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Special Report

A Descriptive Analysis of Missing and Murdered Native Women and Children in Nebraska, Barriers to Reporting and Investigation, and Recommendations for Improving Access to Justice

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

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Executive Summary

The Tribal-Researcher Collaboration

This project proposed a new partnership between the Nebraska Commission on Indian Affairs, the four tribes of Nebraska: Omaha Tribe, Ponca Tribe, Santee Sioux Tribe, and Winnebago Tribe; and researchers at the University of Nebraska, Omaha. It was responsive to NIJ funding opportunity 2019-15203 titled *Tribal-Researcher Capacity Building Grant*, under the priority area of *conducting pilot studies involving collecting preliminary data and secondary data analysis* on the topics of *murdered and missing Native women and children*.[1] This proposal also aligned with the goals of Nebraska Legislative Bill (LB) 154, which called for a statewide study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native women and children in Nebraska.

Goals and Activities:

Missing person cases present many challenges to law enforcement agencies across the country, regardless of whether the person is Native American[2]. 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 person 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.

Goal 1: Examine the scope of missing and murdered Native women and children in Nebraska. To accomplish this, we examined publicly available data on missing persons [(a) Nebraska Missing Persons List (NMPL), (b) National Missing and Unidentified Persons System (NamUs), and (c) National Center for Missing & Exploited Children (NCMEC)]. In addition, we confirmed with Nebraska State Patrol that there were no other missing Native person cases not included in the publicly available data (e.g., only available in the National Crime Information Center [NCIC]). We also worked with the Nebraska Commission on Indian Affairs (NCIA) to attempt to identify unreported cases across the state. We also examined publicly available data on missing and murdered Native American persons from additional sources, including (a) Supplemental Homicide Reports (SHR) and (b) Adoption and Foster Care Analysis and Reporting System (AFCARS). Finally, we collected qualitative information from key tribal community stakeholders (e.g., tribal leadership, community members) through listening sessions regarding specific tribal-community-context around missing and murdered Native women and children, and we interviewed victim service/social service personnel across the state regarding the scope/context of Native missing persons in Nebraska.

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[1] This project focused on the topic of missing and murdered Native women and children, which we denote as MMIWC in this report. However, we recognize that, nationally, the problem is broad and impacts all Native American, American Indian, and Alaska Native people, including Native men; we also recognize that the data used here does not allow for an examination of the specific experiences of two-spirit Native persons.

[2] We refer to Native Americans, Native, and American Indian and Alaska Native (AI/AN) persons interchangeably through this report.

Goal 2: Identify barriers for reporting and investigating cases of missing and murdered Native women and children in Nebraska. To accomplish this, we conducted interviews with 25 victim service/social service and allied criminal justice system personnel and five law enforcement officers across the state regarding the barriers for reporting and investigating cases of missing and murdered Native women and children, as well as to identify and discuss gaps in the response system. We also examined Nebraska's law enforcement agencies' policies for reporting and investigating missing persons. Finally, we collected qualitative information from key tribal stakeholders (e.g., tribal leadership, community members, service providers) through listening sessions regarding barriers for reporting and investigating cases of missing and murdered Native women and children.

Goal 3: Identify ways to create and sustain partnerships to increase reporting and investigating missing and murdered Native women and children in Nebraska. To accomplish this, we collected interview data from victim service/social service providers and law enforcement officers and conducted listening sessions with key tribal stakeholders (e.g., tribal leadership, community members, service providers) regarding potential partnerships to increase reporting and investigating cases of missing and murdered Native women and children.

Data and Methodology:

Several sources of data were used for this report, including data from three missing person databases, adoption and foster care data, supplemental homicide reports, listening sessions with Nebraska's Native communities, missing person policies from 51 law enforcement agencies across Nebraska, and interviews with 25 tribal and non-tribal victim service/social service and criminal justice system personnel and five law enforcement officers. First, quantitative data on Nebraska's missing persons were obtained from existing missing person databases: Nebraska's Missing Persons List (NMPL), National Missing and Unidentified Persons System (NamUs), and the National Center for Missing and Exploited Children (NCMEC) to conduct four point-in-time counts of missing persons on 1/20/2020, 3/31/2020, 6/31/2020, and 10/31/2020. In addition, qualitative data were collected from five listening sessions in tribal communities 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 person cases, at listening sessions, (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 person cases. Data were also collected regarding the use and content of missing person policies from 51 law enforcement agencies across Nebraska. Finally, we completed interviews with 25 tribal and non-tribal victim service/social service and criminal justice system personnel and five law enforcement officers across Nebraska to further explore barriers and challenges to reporting and investigating missing person cases and potential opportunities to better serve missing persons and their loved ones.

Results:

Goal #1: Scope of missing Native American women and children in Nebraska

Findings from the missing person databases revealed that **Nebraska's missing persons' rate was quite stable at each of the four point-in-time counts – from 3.3 to 3.6 per 10,000 Nebraskans.** Most of Nebraska's missing persons were White (from 61.2% to 66.8% across the points-in-time), compared to Black (from 19.1% to 23.6%), Native American (from 4.3% to 5.9%), and Asian or Pacific Islander (from 0.6% to 0.9%); race was unavailable in 6.4% to 9.7% of cases. In comparison, 88.1% of Nebraska's population is White, 5.2% is Black, 1.5% is Native American, and 2.8% is Asian or Pacific Islander (U.S. Census, 2020) – thus, Whites and Asian/Pacific Islanders were consistently underrepresented as missing persons in Nebraska, while **Black and Native American**

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Nebraskans were consistently overrepresented as missing persons – from about 3 to 4.5 times their representation in the state population. Additionally, we found:

- **Native American missing persons, on average, were in their early twenties; the majority were minors ages 13 to 18 years old. These findings were observed at each time point.**
  - **Most Native American missing minors were boys** (i.e., 18 years and younger); however, the percentages of missing Native American minor boys decreased over time, while the percentages of missing Native American minor girls increased over time, from 21.6% of Native American missing person cases at Time 1 to 35.7% of Native American missing person cases at Time 4.
- **9.6% of Native American missing person cases (n = 6) were identified as *repeatedly* missing:** they were reported missing at one point-in-time count, the case was not identified in the next 1 or 2 point-in-time counts, and then they were identified as missing again.
- **Resolution rates for Native American missing persons in Nebraska were higher than for Nebraska's overall missing persons**. For example, 68.4% of the Native American missing person cases identified at Time 1 were no longer listed as missing at Time 2; no cases were resolved from Times 2 to 3 (during the height of COVID-19), but 50% of the missing person cases identified at Time 3 were resolved at Time 4.
- 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.
- Given the high rates of children among Native American missing persons, the relationship between missingness and involvement in the foster care system among American Indian and Alaska Native (AI/AN) children were also explored. **Overall, AI/AN children and Black children were more than twice as likely to be involved in foster care as White children and nearly nine times more likely than Asian children.**
  - A higher percentage of Native youth (2.1%) in foster care were identified as having run away from their placement setting compared to White, Black, or Asian youth.
- Homicide data show that in Nebraska from 2015 to 2019, AI/AN persons were killed at twice the rate of White persons (0.4 versus 0.2 per 10,000 people) and were the second most at-risk racial group after Black persons.
- According to the Nebraska State Patrol, **none of the 64 unique Native missing persons** identified across the four point-in-time counts **were linked to a criminal investigation for any violent (i.e., homicide) or non-violent crime.**

When interviewing **key system stakeholders (e.g., victim service providers),** we asked, in their experience, "What makes Native American people and tribal lands vulnerable to missing person cases?" Four key themes were identified:
  - Poverty,
  - Systemic issues,
  - Isolation, and
  - Jurisdictional complications

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

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(3) Mental health challenges,
(4) A lack of affordable housing/homelessness, and
(5) Poverty.

Goal #2: Barriers to reporting and investigating missing Native American women and children in Nebraska

Overall, less than a quarter of law enforcement agencies in Nebraska responded to our request about their missing person policy, but of those who responded, **the majority (69%) did have a policy regarding missing persons, while 31% did not have such a policy.** Further, among agencies that do have a policy, **there is wide variability regarding 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.**

We asked **Native community members** about the barriers they perceived regarding reporting and investigating missing Native people in Nebraska. In general, tribal community members voiced concerns over the following issues:

1. **Systemic issues** of poverty, isolation, substance/drug use, domestic violence, and/or human trafficking may be linked to "going missing," either intentionally or unintentionally; and
2. **Questions regarding how and when to report a missing person** or that community members could access national missing person databases (i.e., NamUs, NCEMC) directly without contacting law enforcement.
3. A **lack of communication** and relationships between federal, state, local, and tribal law enforcement as well as between law enforcement and tribal communities; and
4. 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).

Primarily, service providers identified a **lack of training, a dearth of understanding Native culture, limited education regarding issues pertinent to Natives, and a lack of resources as barriers** to providing services for Native families of missing persons. Further, they identified the following barriers to reporting a missing person to law enforcement:

*   **Lack of communication** between the different types of law enforcement (i.e., tribal, local, state, and federal agencies).
*   Victims did not want to report to law enforcement out of **fear of being revictimized.**
*   **Stereotypes** among law enforcement that Native Americans who have a history of alcohol abuse or other problems are not really missing.
*   **Lack of education and/or understanding of the criminal justice system** by victim service providers and victims, which leads to reporting to the wrong agency and/or not reporting at all because they assume that another agency has reported.

Service providers were also asked to discuss potential barriers – from a policing perspective – to investigating, reporting, and resolving missing cases among Native Americans. They identified the following barriers:

*   **Need for better collaboration** between law enforcement, victims, families, and services.
*   **Lack of resources** among smaller tribal agencies limits their manpower to conduct proper investigations.
*   **Lack of trust** among clients means they do not want law enforcement to be involved.
*   **Lack of training** among law enforcement regarding the handling of missing person cases.
*   **Jurisdictional complexities** make it challenging to determine which agency is responsible for investigating.

Interviews with law enforcement officers echoed many of the same challenges community members and service providers identified regarding jurisdictional complications, the need for better communication, and mistrust of law enforcement by Native persons. They also highlighted challenges that arise when **the data on a missing person obtained/entered into NCIC is poor,** as well as the **complications** introduced by having **multiple agencies** – and **multiple agencies' policies** – involved in working a case.

Goal #3: 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 was 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 the Department of Health and Human Services, tribal and non-tribal victim services, and legal aid to address the underlying social challenges related to missing person cases (e.g., domestic violence).

Service providers drew from their expertise and offered several potential solutions to help ease the barriers they previously identified. They noted that **more resources** were desperately needed to better serve missing person cases and their loved ones; they also noted that more resources would enable providers to provide services that are more **inclusive and culturally sensitive**. Respondents felt that they **lacked training regarding missing person cases and lacked cultural sensitivity training that would enable them to properly provide for Native American communities**. They identified a need for more and better collaboration between providers and system actors, especially law enforcement. The **development of specific missing person advocacy is a point of partnership**. A specific person within the system who is dedicated to assisting families as they report a loved one missing and helping to provide them with resources would likely be immensely impactful. Finally, respondents felt that **awareness of the MMIW issue and Native issues at large** was severely lacking. Finding a way to bring Native communities together with system actors as well as other communities to address the issue of MMIW and raise awareness outside of native communities is key.

Interviews with law enforcement echoed the need for **specific, high-quality, and relevant training** on best practices for missing person cases. Interviewees highlighted that training would be most helpful if it **were provided to all law enforcement agencies statewide**. Interviewees also recognized the need to **build relationships between tribal and non-tribal police** and identified the use of **specifically defined cross-deputization programs** as a possible starting point. There was also recognition that **citizens should feel empowered to hold law enforcement accountable** for taking missing person incident reports and investigating cases. One interviewee reminded us that "**ultimately, everyone answers to someone**" and **that citizens should take concerns up the chain of command**.

Lessons Learned from the Tribal-Researcher partnership

Working with tribal communities is very beneficial for research endeavors. We included the tribal community in this project as much as possible and sought their blessing and feedback whenever possible. We believe the successes of our project included:
  • Tribal leadership "buy-in" to the research project
  • Building relationships between the Nebraska State Police (NSP), research team members, and tribal

community members
- Tribal members' ability to voice concerns and suggest improvements regarding the criminal justice response to missing Native people in Nebraska

However, we did experience some <u>challenges during this project. They included:</u>
- COVID-19 restrictions on in-person interactions
- Disentangling the problem of missingness from larger social problems such as domestic violence, substance use, and human trafficking
- Turnover in key partnerships

Based on the lessons learned during this project, as well as an understanding of the impact of historical context of Native people, which includes historical trauma, historical oppression, and colonization, we provide three specific recommendations for researchers conducting research with Native communities:
1. Make sure that the research/project respects the culture and traditions of that tribe. Remember, Native communities are not a monolith, and each has its own language, culture, traditions, and beliefs.
2. Keep the community involved as much as possible to create more trust and willingness to participate.
3. Design the project in a way that will benefit the Native community if they so choose to participate. Doing so will make the tribal business council more supportive of the project.

Ultimately, Native communities should be made to feel a part of the research, not its subject.

Recommendations

The results from the quantitative and qualitative data point to three main areas which could improve the response to missing and murdered Native women and children.

Replicate and Extend Research in Additional States:

(1) Complete point-in-time counts using both the state *and* national missing person databases in additional states.
(2) Complete point-in-time counts across multiple years to examine whether missing person cases are subject to seasonal trends.
(3) The context of Native American missing person cases, including the scope and context of cases connected to criminal circumstances (e.g., domestic violence, homicide, human trafficking), needs attention.
(4) Consider the context of missing Native youth and whether or if, e.g., missingness is related to foster care or juvenile justice system involvement (i.e., are youth missing from out-of-home foster care placements).

Tribal and Non-Tribal Law Enforcement Data Collection and Cooperation:

(1) Develop and implement a missing person policy for both juvenile and adult missing persons in each of Nebraska's law enforcement agencies. In addition, develop and provide a Standard Operating Procedure (SOP) illustrating a step-by-step process for handling missing person cases.
(2) Whenever possible, obtain complete demographic information (e.g., age, sex, race) from the reporting party and include this information in the missing person report.
(3) Whenever possible, obtain information on tribal affiliation from the reporting party and include this information in the missing person report.
(4) Increase the capacity of tribal law enforcement departments through the cross-deputization of non-tribal officers in jurisdictions bordering Indian country.

