

MISSING AND MURDERED INDIGENOUS PERSONS REPORT



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INTRODUCTION

The District of Oregon U.S. Attorney's Office (USAO) recognizes that Missing and Murdered Indigenous Persons (MMIP) is an important and sensitive issue to tribal communities and is not a new phenomenon to Indian Country.¹ Throughout history, Indigenous² people have been disproportionately impacted by violence in the United States. In addition, addressing MMIP issues in Indian Country is particularly challenging due to confusion surrounding jurisdiction, lack of coordination, and inadequate resources. However, for the first time in U.S. history, there is a national federal strategy to address MMIP issues created through Congressional action (Savanna's Act and Not Invisible Act), Executive Order, and a DOJ MMIP Initiative.³

The purpose of this initial USAO MMIP Report is to provide tribal communities, law enforcement, and the public an overview of the currently available data regarding MMIP cases connected to the District of Oregon and the USAO's MMIP Action Plan for 2021. As discussed in detail below, an initial analysis of the available data indicates eleven missing Indigenous persons (six females and five males)⁴ and eight murdered Indigenous persons (five females and three males) connected to Oregon.⁵

The USAO will collaborate with all nine tribal governments in Oregon (as well as tribal, state, and federal law enforcement) to develop MMIP Tribal Community Response Plans for each tribe and will work to develop further data surrounding MMIP cases connected to Oregon.

The USAO priority will be to assist in providing the critical attention that each missing and murdered Indigenous person deserves. The USAO thinks it is important to take the conversation from general numbers surrounding MMIP cases to a specific conversation regarding the actual victims associated with MMIP cases connected to Oregon. To further that conversation, this Report includes the names and photos (when available) of the missing and murdered Indigenous persons identified in our initial analysis of the data related to MMIP cases connected to Oregon.

This initial USAO MMIP Report is only a snapshot of the MMIP data and only the beginning of analyzing and developing the complete picture of MMIP cases connected to Oregon. As detailed below, in 2021, the USAO plans to conduct formal tribal consultations to discuss MMIP issues; gather all relevant MMIP Data related to the District of Oregon; work with Tribes to develop

¹ "Indian Country" is the legal term used to describe reservations and other lands set aside for Indian use, such as Indian allotments and lands held in trust for Indians or Indian Tribes and is defined under 18 U.S.C. § 1151. We use the term Indian Country versus the term Native American or some other term because it describes the statutory jurisdiction of the U.S. Attorney's Office.

² For purposes of this Report, we are using the term "Indigenous" as anyone identifying as Native American, Alaska Native, or claiming a specific Tribal Affiliation.

³ See, Appendix A: MMIP Federal Legal Framework, at 19-20.

⁴ See, District of Oregon Missing Indigenous Persons, at 12-15.

⁵ See, District of Oregon Murdered Indigenous Persons, at 16-18.

individual MMIP Tribal Community Response Plans; create a District of Oregon MMIP Working Group; and increase collaboration and communication between all entities that interact with MMIP cases.

DISTRICT OF OREGON MMIP COORDINATOR: PROGRESS TO-DATE

MMIP Coordinator Cedar Wilkie Gillette started her position on June 8, 2020.⁶ Since that date, MMIP Coordinator Wilkie Gillette has been working on a variety of issues associated with MMIP. She has been researching and confirming data related to MMIP cases connected to Oregon. She has participated in a formal Tribal Consultation with the Confederated Tribes of Warm Springs Tribal Council and met with its law enforcement personnel. She continues to meet regularly with the other ten MMIP Coordinators from other USAO districts. As part of the DOJ MMIP national strategy, she was appointed to Operation Lady Justice and DOJ MMIP Initiative National Working Groups to define, strategize, draft, and implement national protocols, including:

- Community Outreach as a Co-Chair
- Public and Media Communications as the MMIP Coordinator Point of Contact
- Data
- Supporting Agency Best Practices
- Law Enforcement Response
- Training

Throughout 2020, with the exception of the Data National Working Group, all these groups met virtually and produced the National MMIP Guides that are now being implemented through six pilot projects in Oregon, Alaska, Montana, Minnesota, Oklahoma, and Michigan. Each of these U.S. Attorney's Offices are currently in the process of working with at least one Tribe to adapt the National MMIP Guides into Tribal Community Response Plans (TCRPs). Each pilot project Tribe is encouraged to culturally customize its response to MMIP in their homelands, as well as, establish better coordination with state and federal law enforcement, and access all available resources. After these pilot projects are completed, the National MMIP Guides will be further edited, and the final versions will be available for all Tribes to use.

The MMIP Initiative aims to include a more coordinated effort with various federal agencies as well as with the FBI.⁷ MMIP Coordinator Wilkie Gillette and AUSA Tribal Liaison Tim

⁶ See, USAO, U.S. Attorney Appoints First Missing and Murdered Indigenous Persons Coordinator, June 29, 2020, available at: <https://www.justice.gov/usao-or/pr/us-attorney-appoints-first-missing-and-murdered-indigenous-persons-coordinator> (last visited Jan. 14, 2021).

