

The

February 1, 2022 God Bless America

POLITICALLY  
INCORRECT  
AND PROUD OF IT!



# American Indian Reporter



AMERICAN INDIAN TRIBAL NEWS \* ERNIE C. SALGADO JR., CEO, PUBLISHER/EDITOR



## The 'incorrigible' Thunder Before the Storm

AIM co-founder Clyde Bellecourt spent a lifetime challenging authority  
\*Corrected

MARK TRAHANT • JAN 12, 2022



### AIM co-founder Clyde Bellecourt Died January 10, 2022. He was 85.

See full article at Indian Country Today, January 12, 2022.

Bellecourt said there are hundreds of Sun Dances today, throughout the Americas. And without the carnivals. (Which include pow wows that serve a different purpose.)

*"Indian people are Sun Dancing today," he said. "They're purifying themselves. Their families are coming back together. Hundreds of thousands have given up the alcohol and drugs and everything that they had them on, and that's all attributed to the American Indian Movement."*

MY VIEW by Ernie C. Salgado, Jr., AIM  
opened many doors for the American Indian people, some by political means while several others doors were physically "kicked open," as Bellecourt coined the term, "confrontation politics."

Regardless of how the doors of opportunity for self-governance were achieved, they are open. It is now up to the current Tribal Leaders to move to the next level of independence by break the chains of dependency and self-serving politics.

Real Tribal Sovereignty and Self-Rule must be the primary goal. Tribal jurisdiction, health care and education must be the top priorities

Are the provisions of the 14th Amendment which include everyone except the American Indian still in effect? Is the American Indian still excluded from Constitutional and civil rights protection?

If not, why does the U.S. congress still refuses to allow the American Indian Tribes jurisdiction of tribal lands including non-Indians while on Indian land?

Their justification for refusing the Tribal jurisdiction is because they believe that the tribes would be unfair to non-Indians. Right, as both parties give full on lip service to racism.

Hypocrisy? You bet, at it highest level of congress. So why are our Tribal Leaders passive if not silent on this issue? The answer is simple, they don't want to disrupt the flow of goods and services provided by the federal and state governments.

Yes, we have made significant gains over the past 100-years and monumental progress since the early 60's. Yet, we must remain vigil not to fall into the duplicity of complacency or all will be for not.

The new Alcatraz are the halls of congress and the federal courts which must be address within the current political system. Many doors are open but not all.

We just need to enter those that are open and do what is right for our people.

We must focus on the well being of our people of which many are still living in poverty. "We are our bothers keeper."

We must also address the epidemic of alcohol and other drug abuse that endangers our way of life. I know this is a subject that no one want to talk about but until we do it will continue to destroy our spiritual well being, which is the essence of who we are as a people.

And until the rest of us old time AIM Federation brothers take the final journey we're here to support our young Tribal Leaders as the continue the fight to free our people.



The Mission Indian Federation was a formative predecessor of AIM, the American Indian Movement from 1920 to the mid 1960's.

Thank you and God Bless

THROUGH STRUGGLES, ADAPTATIONS & SURVIVAL, WE ARE STILL HERE!



# CALIE.org

"Making A Difference"

California Indian Education, Inc.

Soboba Indian Reservation, So. California  
Mail: P.O. Box 366, San Jacinto CA 92581  
Phone 951.217.7205 \* Email: CALIE.org  
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# The Psychology of Turkeys

This section is dedicated to the insane actions, decisions and policies made by our would be leaders.

My View By Ernie C. Salgado Jr.,

Happy   
VALENTINE'S  
DAY

## 9TH U.S. CIRCUIT COURT OF APPEALS UPHOLD 2ND AMENDMENT RIGHTS

California's pandemic gun store shutdowns ruled illegal

Officials in Los Angeles and Ventura counties had separately won lower court decisions saying gun stores were not exempt from broader shutdown orders aimed at limiting the spread of the coronavirus early in the pandemic.

A three-judge panel of the 9th U.S. Circuit Court of Appeals rejected both lower court rulings.

The Second Amendment *"means nothing if the government can prohibit all persons from acquiring any firearm or ammunition,"* Judge Lawrence VanDyke wrote. *"But that's what happened in this case."*

## California ARE YOU PAYING ATTENTION? State's Run Health Care-CalCare Single Payer Health Care

Assembly Bill 1400 introduced by Assemblyman Ash Kalra, a Socialist Democrat from San Jose, is a health care nightmare. It would force all Californians onto an untried state-run program administered by unaccountable bureaucrats.

The Socialist Democrats have pushed for government run health care before with no success, mostly because of the astronomical cost which is estimates at \$400 billion dollars annually. To put things into perspective the entire state budget proposal for this year is a little under \$300 billion.

Guess how we are going to pay for the new State Health Care Program? Higher taxes. You don't have to have an IQ higher than a frog to figure that out. Sure federal health care funds would be used but when the dust settles massive tax increases are in our future.