(5) Encourage Memorandums of Understanding (MOUs) between tribal and non-tribal law enforcement agencies.
(6) Develop and implement Native American cultural awareness training for non-tribal law enforcement.
(7) Increase the recruitment of Native American persons to the non-tribal law enforcement; allow recruits to stay in their home area upon request.
(8) Encourage each tribe to hold regular law enforcement meetings with tribal, local, county, state, and federal law enforcement partners.

Enhance Awareness of Reporting Options and Mechanisms to Native Communities and Service Providers:

(1) Facilitate NamUs training in tribal communities, and encourage both tribal and non-tribal law enforcement as well as family members to utilize.
(2) Provide awareness and education regarding how to report missing persons to victim service providers and other social service providers who may encounter at-risk people for going missing (e.g., those working in substance abuse, victimization, or trafficking fields) or who may be contacted by families of missing persons.
(3) Educate foster care staff on the overlap between running away within the foster care system with missing person cases and provide training for them regarding reporting missing person cases.
(4) Develop a missing persons-specific advocate who can work with law enforcement, victim/social service providers, and tribal communities.

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Background

Colonization and Disparities in Native American Communities

Colonization — or the removal and erosion of another society, including their values, beliefs, norms, cultures, and traditions by outsiders (Weaver, 2009) – has had a profound and lasting impact on Native American people and Native American communities. For Native Americans, colonization is a source of pervasive and persistent trauma and oppression that exists over the lifetime and across generations (i.e., historical trauma and oppression; Brave Heart, 2003; Burnette & Figley, 2016). Colonization has also led to stereotypes of Native American people, and Native American women in particular, as unworthy of respect and protection from violence and victimization (Weaver, 2009).

The legacy of colonization in Native American communities includes a host of inter-related economic, health, and social challenges. For example, Native American communities experience high rates of poverty and unemployment (Guzman, 2020). 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 also have unmet physical, mental, and behavioral healthcare needs.

Relatedly, 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 (SAMHSA, 2019) and greater rates of alcohol-induced deaths (Spillane et al., 2020). Native persons also suffer higher suicide rates than other races/ethnicities or the national average (Centers for Disease Control and Prevention, 2021).

Violence Against Native Women and Children

Research indicates that Native American persons experience crime victimization at higher rates than non-Native people (Catalano, 2007; Rosay, 2016) 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 in some counties comprised primarily of Indian reservation lands (Bachman, Zaykowski, Kallmyer, Poteyeva, & Lanier, 2008). Native American children face a significant number of adverse childhood experiences, with nationally representative research showing that Native youth experience significantly greater rates of physical abuse, sexual abuse, parental substance abuse, and witnessing violence when compared to youth of other races/ethnicities (Richards, Schwartz, & Wright, 2021). Furthermore, Native American families bear significant rates of disruption as Native children are placed into foster care at disparate rates in many states (Ganasarajah, Siegel, & Sickmund, 2017) and experience lower rates of family reunification compared to children of other racial groups (Wildeman et al., 2020).

Challenges in System Response to Violence Against Native Women and Children

The unique position of AI/AN tribes as both sovereign nations *and* interdependent on the United States creates jurisdictional complexities in responding to AI/AN victims of crime. Specifically, a series of federal laws have reduced tribal sovereignty and thus reduced tribes' power to protect their lands and their people. To begin, the

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Major Crimes Act (1885) forced tribes to cede jurisdiction of "major crimes" (e.g., murder, kidnapping, incest, felony child abuse and neglect, and other felonies) committed in Indian county[3] to the federal government regardless of whether the victim was American Indian or Alaska Native. Then, in 1953, Public Law 280 returned jurisdiction of crimes committed on Indian reservations in six states – including Nebraska – not to the tribes, but to the states, further complicating the criminal justice response on tribal lands in "PL 280" states. The Indian Civil Rights Act (ICRA; 1968) also placed limitations on tribal jurisdiction, specifically within sentencing. According to the ICRA, defendants convicted in tribal courts could only be sentenced up to 6 months in jail and given a maximum fine of $500. Under American law, this level of sentencing was commensurate with a misdemeanor crime. ICRA was later amended and expanded tribal court's sentencing authority to include sentences of one year in jail or fines up to $5,000, or both (Deer, 2015). Further, tribal sovereignty in punishing offenders does not apply to non-American Indian and Alaska Native persons (*Oliphant v. Suquamish Indian Tribe,* 435 U.S. 1978). Thus, non-Native persons who perpetrate violence against Native persons in Indian country cannot be tried in tribal courts.

Taken together, multiple federal laws limit tribes' authority to prosecute and/or punish violence against Native persons. At the same time, the federal and state response to violence in Indian country, especially violence against AI/AN women, has been limited. For example, according to the most recent available data, in 2019, U.S. attorneys prosecuted about 65% of crimes reported in Indian country, but 63% of the cases declined for prosecution related to physical assaults or sexual violence of children or adults (U.S. Department of Justice, 2019).

More recently, the federal government has attempted to address violence against AI/AN women through federal legislation. The Tribal Law and Order Act (2010) (TLOA) enhanced tribes' sentencing authority over Native offenders and extended access to national criminal justice databases to tribal law enforcement. It also established guidelines for handling domestic violence and sexual assault crimes in Indian country, provided training for tribal law enforcement and court officials, and extended resources to improve victim services. TLOA also included provisions to assist tribes in developing drug and alcohol prevention programs to better combat those issues on tribal lands, especially for tribal youth. In addition, the 2013 reauthorization of the Violence Against Women Act (VAWA) established Special Domestic Violence Criminal Jurisdiction ("SDVCJ") to tribes for domestic violence, dating violence, and violations of protection orders by both AI/AN and non-AI/AN offenders; however, the 2013 reauthorization did not extend tribal jurisdiction to all VAWA crimes, namely sexual assault and stalking, or address VAWA crimes perpetrated by non-Native acquaintances or strangers against Native victims in Indian country (see Gilbert, Richards, & Wright, 2021).

These jurisdictional complications may produce unique barriers for AI/AN women and their families when they attempt to seek assistance from a criminal justice authority in or near Indian country. When an act of violence occurs in Indian country, several possible law enforcement agencies may respond, including tribal, state, federal, or local officers. The decision regarding who has jurisdictional authority is dependent on the crime that was committed, whether the offender and/or the victim are AI/AN, and whether the crime was committed exclusively in Indian country (see Castillo, 2015). Such jurisdictional confusion may result in a delayed or inadequate response to victims of crime as well as confusion – for both law enforcement and victims – regarding which agency is responsible for the ongoing investigation and resolution of a case. Victims and their families may experience additional challenges in reporting crime victimization and/or engaging in the justice system process due to an inherent hesitation to trust outside authority. Conversely, in much of Indian country, law enforcement agencies suffer from insufficient funding, inadequate training, and high turnover (Bachman et al., 2008).

Nebraska's Native American Persons

According to the 2019 U.S. Census estimates, there are nearly 30,000 Native American persons living in Nebraska;

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[3] Indian country is defined as all land within the limits of any Indian reservation, dependent Indian communities, and all Indian allotments within the borders of the United States as defined by 18 U.S.C. § 1151 and 40 C.F.R. § 171.3

and nearly 44,000 persons who identify as Native American in addition to another racial/ethnic identity (U.S. Census, 2020). 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 total nearly 25,300 acres. 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 Indian country land (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 ten times the rate of their White peers (Children's Bureau, 2021). Relatedly, Native American children are placed into foster care at a rate of 2.76 times greater than their proportion in the Nebraska population (Adoption and Foster Care Analysis Reporting System, 2019) and their family reunification rate (47.1 %) is lower than that of White, Black, Asian, or Hispanic children (Children's 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 person 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 two missing person cases (as well as five murdered and two unknown cases) stemming from Lincoln and 11 missing person cases (as well as three murdered and ten 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 or the analysis. The Nebraska Commission on Indian Affairs requested the data for the Nebraska missing person cases uncovered by the Urban Indian Health Institute, but the UIHI declined to share the data.

Challenges of Counting Missing Persons

Economic, heath, and social disparities, as well as experiences with violence, may 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 (Bonny et al., 2016; Sowerby & Thomas, 2017), while a teen experiencing abuse in the home may runaway to escape the maltreatment (James et al., 2008; Sowerby & Thomas, 2017). In some instances, a missing person case may stem from an abuser killing their intimate partner or abducting their child (James et al., 2008).

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. In 2019, the federal government convened the "Operation Lady Justice Task Force on Missing and Murdered American Indian and Alaska Natives" to "improve data coordination, enhance collaboration among various law enforcement entities, create cold case offices, and elevate support for victims and their families" (U.S. Department of Justice, 2020b, para 6). Accurately counting the number of "missing and murdered" people – Native or non-Native – is no easy task. 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 not every missing person has been or will be a victim of a violent crime or 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 person cases are dynamic,** and thus the number of missing person cases in any jurisdiction may change daily. Therefore, any count of missing person cases must be understood as a point-in-time count that is likely only accurate on the date (and time) 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 person cases present many challenges to law enforcement agencies across the country, 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). By extension, not all missing persons are missing unintentionally, and not all missing person cases are related to criminal activity (Bonny et al., 2016). 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. Law enforcement departments missing person data may vary in reliability as there are no standardized definitions of a "missing person," nor are there standardized protocols and/or policies for reporting and investigating cases (Chakraborty, 2019). As such, officers may use their discretion when deciding whether or not to take a report of a missing person and enter it into the national law enforcement database: The National Crime Information Center (NCIC), and/or to report a missing person case to one or both of the national missing person databases: The National Missing and Unidentified Persons System and The National Center for Missing and Exploited Children. For example, 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 person" case for some reason, or they are unaware or unmandated to enter a missing person case (especially adults) into certain data systems (Chakraborty, 2019).

Importantly for the current study, **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**

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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 complicate the reporting process, where Native American community members must decide to whom they should report the case. In Indian country – the land set aside by the U.S. Government for Native people (e.g., Indian Reservations, Indian Allotments; see 18 U.S. Code § 1151) – there are complex jurisdictional relationships between tribal and non-tribal law enforcement agencies (i.e., local, state, and federal agencies) (Castillo, 2015). This "jurisdictional maze" (Castillo, 2015, p. 314) may leave Native community members unclear about the agency to which they should report a missing person case. 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. For example, an agency's jurisdiction might depend on whether: (1) the missing person is a member of a tribe, (2) the reporter is a member of a tribe, (3) the missing person was living in Indian country, and/or (4) the missing person is suspected to be on or off of Indian country lands (see Castillo, 2015). In many cases, it may be that tribal and non-tribal law enforcement agencies need to coordinate the case investigation jointly, 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. Reporters may be sent to multiple agencies and/or give up out of frustration or a sense that nothing can or will be done to help (Urban Indian Health Institute, 2019). Among reported cases, these jurisdictional complications may result in a report "falling through the cracks" whereby important information on the missing person is not collected and reported in the missing persons' databases. 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 a data system (Urban Indian Health Institute, 2019). Given the potential undercounting of Native American missing persons in any given missing person database, triangulation of these data – or using multiple datasets to cross-check missing persons – is likely to lead to a better estimate of the valid number of Native American missing persons and more accurate identification of who is missing at any given point-in-time.

Tribal-Researcher Partnership

The Tribal-Researcher Collaboration

The **Nebraska Commission on Indian Affairs (NCIA)** was established in 1971 and consists of 14 Indian Commissioners appointed by the Governor (NCIA, n.d.). 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" (NCIA, n.d., para 1). 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 the promotion of legislation (NCIA, n.d.). 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 as LB-154 was being developed.

The **Nebraska State Patrol (NSP)** is Nebraska's only statewide full-service law enforcement agency (NSP, n.d.). 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 (NSP, n.d.). 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 (NSP, n.d.).

The researchers involved in this Tribal-Researcher Collaboration include **University of Nebraska Omaha (UNO), School of Criminology and Criminal Justice (SCCJ) faculty members, Drs. Tara Richards and Emily Wright**, and SCCJ Ph.D. research assistants: Alyssa Nystrom, Sheena L. Gilbert, and Caralin Branscum. Dr. Tara N. Richards is an Associate Professor in SCCJ and a faculty affiliate of UNO's Victimology and Victim Studies Research Lab. Her research focuses on prevention, intervention, and system responses to sexual assault, intimate partner violence, and child abuse and neglect. In addition, Dr. Richards serves on Douglas County, Nebraska's Sexual Assault Response Team and Domestic Violence Community Response Team. Dr. Emily M. Wright is UNO's Assistant Vice Chancellor for Research and Creative Activity (Social Sciences) and a Professor in UNO's SCCJ. Dr. Wright is an enrolled member of the Cherokee Nation; she serves on the U.S. Department of Justice Section 904 Task Force on Research on Violence Against American Indian and Alaska Native Women.

A priority problem identified by the NCIA was 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 cases. In 2019, **Nebraska Legislative Bill (LB) 154** was introduced by nine state 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 mandated that the Nebraska State Patrol (NSP), in collaboration with the Nebraska Commission on Indian Affairs (NCIA), "to 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."

In service to this priority project, the Commission, NSP, and Drs. Richards and Wright developed a new collaborative partnership wherein they would bring research capacity to fulfill LB-154 priorities, gathering data with the help of NSP and interacting with the Nebraska Tribes through NCIA's partnership. We began with a conference call to identify the specific goals of the project and potential tasks associated with them and then exchanged drafts of this "short proposal" via email so that all team members could provide suggested additions and revisions. Once the group was satisfied with this "short proposal," the UNO researchers drafted a full proposal consistent with the NIJ application requirements that was sent to the Commission for review and feedback. Finally, feedback suggesting additions and changes were discussed during an in-person meeting, and the proposal was finalized and submitted. Given the national attention on "missing and murdered" Native persons, the UNO research team expanded the scope of the current study beyond the aims set forth in LB-154 to include an analysis of homicide data and primary data collection from key informants regarding the potential linkages between violent crime victimization/homicide and missingness among Native persons.