⁷ See, U.S. Dept. of Justice, Attorney Gen. William P. Barr Launches National Strategy to Address Missing and Murdered Indigenous Persons, available at: <https://www.justice.gov/opa/pr/attorney-general-william-p-barr-launches-national-strategy-address-missing-and-murdered> (last visited Dec. 1, 2020).

Simmons are actively coordinating with law enforcement to identify MMIP District resources, National Crime Information Center (NCIC) data, and MMIP cases in Oregon.

Due to COVID-19, MMIP Coordinator Wilkie Gillette has been unable to visit each Oregon Tribe and plans to schedule more outreach in 2021. Communication is the key to moving MMIP issues forward and we would like to work with Tribes to gather more data, assist in MMIP cases, establish TCRPs in all tribal communities, and invite representatives from Tribes and all relevant law enforcement to join our upcoming District of Oregon MMIP Working Group.

DATA SOURCES AND DATABASES

One major issue impacting MMIP cases is the lack of consistent and current data. The Savanna's Act now requires the USAO to report annual MMIP data. The USAO is in the process of examining all available MMIP District data, identifying barriers, and protocol gaps in collecting accurate data to meet this requirement.⁸

The data sources for this report include the September 2020 Oregon State Police Report on Missing and Murdered Native American Women (OSP Report), National Missing and Unidentified Persons Systems (NamUs) database, National Crime Information Center database (NCIC), and USAO data. Because each data source has its own parameters and definitions of what would qualify as MMIP data, all these data sources have varying numbers for Oregon and are briefly described below. Further discussion of why there is data inconsistency is in Appendix B: Further Discussion of Data Sources.

District of Oregon MMIP Data Source Snapshot

The different data sources reviewed for this Report all include slightly different numbers related to MMIP cases connected to Oregon.

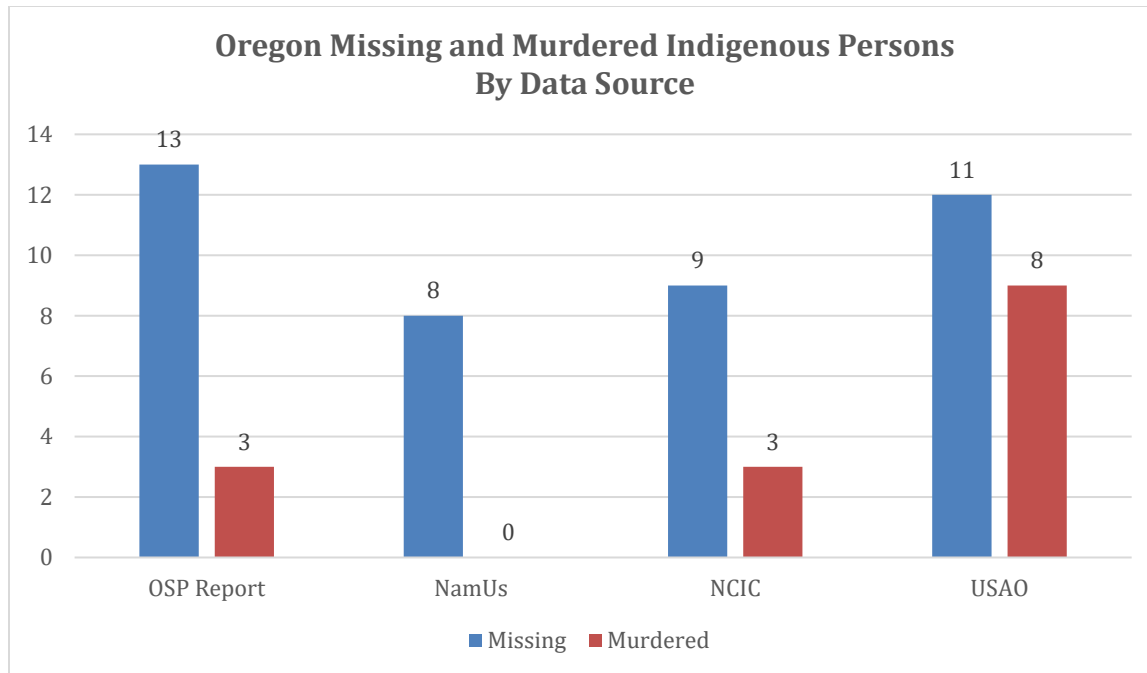
- The OSP Report concludes in September 2020 that there are 13 missing Indigenous females and three murdered males.⁹
- NamUs concludes in December 2020 that there are eight missing Indigenous persons. There is no available murdered data because the NamUs database only tracks missing persons, unidentified and unclaimed remains.¹⁰

⁸ See, Appendix B: Further Discussion of Data Sources, at 21-23.

