

Missing and Murdered Indigenous Peoples (MMIP) Crisis

Judi gaiashkibos (Nebraska Commission On Indian Affairs)

Kirby Williams (Legal Aid Of Nebraska)

What is MMIP?

Missing and Murdered Indigenous Peoples (MMIP) Crisis

Awareness movement started in Canada

- Described as a Canadian national crisis

In 2018, the U.S. declared May 5 as a National Day of Awareness for Missing and Murdered Indigenous Women and Girls

- Date chosen for the birthday of victim Hanna Harris (Northern Cheyenne Nation)

Common Awareness Imagery and Wording:

- #MMIW, #MMIWG, #MMIR
- #NoMoreStolenSisters, #NoMoreStolenRelatives
- Red Dresses
- Red Handprints



Missing and Murdered Indigenous Peoples (MMIP) Crisis

Report from the Urban Indian Health Institute (UIHI) released in late 2018 attempted to provide a scope to the data crisis involved with this problem¹

The National Crime Information Center reported that in 2016, there were 5,712 reports of MMIWG

- NamUS only logged 116 cases

UIHI found 506 unique cases across 71 U.S. cities

- Nebraska is ranked 7th in the highest number of cases
- Omaha, NE is ranked 8th in the highest number of cases

Lacking quality data was attributed to multiple factors:

- Poor record keeping
- Underreporting
- Racial misclassification
- Poor relationships between law enforcement and Native communities

¹Urban Indian Health Institute. (2018). Missing and Murdered Indigenous Women & Girls Report. Retrieved from: <http://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>

Missing and Murdered Indigenous Peoples (MMIP) Crisis

There are many contributing factors and reasons for the MMIWG crisis, but accountability and data is needed in order to determine primary causes and solutions

CDC reports that murder is the third leading cause of death among Native women

- Violence on the reservations can be 10X higher than the national average
- Limited to no research done on violence against Natives living in urban settings, despite 71% of Natives living in urban areas

MMIP is attributed to:

- Intimate partner violence
- Sex/Human Trafficking of Native women
- Jurisdiction Issues
- Differences in investigation treatment for Native cases
- Lack of media coverage

It's important to note that this is nothing new...

Why is This Happening?

How did we get here?

Before colonization:

- Women were respected, valued, and protected leaders; considered to be sacred
- Violence was not tolerated and abusers were held accountable for their actions

During and After Colonization:

- Rape and violence against Natives, and especially Native women, were used as tools of destruction, colonization, and “conquering” tribal populations
- Natives, and especially Native women, have been kidnapped, exploited, traded, raped, bought, and sold since European colonization of the American continent
- Assimilation and practice of Western European patriarchal societal norms (instead of tribal customs and beliefs) is adopted in efforts to stop the violence and ensure survival

U.S Federal Policies with Tribes:

- Eras of Removal, Reservation, Assimilation, and Termination
- Currently in the Era of Self-Determination

Historical Trauma/Intergenerational Trauma

Historical trauma refers to “cumulative emotional and psychological wounding over the lifespan and across generations, emanating from massive group trauma.”¹

- Intergenerational trauma is trauma across generations within one family.²

Native Americans have experienced and continue to experience circumstances and events that contribute to trauma

- Targeted legislation
 - Legislation to terminate and assimilate tribal members and eliminate tribal sovereignty
- Experience higher rates of violence, suicide, poverty, and substance abuse

¹Yellow Horse Brave Heart, M. (1988). Historical trauma and unresolved grief: implications for clinical research and practice with indigenous peoples of the Americas. Retrieved from: https://www.ihs.gov/telebehavioral/includes/themes/newihstheme/display_objects/documents/slides/historicaltrauma/historicaltraumaintro_011113.pdf

²Coyle, S. (2014). Intergenerational Trauma—Legacies of Loss. *Social Work Today*, 14 (3), p 18 Retrieved from: <https://www.socialworktoday.com/archive/051214p18.shtml>

Intimate Partner Violence

More than four in five (84.3%) American Indian and Alaskan Native women and men have experienced violence their lifetime¹

- 56% of Native women have experienced violence in a given year
- 55% of Native women have experienced rape or violence by an intimate partner
- 48% of Native women who experience violence, have been victims of stalking
 - Intimate partner homicides have a high prevalence of stalking as an indicator/precursor²

It is estimated that Native Americans are 2.5 TIMES as likely to experience violent crimes—and at least twice as likely to experience rape or sexual assault crimes³

- This is more than any other race or ethnicity group

Often, Native Americans are victims by non-Native perpetrators¹

- An average of over 97% for Native women and 90% for Native men

¹Rosay, A.B. (2016). Violence against American Indian and Alaska Native women and men. *National Institute of Justice Journal*, 277. Retrieved from <https://nij.gov/journals/277/Pages/violence-against-american-indians-alaska-natives.aspx>.