And given the estimated cost our taxes would be double in one year. Now, regardless what your political views may be you would have to be very simple minded to agree to supporting a tax increase of 100 percent. But like George Carlin once said. *"Never underestimate the power of a large group of stupid people."*

The Socialist Democrats' funding bill, Assembly Constitutional Amendment 11, is estimated

to raise taxes by a massive \$163 billion, which would increase the current tax base by 50 percent.

The tax increase would fall on small businesses and middleclass workers. *And because ACA 11 creates an exemption from Prop. 13's requirement that new taxes pass with a two-thirds vote in the Legislature, if this new scheme runs short on money, Democrats will have a blank check to increase taxes with a simple majority vote.* Tricky, like the gas tax wording on the ballot.

California taxpayers already struggling with the cost of living as one of the most expensive in the nation and the current inflation. California already has one of the highest tax base in the Nation.

Any new middle-class taxes will push even more families out of the state, leaving fewer taxpayers to fund the ever-growing list of social programs.

A State Health Care Program will force all California residences to be covered by a lower quality, government bureaucrat run system. Private insurance will not be permitted. You'll also likely see rationed care and longer wait times for specialty care just like in other countries with socialized medicine, such as Canada and the U.K.

## FAKE NEWS: Voter ID is Racist

According to all the major polls in the Country, over 72 percent of the registered voters support voter ID. This included Black, Latino and middle and low income voters.

The enlist Socialist Democrats don't care what the American people want. The truth is that they look down on the average hard working people as a bunch of uninformed low life's that need to be told what to do.

The media and Big Tech controlled social media serve the elitist as their propaganda arm.

With a 28 Percent Approval Rating

IS JOE BIDEN A GOOD PRESIDENT?



It has been said there is no stupid question, I beg to differ.

## Germany 1933: Hitler's Youth Movement

All parental rights were forfeited in favor of the State

MY VIEW by Ernie C. Salgado, Jr.

State Sen. Scott Wiener introduced SB 866 which would remove parental consent for their children health decisions which would allow the to decide to get COVID shots, abortions, birth control and sex changes. SB 866 is passed Children in California could soon have the right to make health decisions without parental consent. Which would include , a move state Sen. Scott Wiener says will give minors a voice in their own health care and help them bypass vaccine hesitancy in their families. However, it doesn't address the issue of payment.

Most folks are not aware of who Senator Wiener is and what he champions. First, he represents the San Francisco elitist, the LGBTQ and woke communities. He was also the sponsor of SB 144 which also for "Consensual sex" between children and adults as long as the age difference is 10 years or less. In other words legalized pedophilia.

The targeting of the children of America has long been a major strategy of the

American Socialist movement. Our public school system has been under their control for decades. It has been only during the past year that the parent have become aware of what is really going on in the classrooms of America with the exposure of the critical race theory curriculum

SB 866 will give minors ages 12-17 the right make health decisions without their parents approval or knowledge. Currently, only Washington, D.C., has a lower age limit — 11 years — for nonparental consent.

History has a way of repeating its self and the strategy of the fragmentation of the basic family structure has proven to be successful with the indoctrination of transforming the population into a different government political structure.

We currently have the opportunity to stop this madness by demanding your state representative vote against SB 866. If not, American will take another giant step toward Socialism.

## U.S. Supreme Court To Revisit McGirt v. Oklahoma



the U.S. Supreme Court in an unprecedented decision agreed to hear arguments from the state of Oklahoma regarding the scope of Tribal jurisdiction made in their 2020 landmark ruling in McGirt v. Oklahoma.

The reason given by the court to reconsider the scope of jurisdiction *is based on the states argument that crimes are going uninvestigated and unprosecuted because federal authorities that have the responsibility to bring criminal cases on tribal land are overwhelmed.*

Once again, the American Indian Tribes is forced to defend their rights with regards to jurisdiction because the U.S. Governments Department of Justice failed or refuses to meet its legal obligation to the Indian Tribes and the State of Oklahoma.

The irony in that the Department of Justice is "overwhelmed" because of the shortage of manpower. Yet, the Biden administration proposed to hire 80,000 additional IRS agents while the Department of Justice and FBI are investigating parents as "Domestic Terrorist" for attending their local school board meetings and objecting the critical race theory curriculum. Priorities of oppression?

The case is scheduled to be argued in April and you can rest assured that not one federal agent will be hired or assigned to Indian Country in Oklahoma in the interim.

However, on the positive side the justices did not agree to the state's request that the court consider overruling the 2020 decision in McGirt v. Oklahoma altogether.

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**INDIAN COUNTRY TODAY**  
Digital. Indigenous. News.

## Augustine Band of Cahuilla Indians unveils Temalpakh Farm Market in grand opening

Celebration set for January 18; public invited

PRESS POOL • JAN 13, 2022

The Augustine Band of Cahuilla Indians will unveil its newest endeavor, Temalpakh Farm Market, with a grand opening celebration on January 18. Opening the market at Temalpakh Farm — meaning “from the earth” in Cahuilla — is a long-anticipated project to complement the roughly 50-acre organic farm at the Coachella reservation. Former Tribal Chairperson Mary Ann Martin began the project nearly a decade ago and Martin’s daughter, current Tribal Chairperson Amanda Vance, will see her mother’s dream come to fruition as tribal, government and business leaders celebrate with locals during the grand opening.

