

Operation Lady Justice Virtual Tribal Consultation, Bureau of Indian Affairs Final Session, September 17, 2020

MARY JO GIOVACCHINI: Good afternoon and welcome to the final session of the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives Virtual Consultation. We really appreciate those of you who have joined us early but we would like to give individuals that registered to speak a few more minutes to join the call. We are going to start at approximately 1:40. And during that time, you will hear silence. We do appreciate your patience and we will speak with you soon.

Good afternoon and welcome. Good afternoon and welcome to the final session of the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives Virtual Tribal Consultation. I am with Leidos, the contract support staff for the Task Force. And we are very pleased that you are joining us today. Before we begin, I would like go over a few items so that you know how to participate in today's event. All attendees will be muted upon entering into the event. If you plan to offer oral testimony, please be sure that you have completed the following steps. Please log in and access the event via Webex. You will need to do this either by using a telephone or--I am sorry, a mobile device or a computer. When prompted, please enter your name the same way you entered it when you registered. And then you have two options in which to join the audio portion. You may have Webex call you, or you may call dialing in using a telephone. If you choose the option to use a telephone, please be sure to enter your attendee ID number. You can find your attendee ID number, the phone number, and the event number for today when you join Webex. That will pop up. You will be called upon when it is time to offer oral testimony and we will unmute your line at that time. If you happen to have muted your telephone, you will need to unmute that. There are no time limits for remarks from Tribal leaders or their designees and there is a time limit of seven to 10 minutes for others. Each speaker will be asked to identify themselves, their name, if they are speaking as a Tribal leader or designee to please state their--the name of their Tribe and their title.

There are a few features that I would like to direct you to that we will be using today. If you hover over the bottom center portion of your screen, you are going to see a series of radio buttons appear. We have--we will be using the radio button that has the three dots and the Media Viewer is located under that, and also 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. If you need to use this feature, please click on the radio button with the three dots, which is where the Media Viewer is located, and then you can log in. If you are having any technical issues during today's event, please submit that issue to the Chat Box and address it to the host of today's event. Any other messages should be submitted to all panelists and I am going to get to that in a little bit, a little later in the conversation. As a

reminder, all phones are muted at this time. At this time, I am going to turn the consultation over to Tara Sweeney. Tara is the Assistant Secretary for the Bureau of Indian Affairs (BIA) and she is one of the Co-Chairs for the Task Force and she will begin today's consultation.

TARA SWEENEY: Okay. Good afternoon, everyone. Again, my name is Tara Sweeney. I am the Assistant Secretary for Indian Affairs at the U.S. Department of the Interior. And welcome to our final Tribal consultation. I have the pleasure of serving as Secretary of the Interior David Bernhardt's Co-Chair designee. I serve alongside Katie Sullivan, who is the Principal Deputy Assistant Attorney General for the Department of Justice. And she serves as Attorney General Barr's Co-Chair designee as well. Before we begin today's consultation, I would like to take a brief moment for a silent prayer. Thank you. Today we have representation on the consultation from all of the agencies who make up the Operation Lady Justice Task Force, including the Department of the Interior, Office of Justice Programs, the FBI, the Office again--on Violence Against Women, the 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. We also have representation from the White House through the Office of Intergovernmental Affairs. I would like to introduce the Director for the Office of Intergovernmental Affairs at the White House and an Advisor to President Trump, Mr. Doug Hoelscher. Doug?

DOUGLAS HOELSCHER: Just about an hour ago, Tara and I were in the Oval Office with President Trump for an event to commemorate the return of sacred remains and important cultural artifacts from Finland back to the Mesa Verde region. The remains were buried on Sunday and so it was a really moving and humbling experience to be there and the President talking about the partnership with several Pueblo Tribes but also with the Finnish government, who helped return those artifacts where they should have been all along. In the Oval today, Tara mentioned the work of this Task Force, Operation Lady Justice, and the President talked about it as well and it is something that remains on the top of all of our minds and on behalf of the President, I want to thank you for your participation today so we can listen and learn from each of you. For most of the afternoon, the floor will be yours. We are here to listen and hear what you have to say on behalf of your communities but also through your personal experiences. We will take your experiences and suggestions into account as we continue to develop the federal government's efforts to address the issue of Missing and Murdered Native Americans, especially women and girls.

First, I am going to offer just a bit of context, some background for what came before this series of virtual consultations. In May of 2019, President Trump proclaimed Missing and Murdered American Indians and Alaska Natives Awareness Day, becoming the first

President to ever do so formally, saying that "Ending the violence that disproportionately affects American Indians and Alaska Native communities is imperative." And the President talked about that again today. That order gave each of us on this call our marching orders. We on the President's team spent the next few months thinking through and talking with Tribal leaders and Native American community leaders about how to develop a program of federal government action on this important issue. And last fall just before Thanksgiving, the President hosted an Oval Office signing ceremony for an Executive Order establishing Operation Lady Justice, which is an interagency Task Force charged with developing an aggressive government-wide strategy to address the crisis of Missing and Murdered persons in Native American communities.

Again, we are going to listen and learn from you today but we have already taken some action where there has been clear consensus. One area is on resources. The Department of Justice, under the leadership of Attorney General Barr, has moved extra resources to areas that will help tackle this issue set. Also on the standing up of missing and murdered or Operation Lady Justice offices around the country, and the Department of the Interior team is in the process of doing that and there have been some announcements on those offices recently. The session today is part of an implementation program for that Order that the President signed. The President's team remains committed to following up on that Executive Order with real action and concrete progress. But in the intervening months since the Executive Order, the COVID-19 pandemic obviously has presented itself and really restricted travel around the country. We did do some listening sessions before COVID-19 hit that were very informative and helpful. But now we have moved these consultations to a virtual format and I think today's session is the last of the sessions. I think we have done 11 or 12 of them around the country. And so again, I want to thank you. To discuss this, we would rather do it in person but I think this forum is an important avenue to get your feedback.

We are really grateful for the leadership of Tara and Katie Sullivan, the entire teams at Department of Justice and Department of the Interior but also other agencies like HHS. Jeanie from the ACF team has been on--an important part of this effort as well. And again, we are really grateful for your presence today. You have the commitment of the entire White House team as we committed today by the President to continue to drive forward with our agency partners to make a difference on this issue informed by what we hear from you today. And with that, I will turn it back to Tara and look forward to your comments. Thank you.

TARA SWEENEY: Thank you, Doug. And just a note of thanks and appreciation for your leadership. I guess the word today is partnership and in that spirit, we can see partnership throughout the Administration and through the leadership of President Trump with the

signing of this Executive Order and the support for HHS, the Administration for Native Americans through DOJ and DOI, and so I certainly appreciate the support that we continue to receive from the White House for Indian Country, as demonstrated by the repatriation of the remains that are culturally significant to the Tribes associated with the Mesa Verde region.

As many know, when you read the Task Force, the Executive Order spells out that the Task Force must consult with Tribes on the scope and nature of the issues regarding Missing or Murdered American Indians and Alaska Natives. And as Doug said, we held a series of in-person consultations and listening sessions across the country. We were able to do five in-person listening sessions in February and early March before the current health crisis. And we held an additional four virtual listening sessions at the end of May, around the beginning of June. And as a result of the COVID pandemic and the current situation we all find ourselves in, we are holding our Tribal consultations virtually. They have been organized by BIA region and today marks the final session reserved for those who could not make it to their scheduled session. A Dear Tribal Leader letter and framing paper were distributed on July 17 and again on July [August] 11. In addition, this series of virtual consultations has been widely publicized across the country.

