

HUMAN SKELETAL REMAINS AND CEMETERY PROGRAM



***2017-2019 Biennial Report
to the Legislature***

November 15, 2019



***Department of
Archaeology and Historic Preservation***

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Cover Illustration: *The State Physical Anthropologist and Yakama Tribal Cultural Resource Member Investigating a Native American Burial in Yakima County.*



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Department of Archaeology and Historic Preservation

Allyson Brooks, Director

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COVER LETTER FROM DIRECTOR BROOKS

November 15, 2019

Representative Mia Gregerson, Chair
House State Government & Tribal Relations Committee
232A John L. O'Brien Building
PO Box 40600
Olympia, Washington 98504-0600

Senator Sam Hunt, Chair
Senate State Government, Tribal Relations & Elections Committee
439A J. A. Cherberg Building
PO Box 40466
Olympia, Washington 98504-0466

Dear Representative Gregerson and Senator Hunt:

Please find our report to the legislature regarding the activities performed under House Bill 2624 passed into law in 2008. Under this law, the Department of Archaeology and Historic Preservation (DAHP) is required to communicate biennially with the appropriate committees of the legislature regarding the numbers of inadvertent human skeletal remains discoveries and other associated activities performed under this law. The following summary and detailed report fulfills this statutory requirement.

In summary, DAHP has handled 574 human skeletal remains cases since the implementation of the program in August of 2008 and 88 in the last biennium. These cases have resulted in notifications by letter, as required under the law, to 42 affected tribes. Many of these cases have been determined to be Indian by the State Physical Anthropologist and have been or are being repatriated to those identified interested affected tribes.

In addition to the human skeletal remains program, DAHP is required under the new law to develop and maintain a centralized database and GIS layer of all known cemeteries and known sites of burials of human remains in the state of Washington. Currently, a total of 2,948 cemeteries and burial locations have been recorded.

A more detailed presentation of these activities follows this cover letter.

Sincerely,



Allyson Brooks
Director, Department of Archaeology and Historic Preservation

EXECUTIVE SUMMARY

This report was prepared in response to HB 2624 requiring the Department of Archaeology and Historic Preservation (DAHP) to communicate with the appropriate committees of the legislature regarding the number of inadvertent discoveries of human skeletal remains and other associated activities. A summary of the content of this report follows in bulleted points below divided into those regarding non-forensic human skeletal remains finds in the state and those associated with the building and maintenance of DAHP's Cemeteries and Burial Sites Database and GIS Layer:

Non-Forensic Human Skeletal Remains

- A total of 574 cases (representing at least 832 individuals) have been opened since the passage of the law, 88 cases (representing at least 108 individuals) in the last biennium. DAHP anticipates around 50 cases per year or around one new case every five DAHP business days.
- Funds provided by the legislature allowed for the hiring of an Assistant State Physical Anthropologist in mid-2014 and their continued employment through 2019.
- Currently there are 143 open cases and 431 closed cases. A total of 311 closed cases lack a critical case report. Funding of the Assistant State Physical Anthropologist position allowed for the completion of an additional 67 draft case reports.
- Non-Forensic remains come primarily from northwestern counties (King, Island, Pierce, San Juan, Snohomish, Clallam, and Whatcom) and approximately one-third of them are inadvertent finds.
- Non-forensic cases are typically identified as Indian (72% in the 2017-19 biennium, 79% in previous biennia).
- DAHP has sent 7,863 certified letter notifications regarding human remains finds to tribal chairs since the law's passage (1,472 in the 2017-19 biennium and an estimated additional 2,950 letter copies to tribal cultural resource groups). Overall DAHP performance for letter notification timeliness is at 60% (86% for the last biennium).
- Dispositions for 306 human skeletal remains cases have been completed since the beginning of the program, 68 cases in 2017-19 biennium.
- DAHP's secure human skeletal remains laboratory houses 133 cases representing at least 191 individuals currently going through the notification and disposition process. Funds provided by the legislature allowed for the reburial of 44 non-Indian cases representing at least 83 individuals in early 2017. Additional funds will be needed to complete a reburial of non-Indian cases in the near future.
- DAHP has funded nine applications (one in the last biennium) to the Skeletal Human Remains Account for a total of \$233,434 (\$39,720 in the last biennium).

Cemeteries and Burial Sites

- Retirement of the Cemetery Cartographer and loss of the position through budgetary cuts occurred in 2014 (duties taken over by the State Physical Anthropologist and Assistant State Physical Anthropologist).
- A total of 2,948 cemeteries and burial sites are recorded in DAHP's Cemeteries and Burial Sites Database (44 added in the last biennium). Of these, 85% have been mapped onto DAHP's GIS layer.

- Since 2009, DAHP has granted certificate authority to care and maintain nine recorded abandoned cemeteries, four in the last biennium, to six non-profits and one local governmental organization.
- In 2016 the Historic Cemetery Preservation Capital Grant was created within DAHP to fund preservation projects in historic cemeteries. Funds awarded by the legislature in 2017-19 biennium provided grants to 22 cemeteries totaling \$452,846. The State Physical Anthropologist and Assistant State Physical Anthropologist provide cemetery and burial site information to the cemetery grant committee and also to applicants.

LEAD STAFF

Dr. Guy L. Tasa

State Physical Anthropologist

Juliette Vogel, MA

Assistant State Physical Anthropologist



INTRODUCTION

This report was prepared in response to HB 2624, requiring the Department of Archaeology and Historic Preservation (DAHP) to communicate with the appropriate committees of the legislature regarding the number of inadvertent discoveries of human skeletal remains and other associated activities pursuant to this act.

House Bill 2624, presented in 2008, attempted to clarify the process for notification upon discovery of human skeletal remains. The bill was introduced to the Senate in January of 2008 and signed into law by Governor Christine Gregoire on March 31, 2008. The bill amended and added new sections to existing state laws including RCW 68.50 (Human Remains), RCW 27.44 (Indian Graves and Records), RCW 68.60 (Abandoned and Historic Cemeteries and Historic Graves), RCW 43.334 (Department of Archaeology and Historic Preservation), RCW 27.34 (State Historical Societies – Historic Preservation), and RCW 27.53.030 (Definitions).

A major goal of the new legislation was to clarify the notification procedures when human skeletal remains are discovered for both Indian and non-Indian remains. As outlined in the new law, it is the duty of all citizens who know of the existence of human skeletal remains to notify both local law enforcement and the local coroner or medical examiner (Figure 1). Coroners and medical examiners have five days, if possible, to determine whether or not remains reported to them are forensic (related to a modern unexplained death) or are considered non-forensic. If the remains are non-forensic, then DAHP must be notified by the county within two business days. The DAHP receives jurisdiction over non-forensic remains until provenance is established.

Once DAHP is notified that remains are non-forensic, DAHP must notify any appropriate cemeteries and the tribal chairs and cultural resource staff of all affected tribes within two business days. Also, the State Physical Anthropologist is required to determine if the remains are Indian or not and also communicate that finding with all affected tribes and any appropriate cemeteries within two business days. If the remains are determined to be Indian, then the tribes have five business days to respond to DAHP as to their interest in the remains.

HB 2624 also required the director of DAHP to appoint a State Physical Anthropologist. This was accomplished in August of 2008. The primary responsibility of the State Physical Anthropologist is the investigation, preservation, and, when necessary, the removal and reintering of discoveries of non-forensic human skeletal remains. These duties also include the notification of appropriate cemeteries and affected tribes when non-forensic remains are discovered. In addition, the State Physical Anthropologist is available to any local government or tribal government to assist in the determination of whether discovered skeletal remains are forensic or non-forensic.

The new legislation also created the Human Remains Assistance Account in the custody of the State Treasurer. This account was set up in order to pay for archaeological determinations and excavations of inadvertently discovered skeletal human remains and for their removal and re-interment when necessary. The Director of DAHP, or their designee, can authorize expenditures from the account.

Lastly, the new legislation required the development and maintenance of a centralized database and geographic information system spatial layer of all known cemeteries and known sites of burials of human remains in Washington State by DAHP.

What follows is a detailed description of the activities performed under the new legislation since its effective date and since DAHP's last biennial report prepared in November of 2017 for the 2015-17 biennium.

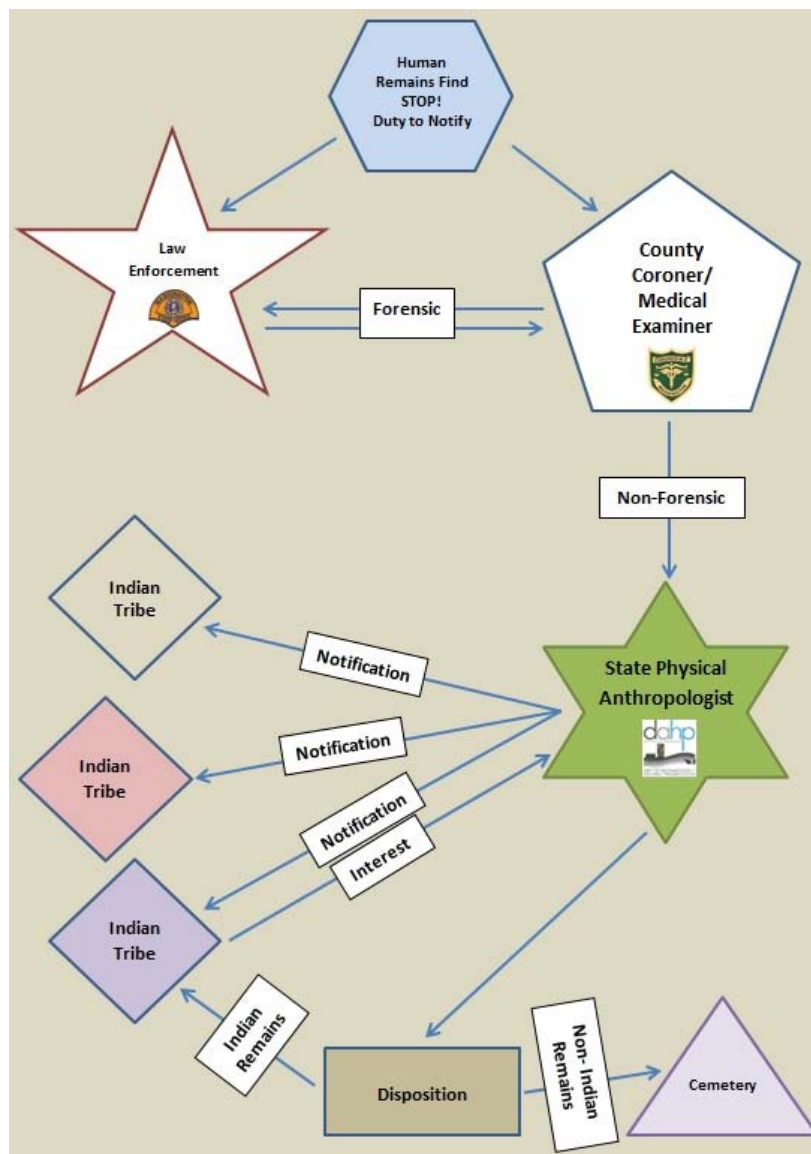


Figure 1. Flow Chart Illustrating Washington's Human Skeletal Remains Process.