## Former Governor Bill Richardson and Cherokee Nation leaders to deliver 100 pairs of shoes to Navajo students in Crownpoint, New Mexico

Athletic shoes to be delivered January 20

Governor Bill Richardson will visit the Navajo Nation on Thursday, January 20, 2022 to deliver 100 pairs of athletic shoes to children from Crownpoint, New Mexico. The Governor Bill Richardson/Peterson Zah COVID-19 Navajo Families Relief Fund partnered with the Notah Begay III Foundation (NB3) to purchase the shoes at a 50 percent discount.



**NACA**  
NATIVE AMERICAN CONTRACTORS ASSOCIATION

### Accepting Application for Executive Director

The Executive Director position is based in Washington, DC and serves as the lead advocate for the organization. The Executive Director will coordinate the policy priorities and related strategies by working directly with the membership and Board of Directors, as well as direct and manage the daily business operations and activities of the organization.

All interested applicants should send a cover letter, outlining previous advocacy and relevant experience, and resume to [lillian@nativecontractors.org](mailto:lillian@nativecontractors.org).

For a full description of the position and more information, please visit our website: <https://www.nativecontractors.org/naca-job-offerings.html>

## U.S. Representative Dusty Johnson leads bill to establish Congressional Charter for American Indian Veterans

Currently, no Native veterans organization has received a Congressional Charter

On January 13, U.S. Representatives Dusty Johnson (R-S.D.), Tom O'Halleran (D-AZ), Tom Cole (R-OK), and Sharice Davids (D-KS) introduced bipartisan legislation to establish a Congressional Charter for the National American Indian Veterans (NAIV). National American Indian Veterans is a nonprofit organization on the Cheyenne River Reservation with a mission to advocate for tribal veterans. According to United States Department of Veterans Affairs estimates, in 2021 there were more than 150,000 Native veterans in the United States.

While Congressional Charters have been established for Polish American, Italian American, Jewish, and Black veterans' groups, currently, no Native veterans organization has received a Congressional Charter.



## The Rez Detective' & redistricting”

The creators of the graphic novel "The Rez Detective" are explaining their journey. Plus, we're breaking down the process of redistricting and how it'll likely impact the Native vote.



*Happy*  
**VALENTINE'S**  
DAY



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Soboba Indian Reservation, So. California

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# The American Indian Reporter

## 2022 NATIVE AMERICAN MUSIC AWARDS VOTING BALLOT

### CONTACT:

Dr. April Lea Go Forth, Exec Director \* Resources for Indian Student Education (RISE)  
P.O. Box 1878, Alturas, CA 96101 \* [rise@citlink.net](mailto:rise@citlink.net)

### 2. ARTIST OF THE YEAR

Sten Joddi

### 3. BEST NEW ARTIST

Matthew Hawk

### 4. BEST NEW OR DEBUT DUO OR GROUP

Bear Fox and Mignon Geli

### 5. DOU OR GROUP OF THE YEAR

Blackbird

### 6. BEST FEMALE VOCALIST

The Martin Sisters

### 7. BEST MALE VOCALIST

Jace Martin

### 8. BEST BLUES RECORDING

Double Down

### 9. BEST CHRISTIAN/INSPIRATIONAL RECORDING

Struggle We Go Through

### 10. BEST COUNTRY RECORDING

The Ridge

### 11. BEST FOLK/AMERICANA RECORDING

Better - Koli Kohler

### 12. BEST FLUTE RECORDING

Rise - Crazy Flute

### 13. BEST INSTRUMENTAL RECORDING

Moonlight Love Songs

### 14. BEST NATIVE AMERICAN CHURCH RECORDING

Remedy

### 15. BEST POP RECORDING

Blessed

### 16. BEST RAP HIP HOP RECORDING

It's A Native Thang

### 17. BEST R&B RECORDING

A Taste of Things

### 18. BEST ROCK RECORDING

Who We Are

### 19. BEST POWWOW/DRUM SONGS RECORDING

Honest To You

### 20. BEST TRADITIONAL RECORDING

Epiphany

### 21. BEST WAILA RECORDING

Just Getting Started

### 22. BEST HONOR/TRIBUTE SONG

Our Precious Mothers

### 23. RISING STAR

Don't Abuse the Medicine - Girls Rising

### 24. BEST NATIVE HEART RECORDING

There's A Boy

### 25. BEST SINGLE RECORDING

Have You Seen My Sister



#VOTENOW  
#VOTENATIVE



Public Voting Is Now Open

[WWW.NAMALIVE.COM](http://WWW.NAMALIVE.COM)

