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OKLAHOMA
BEFORE THE
SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES
HEARING ON
“MISSING AND MURDERED INDIGENOUS PEOPLE:
STRENGTHENING PUBLIC SAFETY IN TRIBAL COMMUNITIES”

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Mr. Chairman, Ranking Member, and members of the Subcommittee, thank you for the opportunity to appear before you today.

Before we discuss policies, programs, databases, or jurisdiction, I want to recognize the families who continue to search for answers. For those families, this issue is not abstract. It is an empty chair at the dinner table. It is a telephone call that never comes. It is another birthday, holiday, or family gathering overshadowed by the absence of someone they love.

Missing and Murdered Indigenous People is not simply a data problem or a jurisdictional problem. It is a human tragedy that tests whether our institutions can fulfill one of government's most fundamental responsibilities: protecting our communities from crime and pursuing justice for victims.

It is an honor to appear before you as a citizen of the Choctaw Nation, a former United States Attorney and federal prosecutor, and an advocate for tribal sovereignty and the rule of law. I am currently the Managing Shareholder of the Tulsa office of GableGotwals, an Oklahoma- and Texas-based law firm with a substantial Native American law practice.

I have often viewed tribal public safety through two deeply personal lenses: my heritage and my career. As a citizen of the Choctaw Nation, I am mindful of the complicated and often tragic history between tribal nations and the United States. But my professional experience has also taught me that not all modern history between tribal nations and the federal government is characterized by bad faith or broken promises. I have witnessed federal agents, tribal officers, prosecutors, victim advocates, and community leaders working tirelessly to protect Native communities and give a voice to victims of crime. I have seen public servants work around the clock, across jurisdictional boundaries, to hold violent offenders accountable and ensure that victims receive a full measure of justice.

These experiences have led me to a simple conclusion: tribal sovereignty, state sovereignty, and public safety are not competing interests. Strong tribal governments, strong intergovernmental partnerships, and strong public safety systems reinforce one another.

My perspective today is shaped by nearly eighteen years of public service at the United States Department of Justice. I began my legal career in the Department's Office of Tribal Justice, where I met with tribal leaders from across the country and worked on matters implicating the United States' trust responsibility to federally recognized tribes. I later

served as an Assistant United States Attorney and Tribal Liaison and ultimately as the presidentially appointed United States Attorney for the Northern District of Oklahoma.

During my tenure as United States Attorney, I served on the Attorney General's Advisory Committee and chaired its Native American Issues Subcommittee. In that capacity, I worked with United States Attorneys, tribal leaders, victim advocates, federal agencies, and law enforcement officials to develop and implement the Department's first coordinated national initiative addressing Missing and Murdered Indigenous Persons. The initiative placed MMIP coordinators in 11 United States Attorneys' Offices, established a mechanism for deploying specialized FBI resources, and sought to improve data collection and analysis.

Throughout my years at the Department of Justice, I came to view public safety in Indian Country as one of the most practical expressions of the federal government's trust responsibility to tribes. The trust responsibility is not merely a legal doctrine discussed in courtrooms or law schools. It is reflected in whether a victim receives services. It is reflected in whether tribal law enforcement officers have the personnel, training, and information necessary to protect their communities. And it is reflected in whether justice arrives when it is needed most.

My comments today are not derived solely from policies, task forces, or reports. They come from years spent sitting across from victims and families whose lives had been permanently altered by violence. As a federal prosecutor, I stood beside hospital beds while victims of domestic violence described the abuse they had endured. I sat in homes with

children who had experienced unimaginable trauma. I worked alongside tribal, federal, state, and local law enforcement officers and victim specialists seeking justice for people who might otherwise have had no voice.

Those experiences taught me that public safety is never abstract. It is intensely personal. They also taught me that violence rarely occurs in isolation. Domestic violence, child abuse, sexual assault, substance abuse, human trafficking, and repeat victimization can form part of a continuum of escalating danger. By the time someone goes missing or is murdered, warning signs may have appeared long before.