NON-FORENSIC HUMAN SKELETAL REMAINS CASES

Since the appointment of the State Physical Anthropologist in August of 2008, DAHP has opened and investigated 574 non-forensic human skeletal remains cases representing the remains of at least 832 individuals (Figure 2). Of these cases, 88 (representing at least 108 individuals) were acquired in the 2017-19 biennium.

Of the 574 total cases, 143 remain open and are currently being investigated or are going through the final disposition process. The other 431 cases represent closed cases where various dispositions have been arranged. Based on these numbers, DAHP anticipates around 50 non-forensic human skeletal remains cases per year, averaging about one new case every five DAHP business days.

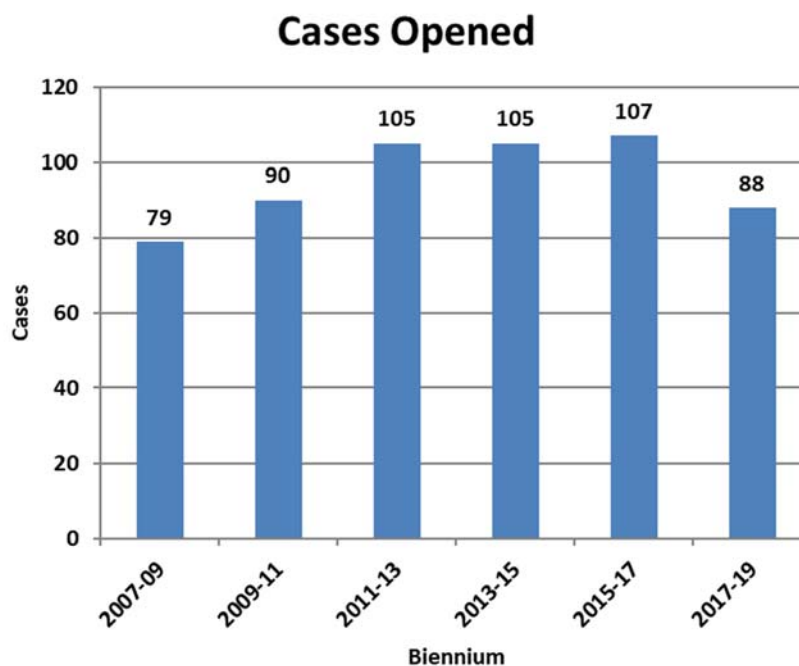


Figure 2. Numbers of Non-Forensic Human Skeletal Remains Cases Opened (data for the 2007-09 biennium includes only cases from August 2008 through the end of the biennium).

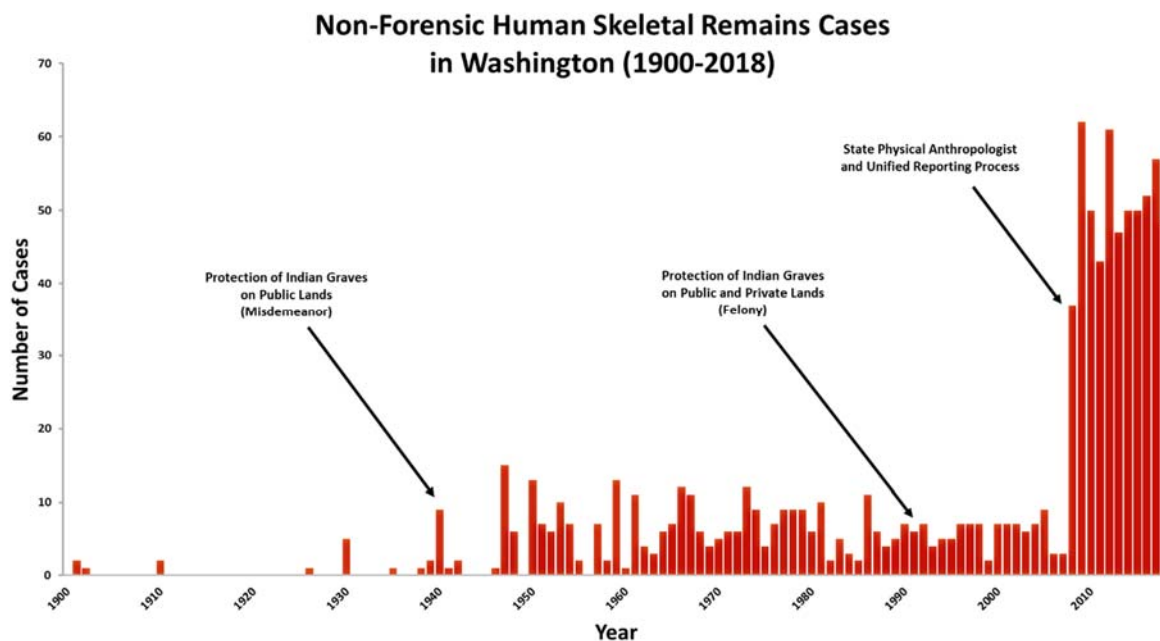


Figure 3. Number of Non-Forensic Human Skeletal Remains Cases by Year (data from 2010 to 2018 are cases since the initiation of the program and data from 1900 to 2007 derive from DAHP records and other sources).

An analysis conducted in 2018 at the 10-year anniversary of the program illustrated the program’s success relative to previous changes to human skeletal remains and burial law (Figure 3). More non-forensic human skeletal remains finds have been reported to the DAHP in the past 10 years than in the previous 108 years.

CASES BY QUARTER

More human remains cases occur during the July through September quarter than any other part of the year (Figure 4). This coincides with the peak time of the year when construction activity happens across the state. Slightly less numbers of cases are opened in the January through June portion of the year, and the October through December quarter has the lowest caseload of the year.

CASE STATUS, CASE REPORTS, AND PROJECTED BACKLOG

Of the 574 human skeletal remains cases opened since the creation of the program, 431 have been closed and 143 are currently open (Figure 5). Closed cases include cases where the remains were repatriated to tribes for reburial, cases of non-Indian remains that were reburied by DAHP, cases where remains were reburied or left in place, cases that fell under federal jurisdiction (Native American Graves Protection and Repatriation Act) and were transferred to the respective federal agencies, cases returned to the respective counties for forensic

Mean Number of Cases Per Quarter

(based on data from Aug 2008-June 2019)

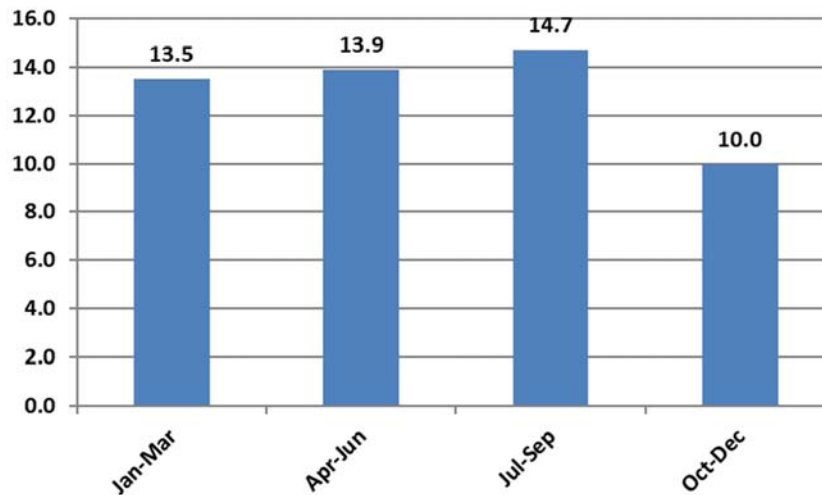


Figure 4. Numbers of Non-Forensic Human Skeletal Remains Cases Opened by Quarter
(data for the 2007-09 biennium includes only cases from August 2008 through the end of the biennium).

investigation (originally determined to be non-forensic), cases where the human skeletal remains could not be located, and cases where remains were determined to be not human. Open cases include cases awaiting transfer of jurisdiction to DAHP; cases in the notification, determination, or repatriation process; cases of non-Indian remains awaiting disposition and held at DAHP; and cases held at DAHP at the request of the interested affected tribes until repatriation. A further subdivision of closed cases includes cases for which a disposition and

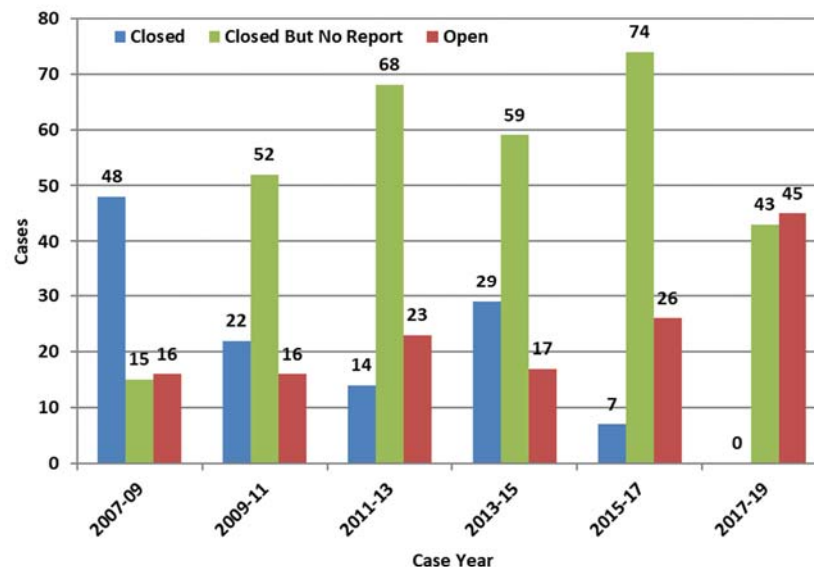


Figure 5. Status of Human Skeletal Remains Cases by Case Year
(note some open cases have completed draft reports).

case report have been completed or a complete final draft has been completed (120 cases; 21% of the total number of cases – down from 22% in the previous biennium) and cases for which a disposition has been completed, but lack the critical case report even in draft form (311 cases).

A necessary component of the status of a closed case is a written case report for each non-forensic human skeletal remains case investigated. These reports summarize the circumstances revolving around the discovery of the remains, a summary of the evidence used and the results of the State Physical Anthropologist's statutory requirement for a determination of ancestry, the relevant tribes notified and identified as interested affected tribes, and the final disposition of those remains. Case reports also contain site forms or site update forms that document the find in DAHP's archaeological database and GIS layer. Currently, 58 closed cases have final reports and 516 have case reports in draft form or lack entirely a case report (Figure 6). Some small progress is made each biennium toward the completion of case reports, but the volume of incoming cases is such that little time can be devoted to this task. The situation will only continue into the future without a reduction in caseload.