### 26. BEST SONG FROM AN ALBUM

Give A Little

### 27. BEST ANIMATION IN A MUSIC VIDEO

Backup - Blackbird

### 28. BEST BLUES VIDEO

Pray For Our Planet

### 29. BEST COUNTRY VIDEO

The Ridge

### 30. BEST COLLABORATION IN A VIDEO

United We Native

### 31. BEST BEST FOLK/AMERICANA

Sea Glass

### 32. BEST BEST INSTRUMENTAL VIDEO

Tribal Groove

### 33. BEST NARRATIVE IN A VIDEO

I'm Not A Racist

### 34. BEST POP VIDEO

Indian Girl (Driving Me Crazy)

### 35. BEST RAP HIP HOP VIDEO

### 36. BEST ROCK VIDEO

Seeds - Innastate

### 37. BEST CONTEMPORARY VOCAL VIDEO

Drifter Soul

### 38. BEST TRADITIONAL VOCAL VIDEO

Don't Abuse The Medicine - Girls Rising

### 39. BEST LIVE PERFORMANCE VIDEO

Calling All

The Resources for Indian Student Education (RISE) is an American Indian Education Center located in Alturas, CA. In addition to an outstanding academic program it has gained international recognition for promotion of American Indian Culture and increasing the awareness of Missing and Murdered American Indian Women and Girls through the production and distribution of high quality videos.

RISE serves as a model for an all inclusive American Indian Community Based Organization.

For more information please contact **Dr. April Lea Go Forth, Exec Director** \* Resources for Indian Student Education (RISE)

P.O. Box 1878, Alturas, CA 96101 \* [rise@citlink.net](mailto:rise@citlink.net)

### NEW:

## Native American Law and Sovereignty Certificate

Native American Law  
and Sovereignty  
Institute

MH  
MITCHELL | HAMLINE  
School of Law

Mitchell Hamline School of Law's Native American Law and Sovereignty Institute is excited to announce the debut of their certificate.

By earning 18 credits through a series of Native American law courses, students will deeply explore this cross-cultural field and gain foundational skills to practice in legal settings involving Native American law.

Professor Angelique EagleWoman, Sisseton Wahpeton Oyate (Dakota), director of the institute, said, "By completing the certificate, students will have skills, knowledge, and tools to take back to their home tribal communities or to work as allies on the tribal, state, or federal level." #sponsoredpost, [mitchellhamline.edu/nativecertificate](http://mitchellhamline.edu/nativecertificate)

Contributed by CSULB Native Alumni  
<[csulb.nativealumni@gmail.com](mailto:csulb.nativealumni@gmail.com)>

## ATALM2022 Session Proposals

February 25 Deadline - [www.atalm.org](http://www.atalm.org)

2022 International Conference of Indigenous  
Archives, Libraries, and Museums

October 25-27, 2022

Pechanga Resort Casino, Temecula, California

### Claremont Native American Fellowships

School of Educational Studies, Claremont Graduate University.

In case you're working with Native students who are considering a Masters in Education. Claremont Graduate University is now accepting applications for the Fall 2022 cohort of its Native American Fellowship program!

In as little as 12 months, Native students can earn their Masters in Education and a K-12 California teaching credential online and with full funding (tuition and fees are covered), a living stipend (\$1,500/mo.), built-in mentorship, and other forms of support (healthcare coverage, a laptop)!

CONTACT: DeLacy Ganley, PhD, Professor of Education  
Dean, School of Educational Studies  
[delacy.ganley@cgu.edu](mailto:delacy.ganley@cgu.edu) \* 909-621-8075

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## “Can you say “Cheese?”

If someone would please send AIR the names of there happy and beautiful people we will repost it.



## Austin Corbett

Austin Corbett, Rams player number 63 is a member of the Walker River Paiute Tribe NV.

Experience: 4 years Height: 6-4

Age: 26 Weight: 306 lbs

College: Nevada #63

Contributed by Ernie Stevens, Jr., Oneida

## U.S. Sen. Kyrsten Sinema Strong Tribal Advocate



U.S. Sen. Kyrsten Sinema met with the Inter Tribal Council of Arizona recently to discuss the infrastructure investments for tribal communities.

The discussion, held virtually on Jan. 7, was an opportunity for the senator's office to better understand how to assist tribes with accessing the more than \$13 billion in funds allocated to tribes in the Bipartisan Infrastructure Law.

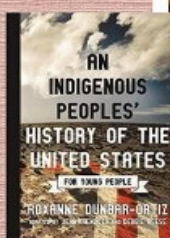
“One of the first concerns I heard was ensuring that the funds that were allocated through the new infrastructure law are able to be dispersed to communities in a fast and efficient and effective way,” Sinema, an Arizona Democrat, said.



