

MARY JO GIOVACCHINI: Good afternoon, everybody. And welcome to today's Presidential Task Force on Missing and Murdered American Indians and Alaska Natives Virtual Tribal Consultation. I am the contractor for today's Task Force support and I am very pleased as well as all members of the Task Force that you are able to join us today. Before we begin today, I would like to go over a few items so that you know how to participate in today's event. All attendees are muted upon entry into this event. If you are planning to offer oral testimony, please be sure to follow the following steps. You need to access the event via Webex and you should do this using a mobile device or a computer. When prompted, you should enter your phone--your name identical to the way that you registered. When joining the audio portion, you may have Webex call you and you will enter the phone number you wish Webex to call, or you may join via a telephone. Please note that if you are using a telephone and not having Webex call you, you should enter your attendee ID number. This will be the way we are able to identify you and unmute you when it is time for you to speak. When it is time to offer your oral testimony, you will be called upon. We will state your name and then we would ask you to restate your name as well as your tribal location.

In addition to these items, there are a few other items that I would like to go over so that you know how to participate in today's event. There are a couple features located within Webex that we will be using and you can find them by hovering over the bottom center part of your screen. They are media viewer, which is located under the radio button with the three dots, and the chat icon. And that is the radio button that looks like the conversation bubble. Today's event is being live-captioned for those that are deaf or hard of hearing. And you can use that feature by logging in to the media viewer and then follow along with what is being said. If you have any technical problems today, we ask that you submit those problems or that matter using the chat feature. Again, the chat feature is the radio button with the conversation bubble. And please address that to Michelle Gorham. She is the host of today's event.

As one single reminder, everybody on today's call, other than the panelists, are--will be on mute and we will unmute you at the time that you are allowed to offer your oral testimony. At this time, I would like to turn over the consultation to Katie Sullivan, Principal Deputy Assistant Attorney General for the Department of Justice, Office of Justice Programs, who is one of the co-chairs for the Task Force and she will begin today's consultation.

KATIE SULLIVAN: All right. Thanks, everyone. And again, I am Katie Sullivan. I do run the Department of Justice's Office of Justice Programs. It is one of the greatest honors I have had in my position to be Attorney General Bill Barr's designee as the co-chair of the Task Force--of this Task Force, which is also known as Operation Lady Justice. The Task Force is co-chaired by my friend, Assistant Secretary Tara Sweeney. She is the Assistant

Secretary for Indian Affairs and she is the Department of Interior's Secretary David Bernhardt's designee as co-chair. We have representation on the consultation today from all of the agencies who make up the Task Force, including the Department of the Interior, the FBI, the Office on Violence Against Women, the Bureau of Indian Affairs (BIA) Office of Justice Services, the Attorney General's Native American Issues Subcommittee, and the Department of Health and Human Services Administration for Native Americans. So thank you all from our federal partners for being on the call today.

We also have representation from the White House through the Domestic Policy Counsel and the Office of Intergovernmental Affairs. I can assure everyone on this call that this issue and the issues that are facing Native Americans and Alaska Natives is a priority for this administration. I have seen it up close and personal, and this Task Force is just one of the many ways in which this administration and President Trump has delivered to Indian country. So I believe that we are going to--oh. We are going to go right into the Task Force and what the mandates of our Task Force are. And one--and the one that I believe is most important to the government-to-government relationship and trust responsibility that we have with all of you is that we must consult with tribes on the scope and nature of the issues regarding missing or murdered American Indians and Alaska Natives.

We have had a series of in-person consultations and listening session sets that were set between February and July all across the country. We were able to host five in-person listening sessions in February and early March before the current health crisis grounded us. We have held four additional virtual listening sessions at the end of May and beginning of June. Given the current situation, we are holding 12 virtual tribal consultations over the next month and they have been organized by BIA region. The "Dear Tribal Leader" letter and framing paper were distributed on July 17 and again on August 11. In addition, the series of virtual consultations was widely publicized across the country. The consultation questions are organized across four areas to encourage discussion about issues in your community. What is the scope of the two problems of missing or murdered, the challenges your communities face, what solutions or resources do you have or do you need, what specific recommendations do you have to address or curtail the incidences of missing persons or murdered cases within American Indian and Alaska Native communities. I will now turn it over to Leidos to call on speakers and we are ready to hear from tribal leaders who are registered to speak.