The ideals of community-based participatory research, where researchers and community members hold equal power and influence, guided our research collaboration. Drs. Richards and Wright (and their UNO graduate students) collected and analyzed the quantitative and qualitative data for this project, helped write the LB-154 Legislative report, and disseminated the results by providing a webinar presentation to the 2020 Nebraska Community Aid and Juvenile Justice Conference (Richards & Wright, 2020) and presentation to the 16th Annual Government to Government Tribal Consultation (Richards & Wright, 2021), and producing two articles (Gilbert, Wright, DeHerrera, & Richards, 2021; Richards, Wright, Nystrom, Gilbert, & Branscum, 2021). Nebraska State Patrol aided in the identification of key informant interviews and solicitation of policy reviews across the state and cross-checked the data obtained from the NMPL, NamUs, and NCMEC with NCIC data to ensure that we included all cases of missing AI/AN persons in our point-in-time counts. NCIA's roles in the collaboration were to organize and facilitate the listening sessions with tribal community members, guide the development of the interview protocols in order to ensure that topics of importance to the Native communities were captured, and identify the key stakeholders in the tribal communities and among tribal law enforcement agencies who participated in the interviews. Through these partnerships, data from three missing person databases and Nebraska's data from the Adoption and Foster Care Reporting System were examined, state law enforcement policies were collected and analyzed, and qualitative data from five tribal community listening sessions and interviews from key tribal and non-tribal law enforcement and victim service providers was thematically analyzed to examine the scope of, potential causes of, and response to missing Native Americans in Nebraska. In addition, Nebraska's Supplemental Homicide Report data was examined along with qualitative data collected from key informants (i.e., tribal community members, and tribal and non-tribal law enforcement and victim service providers) regarding the potential linkages between violent crime victimization/homicide and missingness among Native persons were collected and analyzed to assess the extent to which homicide was linked to missingness.

Project Goals and Activities:

This project had three specific goals, and the UNO research team engaged in several research activities to achieve each goal. The goals and activities are briefly described below; the methodology of the project (quantitative and qualitative portions) is then described before delving into the results.

Goal 1: Examine the scope of missing and murdered Native women and children in Nebraska. To accomplish this, we examined publicly available data on missing persons [(a) Nebraska Missing Persons List (NMPL), (b) National Missing and Unidentified Persons System (NamUs), and (c) National Center for Missing & Exploited Children (NCMEC)]. In addition, we confirmed with Nebraska State Patrol that there were no other missing Native person cases not included in the publicly available data (e.g., only available in NCIC). We also

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worked with the Nebraska Commission on Indian Affairs (NCIA) to attempt to identify unreported cases across the state. We also examined publicly available data on missing and murdered Native American persons from additional sources, including (a) Supplemental Homicide Reports (SHR) and (b) Adoption and Foster Care Analysis and Reporting System (AFCARS). Finally, we collected qualitative information from key tribal community stakeholders (e.g., tribal leadership, community members) through listening sessions regarding specific tribal-community-context around missing and murdered Native women and children, and we interviewed victim service/social service personnel and law enforcement officers across the state regarding the scope of Native missing persons in Nebraska.

Goal 2: Identify barriers for reporting and investigating cases of missing and murdered Native women and children in Nebraska. To accomplish this, we conducted interviews with 25 victim service/social service and allied criminal justice system personnel and 5 law enforcement officers across the state regarding the barriers for reporting and investigating cases of missing and murdered Native women and children, as well as to identify and discuss gaps in the response system. We also examined Nebraska's law enforcement agencies' policies for reporting and investigating missing persons. Finally, we collected qualitative information from key tribal stakeholders (e.g., tribal leadership, community members, service providers) through listening sessions regarding barriers for reporting and investigating cases of missing and murdered Native women and children.

Goal 3: Identify ways to create and sustain partnerships to increase reporting and investigating missing and murdered Native women and children in Nebraska. To accomplish this, we collected interview data from victim service/social service providers and law enforcement officers and conducted listening sessions with key tribal stakeholders (e.g., tribal leadership, community members, service providers) regarding potential partnerships to increase reporting and investigating cases of missing and murdered Native women and children.

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Missing Persons Databases

National Crime Information Center

The National Crime Information Center (NCIC) is a national database of crime data accessible to state, local, and tribal law enforcement agencies (Criminal Justice Information Center [CJIS], n.d.). NCIC also collects missing person cases, which are not crimes; the system is meant to address missing person cases as soon as they occur. NCIC is administered by the Federal Bureau of Investigation and allows law enforcement to query multiple state and federal databases. Law enforcement officers can submit inquiries in NCIC and get a response immediately (CJIS, n.d.). 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 children be entered into NCIC. Germane to this study, tribal law enforcement access to NCIC is fairly new and not yet afforded to every tribe. More specifically, in August 2015, the U.S. Department of Justice initiated the Tribal Access Program for National Crime Information (TAP) to provide "selected" federally-recognized tribes access to crime information systems, including NCIC (U.S. Department of Justice, 2019a). The program has expanded every year, providing access to additional tribes annually. In December 2019, the Department of Justice indicated that TAP was "currently deployed to more than 75 tribes across the country with over 300 participating tribal justice agencies" (U.S. Department of Justice, 2019b). At the time of this report, the Omaha Tribe of Nebraska, Winnebago Tribe of Nebraska, and Santee Sioux Nation were identified as tribes that were "in progress" regarding the implementation of TAP (U.S. Department of Justice, 2020a).

National Missing and Unidentified Persons System

The National Missing and Unidentified Persons System (NamUs) is a program that connects criminal justice agencies, allied forensic scientists, and families across the nation with information and resources to resolve missing, unidentified, and unclaimed person cases (NamUs, n.d.). NamUs offers technology, forensic and analytical services, investigative support, training, and victim services for family members impacted by the death or disappearance of a loved one (B.J. Spamer, personal communication, August 25, 2020). As a Department of Justice asset funded and administered by the National Institute of Justice (NIJ), all NamUs resources and services are provided at no cost. The program is managed through a cooperative agreement between NIJ and the University of North Texas Center for Human Identification (UNTCHI) (B.J. Spamer, personal communication, August 25, 2020).[4]

The NamUs database is a national information clearinghouse for missing, unidentified, and unclaimed person case information (NamUs, n.d.). The database is searchable by anyone, including the public; however, sensitive case information is accessible only to registered, vetted professional users, which includes law enforcement officers, medicolegal death investigators, and allied forensic professionals (B.J. Spamer, personal communication, August 25, 2020). The NamUs database performs automatic comparisons between missing and unidentified person cases to locate potential matches, and robust advanced search tools allow users to search unique identifiers such as physical characteristics, tattoos, scars, marks, clothing, and jewelry (B.J. Spamer, personal communication, August 25, 2020).

Anyone can enter a new missing person case into NamUs, including family members of the missing, but all cases are verified with the jurisdictional criminal justice agencies before publication in the system to protect the safety and privacy of individuals reported missing to NamUs (B.J. Spamer, personal communication, August 25, 2020). When a case is entered into NamUs, regardless of the data reporter, it must go through a verification process, and will not be published until it has been verified and the appropriate documentation provided. For instance, unidentified and

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[4] At the time of writing, B.J. Spamer was the Executive Director of Operations at NamUs. The Department of Justice changed NamUs administrators in 2021. A five-year contract was awarded to RTI International to take on the responsibility for, and management of the NamUs program beginning October 1, 2021 (Award ID:15PNJD21F00000007).

unclaimed person cases are entered only by medical examiner/coroner offices or their designees. Images can be uploaded to all NamUs case files, including facial photos of missing persons or unidentified decedents, as well as dental radiographs and photographs of tattoos or clothing (B.J. Spamer, personal communication, August 25, 2020). Some images may be flagged as viewable only to professional users, such as fingerprint cards or other medical/biometric records. Only once the case has been verified is it made publishable in NamUs. For these reasons, a data draw from NamUs will only produce published/verified cases, although there may be cases that are unpublished but awaiting clearance. Once a case is resolved, the case is unpublished and archived, so NamUs does not provide a list of solved cases. Relevant to the current project, NamUs began collecting key tribal data in 2018. Currently, NamUs and the National Crime Information Center (NCIC) systems are unable to readily connect and exchange information (B.J. Spamer, personal communication, August 25, 2020).

NamUs Regional Program Specialists serve as a force multiplier for the agencies they serve, offering training, case management support, and assistance with collecting DNA samples and other biometrics (B.J. Spamer, personal communication, August 25, 2020). NamUs analysts also support investigations by locating indications of life on persons reported missing, vetting tips and leads, and locating family members to facilitate DNA collections and next of kin death notifications. NamUs also offers a suite of forensic services to support case investigations and resolutions, including fingerprint examination and forensic odontology, as well as DNA analyses and forensic anthropology services through the affiliated UNTCHI forensic laboratories (B.J. Spamer, personal communication, August 25, 2020).

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, n.d.). NCMEC is intended to serve as a national clearinghouse for information regarding missing children and provide a coordinated national response to missing and exploited children. Like NamUs, NCMEC allows family and friends to enter information on missing children and 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 (NCMEC, n.d.). 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, n.d.). 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 Person List

The Nebraska Missing Person List (NMPL) is Nebraska's clearinghouse for missing person 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 person cases. The NMPL is accessible online to everyone and can be searched by name, reporting agency, sex, race, and age (NSP, n.d.).

Methodology

Missing Person Data

Point-in-Time Counts. To understand the scope of the problem of missing Native American persons in Nebraska, we first needed to 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 1/20/20; given the dynamic nature of missing person cases, this data must be understood as a point-in-time count of missing person cases on 1/20/2020. 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 person cases that were available in these datasets on 1/20/20 (i.e., Time 1) as well as at three additional time points, Time 2: March 31, 2020; Time 3: June 31, 2020; and Time 4: October 31, 2020.

Data Collection. To understand the scope of missing Native American persons in Nebraska, a count of the total number of all missing persons in the state needed to be established. Data were collected from three of the previously described data sources: (1) the Nebraska Missing Person 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. For each point-in-time count, the publicly available NMPL database was accessed, and data for all persons missing from Nebraska on that point-in-time count date were recorded in an SPSS database. These data were then cross-checked against the national lists from NamUs, and NCMEC and any additional persons missing from Nebraska that were not reflected on the NMPL were added to the dataset. Three Ph.D. level graduate assistants conducted data collection. SPSS 21 was used for dataset development and analysis.

In addition to the review of the NMPL, NamUs, and NCMEC databases, several strategies were used to identify any unreported cases of Native American missing persons. First, listening sessions were conducted in Nebraska's tribal communities (i.e., in Indian Country and at the Ponca Headquarters in Omaha) where (1) the Director of the Nebraska Commission on Indian Affairs asked tribal community members if there were unreported missing persons that should be included in the study. Community members were assured that this could be done privately with the project coordinator, a University of Nebraska Law student; the project coordinator also informed the community that she could help report cases to NamUs. In addition, (2) a Captain from NSP attended the listening sessions and spoke to community members about NSP's role in the LB-154 study and their commitment to making improvements in the reporting processes and investigations of missing person cases among Native American Nebraskans. He informed community members that he was available to take any missing person reports, and he conveyed that he would take all reports seriously. Further, the Nebraska Commission on Indian Affairs reached out to tribal leaders about unreported missing person cases throughout the study period. Finally, the project coordinator did additional research using Native message boards on social media platforms. Despite these efforts, no additional unreported cases of Native American missing persons were identified.

After compiling the dataset for the point-in-time count of missing person cases, we sent the list of Native American missing persons to the Nebraska State Patrol (NSP) so that she could cross-check the number and identity of Native American missing persons listed in our dataset with the National Crime Information Center (NCIC) information, which is only accessible to law enforcement; the analyst confirmed that there were no additional Native American missing person cases not already reflected in our dataset.

Measures. For each case, the *first and last name, age at missing, sex* (male/female), *race* (UCR racial categories: American Indian/Alaska Native, White, Black, Asian or Pacific Islander, or Unknown), and *date of missingness* was recorded. Whether the case was retrieved from the *NMPL, NamUs,* and/or *NCMEC* databases was also identified. *Time missing* was calculated by subtracting the date the person went missing from the date of data collection (i.e., Time 1: January 20, 2020). A missing person case was identified as *resolved* if a missing person identified at one-time point had been removed from the missing person list or lists from which they were identified at a previous time point. A missing person was identified as *repeatedly missing* if they were identified as missing at one time point, the case was resolved at a second time point, and then the person was reported missing again at a third time point. *Missing persons rates* were calculated using U.S. Census estimates for Nebraska's total population and population across racial groups (U.S. Census, 2020).

Understanding Duplicate Entries in Missing Person Data. After developing a combined list of missing person cases, 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 point-in-time count of unique missing persons in Nebraska, the most recent entry for the individual was retained for each point-in-time count. We then sent a list of duplicate entries to the NSP analyst for her review. 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 person 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 to be entered into NCIC (see Nebraska Revised Statute § 43-2003); however, missing adults are not required. Therefore, if the reporting agency chooses, they could report a missing adult using the NMPL but not enter the case into NCIC, causing a difference between the NMPL and the NCIC. It is also possible that some agencies cannot enter information into NCIC. The NSP analyst understood that these agencies may have an agreement with another nearby agency to create the NCIC entry for them in these instances, 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 person 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.

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(4) Incomplete information prohibiting cases to be closed or removed from missing person databases.

(5) No formal requirements regarding the entry of adults into missing person systems.

Adoption and Foster Care Analysis and Reporting System (AFCARS)

The National Data Archive on Child Abuse and Neglect (NDACAN) houses several national data collection projects to understand child maltreatment in the United States (NDACAN, 2019). In this report, we include statistics from the Adoption and Foster Care Analysis and Reporting System (AFCARS) to understand child involvement in the foster care system in Nebraska. The AFCARS is a federally mandated data collection effort that includes all children covered by the protections of Title IV-B/E of the Social Security Act (Section 427). In this report, we include data from the AFCARS reporting years 2015-2019.

