

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON TRIBAL AFFAIRS**

May 2, 2019

8:02 a.m.

MEMBERS PRESENT

Representative Tiffany Zulkosky, Chair
Representative Bryce Edgmon, Vice Chair
Representative John Lincoln
Representative Dan Ortiz
Representative Dave Talerico
Representative Sarah Vance

MEMBERS ABSENT

Representative Chuck Kopp

OTHER LEGISLATORS PRESENT

Representative Zack Fields

COMMITTEE CALENDAR

HOUSE BILL NO. 142

"An Act relating to Alaska Native organizations; relating to the village public safety officer program; and relating to the Alaska temporary assistance program."

- MOVED HB 142 OUT OF COMMITTEE

HOUSE RESOLUTION NO. 10

Urging the United States Congress to reauthorize the Violence Against Women Act of 1994 without an exemption for tribal governments in the state and to support Savanna's Act and highlight the crisis of missing and murdered Indigenous women.

- MOVED HR 10 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 142

SHORT TITLE: NATIVE ORGANIZATIONS VPSO & TANF PROGRAMS

SPONSOR(S): REPRESENTATIVE(S) KREISS-TOMKINS

04/22/19 (H) READ THE FIRST TIME - REFERRALS

04/22/19 (H) TRB, JUD
04/30/19 (H) TRB AT 8:00 AM CAPITOL 106
04/30/19 (H) Heard & Held
04/30/19 (H) MINUTE (TRB)
05/02/19 (H) TRB AT 8:00 AM CAPITOL 106

BILL: HR 10

SHORT TITLE: REAUTHORIZE VIOLENCE AGAINST WOMEN ACT
SPONSOR(S): REPRESENTATIVE(S) ZULKOSKY

05/01/19 (H) READ THE FIRST TIME - REFERRALS
05/01/19 (H) TRB
05/02/19 (H) TRB AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE JONATHAN KREISS-TOMKINS

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As the prime sponsor of HB 142, introduced the bill.

JOHN SCANLON, Staff
Representative Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of Representative Kreiss-Tomkins, prime sponsor of HB 142, provided further information regarding the bill.

ABIGAIL ECHO-HAWK, MA, Chief Research Officer
Seattle Indian Health Board (SIHB)
Director, Urban Indian Health Institute (UIHI)
Seattle, Washington

POSITION STATEMENT: Provided invited testimony during the hearing of HR 10.

AMBER WEBB, Artist
Kasilof, Alaska

POSITION STATEMENT: Provided invited testimony during the hearing of HR 10.

KENDRA KLOSTER, Executive Director
Native Peoples Action (NPA)
Juneau, Alaska

POSITION STATEMENT: Provided invited testimony during the hearing of HR 10.

MICIANA HUTCHERSON

Juneau, Alaska

POSITION STATEMENT: Testified in support of HR 10.

MARNA SANFORD

Tanana Chiefs Conference

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HR 10.

JOEL JACKSON, President

Organized Village of Kake

Kake, Alaska

POSITION STATEMENT: Testified during the hearing of HR 10.

HEIDI VANTREASE, Domestic Violence Advocate

Domestic Violence/Sexual Assault Program

Organized Village of Kake

Kake, Alaska

POSITION STATEMENT: Testified in support of HR 10.

MISTY NICHOLI, Operations Manager

Native Movement

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HR 10.

CARMEN LOWRY, Executive Director

Alaska Network on Domestic Violence and Sexual Assault (ANDVSA)

Juneau, Alaska

POSITION STATEMENT: Testified in support of HR 10.

JULIAN THIBEDEAU

Fairbanks, Alaska

POSITION STATEMENT: Testified during the hearing of HR 10.

ACTION NARRATIVE

[8:02:26 AM](#)

CHAIR TIFFANY ZULKOSKY called the House Special Committee on Tribal Affairs meeting to order at 8:02 a.m. Representatives Talerico, Lincoln, Ortiz, Vance, Edgmon, and Zulkosky were present at the call to order. Representative Fields was also present.

HB 142-NATIVE ORGANIZATIONS VPSO & TANF PROGRAMS

[8:03:18 AM](#)

CHAIR ZULKOSKY announced that the first order of business would be HOUSE BILL NO. 142, "An Act relating to Alaska Native organizations; relating to the village public safety officer program; and relating to the Alaska temporary assistance program."

[8:03:40 AM](#)

REPRESENTATIVE JONATHAN KREISS-TOMKINS, Alaska State Legislature, as the prime sponsor of HB 142, introduced the bill. He explained HB 142 is a technical fix. He said that under current law certain organizations are eligible to partner with the State of Alaska in administering the Village Public Safety Officer (VPSO) and Temporary Assistance for Needy Families (TANF) programs. However, there is an element of ambiguity about whether Central Council of the Tlingit and Haida Indian Tribes of Alaska (Tlingit & Haida) is in fact eligible because Tlingit & Haida has a somewhat anomalous legal status relative to most of the other regional organizations in Alaska that administer VPSO and TANF. This has been vetted and identified by the Alaska Department of Public Safety (DPS), he continued, (indisc. - audio difficulties). [HB 142] quells that ambiguity, he stated. (Indisc. - audio difficulties continue until Representative Edgmon moves to report the bill.)

[8:04:47 AM](#)

JOHN SCANLON, Staff, Representative Kreiss-Tomkins, Alaska State Legislature testified on behalf of the prime sponsor, Representative Kreiss-Tomkins. [None of Mr. Scanlon's testimony was recorded due to audio difficulties.]

[8:05:13 AM](#)

REPRESENTATIVE EDGMON moved to report HB 142 out of committee with individual recommendations and the accompanying zero fiscal notes. There being no objection, HB 142 was reported from the House Special Committee on Tribal Affairs.