MARY JO GIOVACCHINI: Thank you very much, Katie. Once I unmute you, please count to about three seconds before you begin testimony so that it is picked up on the recording. And our first speaker today will be Chairwoman Andrews-Maltais. Please restate your name as well as your tribal jurisdiction. It is possible that she is not on the call. It will take me a few minutes to scroll through the attendee list because there are quite a few people.

And I am not seeing their name appear. So if you like, I will go on to the next speaker and we can start and go back to this person if they join the call, is that okay? All right. Our next--our next speaker that would like to offer oral testimony is going to be Brenda Golden.

BRENDA GOLDEN: Good afternoon, everyone. Thank you for having this consultation. I am a citizen of the Muscogee Creek Nation. I am an attorney that practices in both our tribal court and our state courts here. I have been involved with this movement for a very long time, having had personal issues in my circle with this, so that is--I am not officially with the tribal nation, but I would like to offer some recommendations from an attorney's point of view, and that is the training that is required for both our tribal police and the state police to take disappearances and missing persons of native and indigenous people seriously. We have had an issue where the police or the tribal police tell someone that they cannot make a report for three or four days or longer and by that time, you know, the person may have gone out of state because of human trafficking situations.

So I would like to offer a recommendation that our law enforcement and our investigative powers have more training on taking missing persons reports, following up with the family, doing an investigation, and more importantly, putting out some kind of bulletin to other law enforcement agencies to be on the lookout for our missing person. And so that is the thing that I would like to offer today and I appreciate you listening to us. One of the challenges that we have in Oklahoma is the jurisdictional maze, if you will, for prosecuting and arresting offenders. And we would like to see that addressed with intergovernmental agreements or memorandums of understanding between the agencies so that we can have a broad law enforcement agents that can help every citizen regardless of where they are at on the reservation, so I appreciate your time. Thank you.

MARY JO GIOVACCHINI: Thank you very much. Our next person that would like to offer oral testimony is going to be Fabiola Harford.

FABIOLA HARFORD: Good afternoon. Can you hear me? Hello?

MARY JO GIOVACCHINI: Yes, we--yes, we can hear you. You may begin.

FABIOLA HARFORD: Okay. Great. Thank you so much for having me and I of course want to thank all the persons that are leading this effort and of course the administration, the Trump administration for taking the steps forward with this. I have several concerns regarding this campaign. Finally, our goal is to procure the safety of any woman regardless of their national origin or their race. Usually, woman's disappearance has a component that is very close to domestic violence, relationship, it indicates a Native

American with addiction. But in the case, I have the experience for reasons in Standing Rock with the rape of the child, [INDISTINCT], by the District Chairman of Cannon Ball. And that was the case, and I got I do not know how many emails on how many people have cried asking for help that justice will be done for this little girl. However, you see all these activist groups that are entirely managed by the American Indigenous Movement. And you see the level of commitment of the tribal officials to address the issue when some of those activists for the American Indigenous Movement are the perpetrators.

So you pose the question, how much engagement there is really from the tribal government to resolve this matter? Sometimes you get the response, no, we want to handle that in the traditional way, in our indigenous traditional way. And they become an obstacle for the prosecutors to do their job. Some offenders that are well-known domestic abusers and they have been arrested a dozen times by the tribal police and it is extremely difficult to bring this to justice when we know exactly the--according to the sentencing commissions, the high numbers that we have especially when it comes to rape, sex offenders are Native Americans. For 2019, 75.2% of the cases, 79.6% of the cases have both been abusing sexual contact, the perpetrator was a Native American. 79.6%. 58.2% of the offenders involving criminal abuse were Native American, actual rape were Native American. 58.2%. And 40--80% of the statutory rape in 2019 the perpetrator was a Native American. Nobody talks about those numbers. To the contrary, the campaign is being oriented in a divisive way. Making people believe the missing and murdered Native American women are still being the victim of colonization, ignoring the actual problem inside of the reservation. Who is kidnapping these women? Who is committing crimes against those women?