Although the numbers appear dismal, they are a significant improvement over earlier biennia. This is partly attributable to funding provided by the legislature for the hiring of an Assistant State Physical Anthropologist in July of 2014 for a year, continued funding in the 2015-17 biennium for an additional two years, and the continued funding into the current biennium. The Assistant State Physical Anthropologist has been able to complete draft final reports for an additional 67 case reports that wouldn't have been otherwise completed, in addition to assisting the State Physical Anthropologist on new human remains cases. This number more than doubles the number of reports completed and has resulted in nearly finishing all of the case reports for cases originally opened in 2008, a third of the cases opened in 2009, and significant numbers for cases from the

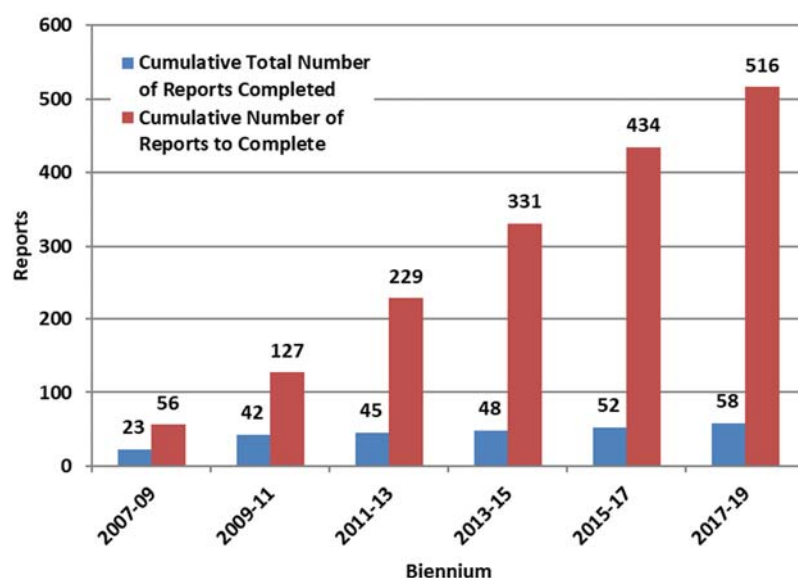


Figure 6. Cumulative Total of Final Case Reports Completed and Backlog of Reports to Complete (data for 2007-09 biennium includes only August 2008 through the end of the biennium; graph includes an additional three open cases that have completed reports).

following years (Figure 5). The task of completing case reports in a timely fashion needs much improvement and will only improve through the extension of the funding for the Assistant State Physical Anthropologist beyond 2019, as the caseload level for new cases continues unabated.

The sheer number of human skeletal remains cases reported to DAHP on a yearly basis and the statutory timeliness in the notification of those cases to the relevant tribes and cemeteries (see below) have created a backlog of both open cases to complete, closed cases that lack case reports, and the total number of case reports to complete. With the current staff levels (the State Physical Anthropologist and the Assistant State Physical Anthropologist), the projected backlog of open cases will continue to climb, but fortunately not at the rate anticipated before the hiring of the Assistant State Physical Anthropologist. The number of open cases at the end of the 2017-19 biennium is at 143, the total number of closed cases lacking a report is at 311, and the total number of case reports to complete is at 516. It is estimated that these numbers will continue to rise because of the continuing high caseload, but not as high as they could have been without the Assistant State Physical Anthropologist.

REPORTING COUNTIES AND CASE TYPES

A critical component of the process codified into law in 2008 is the reporting of non-forensic human skeletal remains to DAHP by the respective county coroners and medical examiners. Figure 7 illustrates the distribution of reported non-forensic human skeletal remains cases by county across the state from the beginning of the program in August of 2008 through the 2017-19 biennium. The majority of reported non-forensic cases originates from the western half of the state, particularly King, Whatcom, Island, San Juan, Snohomish, Pierce, and Clallam counties. These represent some of the most populated counties where relatively more

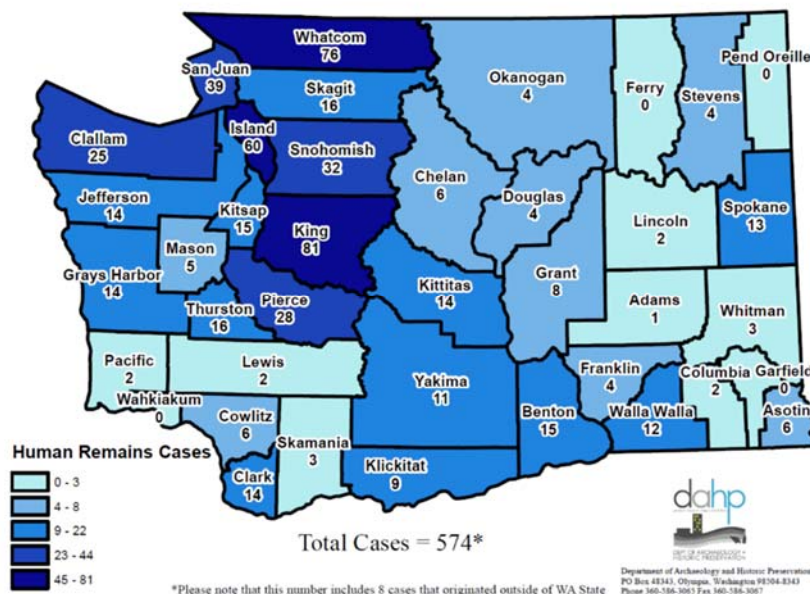


Figure 7. Distribution of Non-Forensic Human Skeletal Remains Cases by Reporting County for all Biennia.

development occurs and consequently more human remains are encountered and reported by the respective counties. Four counties (Ferry, Garfield, Pend Oreille, and Wahkiakum) have yet to report any non-forensic human remains cases to our office as of end of the 2017-19 biennium.

Since 2008 the majority (28%) of the human remains cases reported to DAHP have been cases held by the counties since before the passage of the new legislation – referred to as “Previous Finds” (Figure 8). Although these kinds of human remains cases were anticipated, the large numbers involved were unanticipated. With the closing of the 2017-2019 biennium that trend has ceased and now “New Finds” make up the largest case type followed by “Inadvertent Finds” and “Eroding Finds” (Figure 8). The last “Previous Finds” case received was in 2018 and none have occurred in 2019 suggesting that the counties have divested themselves of pre-law non-forensic human skeletal remains cases (Figure 9).

County medical examiners’ and coroners’ offices known to who have completely divested themselves of past (pre-legislation) non-forensic human skeletal remains cases include Benton, Clark, Grays Harbor, Island, Jefferson, King, Pierce, San Juan, Snohomish, Walla Walla, and Whatcom. The status of other county coroners’ offices and medical examiners’ offices is currently unknown, although yearly communications with the counties informing of the law change has occurred since 2009. A presentation by the State Physical Anthropologist to the Washington Association of County Medical Examiners in Tacoma in 2015 and Spokane in 2008 helped to further educate Washington’s county coroners and medical examiner personnel on the unified process for non-forensic human skeletal remains.

In addition, it has become clear that other agencies within the counties (particularly law enforcement) may also hold non-forensic human skeletal remains that were acquired before the change in law. In the past biennium,

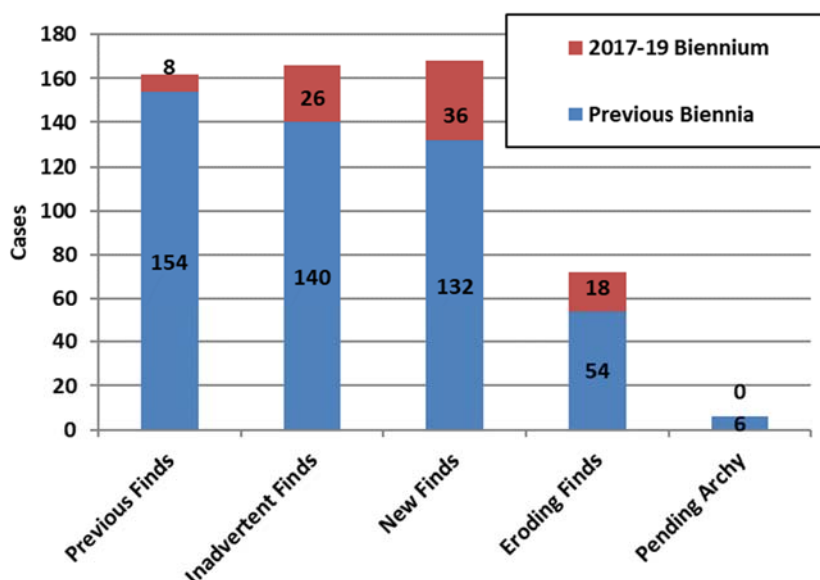


Figure 8. Number of Non-Forensic Human Skeletal Remains Cases by Case Type.

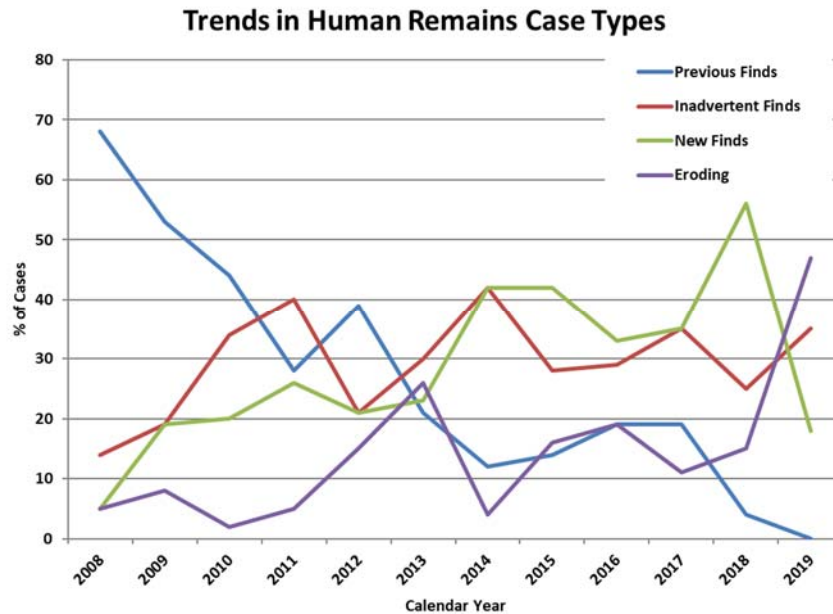


Figure 9. Trends in Non-Forensic Human Skeletal Remains Case Types (data for calendar year 2008 includes only August through the end of December and for calendar year 2019 only through the end of June).

several law enforcement agencies have come forward to turn non-forensic skeletal remains over to DAHP for handling and disposition. A goal for the future should be a concerted effort to communicate with the various law enforcement agencies across the state to identify any possible non-forensic human skeletal remains requiring reporting to DAHP that are held outside of the various county coroner's offices. This will undoubtedly extend the trend in these case types beyond the next few years.

"Inadvertent Finds" (human skeletal remains found during construction where none were previously indicated or anticipated) make up 29% of the total number of cases opened since 2008 (Figure 8). This case type has increased just over 1% as a relative percentage in the new biennium, particularly as the backlog of previous human skeletal remains cases has declined (Figure 9). This case type in the current biennium makes up 30% of the cases opened. Although inadvertent finds occur throughout the year, they are particularly frequent during the Spring, Summer, and Fall when construction is at its peak throughout the state and, consequently, the likelihood of finding human skeletal cases of this case type increases significantly (Figure 10).

Another case type that has seen increasing numbers and has in the last year exceeded the number of inadvertent cases is that of "New Finds" (Figure 8). These cases include skeletal remains turned in by or confiscated from private individuals during law enforcement investigations. Since 2008, law enforcement has become more familiar with the state law and has seen that many human skeletal remains found during the course of law enforcement activity are properly handled through the process outlined in state law. In addition, publicity of many of the cases handled under the process has led to numerous private parties coming forward to turn in human skeletal remains that they have had in their possession. Cases of this type have made up 29% of all human remains cases since 2008 and 41% of the cases in the last biennium. The trend for these kinds of cases indicates that they have currently exceeded those of inadvertent finds and will likely continue to comprise a significant proportion of the cases to come in future years (Figure 9).