[8:05:34 AM](#)

The committee took an at-ease from 8:05 p.m. to 8:08 p.m.

HR 10-REAUTHORIZE VIOLENCE AGAINST WOMEN ACT

8:08:04 AM

CHAIR ZULKOSKY announced that the next order of business would be HOUSE RESOLUTION NO. 10, Urging the United States Congress to reauthorize the Violence Against Women Act of 1994 without an exemption for tribal governments in the state and to support Savanna's Act and highlight the crisis of missing and murdered Indigenous women.

CHAIR ZULKOSKY passed the gavel to Vice Chair Edgmon.

8:08:49 AM

CHAIR ZULKOSKY introduced HR 10 via a PowerPoint presentation titled "House Resolution 10." (Indisc. - the first five minutes of Chair Zulkosky's presentation were not recorded due to audio difficulties. According to the secretary's log notes during the presentation, Chair Zulkosky stated: The case of missing and murdered Indigenous women (MMIW) can no longer be ignored. Research reveals that violence has reached unprecedented levels. Public safety problems are linked with significant gaps in the reporting of data. The Anchorage Police Department has been highlighted as the most responsive in the country.)

8:13:47 AM

CHAIR ZULKOSKY reported that according to the Department of Public Safety (DPS), Alaska's sole cold case investigator has a case load of approximately 135 unresolved cases. The Rand Center on Quality Policing, she pointed out, recommends that cold case investigators carry roughly 10 or fewer cases. She offered her belief that between the disproportionate rates of violence against Indigenous women, the lack of public safety resources throughout rural areas, gaps in reporting and data statewide, and insufficient cold case resources, it is imperative that the Alaska House of Representatives highlight that the crisis of missing and murdered Indigenous women can no longer be ignored and share with the Alaska Congressional Delegation what the legislature believes could strengthen resources on the ground to solve it.

CHAIR ZULKOSKY stated that as consideration is given to public safety needs across the state, it must be acknowledged that providing adequate public safety services is a right that should be afforded to every Alaskan, no matter where they live. Multiple studies, commissions, and reports on rural public

safety in Alaska all come to the same conclusion - local responsibility for structures of law enforcement and justice systems are necessary to keep communities safe.

[8:15:12 AM](#)

CHAIR ZULKOSKY, in reference to slides 7-9, stated that through federal legislation like the Violence Against Women Act (VAWA) and Savanna's Act, Congress acknowledges that the goal of protecting Indigenous women is a shared purpose with tribes. In an environment of decreased spending, leveraging increased federal resources through partnerships with tribes in Alaska can help make progress on issues like missing and murdered Indigenous women. Solution-based partnerships provide for opportunities for significant systems change.

CHAIR ZULKOSKY said the Violence Against Women Act (VAWA) is an historic piece of legislation that changed existing policy to better combat violence against women throughout the nation. Each reauthorization in 2000, 2005, and 2013, strengthened the bill and included provisions aimed at enhancing the safety for Native victims of domestic violence, dating violence, sexual assault, stalking, and trafficking. In 2005 Congress recognized the severity of the violence against Native women and the need to enact federal legislation supporting increased protections. However, the 2005 and 2013 reauthorizations excluded Alaska tribes from the improvements and accompanying resources. Alaska's Congressional Delegation is working to resolve this.

CHAIR ZULKOSKY reported that Congressman Young introduced an amendment to [House Resolution] 1585 reauthorizing the 2013 Violence Against Women Act provision addressing the Alaska exemption for tribal access to law and justice resources and jurisdiction. On the U.S. House Floor, Congressman Young pointed out that [Alaska] Native villages currently lack any efficient tools to criminally prosecute the offenders. Tribal courts are taking domestic violence cases, but jurisdiction is tricky. Congressman Young's amendment allows for five pilot projects in Alaska that recognize tribal jurisdiction for villages that have at least 75 percent Alaska Native residents. It also provides Alaska tribes access to additional federal resources for tribal law enforcement and tribal court capacity building and preserving solvency of public safety and justice in remote rural Alaska during an era of decreased funding.

[8:17:39 AM](#)

CHAIR ZULKOSKY moved to slide 10 and explained that Savanna's Act (S. 227) is a bill cosponsored by Senator Lisa Murkowski. This bill increases coordination among all levels of law enforcement, improves data collection and information sharing, and empowers tribes with the resources they need in cases involving missing and murdered Indigenous women and girls, regardless of whether the cases occur in rural or urban areas of the U.S. This legislation aims to bridge the gap of the limited data on the number of missing Native women by directing the U.S. Department of Justice to formulate new guidelines for the reporting of violent crimes against Indigenous people. The bill also improves access for tribes to certain federal crime information databases, mandating that the Attorney General and the Secretary of Interior consult with Indian tribes on how to further improve these databases and access to them. It also requires certain federal agencies to solicit recommendations from tribes on enhancing the safety of Native women. The bill creates standardized guidelines in consultation with tribes for responding to cases of missing and murdered Native Americans, which will include guidance on interjurisdictional cooperation among tribes, federal, state, and local law enforcement. The bill also requires statistics on missing and murdered Native women and recommendations on how to improve data collection to be included in an annual report to Congress.

[8:19:10 AM](#)

CHAIR ZULKOSKY related that during the time she has been in the Alaska State Legislature, conversations have occurred on the House Floor about whether House Resolutions are effective. Sometimes people say it just means legislators are talking to themselves. But as was heard from the Alaska Congressional Delegation this year, resolutions mean a lot when federal policy is being considered.