The campaigns that you can see in social media, and for the activists, and the leaders are pointing that was a racial issue, that it was still an issue that is derived from colonization. Sometimes even the white man who is targeting Native American women, when the reality when it comes to rape, for instance, the perpetrators are actually Native American. But the campaign and what you are seeing in social media, and I do not know where we are going to go with this campaign because we are seeking justice, but with the activists and the people that have a voice and the people that have power to get involvement and engagement from the social community, social responsibility, prevention, are orienting this campaign in a wrong way. They are manipulating this campaign. And the actual tribal leadership does not do anything.

I have a personal experience of a man using traditional Native American medicine to lure women and to take advantage of women. This man is the causing of the--Vice Chairman of the Southern Ute, when I approach the man--the woman to talk to her about the issue with the man, a well-known abuser, she went ballistic on me. She would yell at me, she

hung up the phone on me, she does not want to hear anything about it. And we are talking about a Vice Chairman of the Southern Ute Indian Reservation. So the problem is often--it cannot be addressed only from one point. The problem needs to be addressed from the root, from the reservation out. There has to be a lot of knowledge. There has to be a lot of empowerment of the women but in the positive way. And stop orienting this issue as if it is still a racial issue, as if it is still an issue that has to do with colonization. Otherwise, we are not going to be able to tackle this situation in an effective way.

I am seeing that the orientation of these missing and murdered indigenous women is having is not really--we are not going in the right direction because it is being manipulated by these extremists, if you want to call them, groups like the American Indigenous Movement, that is a criminal organization, even you want to call it as a--as an indigenous movement looking, seeking for justice and equality, it is a criminal organization and we all know it. They manipulate traditions, they manipulate indigenous ways to continue relevance and to continue manipulating issues. So I think that we have a problem bigger. I saw the experience with a [INDISTINCT] child, and I did not see any of these activist organizations making presence with that poor girl. I have to sit down to win their testimony in court. None of these groups of activists were there to support her, to help her, to be there for her.

And I think that we are going in the wrong path, if the leadership on the tribe does not really take control of the situation. Traditions are important as long as they serve the greatest purpose. We cannot continue as indigenous. We cannot continue traditions that are hurting ourselves. Because otherwise, when we are going to continue the indigenous that used to do human sacrifices, we will continue to do human sacrifices. Or we will continue to use substances that are damaging for the body. But because it is tradition, we are going to continue doing it? No. We have to use traditions until a point that is suitable for the greatest good. If you are going to tell me that we have a criminal or we have somebody that is targeting women, that is using social media to targeting women, that this person you tell is a medicine man, or is a chief, or has a son that is chief, and you are allowing this person continue doing what they are doing because it is tradition, it is spirituality? Then we are not doing what we are supposed to do. And this is a situation that is being extended because it is not only--they are not only targeting Native American women, they are targeting other women. They are targeting other race, especially the new age women, especially white women that are into new age spirituality, are being targeted by these men, are being targeted by these predators. And we are ignoring that. So we have to see the situation from a bigger perspective and give tradition...

TARA SWEENEY: Thank you--thank you Fabiola. I appreciate your comments. You are over your time limit at this time and we need to move on to the next participant. Operator?

FABIOLA HARFORD: Thank you so much.

MARY JO GIOVACCHINI: Thank you so much. Our next speaker is going to be Elvis Zornic. Would you please state your name and your tribal jurisdiction? Elvis, you have been unmuted. If you could please state your name and your tribal jurisdiction and you can begin your testimony. Thank you.

ELVIS ZORNIC: Okay. I am Elvis Zornic, arbiter and mediator New York and expert for the rest of Washington, DC. So, my response is financial sanction or fire, for this I am an education, and registered, and minister justice in United States. Thank you.

MARY JO GIOVACCHINI: Thank you, Elvis. We have two other individuals that identified themselves as wanting to offer testimony, however, they are not on the call. So at this time I am going to defer it to the Task Force of how you want to handle the remaining time.

KATIE SULLIVAN: Thank you. This is Katie Sullivan again. And we do appreciate everyone calling in and offering their oral testimony. We had set these consultations up for logistical purposes to make sure that we had anyone who wanted to testify needed to sign up in advance. I am sorry that we missed the two people who were not able to call in. Operation Lady Justice does have a website and an email address that are listed here and on this slide. If you wish to receive updates from Operation Lady Justice, please subscribe to the website. And we are receiving written comments through September 30, 2020. And they can be sent to the OLJ website. So I will just defer quickly to my co-chair, Assistant Secretary Tara Sweeney, to see if she has anything else to add at this time.

