

Eddie Brown:

As scheduled, we're ready to move into our public testimony. We are going to have Jonathan Hale, which will be providing a testimony. Jonathan Hale is from the Navajo Nation. He is chairman of Health Education and Human Services Committee of the 22nd Navajo Nation Council. So we're delighted to have him. If he could come up, please, to the table.

I want to remind, once he has completed his testimony and responded to any questions, we will then be followed by open mic. That is, we will have individuals who would like to provide any comments whatsoever. We will have a microphone down there by the stairs for individuals wishing to give testimony. Okay, we'd now like to hear from representative Jonathan Hale.

Jonathan Hale:

Thank you. Good afternoon, honorable members, as well as the audience here, dignitaries. I think see President Enos up there. Nice to see you, ma'am. Nice facility.

And addressing the issues is what everyone was expounding upon throughout the day. And as the chairperson of the Health Education & Human Services Committee, seeing the side effects as to what tribal leaders all over this great country of ours and Indian Country inherit is a situation pertaining to the children.

We back at Navajo talk about various instances of trying to more or less address the issues at a younger age level. I mean, we're talking about Head Start. At that area. And trying to work with the families and the children, to show that there are other facets of remediation pertaining to the situations that they endure and to try and provide counseling.

And what I've heard throughout the day was the need for funding. And of course what we all see today, each time the tube comes on, the sequestration issues, as well, moreover, the insurance issues as far as Native Americans are concerned, and how we're all in the mix now. What we're dealing with now would be contract supports costs as it relates to IHS.

But I guess more or less, again, along those lines, it would be more funding for education in the instance for these young families, through Indian Health Services, through Department of Behavioral Health Services, through social service programs. And eventually, of course, through the court system.

And I think one person had acknowledge the issues when it comes to work with these young individuals through education sector. And what I've experienced as a chairperson for my council in the Navajo Nation is a reluctance of (BIE @ 11:32 – 0211E) wanting to work with tribal education departments in this instance.

The Navajo Nation's on the verge of becoming a state education agency and waiting for the blessing of the Department of Education. But it comes back down to the FERPA situations. And whether it be the same along the lines as far as IHS and the HIPAA. But more or less, some of those partnerships need to happen. Those discussions need to happen.

And with you all's recommendation to those specific entities—would be appreciated. And funding is farfetched, of course. But I think within our tribal nations, as far as contract support costs are concerned, we have to have the intimate discussions as far as what we can do to build those facilities for us, if anything.

But I think it's a time for change. And as I sat here and listened to Chief Justice Yazzie, as far as culture and language, as far as who we are, I think more attention needs to be acknowledge in that area as well. One that I've gone through, growing up back on the reservation, was working with equine. Equine therapy. It has helped me personally through a lot of challenges in my own life. My personal life.

But it's one that would never hurt me and one that would never ignore me and one that would never run out of funding, so to speak. But I think that would be one recommendation to all of our tribal nations out there.

Just on Navajo itself, we had to address the feral horse issue, just last year. But that was one thought that always circled my mind, was why couldn't federal 638 programs allow for the usage of funds for such purposes? I think that would probably be a better acknowledgement as well.

And I could acknowledge you within my tribal Native tongue here, but of course not all of you would understand. But painting the picture as far as what culture and language is, it really hits home when you talk about it is in your Native tongue. Talking about the significance of where you're from and who you are and how the (emergent @ 13:58 – 0211E) stories are told, to where we've come today.

And as Chief Justice Yazzie had mentioned, [NATIVE LANGUAGE @ 14:06 – 0211E]. That simple phrase right there, like everybody else, is a sacred being. As for Navajo is concerned, there are some things we can do and some things we can't. And if we do those things we're not supposed to do, there's repercussions. And of course we have to get a shaman for that.

But that's just typical Native America, as far as I'm concerned. But some of those acknowledgements would probably be still within other tribal programs. We also have, as far as Navajo Nation is concerned, the Medicine Man Association, which is funded by the general fund. But such openings for 638 programs would probably be beneficial throughout Indian Country.

What is a shaman? What is the significance in retraining maybe the youth to become that? To have those ceremonial songs sung and those prayers that take anywhere from five minutes to two hours. You know, some of those significance. If anything, we talk about our culture, our heritage, and it's vanishing. But that is the culture and heritage. It's those traditional ways.

So those are some of the recommendations, if anything. And, again, thank you for giving me the opportunity to be here on behalf of the Navajo Nation. Although I may not take

care of the law and order committee as it is back home, I'm here representing them as well. But more or less it's addressing the needs of our Indian population. Of our youth. Which will evidently be my next councilman here in the near future.