Specifically, we focused on the racial and placement categories reported in AFCARS. The AFCARS reports the following racial categories: White, Black, American Indian/Alaska Native, Asian, Hawaiian/Other Pacific Islander, and More than One Race. AFCARS identifies eight placement settings: pre-adoptive home, foster family home (relative), foster family home (non-relatives), group home, institution, supervised independent living, trial home visit, and runaway. A non-relative foster family is licensed, whereas non-relative placements could involve licensed or unlicensed persons. Group homes are licensed and approved homes that provide 24-hour care in a small group setting, generally between 7-12 children. In contrast, institutions are public or private facilities that provide 24-hour care and can support larger groups of children (12+). Trial home visits involve State agency supervision of a child being temporarily placed with a principal caretaker. Finally, a children's placement setting is identified as a "runaway" if they are missing from their foster placement.

Supplemental Homicide Report Data

Nebraska homicide statistics were derived from the Uniform Crime Reports' (UCR) Supplementary Homicide Reports (SHR)[5] Program by the Federal Bureau of Investigation (FBI). The SHR program collects supplementary homicide information that provides "the age, sex, race, and ethnicity of the murder victim and offender; the type of weapon used; the relationship of the victim to the offender; and the circumstance surrounding the incident" (Federal Bureau of Investigation, 2020). In the event there are two or more homicide victims in a single incident, subsequent information on the victim-offender relationship, weapon used, and so on are only collected for the first recorded victim. Between 2015-2019 there were 334 total law enforcement agencies in Nebraska; Nebraska agencies' yearly participation rate ranged from 65-71%.

Uniform Crime Report Participation Among Nebraska Law Enforcement Agencies			
	Total NE Agencies	*Total NE agencies reporting to UCR*	
	N	*n*	*%*
2015	334	235	70%
2016	334	236	71%
2017	334	231	69%
2018	334	216	65%
2019	334	220	66%

Note. Data were derived from the Uniform Crime Reporting Program Participation Data portion of the FBI's Crime Data Explorer.

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[5] Of note, UCR/SHR will only be available retrospectively, as the primary law enforcement agency reporting system is now the National Incident-Based Reporting System (NIBRS). UCR/SHR data only include crimes that are reported to and recorded by the police ("officially reported crimes") and may undercount the true level of crime.

United States Census Bureau Data

All rates reported in this report were calculated using population data from the United States Census Bureau. The United States Census Bureau publishes yearly population estimates through their Population Estimates Program (U.S. Census Bureau, 2020). All post-2010 population estimates are derived from the 2010 Census. All population estimates are current as of July 1 of the current year. These time series estimates are used as controls for other major surveys released by the Census Bureau, including the Current Population Survey and the American Community Survey.

Community Listening Sessions

Five listening sessions were held in tribal communities in Omaha (*n* = 38 Ponca, *n* = 5 UNO), 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. The first four 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 served as a 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. The fifth listening session was conducted virtually, hosted by UNO's Inter-tribal Council, and moderated by the Director of UNO's Native Studies Department, Dr. Brady DeSanti. Dr. DeSanti is Associate Professor of Religious Studies and Native American Studies at the University of Nebraska Omaha. He is an enrolled citizen of the Lac Courte Oreilles Ojibwe Nation in Wisconsin.

Listening sessions aimed to engage Native American community members in the hopes of soliciting information regarding the three areas of the study: (1) 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 three 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 was captured for each of the three focal points of the listening sessions.

At the first four listening sessions, to gather information on any unreported missing person 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 person cases. **No unique unreported missing person cases were reported to either NSP or NCIA through these requests.**

Missing Person Policies

Missing person 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 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 person policy and, for agencies that had a missing person 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 could 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 B for list of agencies)**.

Policies were coded independently by three 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.

System Stakeholder Interviews

Victim service providers, other related social service providers, criminal justice system personnel, and law enforcement officers were identified as key system stakeholders. In total, we interviewed 25 victim service/social service providers and related criminal justice system personnel, and five law enforcement officers in Nebraska.

Victim service and social service providers. We began by soliciting 51 tribal and non-tribal victim service and social service providers and allied criminal justice system personnel in the state of Nebraska via email for interviews. Among the agencies that agreed, we used snowball sampling to obtain referrals for other relevant respondents. Eight providers declined to be interviewed, and 18 providers did not respond to our interview request. **The research team completed 25 semi-structured interviews[6]; six respondents were from tribal agencies, and 19 were from non-tribal agencies.** Seven respondents identified as Native American. Most interview respondents were female; two respondents were male. Interviews were conducted during the three-month period from January-March 2021.

Law enforcement officers. Law enforcement officers from state and local law enforcement agencies with known cases of missing Native American persons were solicited via email for participation in semi-structured interviews. Four law enforcement officers were solicited for participation, and all four officers and an additional supervising officer agreed to participate for a total of $n = 5$ interviews.

The interview protocol asked about respondents' experiences related to missing Native American persons, including how violence contributed to going missing and barriers to reporting, investigating, and providing services for the victims and their families. Further, respondents were asked to identify potential solutions for their respective professions. Each interview was conducted by two interviewers in which one person asked the respondent

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[6] One interview was excluded from analysis due to a clerical error that made the data unrecoverable.

questions and the second person took detailed notes and notable quotes. While the interviewer followed the protocol, they also solicited additional information as needed. **All interviews were conducted via Zoom and ranged from 20-minutes to one hour.**

Qualitative data analysis was conducted using ATLAS.ti (version 19). Qualitative analysis was conducted using several stages of coding. We first had several preliminary readthroughs of the interviews. Next, three interviews were selected for open coding to develop a preliminary list of patterns and trends. Then, a refined coding frame was created to reflect the overall themes and definitions we identified from this process. Finally, we employed additional stages of open coding to refine our themes and sub-themes (Emerson, Fritz, & Shaw, 2011). This coding frame was pilot tested and refined to assess for conceptual variability and to troubleshoot shortcomings of the coding frame prior to the final analysis.

The finalized coding frame was applied to all interviews. Each interview underwent double-blind coding by two reviewers. Cohen's Kappa was used to determine intercoder reliability. In the first round of analysis, five interviews did not meet an acceptable level of agreement. We used consensus-based coding to resolve differences in these interviews. **In the final analysis, all interviews had an intercoder reliability of substantial (0.61-0.80) to almost perfect agreement (0.81-1.00).**

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Results

Goal #1: The Scope of Nebraska's Missing and Murdered Native American Persons in Nebraska

Point-in-Time Count Data

The results of the point-in-time counts for Nebraska's missing persons are presented in Tables 1 and 2; information from Time 1 (i.e., 1/20/2020) is presented in the first column. Findings for the replication counts are presented in columns 3-5. At Time 1, a total of 641 unique missing persons from Nebraska were identified; cases spanned from 6/8/1940 to 1/20/2020. Using 2019 U.S. Nebraska's missing person rate was 3.3 per 10,000 persons at Time 1. It must be noted that the lowest missing persons rate (2.6 per 10,000 persons) was generated in March of 2020 when COVID-19 related health precautions had begun to limit Nebraskans' movement and the majority of schools and businesses were shuttered. In the absence of that time period, **the state's missing person rate was quite stable at each point in time count – from 3.3 to 3.6 per 10,000 Nebraskans.**

Table 1: Rates for Nebraska's Reported Missing Person Cases: Comparison Over Four Points-in-Time				
	Time 1 (1/20/2020)	Time 2 (3/31/2020)	Time 3 (6/31/2020)	Time 4 (10/31/2020)
	N = 641	*N* = 497	*N* = 691	*N* = 644
NE Missing Persons Rate [a]	3.3	2.6	3.6	3.3
Missing Persons Rate for Whites	2.4	2.0	2.5	2.5
Missing Persons Rate for Blacks	14.2	9.7	16.2	12.2
Missing Persons Rate for AI/AN	13.1	7.9	11.0	9.7
Missing Persons Rate for Asian or Pacific Islanders	0.9	0.7	1.1	0.7
[a] **per 10,000 persons using 2019 US Census estimates**				

At Time 1, the majority of Nebraska's missing persons were White (*n* = 414; 64.6%) compared to Black (*n* = 143; 22.3%), American Indian/Alaska Native (*n* =38; 5.9%), or Asian or Pacific Islander (*n* = 5; 0.8%); 6.4% (*n* = 41) of the entries for missing persons listed the race as "not available" (See Table 2). In comparison, 88.1% of Nebraska's population is White, 5.2% is Black, 1.5% is Native American, and 2.8% is Asian or Pacific Islander (U.S. Census, 2020) – thus, a disproportionate number of reported missing persons at Time 1 were Black (4.4 times their population) and Native American (3.9 times their population). This pattern held over the study periods: most of Nebraska's missing persons were White (from 61.2% to 66.8%), compared to Black (from 19.1% to 23.6%), American Indian/Alaska Native (from 4.3% to 5.9%), and Asian or Pacific Islander (from 0.6% to 0.9%); race was unavailable in 6.4% to 9.7% of cases. Taken together, **Whites and Asian/Pacific Islanders were consistently underrepresented as missing persons in Nebraska, while Black and Native American Nebraskans were consistently overrepresented as missing persons – from about 3 to 4.5 times their representation in the state population.**

Table 2: Descriptive Statistics for Nebraska's Reported Missing Person Cases: Comparison Over Four Points-in-Time

	Time 1 (1/20/2020)		Time 2 (3/31/2020)		Time 3 (6/31/2020)		Time 4 (10/31/2020)	
	n	*%*	*n*	*%*	*n*	*%*	*n*	*%*
Whites	414	64.6	332	66.8	423	61.2	427	66.3
Blacks	143	22.3	98	19.7	163	23.6	123	19.1
American Indian/Alaska Native	38	5.9	23	4.6	32	4.6	28	4.3
Asian or Pacific Islanders	5	0.8	4	0.8	6	0.9	4	0.6
Unknown Race	41	6.4	40	8.0	67	9.7	62	9.6
On NMPL	97.8%		97.6%		98.4%		98.2%	
NamUs only	1.6%		2.0%		1.6%		1.9%	
NECMC only [a]	0.9%		0.3%		0.0%		0.2%	
Cross-Listed on NamUs	10.9%		14.3%		10.4%		10.9%	
Cross-Listed on NECMC [a]	5.5%		5.0%		4.4%		5.1%	
Age at Missing	$M = 23.1$; $SD = 15.2$; Range = 1-90 years		$M = 23.0$; $SD = 14.7$; Range = 1-79 years		$M = 22.0$; $SD = 13.7$; Range = 0-79 years		$M = 22.3$; $SD = 13.7$; Range = 1-81 years	
12 and younger	3.0%		3.8%		3.3%		2.8%	
13 to 15 years old	25.0%		23.7%		25.3%		26.7%	
16 to 18 years old	42.3%		41.9%		43.4%		41.1%	
19 and older	29.8%		30.6%		27.9%		29.3%	
Sex								
Female/Female minors [b]	45.1% / 34.6%		42.7% / 32.9%		44.5% / 35.2%		44.3% / 34.9%	
Male/Male minors [b]	54.9% / 35.6%		57.1% / 36.3%		55.5% / 36.8%		55.7% / 35.7%	
Years Missing	$M = 3.3$; $SD = 8.3$; Range = 0-79 years		$M = 4.3$; $SD = 9.5$; Range = 0-80 years		$M = 3.0$; $SD = 8.1$; Range = 0-80 years		$M = 3.2$; $SD = 8.5$; Range = 0-80 years	
< 1	53.2%		46.6%		64.1%		61.8%	
1-3	28.5%		30.1%		19.9%		20.7%	
4-6	6.1%		7.5%		4.9%		5.4%	
7-9	2.7%		3.1%		2.3%		2.5%	
10 or more years	9.5%		12.6%		8.8%		9.6%	
Cases Resolved	-		17.3%		1.6%		44.1%	

Notes. NMPL = Nebraska Missing Persons List, NamUs = National Missing and Unidentified Persons System, NCMEC = National Center for Missing and Exploited Children; [a] Percentage of cases involving minors; [b] minors include persons 18 years and younger as the age of majority in Nebraska is 19 years old.

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The results of the point-in-time counts for Nebraska's Native American missing persons are presented in Table 3; information from Time 1 is presented in the first column. Findings for the replication counts are presented in columns 3-5. At Time 1, the rate of Native American missing persons in Nebraska was 13.1 per 10,000 persons. Like the state's missing person rate overall, the lowest rate of missing Native American persons (7.9 per 10,000 persons) was observed during the height of COVID precautions (i.e., Time 3). The overwhelming majority of Native American missing persons consistently stemmed from the NMPL compared to the national databases: only one unique case was identified from NamUs at Time 1 and Time 4, respectively. An additional examination across the missing person lists determined that more Native American missing person cases than Nebraska's missing person cases overall were cross-listed on NamUs, from 13.2% to 21.7% compared to 10.4% to 14.3% of cases. Further, fewer Native American minors were listed on the NCMEC, compared to the state's overall missing persons: three cases were listed on NCMEC at Time 1 and were resolved by Time 2, and no other Native American missing person cases were listed on NCMEC at Times 2, 3, or 4.

Findings showed that Native American missing persons, on average, were in their early twenties; the majority were minors ages 13 to 18 years old. These findings were observed at each time point. At Time 1, nearly two-thirds of Native American missing persons were male compared to females; however, the percentage of females to males increased over the three additional time periods. Furthermore, when age and sex were examined together, the data showed that the **majority of Native American missing minors were boys** (i.e., 18 years and younger); however, the percentages of missing Native American minor boys decreased over time, from 62.2% of Native American missing person cases at Time 1 to 39.3% of Native American missing person cases at Time 4. Conversely, the percentages of missing Native American minor girls increased over time from 21.6% of Native American missing person cases at Time 1 to 35.7% of Native American missing person cases at Time 4.