⁹ See, OSP, Oregon State Police Report on Missing and Murdered Native American Women: Listening and Understanding Tour House Bill 2625, Sept. 2020, at 6, 8, *available at*: https://www.oregonlegislature.gov/citizen_engagement/Reports/2020-OSP-Report%20on%20Missing%20and%20Murdered%20Native%20American%20Women.pdf (last visited Nov. 27, 2020).

¹⁰ See, NamUs, Monthly American Indian/Alaska Native Case Updates, Dec. 1, 2020, *available at*: <https://static1.squarespace.com/static/5d0cfe3b240ddb00016f9215/t/5fdcc3faf2ceda4e832b84ee/1608303619878/December+2020+All+AIAN+Cases.pdf> (last visited Dec. 28, 2020); see also, NamUs, Unresolved Missing Persons Cases With Tribal Enrollment/Affiliation Males and Females, Dec. 1, 2020 *available at*:

- NCIC concludes in January 2021 that there are nine missing Indigenous persons and three murdered males.¹¹
- The USAO currently concludes that there are 11 missing Indigenous persons, comprising six females and five males, and eight murdered Indigenous persons, comprising five females and three males.



Oregon State Police Report on Missing and Murdered Native American Women

The Oregon Legislature, House Bill 2625, required the OSP to “conduct a study to determine how to increase and improve state criminal justice protective, responsive and investigative resources and systems for reporting, identification, investigation and rapid response to future and past cases of missing and murdered Native American women in this state, including cases involving Indian [C]ountry”.¹² The OSP was also required to consult with the USAO on ways to increase information sharing and coordination of resources. The Legislature required OSP to produce a report on the results of the study by September 15, 2020.

<https://static1.squarespace.com/static/5d0cfe3b240ddb00016f9215/t/5fdcc41753796104502cb322/1608303655727/December+2020+All+Tribal+Cases.pdf> (last visited Dec. 28, 2020).

¹¹ OSP, *supra* note 9, at 8.

¹² See, Oregon State Legislature, House Bill 2625, May 17, 2019, *available at*: <https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2625> (last visited Nov. 27, 2020).



Photo credit: Governor Brown signing HB 2625. See, Oregon State University, [Oregon Governor Signs Bill Involving Testimony From WGSS PhD Candidate Luhui Whitebear](https://liberalarts.oregonstate.edu/feature-story/oregon-governor-signs-bill-involving-testimony-wgss-phd-candidate-luhui-whitebear), available at: <https://liberalarts.oregonstate.edu/feature-story/oregon-governor-signs-bill-involving-testimony-wgss-phd-candidate-luhui-whitebear> (last visited Dec. 1, 2020).

The *Oregon State Police Report on Missing and Murdered Native American Women: Listening and Understanding Tour House Bill 2625* (“OSP Report”) documented the OSP’s consultations with some tribal governments and urban tribal communities. The OSP’s Missing and Murdered Native American Women Work Group conducted Listening and Understanding Tours (“LUT”) from December 2019 to February 2020. AUSA Tribal Liaison Tim Simmons and former Tribal Victim Assistance Specialist Johanna Costa were members of the OSP’s Missing and Murdered Native American Women Work Group and attended the LUTs. Due to COVID-19, the LUTs abruptly ended and OSP Work Group was unable to conduct LUTs with all Oregon Tribes, as scheduled.¹³

The OSP Report indicates that on January 23, 2020, the Law Enforcement Data Systems (LEDS) lists “1,213 missing person entries, 13 of those entries were for Native American or Alaska Native females”.¹⁴ The OSP Report discusses 22 female LEDS entries with unknown race and 33 sets of unidentified female remains, however, the OSP also noted that these entries are not confirmed to be identified as Indigenous persons. In further explanation regarding the 33 sets of unidentified female remains, “20 of those are listed with an ethnicity of ‘American Indian/Alaska Native’, ‘Hawaiian/Pacific Islander’, ‘Uncertain’, ‘Other’, or a combination of those specific ethnicities.” There are NO unidentified remains that are listed solely as ‘American Indian/Alaska

¹³ See, OSP, *Oregon State Police Report on Missing and Murdered Native American Women: Listening and Understanding Tour House Bill 2625*, Sept. 2020, at 6, available at: https://www.oregonlegislature.gov/citizen_engagement/Reports/2020-OSP-Report%20on%20Missing%20and%20Murdered%20Native%20American%20Women.pdf (last visited Nov. 27, 2020).

¹⁴ *Id.*, at 6.

