

Sarah Deer



March 28, 2019

The Honorable Ruben Gallego, Chairman  
Subcommittee for Indigenous Peoples of the United States  
Committee on Natural Resources  
Washington, DC 20515

Chairman Gallego,

Thank you for your letter of March 20, 2019 containing additional questions stemming from the oversight hearing on Missing Murdered Indigenous Women which was held on March 14, 2019. Below are my answers to the questions. I remain available for additional questions.

Rep. Deb Haaland:

1. As part of your "recommendations" in your written testimony (suggestion #4 ), you stated that there should be a "funding stream for non-profit organizations" to help address Missing and Murdered Indigenous Women (MMIW). If Congress allocated money for these non-profits, how would that funding help address the issue of MMIW and domestic violence in urban areas where 70 percent of the Native American population currently reside?

Answer: I believe this recommendation is actually #5 on my list. In terms of non-profit funding, I believe it would be helpful if urban Indian centers were eligible for funding, based on the fact that most Native people do not currently reside on reservations and many of the missing and unsolved murders are reported from urban (or off-reservation) communities. Urban Indian centers are often the only safety net that Native people have and I believe that they are often in the best position to help organize a response in those environments. At the same time, we want to ensure that tribal governments are not excluded from funding opportunities.

2. What else do you think could be done in urban areas with high populations of Native Americans/Indigenous women to help address this issue?

Answer: It would be helpful if the subcommittee were to hold field hearings in some of these urban areas so that members could hear first-hand what families and communities need in order to stem this crisis. Based on what I am hearing from families, there is a real concern that law enforcement agencies often adopt a position of indifference when a Native woman or girl goes missing. More training might be useful, but such training should be developed and designed in collaboration with Native organizations.

Chairman Grijalva:

1. In your expert opinion, what is the historical context of the MMIW crisis, and how do you think that history exasperates the issue to this day?

Answer: It is difficult to pinpoint an event or time when the crisis of MMIW began, because the trafficking and abuse of Native women has been ongoing as part of the settler colonial efforts to extinguish Native people. Historically, the protection of Native women has not been a priority for the United States or local governments. Even though the official policy is no longer one of extermination or termination, the attitudes and culture remain. Whether conscious or subconscious, there remains within much of the law enforcement community a sense that MMIW are not worthy of high priority investigations. While there are certainly exceptions to the rule, I believe that training for law enforcement agencies must include a historical component.

2. Ideally, what do you feel like is the proper response to MMIW from a law enforcement standpoint? (tribal, state, local agencies)?

Answer: Because Native women are highly vulnerable to trafficking and homicide, it would be ideal if law enforcement agencies had a more immediate response to a report from family and friends. I have heard from families that investigations are often delayed for weeks or months.

3. In your written testimony, you highlighted the colonial history of indigenous women. What are the current statistical gaps when it comes to Missing and Murdered Indigenous Women?

Answer: Unfortunately, we have very little data about the contemporary crisis. Even state or local agencies that have publically-available data about missing adults do not specify whether the person is Native or not. Thus, it is hard to gather enough information for a national estimate.

4. What role does tribal sovereignty play in addressing this violence?

Answer: Native women are citizens of tribal nations. Tribal nations should be apprised when their citizens go missing and be kept informed as to the status of the case. Typically, when a foreign national goes missing or is murdered in the United States, it is common courtesy to keep their home country informed as to the investigation whenever possible. I believe tribal nations should be accorded that same courtesy.

5. Your written testimony states that many Missing and Murdered Indigenous Women cases are "unsolved". What does an unsolved case mean? What are your recommendations for these unsolved cases as it relates to MMIW?

Answer: By "unsolved" I mean there has not be a resolution to incident. When a Native person is reported missing, until that person is found, there is no resolution. Families have no closure. Cases can go "cold" for years. An unsolved murder is one where there has been no determination as to the assailant(s), and so no one is held accountable for that murder. Again, these leaves families and communities reeling from the loss of a valued member of the community without any resolution.

6. Why are police investigations into MMIW cases plagued with delays and missteps?

Answer: I'm not sure we know enough to be able to make generalizations about what goes wrong. Anecdotal information from families and community members report that searches are delayed for

weeks – sometimes months. They report indifference from law enforcement agencies who often do not make these cases a priority. It can also be very difficult to determine which law enforcement agencies (tribal, state, or federal) should be the lead investigatory agency.

7. Your written testimony noted 40 cases of deaths caused by police brutality or deaths in custody. Do you have recommendations on how to address issues related to police brutality and deaths in custody?

Answer: There are many ongoing efforts to try to address police brutality and deaths in custody for all people of color. While most law enforcement officers do not abuse their authority and they treat suspects with dignity, there are significant exceptions to this rule. Native families have reported that their loved ones have been mistreated, abused, and even killed by law enforcement officers. I believe there should be better screening for law enforcement officers and swifter action when an accusation is levied. This relates to violence against Native women because women and girls are often the victims of police brutality. This, in turn, makes communities distrust law enforcement and thus less likely to trust or engage with law enforcement when a loved one goes missing.

Thank you again for the opportunity to answer these questions. I look forward to next steps. Thank you for listening to the stories of Native women.

Sincerely,

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Sarah Deer