## Native Ways of Knowing WEBINAR SERIES

### Supporting Literacy and Culturally Responsive Instruction for Native American Students

Join Author  
Debbie Reese



- Feb. 9** Selecting and Using Educational Materials about Indigenous Peoples
- Feb. 15** Teaching California Missions
- March 1** Teaching Traditional Ecological Knowledge: We Are Water Protectors
- March 15** Teaching the Gold Rush
- March 29** Teaching American Indian Boarding Schools
- April 12** Native Activism and Changemakers: Alcatraz

🕒 Webinars are held from 3:30 p.m. to 5 p.m. PST

San Diego County Office of Education and California Indian Education for All are hosting a Native Ways of Knowing Webinar Series. K-12 educators and leaders are invited to learn from Dr. Debbie Reese in a six-session series to access free, culturally responsive resources to improve representations and classroom climates for teaching and learning about California's first peoples.



REGISTER AT: <http://sdcoe.k12oms.org/902-214570>  
Contact: Dr. Staci Block, [staci.block@sdcoe.net](mailto:staci.block@sdcoe.net)

Native Knowledge ~ Innovative ~ Place-Based Learning ~ Collaborative ~ Liberatory Design



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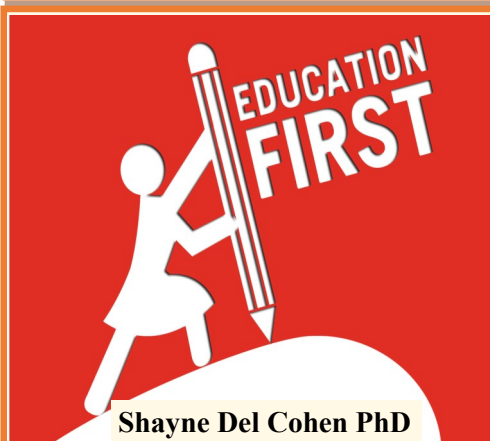
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# The American Indian Reporter



## Shayne's Journal

Shayne's Journal is a daily blog posted by Shayne Del Cohen, PhD  
Email: shayne@sprintmail.com

**“Water is Sacred: Life does not exist without it, we must care, respected and protected it from the evils of waste & contamination”**



The 2021 Water Resources Research Center at UAW was “attended” by over 400 participants (viewers).

There may have been some hiccups with zoom technology, but I expect those that enjoyed the three days were also impressed, inspired and thoroughly proud of the generation of water warriors that presented a variety of topics related to the conference theme of “Resilience”.

Dedicated to the memory of Rob Lewis (Gila River Tribe) whose biography resonates with Resilience, commentators emphasized the spiritual ties to resilience, the sacred work of being **“at the table”**, taking control and using tribal knowledge regarding natural resources.

Seeing water once again flowing in the Gila River was and is an overwhelming emotional experience to any that have worked or wished to see this happen.

It is, or will be, the same for any other community that sees the plants and animals of their heritage return to their homeland because the water is there. Add water and the land begins to heal itself. Not only is the land and balance of Nature restored; the health of the People improves as everything about Life is related to water. Healthy People mean communities that experience a good quality of life.

As pointed out by a speaker, being able to provide a holistic approach to feeding oneself/one's

community, is the consummate responsibility of tribal leadership. Without strong bodies and minds, there is no resilience, no sustainable homeland for future generations.

One speaker pointed out that **“We have the same DNA as corn”** and thus, must be nurtured and tended as such.

**The mystery that is water is magical** as cattails and other essential materials for cultural expression return to riparian areas. Just as mystical is the flowering of dormant seeds that return to life and propagation, resilient in their own way of having sequestered for often a century through some tragic history, to **“come up in greatness”** as testimony and result of “those that paved the way”, those that were resilient.

**Resilience requires PLANNERS.** (I do have a bias!). It was stated, **“it is not how much you know, but how much you care”**.....citing that anyone can have a PhD in Care, not matter their formal education or life experience.

Thus many areas of subjects that create water resilience - the science of water, the engineering of storage/application to the land, crop requirements/care, environmental law, **“Indian”** law, specific trust status, financial aspects/fiscal responsibility, 21st Century data, knowledge of the surrounding jurisdictions, international affairs, political acuity - must all be brought together to create realistic strategies and applications for a

community to be able to own and care for its own resources.

**Resilience requires a multi-generation perspective.** Characteristically, children are taught to respect natural resources at home. Several speakers emphasized that this must be reinforced by school curriculum, mentorships, internships and a community vision that facilitates individual and community resilience. Youth must be cultivated to speak on behalf of Mother Earth because the future is theirs.

Resilience also requires the ability to change. One presenter said that the biggest challenge is to have non-Indians look at life through **“our lens”**. The perpetual trust obligations are underfunded and over-extended; lack of investment in Indian Country (water, broadband, roads and other critical infrastructure necessitating investment by Tribes in themselves. **“We must be bold”**.

Despite different priorities, **“tribes need each other to get across the finish line”**. If nothing, else, the conference served to spotlight experiences, strategies, trends, personalities, models, ideas and resources that are vibrant throughout Indian Country in the Southwest..