Native’, because this determination is extremely difficult with decomposed or skeletal remains”.¹⁵ Further discussion about the OSP Report data collection gaps and barriers is in Appendix B.¹⁶

National Missing and Unidentified Persons Systems (NamUs)

The National Missing and Unidentified Persons Systems (NamUs) is a “national information clearinghouse and resource center for missing, unidentified, and unclaimed person cases throughout the United States.”¹⁷ Since September 2019, NamUs has issued Monthly American Indian/Alaskan Native NamUs Case Updates. The latest update is from December 1, 2020, which nationally, includes 690 missing American Indian/Alaska Natives from 36 states.¹⁸ Oregon is listed as the 13th highest missing rate in the Nation with eight Indigenous missing persons cases.¹⁹ The NamUs December 2020 update indicates that Oregon has no unidentified American Indian/Alaska Native cases. Although NamUs lists Oregon third in the Nation with three unclaimed remains cases, it does not confirm if these cases are Indigenous persons.²⁰ Further discussion about NamUs data collection gaps and barriers and the current status of NamUs funding is in Appendix B.²¹

National Crime Information Center (NCIC) Database

The National Crime Information Center (NCIC) database is the FBI clearinghouse that was created in 1967. Today it consists of 21 file categories, including for missing and unidentified persons, with various levels of access to federal, state, local, and tribal criminal justice users.²² The Confederated Tribes of Umatilla is currently the only Oregon Tribe to have NCIC access through the Tribal Access Program (TAP).

In January 2021, NCIC has nine confirmed missing Indigenous persons connected to Oregon. NCIC also has three confirmed murdered Indigenous persons connected to Oregon. Further discussion about NCIC data collection gaps and barriers is in Appendix B.²³

¹⁵ See, OSP Report, *supra* note 14.

¹⁶ See, Appendix B, at 21.

¹⁷ See, NamUs, Frequently Asked Questions, *available at*: <https://www.namusinfo.org/faq> (last visited Nov. 27, 2020).

¹⁸ NamUs, *supra*, note 10.

¹⁹ *Id.*

²⁰ *Id.*

²¹ See, Appendix B, at 21.

²² See, FBI, National Crime Information Center (NCIC), *available at*: <https://www.fbi.gov/services/cjis/ncic> (last visited Nov. 27, 2020).

²³ See, Appendix B, at 22.

The U.S. Attorney's Office (USAO)

This initial USAO MMIP Report is only a snapshot of the MMIP data and only the beginning of analyzing and developing the complete picture of MMIP cases connected to Oregon. As indicated below, the USAO MMIP 2021 Action Plan includes meeting with all federally recognized tribal governments in Oregon to gather additional data and identify relevant MMIP issues.

The USAO has a responsibility to work with all nine federally recognized tribal governments in Oregon and broadly analyze the MMIP impact on each Tribe. To fully understand the MMIP impact on Tribes in Oregon, the USAO's goal is to identify all MMIP cases "connected" to Oregon which would include any Oregon tribal member that is missing or murdered within **or outside** of Oregon and any Indigenous person that is missing or murdered within Oregon. Although other data sources currently do not look at Tribal Affiliation to determine that the data should be counted based on the Tribe's location in addition to where the person went missing or murdered, the USAO will strive to identify all Oregon tribal members missing or murdered anywhere in the United States. The USAO will also strive to identify any federally recognized tribal member reported missing or murdered within Oregon.

As stated in the opening of this Report, one of our MMIP goals is showing respect and assist in providing the critical attention that each missing and murdered Indigenous person deserves. To further that goal, this Report includes alphabetical lists of the identified missing and murdered Indigenous persons connected to Oregon. We were unable at this time to include a photo for every person but have included identifiable and public information of each person's name, Tribal Affiliation (if known), gender, date, general location the person went missing or murdered.

The information analyzed by the USAO identifies **eleven** missing Indigenous persons, comprising six females and five males. Of these eleven, six are tribal members from an Oregon Tribe- two are tribal members from Confederated Tribes of Warm Springs; one tribal member from Confederated Tribes of Grand Ronde; two tribal members from Confederated Tribes of Umatilla; and one tribal member from Klamath Tribes. The remaining five MMIP cases consist of one tribal member from the Puyallup Tribe, one tribal member from Ho-Chunk Nation, one tribal member from the Inuit/Inupiat, and two with unknown Tribal Affiliations. Please see the below list of the District of Oregon Missing Indigenous Persons regarding the details of each missing person.

The USAO identifies **eight** murdered Indigenous persons, comprising three males and five females. Of these eight, seven are tribal members from an Oregon Tribe-two tribal members are from Confederated Tribes of Warm Springs; five tribal members are from Confederated Tribes of Umatilla. The remaining one case consists of one tribal member from Crow Tribe. Please see the below list of the District of Oregon Murdered Indigenous Persons regarding the details of each murdered person.

USAO MMIP 2021 ACTION PLAN

The USAO MMIP 2021 Action Plan consists of the following goals the USAO will achieve in 2021:

Tribal Consultations: The USAO plans to schedule virtual USAO Tribal Consultations with each of the federally recognized tribal governments in the District of Oregon. The USAO intends to meet with all tribal government and all tribal law enforcement entities to discuss MMIP issues and identify MMIP cases associated with each Tribe.