Because I will be sitting in the audience or at home under NAAA. Aging program. So those are some of the significance that I wanted to acknowledge to each and every one of you. But your assistance and your advocacy and your support would be dearly appreciated. Thank you.

[APPLAUSE]

Eddie Brown:

Councilman Hale, we thank you for the time you've taken to be here and to share your thoughts with us. So, thank you very much. The time is now open for any additional open mic. For anybody wishing to make any comments. This is the last chance of the day.

I would like to indicate a quick reminder to say, please state your name and speak into the microphone so that we can make sure that this is recorded.

[OPEN MIC]

Karen Allen:

Good afternoon, esteemed committee, dignitaries, heads of states of our Native nations. My name is Karen Allen. I'm here speaking today on behalf of children in my family. And I have had the experience to see the failure and some success of all the pieces of the puzzle that are involved in defending our childhood—our children.

I've heard talk about advocacy. A lot of advocacy. And a specific example that continues to unfold for my family is a family that has been decimated by meth. Children were then given in guardianship to a relative, who then abused, neglected, molested them. It was reported to mandated reporters. The children were taken from the home, removed from the relative.

In that process, the entire family—the tribal family—

ostracized these children and continues to ostracize these children. Children. Adults. Turn their back on these children. The families are turning their backs on these children. And the failure—the profound failure—of the family to stop the abuse and break the cycle.

And then once the state or the tribe has become involved, the guardian ad litem—within two years, four guardians ad litem for these children, resulting in runaway status and teenage pregnancy, while as guardian ad litem for these children.

So I hear "advocacy," but I pray and beseech that all of us commit to action. And not just nine-to-five action while we're on the clock doing our jobs. These children have no one. The children of whom I speak, who are dear to my heart, have been abandoned, essentially, by one side of their family, to protect the perpetrator. And they're children. And they're fending for themselves.

And I ask for action. And in particular the action I ask for is for judges not to—once the cycle has been broken, not to reunite the cycle by mandating visits with perpetrators. By legislating visits with perpetrators. If you've gone so far as to break the cycle—and particularly the children—let's mend it. Remove it. Mend it.

And if the family has not proven—has proven themselves to be unsafe, do not have the courts, and particularly the judges, not mandate visits with perpetrators. We have minimum sentencing rules for drug offenses. Why don't we have very strict guidelines for perpetrators of sexual violence and violence against children, even if they are relatives? That they not be mandated—children not be mandated to visit with these people.

This is something that I've been living for the past three years. Will continue to live it. And I thank you very much for your time.

Eddie Brown:

Thank you. [APPLAUSE] Any others wishing to make a last statement? Again, we ask that you please state your name

so that we can properly record it.

Cora Maxx Phillips:

Sorry. I had to juggle my laptop up here because I was taking notes. Good afternoon, good evening to each and every one of you. My name is Cora Maxx Phillips. I served as the executive director for Navajo Nation Division of Social Services for approximately six years. I was a CPS worker. And I've seen all kinds of atrocious acts and behavior, ever since I became a social worker.

And I know that the subject matter here today is children being exposed to violence. And I want to just kind of take it back a step further and try to put some emphasis on parenting. We need to look at the causation factors of the "whys." Why are we putting our children at risk by exposing them to violence? Why is it that our children have gone astray, ending up in what's often referred to as the prison and the death tunnel?

And how is it that some of our children, they've ended up becoming so successful? Why do we expose our children when our ancestors have strictly taught us and they've strictly adhered to the concept of sacredness, as my father, Chief Justice Yazzie so eloquently stated? That a child is sacred.

And there are obviously distinct differences in the different parenting models as to how a child's psychological state is affected. Are there any kind of magical formulas out there that we're not aware of? Do we need to go back and study what makes a human being or what makes successful parenting? What is successful parenting?

When I was a social worker, I used to say that. Maybe we need to go back and study. Redefine what makes us as a human being. I've often heard and I've read books that says America has become a breeding ground for psychopaths and sociopaths. And how much of this mentality or what's happening in the broader western society, how much of this has been funneled down to Indian Country?

And certainly as we see it as professionals, we have been

dealing with cultural barriers and gaps. We've been dealing with language barriers and gaps. We've been dealing with major cultural transformation. And we can never, ever seem to catch up with these forever cultural changes. And we are still definitely reeling from the devastation of the federal policies that were meant to terminate us as Native Americans.