What you see or should see on the Webex is a slide that illustrates the types of questions that have been posed through the "Dear Tribal Leader" letter, or the questions that we would like to receive input on from Indian Country and Alaska Native communities to help guide our discussions. And so the questions center around four areas that encourage discussion about the issues in your communities, basically what--please help us identify the scope of the problems of missing or murdered community members, and what are the challenges that your communities face, what solutions or resources do you have, or what solutions or resources are needed, and finally, what specific recommendations you have to address or curtail the incidence of missing persons or murdered cases within our Native communities. And so with that, I want to just underscore what Doug said, we are here to listen and to learn. And I will turn it over now to Leidos to call on the registered speakers. Thank you.

MARY JO GIOVACCHINI: Thank you very much. So we are going to start the testimony portion. As noted on the registration--during the registration process, you must be registered in order to speak during today's consultation. We are going to hear from the Tribal leaders and their designees who have registered to speak today. And as a reminder, there are no time limits for the leaders or designees. Please note that our registration list is current as of 11:30 a.m. Eastern Time. If you registered after this time, we may not know that you registered to speak, so you will need to let us know that you are

on the call. You can do that by submitting your name and information in the Chat Box and addressing it to all panelists.

We currently have six Tribal leaders. I am going to read their names. If you do not hear your name called, please then submit a message to chat, again, to all panelists. We have Estelle Thomson, Deborah Maytubee, Earth-Feather Sovereign, Shirley Sam, Judge Frank Demolli, and Gloria Simeon. So if you do not hear your name called, please again submit a chat to all panelists, letting us know that you did register after 11:30 and you would like to offer testimony as a Tribal leader or a Tribal designee. At this time, we are going to start with our first speaker and that is Estelle Thomson. Estelle, we are going to unmute your line. I will let you know once that has been completed, you can begin your testimony. Please restate your name, whether you are speaking as a Tribal leader or designee, and the name of your Tribe. Estelle, your line has been muted, you--I am sorry.

ESTELLE THOMSON: Oh, sure. Hello, thank you. My name is Estelle Thomson. My Yup'ik calling name is Angute'karaq, that means "I am the one who will provide." I am from the South--the Southwestern Bering Sea coast village of Paimiut. It is actually a displaced village, so we do not live in our ancestral land. I grew up in the village of Hooper Bay, which is very close by. We have intermarried and become parts of other communities and three villages, our neighbor, our ancestral lands, Hooper Bay, Scammon Bay, and Chevak. And currently, I am the Tribal Program Director for my village, the new--the village of Paimiut. I also serve on our traditional council as an officer. I am an enrolled Tribal member and a descendant of one of the original five families of my ancestral land. I come to you today for several reasons. As a Tribal leader, it is my responsibility to speak up for things that--speak up and advocate for things that are not being addressed within my community or my region, for that matter, here in the state of Alaska.

We have experienced an incredible amount of violence against women, whether that be domestic violence, sexual assault, sex trafficking, any of the things that you are here to listen to us today. When I looked at the letter for the consultation and seeing your objectives as enhancing the safety of American Indian and Alaska Native women from domestic violence, dating violence, sexual assault, stalking, and sex trafficking, as well as strengthening the response, and being able to administer funds to help us to take care of our people, I was heartened but also very disappointed. On the same day that we received the letter from your organization to speak at this Tribal consultation, I also received a letter from the Acting Director for the OVW stating my village was ineligible for even applying because we do not have jurisdiction over our lands. We have an unusual situation in my--in my instance because we have agreements with our other villages, we actually have an inter-tribal consortium for Tribal justice and public safety between my

village and Hooper Bay, where we live. So I--we had every--we had every option and we do have jurisdiction over Indian Country.

One other thing that was really troublesome for me is seeing the words that the Office of Violence Against Women and the Department of Justice when it comes to working with Alaska Natives and American Indians. And the issues that we have in our villages, is the words are great, but if we cannot--if we cannot rely on you to live up to your statement that you are going to be doing everything that you can to help us, putting up barriers. Because, [INDISCTINCT] is a little bit ridiculous. I have given testimony in Bethel, I have given testimony in DC. I was sent last spring to Washington, DC, or actually, right before Anchorage went on lockdown and I gave testimony there. And I feel a little bit like a broken record in the--in the sense that I repeat the same statistics over and over again.

For those of you that are not from Alaska, in 2016, the Federal Bureau of Investigation named Alaska the most dangerous state in the U.S. So we have this distinction of having the highest per capita violent crime in the nation, especially in relation to domestic violence and sexual assault. The region of Alaska that I come from, one of two women in our population and our communities report having experienced sexual assault, domestic violence, or both during their lifetime, and those are just the folks that report those, or just the women that report, so much so that we did have a very strong representation in Bethel at our community testimony.

A lot of the testimony that we had given actually encouraged Senator Lisa Murkowski to introduce Senate Bill 2016, that is currently stuck in limbo in Congress. The bill is the Alaska Tribal Public Safety Empowerment Act, and it was sponsored by Senator Murkowski. The testimony--the community testimony from all over Alaska was included in crafting that bill. And there were so many recommendations from all of our people. We were facing the same issues. We lack money, we lack the kinds of partnerships that we need. I do not know if you know how difficult it is to work with our law enforcement, that it can be extremely challenging. In our villages, especially in my region, only eight percent of the community in my region, Yukon-Kuskokwim Region have Village Public Safety Officers, and that is not for lack of trying. We actually have applied to get some of our people trained. The village that we are partnered with, Hooper Bay, they have six Public Safety Officers, and only two of those people, up until just recently had received any sort of training from any organization that would train them to be officers. And that was over the course of two years. So two out of six in two years, that is how infrequently our people get trained. When I started the consortium with my village and theirs, it was imperative to me that training was at the very top of our list, and that is something that we are pursuing aggressively for our people.

Other statistics related to public safety in my area include Alaska State Troopers. So this information was taken a few years ago from some research they were doing into how many--how many troopers serve our area. Well, throughout the state of Alaska, the Alaska State Troopers employ 57 commissioned troopers and three command staff officers in the C Detachment, that is for my region, to call on to serve an estimated 43,242 people. And these are people that rely on the Alaska State Troopers as their primary provider of public safety. So that boils it down to one trooper for seven--every 758 residents, and each trooper covers approximately 3,791 square miles of area. The Yukon-Kuskokwim Delta is an area that is larger than the state of Alabama. So you can imagine one trooper for every 758 people within that area. There are trooper posts in our communities of Bethel, Hooper Bay, Emmonak, Saint Mary's, and Aniak. And obviously, this is not enough. I mean, just the weather alone, it creates logistical issues. Sometimes the troopers cannot get to some of our villages because of weather, or distance, or they may be elsewhere.

So just keeping those things in mind, you can understand my frustration not being able to be granted funding to help our people. Another thing, according to Senator Murkowski and the Indian Law and Order Commission, and the Alaska Tribal Public Safety Empowerment Act, it reiterates over--and I mean, this is something that has been reiterated over and over again, Alaska Native women are overrepresented in the domestic violence population by 250% and are 47% of the reported rape victims in the state of Alaska.

The one thing that I tried to--tried to inform OVW Office and Laura Rogers was that regardless of our land title, the Indian Tribes or Native Tribes in Alaska have inherent civil and criminal jurisdiction over the Alaska Natives' presence in our villages and we have full civil jurisdiction in our villages to enforce protection for any individual. I do not know how many other villages are displaced like mine. I do not know how many other villages experience the same type of discrimination as mine have over the years, and it is not just through this organization. It has taken a long time to repair and rebuild relationships between us and other villages, between us and the state of Alaska, between us and various agencies. We understand that as Alaska Native villages we are not like the Tribes in the Lower 48. Our people are not relegated to confines and the borders of a reservation. But we are federally recognized. And as such, we have the same legal relationship between the United States and to the indigenous people. The U.S. has a federal trust responsibility to all of us and to our Tribal governments to safeguard our people, and it should be applicable whether that is in a reservation in the Lower 48 or in one of our villages in Alaska.

