



February 24, 2020

To:

Big Horn County Attorney Jay Harris
Big Horn County Sheriff Lawrence Big Hair
Big Horn County Coroner Terry Bullis

Rosebud County Attorney Kristine White
Rosebud County Sheriff Allen Fulton
Rosebud County Coroner Frank Arb

Yellowstone County Attorney Scott Twito
Yellowstone County Sheriff Mike Linder
Yellowstone County Coroner Cliff Mahoney
Billings Police Chief Rich St. John

Montana Attorney General Tim Fox
Montana State Chief Medical Examiner Dr. Robert Kurtzman
Montana Department of Justice Missing Persons Specialist Misty LaPlant
Montana Governor Steve Bullock

United States Attorney (Montana District) Kurt Alme
United States Department of Justice MMIP Task Force Coordinator (Montana) Ernie Weyand
Federal Bureau of Investigation Resident Agency - Billings
Federal Bureau of Investigation Field Office - Salt Lake City
Bureau of Indian Affairs - Rocky Mountain Regional Office

US Representative Greg Gianforte
US Senator Jon Tester
US Senator Steve Daines
US Attorney General William Barr



To Whom It May Concern,

We the families and allies of missing and murdered Indigenous people (MMIP) of Big Horn, Rosebud, and Yellowstone counties are requesting an immediate and thorough inter-agency review of all cases of missing and murdered Indigenous people that have occurred in these three counties. Our request includes all cases understood as missing persons cases, homicides, suspicious deaths, and cases in which manner of death was classified as undetermined, exposure, or otherwise wrongfully classified as natural causes. This review should not only examine case files and evidence, it should also rigorously study any and all investigatory action that took place in these cases, or could or should have taken place. In this way, the review should assess existing case findings and law enforcement and justice system response, and meaningfully identify ways in which those responses can improve. We feel this is a critical step towards justice for the MMIP of these counties and their families. Further, it has the potential to yield findings relevant to other jurisdictions as well.

According to initial data from Sovereign Bodies Institute (SBI), since 1977, at least 32 Native women or girls have been murdered or have gone missing in Big Horn County, and 26 of those cases occurred in the last 20 years. This gives the County one of the highest rates of MMIWG in the United States, and leads to Native Americans being overrepresented among deaths in the County. Indeed, data sourced from the Montana Chief Medical Examiner Dr. Robert Kurtzman indicates that of the 78 deaths he has documented in Big Horn County since 2015, 58 (74%) of them were Native American decedents, despite Native Americans representing 59.66% of the County's population. Overall, SBI has documented 61 MMIWG cases in Big Horn, Rosebud, and Yellowstone counties combined. These cases range from 1972 to 2020, though nearly 80% of the cases occurred since 2000. Additionally, SBI has documented at least 19 cases of missing and murdered Indigenous men and boys in the area as well. Statewide, Dr. Kurtzman has reported to us that of the 1000 death investigations he has taken part in across Eastern Montana since November 2015, 173 decedents (17%) were identified as Native American. This is more than double the proportion of Native Americans in the state. Of the 173 deaths of Native Americans, 16% of those deaths were homicides, compared to 0.07% of the state's deaths as a whole. As SBI continues building its work with our collective of MMIP families, more families come forward to join us in our efforts daily. Very few, if any, of these cases have been sufficiently investigated or solved.

For this reason, we are asking that the inter-agency review be done with the full support and cooperation of all relevant law enforcement agencies and offices of the justice system. Specifically, it should be undertaken by the US Attorney's Office and the US Department of



Justice, in partnership with state, local, and tribal law enforcement. This review must be undertaken by these agencies due to the failures of responding law enforcement agencies to effectively investigate cases and bring them to justice, or to address and reduce the high rates of violent and suspicious death and disappearance of Native people. Of the 26 victims whose families have signed to this letter, over three quarters of their cases remain unsolved with no convictions. Moreover, even among the cases that have been closed with convictions, law enforcement response and communication with families has been poor. We are also disturbed to see that current law enforcement leadership in the region includes officials who have documented and repeated history of violence against women and history of citation by professional ethics board for violation of a Native woman's remains. Officials who abuse Native women and violate the ethics and standards of their profession should not be in office.

Sovereign Bodies Institute and the collective of MMIP families from Big Horn, Rosebud, and Yellowstone counties stand ready to support and assist in the review process. As family members, survivors of violence, and Native community members, we have an important perspective that can help to develop and enhance best practices in responding to these forms of violence. In many instances, we already serve as informal first responders filling in the gaps that law enforcement, the justice system, and victims services do not fill. As the organization working to support the southeast Montana collective of MMIP families, maintaining the continent's largest and most thorough database of MMIWG2 cases, and leading efforts to research the scope and dynamics of this crisis, SBI is well positioned to serve as a family liaison and to provide crucial expertise and assistance in the reviews themselves. SBI has already built working relationships with key offices involved in death investigations in the region, and looks forward to strengthening these relationships and working together to generate a better understanding of the factors leading to overrepresentation of Native Americans among deaths and homicides in Montana.