Gathering of MMIP Data: Starting in February 2021, MMIP Coordinator Wilkie Gillette plans to request data from all law enforcement offices that respond to Oregon Tribes or relevant Tribal offices that would have MMIP data. This data would include name, gender, Tribal Affiliation, missing or murdered circumstances, and case status of all cases of missing and murdered Indigenous persons. In addition, MMIP Coordinator Wilkie Gillette is also committed to continuing to identify and maintain MMIP data from all available data sources, including identifying known MMIP issues like racial misclassification (when a missing or murdered person's information in a database is listed as the wrong race), other factors contributing to under-reporting, tracking found and repeat missing persons, and including Tribes as data contributors. USAO data collection that is connected to the District of Oregon will not be excluded based on gender, last known location of the missing or murdered Indigenous person, or an Oregon Tribe's Public Law 280 status.

Develop MMIP Tribal Community Response Plans: The USAO plans to work with each Tribe to establish Tribal Community Response Plans (TCRP) in all tribal communities. The TCRPs would include creating four different protocols relevant to MMIP: (1) Community Outreach Protocol; (2) Law Enforcement Agency Protocol; (3) Victim Services Protocol; and (4) Public and Media Communications Protocol that can be culturally customized for each Tribe.

Creation of a District of Oregon MMIP Working Group: The USAO plans to invite representatives from Tribes and all relevant law enforcement to establish a District of Oregon MMIP Working Group to share information and work collaboratively to address Oregon MMIP issues.

Increase collaboration and communicate: The USAO plans to collaborate and communicate with all Oregon law enforcement to better track and provide assistance to all missing and murdered Indigenous cases. In addition, MMIP Coordinator Wilkie Gillette will continue to identify and communicate with District of Oregon MMIP stakeholders, including MMIP victim families and grassroots Indigenous persons and groups. The USAO is also committed to track and assist in any missing and murdered Indigenous person cases connected to the District of Oregon, including Oregon tribal members that are outside of Oregon.

Address issues identified in OSP Report: The USAO is committed to assisting OSP in implementing the recommendations and overcoming the barriers identified in the OSP Report. The USAO is prepared to develop a strong partnership with Oregon Law Enforcement focused on

addressing MMIP issues in the District of Oregon. The USAO is committed to assisting the OSP to address any barriers impacting MMIP cases, including addressing data and information sharing, improving communications between the different jurisdictions involved in investigations, and facilitating resource sharing.

DISTRICT OF OREGON MISSING INDIGENOUS PERSONS



Name: Lisa Pearl Briseno

Tribe: Confederated Tribes of Warm Springs

Gender: Female

Last Seen: August 20, 1997 in Portland

Photo Source: NamUs

Name: Heather Leann (Haller) Cameron

Tribe: Confederated Tribes of Grand Ronde
(Initially misclassified as White)

Gender: Female

Last Seen: August 18, 2012 outside of
Redding, CA

Photo Source: NamUs



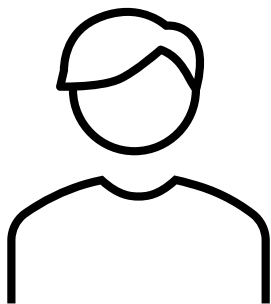
Name: Avery Chester Charles

Tribe: Unknown Tribal Affiliation

Gender: Male

Last Seen: August 2, 1995 in Malheur County

Photo Source: No Photo Available



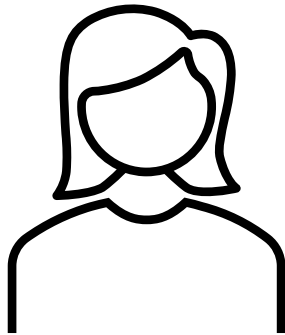
Name: Jerome Clements Charles

Tribe: Unknown Tribal Affiliation

Gender: Male

Last Seen: Went missing on June 2, 1984 (NamUs) or June 14, 1984 (NCIC) in Eugene

Photo Source: NamUs



Name: Shaydin Jones-Hoisington

Tribe: Confederated Tribes of Umatilla

Gender: Female

Last Seen: August 17, 2018

Photo Source: No Photo Available

Name: Leona Sharon Kinsey

Tribe: Puyallup Tribe
(Initially misclassified as White)

Gender: Female

Last Seen: October 25, 1999 in La Grande

Photo Source: NamUs





Name: Roger Jacob LeMieux

Tribe: Ho-Chunk Nation

Gender: Male

Last Seen: May 29, 1999 in The Dalles

Photo Source: NamUs

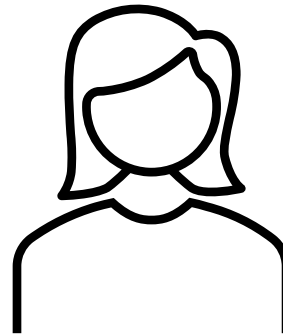
Name: Sennia Pacheco

Tribe: Confederated Tribes of Umatilla

Gender: Female

Last Seen: December 3, 2020 in Pendleton

Photo Source: No Photo Available



Name: Zachary Siġatqutaq Bashir Porter

Tribe: Inuit/Inupiat (Initially misclassified as White)

Gender: Male

Last Seen: July 23, 2013 (NamUs) or July 25, 2013 (NCIC) in McMinnville

Photo Source: NamUs

Name: Tyrone Beau Robinson

Tribe: Klamath Tribes (Initially misclassified as White)

Gender: Male

Last Seen: December 21, 2018 in Klamath Falls

Photo Source: NamUs



Name: Tina Vel Spino

Tribe: Confederated Tribes of Warm Springs

Gender: Female

Last Seen: July 26, 2020 in Warm Springs

UPDATED- Ms. Spino remains identified on February 8, 2021.

