

The Governor's Council on Missing and Murdered Indigenous Persons:

Recommended strategies on responding to and investigating Missing and Murdered Indigenous Persons (MMIP) in Alaska. Respectfully submitted to Governor Mike Dunleavy on October 23, 2022 by Valerie Chadwick, Chair, and Victoria Shanklin, Vice Chair.



Photo credit: 405 Magazine

This report was approved by the Governor's Council on MMIP on October 19, 2022. This document is prepared at the direction of the Governor's Office. Administrative support, coordination, and staff for the CMMIP were provided by the Office of the Governor.

We would also like to express our profound gratitude to Ingrid Cumberlidge, US DOJ MMIP Coordinator with the US Attorney's Office, for sharing her federal MMIP work in helping to develop Savanna's Act Guidelines and members from the public that contributed work into the sub-committees.

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Background and Purpose

Alaska is home to 229¹ federally recognized tribes. Unfortunately, Alaska also has one of the highest rates of missing and murdered indigenous persons in the United States² - especially women and young girls. In fact, murder is the third-leading cause of death among American Indian and Alaska Native women and rates of violence on reservations and in rural areas are up to ten times higher than the national average. Of states with the highest number of missing and murdered Indigenous women and girls cases, Alaska is fourth, [according to a report by the Urban Indian Health Institute](#)³.

The MMIP Council is formed for the purpose of facilitating interagency collaboration to significantly reduce violence against Alaska Native people generally and the numbers of missing and murdered indigenous persons specifically.

Violence against American Indian and Alaska Native communities has become far too prevalent but it remains top priority for the State of Alaska.

Roles and Responsibilities of the Governor's Council

The Governor's Council on Missing and Murdered Indigenous Persons was established by Administrative Order No. 329 and has been tasked with preparing recommendations and a report for Governor Dunleavy by October 23, 2022. The CMMIP's 11 voting members and two ex-officio members worked tirelessly with subcommittee members from across the state to develop the recommendations provided in this report. A full list of Council members and subcommittee members are listed on page 9 of this report. The duties of the CMMIP designated under the administration order are as follows:

- Provides recommendations for the development of a public awareness, education, and outreach campaign for affected communities.
- Provides recommendations for improving interagency cooperation relative to missing person protocols.
- Provides recommendations for improving public safety in tribal communities that have no law enforcement presence.
- Provide recommendations on ways to improve investigations, including data/information collection and sharing.

¹ <https://gov.alaska.gov/newsroom/2022/07/28/dunleavy-signs-tribal-recognition-bill-to-formally-recognize-alaskas-tribes/>

² <https://www.niwrc.org/restoration-magazine/june-2019/tribal-perspective-crisis-alaska-native-women-and-mmiw#:~:text=The%20Seattle%2Dbased%20Urban%20Indian,Natives%20with%2052%20active%20cases>

³ <https://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>

Missing Persons Clearinghouse

The Missing Persons Clearinghouse (MPC) falls under the Alaska Bureau of Investigation (ABI) and tracks all missing persons cases reported within Alaska.⁴ The MPC serves as the central repository for records regarding both juvenile and adult victims and serves as the gateway into various National Missing Persons databases. The MPC manages both hard copy files and several computer-assisted programs that aid in the centralization of Missing Persons Clearinghouse information and information regarding unidentified human remains.

The Missing Persons Clearinghouse represents all Alaska police agencies and aspires to meet the needs of each agency by providing the most current and accurate information available regarding missing persons.

Federal laws require agencies to enter missing person reports into the National Crime Information Center (NCIC) within two hours for any reported missing person under 21 years of age. These are the PROTECT Act of 2003 ([P.L. 108-21](#))⁵ and the Adam Walsh Child Protection and Safety Act of 2006 ([P.L. 109-248](#))⁶. These federal laws were recently codified in Alaska Statute by the passage of [HB 106](#)⁷, which goes into effect 10/26/2022.