Inadvertent Finds

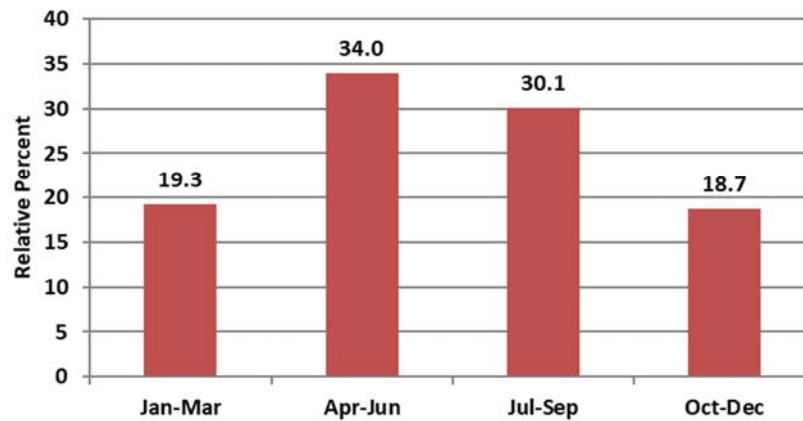


Figure 10. Relative Percentage of Inadvertent Finds by Quarter
(data includes all 166 inadvertent cases since 2008).

Eroding human skeletal remains from archaeological sites also make up a significant number of the kinds of skeletal remains cases investigated (Figure 8). They account for nearly 13% of all of the skeletal remains cases investigated since 2008 (20% in the current biennium). These cases are typically most frequent during the summer months when the public frequents the coastal and riverine areas of the state for recreation and as a consequence discover eroding human remains (Figure 11). The trend for these kinds of cases has slowly increased since 2008 and is now at an average of about seven cases per year.

Lastly, cases associated with pending archaeological excavations where there is a high certainty of encountering human skeletal remains make up just 1% of the cases investigated since 2008 (Figure 8).

Eroding

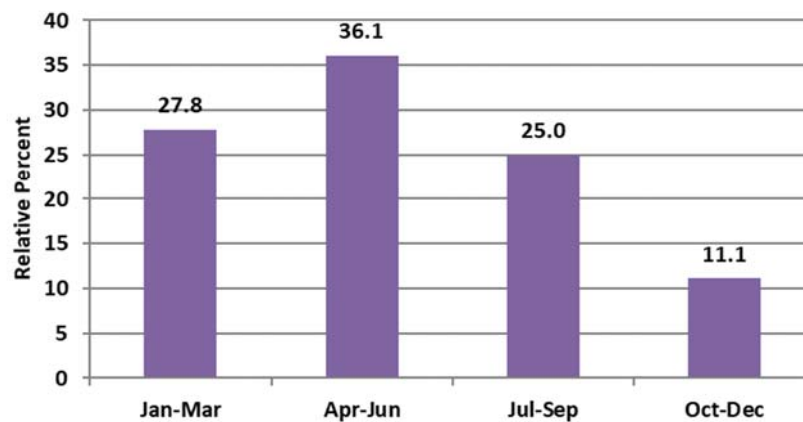


Figure 11. Relative Percentage of Eroding Finds by Quarter
(data includes all 72 eroding cases since 2008).

THE STATE PHYSICAL ANTHROPOLOGIST'S DETERMINATION OF ANCESTRY

Once reported to DAHP, the State Physical Anthropologist is required under RCWs 68.50.645, 27.44.055, and 68.60.055 to make a determination as to whether the skeletal remains are Indian or not. This is achieved through a detailed examination of the remains using standard osteological procedures for the inventory and the determination of ancestry. Other sources of information used to support a determination of Indian or non-Indian may include information about site location in the discovery area, archaeological context of the remains within the discovery area, associated artifacts, and information from previous archaeological investigations in the discovery area. This additional information supplements the documentation of the skeletal remains themselves in order to provide the best possible determination of ancestry using all available evidence.

In previous biennia, the vast majority of the human skeletal remains examined by the State Physical Anthropologist (79% of the 564 individuals examined) were identified as Indian (Figure 12). The remaining individuals were identified as non-Indian (15%), indeterminate (2%), forensic (1%), or non-human (3%). This trend continues into the current biennium where remains identified as Indian are slightly less numerous (72% of the 110 individuals examined) followed by remains identified as non-Indian (24%), indeterminate (2%), forensic (0%), and non-human (3%). Remains identified as forensic by the State Physical Anthropologist are returned to the respective counties for further investigation.

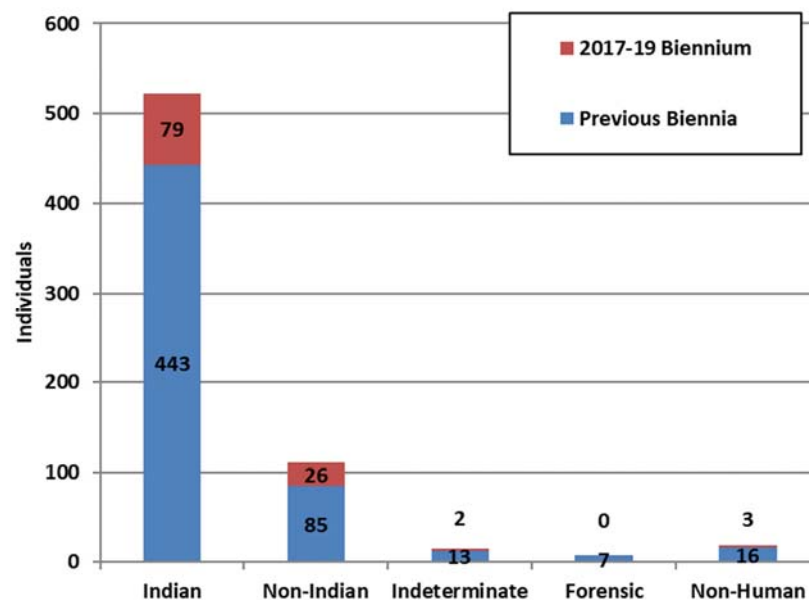


Figure 12. State Physical Anthropologist's Determination of Ethnicity (note that most NAGPRA cases are excluded from a determination by the State Physical Anthropologist).

REPORTED ORIGIN OF REMAINS

All inadvertent, eroding, and pending archaeological work case types are associated with skeletal remains found within the state of Washington. Many previous finds held by county coroners and new finds confiscated by law enforcement also originate from the state of Washington. These represent most (87%) of the non-forensic human skeletal remains handled by DAHP in previous biennia (Figure 13). However, a significant proportion of non-forensic human skeletal remains seized or turned into law enforcement reportedly originate from other states (8% of the total number of cases from previous biennia) or other countries (5% of the total number of cases from the previous biennia). These trends continue into the current biennium with 86% of the cases from the current biennium originating from Washington, 9% from other states, and 5% from outside of the country.

Other states identified as the origin for these remains include Alabama, Alaska, Arizona, California, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Michigan, Montana, Nevada, North Dakota, Oklahoma, Oregon, and South Dakota. Other countries include Britain, Canada, India, Japan, Mexico, Peru, and Turkey.

Remains originating from other states and other countries present special problems when attempting to create a final disposition. They require consultation with distant tribes and state historic preservation offices and, in the case of remains from other countries, with commensurate agencies within those governments. Successful repatriations of remains identified as Indian have been made to appropriate tribes in Colorado, Montana, Oregon, and Utah for five cases, and arrangements have been made with the appropriate tribes in Oklahoma and Alaska for three others.

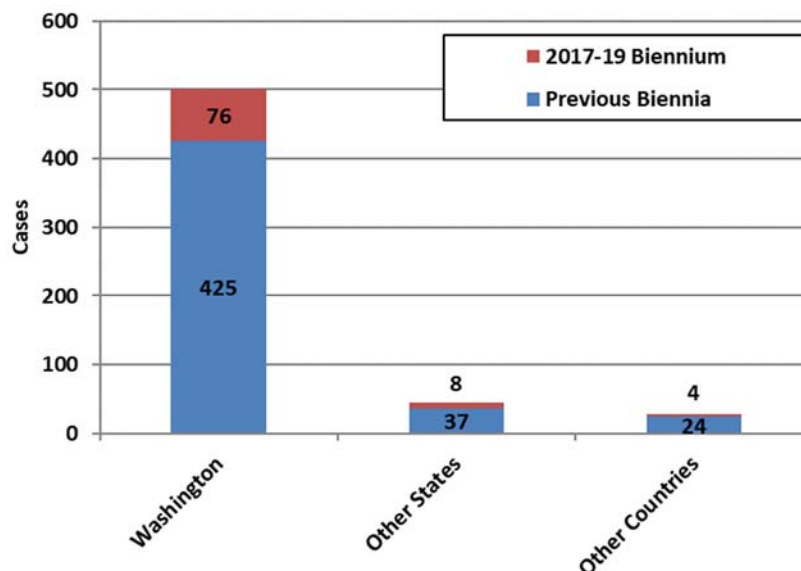


Figure 13. Reported Origin of Human Skeletal Remains Cases.

LETTER NOTIFICATIONS

When non-forensic human skeletal remains are reported to DAHP and when the State Physical Anthropologist determines the ancestry of those reported remains, those events are required by law to be reported to any appropriate cemeteries and affected tribes (tribal chairs) via certified mail. In addition, once the interested affected tribes are identified of Indian remains, a third letter notification (a repatriation letter) is sent to those tribes in order to identify the interested affected tribes and to arrange for a meeting to discuss final disposition of the remains.

Since the implementation of the law in August of 2008, DAHP has sent 7,863 certified letter notifications (1,472 in the current biennium, down 17% from the previous biennium) to tribal chairs from 42 different tribes regarding non-forensic human skeletal remains cases (Figure 14). The reduction of letter numbers in the 2017-19 biennium is the result of fewer opened cases in the current biennium. These have included 3,476 letter notifications of the reporting of non-forensic remains to DAHP (643 in the current biennium), 3,439 letter notifications of a determination of ancestry by the State Physical Anthropologist (637 in the current biennium), and 948 letter notifications regarding final disposition (192 in the current biennium). This averages approximately 720 certified notification letters per year or approximately three tribal chair letters per DAHP business day.

In addition, copies of these notification letters are required by law to be mailed to the respective cultural resource departments of each tribe notified. Tribal cultural resource staff generally average about two individuals per tribe and letters sent to them account for an estimated additional 15,730 notification letter copies (an estimated 2,950 in the current biennium, down 17% from the previous biennium), averaging an additional seven letters per DAHP business day. The reduction in letter numbers are again, the result of the reduction in cases opened in the current biennium.