That reality should shape our approach to MMIP. We must respond aggressively and immediately when someone disappears, but we must also invest in the prevention strategies that interrupt violence before it reaches that point.

Oklahoma is home to 38 federally recognized tribes. Since the United States Supreme Court's decision in *McGirt v. Oklahoma*, our state has become an important proving ground for collaborative law enforcement. Oklahoma Indian Country often does not resemble the geographically isolated reservations found in other parts of the United States. Before *McGirt*, Oklahoma's communities – including Tulsa, Oklahoma's second-largest metropolitan area – developed alongside tribal communities. Our state includes large, contiguous reservations where Indian and non-Indian citizens live and work together. Other areas present a checkerboard pattern of Indian trust land and allotments interspersed with non-Indian fee land.

Questions of criminal jurisdiction depend upon the location of the offense, the Indian status of the victim or defendant, the nature of the alleged crime, and the authority Congress has conferred upon the governments involved. Those legal distinctions matter. But a family reporting a missing loved one should not have to master federal Indian law before receiving help.

When a person is missing, the first question should not be, “Whose case is this?” The first question should be, “What must we do to bring this person home?”

In Oklahoma, our tribal, federal, state, and local agencies have had to work together in ways that are both legally sophisticated and operationally practical. I have witnessed the challenges of that system, but I have also witnessed its successes. The dedicated men and women of law enforcement remain committed to working across jurisdictional boundaries to provide seamless public safety services.

One lesson has remained constant throughout my career: no single government can solve these problems alone. Tribal governments cannot do it alone. State and local governments cannot do it alone. Federal agencies cannot do it alone. Effective public safety arises when sovereigns respect one another, share information, coordinate resources, and remain focused on the people they serve rather than the boundaries that separate them.

Public safety should transcend jurisdictional boundaries. Criminals do not respect those boundaries, and victims should not suffer because of them.

In 2020, the United States Attorneys’ Offices for the Northern and Eastern Districts of Oklahoma partnered with the Muscogee (Creek) Nation and the Cherokee Nation to

launch the first Tribal Community Response Plan pilot project under the national MMIP initiative. We did not view the national initiative as simply another box-checking announcement from Washington. We viewed it as an opportunity and a responsibility.

The Oklahoma pilot was grounded in culturally appropriate, community-specific guidelines. It established shared protocols addressing four essential areas: law enforcement response, victim services, community outreach, and media and public communications.

Those areas were selected deliberately. A successful response cannot be confined to a single investigative agency. The investigation must be coordinated. Families must receive support and reliable communication. The community must understand how it can help. Public information must be shared rapidly and responsibly.

The federal initiative also allowed tribal, state, and local law enforcement agencies to request specialized federal assistance based on the needs of a particular case. Available capabilities included FBI Child Abduction Rapid Deployment teams, Cellular Analysis Support Teams, Evidence Response Teams, assistance with digital evidence and social media, and Victim Services Division Response Teams.

That model remains sound today. Advanced federal capabilities should be placed within the reach of local investigators while respecting the leadership, knowledge, and sovereignty of the affected tribal community.

The FBI has continued using surge models to support Indian Country investigations. Operation Not Forgotten provides investigative, intelligence, and victim-services support for unresolved violent-crime cases, particularly cases involving violence against women and

children. Operation Steadfast Promise has more recently concentrated federal investigative and intelligence resources on violent criminal organizations operating in tribal communities. These initiatives demonstrate what can be accomplished when federal resources are moved from headquarters to the places where officers, victims, and families need them.

The Tribal Access Program for National Crime Information, commonly known as TAP, is another essential tool. The Department of Justice launched TAP in 2015 to provide participating tribes with access to national crime-information systems. TAP allows authorized tribal agencies to enter and obtain critical information through national criminal justice databases. These functions include entering missing-person information, orders of protection, arrest warrants, and criminal-history information as well as accessing investigative records maintained by other agencies. The Department reports that 152 tribes and more than 500 tribal government agencies currently participate in TAP.