CHAIR ZULKOSKY said HR 10 provides the Alaska House of Representatives with an opportunity to stand in solidarity with victims, families, and communities that legislators believe in the importance of protecting Alaska Native women and children. As public safety is discussed across the state, it sends a message that violence against Indigenous women should no longer be ignored or go unpunished. She said HR 10 expresses support for federal legislation that has been studied, commissioned, and negotiated for several decades at the federal level. As the only Alaska Native woman currently serving in the state legislature, this area is of particular interest to her.

VICE CHAIR EDGMON concurred with Chair Zulkosky's statement about resolutions. Sometimes resolutions are passed time and again on a single subject. But, to his knowledge this is the first time that this topic has come before the Alaska State Legislature in any capacity. In his view, HR 10 carries incredible weight and meaning in terms of giving exposure to an issue that has been waiting for attention and resolution. He thanked Chair Zulkosky for bringing forth HR 10.

[8:21:19 AM](#)

VICE CHAIR EDGMON called a brief at-ease to return the gavel to Chair Zulkosky.

[8:21:42 AM](#)

CHAIR ZULKOSKY opened invited testimony on HR 10. She noted that the first witness, Abigail Echo-Hawk, is co-author of the Urban Indian Health Institute's 2018 report on missing and murdered Indigenous women and girls.

[8:22:02 AM](#)

ABIGAIL ECHO-HAWK, MA, Chief Research Officer, Seattle Indian Health Board (SIHB); Director, Urban Indian Health Institute (UIHI), stated she was born and raised in Interior Alaska. She said her mother, Yvonne Echo-Hawk, is one of the adopted children of Katie John of Mentasta Village. Her father is of the Pawnee Nation of Oklahoma but was raised in Delta Junction, Fairbanks, and Mentasta Lake. She said the report on missing and murdered Indigenous women and girls was issued in November 2018. The report was released in Washington, DC, at the capitol in partnership with U.S. Senator Lisa Murkowski.

MS. ECHO-HAWK said UIHI partnered with the senator on this report because UIHI found that Alaska ranked highest for both missing and murdered Indigenous women; they were in the top 10 for the state as well as the city of Anchorage. The purpose of the report was to show that missing and murdered Indigenous women are not limited to Alaska Native villages, tribal lands, or reservations, but rather an epidemic that is happening anywhere Indigenous women lived. The UIHI set out to create the very first data report on 71 cities across the U.S.

MS. ECHO-HAWK said UIHI looked specifically at Alaska because of her connections to the state and because community members across Alaska were seeing huge numbers within their communities

and it was a big concern to them. Alaska as a state has 52 cases of missing and murdered Indigenous women and Anchorage has 31 specific cases of missing and murdered Indigenous women. Anchorage ranks third [among the 71 cities in the report] for the highest number of missing and murdered Indigenous women cases and Alaska as a state ranks fourth. It is believed that this is an absolute undercount of what is actually going on.

MS. ECHO-HAWK explained that Freedom of Information Act (FOIA) requests were initially submitted to Alaska's cities and larger towns, but UIHI struggled to get information from across the state. For example, a request was submitted to the Juneau police, but they closed out UIHI's request saying that they had a similar request from a university. They said they assumed UIHI and the university must be working together, so no data was received from them. She pointed out that there was a fee associated with FOIA requests in Alaska. Alaska accounted for 93 percent of all the cost of accessing data. Across most of the country UIHI did not have to pay fees to access data through FOIA requests.

[8:26:09 AM](#)

MS. ECHO-HAWK related that without data for the state of Alaska, UIHI was unable to understand what was going on and to get a good baseline of data on missing and murdered Indigenous women and girls in Alaska. A FOIA request was then submitted to the Alaska Department of Public Safety (DPS) which asked for any historical data on up to the present of missing and murdered Indigenous women and girls. The request was initially refused because DPS estimated that there were up to 1,200 cases of missing and murdered Indigenous women and girls within their files and it would take too much effort, time, and resources to gather that information for UIHI. That was very disappointing, so UIHI reached out to some Alaska Native leaderships who assisted UIHI in working with DPS. The department agreed to provide data from 2013-2018 as that was digitized.

MS. ECHO-HAWK pointed out that 1,200 is an estimate given by a DPS representative. This would give Alaska the highest number for this epidemic across North America, including Canada. If this number is correct, it would make Alaska the center of the epidemic, which is why UIHI was so anxious to get as much of that information as possible. However, by the time the report was released in November 2018, no information had been received from the Alaska Department of Public Safety. Therefore, at the end of 2019 UIHI will be issuing a report specifically on the

state of Alaska. Information is being gathered by UIHI in collaboration with Alaska Native organizations across the state. The report will contain the data as well as the stories of individual family members. The intent is for the data to give policymakers and communities a basic understanding of the impact and for the stories to tell the impact to their loved ones and their community. Work will continue with U.S. Senator Lisa Murkowski's office to ensure that this information is used at federal and state levels.

[8:29:06 AM](#)

MS. ECHO-HAWK said Alaska has an opportunity to be a leader in addressing the crisis of missing and murdered Indigenous women and girls, which is why she is so excited about HR 10. In her work across the country she has seen these resolutions be used at the federal level to push for legislation that is necessary and needed. She related when UIHI submitted its FOIA request to Anchorage, the city searched its current data and matched it against data that UIHI had from community members. Anchorage found that two-thirds of the cases that UIHI had listed as American Indian/Alaska Natives were not listed that way within the city's database. Much of that had to do with racial misclassification. Racial misclassification is rampant across the U.S. and Alaska. A strong point of what is happening with the federal legislation is that many states are taking this on.

