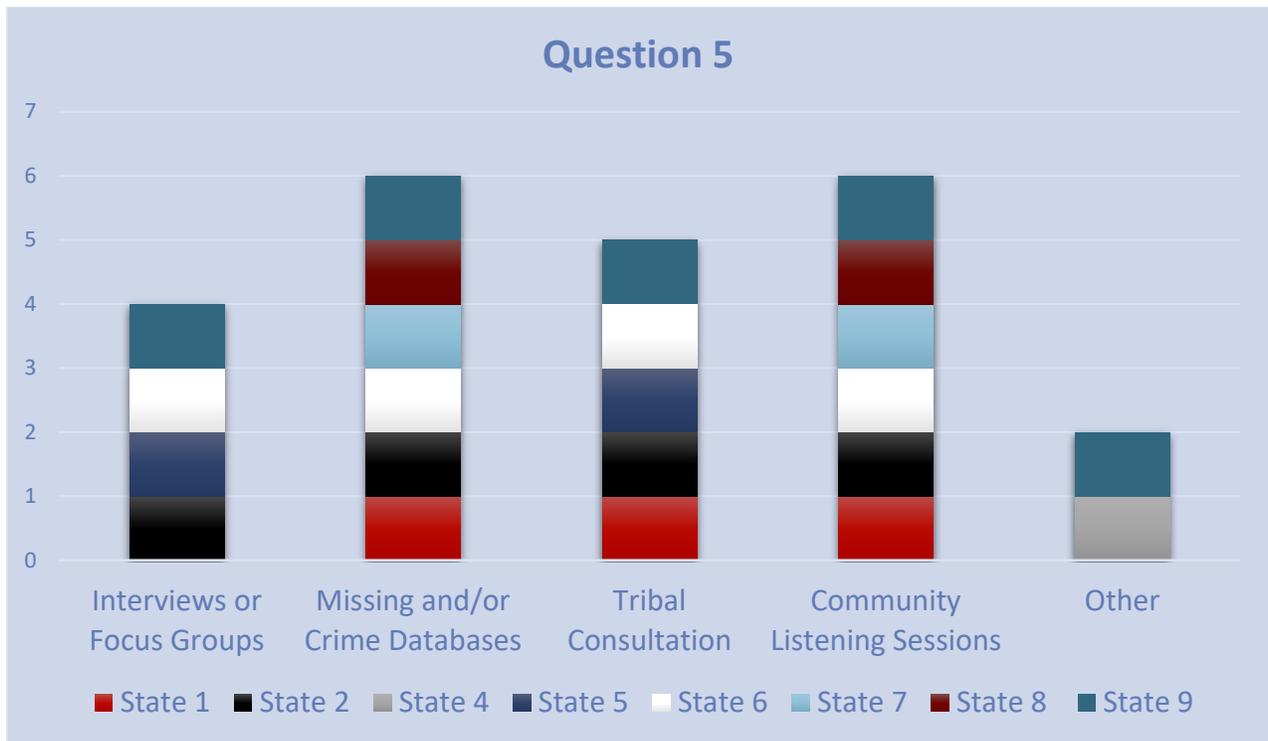
Most of the responding states' MMIP initiatives were created through state legislative action.