Not every eligible tribal law enforcement agency, however, participates in or fully utilizes TAP. Yet, criminals move across jurisdictions. Victims move across jurisdictions. Evidence moves across jurisdictions. Law enforcement information must do the same. In a missing-person case, a database entry is not a clerical exercise. It can determine whether an officer in another county or another state recognizes a vehicle, identifies a person, connects related conduct, or finds someone while there is still time to bring them home.

I urge every eligible tribal law enforcement agency that does not currently participate in TAP to apply. I also urge Congress and the Department of Justice to ensure that tribal

agencies receive the funding, equipment, training, and technical support necessary to use the program effectively.

Access alone is not sufficient. Information must be entered promptly, accurately, and consistently. Records must be updated. Officers and investigators must understand which systems to use and how those systems interact. Training and continuing technical assistance are as important as providing initial access.

Oklahoma Attorney General Gentner Drummond recently established an MMIP Subcommittee, and I had the opportunity to speak with individuals involved in its work. Over seven months, the Subcommittee conducted eight listening sessions at four locations across Oklahoma. At each location, one session was devoted to families and advocates and another to criminal justice professionals. The resulting 2026 report confirms that many of the problems identified years ago persist.

Families described being left without answers and having to use their own resources to publicize cases. They reported inconsistent communication, telephone calls that were not returned, investigations transferred among agencies because of jurisdictional questions, and cases closed without adequate notification.

Criminal justice professionals identified jurisdictional complexity, inconsistent DNA-collection practices, training needs, information-sharing problems, and the continuing need for cross-deputization and cross-jurisdictional coordination. The report identifies data accuracy, collaboration across jurisdictions, a centralized reporting system, and sufficient resources and attention among its leading priorities.

Those findings should concern us, but they should not surprise us. They reinforce a fundamental truth: effective public safety in Indian Country depends upon relationships, preparation, and communication established before a crisis occurs.

In 2018, interstate collaboration among tribal, federal, Oklahoma, and Texas law enforcement authorities helped bring home a kidnapped Native American boy and girl. Their safe recovery required agencies to communicate across jurisdictional and state boundaries. Tribal officers, state and local personnel, and federal authorities had to work toward the same objective without allowing jurisdictional complexity to impede the search. In 2022, swift action and coordination among Cherokee Nation, state, and federal law enforcement helped safely locate a Cherokee man from Cherokee County, Oklahoma, over a thousand miles away in Fort Lauderdale, Florida. The man was considered a transient who had mental health issues, making quick dispersal of information a priority. The Cherokee Nation Marshal Service took decisive action and entered the man's information into NCIC as soon as they received it. A month later, Fort Lauderdale contacted the Cherokee Nation and informed them that the man was safe and well and had been placed in a Fort Lauderdale mental health facility. This year, similar collaboration among the Cherokee Nation Marshal Service and federal and state partners led to authorities finding two missing Cherokee boys safely in Las Vegas.

These outcomes reinforced an important lesson. Public safety partnerships cannot be created in the middle of an emergency. They must be built beforehand. As illustrated here, the Cherokee Nation's efforts serve as an excellent example of this relationship-building.

Cross-deputization agreements, information-sharing protocols, trusted points of contact, and clear lines of operational responsibility provide the infrastructure that allows law enforcement officers to respond as one team when time matters most. Congress should encourage cross-deputization agreements and other lawful mechanisms that allow officers to work across jurisdictions. It should also support regular joint training because an agreement that exists only on paper may not be effective during an emergency.

MMIP is affected by many underlying conditions, including geographic isolation, insufficient law enforcement and victim-service resources, substance abuse, and high rates of violent crime. Domestic violence deserves particular attention because it can be a warning of escalating danger.

The Choctaw Nation's Domestic Violence Review Docket provides an important example of a tribal government addressing that danger proactively. Established in 2025, the docket is a post-sentencing judicial monitoring program designed to enhance offender accountability, promote victim safety, and reduce recidivism in domestic violence cases.