² The Stalking Prevention, Awareness, and Resource Center (SPARC) (2017). Stalking and intimate partner violence: fact sheet. Retrieved from <https://www.stalkingawareness.org/wp-content/uploads/2018/11/Stalking-IPV-Fact-Sheet.pdf>

³Adverse Health Conditions and Health Risk Behaviors Associated with Intimate Partner Violence, United States, 2005, MMWR February 8, 2008/ 57(05); 113-117. <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5705a1.htm>

Human Trafficking

It is estimated that 900 individuals are trafficked for sex (often multiple times) each month in the state of Nebraska¹

While exact numbers are difficult to identify, a study conducted in the U.S. and Canada showed that “an average of 40%” of sex trafficking victims identified as Native women.

- It is important to note that Native women only represent 10% or less of the general population in the studied communities.²

Native Americans are considered a vulnerable population to be trafficked³

- Attributed to several factors, such as the fracking industries’ “man camps”
- 37% of sex trafficking cases involving Native Americans reported to the National Human Trafficking Hotline from 1/1/2011-3/31/2017 involved a victim who was a minor.⁴
- In a study on 105 Native women trafficked in Minnesota, 98% experienced homelessness

¹ Omaha Women’s Fund (2018). *Nebraska’s Commercial Sex Market*. Retrieved from: <https://www.omahawomensfund.org/wp-content/uploads/Nebrasgas-Commercial-Sex-Market-Report-FINAL.pdf>

² National Congress of American Indians. (2016). *Tribal insights brief: trafficking in Indian Country*. Retrieved from: <http://www.ncai.org/policy-research-center/research-data/prc-publications/TraffickingBrief.pdf>

³ Kane-Hartnett, L. (2018). Trafficking in Tribal Nations: the impact of sex trafficking on Native Americans. *Human Trafficking Search*. Retrieved from: <https://humantraffickingsearch.org/traffickingofnativeamericans/>.

⁴ Administration for Children and Families (2018). Combatting trafficking; Native youth toolkit on human trafficking. Retrieved from https://www.acf.hhs.gov/sites/default/files/otip/native_youth_toolkit_on_human_trafficking.pdf.

Nebraska-specific Concerns

Link between disproportionality between child welfare system and MMIWG

- Nebraska consistently in the top 5 states with the highest disproportionality rates of Native children in the child welfare system¹