Every time there's another major shooting that grasps the attention of America, we have reporters that are sitting in front of the television, scratching their heads. "Why did this happen again? Why did this person shoot a whole mass of people? Why is this happening? What are we doing wrong?" These are the questions that are constantly reeling I guess in the minds—maybe in the back of our minds—that sometimes we acknowledge or we don't want to acknowledge or we just kind of keep it in the back of our minds.

But we know it's happening. That's violence. So simply stating, you know, I'm a firm believer in what I call cultural safeguards within tribal communities. That we maybe need to go back and redefine, reemphasize what these cultural safeguards were that worked back then. Because there were no prison systems back then. There were no hospitals. My grandmother lived to be 103 years old. She did not go to the hospital until she was 96 years old. What made her so healthy?

There were no prison systems, and yet there were not much crimes. Not many murders. Because of the concept that a human life is sacred. So these are the cultural safeguards that somehow need to be redefined or reemphasized in today's society.

Like, for example, in Navajo Nation. We have a lot of songs and prayers that are endowed within what we call the Beauty Way Ceremony. And you know what our ancestors called that? They called the Navajo Constitution. It embraces life, from the day a baby is born, to someone who's going to die today from old age. That's our constitution. It was our constitution back then, that our ancestors lived by, day by

day by day.

I remember my grandmother praying at least 17 times a day. She lived the spiritual aspects of her life. So that's what I mean. Cultural safeguards. Redefining the cultural beauty and the ancient wisdom of our ancestors. Today. Today we have over 350 different kinds of addictions. We have televisions. We have electronic gadgets our children—five-year-olds, six-year-olds—are running around with, where violence is portrayed.

But did you know that there's a study that was done—by the time a child reaches 18 years of age, he or she would have been exposed to 140 different acts of violence? 18 years old. That's the time when their minds are developed. Or are developing. That's what we have to contend with.

And we're wondering why these senseless shootings happen. We're wondering why violence is swallowing us up. So, thank you. I don't know if I went over my time, but thank you very much for this opportunity.

Eddie Brown:

Thank you. [APPLAUSE] Do we have another backstage that's going to be speaking? We wanted to remind everyone that we do have a five-minute limit on their presentation. Thank you.

Tracy Ching King

Thank you. This is my second round. [LAUGHTER] I wanted to tell the panel that one of the things that you see when you have a good successful program and then you have, like, a three- or five-year grant period, so then you become—you have to cut corners—but once you have a successful program, then that kind of goes down. Because a lot of us, we don't have the monies way out in the middle of nowhere, you know, to have a successful program.

I think our closest metropolitan city is Denver, and that's 800 miles away. You know, so those are some of the issues, is how do we continue programs more than five years? When Columbus landed in 1492, he screwed us up for over 500 years. And ain't going to take overnight. You know, that's kind of the way.

But, you know, I was visiting the women's prison back about two years, three years ago. And a lot of those ladies wanted tribal leaders. So three of us tribal leaders went into the Montana State Prison in Billings, Montana. And one of the things with the Montana/Wyoming tribal leaders is that a lot of these young girls—I mean, these women who are now in person—they were foster kids.

And so you have these kids that are passed all over the damn place, not at their fault. So how does it feel? I have a son that I adopted him Assiniboine way. He's, like, 34 years old. But he's from—we taught him the Assiniboine ways. But he's from Goshute. So he's kind of fighting who he was. So he ended up be Assiniboine. I mean, that's what you have to do, is help them ground themselves.

So what grounded him is he got on a drum with the (Gray Boys @ 32:43 – 0211E). Very culturally people. And so he knows all the Assiniboine songs. So that's who he is, you know. It's like blood. You know, that's how you have to do it. I threw the foster way the hell over there, because then you're not connected. So you got to help ground the kids.

But anyway, the women that are in prison, a lot of them have been in foster care. And their kids are in foster care. So there's starting to be this mother/daughters in prison. And so that's really a sad thing, to sit there when 40% of the population are Indian women, and we're only 10% of the population. A lot of them are abused women that really need help. Prison is a bad place for them. That's my goal, is to put them out of business. Thank you.

[APPLAUSE]

Eddie Brown:

We would encourage those that are giving comments that, if possible, if they could also follow up and put those comments online as well. And we'll provide an email address later. Okay? Please state your name and any title or representation that you're doing as well.

Debbie Manuel:

[NATIVE LANGUAGE @ 34:21 to 34:30 – 0211E]. My name

is Debbie Manuel. I come to you from the Honeycomb clan people from the—born for the Black Streaked Forest People. I am born for the Sleeping Rock people. And my grandparents are the Black Streaked Forest People.

