

Murdered and Missing Indigenous Relatives (MMIR) Task Force for the Utah Legislature

Key legislative recommendations from the research report
completed in Nov 2023

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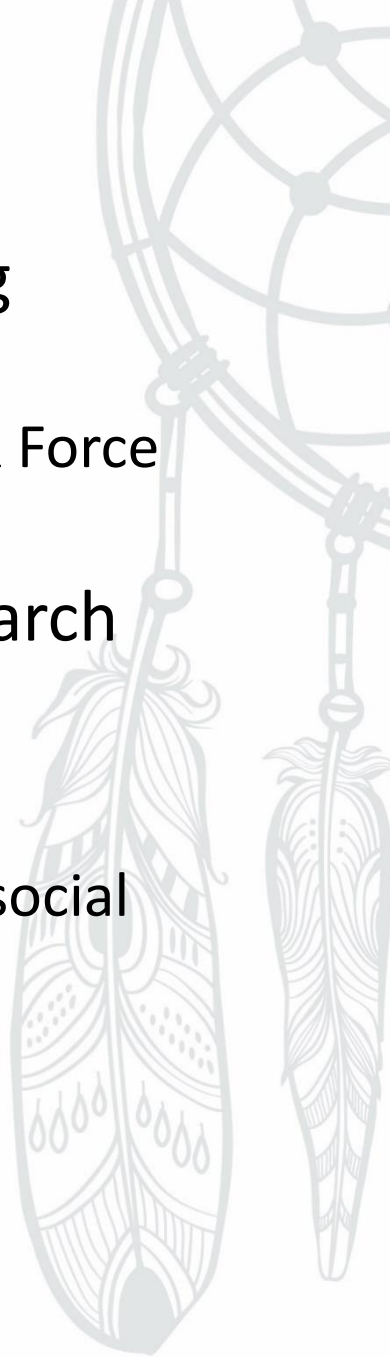


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Background

- In 2020, the Utah Legislature created the Murdered and Missing Indigenous Women and Girls Task Force
 - Renamed the Murdered and Missing Indigenous Relatives (MMIR) Task Force in 2023
- In 2022, the Utah MMIR Task Force partnered with Wilder Research
- Research goals:
 - Examine the scope and nature of the MMIR injustice
 - Make recommendations for improvements to the criminal justice and social service systems



Topics covered

Report covers 9 major themes:

1. Reporting and initial investigations of missing person cases
2. Communication and alert systems
3. Review and investigation of unresolved (“cold”) cases
4. Death investigation
5. Jurisdiction issues and government-to-government collaboration
6. Data issues
7. Victim and family services
8. Prevention
9. Media reporting

Research process and methods

- Review of the research literature on state and federal policy, and best practices
- Key informant interviews with 28 experts
 - Participants included law enforcement, Tribal leadership, Tribal liaisons, medicolegal death investigators, attorneys, advocates, service providers, researchers, and other experts
- Listening session in Bluff, UT with family members of murdered & missing Indigenous relatives, community members, and service providers (19 participants) + public comment sessions
- Conducted qualitative analysis to identify key findings from interviews, listening session, and public comment

Research process and methods

- For each topic areas, the report provides an overview of:
 - State and federal policy landscape
 - Best & emerging practices
 - Current issues in Utah
 - Recommendations
- Drafts were reviewed and feedback was provided by:
 - The MMIR Task Force
 - Key informants
 - Tribal leaders at the Division of Indian Affairs' meeting on 10/20

Limitations

- Limited Tribal participation
 - Attempted to reach out to Tribal leadership in Utah through several means, but encountered difficulties reaching leaders
 - Input of Tribes is not fully reflected in key findings and recommendations
 - Encourage Task Force to follow-up with Tribes to ensure recommendations align with Tribes' needs and expectations
- Primary focus of study is on system response after someone has gone missing or been the victim of violence
 - Further research is needed to address underlying factors that contribute to Indigenous people being at higher risk of victimization

Key legislative recommendations

Recommendations: Missing person reporting & investigation

- Assess Tribes' interest and needs related to the potential development of Tribal Community Response Plans
- Assess consistency and inclusion of best practices in law enforcement missing person response policies and procedures across jurisdictions
 - Create unified guidance or model protocols
 - **Revise Utah state law to require preliminary investigation for all missing person cases where location and well-being is undetermined, and require immediate entry of all individuals determined to be missing and endangered into NCIC**
- Build or rebuild trust between law enforcement and the community
- Increase education and communication with families about the steps to have a missing person posted on the Utah Missing Person Clearinghouse

