

Yurok Tribal Court releases third and final report on Missing and Murdered Indigenous People

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Published last week, the Yurok Tribal Court's To 'Kee Skuy 'Soo Ney-Wo-Chek' (I will see you again in a good way) Project's third and final report on Missing and Murdered Indigenous People (MMIP) contains the first ever roadmap to guide tribal, state and federal agencies' response to new and existing MMIP cases.

"The purpose of the third report was to lay a concrete, comprehensive and culturally relevant foundation from which to confront the ongoing crisis of Missing and Murdered Indigenous People in California. I believe we have achieved this objective," said Yurok Tribal Court Director Jessica Carter. "I would like to thank the multidisciplinary team of indigenous scholars who created this invaluable resource, which will serve tribal communities for many years to come."

Informed by local law enforcement, a distinguished detective from Missoula, Montana (another area where MMIP cases are prevalent) and the National Indigenous Women's Resource Center, as well as recent missing

persons cases, traditional cultural knowledge keepers and many other sources, the Tribal Community Response Plan (TCRP) prescribes a set of actions for agencies to employ starting at the moment someone is reported missing and/or foul play is suspected and throughout the duration of a long-term missing person or a homicide case. The Plan provides strategies to protect vulnerable individuals. It also outlines how and where local community members should make such reports. Co-written by Dr. Blythe George, a Yurok citizen, Assistant Professor of Sociology at UC Merced and Harvard University graduate, the response protocol published in the 120-page foundational document covers numerous scenarios involving missing persons and murder cases, ranging from child runaways to the extemporaneous location of human remains.

“The Year 3 report offers a blueprint and tools for Tribes to coordinate with law enforcement and justice system partners on the development of customized community response plans that meet their unique needs and circumstances,” said Co-author Dr. Blythe George. “Similar to my fellow co-authors, I know firsthand the challenges that ensue when a beloved friend or family member goes missing or worse. When we were writing the report, my dear friend Emmilee Risling went missing, which was/is indescribably devastating. Featured heavily in the report, Emmilee’s case illuminates an urgent need for additional mental health and law enforcement resources in our rural area.”

The authors of the Year 3 Report developed significant sections of the detailed response protocol based on the disappearance of Emmilee Risling and a recent, local abduction. Emmilee was last seen on the Yurok Reservation in October of 2021.

The Yurok and Hoopa Valley Tribes and their respective police departments, as well as the Humboldt County Sheriff’s Office and concerned community members have worked tirelessly to find Emmilee. Despite extensive search efforts, including a week-long deployment of 10 cadaver dogs, no signs of her have been uncovered. In her early twenties, the Hupa woman graduated college and entered adulthood with all of the promise in the world. A few years after she moved home to work for her Tribe, Emmilee’s life trajectory spiraled as a result of serious mental health issues and substance abuse. The second case referenced in the report involved a minor, who was located and returned to her family with assistance from the Yurok Tribal Court. Due to the individual’s tender age, further details cannot be shared.

In addition to the adaptable response procedures, the report also proposes a series of policy changes to remove systemic barriers that prevent California’s 110 federally recognized Tribes from mounting a full response to MMIP and limit tribal governments’ capacity to keep their people safe. For example, tribal police currently do not have the same authority as state law enforcement even though they are equally qualified and Peace Officer Standards and Training (POST) certified. The Yurok Tribe is working on state legislation to address this longstanding injustice. Humboldt County Sheriff William Honsal is in favor of the much-needed legislative solution and is seeking support from the California State Sheriffs’ Association. “They should have that same authority. I’m really hoping that this year, this happens and I’ve been making a lot of progress with the State Sheriffs Association. We have lots of Sheriffs that are onboard with this law...I’m really optimistic that if this actually gets written, there will be support at the state sheriffs’ level,” Sheriff Honsal stated in the Year 3 report. For context, some museum security personnel are considered state peace officers.

Additionally, tribal justice systems are prevented from participation in the California Law Enforcement Telecommunications System (CLETS). With access to CLETS, Tribal courts and police would be able to enter and verify missing person's cases. Tribal Courts could input protective orders for all law enforcement to see, which is particularly pertinent when it comes to restraining orders related to domestic violence. The Yurok Tribe is working on a policy change that would allow all California Tribes access to this vital public safety tool. The third-year report also recommends the creation of a statewide alert system to notify police and the public when native people are missing or endangered. In May of 2022, Yurok Chairman Joseph L. James and Dr. Blythe George advocated for the alert system at a California Assembly Select Committee on Native American Affairs hearing titled "California's Response to the Crisis of Missing and Murdered Indigenous People." In June, California Assemblymember James C. Ramos's Feather Alert law passed in Senate Public Safety Committee.

"We strongly encourage the legislature to swiftly pass this important bill," said Chairman James. "The time for action is now. We cannot stand idle while so many Native people are missing and so many families are suffering."

Meaningful progress is occurring in other areas too. In California, Governor Gavin Newsom's proposed budget there is a \$15 million allocation for the Yurok Tribal Court to build a culturally centered Wellness Center. Highlighted as a major part of the solution in the Year 3 report, a center like this would significantly increase the Tribe's capacity to proactively assist at-risk individuals like Emmilee Risling before it's too late. If funded, the center will offer holistic mental health and drug treatment services.

"I would love to see the tribe actually have its own detox center, so instead of bringing somebody to jail, who's under the influence, unable to care for themselves, we bring them to a detox facility. Using this woman as an example, I had her ready to go. If we have detox, if we have temporary beds, mental health at the ready, we can actually then walk her across the hall to the mental health side, put her in a bed, start that treatment, start that trauma-informed care to deal with the trauma, addiction and/or alcoholism. And then we don't have to wait. We can take a proactive, immediate response to help our own people," stated Greg O'Rourke, the Chief of the Yurok Tribal Police Department and Yurok citizen in the third report.

California Tribes are unifying efforts to address MMIP. In July, Yurok Chairman James convened a meeting with 10 Tribal Chairpersons and more than two dozen Tribal Council Members representing Tribes from every corner of the state to discuss a collective response to the MMIP crisis. The Tribes are now meeting on a regular basis and will soon announce the plans to act on specific provisions in the Year 3 report.

Background on To 'Kee Skuy 'Soo Ney-Wo-Chek' project

In 2019, the Yurok Tribal Court received funds from the US Department of Justice's Coordinated Tribal Assistance Solicitation (CTAS) to start the To 'Kee Skuy 'Soo Ney-Wo-Chek' Project, which released the first report in 2020. The first-year report featured an in-depth examination of the MMIP crisis in Northern California. The primary topics of the analysis included: data collection, interagency coordination,

investigatory resources, law enforcement and justice system accountability, legislative considerations, support services, protective factors, and community strength building. In the second-year report, the authors started developing the protocols for the MMIP intervention, prevention and postvention plans. In the second report, the authors also identified five new areas for analysis, including: foster care and violence against youth, mental health impacts, intergenerational trauma, culturally informed ideas of justice and healing, and family and survivor centered justice and healing. Building upon the above-mentioned research, the Yurok Tribal Court's To 'Kee Skuy 'Soo Ney-Wo-Chek ' Project's third and final report proposes to facilitate improvements to specific aspects of external criminal justice and health care systems, which put indigenous people at risk. To read the full report, please visit <https://bit.ly/3PDK6sN>