I am coming to you as a parent. It's after five o'clock, President Enos. So I'm coming to you as a parent and as an advocate for children. I think what I heard all through the day that has resonated with me, that has stayed in my heart and reaffirmed my responsibility to young people, is the fact that every person that came up here has shared with you how important culturally relevant programs are.

I'm not going to go into my own personal story. But I do know that, step by step, I've been through situations where I've moved from family to family, to foster home, to family. And over that time, I've been able to take baby steps in figuring out who I am and where I want to go. And I think as a child as young as eight years old, I knew what domestic violence was. I knew how to define it. I knew in words. I knew what it smelled like. I knew what it tastes like. I know at eight years old I didn't like it.

And so that feeling of eight years old drives my work today. So as I went through life, the tradition that we spoke of that's supposed to exist for young people within the boundaries of a reservation often aren't the fireplace or the hogan or a tepee ceremony. Sometimes the tradition is parents leaving their home to go to the nearest liquor store at the border town.

Sometimes it's the dancing that goes on to Creedence Clearwater, George Jones. It's not what most adults think. And so when I think about culturally relevant programs, they are what Chief Justice spoke about. They are what Jonathan Hale spoke about. And the social services that you spoke about. Those are the ones that are familiar to me. But I'm also familiar with what the O'odham provide here in the community.

And all of them are similar. They all carry the same traditional values, deeply rooted with the people. Within the

language, within the practice, within the customs. And sometimes they're not even things that we can pay for. They're in the plants. They're in the language. They're in the ordinary tools that we made. They're in the ordinary tools that were made of clay. They're in the ordinary tools of animal hides.

Those things you can't buy in the store. Those are things that you can't pick up anywhere. But we do know that the people possess those skills, those tools, that knowledge. There are select people within every tribe that have a natural ability to work with young people. Those are the people that we hope to reach out to. So having culturally relevant programs that promote teachings and values of the people by appropriate individuals will help our young people.

And even going as far to say as entrusting our youth with peer-to-peer programs. As an adult I already know that my life is busy. I carry this thing around with me. It tells me when and how I have to do my job. But my kids, on the other hand, they can help each other. They can help each other ride a bike. They can help each other build a fort. They can help each other build a round house.

When adults forget how to work with children because they're so busy, those young people know how to serve one another. They know how to help one another. They know how to support one another. Us adults, we're too preoccupied. We're checking our watch. We're looking at our Facebook. We're looking at our Twitter accounts. We're looking to how do we pay our bills.

The kids know what each other's needs are. The youth know each other's need. We have to trust that they become our teachers as well. And that's a message that I want to leave with you, as I leave here today. But more importantly, to remember that you as individuals come from some place. You have grandparents. They taught you something. Those things are important, along with what our voices carried and shared with you today.

But I ask you guys that. Remember what your [NATIVE

LANGUAGE @ 39:57 – 0211E] said. Remember where that's at. Don't forget that. Because what you know as well can support what we're sharing with you. [NATIVE LANGUAGE @ 40:07 – 0211E]

[APPLAUSE]

Sherrie Harris:

My name is Sherrie Harris. I am the public defender for the San Carlos Apache tribe. I come from a unique place. A public defender that works closely with law enforcement and tribal social services. I've been a former tribal prosecutor in the past. And we've just maintained those good working relationships.

Just hearing from one of our own tribal youth today as she shared her story was a reminder how of much we have to maintain the passion that we have for the jobs that we do in our tribal communities. We often see the interrelationship between those that are dependent minors and those that then become delinquent minors. And we have to do something to work to address that.

We often have juveniles appearing before tribal courts without the assistance of council. And we need to work on strengthening those positions. We know that often youth and their parents don't have or aren't exactly at the level of education to understand the nature of the proceedings.

It was kind of a breath of fresh of fresh air to be here today, listening to a lot of the points that were made, the issues from the different tribes and programs. We can see that there are a lot of common areas of concern, but there's also—it helps us to see that there are different ways to approach the problems that each tribal community faces.

I'm sure everyone sees that there is a lack of funding. But it allows you to think outside of the box and work with what you have and the resources that you do have. It would be helpful to have tribal public defender or juvenile defense services type trainings or programs. A lot of the training needs that are out there are focused on prosecution. I'm not aware of any tribal public defender committees or coalitions

where they can network and resource. That would be helpful as well.

And we also have to begin to focus on the reentry and detention alternatives. What we often see is some minors are given harsher penalties than adults charged with the same offenses. And we begin to desensitize them to what it is to be in detention facilities. And it's like we're creating a better criminal. As they go through the system, the punishment of jail doesn't mean as much to them, because they've spent so much time in jail already.