At Time 1, slightly more than 60% of Native American missing persons had been missing for less than one year, and the average length of time of a Native American missing person case was 2.8 years ($SD = 6.7$). In comparison, at Time 1, 53.2% of Nebraska's total missing person cases had been missing for less than one year ($M = 3.3$ years; $SD = 8.3$ years). Over time, the majority of Native American missing person cases continued to be less than one year in length; a greater percentage of Native American missing person cases compared to Nebraska's total missing person cases were less than one year in length at each point-in-time count. An examination of whether cases were resolved from Times 1 to 4 showed that 68.4% of the Native American missing person cases identified at Time 1 were no longer listed as missing at Time 2; no cases were resolved from Times 2 to 3 (during the height of COVID-19), but 50% of the missing person cases identified at Time 3 were resolved at Time 4. **These resolution rates were higher than for Nebraska's overall missing persons with the exception of Time 2 (Time 1: 17.3%, Time 2: 1.6%, and Time 3: 44.1%).**

	Time 1 (1/20/2020)	Time 2 (3/31/2020)	Time 3 (6/31/2020)	Time 4 (10/30/2020)
Table 3: Descriptives for Nebraska's Reported Missing Person Cases involving Native American Persons: Comparison Over Four Points-in-Time				
	$n = 38$	$n = 23$	$n = 32$	$n = 28$
Missing Persons Rate [a]	13.1	7.9	11.0	9.7
On NMPL	97.4%	100.0%	100.0%	96.4%
NamUs only	2.6%	0.0%	0.0%	3.6%
NECMC only [b]	0.0%	0.0%	0.0%	0.0%
Cross-Listed on NamUs	13.2%	21.7%	15.6%	14.8%
Cross-Listed on NECMC [b]	7.9%	0	0	0
Age at Missing	$M = 20.1$; $SD = 13.0$; Range = 3-60 years	$M = 22.7$; $SD = 15.8$; Range = 3-60 years	$M = 21.09$; $SD = 13.65$; Range = 3-60 years	$M = 23.2$; $SD = 15.6$; Range = 3-60 years
12 and younger	5.3%	8.7%	6.3%	7.1%
13 to 15 years old	42.1%	34.8%	34.4%	28.6%
16 to 18 years old	36.8%	34.8 %	40.6%	39.3%
19 and older	15.8%	21.7 %	18.8%	25.0%
Sex				
Female/Female minors [c]	26.3% / 21.1%	34.8% / 30.4%	40.6% / 34.4%	46.4% / 35.7%
Male/Male minors [c]	73.7% / 63.2%	65.2% / 47.8%	59.4% / 46.9%	53.6% / 39.3%
Years Missing	$M = 2.8$; $SD = 6.7$; Range = 0-27 years	$M = 4.0$; $SD = 8.3$; Range = 0-27 years	$M = 2.8$; $SD = 7.3$; Range = 0-27 years	$M = 3.2$; $SD = 8.0$; Range = 0-28 years
< 1	60.5%	50.0%	68.8%	71.4%
1-3	18.4%	27.3%	15.6%	10.7%
4-6	10.5%	4.5%	3.1%	3.6%
7-9	2.6%	4.5%	3.1%	3.6%
10 or more years	7.9%	13.6%	9.4%	10.7%
Cases Resolved	-	68.4%	0.0%	50.0%

Notes. [a] per 10,000 persons using 2019 US Census estimates; NMPL = Nebraska Missing Person List, NamUs = National Missing and Unidentified Persons System, NCMEC = National Center for Missing and Exploited Children; [b] Percentage of cases involving minors; [c] minors include persons 18 years and younger as the age of majority in Nebraska is 19 years old.

In addition, **9.6% of Native American missing person cases ($n = 6$) were identified as *repeatedly* missing: they were reported missing at one point-in-time count, the case was not identified in the next 1 or 2 point-in-time counts, and then they were identified as missing again**. All six cases involved a juvenile male (*Range* = 13-17; *M* = 15.2 years old). In comparison, 2.9% of Nebraska's overall missing persons were repeatedly missing (n = 35). Further, 14.1% of Native American missing person cases ($n = 9$) were identified as missing at Time 1 and continued to be missing at Time 4. Of these 9 cases, persons ranged in age from 3 to 60 years old at the time of missingness (*M* = 35.9); 66.7% of cases involved males and 33.3% involved females. In five of these cases, the missing person had been missing for one year or more (*Range* = 4 to 27 years; *M* = 16.6). Conversely, 24.2% (n = 291) of Nebraska's total missing persons were identified as missing at Time 1 and continued to be missing at Time 4

Across these four point-in-time counts, a total of **64 unique American Indian/Alaska Native persons** were identified as missing. Nebraska State Patrol confirmed that **none of these 64 missing person cases had resulted in a criminal investigation.** In other words, **no case of a missing AI/AN person identified in this study had been linked to a homicide** or any other violent or non-violent crime by law enforcement.

Adoption and Foster Care Analysis and Reporting System Data

Given the high rates of children (i.e., ages 18 years and younger) among Native American missing persons, the relationship between missingness and involvement in the foster care system among AI/AN children was also explored. First, using the most recent five years of AFCAR data (2015-2019), the rates of foster care involvement among children in Nebraska across racial groups were assessed (See Table 4 below). Findings indicated that nearly 210 out of every 10,000 AI/AN children in Nebraska were in foster care from 2015-2019; rates fluctuated from 198.1 per 10,000 AI/AN children to 240.6 per 10,000 AI/AN children. **Overall, AI/AN children and Black children were more than twice as likely to be involved in foster care as White children and nearly nine times more likely than Asian children.**

Table 4. Rates of Foster Care Involvement per 10,000 minors in Nebraska by Race, Years 2015 to 2019												
	2015		2016		2017		2018		2019		Total	
	n	Rate/ 10,000	*n*	Rate/ 10,000	*n*	Rate/ 10,000	*n*	Rate/ 10,000	*n*	Rate/ 10,000	*N*	Rate/ 10,000
AI/AN	350	198.2	359	198.1	445	240.6	383	206.6	376	203.6	1,913	209.6
White	3,760	85.9	3,960	90.2	4,187	95.1	3,862	87.7	3,528	80.2	19,297	87.8
Black	1,036	232.7	1,002	220.4	1,047	227.4	977	209.0	997	212.3	5,059	220.2
Asian	32	18.0	37	19.7	51	26.2	53	26.5	52	25.3	225	23.3
Total	5,175	100.	5,357	102.7	5,729	109.3	5,271	100.2	4,949	94.1	26,494	101.3

Notes. Estimates include foster care involvement cases in which placement setting was missing; rates were derived from U.S. Census estimates for Nebraska's minor population (i.e., ages 18 years or younger).

Next, the foster care placement setting was examined to assess the rates of "runaway" placement status (i.e., missing from foster care) among AI/AN children (see Tables 5-7 below). In 2015, the highest percentage of runaway placement settings were observed among Asian children (3.1%), followed by AI/AN children (1.9%) (See Table 5 below). Like other racial groups, AI/AN children were most likely placed in a non-relative foster home (34.6%). AI/AN children were also often placed with a relative (23.1%) or in a trial home visit (24.2%).

In 2016, the highest percentage of runaway placement settings was observed among AI/AN children (2.2%) (See Table 5 below). Similar to 2015, AI/AN children were most likely to be placed in a non-relative foster home (39.0%) or in a foster home with a relative (29.5%) or a trial home visit (15.0%).

Table 5. Differences in Foster Care Placement Setting by Race, Years 2015 to 2016

Placement Setting	2015								2016							
	AI/AN		White		Black		Asian		AI/AN		White		Black		Asian	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Pre-adoptive home	25	7.2	313	8.3	78	7.5	0	0	25	7.0	353	8.9	109	10.9	0	0.0
Foster home (relative)	80	23.1	932	24.8	246	23.7	0	0	106	29.5	1,084	27.4	266	26.5	1	2.7
Foster home (non-relative)	120	34.6	1,097	29.2	374	36.1	25	78.1	140	39.0	1,089	27.5	313	31.2	24	64.9
Group home	9	2.6	99	2.6	28	2.7	0	0	7	1.9	89	2.2	18	1.8	0	0
Institution	19	5.5	104	2.8	38	3.7	1	3.1	12	3.3	94	2.4	33	3.3	0	0
Supervised Independent Living	7	2.0	89	2.4	29	2.8	2	6.3	7	1.9	115	2.9	41	4.1	2	5.4
Trial home visit	84	24.2	1,098	29.2	233	22.5	3	9.4	54	15.0	1,110	28.0	213	21.3	10	27.0
Runaway	**3**	**0.9**	28	0.7	10	1.0	1	3.1	**8**	**2.2**	25	0.6	9	0.9	0	0
Total	347	100	3,760	100	1,036	100	32	100	359	100	3,959	100	1,002	100	37	100

Note. In 2015, data on placement setting was missing for n =3 cases (>1%), all of which were AI/AN children; in 2016, data on placement setting was missing for n =1 case (>1%) which involved a White child.

Similar to 2016, in 2017 and 2018, the highest percentage of runaway placement settings were observed among AI/AN children (2.9% and 1.6%, respectively) (See Table 6 below). In addition, AI/AN children were most likely to be placed in a non-relative foster home (34.2% and 33.9%, respectively) or in a foster home with a relative (31.9% and 25.8%, respectively) or trial home visit (18.0% and 19.6%, respectively).

Table 6. Differences in Foster Care Placement Setting by Race, Years 2017 to 2018																
	2017								**2018**							
	AI/AN		White		Black		Asian		AI/AN		White		Black		Asian	
Placement Setting	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%
Pre-adoptive home	29	6.5	361	8.6	129	12.3	3	5.9	38	9.9	420	10.9	119	12.2	14	26.4
Foster home (relative)	142	31.9	1,142	27.3	258	24.6	8	15.7	99	25.8	915	23.7	237	24.3	4	7.5
Foster home (non-relative)	152	34.2	1,218	29.1	301	28.7	24	47.1	130	33.9	1,109	28.7	281	28.8	17	32.1
Group home	12	2.7	63	1.5	30	2.9	1	2.0	11	2.9	54	1.4	31	3.2	1	1.9
Institution	12	2.7	97	2.3	20	1.9	0	0.0	12	3.1	74	1.9	19	1.9	0	0.0
Supervised Independent Living	5	1.1	109	2.6	50	4.8	1	2.0	12	3.1	141	3.7	55	5.6	2	3.8
Trial home visit	80	18.0	1,168	27.9	243	23.2	14	27.5	75	19.6	1,125	29.1	222	22.7	14	26.4
Runaway	**13**	**2.9**	26	0.6	15	1.4	0	0.0	**6**	**1.6**	21	0.5	12	1.2	1	1.9
Total	445	100	4,184	100	1,046	100	51	100	383	100	3,589	100	976	100	53	100

Note. In 2017, data on placement setting was missing for n =4 cases (>1%); 3 = White, 1= Black; in 2018, data on placement setting was missing for n =4 cases (>1%); 3 = White, 1= Black.

In 2019, the highest percentage of runaway placement settings were again observed among AI/AN children (2.7%) (See Table 7 below). In addition, AI/AN children were most likely to be placed in a non-relative foster home (31.6%), in a foster home with a relative (26.6%), or a trial home visit (18.4% and 19.0%, respectively).

Taken together from 2015-2019, the AFCARS data reports that the placement setting for 2.1% of AI/AN youth in foster care (*n* = 40) was a runaway placement setting (See Table 7 below). In comparison, a runaway placement setting was identified for 0.6 % of White children, 1.1% of Black children, and 0.9% of Asian children. At the same time, we must understand these data as a conservative estimate of the actual number of AI/AN youth who had run away or *were missing from foster care*; these data (1) present only a point-in-time count of placement settings in any given year and, similarly, (2) do not report data on the number of times a child has been missing from placement in a given year. Thus, it is likely that some children were missing from care during the year, but not on the date of the point-in-time assessment of placement settings and/or were missing from their foster care placements repeatedly over the course of any given year.

Table 7. Differences in Foster Care Placement Setting by Race, Year 2019 and Totals Years 2015 to 2019

Placement Setting	2019								Totals, Years 2015-2019							
	AI/AN		White		Black		Asian		AI/AN		White		Black		Asian	
	n	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*	%
Pre-adoptive home	45	12.0	364	10.3	120	12.0	4	7.7	162	8.5	1811	9.4	555	11.0	21	9.3
Foster home (relative)	100	26.6	877	24.9	246	24.7	9	17.3	527	27.6	4950	25.7	1253	24.8	22	9.8
Foster home (non-relative)	119	31.6	1102	31.2	334	33.5	20	38.5	661	34.6	5615	29.1	1603	31.7	110	48.9
Group home	16	4.3	47	1.3	22	2.2	0	0.0	55	2.9	352	1.8	129	2.6	2	0.9
Institution	6	1.6	78	2.2	30	3.0	1	1.9	61	3.2	447	2.3	140	2.8	2	0.9
Supervised Independent Living	11	2.9	161	4.6	56	5.6	1	1.9	42	2.2	615	3.2	231	4.6	8	3.6
Trial home visit	69	18.4	879	24.9	175	17.6	17	32.7	362	19.0	5380	27.9	1086	21.5	58	25.8
Runaway	**10**	**2.7**	18	0.5	12	1.2	0	0.0	**40**	**2.1**	118	0.6	58	1.1	2	0.9
Total	376	100	3,526	100	995	100	52	100	1,910	100	19,288	100	5,055	100	225	100

Note. In 2019, data on placement setting was missing for n =4 cases (>1%); 2 = White, 2= Black; from 2015-2019, data on placement setting was missing for *n* =16 cases (>1%); 9 = White, 3= AI/AN, 4= Black.

Supplemental Homicide Report Data

As noted above, none of the 64 unique cases of missing AI/AN persons identified in this study had been linked to a homicide (or any other violent or non-violent crime) by law enforcement. However, data from the Federal Bureau of Investigation's Supplemental Homicide Reports (SHR) were also examined to assess homicides of Native persons in Nebraska more generally. Table 8 presents the number and percent of homicides in Nebraska from 2015 to 2019 across racial groups. In Nebraska, from 2015-2019, there were 239 homicides. With the exception of 2015, most victims of homicide were White, followed by Black, and then American Indian/Alaska Native. While these trends are in line with the overall population of Nebraska, which is predominantly White, an examination of the homicide rate is necessary to understand how the number of homicides in each racial group compares to each group's representation in the state's population.

Table 8. Number and Percent of Homicides in Nebraska by Race, Years 2015 to 2019											
	2015		**2016**		**2017**		**2018**		**2019**		**Total**	
	n	*%*	*n*	*%*	*n*	*%*	*n*	*%*	*n*	*%*	*N*	*%*
AI/AN	1	1.6	2	4.1	1	2.3	0	0	1	2.3	5	2.1
White	26	41.9	29	59.2	24	55.8	26	62	23	53.5	128	53.6
Black	35	56.5	18	36.7	17	39.5	15	35.7	16	37.2	101	42.3
Asian	0	-	0	-	1	2.3	1	2.4	3	7	5	2.1
Total	62	25.9	49	20.5	43	18.0	42	17.6	43	18.0	239	100.0

Note. Rates were derived from U.S. Census estimates for Nebraska's minor population (i.e., ages 18 years or younger).