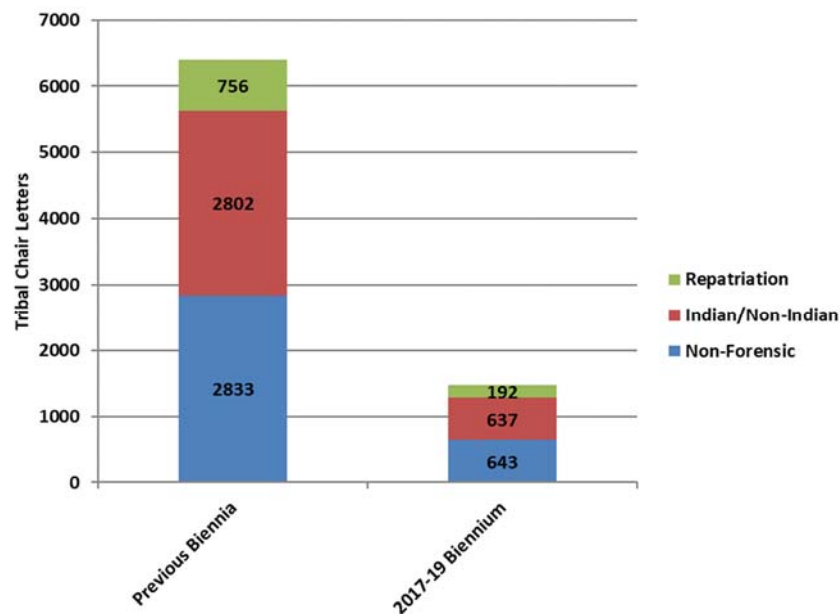


Figure 14. Numbers of Certified Letter Notifications Sent by Letter Notification Type.

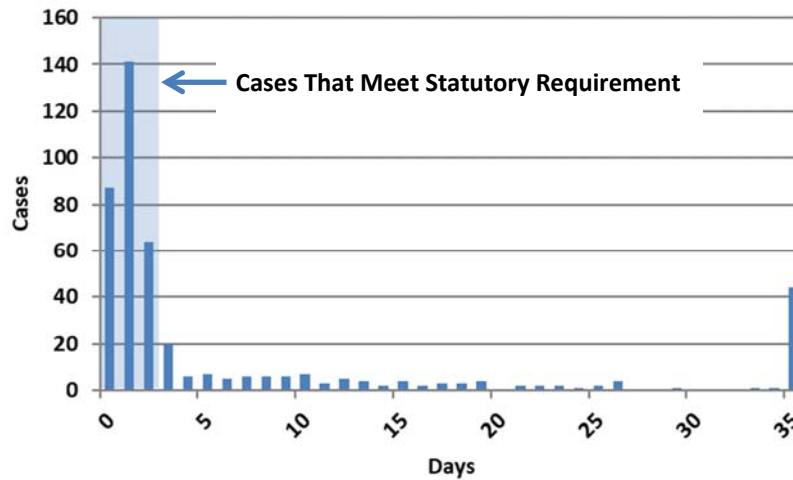


Figure 15. Days to Complete the Non-Forensic Notification Letter to Appropriate Cemeteries and Affected Tribes (2 day statutory requirement).

All of the above notification letters are required by law to be issued in a prescribed period of time. Upon notification to DAHP of the discovery of non-forensic human skeletal remains, DAHP is required to notify any appropriate cemeteries and all affected tribes by certified letter within **two business days**. DAHP performance for this notification timeline generally meets the requirement under the statute for a large proportion (approximately 66%, 95% in the last biennium) of the 445 non-forensic human skeletal remains cases reported to tribes and cemeteries to date (Figure 15). Based on all the letters sent up through the last biennium, the overall average number of days to complete a non-forensic letter notification is seven business days. In the last biennium the average number of days has fallen dramatically to just over one day on average to complete the notification (Figure 16). Improvement in the average number of days is attributable to a concerted effort to

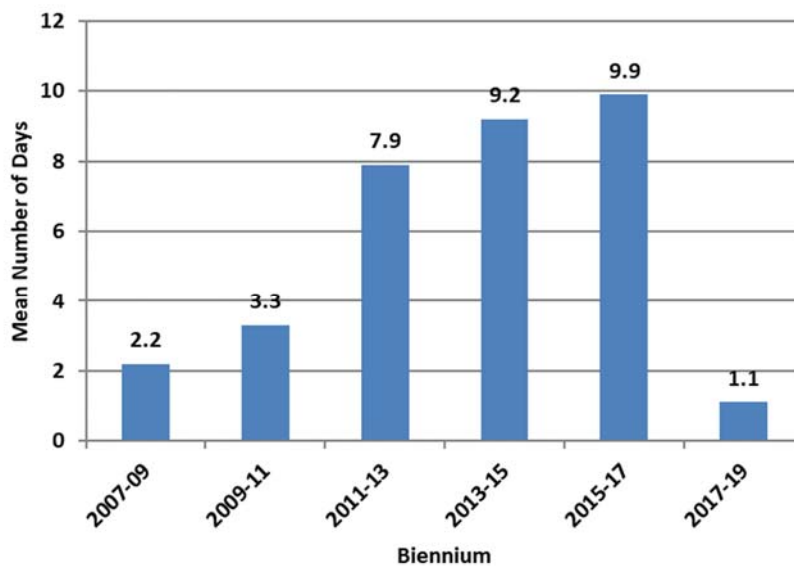


Figure 16. Mean Number of Days to Complete the Non-Forensic Notification Letter to Appropriate Cemeteries and Affected Tribes (2 day statutory requirement).

bring the backlog of cases up to date and this was only possible with the hiring of an Assistant State Physical Anthropologist in July of 2014. Regardless of overall timeliness, all inadvertent human skeletal remains finds meet or exceed the statutory requirement of two days as they are considered a priority for handling over other case types.

The DAHP must also notify any appropriate cemeteries and affected tribes by certified mail of the State Physical Anthropologist's determination of ancestry within **two business days** of the notification of non-forensic remains (the law is not specific as to whether the two days refers to the coroner's notification to DAHP or to DAHP's notification to appropriate cemeteries and affected tribes, so it could be interpreted to mean either two or four total days). A large proportion (approximately 51%) of the 437 non-forensic cases reported to date meets the statutory requirement (Figure 17). The proportion of cases meeting the statutory requirement in the last biennium is 77%. The average number of days to complete this notification letter for all cases reported since the beginning of the program is 14.4 days. This has fallen dramatically in the last biennium to just 3.6 days, well within the statutory requirement. This is a direct result of a concerted effort to report the large backlog of cases and is seen when the data is broken down by biennium (Figure 18). This was only made possible through the hiring of the Assistant State Physical Anthropologist in 2014. Regardless of the overall timeliness, all inadvertent human skeletal remains finds meet or exceed the statutory requirement of two days as they are considered a priority for handling over other case types.

The failure to meet the two day statutory requirements in both notification letters for some cases is related to the continuing high caseload (one new case every five DAHP business days), delays in the transfer of jurisdiction between the county coroners and DAHP, investigations requiring detailed background work to determine the origin of the remains, the presence of multiple individuals per case, and limited personnel (the single State Physical Anthropologist and single Assistant State Physical Anthropologist). In addition, all inadvertent finds are given precedence in notification over remains from previous years or that were confiscated recently by law enforcement. As a consequence, these other case types are pushed back in the order of consideration.

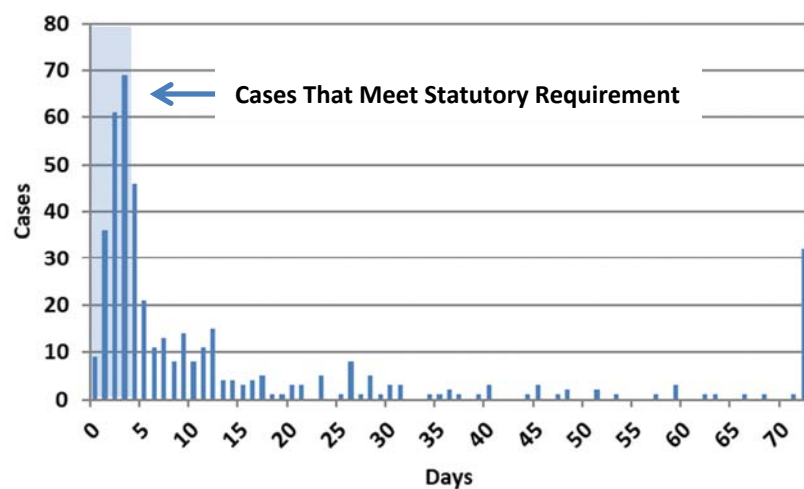


Figure 17. Days to Complete the Indian/Non-Indian Notification Letter to Appropriate Cemeteries and Affected Tribes (2 to 4 day statutory requirement).

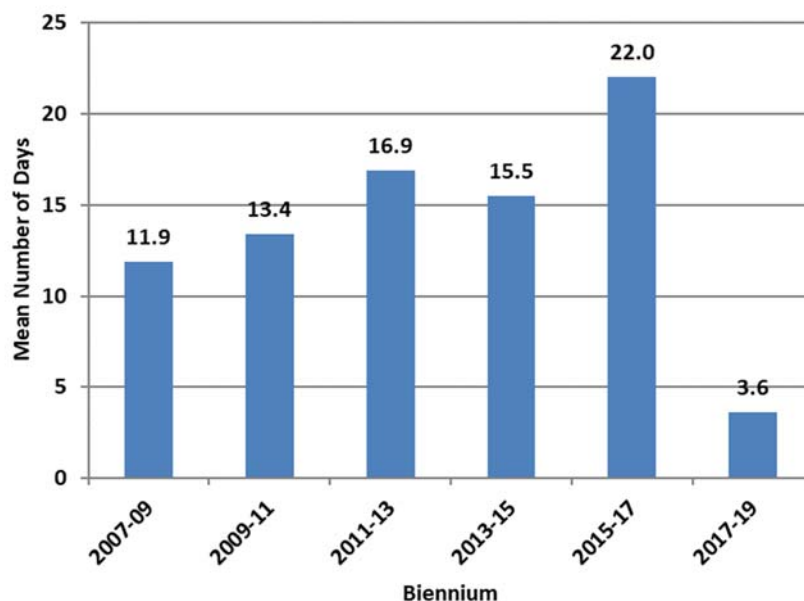


Figure 18. Mean Number of Days to Complete the Indian/Non-Indian Notification Letter to Appropriate Cemeteries and Affected Tribes (2 to 4 day statutory requirement).

However, the current trend in the last biennium indicates that going forward the statutory deadlines for notifications should be able to be maintained all other things being held equal.

Although there is no statutory requirement to issue a letter notification regarding repatriation, once the five day response period expires for tribes to respond as to their interest in a set of remains, DAHP issues a “repatriation” letter identifying the interested affected tribes and asking for a meeting to discuss the disposition of the remains. Up through the last biennium repatriation letters have been issued for 308 cases. This letter is issued on average within 19 days of a reporting of non-forensic human skeletal remains (Figure 19). This has

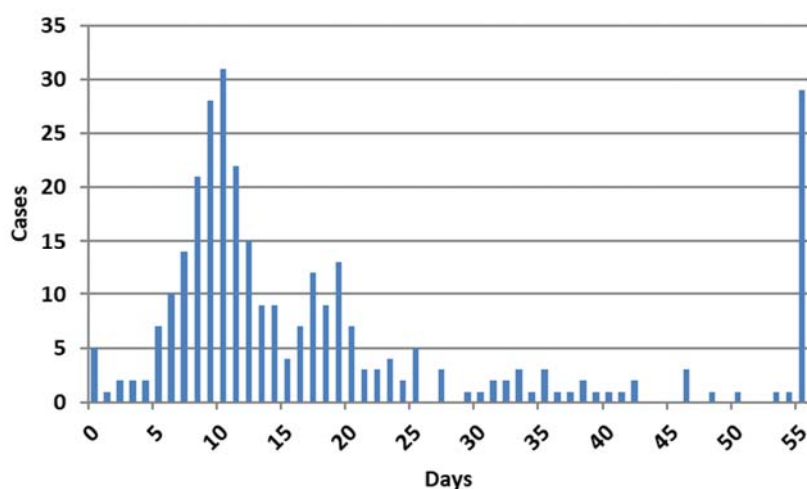


Figure 19. Days to Complete the Repatriation Notification Letter to Interested Affected Tribes (no statutory requirement).

