



TO: NORTH DAKOTA LEGISLATURE-69TH LEGISLATIVE SESSION

RE: **TESTIMONY IN FAVOR OF HOUSE BILL 1199**

1/23/2025

Chairman Schauer and committee members,

Good morning, my name is Travis Bateman and I represent the Badlands Search & Rescue Service along with the Search and Rescue Volunteer Association of North Dakota. I submit to you this testimony in full support and in favor of House Bill 1199.

North Dakota is a state where our tribal members are our neighbors and friends. We have five reservations within our state. Our neighboring states also have tribal lands and all are all interconnected with many traveling to and from one to another for tribal services and just as a general tradition of life. Their connections, traditions, and ideations are unique and worth respecting and also understanding.

The fact that there is a higher percentage of violence and other strife on tribal lands impacts the specific issue of missing indigenous persons. Add in the additional impacts brought on by drugs and human trafficking along with the jurisdictional mess created between jurisdictions for federal, state, and local agencies, we have a prime environment for the flourishing success of criminal enterprises. Criminals do not see state, county, or tribal lands and their lines on a map as a deterrent to their activities but they most assuredly take full advantage of those legal barriers to profit from. I can attest to this having worked in law enforcement in North Dakota with a tribe within the county I worked. Our hands were often tied as to what we could do on those lands and tribal law enforcement was often unable to do anything as well, simply over jurisdiction. The criminals knew this and took full advantage of that, in addition to the oil boom that had every agency overwhelmed. Any documented gang members of MS-13 and others, including many with cartel affiliations were set up or in some way sought refuge on tribal lands.

This is nothing new at this point for our tribal citizens. The impacts are immense upon their lands and the missing and murdered indigenous persons issue is one of the main issues brought on by these criminal operations and continued exploitation of our tribes. Yes, our tribes. We are all Americans and we need to look at this as an American problem, not a tribal problem. The criminals do. They don't see the lines on a map or view these places from a government perspective and so we need to focus on this from that perspective as well.

There are currently twenty missing Native Americans listed on the North Dakota Attorney General's website. Last session sought the establishment of a specific list or database for indigenous persons to further aid in highlighting each person and help in finding them.

North Dakota's population is 4.9% Native American. That's 31,329 people per North Dakota's Indian Affairs webpage.

A task force to establish the listed purposes and needs is greatly needed here. It would follow suit with several other states. Wyoming has a very solid system established and Montana is also making strides over their last two legislative sessions with their task force. The federal side has established with the Bureau of Indian Affairs an MMIP division. That division is to be specific to the MMIP issues and aid jurisdictions and tribes with those issues but they are walking against the current with how large this issue is. They put two positions, one in Rapid City, South Dakota and one in Billings, Montana with those two positions covering all of South Dakota and all of Montana, for example. That's comparable to having one state BCI agent for western ND and one for eastern ND in my opinion. Not even a drop in the bucket to handle the case load.

But aside from the investigative approach, this needs to also include other law enforcement, specifically those agencies that are out performing those first contact functions like patrol and responding to calls where it is found that there may be criminal operations beyond the call or traffic stop. There needs to be that multi-faceted approach from all possible angles to combat the MMIP crisis. Because it very much is a crisis. It isn't confined to the tribal lands either. It is right here in Bismarck, Minot, Williston, and Fargo. Again, the criminals and actors involved don't see our county or tribal lines. They see people as livestock or product. They see customers to get addicted to their drugs and then opportunity to exploit them for various topics that we refer to as vice crimes in the cop world. Drugs, money, guns, people. Those of us that are good and proper citizens see them as those four words and topics. Those that exploit and profit from those four though see dollar signs and commodities.

The Montana legislature created their MMIP task force in 2019 and extended its mission for an additional 10 years during their 2023 session. The 2023 legislature also appropriated some funds to hire a task force coordinator and provide for administrative costs.

The task force includes representatives from each of the state's eight federally recognized tribes, the Attorney General's Office, the Montana Department of Justice, the Montana Highway Patrol and the Montana Office of Public Instruction. The U.S. Attorney's Office, Indian Health Services, Ohkomi Forensics and the U.S. Missing and Murdered Indigenous Persons Coordinator for Montana are also represented.

The Montana Department of Justice Missing Persons Database currently lists 179 missing persons cases, of which 48 involve Native people. According to a 2024 report from the MMIP task force, 31% of the 2,263 reported missing persons in 2023 were Indigenous people, although Native people account for just 6.5% of the state population.

Funding for the MMIP special revenue account may derive from gifts, grants, donations, securities, and other public and private assets.

Investigations into missing Indigenous people, particularly women, have been plagued by many issues for decades.

When a person goes missing on a reservation, there are often jurisdictional conflicts between tribal police and local and state law enforcement. A lack of staff and police resources, and the rural nature of many reservations, compound those problems. And many times, families of tribal members distrust non-Native law enforcement or do not know where to report news of a missing loved one.

An alert system will help mitigate some of those problems by allowing better communication and coordination between tribal and non-tribal law enforcement and creating a way for law enforcement to flag such cases for other agencies. The law expands the definition of “missing endangered person” to include Indigenous people, as well as children and vulnerable adults with disabilities or memory or cognitive issues.

A report from October 2024 says that Washington state was first in the nation to implement alerts specific to Missing Indigenous Persons more than two years ago. By the end of August (2024) the Washington State Patrol had issued 114 of those alerts, with the subject being located in all but 13 cases.

State efforts to address the MMIP crisis started to get off the ground in 2019. That year alone, Minnesota, Arizona, Wyoming, Montana and New Mexico each launched a task force or study committee to address the issue; Idaho held a summit; and Oregon and Nebraska directed their state police to study the problem. Wisconsin and Utah established task forces in 2020.

In 2021, South Dakota and Oklahoma moved to create offices to address missing Indigenous people and Kansas passed a law paving the way for relevant police training.

It is now time for North Dakota to truly be legendary and continue to embrace our tribal nations and neighbors and catch up to our other states. We are five years behind based on what I have read above. Montana and Wyoming specifically have models in place that I believe North Dakota could model from and then expand to further benefit here at home.

Take one from the criminal’s handbook and use it for good. We need to blur the lines of jurisdiction, see this, and approach it for the all-encompassing problem that it is and establish an MMIP task force as well as M/EIP alert to further this public safety issue.

I implore you to vote for a DO PASS on House Bill 1199.

Thank you and I stand for any questions that you may have.

Respectfully,

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