Photo Source: Missing person poster

DISTRICT OF OREGON MURDERED INDIGENOUS PERSONS

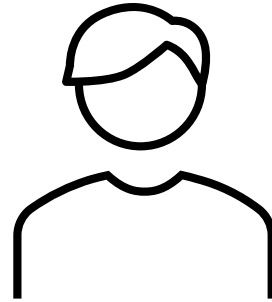
Name: Gunner Bailey

Tribe: Confederated Tribes of Warm Springs

Gender: Male

Notes: Murdered on March 17, 2019

Photo Source: No Photo Available



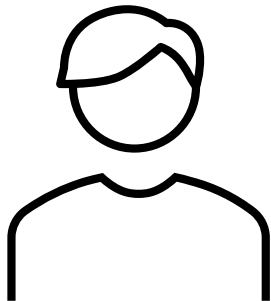
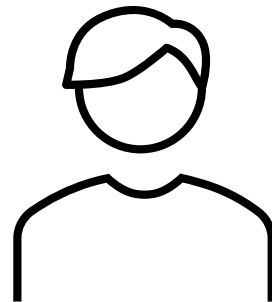
Name: Johnathan Thomas Gilbert

Tribe: Confederated Tribes of Warm Springs

Gender: Male

Notes: Murdered on September 5, 2020

Photo Source: No Photo Available



Name: Gregory Scott Peters

Tribe: Crow Tribe

Gender: Male

Notes: Murdered on October 24, 2009

Photo Source: No Photo Available

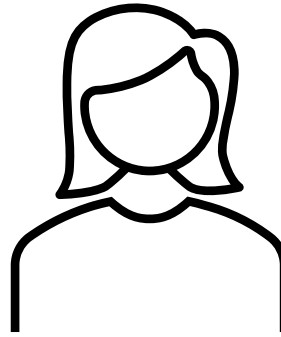
Name: Leslie Shippentower

Tribe: Confederated Tribes of Umatilla

Gender: Female

Notes: Body found in the Umatilla River on October 1, 1986

Photo Source: No Photo Available



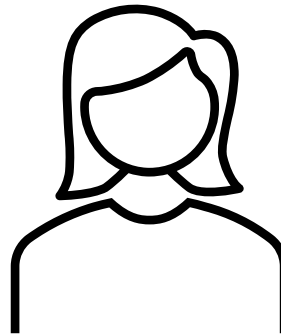
Name: Selena Shippentower

Tribe: Confederated Tribes of Umatilla

Gender: Female

Notes: Body found on December 19, 2004

Photo Source: No Photo Available



Name: Sophia Rosenda Strong

Tribe: Confederated Tribes of Umatilla

Gender: Female

Notes: Remains discovered on July 4, 2019

Photo Source: The Seattle Times

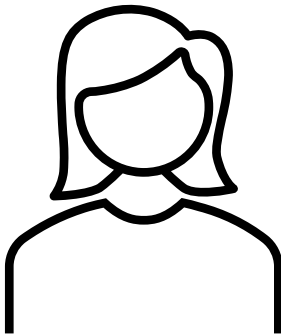
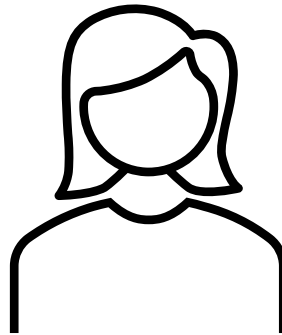
Name: Lynette Watchman

Tribe: Confederated Tribes of Umatilla

Gender: Female

Notes: Body found on December 19, 2004

Photo Source: No Photo Available



Name: Melissa Wilson

Tribe: Confederated Tribes of Umatilla

Gender: Female

Notes: Murdered on July 4, 1985

Photo Source: No Photo Available

APPENDIX A: MMIP FEDERAL LEGAL FRAMEWORK

This appendix summarizes each part of the MMIP federal legal framework, including the U.S. Department of Justice MMIP Initiative, Operation Lady Justice, Savanna's Act, and Not Invisible Act.

U.S. Department of Justice MMIP Initiative

In November 2019, the U.S. Department of Justice launched the MMIP Initiative, a national strategy to address MMIP that included the hiring of MMIP Coordinators to serve with the U.S. Attorney's Offices in Oregon, Washington, Alaska, Montana, Minnesota, Michigan, Utah, Nevada, Arizona, New Mexico, and Oklahoma.²⁴

Cedar Wilkie Gillette was hired as the first District of Oregon Missing and Murdered Indigenous Persons (MMIP) Coordinator on June 8, 2020. Cedar holds a 2017 Juris Doctor degree from Vermont Law School and has done extensive work on Indigenous human rights and environmental justice issues. MMIP Coordinator Wilkie Gillette is located in our Eugene Office. She can be reached at Cedar.Wilkie.Gillette@usdoj.gov or (541) 465-6045.