Defendants sentenced for domestic violence offenses are required to return to court regularly so that the court can review compliance with probation conditions, batterer-intervention programs, counseling, substance-abuse treatment, and other court-ordered services. Defendants with minor children must complete parenting classes and demonstrate an understanding of how domestic violence affects children. Through sustained judicial oversight and coordination among probation officers, treatment providers, prosecutors, and victim-service partners, including the Choctaw Nation's

Family Violence Prevention Program, the docket addresses barriers to compliance while continuing to hold offenders accountable.

Since the docket's inception, 85 defendants have been placed in the program, and only three have been charged with another domestic violence offense. During the current fiscal year, the Choctaw Nation Office of the Tribal Prosecutor has distributed more than \$80,000 to domestic violence victims to help them obtain legal assistance in divorce, custody, and protective-order proceedings and to help cover rent and utilities necessary to escape an abuser.

Why discuss a domestic violence docket at a hearing about Missing and Murdered Indigenous People? Because throughout my career, I have seen domestic violence serve as a precursor to escalating violence. Too often, the warning signs appear long before a person goes missing or is killed. Every domestic violence victim protected today may be an MMIP victim prevented tomorrow.

The Choctaw Nation's approach does not wait for violence to escalate. It combines victim assistance, judicial supervision, treatment, coordinated services, and offender accountability. It seeks to save lives before a missing-person flyer must be printed, before a search must be organized, and before a family begins waiting for answers.

This brings me to my central point. I say this respectfully, but candidly: listening is not enough. Listening sessions, congressional hearings, reports, and task forces can serve an important purpose. They can identify problems, elevate the voices of families, and bring agencies together. Today, you are listening, and for that I am grateful.

But listening cannot be the final measure of our commitment.

For years, Native families, advocates, tribal leaders, prosecutors, and law enforcement officers have identified many of the same problems. We know jurisdictional confusion causes delay. We know information is not always shared promptly. We know tribal departments need personnel, training, technology, and victim-service resources. We know families too often struggle to identify whom to call or how to obtain reliable information about a case.

We know many of the problems, and we know many of the solutions. The question before us is whether we will sustain the commitment required to implement them.

Families do not need another report that sits on a shelf. They need investigations. They need communication. They need victim services. They need trained officers, capable prosecutors, functioning technology, and federal resources deployed where those resources can make a difference.

Push resources and decision-making authority out to the men and women working in tribal communities. Ensure that existing programs are fully utilized before creating duplicative structures. Measure success by the results on the ground.

Any workable solution must include the input, participation, and leadership of the affected tribal community. Our system of government depends upon the capacity of people to govern themselves. The federal government has too often proved ill-suited to manage local affairs from a distance, particularly in Native communities with distinct governments, cultures, geography, resources, and public safety needs.

Tribal sovereignty is not an impediment to public safety. It is essential to durable and effective public safety. Every tribal community should be encouraged and supported in developing a Tribal Community Response Plan for missing-person cases. The Department of Justice has published a guide to assist tribal governments, United States Attorneys' Offices, law enforcement agencies, victim-service providers, communications personnel, and community organizations in developing these plans. The plans are intended to reflect the particular needs, resources, and culture of each tribal community and address law enforcement response, victim services, public communications, and community outreach.

The Bay Mills Indian Community has made its Tribal Community Response Plan publicly available, providing a useful example for other tribal governments that wish to develop or refine their own plans.

A response plan should identify responsibilities before an emergency occurs. It should establish whom a family calls, which agency takes the initial report, how jurisdiction is assessed without delaying the search, when alerts and database entries are initiated, how federal assistance is requested, how information is communicated to the public, and how victim services are provided.

A written plan does not replace professional judgment. It creates the foundation that allows experienced professionals to exercise that judgment without losing critical time to avoidable confusion.