**Perhaps my few words are not able to convey the joy - and importance - of conference content. Listen for yourself. Knowledge is power. Power is self-determination.**

## The IHS Scholarship Program is Now Accepting Applications

Apply by February 28, 2022

[ihs.gov/scholarship](https://ihs.gov/scholarship)

## POWER IN SOLIDARITY

A PHILANTHROPIC GATHERING WITH AAPIP & NAP

June 26-29, 2022  
Seattle, WA

AAPIP

NATIVE AMERICANS IN PHILANTHROPY

Well, it's day 275 of Build Back Better...



Over 30 years ago, Asian American, Pacific Islander, and Native American professionals in philanthropy came together to build a new vision for power in the sector. From this vision, our organizations were born: Asian Americans & Pacific Islanders in Philanthropy (AAPIP) and Native Americans in Philanthropy (NAP).

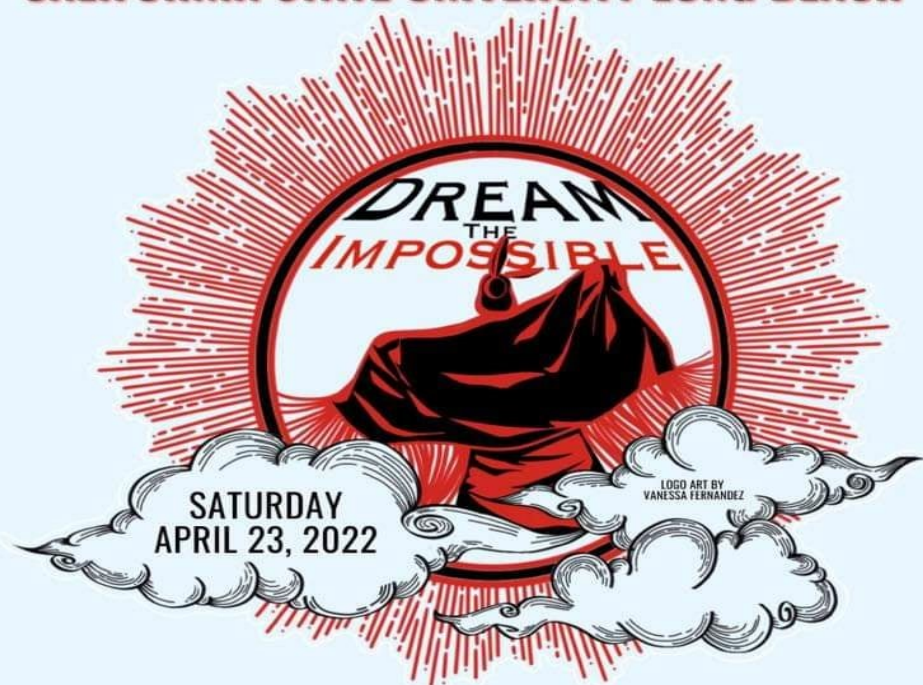
In honor of our shared origin story, AAPIP and NAP are hosting a gathering of our relatives and relations in the field. Together, we will celebrate the leadership of our peoples and cultures in the sector, develop strategies to build power and increase resources in our communities, and most importantly—have fun!

## SAVE THE DATE

14TH ANNUAL NATIVE YOUTH CONFERENCE

@DTICONFERENCE @DREAMTHEIMPOSSIBLENATIVEYOUTHCONF #DTICONFERENCE

HOSTED AT:  
CALIFORNIA STATE UNIVERSITY LONG BEACH



THIS EVENT IS FOR NATIVE YOUTH AGES 12-19 IN MIDDLE SCHOOL & HIGH SCHOOL

YOU NEED TO KNOW THIS AS YOUR FREEDOM DEPENDS ON IT!

**What is Agenda 21?**

**Who was Karl Marx?**

**Who is George Soros?**

**What is the Socialism?**

**Who was Saul Alinsky?**

**What did Bill Ayers do?**

**What does Cloward-Piven mean?**

**What is the Critical Race Theory?**



**Happy VALENTINE'S**



## The U.S. Supreme Court to Hear Federal Government “Double Jeopardy” Case of American Indian Man

U.S. Government Claims Right to Prosecute American Indian Man Already Convicted by Tribal Court

Contributed by California State University Long Beach Native Alumni Association

The U.S. Supreme Court will hear arguments in *Denezpi v. US* on February 22, 2022 to determine whether the federal government can prosecute a Navajo tribe member, Merle Denezpi, for a crime the Court of Indian Offenses of Ute Mountain Ute Agency has already convicted him of.

While the normal liberal impulse is to argue that a federal prosecution after a tribal conviction would violate double jeopardy, because we want to support an individual defendant’s criminal procedure rights, the implications of such an argument would have problematic outcomes for the tribal authority of Courts of Indian Offenses.

As co-director of the NYU-Yale American Indian Sovereignty Project Maggie Blackhawk said, this case is *“about who decides in the context of overlapping governments and a historical and ongoing American colonial project. It is a case about whether the US will further that project – in the name of ‘rights,’ as it once did for ‘civilization.’”*

Merle Denezpi committed sexual assault against another Navajo tribal member on the Ute Mountain Ute Reservation. Denezpi submitted an *Alford* plea, whereby he doesn’t have to admit to the criminal offense in court, and was convicted of a tribal-law assault-and-battery count in a Court of Indian Offenses, or CFR Court.

