



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

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LB 154 mandate:

Nebraska State Patrol (NSP), in collaboration with the Nebraska Commission on Indian Affairs (NCIA), “conduct a study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska,”

3 specific aims :

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

Challenges to identifying # of missing persons:

- 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.

These challenges are exacerbated for Native persons:

The challenges regarding reporting and investigating missing persons may be exacerbated among Native American missing persons, primarily due to:

- jurisdictional issues
- a lack of coordination and relationships between Tribal and non-Tribal law enforcement agencies
- racial (mis)classification when entering the cases into databases

Measuring “hidden populations” (e.g., missing persons) is inherently difficult.

- There is no “standard” methodology to collect data or measure missing persons.

Our Approach to this study:

- Say what we do
- Do what we say
- Show our work

Find the full report and data on UNO’s website [here](#).

Methodology

Quantitative data regarding the number of missing persons cases in Nebraska

- **Point-in-time count** on 3/31/2020 from: (1) the Nebraska Missing Persons List (NMPL), (2) the National Missing and Unidentified Persons System (NamUs), and (3) the National Center for Missing and Exploited Children's (NCMEC) missing persons list.
- After deleting duplicate entries, **$n = 498$ missing persons cases in the state of Nebraska were identified**; cases spanned from 6/8/1940 to 3/31/2020.

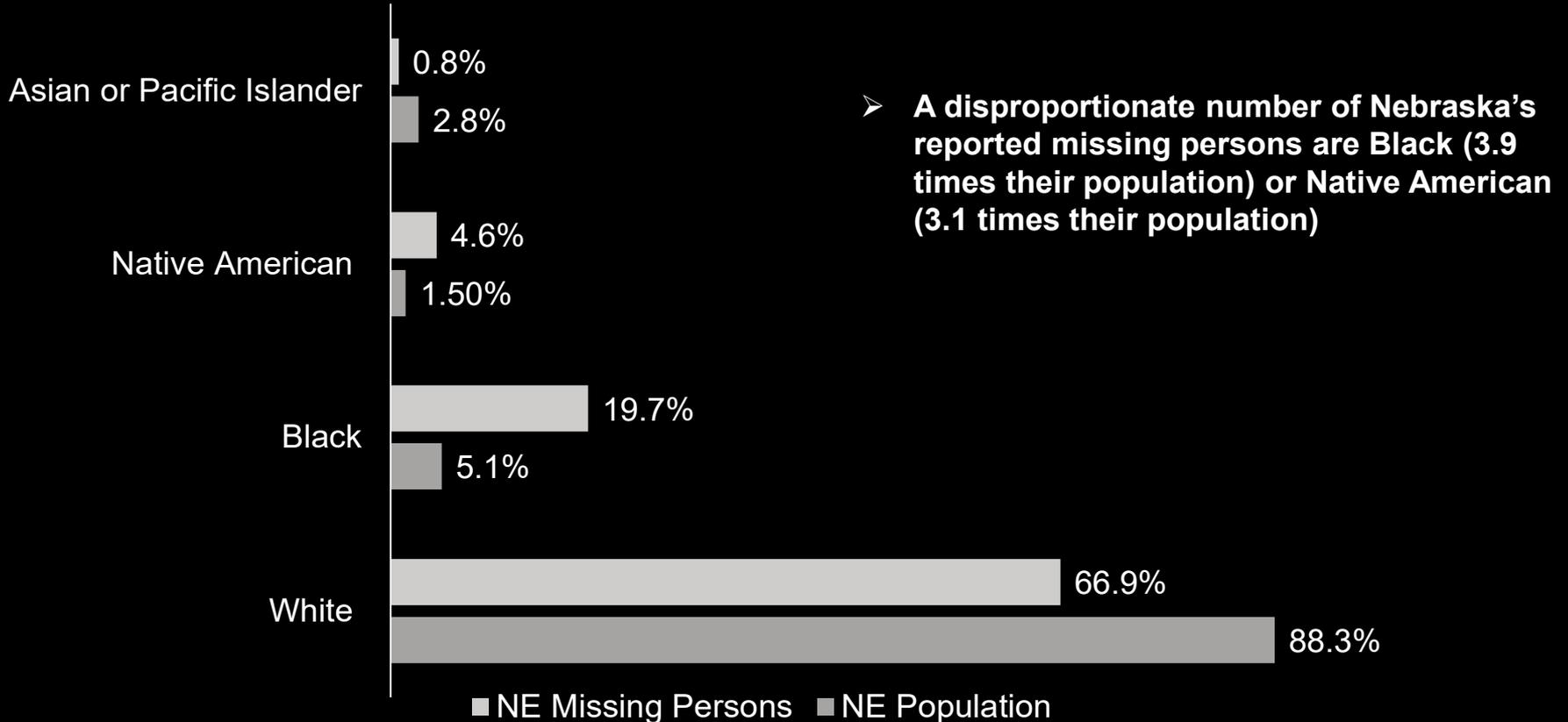
Qualitative data from listening sessions with Tribal communities and Nebraska law enforcement agencies' policies on missing persons