I have to take a break for a second. I am a federally recognized Tribe. The U.S. is supposed to recognize our sovereign status. And just because our people live in a remote village, it does not disqualify us as people of the land. And it should not disqualify us from

being afforded the same protections and benefits of Tribes in the Lower 48. You can see some of the breakdown of the communication, the relationships between the Native villages and members of communities and law enforcement. A primary example, a good example right now would be the Florence Okpealuk in Nome right now. She has been missing for two weeks. And I have heard testimony--not just once but a couple of different times--from various people that live in the community. And law enforcement was not working with them.

So, in my mind, we have several different problems. Yes, we need more funding for our communities. Yes, we need to have very clear understanding of our needs and our desires as for being able to provide the resources for the protection of our people. But we also need to make sure that our local, or municipal, or state law enforcement understands that we do have this right and authority on our land. And we also need to be taken seriously. As much as I love my state, I do know our law enforcement has problems in dealing with Alaska Natives and other minority peoples. There are a lot of things that have been coming up in the past few months regarding the relationships between communities and law enforcement. Not just from our state but across the country. And those types of relationships, or the breakdowns of those relationships, and the inherent racism that is--that is embedded into our law enforcement organization. They can be illustrated in other people and not just Alaska Natives. Think about like Breonna Taylor or George Floyd. I can name a whole bunch of other people. There are Indigenous Americans who have experienced the same type of thing.

But what I really just wanted to just say today is that I appreciate the opportunity that you have given us to speak. I appreciate the opportunities you are giving our Tribes and our Tribal governments to access more funds. But if you are going to do that, you cannot be discriminatory about a Tribe that maybe does not live in their ancestral lands or are not--are not in an area where it seems like they have jurisdiction. According to the U.S. Code 1154 and 1156, Indian Country is defined to be all land within the limits of any Indian reservation under the jurisdiction of the U.S. government. And it keeps going on. All dependent Indian communities within the borders of the United States, whether they are within the original or subsequently acquired territory thereof or within the limits of a state, and all Indian allotments and the Indian titles that have been--have not been extinguished.

So, I would like to make sure that as you come together after meeting with all of us and hearing us today and over the course of each of the consultations. I have been fortunate enough to listen to a number of them up until now. I would like to make sure that you remember that your actions meet your word, they follow your word. Yes, we will help you. Yes, we understand that Alaska has challenges unlike any other state within the United States. Our villages are different, and our--the logistics of dealing with law enforcement

within our communities are different. If you really want to encourage and support our villages, our Tribal government, our municipal governments in ensuring that we have protections for our people, it will go a long way in meeting the goals that you have to enhance the safety of our women from those different types of crimes against us. And it is not something that is unknown to many of us that maybe even on the lines right now.

I actually am speaking as a survivor of domestic violence and rape. So, I understand just how significant my voice can be to you. I think one of the most important things that I can possibly say is that I am imploring you not to just discuss this with your team but to come up with action items that really will help us, and look at your policies to make sure that you are not discriminating against people or Tribes that have unusual circumstances like mine. Because of the criteria, we were considered ineligible to apply for the funding. And it was just heartbreaking. I am the only person that writes the grants for my village and for--who purveys public safety. They do not have anybody on our team that can do that. Creating these consortiums, creating these partnerships between other Tribes, municipal governments, and our Tribal justice and state justice agencies is so important for us. We have been working very, very diligently on it. There are a number of Tribal courts in villages within the state of Alaska that are working towards this goal of having a unified front to fight these things. Thank you for your time. I really do not want to take too much time away from any of the other people that are speaking today. But I mean, you can tell...

MARY JO GIOVACCHINI: Thank you.

ESTELLE THOMSON: ...this is something that is very pass--I am very passionate about and I am very--I will constantly advocate for. So, please, please take that back with you.

MARY JO GIOVACCHINI: Thank you very much for your testimony, Estelle. Our next individual that is going to offer testimony is Earth-Feather Sovereign. We will go ahead and unmute your line. At that time, please restate your name, whether you are speaking as a Tribal leader or designee, as well as the name of your Tribe. And your line is unmuted. You may begin your testimony.

EARTH-FEATHER SOVEREIGN: Right. My name is Earth-Feather Sovereign. I am a member of the Colville Confederated Tribes located here in the state of Washington. I am Okanogan, San-Poil, Nespelem bands. My father is Ernest Clark and my mother is Deanna Marcellay. I am a descendant of Chiefs and Matriarchs, including Que-Petsa, personal contact with Lewis and Clark here in the Pacific Northwest. I am inspired by my ancestors to continue to advocate for our people, all Indigenous people, and all inhabitants of our Mother Earth because we are all related and everything is connected. I

am here as a founder, director, and advocate for Missing and Murdered Indigenous Women Washington.

The memories I am sharing with you are collected in small quantities. And there is no comprehensive database on violence against Native women under Tribal jurisdiction because no federal archival agency systematically collects this data. Data collecting is also complicated because of underreporting by state, city, Tribal, and federal authorities. In Washington state, we have 29 Tribes. We have the most Tribes in one state as compared to any other state. Yakama Nation and Colville Nation are the two largest reservations with about 10,000 Tribal members with each reservation. Seventy-two percent live on urban areas. Indigenous people from all over our continent live off on reservations. In 2019, the National Crime Center reported 609,275 missing people in general; 311,008 were missing men of all races, 298,190 are women of all races. Native Americans make up two percent of the population; 10,447 American Indian people are missing. And in 2016, we had the numbers of 5,712 were missing Native American women, and today we still believe that number is about 5,000. And only 116 were logged into the Department of Justice database. 2018 Washington State Patrol reported in a HB 2951 Consultation 634 open cases of missing people in Washington state and 98 open cases of Missing and Murdered Indigenous women, not including our men, children, our LGBTQ, which we refer to as Two Spirit.

The Urban Indian Health Institute Missing and Murdered Indigenous Women and Girls study, Washington state ranks number two with the most Missing and Murdered Indigenous women in our nation as compared to cities. Seattle is ranked as number one. And Seattle, another Urban Indian Health Institute reported by Abigail Echo-Hawk, 94 percent have been raped in their lifetime, and only eight percent ended in a conviction. Most domestic violence and sexual assaults are perpetrated by non-Tribal members. Some of these attacks end in murder. And I would like to know where is our cold case center? You know, Mosbrucker and I initiated two Missing and Murdered Indigenous Women Bills for Washington state. February 1, 2018, HB 2951 passed last. The Bill directed Washington state patrols to work with Governor offices, Indian Affairs to work with local Tribes, and urban organizations to help come up with better systems on collecting and reporting missing indigenous women in Washington state.

July 20, 2019, HB 1713 passed and was in effect. This Bill created two Tribal liaisons to work under the state patrol and to work with 29 Tribes and urban organizations. The liaisons are directed to come up with protocols to help direct law enforcement when making a missing persons report. And the Bill started out as a 20 plus-person task force, but there was not enough funding. In 1992 I was stolen by a gang in Portland, Oregon, who wanted to traffic me in Hawaii. But due to my family searching for me, because law

enforcement said they had to wait 48 critical hours. And if my family would not--would have been idle, I would not be here today. Also, in 2004, I was strangled by my husband, and if it was not for family searching for me and pulling him off me, I would not be here today. Law enforcement did not always want to act on arresting him. Now I have a lifetime protection order against him to protect myself and my children.

The issues and recommendations that I have discovered was law enforcement of all jurisdictions, as well as supportive urban organizations, have reported that there is not enough funding to investigate cold cases after 10 years. And I believe the government, state, and cities should also hire Native Americans because only us as Native American Indian people know what it is to be Native American and know all the barriers, and know all the struggles that we have to tackle as Native American people. And Tribal police cannot investigate off reservations, and we need to be able to get the Tribal police recognized as an official police department with each state so they can help search for their people, and funding needs to follow Tribal members. And Tribes need to reclaim their sovereignty to the Missing and Murdered Indigenous person boards to oversee and assist Operation Lady Justice, or any state, or federal agency helping us find or seek justice for our people.