Based upon my experience, I respectfully urge Congress to focus on several practical priorities: expand meaningful tribal access to national information systems; sustain rapid

federal investigative support; strengthen cross-jurisdictional readiness through cross-deputization, joint training, and shared protocols; invest in domestic violence prevention and victim services; and support tribal-community-led response plans.

These recommendations do not require us to begin again. They build upon existing structures, established programs, proven partnerships, and lessons already learned. Most importantly, each can help save lives.

It is also important to distinguish between missing-person cases and homicide investigations. Although we frequently discuss MMIP as a single issue, the two types of cases require fundamentally different operational responses.

A missing-person case is a race against time. It requires immediate coordination, rapid information sharing, prompt entry into appropriate databases, assessment of available digital and cellular evidence, responsible public communication, and the swift deployment of search resources. The first hours and days may determine whether someone is found alive.

A homicide investigation requires securing the scene, preserving physical and digital evidence, identifying witnesses, conducting forensic examinations, and building a legally sufficient and prosecutable case. That work is no less urgent, but it proceeds on a different investigative timeline and calls for a different deployment of personnel and tools.

Policies, training, and response plans must recognize these differences. We should not allow the use of one umbrella term to obscure the distinct operational demands of each kind of case.

Nearly ten years ago, I testified before the Senate Committee on Indian Affairs about legislation addressing public safety in Indian Country, including Savanna's Act. I spoke then about the importance of resources, victim services, data sharing, multidisciplinary teams, and cooperation among tribal, federal, state, and local authorities. I observed that we had made great progress but still had a ways to go.

Much has happened since that testimony. Tribes have strengthened their justice systems. Federal programs have expanded. Congress has acted. Partnerships have matured. Law enforcement officers, prosecutors, victim advocates, and tribal leaders have worked together in ways that have produced meaningful results.

That progress should give us confidence, but it must not breed complacency. Progress is not the goal. For a family, progress is not an adequate substitute for an answer. For an endangered victim, progress is not an adequate substitute for safety. For a tribal community, progress is not an adequate substitute for justice.

I appear before you today with two perspectives that have shaped my life. The first is as a citizen of the Choctaw Nation, a people who have endured tremendous hardship while preserving their identity, culture, government, and sovereignty. The second is as a former federal prosecutor and United States Attorney entrusted with protecting the public and pursuing justice on behalf of the United States.

Those perspectives have led me to the same conclusion. Native communities deserve the same level of safety, urgency, attention, and justice that every American community

deserves. After all, our Native communities are, at the same time, communities of American citizens.

Families searching for a missing loved one should not have to navigate jurisdictional complexities on their own. Victims should not have to wonder whether their case matters. Tribal officers should not have to struggle for access to information and tools that could save lives.

During my years as a federal prosecutor, I stood with victims at moments of profound pain. I worked alongside agents and officers searching for the truth. I met tribal leaders and victim advocates who carried the burden of these cases long after public attention had faded. Those experiences taught me that families measure success differently than government agencies do. Government agencies may count reports completed, meetings held, grants awarded, initiatives announced, arrests made, or cases closed. Families ask more fundamental questions: Did my loved one come home? Was my family treated with dignity? Did the system do everything it could? Was justice done? Those must be our measures of success as well.

Success is when fewer Native American families experience this loss in the first place. Success is when a domestic violence victim receives protection before the violence escalates. Success is when a missing person is located and brought home safely. Success is when a family receives timely and compassionate communication and never has to wonder whether anyone is working the case. Success is when tribal communities possess the

authority, trained personnel, technology, partnerships, and resources necessary to protect their citizens.

A government fulfills its highest purpose when it protects its people. That responsibility belongs to all of us. It belongs to tribal governments. It belongs to state and local governments. It belongs to law enforcement agencies and prosecutors. And it belongs to the federal government as part of its solemn trust responsibility.

Most importantly, that responsibility is owed to the families who place their trust in us during the darkest moments of their lives. We owe those families more than our sympathy. We owe them our sustained commitment to pursuing justice.

Thank you for the opportunity to testify. I look forward to answering your questions.

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