Current data provided by Malia Miller on 10/13/22, Missing Persons Clearinghouse Manager:

Total Missing Persons: 1,327

Males: 1,109

White: 742

Native: 263

Black: 20

Asian: 33

Unknown: 51

Agency:

Anchorage Airport Police/Fire: 1

Anchorage Police Department: 162

Alaska State Troopers: 1,061

Bethel Police Department: 6

Craig Police Department: 1

Denali Park Rangers: 2

Dillingham Police Department: 2

Females: 218

White: 124

Native: 67

Black: 8

Asian: 10

Unknown: 9

Fairbanks Police Department: 19

Haines Police Department: 2

Homer Police Department: 1

Juneau Police Department: 16

Kenai Police Department: 2

Ketchikan Police Department: 6

Kodiak Police Department: 2

Metlakatla Police Department: 2

⁴ <https://dps.alaska.gov/AST/ABI/MissingPerson>

⁵ <https://www.congress.gov/108/plaws/publ21/PLAW-108publ21.pdf>

⁶ <https://www.congress.gov/109/plaws/publ248/PLAW-109publ248.pdf>

⁷ <https://www.akleg.gov/PDF/32/Bills/HB0106Z.PDF>

| | |
|--|--|
| Nome Police Department: 7 | Soldotna Police Department: 1 |
| North Slope Borough Police Department: 8 | Unalaska Police Department: 5 |
| Palmer Police Department: 2 | University of Fairbanks Police Department: 1 |
| Petersburg Police Department: 1 | USAF Police Elmendorf AFB: 1 |
| Seward Police Department: 4 | Wasilla Police Department: 2 |
| Sitka Police Department: 8 | Wrangell Police Department: 1 |
| Skagway Police Department: 1 | |

State and Federal Landscape

Presidential Task Force on Missing and Murdered American Indians and Alaska Natives; Operation Lady Justice: Report to the President

On November 26, 2019, President Donald Trump signed Executive Order 13898⁸, which established a task force on missing and murdered American Indians and Alaska Natives – designated Operation Lady Justice. The mandated mission of the Task Force⁹ is to improve the operation of the criminal justice system and address the legitimate concerns of American Indian and Alaska Native communities regarding missing and murdered people, particularly missing and murdered women and girls. The November 25, 2020 report to President Trump highlighted the activities and accomplishments of the first year of Operation Lady Justice:

- Held five in-person listening sessions;
- Conducted 12 virtual regional Tribal Consultations, one for each Bureau of Indian Affairs region;
- Conducted 15 meetings and listening sessions with Tribes, individuals, and stakeholder groups consisting of law enforcement, domestic violence, and sexual assault coalitions;
- Established 10 working groups for developing protocols, solving cases, and expanding outreach and awareness;
- Developed draft standard operating procedures and protocols;
- Opened six offices across the US to operationalize solving cold cases.

Data for Indigenous Justice Missing Murdered Women “We Are Calling to You” Report by Charlene Apok Agpik

Apok et al. (2021) identified several issues contributing to disparities in documenting and bringing resolution to missing and murdered Indigenous women and girls (MMIWG) cases in Alaska. They recognized inconsistencies in data collection and reporting, as well as access to data across various agencies, as major issues.

⁸ <https://www.govinfo.gov/content/pkg/FR-2019-12-02/pdf/2019-26178.pdf>

⁹ <https://operationladyjustice.usdoj.gov/sites/g/files/xyckuh281/files/media/document/oljtaskforcesum.pdf>

Additionally, they put forward a lack of process transparency and reporting procedure variability within law enforcement as elements that negatively impact family, community, and tribal participation. Lucchesi and Echo-Hawk (2018) highlighted that Alaska ranks fourth in the Nation, and Anchorage ranks third out of 71 surveyed cities, on the lists for highest prevalence of MMIWG cases. Further, they asserted these numbers are probably undercounted. Apok et al. (2021) claim to have uncovered 229 MMIWG cases in Alaska alone that were not documented in law enforcement records.¹⁰ Notably, out of the 5,712 reported MMIWG cases in 2016, only 116 were found in the Department of Justice National Missing and Unidentified Persons System (NamUS) database (Lucchesi & Echo-Hawk, 2018).

Bringing attention to the fact this is a long-standing issue, Lucchesi and Echo-Hawk (2018) submitted a Freedom of Information Act request to the Alaska State Troopers and received information that there were an estimated 800 – 1200 murders of Alaska Native women since 1940.