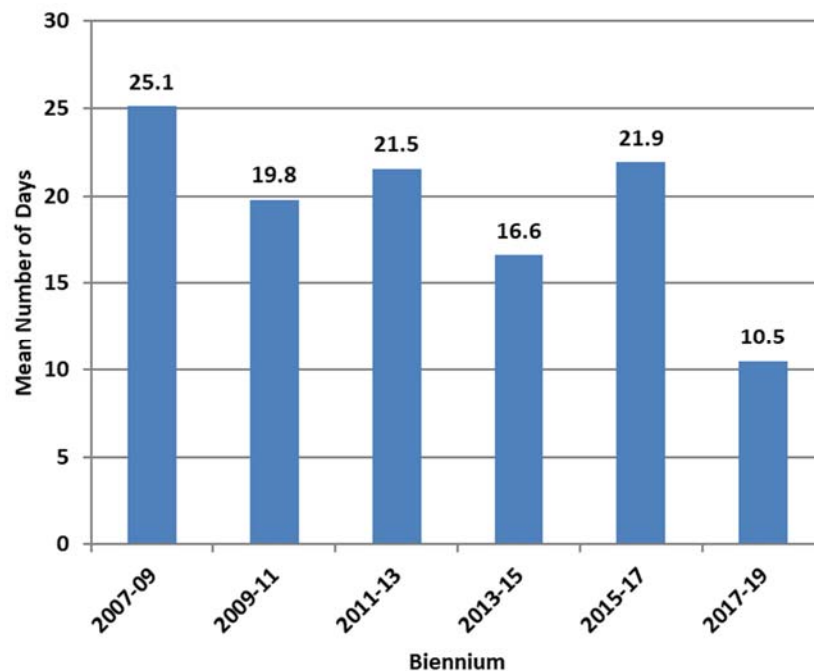


Figure 20. Mean Number of Days to Complete the Repatriation Notification Letter to Interested Affected Tribes (no statutory requirement).

improved dramatically in the last biennium to just 10.5 days. When broken down by biennium the improvement of the average number of days to issue the repatriation letter is evident and is attributable to the hiring of an Assistant State Physical Anthropologist in 2014 (Figure 20).

The number of cases a particular tribe is notified on depends on the area of interest for that particular tribe and the number of cases that originate from that particular area. Tribes throughout the state self-identify their areas of interest. Table 1 presents the number of cases that tribes have been notified about during the last biennium and totals since the law changed in 2008. The data reflect the high number of cases reported by counties from western Washington, particularly the Puget Sound region (see also Figure 7). The high number reported for the Puyallup Tribe is also partly due to that tribe identifying the entire state of Washington as an area of interest for non-forensic human remains discoveries. The Yakama, who also at one time also identified the entire state as an area of interest for non-forensic human remains discovery, also exhibit a high overall notification number not explained completely by case origin area. The tribe within the 2013-15 biennium scaled back their notification area. In addition, the Sauk-Suiattle Tribe in this biennium elected to identify the entire state as an area of interest and as a consequence their notifications have increased in this biennium. Three cemeteries were also notified of human skeletal remains finds on their property in addition to the tribes.

Letter notifications to tribal chairs are required by law to be sent via certified mail. Since the passage of House Bill 1426, DAHP has been able to send these notifications via electronic return receipt (ERR), saving the agency an average of \$1.20 per piece of certified mail. Since the initiation of the use of ERR in early December of 2009, DAHP has sent 6,848 pieces of certified mail relating to non-forensic human remains finds for an estimated cost savings of \$8,218 (\$1,766 in the current biennium) and anticipates an annual savings of about \$900.

Table 1. Tribes Notified (# of Cases Notified This Biennium/ Total # of Cases Notified).

Chehalis (1/24)	Lummi (38/162)	Samish (58/272)	Stillaguamish (22/80)
Chinook (3/22)	Makah (3/15)	Sauk-Suiattle (36/76)	Suquamish (37/204)
Couer d'Alene (1/9)	Marietta Band (0/7)	Shoalwater (0/11)	Swinomish (41/181)
Colville (13/75)	Muckleshoot (15/118)	Siletz (0/6)	Tulalip (39/183)
Cowlitz (4/33)	Nez Perce (19/107)	Skokomish (6/30)	Umatilla (11/54)
Duwamish (9/71)	Nisqually (2/31)	Snohomish (3/22)	Upper Skagit (33/145)
Grand Ronde (3/24)	Nooksack (15/69)	Snoqualmie (56/292)	Wanapum (15/63)
Hoh River (0/7)	Port Gamble (9/38)	Snoqualmoo (0/1)	Warm Springs (4/25)
Jamestown (22/86)	Puyallup (74/428)	Spokane (1/16)	Yakama (20/278)
Kikiallus (0/1)	Quileute (3/14)	Squaxin Island (13/128)	
Lower Elwha (5/30)	Quinault (0/18)	Steilacoom (1/14)	

DISPOSITION OF HUMAN SKELETAL REMAINS

The need for the disposition of Indian and non-Indian remains is required by state law. The State Physical Anthropologist has arranged for and completed the disposition of human skeletal remains for 306 human skeletal remains cases since 2008 (53% of the total number of cases investigated, 68 cases in the 2017-19 biennium). Of those, 169 cases were repatriated to the interested affected tribes (38 in the 2017-19 biennium), 137 cases were reburied in place or at a different location (30 in the 2017-19 biennium), and 13 cases were returned to the various county Coroners/Medical Examiners because they were potentially forensic. An additional 55 cases were found on federal land and therefore were handled by the respective federal agencies under the Native American Graves Protection and Repatriation Act. Remains associated with 17 cases could not be located or were previously repatriated or reburied, and 39 cases did not have identifiable human remains or were remains determined to be non-human. The remaining 144 cases are either awaiting final disposition by DAHP or are awaiting transfer to DAHP for investigation.

Based on the current caseload and limited personnel available (the State Physical Anthropologist and the Assistant State Physical Anthropologist), it is impossible to conduct arrangements for the final disposition of many remains in a timely fashion. Difficulties can arise when multiple tribes claim the same set of remains, but these are generally resolved through DAHP-hosted intertribal meetings. More difficulty is encountered when the remains derive from out-of-state and consultation with distant tribes or state historic preservation offices is required. The DAHP has been able to successfully repatriate Indian skeletal remains deriving from the states of Colorado, Montana, Oregon, and Utah and have made arrangements for repatriations to Oklahoma and Alaska. Currently, DAHP's secure human skeletal remains laboratory (Figure 21) houses human skeletal remains awaiting disposition that derive from 133 cases and represent the remains of at least 191 individuals. These numbers have held steady from the previous biennial report (128 cases representing at least 202 individuals)



Figure 21. DAHP's Secure Human Skeletal Remains Laboratory.

because of DAHP's reburial of non-Indian remains in a communal plot (see below). These remains (101 cases) occupy 100% of the secure cabinet space within the laboratory and also occupy an overflow table in the laboratory (32 cases). They include both Indian and non-Indian remains. With current staff levels, the backlog of human skeletal remains cases awaiting final disposition continues to rise slightly, but has not risen as high as that predicted previously. This is partly attributable to the addition of the Assistant State Physical Anthropologist in July of 2014.

While the disposition of Indian remains is clearly indicated in state law and requires consultation with the interested affected tribes, the disposition of non-Indian remains is less clear. Currently DAHP houses remains deriving from 26 non-Indian human skeletal remains cases. These include unidentified historic period non-Indian remains and remains formerly used for teaching purposes that were confiscated or turned into law enforcement. This number has increased from the last biennial report (up from 13) indicating the need for another interment of non-Indian remains in the DAHP's communal plot (see below).

In a previous budget cycle, DAHP sought and was awarded funds to rebury unidentified non-Indian human skeletal remains. Working with the Evergreen-Washelli Cemetery in Seattle, DAHP was able to acquire through donation, a plot (Cemetery E, Section 12, Lot 304, Grave 2) and headstone for these remains (Figures 22 and 23). The funds were used to purchase a grave liner and to conduct the actual reburial of the remains. The remains of 46 unidentified non-Indian individuals from 18 human remains cases were laid back to rest on September 30, 2015 and an additional reburial of 37 unidentified non-Indian individuals from 26 human remains cases was made on June 8, 2017. The double grave liner provides room for up to approximately 50 banker's boxes and roughly 34% of the space was utilized in the current reburials. The DAHP will have to ask the legislature for additional funding to conduct additional reburials. Funding for the reburials could result in the elimination of the use of the less secure overflow table and the freeing up of 5% of the secure cabinet space available in DAHP's human remains laboratory for additional current and future cases.

Clinical specimens are comprising more and more of a significant proportion of the number of Non-Indian cases lacking a disposition. The DAHP is currently exploring an agreement with King County Medical Examiner's Office and the University of Washington Medical School regarding disposition of these clinical specimens. It is DAHP's intention to return these cases to their original function as clinical/teaching specimens.

In addition to these non-Indian cases, there are cases involving remains that derive from outside of the state of Washington and cases that derive from outside of the country. The DAHP hopes to eventually resolve their



Figure 22. Reburial of Unidentified Non-Indian Human Skeletal Remains at the Evergreen-Washelli Cemetery in Seattle, Washington Conducted on June 8, 2017.



Figure 23. Donated Headstone to Mark the Location of the Reburial Plot for Unidentified Non-Indian Human Skeletal Remains at the Evergreen-Washelli Cemetery in Seattle, Washington.

disposition as well through consultation with other State Historic Preservation Offices, tribal governments, and foreign consulates.

STAFF CHANGES

In the fiscal year 2014-15 DAHP was awarded funding for one year to hire an Assistant State Physical Anthropologist to assist the State Physical Anthropologist with the handling of non-forensic human skeletal remains cases. An Assistant State Physical Anthropologist was hired in July of 2014. The extension of the position was made possible through additional funding provided by the legislature through the 2015-17 biennium. During this same period, however, the DAHP Cemetery Database Cartographer position was eliminated due to budgetary cuts. The task of building and maintaining DAHP's Cemetery and Burial Site database and GIS layer then fell to the State Physical Anthropologist and the Assistant State Physical Anthropologist on top of their current duties. Because of the pressing needs of the human remains program, the cemetery program has consequently been given a lower priority (see Cemeteries and Burial Sites section below).

SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT

The Skeletal Human Remains Assistance Account was created to subsidize or cover the costs associated with the inadvertent find of human skeletal remains. As such, the primary purpose of the account is to cover the costs of recovery, reburial, erosion control, re-interment, or other expenses deemed by the Director to be essential to the resolution of a case involving the inadvertent find of human skeletal remains. The original biennial allocation for the account was \$500,000 in 2008. The biennial allotment was reduced during the recession by the legislature to \$200,000 but additional monies were added since that time. Twelve applications have been made to the account since its inception, requesting just under \$711,000 to help defray costs associated with inadvertent human skeletal remains finds. The DAHP has reviewed these applications and has funded nine (one in the last biennium) of the applications for a total of \$233,434 (a total of \$39,720 in the last biennium).

