

Forming First Nation Friendships

Nebraska Investment Finance Authority
Special Achievement

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HFA: Nebraska Investment Finance Authority Entry Name: Forming First Nation Friendships Category\Subcategory: Special Achievement\Special Achievement

Intro: Respecting Autonomy

Like many states, Nebraska is home to people of varying races, ethnicities, and cultures. Among our diverse populations, Nebraska is proud to be the home headquarters to four First Nations – the Omaha, Ponca, Santee Sioux, and Winnebago tribes of Nebraska. According to the 2010 United States Census, nearly 30,000 Native Americans reside in the state of Nebraska¹. Nebraska tribal representation also includes members of the Pawnee Nation of Oklahoma, Oglala Sioux Tribe, Iowa Tribe of Kansas and Nebraska and the Sac and Fox Tribes. Tribes are also represented both on and off reservation lands, in rural and urban environments².

Unfortunately, Native Americans face many challenges in our state. A few of the stark realities for Native Americans in Nebraska:



- 4.5 times more likely to live in poverty³
- 4 times higher unemployment rate³

50% lower household income \$26,879: compared to \$55,879 (white residents)³



5 times more likely to die of homicide³



760 Human Trafficking related calls in Nebraska⁵

Out of 129 service providers, 64 provide services for victims of human trafficking⁵ Only 9 of 64 offer <u>long-term housing assistance</u>⁵



A study of Missing and Murdered Indigenous Woman and Children (MMIWC) was authorized¹

4 factors in MMIWC: Domestic violence, substance use, mental health challenges, lack of **affordable housing/homelessness** and poverty¹



About 50% have access to health insurance suggesting unmet physical, mental, and behavioral healthcare needs³



Under counted homelessness - homelessness is thought of as literally without a home, for Native American's, homelessness is thought of as "couch surf" or staying in overcrowded/substandard housing⁴



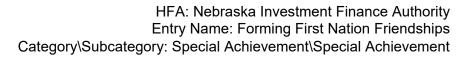
Lower reading and math proficiency than their non-Native peers¹

Drop out of high school at disproportionately higher rates¹

Faced with this information, the Nebraska Investment Finance Authority (NIFA) wanted to collaborate with the First Nations and tribal leadership to support their efforts and offer assistance when requested.

Initial Efforts – Where do we start?

Housing Finance Agencies know the key role affordable housing plays in addressing the issues described above. People who have access to safe, affordable housing have greater stability, which leads to better outcomes in health, education and employment. Stable environments reduce the risk of becoming a victim



of human trafficking. As noted in regards to both MMIWC and human trafficking, access to affordable and long-term housing is an issue in Nebraska.

NIFA serves Native Americans on and off tribal reservation land but the uniqueness of reservation land often presents a barrier to development. Reservation land is held in trust by the United States government on behalf tribes, which often prevents individuals from owning the land on which the home they wish to purchase is built on or on which an apartment complex can be built. This prevents financial institutions from foreclosing on property on reservation lands for non-payment, causing a hesitancy to invest in these areas.⁶

Prior to 2001, NIFA received applications for very few developments on tribal land. In fact, only two developments had come through the Low Income Housing Tax Credit Program (LIHTC): Omaha Lodges I, a 20 unit development on the Omaha Tribe's reservation and the Northern Ponca Tribal Housing, a 10 unit development off tribal land in the city of Omaha. Additionally, between the years 1998 and 2001, only 30 Native American's purchased homes across the state, off reservation lands, with a NIFA 1st Time Homebuyer loan.

Despite our efforts, development for Native American projects, both on and off reservation land has remained a challenge. Because of this, and other developments that present unique circumstance, including those that serve the homelessness population, NIFA created the Collaborative Resource Allocation for Nebraska (CRANE) program to assist with developments that are outside the traditional lines of the LIHTC program. NIFA's award winning CRANE program is a resource allocation strategy designed to encourage collaborative efforts among multiple resource providers, such as NIFA, the Department of Economic Development, HUD, local governments, non-profits and others, with the goal of bringing various resources to developments that would otherwise not be completed.

One of the first projects developed in the testing phase of the CRANE process, Omaha Lodges II, was a 4 unit development on the Omaha Tribe's reservation land. Together, NIFA and other collaborating resource providers have worked with Nebraska's tribes both on and off trust land. As a result of the program, NIFA has developed an additional 5 projects, 158 units – rental and homeownership, in 4 communities and serving all four Nebraska tribes. The total investment of these developments is more than, \$20.5 million. In addition, 120 Native Americans have purchased a home off reservation land with a NIFA loan.

Partnerships

Wanting to do more, NIFA spent time and effort on building partnerships with our Nebraska tribes that would foster trust and respect. We started out small and never looked back. We were not getting representation from our tribes at our annual affordable housing conference – where education, networking and connections with the development community occur. We made an effort to include relevant topics across our 5 tracts of interest and extended a personal invite to all tribal organizations. We invited key tribal representatives to participate as speakers at both local and regional events. This effort culminated in our keynote address on Missing and Murdered Indigenous Women and Children in 2020 – one of our most popular webinar topics of the year!

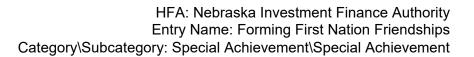
Our efforts to engage Nebraska tribes at the conference also allowed us to build a strong relationship with the Northern Ponca Housing Authority (NPHA). This resulted in the first tribal participation in our award winning Outreach Partnership Program. Created to support local non-profits to expand their knowledge and utilization of NIFA's programs, the goal is to increase an organization's long-term capacity to meet community needs, including affordable housing. To accomplish this goal, NIFA assists with funding the











salary and associated administrative expenses for a staff position within the NPHA. NIFA also provides technical assistance to ensure the staff position becomes self-sufficient at the end of three years.

Now in their third and final year, the NPHA has accomplished much during their tenure. They run the Tenant Homeownership Program (THP) which allows current tenants to purchase the home they are currently renting, or another eligible NPHA property. The homes can be purchased at a discounted price when tenants are ready for a mortgage. Tenants also participate in homebuyer counseling to ensure they achieve mortgage readiness within five years of entering the program. The Housing Support Specialist (HSS) position, supported in part through NIFA partnership funds, works hand in hand with tenants and the Resident Opportunities & Self Sufficiency Coordinator to ensure the tenant successfully achieves homeownership.

In the first two years of the partnership, NPHA closed 6 mortgages, has 12 applicants in process, and an additional 3 on the waiting list. Their Down Payment Assistance (DPA) program has been utilized with 9 loans, has 7 applicants in process, and an additional 5 on the waiting list. Their tenant based rental assistance program has helped 12 households afford their home. To date, the HSS, has attended 21 trainings to become familiarized with programs available to achieve the housing goals of NPHA.

For 2021, the NPHA has set aside \$100,000 for DPA and plans to award 5 grants of \$20,000 each to new homebuyers. They are also in the process of rehabbing several units that will be made available for those interested in purchasing through the THP. A Homebuyer Education course is offered and referrals to financial education are made to all tenants with the dream of becoming a homeowner.

The success of our partnership with the Northern Ponca Housing Authority has led to the creation of the Native American Community Impact Grant. This new grant opportunity will allow NIFA to fund one additional tribal partner each year. We received two applications, in 2021, our first year of funding.

Our strong partnership with agencies that serve Nebraska's homeless population offered another opportunity to get a seat at the table of those working on housing and other issues for our tribal population. The Metro Area Continuum of Care for the Homeless reached out to NIFA staff with an invitation to join the Native and Indigenous Centered Education (NICE) group. As the pandemic started to spread across the country, NICE decided it had a larger set of issues to address outside of education and formed the Native American Community Partners of Omaha (NACPOMA). NACPOMA meets once a month to address a variety of topics including culturally relevant education and events that can be held remotely. This has included a health and wellness camp for native children and a Resource Hub that NIFA has played a large role in developing.

On the horizon

NIFA's small but dedicated team of 29 employees has dedicated time and effort into building partnerships with our First Nations. This has included reaching across program lines including homeownership, rental development and community engagement. We recognize the challenges our tribal members face both on and off reservation land. We have made it our goal to foster a meaningful relationship with our tribal organizations and took every opportunity to listen to their needs. While our dedication and commitment has made some progress, we recognize there is much work yet to be done. We will continue to focus our efforts on serving the First Nations in Nebraska and explore additional opportunities to partner with them. Areas of opportunity may include a NIFA Tribal Homeownership program, encouraging agribusinesses and beginning farmer and rancher loans. NIFA is committed to being involved in the future success of Nebraska's Tribes.











CITATIONS FROM NARRATIVE











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Citation Sources from Narrative

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- 2 Health Disparities Report, Office of Health Disparities and Health Equity, https://dhhs.ne.gov/Pages/Health-Disparities-and-Equity.aspx
- 3 Counting Homelessness on Tribal Lands: Substance Abuse and Mental Health Services Administration (SAMSHA), https://www.samhsa.gov/homelessness-programs-resources/hpr-resources/counting-homelessness-tribal-lands
- 4 Health Status of American Indians in Nebraska: Office of Health Disparities and Health Equity, https://dhhs.ne.gov/Reports/American%20Indian%20Report%202017.pdf
- 5 2015 Human Trafficking in Nebraska: Omaha Women's Fund,
 https://www.omahawomensfund.org/wp-content/uploads/Human-Trafficking-in-Nebraska-Report1.pdf
- 6 Bureau of Indian Affairs, www.BIA.gov











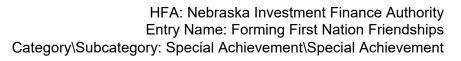
PHOTOS











Thunder Way – Single Family Development, Winnebago, Nebraska







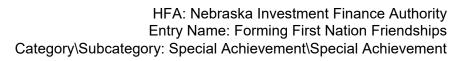












Thunder Way – Single Family Development, Winnebago, Nebraska











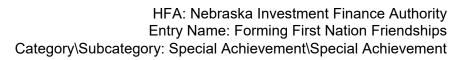












Chief Little Priest Apartments – Multi-Family, Winnebago, Nebraska







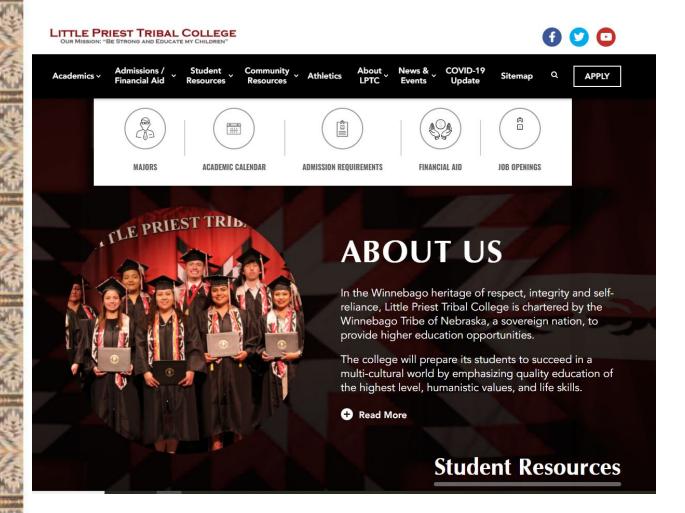








Chief Little Priest Apartments - Multi-Family, Winnebago, Nebraska

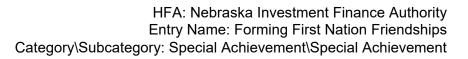












Little Priest a/k/a Warrior Apartments – Multi-Family Development, Winnebago, Nebraska



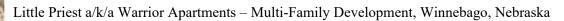
















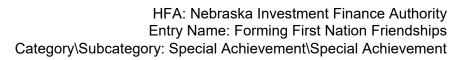












Heritage Hills – Multi-Family Development, Macy, Nebraska





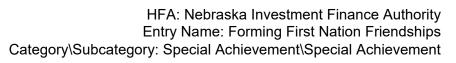
























Eagle Heights – Multi-Family Development, Omaha, Nebraska

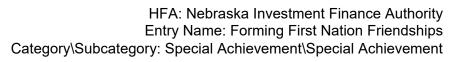












Eagle Heights – Multi-Family Development, Omaha, Nebraska







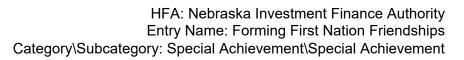












Eagle Heights – Multi-Family Development, Omaha, Nebraska





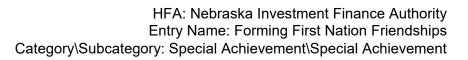












Omaha Lodges I & II – Multi-Family 4-plexes, Macy, Nebraska

















HUMAN TRAFFICKING RISK MAP























PRESS/ARTICLES











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ADVOCACY & EDUCATION

OUR EXPERIENCE

DEVELOPMENTS

REFERENCES

AWARDS & EXPERTISE

ABOUT US

OUR MISSION & VISION

CERTIFIED B CORPORATION

OUR STORY

OUR TEAM

PRESS

CONTACT US

JOIN OUR TEAM

TERMS OF USE AND PRIVACY POLICY

NEWS & EVENTS

BLOG

MEDIA RELEASES

ANNUAL CONFERENCE

FIRST FRIDAYS

TRAINING INFORMATION

EVENT CALENDAR

BLOG COMMENTS POLICY

RESOURCES

FAQS

VIDEOS

FEDERAL & NON-PROFIT RESOURCES

STATE RESOURCES

SERVICES PROVIDERS AND PARTNERS

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Housing complete just in time for back-to-school

August 22, 2016

Blog > Housing complete just in time for back-to-school



By: Jason Betts

Affordable Housing | Client news | Low Income Housing Tax Credits



I am happy to share the good news that **construction on the Little Priest Tribal College Residential Complex is complete!** Tribal college students and their young families in Winnebago, NE, now have more options for housing — and just in time for the new school year!

The LPTC Residential Complex, renamed Warrior Apartments after the school's mascot, includes 27 new apartments, a large community room, two community laundry rooms, a playground and access to high speed internet.

Little Priest Tribal College (LPTC) is the Winnebago Tribe of Nebraska's higher education institution. This Low Income Housing Tax Credit (LIHTC) project, LPTC Residential Complex, was also awarded funds through the Affordable Housing Program of the Federal Home Loan Bank system.

I worked closely with our clients before and during the construction phase. I assisted in the environmental compliance for the investor and the state of Nebraska and also visited monthly to conduct work-in-place inspections to verify construction progress. Here are a few photos of the completed apartments from my last visit. (Landscaping was next on the to-do list!)









The LPTC Residential Complex is part of a larger (and award-winning!) community development effort known as Ho-Chunk Village. This effort is to create housing and job opportunities to encourage younger members of the Winnebago Tribe to remain in the community.

I am always happy to see a project completed and new residents moved in. It's great to know local students and their families will have more housing options while attending the college. I wish all of the new residents a great school year!

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We always enjoy seeing the results of our clients' projects. If you have a photo you want to share, we'd love to see it. It may even be included in a future blog post!



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NEWS

Searching for Home in Omaha, Nebraska

by **Chris Bowling** November 10, 2020 Updated January 12, 2021



Marissa Wright flicks the lights on in the apartment. In a flash it's there. Slate grey walls she was happy to see weren't brown when she moved in. The spices lined atop the new stove.

Work clutter on a breakfast nook. Two boxes of Cheerios on the kitchen island.

When she moved into this apartment, a one-bedroom slice of Omaha, it was hard for the 38-year-old to believe it was truly hers.

"I would just sit here and say, 'I can't believe I have this place," Wright said. "It just feels good."

At the top of the Eagle Heights apartment complex, Donna Polk gazes eastward. From the third floor, she sees city blocks melt into browns and grays as they sag and stretch toward the Missouri River. But to Polk, who's directed the Nebraska Urban Indian Health Coalition since 1991, which built this 44-unit complex on 23rd and N streets, the city blocks explode with color. Across the street, she imagines a rooftop garden. Her organization is planning to refurbish the 26,000-square-foot building into a space that includes, among other things, a clinic, computer lab and community areas.

"I mean how often do your dreams become reality?" Polk said. "And I really used to have dreams about how I could do this, so people could have a decent place to live."

But, for many, that's a dream they're still chasing.

In Omaha, access to safe and affordable housing is not equal.

While thousands are evicted every year in Douglas County, according to a recent study from Creighton University and Family Housing Advisory Services, Inc., more people live in homes with code violations that take longer than a year on average to fix. In Omaha, nearly four out of five people living in poverty have jobs but lack the income to secure life's

necessities. The cost of living is rising, but 43% of Omaha's residents are already paying more than 30% of their income on rent, according to <u>Landscape Omaha</u>. They're also competing in a market that one 2017 Housing and Urban Development study said is offering 10,000 fewer homes — for sale or rent — than what the city needs.

"We continue to make excuses for our inability to increase access to low-income housing," said Erin Feichtinger, community outreach and advocacy coordinator for the nonprofit Together Inc. "And we do it knowing full well that we have a crisis on our hands in affordable housing. And I don't understand it."

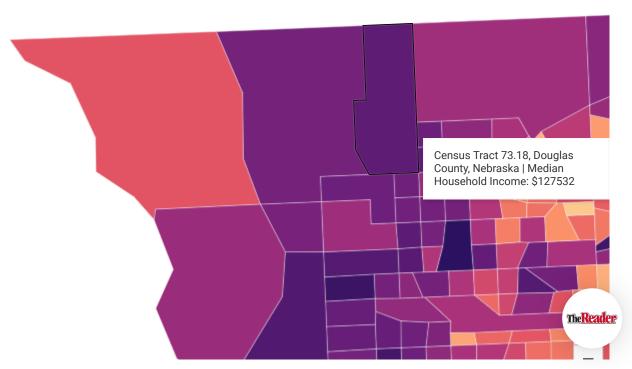
The areas where the problem is most severe are the same places where substantial numbers of new homes haven't been built since the 1930s.

They also have poorer educational outcomes, more poverty and lower median incomes. And they're the city's most racially diverse neighborhoods, concentrated largely east of 42nd Street.

Douglas County Median Household Income

A map showing the median income of each census tract in Douglas County.



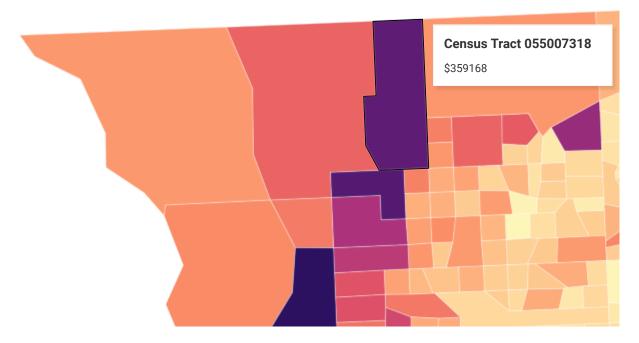


A century ago a federal agency marked them as "hazardous" zones to curb bank lending there. That practice, called redlining, was outlawed in 1968, but a review of lending data since 2007 shows there has been little substantive change.

Majority-white census tracts in Douglas County received more than 45 times the amount of private bank loans to buy homes. They received \$12 billion while census tracts with more minority residents received just \$275 million.

Private Home Loans Gravitate Westward

Since 2007, most private dollars to build and buy homes in Douglas County have been sent to people expanding westward. The result is more racially diverse census tracts in East Omaha have received 45 times less money than white majority neighborhoods. Figures in thousands.



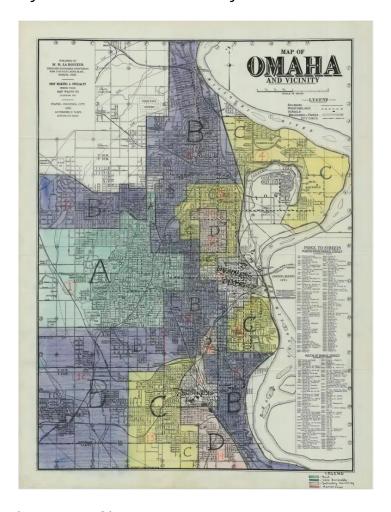
Teresa Hunter, executive director of Family Housing Advisory Services, said these areas have a dependency on social services that do more to help people eke by and little to substantially boost people out of poverty.

"It has a crippling effect on people that are trying to get away from the system," Hunter said. "Those kinds of policies that don't allow for growth, don't allow for people to advance. People get stuck."

Meanwhile, more public dollars go toward renovating and rebuilding areas like downtown, Aksarben and Midtown where projects have out-

earned competitors in North and South Omaha by tens of millions of dollars since 2000, according to city data.

"[Public spending in poor communities] is not happening enough right now," said state Senator Tony Vargas, who represents District 7 in South Omaha. "That's something most people I've talked to can accept. Is the system broken? I don't think it's broken. Is the system meeting the needs of the community? I don't think we can say that either."



But there are glimmers of hope.

Longtime advocates are hearing more calls to invest in underfunded areas of the city after protests over racial inequality broke out in late May. There are opportunities for people to educate themselves about building wealth or a healthy credit score. Nonprofits, public-private partnerships and others have chipped away at the problem by building new single family homes and apartment complexes. Local and state legislation hadded measures of accountability to maintain safe housing while making

construction more accessible and non-cost-prohibitive for average citizens.

But most agree the journey is far from over.

"I think it's good that we're starting to have a conversation about housing equity," Feichtinger said, "but we are not close to doing anything meaningful."

Piece by Piece

Cheryl Janis moved to Omaha in 2018 to start a new life. On the Pine Ridge Reservation, in the southwest corner of South Dakota, she witnessed a murder. The longer she stayed among the plains and pine-studded bluffs she'd known all her life, the stronger the trauma became.

But when she got to Omaha, the disabled Lakota woman ran into problems with housing. Having spent her life on the reservation and living on her family's land, she didn't have prior landlords to put on applications. She didn't have much credit.

"When I lived in South Dakota, we lived on our land and we had our own houses," Janis said. "We never had to pay rent or nothing. That's why it's hard when they ask you, 'Well, what was your rent before? We need your landlord's name."



Janis ended up living in two homeless shelters and waiting a year to get an apartment with the Omaha Housing Authority, which is backlogged with low-income applicants waiting six months to two years to access some of the 7,000 different housing options in the city. That's not unusual in Omaha, which has low vacancy rates and too few housing options.

The Eagle Heights apartment complex, where Janis lives now, took years to actualize with a combination of donations and public funding, amounting to an \$8 million project, Polk said. And in the effort to keep as affordable as possible, the apartments rent for well under market at three bedroom that rents for \$800 could probably cost double the

said June Bear-Noonan, community relations coordinator of the Nebraska Urban Indian Health Coalition.

And while it only has 44 units, a small dent in the overall need, it's an important step in the right direction.

"It's amazing to be where we're at right now," Bear-Noonan said. "Helping people that need help. That's the bottom line. We're just doing the little bitty part that we can."

While living in public housing, the loud noises coming from other apartments as well as gunshots Janis occasionally heard outside flared symptoms of her post-traumatic stress disorder. She wrote poetry to keep her mind at ease.

Eventually her case manager told her about Eagle Heights. After moving into the apartment in August, Janis finally feels like she's found a place to call home.

"I'm at peace," she said.

Holy Name Housing has been building and renovating homes largely in North Omaha since 1983. Right now they're renting about 200 single-family homes and 100 senior-living units. Mike Gawley, executive director of the organization, said about three-quarters of that housing, which typically rents between \$600 and \$800 for a four-bedroom home, is reserved for families making between \$26,000 and \$50,000 per year.

Every year Holy Name Housing builds about 30 more homes, Gawley said, and every year, about 10 people in the program become homebuyers.

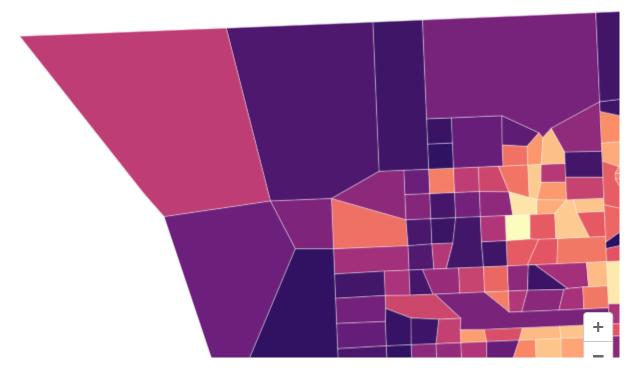
But the work comes at a steep cost.

"New homes in North Omaha do not appraise for what it costs to build a new home," Gawley said. "There's about a \$100,000 per house gap."



Douglas County Homeownership

A map showing the percentage of people who own the home they live in for reach census tract in Douglas County.



The organization also has limited space. The next people in line to rent a home signed up at least two years ago, Gawley said.

When Marissa Wright was on the waitlist to get into Eagle Heights, she looked around at other apartments as a backup plan. Despite working full-time as a case manager at the Ponca Tribe of Nebraska and part-time phone banking, she couldn't find many places she could afford.

"It's hard to find affordable housing," she said, "especially if you only make a living wage."

And when people do find housing, it can be unsafe and subject to slow code enforcement. In the last five years, residents have reported 7,161 code violations to the city's Planning Department Code Enforcement, according to City of Omaha data. These can range from reporting mold and deteriorating structures to problems with fences and suspicion of vacant buildings.

TheReader

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The average code violation is left unfixed for 381 days, according to analysis from *The Reader*. Of all code violations reported, about one in six is still open and 352 homes had to be vacated due to immediate danger to the residents.

Meanwhile, Feichtinger said according to Together Inc's analysis of eviction and code violation records, 44% of evictions filed between June-August 2020 had an active code violation case between 2017-2020.

And there's little impetus to change that.

"What we're finding is that there's really no reason for landlords to re code violations because there's always going to be another person or

family who will rent that unit," Feichtinger said. "No matter the condition."

What worries Vargas the most about that reality is that home is almost everyone's symbol of security and respite. When that's interrupted, it challenges everything.

"When a home is literally hurting a child's health or hurting their education, leading to mental delay or special education needs potentially, when it's disrupting people's sleep or people's health or people's work," Vargas said, "that means we can connect issues with code violations in residentials or rentals with people's long-term health and long-term educational outcomes."

Vargas said when he talks about these issues in the Nebraska Legislature, one of the biggest obstacles he runs into is the idea that if someone is living in poverty or substandard housing, they haven't tried hard enough to climb out.

In fact 75.4% of people living in poverty in Omaha are employed, which is slightly above the national average. The problem is the disparity in income. The average household in a racially diverse area is making \$41,340 less annually than the average household in a white-majority neighborhood.

And now the nation is seeing what happens when people living paycheck to paycheck have to deal with interruptions in work or additional expenses.

"We're seeing it more and more now [with COVID-19] where people, as a result of losing their jobs for a month, two months or three months, are finding it incredibly difficult to keep a roof over their heads," Feichtinger said. "People should live somewhere and they should find it easy to afford their homes."

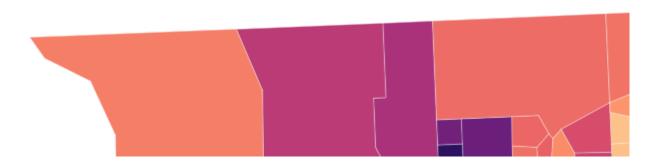
In July, researchers released a report called "Understanding Evictions in Omaha," which visualized how housing stability has a ripple effect across a family's welfare. The study, a joint effort between Pierce Greenberg Creighton University and Gary Fischer, former legal advisor for Family

Housing Advisory Services, showed evictions are concentrated in East Omaha, particularly in impoverished, racially diverse communities.

Percent of Residents with at Least A Bachelor's Degree

Obtaining a bachelor's degree often means access to higher paying jobs with more security and benefits. Residents of Douglas County who've received those degree gravitate westward.





That wasn't surprising to Fisher. What was surprising was how glaring the connections were between areas with high evictions and kids missing school. Or evictions and COVID-19 infections.

"The sheer numbers are really shocking," Fischer said. "Because when you look at this as a component of racial injustice issues and even health issues around COVID, you realize that this is an interconnected web of causation and impacts."

And what's more these maps line up perfectly with the original zones deemed unworthy of investment in the 1930s. It's a clear reminder that redlining and other racist policies are not a thing of the past.

"It's taken years for these things to happen," Hunter said. "And it's go" take years and years to get out of them, but I do believe we must be

intentional. When we see something, we have to do something."

Solutions Come Up Short

Since the Fair Housing Act passed in 1968, reinvestment has been the subject of countless initiatives, politicians' platforms and nonprofits' missions. And half a century later, the fruits of that labor, even recently, aren't too hard to find.

Projects like Seventy Five North have brought tens of millions worth of commercial and residential property to N. 30th Street. A newly organized business improvement district is building on efforts to revitalize the N. 24th Street corridor.

Along L Street, OneWorld Community Health Centers service patients in the renovated Livestock Exchange Building with apartments and ballrooms on the upper floors. A Metro Community College Campus opened in South Omaha in 2007 with a new library opening nearby in 2008. Even further south, a new development is underway to revitalize some of the city's oldest housing projects.

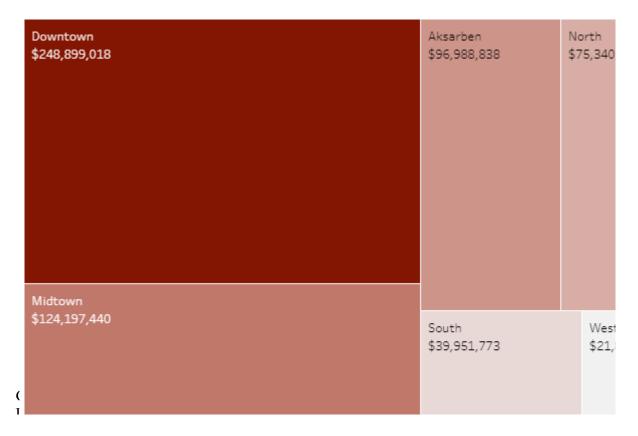
But these haven't gotten the city to the equitable solution it needs.

"The bottom line is more affordable housing is needed in our community," said Bear-Noonan.

One of the biggest hurdles that still needs to be crossed is increasing access to funding and opportunities to build up. And while private investment has lagged by tens of billions of dollars, others look to public dollars.



One of the most effective tools for publically financing city projects, Tax Increment Financing (TIF) has brought more than \$6 billion to Omaha since 2000. However, the projects meant to revitalize aging structures have centered around some parts of the more than others.



Whether it's tax increment financing, community development block grants, the Nebraska Affordable Housing Trust Fund or funding through the Nebraska Investment Finance Authority, there are millions and millions of dollars available to people and organizations. But whether those dollars are getting where they need to is a different story.

Tony Vargas said there needs to be more education about these funds. And they should be directed at Nebraskans who might not be looking to build an apartment complex, but want to seriously renovate their aging homes.

Because one of the largest issues is that pockets of Omaha's infrastructure have remained largely unchanged for nearly a century. In

one-fifth of Douglas County's census tracts, concentrated in East Omaha, half of the buildings were built before World War II. Even more census tracts show less than 20% of their development took place after 1979, one year after the federal government outlawed the use of toxic lead-based paint.

"If you are in the working class, the options that are available to you [are limited]," Vargas said. "There's newer homes being built in Gretna, there's newer homes being built in West Omaha, and while that's fine that they're being built out there, we don't have those developments in my community."

Omaha's Aging Homes

Several Census Tracts in East Omaha have homes that were built before 1939, nearly 40 years before laws like outlawing the use of toxic lead paint. They're concentrated in the same areas with high densities of code violations.





Another solution to increase that access is through making it easier to build multiple types of housing. The Nebraska Legislature recently passed the Missing Middle Housing Act, a bill sponsored by Matt Hansen, a statement of senator from Lincoln. The bill would require areas to rezone resident properties so that people can easily modify their existing homes or but.

new ones that don't fit in the mold of a traditional single-family home. Examples of missing middle housing include duplexes, townhomes and homes modified with additional rooms that could be made into separate apartments.

The bill was added as an amendment to another from Senator Justin Wayne that would require cities larger than 50,000 residents to submit affordable housing action plans by Jan. 1, 2023. Cities between 20,000 and 50,000 residents would have until Jan. 1, 2024.

For the Missing Middle Housing Act, cities larger than 20,000 residents must submit reports on what they're doing to increase access to affordable housing starting on July 1, 2021, and every two years thereafter.

By incorporating rezoning efforts, Hansen hopes this will do away with Nebraska's rigid fixation on what housing means.