The individual results of these reviews must be shared with the victims' respective families, and the broader findings must be shared with the general public. Law enforcement and justice agencies must be willing to adopt best practices generated by the reviews, and policymakers at all levels must be prepared to transform the findings of the reviews into actionable policy measures that reflect the needs and priorities of MMIP families.

No family should have to lose a loved one to violence. No community should have to continuously grieve the violent or suspicious death or disappearance of relatives, friends, and community members. No one should have to live years without answers or information on what happened to their loved one. No community should have to carry the cumulative impact of



decades of this kind of violence. It is unacceptable for the State of Montana and the United States government to continue to passively watch Native people die. The United States government is failing its trust responsibility to tribes by remaining complicit in the mass death and disappearance of Native people, and it cannot continue this way. The days of “just another dead Indian” are over. The days of throwing our hands in the air and saying “we don’t know why this is happening” are over. MMIP families and their communities know why it is happening--institutional negligence, structural inequality, racism, and colonialism. The days of saying “we don’t know what to do” are over. **We are telling you what to do: review the cases and hold agencies accountable for their apathy towards the death and disappearance of our people.** We will continue to work together to remind the world that the unjust rates of violence we experience and the lack of justice for our people must be addressed swiftly and effectively. It is our hope that law enforcement, justice offices, and government agencies will work with us in those efforts by answering this call with action.

Signed,

Kay Bell, on behalf of the family of the family of Matt Bell (Big Horn County, 1975)

Daphne Bends, on behalf of the family of Freman Bends (Big Horn County, 2016)

Tammy Big Day, on behalf of the family of Tenielle Big Day (Big Horn County, 2013)

Kim BigBack, on behalf of the family of Teishia Wolfname-BigBack (Yellowstone County, 2017)

Juanita Brady, on behalf of the family of Rosella WoodenThigh (Rosebud County, 2008)

Apalonia Castro, on behalf of the family of Henny Scott (Big Horn County, 2018)

Jethro Diebert, on behalf of the family of Koren Diebert (Big Horn County, 2003)



Trina Eaglefeathers, on behalf of the family of Troy Small (Big Horn County, 2008)

Kenneth and Theresa Enemy Hunter, on behalf of the family of Beverly “DeeDee” Brien (Big Horn County, 1977)

Cathy Flores, Mae Whistling Elk, Lillian Bigman, Ann KnowsHisGun, and Clyde Deafy on behalf of the family of Iris Whistling Elk (Rosebud County, 1978)

Ann KnowsHisGun, Clyde Deafy, Lanell Whistling Elk, and Jocelyn Littleboy on behalf of the family of Richard Whistling Elk (Big Horn County, 1997)

Yolanda Fraser, Grace Bulltail, and Melissa Lonebear on behalf of the family of Kaysera StopsPrettyPlaces (Big Horn County, 2019)

Pauline HighWolf, Kim Red Cherries, Rhea HighWolf, and Elijah Wallowing, on behalf of the family of Allison HighWolf (Big Horn County, 2015)

Cheryl Horn, on behalf of the family of Preston Bell (Yellowstone County, 2017), Tristan Gray (Yellowstone County, 2018), and Selena Not Afraid (Big Horn County, 2020)

Dawn LaFontaine, on behalf of the family of Jordan Blacksmith (Big Horn County, 2007)

Malinda Harris Limberhand, on behalf of the family of Hanna Harris (Big Horn County, 2013)

Beth Springfield OldChief, on behalf of the family of Robert “Bugsy” Springfield (Big Horn County, 2004)

Jenny Parker, on behalf of the family of Toy Parker (Big Horn County, 2002)

Bettina Tallbull, on behalf of the family of Kayana Otissey Gonzalez (Yellowstone County, 2019)

April Toineeta, on behalf of the family of Juliet, Teddy, & Wyatt Little Light (Big Horn County, 2008)

Jennifer Whitebear, on behalf of the family of Bonnie Three Irons (Big Horn County, 2017)



Rachel Williamson, on behalf of the family of Hub Williamson (Big Horn County, 2019)

Renee Hawley, on behalf of the family of Vernon Hawley (Yellowstone County, 2016)

Mary Wilson, on behalf of the family of Harriet Wilson (Yellowstone County, 2018)

*Sovereign Bodies Institutes stands with the collective voices of these families, and will continue to work with them in its project titled *Overcoming Barriers to Justice*, which addresses MMIP in Big Horn, Rosebud, & Yellowstone counties. Sovereign Bodies Institute is an Affiliate of Seventh Generation Fund for Indigenous Peoples. For more information, see sovereign-bodies.org.*