**Definitions Guide**

The following acronyms and terms are defined in order to develop a shared vision and vocabulary for describing and addressing the crisis of missing and murdered Indigenous women.

Acronyms

APCG - All Pueblo Council of Governors

BIA - Bureau of Indian Affairs

CSVANW - Coalition to Stop Violence Against Native Women

COPS - Community Oriented Policing Program

CJIS - Criminal Justice Information Services

DOJ - Department of Justice

ENIPC - Eight Northern Indian Pueblos Council

FOIA - Freedom of Information Act

FBI - Federal Bureau of Investigation

IPRA - Inspection of Public Records Act

LEAs - Law enforcement agencies

MMIW - Missing and Murdered Indigenous Women

MOU/MOA - Memorandum of Understanding or Memorandum of Agreement

NCIC - National Criminal Information Center

NamUs - National Missing and Unidentified Persons System

NCMEC - National Center for Missing and Exploited Children

TAP - Tribal Access Program

TLOA - Tribal Law and Order Act

USAO - United States Attorney’s Office

UIHI - Urban Indian Health Institute

VAWA - Violence Against Women Act

**Mission:** The Missing and Murdered Indigenous Women and Relatives Task Force is committed to working with survivors and families to address the crisis of missing and murdered Indigenous relatives. To understand this ongoing crisis, the task force will bring together stakeholders to identify barriers and develop recommendations to improve reporting and investigating these types of cases. Ultimately, the task force aims to develop a report that is useful to communities, tribal governments, law enforcement agencies, and state agencies.

**Vision:** The overall vision for the report is to create a foundation for addressing the ongoing crisis of missing and murdered Indigenous relatives by fostering collaboration and developing recommendations through the lens of healing, prevention, culture, safety, restorative justice, advocacy, and liberation.

**HEALING:** Understanding that victims and families have experienced multiple layers of trauma and need trust, support, acceptance, accountability, education and confidentiality in order to begin healing using culture and services to help attain peace.

**SAFETY:** Supporting justice systems, tribal coalitions and organizations to properly enhance the safety for all Indigenous relatives and communities from all forms of violence and oppression.

**PREVENTION:** Providing community education to everyone, especially youth, that focuses on safety planning and awareness in everyday life, including the internet. Prevention includes training for law enforcement and government to build trust within the community.

**CULTURE:** Ensuring that victim-centered approaches are in accordance with the customs, arts, social institutions, spirituality, language and achievements of a particular nation, people or other social group having a cultural environment based on a set of beliefs, practices, customs, ecologies and behaviors common to everyone living within a certain tribe, nation, or pueblo and shapes individual growth and development by influencing ideologies and personalities.

**RESTORATIVE JUSTICE:** Honoring Indigenous voices and recognizing historical and systemic harm in order to offer perspectives for achieving transformational change.

**ADVOCACY:** Enhancing existing efforts of culturally appropriate and community-based advocacy in order to support victims and their families and create systemic change at the local, state, and federal level.

**LIBERATION:** Achieving intergovernmental cooperation by supporting tribal sovereignty free from dominance and control ensuring self-determination, empowerment and freedom from imprisonment, slavery, or oppression[Office1] .

**Advocacy -** Enhancing existing efforts of culturally appropriate and community-based advocacy in order to support victims and their families and create systemic change at the local, state, and federal level.

**Attended death –** is a death where a person dies in a situation or setting in which a death certificate can be signed without the need for an additional forensics investigation.

**Bordertown** - Towns that are nearby reservations that are economically dependent on Indigenous peoples and that neighbor Native Nations.[[1]](#footnote-0) These areas are typically defined as having long histories of racial tensions and violence against Native Americans.