MS. ECHO-HAWK explained that for many databases, if the race and ethnicity of the missing or murdered person is not entered, the database will default the person to white. While she cannot say that Anchorage had the default-to-white problem, Anchorage did have many of those cases classified as white women when the cases in their system were actually Alaska Native women. The Anchorage Police Department went back and reclassified those as Alaska Native women. It highlights the need for best practices and how race and ethnicity is captured because this epidemic has remained hidden from most of society for so long. [Despite] the lack of data, rampant misclassification, and inability to access data through the FOIA requests, American Indian/Alaska Native people know that their women continue to go missing and are murdered at epidemic rates.

[8:31:10 AM](#)

MS. ECHO-HAWK reiterated that Alaska accounted for 93 percent of costs for UIHI to access data. Sitka and other towns had fees to access the information and she was unable to pay them. This

is a barrier to community members and organizations looking to establish what and where the problem is and how to address it. Data cannot be accessed because of fees, bureaucracy, and the lack of resources at the Alaska Department of Public Safety to look at its historical records, which inhibits the ability of UIHI to truly understand what is going on. Legislation like the Violence Against Women Act (VAWA) and others require better data collection and accountability, which will address racial misclassification and allow for tribal communities to be the ones directing the efforts for prevention and working with a missing or murdered woman's loved ones and community members.

MS. ECHO-HAWK reiterated that the State of Alaska could become a leader because Alaska has the highest numbers of missing and murdered Indigenous women. She said HR 10 acknowledges that this is an epidemic and that this epidemic will no longer be silent or invisible. The legislature is standing up and acknowledging and addressing this crisis. As UIHI goes forward with releasing its 2019 report, it will continue to work with the state, the Alaska Native villages and corporations, and the Alaska Congressional Delegation to ensure that this information is used for the health and wellbeing of Indigenous women and girls in Alaska.

[8:33:21 AM](#)

CHAIR ZULKOSKY thanked Ms. Echo-Hawk for her testimony and the work she had done on this issue nationwide.

[8:33:30 AM](#)

REPRESENTATIVE ORTIZ inquired whether Ketchikan charges a fee to access data.

MS. ECHO-HAWK confirmed Ketchikan charges a fee and because UIHI didn't have the resources to pay that fee, Ketchikan was not included in the data.

[8:34:21 AM](#)

REPRESENTATIVE EDGMON thanked Ms. Echo-Hawk and UIHI for their work. He remarked that the information regarding Alaska is startling and alarming. He inquired whether Ms. Echo-Hawk has recommendations to improve getting information from Alaska about missing and murdered Indigenous women.

MS. ECHO-HAWK responded that one recommendation, related to the rampant racial misclassification, is to train state troopers and police departments on best practices. She said UIHI has found that people are uncomfortable, don't know, or don't know how to use the data systems for collecting this information. This is startling given that when a person goes missing one of the first descriptors needed about them is their race and ethnicity, yet that is not being captured in Alaska and many other states. So, UIHI is looking at establishing best practices and making police departments and state troopers accountable for gathering race and ethnicity correctly.

MS. ECHO-HAWK said another recommendation is to address the fees and inability to access information by community members and others who submit FOIA requests. For example, UIHI is a small organization and she had no funding to do this project, so she self-funded the project at a cost to her of about \$20,000 and so she didn't have the funds to pay all the fees. The UIHI report is being used across the U.S. to introduce legislation in 16 state and as the basis of multiple pieces of federal legislation, and she did it for \$20,000. Yet it is still lacking in good, in-depth data. The fees and inability to access information prevent communities and organizations from getting information that is needed to make informed decisions.

MS. ECHO-HAWK further recommended that tribal leadership and voices be included in shaping what is needed within the communities, particularly by looking at the Alaska exemption in the last iteration of VAWA [and the lack of resources in Alaska to research the data]. Resources in other states allowed other tribal nations to work at both prevention and intervention levels when somebody went missing or was murdered. Most Indigenous people across the U.S., including herself, know somebody who has gone missing or was murdered and that should not be the norm. So, right now the specific and actionable pieces in Alaska are the racial misclassification and the access to data through FOIA requests.

[8:38:32 AM](#)

CHAIR ZULKOSKY said the next invited witness, Amber Webb, will be speaking to the incredible art installation located behind the committee members.

[8:39:17 AM](#)

AMBER WEBB, Artist, shared that she is originally from Dillingham but now lives in Kasilof. She thanked the Tlingit ancestors of Juneau on whose lands today's meeting is being held. She said her art piece includes approximately 90 women from Alaska, Canada, and the border states along Canada, with about half of the women being from Alaska. She has been able to include 47 women from Alaska in previous projects. She keeps collecting more names from people sharing their stories with her. Ms. Webb pointed out that her research to do this project reflects the previously heard testimony about the rates. It is a much larger problem in Alaska than people realize because the data is difficult to collect, and people are protective of their loved ones in their stories.

MS. WEBB explained that each portrait in the project is hand drawn in ink and that the dates of disappearances or murders range from 1969 to 2018. Since she has been doing the project, five women from Alaska have gone missing or murdered and have been added to the project. She has been working on it for a little over a year and watching the news as these things are happening and sometimes it is overwhelming to collect this information at the same time.

MS. WEBB said the purpose of the project is twofold. It is about awareness, but the root of what it is about is healing because the issue has gone unacknowledged largely by media. In so many ways it's been invisible but is not a new issue, it's been happening for over 200 years. She has collected a lot more pictures for doing these portraits for the years between 2003 and 2018 because she can access photographs online. Data before those years is hard to come by because she must wait to meet the right people who will share a story with her and tell her that their mother or aunt or cousin was killed and here is a picture. Many of the pictures she did get came from people in the community who trusted her to represent their relatives, which is something she tries to honor in the way she presents the piece.