We can explore juvenile wellness courts, family dependency courts, or ad litem programs. I don't see that in our tribe or in some of the neighboring tribes. But even if we could have that as a requirement for admission in tribal bar associations, and maybe even work with neighboring reservations.

And we also have to focus on strengthening our families in the tribal communities. So that way we can restore cultural values and concepts of the family system. I really believe that it takes a village to raise a child. And, you know, growing up, when it got dark everyone in my neighborhood made sure that we got home safely. I lived where, you know, they could see me walk home and they made sure that I walked home before it got dark.

And we don't do that in our tribal communities anymore. So an encouragement for us to return to those values, to make sure that all our children are safe, would be helpful. I'm just thankful for the time and opportunity to voice a concern and just hope to see—looking forward to the end report and what we can do to change the issues in Indian Country. Thank you.

[APPLAUSE]

Eddie Brown: Thank you.

Joanne Shenandoah: Oh, we have one more public testimony. Just wanted to remind everyone who has made a public testimony to please submit it online. And Dr. Brown will give you that email

address shortly. So please state your name into the microphone.

Herman Schultz:

Good evening, everyone. My name's Herman Schultz. And I'm a counselor for the Salt River tribe here. And been here about five years. I'm from the Blackfoot tribe in Montana. And talked about the funding stream with the monies, about supporting cultural healing. We don't go to ceremonies to feel good. We go to ceremonies to heal. Otherwise we wouldn't go.

If we wanted to feel good, we can stay home and watch TV. And so, you know, talking about helping people heal comes from your heart. You know, I can teach them to do A, B, and C and get to D, and that's not a problem. They can learn that. So it's not a lack of intelligence that any of us—or our children don't have the ability to learn anything, if someone's willing to teach us and take the time to teach us.

But to heal them, to change their hearts, to heal this heart and they'll feel good about themselves, whether they have to go back into their home or go to treatment or go to foster care. Wherever they have to go. For a short time or a long time. But trying to teach them to heal themselves. You know, talk about ceremony and prayer and healing.

I was working with a couple young men, running sweat lodges for them for a while. And, you know, they still have to go back out and deal with the world and school and family and, you know, the gang and drugs and everything else. We're not going to stop them from being exposed to this stuff. We've been around 30, 40, 50 years, and it's not any less—in fact, worse exposure.

And so it's trying to teach them that, "Well, you'll heal so you can live alongside this alcohol or drug or this domestic violence." Whoever's choosing to do what it is. You have to learn to live alongside this, because it's never going away. And it's really difficult if you're full of pain. You talk about not being able to pay attention to school or be kind to one another or learn something new. It's hard to do that when you're full of pain.

This pain is the greatest distraction to our lives. You know, the whole thing about prayer. You know, when I was had those young men in the sweat lodge with me, it was like their voice was important. Talk about being sacred. You're special. You're holy. And it's like, "Talk to god. Don't talk to me."

You know, so that they know that there is a god. "You know, talk to him to help you. I can just give you some good direction and some advice, but I can't change you." But they got to heal first. We could walk in here angry and learn something and still walk out angry. And that's what's happening all over the country.

You know, and so it's heal and be happy while you're learning. And then be happy when you've finished. Don't just learn and walk out angry with whatever it is you learned, because we see that happening all over. And you can even look in our own lives. You know, I've learned plenty. But I didn't know how to get rid of this pain in me. That's what caused me to destroy myself, destroy my relationships.

You know, so we're trying to bring them someplace to say, "All right. Forgive people. Get rid of this pain in you. Stop carrying around all this pain and wondering why life is miserable. Ask for forgiveness and let go of this guilt and shame about messing up as a human being." We're never going to stop frustrating each other, disappointing one another, hurting one another. That's just our nature.

As much as we try to be good to one another, we do or say something that's offensive to one another. Not intentionally, but it happens. And we have to turn right around and let go of that. Otherwise we're going to walk around complaining and moaning about "So-and-so did something, said something." And all it does is make us miserable.

You know, so I just wanted to say thank you for your time and, you know, bless each one of you. And, you know, ask your god to help each one of these people and what they're trying to do for all of us. Our children. To help us heal. To

come up with some way to give us direction. You know, to make things better. And it's not through the mind. You know, you tell us what to do, we'll do it. But that's not going to heal our heart.

But I thank you for your time and appreciate all the sacrifice you've made to your own families for what you're doing.

[END PUBLIC TESTIMONY 2]