Apok et al. (2021) gives a call to action for partnership and alignment of effort across “all levels, such as: Tribal, local, state, federal, NGOs, advocates, service providers” (p.25) and respectfully the families of MMIWG. They provided a wide range of recommendations,

- Establish a data codebook across agencies to ensure consistency in data collection and reporting;
- Mandate NamUs entry;
- Improve oversight of investigations;
- Establish tribal reviews boards;
- Mandate cultural training for law enforcement;
- Articulate clear system responsibilities in Alaska for addressing MMIWG;
- Provide case support for families and communities.

These recommendations are offered to provide practical solutions to positively influence the issues related to MMIWG in Alaska.

¹⁰ The source of this claimed difference is unclear as the underlying data cannot be directly compared. Possible reasons include that some incidents were not reported to law enforcement or that the report counted cases based on nicknames or other non-legal names.

Alaska Native Women’s Resource Center (AKNWRC)

MMIP: An Action Plan for Alaska Native Communities

The toolkit found in this report was developed by AKNWRC to encourage Alaskan Indigenous communities to use as a guide for developing an action plan that will include awareness, prevention, and intervention strategies. The toolkit will be continuously updated as new resources evolve and new information found. It provides a wide range of guidelines:

- Report the disappearance as soon as possible. The first 72 hours following a disappearance is a critical time to take immediate action.
- Establish a timeline. Document in as much detail as possible from a week before or the day she went missing. It is important to describe what the victim looks like and search their social media accounts.
- Post public updates by posting fliers in the community, posting to social media platforms.
- Designate one or two family or community members as the main contact with law enforcement and other agencies. The purpose is to centralize information and not to overwhelm agencies with calls from family.
- Create a log of actions.
- Issue an alert. Talk to the local law enforcement, State Trooper or municipal office to see if they have access to an alert system.
- Community organizations. Designate a core team that will be responsible for the activities related to finding the individual and have them keep a communication log.
- Candlelight vigil. The goal of the vigil is to raise awareness about the missing or murdered person and to support the family.
- Community family support: providing meals, helping with funeral arrangements, spiritual support, emotional support, helping with everyday chores and meeting obligations, financial assistance directly, creating Go Fund Me, and designate a record keeper.
- Services for family and community – list of resources and trauma informed services.
- Document local law enforcement agencies in the community.
- Begin discussion with local LE now regarding protocols and how best to assist and/or demand LE response.
- What to do when law enforcement refuses to assist, take a report, or initiate investigation.

Savannah’s Act: Guidelines or Responding to Cases of Missing or Murdered Indigenous Persons

Savanna’s Act was signed into law in October 2020¹¹. It is a bipartisan effort to improve the federal response to missing or murdered indigenous persons (MMIP), including by increasing coordination among Federal, State, Tribal, and local law enforcement agencies. Under **Section 5(d)** of Savanna’s Act, the Department is directed to provide its MMIP guidelines for recognition by October 30, 2022.

¹¹ <https://www.congress.gov/bill/116th-congress/senate-bill/227>

Following hundreds of hours of consultation with Alaska Tribes, tribal agencies, victim service providers and federal, state, local and tribal law enforcement, U.S. Attorney Tucker announced the completion of Savanna's Act Guidelines for Alaska on August 30, 2022¹².

Violence Against Women Act (VAWA)

In March President Biden signed into law the **Violence Against Women Act (VAWA) Reauthorization Act of 2022** as part of a \$1.5 trillion omnibus spending package. The Office of VAWA will continue to work with Tribes to address challenges in protecting survivors and responding to offenders in their communities.

Real People, Real Stories

The council was grateful to have the participation of family and friends in the form of public testimony. The council reflected on and considered their stories and other kindred communications when crafting the recommendations provided in this report.

Alexis and Jordan Savage of Palmer are heading their own private investigation into the mysterious June 2022 death of their 41-year-old cousin, Fred Lee, who was from a Northwest Alaska Village. Fred was a beloved basketball coach from Buckland and a father of four. He was found naked and deceased on a beach in Anchorage. It's hard for Fred's family and friends to believe he could have gotten by himself from Spenard Road to an area that's a very remote place accessible only by trail. And there was a huge question of how did he die? He was naked, he didn't have any of his stuff, his backpack, his clothes, and he had strange scratches all over his back and torso. His feet and his lower body appeared as if they hadn't been touched, which the family found odd because his body was found 6 miles away from Spenard Motel where Fred and his wife had checked in. Alexis reports that the Anchorage Police Department disclosed very little to the family and they said they investigated Fred's case and found the death to be noncriminal. So, APD closed the case. Fred's friends and family feel that the closure of his case was a big failure, and they had no choice but to hire an attorney and a private investigator. There's no giving up on this case as the family feels strongly in their hearts that Fred's death was criminal and that the truth will eventually come to light.