**Bureau of Indian Affairs** - The Bureau of Indian Affairs (BIA) is an agency of the federal government of the United States within the U.S. Department of the Interior. The BIA's responsibilities originally included providing health care to American Indians and Alaska Natives. The Bureau of Indian Affairs' mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes and Alaska Natives.[[2]](#footnote-1)

**Colonialism** - Generally is defined as an act of one nation controlling another for economic gain.[[3]](#footnote-2)

**Culture** - Ensuring that victim-centered approaches are in accordance with the customs, arts, social institutions, spirituality, language and achievements of a particular nation, people or other social group having a cultural environment based on a set of beliefs, practices, customs, ecologies and behaviors common to everyone living within a certain tribe, nation, or pueblo and shapes individual growth and development by influencing ideologies and personalities.

**Domestic violence** - Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction. [[4]](#footnote-3)

**Federally recognized tribe -** An American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and is eligible for funding and services from the Bureau of Indian Affairs. Furthermore, federally recognized tribes are recognized as possessing certain inherent rights of self-government (i.e., tribal sovereignty) and are entitled to receive certain federal benefits, services, and protections because of their special relationship with the United States. At present, there are 574 federally recognized American Indian and Alaska Native tribes and villages.[[5]](#footnote-4)

**Freedom of Information Act** - Since 1967, the Freedom of Information Act (FOIA) has provided the public the right to request access to records from any federal agency. It is often described as the law that keeps citizens in the know about their government. Federal agencies are required to disclose any information requested under the FOIA unless it falls under one of nine exemptions which protect interests such as personal privacy, national security, and law enforcement.[[6]](#footnote-5)

**Healing -** Understanding that victims and families have experienced multiple layers of trauma and need trust, support, acceptance, accountability, education and confidentiality in order to begin healing using culture and services to help attain peace.

**Homicide** – Any death not classified as natural, accident or suicide, in which a person dies at the result of an act performed by another, regardless of who perpetrated the incident.

**Human Trafficking** - Victims are forced, defrauded, or coerced into trafficking. Even if victims initially offer consent, that consent is rendered meaningless by the actions of the traffickers to exploit them for labor, services, or commercial sex. Human trafficking is a crime committed against an individual. Trafficking does not need to involve the physical movement of a person. Trafficking victimization can be transnational or domestic.[[7]](#footnote-6)

**Interpersonal Racism** - occurs between individuals: biases that occur when individuals interact with others and their private racial beliefs affect their public interactions. Example: racial slurs, bigotry, hate crimes and racial violence.[[8]](#footnote-7)

**Internalized Racism** - is within individuals: our private beliefs and biases about race and racism, influenced by our culture. Internalized racism can take many forms including racial prejudice towards other people of a different race, the negative beliefs about oneself by people of color (internalized oppression), or beliefs about superiority or entitlement by white people (internalized privilege). An example is a belief that you or others are more or less intelligent, or beautiful, because of your race.[[9]](#footnote-8)

**Inspection of Public Records Act** (IPRA) **-** is a New Mexico state law that provides the public and media access to public information. The law requires open access to almost all public records in state and local government, with few exceptions. Under IPRA, the public has the right to take legal action if they are denied access to public records, an important mechanism to empower the public.[[10]](#footnote-9)

**Institutional Racism** - occurs within institutions and systems of power (such as educational, health care, criminal justice, and political systems) manifesting as unfair policies and discriminatory practices that routinely produce racially inequitable outcomes for people of color and advantages for white people. Example: a school system that concentrates people of color in the most overcrowded schools, the least-challenging classes, and with the least-qualified teachers, resulting in higher dropout and disciplinary rates compared with white students.”[[11]](#footnote-10)

**Indian country** - The term Indian country is defined in 18 U.S.C. § 1151 and 40 C.F.R. § 171.3 as:

1. all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
2. all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and
3. all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

**Indian (defined by USC)** – The term Indian is defined in 25 U.S. Code § 2201

1. any person who is a member of any Indian tribe, is eligible to become a member of any Indian tribe, or is an owner (as of October 27, 2004) of a trust or restricted interest in land;
2. any person meeting the definition of Indian under the Indian Reorganization Act (25 U.S.C. 479) and the regulations promulgated thereunder; and
3. with respect to the inheritance and ownership of trust or restricted land in the State of California pursuant to section 2206 of this title, any person described in subparagraph (A) or (B) or any person  who owns a trust or restricted interest in a parcel of such land in that State.