And I believe our Indigenous Native American women are at the bottom of our nation's totem pole because we have the highest statistics. When you help tackle our issues, it can create a bubble effect and it can help everyone's issues. This is not just a Tribal issue, it is an American issue because everyone has a right to healthy food, clean air, clean water, and everyone has a right to walk this earth free from harm and feel safe. So, we would like better government-to-government relationships with respect of our American Indian First Nations Indigenous people, with proper protocols and better relationships. So together, let us make America safe again. [SPEAKING IN NATIVE LANGUAGE]. Thank you.

MARY JO GIOVACCHINI: Hi. Does that conclude your testimony? If you could just please confirm?

EARTH-FEATHER SOVEREIGN: Yes. That concludes my...

MARY JO GIOVACCHINI: Thank you very much. Sorry. Thank you very much. I appreciate that. The next person that we are going to call upon to offer testimony will be Judge Frank Demolli. Judge Demolli, we are going to unmute your line. Please restate your name, whether you are speaking as a Tribal leader or designee, and the name of your Tribe. Give us one second please so we can get your name listed. Judge Demolli, we have three lines for you, we did unmute one. Can you try speaking? All right, Judge Demolli, we do have one of the lines unmuted. If your telephone is muted or your

computer, can you please try to unmute that? We are also going to unmute some of the caller lines to see if you are listed under one of them. Give us one moment, please. We have quite a few of...

FRANK DEMOLLI: Can you hear me?

MARY JO GIOVACCHINI: Judge Demolli, is that you?

FRANK DEMOLLI: Yes, it is.

MARY JO GIOVACCHINI: Okay. We hear you. We actually hear two lines. I think this is you. Go ahead and try again.

FRANK DEMOLLI: Very well. My name is Frank Demolli. I am a designee for Santa Clara Pueblo in New Mexico. And I want to thank you for the opportunity to discuss the Operation Lady Justice initiative. I have been General Counsel and Judge of various Northern Pueblos for 25 years. And I have listened to the testimony during a previous call and today. While we do not in Santa Clara Pueblo have the extensive problem with missing women and murdered women, what we do have is a proactive approach. And what I want to focus on in my testimony is the programs that we need to help us. And I think to help all the other Tribes.

We urge expansion of the Tribal Access Program because this provides computer hardware and software so we can access a number of databases when we are doing investigations. Now let me be specific. We are close to the New Mexico border. At other Tribes that I have represented, other Pueblos, one of the problems we had was with missing women who we assumed were being taken to Mexico. We need good relations with Mexico so that we can ask their people to either bring back or work with the Tribes on bringing back their people, the Pueblos people, and these are Pueblo enrolled members. We recommend the strengthening of the Federal Special Law Enforcement Commissioning Program because this allows Tribal police officers to enforce all laws involving Pueblo victims. The SLEC (Special Law Enforcement Commission Program) is superb. And if we could strengthen that I think it would help all Tribes.

Now, I said that we were being proactive. We have found that a lot of times when there is a person missing from the Pueblo, their intimate partner may be the reason that they left the Pueblo. I want to commend everyone for the Violence Against Women Act, which allows for the protection of women when the perpetrator is non-Native. The Pueblo needs a way to have justice done and have the outside world know that if you, as a non-Native, are coming on the Pueblo, and committing domestic violence, and/or kidnapping women

from the Pueblo, that the Pueblo will be on the forefront of providing justice. So, last month, Santa Clara Pueblo was approved for Violence Against Women Act, the SDVCJ (Special Domestic Violence Criminal Jurisdiction) Code, and to be able to enforce domestic violence laws against people who are non-Native but they affect the women on the Pueblo. We will provide a written response to other Task Force questions. And for whatever it is worth, it makes you cry if you are a judge and see these cases, and know that there are resources out there if we can just access them. So, please, on the Tribal Access Program, do your best to get those out to as many of us as you can. And it also makes you cry to hear from Alaska and Washington with their enormous problems. That concludes my testimony. The rest will be written. Thank you.

MARY JO GIOVACCHINI: Thank you very much for your testimony, Judge Demolli. Our next speaker is going to be Shirley Sam. Shirley, we will--give us a second to unmute your line. Once we do that, please restate your name, indicate if you are speaking an--as a Tribal leader or a designee, and then the name of your Tribe.

SHIRLEY SAM: This is Shirley Sam speaking as...

MARY JO GIOVACCHINI: Shirley, you...

SHIRLEY SAM: ...designee for the Koyukuk Native Village.

MARY JO GIOVACCHINI: Thank you very much. You may begin.

SHIRLEY SAM: Okay. Koyukuk is a small village in Alaska, the population is 86 and roughly 376 Tribal members. A large amount of our Tribal members live in the city, like Fairbanks and Anchorage. And regarding missing person cases, there has been reports of both male and females who have gone missing, and they are usually people who travel to the city for medical or other appointments. And sometimes, when they get their dividends or money from firefighting, they are going to Fairbanks or Anchorage too. And Koyukuk is a long distance from the nearest cities, it is over 370 miles away, and it is [INDISCTINCT] that it is only accessible by air.

When a person is miss--reported missing, the Tribe is not notified, the Tribe is not invited in the search. The law enforcement agencies would only offer limited time to search and it is usually the responsibility of the people in the area to continue the search on using their own resources. There is a need for designated Tribal point of contact that law enforcement officers can contact in the event of a report of a missing person. There is a need for people and money in the area to assist with the search. A lot of times, families will not--family will not leave the area where search is being made and food and drinks,

and, you know, snacks is a responsibility of the family who is searching. People chip in but during the course of long searches, it--you know, the resources, local resources from the people, it gets depleted. There is a need for this type of money to be made available so that we can search for our missing people. There is also a need for money for our point of contact to travel to a location of a missing person to coordinate with the local law enforcement agencies and to keep updated on the missing person case.

In the past, when there is a report of a missing person, no one from my village was able to go because it was so far away. It was in Anchorage, that is over 500 miles from our village, and there is no money. And the only contact we had was through a Facebook page that family could keep us updated of anything. And it is really sad. It is just really, really sad trying to sit home, not being able to go help and, you know, with delayed information. And so there really is a need for funding for that type of situations. And regarding murder cases that are located outside of Koyukuk, they were male and as--you know, they usually travel to city for appointments or, you know, when they get large amounts of money.

And when a person is murdered, the family was notified and no information was given to the Tribe regarding the investigation or the progress on the case. There were no updates given unless the family calls and pressures the law enforcement agency for information. There really is a need for a Tribal point of contact to be designated to receive updates and communicate with the law enforcement officers. There is a need for funding for family members to travel to claim body and escort the body home for a funeral, and for the point of contact to travel with them to assure that all traditional and customs are adhered to. And, you know, it is really important that traditional ways of doing things be recognized by the law enforcement agencies. You know, we understand about autopsies, we know they have to be conducted for, you know, evidence and data, you know, we understand that, but every possible respect should be given to a person who is murdered and that is from our Tribe, especially if we are not able to be there. You know, and, you know, state-wide and even on the regional level in Alaska, we need communication and coordination when reports are made of a missing or murdered Alaska Native, so that local resources can be called up in the area and then see what further assistance is needed to help to search or locate witnesses.

It would be ideal for a task force to be made available at a--at each region that deals specifically with Alaska Natives involved with crimes and that law enforcement will then coordinate with the village on the cases. You know, the rural unit out of Fairbanks does not coordinate with Tribes on what the status is on cold cases that involve missing or murdered Alaska Natives. Those people that were murdered was--they--no one was ever brought to justice. We do not even know the status of those cold cases. No one else has

these things, you know. I mean, at the Tribe, no one--no one is notified, you know. If there is some kind of database that, you know, we can check, you know, for cold cases, that would be great, you know. I mean, it is just really sad, it is really sad.