Operation Lady Justice

In November 2019, Executive Order 13898 created The Presidential Task Force on Missing and Murdered American Indians and Alaska Natives, known as Operation Lady Justice. Operation Lady Justice has been tasked with the following actions:

- Provide two written reports to the President on November 26, 2020 and November 26, 2021.
- Host consultations in each U.S. Bureau of Indian Affairs region.
- Lead MMIP national strategy forming ten national working groups with membership from federal agencies, federal law enforcement, and MMIP Coordinators to develop MMIP Protocol Guides.²⁵
- Establish a multi-disciplinary, multi-jurisdictional team including representatives from tribal law enforcement and the Departments of Justice and the Interior to review cases involving missing and murdered American Indians and Alaska Natives.²⁶

²⁴ See, U.S. Dept. of Justice, [Attorney General William P. Barr Launches National Strategy to Address Missing and Murdered Indigenous Persons](https://www.justice.gov/opa/pr/attorney-general-william-p-barr-launches-national-strategy-address-missing-and-murdered), available at: <https://www.justice.gov/opa/pr/attorney-general-william-p-barr-launches-national-strategy-address-missing-and-murdered> (last visited Dec. 1, 2020).

²⁵ See, Operation Lady Justice, [Report to the President: Activities and Accomplishments of the First Year of Operation Lady Justice](https://operationladyjustice.usdoj.gov/olj_year_one_report), Nov. 26, 2020, available at: https://operationladyjustice.usdoj.gov/olj_year_one_report (Last visited on Dec. 18, 2020).

²⁶ See, Id.

Savanna's Act

Savanna's Act is named after Savanna "Where Thunder Finds Her" LaFountaine-Greywind, a 22 year old Spirit Lake Dakota Nation member who lived in Fargo, ND, and in August 2017 was eight months pregnant and murdered by her neighbors who stole her baby from the womb. After the two neighbors were apprehended, the baby was returned to Savanna's family. Savanna was found eight days after going missing in the Red River on the North Dakota and Minnesota border.²⁷

Savanna's Act was signed into law on October 10, 2020. Its purpose is to direct the U.S. Department of Justice (DOJ) to review, revise, and develop law enforcement and justice protocols to address missing or murdered Native Americans, including requirements to report statistics and for the FBI to include gender in its annual statistics. Tribes may also submit their own regional guidelines. More specifically, the USAO is required to:

- Develop appropriate regional guidelines and report statistics to address missing or murdered Indigenous person cases.
- Provide training and technical assistance on how to record tribal enrollment for victims in federal databases and Savanna's Act implementation to Tribes and law enforcement.
- Develop and implement a strategy to educate the public and perform outreach to Tribes, Tribal organizations, and urban Indian organizations to utilize NamUs or other non-sensitive law enforcement portals.
- Provide an annual data report of cases under 10 years old.
- Make DOJ grant funding available for law enforcement protocol development and compiling annual report data.²⁸

Not Invisible Act

The Not Invisible Act of 2019, signed into law on October 10, 2020, "is the first bill in history to be introduced and passed by four members of federally recognized Tribes: Deb Haaland (Pueblo of Laguna), Tom Cole (Chickasaw Nation), Sharice Davids (Ho-Chunk Nation), and Markwayne Mullin (Cherokee Nation). The Not Invisible Act creates an advisory committee on violent crime composed of law enforcement, tribal leaders, federal partners, service providers, and

²⁷ See, Monet, Jenni, The Guardian, [A Native American Woman's Brutal Murder Could Lead to a Life-Saving Law](https://www.theguardian.com/us-news/2019/may/01/savanna-act-native-women-missing-murdered), May 2, 2019, available at: <https://www.theguardian.com/us-news/2019/may/01/savanna-act-native-women-missing-murdered> (last visited Dec. 1, 2020).

²⁸ U.S. Congress, [S.227 Savanna's Act](https://www.congress.gov/bill/116th-congress/senate-bill/227/text), available at: <https://www.congress.gov/bill/116th-congress/senate-bill/227/text> (last visited Dec. 9, 2020).

survivors to make recommendations to the Department of Interior and Department of Justice and provide best practices”.²⁹

The Not Invisible Act’s purpose is to increase the coordination of efforts to reduce violence crime within Indian lands and against Indians. It directs the U.S. Department of Interior (DOI) to designate a BIA official to coordinate prevention efforts, grants, and programs related to missing, murdered, and human trafficking of Indians. Additionally, the DOI and DOJ must:

- (1) establish a joint commission on violent crime within Indian lands and against Indians, and
- (2) submit a written response to the recommendations developed by the joint commission.³⁰

While there are no specific USAO requirements under this Act, the USAO will assist, as needed, in the recommendations set by the Joint Commission.