"It's really kind recognizing the fact that we've distorted the market such that we only really allow new construction to be the large, multi-story, 100-unit apartment complexes or single-family homes, and maybe some duplexes," he said. "We're really building from scratch these days."

One of the most promising solutions is providing education to renters on everything from how to be a good tenant to building credit.

Those courses are available through organizations like Family Housing Advisory Services, which routinely help people get out of predatory payday loans and on a path to homeownership.

Cheryl Janis took a similar course through the Nebraska Urban Indian Health Coalition. She didn't realize how important things like writing checks or paying off old debts were to insure her ability to keep a home in the future.

Teresa Hunter wants more money to advertise these classes, which are free, or find a way to expand them.

"We need to share this information; people don't understand unless share it," she said.

But even if renters do all the right things, other obstacles still exist. Application and credit check fees can be financially stifling. A criminal background can follow some people for years and keep them out of good housing. It's frustrating for some of the people Marissa Wright knows.

"They feel like maybe they'd paid their debt to society, they'd righted the wrongs they'd done," she said. "But that kind of stuff sticks with them."

Other solutions have taken aim at fixing some of the institutional gaps in code enforcement, evictions and landlord accountability.

Last year, the city of Omaha enacted a rental registry to be able to contact property owners when violations occur. The registry will also help the city easily identify repeat offenders. Eventually they can instigate their own code evaluations, which right now have to be brought on by resident complaints. Advocates like Feichtinger have also been part of the push to install more code enforcers and cut down on the length of active violations.

But the process is slow-going.

Feichtinger said 39% of evictions from June-August of 2020 came from unregistered properties, according to Together Inc's data.

It goes back to the fundamental idea of what kind of city Omaha wants to be. That philosophical argument was on full display in August as the Omaha City Council debated holding the Omaha Police Department's budget static and reinvesting what would have been a \$2 million increase into community programs to address poverty.

The initiative was dead on arrival, with city council members citing the need to continue investing in a diverse police force, or simply the need to fund what they characterized as an already-lean department, despite the fact OPD's now \$161.3 million budget is by far the city's largest expense.

"A budget is a moral document," Feichtinger said. "It says what we prioritize. It says who we prioritize. It says how we feel about our past and what we think is important in our future."

Looking For Answers

The dry bundle of sage cracks and releases its earthy perfume as Marissa Wright pinches the leaves.

She holds a lighter to the greenish grey clump. The smoke rises in her new apartment on 23rd and N streets. She prays for her body, mind and spirit, part of a daily ritual.



Wright came to Omaha in 2018 struggling with addiction. Since then she's rebuilt her life piece by piece. She's holding down jobs, helping to lead Alcoholics Anonymous meetings, getting involved in her church and leading a good life.

She doesn't know where she'd be if it weren't for this apartment with the spacious closets she loves to fill with her favorite dresses and shoes. She'd probably still be in transitional housing, trying to save up for a place.

But Wright's one of the lucky ones. Not because she didn't work for the life she had, but because her journey led her here, unlike many of the people she knows still struggling.

But how do we make it better so people don't have to live on the edge?

Wright doesn't have an answer for that. She wishes someone did.

"I can't take on all the baggage of everybody, you know?" she said. "I'm trying to get my life together. But what I can do is live my life in a good way and be of service to others. If they see this Native woman doing the right things, they'll think, 'Oh maybe I can do that someday, too.""

Additional reporting by Kaitlynn Johnson. Contact the writer at chris@thereader.com

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Omaha nonprofit works to create addiction treatment center

by The Associated Press Saturday, October 21st 2017



OMAHA, Neb. (AP) — An Omaha nonprofit providing substance abuse treatment and other services is working with real estate developers to build apartments and turn a vacant building into an expanded center.

The Nebraska Urban Indian Health Coalition and Arch Icon Development propose to create a new campus for the coalition at the former home of the South Omaha Eagles Club, the Omaha World-Herald reported .

Developers would erect a building with more than 40 apartments on what are currently parking lots. Then they would renovate the vacant club and its banquet hall, making space for social services including residential addiction treatment, plus offices and cultural events.

The apartments, called Eagle Heights, are expected to cost about \$7.8 million. Financing would involve several sources, including low-income housing tax credits. The club renovation would require donations, and fundraising hasn't begun yet.

"Fiduciary" Means, Retirement

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Nothing will likely be built before 2019, said Darin Smith, and Arch Icon principal.

The Omaha City Planning Board voted recently to recommend that the City Council approve the Eagle Heights redevelopment plan. That would allow up to \$310,000 in tax-increment financing. The financing mechanism allows developers to use part of a project's future property taxes to pay for upfront costs.

The redevelopment plan and tax increment financing proposal will likely go before the council in a few weeks.

The coalition is planning to move to the South Omaha site so it can expand its services and help more people, said Donna Polk-Primm, CEO of the coalition.

"It would double our space to help us serve our community better," she said.

The coalition primarily serves urban Native Americans and the Alaska Native populations. Some services are reserved for those groups because of funding sources. But City Planning Board said the apartments would be open to any qualifying applicants, and many services are available to everyone.

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FIRST IN THE WORLD-HERALD

Nebraska Urban Indian Health Coalition plans to build new HQ, housing in South Omaha

Chris Burbach Oct 20, 2017



The Nebraska Urban Indian Health Coalition wants to build a new campus at 23rd and N Streets.

REBECCA S. GRATZ/THE WORLD-HERALD

Chris Burbach



n unusual partnership has emerged between the Nebraska Urban Indian Health Coalition and real estate developers who rehabilitated the coalition's old downtown neighborhood into millennial-friendly housing.

The nonprofit coalition provides substance abuse treatment and other services at its current headquarters, in the middle of Arch Icon Development's trendy new Flats on Howard apartments and town houses.

Now, Arch Icon Development and the nonprofit group propose to create a new campus for the coalition, at 23rd and N Streets in South Omaha. That's the former home of the South Omaha Eagles Club.

Their proposal has two parts. They would erect a building with 44 apartments on parking lots northwest of 23rd and N. And they would renovate the vacant club and its banquet hall, turning it into space for social services including residential addiction treatment, plus offices and cultural events.

The planning is in its very early stages. The complicated financing for the apartments, expected to cost about \$7.8 million to build, would involve a number of sources, including low-income housing tax credits. The renovation of the Eagles Club would require donations, and fundraising has yet to begin.

Nothing would likely be built before 2019, said Darin Smith, an Arch Icon principal.

Given all that, the group has talked with some neighbors but otherwise hasn't "said a lot about it" yet, said Donna Polk-Primm, CEO of Nebraska Urban Indian Health Coalition.

It's becoming public now because they're applying for tax-increment financing for the apartments, called Eagle Heights.

The Omaha City Planning Board voted last week to recommend that the City Council approve the Eagle Heights redevelopment plan. That would allow up to \$310,000 in tax-increment financing, or TIF. The financing mechanism allows developers to use a portion of a project's future property taxes to pay for upfront costs.

The redevelopment plan and TIF proposal will probably go before the City Council in a few weeks.

The apartment ownership would eventually transfer to the coalition, but despite its nonprofit status, it would pay taxes on the apartments under the proposal before the city.

There would be a mix of studio, one-bedroom, two-bedroom and three-bedroom apartments. They would rent for an estimated \$375 a month for a studio to \$750 a month for a three-bedroom unit.

Polk-Primm said the group is planning to move to the South Omaha site so it can expand its services and help more people.

She said the coalition's current building is too small even for the current services offered there. It has 12,000 square feet, according to county property records. The Eagles Club building has 26,000 square feet.

"It would double our space to help us serve our community better," Polk-Primm said.

The coalition primarily serves urban American Indians and the Alaska Native populations, and some services are reserved for those groups because of funding sources. But the apartments would be open to any qualifying applicants, and many services are available to everyone, according to documents filed with the City Planning Board.

Polk-Primm said the proposed apartments would allow for more transitional housing for the coalition's clients. The club building also has space for community meetings, memorial dinners and other cultural events.

She said the coalition has been hoping to expand for several years. It seriously looked into moving seven years ago, hiring a consultant and conducting focus groups, but it didn't work out that time.

Polk-Primm said real estate developer Todd Heistand, whose daughter Mindy Crook is a principal in Arch Icon, approached her more recently and asked how they could help the coalition.

Polk-Primm said she welcomed the help. She said Arch Icon has been a good neighbor, and Heistand "has developed half of Omaha."

Crook said the coalition needs to expand and wants more housing, but is landlocked.

"This is what we do," she said. "We do housing. We do development."

Crook said she and Polk-Primm came across the Eagles Club property listing on the Internet practically on the same day.

When Crook saw the listing, she quickly made an appointment to see the property. About 9 p.m. the next day, she received an email from Polk-Primm about the Eagles Club, saying, "we should look at this."

"We kind of thought it was a cool moment, one of those this-was-meant-to-be cool things."

To Polk-Primm, it was symbolic that it is the former Eagles Club, named for an animal sacred to Native Americans.

"We are planning to move to 2226 N Street," Polk-Primm said. "We're very excited about it."

She said the only obstacle is raising money for the renovations.

"We're very hopeful," Polk-Primm said. "I'm very optimistic."

Chris Burbach

Chris Burbach covers the Douglas County Board, Planning Board and other local government bodies, as well as local neighborhood issues. Follow him on Twitter @chrisburbach. Phone: 402-444-1057.

https://siouxcityjournal.com/special-section/local/area/ho-chunk-village-keeps-breathing-new-life-into-winnebago/article_b0c79067-52ac-51f2-bd92-417f101e5641.html

Ho-Chunk Village keeps breathing new life into Winnebago

JOHN QUINLAN Mar 16, 2014



John Berridge Jr., Jill Berridge and children Anna, 10, and Melania, 1, stand outside their new home in Ho-Chunk in Winnebago, Neb., in July 2012. The 40-acre mixed-use commercial, industrial, residential and master plan develocated on the Winnebago Indian Reservation celebrated its 10th year last year.

Jim Lee, Sioux City Journal file

JOHN QUINLAN

WINNEBAGO, Neb. | Janice Jessen will tell you Ho-Chunk Village is a living, breathing thing.

"They broke ground in 2003 and they keep adding to it as the plans called for that then," said Jessen, marketing director for Blue Earth Marketing, a subsidiary of Ho-Chunk, the economic development division of the Winnebago Tribe of Nebraska.

Last year, Ho-chunk celebrated the village's 10th anniversary. Ho-Chunk Village is a 40-acre mixed-use commercial, industrial, residential and master plan development in Winnebago.

Several private family homes were added to the housing development last year. Two of them are split-foyer houses with two or three bedrooms, Jessen said.

"They're very nice, brand new homes that were constructed by Ho-Chunk Inc.-owned Dynamic Homes, a modular housing manufacturer that is located in Detroit Lakes, Minn.," she said. "They build a higher-end modular home, the homes that are being put into the village, and so they have double garages and patios and two or three bedrooms each and a nice lot. It's really building up the neighborhood there. More people are being able to purchase a home."

More homes were built elsewhere on the reservation last year. Construction need not be limited to Ho-Chunk Village, she noted.

"We also added another three senior housing units in 2013. Those are small condos or somewhat apartment-style homes for the senior citizens. There were three units added in 2012. And I believe those are all filled," she said.

Jessen noted that Little Priest Tribal College, the Winnebago Tribe's community college, built a classroom building in the village for residents to have additional access to college courses. It was finished last year.

Some additional commercial buildings will be built in Ho-Chunk Village. There are plans for a building that will provide commercial office space on the main floor with living units on the second floor. The intent is for the commercial space to be used to house some information technology businesses, she said.

"They have a community park in the village right now, and they're adding facilities to that, some shelters, picnic tables and other kinds of equipment for the kids," Jessen said. The housing construction is still in phase one of a two-phase planned development. There are lots of spaces available for this first phase, but eventually more land is going to have to be purchased.

"The housing demand continues to grow every year. So there will be additional land that we'll have to purchase at some point," she said.

The project is a master-planned community, with input from tribal members and leaders as well as national architectural firms and designers, as it was laid out 11 years ago.

"It's actually being built very close to what the original plans were," Jessen said. "It's definitely on track to continue to grow. I know they're concerned because the demand for housing is increasing every year, and now tribal members have the ability to actually buy their own homes. So it's an exciting time."

The creation of the mixed-use development grew out of the lack of housing on the reservation. A partnership led to the creation of a town center of private homes, multifamily housing, commercial and industrial businesses, a community park and retail shopping.

Ho-Chunk's continued growth, thanks in part to more work for the federal government in various parts of the country and overseas, is providing the funds that fuel this community development on the reservation, she said.

More work is being done to renovate the Ho-Chunk Centre in downtown Sioux City, as well as property in Nebraska and Washington, D.C.

"We're going to add between 300 and 500 new employees (nationally) within the next few months," Jessen said.

Ho-chunk Inc. is the award-winning economic development corporation owned by the Winnebago Tribe of Nebraska. The company began in 1994 with only one employee and has since grown to 1,000 employees. Its long-term mission is to provide the tribe

with a large enough income stream from its business operations to enable the tribe to reach economic self-sufficiency.

By Cecelia Jenkins

Published: Jan. 11, 2021 at 4:23 PM CST

OMAHA, Neb. (WOWT) - January is National Human Trafficking Awareness month.

In a report from the Nebraska Human Trafficking Task Force, 57 trafficking prosecutions were reported in 2020. That number is up from 2019 when the state saw 33.

"It's been very much a team effort and I'm glad to say as you look at our 2020 report we're making some real progress and that's due to everyone getting behind us," Nebraska Attorney General Doug Peterson said.

Peterson said the state, with the help of local organizations, have expanded their efforts to end trafficking over the years.

"We're better organized. We have better collaboration. And we just have more programs that will respond to the needs of people impacted by trafficking," Jessyca Vandercoy, a clinical director for the Women's Center for Advancement, said.

Vandercoy said one of those programs was the INDIGO program created in 2016. It was created to provide direct services to young adult survivors of sex and labor trafficking.

Related: Nebraska Gov. Ricketts COVID-19 update

"We're able to respond to mental health, physical health, legal challenges basic needs, physical safety, emotional safety all in one program," she explained.

Data also shows that in 2020 there was a significant increase in trafficking cases, specifically sex trafficking. State officials say the next step is informing the public on what trafficking looks like and how to respond. Vandercoy said trafficking doesn't always look the same.

"Certain groups that operate kind of sell a narrative that it's potentially a stranger in a white van and there's a kidnapping component and although that can happen most of the people we serve have been exploited by people that they thought loved them."

The state now has laws that address and define human trafficking. Officials are looking for the passage of more specific laws.

"We in law enforcement, we're in a position to investigate and arrest," Peterson added. State lawmakers will consider whether to add sex trafficking to the list of crimes that trigger mandatory sexual offender registration.

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 $\frac{\text{https://www.wowt.com/2021/01/11/nebraska-human-trafficking-task-force-releases-new-data/#:^:text=In%20a%20report%20from%20the,when%20the%20state%20saw%2033.&text=It%20was%20created%20to%20provide,of%20sex%20and%20labor%20trafficking.}$



STUART — Human sex and labor trafficking is a form of modern day slavery that occurs in every state, even Nebraska. It is real and can affect anyone, anywhere.

Since 2016, human trafficking has been reported in almost 30 communities across the state including Ainsworth, Atkinson, Bartlett, O'Neill and Royal.

Most recently special agents from the U.S. Immigration and Customs Enforcement's (ICE) Homeland Security raided O'Neill in August executing a series of criminal arrest warrants for numerous individuals connected to an alleged criminal conspiracy to exploit illegal alien laborers for profit among several other charges.

Juan "Pablo" Sanchez Delgado, an illegal alien and longtime O'Neill business owner, required his illegal alien employees through his companies to convert their paychecks into U.S. currency. He then withheld the proceeds for harboring the aliens. Delgado also supposedly told the alien workers he was withholding federal taxes that would be submitted to the federal government when he was in fact retaining those withholdings as illegal proceeds.

The "It Takes a Village to Raise a Child" committee based in Stuart hosted a presentation last Thursday night at the Stuart Public High School gymnasium with more than 50 people in attendance. Topics included human trafficking, digital citizenship and the opioid crisis. Information also was presented to students throughout the day.

Presenting the information was Suzanne Gage, director of communications at the Nebraska Attorney General's Office (NAGO.) She has served in this capacity the last four years.

"The internet obviously is a very beneficial tool that your children and grandchildren have grown up with. We are all still figuring it out, but there is literally a dark web," Gage said.

The dark web is the part of the World Wide Web that is only accessible by means of special software, allowing users and website operators to remain anonymous or untraceable. It poses new challenges for law enforcement agencies around the world.

"There are items sold and deeds done on there that are very dark. One of the largest operations for child pornography was actually chased down to a home in Omaha," she said.

Internet social media apps such as Facebook, Snapchat, Twitter and Kik were highlighted.

"There are apps that are dangerous and where people do violent or illegal acts and broadcast them," Gage said.

Examples given included both violent crimes and suicides being live streamed on Facebook, individuals taking nude photos or videos with Snapchat and predators moving communications from a networking site like Facebook to a private messaging app like Kik to solicit nude photos.

"Sadly that tool (Snapchat) can be fun, but kids often use it wrongly to send nude or other inappropriate pictures with people they know," she said.

Many social apps are often used by sexual predators, traffickers or for blackmail.

"It doesn't have to be, but it can all be related to sextortion and human trafficking," Gage said.

Sextortion is a form of sexual exploitation that employs non-physical forms of coercion to extort sexual favors from the victim and later used for blackmail.

"It is something that can happen in a lot of different ways. It happened to one of our state senators. A woman enticed him to participate in a sexual act with her through a video chat. He complied. She then said he needed to give her this many dollars or she was going to send the items to his entire list of contacts."

Former State Senator Ron Sandack resigned after the incident with a woman in the Philippines in 2016.

Human Trafficking

Human trafficking is a \$32 billion per year industry, second only to drug trafficking as the most profitable form of transnational crime. Only a small number of victims are truly abducted, most are lured.

According to Gage, Nebraska Attorney General Doug Peterson, before taking office, voiced his commitment to fighting human trafficking by finding better ways to discover and stop the traffickers, helping those trapped and preventing it from happening.

Thanks to a \$1.5 million U.S. Department of Justice grant in 2015, Peterson and the Salvation Army started working together to form the Nebraska Human Trafficking Task Force (NHTTF). It focuses on helping victims and survivors, stopping trafficking and eliminating the market. The task force is establishing a statewide, victim-centered system. Members include law enforcement, prosecutors, service providers, advocates and community partners.

In 2017 the state legislature approved a harsher law that dramatically increased the penalties for those who create the supply and demand for human trafficking. The law holds buyers responsible as well. No votes were cast against Legislative Bill 289.

"Not just the trafficker, not just the pimp, but also those who purchase sex with minors," Gage said. "We are basically saying not here, not in our state, not on our watch."

In January 2018 the state launched "Demand an End," a trafficking awareness campaign which included posters being displayed in rest stops all along Interstate 80. The campaign was started by former Georgia Attorney General Sam Olens and was shared with Nebraska at no cost.

According to Gage, traffickers use force, fraud and coercion to reel in their victims.

"Often times pimps and traffickers look for vulnerable individuals. Maybe somebody in a foster situation, a runaway or a single parent," Gage said.

Most often the trafficker will sexually, physically or verbally abuse the victim or threaten the victim, their family and friends. The predator pretends to be the victim's friend or significant other as well as promises money or other gifts.

Traffickers can be disguised as a pretender, provider, punisher, promiser or protector. "What does a trafficker look like? It can be anyone," Gage said.

Traffickers often pretend to be someone they are not such as a boyfriend, provide offers to take care of the victim's needs, use violence and threats to gain control, promise great gifts or offer to protect the victim but use their power to control them.

"If you see something you think is not right, report it," Gage said. "If you think someone is in harms way 911 is always your best option. The hotline does work. There is a system where it comes down locally."

According to the National Human Trafficking hotline, since 2007 the organization has received a total of 760 human trafficking related calls in Nebraska. So far this year 220 calls have been received with 63 human trafficking cases reported.

The type of cases included 50 sex trafficking, eight labor trafficking, four were not specified and the rest were listed as both sex and labor trafficking.

Top venues for sex trafficking were escort services, hotel/motel based, online ads, truck stops and illicit massage/spa businesses. For labor trafficking, top venues include illicit activities, restaurant or food service, peddling rings, transportation and factories.

Victims included 58 females and four males, 50 who were adults and 11 minors. Eighteen were U.S. citizens and four were from another country.

For more information visit the following websites: Nebraska Attorney General's Office at ago.nebraska.gov/combating-human-trafficking; National Human Trafficking Hotline at

humantraffickinghotline.org/state/nebraska or U.S. Immigration and Customs Enforcement's (ICE) Homeland Security at www.ice.gov/tips.

Former State Senator Ron Sandack resigned after the incident with a woman in the Philippines in 2016. http://www.holtindependent.com/news/human-trafficking-is-prevalent-even-in-rural-nebraska/article/8d7776be-d7b8-11e8-bc35-9f47171b76cd.html



RESOURCE HUB









Omaha Area Native Community Partners COVID-19 Resource List

Organization	Resources available for families and individuals impacted by COVID-19	Contact Information
Support Your NEighbor COVID19	Community Resources – Support for Elderly Assist elderly and homebound obtain groceries and essential non-food items (toilet paper or laundry soap). An optional companionship component provides weekly well-being checks.	https://www.supportyourneighborcovid19.org/ Phone: 402-522-6394 Email: Syncovid19@gmail.com
UNMC - YES!	Education Educational resources to aims to increase the number of Native American cancer research and health care professionals. Opportunities available for high school and undergrad students. Student mentoring and support available. Online health related information.	Aislinn Rookwood Office: 402-836-9368 Cell: 402-515-7774 Email: aislinn.rookwood@unmc.edu Regina Idoate Office: 402-552-7257 Cell: 480-404-5218 Email: regina.robbins@unmc.edu
Legal Aid of Nebraska	Legal Services Organization provides free legal representation to those who typically cannot access COVID-19 related legal services.	Native American Access Line: 1-800-729-9908 https://www.legalaidofnebraska.org/how-we-help/programs-and-projects/native-american/ COVID-19 Disaster Relief Hotline: 1-844-268 -5627 Apply online at: https://lawhelpne.legalaidofnebraska.org/
ResCare	Social Services Serves low income families who receive ADC Benefits (TANF). Providing employability services, supportive services, and intensive family stability case management. During the COVID-19 pandemic families are not required to participate with ResCare to receive their ADC benefits, but should they choose are still able to take advantage of their services. Offices remain open.	Megan Conley Phone: 402-763-6747 Email: megan.conley@rescare.com Michelle Schmidt Phone: 402-763-6724 Email: Michelle.schmidt@rescare.com Brandi Sousa Phone: 402-763-6777 Email: Brandi.sousa@rescare.com https://www.rescare.com/
Metropolitan Community College	Education Gap funded non-credit online training, food pantry boxes, Online & Virtual Live Career Placement Programs for individuals to get a jump start on getting back into the workforce after social distancing comes to an end. CARES Act scholarship money for retraining. (Informally- sewing fabric masks for community members who would like them):)	Alex Lovrien Email: Allovrien@mccneb.edu General Information line: 531-622-2400 Toll free line: 800-228-9553 https://mccneb.edu/caresscholarship.aspx

NICE	Education Student support services for OPS Native American students, to include academic and cultural supports.	Echohawk Lefthand Office: 531-299-9295 Cell: 970-570-5971 Email: echohawk.lefthand@ops.org
Ponca Tribe of Nebraska	Education Youth and elder talking circles, continued PEP with current PEP participants via Lifesize, sending out packets with language activities, educational links for various online activities, small craft ideas and coloring pages	Nina Yeargan Office: 402-371-8834 ext 132 Cell: 402-860-4147/402-860-6499 Email: nyeargan@poncatribe-ne.org
City of Omaha	Social Services We will file housing, employment, and public accommodation cases on behalf of citizens, BUT they have to reach out to us at 402-444-5055 or apply online: https://www.douglascounty-ne.gov/coronovirus-relief-fund-information# Small Business Support We also have a small and emerging business program that is aimed at helping people start businesses and get contracts with the city. Referrals for small grants to businesses with 3-20 employees that have COVID-19 related problems.	Jerry Dantzler (FHAS - homebuyers) Phone: 402-934-6751 Email: jerry@fhasinc.org June Bear-Noonan (NUIHC – renters) Phone: 402-346-0902 Email: jbear-noonan@nuihc.com Lisa Smith Office: 402-444-5150 ext. 2021 Email: Elisabeth.Smith@cityofomaha.org Bill Lukash Office: 402-444-5150 ext. 2026 Email: William.Lukash@cityofomaha.org Nicole Engles Office: 402-444-5150 ext. 2024 Email: Nicole.Engels@cityofomaha.org
Nebraska Total Care	Health Care Management for members, Aunt Bertha [nebraskatotalcare.auntbertha.com] resource tool on website, outreach to community partners and members	Allison Woolcott Email: Allison.J.Woolcott@NebraskaTotalCare.com Website: Aunt Bertha [nebraskatotalcare.auntbertha.com]
Nebraska DHHS	General COVID-19 information	http://dhhs.ne.gov/Pages/Coronavirus.aspx DHHS COVID-19 Info Line: (402) 552-6645 Toll Free: (833) 998-2275 8AM - 8PM CST - 7 Days a Week
NICWC	Child Welfare We are working on developing and implementing MIS/FIS online classes and possibly a foster parent support group online. Funding options are limited.	Email: jill@nicwc.org
OPS (General)	Education Our mission at Omaha Public Schools is to prepare all students to excel in college, career and life. Our programs are just as diverse as the students we serve. Our district consists of 63 elementary schools, 12 middle schools, seven high schools, one virtual school and 13 alternative programs.	General Information: 531-299-0220 Email: info@ops.org Website: https://district.ops.org/DEPARTMENTS/GeneralFinancean dAdministrativeServices/DistrictCommunications/HealthUp dates.aspx Barry Thomas Phone: 531-299-9584 Email: Barry.Thomas@ops.org

NIFA	Housing General COVID 19 resource info including resources for renters and homebuyers. Search for an affordable housing on our website: http://housing.ne.gov/	Elizabeth Fimbres Phone: 402-898-2501 Email: elizabeth.fimbres@nifa.org www.nifa.org
Creighton	Education COVID-19 services for Creighton students.	Cedora Barnett Phone: 402-280-2443 Email: cedorabarnett@creighton.edu
Heartland Hope Mission	Social Services Immediate assistance with food, diapers, and jobs resources	Phone: 402-733-2077 Email: info@heartlandhopemission.org
NUIHC	Community and Cultural Resources Food boxes, hygiene bags, making masks, art and school supplies, youth video meetings, weekly check ins, culture classes, family video meetings, assistance with tribal enrollment, resource referrals, working on grants to provide youth with stipends for community service work, mental health referrals, spring/summer clothing giveaway event	Nicole Tamayo-Bergman Email: Nicole@nuihc.com June Bear-Noonan Email: jbear-noonan@nuihc.com Omaha Phone: 402-346-0902 Lincoln Phone: 402-434-7177 Sioux City Phone: 712-252-4777
UNO	Education MAV Food Pantry for UNO and UNMC Students Resources for K-12 Teachers including stem toolkits. Additional Financial Aid Opportunities for New and Current Students.	Victoria Kohout Office Phone: 402-554-2889 Email: vkohout@unomaha.edu Website: www.unomaha.edu
Omaha Police Department	Telephone Report Unit (TRU) for non-emergency reports: (402)444-4877 Front Desk at Central Headquarters for General Information: (402)444-5600 COVID-19 National Center for Disaster Fraud Hotline (866)720-5721 or email: disaster@leo.gov	Southeast Precinct Ofc. Ruteena Alcantara #1770 Ruteena.Alcantara@cityofomaha.org
Saving Grace	Connect perishable food from local food purveyors to local nonprofits that feed our hungry, while raising awareness and educating the community on food waste and hunger.	A list of nonprofits who are served by Saving Grace: https://savinggracefoodrescue.org/who-we-serve/
No More Empty Pots	Emergency food delivery for those in COVID19 quarantine	Phone: 402-690-0888 Email: communityharvest@nmepomaha.org https://nmepomaha.org/
Voter Registration	Register to vote and request an Early Voting ballot be mailed directly to you at the <u>Election</u> <u>Commission</u> website. In person – Masks and hand sanitizer are available in the lobby. Self-service station is available in the office entrance.	https://www.votedouglascounty.com/ Douglas County Election Commission 12220 W Center Road Omaha, Nebraska 68144 Phone: (402) 444-8683 (VOTE) Email: questions@votedouglascounty.com

Test Nebraska	Test Nebraska is a resource to help complete an assessment, schedule a test or access results. All tests are FREE.	https://www.testnebraska.com/en 402-207-9377
МАССН	For those experiencing homelessness, MACCH will help assist in finding safe and appropriate housing options. http://www.endhomelessnesstoday.org/Access_Point_Flyer_April_2020.pdf	http://www.endhomelessnesstoday.org/index.html Phone: 402-957-1747
Food Bank of the Heartland	Provides emergency and supplemental food in Nebraska and Iowa.	Phone: 402-331-1213 Food Bank Map: https://foodbankheartland.org/get-food/find-food-locations-now/
ENCAP	Drive-up food distribution Tuesday & Thursday 9AM – 2PM Emergency food and financial assistance available. 2406 Fowler Ave, Omaha	https://encapnebraska.org/ Helpline: 402-453-5656 ext 223

Federal and Regional Resources

Organization	Resources available	Contact Information
Great Plains Tribal Chairmen's Health Board	Various COVID-19 flyers tailored to Native American communities.	https://gptec.gptchb.org/covid-19/
National Indian Health Board	Tools for community health and advocacy. Funding for Tribal governments.	https://www.nihb.org/covid-19/ https://www.nihb.org/covid-19/wp- content/uploads/2020/04/Tribal-Funding-Opps_04-24- 20.pdf
John Hopkins Center for American Indian Health	Various COVID-19 flyers and information specific to Indian Country. A children's storybook about COVID-19.	http://caih.jhu.edu/programs/category/covid-19-response http://caih.jhu.edu/assets/documents/COVID- 19_general_fact_sheet1.pdf
Urban Indian Health Institute	Resources and flyers for talking to children about COVID-19 and reducing risk.	https://www.uihi.org/resources/
Centers for Disease Control and Prevention	Information on funeral and burial services, cleaning, disinfecting, and social distancing	https://www.cdc.gov/coronavirus/2019- ncov/community/tribal/
National Council of Urban Indian Health	Resources for Urban Indian Organizations related to funding, telehealth, and fact sheets	https://www.ncuih.org/coronavirus https://www.ncuih.org/COVID_News?article_id=400 https://www.ncuih.org/news?article_id=389



PRESENTATIONS











Health Care Housing

Using Low-Income
Housing Tax
Credits to Build Housing
& Healthcare Campuses

Michael J. Novotny

2019 Legal Symposium DEC 9-10 BALLY'S LAS VEGAS

Presentation Overview



- I. What is a Low-Income Housing Tax Credit?
- a. Benefits of using LIHTC for Tribal housing project
- b. Types of Funding Used
- c. Overview of development process using LIHTC
- d. Closing
- II. Case Example
- a. 501(c)(3) Non-profit that Serves Urban Native Peoples
- b. Housing Center using LIHTC
- c. Service Center for Healthcare using Philanthropic & Tribal Contributions
- III. Model for Applying on Reservations and Rural Communities

What is a LIHTC?



What is a Low Income Housing Tax Credit (LIHTC)?

Slide text goes here. Slide text goes here. Slide text goes here. Slide

Section 42 of the Internal Revenue Code

Section 42(a) provides for a credit for investment in certain low-income housing buildings. The amount of the low-income housing credit for any taxable year in the credit period is an amount equal to the applicable percentage of the qualified basis of each qualified low-income building (as defined in § **42**(c)(2)).

 Allocated to entities that build or rehabilitate rental housing

LIHTC Continued



What is a Low Income Housing Tax Credit (LIHTC)?