It is just so important that cold cases be looked at again, no matter amount of time that passed, they are still important. We still miss them, we still love them, and we do not feel closure knowing that these cold cases are still there. And no one is doing anything about it. We need more power as a Tribe to be able to do something for these cold cases, to get them looked at again even, you know, maybe somebody's conscience is weighing--is weighing on them and they want to, you know, they--maybe they want to confess but they will--they could not, you know. I think these cases should be looked at again. It has been too many years. I will--I have written testimony that I will be submitting to go along with this oral testimony. And I thank you for your time today. Thank you for listening to me.

MARY JO GIOVACCHINI: Thank you very much for your testimony. At this time, we are going to open up some of the caller lines to see if we can identify the last two Tribal leaders that registered to speak. We are looking for Deborah Maytubee as well as Gloria Simeon. So Deborah and Gloria, give us a moment to unmute the call lines and then we will call out your name again. If you are on the line, you can begin your testimony. So one minute, please. We are having a little bit of technical slowness here so be--please be patient. All right, Deb. All the lines have been unmuted. Deborah Maytubee and Gloria Simeon. If you are on the call, please, you may begin your testimony. Restate your name, if you are speaking as a Tribal leader or designee, as well as the name of your Tribe. Deborah and Gloria.

FEMALE: [INDISTINCT]

MARY JO GIOVACCHINI: Hello? Was that Deborah or Gloria? All right, we are going to mute the lines again and we are going to go--that would finish us up with our Tribal leaders who registered to speak and we are going to go to the other individuals that have registered to speak at this time. As we noted on the registration form, you do need to be registered to speak and offer testimony in order to participate. There is a seven- to 10-minute limit on testimony from individuals other than Tribal leaders. And we have a registration list which is up to date as of 11:30 a.m. Eastern Time. If you registered to offer testimony after that time, we ask that you please submit your name and information to the chat box and address it to all panelists, and then we can add you to the list.

I am going to read out a list of names of all the individuals that have registered to offer testimony. If you do not hear your name mentioned, then please submit that information to the chat box, again addressing it to all panelists. So give me one moment and we can

start that. We have Cissy Strong. Cissy Strong. Desirée Rojad, Josey Tenorio, Ataira Russell, Tara Pretends Eagle Weber, Jennifer Bereskin-Delia, Grace Bulltail, Roxanne White, Anna Bean, Calina Lawrence, Benita Moore, Rachel Fernandez, Kyle Taylor Lucas, Felicia Leitka, Billi Miller, and Carolyn Deford. Again, if you did not hear your name mentioned, please submit that information to the chat box addressing it to all panelists, please. I am sorry. Addressing it to all panelists and then we will add you to the list. We will start calling the speakers who we are able to identify. And that will start with Grace Bulltail. Grace, we will unmute your line. After we do that, please restate your name, provide your title, as well as the name of your Tribe. Grace, your line is unmuted, excuse me. You may begin.

GRACE BULLTAIL: Thank you. Thank you for allowing me to speak today. My name is Grace Bulltail, I am from the Crow Tribe, also a descendant of the three affiliated Tribes, and I am an Assistant Professor at the University of Wisconsin-Madison. I want to speak to you today about my niece, Kaysera Stops Pretty Places. I helped my grandparents raise Kaysera and I consider her to be my daughter. Kaysera is Crow/Northern Cheyenne/Mandan Hidatsa Arikara Tribes. She was beloved by her large extended family and she was a kind, loving, and compassionate soul. One year ago today, we were having a funeral service for Kaysera. She was laid to rest 24 days after she went missing and 19 days after her body was found. I have stated the heartbreaking details about Kaysera's disappearance in the Montana border town of Hardin with this forum previously.

It has been a month since Kaysera should have been celebrating her 19th birthday, instead of today marking a year since she was laid to rest. We were not able to give Kaysera a proper burial, after everything the coroner and funeral director subjected Kaysera's body to and to the information that the coroner and law enforcement withheld from my family. My family along with others are devastated and we should not have to confront the indignities or girls still facing death, so there is the result of little value that is placed on their lives. When this listening session for Montana region was held on August 25 a few weeks ago, I was at the location where Kaysera's body was found in Hardin. I remained there in protest until August 29 to mark the year since her body was found. At no point did Big Horn County law enforcement come to speak to me. During that time, I also tried to join a listening session on that day but I was unable to do so because I did not have a wireless internet connection. So this is why I am joining today. I am saddened to think about the other families who have been unable to join these sessions because they lack the access to the internet as many families in Indian Country do. We all need you to do better.

Despite my family's efforts, Kaysera's case is now considered a cold case because it has been a year since she was found deceased. Will you be able to help her now? We have

held Justice for Kaysera events for 19 days from August 24 to September 11 to mark the time she was stolen from us and no one had the decency and humanity to notify us that she had been found. As part of our efforts, we address this Task Force. Will our calls for justice continue to go unheard? Since I am not aware of the time I am allowed to speak until I actually join the meeting, here are some of the gaps in receiving justice my family has identified, as stated in our letter to Attorney General Fox of Montana who oversees the justice system. In my letter to Attorney General Fox, it say my family has sent letters to you--to you several times since September 2019 when we were notified of Kaysera's death.

A year after Kaysera--Kaysera's body was found in Hardin, you have yet to engage in any way with my family. As you are from Hardin in Big Horn County, you should be familiar with the high number of missing and murdered Indigenous women in that county. The county has the greatest rate of missing and murdered Indigenous women and girls in the state and nation. It is appalling that you ignore my family that has reached out to you more times than we should have to. As Kaysera was found in Hardin off the reservation, her death is within the jurisdiction of Big Horn County. The state of Montana, your office, is charged with upholding the law for crimes committed off the reservation. There is no reason you cannot address my family directly as Kaysera's murder is in with--within the jurisdiction of your office.

The justice system in Big Horn County in Montana has failed Kaysera in all aspects of investigating her death. Will your office continue to be complicit in allowing this to happen? My family has asked for the Montana Department of Criminal Investigation (MDCI) to step in and investigate Kaysera's murder. The response from your office had been that the county must request for the Montana DCI to assist with the investigation. This is a complete dismissal of a grieving family that is pleading with the justice system to ensure that the murder of their teenage daughter is adequately investigated. And when the Big Horn County Attorney did request assistance from the Montana DCI, your office's response was that you are not able to uphold your responsibilities due to the current caseload. Is it standard practice to pick and choose which cases receive adequate investigation based on how much criticism your office receives? How is this fulfilling your duties to uphold justice in the state for all cases that are referred to your office for further investigation? In showing some initiative to address the long-neglected MMIG (Missing and Murdered Indigenous women and girls) crisis in your state, you created the Montana Missing Indigenous Persons Task Force last year. What are your plans to address the murder of indigenous people, particularly women and girls, that occurred the highest rates in the country?

So here is a suggestion. You can start by making all Missing and Murdered Indigenous women and girls cases a priority for receiving assistance when directed through the channel that is laid out by your office. I am attaching a letter I sent the Big Horn County Sheriff Big Hair. In this letter, I mentioned the residence where Kaysera was last seen alive on August 24, 2019. You, Attorney General Fox, should be very familiar with the family that lives at this residence, as they had ceremonially adopted you into their family in the Crow Tribe. The significance of this information is not lost on me. I demand that you in your capacity as Attorney General respond to, and assist my family. If you have the bandwidth to run for Governor while serving as Attorney General, you can help Kaysera's family while you are still in office. So this is a letter I sent to the Attorney General as well as several other candidates that are running for office in Montana that continue to not address the crisis of Missing and Murdered Indigenous women, girls, and people in our state. As you can see, we have exhausted all possible venues to ask for assistance. Will you also continue to deny Kaysera justice?