[8:43:10 AM](#)

MS. WEBB related that important but not spoken about is that most perpetrators of this violence are non-Native people. Sometimes people have the misconception that this is primarily a Native issue. But it isn't. It's an issue for everyone who lives in Alaska and in the U.S. She urged committee members to not minimize the impact when thinking about the scope of the violence. She pointed out that her 12-foot project with the portraits of about 90 women is a very small fraction of the

national impact. Imagine how it would look, she continued, if it had 5,000 faces because that is what is being confronted.

MS. WEBB pointed out that violence is not a traditional value. She said HR 10 is important because it brings [Native Alaskans] closer to returning to that sacred place in society that was held for thousands of years. [Legislators] are in a powerful position to acknowledge what has been happening in the communities. It isn't just to acknowledge what our grandmothers and great-grandmothers have endured, and what our families have endured. It's also to create a future where our great-great-grandchildren don't have to face the same rates that our great-great-grandmothers faced because [Native Alaskans] are in a position where they can find solutions for this problem.

[8:46:12 AM](#)

KENDRA KLOSTER, Executive Director, Native Peoples Action (NPA), stated she is Tlingit, Raven Kiks.adi, originally from Wrangell. She said she spent much of her childhood in Juneau and wears many different hats - tribal member, mother, sister, daughter. She is passionate about protecting the traditional way of life. She was drawn to Native Peoples Action by what can be done to help tribal members and Native people. She explained Native Peoples Action is a statewide nonprofit that strives to provide Alaska Native communities and their traditional values with a voice at all levels of policymaking. Strong Alaska Native community networks are leveraged to build a volunteer base to provide encouragement and guidance in connecting their Native traditional values. She worked for the legislature previously and was drawn by NPA's work to increase Native voices in policymaking as well as in Native communities and to ensuring that Natives always have a seat at the table, whether in the legislature or in communities.

MS. KLOSTER said NPA has been building relationships with tribes across the state. As well, NPA is working with policymakers, non-Native organizations, and Native organizations. The board and steering committee members of NPA are from across the state, including Denaina Athabascan, Yup'iks, Koyukon Athabascan, and Tlingit. The organization has artists, attorneys, chiefs, and community activists. The focus is on coming together and working together to ensure Alaska Native values are protected.

[8:48:51 AM](#)

MS. KLOSTER said safe communities are core in NPA's work because numerous reports are telling the story that communities have a broken public safety system. Public safety is not offered across Alaska and NPA wants to be a part of fixing that. The lack of law enforcement and the lack of data collection are why she was glad to hear Ms. Echo-Hawk speak. The UIHI report is what she uses when talking with organizations and grassroots efforts on how to be helpful in backing up this information.

MS. KLOSTER said Native Peoples Action and its partners are helping with grassroots efforts. Rallies have been held in Juneau. The rallies and readings of the names of missing and murdered Indigenous women during Alaska Federation of Natives (AFN) meetings have been incredibly powerful. She said NPA wants to uplift those names in the people and provide an understanding that the statistics being read are the faces of sisters, grandmothers, and daughters. It is very important to NPA to work together and see what NPA can do as an organization to take care of Native women.

MS. KLOSTER addressed Representative Edgmon's inquiry about what can be done. She thanked Chair Zulkosky for bringing forth HR 10, saying it is important for bringing attention and awareness to this major problem. She pointed out that research is something else that can be done. She too was stunned that Ms. Echo-Hawk was unable to access the information. He noted Washington state has passed two bills: HR 2951 was passed in 2018 and ordered a study to determine how to increase reporting and investigation on missing Native American women; HB 1713 was signed into law in April [2019] and will improve law enforcement response to missing and murdered Native American women.

[8:51:48 AM](#)

MS. KLOSTER suggested Alaska look toward Washington state's two pieces of legislation. Alaska could expand upon them to mandate that tribal entities and federal and state law enforcement work together because they likely don't have the same protocols. Alaska could also look at the data collection issue identified by Ms. Echo-Hawk; she herself is an example because she is often classified as white. Much improvement is needed in Alaska's data collection and the Freedom of Information Act, how law enforcement works together in Alaska, and looking at bills other states have passed to see whether Alaska can do the same.

MS. KLOSTER said Native Peoples Action and its partners will continue to bring awareness in grassroots efforts. Coming up

May 5 [2019] is the National Day of Awareness for Missing and Murdered Indigenous Women and Girls at which NPA and other Native organizations have partnered to put on a rally, a community gathering, and a heartbeat of the drums. This is the community coming together to honor these women as well as a call to action on how to improve this and be a support system and finding policies and actions. A rally and march will also take place in Fairbanks on May 5 at the Golden Heart Plaza. She said NPA will continue to do grassroots efforts, to lift the names of these women, and to work with communities, organizations, and policymakers.

[8:54:22 AM](#)

CHAIR ZULKOSKY opened public testimony on HR 10.

[8:54:47 AM](#)

MICIANA HUTCHERSON testified she is a citizen of Central Council Tlingit & Haida Indian Tribes of Alaska and was asked by President Peterson to come before the committee today. She has questioned herself about why she is being asked to give presentations here and at community events. Her mother reminded her, she related, that her life has been affected by this, but she just never noticed it. Her mother reminded her of her great-aunt who lived in Juneau in the 1950s and was found in Lawson Creek brutally raped and murdered. Her great-aunt's 15-year-old nephew was the only one available to come identify her body. Her mother reminded her that recently at a tribal assembly, missing posters were passed out for Tracy Day, a tribal citizen who is currently missing in Juneau. Her mother also reminded her that two weeks ago she had to file a protective order for herself because she is currently being stalked by a Juneau community member. Ms. Hutcherson said it struck her that this is something that has been normalized for Native women in the Native community; she didn't even realize that she had such direct connections to missing and murdered Indigenous women. It is something she was passionate about before because she has seen these women and this art piece, and she doesn't know how someone could see this and know about it and not be passionate about it.