Antonia Commack of Wasilla knows first-hand what it feels like to be let down by law enforcement. She too had to fight the police department for justice for her murdered best friend and cousin, Robyn Gray. Robyn had died from asphyxiation on July 8th, 2017, at the hands of the father of her two children and in front of them. She was 29 years old. The case dragged on for five years which made it even harder and more difficult for the grieving family and friends, but they refused to give up the fight for justice; giving up was never the option for Antonia. Antonia made sure she brought attention to her cousin's murder and didn't relent when she received a lot of push-back. With persistence, Robyn's murderer finally received 50 years in prison – it only took five long years.

¹² https://uaf.edu/tribal/files/atcc-2022/SAVANNASACT_MMIP_TCC38THTribeCourts08052022.pptx

Antonia feels that law enforcement is not giving their all to a native person who died in a suspicious matter. She personally believes that Anchorage Police Department did not do the bare minimum investigation into Fred Lee's case, which is why she is advocating for his case too.

Governor's MMIP Council Recommendations

The recommendations have been grouped into four groups of Sub-Committees. These are built on the available data, research, and professional expertise and most importantly, the lived experiences of family members of MMIP. The contributions of the four subcommittee members provided invaluable guidance and expertise that helped shape the following recommendations and action steps.

Sub-Committee #1: Public Awareness

Goal: Development of a public awareness, education and outreach campaign for affected communities.

1. Host listening session(s) in person, virtual, or hybrid, for the purpose of collecting public testimony.
2. Develop, disseminate, and maintain a comprehensive list of resources for the purpose of reducing MMIP.
3. Establish a statewide campaign to educate the public that there is no need to wait 24 hours to report a missing person.
4. Outreach campaign to increase the number of bulletins and photos of MMIP.
5. Develop a system whereby families or persons related to a MMIP can file a grievance for inquiry into a case for review so that the Governor can be made aware and so that proper resources can be allocated.

Sub-Committee #2: Interagency Cooperation

Goal: Improving interagency cooperation relative to MMIP.

1. Provide monetary support for MMIP outreach to meet goals and objectives.
2. Develop a dedicated tribal liaison position in statute.

Sub-Committee #3: Public Safety/Investigations

Goal: Improving public safety in tribal communities that have no law enforcement presence.

1. Recommend State voluntarily adopt Savannahs Act.
2. The State recognizes Tribes have concurrent jurisdiction.
3. Mandatory statewide and regional annual cultural, relevant communication training provided after assignment.
4. Encourage communities to share their own community response plan with the state under the SCERP (Small Community Emergency Response Plan) program.

Sub-Committee #4: Data Collection

Goal: Ways to improve investigations, including data/information collection and sharing.

1. Encourage family members and friends to report missing persons to law enforcement in order to be tracked.
2. Recommends investigating agency collects tribal affiliation, race, native name, and nicknames.

Appointed Members of the Governor's Council on Missing and Murdered Indigenous Persons

- Commissioner James Cockrell, DPS
- Darrell Hildebrand, Public Safety Manager, VSPO
- Heather Gottshall, Orutsararmiut Native Council
- Kendra Kloster, MMIWG2S Alaska Working Group
- Kim Guay, OCS Division Director
- Lydia Heyward, CDVSA
- Malia Miller, DPS Missing Persons Clearinghouse
- Representative Tiffany Zulkosky, Bethel (nonvoting)
- Sam Vandergaw, AAG Dept. of Law
- Sean Case, Deputy Chief Anchorage Police Department
- Senator Peter Micciche, Kenai (nonvoting)
- Valerie Chadwick, RurAL CAP
- Victoria Shanklin, Violent Crime Compensation Board

Sub-committee Members

- Azara Mohammadi, DMVA
- Rick Garcia, Esq., Alaska Native Women's Resource Center
- Deb O'Gara, Alaska Native Women's Resource Center
- Stephanie Hopkins, DOH, Alaska Mental Health Trust
- Karen Clemens, Partners for Progress
- Michelle Demmert, Alaska Native Women's Resource Center
- James LaBelle, University of Alaska Anchorage