MARY JO GIOVACCHINI: I am sorry. Does that conclude your testimony?

GRACE BULLTAIL: Yes.

MARY JO GIOVACCHINI: Thank you very much for that. Our next speaker is going to be Ataira Russell. Ataira, we will unmute your line, I will let you know when that is done. Please restate your name as well as your title and the name of your Tribe. Your line has been unmuted. You may begin.

ATAIRA RUSSELL: Thank you for having and listening to me. My name is Ataira Russell and I am a descendant of the Aleut Tribe in Alaska, although I live in Washington state. I am coming to you today as a family member of a Missing and Murdered Indigenous family, and I am speaking on behalf of my own family today. I just wanted to bring to the attention as everyone else said that there is a lack of funding and some of the things that I feel like would benefit us are regional community resource centers. People do not understand the tragedy that a family has to deal with when one disappears. My niece Alyssa McLemore disappeared in April 2009. So this is our 11th year without Alyssa and it is hard. We spent the first eight years, eight and a half years by ourselves with little resources to come up with even flyers to put out to look for Alyssa.

The police department has their investigation so they cannot tell us much, but a few things that bothered me that I would also like to see corrected is when Alyssa came up missing, Alyssa was listed as Asian. And to have her nationality corrected was a lot of work, her-- just her simply nationality was not corrected until just two years ago, and the only person that could correct that was the police department responsible for her case. The other thing

is that when Alyssa first disappeared, there was a DNA profile set up that was supposed to be entered into the system, and nine years went by before we figured out Alyssa's DNA was improperly entered into the system.

So I feel like my family fell through the gaps the first nine years just for having support with--from the community, from anybody within law enforcement reaching out to us. There was no advocate and things like that until we hooked up with some other people, Roxanne White and Carolyn Deford and, you know, a couple of local Tribes have been helping us. But it was a long eight years, you know, and I feel like a lot more could have been done, particularly if her DNA was entered properly. Now they say it is, but how can we really trust that? If a body happened to be found seven years ago and Alyssa's DNA was not entered right and they actually found Alyssa, she could be an unclaimed body somewhere. And the stress that that puts on our family. Every time you hear a person is missing, your whole world comes to a stop until you figure out if it is a lady or if it is a man. And overall, this is just causing generational trauma for my family. My oldest family member is 86 years old. The youngest one that is able to understand is six years old. They are watching each other hurt and not have any resources. There is no family counseling for us, there is no resource center where we can just say, "You know, I am having a hard day today." You know, we have to wait for certain events to get coordinated and put together and then hope that we could have the funding to make it there.

When it comes to even searching for Alyssa, you know, we have to do this mostly on our own. And even if we find something, our local law enforcement, like now there is a well. My local law enforcement will not go down and look at this well. Although it has a tarp over it, and it could be a body under there, it could not be. But nonetheless, it is still a public safety, and a kid could fall in there or a dog. You know, so I just feel like once a person becomes a missing case and they have been gone for quite some time, it becomes irrelevant to law enforcement. And I would like to know who considers people a cold case? How long does that process take before you are actually a cold case? And for the law enforcement that is not helping us, how would you feel being told that your family member that you love and have been searching for is a cold case now? And they do not have any funding to help you any longer? I mean, that causes depression.

We are already in an epidemic, we are already the lower class as far as incomes are concerned. We already have the highest number of people coming up missing, and it is just--there is a lot more that could be done. And I will not take a lot of your time, but I think regional community resource centers with real help to serve our needs will be one of the great things that will benefit us to close the gap on the DNA process of it being collected. We need somebody to make sure that it is followed through and properly entered. Even having a resource person that would contact the coroner for the families. I had to contact

every coroner by myself every time that there is a female body found within Washington state. And, you know, that is depressing. And there is no counseling for me while I am campaigning. My niece would say, "Her mother is deceased." The camp--police considered her a cold case. So there is nobody looking for her. If I give up now, who is going to look for her? Does she just not count anymore?

I mean, so I would just like to see some of these things addressed. And in these resource centers, I would like to see funding for search parties and volunteers for search parties and just other ways that the families can really feel like they are being heard and even somebody to follow up because we do not know who designates the task force and the advocate. It seems like we do not even have a say or a vote. So, you know, I just think that there are a lot of things--a lot of gaps that need to be filled. And even with the Washington State Patrol website--I will just stop after I am finished with this, but the Washington State Patrol website--the Washington State Patrol has been well aware my niece is missing to the point where they helped us get a truck for my niece. But no one at Washington State Patrol has taken the time after 11 years to put my niece on their website for missing peoples. I think it is ridiculous, that is one more thing the family has to do when the law enforcement can communicate with the--within each other and say, "Hey, we have another missing person." And put that person on a list or on the internet without the families having to do that. Just--it is a simple step. But the rest of my comments will be submitted in writing. And I appreciate you taking the time to listen to me and my concerns. That ends my testimony.

MARY JO GIOVACCHINI: Thank you very much for your testimony. We appreciate that. Our next speaker is going to be Calina Lawrence. Calina, we will unmute your line. I will let you know when that has been done. Please restate your name, your title, as well as your Tribal--the name of your Tribe. Give us one second, please. Your line has been unmuted. You may begin your testimony.

CALINA LAWRENCE: Calina Lawrence [SPEAKING IN NATIVE LANGUAGE]. My name is Calina Lawrence, I am Suquamish. I come from the place of the clear saltwater. I was born and raised on the Port Madison Indian Reservation in Suquamish, Washington. I am 27 years old. I am here today as an individual. I do not represent the Suquamish Tribal government. I am speaking as a young woman who is raised in Suquamish culture and in the culture of continued assimilation at the enforcement of the U.S. government and settler colonialism. I currently live in the ancestral village of Yelamu, which is stolen Ramaytush territory, the city of San Francisco, and the state of California, and all of its history of genocide and theft also committed by the United States government and settler colonialism. I have lived here in San Francisco for six years, constantly travelling back and

forth to my home territory, Coast Salish territory, and utilizing my lived experiences as a young indigenous woman, as a professional artist, and as a human being.

And I want to thank my elders who are on this call today, thank the Tribal community members and leadership, and especially want to thank the family members and advocates of those who know these experiences all too well. I want to acknowledge a few things that I am feeling as I am listening and grateful to my elders here for allowing me this time to speak. I do not want to--I want to be very careful with language. I do not think this Task Force is allowing me to speak. I think it is your obligation. I do not think this is an opportunity, I think this is an obligation. I do not view you guys as saving us or helping us. I definitely view you guys as extending the works of centuries that has been caused specifically by the settler colonialism on our indigenous territories. And I want to make that very clear.

One of the opening statements today was that this Administration and that Trump was the first President to sign the MMIW (Missing and Murdered Indigenous Women) Task Force at Presidential Executive Order. I also want to mention he is the 45th President to break Tribal treaties consistently. His first act in office being the Executive Order to permit the Dakota Access Pipeline through Tribal-protected sovereign and treaty-protected lands. So we have to acknowledge how our trust has been broken on several levels. And I think that that is important to acknowledge that while one act might be from the ongoing decades of work that Indigenous women in particular have committed to this epidemic. It is an obligation for this Administration to be doing this work with us.

One thing comes to mind during my time that I am here to speak is that consent being something that our society has struggled with since the inception of the United States government. And I think for all of us here in our own histories with our own communities, we are very well aware of how consent has not been present in our daily lives, which can lead to how consent is violated when our people are stolen, when our people are becoming sex trafficked, and also when our people are murdered. And I know that for me, I have had to learn about consent through my own experiences of having my consent violated. I have not learned about consent from this society as a whole. I have not learned about consent in the education system, and certainly have not learned about consent through the judiciary system in place. I think one recommendation is the importance of spreading mass awareness about consent. Also the history of exploitation of land and bodies committed by the United States to several peoples, and especially to Indigenous peoples, and the hundreds of nations that have existed here since time immemorial.