After conviction, a federal grand jury in the District of Colorado indicted Denezpi for aggravated sexual abuse in Indian Country. Denezpi is challenging that indictment by claiming that Courts of Indian Offenses, as opposed to Tribal Courts, derive their authority from the federal government and therefore a federal prosecution would violate double jeopardy.

The district court denied the motion based on the “dual sovereignty” doctrine, under which the Double Jeopardy Clause does not apply to prosecutions brought by different

sovereigns, such as the federal government and a tribe.

If the Supreme Court agrees with Denezpi, they will undermine the agency and tribal authority of CFR Courts and make an already difficult fight to protect Native women from sexual assault all the more difficult.

In a brief filed by Amanda L. White Eagle and the NYU-Yale American Indian Sovereignty Project, the history of these courts and their authority is well explained to show the need for the Supreme Court to rule against Denezpi.

If the court ruled the federal prosecution violated double jeopardy, it would also rule that CFR Courts derive their authority from the federal government rather than the tribes themselves.

Courts of Indian Offenses, now often called CFR courts so as not to use the more colonialist name, were initially created in the 19th century as part of an assimilationist project by the federal government.

However, in practice they did not serve to enforce an assimilationist colonialist project. Instead they often enforced tribal law through tribe elected judges without concern for federal regulation.

The brief emphasizes that like many forced attempts at assimilation, the formalized federal regulations in Indian New Deal in 1935 *“shifted the courts from implements of assimilation into manifestations of self-determination.”*

Many contemporary tribal courts, established through tribal constitutions, trace their origins to the earlier Courts of Indian Offenses. The two courts are functionally similar with the main difference being that CFR courts *“receive direct federal financing and logistical assistance.”*

However, despite this minor involvement by the federal government, the only issue to determine whether double jeopardy applies is the “ultimate source” of the “power to prosecute,” according to *Puerto Rico v. Sanchez Valle*.

Therefore, again, if the Supreme Court sides with Denezpi, it will be undermining the tribal authority of all CFR courts.

While not directly at issue in the argument the Supreme Court will consider for Denezpi’s case, one can’t ignore the possible implications of prosecuting sexual assault against Native women as a result of this case.

Native women are some of the most vulnerable to sexual and domestic violence and the jurisdictional labyrinths to prosecute crimes on reservations is part of the reason why.

The above mentioned brief outlines a long legislative history to show that the federal government passed laws to formalize its jurisdiction to prosecute tribal members who committed certain crimes. Such laws would not be necessary if tribal courts derived their authority from the federal government because that would make such jurisdiction automatic and the laws would be redundant.

However, while both the federal government and tribal authorities can prosecute crimes committed on reservations by tribal members, only the federal government can prosecute crimes committed on reservations by non-tribal members.

In *Oliphant v. Suquamish*, the Supreme Court ruled that Indian courts do not have any criminal jurisdiction over non-tribal members. This has left a huge loophole for non-tribal members to commit crimes on reservations and particularly to get away with domestic and sexual violence against Native women.

Federal authorities are spread thin and do not have a good history of protecting Native women from sexual violence, even if they technically have authority to do so in these situations.

Last June, in *United States v. Cooley*, the Supreme Court unanimously held that tribal authorities can at least detain and investigate non-tribal members who are suspected

of committing a crime, which could help in both investigating sexual violence and chipping away at *Oliphant*.

A proposed update to VAWA, the Violence Against Women Act, would give tribal nations the legal authority to prosecute crimes, including domestic violence and sexual assault, without requiring them to turn cases over to federal prosecutors.

While Denezpi’s challenge to tribal authority doesn’t undermine this fight on its face, after all he is a tribal member who was prosecuted for sexual assault, any challenge to tribal authority in criminal matters could have far reaching consequences.

Additionally, how do we consider this case in the context of extreme conservative attacks on tribal sovereignty?

If decided for Denezpi, would the challenge to tribal authority truly stop at CFR courts? Or would such a decision serve to undermine any tribal authority that could be argued was intertwined with federal authority?

Denezpi’s challenge to the tribal authority of CFR courts to argue against the application of “dual sovereignty” seems contained to one type of criminal court on reservations, but the implications challenge the larger authority and sovereignty of Native tribes at a time when civil rights activists challenges to tribal sovereignty are rampant.

While it goes against many of normal liberal instincts, we must support dual sovereignty and the jurisdiction of the federal government to try Denezpi again.

Arguing such a prosecution would violate Denezpi’s rights would only serve to harm the larger project of tribal sovereignty

## The U.S. Supreme Court has also agreed to hear *Brackeen v. Haaland* challenging the constitutionality of the Indian Child Welfare Act.

Contributed by California State University Long Beach Native Alumni Assoc.

