

# Honoring our Murdered Relatives: Respectful Collaboration with Coroners and Medical Examiners



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# Missing and Murdered Indigenous Relatives: The Second M

# Thank you for being here

## This is hard

- Creator sent us to do this work of honoring our deceased
- To do this work, we must talk about death.
- This work is:
  - Holy.
  - Honorable.
  - Healing.
  - Helping Future Generations.

# Together, we can

- Reduce trauma and enable healing for the survivors
- Reduce trauma/damage to the deceased relative on their journey
- Preserve our cultures & holy ways of being for future generations
- Honor our relatives in the spirit world
- Help keep the world in balance
- Increase accountability of perpetrators and promote Justice for families and communities

# AI/AN Women Murdered 10x the National Average

- Murder is the third leading cause of death for AI/AN females under the age of 20.
- 2020: homicide was in top 10 leading causes of death for AI/AN females aged 1-45
- Approximately half of female AI/AN homicide victims lived or were killed in metropolitan areas (52.7%)
- For AI/AN female victims, the suspect was most often a current or former intimate partner (38.4%), an acquaintance or friend (11.5%), or a person known to the victim, but the exact nature of the relationship was unclear (7.9%)
- Cities with the most murders of Indigenous women: Seattle (WA), Tucson (AZ), Anchorage (AK), Salt Lake City (UT), Albuquerque (NM), Billings (MT), Minneapolis (MN)

# Who is killing and why?

- A crime precipitated 24.6% of AI/AN homicides (i.e., the homicide occurred as the result of another serious crime).
- Non-AI/AN individuals are the leading perpetrators of the murder of Native women (47.9%).
- Almost two thirds (65.0%) of non-AI/AN suspects in the murders of were non-Hispanic White.

# “Recovered Deceased” Culture Clash

What happens when you die?

- How to treat a human body
- Time limits
- Ceremonial obligations
- responsibility for preparation and burial (cremation, etc.)
  - consequences to the deceased, family and community in not fulfilling
- How to (or if to) talk about death

# Foundational Questions For This Work:

WHO IS THE “VICTIM?”



# WHO ARE THE “HOMICIDE SURVIVORS?”

WHO IS THE “CLIENT?”

**ANY DUTIES OF  
CONFIDENTIALITY?**

**WHAT IS THE DESIRED  
OUTCOME?**



**ARE THERE RELATIONSHIPS THAT  
NEED TO BE TENDED TO IN THIS  
WORLD AND IN THE SPIRIT  
WORLD?**



**HOW DO WE STAY SAFE AND DO  
SELF-CARE?**

# Basic Conflicts: Autopsies

- Even after you are murdered, others can take your body and significantly harm you, your family, and your community
- Right of the government to know cause of death (homicide, contagious disease, etc.) versus “religious freedom”

# All Autopsies Are Conducted By The State

- Even if the relative was murdered on tribal lands
- Why?
- How might this be important?



# 1st Amendment Religious Freedom

- Doesn't apply in Indian Country – Indian Civil Rights Act does
- *Recovered Deceased on Tribal Lands*: even if the tribal court, prosecutor, law enforcement, family and healthcare providers object to an autopsy, the Feds can still take the deceased relative off tribal lands and onto state lands for a forensic medical examination
- *Recovered deceased on state and federal lands*: balancing test

# What Happens When They Find My Relative?

- Deceased “recovered”
- Law enforcement responds – varying degrees of training (e.g., medicolegal death investigators)- and makes initial decision
- Transported by law enforcement (Hopi and Tohono O’odham cases) to local coroner (can be elected & untrained layperson) or medical examiner
- Autopsy decision is made

# SHAUN cause of death determines autopsies

- **Suicide** (note, circumstances, diagnoses, etc.)
- **Homicide** (gunshot wounds)
- **Accident** (I-10 pile up)
- **Unknown**
- **Natural** (elder with cancer found unresponsive in sheep pen)

# Autopsy Decision Made By Coroner or Medical Examiner

- Can it be challenged?
- For or against?
- How?

# Can accommodations be made?

- Medicine People?
- Victim Rights Representative?
- “Kosher Autopsies”
- Less invasive alternatives

# Victim Rights

- Challenge autopsies
- Pay for private autopsies
- Representative present during autopsy
- Burial expenses including ceremonial expenses

# Examples:

- Navajo Nation Fresno Cold Case
- California rancheria teenage girl found naked from the waist down in an irrigation ditch
- Twin Cities
- Bahyesva v. United States

# Action

- Tribes can hire their own forensic pathologists
- Families can hire their own forensic pathologists – who pays?
- Requests for expedited autopsies
- Requests for less invasive autopsies
- Fund AI/AN med students in forensic pathology
- Include Coroners and Medical Examiners in your fatality review teams, MMIR task forces, etc.
- Training, policies and procedures for law enforcement and ME/C
- Normalize the spiritual and cultural