I am recommending that the United States and your Administration publicly acknowledge its role in creating a culture and society that feels these acts of violence and

dehumanization that we experience in alarming and unacceptable rates. I hear a lot of reactive suggestions, and while those are important to providing closure and resources and help to those who are experiencing in this, I think there needs to be a lot more resources to be proactive in prevention of this--of these learned behaviors. We know that the United States government has only reached this level by committing the same exact actions that have caused this crisis today, which is stealing bodies, exploiting labor, physical labor, use of violence to assure dominance and maintain power, murder, and cover-up. All of these have been taught in various ways to our society as a whole. And I think that it--it is going to require a mass acknowledgment in order for us to continue to heal and address why these actions are committed by our neighbors, our loved ones.

I think that I am sure that my time is coming up soon. But I just want to mention the importance of acknowledging history and also the importance of saying that this Task Force is only possible because of the number of Tribal community members, advocates, and families who have yelled, and screamed, and cried for this to even be a topic of discussion at the level that it is now, and I personally want to thank those folks in particular. As a 27-year-old woman, I am watching closely how adults in society, in this country, and in your respective communities are addressing this so I can learn what to do and what not to do when the time comes that our generation has an obligation to handle these experiences with delicacy and with urgency. Again, I put my hands in Coast Salish protocol to those who are offering continued sacrifice and value to this work [SPEAKING IN NATIVE LANGUAGE]. I am finished.

MARY JO GIOVACCHINI: Thank you very much for your testimony. Our next speaker is going to be Anna Bean. Anna, we will unmute your line. Please restate your name, your title, as well as the name of your Tribe. As a reminder, your testimony is limited to about seven to 10 minutes. Thank you very much. Anna, your line is unmuted. You may begin offering your testimony.

ANNA BEAN: [SPEAKING IN NATIVE LANGUAGE] Good day, honorable friends and relatives. My name is "Way Over There," my English name is Anna Bean, and I am a member of Puyallup Tribe as well as a member of Puyallup Tribal Council. I am here today as many of you are for the--for the same reason, to honor being here, to acknowledge those who have been doing the work as well as those who are here due to their communities and their people being impacted by those that are missing and murdered, men, women, and children. The timeframe has kind of like thrown me off a little bit but I do want to acknowledge all of those who have been a part of this work for some period of time and one of them, and I know is on the line is one of our own members, Carolyn Deford.

I have only been, to be honest with you, as many, was not aware of the impacts and the levels of what was going on with missing and murdered until about three years ago when Carolyn Deford had actually really been reaching out and bringing this to our community. And as time goes, you know, from one of our leaders at Puyallup Tribe, they have stated his name is David Bean who is also my relative, has always stated that what affects one of us affects all of us, and that we often do not feel compelled to act until we are personally affected.

And so I ask all of those in the room, you know, because we are trying to see and how do we get people to be engaged when they do not feel personally affected until it has hit them personally? You know, it is very frustrating because, you know, people may put out the red dresses or they may share information or they may come to a rally but it is the--how do people--how do we engage people to stay consistent in this? I do not want to take up a lot of time but I do know that we have--a lot of times, we are speaking and you hear folks, and I am--we are talking about what we lack, what we are experiencing in our regions, in our states, our cities, and our reservations. But when are we actually going to get to addressing the downfalls of whether it is the judicial system, the law enforcement, all of the areas that were set in place to help all but they are not helping.

Like it is, like, when we start to report these--the missing or murdered, oftentimes it is like a period at the end of a sentence, as soon as you say it and it is done. So when are we going to actually start strategizing when we are going to put all of these things that we have been talking about and all of the things that we have been seeing, all the things that we have been hearing, and actually create a comprehensive strategic plan to address what has been going on. And are we going to create different committees who are just focused on one area and then coming back together, because it should not be placed on one person or one community.

If we are all in this together, we all need to maybe take a stance in one area of it where something is lacking so we can correct it. Because I feel like we spend a majority of the time talking about what is going wrong and I appreciate those who put suggestions out there. And when are we going to put those suggestions into action and really just bullet point and start knocking these things down to where we are seeing less and less of our own disappearing and really start finding people and, you know, putting justice where it belongs, and that is into the hearts and homes of the families who have been affected by this most and the communities that are broken. When are we going to start healing and when it--where is that in this process?

I am thankful to have the opportunity to speak here. I am thankful for all of those who spoke before. My heart is heavy for anybody who is currently going through this, who has

gone through this, who has been going through this no matter the time. The pain is just as harsh and hard for each one of you that has been going through it whether it was yesterday or years that until there is justice, until you know, you will never feel whole, and it is never going to feel right without those people here. But what can we do to ensure also that we have less and less going out.

I do appreciate Calina Lawrence mentioning like the education and being proactive as opposed to reactive. When are we going to have the left and right hands get together and start lifting our people up in finding our relatives, and making our people's hearts whole? I appreciate my time on the floor [SPEAKING IN NATIVE LANGUAGE]. Thank you all for putting this together. My heart goes out to every single person who has been experiencing this in our communities. My heart is with every single person who is taking a stand and using their voice to help other folks. And just thank you for taking the time today and I also am finished [SPEAKING IN NATIVE LANGUAGE].

MARY JO GIOVACCHINI: Thank you very much for your testimony. Our next speaker is going to be Carolyn Deford. Carolyn, give us a moment, we will unmute your line. As a reminder, your testimony is--we ask that you limit it to seven to 10 minutes. Please restate your name, your title, as well as, sorry, the name of your Tribe. Carolyn, your line has been unmuted.

CAROLYN DEFORD: Good morning. My name is Carolyn Deford. I am a Puyallup Tribal member. My mother, Leona Kinsey, went missing in La Grande, Oregon over 20 years ago. I am a family advocate for families of missing persons across Indian Country. And I am also a designee on behalf of my Tribe, the Puyallup Tribe located in Tacoma, Washington in Washington state. I am grateful today for Operation Lady Justice and the 11 state cold case coordinators, and all of the work that has been fought for to finally come into something tangible.

For generations, we have been fighting to live, to be free, and to simply be Indian, and to speak our language, and sing our songs, and so for that, I am grateful to see this coming to fruition. But remember that these and the other accomplishments are not gifts in Indian Country. They are things that we have fought long and hard for. I admit that I am torn between optimism and skepticism around Operation Lady Justice and I am not the only one. There is a long history of that distrust there but I am very hopeful as a family member. We are always holding on to some kind of hope that the system that is supposed to be in place to protect and serve will do that.

The Puyallup Tribe is one of the largest urban Indian Tribes in the country. We are located between Portland, Oregon and the city of Seattle. We are on the I-5 Corridor, which is a

human trafficking hub, and it traffics Indigenous people and people of all races from British Columbia to Mexico down the I-5 Corridor along the West Coast. We struggle with the jurisdiction challenges being an urban Tribe and being situated within a large urban setting, one of the largest cities within Washington state. We are also fifth in the nation according to NamUs, the database, National Missing and Unidentified Persons System, we are the fifth in the nation for missing people. We know that data is underreported due to being voluntary, due to inaccurate accounting of race. My mother herself was inaccurately reported as white for 18 years. And like Ataira Russell said, it is really hard to get the racial classification changed. You have to jump through a lot of hoops to do that. Another challenge that we are having is dealing with jurisdiction over non-Natives committing crimes and facing high rates of domestic violence and sexual abuse within our communities and not. . .

MARY JO GIOVACCHINI: Hi, Carolyn, I am sorry. It looks like we lost your call. Are you still there? Can you hear us?