**Jurisdiction** - Defined as the power or authority of a court over a particular person, area, or subject matter.[[12]](#footnote-11)

**Liberation:** Achieving intergovernmental cooperation by supporting tribal sovereignty free from dominance and control ensuring self-determination, empowerment and freedom from imprisonment, slavery, or oppression.

**Law Enforcement Agencies (LEA)** – For the purpose of this report LEA refers to tribal, local, state, and federal law enforcement agencies.

**Missing child** – An individual who is less than twenty-one (21) years old and reported to any law enforcement agency as abducted, lost, or a runaway.[[13]](#footnote-12)

**Missing person** - A person whose whereabouts are unknown to the person’s custodian or immediate family member and the circumstances of whose absence indicate that the person did not leave the care and control of the custodian or immediate family member voluntarily and the taking of the person was not authorized by law or the person voluntarily left the care and control of his custodian without the custodian’s consent and without intent to return.[[14]](#footnote-13)

**Murder** - Murder in the first degree is the killing of one human being by another without lawful justification or excuse, by any means with which death may be caused:

* By any kind of willful, deliberate, and premediated killing;
* In the commission of or attempt to commit any felony; or
* By any act greatly dangerous to the lives of others, indicating a depraved mind regardless of human life. Whoever commits murder in the first degree is guilty of capital felony.

Unless he is acting upon sufficient provocation, upon a sudden quarrel or in the heat of passion, a person who kills another human being without lawful justification or excuse commits murder in the second degree if in performing the acts which cause the death he knows that such acts create a strong probability of death or great bodily harm to that individual or another. Murder in the second degree is a lesser included offense of the crime of murder in the first degree. Whoever commits murder in the second degree is guilty of a second-degree felony resulting in the death of a human being.[[15]](#footnote-14)

**Missing and murdered Indigenous women and girls (define based on origin)** - For the purpose of this report, the title of MMIW will be used to center Indigenous Women due to high statistical rates of targeted violence in NM and to align with the title of NM House Bill 278. It is understood that the use of the MMIW acronym throughout the report is also inclusive of other impacted Indigenous populations and demographics. The issue and origins of Missing and Murdered Indigenous Women has a colonial legacy in New Mexico that began with Spanish invasion of Indigenous communities and the subsequent promotion of human trafficking, violence on Indigenous bodies and slavery, followed by further colonial violence by European Americans and settler colonialism. In recent times a movement has been building to bring awareness and action for this ongoing epidemic against Indigenous Peoples. This definition and social media hashtag has gone on to evolve into more inclusive adaptations with NGO initiatives and other awareness efforts not limited to the following examples: MMIR (Missing and Murdered Indigenous Relatives), MMIW2T (Missing and Murdered Indigenous Women Two Spirit and Trans), MMDR (Missing and Murdered Diné Relatives), and MMIWG (Missing and Murdered Indigenous Women and Girls).

**Major Crimes Act** - Section 1153 of Title 18 grants jurisdiction to federal courts, exclusive of the states, over Indians who commit any of the enumerated offenses, regardless of whether the victim is an Indian or non-Indian. *[[16]](#footnote-15)*

**MOU/MOA** - A memorandum of understanding (MOU/MOA) is an agreement between two or more parties outlined in a formal document. It is not legally binding but signals the willingness of the parties to move forward with a contract. This MOU/MOA may be used to cooperatively work together on an agreed upon purpose or meet an agreed objective and outline the discussed terms of a new relationship.

