

FIRST PERSON: STATES CAN HELP SOLVE CASES OF MISSING, MURDERED INDIGENOUS WOMEN AND CHILDREN

Law in South Dakota will improve coordination, provide investigation resources



by South Dakota Rep. Peri Pourier
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There is a crisis taking place right before our eyes, but it often goes unseen throughout the country. Approximately 1,500 American Indian and Alaska Native missing persons have been entered into the National Crime Information Center, and about 2,700 cases of murder and non-negligent homicide offenses have been reported to the federal government's Uniform Crime Reporting Program.

Here in South Dakota, of the 99 missing persons statewide, 66 are Indigenous persons.

Breaking down the data further, you begin to see that those missing individuals are mostly women and children — from urban and rural areas, both on and off Indian reservation lands. In many cases, these individuals are the victims of human trafficking.

But unless you are from a tribal community or have a relative from one, or if you know someone who is an American Indian, you may be unaware of the crisis.

These cases are unique because they can fall under multiple law enforcement jurisdictions and occur in isolated areas of our state. Often, these cases fall through the cracks between jurisdictions due to a lack of resources and coordination.

Predators exploit these gaps and use them to their advantage.

BIPARTISAN, TRIBAL CALL TO ACT

During our 2021 legislative session in South Dakota, I introduced HB 1199, an act to establish the Office of Liaison for Missing and Murdered Indigenous Persons within our state attorney general's office.

The bill was signed into law in March.

With this new office in place, our state will have a full-time specialist on missing

EXAMPLES OF MIDWEST'S RESPONSE TO CASES OF MISSING, MURDERED INDIGENOUS PERSONS



As part of this year's omnibus budget bill on public safety (HF 63), the **Minnesota** Legislature is appropriating \$500,000 each of the next two years to establish and maintain an Office of Missing and Murdered Indigenous Relatives. This office will provide assistance to local and tribal law enforcement agencies on active cases, conduct case reviews, and track and collect relevant data.



Nebraska's LB 154, passed in 2019, requires the State Patrol to study the scope of the problem of missing Native American women and children in that state. Legislators also charged the state agency with forging new partnerships among tribal and non-tribal law enforcement agencies to improve reporting and investigations. The State Patrol's study found that a disproportionate number of Nebraska's reported missing persons are Native American. (The share of Native Americans missing is 3.1 times larger than their share of the state's population).



Two years ago, **North Dakota** legislators required creation of a centralized, statewide repository to report and track missing persons. One intent of the new law (HB 1313) is to better track and share information on missing Indigenous people in the state. The repository includes information on the tribal membership of missing persons.



South Dakota is establishing a new Office of Liaison for Missing and Murdered Indigenous Persons within the state attorney general's office as the result of this year's passage of HB 1199 (see main article). The office will provide assistance to local law enforcement on cases related to missing or murdered Indigenous persons, as well as pursue new opportunities for federal funding.



Wisconsin Attorney General Josh Kaul has formed a task force of tribal leaders, state legislators and others to help fight the abduction, homicide, violence and trafficking of Indigenous women. It is examining the factors that contribute to missing and murdered Indigenous women; the role of social service organizations in prevention and response; and the policies need to improve data collection, reporting and investigations.

persons to assist and coordinate with the U.S. attorney's office, the U.S. Department of Justice, and state and tribal law enforcement agencies. Additionally, this specialist will coordinate and provide training for locating missing and murdered Indigenous persons.

HB 1199 also requires all agencies in South Dakota to cooperate with the attorney general's office, undergo any required training and report to the liaison as necessary.

I worked with the attorney general's office on this bill and, ultimately, it supported the measure. This legislation also had strong support from all nine federally recognized tribes that have geographic boundaries within South Dakota.

This was a historic piece of legislation in that the tribes were coming to the state to show support for this important issue. Further, the tribes expressed to the Legislature that they wanted to commit support for this proposed office by helping the state secure federal funding for it.

In a legislature where Republicans have strong majorities, it's a difficult feat for any Democrat to get his or her legislation to the governor's desk for signing.

My first try at passing this kind of measure occurred in 2019, during my

first term in the House. HB 1237 and HB 1238 required the state to collect data and require training on cases of missing and murdered Indigenous women (MMIW). These bills were merged into SB 164, which became law. In 2020, SB 27 passed unanimously and became law. It required the state attorney general to establish an MMIW data clearinghouse.

Those steps helped set the stage for legislative success this year.

HB 1199 passed the House State Affairs Committee on a 9-4 vote and, one day later, was approved by the full House (57-12). In the Senate, it passed out of the Judiciary Committee unanimously, and was then placed on the consent calendar and sent to Gov. Kristi Noem for signing.

Although the world of politics can be tricky, my strategy was to let the data

and people themselves — the missing women and children — tell the story.

Our most vulnerable population must stay on our radar. This issue must not be overlooked. HB 1199 is an important step toward finding a solution to human trafficking among Indigenous persons.

If this process taught me one thing, it's the value of relationship-building — not only across the aisle, but also across tribal nations. We all must be at the table actively looking for solutions through meaningful conversations and honest dialogue.

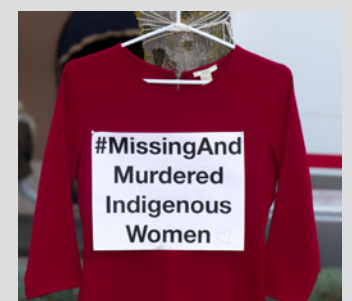
Rep. Peri Pourier has been a member of the South Dakota House since 2019. She is in the class of 2021 for CSG Midwest's Bowhay Institute for Legislative Leadership Development.

MISSING AND MURDERED UNIT ESTABLISHED AT FEDERAL LEVEL, WITH OFFICES IN MINNESOTA AND SOUTH DAKOTA

In April, a Missing and Murdered Unit was established within the U.S. Department of Interior to coordinate the work of various federal agencies to solve cases of missing and murdered Indigenous women. It will help gather intelligence on active cases, review and prioritize cases, develop plans to guide investigators, and identify outside resources.

Two years ago, under an executive order of President Donald Trump, a Task Force on Missing and Murdered American Indians and Alaska Natives was formed. One of its recommendations was to create this new Missing and Murdered Unit. Offices have been (or will be) established in seven locations nationwide, including in Minnesota and South Dakota.

In the U.S. Congress, the Violence Against Women Reauthorization Act of 2021 (HR 1620) calls for increased efforts to solve cases of missing and murdered Indigenous women. The U.S. House passed HR 1620 in March.



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