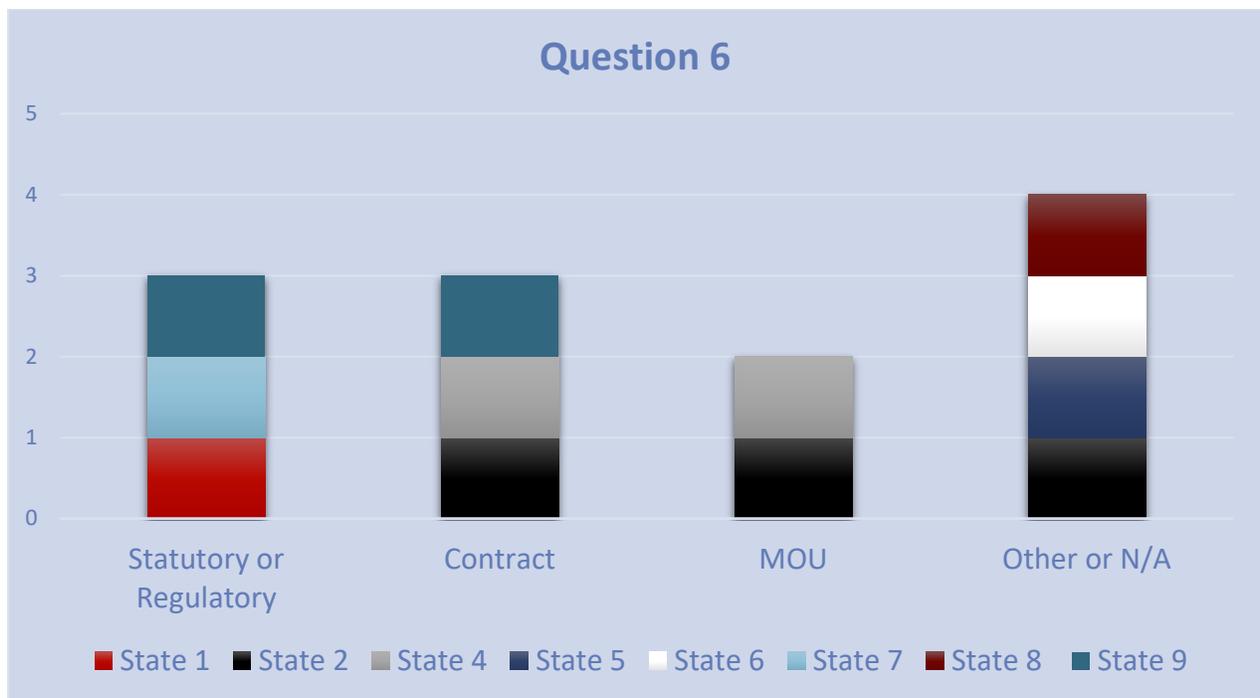
Most of the responding states' MMIP initiatives are housed within a state law enforcement, criminal justice, or victim services entity.



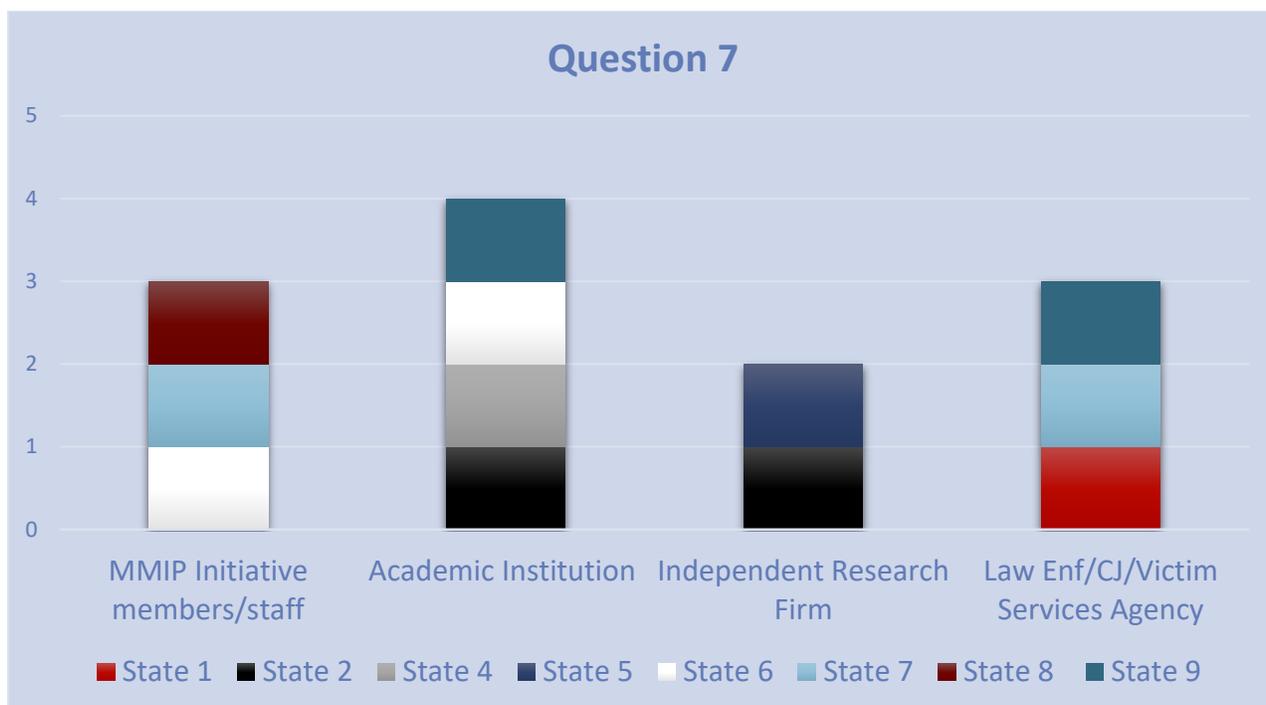
Most of the responding states' MMIP initiatives have the members and/or staffers of that state's initiative conduct the data collection pertaining to the initiative's efforts, though state initiatives also partner with other entities for data collection.



