

SENATE BILL REPORT

SHB 2951

As Passed Senate - Amended, March 1, 2018

Title: An act relating to increasing services to report and investigate missing Native American women.

Brief Description: Ordering a study to determine how to increase reporting and investigation of missing Native American women.

Sponsors: House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives McCabe, Gregerson, Stambaugh, Stanford, Walsh, Reeves, Dye, Barkis, Frame, Haler, Jinkins, Kloba, Ormsby, Valdez and Peterson).

Brief History: Passed House: 2/07/18, 98-0.

Committee Activity: State Government, Tribal Relations & Elections: 2/16/18, 2/19/18 [DP-WM].

Ways & Means: 2/24/18, 2/26/18 [DP].

Floor Activity:

Passed Senate - Amended: 3/01/18, 48-1.

Brief Summary of Bill

- Requires the Washington State Patrol (WSP) to study and report to the Legislature on ways to increase resources for reporting and identifying missing Native American women.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Miloscia, Ranking Member; Saldaña and Zeiger.

Staff: Melissa Van Gorkom (786-7491)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Honeyford, Assistant Ranking Member; Bailey, Becker, Billig, Brown, Carlyle, Conway, Darneille, Fain, Hasegawa, Hunt, Keiser, Mullet, Palumbo, Pedersen, Ranker, Rivers, Schoesler, Van De Wege, Wagoner and Warnick.

Staff: Travis Sugarman (786-7446)

Background: WSP Missing and Unidentified Persons Unit (MUPU). State law requires that when a person reported missing has not been found within thirty days of the report, or at any time the investigating agency suspects criminal activity to be the basis of the victim being missing, the agency conducting the investigation for the missing person must: (1) file a missing person's report; (2) initiate the collection of DNA samples; and (3) ask the missing person's family or next of kin to give written consent to obtain the missing person's dental records. The WSP MUPU records and maintains a database of missing persons reports and dental data for missing persons in Washington State.

The WSP MUPU also houses a missing children and endangered person clearinghouse that provides services for reporting and investigating missing children and endangered persons. Such services include a 24-hour telephone service for reporting missing children and endangered persons, poster distribution and research assistance to local law enforcement and family members, and coordinating investigative resources with state, local, and federal law enforcement agencies.

Government of Canada National Inquiry. On December 8, 2015, the Government of Canada launched a National Inquiry into Missing and Murdered Indigenous Women and Girls to report on the causes and high rates for violence towards indigenous women and girls. The final report and recommendations are due to the Government of Canada by November 1, 2018.

United States Department of Justice (DOJ) Report. A 2016 National Institute of Justice, Office of Justice Programs, DOJ report found that more than four in five American Indian and Alaska Native women (84.3 percent) have experienced violence in their lifetime. The estimates in this report are derived from a nationally representative sample that includes 2473 women who identified themselves as American Indian or Alaska Native in the National Intimate Partner and Sexual Violence Survey launched in 2010.

Summary of Bill: The WSP is required to conduct a study to increase state resources for reporting and identifying missing Native American women in the state. The study must include:

- data on the number of missing Native American women in the state;
- identification of barriers to providing more state resources to the issue; and
- recommendations, including proposed legislation to address the problem.

The WSP must:

- work with the Governor's Office of Indian Affairs to convene meetings with tribal and local law enforcement partners, federally recognized tribes, and Urban Indian organizations;

- consult and collaborate with federally recognized tribes in a government-to-government relationship to explore ways of creating partnerships;
- work with the federal DOJ to increase information sharing and coordinate resources; and
- report to the Legislature the results of the study by June 1, 2019.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (State Government, Tribal Relations & Elections):

PRO: The state of Washington and nation have failed at counting the number of Native American women that are missing. No one knows how many native women are murdered or missing. There are no national databases to track these individuals and sometimes it is difficult to get help.

There are many risk factors for women. More than four in five American Indian or Alaskan Native women have experienced violence in their lifetime. Native American women have the right to be free and safe from violence. This is a human rights issue that impacts many families who have had no resolution, which creates anxiety over not knowing what happened to a loved one who disappeared.

This crisis has been an issue for a long time in these communities and many families have been denied service by law enforcement. There are jurisdictional and legal complexities regarding these issues. The problem is often passed off with no one helping these individuals through the system. There is a lack of resources and a breakdown in government-to-government relationships. This is a travesty that should have been looked at years ago. This bill requires these agencies come together to share resources and work together to address this issue so that families can get resolution.

The Yakama Nation wants to be an active partner to ensure a positive result for everyone and resolve this issue of missing and murdered Native American women. This study is important and must include native women at the table for these conversations. This is not only a Native American issue, it is a women's issue and will impact people of other races.

Persons Testifying (State Government, Tribal Relations & Elections):

PRO: Representative Gina McCabe, Prime Sponsor; Athena Sanchez-Yallup, Councilwoman, Confederated Tribes and Bands of the Yakama Nation, Earth-Feather Sovereign, Missing & Murdered Indigenous Women Washington; Olivia Hart, Missing & Murdered Indigenous Women Washington; Carolyn DeFord, Missing & Murdered Indigenous Women Washington; Patsy Whitefoot, Member, Yakama Nation.

Persons Signed In To Testify But Not Testifying (State Government, Tribal Relations & Elections): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: This is a bipartisan sponsored bill. Much work has been done on violence regarding native women and girls and this supports that. Violence against native women and girls is more than double the rate of all women. Washington should take the lead on data collection to answer questions about why this is occurring.

Persons Testifying (Ways & Means): PRO: Dawn Vyvyan, Yakama Nation and Sauk-Suiattle Tribe.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.