**NCIC (National Criminal Information Center)** - The National Crime Information Center, or NCIC, has been called the lifeline of law enforcement—an electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, 24 hours a day, 365 days a year. It helps criminal justice professionals apprehend fugitives, locate missing persons, recover stolen property, and identify terrorists. It also assists law enforcement officers in performing their duties more safely and provides information necessary to protect the public.[[17]](#footnote-16)

**Prevention:** Providing community education to everyone, especially youth, that focuses on safety planning and awareness in everyday life, including the internet. Prevention includes training for law enforcement and government to build trust within the community.

**Police brutality** - or police violence is legally defined as a civil rights violation wherein officers exercise undue or excessive force against a civilian. This includes, but is not limited to, physical or verbal harassment, physical or mental injury, property damage, and death. Native people are more likely to be killed by police officers than any other minority group in the Nation.[[18]](#footnote-17)

**Racial misclassification** – When a person is inaccurately coded as being of another race or ethnicity. There is a growing concern of this issue impacting AI/AN, and the need to reverse this practice in order to accurately monitor the health outcomes of this population group.[[19]](#footnote-18)

**Reservation** - Defined by the U.S. Department of the Interior as “an area of land reserved for a tribe or tribes under treaty or other agreement with the United States, executive order, or federal statute or administrative action as permanent tribal homelands, and where the federal government holds title to the land in trust on behalf of the tribe.”

**Restorative Justice -**Honoring Indigenous voices and recognizing historical and systemic harm in order to offer perspectives for achieving transformational change.

**Safety -** Supporting justice systems, tribal coalitions and organizations to properly enhance the safety for all Indigenous relatives and communities from all forms of violence and oppression.

**Sexual assault** - As defined as any sexual offense—including rape, incest, fondling, exhibitionism, or pornography. Sexual assault involves a wide range of unwanted sexual behaviors that are performed against a person’s will, or when a person is unable to give consent because of their age, disability, level of intoxication, or other reasons. Sexual assaults may or may not involve force and include such things as grabbing, fondling, and verbal threats. Also included is rape, which is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ by another person, without the consent of the victim; may also include penetration of the mouth by a sex organ by another person. This also includes corrective rape, defined as a crime in which someone is raped because of their perceived sexual orientation or gender identity.

**Structural racism** - Racial bias across institutions and society, based on history, culture, ideology, and interactions of institutions and policies that systematically privilege white people and disadvantage people of color. Example: constant depictions of people of color as criminals in mainstream media, creates an atmosphere of suspicion of people of color when they are shopping, traveling, or seeking housing and employment which can result in discriminatory treatment and unequal outcomes.[[20]](#footnote-19)

**Sovereignty** - The inherent authority of tribal nations to govern themselves and their members.[[21]](#footnote-20)

**Settler colonialism** - “The founding of a state based on the ideology of white supremacy, the widespread practice of African slavery, and a policy of genocide and land theft.”[[22]](#footnote-21)

**TAP (Tribal Access Program)** - TAP allows selected federally-recognized Tribes to more effectively serve and protect their nation’s citizens by ensuring the exchange of critical data across the Criminal Justice Information Services (CJIS) systems and other [national crime information systems](https://stg.justice.gov/tribal/national-crime-information-systems). [[23]](#footnote-22)

**TLOA (Tribal Law and Order Act)** - President Obama signed the [Tribal Law and Order Act](https://www.justice.gov/sites/default/files/usao-az/legacy/2010/10/14/Tribal%20Law%20%20Order%20Act%202010.pdf) into law on July 29, 2010. The Tribal Law and Order Act helps to address crime in tribal communities and places a strong emphasis on decreasing violence against American Indian and Alaska Native women. The Act encourages the hiring of more law enforcement officers for Indian lands and provides additional tools to address critical public safety needs. Specifically, the law enhances tribes' authority to prosecute and punish criminals; expands efforts to recruit, train and keep Bureau of Indian Affairs (BIA) and Tribal police officers; and provides BIA and Tribal police officers with greater access to criminal information sharing databases. [[24]](#footnote-23)

**Unattended Death** - is one that occurs when an individual is alone, according to the U.S. Center for Disease Control and Prevention. More often than not, death is not discovered for a matter of days or weeks, and sometimes even longer.