Table 9 presents the homicides rates in Nebraska from 2015 to 2019 standardized by the population across racial groups. **Findings show that in Nebraska, from 2015 to 2019, American Indian/Alaska Native persons were killed at twice the rate of White persons (0.4 versus 0.2 per 10,000 people) and were the second most at-risk racial group after Black persons.** The homicide rate for Black persons in Nebraska was 2.1 per 10,000 persons, over ten times the rate among White persons. These trends remained consistent year-over-year for all five years, where Black and AI/AN persons were killed at the highest rates, with the exception of 2018, when no American Indian/Alaska Native persons were killed in Nebraska.

Table 9. Homicide Rates per 10,000 Persons in Nebraska by Race, Years 2015 to 2019											
	2015		**2016**		**2017**		**2018**		**2019**		**Total**	
	n	Rate per 10,000 persons	*n*	Rate per 10,000 persons	*n*	Rate per 10,000 persons	*n*	Rate per 10,000 persons	*n*	Rate per 10,000 persons	*N*	Rate per 10,000 persons
AI/AN	1	0.4	2	0.7	1	0.3	0	-	1	0.3	5	0.4
White	26	0.2	29	0.2	24	0.1	26	0.2	23	0.1	128	0.2
Black	35	3.7	18	1.9	17	1.7	15	1.5	16	1.6	101	2.1
Asian	0	-	0	-	1	0.2	1	0.2	3	0.6	5	0.2
Total	62	0.3	49	0.3	43	0.2	42	0.2	42	0.2	238	-

Note. Rates were derived from U.S. Census estimates for Nebraska's minor population (i.e., ages 18 years or younger).

SHR data were further examined to understand better the context of homicides against American Indian/Alaska Native persons. Between 2015-2019, five homicides were perpetrated against American Indian/Alaska Native persons. Four homicide victims were between the ages of 25-49, whereas one victim was in the "50 years old or older category". Women comprised most victims (*n* = 3), while the majority of perpetrators were men (*n* = 4). All homicides were committed by a single offender; most homicides were perpetrated by an acquaintance (*n* = 3), one was perpetrated by a family member (*n* = 1), and one perpetrator was unknown. Regarding the perpetrator's race, two were White, two were Black, and one perpetrator's race was unknown. Two homicides were perpetrated with a gun; the remaining homicides were committed with knives (*n* = 2) or with the offender's person (*n* = 1).

Community Listening Sessions and Key System Stakeholder Interviews

The **community listening sessions** also highlighted challenges occurring in Native American communities, which community members linked to the issue of missing and murdered Native persons (see Appendix A for a 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 members going missing, either intentionally or unintentionally.**

When interviewing key system stakeholders (e.g., victim service providers), we asked, in their experience, "What makes Native American people and tribal lands vulnerable to missing person cases?" Four key themes were identified: poverty, systemic issues, isolation, and jurisdiction.

- **Poverty.** Forty percent of respondents felt that poverty on Indian reservations was the main reason that Native Americans were vulnerable to violence and victimization. Specifically, 64% of the respondents thought that the lack of resources on Indian reservations created problems for those seeking out help. For example, several (64%) respondents noted that Native Americans living on Indian reservations **do not have access to transportation, shelters, internet, domestic violence services, healthcare, education, and housing,** to name a few. However, it should also be noted that not every Indian reservation has the capability/infrastructure to implement the resources necessary to protect and/or help victims.

- **Systemic Issues.** Forty-four percent of respondents identified systemic issues as a second key theme relating to the vulnerability of Native Americans. **The systemic issues that respondents detailed included: Historical trauma/oppression, indifference from the larger society, having no voice in policymaking for Native Americans, and racism.** Over 75% of respondents were aware of and acknowledged the historical trauma/oppression that Native Americans experienced and still experience today. Respondents 206, 210, and 222 pointed out that they felt the violence, alcohol abuse, and drug abuse were all results of historical trauma and oppression. Respondent 205 felt that forcing Native Americans to assimilate made them vulnerable. Additionally, five respondents (20%) mentioned that colonization might be to blame for some of the issues that exist on Indian reservations, thus making Native Americans vulnerable.

  Over 50% of respondents felt like the larger society was indifferent towards Native American people. For example, they felt that there was a lack of care and knowledge about Native American people and/or issues from others (i.e., non-Native Americans). Respondents brought up issues of *othering*—the process of unfavorable stigmatization to a group of people—Native Americans in the larger society, lack of representation in media and legislation, and issues involving Native Americans are not taken seriously.

  Respondents also felt that Native Americans do not have a voice. Specifically, respondent 210 stated that Native Americans are viewed as "out of sight, out of mind," and respondent 212 said that Native Americans were "invisible" in mainstream society and go unnoticed by others. Lastly, respondents felt that some racism exists towards Native Americans. For example, there is the misconception that the federal government caters to Native Americans and that they are just given things for free (respondent 209). Furthermore, respondent 208 felt like the larger society has a misunderstanding regarding *per capita* (i.e., discretionary revenue that tribes produce from gaming, land settlements, or other claims that they distribute to their citizens on a per capita basis), and casinos and that Non-Native Americans might feel that all Native Americans receive a per capita and that a casino exists on every Indian reservation.

- **Isolation.** The third theme noted by respondents regarding Native American vulnerability was isolation. Almost 50% of respondents felt that the rurality of some of the Indian reservations posed problems for Native Americans. For example, **Native American victims might have trouble going back and forth from the reservation to services due to lack of transportation**. Additionally, the rurality might be a contributor to the poverty issues mentioned earlier, and some mentioned that the rurality poses a problem when it comes to law enforcement. For example, two respondents mentioned that with an **Indian reservation being so remote and/or isolated, law enforcement might not be able to respond due to distance and/or lack of staffing.**

- **Jurisdiction.** The fourth key theme regarding the vulnerability of Native Americans is jurisdiction. First, it should be noted that jurisdictional issues were mentioned in many capacities throughout the interviews, but regarding vulnerability, 24% of respondents specifically mentioned the **lack of acknowledgment and acceptance of protection orders issued on Indian reservations if the victim were to leave the reservation.** Two respondents who work in victim services also mentioned that if a victim were to seek out services and needed to report a crime/victimization, **they were unaware of who to contact, especially if the victim was Native American and/or lived on an Indian reservation.**

Goal #2: Barriers to Reporting and Investigating Missing Native American Women and Children in Nebraska

Barriers in Missing Person Policies

Nebraska's law enforcement agencies were asked directly about (1) whether they had a missing person 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 B for list of agencies). Of the 51 agencies that responded, 16 (31%) confirmed that they did not have a missing person 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 person 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 person policy from 29 of these 35 departments. Below are common themes identified across these missing person policies.

Table 10: Common Themes in Missing Person Policies
States that there is no waiting period for reporting a person missing/indicates that investigation should begin promptly after a report is taken
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 person 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 person policy and that among agencies that 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 person 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

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include different strategies for entering missing person 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 an NCIC entry for a missing adult 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.

Barriers from Native Community Members' Perspectives

At the community listening sessions, participants 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.

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. **Systemic issues** of poverty, isolation, substance/drug use, domestic violence, and/or human trafficking may be linked to "going missing," either intentionally or unintentionally;
2. **Questions** regarding how and when to report a missing person, or whether community members could access national missing person databases (i.e., NamUs, NCEMC) directly without contacting law enforcement;
3. A **lack of communication and relationships** between federal, state, local, and tribal law enforcement as well as between law enforcement and tribal communities; and
4. **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).

We discuss each of these below. Further, Table 11 below provides a list of themes that presented across the five listening sessions with Native community members in Nebraska:

- **Systemic issues of poverty, isolation, drug/alcohol abuse, and violence.** The most prominent theme, reported at all five listening sessions, was that **systemic issues, such as isolation, poverty, alcohol abuse, drug abuse, domestic violence, are potential factors surrounding issues faced by Native communities.** According to the community members, these problems are linked to the problem of going missing because 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.

- **Questions about when to report and to whom.** A second overarching theme, reported at four of the five 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 (e.g., immediately or wait for a certain period – usually 24 hours – before doing so). This uncertainty 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 the Department of Health and Human Services (DHHS).

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

- **Potential negative consequences of reporting.** Participants at three of the five listening sessions reported **fear that there would be negative consequences from reporting a missing person, 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 reflected 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 children 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 person case.

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.

Table 11: Comprehensive List of Themes for Barriers to Reporting and Investigating Missing Persons	Listening Sessions Reporting Theme
Systemic issues (e.g., isolation, poverty, alcohol abuse, drug abuse, domestic violence) are potential factors surrounding issues faced by Native communities	5
Lack of information/education about how and when to report	4
Lack of law enforcement communication between different agencies	4
Lack of cultural competency by law enforcement	4
Distrust in law enforcement by community members	4
Lack of law enforcement communication with community / no transparency or updates on past/current reports	3
Conflicts of interest in tribal communities (small, closed communities)	3
Concerns about being punished for reporting or there being negative consequences from reporting (e.g., juvenile runaways being "put into the system")	3
Significant transient populations	2
Lack of knowledge, training, and resources for tribal law enforcement officers	2
Not enough attention is given to missing Native persons by the general population	2
Lack of staffing in small communities	2
Seeing no results from prior reports	1
Concerns about immigration status	1
No centralized system to house information on cases	1
Lack of communication between law enforcement and other agencies such as the Department of Health and Human Services (i.e., for system-involved youth who are missing)	1
Tribal government inaction or corruption	1
Disconnect between law enforcement and local courts	1
Lack of training among law enforcement dispatch staff and first responders	1

Barriers from Key System Stakeholder's Perspectives

Interviews with victim service providers and other key stakeholders in the social services field identified barriers for providing services, reporting, and investigating missing person cases. They also identified jurisdictional complications and communication as barriers for Native Americans specifically, and both barriers were intertwined with their ability to provide services, report, and investigate missing Native person cases.

Service Provider Barriers. Primarily, service providers identified a **lack of training, a dearth of understanding Native culture, limited education regarding issues pertinent to Natives, and a lack of resources as barriers to providing services for Native families of missing persons.** First, many respondents noted that training,

especially regarding Native American persons, was an important barrier for providing services. Almost 25% of respondents noted they were unaware of issues that Native American people face and felt that if they had more education and training about these issues, they would be better able to offer quality services and better equipped to help Native American victims. Along those same lines, the lack of education and training pertaining to Native American culture hindered some victim service providers in assisting Native American victims.

Respondents also felt that their agency and the larger public did not fully understand missing persons, runaway persons, and trafficked individuals. Specifically, **60% of respondents felt law enforcement was unaware of the dynamics that might cause someone to go missing and the dynamics of trafficked victims, which would subsequently impact investigations.** Lastly, victim service providers identified that lack of resources was a significant problem in providing services to victims, including Native Americans. For example, one respondent (212) noted that victim services were not equipped to provide services to men. They stated, "we will serve a male, but our services aren't designed to do that." Overall, the respondents speculated that more resources would translate to better services for victims, thereby limiting some of the barriers that victims face when seeking help.

Reporting Barriers. When it comes to reporting a missing person to law enforcement, several subthemes were identified: communication, revictimization, stereotypes, lack of education/understanding of the criminal justice system, and kinship issues (i.e., living in a tight-knit community). We describe these below:

- **Communication.** First, 32% of respondents expressed concern about the lack of communication between the different types of law enforcement (i.e., tribal, local, state, and federal agencies). Victim service providers stated that this posed a problem when they were assisting someone in reporting a missing loved one. For example, respondent 213 said that "Like if you are on a reservation and something happens, a lot of times I think information isn't shared."

- **Revictimization.** Twenty percent of respondents mentioned that victims did not want to report to law enforcement out of fear of being revictimized. Victim service providers stated that they felt like the presence of law enforcement was traumatizing for victims and that if they were to report anything to law enforcement, it could make their situation worse. Furthermore, some respondents mentioned that victims might not trust law enforcement, either due to prior experience and/or from other persons' experiences. Lastly, respondent 221 mentioned that there might be an issue with victims being believed by law enforcement.

- **Stereotyping.** This subtheme was specifically expressed when discussing Native American victims. For example, three victim service providers stated that there is a stereotype that exists for Native Americans who might have a history of alcohol abuse, where law enforcement might say they are not 'really' missing. Specifically, respondent 213 said that they had heard, "Oh, it's the Indians, they're drunk or whatever." According to respondents, these stereotypes regarding Native Americans specifically prevent individuals from reporting because they feel like they are not taken seriously.

- **Lack of education and/or understanding of the criminal justice system by victim service providers and victims.** For example, respondent 201 mentioned that if a missing person, specifically a youth, was involved in the foster care and/or criminal justice system, the family was the only one who had the authority to report them as missing. The missing youth's case worker or probation officer does not have the authority to report them missing. This absence of authorization poses a problem because if the missing person is not living at home or having contact with the family, the parents may not be aware that the youth is missing. This communication breakdown could delay the reporting process and place vulnerable youth in an even more vulnerable situation. In addition, victim service providers expressed confusion about which law enforcement agency they should report to in cases of missing Native American persons. Respondents

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were aware of the jurisdictional issues but did not completely understand them and how they would impact being able to serve a Native American victim. For example, respondent 212 stated, "If you have a missing Native woman, do you call tribal police? The FBI?" and "If you think a Native woman is missing, and she has ties to tribal lands… what do you do?" Service providers reported that there was also a misunderstanding among victims that you must wait to report a missing person. This misunderstanding delays the reporting of a missing person, and it is imperative that a person be reported immediately. Lastly, 24% of providers mentioned not knowing what NamUs is and how it could be used as a resource for families to report someone missing without involving law enforcement.

- **Kinship Issues.** Respondents suggested that those living in a small community might not report because they fear that their abuser (or the person responsible for someone going missing) could be working for law enforcement. This dynamic can create problems with victim confidentiality and law enforcement conflicts of interest. For example, respondent 216 stated that "…survivors and their abusive partners will flee back to the reservations and then the people there protect that person so they can't be arrested or prosecuted."