In lieu of seeking monies from the account, landowners have also been able to rely upon the in-house work of the State Physical Anthropologist and the Assistant State Physical Anthropologist to conduct necessary fieldwork associated with inadvertent finds of human skeletal remains (Figure 24 and 25). This is only possible if it will not interfere with the State Physical Anthropologist and Assistant State Physical Anthropologist's ability to respond to inadvertent finds elsewhere, and if additional help is available from DAHP staff tasked with other duties. Eighty-four recoveries and reburials (29 in the last biennium) have been conducted by the State Physical Anthropologist and the Assistant State Physical Anthropologist primarily for private land owners, but also for Washington State Fish and Wildlife, Grant County PUD, the Swinomish Tribe, the Nature Conservancy, and Washington State Parks. Eleven recoveries were directly associated with the Wanapum Dam repair and drawdown in 2014 and 2015.



Figure 24. Human Remains Recovery by the State Physical Anthropologist and Interested Affected Tribes.



Figure 25. Human Remains Recovery by the Assistant State Physical Anthropologist and Local Law Enforcement.

OTHER ACTIVITIES OF THE STATE PHYSICAL ANTHROPOLOGIST

In addition to their statutory requirements, the State Physical Anthropologist also routinely reviews documents for compliance with the new legislation. These include memorandums of agreement, inadvertent discovery protocols, archaeological permits, policy documents, and archaeological reports submitted to DAHP for review by various agencies. These reviews are only sporadically recorded but should be more diligently accounted for in future biennia.

In the 2017-19 biennium, the State Physical Anthropologist and the Assistant State Physical Anthropologist conducted trainings covering the state's human remains laws to over 350 individuals from state, federal, and local government, as well as tribal representatives and the public.

Lastly, the State Physical Anthropologist has been increasingly called upon by various law enforcement agencies, county coroners, governmental agencies, archaeologists, and private individuals to identify suspected human skeletal finds from across the state of Washington. The State Physical Anthropologist has lent his expertise in the identification of these remains (77 instances in the last biennium, up 151% from the previous biennium) and helped to direct them, in those cases where human skeletal remains were involved, toward the proper reporting process as outlined in the law.



CEMETERIES AND BURIAL SITES

Under the new legislation, DAHP was charged with the development and maintenance of a centralized database and geographic information system (GIS) spatial layer of all known cemeteries and known sites of burials of human remains in the state of Washington. The database and GIS layer are available on-line through Secure Access Washington (SAW) to qualified and approved users.

This task commenced in July of 2008 when the Washington Historical Cemeteries Database and GIS Layer were created (Figures 26 and 27, respectively). Archaeologists were encouraged to record previously unrecognized cemeteries using DAHP's standard archaeological form, while a new cemetery form was developed for public use. These forms are available on DAHP's website. This process has continued through the current biennium and will continue as more cemeteries and burial sites are identified and recorded.

WASHINGTON HISTORICAL CEMETERIES: Add/Edit

Record ID: 879 Name on cemetery sign, if any: Bayview Cemetery Archy Site ID: WH00787

NAME/LOCATION **OWNER/CONTACT** **GENERAL INFO** **DESIGN CHARACTER** **CEMETERY HISTORY**

Other Known Names: Physical address, if any: 1400 Woburn at Lakeway Drive

City/Town/Community: Bellingham ☐ Vicinity Zip Code: County: Whatcom Info Source: Other

Directions from nearest community:
From downtown Bellingham, go east on Lakeway Drive. Cemetery on the north side of road.

Township/Range/Section **Quadrangle** **Parcel/Lot #:**

Township	Range	E/W	Section
38	03	E	28

BELLINGHAM NORTH
BELLINGHAM SOUTH

380329535080 (4 parcels) & 380329551222 (2 parcels)

Listing Status: Not Identified Historic Property Scan ID: Non-DAHP #:

References
1989 Cemetery Centennial, USGenWeb, Cemetery records of Whatcom County - Whatcom Genealogical Society (1973); "History of Whatcom County" by Roth (1926)

Site Description

Entered by: Susan Goff Completed Date: 8/7/2008 GIS Method: Digitized From 24K USGS Map **Print** **Save** **Exit**

Figure 26. Example of a Recorded Cemetery from the Washington Cemeteries and Burial Sites Database.

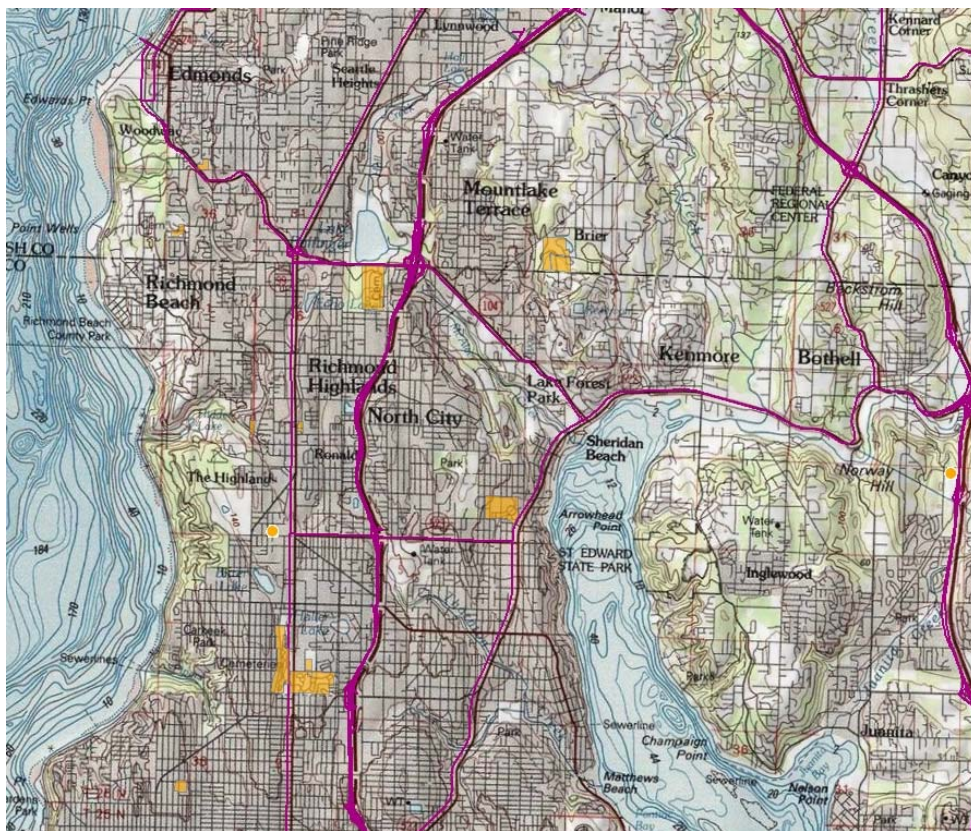


Figure 27. Example of DAHP's Cemetery and Burial Site GIS Layer (cemeteries and burial sites are indicated in yellow).

Prior to the passage of the legislation and DAHP's efforts to document these burial sites, only 154 cemeteries were listed in records kept by the State Funeral and Cemetery Board. To create the current cemeteries database and GIS layer, DAHP's Cemetery Database Cartographer utilized a variety of sources including historic maps, as well as data provided by the public, genealogical societies, the internet, historical societies, state archives, local government records, DAHP's internal records, archaeologists, and tribes. Through these records, DAHP has been able to record additional cemeteries and burial sites. In addition, those human skeletal remains cases found through inadvertent discovery and handled by the State Physical Anthropologist are also added to the database and GIS layer.

Due to retirement, DAHP lost its Cemetery Database Cartographer in August of 2014 and the position was lost due to budgetary cuts in June of 2015. As a consequence, the responsibility of updating and maintaining DAHP's cemetery database was added to the existing duties of the State Physical Anthropologist and the Assistant State Physical Anthropologist. The updating of the GIS cemetery layer was added to duties of the GIS Cultural Resource Analyst at the direction of the State Physical Anthropologist. While new human remains finds are continuing to be added to the cemetery database and GIS layer, the existing workload of the two human remains staff leaves little time for active research to add former cemeteries and burial sites to the database or to update the existing entries as additional information is discovered.

Currently, DAHP has included in its database and/or mapped on its GIS layer 2,948 cemeteries and burial sites, an additional 44 having been added in the last biennium (Figures 28 and 29). The relatively low number of

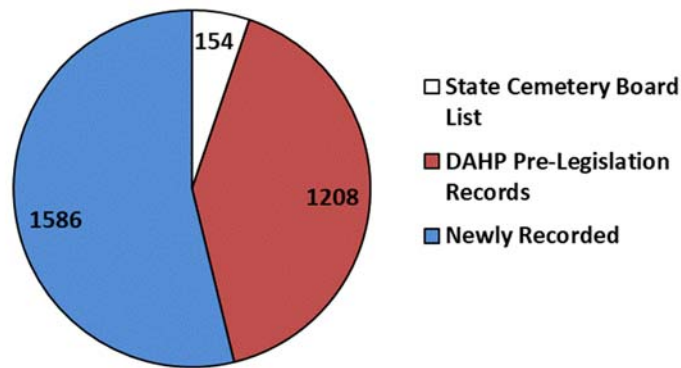


Figure 28. Source Information for the Recording of Cemeteries and Burial Sites.

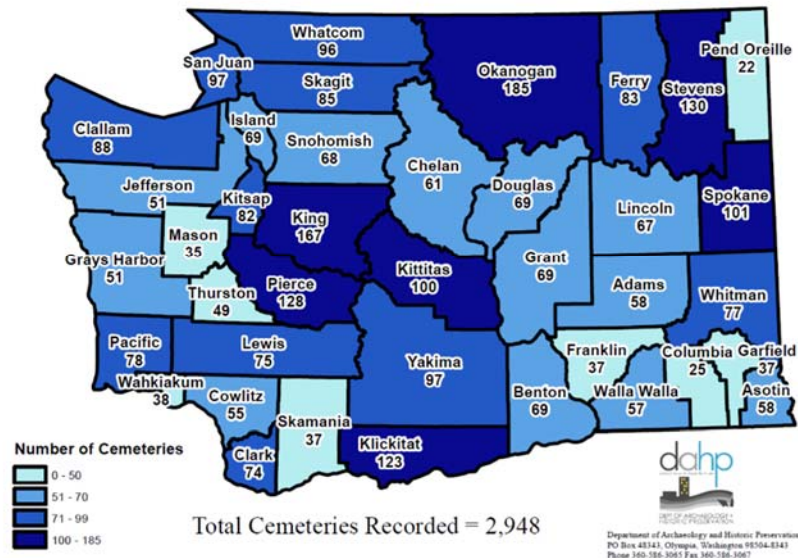


Figure 29. Distribution of Recorded Cemeteries and Burial Sites Across the State by County as of the end of the 2017-19 biennium.