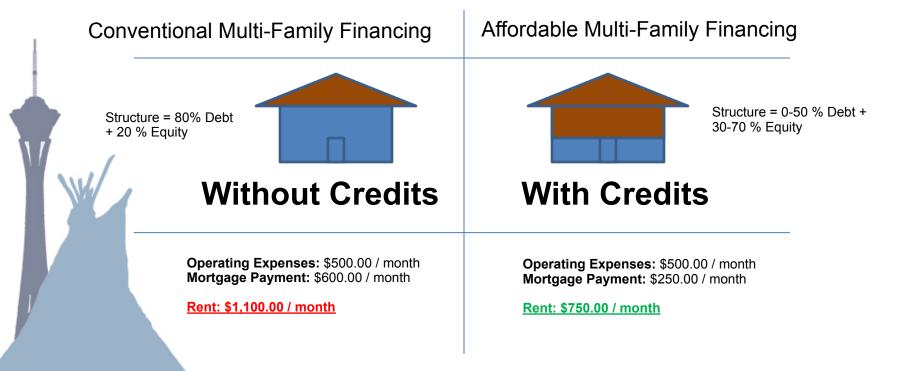
- Claimed over 10 years
- Compliance period of 15 years
- Must maintain affordable rents for a minimum of 30 years
- Fills a funding gap between total development costs and loans

Creating Affordable Housing



How do Low-Income Housing Tax Credits Create Affordable Housing?

Reduces Debt and Increases Equity



Benefits of LIHTC



Benefits:

- Brings "free money" into the project
- And allows the Housing Authority / Entity to:
 - Build better developments
 - Build / rehab more units
 - Leverage money for more impact
 - Can be combined with other grants, loans, & programs (e.g. Section 8 and state tax credits)



Funding Types



What type of funding is available?

Tax Credits

- Federal Tax Credits
- State Tax Credits

Private Funding

- Tribal Governments
- National and Local Businesses



Overview of Process



Federal Government Allocates Credits to Tribes or states



Designated Governmental Entity Then Allocates

Credits to Housing Development







Partnership Structure



- General partner has 0.01% ownership provides guarantees and operates the project
- General partner retains 0.01% of the tax credits, income and losses
- Limited partner has 99.99% ownership
- •Limited partner receives 99.99% of the tax credits, income and losses
- Investor equity reduces the need for other financing which reduces debt service and enables rents to be affordable.

Credits Available



Federal credits under Section 42 of Tax Code

• 9 % Tax Credit

- Competitive (funding rounds)
- Can be used with any financing besides taxexempt funding
- Applications only accepted at specified times
- Limited supply

4 % Tax Credit

- Non-competitive (may apply at any time)
- Used with Tax-Exempt Bond financing
- No application deadlines
- No hard limit on supply of credits

Qualificatio





Qualification of Projects

Acquisition

Only qualifies for 4 % Tax Credit

New Construction and Rehab

 New construction and Rehab may qualify for 9 % Tax Credits



Eligible Projects



20 / 40 Rule

• > 20 % Tenants < 50 % of median income OR

• > 40 % Tenants < 60 of median income



Due Diligence before Starting



Allows Housing Entity to Anticipate Issues and Assess Bargain Power in Process

- Site Control
- Zoning
- Minimum Project Score / Assessment of Costs
- LIHTC Applicant Eligibility
- Financial Feasibility
- Fees
- Per Unit Costs Limits



Zonin

g



Federal, Tribal, state, and local laws

- Federal laws, including Clean Water Act, Rivers and Harbors Act, ect . . .
- Evidence multifamily housing is not prohibited by the existing zoning and dated < 6 months before application deadline
- No pending litigation or unexpired appeal process relating to zoning for project
- Only Exception is a site that is not zoned or which is zoned agricultural.







After funds, developer, and architect have been secured.

Typical documents include:

- 1. Housing Assistance Payments Agreements
- 2. Title Guarantee Agreements
- 3. Development Agreements
- 4. Development Fee Agreements
- 5. Promissory Notes
- 6. Mortgages
- 7. Loan Agreements
- 8. Leases
- 9. Allocation Agreements

- 10. Tax Representation Letters
- 11. Rights of First Refusal
- 12. Property Management Agreements
- 13. Operating Agreements
- 14. Compliance Monitoring Agreements
- 15. Incentive Management Fee Agreements
- 16. NAHASDA Program Compliance Agreements
- 17. Local Counsel Opinions
- 18. Tribal Resolutions Required to Effectuate those Agreements

Tax Credit Timeline



- 1. Apply for credits
- 2. Receive a Tax credit reservation
- 3. Receive carryover allocation, indicate Lock-in election
- 4. Incur 10 % of estimated project basis and start construction by August 31 of following year
- 5. Complete project and place in service within two years of carryover
- **6. Record Agreements**
- 7. Project Lease up: Qualify Tenants
- 8. Begin claiming credits
- 9. Keep tax units in compliance



Case Example



Nebraska Urban Indian Health Coalition

- Mission to Elevate the health status of of Urban Indians
- 501(c)(3) non-profit, tax-exempt charitable organization
- Programs and Services
 - Inpatient Treatment Services
 - Outpatient Treatment Services
 - Transitional Living
 - Recovery Center



Case Example



Desire to Build a Healthcare Campus in a Metropolitan area to fulfill mission by consolidating Services and providing long-term housing for rehabilitation

Two phase project over 2 years

- Service center
- Low income housing

Housing Center



First Phase of Project

Housing

• \$ 7.8 M using low income housing tax credits under CRANE, TIF, HOME



 New construction of 44 affordable housing units with supportive services by Nebraska Urban Indian Health Coalition

Service Center



Second Phase of Project

Service center

 \$ 6.5 million using philanthropic contributions and tribal contributions



 Redevelopment of former Eagles Club building into a new support services center for the relocation and expansion of the NUIHC in conjunction with the new construction, multifamily housing development called Eagle Heights.

Difference between Developments



Housing v. Service Unit

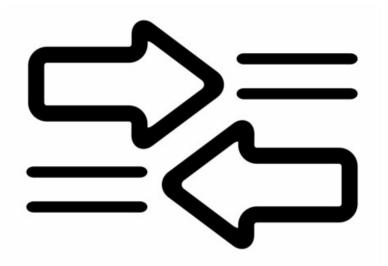
- Housing: Use of LIHTC and state tax credits
 - Pros: certainty about timing of construction and use of property
 - Cons: ownership only managing member interest of 0.01 % for 15 years with right of purchase—reporting to investor member and compliance with NAHASDA and state reporting system
 - Service Unit: no LIHTC credits available; funding exclusively through philanthropic and Tribal sources
 - Cons: uncertainty of construction date and constant fund raising efforts
 - Pros: full ownership once funds raised and can structure development agreement giving much leverage to Housing Entity.

Acquisition of Land for Both Projects



Land swap with developer

- Perhaps most important step
- Exchange one parcel in downtown for two parcels across from each other in up and coming area



 Important step because this is where Housing Entity has most of its negotiating power to structure a deal

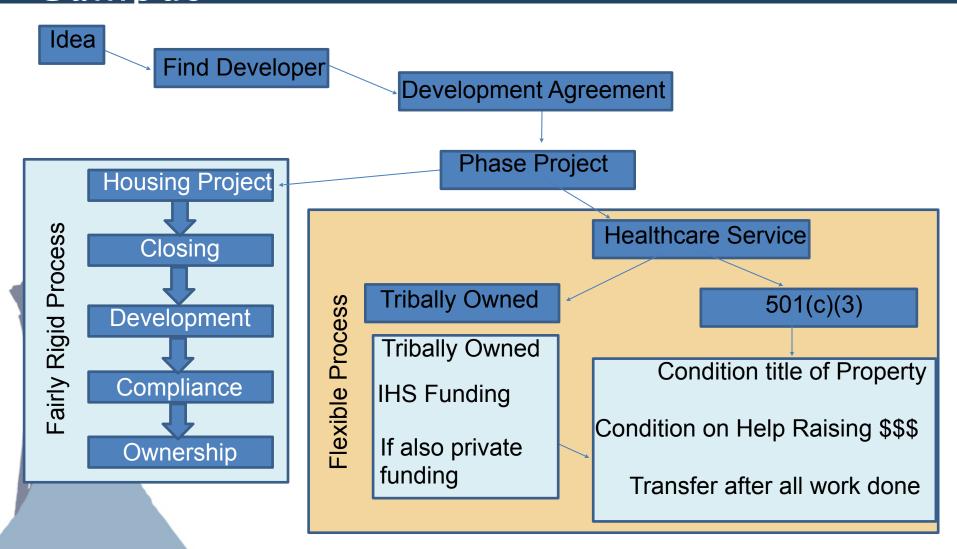
Development Agreement

Perhaps Most Important Document in Project

- First Document created and entered into by Housing Entity, which is between Housing Entity and Development Corporation
- Provides opportunity for Due Diligence
- Creates mechanisms for conveyance of properties (e.g. can hold conveyance of one property to developer until funding secured for non-LIHTC project).
 - Incentivizes fund raising
 - Allows parties opportunity to walk away from deal
- Forces transparency.
- Allows for Housing Entity to control project and balance oversight with delegation

Model for Health Care Housing Campus





Conclusion



- 1. Due Diligence and Front End Research
- 2. Assess Bargaining Power
- 3. Use Bargaining Power as Tool During Development Agreement Negotiations\
- 4. Use Certainty of LIHTC to Generate Income While Healthcare Facility Funding Occurring
- 5. Transfer Title to Exchanged Property at End of Projects to Guarantee Completion



Manufactured Housing in Indian Country

- Patrice Kunesh, Center for Indian Country Development
- Sharon Vogel, Cheyenne River Housing Authority
- Lance Morgan, Ho-Chunk Inc.







Prosperity Now – I'M HOME Conference Native American Plenary Session Nashville, TN | December 3, 2018 Patrice H. Kunesh

Manufactured Homes and Manufactured-Home Finance in Indian Country

Disclaimer and Notes

The opinions, conclusions, or recommendations expressed here are the presenter's and not necessarily those of the Federal Reserve Bank of Minneapolis or the Federal Reserve System.

Presentation based largely on CICD blog by Kevin Johnson and Richard Todd, "Manufactured-Home Lending to American Indians in Indian Country Remains Highly Concentrated," (Dec. 1, 2017), and the CICD publication *Tribal Leaders Handbook on Homeownership*, Chapter 11, "Manufactured Homes: An Affordable Ownership Option," (July 2018).

"Manufactured homes," abbreviated herein as "MH," refers to factory-built homes that essentially are ready for occupancy upon leaving the factory.



Overview

The Federal Reserve System and the Center for Indian Country Development

Manufactured Homes in Indian Country

- Use and Affordability
- Quality
- Trust Land Impacts
- Financing: Denial Rates and Loan Rates
- Consumer Concerns



What is the Federal Reserve System?

It is an apolitical institution, independent of the executive branch

Responsible for economic / monetary policy

Promote equal access to credit

Advance economic and community development

Core Mandate: Prosperity and Stability



Other responsibilities:

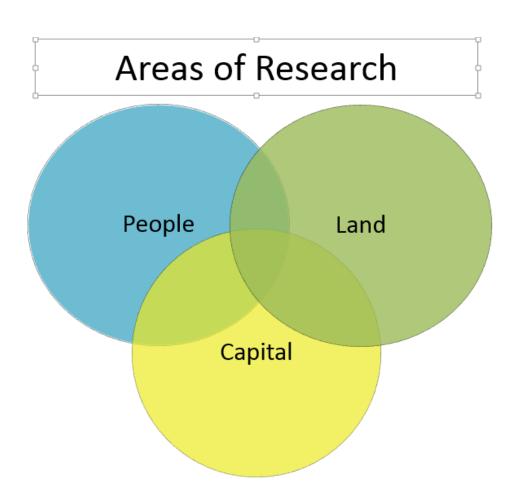
Encourage financial and economic literacy

Address housing problems



Mission:

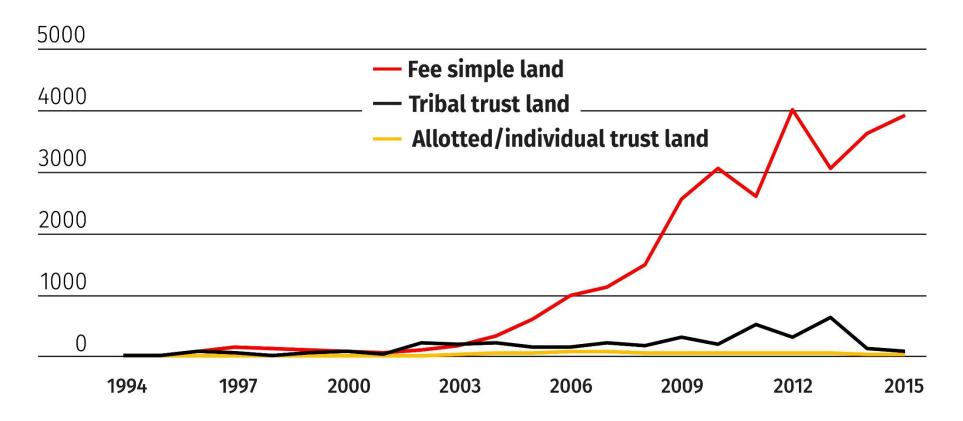
To support Native
Nations in achieving
their wealth and
prosperity goals
through research and
collaboration.



This Trend Concerns Me

Number of HUD 184 Loans by Type of Land (1995-2015)

Fee Land Loans Dominate Since 2005

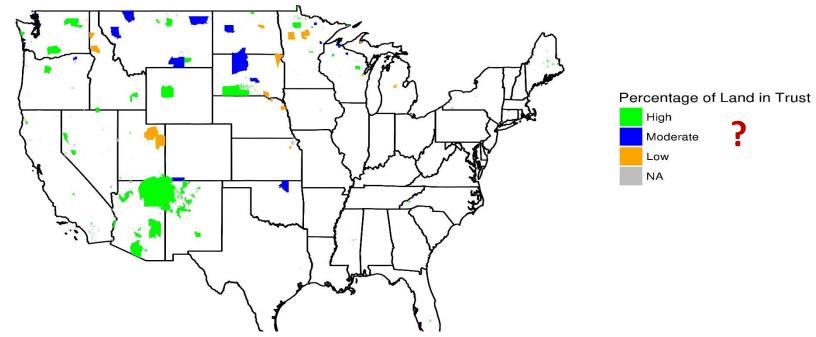


Source: CICD staff calculations based on data provided by the U.S. Department of Housing and Urban Development

Trust Status Affects Housing Decisions

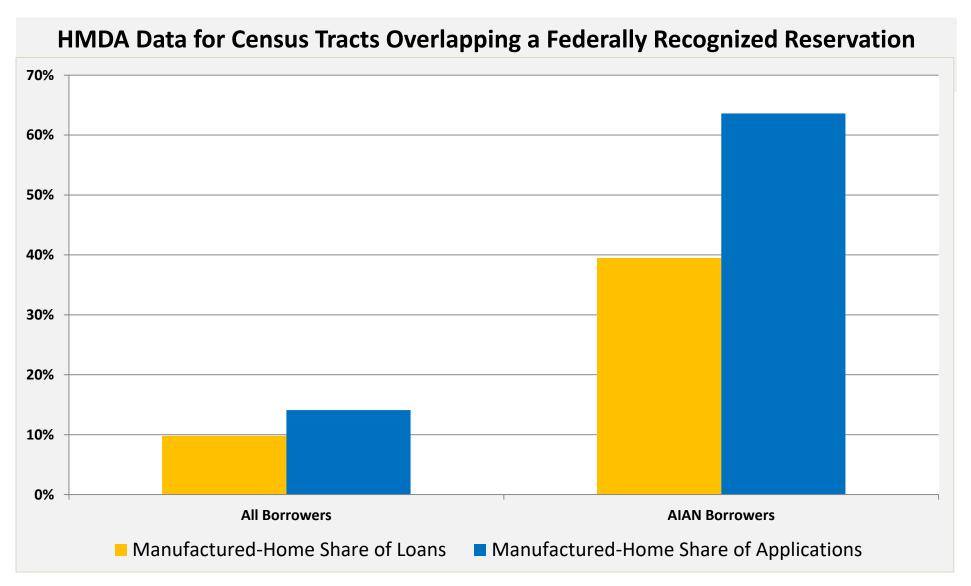
Current estimates (incomplete, inconsistent)

Federally Recognized Reservations	Acres (million)*	Percentage*
Total Reservation Land	73	100.0
Total Trust Land	58	79.5
Tribal Trust Land	51	69.9
Individual Trust Land	7	9.6



^{*}Accurate data are not readily available. These estimates based on :U.S Census for total acres; BIA/Wheeler for total trust land area; Dominic Parker for estimated tribal and individual trust land shares and total trust land by selected reservations.

High Usage of MH Loans by AIAN Households

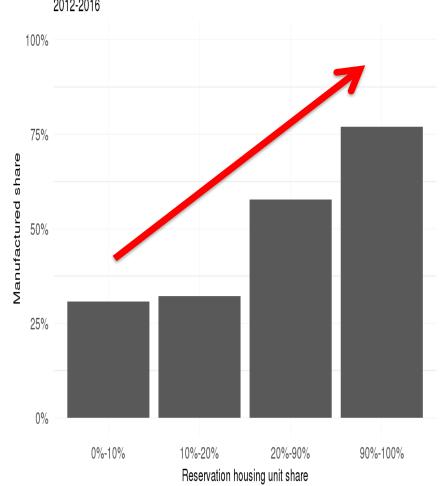


Source: Kevin Johnson and Richard Todd, "Manufactured-Home Lending to American Indians in Indian Country Remains Highly Concentrated," CICD blog (Dec. 1, 2017).

Trust Land Leads AIAN Families to Manufactured Homes

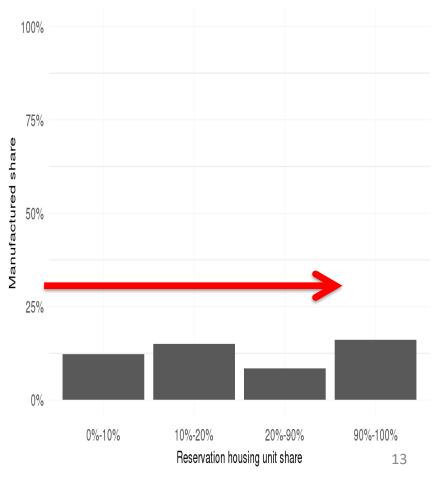
AIAN Home Loan Applicants

Manufacture Share of Applications by Housing Unit Share 2012-2016



Other Home Loan Applicants





Manufactured Homes Are Affordable

Typical Costs for a 1,700 Sq. Ft. Home

	Manufactured	Site-Built
Construction Cost	\$68,000	\$171,000
Transport/Installation	\$40,000*	\$0
Total	\$108,000*	\$171,000

^{*}Or less; figures shown are for the high end of a range of estimated transportation and installation costs.

Trust Land Implications

Home owned as real estate?

- Owning or leasing trust land takes extra effort
- Many AIAN families buy the manufactured home without owning or leasing the land
- Appreciation depends on the land, not the structure

Mortgage or chattel loan?

- Chattel have high denial rates and interest rates
- Consumer protections are stronger on mortgages
- Most manufactured-home buyers use chattel loans, even when they own the lot (CFPB)
- In Indian Country, impediments to leasing trust land intensify that tendency

Appreciation = Owning the Location

Case 1: Family owns the manufactured home and the lot as real estate

- Appreciation of MH on owned lots on par with overall housing market gains (AHS)
- "Ownership of the land is vital to...appreciation."

Case 2: Family owns the manufacture home as personal property, but not the land

 Structure is prone to significant depreciation, whether manufactured or site-built (like a car or truck)

MH Quality Has Improved

Age of Manufactured Homes

Year Built	Percentage
1995 or Later	36.5%
1975-1994	43.9%
Before 1975	19.6%

Source: American Housing Survey 2013

• 1976: HUD's Initial U.S. Constr. & Safety Standards Code

• 1994: Significant Code changes, including wind resistance

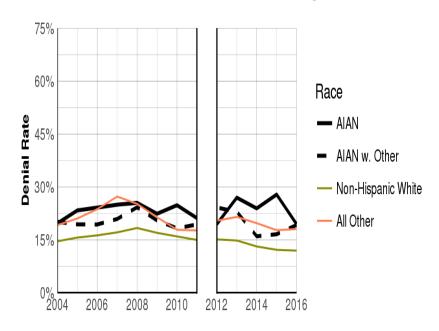
Code now covers:
 Design | Energy efficiency |
 Fire safety | More

 For new homes, HUD's standards preempt state and local building codes

Denial Rates for MH Loans are High, Especially among AIAN Applicants

Denial Rates on Site-Built Homes

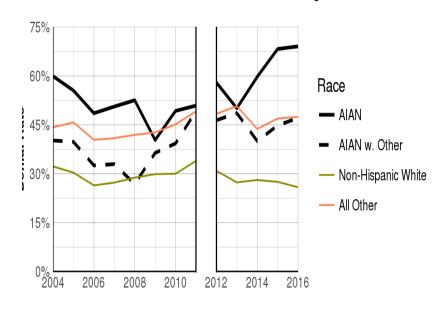
Census tracts with > 0% reservation housing units



Owner occupied, first lien, home purchase loans

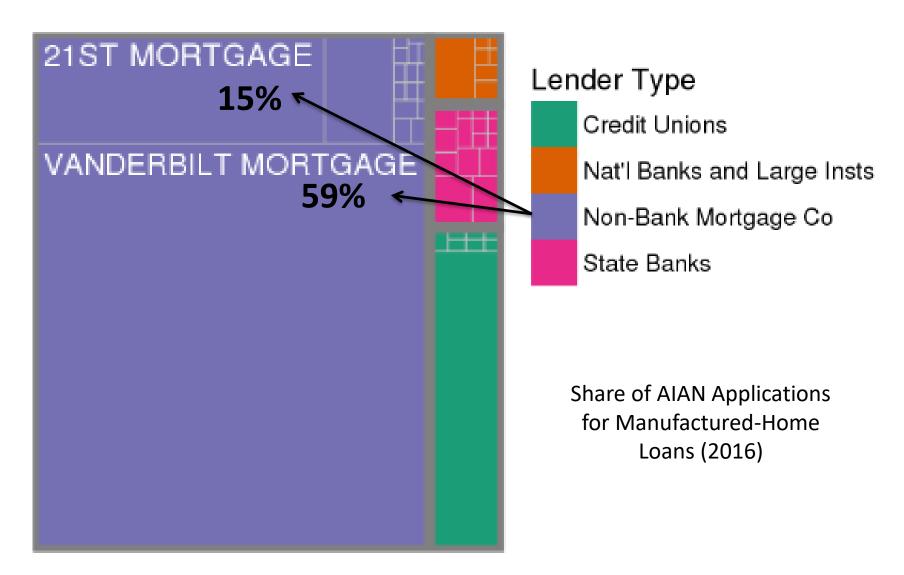
Denial Rates on Manufactured Homes

Census tracts with > 0% reservation housing units



Owner occupied, first lien, home purchase loans

The Manufactured-Home Loan Market Is Dominated by Clayton Homes





Patrice.Kunesh@mpls.frb.org

https://www.minneapolisfed.org/indiancountry



Cheyenne River Housing Authority





CRHA Experience

What is the Need

Needs Assessment – Understanding your community

Manufactured Housing

 Manufactured housing has a strong presence in achieving homeownership

Community Financing

 Who are the Lenders and Where are the Lenders

CRHA's role

 What is our role(s) in housing development

Needs Assessments

2016 HOMEOWNERSHIP FOCUS

Major Findings

- Purchasing a "trailer home" is seen as the first step toward homeownership
- The need for Homebuyer Education and Homebuyer Readiness Services guided our expansion of services
- 165 respondents are living in "doubled-up" conditions

2018 VETERANS FOCUS

We have launched a 2nd needs assessment to understand the housing needs of our veterans

Report will be released this spring

Help guide our outreach and strategic plans for future housing development projects



BUILDING NEW HOUSING FOR THE CHEYENNE RIVER SIOUX TRIBE



DEVELOPMENT PLAN LEGEND

PARK PROJECTS

- 1. FIRST CAMP PARK (COURT AND PLAY)
- 2. YAMNI PARK EAST AND WEST
- 3. CENTER CIRCLE PARK (ATHLETICS)
- 4. NORTH PARK (TRAIL)
- 5. STORM WATER PARK
- 6. SOUTH PARK
- 7. EAST PARK

NEIGHBORHOOD PROJECTS

- A. 2018: FIRST CAMP 10 UNITS UNDER CONSTRUCTION
- B. 2018: NORTH STAR 1A 2 UNITS UNDER CONSTRUCTION 2019: NORTH STAR 1B 2 UNITS 2018 APPLICATION
- 2020: NORTH STAR 1C 2 UNITS
- (6) TOTAL DUPLEXES C. 2019: YAMNI CIRCLE 36 UNITS (6) SIX-UNIT CONDO
- 2018 APPLICATION D. 2019: OUR TIPI 10 UNITS
- SINGLE FAMILY HOMES 2018 APPLICATION
- E. 2019: NORTHSTAR 2A 4 UNITS (6) TOTAL SINGLE BEDROOM HOMES 2018 APPLICATION
- F. FUTURE DEVELOPMENT
 - 12 LOTS
- G. FUTURE DEVELOPMENT 8 LOTS
- H. FUTURE DEVELOPMENT
- I. FUTURE DEVELOPMENT
- 16 LOTS
- J. FUTURE DEVELOPMENT 10 LOTS
- K. FUTURE DEVELOPMENT
 - 10 LOTS

7 LOTS

- L. FUTURE DEVELOPMENT
- 24 LOTS M. FUTURE DEVELOPMENT
 - 11 LOTS
- N. FUTURE DEVELOPMENT
- 9 LOTS O. FUTURE DEVELOPMENT
 - 16 LOTS
- R FUTURE DEVELOPMENT
 - 5 LOTS
- Q. FUTURE COMMERCIAL FRONTAGE 8.8 ACRES
- R. FUTURE COMMUNITY DEVELOPMENT 10.6 ACRES



Workable Solutions

Badger Park

- 160 acre Subdivision mixed use both Rental & Homeownership
- CRHA financed the infrastructure 10 million costs.
- Homeowners advantages and Project advantages
- We anticipate we need a total of 30 million to load the subdivision, to date we have 9.8 million and 50 rental units.

Courtyard

- Create the environment to promote affordability and access to home site
- Effective and efficient use of tribal land
- Exclusively for home ownership manufactured home (new and pre-owned)
- Phase 1 = 26 homesites and storm shelter, cost 1.5 million
- Phase1-5 = 99 homesites for 126 acres

Manufactured Housing Projects

- First Camp = 24 units. Multifamily and single family. HOME and Housing Trust Funds. \$3.1 million
- North Star = 4 units. Duplex design for senior housing. First tribal housing trust funded project. \$600,000
- Six Feathers = 36 units. Multifamily design. LIHTC funds.
 \$6.1 million

Community Financing

MORTGAGE LENDERS

HUD-Office of Native American Programs – Section 184 loan product

Authorized and Certified Lenders

USDA – Rural Housing Development – Section 502

VA – Direct Loan Program for NA Veterans

FOUR BANDS COMMUNITY FUND – NATIVE CDFI

Chattel loans for new and pre-owned manufactured homes

Mortgage Loans for deeded and trust lands

Demonstration Project – One of two Native CDFI entities approved to loan under USDA Section 502 home loans

Working to replicate this lender status with Department of VA – NA veterans

CRHA's role in Housing Development Projects

CRHA is the Tribally Designated Housing Entity (TDHE), we are owned by the Cheyenne River Sioux Tribe and have delegated authorities for housing issues. TDHE's are unique because we are:

Owner Developer General Contractor

Investor Lender of Construction Financing

Property Manager (rental)

CRHA's Future

CRHA's goal is to provide OPTIONS/CHOICES for our tribal members seeking homeownership.

- Homebuyer Education and Readiness Department
- Subdivisions that are fully developed so the homebuyer can focus on the cost of purchasing a home
- General Contractor services at affordable costs
- Develop and implement strategic plans to meet the diverse housing needs
- Maintain a property management portfolio that attracts investors and partners





Ho-Chunk, Inc.
Living our mission every day

Our Welcome Sign





Ho-Chunk, Inc. overview

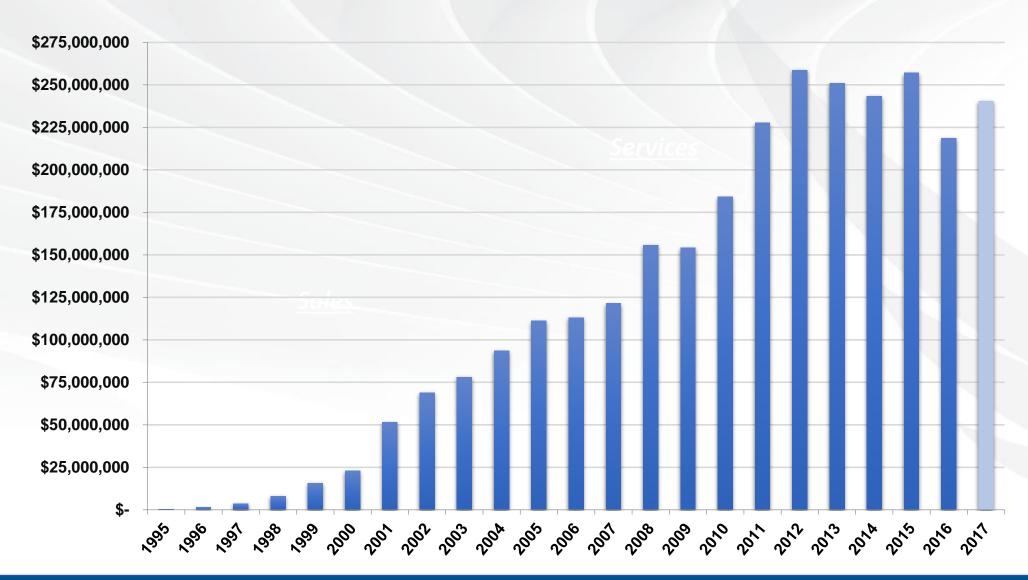
Driving the socio-economic development of the Winnebago people through successful businesses.

- Launched in 1994 to diversify Tribe's revenue from gaming
- Trickle-down economics doesn't work
- The Big Conclusion: "To do one thing, you have to do everything!"
- Revenue and programs directed to the Tribe's 5 priorities





Ho-Chunk, Inc. historical revenue



Ho-Chunk Village

Problems:

- Desperate Need for Housing
 - Fast Growing Population
 - Built 260 units in 20 yrs, but waiting list growing.
- Not enough capital to do scattered site housing
- Random Ad-Hoc Development
- Political sub issue
 - Middle Class Housing

Solution

- New Urbanism
- Everything has a place
- Middle Class Emergence
- Great Fund Raising Tool
- Pride Across the Board



Housing: Removing barriers

Creating a journey to home ownership

- Good jobs, but no credit or Bad Credit
 - Rez Cars
- Rural Valuation Problems
 - Down Payment Assistance helped
- Grocery Store was the bank
 - Liberty National Bank
 - Native American Bank
- First-time homebuyer seminars
- **Dynamic Homes**
- Free Lots
- No Profit Margin on Tribal Member Homes





Down Payment Assistance is KEY!

- 20 years ago: Started with Low Income only \$5,000
- 18 yrs ago: Added \$3,000 and then \$5,000, no income restrictions
 - Funded through donations
 - New home only
- 14 yrs ago: Upped it to \$15,000
 - tribal tax funds, no income restrictions, new home only
- 10 yrs ago: Upped to 65,000
 - Wasn't happening fast enough
 - \$50,000 from tribal corporate dividends
 - Plus the existing \$15,000

Down Payment, Cont.