Policing Barriers. Respondents were also asked to discuss potential barriers – from a policing perspective – to investigating, reporting, and resolving missing cases among Native Americans. They identified the following barriers:

- **Collaboration between law enforcement, victims, families, and services.** Respondents identified a need for, and lack of, collaboration between law enforcement, victims, victims' families, and other parts of the criminal justice system. Often this appeared as providers discussing families who were not satisfied by law enforcement investigations – especially the lack of follow-up with the family or person who reported a missing person case.

- **Lack of resources.** Small rural departments surrounding Indian reservations have limited resources. Specifically, respondent 222 felt that the generally small number of officers who police large-area tribal communities have limited funds and staffing to conduct proper investigations. Finally, the collaboration between tribal and non-tribal systems was an especially sensitive issue for protection orders. Twenty percent of providers stated that non-tribal law enforcement departments did not respect or enforce tribal protection orders. This failure to comply with full faith and credit provisions seemed to feed into the general mistrust of law enforcement that respondents felt a lot of their clients had.

- **Lack of trust.** Often providers cited clients who did not want law enforcement involvement because they did not trust law enforcement. For example, providers were readily able to tell stories of times when they or a client called law enforcement to report a crime or ask for assistance only to have no one respond to their call (respondent 213) or have the responding officer seem not to believe them (respondent 221). Lastly, respondent 216 spoke of victims, specifically Native American victims, who refuse to work with law enforcement because they feel that law enforcement is racist towards them.

- **Lack of training.** Specifically, providers felt that law enforcement was not properly trained to handle missing person cases. They thought that this lack of training was especially problematic when coupled with their seeming not to know or care about the nuances of Native culture. The idea that law enforcement is strained by all the tasks they are 'supposed' to do appeared in conjunction with discussions about law enforcement seemingly not caring about Native persons specifically. Providers acknowledged that law enforcement, just like every part of the system, is being asked to do a myriad of tasks that they are not well equipped for, but also noted that law enforcement's lack of understanding of Native cultures made investigating missing person cases – or any victimization – harder because they do not understand the culture, they are working in. Taken together with what was mentioned above (e.g., stereotypes regarding

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Native Americans, kinship issues, and lack of trust in law enforcement), this may impede law enforcement investigations because victims may not want to cooperate.

- **Jurisdictional complexities.** As noted above, jurisdiction was a recurring theme throughout the victim service provider interviews. In relation to policing barriers, jurisdictional complexities make it challenging to determine which agency is responsible for investigating. Additionally, the lack of communication between different policing agencies was seen by providers as a substantial barrier to policing/investigating missing person cases. For example, if a person were to report their loved one missing to their local law enforcement, but they went missing from tribal lands, the local department might not inform the tribal department that a person is missing in their jurisdiction. Because of the small and rural nature of many law enforcement departments adjacent to Indian reservations, especially tribal departments, the lack of communication between departments means that cases 'fall through the cracks.'

Interviews with law enforcement officers echoed many of the same challenges community members and service providers identified regarding jurisdictional complications, the need for better communication, and mistrust of law enforcement by Native persons. They also highlighted challenges that arise when **the data on a missing person obtained/entered into NCIC is poor,** as well as the **complications** introduced by having **multiple agencies** – and **multiple agencies' policies** – involved in working a case. Officers noted that in many cases, the success of investigations hinges on the quality of the information provided in the NCIC report. They indicated that training on how to improve data entry into NCIC and more pervasive policies that mandate (more accurate) data entry would be beneficial.

Goal #3: Create and Sustain Partnerships to Increase Reporting and Investigating Missing Native American Women and Children in Nebraska

At the community listening sessions, participants were asked about their ideas for potential solutions - including creating and sustaining partnerships - to the challenges in 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.

Several prominent themes were identified by comparing the themes identified for each listening session. In general, tribal community members identified the following ideas for solutions:

1. **Increase communication/cooperation between tribal and local police** regarding reporting and investigating missing Native American women and children**.**
2. **Increase training and resources for police** to improve incidence reports and investigate cases of missing Native American women and children in Nebraska
3. **Increase opportunities for education and awareness regarding violence and victimization in the community and specifically for youth regarding healthy relationships.**

We discuss each of these below. Further, Table 12 below provides a list of themes that presented across the five listening sessions with Native community members in Nebraska:

- **Increase communication/cooperation between tribal and local police.** The most prominent theme reported at all five listening sessions was the need to **increase communication/cooperation between tribal and local police.** According to community members, improving communication between tribal and non-tribal police would likely result in increased reporting of missing person cases

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and more robust investigations. This theme was related to the repeated point regarding jurisdictional issues and confusion over who (i.e., which agency) to report to: if tribal and non-tribal agencies communicated and worked together, then the first point-of-contact for reporting parties would be less important.

- **Increase training and resources for police.** A second overarching theme, reported at four of the five listening sessions, was **that tribal and non-tribal police need increased training and resources.** Community members recognized that tribal police could benefit from training and additional resources. One idea was the use of cross-deputization programs; there was also recognition that this would need to be a true partnership between tribal and non-tribal police. In addition, community members highlighted that non-tribal police would benefit from more training on working within Native communities and with Native persons.

- **Increase opportunities for education and awareness regarding violence and victimization and healthy relationships.** Two interrelated themes, reported at four of the five listening sessions, focused on **increasing education and awareness programs for violence and victimization in the community generally and regarding healthy relationships among youth specifically.** First, community members suggested that programs aimed at treating the underlying causes of violence and victimizations (i.e., drug and alcohol abuse and mental health) as well as programs to treat abusers and break the cycle of intimate partner and domestic violence were needed in their communities. Relatedly, relationship violence prevention education and awareness programs for youth were also important parts of an overall solution for Native communities.

Other repetitive themes included increasing partnerships with the community/community members, increasing programs to combat violence and victimization, and better use of social media to raise awareness about missing persons.

Table 12: Comprehensive List of Themes for Creating and Sustaining Partnerships	Listening Sessions Reporting Theme
Increase communication/cooperation between tribal and local police	5
More training and resources for police	4
Teach youth about healthy relationships	4
More education and awareness in the community about violence and victimization	4
Increase partnerships with communities and community members	3
More programs and resources to combat violence and victimization	3
More services for men	3
Utilize more traditional Native American methods	3
Use social media more to raise awareness about missing persons	3
Promote treatment for abusers	3
Increase awareness about Native Americans	3
Increase awareness about resources/services	2
Create a tribal Amber alert system	2
More prevention efforts	2
Transparency within the criminal justice system	1
Make outside programs more culturally sensitive	1
More efforts from the tribes	1
More centralized system for information	1

Suggestions from Key System Stakeholder Interviews

Victim service providers reported that limited partnerships and policy efforts existed for providing services to missing persons and their loved ones. Respondent 204 stated, "I feel like we are failing them [Native American women and children]," which implies that more work and partnerships are needed to tackle the issue of missing and murdered Native American women and children in Nebraska. Respondents drew from their expertise and offered several potential solutions to help ease the barriers they previously identified. With this, several key themes were identified:

- **Resources.** First, 28% of respondents cited the need for greater resources, especially additional monies, to better serve missing persons and their loved ones. Respondents cited funding issues as a direct hindrance to providing effective, quality services. For example, respondent 206 indicated that they wanted to serve youth and more than just victims of domestic violence but were limited by the grant that funded their services. Similarly, when asked about helping loved ones of missing persons, respondent 210 stated that "all assistance has to go through the victim, but the victim can provide resources from the program." Respondents also noted that more resources would also enable providers to offer more inclusive and culturally sensitive services. For example, one respondent described a domestic violence shelter that

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exclusively served Native American clients, which included unique services such as sweat lodges used for spiritual and physical healing within the Native American culture. In their interactions with law enforcement officers, respondents also asserted that they felt like law enforcement lacked the resources to hire and train more officers to serve missing persons in these rural jurisdictions appropriately.

- **Training.** Respondents felt that they lacked training regarding missing person cases and lacked cultural sensitivity training that would enable them to properly provide for Native American communities. Similarly, 60% of respondents felt that law enforcement suffered from a similar lack of knowledge and understanding regarding these cases and Native American communities. Therefore, focused training efforts surrounding missing persons and Native American communities should be designed and implemented to address these barriers.

- **Collaboration.** The third theme for service solutions was a need for more and better collaboration between providers and system actors, especially law enforcement. The development of specific missing person advocacy is the point of partnership. A specific person within the system who is dedicated to assisting families as they report a loved one missing and helping to provide them with resources would likely be immensely impactful. Providers often cited that they are not well-versed in missing person cases, so having an advocate who specializes in these types of cases could go a long way in aiding collaboration between the family or loved one of a missing person and the system actors such as law enforcement that they must deal with. A system of collaboration for missing person cases would likely streamline the process and provide much-needed clarity for victims and clients.

- **Awareness.** Finally, respondents felt that awareness of the MMIW issue and Native issues at large was severely lacking. Finding a way to bring Native communities together with system actors as well as other communities to address the issue of MMIW and raise awareness outside of native communities is key. For example, respondent 223 stated that they had done walks to create awareness. Some of the providers felt that Native communities were solely responsible for both creating awareness and solving the problems of missing and murdered Native Americans. Three providers mentioned that the pandemic had made the issue of missing and murdered Native American women and children worse. Respondent 223 said that they "...probably have not heard about all that has happened on reservations due to the pandemic." Lastly, respondent 217 mentioned that "putting a human face or story to this issue (MMIWC) might have a huge impact."

Interviews with law enforcement echoed the need for **specific, high-quality, and relevant training** on best practices for missing person cases. Interviewees highlighted that training would be most helpful if it **were provided to all law enforcement agencies statewide**. Interviewees also recognized the need to **build relationships between tribal and non-tribal police** and identified the use of **specifically defined cross-deputization programs** as a possible starting point. There was also recognition that **citizens should feel empowered to hold law enforcement accountable** for taking missing person incident reports and investigating cases. One interviewee reminded us that "**ultimately, everyone answers to someone**" and **that citizens should take concerns up the chain of command**.

Working with Tribal Communities

Challenges and Successes

Collaborating with tribal communities can lead to a wellspring of rich information. We believe that the community listening sessions yielded much information regarding the potential reasons why tribal communities are vulnerable to the problem of "going missing" and provided an avenue to build trust in the criminal justice system's response to this problem in Nebraska. **Judi gaiashkibos** is an enrolled member of the Ponca Tribe of Nebraska and has served as the Executive Director of the Nebraska Commission on Indian Affairs since 1995. Before the research activities began, she was integral in introducing the research team members to the tribal leaders in 2019 at the NCIA tribal summit. This preamble was a vital step in the process, as the team wanted to communicate to the tribal leadership what they would like to do for the project and begin building relationships and trust with the tribal members. The team at NCIA was very knowledgeable about how to organize and facilitate the listening sessions with the tribes and how to advertise the event to maximize community members' participation.

Additionally, having a representative (**Captain Matt Sutter**, commander of the Office of Professional Standards of NSP) from NSP participate in person at the tribal listening sessions seemed to be appreciated by tribal members. Further, he met tribal law enforcement officers in person, which is a necessary point of collaboration when responding to missing persons from tribal communities. Finally, tribal members appeared to appreciate the time taken to let them voice their concerns and stories about missing Native Nebraskans and offer suggestions for improvement. In sum, the successes of our project included:

- Tribal leadership "buy-in" to the research project
- Building relationships between NSP, research team members, and tribal community members
- Tribal members' ability to voice concerns and suggest improvements regarding the criminal justice response to missing Native people in Nebraska

There were, nonetheless, challenges to the collaboration. Perhaps most notably, the project took place during 2020, when COVID-19 shut down much of the nation's daily operations. For our study, it disrupted our ability to meet in-person during 2020, to conduct a final in-person listening session at White Clay, NE, and our ability to meet in-person for interviews with law enforcement officers and victim service providers. Fortunately, our four other listening sessions were completed before lockdowns, and travel restrictions were implemented to curb COVID-19 infections, and we changed our in-person interviews to virtual video sessions. However, during the listening sessions, we also found that it was somewhat challenging to keep community members' attention on the topic of missing Native American Nebraskans, primarily because they see the problem as being very intertwined with other, larger, social problems like poverty, domestic violence, drug use, human trafficking, and distrust in the criminal justice (or other) welfare systems. In many ways, tribal community members suggested that the problem of missing Native Nebraskans would be greatly reduced or eliminated if the larger social problems were addressed. Finally, the NSP captain we worked with throughout this project was transferred to a new position. We fear that the in-roads and relationships he made with tribal leaders and tribal law enforcement will be lost in the transition. In sum, the challenges we encountered with this project included:

- COVID-19 restrictions on in-person interactions
- Disentangling the problem of missingness from larger social problems such as domestic violence, substance use, and human trafficking
- Turnover in key partnerships

Lessons Learned

Reflections on Current Collaboration. Overall, the collaboration between the Nebraska Commission on Indian Affairs, the Nebraska State Patrol, and the University of Nebraska Omaha was successful. We uncovered new information regarding the problem of missing Native Americans in Nebraska and identified several ways that the system response could be improved. We also developed a model for completing a point-in-time count of missing persons similar to that used to count other "hidden" populations, such as persons experiencing homelessness. We began to understand how social problems inherent to tribal reservations (e.g., rurality, isolation) and experienced disproportionately by Native persons (e.g., violence, familial involvement in the child welfare system) may contribute to the problem of "going missing."

The issue is not "closed," but like most research, this collaboration led to additional unanswered questions. Of particular interest to the research team members is how foster care or other "system involvement" may impact the risk of going missing among Native American youth. Results from our analysis of the Adoption and Foster Care Analysis and Reporting System (AFCARS) 2015 to 2019 data for Nebraska indicates that Native American youth continue to be disproportionately represented in foster care and that Native American youth have higher rates of missingness from their foster care placement than youth of other race/ethnicities. Given our findings regarding the prevalence of youth of Color, and Native American youth specifically, among our point-in-time counts of missing persons in Nebraska, and our findings from Nebraska-specific data on system-involved youth (i.e., AFCARS data), we sought consultation from the Nebraska Foster Care Review Office (FCRO) regarding whether the youth identified as missing persons in our point-in-time count were missing from out-of-home placements (i.e., foster care or juvenile justice placements). A preliminary analysis of FCRO data shows that about 30% of missing youth from our Time 1 point-in-time count were in out-of-home care placements at the time of missingness and that AI/AN children were missing from their out-of-home care placements at about 1.5 times their rate in the out-of-home care population. While collaboration with FCRO and analysis of FCRO data was beyond the scope of the current study, we are currently working with FCRO to develop a special report from their office on missingness among Nebraska youth in out-of-home placement.

