

SENATE BILL REPORT

SHB 1177

As Reported by Senate Committee On:
Law & Justice, March 22, 2023
Ways & Means, April 3, 2023

Title: An act relating to a missing and murdered indigenous women and people cold case investigations unit.

Brief Description: Creating a missing and murdered indigenous women and people cold case investigations unit.

Sponsors: House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Lekanoff, Orwall, Reed, Berry, Ramel, Callan, Doglio, Timmons, Walsh, Reeves, Chopp, Duerr, Gregerson, Taylor, Wylie, Stonier, Pollet, Davis, Kloba and Ormsby; by request of Attorney General).

Brief History: Passed House: 2/28/23, 97-0.

Committee Activity: Law & Justice: 3/20/23, 3/22/23 [DP-WM].

Ways & Means: 3/30/23, 4/03/23 [DP].

Brief Summary of Bill

- Creates a Missing and Murdered Indigenous Women and People Cold Case Investigations Assistance Unit within the Office of the Attorney General.

SENATE COMMITTEE ON LAW & JUSTICE

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

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer, McCune, Pedersen, Salomon, Torres, Valdez, Wagoner and Wilson, L..

Staff: Ryan Giannini (786-7285)

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

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Nguyen, Pedersen, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

Staff: Julie Murray (786-7711)

Background: Missing and Murdered Indigenous Women and People Task Force. In 2021, the Missing and Murdered Indigenous Women and People (MMIWP) Task Force was convened by the Office of the Attorney General (AGO). The MMIWP Task Force was tasked to review the laws and policies pertaining to missing and murdered indigenous people and to develop related recommendations to the Governor and the Legislature.

In August 2022, the MMIWP Task Force released an interim report which contained findings, data, and recommendations.

Summary of Bill: The Missing and Murdered Indigenous Women and People Cold Case Investigations Assistance Unit is created within the AGO, subject to appropriation, to assist federal, municipal, county, and tribal law enforcement agencies with solving cold cases involving missing and murdered indigenous women and people.

The unit may proactively offer assistance to a law enforcement agency with primary jurisdiction over a missing or murdered indigenous woman or person cold case, but it may not investigate or assist with a criminal investigation except at the request of the law enforcement agency, in which case, the assistance must be limited to the content of the request.

The unit must prioritize assistance to jurisdictions that do not have sufficient resources to investigate cold cases.

The unit must include an advocate or case navigator.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

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 (Law & Justice): PRO: There are over a thousand cold cases within the Attorney General's Office. Over 400 of such cases are Native Americans, and over 114 such cases are Native American women. Yet, these cases are not a priority for the justice system. Indigenous communities continue to receive little to no attention for missing and murdered relatives. When families are not taken seriously by authorities, or when cases go cold, the families are left to find answers on their own and are left to cope with the loss of their loved ones every day. This bill will allow focus on some of these cold cases and further efforts to find victims. It will ensure that indigenous victims of crime receive robust, thorough investigations, no matter the circumstance. Every person is equally deserving of governmental protection from harm regardless of their sex and gender, and the discussion on this issue must also include missing and murdered indigenous men and boys.

Persons Testifying (Law & Justice): PRO: Representative Debra Lekanoff, Prime Sponsor; Blair Daly; Councilwoman Charlene Tillequots, Yakama Nation Tribal Council; Annie Forsman-Adams, WA State Attorney General's Office; Andrew Guillen, Seattle Indian Health Board; Leydi Hernandez Quiros; Marissa Perez, The Yarrow Project.

Persons Signed In To Testify But Not Testifying (Law & Justice): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: I am a member of a Tribe and a survivor of human trafficking. I was held captive and reported the attack, but no arrests were made. I testify today so I won't be added to the list of unacknowledged unknown indigenous women that go missing and never receive justice. Please fully fund the bill so others can have justice. The statistics of violence and sexual misconduct is higher for indigenous women and for their cases to be less investigated, less solved, and less publicized. A cold case unit is essential for helping missing indigenous people come home or for justice to be brought to their families to heal.

Persons Testifying (Ways & Means): PRO: Mercedes White Calf, NAYA Action Fund; Sophia Bowton-Meade; Annie Forsman-Adams, Attorney General's Office.

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