In Nebraska, Indigenous girls represent 13% of all missing girls in the state²

- Yet Indigenous girls only represent 1% of the state's population

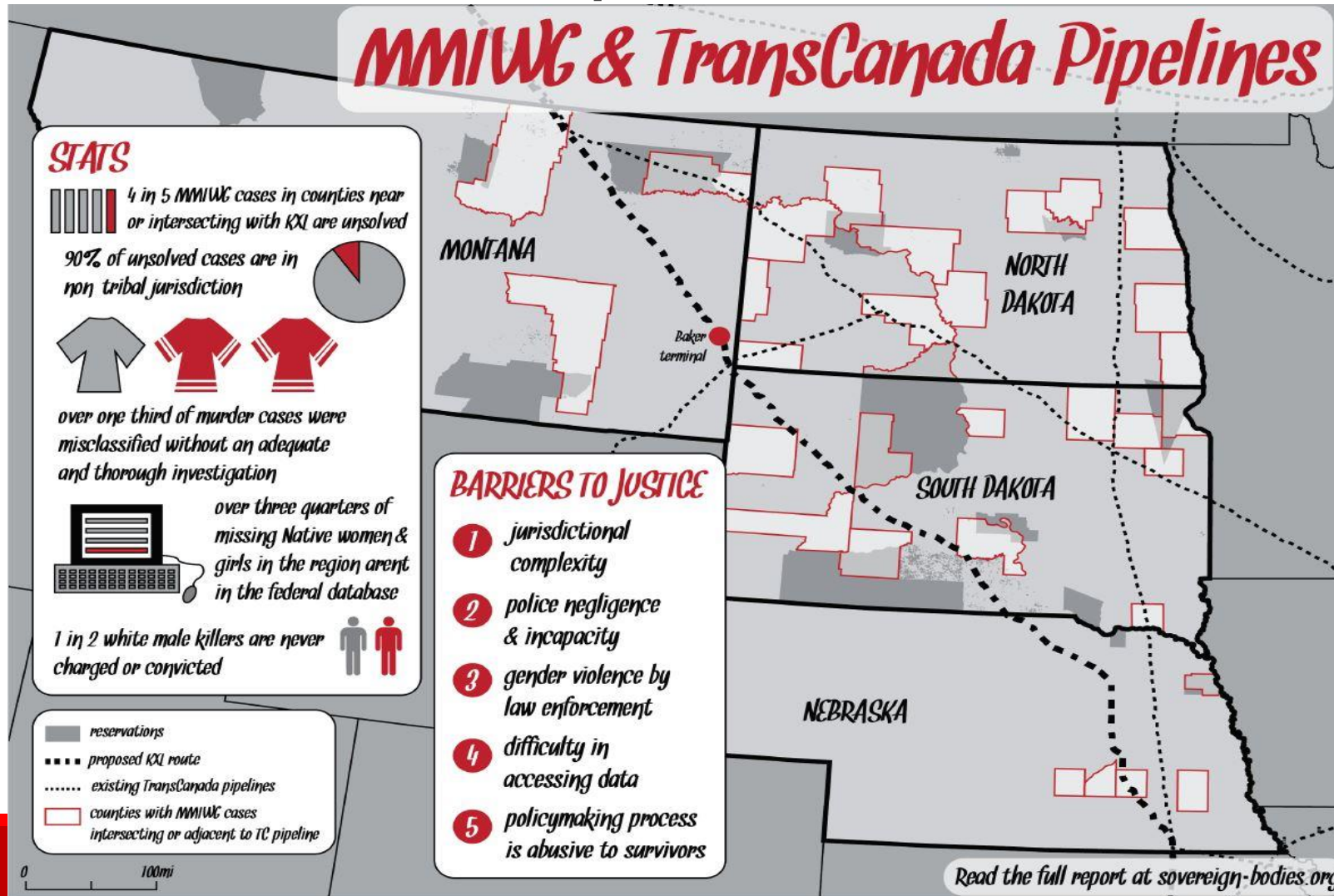
From the Sovereign Bodies Institute MMIWG2 Database Cases (pulled for a 2019 report), in Nebraska²:

- Over half of all MMIWG cases are girls aged 18 and under
- 2/3 of cases are unsolved
- Nearly half of alleged perpetrators were not charged or convicted
- 2/3 of alleged perpetrators are non-Native

¹National Indian Child Welfare Association (NICWA). (2019). ICWA talking points guide. Retrieved from: https://www.nicwa.org/wp-content/uploads/2019/02/2019-02-12-ICWA-Talking-Points-Guide_NICWA-FINAL.pdf.

²Sovereign Bodies Institute (SBI) & Brave Heart Society (BHS). (2019). Zuya Winyan Warrior Women: A study on missing & murdered Indigenous women and girls in states impacted by the Keystone XL pipeline. Retrieved from: https://2a840442-f49a-45b0-b1a1-7531a7cd3d30.filesusr.com/ugd/6b33f7_27835308ecc84e5aae8ffbdb7f20403c.pdf. Wicayunihan Honoring

Nebraska-specific Concerns



[People] who are marginalized because of colonialism's devastating historical impact, because of their lack of opportunities and education, because of race and ethnic discrimination, poverty, previous physical and emotional harm and abandonment are the people [most often exploited]. [People] who have the fewest real choices available to them... The critical question to ask with respect to the women interviewed is not “did she consent?” but “has she been offered the real choice to exist without [this]?”¹

¹ Farley, M., Matthews, N., Deer, S., Lopez, G., Stark C., and Hudon, E. (2011). Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota. St. Paul, MN: William Mitchell College of Law. Retrieved from: http://www.prostitutionresearch.com/pdfs/Garden_of_Truth_Final_Project_WEB.pdf

Additional Factors to Consider

Disproportionality of Native children in the foster care system and the separation of Native families and children¹

- In Nebraska Native children are 2.5X more likely to be placed in foster care than non-Native children

32.6% of Native Americans in Nebraska had household incomes at or below the federal poverty level; 42.1% for Native American female-led households²

