(A brief break was taken.)

JOANNE SHENANDOAH: Greetings.

I would like to call the advisory committee back into session. I just want to say thank you again to our witnesses of the day who testified to our panel.

And I would like to say, we now move to the public testimony segment of the hearing; however, Senator Dorgan mentioned an open mic scenario. The situation is that we received more requests for oral testimony than we can
accommodate in the available time. So, we've been able to accommodate three public witness panels which are chosen from the written submissions, of course. And those people submitted online this past Friday, so we will not have time to accommodate additional testimony beyond these three preregistered public testimony panels, but we can, of course, continue to receive written testimony and just submit that to testimony@tlpi.org, that's the Tribal Law and Policy Institute, and you can do that at any time.

The three panels will be: Number one, tribal and state officials; Number two, private individuals; and three, Standing Rock Sioux Tribal Government.

I just want to review the structure of the public testimony segment. We'll be calling the public witnesses by panels. Each public witness will provide, sadly, only five minutes for their oral testimony and timekeepers will provide reminders when your time is reaching the five-minute maximum. We apologize. We must adhere to the relatively short time allowance; however, we need to provide all of the public witnesses an opportunity to provide testimony.
And with that, our first panel includes: Richard McCloud; the Turtle Mountain Chairman, welcome. Scott Davis; Commissioner of North Dakota Indian Affairs. Thank you, Scott, for joining us, Joseph Vetsch, Criminal Prosecutor Spirit Lake Tribe. Thank you for being here. And then to our friend, Senator Richard Marcellais, thank you for attending. So, I think we could start with Richard McCloud, please.

RICHARD McCLOUD: All right.

Thank you. Thank you, Ms. Shenandoah, chair-person and distinguished panel for allowing me to speak for a few minutes, four minutes and 50 seconds. My background -- we'll start with that. I retired from the U.S. Postal Services -- retired after 33 years. I'm 15 years school board, 14 years as the president. 2007 North Dakota Businessman of the year, and I own three little businesses: Convenient store, fast food franchise and office complex that I lease to the federal government and to the State of North Dakota. Just a little background on myself.

It's been a long day. There's been a lot of testimony. Senator Heitkamp, you know,
she talked a little bit about sequestration.

Come January 15th, if sequestration hits Indian
Country, if sequestration hits again, it will hit
Indian Country fast and furious again as it
always does. When sequestration hits
reservations, it hits tribes, it hits our federal
programs and shuts down -- the last one, IHS,
BIA, law enforcement, fire. It leaves skeleton
crews. So, hopefully it doesn't happen again
come January 15th.

I want to tell a story of my first
year into the non-stressful position that I have,
the way I see things as the Tribal Chairman, how
I see things happening with the people that come
in and out of tribal headquarters on a daily
basis, come to my home every -- almost every
night and weekend and what they're asking for.

My philosophy has always been if we
can create economic development within our
boundaries of our reservation, we create more of
a sense of pride. You know, I hear a lot of
people up here providing testimony on, we need
this, we need that. I feel if we can create
economic development -- I've been working with
putting MOUs together, they own Hyundai cars. So

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we're putting MOUs together to create jobs on the Turtle Mountain Reservation and we're talking in vicinity of 500 positions at this point. 24 hours, 365 days a year, from $20 dollars an hour to $50 dollars an hour. So, once we get these MOUs their attorneys, the tribes attorneys, we get the agreements worked out. At least the plan is to create these jobs. You create a sense of pride and once you have pride, comes less domestic abuse, less sexual abuse, less drug abuse, less alcohol abuse, and more sense of pride in homes.

And when I asked, you know, prior to coming up, I asked for 2013, how many sexual assaults has happened in Turtle Mountain? 18. And I asked for the age group of 15 years and younger. So we had 18 sexual assaults just in 2013. I had 279 alcohol abuse patients. 103 drug abuse patients come in to the local IHS and those are just the ones that are reported.

We know there is more out there. You know, in Indian Country in the State of North Dakota, you know, we have to accept the fact that domesticated drug cartel is here. It's here. It's on all four reservations, and they
infiltrated a reservation and that's were a lot
of the drug trafficking, sex trafficking is
occurring. You know, we have 18,000 people
living within the immediate area of Turtle
Mountain, and I have 12 law enforcement officers.
And you talk about a burnout. That's a burnout.
Our law enforcement officers can't even do a
patrol to stop a crime before it happens because
they're not patrolling. We don't have the man
force. We don't have, you know, the officers.