- 4 yrs ago: Added \$5,000 or 25 % of cost for existing homes
 - New emerging resale market
- Last year: Changed to a percentage target
 - Target is 25 to 35 percent of the cost
 - Need to maximize tribal dollars due to high demand on the funds
 - Two neighborhoods:
 - 1. \$65,000, No Income Restrictions
 - Averages about 30 percent of the cost
 - 2. \$50,000 Low Income Neighborhood
 - \$32,500 tribal funds
 - \$5,000 federal funds
 - 12,500 state low income
 - Averages 35 percent of the cost
 - Sold 13 homes in 18 months



100-house, 5-year plan

- 100 housing units and infrastructure for 100 more
- 6% total company profit into plan
- \$20 million estimated total cost
 - Only have a projected \$4 or \$5 million
- 70 units in three years
- KEY: Need a 3 to 1 match ratio
 - Tax Credits: 8 to 1
 - Down Payment 3 to 1
 - Private Investment: 4 to 1
 - Infrastructure: 2 to 1





\$500 per month House

- 100 House Plan Initiative
- Low income lots are free
- No Property Taxes
- Trust land Loans
- Down Payment Assistance
 - \$32,500 from Tribe
 - \$5,000 Federal Funding
 - \$12,000 from State Funding
- \$500 to \$635 mortgage





Another Low Income Home



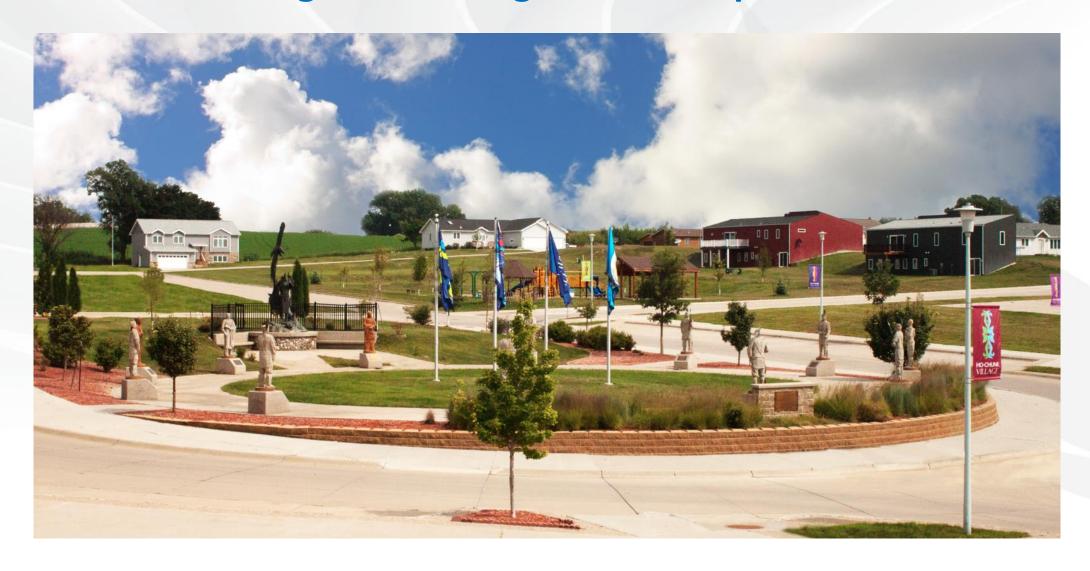
Ho-Chunk Village: Village Square

- **New Market Tax Credits**
- 7 market-rate subsidized apartments (second level)
- Commercial: Law firm, Tribal Enrollment Office, Sweetwater Cafe





Ho-Chunk Village: Winnebago Clans Sculpture Garden







Modular Townhouses:
Private Investment
Incentives



Ho-Chunk Village: Main Street

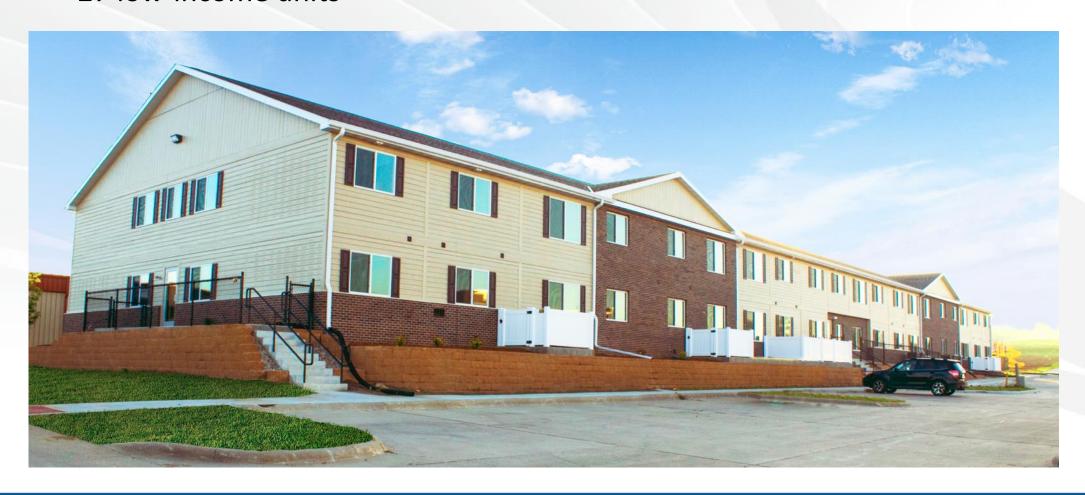
Federal Grants





Ho-Chunk Village: Warrior Apartments

- Low Income housing tax credits
- 27 low-income units





Ho-Chunk Village: Little Priest Classroom

- Ho-Chunk, Inc. donation for infrastructure
- Winnebago Community Development Fund—Important Tool!





Ho-Chunk Village: Single-family home

- Up to \$65,000 in down payment assistance
- Goal to offset 30-35% total cost





Ho-Chunk Village: Single-family home

Discounts from Dynamic Homes- Our Modular Company No Profits from Ho-Chunk Construction Companies





Ho-Chunk Village: Village Park





Solar Power

- Solar Farm
- Private Residences
- 17 Corp and Gov't Buildings

Farmers Market

- Heathy Foods
- Community Garden
- Art and Crafts
- Prepared Foods
- Entrepreneur





Next: Ho-Chunk Village 2.0

- Acquisition of additional 40 acres
 - 100 additional units
 - Planning started early 2018
- Builds on success of Ho-Chunk Village
 - Broke ground in 2003
 - Master plan community on reservation for Tribal members to live and work







Tri-state regional development

Creates revenue streams back to Winnebago to fund housing programs.

- Ho-Chunk Centre
- Flatwater Crossing
- Virginia Square
- Dakota 303



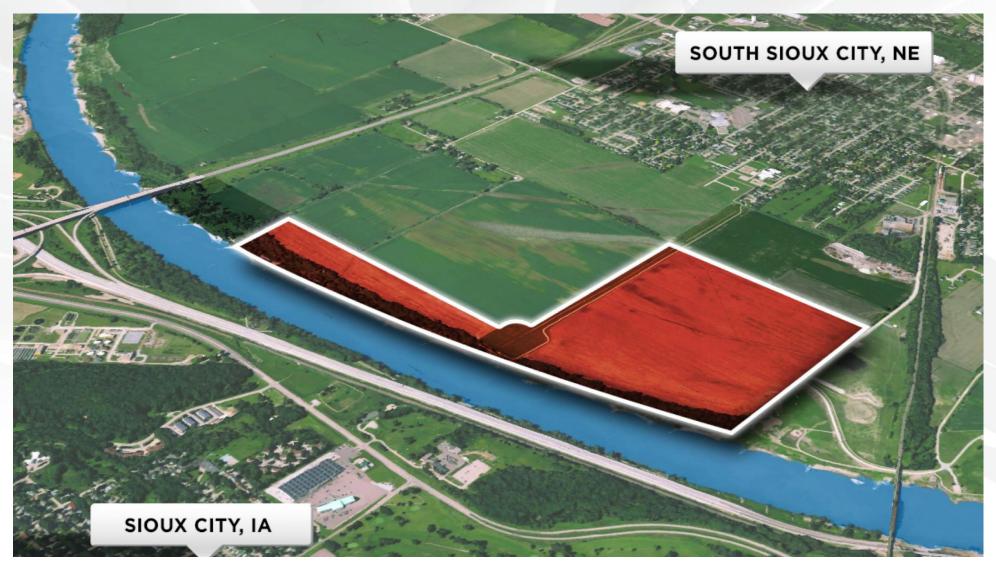




FLATWATER



Flatwater Crossing, South Sioux City, Neb.





Today's work is for tomorrow



Reuben Snake Winnebago Tribal Leader

Manufactured Housing in Indian Country

- Patrice Kunesh, Center for Indian Country Development
- Sharon Vogel, Cheyenne River Housing Authority
- Lance Morgan, Ho-Chunk Inc.



Winnebago, Nebraska

Presented by:

Brent Williams, Excel Development Group and

Patricia Sheridan, Ho-Chunk Community Development Corporation (HCCDC)

Background

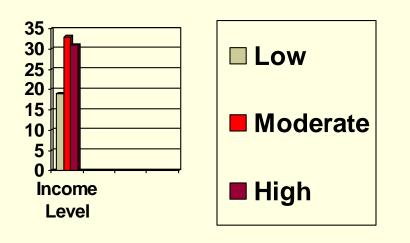
- Winnebago is located in the northwest corner of Nebraska, and is home to the Winnebago Indians.
- Winnebago did not have a "town center"
 - In 2002, Ho-Chunk, Inc. and HCCDC purchased 43 acres to create Ho-Chunk Village
 - \$20 million mixed use development
 - Civic, commercial and residential uses
 - Pedestrian Friendly Town Center
 - Located north of Winnebago

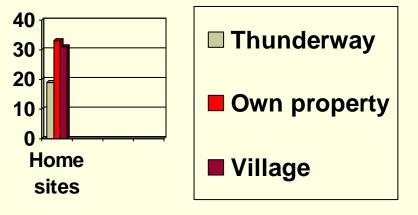
Planning

- In 2003, a Charrette was held for input of stakeholders, including tribal leaders, village officials, and others
 - Created the Winnebago Village Center Plan
 - 48,000 sq. ft. of public and service space
 - 120,000 sq. ft. for commercial development
 - 110 housing units
- In 2006, the Winnebago Tribe communitywide planning process confirmed the need for affordable housing and apartments

On December 15, 2006, the Winnebago Housing & Development Commission conducted a community wide Survey on Housing concerns & issues.

A total of 99 completed surveys were returned that sparked the concept of constructing new development on the Winnebago Reservation that would not only provide housing, but also the retail and "urbanism" within the Village of Winnebago, that is located on Hwy 77/75, a major corridor between Sioux City, IA to Omaha & Lincoln, Nebraska.







- Ho Chunk, Inc partners with Ho Chunk Community Development to design an "Urban" like community which includes modern businesses, entrepreneurship, home ownership, and apartment living.
- The Little Priest Apartment became a reality based on this concept of future living in the Winnebago Community.

Chief Little Priest Apartments A Concept Emerges

- 20 family units (2-10-plexes)
- New Urbanism Concept to maximize capital expenditures and land base
- Apartment design on .64 acres



Chief Little Priest Apartments Development Partners

- Ho-Chunk Community Development Corporation
- Ho-Chunk, Inc.
- Excel Development Group

Chief Little Priest Apartments Project Site

- On Winnebago Reservation land, but not Tribal Trust Land
- Fee-Simple Land
- Not within City limits

Site Facing North



Chief Little Priest Apartments Funding Process

- NIFA's CRANE Process
 - Applied for Tax Credits and Nebraska Affordable Housing Tax Credits
 - Native American Housing
 - Pre-app Oct. 2006
 - Application April 2007
- Qualified Census Tract

- May 2008 ~ Site preparation began at the future home of the Chief Little Priest Apartments
- June/July 2008 ~ Official commencement of on-site construction of the footings and foundations by HCI Construction, a subsidy of Ho Chunk, Inc.
- June 2008 ~ Dynamic Homes of Duluth, Minnesota, a subsidiary of Ho Chunk, Inc., designed, constructed and delivered sections of the pre-fabricated apartment units.





Chief Little Priest Apartments Project Design

- Each 10-plex
 - Two floors
 - Common laundry on each floor
 - Covered stairs on each end
 - Common hallway
 - Energy efficient



Chief Little Priest Apartments Project Design

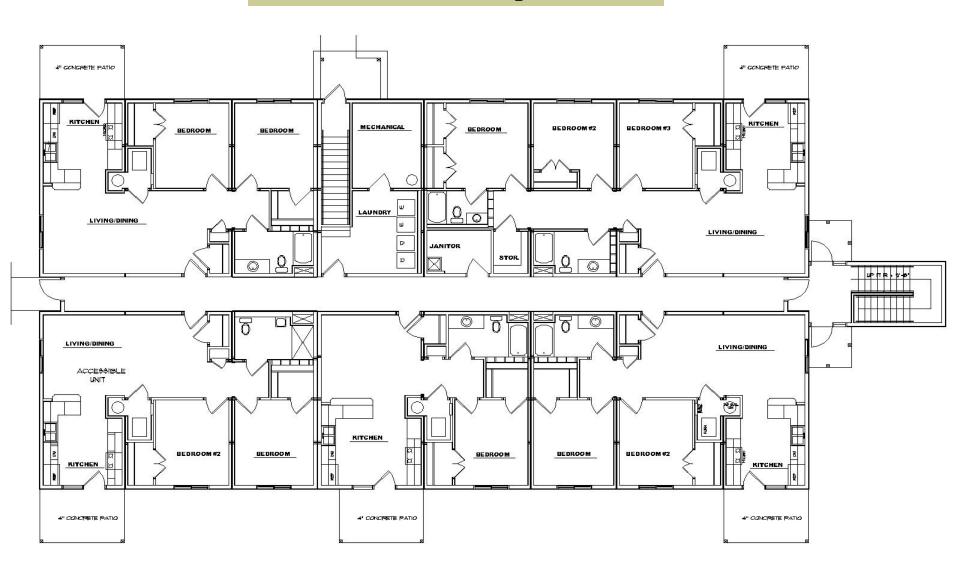
- Four 1-bedroom
 - 710 sq. ft.
- Twelve 2-bedroom
 - 925 sq. ft.
- Four 3-bedroom
 - 1,260 sq. ft.



- ExteriorFeatures
 - Patio or porch
 - Brick and vinyl
 - Decorative shutters
 - Lawn sprinklers
 - Off street parking

- Interconnectedness and Active Living
 - Common green space between 10-plexes
 - Walk-way from commercial area to residential sidewalks
 - Playground equipment (not shown)
 - Picnic area





10-Plex Floorplan

Project Site

Looking

northwest



- Interior Features
 - Breakfast counter with open design
 - Kitchen pantry
 - Dishwasher, range, refrigerator
 - Air-conditioned
 - 3-BR units 2 bathrooms
 - All first floor units are adaptable (2 are handicap accessible)

- Open design
- Breakfast counter



SOURCES OF FUNDS

Tax Credits (QCT) \$2,598,368 Trust Funds - NDED \$544,699

Def Developer Fee \$22,534

TOTAL \$3,165,601

Construction was completed December 2008

Chief Little Priest Apartments Development Challenges

- Unusual status of the land
- Negative stereotypes
 - Ex: Answering questions regarding potential tenant wear and tear
- Obtaining a comfort level from investors
- Fair Housing Act no preferences for Winnebago Tribal Members
- Local politics

Chief Little Priest Apartments Development Strengths

- Strong community support and need
- Partners HCCDC and HCI
- Village Center Plan (planning process)
- Qualified Census Tract
- NIFA and NDED Funding
- Midwest Housing Equity Group willingness to invest
- Site with infrastructure

Chief Little Priest Apartments Development Strengths

HCCDC contributions to site development....

```
Winnebago Center Plan - $100,000 (RHED and Robert Wood Johnson Foundation)
```

Water & Sewer – \$63,395 (ICDBG)

Streets - \$73,985 (ICDBG)

Parking & Alley - \$116,559 (EDA & HCI)

TOTAL \$353,939

Land with infrastructure - purchased for \$40,000

Chief Little Priest Apartments Property Management

Speaker

PatriciaSheridan,HCCDC



Chief Little Priest Apartments Property Management

Very Affordable Rents

- 1-bedroom
 - Rent \$310/mo.
- 2-bedroom
 - Rent \$350/mo.
- 3-bedroom
 - **\$390/mo.**

- Tenant pays electric
- Owner pays water, sewer, garbage
- Owner provides maintenance, snow removal, lawn care

Today, Ho-Chunk Village Features.....

- Dollar General Store
- HCI Distribution
- HCI Construction
- AllNative Retail Store
- Woodland Trails Art retail and learning center
- Sculpture Garden
- Single Family Homes
- Market Rate Apartments 6 units above commercial
- Chief Little Priest Apartments 20 affordable units
- Much more

Presented by:

Brent Williams, Excel Development Group and

Patricia Sheridan, Ho-Chunk Community Development Corporation (HCCDC)



REPORTS











LB154 Report: Prevalence of Missing Native American Women and Children in Nebraska; Barriers to Reporting and Investigating; and Opportunities for Partnerships

May 21, 2020

Captain Matthew Sutter, Nebraska State Patrol

with

Judi gaiashkibos, Scott Shafer, and Elizabeth Weidner, Nebraska Commission on Indian Affairs

Research and Writing Assistance from Dr. Tara N. Richards, Dr. Emily Wright, and Alyssa Nystrom, School of Criminology and Criminal Justice, University of Nebraska Omaha and Kirby Williams, Legal Aid of Nebraska

Cover art from Valery Killscrow Copeland, an enrolled member of the Oglala Lakota Tribe.

Recommended Citation: Sutter, M., gaiashkibos, J., Shafer, S., Weidner, E., Richards, T.N., Wright, E., & Nystrom, A. (2020). LB 154 Report: Prevalence of Missing and Murdered Women and Children in Nebraska; Barriers to Reporting and Investigating; and Opportunities for Partnerships. Submitted to the Nebraska Legislature, May 21, 2020.

Table of Contents

I.	Acknowledgements	2
II.	Executive Summary	3
III.	Background	7
IV.	Missing Persons Databases	11
V.	Methodology	.12
VI.	Results	. 14
VII.	Implications and Recommendations	.29
VIII.	Limitations and Future Research	.30
IX.	Conclusions and Next Steps	31
Χ.	Final Notes	31
XI.	References	32
XII.	About the Authors	34
XIII.	Nebraska Commission on Indian Affairs Special Postscript	35
XIV.	Appendices	38

Acknowledgements

We would like to thank the Ponca Tribe of Nebraska, Nebraska Indian Community College Santee Campus, Nebraska Indian Community College Macy Campus, and Little Priest Tribal College for hosting listening sessions, and the tribal and non-tribal community members, tribal and non-tribal law enforcement officers, tribal leadership, and representatives from victim services and non-profits who attended the listening sessions and shared valuable information for this report. We would also like to thank Judge William Thorne for serving as the facilitator.

Many thanks to Audrey Meyer at Nebraska State Patrol for her insight regarding the Nebraska Missing Persons List. Thank you to Taylor Claxton, doctoral student in the School of Criminology and Criminal Justice at UNO, for her assistance coding data, and to Dr. Justin Nix for developing a heat map for this report. We also thank the sponsors of LB 154 for charging us with this important work. Finally, we would like to acknowledge Nebraska's missing Native American persons and their loved ones; we truly hope the recommendations presented here result in meaningful change regarding reporting and investigating missing persons in the state.

Executive Summary

Legislative Bill (LB) 154 mandates that the Nebraska State Patrol (NSP), in collaboration with the Nebraska Commission on Indian Affairs (NCIA), "conduct a study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska," - Per LB 154, this study has three specific aims:

- (1) to determine the scope of missing Native American women and children in Nebraska,
- (2) to identify barriers to reporting and investigating missing Native American women and children in Nebraska, and
- (3) to find ways to create partnerships to increase reporting and investigating missing Native American women and children in Nebraska.

Data and Methodology:

Several sources of data were used for this report, including three missing persons databases, listening sessions with four Native communities, and missing persons policies from 51 law enforcement agencies across Nebraska. First, quantitative data on Nebraska's missing persons were obtained from existing missing persons databases: Nebraska's Missing Persons List (NMPL), National Missing and Unidentified Persons System (NamUS), and the National Center for Missing and Exploited Children (NCMEC). In addition, qualitative data was collected from four listening sessions in Omaha, Santee, Macy, and Winnebago, Nebraska. Listening sessions included tribal and non-tribal community members, tribal and non-tribal law enforcement, tribal leadership, and representatives from victim services and non-profit organizations. In an attempt to gather information on any unreported missing persons cases, at each listening session (1) Nebraska State Patrol personnel identified themselves to attendees and indicated that they were available to assist with reporting any currently unreported cases and (2) the Nebraska Commission on Indian Affairs' project coordinator announced that she was available to assist with reporting missing persons cases. Finally, data were collected regarding the use and content of missing persons policies from 51 law enforcement agencies across Nebraska.

Results:

Scope of missing Native American women and children in Nebraska

A total of 498 missing persons cases were identified in a point-in-time count on 3/31/2020 – cases spanned from 6/8/1940 to 3/31/2020. Using 2019 Census population estimates for Nebraska (e.g., population estimate of 1,934,408 persons)¹, Nebraska's missing person rate on 3/31/20 was 25.7 per 100,000 persons. A majority of Nebraska's missing persons are White (n = 333; 66.9 %) compared to Black (n = 98; 19.7%), Native American (n = 23; 4.6%), or Asian or Pacific Islander (n = 4; 0.8%); 8.0% (n = 40) of the entries for missing persons list the race as "unknown." In comparison, 88.3% of Nebraska's population is White, 5.1% is Black, 1.5% is Native American, and 2.8% is Asian or Pacific Islander (U.S. Census Bureau, 2019; see Table 1) – thus, a disproportionate number of Nebraska's reported missing persons are Black (3.9 times their population) or Native American (3.1 times their population). Additionally, we found:

- The Nebraska Missing Persons List (NMPL) is highly comprehensive and accurately tracks missing persons cases: the majority of reported missing persons cases stem from the NMPL only (n = 486, 98%).
- All Native American missing persons were identified from the NMPL. A greater proportion of Native American missing persons cases (21.3%) than total cases (14%) were also listed in the National Missing and Unidentified Persons System (NamUS).
- No Native American missing persons cases were listed on the National Center for Missing and Exploited Children list (NCMEC), while 6% of total cases were listed on NCMEC.

- The majority of missing Native Americans are males under the age of 17 years old: nearly two thirds (73.3%) of the Native American missing persons are boys (age 17 years old or younger).
- More Native American missing persons are minors and Native American missing persons cases are open (unsolved) longer when compared to Nebraska's total missing persons.
- Requests by both Nebraska State Patrol and the Nebraska Commission on Indian Affairs (NCIA) at community listening sessions as well as research by the NCIA project coordinator did not uncover any unreported cases of Native American missing persons.

Community listening sessions included questions about potential causal factors related to the scope of missing persons in Nebraska's Native American communities. A range of factors were identified and are reviewed in detail in the narrative of the report; however, several issues were identified as underlying factors in missing persons cases involving Native American women and children across the four listening sessions:

- (1) domestic violence,
- (2) substance use,
- (3) mental health challenges,
- (4) a lack of affordable housing/homelessness, and
- (5) poverty.

Barriers to reporting and investigating missing Native American women and children in Nebraska

Missing person cases present many challenges to law enforcement agencies across the country, regardless of whether the person is Native American. These challenges include: (1) the right to go missing among adults, (2) whether "going missing" is a result of criminal or noncriminal behavior, (3) lack of policies mandating the entry of missing persons into national data systems, (4) lack of standardized definitions of missing persons, and (5) variation in the age of what constitutes adult status across states and jurisdictions.

However, the challenges of reporting and investigating missing persons cases may be exacerbated among Native Americans missing persons primarily due to:

- (1) jurisdictional issues between tribal and non-tribal law enforcement agencies,
- (2) a lack of policies, coordination, and relationships between tribal and non-tribal law enforcement agencies; and
- (3) racial (mis)classification when entering the cases into databases.

Community listening sessions addressed barriers to reporting and investigating missing Native American women and children in Nebraska. A range of barriers to reporting and investigating were uncovered and are reviewed in detail in the narrative of this report; however, <u>data from the Native community listening sessions identified these prominent barriers to reporting and investigating Native missing persons cases:</u>

- (1) an absence of relationships between law enforcement and tribal communities;
- (2) a lack of communication between federal, state, local, and tribal law enforcement as well as between law enforcement and tribal communities;
- (3) perceptions by community members that nothing will be done if they report and/or that reporting will have negative consequences (e.g., involvement of child protective services);
- (4) that substance/drug use, domestic violence, and/or human trafficking are believed to be underlying causes of "going missing", either intentionally or unintentionally;
- (5) a lack of understanding regarding how and when to report a missing person, or that community members could access national missing persons databases (i.e., NamUs, NCEMC) directly without contacting law enforcement.

In addition, data from Nebraska's law enforcement agencies revealed that not all agencies have a missing persons policy, and that among agencies which do have a policy, there is wide variability in regard to the:

- (1) policy's application to juveniles versus adults,
- (2) timeline for law enforcement to take an incident report, and
- (3) the collection of demographic information.

Further, law enforcement departments use divergent strategies for entering missing persons information into the national law enforcement database (i.e., National Crime Information Center) as well as national missing persons databases (i.e., NamUs and the NCMEC); thus, all Nebraskans including Native American community members, may experience different law enforcement protocols when reporting missing persons in different Nebraska jurisdictions and across different reservation communities.

Partnerships to increase reporting and investigating missing Native American women and children in Nebraska

Community listening sessions also focused on identifying partnerships to increase reporting and investigating missing Native American women and children in Nebraska. A range of ideas for partnerships were uncovered and are reviewed in detail in the narrative of this report; however, prominent themes focused on:

- (1) Developing new partnerships between tribal and non-tribal law enforcement departments, as well as law enforcement and "non-traditional" allies such as tattoo artists, casinos, and convenience stores,
- (2) community education regarding how to report missing persons to law enforcement,
- (3) education regarding how to use NamUs, and
- (4) strengthening partnerships with Department of Health and Human Services, tribal and non-tribal victim services, and legal aid to address the underlying social challenges related to missing persons cases (e.g., domestic violence).

Recommendations

The results from the quantitative and qualitative data point to three main areas which could improve the response to missing Native women and children within the state. We provide them in order of priority, with law enforcement activities being the most actionable activities in the short-term and by the lead agency on this report (i.e., Nebraska State Patrol) (**bolded** activities have already been adopted):

Nebraska State Patrol (NSP) and Tribal and Non-Tribal Law Enforcement Cooperation:

- (1) Develop and implement a missing persons policy for both juvenile and adult missing persons in each of Nebraska's law enforcement agencies. Develop and provide a Standard Operating Procedure (SOP) illustrating a step-by-step process for handling missing persons cases.
- (2) Whenever possible, include information on the race of the missing person in a missing persons report.
- (3) Whenever possible, include information on the tribal affiliation of the missing person in a missing persons report.
- (4) Increase the capacity of tribal law enforcement departments through the cross-deputization of Nebraska State Patrol officers.
- (5) Encourage Memorandums of Understanding (MOUs) between tribal and non-tribal law enforcement agencies.
- (6) Develop and implement Native American cultural awareness training for Nebraska State Patrol officers.
- (7) Establish a Law Enforcement Task Force for Missing Persons and include tribal law enforcement agencies on the task force.

- (8) Implement a Nebraska State Patrol Tribal Liaison program.
- (9) Increase the recruitment of Native American persons to the Nebraska State Patrol; allow recruits to stay in their home area upon request.

Enhance Awareness of Reporting Options and Mechanisms to Native Communities:

- (1) Facilitate NamUs training in tribal communities, and encourage both tribal and non-tribal law enforcement as well as family members to utilize.
- (2) Work with Department of Health and Human Services and Department of Education to provide schools/teachers with a better awareness of children who are being victimized, as well as the appropriate reporting mechanisms.
- (3) Encourage each tribe to hold regular law enforcement meetings with tribal, local, county, state, and federal law enforcement partners.

Be Aware of the Potential Interrelatedness of Missing Persons to Human Trafficking and Other Social Challenges:

- (1) Extend Nebraska State Patrol human trafficking training resources to tribal law enforcement agencies.
- (2) Extend Nebraska State Patrol human trafficking training resources to tribal casinos and hotels.
- (3) Engage the Department of Health and Human Services regarding domestic violence, substance use, and mental health needs in tribal communities.
- (4) Engage victim services agencies regarding the needs of the family members of missing persons.

Further, the Nebraska Commission on Indian Affairs will:

- (1) Seek legislation to mandate the use of NamUs by Nebraska's law enforcement agencies. At present, only law enforcement agencies in Arkansas, Illinois, Michigan, New Mexico, New York, Oklahoma, and Tennessee are required by law to use NamUs (Chakraborty, 2019).
- (2) Work to establish a Task Force focused on the underlying issues in Native communities associated with "going missing" such as economic challenges, substance abuse, suicide, child abuse and neglect, poverty and pervasive hopelessness.
- (3) Seek funding for a new, full-time staff position to manage the Task Force operations. This staffer will report to the Executive Director of the Nebraska Commission on Indian Affairs.

Background

Disparities in Native American Communities

Native American communities suffer from a host of inter-rated economic, health, and social challenges. For example, Native American communities experience high rates of poverty and unemployment. Native American students have lower reading and math proficiency than their non-Native peers and Native American youth drop out of high school at disproportionately high rates (The Annie E. Casey Foundation, 2019). Native American adults report significant levels of psychological distress and are more likely to have poorer overall physical and mental health compared to persons of other races/ethnicities (Barnes, Adams, & Powell-Griner, 2010). Only about half of Native American children have access to health insurance (The Annie E. Casey Foundation, 2019) suggesting that many Native American children may have unmet physical, mental, and behavioral healthcare needs.

Data from the National Survey on Drug Use and Health indicates that Native American persons report disproportionate rates of binge drinking and problem drinking behaviors, as well as alcohol use disorders (SAMSA, 2019) and suicide is the second leading cause of death for Native American persons ages 10–24 years old (Suicide Prevention Resource Center, 2013). Further, Native persons are incarcerated at rates nearly 40% greater than the national average (Bureau Justice Statistics, 1999).

Violence Against Native Women and Children

Research indicates that Native American persons experience crime victimization at higher rates than non-native people (Rosay, 2016; Catalano, 2007) and that violence against Native women and children is of particular concern. For example, data from the National Intimate Partner and Sexual Violence Survey (NISVS) (2010) indicate that 84.3% of AI/AN women report experiencing violence in their lifetime compared to 71.0% of Non-Hispanic White women (Rosay, 2016). Native American women are also murdered at an extraordinarily high rate – more than ten times the national average on some reservations (Bachman, Zaykowski, Kallmyer, Poteyeva, & Lanier, 2008). Native youth experience violent crime rates up to ten times the national average, with violence serving as a causal factor in three-quarters of deaths of Native American adolescents and young adults between ages of 12 and 20 (U.S. Senate, 2015). And, Native American children experience disproportionate rates of child maltreatment (Children's Bureau, 2018) and foster care placement (Woods & Summers, 2016).

Challenges of Counting Missing Persons

Economic, heath, and social disparities as well as experiences with violence contribute to an environment where individuals may either intentionally or unintentionally "go missing." For example, someone with an untreated substance use disorder or mental health challenge may leave home without notifying family or friends while a teen experiencing abuse in the home may runaway to escape the maltreatment. In rare instances, a missing persons case may stem from an abuser killing their intimate partner or abducting their child.

As noted above, such disparities and violent victimizations are concentrated in Native American communities. In light of these concerning numbers, national attention has recently focused on the problem of missing and murdered Native women and children in the United States. Accurately counting the number of "missing and murdered" people – Native or non-Native – is no easy task, and this issue is made even more difficult when Native American persons are involved. However, it is important not to convolute the two issues of going missing and being murdered, as *this report focuses on missing Native persons in Nebraska only*. Not every person who is missing has been or will be murdered. In fact, most persons who are reported as missing are missing for a short period of time and found alive (Chakraborty, 2019). Further, *missing persons cases are dynamic* and thus the number of missing persons cases in any jurisdiction may change on a daily basis. Therefore, any count of missing

persons cases must be understood as a point-in-time count that is likely only accurate on the date that the count is conducted.