[8:56:30 AM](#)

MS. HUTCHERSON said people associate Natives with many different stories, such as Natives get free college and don't have to pay taxes. But right now, as a 30-year-old woman, she can tell more

stories of missing and murdered Indigenous women than she can tell traditional stories from her own tribe. To her, that is a problem. Native Alaskans know these women's stories but people outside the Native community don't. Data is needed to tell these women's stories and to ensure their stories aren't repeated. It needs to be ensured that they aren't misclassified in the system. It needs to be ensured that they matter because they mattered to someone. These women were taken, their stories are important. At these gatherings people often ask why these bills are important, but her question is, Why not? Why not reauthorize VAWA without the Alaska exception? This data is needed, and this support is needed in Alaska. This affects [all Native Alaskans], so why wouldn't these bills be needed? All hands are needed on deck - tribal, state, and federal governments working together on this issue.

[8:58:11 AM](#)

MS. HUTCHERSON stated that there is a history of purposely and methodically mistreating Native women in this country. A direct line can be drawn from the time of contact to this issue. This didn't just develop overnight. It is a result of a system and it is time to change that system. An old Cheyenne proverb says, "A nation is not conquered until the hearts of its women are on the ground, then it is finished." Alaska Native people are matrilineal and oftentimes matriarchal. So that is quite literal for Alaska Native people. "When you take our women from our communities you are taking our identities, you are taking the very heart of what we stand for," she said. "So, we need our women, we need them to be protected." The predators who take and murder these women sometimes do it knowing that nobody is going to show up. The man who is stalking her frequents Tlingit and Haida events, he studies Native issues, he knows that if something happens nobody is coming to look for her and if they do there will be no consequences.

MS. HUTCHERSON said Alaska's lack of resources amazes her. She didn't have personal connection with it until she went through this stalking issue a couple weeks ago. The first place she went to get a protection order was her tribal court, but they were unable to offer that to her. They could offer domestic violence protection but could not offer stalking protection. So, she went across the street to the state and the office wasn't open. She went to the AWARE shelter and was told to come back the next morning. This is not okay. Better resources are needed.

MS. HUTCHERSON said the families of the women in the art installation need answers, deserve answers, and deserve justice. She would like to know at the very least that if she did go missing, if this stalker does do something to her, that someone would come looking for her. She offered her appreciation to the sponsor of HR 10.

[9:01:17 AM](#)

MARNA SANFORD, Tanana Chiefs Conference, thanked the sponsor and cosponsors of HR 10. She urged that members from both sides of the aisle cosponsor and support the resolution. She offered her appreciation for Ms. Echo-Hawk's research and important work. She pointed out that murder is the third leading cause of death among American Indian and Alaska Native women, according to Ms. Echo-Hawk's report. If murder was the third leading cause of death amongst white women, white people, or the American or Alaskan population in general, folks would be talking about it. At a recent tribal court conference in Fairbanks there was extensive discussion on VAWA and the Victims of Crime Act (VOCA). here isn't one tribal leader who doesn't know by heart what VAWA says. It's time for the folks in Juneau to know what VAWA says and to know how important it is. The research provided by Savannah's Act is important to the folks who are trying to make a difference in the Native communities.

MS. SANFORD offered her appreciation for Ms. Kloster's suggestions on what the state could do in addition to passing a resolution regarding data collection and ensuring that Alaska's public safety officers are correctly classifying the cause of death, whether it be accidental or undetermined. Alaska can do better and can be providing that information and making sure that FOIA issues aren't standing in the way of getting proper research. She offered her hope that HR 10 will receive wide support in the legislature.

[9:04:05 AM](#)

JOEL JACKSON, President, Organized Village of Kake, testified that the Village of Kake has about 500 people and is located on Kupreanof Island. He said he has been talking about these issues for the last two years. It is heartbreaking that it is taking so long to get something in place to protect Native women. It is very frustrating to community leaders in rural Alaska that this is still not being taken seriously.

MR. JACKSON related that a few cases have happened in Kake. In 2013, Mackenzie Howard [13 years old] was murdered right across from her home in the back of a community church. She laid there for about 11 hours before any state troopers responded. He and other community members cordoned off the area and stood watch all night to protect the scene and local men patrolled the community to make people feel safe. In 2017, Jade Williams [19 years old] was murdered in her grandmother's house during a party. Three young men were identified that were there. Mr. Jackson said he is a first responder and works with Kake's volunteer emergency medical service (EMS). The EMS provided life support measures, but Ms. Williams was pronounced deceased at the local clinic. It was late in the day and again the state troopers didn't respond until the next day. Again, he and others cordoned off the home and secured the area.

[9:07:24 AM](#)

MR. JACKSON said this is a pattern in rural villages. In 2017 he gave a talk at a tribal conference in Anchorage with state officials where he said that if a moose or deer is killed out of season, fish and game officials will show up within hours of the incident happening. The state officials responded that that doesn't happen, but he knows otherwise because he has seen it happen and has heard it from other villages. He reiterated his frustration with this.