So, I'd like every other reservation
-- you know, that's what we are in dire need of,
you know, it's not so much the tribes, we're
asking for a handout, you know, we're all asking
for a hand-up. And, it's -- with this panel, you
know, if you can, come to our reservation. Come
to my reservation. Ride around with the law
enforcement. Ride around with our ambulance
service. Go to child welfare on a Monday morning
and see what -- just what happened over the
weekend.

I'll tell you, you know, if you've
never done that before, you'll be, you know, your
eyes will be open really wide just to see and
hear what happened because it's a total different
world when the sun goes down on a reservation.

There's a whole different type of personality that comes up.

In my convenience store, I talk about the "tweekers" (phonetic) that come out at 9:00. These tweekers -- these guys who are on drugs and what they look like. When I'm giving out candy for Halloween or playing Santa Claus giving out toys, On Halloween we'll get about 3500 students; 3500 kids receiving candy. You know, you're dressed in a Santa suit to give them a little toy and come and sit on my lap, and they're peeing on my lap because they're scared. You know, there's abuse going on.

I guess my five minutes is up and I didn't get to talk about everything, but I -- as a tribal official, I'll put more into writing and submit that. Thank you.

JOANNE SHENANDOAH: Thank you, Chairman McCloud for your comments, and we look forward to further submission from you.

Next, we're going to have Commissioner Scott Davis.

SCOTT DAVIS: Thank you very much, Ms. Shenandoah, members of the committee
and to Senator Dorgan for the invite today to
give some comments.

For the record, my name is Scott
Davis, I serve the State of North Dakota and
North Dakota tribes as Executive Director of the
North Dakota Indian Affairs Commission. Our
commission has been in statute for the last 65
years. North Dakota certainly has
evolved over that time period. And we heard one
of my predecessors here, Deborah Painte, as well.
Heard a lot from her and I'm trying to do my best
to carry on some of the initiatives that she had
created back in those days.

I'm also a proud member of the
Standing Rock Sioux Tribe. But as a member of
the Governor's cabinet, I work directly with the
Department of Human Services and also with a lot
of the other state agencies and involved with the
Supreme Court and court systems, Human Services,
Corrections, Probation and so forth. So, I work
directly with them.

So I want to highlight just a couple
of those things that we've done in my past

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four-and-a-half-years as Commissioner. The Department of Human Services contracts directly with all tribal nations here in North Dakota to provide human services to the reservations. Examples of that are substance abuse, drug and alcohol, human services, reservation services, parent aide, family services, and other services to keep children safely in their homes.

My office and also DHS meets regularly with tribal community representatives. We hold hearings on reservations to understand the needs and requests and consultations inside the tribes. We also have three very strong venues -- that type of communication that we have which is chaired by our governor, we also have a tribal state relations committee which is bipartisan legislative committee. That is a statute now. I worked very hard this past legislative session to get into statute so that's permanent.

Also, as Ms. Parks eluded to, I'm also a member of the Tribal Court Committee as well. That is involved with our Supreme Court Justices and also our Tribal Court Justices as well. So, a lot of discussion about things. And
the foundation of that court system is a full
faith credit statute that is in our state laws as
well.

DHS and my office also has memoranda
MOUs in place to help with the provision of
Social Services across jurisdiction. Example of
this is a Child Support Enforcement MOU with the
three affiliated tribes here in North Dakota.
Also in 2015, we will have our state legislative
session. So, now, again, is the time to start
crafting any type of legislation, bills, and so
forth that pertains to protection of child --
protection on and off the reservation.

And I think our tribal state court --
Tribal State Relations Committee will be the
venue for that. Our office and the DHS partner
with tribes in a lot of areas. We're also a
member of the Lake Region Social Service
Coalition. Those meetings are held in and around
the Spirit Lake Tribe.