CAROLYN DEFORD: We need an Oliphant fix to hold--to hold outsiders accountable for committing the crimes on our lands, and we need meaningful consultation and acknowledgement. I do not think that the Task Force that these--that these Tribal listening sessions had been very well advertised. A lot of people that I spoke to, Tribal leaders and community leaders and non-profits included, had never heard of this. And so I think there is a lot of work to be done there and some Tribal consultation could have probably helped in getting the word out to the folks who needed to be at the table.

Additionally, these outside systems that are here to protect and here to work for us, they fail to honor our Tribal warrants. Our protection orders and our subpoenas are often discarded or not taken seriously, and this fuels that distrust and the communication barriers that are already in place in an uncooperative system. Our Tribal law enforcement should not have to jump through hoops to simply do the job that other law enforcement officers have to do. There is an inequality there that places critical timeline and deadlines and gaps in investigations that livelihood may be hinging on.

There is a sense that when we report a missing persons case or violence to law enforcement that something is going to be done. And I was one of those naive people like many families that thought that once I made that missing persons report that a detective would come in, they would find a clue, satellite searches would happen, they would find her car, dogs would come in, posters would be everywhere, her picture would be on the news, and people would be interrogated and they would--they would find her. But all I got was a call that said, "Let us know if you hear anything." That is crazy, this is life-changing, it has been 20 years. Over the--over the period of 20 years, I probably only received, and I

will be generous and say 15 phone calls from the La Grande Police Department. Many of those were return calls to my own--to my own inquiries.

I will give some credit to her current detective and a couple in the past who did fulfill their obligations to returning my calls and doing those things. But it was always the bare minimum and to me, it still is. I have had contact with one of the cold case coordinators for Oregon state. And so I am hopeful that there will be some action in my mom's case there. But there were a lot of times where the ball was dropped and like others have said, once they become a cold case then what happens? There are no resources for cold cases. She is always on the back burner because there is always something more important. And so now, my mom is a--is an urban legend in her town, in her hometown that this is what happens if you do this. That is not her legacy. She was fierce, and she was strong, and she was a hunter, and a gatherer, and she told stories and was a teacher and now she is an urban legend about happens if you do these things in my community.

In 2018, I assisted a family whose sister had been missing for over 12 years and they did not have a police report yet. They had tried several times to make the report but were told that since she was over 18, she had the right to no contact. At one time, law enforcement even told them that the report would be made. After so long of being told that, you kind of think, "Well, maybe that is the way the system is," you know. And after 12 years, we were finally able to get her report made, get some DNA taken and get a report in the system for her, yet the system still failed. The people who took the report did not have jurisdiction to take it and would not reach out to the jurisdiction--the agency with the jurisdiction. We had to do that. The agency who had jurisdiction would not take her report unless we drove three hours in the middle of winter to come do it personally. They would not take it from the outside agency that was still within the same state. Once we finally were able to contact them and they agreed to take the report, it was still--there was still a lot of attitude and innuendos in the conversation and it is not necessarily what was said. It was how it was said.

Finally, one of the detectives out of Snohomish County took the report because there was an unidentified person in her area that matched that description. Families should not be having to fight that fight and search through NamUs, through unidentified persons report trying to make a connection on their missing person, on their loved one, looking at dead remains of pictures in databases that are triggering, and not have the support system there to help process that. It is a hard and painful journey and the system is failing in every level, simply in updating families and giving the courtesy when the detective changes. Updating families as to what is needed and what the next steps are. I get a postcard from my vet every month to give my dog shots or that she is ready for updates for things, but I

do not get [INDISTINCT] about where they are with her case or what has happened or anything.

And I am not the only one going through those challenges. We need--we need more, we cannot have this talk and no action. There are communities who are doing good work, there is a lot of amazing work being done in New Mexico right now. And a lot of Tribes are making changes to increase the protective factors and start with prevention work and address these issues from the ground up, but we need the resources to be able to do that. We need long-term sustainable resources to be able to do that. As far as Indian Country being lacking the access to do those things, that is just part of it. Not only do I lack the access but when I make that phone call, I am being judged. If I am calling an outside agency, they are judging the way I talk, they are judging my language, the way I look, they are judging my mental health, they are judging my family and the way I live, and they are judging my intelligence and my integrity.

So, I am already coming in not from a under--from a--from an understanding that my case is not going to be taken seriously and my mom is not going to be taken seriously, and that she is just another Indian who--another drunk Indian. And she is more than that. Indian Country holds a timeless and irreplaceable place in our nation and I want you to remember that by bearing witness to our heartfelt testimonies, this comes with a deep obligation and a moral duty to honor them and do good work to honor our sovereignty to support us in resolving these issues, to support us in resolving these issues. We have the answers to our problems and you can only--you can only heal Indigenous wounds and Indigenous trauma with Indigenous healing and Indigenous medicine. It cannot be mainstream, it has to come from us.

We need strong and strict meaningful consultation for these--for these events, for these calls, and for the healing, and for the work and the decisions that are going to be made from this Task Force. Only we understand the implications and what has to happen. And so I hope that you hold that save--hold that in your heart and my prayers are that every one of you hears these words, that it rings true, and that you have the heart condition and the mindset to do the good work that has to be done to honor our families and bring them home. Again, my name is Carolyn Deford, my mother is Leona LeClair Kinsey. Thank you.

MARY JO GIOVACCHINI: Carolyn, thank you very much for your testimony. At this time, we do not have any other speakers that we are able to identify. We are going to unmute the call lines again and go through and call out your name. Give us a moment to unmute these lines. If you are on the call, then you will be able to speak. So, one second please while we get these lines unmuted. We are looking for Christy Strong or Cissy Strong, Desirée Rojad, Josey Tenorio, Tenorio, Tara Pretends Eagle Weber, Jennifer Bereskin-

Delia, Roxanne White, Benita Moore, Rachel Fernandez, Kyle Taylor Lucas, Felicia Leitka, Billi Miller. So, if any of you were on the call, your line has been unmuted and you may begin your testimony. I will give you a moment to respond. All right. At this time, it does--does not appear that we have any other individuals prepared to offer testimony that are on the call. Tara, I will send it back over to you.

TARA SWEENEY: Thank you--thank you very much to Leidos for moderating this final session for the Operation Lady Justice Tribal Consultation. I want to thank the Task Force members that had participated throughout this entire process. On behalf of the Task Force, I will say that I have appreciated the time to listen and to learn, to hear the concerns that are being raised. The pleas for more effective government involvement. The requests for continued assistance and guidance throughout the country.

You know, we have heard also the need for clarity for victims and families of victims, improved processes, and so all of the information that is being shared throughout the listening sessions and the virtual Tribal consultations will help guide our internal discussions as we prepare for a status report that we are required to submit to the President in November. And then as we continue to move forward with the work in 2021, with our final recommendations to the President.

For those who are listening and have not provided oral testimony, verbal testimony, I would encourage you to consider submitting written comments. We have a comment period that is open and it will be open until September 30. You can submit your comments directly to the Operation Lady Justice office, the--to the Executive Director, that is Marcia Good, and that email address is OperationLadyJustice@usdoj as in justice, .gov. In addition to the email, I would encourage the listening audience to also visit the website. You can subscribe to the website to receive email updates and additional information about the Task Force or any events that are coming up on the horizon. The website address is [OperationLadyJustice@usdoj.gov](mailto:OperationLadyJustice@usdoj).

And again, before we close, I just--I would like to also repeat that I am humbled by the testimony that has been provided throughout the consultations. I have talked to some of you that I heard today about the various challenges in your communities, and I personally appreciate the continued advocacy and the desire to help us do better. And so with that, I wish you all well and to have good health and to be safe in these uncertain times. Thank you very much.

MARY JO GIOVACCHINI: Thank you. That concludes today's consultation.