MR. JACKSON noted that Kake has a young man who recently went to Village Public Safety Officer (VPSO) training in Sitka, so Kake now has a full-time local VPSO. He expressed his disappointment in the VPSO program, not the men and women working in that position, but the lack of authority that they have. Domestic violence is a big problem all over and VPSOs cannot respond to domestic violence situations because it is one of the most dangerous of situations and VPSOs don't carry a sidearm. Traffic stops are another thing VPSOs cannot do because of the danger. He said VPSOs are well trained and need to be given this authority. The difference between a VPSO and a state trooper is three more weeks of training.

[9:10:30 AM](#)

MR. JACKSON further noted there are problems with jurisdiction. For example, a Kake woman and tribal citizen was allegedly raped in Metlakatla, a reservation. The tribal police there and the state couldn't decide who would investigate it. By the time there was an investigation the evidence was not there anymore,

and the case has yet to be resolved. As well, the death of Jade Williams has yet to be solved and someone held accountable.

MR. JACKSON said he is passionate about protecting his people, especially the women and children. It is unacceptable that this is allowed to happen in rural areas. If it was a non-Native person or child, it would be a whole different story. Everyone has the right to have protection under the law.

MR. JACKSON stated he attended the Village Police Officer (VPO) program in Sitka. He was Chief of Police in Kake in the late 1970s and early 1980s and afterwards worked for the city as a policeman. Later when the city didn't have VPSOs he would receive and respond to calls on his own. He believes strongly in protecting his people and so he steps up, but this is something he shouldn't have to do.

MR. JACKSON pointed out that the 911 system goes through the Alaska State Troopers Ketchikan dispatch. Dispatch takes the information and then it goes to either the state troopers or the after-hours nurse in Sitka. They ask their questions and then it eventually gets down to going over to the VPSOs or the health agent in Kake, all of which takes at least 30-45 minutes. He offered the tribe's help on anything that could be done.

[9:14:37 AM](#)

HEIDI VANTREASE, Domestic Violence Advocate, Domestic Violence/Sexual Assault Program, Organized Village of Kake, thanked the committee for its work in addressing the missing and murdered Indigenous women. She said she has worked as a domestic violence advocate since December 2011. She sees the challenges and struggles women face when trying to get help. The numbers in the data report are rather alarming and scary. Two young girls have been murdered in Kake. Her program was very new when Mackenzie Howard was murdered. Because the program is a first responder, she sees the impact on the woman's family as well as the whole community. The community was shaken when this happened. The community wants to bring names and faces to the committee to show that it is more than just a data report, there are people behind these numbers. The program is doing its best to help the loved ones during this time and the program is helping on the frontlines to help the community's women and girls be safe. The program is working diligently so this doesn't happen again.

[9:17:07 AM](#)

MS. VANTREASE said the community is watching and waiting for solving the cases. Everyone knows either the parents or the young ladies and are frustrated with having no answers and no justice being served. As domestic advocates, her program is the first responder to these cases and stands by the families in the weeks and months and years following. It has been seen what these losses do and how it hurts the community. These young girls have been the catalyst for making change and doing what can be done in the village. Her program sees the impact of the lack of offender accountability. It is frustrating for a woman to go through the process of starting a case, reporting it, and waiting for it to go court, only to have the offender get off with a slap on the wrist if even that happens.

MS. VANTREASE related that last year was the first MMIW walk in Kake and nearly 200 people attended, which is almost half of the community. This shows the importance of this issue and its importance to the people. Everyone walked in remembrance of the families' loved ones who tragically died because of violence. Everyone walked in solidarity with the families and in hopes of change. Community work is being done, such as public awareness and annual culture camps. The state's help is needed to help ensure that this doesn't happen again, that justice will be served, that Indigenous women are protected and valued, and that offenders are held accountable. It is time for the state to make the safety of Alaska Native women a priority and let it be seen that Alaska Native women's lives are valued and matter.

MS. VANTREASE pointed out that VPSOs are disallowed from carrying firearms, yet Alaska rates the highest in domestic violence cases. An officer was shot several years ago when responding to a call. It needs to be ensured that VPSOs who have stepped up to the plate to protect the community are also kept safe.

MS. VANTREASE urged that the committee's support be seen in the actions it takes following these hearings.

[9:21:22 AM](#)

MISTY NICHOLI, Operations Manager, Native Movement, stated she is Koyukon Athabascan and is from Kaltag. She said she is a University of Alaska Fairbanks (UAF) graduate, noncommissioned officer in the Army Reserves, licensed practical nurse (LPN), social advocate, and mother of three adult sons. As a Denaa woman she is a member of the most at-risk demographic in Alaska.

MS. NICHOLI said she is speaking today on behalf of her late grandmother, Theresa Nicholi, who is one of Alaska's missing and murdered Indigenous women. She explained how she thought the death of her grandmother was something that didn't happen often until she saw articles about Alaska's missing and murdered Indigenous women. Through Native Movement and its partners, she was able to lead a collaborative living art memorial that was unveiled last October at an Alaska Federation of Natives (AFN) rally. It was started with 38 names that had been shared. Two Facebook posts were made asking for people who wanted to honor their loved one names. With those two Facebook posts and eight hours at AFN, an additional 142 names were given. [Native Movement] is now responsible for carrying over 184 names of its stolen sisters.

[9:23:00 AM](#)

MS. NICHOLI related that her grandmother's body was found with bruises and lacerations to her face and hands. There were witnesses who saw her enter a house, saw a man throw her down the stairs, and saw him under the cover of darkness carrying something the size of her small grandmother over his shoulder towards Mukluk Slough. There was no VPSO in the village at the time, so the state troopers flew in and took her body without questioning anyone. It is still talked about today. Like countless other murdered Alaska Native women, including her Aunt Margaret and Aunt Elizabeth, her grandmother's death was incorrectly classified as accidental. She continued:

I remember my mother's screams, cries, and rage when she learned that justice wouldn't be served. Her emotions came from deep down in her soul and a part of her was broken that day. A part of me was broken too. I learned at nine years old that our lives and deaths didn't matter. I'd like to say that things have changed and that there are VPSOs who function as a liaison for the state troopers to ensure deliverance of justice, but it hasn't changed at all.