**VAWA (Violence Against Women Act)** - the original bill, which passed in 1994, VAWA created the first U.S. federal legislation acknowledging domestic violence and sexual assault as crimes, and provided federal resources to encourage community-coordinated responses to combating violence.[[25]](#footnote-24)

1. <https://www.csvanw.org/mmiw/> [↑](#footnote-ref-0)
2. <https://www.bia.gov/> [↑](#footnote-ref-1)
3. <https://www.niwrc.org/rm-article/mmiw-understanding-missing-and-murdered-indigenous-women-crisis-beyond-individual-acts> [↑](#footnote-ref-2)
4. <https://www.justice.gov/ovw/domestic-violence> [↑](#footnote-ref-3)
5. <https://www.bia.gov/frequently-asked-questions#:~:text=A%20federally%20recognized%20tribe%20is,funding%20and%20services%20from%20the> [↑](#footnote-ref-4)
6. <https://www.foia.gov/about.html> [↑](#footnote-ref-5)
7. <https://www.acf.hhs.gov/sites/default/files/otip/fact_sheet_human_trafficking_fy18.pdf> [↑](#footnote-ref-6)
8. <http://nmpovertylaw.org/wp-content/uploads/2016/08/Report-Racial-Justice-Initiative-NMCLP-2014-05-30.pdf> [↑](#footnote-ref-7)
9. Ibid. [↑](#footnote-ref-8)
10. <https://www.nmag.gov/ipra.aspx#:~:text=The%20Inspection%20of%20Public%20Records%20Act%20(IPRA)%20is%20a%20New,local%20government%2C%20with%20few%20exceptions> [↑](#footnote-ref-9)
11. Ibid. [↑](#footnote-ref-10)
12. <http://www.tribal-institute.org/lists/jurisdiction.htm> [↑](#footnote-ref-11)
13. <https://www.dps.nm.gov/images/DPSPolicies/OPR_43_R-4_MISSING_AND_ENDANGERED_PERSONS_INVESTIGATIONS_ALERTS_AND_ADVISORIES.pdf> [↑](#footnote-ref-12)
14. Ibid. [↑](#footnote-ref-13)
15. [NM Stat § 30-2-1 (1996 through 1st Sess 50th Legis)](https://laws.nmonesource.com/w/nmos/Chapter-30-NMSA-1978#!fragment/zoupio-_Toc40795419/BQCwhgziBcwMYgK4DsDWszIQewE4BUBTADwBdoAvbRABwEtsBaAfX2zgBYAGAdgE4ArBwCMfAJQAaZNlKEIARUSFcAT2gBydRIiEwuBIuVrN23fpABlPKQBCagEoBRADKOAagEEAcgGFHE0jAAI2hSdjExIA) [↑](#footnote-ref-14)
16. <https://www.justice.gov/archives/jm/criminal-resource-manual-679-major-crimes-act-18-usc-1153> [↑](#footnote-ref-15)
17. <https://www.fbi.gov/services/cjis/ncic> [↑](#footnote-ref-16)
18. <https://www.csvanw.org/mmiw/> [↑](#footnote-ref-17)
19. <https://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf> [↑](#footnote-ref-18)
20. Ibid. [↑](#footnote-ref-19)
21. <http://www.ncai.org/policy-issues/tribal-governance> [↑](#footnote-ref-20)
22. Roxanne Dunbar-Ortiz, **An Indigenous Peoples' History of the United States** (Boston: Beacon Press). [↑](#footnote-ref-21)
23. <https://www.justice.gov/tribal/tribal-access-program-tap> [↑](#footnote-ref-22)
24. <https://www.justice.gov/tribal/tribal-law-and-order-act> [↑](#footnote-ref-23)
25. <https://nnedv.org/content/violence-against-women-act/> [↑](#footnote-ref-24)