September 9, 2022

Associate Attorney General Vanita Gupta

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Associate Attorney General Gupta:

On the three-year anniversary of the murder of Kaysera Stops Pretty Places, I write to demand that the United States Department of Justice (“DOJ”), Civil Rights Division, investigate the Big Horn County Sheriff’s Office. The Big Horn County Sheriff’s Office actively discriminates against Native victims on account of their race. As Montana’s Governor proclaimed on May 5, 2022: “Between 2017 and 2019, over a quarter of Montana’s missing persons were Indigenous despite accounting for about 7 percent of Montana’s populations. Additionally, nearly 80 percent of those reported missing were teenagers younger than 18 years of age.” The majority of these homicides take place in Big Horn County.

The number of Missing and Murdered Indigenous Persons (“MMIP”) in Big Horn County is now more than 40—in a county where the population is less than 12,000. The homicides of Native people go uninvestigated in Big Horn County not because there is a lack of evidence or because there are no witnesses with relevant information. Instead, the homicides of Native people go uninvestigated in Big Horn County due to discrimination and systemic corruption within the Sheriff’s Office. Kaysera’s tragic story exemplifies the unlawful discrimination that takes place.

Kaysera went missing on August 24, 2019 in a suburban neighborhood of Hardin, Montana, less than a half mile from Crow Reservation boundary. On August 29, her body was found in that same neighborhood. Law enforcement knew they had found Kaysera’s body, but did not tell the family that Kaysera’s body had been found until September 11—causing the family to hopelessly search for almost two weeks.

Days before Kaysera went missing, she filmed and posted to social media the beating of her 15-year-old brother by law enforcement at Crow Fair. The officers beating the minor in a wheelchair included Big Horn County deputies. There is reason to believe that one of the Big Horn County Sheriff’s deputies under investigation for the scene filmed by Kaysera was a responding officer when her body was discovered. Also, the Big Horn County Coroner Terry Bullis took Kaysera’s remains to his personal funeral home and coerced her family into cremating her remains, going against the family’s cultural beliefs and destroying any critical evidence that could have further aided the criminal investigation your office needs to undertake. Kaysera’s family has provided the authorities with tips and evidence to aid the investigation, yet they continue to be ignored.

The Department of Justice has opened investigations of numerous law enforcement agencies that have engaged in a pattern of abusive conduct against people of color. Big Horn County’s systemic failure to investigate the inordinate number of homicides of Native people also calls for a DOJ investigation.

This past May 5, President Biden proclaimed the following: “The Federal Government has an obligation to ensure that cases of missing or murdered persons are met with swift and effective action. My Administration is fully committed to investigating and resolving these cases through a coordinated law enforcement response, as well as intervention and prevention efforts. We are also dedicated to researching the underlying causes of this violence and to working with Native communities to address them.”

The underlying cause of the MMIP crisis in Big Horn County is no mystery. Criminals know they can murder and kill Native people in Big Horn County with impunity because the Sheriff’s Office discriminates against Native victims and will not investigate. The MMIP crisis, therefore, will continue unabated until the DOJ undertakes an investigation of the Big Horn County Sheriff’s Office and effectuates the Department’s trust duty and responsibility to safeguard the lives of Native women and children.

On the three year anniversary of Kaysera’s homicide, we ask that you take action immediately to investigate the discriminatory and unlawful practices of the Big Horn County Sheriff’s Office.

Sincerely,