Ascertaining an accurate picture of the number of missing persons in the United States is also riddled by challenges in reporting, policies, and definitions. A recent National Institute of Justice whitepaper by Chakraborty (2019) suggests that missing persons cases present many challenges to law enforcement agencies across the county, regardless of whether the person is Native American or non-Native American. These challenges include: (1) the right to go missing among adults, (2) whether "going missing" is a result of criminal or noncriminal behavior, (3) a lack of policies mandating the entry of missing persons into national data systems, (4) a lack of standardized definitions of missing persons, and (5) variation in the age of what constitutes adult status across states and jurisdictions. Chakraborty (2019) indicates that, first, going missing (among adults) is not a crime. In fact, doing so is a right established by the 1995 U.S. Supreme Court decision *McIntyre v. Ohio Elections Commission*, whereby adults can remain anonymous by "going missing," and this right extends from the freedom of the press right which allows an individual to remain anonymous when writing (Chakraborty, 2019). Thus, not all missing persons are missing *un*intentionally, nor are all missing persons cases – even unintentionally missing persons cases – related to criminal activity and/or death. In fact, Chakraborty (2019) notes that persons can go missing due to fatal accidents or dementia, among other things: while these missing persons are missing unintentionally, they are not missing because of their involvement in nefarious activities, such as kidnapping, trafficking, and so forth.

Accurately counting the number of missing persons in the United States is very difficult and relies largely on reporting to law enforcement agencies and accurate data entry by these agencies. However, some law enforcement agents may not enter a case into various data systems because they believe the case will be resolved, they believe the case does not constitute a "missing persons" case for some reason, or they are unaware or unmandated to enter a missing persons case (especially adults) into certain data systems (Chakraborty, 2019). Further, the lack of standardization in the definition of a "missing person," lack of protocols or policies in reporting and investigating these cases, and the lack of standardization regarding who is considered a "youth" (and thus federally mandated to report) or "adult" varies across states.

Importantly for the current report, the challenges discussed above regarding reporting and investigating missing persons may be exacerbated among Native American missing persons, primarily due to (1) jurisdictional issues, (2) a lack of coordination and relationships between tribal and non-tribal law enforcement agencies, and (3) racial (mis)classification when entering the cases into databases. First, jurisdictional issues between tribal and non-tribal law enforcement agencies may convolute the reporting process, where Native American community members must decide to whom they should report the case. As our data below suggests, there is much confusion from Native American community members about which agency is the appropriate reporting agency. This issue is strongly tied to a second problem, which is that tribal and non-tribal law enforcement agencies may not agree on which agency should investigate the missing person case. This might be complicated by several issues, including: (1) whether the missing person is a member of a tribe, (2) whether the reporter is a member of a tribe, (3) whether the missing person was living on tribal lands, and (4) where the missing person is suspected to be, particularly whether they are suspected to be on or off of tribal lands. In many cases, it may be that tribal and non-tribal law enforcement agencies need to jointly coordinate the case investigation, but the informal or formal relationships (e.g., Memorandums of Understanding, etc.) are not in place to facilitate the communication and coordination that is needed to accomplish this collaboration. Finally, the race (and/or tribal affiliation) of the missing person may be unclear, leading to potential underreporting or misclassification of Native missing persons (e.g., if a Native person was classified as "Hispanic" or "Caucasian" in the data system).

Nebraska's Native American Persons

According to the 2010 U.S. Census, there are nearly 30,000 Native American persons living in Nebraska. And per the Nebraska Commission on Indian Affairs, Nebraska is home to four federally recognized tribes: Omaha Tribe of Nebraska, Winnebago Tribe of Nebraska, Santee Sioux Nation, and Ponca Tribe of Nebraska. The Omaha Reservation, Winnebago Reservation, and the Santee Sioux Nation's Niobrara Reservation totals nearly 25,300 acres.

Page | **9**

Other Nebraska resident tribes include the Pawnee Nation of Oklahoma, Oglala Sioux Tribe, Iowa Tribe of Kansas and Nebraska, and Sac and Fox Tribes, and there are many Native persons – from the aforementioned Tribes as well as other Tribes – living on, and off tribal lands (often referred to as urban Indians).

As in the United States generally, in Nebraska, Native American persons face significant economic, health, and social challenges. More than 40% of Native American Nebraskans live in poverty, less than a quarter report having a high school education, and unemployment is more than four-times greater for Native Americans than for Whites (Nebraska Department of Health and Human Services, 2017). Relatedly, a disproportionate number of Nebraska's Native American children live below the poverty line and nearly half of Native American children live in "high poverty areas" (The Annie E. Casey Foundation, 2019). Native American Nebraskans report significant unmet physical health and mental health needs such as high rates of liver and/or kidney disease, diabetes, and depression. And the rates of drug induced death and alcohol induced death are two-times and seven-times greater for Native American Nebraskans than for White Nebraskans, respectively (Nebraska Department of Health and Human Services, 2017).

In Nebraska, Native American children experience the highest rate of child maltreatment – 40% per 1,000 children – more than any other racial group, and 10 times the rate of their White peers (U.S. Department of Health & Human Services, 2020). Relatedly, Native American children are placed into foster care at a rate 2.5 times greater than their proportion in the Nebraska population (State of Nebraska Foster Care Review, 2017-2018) and their family reunification rate (47.1 %) is lower than that of White, Black, Asian, or Hispanic children (Children Bureau, 2017). Furthermore, from 2010 to 2014 Native American Nebraskans experienced homicide at five-times the rate of White Nebraskans (Nebraska Department of Health and Human Services, 2017).

In 2018 the Urban Indian Health Institute (UIHI) published a report that aimed to present data on "cases of missing and murdered indigenous women" (MMIGW) across 71 cities in 29 states. The report indicates that their sample of cities was selected "because they either have (1) an urban Indian health center that is affiliated with UIHI, (2) a significant population of urban Indians, or (3) were found to have a large number of MMIGW cases in a preliminary consultation with key community leaders" (Urban Indian Health Institute, 2019, p.5). The report further specifies that cases were identified using five sources, "(1) Freedom of Information Act (FOIA) requests to law enforcement agencies, (2) state and national missing persons databases, (3) searches of local and regional news media online archives, (4) public social media posts, and (5) direct contact with family and community members who volunteered information on missing or murdered loved ones" (Urban Indian Health Institute, 2019, p. 4).

Both Omaha and Lincoln, Nebraska were included in the UIHI report. The report's findings identify 2 missing persons cases (as well as 5 murdered and 2 unknown cases) stemming from Lincoln and 11 missing persons cases (as well as 3 murdered and 10 unknown cases) from Omaha (Urban Indian Health Institute, 2019). The report does not specify which data sources were used to identify these cases or the specific timeframe for data collection (the oldest case in the entire sample was from 1943), so we could not replicate this data. The Nebraska Commission on Indian Affairs requested the data for the Nebraska missing persons cases uncovered by the Urban Indian Health Institute, but the UIHI declined to share the data.

Nebraska Commission on Indian Affairs

The Nebraska Commission on Indian Affairs (NCIA) was established in 1971 and consists of 14 Indian Commissioners appointed by the Governor. The Commission's statutory mission is "to do all things which it may determine to enhance the cause of Indian rights and to develop solutions to challenges common to all Nebraska Indians." It is the state liaison between Nebraska's four federally recognized tribes, and it helps ensure that the sovereignty of both tribal and state governments is recognized and acted upon in a true government-to-government relationship. The NCIA also serves off-reservation Indian communities by helping assure they are afforded the right to equitable opportunities in the areas of housing, employment, education, health care, economic development and human/civil rights within Nebraska. All goals of the NCIA are accomplished through advocacy, education and promotion of legislation. A priority problem identified by the NCIA is the study of missing Native women and

children in Nebraska and the development of policies and partnerships that will advance reporting, investigation, and resolution of these violent crimes; this priority issue was shared with Nebraska legislators by the NCIA.

Nebraska State Patrol

The Nebraska State Patrol (NSP) is Nebraska's only statewide full-service law enforcement agency. Serving Nebraska since 1937, NSP officers perform a wide variety of duties. Those duties include working with communities to improve public safety; enforcing traffic, criminal and drug laws; investigating crimes, as well as enforcing the laws and federal regulations pertaining to commercial motor carriers. During its history, the Nebraska State Patrol has accepted additional duties and responsibilities and has become an internationally accredited law enforcement agency dedicated to serving the citizens of Nebraska.

The Nebraska State Patrol has six Troop Area Headquarters located in Lincoln, Omaha, Norfolk, Grand Island, North Platte and Scottsbluff. The State Headquarters, housing NSP Command and support staff, is also located in Lincoln. Across the state, more than 700 sworn and civilian employees provide patrol, investigative, administrative and support services.

Legislative Bill 154

Legislative Bill (LB)154 was introduced by Senators Brewer, 43; Gragert, 40; Pansing Brooks, 28; Cavanaugh, 6; DeBoer, 10; Slama, 1; Erdman, 47; Hunt, 8; and McCollister, 20; it was signed into law by Governor Pete Ricketts on March 6, 2019. LB-154 mandates that the Nebraska State Patrol (NSP), in collaboration with the Nebraska Commission on Indian Affairs (NCIA), "conduct a study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska". Per LB 154, this study has three specific aims:

- (1) to determine the scope of missing Native American women and children in Nebraska,
- (2) to identify barriers to reporting and investigating missing Native American women and children in Nebraska, and
- (3) to find ways to create partnerships to increase reporting and investigating missing Native American women and children in Nebraska.

Missing Persons Databases

National Crime Information Center

The National Crime Information Center (NCIC) is a national database of crime data that is accessible to nearly every state, local, and tribal law enforcement agency. NCIC also collects missing person cases, which are not crimes. NCIC is administered by the Federal Bureau of Investigation and allows law enforcement to query multiple state and federal databases. Law enforcement officers are able to submit inquiries in NCIC and get a response immediately. When a child is reported missing to law enforcement, federal law (Missing Children's Act, 1982) and Nebraska state statute (Nebraska Revised Statute § 43-2003) requires that child be entered into NCIC.

National Missing and Unidentified Persons System

The National Missing and Unidentified Persons System (NamUs) aims to "bring people, information, forensic science, and technology together to help resolve missing, unidentified, and unclaimed person cases nationwide, and provide support to victims and their families." NamUs is comprised of a national missing and unidentified persons clearinghouse, forensic services, and investigative support, training, and victim services. NamUs is supported by the National Institute of Justice and managed by the University of North Texas Health Sciences Center. The NamUs data clearinghouse has two separate but related functions for the public and law enforcement. First, it includes a data "portal" where family and friends can search for a missing person or can post information about a missing person (before a case is uploaded to the NamUs database, the information is verified and a NCIC number from law enforcement must be connected to it). The searchable NamUs database is quite robust in that users can search for individuals by characteristics such as name, city, state, year missing, race, gender, and age and the database allows for cross-comparisons of information for missing and unidentified persons. Second, it is a website where law enforcement agencies and medical examiners can upload information about an unidentified decedent. The information can include: photographs, the date the body was found, estimated age, probable year of death, where the body was found distinctive features like tattoos, fingerprints, clothing, a DNA sample's status and the case manager's contact information. NamUS also employs an Analytical Division to assist law enforcement agencies in locating missing persons, locating potential family members for DNA sample collection/matching and next-of-kin death notifications, and compiling tips and leads. In addition, the Federal Bureau of Investigation's Criminal Justice Information Services Division transfers information from NCIC into NamUs and vice versa. Other NamUs services include Regional Program Specialists who can facilitate free trainings on NamUs resources for law enforcement agencies and communities, and a Victim Services Division which is devoted to supporting friends and families with missing loved ones.

National Center for Missing and Exploited Children

The National Center for Missing & Exploited Children (NCMEC) was founded by child advocates as a private, non-profit organization dedicated to finding missing children, reducing child sexual exploitation, and preventing child victimization. NCMEC is intended to serve as a national clearinghouse for information regarding missing children and to provide a coordinated national response to issues regarding missing and exploited children. Like NamUs, NCMEC allows family and friends to both enter information on missing children as well as to search for missing children. The online data portal allows users to search for missing children by name, city, state, and year missing as well as by characteristics such as gender, age, race, height, and eye color. Law enforcement agencies can also submit cases of missing children from NCIC into NCMEC as well as information on suspected child abductors (as long as a felony warrant has been issued for the individual). NCMEC also supports a national toll-free hotline (1-800-THE-LOST®); facilitates training for law enforcement, criminal/juvenile justice and healthcare professionals; and organizes volunteers to provide resources and emotional support to families of missing and exploited children.

Nebraska State Patrol Missing Persons List

The Nebraska Missing Persons List (NMPL) is Nebraska's clearinghouse for missing persons cases in the state (see Nebraska Revised Statute § 29-214). The NMPL is centrally administered by the Nebraska State Patrol, however, every law enforcement agency in the state may submit information on missing persons cases. The NMPL is accessible online to everyone, and can be searched by name, reporting agency, gender, race, and age.

Methodology

The purpose of this study was "to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska" (LB 154). LB 154 specifies that the report:

- (1) include data and analysis of the number of missing Native American women and children in Nebraska.
- (2) identify barriers in providing state resources to address the issue, and
- (3) provide recommendations, including any proposed legislation, to improve the reporting and identification of missing Native American women and children in Nebraska.

LB-154 states that, "the Nebraska State Patrol shall work with the Commission on Indian Affairs to convene meetings with tribal and local law enforcement partners, federally recognized tribes, and urban Indian organizations" in service to these goals. To do this, quantitative data regarding the number of missing persons cases in Nebraska were collected, and qualitative data from listening sessions with tribal communities and Nebraska law enforcement agencies' policies on missing persons were collected for this report.

Quantitative Data

Missing Persons Databases. Data were drawn from (1) the Nebraska Missing Persons List (NMPL), (2) the National Missing and Unidentified Persons System (NamUs), and (3) the National Center for Missing and Exploited Children's (NCMEC) missing persons list on 3/31/2020. More specifically, a dataset including all the cases from the NMPL was developed (n = 486), and these cases were cross-checked against the lists from NamUs and NCMEC. An additional n = 11 cases not listed on the NMPL were identified from NamUs, and n = 1 case was identified from NCMEC. After developing a combined list of missing persons from these three missing persons databases, several duplicate entries (i.e., cases with the same name, age, sex, race, and reporting agency OR with some combination of these factors and the same picture stemming from different dates) were identified. In order to develop an accurate count of missing persons in Nebraska, these 6 duplicate entries were deleted, and the most recent entry for the individual was retained (see Appendix A for details of deleted cases). After deleting duplicate entries, on 3/31/2020 n = 498 missing persons cases in the state of Nebraska were identified; the oldest identified case was from 6/8/1940 so cases spanned from 6/8/1940 to 3/31/2020.

Qualitative Data

Listening Sessions. Four listening sessions were held in tribal communities in Omaha (n=38), Santee (n=18), Macy (n=15), and Winnebago (n=39), Nebraska. Listening sessions included tribal and non-tribal community members, tribal and non-tribal law enforcement, tribal leadership, and representatives from victim services and non-profits. Listening sessions were hosted by the Commission on Indian Affairs in collaboration with the respective Tribe; a Captain and Lieutenant from Nebraska State Patrol, a representative from Legal Aid of Nebraska, and researchers from the University of Nebraska, Omaha (UNO) were also in attendance. Retired Judge William Thorne, a member of the Pomo and Coast Miwok Tribes, facilitated each listening session.

Listening sessions aimed to engage Native American community members in the hopes of soliciting information regarding the three areas of the study: the scope of missing Native American women and children in Nebraska, (2) barriers to reporting and investigating missing Native American women and children in Nebraska, and (3) the identification of potential partnerships to increase reporting and investigating missing Native American women and children in Nebraska. Researcher partners from UNO took notes at each listening session.

Listening session notes were coded independently by 3 coders from the UNO's School of Criminology and Criminal Justice; coders included a master's level graduate student, a doctoral level graduate student, and a full-time tenure track faculty member. Coders used an inductive coding strategy whereby they read each transcript and identified and recorded each unique theme from each listening session. Themes were organized under the three focal points of the listening sessions (i.e., scope, barriers, and potential partnerships). Specifically, each coder recorded their themes in separate excel sheets for each listening session, and then collapsed these codes into a collective "master" excel sheet. These three "master" excel sheets were then compared to ensure that each unique theme, for each of the three focal points of the listening sessions were captured.

At each listening session, in an attempt to gather information on any unreported missing persons cases, (1) Nebraska State Patrol personnel identified themselves to attendees and indicated that they were available to assist with reporting any currently unreported cases and (2) the Nebraska Commission on Indian Affairs project coordinator announced that she was also available to assist with reporting missing persons cases. No unique unreported missing persons cases were reported to either NSP or NCIA through these requests.

Missing Persons Policies. Missing persons policies were solicited from law enforcement agencies across the state (n=212). Agencies were identified by doing a county by county search of municipal police departments and sheriff departments and then cross checking this list with the FBI's Uniform Crime Reports (UCR) reporting data to identify any special agencies (e.g., University police departments, tribal law enforcement). This list of agencies was cross-checked against our missing persons list to ensure that all of the agencies who had reported a missing person were included. Where possible, an email address was collected for the Chief/Sheriff; for agencies where no email address could be located, phone numbers were collected.

Email language was developed that included a brief description of LB 154 and a request that agencies respond as to (1) whether or not they had a written missing persons policy and, for agencies that had a missing persons policy, (2) include a copy of the policy with their response. Beginning on February 7, 2020, personalized emails were sent to the agencies for which we were able to locate an email address (n = 179); 26 emails "bounced back" due to non-working email addresses. Beginning on February 21, 2020, we began contacting agencies by phone for which no email address could be located (n= 33) as well as for which an email bounced back (n = 26). Phone solicitations were consistent with the email solicitations. A total of 51 agencies responded to our request for information (24% response rate; see Appendix E for list of agencies).

Policies were coded independently by 3 coders from UNO's School of Criminology and Criminal Justice; coders included a master's level graduate student, a doctoral level graduate student, and a full-time tenure track faculty member.

Results

Nebraska's Missing Persons

In order to understand the scope of the problem of missing Native American persons in Nebraska, we needed to first establish a count of the overall number of missing persons in the state. Data included all missing persons from Nebraska who were listed on (1) the Nebraska Missing Persons List (NMPL), (2) the National Missing and Unidentified Persons System (NamUs), and/or (3) the National Center for Missing and Exploited Children's (NCMEC) missing persons list on 3/31/20; given the dynamic nature of missing persons cases, this data must be understood as a point-in-time count of missing persons cases on 3/31/2020. That is, because missing persons can be found and cases can be cleared, a "point in time" count of cases means that the number of missing cases may change depending on when the data are accessed. Our estimate is not a culmination of "all" missing person cases "ever" in the state – instead, it reflects the current number of missing persons cases that were available in these datasets on 3/31/20.

Specifically, a dataset including all the cases from the NMPL was developed, and these cases were cross-checked against the lists from NamUs and NCMEC. After developing a combined list of missing persons from these three missing persons databases, several duplicate entries (i.e., cases with the same name, age, sex, race, and reporting agency OR with some combination of these factors and the same picture stemming from different dates) were identified. In order to develop an accurate count of missing persons in Nebraska, these 6 duplicate entries were deleted, and the most recent entry for the individual was retained (see Appendix A for details of deleted cases). The majority of reported missing persons cases stem from the NMPL only (n = 486, 98%) while another 11 unique cases were identified from NamUs (2%) and 1 unique case was identified from NCMEC. Further examination across the three missing persons lists determined that 14% of all cases are listed on NamUs (n = 71) and 6% (n = 20) of the cases of missing minors (19 years old and younger) are listed on the NCMEC list.

After deleting duplicate entries, n = 498 missing persons cases in the state of Nebraska were identified – the oldest active case was from 6/8/1940, so cases spanned from 6/8/1940 to 3/31/2020. Using 2019 Census population estimates for the state (e.g., population estimate of 1,934,408 persons)ⁱⁱ, Nebraska's missing person rate is 25.74 per 100,000 persons.

Race

A majority of Nebraska's missing persons are White (n = 333; 66.9 %) compared to Black (n = 98; 19.7%), Native American (n = 23; 4.6%), or Asian or Pacific Islander (n = 4; 0.8%); 8.0% (n = 40) of the entries for missing persons list the race as "unknown." In comparison, 88.3% of Nebraska's population is White, 5.1% is Black, 1.5% is Native American, and 2.8% is Asian or Pacific Islander (U.S. Census Bureau, 2019; see Table 1) – thus a disproportionate number of Nebraska's reported missing persons are Black (3.9 times their population) or Native American (3.1 times their population).

■ NE Missing Persons ■ NE Population 0.8% Asian or Pacific Islander 4.6% Native American 1.50% 19.7% Black 66.9% White 88.3%

Table 1. Comparison of Race Distribution for Nebraska's Missing Persons and Nebraska's Population

Sex

A little more than half of Nebraska's missing persons are male (n = 285; 57.2%) versus female (n = 212; 42.6%)ⁱⁱⁱ. The sex distribution of Nebraska's overall population is evenly split between males and females (U.S. Census Bureau, 2019) (See Figure 1). Thus, males are slightly overrepresented among missing persons.

NE Missing Persons NE Population

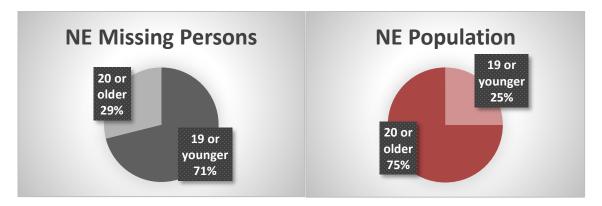
Female Female Male Male 43% 50% 50% 57%

Figure 1. Comparison of Sex Distribution for Nebraska's Missing Persons and Nebraska's Population

Age

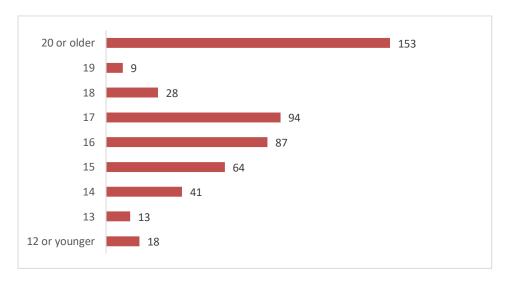
The average age of a missing person in Nebraska is 23 years old (SD = 14.66 years; range = 1-79 years); however, the majority of missing persons were 19 years or younger (i.e., defined as minors in Nebraska)^{iv} when they were reported missing (71.1%). In comparison, minors make up 25% of the population of Nebraska – so the rate of missing minors is 2.84 times their population (See Figure 2).

Figure 2. Comparison of Age Distribution for Nebraska's Missing Persons and Nebraska's Population



Furthermore, the greatest concentration of missing persons is between 14 and 17 years old (57.43% of all reported missing persons) (See Table 2).

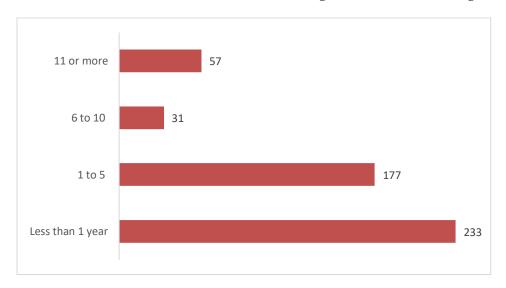
Table 2: Age Distribution of Nebraska's Missing Persons



Time Missing

Almost half of reported missing persons have been missing for less than one year (n = 233; 46.8 %) (See Table 3); however, the number of years missing ranges from 0 to 80 (M = 4.26 years; SD = 9.44).

Table 3: Distribution of Number of Years Missing for Nebraska's Missing Persons Cases



Nebraska's Native American Missing Persons

All Native American missing persons cases were identified from the NMPL (n = 23); (however, 21.7% of Native American missing persons cases are also listed on NamUs (n = 5). None of the cases of missing Native American minors are listed on the NCMEC list.

Sex

The majority of Native American missing persons are male (n = 15; 65.2%) compared to female (n = 8; 34.8%); the state's overall missing persons population is approximately 57% male and 43% female (See Figure 3 below). Thus, Native American males are overrepresented among missing persons in Nebraska.

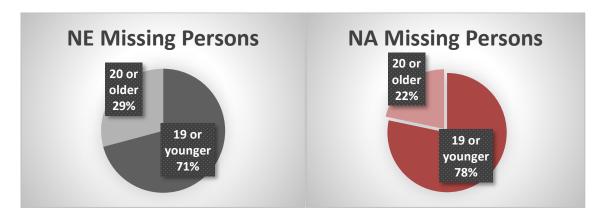
Figure 4. Comparison of Sex Distribution for Nebraska's Total Missing Persons and Nebraska's Native American Missing Persons



Age

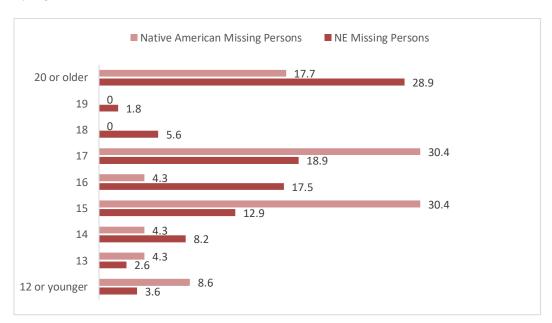
The average age of a Native American missing person is slightly younger than for the state as a whole: 22.65 years old (SD = 15.80) compared to 23 years old (SD = 14.66) for the state overall and **slightly more reported Native** American missing persons are minors than for the state as a whole (78.3% versus 71.1%) (See Figure 4).

Figure 5. Comparison of Age Distribution for Nebraska's Total Missing Persons and Nebraska's Native American Missing Persons



Similar to Nebraska's total missing persons, the greatest concentration of Native American missing persons is between the ages of 13 and 17 years old; however, the proportion of Native American missing persons ages 13 to 17 years is greater than for the state overall (73.7% compared to 57.4%). In addition, the percentage of Native American missing persons that are very young children, age 12 years old and younger, is more than double that of the state overall (8.6% compared to 3.6%) (See Table 5). Furthermore, when age and sex are examined together, the data show that **nearly two thirds (73.3%) of Native American missing persons are boys (age 17 years old or younger)**; 59.6% of the states' total missing persons are boys age 17 years old or younger.

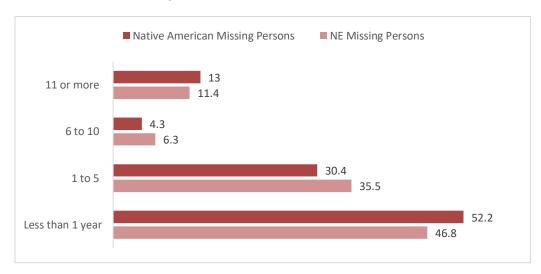
Table 5: Percent of Nebraska's Total Missing Persons and Nebraska's Native American Missing Persons by Age



Time Missing

More than half (52.2%) of Native American missing persons have been missing for less than 1 year; the average length of time of a Native American missing person case is 4.09 years (SD = 8.47; range = 0-28). While a smaller proportion of Native American missing persons have been missing for 1 to 10 years, a slightly greater proportion of Native American missing persons have been missing for 11 or more years when compared to Nebraska's total missing persons.

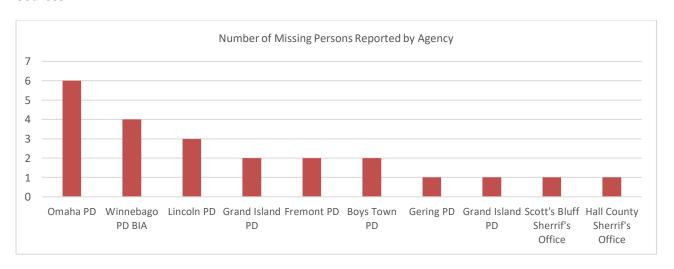
Table 6: Distribution of Number of Years Missing for Nebraska's Total Missing Persons and Nebraska's Native American Missing Persons



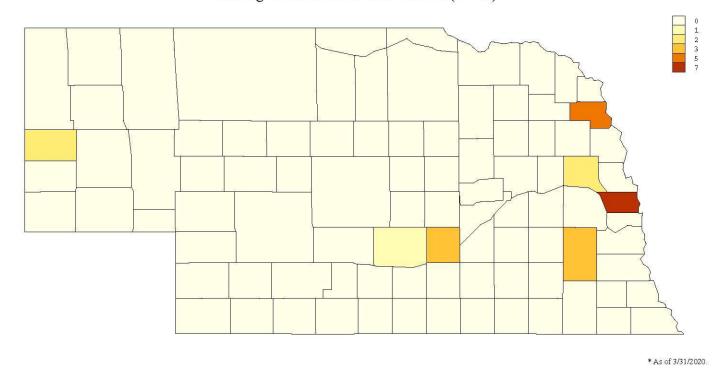
Reporting Source

Native American missing persons cases derive from 10 law enforcement agencies. Most Native American missing persons were reported to Omaha Police Department (n = 6), Winnebago Police Department Bureau of Indian Affairs (n = 4), and Lincoln Police Department (n = 3). Grand Island, Fremont, and Boys Town Police Departments each reported 2 cases, respectively (See Table 7).

Table 7: Distribution of Number of Nebraska's Native American Missing Persons across Reporting Sources



 $\label{eq:page} \mbox{${\rm P}$ age} \mid \mbox{21}$ Missing Native Persons in Nebraska (N=23)



Heat map courtesy of Dr. Justin Nix, University of Nebraska Omaha, School of Criminology and Criminal Justice

Furthermore, Native American missing persons cases span seven Nebraska counties with the greatest concentration of cases in Douglas, Thurston, Lancaster, and Hall Counties. Cases were also identified in Dodge, Scotts Bluff, and Buffalo Counties.

Understanding Data Errors and Duplicate Entries in Missing Persons Data

After compiling the point-in-time count of missing persons cases, we sent the list of Native American missing persons to the Nebraska State Patrol (NSP) Missing Persons Analyst so that she could cross-check the number and identity of Native American missing persons listed on the Nebraska Missing Persons List (NMPL) with the National Crime Information Center (NCIC) information; we also included the list of duplicate entries for her review. First, we found that some of the Native American missing persons listed on the NMPL could not be found in NCIC. The NSP Analyst indicated that most of these discrepancies were due to entry errors, which could be attributed to (1) a training issue, given that most often missing persons cases are entered into NCIC by dispatchers or other agency office personnel who may not have a complete understanding of NCIC codes and/or abbreviations (e.g., racial classifications); or (2) incorrect information about the missing person being entered into NCIC without being reviewed/verified before final submission. This might include misspelling of names, misidentifying race/ethnicity, or entering the incorrect age, among other errors. When incorrect information is included in the original NCIC entry, it causes a mismatch between the original entry and any subsequent updates/modifications, or cancellations, creating additional errors within a single report or regarding a single person. Further, incorrect information in the original entry may make it difficult for the entering agency to cancel entries in the NMPL (or in NCIC) if a missing person is found, which may result in duplicate entries or erroneously retaining entries for persons who are no longer missing.

In addition, with older cases, the reporting agency might decide to cancel the entry in the NMPL, but not the NCIC entry. If they opt to do this, any law enforcement agency that searches for the name, will still get a 'hit' indicating that the person is listed as missing. An agency may do this in a situation where they have reason to believe the person is ok but without further confirmation they cannot close the case, or they may have reason to believe the person is deceased, but without confirmation, they do not completely close the case (and delete the NCIC entry).

Finally, Nebraska state statute requires all missing juveniles be entered into NCIC (see Nebraska Revised Statute § 43-2003), however this is not required with missing adults. If the reporting agency chooses, they could report a missing adult using the NMPL, but not enter the case into NCIC, therefore, causing there to be a difference between the NMPL and the NCIC. It is also possible that some agencies do not have the ability to enter information into NCIC. The NSP Missing Persons Analyst understood that in these instances, these agencies may have an agreement with another nearby agency to create the NCIC entry for them, but not always. These same cases, while not always entered into NCIC, could still be entered into NamUs, either by the reporting agency, an advocate, or even a family member (as previously noted, any case entered by someone other than law enforcement is vetted with the reporting agency before being published on the website).

In sum, the potential reasons for duplicate cases and/or data entry errors regarding missing persons cases include:

- (1) Lack of training for officers and/or dispatchers/office personnel who enter the data.
- (2) Lack of understanding of NCIC codes and/or abbreviations (e.g., racial classifications).
- (3) Incorrect information about the missing person being entered into NCIC without being reviewed/verified before final submission.
- (4) Incomplete information prohibiting cases to be closed or removed from missing persons database.
- (5) No formal requirements regarding entry of adults into missing persons systems.

Why Aren't Missing Minors entered into NCMEC?