Also, our office and Department of
Human Services and our Supreme Court help
co-sponsor the Indian Child Welfare Act
conference that is held every February/March here
in Bismarck and in Mandan. And we partner with
the American Training Institute, that Deb Painte leads that. So we talk about areas about historical trauma, people 101, tribal sovereignty, navigating tribal systems, creating cultural confidence, foster care, tribal safety, law and policy. We will also do training this coming year for training for qualified expert witnesses coming soon. Also, we also support Family Reservation Services on each reservation through contracts with all court tribal social services agencies. Example of this is a tribal 48 Rules and contracts of all, again, the four tribes here in North Dakota. These agreements provide Title IV-E dollars for qualified children placed in and out of home care. The Title IV-E funds are paid directly to the providers caring for children in Title IV-E locations. Federal rules funded child welfare practices and all rules must be followed in order to have funding in order to continue.

(Inaudible.)

Oversight is accompanied by childhood and family team meetings between the Tribal-State Social Service Directors, DHS and my office. Childhood and family team meetings for all Tribal

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IV-E are chaired by supervisors to ensure safety performance for the wellbeing of all youth. This requires a six-month process but North Dakota Indian tribes choose to do this poorly. The department also provides training to Tribal Social Services and will continue to provide ongoing communication and -- with the tribes.

So, there's a lot that's going on between our state agencies, one that is constant communication and tribally driven. This is my approach that we as a state remember -- try to keep sovereignty or create sovereignty in any ways in our court systems and respect how tribes operate their social services departments for reservation boundaries. So, those are my comments and I'll be happy to put those in writing for you as well. Thank you.

JOANNE SHENANDOAH: Thank you, Mr. Davis, for your comments. Next, we'll call Prosecutor from the Spirit Lake Tribe Joseph R. Vetsch.

JOSEPH VETSCHE. Thank you. For the record, my name is Joe Vetsch. I am the criminal prosecutor for the Spirit Lake Tribe. I have worked in that capacity since February of
2004. During my time as the Prosecutor for the Spirit Lake Tribe, I have worked for three or four different administrations and/or chairpersons and approximately 12 different judges. I believe that experience combined with my roughly 12 years of doing criminal defense mostly for indigent defense people in the surrounding jurisdictions has kind of allowed me to garner a unique perspective on the issues associated with the effects of violence on Native American children.

And with a humble heart and gratitude today that I speak on behalf of the Spirit Lake Tribe. But, I also speak on behalf of Spirit Lake's multidisciplinary team. This team consists of members from various organizations: BIA, Criminal Investigators Office, the Fort Totten Police Department, the Department of Justice, the United States Attorney's Office, the FBI, the FBI Victim Witness Office, Spirit Lake Victim's Assistance, Behavioral Health, Red River Children's Advocacy Centers, Social Services, and BIA Social Services. It is a team that meets on a monthly basis and deals first hand with the effects of violence on Native American children.
Although the issues and solutions that we have talked about today could probably fill a library, I'm going to keep my testimony short, clearly since we only have five minutes. I'll keep it to some points that I think the federal government could help with almost immediately or in the short term.

The first thing I would like to touch on is the need for uniform standards, it's already been touched on earlier I think by Chairman McDonald, but the need for uniform standards and guidelines for the placement of children in foster homes and in "relative" and/or "family" care homes. It's my understanding that the standards for evaluating homes for relative or family care placement are much lower than the standards applied when placing children in certified foster care homes.

These lower standards or lack of standards entirely leave open the very real possibility of removing a child from a dangerous home and placing him or her in another home that is just as dangerous as where the child came from. These types of placements represent the majority of child removal cases on Spirit Lake,
and it is my opinion, they should be held to the same standards of review and evaluation as certified foster care placements.

The second thing I'd like to touch on is the need for adequate juvenile detention facilities throughout Indian Country, and this has also been touched on earlier today, but I realize many Native American nations have juvenile detention facilities; however, many do not.

Spirit Lake is one of the places that does not. Currently, this leads to incarceration of juveniles in off reservation facilities away from their families, friends, and school.

Depending on the contract, often times those reservation facilities are unable to provide any sort of educational and/or treatment services to the juveniles. There's a strong need to ensure that adequate on reservation detention facilities for Native American children exists. These detention facilities should include all of the typical services that we see elsewhere; things like adequate probation services, alcohol and drug treatment services, mental health services, educational services, offender
treatment services, et cetera.