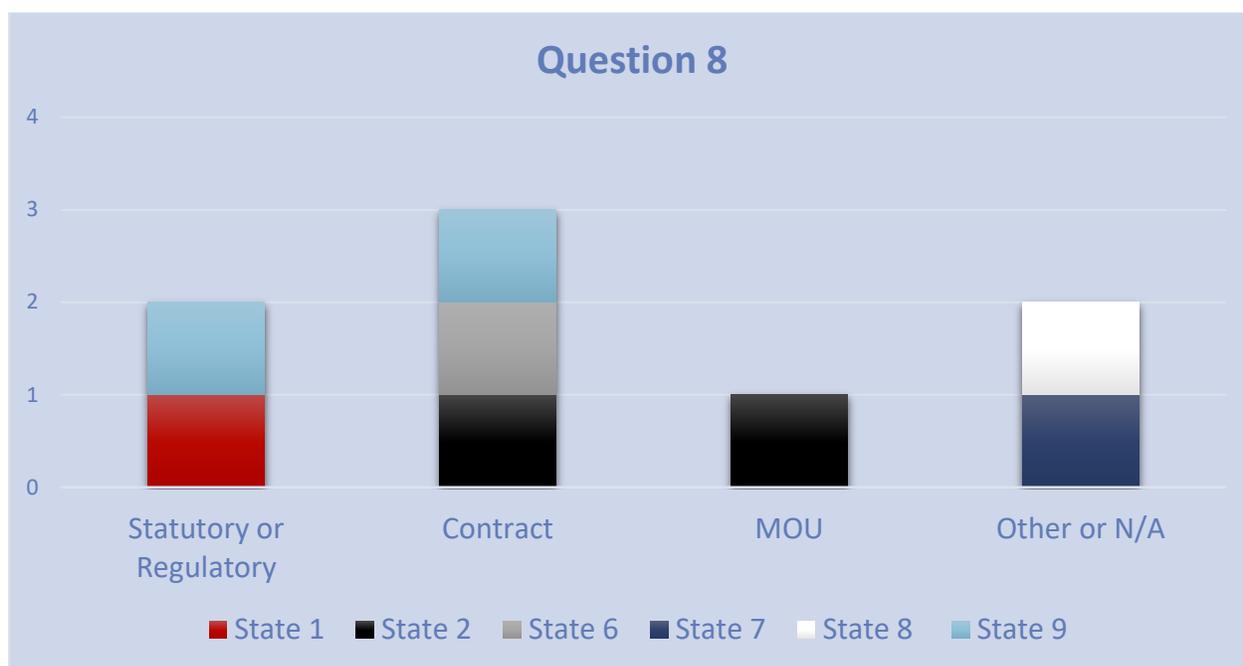
The responding states' MMIP initiatives collect multiple types of data in multiple ways.



The responding states' MMIP initiatives utilize a variety of mechanisms to facilitate the collection of data, including statutorily-enacted and/or regulated centralized databases (such as clearinghouses), contracts and MOUs with data collection partners, and intergovernmental agreements.



Responding states' MMIP initiatives are mixed in their approaches to conducting the data analysis pertaining to their initiative's efforts, ranging from partnerships with academic institutions and independent research firms for the data analysis, utilizing data already stored in crime reporting databases and/or missing persons clearinghouses for the analysis, to MMIP initiative members/staffers analyzing the data themselves.



Responding states' MMIP initiatives utilize a variety of mechanisms to facilitate the analysis of data, including statutorily-enacted and/or regulated centralized databases (such as clearinghouses), and contracts and MOUs with data analysis partners.