The National Center for Missing and Exploited Children (NCMEC) tends to focus on cases where children are either known to be abducted, abused, or are being exploited. These cases are often tied to human trafficking, labor trafficking, sex trafficking and/or the use of children in pornography. In the majority of cases of missing minors,

there are no indicators of the aforementioned crimes, and thus cases are not entered into NCMEC. Importantly, federal law mandates, and all states have passed state statutes requiring, that cases of missing minors be entered into the National Crime Information Center (NCIC) (in Nebraska, see Nebraska Revised Statute § 43-2003).

Barriers to Reporting and Investigating Missing Native American Women and Children in Nebraska

Tribal Community Listening Sessions



Judge Bill Thorne served as mediator for four listening sessions with members of the Ponca, Santee Sioux, Winnebago and Omaha Tribes. Judge Thorne is Pomo and Coast Miwok Indian from northern California, and was appointed to the Utah Court of Appeals in May 2000 by Gov. Michael O. Leavitt. He retired in September of 2013. Judge Thorne received a B.A. from the University of Santa Clara in 1974 and a J.D. from Stanford Law School in 1977. Judge Thorne has served for over 34 years as a tribal court judge in Utah, Idaho, Montana, New Mexico, Colorado, Arizona, Wisconsin, South Dakota, Nevada, California, Nebraska, and Michigan.

In his account of those sessions, Judge Thorne voiced optimism and a need to continue the work (See Appendix C for details on his observations). "All the communities want to know is that someone cares about what is happening to the women in their communities, but haven't seen evidence of yet. The hearings were a wonderful first step, but those

communities need to see follow up actions. If the state can demonstrate sincere interest by inviting the communities to begin partnering in seeking solutions, I think most communities would be ready to accept."

City of Omaha Listening Session at Ponca Tribal Offices

As described in the *Omaha World Herald*, at the Omaha listening session, the two major topics of discussion were domestic violence and human trafficking (Conley, 2020). Many people told stories of a daughter or friend who felt trapped in an abusive relationship and said getting access to resources is often difficult or time-consuming "Some women distrust the system and don't want to report violence because they fear their children will be taken away", said Nicole Tamayo-Benegas, a member of the Sicangu Lakota Tribe and the Youth and Family Program Director with the Nebraska Urban Indian Health Coalition. "We work one on one with the youth, and we hear a lot of the issues that they're running into. We also



know there's a lot of underlying issues in traumas that need to be addressed to really change what we're seeing" said Ms. Tamayo-Benegas (Conley, 2020). Additionally, Ponca Tribal Chairman Larry Wright Jr. noted that, "Our tribal members experience generational poverty, higher unemployment, poor education and a variety of health disparities. We are four times more likely than whites to be below the poverty level. These and other disparities make us an especially vulnerable population to go missing, suffer

violence and be at risk of being trafficked. Serving people from over 150 different tribes in the urban centers of Omaha and Lincoln presents another unique challenge as these people are often hidden in plain sight with their own unique challenges and needs."

Santee Listening Session at Nebraska Indian Community College (West Campus)



Santee Councilman Derek LaPointe reflected, "We live out in the middle of a corn field on a dead-end highway, our children are isolated and naïve and at risk from predation when they go out to the cities."

Winnebago Listening Session at Little Priest Tribal College



Macy Listening Session at Nebraska Indian Community College (South Campus)



Participants at the community listening sessions were asked about their experiences and/or perceptions of barriers to reporting and investigating missing Native American women and children in Nebraska. There was considerable overlap in participants' reports across listening sessions; however, some unique themes were also uncovered at each session. A comprehensive list of themes is presented below; repetitive themes across listening sessions are also identified and explained. Themes from each independent listening session are listed in Appendix B.

Several prominent themes were identified by comparing the themes identified for each listening session. In general, tribal community members voiced concerns over the following issues:

- (1) an absence of relationships between law enforcement and tribal communities;
- (2) a lack of communication between federal, state, local, and tribal law enforcement as well as between law enforcement and tribal communities;
- (3) perceptions by community members that nothing will be done if they report and/or that reporting will have negative consequences (e.g., involvement of child protective services);
- (4) that substance/drug use, domestic violence, and/or human trafficking may be linked to "going missing," either intentionally or unintentionally; and
- (5) a lack of understanding regarding how and when to report a missing person, or that community members could access national missing persons databases (i.e., NamUs, NCEMC) directly without contacting law enforcement.

The most prominent theme, reported at all four listening sessions, was that community members simply did not have a clear understanding of how and when to report a missing person. There was confusion from community members about whether they should report a missing person immediately, or wait for a certain period – usually 24 hours – before doing so. This was closely aligned with confusion regarding whether they should report the missing person to law enforcement – tribal or non-tribal – or a social service agency such as Department of Health and Human Services (DHHS).

In addition, at three of the four listening sessions, community members reported that there was a lack of communication between different law enforcement agencies as well as poor communication between law enforcement and tribal communities – particularly in regard to missing persons cases. Specifically, participants noted that tribal communities rarely received updates from law enforcement officers regarding ongoing missing persons cases. They expressed frustration at not receiving any forms of follow-up communication and therefore were unsure whether the case was continuing to receive any attention from law enforcement officials.

Participants at three of the four listening sessions reported fear that there would be negative consequences from reporting missing persons, in that, for example, a missing youth would be "entered in the system" or that child protective services would open an investigation into a missing youth's family. This point was raised numerous times during these listening sessions, and reflects some degree of distrust in the justice and/or foster care systems. As noted earlier in this report, in Nebraska, Native American children are placed into foster care more often and are less often reunified with their families than youth of other races (Children Bureau, 2017; State of Nebraska Foster Care Review, 2017-2018). Native community members appear to be aware of this fact, and expressed concern that involving law enforcement would lead to more DHHS involvement in the community. This possibility of DHHS involvement may have a "chilling" effect on Native American persons' willingness to report a missing person to law enforcement, as any "system" involvement is an unwanted outcome for many families in the communities we visited. Relatedly, community members reported that there are often "conflicts of interest" and "kinship issues" within their small, close-knit tribal communities — reporting a missing person might require involving tribal law enforcement or other community leaders who are the friends or family of a "suspect" in the missing persons case.

The listening sessions highlighted many "other" challenges that are occurring in Native American communities which may or may not be directly linked to missing persons (see Appendix D for list of themes). These issues are complicated and highly interrelated: many community members expressed concern that substance/drug use, domestic violence, and human trafficking were problems largely experienced by Natives and may be underlying causes of community member going missing, either intentionally or unintentionally. They noted that substance use is a factor that often results in violence occurring within families, which may lead to youth leaving the home (willingly), and/or adult women going missing (willingly or unwillingly) in order to escape the violence. Parents also noted that human trafficking was on the rise in Native communities because their communities are vulnerable to "outsiders:" predators know that reservations are not well secured by law enforcement, the communities are poor and under-resourced, and youth are tempted to leave to escape these conditions.

Other repetitive themes included a distrust in law enforcement and a lack of cultural competency regarding Native Americans by law enforcement officers. In addition, participants at each listening session were asked if they were aware of NamUs or how to access NamUs information. No participant reported knowledge about NamUs.

Comprehensive List of Themes	Listening Sessions Reporting Theme
Lack of information/education about how and when to report	4
Lack of law enforcement communication between different agencies	3
Lack of law enforcement communication with community / no transparency or updates on past/current reports	3
Lack of cultural competency by law enforcement	3
Conflicts of interest in tribal communities (small, closed communities)	3
Distrust in law enforcement by community members	3
Concerns about being punished for reporting, or there being negative consequences from reporting (e.g., juvenile runaways being "put into the system")	3
Seeing no results from prior reports	1
Concerns about immigration status	1
Significant transient populations	1
Lack of manpower in small communities	1
No centralized system to house information on cases	1
Lack of communication between law enforcement and other agencies such as Department of Health and Human Services (i.e., for system involved youth who are missing)	1
Tribal government inaction or corruption	1
Lack of knowledge, training, and resources for tribal law enforcement officers	1
Disconnect between law enforcement and local courts	1
Lack of training among law enforcement dispatch staff and first responders	1

Law Enforcement Missing Persons Policies

In addition to soliciting community feedback regarding reporting and investigating missing persons cases, Nebraska's law enforcement agencies were asked directly about (1) whether they had a missing persons policy for reports and investigations and (2) whether they would provide a copy of that policy. As previously described, 212 law enforcement agencies were contacted, and 51 agencies (24%) responded (see Appendix E for list of agencies). Of the 51 agencies that responded, 16 (31%) confirmed that they did not have a missing persons policy, while 35 (69%) reported that they did have a policy. **Overall, less than a quarter of law enforcement agencies in Nebraska responded to our request about their missing persons policy; of those who responded, the majority (69%) did have a policy regarding missing persons, while 31% did not have such a policy.**

We received a copy of the missing persons policy from 29 of these 35 departments. Below are common themes identified across these missing persons policies.

Common Themes in Missing Persons Policies

States that there is no waiting period for reporting a person missing/indicates that investigation should begin promptly after report

Explains any differences in procedures for juvenile and adult missing persons

Defines "missing person", "critical missing person", "runaway", and "unusual circumstances"

Explains the procedure for taking a missing persons report and completing the investigation

Explains how to close a case of a returned or located missing person

Explains when an Amber Alert or Alert for an Endangered Person should be activated

Overall, data from Nebraska's law enforcement agencies revealed that not all agencies have a missing persons policy, and that among agencies which do have a policy, there is wide variability in regard to the (1) policy's application to juveniles versus adults, (2) the policy's statement regarding the timeline for law enforcement to take an incident report, and (3) the collection of demographic information.

Among agencies that do have a missing persons policy, there is wide variability in regard to whether the policy specifies that it applies to juveniles only or both juveniles and adults. There are also differences in the specificity of information that should be collected when taking a report – some policies provide a list of demographics – sometimes this list includes race/ethnicity, but sometimes it does not, and some policies simply indicate that the officer should obtain "a physical description" of the missing person. Some policies specify that a picture or video should be obtained if possible. Further, law enforcement agencies' policies include different strategies for entering missing persons information into the National Crime Information Center database (i.e., the national law enforcement database). For example, while all juvenile missing persons must be entered into NCIC (pursuant to Nebraska law), some agencies' policies list "entry into NCIC" as a step in their procedure for all missing person reports, while other agencies specifically indicate that a NCIC entry for an adult missing person will not be made unless dictated by extenuating circumstances.

Taken together, it is clear that community members may experience different law enforcement protocols when reporting missing persons in different Nebraska jurisdictions as well as across different reservation communities.

Implications and Recommendations

Multiple recommendations follow from the results of this study. LB 154 required that this report provide recommendations regarding "how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska." The results from the quantitative and qualitative data point to three main areas which could improve the response to missing Native women and children within the state. We provide them in order of priority, with law enforcement activities being the most actionable activities in the short-term (**bolded** items have already been adopted):

Nebraska State Patrol and Tribal and Non-Tribal Law Enforcement Cooperation:

- (1) Develop and implement a missing persons policy for both juvenile and adult missing persons in each of Nebraska's law enforcement agencies. Develop and provide a Standard Operating Procedure (SOP) illustrating a step-by-step process for handling missing persons cases.
- (2) Whenever possible, include information on the race of the missing person in a missing persons report.
- (3) Whenever possible, include information on the tribal affiliation of the missing person in a missing persons report.
- (4) Increase the capacity of tribal law enforcement departments through the cross-deputization of Nebraska State Patrol officers.
- (5) Encourage Memorandums of Understanding (MOUs) between tribal and non-tribal law enforcement agencies.
- (6) Develop and implement Native American cultural awareness training for Nebraska State Patrol officers.
- (7) Establish a Law Enforcement Task Force for Missing Persons and include tribal law enforcement agencies on the task force.
- (8) Implement Nebraska State Patrol Tribal Liaison program.
- (9) Increase the recruitment of Native American persons to the Nebraska State Patrol; allow recruits to stay in their home area upon request.

Enhance Awareness of Reporting Options and Mechanisms to Native Communities:

- (1) Facilitate NamUs training in tribal communities and encourage both tribal and non-tribal law enforcement as well as family members to utilize.
- (2) Work with Department of Health and Human Services and Department of Education to provide schools/teachers with a better awareness of children who are being victimized, as well as the appropriate reporting mechanisms.
- (3) Encourage each tribe to hold regular law enforcement meetings with tribal, local, county, state, and federal law enforcement partners.

Be Aware of the Potential Interrelatedness of Missing Persons to Human Trafficking and Other Social Challenges:

- (1) Extend human trafficking training resources to tribal law enforcement agencies.
- (2) Extend human trafficking training resources to tribal casinos and hotels.
- (3) Engage the Department of Health and Human Services regarding domestic violence, substance use, and mental health needs in tribal communities.
- (4) Engage victim services agencies regarding the needs of the family members of missing persons.

Further, the Nebraska Commission on Indian Affairs will:

- (1) Seek legislation to mandate the use of NamUs by Nebraska's law enforcement agencies. At present, only law enforcement agencies in Arkansas, Illinois, Michigan, New Mexico, New York, Oklahoma, and Tennessee are required by law to use NamUs (Chakraborty, 2019).
- (2) Work to establish a Task Force focused on the underlying issues in Native communities associated with "going missing" such as economic challenges, substance abuse, suicide, child abuse and neglect, poverty and pervasive hopelessness.
- (3) Seek funding for a new, full-time staff position to manage the Task Force operations. This staffer will report to the Executive Director of the Nebraska Commission on Indian Affairs.

Limitations and Future Research

We acknowledge the limitations of this study and offer avenues for addressing them in the future. First and foremost, we believe it is vital to also hear the perspectives of both tribal and non-tribal law enforcement agents regarding the barriers to and recommendations for improving the response to missing Native Americans in Nebraska. Their voices were not adequately captured in our listening sessions, and we had hoped to conduct one-on-one interviews with a sample of tribal and non-tribal law enforcement officers to use in this report but were unable to do so given the impact of COVID-19. We recommend that a logical next step of this initiative is to interview and/or survey these officers to gain further insight into the barriers they face when reporting and investigating missing Native American persons in Nebraska.

Second, although the focus of this study was missing Native American women and children, the data uncovered for this report indicate that attention is warranted regarding missing Native American boys, given that nearly two-thirds of Native missing persons were boys ages 17 years and younger. These findings must be understood in the context of high rates of child maltreatment and foster care placement among Native children in Nebraska. It is possible that a portion of these missing boys have run away from abuse in their home of origin and/or from foster care placements to escape abuse or reunite with family.

Third, we suggest that research be conducted to assess the degree to which the recommendations in this report are implemented in the state. This is important because if the measures are not implemented, then outcomes (such as enhancing the reporting and investigation of missing Native persons in Nebraska) will not be affected. Before any outcomes are tracked, the state should assess how well measures have been implemented to improve the process. The Nebraska State Patrol has committed to regular meetings with tribal communities and tribal law enforcement and these meetings will serve as one avenue to assess implementation and outcomes of the recommendations presented here such as cross-deputization and increased training.

Finally, there is always a possibility that the research we conducted did not capture all missing Native persons in Nebraska; this "hidden figure" is simply unknown – it is possible that there are missing Native people who have not been reported to law enforcement, entered into any of the local and national databases we examined, or brought to our attention during the community listening sessions (as previously indicated, we did have team members available to talk with any community members who wanted to report a missing person – no new cases were reported that were not already in one of the data systems we searched). Still, we believe that our research is as comprehensive as possible at this point, and founded on strong mixed-methodology research approaches and transparency regarding how the data was collected. We nonetheless acknowledge the probable hidden figure of missing Native persons that we were unable to uncover, and therefore we support continued research on this problem.

Conclusions and Next Steps

This report and the recommendations presented here are first steps in advancing improved data collection, data sharing, and communication across tribal and non-tribal law enforcement agencies regarding reporting and investigating Native American missing persons cases in Nebraska. Over the course of this study, items that were actionable for Nebraska State Patrol – the development and implementation of a new cultural awareness training for Nebraska State Patrol officers; the extension of Nebraska State Patrol trainings and resources to tribal law enforcement officers, hotels, and casinos; and the reinstatement of a previously dormant cross-deputization program – were executed. Nebraska State Patrol has further committed to hold regular meetings with tribal law enforcement and tribal communities to continue to grow these renewed relationships and continue open communication. Other stakeholders such as the Nebraska Crime Commission, University of Nebraska system, Nebraska Tribal Governments, Nebraska Department of Health and Human Services, and the Nebraska Department of Economic Development, among others are encouraged to review the recommendations presented here and consider those under the purview of their organization.

With generous support from the National Institute of Justice, a tribal-researcher partnership between the Nebraska Commission on Indian Affairs and the University of Nebraska Omaha's School of Criminology and Criminal Justice^v will continue beyond this report and bring targeted research effort to the problem of missing *and murdered* Native American women and children in Nebraska. This partnership will support continued data collection from tribal and non-tribal law enforcement agencies, victim service agencies, and other criminal justice and social service system personnel as well as Native community members. This sustained effort will ensure that the impact of the recommendations presented here can be examined and next steps can be identified and evaluated overtime.

Final Notes

"Awareness, communication, and wide-spectrum partnerships are the core tools needed to implement meaningful strategies to address the criminal justice and public safety response to missing Native women and children in Nebraska. The Commission on Law Enforcement and Criminal Justice is committed to collaborating with the Nebraska State Patrol and the Nebraska Commission on Indian Affairs to remove barriers, enhance practices, leverage resources, and drive the lasting change needed to protect these vulnerable women and children." Don Arp Jr., Executive Director, Nebraska Crime Commission

"The research to date has made it apparent that there are a number of root causes, underlying problems and vulnerabilities that sometimes directly, sometimes indirectly, lead to instances of missing/trafficked Native persons. In medicine, it's easy to understand the difference between treating the symptoms and curing the underlying condition. Within the context of research of the issue of missing Native women and children, we have taken the first step in assessing the symptoms (how many are missing) and earlier in this report recommendations have been made on how to treat those symptoms. However, if we only fix the symptoms — what you see on the surface — the problem will almost certainly return, and need fixing over, and over again. To truly cure the affliction, we must delve deeper into the causes, understand them, and finally address those causes to the fullest extent possible with the goal of reducing the number of missing Native woman, men and children." Judi gaiashkibos, Executive Director, Nebraska Commission on Indian Affairs

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Nebraska Commission on Indian Affairs Special Postscript to LB 154 Report

What did we discover during this investigation that can help us address the problem of missing Native women and children and the underlying conditions that thwart solutions?

The collection and analysis of data by the UNO research team and Nebraska State Patrol and the four listening visits made by state officials to the headquarters of the Ponca, Omaha, Santee Sioux and Winnebago tribes were a positive first step towards understanding what we're dealing with.

The visits represented a gesture by the state demonstrating that the matter is being taken seriously. This was productive and can progress forward with a resolve to continued listening, studying and improving of conditions.

Gaps and barriers exist between law enforcement entities at state, local and tribal levels that hinder collection and sharing of information regarding missing persons.

Gaps and barriers exist between government entities at both state and tribal levels that hinder on a human level the essential relationships and the trust that must exist for things to improve.

Gaps and barriers exist between people.

The recurring theme in all the listening sessions was that the prevalence of missing women and children in tribal communities was traceable to underlying conditions such as poverty, domestic violence, substance abuse, mental health and human trafficking.

Taking this issue seriously equals addressing these underlying conditions.

Some preliminary thoughts from this investigative process *might* include:

- Make reporting missing persons easier for people in tribal communities.
- Make reporting of missing persons in tribal communities more effective by improving the lines of communication between state, local and tribal law enforcement.
- Create clearer pathways of communication and trust with tribal communities through partnerships and ongoing interactions.
- Develop an approach to address underlying causes that make missing persons in Native communities disproportionately high.

About the Report

The study begins with data for all racial and gender demographics in Nebraska over an eighty-year period in order to highlight the higher rates of missing person among Native Americans.

The findings identify existing gaps and barriers that interfere with reporting and the flow of information between state, tribal and non-tribal law enforcement entities. Recommendations will be made to create pathways for

Page | **36**

information to flow more efficiently between law enforcement state, local and tribal. This is essential to improving the tracing and reporting of missing persons.

Most importantly the listening sessions made clear that work needs to be done to acknowledge and correct the systemic causes that explain the prevalence of and poor tracking of missing persons in Native communities

Important Related Information

During the period of this investigation and since the passage of LB 154 there have been several tragic events involving young Native women in Nebraska: the cases of Ashlea Aldrich and Esther Wolfe. These alleged crimes against Native women make plain why LB 154 and its ongoing follow through are vitally important.

Comments by the Co-Sponsors of LB 154 Senators Patty Pansing Brooks and Tom Brewer

The comments below by State Senator Pansing Brooks, one of the co-sponsors of LB 154, demonstrate the intent of the bill to address the larger issues surrounding the cases of missing Native women and children.

"I know from my experiences talking to people impacted by the alcohol sales at Whiteclay that many Native American women and children are being exploited," said Senator Patty Pansing Brooks. "The confluence of poverty, alcohol, and indifference to Native suffering puts these women and children in extremely vulnerable situations. Many are victims of domestic violence and sexual abuse while others are forced into sex trafficking. LB 154 calls for transformative legal and social changes to resolve this crisis that has devastated Indigenous communities in Nebraska."

The comments below from State Senator Tom Brewer, another co-sponsor of LB 154 and the first Native American elected to the Nebraska State Legislature make clear why LB 154 is just the "tip of the iceberg" in addressing the endemic nature of the problem.

"The Esther Wolfe case was the perfect example of why we needed LB 154. The need, in many cases to coordinate between Federal Authorities, BIA, law enforcement in neighboring states and Nebraska is an immense challenge and as a result more Native women are being victimized often with tragic results. We need all law enforcement to communicate and work together to address the exploitation and victimization of Native women. We then need to look at causation and begin to take preventive actions to hopefully avert such tragic situations as Esther Wolfe in the future."

Postscript Conclusion

In the course of this investigation and the four visits to Nebraska tribal headquarters a wave of suicides among teenagers on the Omaha reservation came as in the aftermath of the tragic death of Ashlea Aldrich. This was a clear sign of the desperation that can rise up during times of tragedy in a profound and dangerous way in communities that feel isolated and hopeless.

This points emphatically to the underlying conditions of poverty, hopelessness, domestic violence, substance abuse, mental illness and human trafficking that contribute to the issue discussed in this report and to a myriad of equally distressing issues such as suicide and the sudden health threat posed by pandemics on isolated rural tribal communities.

The Nebraska Department of Health and Human Services, the Nebraska Commission on Indian Affairs, and the United States Indian Health Service, along with tribal leaders and council persons from the Omaha Nation and Omaha Nation Public Schools, have been addressing the very serious issues raised by the suicides of multiple tribal members.

This study reveals that persistent and deliberate human and Indigenous rights abuses are significant factors in Nebraska's staggering rates of violence against Indigenous women and children. There is a need for transformative legal and social change to resolve the crisis that has devastated Indigenous communities in this state.

This report comprises the truths of Native family members, survivors of violence, experts and Knowledge Keepers shared over numerous public listening sessions and various sources of evidence gathering. It is a call for justice directed at government, institutions, social service providers and citizens of Nebraska.

The evidence gathered for this report illustrates a surrounding context marked by multigenerational and intergenerational trauma and marginalization in the form of poverty, insecure housing or homelessness, and barriers to education, employment, health care and cultural support. Over the past century, actions and policies have displaced women from their traditional roles in communities and governance and diminished their status in society leaving them vulnerable to violence.

These are matters of grave concern and LB 154 has been a good first step towards more necessary steps forward.

Judi M. gaiashkibos Executive Director, Nebraska Commission on Indian Affairs

Appendices

Appendix A: Duplicate entries in the Nebraska Missing Persons List

Decision-making regarding the deletion of duplicate entries was made in consultation with the NSP Missing Persons Analyst.

- 1. Jamar Adams, 17, male, Black, entered by Douglas Co Sheriff's Omaha: 11/16/2019 was deleted and 3/30/2020 was retained
- 2. Howard Henrriquez-Moran, 15, male, White, entered by Fremont PD: 12/12/2019 was deleted and 3/29/2020 was retained.
- 3. Angie Lopez (also Lopez-Argueta), 15, female, missing race, entered by Grand Island, PD: 11/30/2019 was deleted and 12/10/2019 was retained.
- 4. Natalia Rodriguez (also Rodriguez-Galeas), 13, female, missing race, entered by Grand Island PD: 2/7/2020 was deleted and 2/26/2020 was retained.
- 5. Logan Uldrich-Argent, 17, male, White, entered by Hall Co Sherrif's Office Grand Island: 2/16/2020 was deleted and 3/12/2020 was retained.
- 6. Michael Watkins, 54, male, White, entered by Lincoln, PD: 11/6/1998 was deleted and 5/16/2004 was retained.

Appendix B: Themes associated with barriers to reporting and investigating missing Native American women and children from each independent listening session

Omaha Listening Session

Lack of information/education about how and when to report

Lack of law enforcement communication between different agencies

Lack of law enforcement communication with community / no transparency or updates on past/current reports

Lack of cultural competency by law enforcement

Conflicts of interest in tribal communities (small, closed communities)

Seeing no results from prior reports

Distrust in law enforcement by community members

Concerns about being punished for reporting, or there being negative consequences from reporting (e.g., juvenile runaways being "put into the system")

Concerns about immigration status

Santee Listening Session

Lack of information/education about how and when to report

Lack of law enforcement communication between different agencies

Lack of law enforcement communication with community / no transparency or updates on past/current reports

Conflicts of interest in tribal communities (small, closed communities)

Seeing no results from prior reports

Distrust in law enforcement by community members

Significant transient populations

Lack of manpower in small communities

No centralized system to house information on cases

Lack of communication between law enforcement and other agencies such as Department of Health and Human Services (i.e., for system involved youth who are missing)

Winnebago Listening Session

Lack of information/education about how and when to report

Lack of knowledge, training, and resources for tribal law enforcement officers

Concerns about being punished for reporting, or there being negative consequences from reporting (e.g., juvenile runaways being "put into the system")

Disconnect between law enforcement and local courts

Lack of training among law enforcement dispatch staff and first responders

Lack of cultural competency by law enforcement/fear of stigma

Macy Listening Session

Lack of information/education about how and when to report

Lack of law enforcement communication between different agencies

Lack of law enforcement communication with community / no transparency or updates on past/current reports

Conflicts of interest in tribal communities (small, closed communities)

Lack of cultural competency by law enforcement

Lack of manpower in small communities

Tribal government inaction or corruption

Concerns about being punished for reporting, or there being negative consequences from reporting (e.g., juvenile runaways being "put into the system")

Distrust in law enforcement by community members

Appendix C: Observations from Tribal community listening sessions from Judge William Thorne, Listening Session Facilitator

- 1. Confusion
 - a. Don't know where to report
 - i. Which jurisdiction?
 - ii. Which office?
 - b. Little coordination
 - i. Family going to multiple offices and jurisdictions
 - c. Little follow up to reports made
 - i. Perception that MMIW are not important to agencies
 - 1. No evidence of investigations
 - 2. No follow up with families
 - 3. No community perception of effort
- 2. Different communities with different primary concerns
 - a. DV
- i. Tribal members
- ii. Non-tribal members
- iii. Inadequate Protective Order process
 - 1. Cross jurisdictional enforcement
 - 2. Availability
 - 3. Where to ask for help w/ enforcement
- iv. Divides some communities
 - 1. Victim
 - 2. Perpetrator
 - 3. Law enforcement viewed as
 - a. Inadequate
 - b. Biased
- v. Perception of being "un-welcome" in some off-reservation shelters
- b. Commercial sexual trafficking
 - i. Unsure of scope of problem
 - 1. no publicly available numbers in communities
 - 2. communities and families unsure how to protect young people
 - a. [social media as a protective factor if done right?]
- 3. Different communities ready for different partnerships and help
 - Some ready for state patrol
 - b. Others work with local sheriffs....or not
 - c. Not much perceived coordination
 - i. To keep communities safe
 - ii. To bring "ne'er do wells" to justice
 - d. Relationship building will be a key element of engagement
 - i. Law enforcement
 - ii. Political leaders
 - iii. Community perceptions
- 4. All communities perceive lack of resources to
 - a. Protect
 - b. Assist victims
- 5. Victims' families need support
 - i. Rx
 - ii. Information
 - iii. Know that someone cares

Appendix D: Themes associated with the underlying causes of missing Native American women and children from the listening sessions

Omaha,	Santee,	Winnebag	go, and M	1 acy L	istening (Sessions
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Domestic violence

Historical trauma (from state-run boarding schools)

Cycle of violence from parents to children

Inaction/corruption from tribal council

Inaction from tribal victim services

No follow-up from CPS when families move to tribal lands

No accountability for abusers

Lack of housing

Fear of repercussions in reporting

Fear of repercussions in leaving abuse

Fear of children being taken/put into foster care

Racism

Alcohol abuse

Mental health challenges

Public knowledge about the challenges policing tribal lands makes them a target

Falling away from traditional belief systems

Lack of treatment/services for men

Lack of services targeted at abusers/perpetrators

Potential issues enforcing protection orders

Appendix E: Law Enforcement Agencies included in the Policy Analysis

Law Enforcement Agencies	
Alliance Police Dept	Minden Police Dept
Ashland Police Dept	Nebraska City Police Dept
Aurora Police Dept	Nebraska State Patrol
Battle Creek Police Dept	Nemaha County Sheriff's Office
Boys Town Police Dept	Omaha Police Dept
Chadron Police Dept	O'Neill Police Dept
Colfax County Sheriff's Office	Papillion Police Dept
Dawes County Sheriff's Office	Perkins County Sheriff's Office
Dawson County Sheriff's Office	Plainview Police Dept
Douglas County Sheriff's Office	Platte County Sheriff's Office
Falls City Police Dept	Plattsmouth Police Dept
Fillmore County Sheriff's Office	Ralston Police Dept
Fremont Police Dept	Richardson County Sheriff's Office
Gage County Sheriff's Office	Saint Paul Police Dept
Garfield County Sheriff's Office	Scribner Police Dept
Gothenburg Police Dept	South Sioux City Police Dept
Hayes County Sheriff's Office	Tekamah Police Dept
Hitchcock County Sheriff's Office	University of Nebraska Police - Lincoln
Holdrege Police Dept	University of Nebraska Kearney Police
Hooker County Sheriff's Office	Valentine Police Dept
Hooper Police Dept	Valley Police Dept
Humphrey Police Dept	Washington County Sheriff's Office
La Vista Police Dept	Webster County Sheriff's Office
Lincoln County Sheriff's Office	Wheeler County Sheriff's Office
Lincoln Police Dept	Wymore Police Dept
McCook Police Dept	

i https://www.census.gov/quickfacts/NE#qf-headnote-a
ii https://www.census.gov/quickfacts/NE#qf-headnote-a
iii Two (2) missing persons cases did not include the sex of the missing person.

iv Nebraska's age of majority is 19 years old.

^v NIJ Award# 2019-75-CX-0014.

MISSING AND MURDERED INDIGENOUS WOMEN & GIRLS

A snapshot of data from 71 urban cities in the United States

^{*}This report contains strong language about violence against American Indian and Alaska Native women.

This report is the second of the Our Bodies, Our Stories series. Go to UIHI.org to read the first report regarding sexual violence against Native women in Seattle, Washington.
Urban Indian Health Institute is a division of the Seattle Indian Health Board. Donate to future projects that will strengthen the health of Native people by going to http://www.sihb.org/get-involved-donate.

DUE TO URBAN INDIAN HEALTH INSTITUTE'S LIMITED RESOURCES AND THE POOR DATA COLLECTION BY NUMEROUS CITIES. THE 506 CASES IDENTIFIED IN THIS REPORT ARE LIKELY AN UNDERCOUNT OF MISSING AND MURDERED INDIGENOUS WOMEN & GIRLS IN URBAN AREAS.



A NATIONWIDE A CRISIS: MISSING AND MURDERED INDIGENOUS WOMEN & GIRLS

5,712
cases of MMIWG
were reported
in 2016

ONLY 116
of them were logged
in DOJ database

MURDER
The third-leading cause of death among American Indian/Alaska
Native women.

Nationwide, the voices of Indigenous people have united to raise awareness of missing and murdered Indigenous woman and girls (MMIWG). Though awareness of the crisis is growing, data on the realities of this violence is scarce.