TARA SWEENEY: Thank you, Katie. I certainly appreciate the opportunity to participate in these listening sessions. As you stated, we have a number of listening sessions scheduled from now until September 17, again, based off of the BIA region. For those tribal members who are listening and would like to participate in future consultations, please register and sign up to provide testimony. The information, as Katie said, is on the website. It is OperationLadyJustice.usdoj.gov. If you wish to submit comments based on the framing questions or the framing paper that you saw on your screen, please by all means send an email to OperationLadyJustice@usdoj.gov. I understand that Chairwoman Maltais is now on the call and would like to provide her testimony. Operator, can you please turn the floor over to the Chairwoman? Thank you.

MARY JO GIOVACCHINI: And thank you for that.

CHAIRWOMAN ANDREWS-MALTAIS: Hi. Good afternoon. And thank you very much for the opportunity to speak. I will keep my comments kind of brief only because unfortunately I had to miss the beginning portion. My mother was hospitalized at 91 but she is doing well. But it was just I had to pay attention to home life. Anyway, I was a little bit distressed by hearing some of the earlier comments, and just want to be clear that, you know, when we are talking about the issue with regard to Operation Lady Justice and protecting our women, girls, and children, and men, on tribal lands, this has been ongoing for a very long time. And, you know, clearly, this is a step in the right direction for us to be able to recognize what these challenges are, and to empower the tribes, and tribal governments, and tribal leadership to address this situation the way that the tribes deem appropriate for their own individual areas and their own individual governments.

But I did have a question with regard to the type of regulations that are being utilized or implemented, that could potentially put, you know, tribes that are living within the Public Law 280 states at risk because of perceived overlap of jurisdiction where, you know, several of us feel that the Office of Justice Services and the BIA would be able to do a lot more in support of the tribes and the tribe's jurisdiction without giving deference to the states and having states control that because of their standing relationship and to produce shared responsibility to the government.

But again, I apologize for not being here earlier and being able to sit in. I think I will try to get to another location. I know that when within our area, the jurisdictional issues and trying to determine all of the instances where our missing and murdered children and--women, and children, and men have been--has been convoluted by the fact that, you know, law enforcement off the reservation very rarely take into account or even ask the question about ethnicity. And oftentimes, for the research and the study that has been taking place, they usually just use a visual assessment based upon the law enforcement intake officer at the time and/or if somebody has already been in their system, they rely back to data that might be incorrect so that those numbers are wrong, and those numbers are skewed to the point where we have no idea in certain areas of the country with regard to how many women have been impacted, missing, and murdered, or trying to find justice for the families of these people.

And as we look at it, we have to look through the broad prism of we have reservation life for people who are still on the reservation and where the law enforcement and protection for these individuals are grossly underserved and need the support, the financial and the human resources support for being able to get to justice as well as protection for these people, but not to ignore the fact that so many of our tribal people and women are living in urban areas. And they are trafficked and abducted at the same numbers, which is not even being recognized as native people. So we have to look at it through all those prisms.

And again, I thank you very much for the opportunity to circle back and speak. And thank you very much, Assistant Secretary Sweeney, for being present here to be able to work through these issues on such a critically important issue in Indian country. Thank you.

KATIE SULLIVAN: Thank you very much. And thank you, Assistant Secretary, for letting us know that the Chairwoman was on. I appreciate that. Do we have anyone else who had signed up who needs to--if I could just ask Mary Jo, was there anyone else who popped on?

MARY JO GIOVACCHINI: I looked again on the list and I do not see the other two individuals that they have joined.

KATIE SULLIVAN: All right. Great.

MARY JO GIOVACCHINI: Those are...

KATIE SULLIVAN: Thank you all very much for your testimony, greatly appreciate it again. Website and email, please submit any written comments. And if you are curious about the rest of the schedule, please look at again on the website. It lays out all of the consultations that we have all--of the remaining 11 consultations that we do have planned going forward. Thank you all very much. Have a wonderful day and hopefully we will see and talk to you soon.