APPENDIX B: FURTHER DISCUSSION OF DATA SOURCES

This appendix attempts to identify potential gaps and barriers of the data sources reviewed for this Report. These sources include the Oregon State Police Report on Missing and Murdered Native American Women (OSP Report), National Missing and Unidentified Persons Systems (NamUs) database, National Crime Information Center database (NCIC), and the District of Oregon U.S. Attorney’s Office (USAO) data.

The OSP Report

The OSP Report had a limited gender scope with focus on missing and murdered Native American women and girls and a narrow data point from a single day on January 23, 2020 in the Oregon Law Enforcement Data Systems (LEDS). The OSP Report potentially has three limitations or gaps. One limitation is the OSP Report has no identifying information of the data, such as names. The second limitation, caused by COVID-19, the OSP was unable to meet with every Oregon Tribe. The third limitation is the Oregon Legislation requiring the OSP Report did not require the OSP to request tribal data directly from each Tribe.

NamUs

NamUs is one of the few databases that both the public and law enforcement can input data of a missing person, including Tribal Affiliation, and an option to provide familial DNA that can be

²⁹ See, Rep. Deb Haaland, Haaland: Not Invisible, Savanna’s Acts Now Law, October 10, 2020, *available at*: <https://haaland.house.gov/media/press-releases/haaland-not-invisible-savanna-s-acts-now-law> (last visited Dec. 1, 2020).

³⁰ See, U.S. Congress, S.982 Not Invisible Act of 2019, *available at*: <https://www.congress.gov/bill/116th-congress/senate-bill/982> (last visited Dec. 9, 2020).

cross-checked with unclaimed and unidentified remains in the NamUs database. Murdered person cases are not in this database. NamUs Oregon data currently has four gaps in collection and identification.

The first gap is that there is no requirement to enter all active Oregon Indigenous missing persons into NamUs, causing under-reported and inconsistent data.

The second gap is that NamUs does not count a missing Oregon tribal member outside of Oregon as Oregon NamUs data. For instance, in NamUs, Confederated Tribes of Grand Ronde member Heather Cameron is counted as California data and not Oregon data because she went missing in Redding, CA. However, the USAO does count Heather Cameron as part of Oregon data because she is an Oregon tribal member.

The third gap is the NamUs Monthly Updates lists the total number of missing in each state without consistent identifiable information. For instance, in the December 1, 2020 Monthly Update Missing Persons by Tribe, of the eight missing Indigenous persons that were listed for Oregon, only three of these eight had identifying information in the Detailed Tribal Enrollment/Affiliation section, which leads to confusing and inconsistent information.

The fourth gap is that listed cases could have racial misclassification, which can lead to inaccurate and under-reporting of Indigenous data. For instance, Heather Cameron is still listed as 'White' in the California Missing Person Clearinghouse but has been corrected as 'Native American' in NamUs. MMIP Coordinator Wilkie Gillette has worked directly with NamUs to update data, including placing Heather Cameron's Tribal Affiliation into her NamUs profile after verifying with the Confederated Tribes of Grand Ronde that she was a tribal member. MMIP Coordinator Wilkie Gillette will continue to monitor and assist in maintaining all NamUs data connected to the District of Oregon.

It is important to note there was a concern in 2020 that funding issues may impact the availability of all aspects of NamUs. NamUs is a database owned by the U.S. DOJ National Institute of Justice (NIJ) which currently has a contract with the University of North Texas (UNT) to maintain the database and process forensic evidence. In the fall of 2020, UNT publicly announced that it would shut down its services to NamUs at the end of 2020 because it was out of funding. However, this funding issue was resolved and NIJ will continue NamUs services throughout 2021.

NCIC

The NCIC database input is entered by FBI and other authorized law enforcement. Other than striving for accurate and current data, there are currently three gaps in NCIC Oregon data mainly due to jurisdiction definitions. The first gap is the NCIC database does not count a missing Oregon tribal member outside of Oregon as Oregon NCIC data. The second gap is that the NCIC database currently only collects data from the three non-Public Law 280 Oregon Tribes because they are considered to be a part of federal jurisdiction. The other six Public Law 280 Oregon Tribes are

not counted in NCIC because they are considered to be a part of state jurisdiction. The third gap is keeping better track of Indigenous minor children that could also be labeled as juvenile runaways or at-risk youth. The USAO will continue to work to address these data gaps.

The USAO

The USAO data is currently limited to the OSP Report, NamUs, NCIC, and our own research. Due to COVID-19, we were unable to conduct consultations and gather data from Oregon Tribes in 2020. However, our priority in 2021 is to formally consult with Oregon Tribes and collect and maintain all available data. The USAO is also committed to track and assist in any missing and murdered Indigenous person cases connected to the District of Oregon, including Oregon tribal members that are outside of Oregon. Finally, the USAO plans to collaborate and communicate with all levels of Oregon law enforcement to better track and provide assistance on all missing and murdered Indigenous cases.