- 2-2.5X higher than the Nebraska populations overall
- Median household income for Native Americans in Nebraska is over 45% lower than the average

Native Americans have some of the highest rates of substance abuse, among persons aged 12 or older³

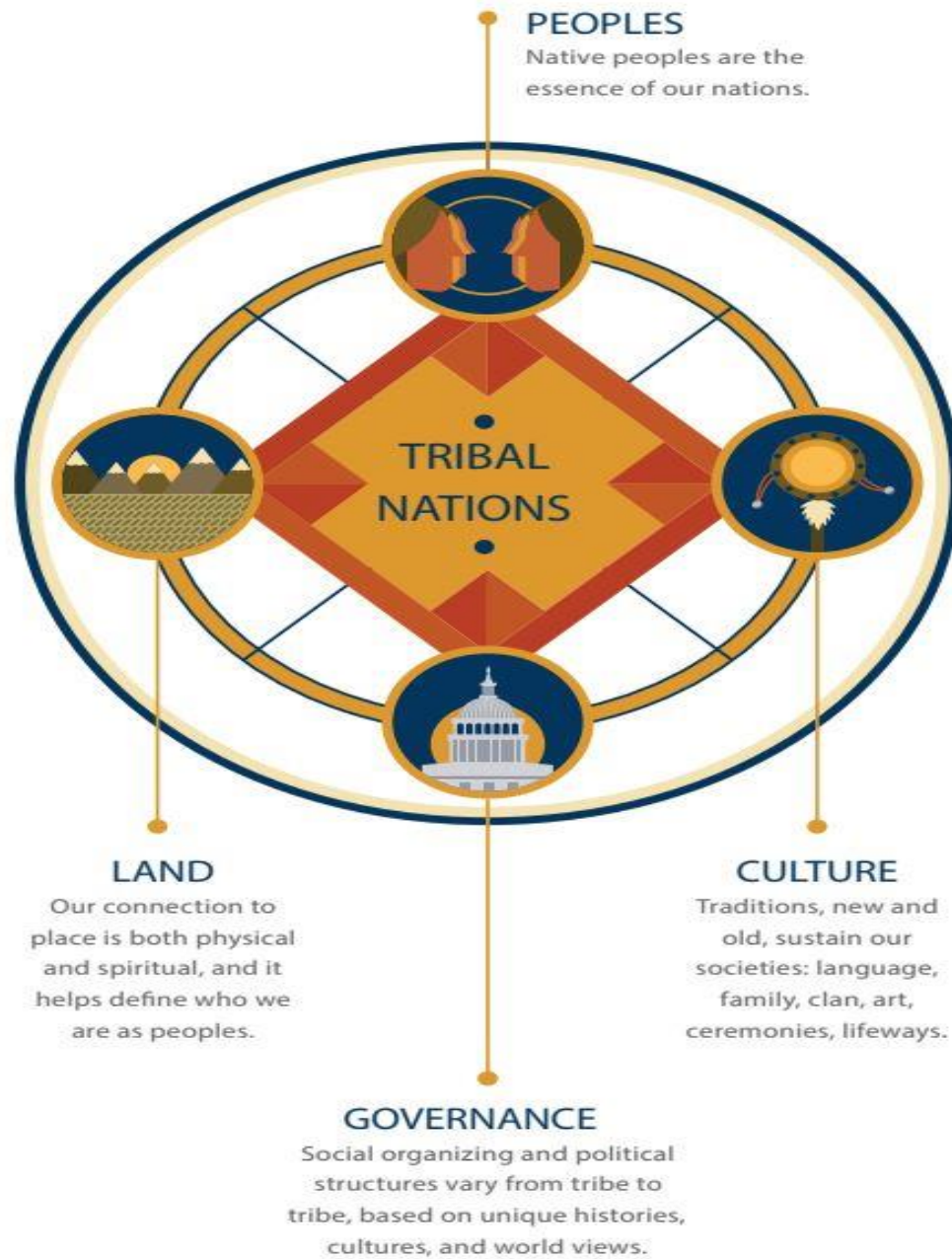
- Alcohol abuse was reported by 69% Native youth aged 15-24 admitted for SA treatment

1. State of Nebraska Foster Care Review Office. (2018). Annual Report, 2017-2018. Retrieved from: <http://www.fcro.nebraska.gov/pdf/FCRO-Reports/2018-annual-report.pdf>