The Indian Child Welfare Act. ICWA has been a target of Civil Rights Activists who are challenging the constitutionality ICWA for years. They attack the tribal sovereignty of tribes by twisting the Equal Protection Clause.

The ICWA was passed to correct a long history of child removal and cultural genocide by requiring all efforts be made to keep Native children with their tribe.

Opponents argue the federal law privileges Native people on a racial basis, violating the Equal Protection Clause, while Native people argue that ICWA acknowledges them as a political identity with sovereignty.

While the authority of a tribal criminal court is obviously not at issue with ICWA, the undermining of tribal authority, sovereignty and political identity obviously is.

The court should acknowledge up hold the basic premise of the relationship between the American Indian Tribes and the United State Government is “Political and not Racial.” This basic premise must be made clear by the Treaties between the Tribes and U.S. Government and the U.S. Constitution. This basic premise should also be learned and understood by many of the Tribal Leaders today.

SAVE the DATE

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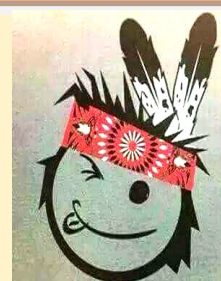


# The American Indian Reporter



## Funny Bone & More

"Laughter is the Best Medicine"



**POLITICALLY INCORRECT AND PROUD OF IT!**

"America is just like an insane asylum. There is not a soul in it will admit they are crazy." - Will Rogers, Rogers was an enrolled member of the Cherokee Nation.  
Shayne's Journal # 4677 May 13, 2020

they are NOT FAILING to secure our Southern Border, they ARE REFUSING to secure our Southern Border.



there IS a difference.

Last night I ordered a glass of wine with my dinner and the waiter asked for my ID. I replied do I look that young and the waiter said "No. I just wanted to see if you qualified for the Senior Citizen discount." 😞



I Have The RIGHT To Remain Silent...

I Just Don't Have The ABILITY.



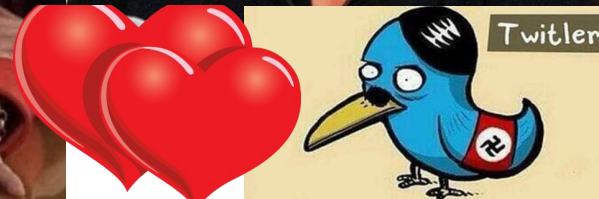
### 10 year challenge

US NATIONAL DEBT	US NATIONAL DEBT
\$14,791,536,366,149	\$29,712,043,795,472
Jan 12, 2012	Jan 12, 2022

Ever see a Ferrari parked next to a garbage truck? Here ya go



Maxwell's suicide note.



I'll tell ya, I've been looking and I have yet to see the first person wearing a



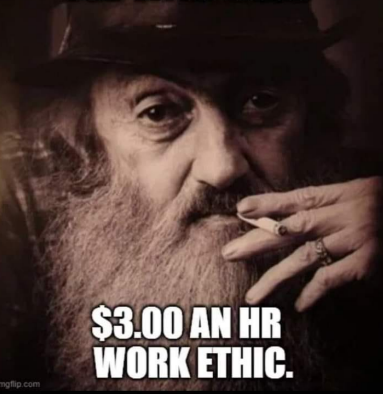
Build Back Better hat.



One minute you're young and fun. And the next, you're turning down the stereo in your car to see better.

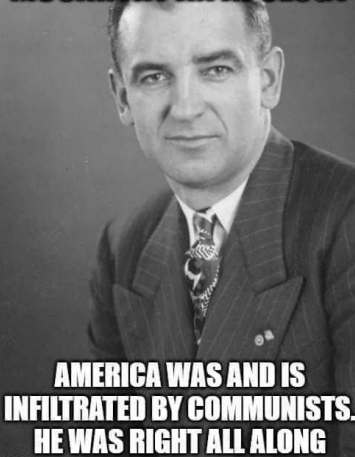


TOO MANY WANTIN' A \$20.00 AN HOUR JOB WITH THEIR



\$3.00 AN HR WORK ETHIC.

WE OWE JOSEPH MCCARTHY AN APOLOGY



AMERICA WAS AND IS INFILTRATED BY COMMUNISTS. HE WAS RIGHT ALL ALONG

LET ME KNOW WHEN THE PANDEMIC HAS GOTTEN SERIOUS ENOUGH TO CLOSE THE SOUTHERN BORDER.



UNTIL THEN, I'LL JUST LIVE A NORMAL LIFE.

FOR OBJECTIVE AND UNCENSORED TRUTH: PATRIOTPOST.US

FINALLY!



A PARKING SPOT FOR US FAT GUYS WHO LOVE BBQ

BEEN CLEAN ALMOST A YEAR!



THEN I SAW MY DEALER ON THE STREET 😞

The criminal justice system is not there to give justice to criminals. Victims matter.

Anyone else reached that age where you gain weight if you breathe?

**Box5@AmericanIndianReporter.com**

Please Send Us Your Email Address For Your Bi-Monthly American Indian Reporter