- **Listening Sessions.** Four listening sessions were held in Tribal communities in Omaha ($n=38$), Santee ($n=18$), Macy ($n=15$), and Winnebago ($n=39$).
- **Missing Persons Policies.** Missing persons policies were solicited from 212 law enforcement depts across the state; Received responses from 51 depts.

Findings: Nebraska's reported missing persons

- Nebraska's missing person rate on 3/31/20 was 25.7 per 100,000 persons.
- A disproportionate number of Nebraska's reported missing persons are Black (3.9 times their population) or Native American (3.1 times their population).
- The majority of missing Native Americans are males under the age of 17 years old.
 - Nearly two thirds (73.3%) of the Native American missing persons are boys (age 17 years old or younger).
- More Native American missing persons are minors and Native American missing persons cases are open (unsolved) longer when compared to Nebraska's total missing persons.

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



Findings: Where are Native American missing persons cases reported?

- The majority of reported missing persons cases (n = 486, 98%) stem from the NMPL only.
 - The Nebraska Missing Persons List (NMPL) is highly comprehensive and accurately tracks **reported** missing persons cases.
- All Native American missing person cases were identified from the NMPL.
 - More Native American missing persons cases (21.3%) than total cases (14%) were also listed in the National Missing and Unidentified Persons System (NamUS).
 - No Native American missing persons cases were listed on the National Center for Missing and Exploited Children list (NCMEC), while 6% of total cases were listed on NCMEC.
- Requests by both NSP and NCIA at community listening sessions/ research by the NCIA project coordinator did not uncover any unreported cases of Native American missing persons.

Potential reasons for duplicate cases and/or data entry errors regarding missing persons cases in Nebraska:

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

Findings: Multiple underlying factors in Native American missing persons cases.

Tribal Community Listening Sessions identified underlying factors in missing persons cases involving Native American women and children:

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

Findings: Barriers to reporting/investigating Native missing persons.

The Listening Sessions also identified barriers to reporting and investigating Native missing persons cases:

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

Findings: Qualitative missing persons policies

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

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

Potential Partnerships Identified:

- 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) community education regarding how to use NamUs; and
- 4) strengthening partnerships with Department of Health and Human Services, Tribal and non-Tribal victim services, and legal aid to address the underlying social challenges related to missing persons cases (e.g., substance use).



Recommendation #1: Increase & Formalize NSP + Tribal and Non-Tribal Law Enforcement Cooperation

- 1) Develop and implement a missing persons policy for both juvenile and adult missing persons in each of Nebraska's law enforcement agencies
 - Develop and provide a Standard Operating Procedure (SOP) illustrating a step-by-step process for handling missing persons cases.
- 2) Whenever possible, include information on the race of the missing person in a missing persons report.
- 3) Whenever possible, include information on the tribal affiliation of the missing person in a missing persons report.
- 4) **Increase the capacity of tribal law enforcement departments through the cross-deputization of Nebraska State Patrol officers.**
- 5) **Develop and implement Native American cultural awareness training for Nebraska State Patrol officers.**
- 6) **Increase the recruitment of Native American persons to the Nebraska State Patrol; allow recruits to stay in their home area upon request.**

Recommendation #2: Enhance Awareness of Reporting Options and Mechanisms to Native Communities:

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

Recommendation #3: Be Aware of the Potential Interrelatedness of Missing Persons to Human Trafficking and Other Social Challenges:

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

Study Limitations:

- 1) Due to COVID-19 we were unable to complete a listening session in western NE, or to complete one-on-one interviews with law enforcement during study period; could be considered next steps.
- 2) “Hidden figure” of missing persons is simply unknown; continued research is needed (and is underway in other states).
- 3) Findings suggest that missing persons cases most disproportionately impact African American communities in Nebraska; focus of future research.

Next Steps:

National Institute of Justice (# 2019-75-CX-0014) funded research will support:

- 1) Conducting interviews with Tribal/Non-Tribal law enforcement, other CJS personnel, and Tribal/non-Tribal victim services providers.
- 2) Examining Nebraska foster care data – connection between system involvement and missing youth? Racial differences?

The Nebraska Commission on Indian Affairs will:

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

THANK YOU!

QUESTIONS/COMMENTS?

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