2. Nebraska Department of Health and Human Services. (August 2013 Nebraska American Indian and Alaska Native Socioeconomic Profile). Page 23, 27. Retrieved December 23, 2019, from <http://dhhs.ne.gov/Reports/American%20Indian%20and%20Alaska%20Native%20Socioeconomic%20Profile%20-%202013.pdf>

3Substance Abuse and mental Health Services Administration. (2013). SAMHSA American Indian/Alaska Native Data. Retrieved from: https://www.samhsa.gov/sites/default/files/topics/tribal_affairs/ai-an-data-handout.pdf

Nebraska Profile & Current Efforts



Tribes in Nebraska

Four Tribal Nations Headquartered in Nebraska:

- Omaha Tribe of Nebraska and Iowa
- Ponca Tribe of Nebraska
- Santee Sioux Nation
- Winnebago Tribe of Nebraska

Other Tribes with land in Nebraska:

- Oglala Lakota Nation (Oglala Sioux Tribe) headquartered in Pine Ridge, SD
- Iowa Tribe of Kansas and Nebraska, headquartered in White Cloud, KS
- Sac and Fox Nation of Missouri in Kansas and Nebraska, headquartered in Reserve, KS

Nebraska LB 154

Introduced on January 11, 2019 by Senator Tom Brewer (District 43)

- Authored by Senator Brewer and Senator Patty Pansing Brooks (District 28)
- Began as an outgrowth recommendation proposed by Judi gaiashkibos (NCIA) from the White Clay Task Force in the Nebraska legislature

The report was submitted to the NE legislature by June 1. Recommendations focused heavily on law enforcement response to missing persons cases.

NCIA moving forward will:

- 1. Seek legislation to mandate the use of NamUs by Nebraska's law enforcement agencies. At present, only law enforcement agencies in Arkansas, Illinois, Michigan, New Mexico, New York, Oklahoma, and Tennessee are required by law to use NamUs (Chakraborty, 2019).
- 2. Work to establish a Task Force focused on the underlying issues in Native communities associated with "going missing" such as economic challenges, substance abuse, suicide, child abuse and neglect, poverty and pervasive hopelessness.
- 3. Seek funding for a new, full-time staff position to manage the Task Force operations.
This staffer will report to the Executive Director of the Nebraska Commission on Indian Affairs.

Resources

NE Tribal Domestic Violence Programs

- Ponca Domestic Violence Program
 - Lincoln: 402-438-9222
 - Omaha: 402-734-5275
 - Norfolk: 402-371-8834
 - Niobrara: 402-857-3391
 - Sioux City: 712-258-0500
- Winnebago Domestic Violence Intervention Program
 - Crisis Phone: 1-402-922-3850
 - Phone: 1-402-878-4308
- Santee Sioux Domestic Violence Program
 - Phone: 402-857-2342
- Omaha Tribe Domestic Violence Program
 - On call phones: 402-750-0185; 402-922-1088

State-wide Resources for Native Americans

- Nebraska Urban Indian Health Coalition (NUIHC)
 - Omaha: 402-346-0902
 - Lincoln: 402-434-7177
 - Soaring Over Meth and Suicide (SOMS) Program
- Nebraska Commission on Indian Affairs
 - 402-471-3475

Strong Hearts Native Helpline– 1-844-762-8483

Nebraska Commission on Indian Affairs (NCIA)

The state liaison between the Nebraska's tribal nations, helping to ensure the sovereignty of both tribal and state governments are recognized and acted upon in a true government-to-government relationship

- Phone: 402-471-3475
- Website: indianaffairs.state.ne.us



Legal Aid of Nebraska

Statewide non-profit law firm

- Eight offices throughout Nebraska
- Mission: To promote justice, dignity, hope and self-sufficiency through quality legal aid for those who have nowhere else to turn.
- Housing Justice Project

Legal Aid of Nebraska's Native American Program:

- Native American AccessLine: 1-800-729-9908

Monday through Friday

9:00 a.m. – 12:00 p.m.

- Online, 24/7

Legalaidofnebraska.org

Statewide AccessLine:

1-877-250-2016

Monday, Wednesday, Friday

8:30 a.m. – 11:30 a.m.

Tuesday, Thursday

1:00 p.m. – 4:00 p.m.



Contact Information

Judi gaiashkibos

- Judi.gaiashkibos@nebraska.gov

Kirby Williams

- 531-205-6837
- kwilliams@legalaidofnebraska.org

Thank you!

Questions?

This project was supported by Grant No. 2020-TW-AX-0028 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.