

# United States Senate

The Honorable Darryl LaCounte  
Acting Director, Bureau of Indian Affairs  
1849 C Street NW  
Washington, DC 20240

The Honorable Christopher Wray  
Director, Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

January 8, 2019

Dear Acting Director LaCounte and Director Wray:

I write regarding the tragic death of 14 year-old Henny Scott and numerous questions regarding law enforcement's response to this heartbreaking situation. Last week, a Northern Cheyenne search party discovered Henny's body buried under snow on the Northern Cheyenne Reservation, weeks after the family reported her missing to the Bureau of Indian Affairs (BIA). Henny was a freshman at Lame Deer High School, an aspiring doctor, and a beloved member of her community. There are still many unanswered questions surrounding the circumstances of Henny's death, but it has become clear that the initial law enforcement response was unacceptable. I am troubled by the trend of inadequate responses to these types of situations. We cannot hope to solve the Missing and Murdered Indigenous Women epidemic if we do not address how law enforcement initially responds to these cases.

A quick and coordinated law enforcement response is critical following the report of a missing person. Following Henny's disappearance, every effort should have been made to deploy all law enforcement resources to search for her, including the AMBER Alert system. The BIA reportedly entered Henny into the National Missing Persons Database on December 13 after Henny's parents reported her missing at multiple BIA offices. Local media, however, is reporting that law enforcement did not publically share any information about the missing girl until December 26, when FBI and the Montana Department of Justice issued a Missing or Endangered Person Advisory for Henny. It's unfathomable that 13 days could pass between the filing of a missing person report and notification to the general public. Law enforcement owes a much higher standard to protecting citizens in Indian Country.

We have to get to the bottom of what happened so that this lapse in response time and coordination never happens again. I ask that your agencies to answer these critical questions regarding this investigation:

- 1) What accounted for the 13 day lapse between the initial missing person report and its release to the media and general public?
- 2) What action did the BIA take when it first learned of Henny's disappearance from her parents?
- 3) How did the BIA and FBI coordinate efforts from the initial stages of the investigation and how did coordination efforts evolve?

- 4) What is the extent of the search efforts made by each agency between December 13 and December 28?
- 5) How does the BIA and FBI intend to provide information and transparency to the affected families as the investigation proceeds?

Missing and Murdered Indigenous Women is a horrendous epidemic that must be stopped. Your agencies play a significant role in achieving that goal. Please provide responses to these questions by Friday, January 18. Thank you for looking into this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Jon Tester