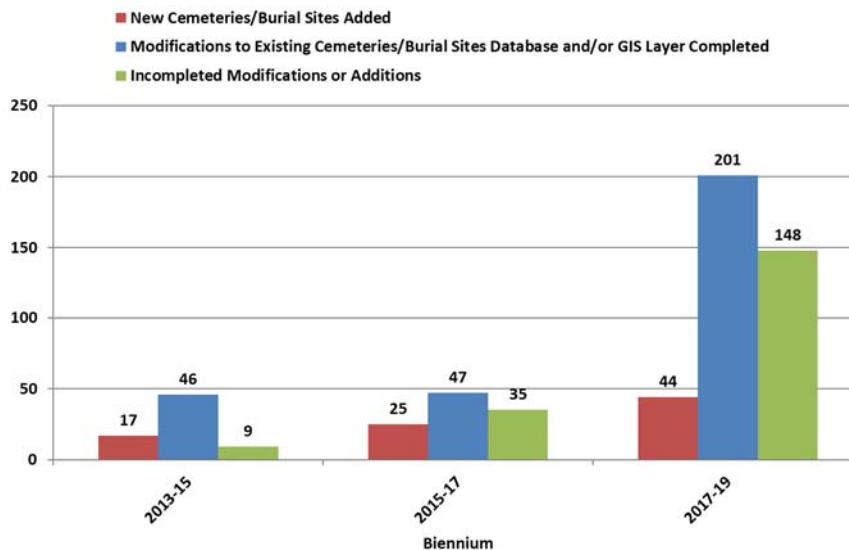


Figure 30. New Cemeteries/Burial Sites Added, Modifications Made, and Backlog of Modifications/New Cemeteries Yet to Add (the 2013-15 biennium only includes data from August 2014).

newly added cemeteries is a direct reflection of the loss of DAHP Cemetery Database Cartographer position due to budgetary cuts in the 2015-2017 budget.

Following the retirement of the Cemetery Database Cartographer, the State Physical Anthropologist began tracking maintenance activities to both the cemetery database and the GIS layer to more accurately capture workload information by the State Physical Anthropologist and Assistant State Physical Anthropologist. Since August 2014, they have added 86 new cemeteries/burial sites to the cemetery database (44 in the 2017-19 biennium) and performed modifications to 294 previously recorded cemeteries/burial sites (201 in the 2017-19 biennium) (Figure 30). In addition, the GIS cultural resource analyst has mapped the 86 new cemeteries/burial sites on the Cemetery GIS layer. A backlog of 148 additions or modifications to the database and GIS layer currently exists and this backlog is projected to grow even larger in the coming biennium without additional help.

Of the 2,948 cemeteries and burial sites known by DAHP, approximately 85% have been mapped on to the agency's GIS cemeteries and burial sites layer. Most of the remaining cemeteries have too little information associated with them to accurately map.

Prior to passage of the new law, the state only had on record with the State Funeral and Cemetery Board those cemeteries that fell under its jurisdictional control (cemetery associations and for-profit cemeteries). State law (RCW 68.05.400) excluded nonprofit religious cemeteries and cemeteries controlled and operated by a coroner, county, city, town, or cemetery district. Of the 2,948 DAHP recorded cemeteries where ownership has been identified (2,411 cemeteries), 69% are owned by either government agencies (city, port, county, state, or federal) or by private ownership (Figure 31). The remaining cemeteries and burial sites are owned by a variety of entities and only a small proportion (<3%) are for-profit cemeteries and associations regulated by the State Funeral and Cemetery Board.

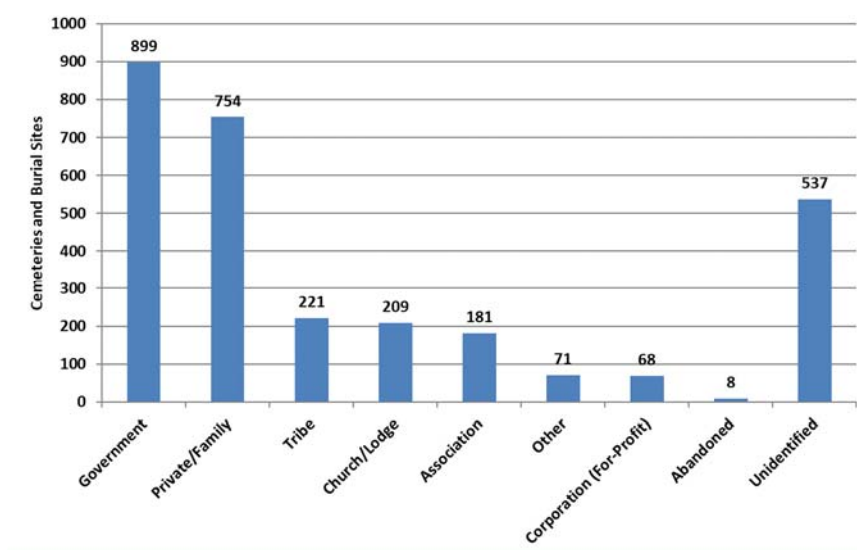


Figure 31. Distribution of Ownership of Cemeteries and Burial Sites.

DAHP'S CARE AND MAINTENANCE CERTIFICATE FOR ABANDONED CEMETERIES

Abandoned cemeteries are cemeteries for which no ownership can be determined by the county assessor. In 2017, House Bill 1907, expanded the definition to also include cemeteries that no longer hold a valid certificate of authority to operate as determined by the Washington State Funeral and Cemetery Board. The DAHP, under the authority granted by Washington state law (RCW 68.60.030), may grant nontransferable certificate authority to maintain and protect abandoned cemeteries to preservation organizations incorporated for the purpose of restoring, maintaining, and protecting an abandoned cemetery. This authority is limited to the care, maintenance, restoration, protection, and historic preservation of an abandoned cemetery. Authority may also be granted to Washington nonprofit corporations not expressly incorporated for these purposes.

In 2019, House Bill 1801, added local governmental organizations to the list of potential applicants for care and maintenance certificates issued by the DAHP. In addition, the bill required DAHP to establish standards and guidelines for granting certificates of authority and this was accomplished in the 2017-19 biennium. Since 2009, DAHP has granted certificate authority to care and maintain nine recorded abandoned cemeteries (four in the last biennium). These include six non-profits and one local governmental organization.

CEMETERY DATABASE UPDATES AND REFERENCES DIGITIZATION

Several long-term projects have been initiated this past biennium to help facilitate use of the cemeteries database and geographic information system. A plan to digitize and make accessible cemetery reference materials used initially to record the cemeteries was developed. These cemetery reference copies were previously stored in an upright filing cabinet and were not generally accessible outside of DAHP. The project began with a modification to the existing cemetery database to make citations of reference materials entered into the database to be stored individually rather than in a single field. The purpose of this modification was to allow at some point the linking of the individual citations to an actual digitized copy of the reference material

cited. A standardized file structure was also built on DAHP's server to store all reference materials by cemetery record number. Digitized copies of hard paper copies of these reference materials was completed this past biennium and they will be placed on DAHP's server in the coming years along with links to the online database.

Additionally, over the years DAHP has collected cemetery photographs taken by both DAHP staff and private parties. These photos are stored in various files on DAHP's server. The goal was to move these various digital photos to the file structure built above and then make them available through DAHP's online WISAARD.

Finally, with the rollout of WISAARD Phase III, DAHP will be able to conduct keyword searches of not only digitized archaeological site files, but all digitized archaeological site reports. Previously only titles were keyword searchable. This keyword search feature will allow the State Physical Anthropologist to conduct keyword searches to help identify additional cemeteries and burial sites not yet captured in the cemetery database and GIS system. Additionally, online historic newspaper resources are now widely available and can be searched by keywords as well. These two potential sources of cemetery and burial site information also need to be searched and will undoubtedly provide a wealth of new information on unrecorded cemeteries and burial sites in Washington.

The recording of these additional cemeteries and burial sites will allow for their effective protection. The DAHP's efforts to complete the task of recording Washington's cemeteries and burial sites continues as the State Physical Anthropologist adds additional locations identified through other newly examined records including Federal Register NAGPRA Notices, county plat maps and records, new archaeological site forms and reports, and new cemetery forms. However, the rate at which these new cemeteries and burial sites are recorded has slowed considerably since the loss of the Cemetery Cartographer's position.

Currently, less than one percent of the over 1,800 historic period cemeteries in the cemetery and burial site database have been professionally recorded. While some of these are expected to be officially recorded by archaeologists during project reviews over the years to come, many may never be recorded. As a consequence, the State Physical Anthropologist and the Assistant State Physical Anthropologist continue to make an effort to professionally record unrecorded historic period cemeteries if time permits while responding to nearby non-forensic human skeletal remains cases. This will continue when possible into the future.

HISTORIC CEMETERY PRESERVATION CAPITAL GRANT PROGRAM

Legislation creating the Historic Cemetery Preservation Capital Grant was passed in 2016 and established a grant program within DAHP to fund construction, renovation, or rehabilitation projects that preserve the historic character, features, and materials of a cemetery or maintains and improves cemetery function. Management of the grant was awarded to the Washington Trust for Historic Preservation under contract. The State Physical Anthropologist and Assistant State Physical Anthropologist provides technical support relating to cemeteries to the Grants Committee and to applicants. No funds were allocated by the legislature in the 2015-17 budget cycle and, consequently, no grants were distributed. Funds awarded in 2017-19 biennium provided \$456,300 for cemetery preservation projects. The cemetery advisory committee recommended funding for 22 cemeteries totaling \$452,846.48 in grants. The 2019-21 capital budget included \$515,000 in funding for the program with applications released to the public on August 1, 2019.



SUMMARY

Significant changes to Washington State law in 2008 created a uniform reporting process for the discovery of human skeletal remains within the state. In addition, the Department of Archaeology and Historic Preservation was given jurisdictional control over the handling and disposition of non-forensic human skeletal remains and the responsibility of reporting those remains to the appropriate cemeteries and affected tribes. The new law also created the position of the State Physical Anthropologist whose primary responsibility is the investigation, preservation, and, when necessary, the removal and reintering of discoveries of non-forensic skeletal remains. The law also required DAHP to create and maintain a database and GIS layer of all known cemeteries and burial sites within the state.

Since the change in law in mid-2008, DAHP has opened and investigated 574 non-forensic human skeletal remains cases, 88 cases in 2017-19 biennium. These cases represent the skeletal remains of at least 832 individuals (at least 108 individuals in the current biennium). Most of the remains are identified as Indian and most come from counties in the northwestern portion of the state. Dispositions for these remains have been completed for 306 cases (68 cases in the current biennium). The average caseload for the agency is 50 cases per year or approximately one new case every five business days.

In the 2017-19 biennium, these cases required 1,472 letter notifications to appropriate cemeteries and affected tribes and an additional estimated 2,950 letter copies to cultural resource groups within those respective tribes. Of the 88 cases in the 2017-19 biennium, dispositions for 30 cases have been completed. The vast majority (79%) of the non-forensic human skeletal remains reported to DAHP have been identified by the State Physical Anthropologist as Indian. A backlog of 143 open cases currently exists as does a backlog of 516 case reports. Consequently, DAHP identified the need for an Assistant State Physical Anthropologist and was awarded funds to hire and continue their employment through the fiscal year 2019.

The State Physical Anthropologist and Assistant State Physical Anthropologist have added an additional 44 cemeteries and burial sites in the 2017-19 biennium to the database and GIS layer bringing the total number of cemeteries and burial sites documented to 2,948. This process will continue as additional non-forensic human skeletal remains cases are handled by DAHP and as other cemeteries are documented by archaeologists and other entities. In addition, the State Physical Anthropologist and Assistant State Physical Anthropologist continue to maintain and update information on currently known cemeteries and burial sites as it becomes

available. DAHP has issued certificates of care and maintenance authority to six non-profits and one local governmental agency to care and maintain nine historic abandoned cemeteries.

Back Cover Illustration: *The Assistant State Physical Anthropologist Investigating Cultural Remains at a Burial Site in Island County.*



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