The National Crime Information Center reports that, in 2016, there were 5,712 reports of missing American Indian and Alaska Native women and girls, though the US Department of Justice's federal missing persons database, NamUs, only logged 116 cases. ^{i,ii} The Center for Disease Control and Prevention has reported that murder is the third-leading cause of death among American Indian and Alaska Native women and that rates of violence on reservations can be up to ten times higher than the national average. ^{iii, iv} However, no research has been done on rates of such violence among American Indian and Alaska Native women living in urban areas despite the fact that approximately 71% of American Indian and Alaska Natives live in urban areas. ^v

To fill this gap, in 2017, Urban Indian Health Institute (UIHI), a tribal epidemiology center, began a study aimed at assessing the number and dynamics of cases of missing and murdered American Indian and Alaska Native women and girls in cities across the United States. This study sought to assess why obtaining data on this violence is so difficult, how law enforcement agencies are tracking and responding to these cases, and how media is reporting on them. The study's intention is to provide a comprehensive snapshot of the MMIWG crisis in urban American Indian and Alaska Native communities and the institutional practices that allow them to disappear not once, but three times—in life, in the media, and in the data.

AN OVERVIEW OF MMIWG IN URBAN AMERICA

Despite this ongoing crisis, there is a lack of data and an inaccurate understanding of MMIWG, creating a false perception that the issue does not affect off-reservation/village American Indian and Alaska Native communities.

However, according to an analysis of 2016 Census data, 50.2% of the urban Indian population identified as female. vi The data in this report also includes LGBTQ, non-binary, and Two Spirit individuals. The majority of American Indian and Alaska Native people now live in urban communities due to a variety of reasons for migration, from forced relocation due to 1950s federal relocation and termination policies, to current barriers to obtaining quality educational, employment, and housing opportunities on tribal lands. Because of this, urban American Indian and Alaska Native people experience MMIWG-related violence in two ways—through losses experienced by extended family and community ties on reservations, in villages, and in urban communities themselves. Though there are critical issues regarding jurisdiction of MMIWG cases on reservation and village lands, lack of prosecution, lack of proper data collection, prejudice, and institutional racism are factors that also occur in urban areas.

In this study, UIHI sought to demonstrate the ways in which these issues also impact urban MMIWG cases, highlighting the results of a deeply flawed institutional system rooted in colonial relationships that marginalize and disenfranchise people of color and remains complicit in violence targeting American Indian and Alaska Native women and girls.

of American Indians/ Alaska Natives live in urban areas.

Urban Indians are tribal people currently living off federallydefined tribal lands in urban areas.

Institutional racism is the process of purposely discriminating against certain groups of people through the use of biased laws or practices. Often, institutional racism is subtle and manifests itself in seemingly innocuous ways, but its effects are anything but subtle. VIII.



COLLECTING THE DATA

UIHI utilized a multi-pronged methodology to collect data on cases of MMIWG with the understanding that what is reported and recorded by law enforcement, covered by media, and remembered and honored by community members and family rarely matches.

As demonstrated by the findings of this study, reasons for the lack of quality data include underreporting, racial misclassification, poor relationships between law enforcement and American Indian and Alaska Native communities, poor record-keeping protocols, institutional racism in the media, and a lack of substantive relationships between journalists and American Indian and Alaska Native communities.

In an effort to collect as much case data as possible and to be able to compare the five data sources used, UIHI collected data from Freedom of Information Act (FOIA) requests to law enforcement agencies, state and national missing persons databases, searches of local and regional news media online archives, public social media posts, and direct contact with family and community members who volunteered information on missing or murdered loved ones.

Racial misclassification is the incorrect coding of an individual's race or ethnicity, e.g. an American Indian and Alaska Native individual incorrectly coded as white.

Misclassification generally favors the larger race, so while American Indians and Alaska Natives are often misclassified as white, the reverse of that is rare. ix

The **Freedom of Information Act (FOIA)** grants any person the right to request access to federal agency records or information.^x

UIHI'S DATA SOURCES



Law Enforcement Records



State & National Databases



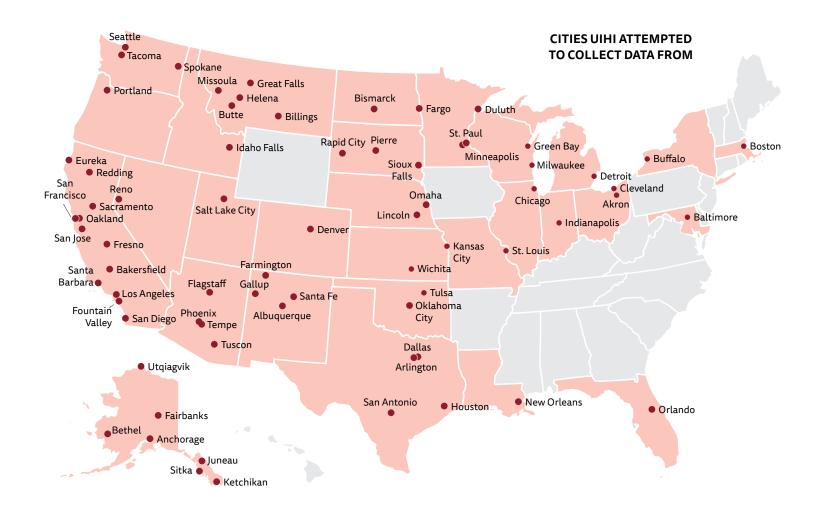
Media Coverage



Social Media



Community & Family Member Accounts



UIHI attempted to collect data in 71 cities across 29 states.

Due to challenges in collecting data on historical cases, approximately 80% of the cases in this report have occurred since 2000.

In these FOIA requests, UIHI requested all case data from 1900 to the present. No agency was able to provide data dating to 1900 but providing such a large date range was useful in accessing as much data as the agency had readily available, which varied across jurisdictions. The oldest case UIHI identified happened in 1943, but approximately two-thirds of the cases in UIHI's data are from 2010 to 2018. This suggests the actual number of urban MMIWG cases are much higher than what UIHI was able to identify in this study.

These cities were selected because they either have an urban Indian health center that is affiliated with UIHI, a significant population of urban Indians, or were found to have a large number of MMIWG cases in a preliminary consultation with key community leaders.



FINDINGS

UIHI identified 506 unique cases of missing and murdered American Indian and Alaska Native women and girls across the 71 selected cities—128 (25%) were missing persons cases, 280 (56%) were murder cases, and 98 (19%) had an unknown status.

Approximately 75% of the cases UIHI identified had no tribal affiliation listed.

Sixty-six out of 506 MMIWG cases that UIHI identified were tied to domestic and sexual violence.

The youngest victim was a baby less than one year old.

The oldest victim was an elder who was 83 years old.

A case was flagged as "status unknown" in two circumstances: when law enforcement gave a number of total cases in response to a record request but did not clarify how many were missing and how many were murdered (16 cases total), and when a case was listed on a missing persons database but had been removed, UIHI could not verify whether the woman or girl was located safe or deceased.

The identified cases were widely distributed by age and tribal affiliation. The youngest victim was under one year old and the oldest was 83 years old. One hundred and thirty-five cases (27%) were victims aged 18 or under, and mean victim age was approximately 29 years old (out of 387 cases for which victim age was able to be determined).

UIHI identified 96 cases that were tied to broader issues such as domestic violence, sexual assault, police brutality, and lack of safety for sex workers. In this report, domestic violence includes intimate partner violence and family violence. Forty-two (8% of all cases) cases were domestic violence related, and 14% of domestic violence fatalities were victims aged 18 and under. Three victims were pregnant at their time of death. At least 25 victims (6% of all cases) experienced sexual assault at the time of disappearance or death, 18 victims (4% of all cases) were identified as sex workers or victims of trafficking, and 39% of victims in the sex trade were sexually assaulted at the time of death. For this report, sexual assault is defined as penetrative and non-penetrative sexual violence and includes victims who were found murdered and left nude. Eight victims were identified as homeless, six were trans-women, and seven were victims of police brutality or death in custody.

UIHI was able to identify the victim's relationship to the perpetrator in 24 cases; of these, 13 victims were killed by a partner or the partner of an immediate family member, three were killed by an immediate family member, six were killed by a serial killer, and two were killed by a drug dealer. Of the perpetrators UIHI was able to identify, 83% were male and approximately half were non-Native. Thirty-eight of the perpetrators were convicted, while nine were never charged, four were acquitted, one had a mistrial, and one committed suicide. Altogether, 28% of these perpetrators were never found guilty or held accountable. An additional 30 alleged perpetrators have pending charges.

MMIWG STATISTICS FROM A SURVEY OF 71 CITIES ACROSS THE U.S.

The ribbon skirt is a form of cultural clothing that represents the sacredness of American Indian and Alaska Native women and the deep connection their bodies and spirits have to the land. Just like a skirt, each American Indian and Alaska Native community has its own beauty and stories of resilience despite multiple ribbons of trauma and violence stacked upon them. We chose to represent the study's findings in this way to honor the sacredness of our urban missing and murdered Indigenous women and girls, the prayers we hold them in, and the responsibility we have to care for their stories.





THE INVISIBLE 153

Number of cases identified by UIHI that currently **do not exist** in law enforcement records.

GEOGRAPHY

The 506 cases UIHI identified were dispersed over a wide geographic area. Regionally, the Southwest (157), Northern Plains (101), Pacific Northwest (84), Alaska (52), and California (40) were the areas with the highest number of cases. The cities that figure most prominently in the data are Seattle (45), Albuquerque (37), Anchorage (31), Tucson (31), and Billings (29).

AREAS WITH THE HIGHEST NUMBER OF CASES (BY REGION)



The states with the highest number of cases are as follows: New Mexico (78), Washington (71), Arizona (54), Alaska (52), Montana (41), California (40), Nebraska (33), Utah (24), Minnesota (20), and Oklahoma (18).

The areas with the largest number of urban cases with an unknown status were Albuquerque (18), San Francisco (16), Omaha (10), and Billings (8). Notably, both Albuquerque and Billings police departments acknowledged FOIA requests but did not provide any records or information or respond to any follow-up,

while the records provided by San Francisco police did not specify the name or status of any victim. Omaha figured prominently in this list because, like many jurisdictions across the country, when a person listed on the Nebraska missing persons database is located, the notice is removed with no public information as to whether they were found safe or deceased. Together, these cities highlight the need for changes to public information systems on missing persons and improvement in cooperation from law enforcement agencies.

TOP 10 CITIES WITH HIGHEST NUMBER OF MMIWG CASES

Seattle, WA (45)	
Albuquerque, NM (37)	
Anchorage, AK (31)	
Tucson, AZ (31)	
Billings, MT (29)	
Gallup, NM (25)	
Tacoma, WA (25)	
Omaha, NE (24)	
Salt Lake City, UT (24)	
San Francisco, CA (17)	

See Appendix for data from all 71 cities surveyed.

TOP 10 STATES WITH HIGHEST NUMBER OF MMIWG CASES

New Mexico (78)		
Washington (71)		
Arizona (54)		
Alaska (52)		
Montana (41)		
California (40)		
Nebraska (33)		
Utah (24)		
Minnesota (20)		
Oklahoma (18)		

CHALLENGES AND OBSTACLES IN OBTAINING MMIWG DATA

"Until there is cooperation and better tracking systems at all government levels, the data on missing and murdered Indigenous women will never be 100 percent accurate, which is what we need to strive for in order to protect our mothers, daughters, sisters, and aunties."

- Abigail Echo-Hawk (Pawnee), Director, Urban Indian Health Institute

ACCESSING LAW ENFORCEMENT DATA

UIHI filed FOIA requests with municipal police departments in all 71 cities included in the survey. In the case of Alaska, UIHI also filed a request with the Alaska Department of Public Safety (DPS) because a case that occurred in a major city was not considered city jurisdiction. To ensure other such cases would be included in the data, a request to DPS was necessary.

Initially, these requests were filed via the agency's online request system, when one existed, and, in cases where there was no such system, via email. Where no online system or email was available, no contact was made. After a significant portion of these initial requests never received a response, UIHI utilized MuckRock, a paid service that assists in FOIA requests, to re-file prior requests and file new requests with agencies that had no online system or email available.

In these requests, UIHI asked for all data on cases of missing persons (unsolved only), homicides, suspicious deaths, and deaths in custody (solved and unsolved) involving an American Indian or Alaska Native victim that was female or identified as a transwoman/girl.

FOIA RESULTS

Seventy-one city police agencies and one state police agency were surveyed. Forty agencies (56%) provided some level of data. Thirty-three of the 40 (and 46% of all surveyed) actually searched their records, though not all provided comprehensive data. Ten out of the 40 agencies provided data but with a "caveat", meaning they only confirmed cases UIHI had already logged, provided what they could recall from memory, or gave partial data. Fourteen of the 72 agencies surveyed (20%) did not provide data, and 18 (25%) are still pending. Those combined with the 10 "caveat" cases comprised 59% of all the agencies surveyed. In sum, nearly two-thirds of all agencies surveyed either did not provide data or provided partial data with significant compromises.

Thirteen of the 72 agencies surveyed (18%) did not respond to our FOIA request within the time limit set by local statute, and an additional 12 agencies (17% of all agencies) failed to respond within their local time limit by ignoring the first attempt, but did respond in time when a second request was filed nine months later using MuckRock. Combined, these 25 agencies

"It is unacceptable that law enforcement feel recalling data from memory is an adequate response to a records request. In the one instance where this occurred and the officer searched their records after, several additional cases the officer could not recall were found. This highlights the need for improved records provision standards and shows that the institutional memory of law enforcement is not a reliable or accurate data source."

- Annita Lucchesi (Southern Cheyenne), PhD-c

71 CITY POLICE DEPARTMENTS AND 1 STATE AGENCY WERE SURVEYED.

OUT OF THOSE:







Departments like Anchorage and Lincoln demonstrate that it is possible for urban police departments to respond to FOIA requests for such data and that the barriers other agencies have identified are not inherent to law enforcement as a whole.

"Your assertion that we have ignored a similar request from eight months ago is false. Unless you sent your request elsewhere, this is the first time we have seen it."

-Chief of Police in Billings, Montana, after receiving a second FOIA request. After receiving screen shots of first request, no further response was given.

represent over one-third (35%) of all agencies surveyed. Six agencies never responded to any FOIA requests: Albuquerque, Baltimore, Butte, Reno, San Jose, and Tempe. Sixty agencies (83%) required more than one communication regarding UIHI's request. Of those 60, 29 (40% of all agencies) needed more than two, and 16 (22% of all agencies) needed more than five.

The findings highlight that the FOIA process is, at best, laborious, requiring intensive follow up and resources from the requesting agency. For example, a representative from Juneau Police in Alaska explained that they received UIHI's initial request at the same time as an unaffiliated project at another institution filed a request for data on sexual assault on Alaska Native women. The agency assumed any request on violence against Alaska Native women must have come from the same source, so, when they filled the other institution's request, they closed out UIHI's. Similarly, in an October 2018 phone call, a representative from the Los Angeles Police claimed UIHI's two prior FOIA requests to their agency had been closed out by being lost in the system due to understaffing. They had a backlog of thousands of requests that three staff members were responsible for filling, and many were not answered (as UIHI's first request was) or were rerouted to the wrong agency (as UIHI's second request was). An entire year later, the agency expected UIHI to file a third request and "get back in line."

In another case, the Chief of Police in Billings, Montana, after having received a second FOIA request from UIHI, wrote, "Your assertion that we have ignored a similar request from eight months ago is false. Unless you sent your request elsewhere, this is the first time we have seen it." UIHI responded with screenshots of the initial request and of the automatic email received stating that the request was received and was processing, but UIHI never received any response to the email or to the record request to date.

However, some agencies were helpful and provided case data in a timely manner. For example, a representative from the Anchorage police department was one of the very first to provide comprehensive data on MMIWG cases in their jurisdiction. Not only did they search their records for

cases, they also searched the name of each case UIHI had logged to determine why they may not appear on the department's search results. Similarly, a representative from the Lincoln police department called for clarification of the request to ensure that they were pulling all of the pertinent records. They were very supportive of the project and dedicated hours of research at no cost to provide case data dating back to 1962.

FEES FOR ACCESSING DATA

Thirteen percent of all agencies surveyed charged a fee for accessing data: Fairbanks, Flagstaff, Juneau, Sitka, Kansas City, Ketchikan, Portland, Salt Lake City, Tucson, and Utqiagvik. If UIHI had paid every invoice received, it would have cost \$4,464.48 (not including the cost of the paid service for the FOIA requests). Alaska agencies comprised 93% of the total costs of invoices. The invoices UIHI paid totaled \$68, and, in turn, UIHI received data from three cities, resulting in an additional 51 cases logged. Portland police never provided any data despite their invoice being paid. As a small American Indian and Alaska Native organization with limited resources, UIHI was unable to pay a majority of the fees and thus was unable to access the data.

Of the agencies that did provide some kind of data, nine (23%) located data prior to 1990, 18 (45%) located data prior to 2000, and 29 (73%) located data prior to 2010. Accessing historical data was extremely difficult.

\$4,464

Total Required Fees
(from 13% of the cities)

\$68
UIHI's Budget for FOIA Fees

FOIA REQUEST TO ALASKA

After UIHI's FOIA request was rejected by the Alaska State Troopers for being too burdensome, an appeal was denied by the Department of Public Safety because they estimated there were between 800 and 1,200 homicides of Alaska Native women since 1940 and it would require too many work hours to complete the request. Using one of the author's connections in Alaska, UIHI received assistance

from a prominent Alaska Native tribal leader, after which the agency offered to provide data only from 2013 to 2018 because those records had been digitized and were searchable. However, UIHI has still not received the data to date.



"[Many] Native Americans adopted Hispanic names back during colonial times...Our crime systems are not flexible enough to pick out Native Americans from others in the system...it would be impossible to compile any statistically relevant information for you."

-Representative from Santa Fe Police Department

"[Regarding the difference] the Homicide unit found that 'N' was being used in the 60s up through the late 70s and early 80s – meant Negro not Native American."

-Representative from Seattle Police Department

"Sometimes the information [on a victim's race] would not be asked and our record system defaults to white."

-Representative from Fargo Police Department

LACKING RECORDS AND RACIAL MISCLASSIFICATION

Nine cities (13% of total) reported the inability to search for American Indian, Native American, or Alaska Native in their data reporting systems despite the common and expected practice of classifying victims by race in data systems. A representative from Santa Fe police wrote, "[Many] Native Americans adopted Hispanic names back during colonial times...Our crime systems are not flexible enough to pick out Native Americans from others in the system...it would be impossible to compile any statistically relevant information for you."

In Seattle, UIHI was initially provided one list then subsequently provided another. Considering they had significant overlap, UIHI asked for an explanation of the difference between the two and were told: "[Regarding the difference] the Homicide unit found that 'N' was being used in the 60s up through the late 70s and early 80s – meant Negro not Native American." However, all of the names that were on the original list—which presumably had both American Indian and Alaska Native and African American names on it—were also on the second list and did not provide any clarification.

Additionally, several police departments provided UIHI with data that included both American Indians and Indian-Americans with visibly Indian-American surnames (e.g. Singh). When asked about this misclassification, a representative from Sacramento police claimed the Indian-American names must be victims who were biracial.

Misclassification can also occur due to lack of recognition of tribal nations. UIHI found that if a woman or girl was killed during the time their tribe was terminated, her citizenship may have never been restored when her nation was re-recognized, and she may have been falsely classified as white—or not racially classified at all—in documentation regarding her case. These cases would not be included in search results constrained to searching for records of Native American females. This is an issue that still impacts contemporary cases involving victims from tribes that are not federally recognized, and lack of recognition is an issue that disproportionately affects urban

Indian communities. For example, Seattle, San Francisco, and Los Angeles each are located on homelands belonging to tribes that are not federally recognized (the Duwamish, Ohlone, and Tongva peoples, respectively). In this way, it is possible that American Indian and Alaska Native women and girls indigenous to the land the city is located on may not even be included in the city's data on American Indian and Alaska Native people, and their deaths and disappearances go uncounted on their own homeland.

UIHI found that it was not just racial categories that held misclassifications. Records obtained from Anchorage police showed that two-thirds of the cases UIHI identified that were not in the data the agency provided were, indeed, in their system, but three cases were misclassified as white, one was classified as a suicide (despite the case having been reopened as a homicide), one was classified

as an overdose when her body had been moved and disposed of suspiciously, and one was not considered as having happened within the city because she had been kidnapped from a bar within the city but killed just outside of it.

Through research methods outside of FOIA requests (government missing persons databases, news reports, social media and advocacy sites, direct contact with families and community members who volunteered info), UIHI found 153 cases that were not in law enforcement records. Of all of the data gathered in the 40 cities where FOIA requests produced results, 42% of the cases were found by UIHI's diligent research and not present in law enforcement data. This 42% was made up of cases from 26 of the 40 cities (65%). The cities where UIHI located the highest number of cases not found in law enforcement records are listed in the table below.

TOP 10 CITIES WITH HIGHEST NUMBER OF MMIWG CASES THAT ARE NOT IN LAW ENFORCEMENT RECORDS

СІТҮ	NUMBER OF CASES
Gallup, NM	20
Billings, MT	17
Omaha, NE	16
Seattle, WA	11
Anchorage, AK	9

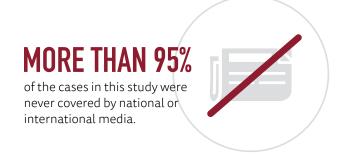
СІТҮ	NUMBER OF CASES
Farmington, NM	9
Denver, CO	7
Oklahoma City, OK	7
Rapid City, SD	6
Great Falls, MT	5

URBAN MMIWG IN THE MEDIA

METHODS

UIHI conducted a content analysis of media coverage on MMIWG in the areas covered by the study. The vast majority of coverage on MMIWG, both on individual cases and on the issue overall, was centered on reservation-based violence. Though coverage of reservation-based violence is critical, this bias does work to collectively minimize this issue in urban spaces. It also bolsters stereotypes of American Indian and Alaska Native people as solely living on reservations or in rural areas, perpetuates perceptions of tribal lands as violence-ridden environments, and, ultimately, is representative of an institutional bias of media coverage on this issue. Additionally, media sources have used language that could be perceived as violent and victim-blaming in their coverage of MMIWG cases. This type of coverage can also perpetuate negative stereotypes of American Indian and Alaska Native women and girls, so UIHI also conducted a qualitative analysis to identify this type of language.

UIHI conducted a comprehensive online search for media coverage on all 506 cases represented in the data. Each publicly-available article UIHI found was logged, assessed and coded for the type of language it used, and attributed to the outlet that originally published it.



FINDINGS

Media Coverage

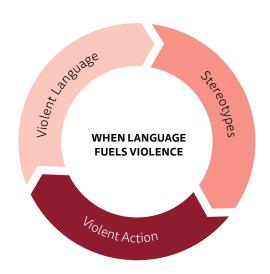
UIHI examined 934 articles, which collectively covered 129 cases out of the 506 represented in the study. One-quarter of the total number of cases were covered by local, regional, or national media. Less than one-fifth of the total number of cases were covered more than once (14%), less than one-tenth were covered more than three times (7%), and less than 5% of cases were covered more than five times. The top ten cases that received the most coverage comprised 62% of all coverage, and 47% of coverage was regarding just one case. Nearly all of the articles UIHI surveyed (91%) regarded a murder case, and 83% of the cases covered by media were murder cases. There were 27 articles printed in national or international media, covering 21 cases.

Violent Language

For the purposes of this analysis, UIHI defined violent language as language that engages in racism or misogyny or racial stereotyping, including references to drugs, alcohol, sex work, gang violence, victim criminal history, victimblaming, making excuses for the perpetrator, misgendering transgender victims, racial misclassification, false information on cases, not naming the victim, and publishing images/video of the victim's death.

Of the articles analyzed, 46 media outlets had violent language in their coverage, representing nearly a third of all outlets surveyed (31%). Thirty-six media outlets (25%) used violent language in 50% or more of the cases they covered, and 22 (15%) used violent language in 100% of the cases they covered. UIHI identified prevalence of specific types of violent language in the table on the right.

If the case is covered in the media, the language that is used to describe the crime and the victim often causes additional harm. In addition, these findings demonstrate that media outlets are willing to publish a single story on this issue but not commit to sustained coverage on the cases that happen within the geographic areas they cover.



TYPES OF VIOLENT LANGUAGE USED IN ARTICLES

References to drugs or alcohol	38%
Coverage of trans- women victims that misgendered the victim	33%
References to victim's criminal history	31%
References to sex work	11%
Gave false information on the case or did not name the victim	8%
Made excuses for the perpetrator or used victim-blaming language	4%
Showed images or video of victim death	3%



DISCUSSION

This study illustrates the maze of injustice that impacts MMIWG cases and demonstrates how they are made to disappear in life, the media, and in data. UIHI discovered a striking level of inconsistency between community, law enforcement, and media understandings of the magnitude of this violence. If this report demonstrates one powerful conclusion, it is that if we rely solely on law enforcement or media for an awareness or understanding of the issue, we will have a deeply inaccurate picture of the realities, minimizing the extent to which our urban American Indian and Alaska Native sisters experience this violence. This inaccurate picture limits our ability to address this issue at policy, programing, and advocacy levels.

Moreover, many of the reasons commonly attributed to root causes of MMIWG in the media and popular narrative—sex work and domestic violence, for example—are forms of violence that were not prominent in the cases UIHI found, and the geography of this data does not match an assumed perception on where MMIWG cases are more likely to occur. These narratives stress areas like Montana and North Dakota, while minimizing the issue in places like California and Alaska. This study shows these neglected areas need to be at the forefront of the dialogue rather than almost entirely absent from it. Overall, there is a need for more sustained and in-depth research on how and why urban American Indian and Alaska Native women and girls go missing and are killed and enforceable data collection practices for local, state, and federal agencies.

LAW ENFORCEMENT

The challenges and barriers in accessing data on this issue from law enforcement severely impede the ability of communities, tribal nations, and policy makers to make informed decisions on how best to address this violence. This is especially problematic in the case of grassroots organizers, who often serve as informal first responders and service providers for American Indian and Alaska Native women and their families. The average community member does not have thousands of dollars and unlimited time to continue to follow up for this data, and yet they are the entities staffing women's shelters, volunteering in searches, organizing memorials, advocating for policy changes, caring for families, holding ceremonies, fundraising for funerals, and organizing awareness campaigns. This indicates that measures need to be put in place for community access to information on this issue as the FOIA process is far from its democratic intentions.

Additionally, it is alarming that UIHI located records of 153 cases that are not in law enforcement records and that some cities still do not have systems that are searchable by race or include American Indian, Native American, or Alaska Native as categories. Record-keeping protocols must be updated and implemented immediately—no agency can adequately respond to violence it does not track.

More largely, continued research on racial and gender bias in police forces regarding how MMIWG cases are handled needs to occur. It is unacceptable that nearly a third of perpetrators were never held accountable, and the resistance to tracking this data

that UIHI experienced from agency leadership is indicative of larger institutional structural inequity. Ultimately, American Indian and Alaska Native women will continue to go missing and be killed as long as law enforcement does not account for this violence in accurate, meaningful ways and does not bring these cases to justice more consistently.

MEDIA

Based on UIHI's findings, it is clear that media coverage of this issue is extremely uneven, and the vast majority of cases occurring in urban areas are never covered by media at all. Combined with the inaccessibility of law enforcement data, this lack of reporting leads the general public to have an inaccurate understanding of the issue, and over two-thirds of the cases that happen in urban areas are rendered invisible. This not only prevents critical awareness of the issue and is hurtful to victims' families and communities, it limits efforts to engage in cross-cultural community dialogue on how to enhance safety, not just for urban American Indian and Alaska Native women and girls, but for all who live in the cities in which they go missing and are killed.

Similarly, existing media coverage remains deeply biased, and standards and protocols need to be put in place for covering these cases to decrease the amount of violent language used. It is imperative that stories on the violence our urban American Indian and Alaska Native women and girls experience are treated with care and respect. The Native American Journalist Association has created resources to assist reporters in evaluating their stories to determine if they rely on stereotypes; use of resources such as this will assist in decreasing, and ultimately ending, the use of racist, victim-blaming, and criminalizing language.xi

Both the lack of reporting and the bias in existing coverage could be addressed through the presence of more Indigenous staff at media outlets, and efforts to build more substantive relationships with the communities they are reporting (or not reporting) on. In an urban context, these relationship-building opportunities are readily available through urban American Indian and Alaska Native community events, community organizations and programming, and outreach to American Indian and Alaska Native college students pursuing a career in journalism.

THE CHALLENGES AND BARRIERS IN ACCESSING DATA ON THIS ISSUE FROM LAW ENFORCEMENT SEVERELY IMPEDE THE ABILITY OF COMMUNITIES, TRIBAL NATIONS, AND POLICY MAKERS TO MAKE INFORMED DECISIONS ON HOW BEST TO ADDRESS THIS VIOLENCE.



RECOMMENDATIONS

The MMIWG epidemic deeply impacts urban American Indian and Alaska Native communities, and the dialogue must shift to include them. Any policy addressing MMIWG that does not account for the violence urban Native communities experience will not adequately address the issue. This includes the currently proposed Savanna's Act, a federal bill aimed at collecting data on new MMIWG cases. Though it is named after Savanna LaFontaine-Greywind, who was murdered in Fargo, North Dakota (one of the cities included in this survey), presently, it solely asks federal law enforcement to track and report data. Because cases occurring in urban areas are not federal jurisdiction, this means missing and murdered urban Native women and girls, including Savanna herself, would not be included in the data the bill aims to collect. Gaps such as these allow the violence urban Native women and girls experience to continue.

Tribal nations must have the ability to advocate for their citizens living in urban areas when they go missing or are killed. This is a courtesy extended to all other sovereign nations—when a citizen is killed while living or traveling outside the nation of which they are a citizen, the nation is notified of their death and able to advocate for their citizen's case and family. This basic respect must be afforded to tribal nations as well, so they are able to fully practice their inherent sovereignty by advocating for the health and safety of all their citizens, regardless of where they reside. Currently, this courtesy is not extended, and rarely is a tribal nation notified or given access to the data regarding their tribal citizens. The concept of Indigenous Data Sovereignty, which has been

adopted by the National Congress of American Indians in 2018, is defined as the right of a nation to govern the collection, ownership, and application of its own data, including any data collected on its tribal citizens. *ii The findings in this report show that racial misclassification and a lack of consistent data collection made for a significant undercount of urban MMIWG cases. Tribal nations should be part of meaningful consultations to ensure proper data collection and sustained access to the data.

Lastly, funding for research that will support effective policy on violence against American Indian and Alaska Native women and girls in urban areas is desperately needed—by mid-October 2018, 76 urban MMIWG cases had already occurred in the year. Despite calls to action from tribal leadership, federal agencies have not been able to conduct a comprehensive study on MMIWG, and a focused study on this violence as it occurs in urban areas has been deemed too difficult to include in a bill like Savanna's Act. However, UIHI completed this study in approximately one year. This demonstrates the deep commitment Indigenous research and epidemiology institutions have in honoring and better understanding the violence our sisters experience. This study shows the importance of creating funding opportunities to support a continuation of this work by the Indigenous institutions who are equipped to take it on in a good way.

*The data collected does not reflect any FOIA responses received after October 15, 2018 nor any community reported instances after that date. UIHI acknowledges that Chicago recently responded to the FOIA with 7 reported homicides, and 4 urban Indigenous women and girls have been murdered and are missing since this date.

The lack of good data and the resulting lack of understanding about the violence perpetrated against urban American Indian and Alaska Native women and girls is appalling and adds to the historical and ongoing trauma American Indian and Alaska Native people have experienced for generations. But the resilience of American Indian and Alaska Native women and girls has sustained our communities for generation after generation. As the life bearers of our communities, they have been integral to holding strong our culture and traditional practices. Bringing to light the stories of these women through data is an integral part of moving toward meaningful change that ends this epidemic of violence. UIHI is taking huge steps to decolonize data by reclaiming the Indigenous values of data collection, analysis, and research, for Indigenous people, by Indigenous people. Our lives depend on it.