[9:24:21 AM](#)

MS. NICHOLI said a young man shared a story with her a couple years ago:

A young woman in his community was murdered. There wasn't a VPSO in the village. The troopers picked up

her body and didn't adequately investigate. Later a man confessed to multiple people that he killed her. When those people relayed that information to law enforcement, they were turned away and told that there was no evidence.

MS. NICHOLI said the State of Alaska's current lack of legal protection has made Indigenous women a target for perpetrators. To remedy the state's failure to protect Indigenous women, HR 10 must be passed. Funding must be continued and increased for VPSOs. Tribal police departments need to be recognized and worked with. Asking for these protections for Alaska's most at-risk people will help ensure that Indigenous women have equitable legal protections, improve their representation, and increase government-to-government relations.

MS. NICHOLI stated her life has been dedicated to serving her country and the people of Alaska. She said she would like to know that her life matters. It is the responsibility of the able and those charged to serve citizens to ensure that at-risk populations are protected. She is certain the committee members all take the responsibility of their positions seriously and so she has faith that HR 10 will be passed today as a first step.

[9:26:24 AM](#)

CARMEN LOWRY, Executive Director, Alaska Network on Domestic Violence and Sexual Assault (ANDVSA), stated that the network is a 24-member organization with members being domestic violence and sexual assault service providers across the state. She said the network fully supports HR 10 and that the resolution is timely. The network is a federally recognized state coalition that receives funding from two sources to be able to provide coordinated services and collaborative services with the state administrator, who in Alaska is the counsel on domestic violence and sexual assault. Much activity and work are being done at the federal level, there are now 18 federally funded Native coalitions across the U.S. Out of those 18, two are in Alaska - the Yup'ik Women's Coalition and the Healing Native Hearts Coalition.

MS. LOWRY said the network realized last year that it had not done nearly enough to support its Alaska Native sisters in the work that they are doing, so the network convened a dialogue. A second dialogue convened a couple weeks ago was attended by ANDVSA, Yup'ik Women's Coalition, Healing Native Hearts Coalition, Alaska Native Women's Resource Center, and the

Council on Domestic Violence and Sexual Assault. These groups came together in recognition that more had to be done together, to work together, to look at what was going on with the VAWA reauthorization, and to learn what the structural barriers are for Alaska Native coalitions, women, and tribes in having a greater impact in their own community. It was realized that it is time to recognize the tragic epidemic of missing and murdered Indigenous women and girls, of a lack of resources, of a lack of self-determined opportunity for Alaska Native victims.

[9:29:55 AM](#)

MS. LOWRY addressed the question of what else can be done. She said that at the second dialogue it was determined that an in-depth fatality review was needed for an Alaska Native murdered woman or girl. This suggestion is based on work that is being done in Montana. Montana has one fatality review for a death that occurs on a reservation or on Indian land, and one that occurs on non-Indian land. Regarding the lack of data and inaccuracy of data, the proposed fatality review could provide in-depth awareness of what could be done differently and what could be done to prevent this kind of death from occurring. She said the mandate for moving forward on a fatality review rests within the Department of Public Safety. She offered her understanding that DPS is interested in moving forward on this.

MS. LOWRY assured committee members that the network will share HR 10 with its member agencies and the Alaska Congressional Delegation. The network will continue to do whatever it can to lift the work of Alaska Native sisters and organizations.

[9:32:09 AM](#)

JULIAN THIBEDEAU thanked the previous speakers for sharing their stories, which encourages others to share their stories. He said these stories are often kept to oneself because it hurts, but when the stories are shared there is a coming out of the darkness. When sharing these stories, people know that they aren't alone. Sharing helps people start to come together in the communities. He pointed out that the 100-plus names coming as a result of the two Facebook posts are just the people who happened to be attending AFN and see what was going on.

MR. THIBEDEAU said he is calling today because his mother is a missing and murdered Indigenous woman. In 1996 his mother was murdered for some cocaine that wasn't even hers. He explained he is saying it like that because that is the bottom line, the

motive behind her death. His mother was a beautiful person inside and out and was an Alaska Native artist and a person who carried her traditions. She had her struggles too and one of them was drug and alcohol abuse. She happened to be at the wrong place at the wrong time. It shouldn't be like that. She was a good mother and a good person. Some people might say to write a person off if there were drugs involved, but the drugs were not in his mother's possession and two people were murdered that day - his mother and her boyfriend - and he was present during that time. He was eight years old.

MR. THIBEDEAU related that sharing an emotional subject is hard to do and it's hard to find the right words to share. He said his hope is that by sharing, others will be encouraged to share too. There was justice in his mother's case. The person who committed the crime was captured. He offered his understanding that statistically speaking it's not as fortunate for Alaska Native people, especially in rural villages where law enforcement isn't present. It is his prayer and hope that people come together and continue working to break the silence on violence and to help stop this.

[9:38:00 AM](#)

CHAIR ZULKOSKY closed public testimony after ascertaining no one else wished to testify.

[9:38:08 AM](#)

REPRESENTATIVE LINCOLN moved to report HR 10 out of committee with individual recommendations and the accompanying zero fiscal notes. There being no objection, HR 10 was reported from the House Special Committee on Tribal Affairs.

[9:38:47 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Tribal Affairs meeting was adjourned at 9:38 a.m.