This consultation also led to new questions regarding the processes for reporting (or not reporting) a system-involved youth as a missing person and the potential intersection of missingness and "running away" or "absconding" regarding youth who are involved in the child welfare system, juvenile justice system, or both (i.e., "cross-over youth"). A full accounting of these issues (e.g., the use of discretion by system actors and predictors of use of discretion) is also beyond the scope of the current project. Still, it would be an important focus for future funded work regarding missing Native American persons and missing youth, more generally.

In this study, we did not uncover any cases of missing AI/AN persons that had been linked to a homicide or any other violent or non-violent crime by law enforcement. At the same time, a review of 2015-2019 Supplemental Homicide Report data indicated that AI/AN persons are disproportionately impacted by homicide in Nebraska, and Native community members perceived that violence was an underlying cause of going missing among Native Nebraskans. Therefore, future research should continue to examine the linkages between going missing and homicide and other violent crimes.

Reflections on Broader Collaborations. While we identified several specific recommendations for improving state investigative resources for reporting and identifying missing Native American persons in Nebraska above, **there are broader lessons to be learned regarding working with tribal communities, which we summarize below; these were drawn in part from the current project, as well as from our experiences with research with other Native partners (see Gilbert, Wright, DeHerrera, & Richards, 2021):**

Before conducting research in a Native American community, a researcher, especially a non-Native researcher, must recognize and acknowledge the historical impact research has had on Native communities and the current impacts that arise when research is conducted in Native communities. Specifically, one must consider settler colonialism and its continuing impact on Native communities today. It is critical to identify how research and its processes have been used to justify the dehumanization of Native people to gain and maintain power over Native communities. Researchers must ensure that their research does not perpetuate unequal power dynamics and is based on a collective process.

Understanding the historical context of Native people sheds some light on why there may be hesitation on behalf of Native persons regarding participation in research or Native organizations in research partnerships. This historical context may cause mistrust of outsiders, including well-intentioned researchers, from coming into a Native community (Wasserman, 2004). Wasserman (2004) states that non-Natives have historically depreciated Native Americans, including their way of living, through academic research by showing "empirically" that Native Americans are inferior to others.

Further, Native communities have *Indigenous ways of knowing,* and recognition of these ways is vital when preparing to conduct research in Native communities; in fact, this might impact the research methodology that is best to use for certain research endeavors. For example, Marlene Brant-Castellano's Indigenous methods explain that there are three ways in which Native American knowledge is found and shared: through traditional teachings (storytelling, etc.), empirical knowledge (through observations through many different community members and time frames), and revealed knowledge (visualizations, dreams, etc.) (LaFrance & Nichols, 2010). Overall, it is essential that the researcher is familiar with Native American research methods and knowing and incorporates Native practices into their project's design.

Within the context of understanding and acknowledging the impact of the historical context of Native people, which includes historical trauma, historical oppression, and colonization, we provide three specific recommendations for researchers conducting research with Native American communities:

1. **Understand the importance of culture in Native American communities.**
    *   There are over 500 federally recognized tribes within the United States and another 300 tribes recognized by states (Wasserman, 2004). Therefore, treating Native people as a monolith is improper, as each community speaks its own language and has unique traditions and beliefs. Doing so may cause researchers to overgeneralize, meaning that what is found in one tribe may be used to generalize to other tribes, creating a perception that all tribes are the same. Furthermore, Native communities function differently than traditional Anglo-American communities. For example, Native American communities are traditionally matriarchal. In a matriarchal society, women serve in leadership positions, and the traditional roles within a Native community reflect egalitarianism (Weaver, 2009). Women and elders are greatly respected and are responsible for most of the decision-making. Elders, specifically older women, tend to be the primary socializers responsible for cultural transmission (Weaver, 2009). Elders are the gatekeepers of the language and culture, and Native youth learn from them to help keep the traditions, culture, and language alive over generations. Elders (i.e., grandparents) are also commonly involved in the upbringing of Native youth and may serve as sole caretakers. *Native cultures are inherently different from Anglo-American cultures, and there is substantial variation among the hundreds of Native tribes as well: be cognizant of these important differences. If you fail to recognize these differences, your results will not be correct, and you will further perpetuate the problem of misrepresentation and stereotyping of Natives.*

2. **Understand the importance of the sovereignty of Native American tribes.**
    *   Native American communities (that are federally recognized) are sovereign nations. Sovereignty includes

the ability to regulate their own communities, govern their people, establish their own criminal justice system, create and enforce laws for their community, and maintain their own cultures (Crossland et al., 2013). That Native American communities are sovereign means that researchers must not only meet the requirements of their own institutional review boards, but beforehand, they must obtain approval from the tribal business council, which "speaks" on behalf of the tribe. Tribal nations are unique entities, and one must remember the history and hesitation of academic research. One of the first steps is to contact the tribal business council, which serves as the decision-making entity for the tribe and request an informal meeting with the group (Wasserman, 2004). During this meeting, the researcher will bring their research proposal and discuss it with the business council. It is ultimately up to the business council to move forward with the project, and typically doing so will depend on how and if the project will benefit their people.

- If the tribal business council feels as though this project would be beneficial, they may then ask the researcher (or a member of the tribe) to come and present the proposal at a public meeting held monthly within the community. It is during these meetings that community members, or outsiders, may present a request (e.g., research project, grant approval, change of services). Once the presenter is done, the floor is open to the public to bring forward any comments or concerns. If no objections are brought forward, then the business council takes a vote. This vote is the ultimate deciding factor on whether the project/research is approved to move forward officially. *The important message here is that you must get tribal council approval to conduct research. This requirement may involve considerably more time in the front-end of project formation to allow for the necessary establishment of relationship development and trust-building.*

3. **Understand the importance of relationships, communication, and inclusivity when conducting research with Native Americans.**
   - When working with a tribal nation, extra measures are needed to build a good working relationship. Once the tribal council approves your research, the process of relationship-building begins, and this relationship extends beyond the tribal business council to the community and individual community members. If the study requires collaboration with agencies within the tribe, relationships need to be established and built there. It is important to inform those you are working with that the research is approved by the tribal council, giving the "stamp" of approval to participate.
   - When working with the tribe and agencies within the tribe, transparency, communication, and inclusivity are extremely important. When any decisions need to be made, the researcher should make efforts to keep the tribal council apprised. This protocol is necessary because the tribe may be more willing to participate in the project if they are involved throughout the project (Wasserman, 2004). For instance, the business council may have insight into a better way to phrase survey or interview questions so that they will be better received and/or culturally sensitive. Being culturally sensitive is extremely important to avoid bringing up negative experiences from past research encounters; further, the community will better receive the research.
   - As with all "applied" research endeavors, it is vital that the community benefits in some way from the research. Past research endeavors have "left a sour taste in the mouths" of Native American communities because communities feel they were used for exploitation and to gain "fame" for the researchers (Wasserman, 2004). If you think that your research could create benefits (e.g., new funding opportunities, collection of data for funding applications, expansion of existing programs), this information should be brought forward during the initial meeting with the tribal council. Additionally, do not hesitate to ask the tribal council if there are some existing issues or cause for concern within their community that you may be able to help with. In other words, when proposing your research, keep in mind that this should benefit the community, and if that means keeping an open mind to the possibility of your research changing, then so be it.

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- As a researcher and ultimately an outsider, beware of the "savior" role – it is not your job to come into tribal communities and "save" people. Instead, you should be willing to offer your help with an existing issue or concern in the community, if possible, and help support culturally sensitive ways to respond to these issues/concerns. In other words, one should not 'pathologize' Native people (i.e., identify all of the challenges that exist in a community). Doing so may cause the tribal council to end the research. Ultimately, as the researcher, it is your responsibility to understand the culture, traditions, and beliefs of the tribe you are working with, which should be expressed in your recommendations to the tribal council and community.

In sum, there are a few key considerations for working with tribes and establishing a good working relationship:
1. Make sure that the research/project respects the culture and traditions of that tribe. Remember, Native communities are not a monolith, and each has its own language, culture, traditions, and beliefs.
2. Keep the community involved as much as possible to create more trust and willingness to participate.
3. Design the project in a way that will benefit the Native community if they so choose to participate. Doing so will make the tribal business council more supportive of the project.
4. Native communities should be made to feel a part of the research, and not the subject of it.

Considerations for Future Partnerships

We believe that community buy-in and trust in the research process are essential for the success of tribal-researcher partnerships like ours. We have two primary suggestions for future research endeavors to consider or strive for when embarking on a similar collaborative project. First, communication with tribal leaders is vital, and timing for research activities and proposal development is important. Second, as we noted above, engaging in research with tribal communities takes time as there are layers of approval to obtain within the tribe. These factors are important for any researcher attempting to work with a tribe via NIJ funding – the solicitations for the NIJ tribal-researcher capacity-building grants partnerships open one time a year, and this means that researchers must be diligent in getting approval from the tribal leadership (or tribal council) as soon as possible because if they do not secure approval from the leadership/council, they will not be able to proceed with the tribe. For its part, NIJ should consider accommodating this by either keeping the solicitation open significantly longer for these grant opportunities or consider implementing multiple rolling deadlines for these grant submissions.

Second, we strongly believe that it is helpful to have a Native American partner on the research team to make sure the research methods are appropriate, the topics, questions, and conclusions are culturally sensitive and appropriate, and that findings are disseminated and provided to tribal leaders and members. Research teams should also include and consult with a trusted Native American community member when designing the research project, implementing the methods, interpreting the results, and disseminating the results. **Thus, we recommend that**:
- Researchers be aware of the process needed to obtain approval to work with the tribe;
- Researchers communicate clearly to tribal leadership about the project and involve the tribe in the research process;
- NIJ consider rolling submission deadlines for the Tribal-Researcher Capacity-Building Grants to accommodate the extra layers of approval needed for tribal collaboration;
- Research teams include a Native American partner to consult on the methods, meanings of questions/topics, conclusions, and dissemination of results.

Implications and Recommendations

Replicate and Extend Research in Additional States:

(1) Complete point-in-time counts using both the state *and* national missing person databases in additional states.
(2) Complete point-in-time counts across multiple years to examine whether missing person cases are subject to seasonal trends.
(3) The context of Native American missing person cases, including the scope and context of cases connected to criminal circumstances (e.g., domestic violence, homicide, human trafficking), needs attention.
(4) Consider the context of missing Native youth and whether or if, e.g., missingness is related to foster care or juvenile justice system involvement (i.e., are youth missing from out-of-home foster care placements).

Tribal and Non-Tribal Law Enforcement Data Collection and Cooperation:

(1) Develop and implement a missing person policy for both juvenile and adult missing persons in each of Nebraska's law enforcement agencies. In addition, develop and provide a Standard Operating Procedure (SOP) illustrating a step-by-step process for handling missing person cases.
(2) Whenever possible, obtain complete demographic information (e.g., age, sex, race) from the reporting party and include this information in the missing person report.
(3) Whenever possible, obtain information on tribal affiliation from the reporting party and include this information in the missing person report.
(4) Increase the capacity of tribal law enforcement departments through the cross-deputization of non-tribal officers in jurisdictions bordering Indian country.
(5) Encourage Memorandums of Understanding (MOUs) between tribal and non-tribal law enforcement agencies.
(6) Develop and implement Native American cultural awareness training for non-tribal law enforcement.
(7) Increase the recruitment of Native American persons to the non-tribal law enforcement; allow recruits to stay in their home area upon request.
(8) Encourage each tribe to hold regular law enforcement meetings with tribal, local, county, state, and federal law enforcement partners.

Enhance Awareness of Reporting Options and Mechanisms to Native Communities and Service Providers:

(1) Facilitate NamUs training in tribal communities and encourage both tribal and non-tribal law enforcement as well as family members to utilize.
(2) Provide awareness and education regarding how to report missing persons to victim service providers and other social service providers who may encounter at-risk people for going missing (e.g., those working in substance abuse, victimization, or trafficking fields) or who may be contacted by families of missing persons.
(3) Educate foster care staff on the overlap between running away within the foster care system with missing person cases and provide training for them regarding reporting missing person cases.
(4) Develop a missing persons-specific advocate who can work with law enforcement, victim/social service providers, and tribal communities.

Limitations and Future Research

We acknowledge the limitations of this study and offer avenues for addressing them in the future. 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 – there may be 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.[7] Still, we believe that our research is as comprehensive as possible at this point: it was founded on strong mixed-methodology research approaches, and we offered transparency regarding how the data was collected.

We strongly recommend that future research replicate this model in another state to assess whether findings are similar regarding the sources of Native missing person reports (e.g., state clearinghouses), the stability in missing person rates, and trends in age, sex, time missing, repeat missing, and case resolution. Future point-in-time counts across multiple years are also needed to examine whether missing person cases and case resolution are subject to seasonal trends.

In addition, although the focus of LB-154 was missing Native American women and children, nearly two-thirds of Native missing persons identified in this study were boys ages 18 years and younger, indicating that attention is warranted regarding missing Native American boys. 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 out-of-home placements to escape abuse or reunite with family.

Finally, while data suggests that there are opportunities for better tribal and non-tribal law enforcement collaborations and better law enforcement community partnerships, we also recommend that communities consider the role of missing person advocacy in improving the investigation and resolution of missing person cases. Community members, service providers, and law enforcement officers agree that missing person cases can be difficult on loved ones. A trained missing person's advocate could provide resources and support to loved ones during both the reporting and investigation process.

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[7] 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.

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Appendices

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

Omaha, Santee, Winnebago, and Macy Listening Sessions
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 B: 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	

Appendix C: Scholarly Products

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> Reprinted in *Ms. Magazine*, July 6, 2021. https://msmagazine.com/2021/07/06/biden-congress-policy-violence-indigenous-women/