END NOTES

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- * Office of Information Policy, Department of Justice (2017). About FOIA. Retrieved from https://www.justice.gov/oip/about-foia.
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- xii National Congress of American Indians (2018). Support of US Indigenous Data Sovereignty and Inclusion of Tribes in Development of Tribal Data Governance Principles (Resolution #KAN-18-011). Retrieved from http://www.ncai.org/attachments/Resolution_gbuJbEHWpkOgcwCICRtgMJHMsUNofqYvuMSnzLFzOdxBlMlRjij_KAN-18-011%20Final.pdf



Missing & Murdered Indigenous Women & Girls in Pacific Northwest Cities

Seattle

UIHI has recorded 45 cases in Seattle, including Patricia YellowRobe, who was from the Rocky Boy Chippewa-Cree reservation and murdered by a serial killer in 1998, and Sandra Smiscon, Ashton Reyes, Nicole Westbrook, and Eveona Cortez. Representing the Yakama, Tlingit, Navajo, and Blackfeet nations, Sandra, Ashton, Nicole, & Eveona were all randomly killed in acts of gun violence, in 2003, 2012, and 2018.

Portland

UIHI has recorded 6 cases in Portland, including Dusti Grey, who was homeless when she was reported missing in 2017.

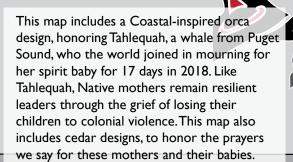
Tacoma

UIHI has recorded 25 cases in Tacoma, including Teekah Lewis, who went missing in 1999 at the age of 3, Teresa Davis, missing since 1973, and Jacqueline Salyers, who was a Puyallup tribal member who was pregnant when she was killed by law enforcement in 2016.

Spokane

2018.

UIHI has recorded 1 case in Spokane--Mary Bercier, who was announced as missing by a relative in



Notes: data ranges from 1943 to 2018, but due to challenges in collecting data on historical cases, approximately 80% of the cases in this report have occurred since 2000.All MMIWG photos are sourced from public media.

Missing & Murdered Indigenous Women & Girls in California Cities

Eureka & Redding

UIHI has recorded 5 cases in Eureka, and 3 in Redding, including Jennika Suazo, a Tolowa high school student who was killed in 2016, and Heather Cameron, a Grand Ronde tribal member and mother of four who was last seen shortly before she made three 911 calls from her abusive ex-boyfriend's phone, saying she had been drugged and kidnapped.

Sacramento

UIHI has recorded 13 cases in Sacramento. None of these were ever reported on by media, so no photos or stories on these 13 stolen sisters are available. 3 remain missing, and 10 were murdered.

San Francisco

UIHI has recorded 17 cases in San Francisco, including Jezzeille Murdock, who went missing on her 34th birthday in 2017.

Bakersfield

UIHI has recorded 4 cases in Bakersfield, including Peggy Humber, a 44-year-old woman missing since 2000.

San Diego

UIHI has recorded one case in San Diego--Linda Hewitt, murdered in 1978. No photo of Linda or information on her story is available.

Notes: data ranges from 1943 to 2018, but due to challenges in collecting data on historical cases, approximately 80% of the cases in this report have occurred since 2000.All MMIWG photos are sourced from public media.



UIHI has recorded a total of 41 cases of missing and murdered indigenous women and girls in cities across California. This map includes a design inspired by California tribal basket designs, with abalone components to honor the Yurok story of Abalone Woman, who was killed by her love, Dentalium Man, and became the beautiful shell that indigenous peoples across the continent admire and pray with.

Utqiagvik

Brower, a 15-year-old high UIHI has recorded I case school student raped and in Utqiagvik--Nancy murdered in 2002.

access. This map also honors the feathers on it, to honor each of state. They estimated there are not have the time to pull them. the number of MMIWG in the 1940, but said the agency does women in their records since Troopers, for information on connection our stolen sisters have to our communities and request to the Alaska State homicides of Alaska Native those files UIHI could not the land, with Alaska-style In 2018, UIHI filed a FOIA This map has over 1,200 forget-me-not beadwork between 800 to 1,200



girl missing since 1996, and Sandra Frye, a including Stella Evon, a 17-year-old Yup'ik UIHI has recorded 8 cases in Bethel, 26-year-old mother of four found murdered in 2017.

Indigenous Women & Girls Missing & Murdered

in Alaskan Cities

but due to challenges in collecting data on historical cases, approximately 80% of

the cases in this report have occurred since 2000.All MMIVVG photos are

sourced from public media.

Notes: data ranges from 1943 to 2018,

Juneau & Ketchikan

aspiring marine biologist, who was found

University of Alaska dorm in 1993. raped and shot in a bathtub in a

UIHI has recorded 6 cases in Fairbanks, including Sophie Sergie, a 20-year-old

Fairbanks

woman, whose body was pulled from the Tongass Narrows in 2015, within LoriDee Wilson, a Yup'ik mother of 24 hours of seeking help at a local UIHI has recorded 3 cases each in Juneau and Ketchikan, including Angeline Dundas, a 34-year-old three missing since 2016, and women's shelter.

Anchorage

Annie Mann, Vera Hapoff, Della Brown, and Genevieve Tetpon, 4 of at least 10 murders of Native women in JIHI has recorded 31 cases in Anchorage, including the span of a few years. Many of these cases remain insolved, including Annie and Vera's.





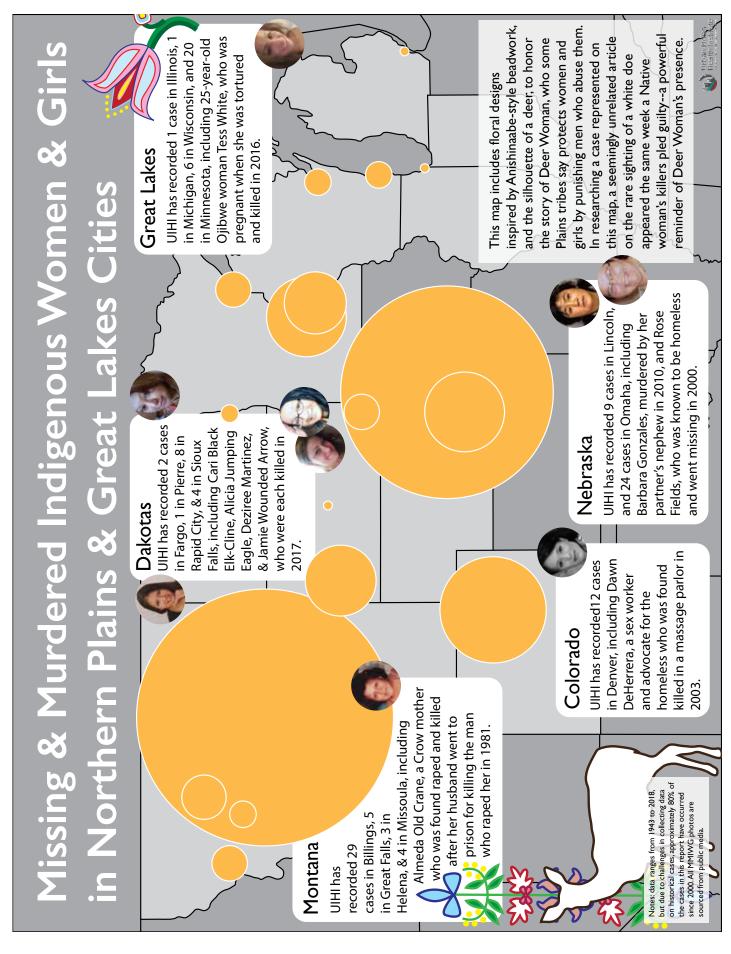








26



Salt Lake City

partner when he killed her in Deborah Haudley, who was UIHI has recorded 24 cases in Salt Lake City, including iving at a motel with her

Flagstaff

who was beaten by her partner Flagstaff, including Nicole Joe, and died on Christmas Day in UIHI has recorded 6 cases in and left outside in the cold,

UIHI has recorded 25 cases in

student Colleen Lincoln, who Gallup, including high school

was beaten to death and burned two days before Christmas in 2010.

Phoenix & Tempe

15-year-old Jane Doe found UIHI has recorded 14 cases in Phoenix, 3 in Tempe, and 4 in Tucson, including Jade Velasquez, who was killed by a serial killer in 2003, a

Tucson

UIHI has recorded 31 cases in Henderson, a Navajo college student murdered in 2007 Tucson, including Mia

Notes: data ranges from 1943 to 2018, but due to challenges in collecting data on historical cases, approximately 80% of the cases in this report have occurred—since 2000.AII MMIWG photos are sourced from public media.

Indigenous Women & Girls in Southwest Cities Missing & Murdered

Farmington

Santa Fe

circulated was the shoes she was Farmington, including Vanessa UIHI has recorded 10 cases in Isosie, whose only photo wearing at time of death.

UIHI has recorded 6 cases in Santa Fe, including Navajo

encampment in 2015. woman Melissa Tsosie, who was killed in a homeless

Albuquerque

from 2004-2009. No trans-women killed cases in Albuquerque, including Terri Benally **UIHI has recorded 37** (elly Watson, & Ryan were published.² photos of them Hoskie, 3 Navajo



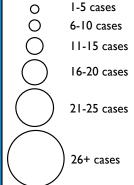


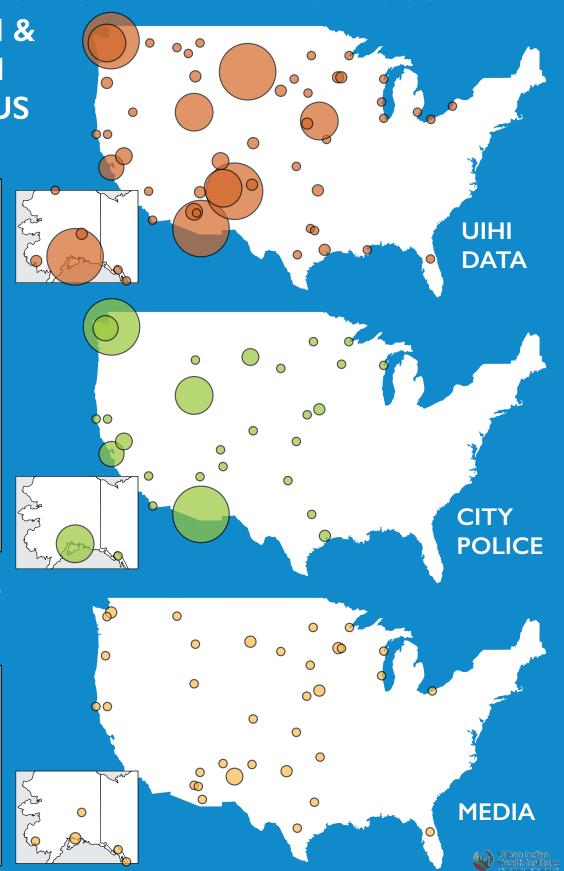
MISSING & MURDERED INDIGENOUS

WOMEN & GIRLS IN MAJOR US CITIES

No agency has comprehensive data on the true number of missing and murdered indigenous women and girls, and that further research is needed. A challenge in researching this violence is the drastically different information each source has. On this map, we compare UIHI data to data obtained from FOIA requests to municipal police departments, and to data on which cases from those sources were covered by media. This comparison highlights the gaps and disconnects between community, law enforcement, and media awareness of urban MMIW cases.

Note: data ranges from 1943 to 2018, but due to challenges in collecting data on historical cases, approximately 80% of the cases shown here have occurred since 2000.





APPENDIX

CITY	MISSING	MURDERED	UNKNOWN	TOTAL
Akron, OH	0	0	0	0
Albuquerque, NM	3	16	18	37
Anchorage, AK	3	27	1	31
Arlington, TX	1	0	0	1
Bakersfield, CA	1	3	0	4
Baltimore, MD	0	1	0	1
Bethel, AK	1	3	4	8
Billings, MT	5	16	8	29
Bismarck, ND	0	0	0	0
Boston, MA	0	0	0	0
Buffalo, NY	1	0	1	2
Butte, MT	0	0	0	0
Chicago, IL	0	0	1	1
Cleveland, OH	1	1	0	2
Dallas, TX	1	1	0	2
Denver, CO	1	8	3	12
Detroit, MI	1	0	0	1
Duluth, MN	1	3	0	4
Eureka, CA	3	2	0	5
Fairbanks, AK	3	3	0	6
Fargo, ND	0	2	0	2
Farmington, NM	3	3	4	10
Flagstaff, AZ	0	7	0	7
Fountain Valley, CA	0	0	0	0
Fresno, CA	0	0	0	0
Gallup, NM	12	9	4	25
Great Falls, MT	2	0	3	5
Green Bay, WI	0	3	0	3
Helena, MT	0	0	3	3
Houston, TX	6	1	0	7
Idaho Falls, ID	2	2	3	7
Indianapolis, IN	0	0	0	0
Juneau, AK	2	1	0	3
Kansas City, MO	0	1	0	1
Ketchikan, AK	0	3	0	3
Lincoln, NE	2	5	2	9

СІТҮ	MISSING	MURDERED	UNKNOWN	TOTAL
Los Angeles, CA	0	0	0	0
Milwaukee, WI	1	2	0	3
Minneapolis, MN	2	7	0	9
Missoula, MT	1	1	2	4
New Orleans, LA	1	0	0	1
Oakland, CA	0	0	0	0
Oklahoma City, OK	2	7	1	10
Omaha, NE	11	3	10	24
Orlando, FL	0	2	0	2
Phoenix, AZ	8	6	0	14
Pierre, SD	1	0	0	1
Portland, OR	4	0	2	6
Rapid City, SD	3	5	0	8
Redding, CA	2	1	0	3
Reno, NV	0	0	1	1
Sacramento, CA	3	10	0	13
Salt Lake City, UT	1	22	1	24
San Antonio, TX	1	0	0	1
San Diego, CA	0	1	0	1
San Francisco, CA	1	0	16	17
San Jose, CA	0	0	0	0
Santa Barbara, CA	0	0	0	0
Santa Fe, NM	2	1	3	6
Seattle, WA	7	38	0	45
Sioux Falls, SD	0	4	0	4
Sitka, AK	0	0	0	0
Spokane, WA	0	0	1	1
St. Louis, MO	0	0	0	0
St. Paul, MN	4	3	0	7
Tacoma, WA	13	10	2	25
Tempe, AZ	0	2	1	3
Tucson, AZ	1	30	0	31
Tulsa, OK	4	1	3	8
Utqiagvik, AK	0	1	0	1
Wichita, KS	0	2	0	2

TOTAL



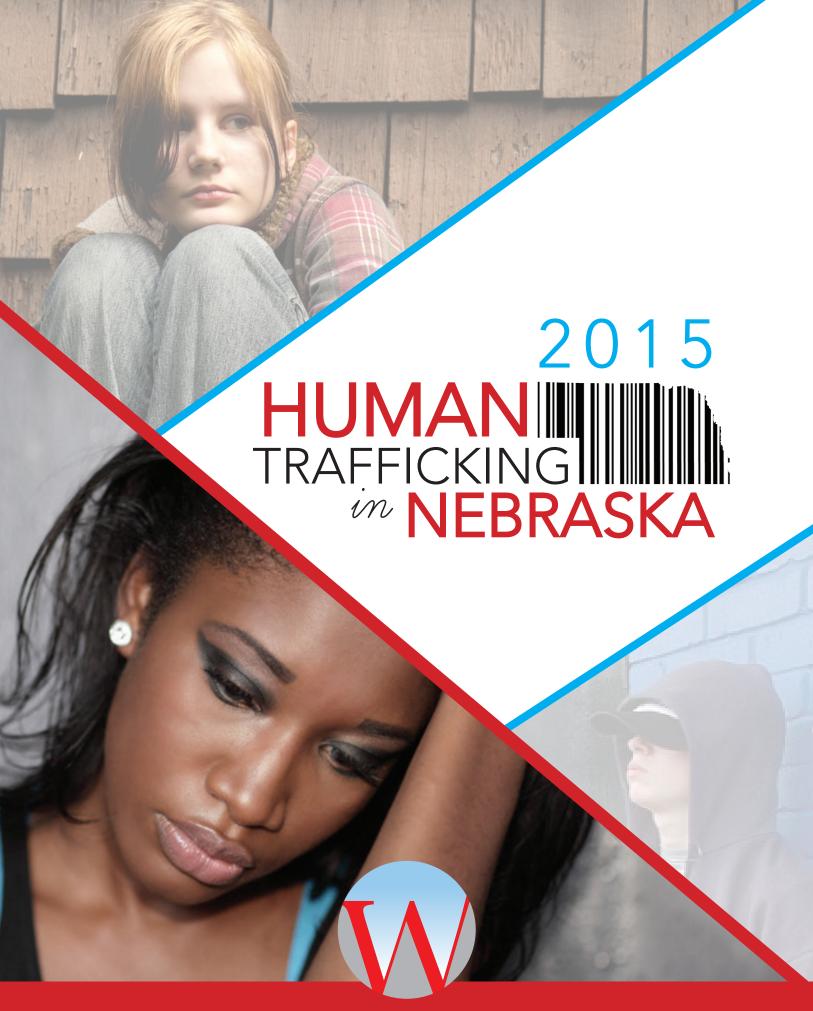
Annita Lucchesi (Southern Cheyenne), PhD-c

Abigail Echo-Hawk (Pawnee), MA

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Partial funding for this report was provided by the Indian Health Service Division of Epidemiology and Disease Prevention, grant #HHS-2016-IHS-EPI-0001. The report contents are solely the responsibility of the authors and do not necessarily represent the official views of the Indian Health Service.

Image credit: U.S. map by Theshibboleth [GFDL (http://www.gnu.org/copyleft/fdl.html) or CC-BY-SA-3.0 (http://creativecommons.org/licenses/by-sa/3.0/)], via Wikimedia Commons



Quick Facts: TRAFFICKING in NEBRASKA

What is Human Trafficking?

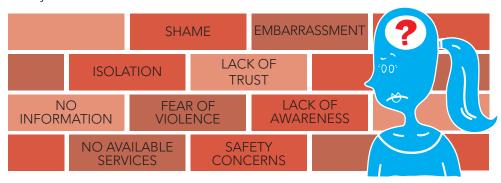
Human trafficking is the umbrella term that encompasses both the exploitation of individuals for labor as well as exploitation for commercial gain through sex. Acts of commercial sex with anyone under the age of 18 is de facto sex trafficking.

84%

The current services landscape in Nebraska is bleak.

84% of service providers do NOT believe they are adequately meeting needs of trafficked individuals.

Adequate service provision is complicated by **barriers** that limit the ability of trafficked individuals to access services:



There is a disparity between services needed and the services Nebraska agencies currently provide. For each service identified as a top need, fewer than 30% of Nebraska providers can adequately meet these needs.

Due to this, trafficked individuals have extremely limited avenues to access the services they need.



Women's Fund of Omaha
7602 Pacific Street, Suite #300, Omaha, NE 68114
www.OmahaWomensFund.org

All of the data represented is from the "Human Trafficking Capacity and Needs Assessment" survey conducted by the Women's Fund of Omaha in 2015.

WHO IS BEING TRAFFICKED?



47% ADULT



32% MINOR



44% USA NATIVE



36% NEBRASKA NATIVE

TOP 3 NEEDS:



MENTAL HEALTH



EMERGENCY SHELTER



CRISIS INTERVENTION

SEX TRAFFICKING IN NEBRASKA

Human trafficking is the umbrella term that encompasses both the exploitation of individuals for labor in industries such as agriculture, fishing, mining, clothing, as well as exploitation for commercial gain in the sex industry.

Sex trafficking includes commercial sex plus (1) a specific "action" and (2) a "means". Where a pimp is involved, if he engages in any form of force, fraud, or coercion, then this is a case of sex trafficking and the pimp is considered a trafficker. Coercion or fraud can include psychological manipulation. Given that commercial sex often involves pimps who engage in psychological manipulation, many individuals in the sex trade have, in fact, been trafficked.

THE A-M-P MODEL

Induce Recruit Harbor Transport Provide or Obtain

MEANS*

Force Fraud \circ r Coercion

PURPOSE

Commercial Sex (Sex Trafficking) Labor/Services (Labor Trafficking)

*Minors induced into commercial sex are considered to be trafficked - regardless if force, fraud, or coercion is present

However, acts of commercial sex of anyone under the age of 18 is de facto sex trafficking. This is an important point since the average age of entry into sex work is around 16 years old.

Sex trafficking exists in many diverse forms and occurs in many different venues.

Forms

Domestic males Foreign migrants LGBTQ community

Inner-city females

Venues

Outdoor (street) commercial sex Middle-class suburban females Indoor commercial sex

- Massage parlors
- Residential brothels
- Strip clubs

Each of these populations has its own set of vulnerabilities on which traffickers prey. Common factors are extreme poverty, family dysfunction, sexual abuse, and social or cultural isolation.

Evidence of Sex Trafficking in Nebraska

What we know is limited to a very small set of communities and venues in which sex trafficking occurs. Therefore, the data represent the minimum number of sex trafficking victims in Nebraska.

> A survey of Nebraska high school girls conservatively estimated that at least 47 girls are trafficked annually. The number is likely to be much higher given the survey had only a 6% response rate."

Trafficking as a System: An Initial View

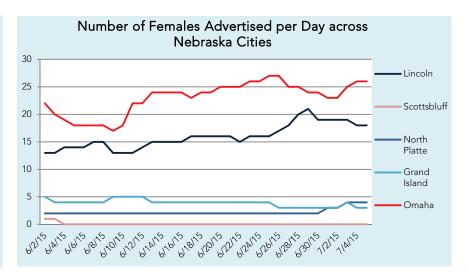
The Human Trafficking Initiative (HTI) began as a graduate project at Creighton University in 2012. With the support of the Women's Fund of Omaha, it has recently evolved into a research agenda aimed at empirically studying human trafficking. HTI takes a purposefully systemic approach to identify how human trafficking networks function from the international to the local level. The following illustrates some beginning findings of the online commercial sex industry in Nebraska.

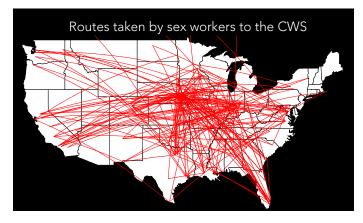
Sex work overwhelmingly occurs within indoor venues and is facilitated by the Internet. III Law enforcement records indicate that about 25-33% of all sex trafficking cases are discovered on the Internet. In

Backpage.com is the market hub, accounting for 80% of online commercial sex advertising. More than 150 cases of minors advertised on the website have been prosecuted in 31 states. Backpage self reports 400 ads selling minors per month. While the proportion of minors trafficked for sex is unknown, classification of Backpage ads across Nebraska indicates that approximately 8% of ads on any given day may be selling minors. There are undoubtedly adults who have been trafficked as well.

Nebraska has 5 cities with Backpage escort sections: Omaha, Lincoln, Grand Island, North Platte, and Scottsbluff.

- 92 phone numbers on Backpage nationally have Nebraska area codes.
- There were on average 45 females advertised in Nebraska on a given day in early summer.
- Of these, 81% were advertised in more than one city.



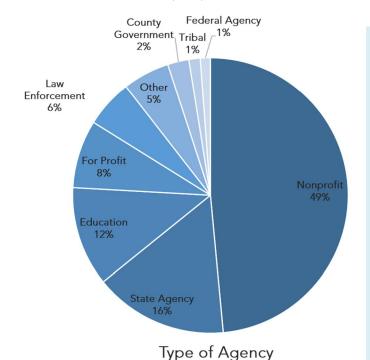


Nebraska is embedded in a regional trafficking network largely defined by I-80 and I-29. These interstates also facilitate national movement. For example, the map shows routes taken by sex workersviii traveling to and within Nebraska for the College World Series. The national reach of these routes illustrates that Nebraska is part of and affected by the national system. Moreover, this movement into Omaha affected other Nebraska cities located along these routes.

Continued research using Backpage is necessary to understand market dynamics related to fluctuations in demand. Additional research must also identify population vulnerabilities to assess pockets of potential supply across Nebraska and the United States, given that there are numerous paths to victimization. Specifically, more information is needed on trafficking in underreported populations including immigrants, Native Americans, LGBTQ+ individuals, males and high class escort agencies.

NEBRASKA SERVICE CAPACITY AND NEEDS

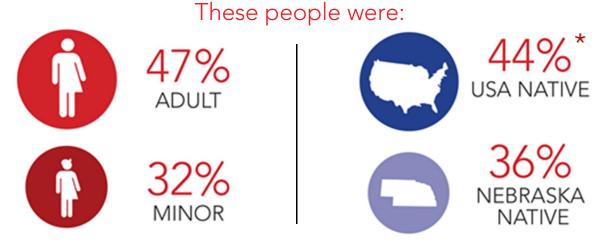
In August 2015, the Women's Fund of Greater Omaha, with assistance from numerous members of the Nebraska Attorney General's Human Trafficking Services workgroup, conducted an environmental scan of services available to people in Nebraska who have been trafficked.



- The survey reached 677 respondents from all 93 Nebraska counties and 4 Indigenous Nations.
- The greatest proportion of respondents represented non-profit organizations throughout the state.
- The high proportion of response from non-profit service providers indicates the survey reached the vast majority of Nebraska's service providers.
- The survey captured a reliable representation of Nebraska's services landscape.

Victims and Survivors in Nebraska

Over 1/3 of respondents report encountering one or more trafficked people in the past year.



Non-profit service providers have identified individuals under the age of 17 who have been sex trafficked at least 176 times in the last year. ix

^{*} A number of respondents reported not knowing the origins of the trafficked individuals that they encountered.

Current Service Landscape in Nebraska

Despite the fact that 57% of respondents believe trafficking is a problem in their community, 76% do not provide services for people who have been trafficked and 56% have no plans to provide services. Currently, a majority of service providers are under-equipped to respond to instances of trafficking and do not have the tools to identify people who have been trafficked:

- 76% do not provide services for trafficking
- 70% do not screen for indicators of trafficking
- 78% do not track people who have been trafficked

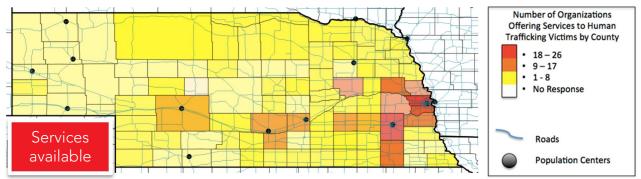
75% want training on identifying and assisting people who have been trafficked

Of those who do have the capacity to respond to instances of trafficking...

- 35% lack funding/resources
- 49% lack training and knowledge about human trafficking

84% do NOT believe they are adequately meeting needs of trafficked individuals

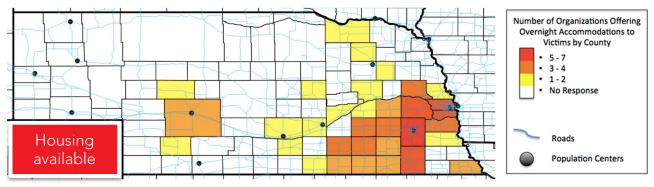
As a result, the services landscape is bleak:



Map 1: Regional concentration of 129 providers who responded "Yes" to the question "Does your program/department currently respond to or provide services for human trafficking victims?"

Of the providers represented above, the majority provided services that were neither comprehensive nor long term.

42% provided referral for services 27% provided service coordination & crisis services



Map 2: Regional concentration of 64 providers who responded "Yes" to the question" Do you provide residential/shelter services (overnight accommodations) for individuals who are or have been victims of human trafficking?"?"

Of the 129 providers responding to trafficked individuals, only 14% offer long-term housing.

Disparity between Service Needs and Service Provision

Most respondents recognize that the needs of trafficked individuals are significant: **nearly 50% say trafficked individuals' needs are high or very high**. When asked to identify the needs of people who have been trafficked, **respondents reported the same needs, across sectors.**

TOP 10 NEEDS IDENTIFIED

- 1. MENTAL HEALTH
- 2. EMERGENCY SHELTER
- 3. CRISIS INTERVENTION
- 4. SOCIAL SERVICE COORDINATION
- 5. MEDICAL
- 6. COUNSELING / SUPPORT GROUPS
- 7. FOOD / CLOTHING
- 8. SHORT-TERM HOUSING
- 9. TRANSPORTATION
- 10. EMPLOYMENT / JOB TRAINING

Despite respondents' recognition of the needs of people who have been trafficked, there is a disparity between services those individuals need and the services Nebraska agencies provide. For each service identified as a top need, fewer than 30% of Nebraska providers can adequately meet those needs.

For example:

Mental Health: 24% can provide services Emergency shelter: 17% can provide services Crisis Intervention: 27% can provide services Service Coordination: 27% can provide services

Medical: 16% can provide services

Due to this disparity, people who have been trafficked have extremely limited avenues to access the services they need.

Adequate service provision is also complicated by barriers experienced by people who have been trafficked that limit their ability or willingness to access services. Respondents recognized a variety of barriers for trafficked individuals seeking services. Once again, the barriers reported by respondents were consistent across sectors. They included:

No knowledge of available services : 64%

Lack of trust in the system: 63%

Shame or embarrassment: 58%

Isolation or lack of support: 57%

Fear of violence against self or family: 56%

Lack of community awareness about human trafficking: 56%

There are serious, negative implications for the wellbeing of people who have been trafficked that result from insufficient service provision, numerous barriers to service receipt, and a limited institutional capacity to respond to their needs.

Simply, people who have been trafficked are not getting the services they need.

What Providers Need - In Their Words

"I see the extreme need for more education and services about this topic."

"We 'stumble upon' individuals who are victims of human trafficking, so screening and coordinated referrals would be ideal."

"We struggle to accurately identify [victims] with little training."

"We have barely touched on this subject and we would like to have more information and get an awareness out to the community."

"We have not had the training or awareness of identifying and addressing those needs.

We are interested in helping if we are able to receive training."

"I think our area could use a lot more information on trafficking and how to help these victims if we did encounter them."

FUTURE STEPS

The above information and figures illustrate the need for future steps including the following:

Public Education - Awareness to facilitate prevention efforts and identification of human trafficking occurrences.

Training - Training for service providers and law enforcement on national promising practices to increase the intentionality of service provision, resulting in increased provider efficacy in meeting the needs of people who have been trafficked. Explore existing training resources throughout the state while identifying top training priorities to improve and expand current practices.

Service Provision - Enhance, develop, and implement services for people who have been exploited via human trafficking. Collective action is needed to:

- 1. Ensure full access to a comprehensive array of trauma-informed services to best aid people who have been trafficked
- 2. Safe options for shelter and long-term housing
- 3. Real opportunities to exit the commercial sex industry that ensure economic security

Funding - Identify, secure, and leverage funding and resources to support ongoing initiatives and services to combat trafficking.

Research - Continued research in the online commercial sex market to better understand and ultimately affect the market demand. Survivor voice research to gather in-depth information on the "lived experience" of adult sex trafficking survivors in Nebraska will help inform statewide efforts enhancing prevention, protection, and prosecution.

Nebraska can do better. Our people are not for sale. Join us as we combat this issue.

NOTES & REFERENCES

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¹¹ See Hampton, R. and Ball, D. 2015. "On the Estimation of Sex Trafficking Victims in Nebraska." University of Nebraska- Lincoln.

iii Dank, Meredith, Bilal Khan, Mitchel Downey, Cybele Kotonias, Deborah Mayer, Colleen Owens, Laura Pacifi, and Lilly Yu (2014). *Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major US Cities.* The Urban Institute. Available:

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- Heil, Erin and Andrea Nichols (2014). "Hot spot trafficking: a theoretical discussion of the potential problems associated with targeted policing and the eradication of sex trafficking in the United States." *Contemporary Justice Review* 17(4): 421-433.
- ^v AIM Group (2013). "Online Prostitution Ad-Revenue Crosses Craigslist Benchmark." Available: http://aimgroup.com/2013/07/10/online-prostitution-ad-revenue-crosses-craigslist-benchmark/
- vi See http://legalnewsline.com/news/236738-mckenna-files-response-in-backpage.coms-lawsuit
- vii See http://www.kirk.senate.gov/pdfs/naagbackpage.pdf
- Throughout this brief, individuals involved in the commercial sale of sex are referred to as sex workers. The use of this term does not seek to disregard the degree of coercion often involved in the commercial sale of sex, but rather seeks to recognize the continuum of agency in that exists in the sex trade. Moreover, the use of this term does not seek to discount that pimps and traffickers often exercise significant control over the lives of sex workers, including posting their ads and transporting them.
- ^{ix} The results are not meant to imply that there are 176 minors who are victims. Multiple people in one agency could have taken the survey, resulting in over counting. It is also likely that multiple agencies served the same victim.