Recommendations: Communication & alert systems

- Determine barriers to full utilization of AMBER Alert and EMA systems to ensure they are comprehensive, accessible, and unbiased
 - Identify and address gaps in infrastructure inhibiting effectiveness
 - If of Tribal interest, build relationships and establish MOUs regarding alerts
 - If of Tribal interest, offer training for Tribal and BIA law enforcement officers on the Utah State AMBER Alert system criteria and procedures for activation
- Consider expanding Endangered Missing Advisory system to include cell phones and/or road way sign communication networks

Recommendations: Unresolved (“cold”) cases

- Expand cold case resources and increase utilization across Utah
 - Bring all unresolved MMIR cases in front of the Utah cold case review board (or recommended cold case unit)
 - Increase outreach and communication with Tribes and rural communities about resources available
 - Consider creation of a statewide cold case unit, including sworn law enforcement officers and analysts
- Increase access to shared investigative resources
- Encourage consistent implementation of best practices across jurisdictions, including evidence collection and documentation

Recommendations: Death investigation

- Encourage and support consistent, proactive communication with families throughout death investigation process
 - Expand the availability of family advocates at Utah OME and law enforcement agencies
- Build and expand on working relationships between Tribal Nations and Utah OME
 - If of tribal interest, provide training for Tribal staff on preliminary death investigation
- Provide financial support to...
 - Law enforcement jurisdictions to increase access to investigative technology and training
 - Tribes, if of Tribal interest, to cover the \$2,500 fee associated with the Utah OME for death investigations
- Expand funding and resources for psychological autopsy examiner team
- Train law enforcement and medicolegal death investigators on cultural issues specific to Tribal Nations in Utah

Recommendations: Jurisdiction issues and government-to-government collaboration

- Improve communication, relationship-building, and mutual trust
 - Explore Tribes' interest in MOUs, cross-deputizations, state recognition of Tribal law enforcement officers, or other avenues to increase collaboration, access to law enforcement resources, and reducing barriers to Tribal law enforcement effectiveness
 - Increase collaboration between the Utah DPS Tribal liaison and federal, state, county, and local law enforcement agencies
- Hold in-person meetings between each Tribe's leadership and the MMIR Task Force to understand how the issue uniquely impacts each Tribe and tailor future plans
- Increase funding for expansion of law enforcement services among Tribes without local, immediate support
- Create and implement a Utah-specific Tribal-State Relations Training about Tribes' governments, histories, and cultures— to support and improve Tribal consultation process
- Create a state-level position focused on the MMIR issues to coordinate efforts across state agencies and with the Tribes

Recommendations: Data issues

- Ensure timely and consistent reporting to NCIC
- Develop and implement training for law enforcement on gathering accurate and complete information on race, ethnicity, and Tribal affiliation
- Increase cross-agency notification when a person goes missing
- Increase data sharing and communication across jurisdictions
- Create a specialized state analyst position dedicated to collecting, analyzing, and reporting data back to Tribes on issues of Tribal interest

Recommendations: Victim and family services

- Increase access to victim service providers, advocates, family liaisons
- Improve coordination of victim service providers
- Improve consistency and quality of communication with families
- Ensure mandated trauma-informed law enforcement trainings are comprehensive and informed by best practices
- Identify and address barriers to utilization of the Crime Victims' Reparations Program
 - Expand law enforcement exemption to include victims of all categories of domestic violence and sex trafficking
 - Build awareness among Indigenous community members of how Crime Victims' Reparation funds may be used for a traditional medicine person
- Increase opportunities for victims to access flexible emergency funds

Recommendations: Prevention

- Provide financial support to Tribes and urban American Indian communities for cultural revitalization community programming
- Increase allocation of federal and state funding for violence prevention, emergency support, and victims' services that are non-competitive and earmarked for Tribes and urban American Indian communities
- Support the expansion of community education and public awareness efforts
- Create and provide comprehensive supports for victims of trafficking, including strengthening and expanding legal protections
- Increase collaboration to address the intersection of child protection, human trafficking, and the MMIR injustice
- Improve identification and intervention among those at high risk of continued violence and victimization, including trafficking "hot spots"
- Identify and address gaps in data-sharing regarding protective orders
- Examine and adjust duration of protection orders set in jail release agreements to address gaps in protection, and develop a domestic violence-specific risk assessment protocol

Recommendations: Media reporting

- Provide training or education to support self-examination of personal biases
- Adopt a survivor-centered approach when communication with the media about missing persons and victims
- Consistently and accurately report victims' race and Tribal affiliation
- Provide contextual information about the MMIR injustice, its root causes, and government or community initiatives working to address it
- When reporting on the MMIR injustice, including references to culturally-specific supports and resources

Thank you!

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