We must remember that juvenile offenders, and that's the purpose of this conference, juvenile offenders themselves are victims and we need to make every attempt to treat them as such rather than criminal offenders.

Third, there is a strong need for consistency and continuity in the investigating departments of the Bureau of Indian Affairs and Bureau of Indian Affairs Social Services as well as increased numbers of investigators and/or officers. Without adequate numbers of people assigned to investigate cases of violence against children and without consistency and continuity in how the investigations are handled, we end up with a situation of dysfunction where cases do not get investigated properly and victims and their cases end up falling through the cracks. There could be thousands of cases just like that.

Fourth, there is a strong need for funding that would provide for attorneys in cases of child removal and/or placement and/or services to present those cases to the applicable Court or the applicable social services agency. As I
understand anyway, the Bureau of Indian Affairs is responsible for a majority of child placement cases in Indian Country. As such, it should be the Bureau's responsibility to provide funding for law trained and licensed attorneys to present those cases to the court to ensure that all policies, procedures, and applicable laws are followed; as well as ensure that all deadlines are met and that proper language is included in petitions and orders. Relying on social service workers to do this, in my opinion, is unacceptable. And the issue comes, we have funding for the social services workers but very few places have funding or licensed attorneys to present their cases to the applicable judges.

Finally, there's a strong need for funding for on-reservation shelters and group homes, similar to what we touched on with the juvenile detention facilities but more in a family setting. Those would be places for victims and their families to live free from fear and receive the necessary treatment and life-skills types of programming and educational services that are desperately needed to help in and reuniting victims and their families.
These facilities would include culturally sensitive curriculums that address everything from day treatment for substances abuse, to supervised visitation centers, to parental skills programming, to nutritional needs programing and developmental education. These are the types of programs that we take for granted in off reservation communities and everybody in this room longs for the day when we can take those types of programs for granted on reservation communities.

I would just like to close by thanking the committee for the opportunity to speak on behalf of the tribe, Spirit Lake Nation, and our multidisciplinary team and for taking the time to listen all day and to seek some resolutions to some of the issues that are associated with the effects of violence on Native American children. Thank you.

JOANNE SHENANDOAH: Thank you Prosecutor Vetsch, we really take to heart your words and your sympathetic approach toward culturally based solutions. Thank you for your insights.

Next, we will have Senator Richard
SENATOR RICHARD MARCELLAIS: Thank you, Dr. Shenandoah, members of the advisory committee. My American -- Native American brothers and sisters in the audience, for the record, my name is Richard Marcellais. I'm a North Dakota State Senator representing District 9, Roulette County, home of the Turtle Mountain Band of Chippewa Indians with the population of a little over 35,000 tribal members. I'm also the former tribal chairman from 2008 to 2010, President of the National Indian School Board Association. I also serve on several local school boards. I am a member of the Turtle Mountain Band of Chippewa and the only Native American Senator in the great State of North Dakota since 2006.

I want to cover a little bit of the history regarding violence. Violence against Native Americans can be largely attributed to the Indian nation of Europeans in North American beginning over 600 years ago. This began the change in the status of Native Americans once held as leaders, considered sacred and much respected.
The Europeans forced their values and perpetuated the belief that violence against children and women is acceptable. This began the downward spiral into assimilation led by the belief that European, white man's way, was the best way.

Native Americans were forced on reservations to give up any of their long practiced traditions and cultures, beliefs. There was also a time when Native American children were removed from their parents and forced into Catholic boarding schools. They were often raped, abused, and forced to develop a different value and belief system. The system has created life-long implications for generations to come. This often included the loss of traditional parenting skills, the introduction of alcohol and drugs and violence, as well, as the idea of ownership.

Native men went from experiencing the nonviolent way of living to witnessing violence, adopting white man stereotypes and treating women and children as property. The status of Native American women and children also began to shift at this point. Rape and abuse and murder became

common practice against Native American women and children. Women and children were no longer considered sacred.

As result of these changes, violence and oppression have become the norm and efforts to end violence are still in their early stages. To discontinue the violence that now seems normal, many Natives are working to restore traditional values, cultural beliefs.

One of the most important of those values is that women and children are sacred. Native’s cultural background and the knowledge that we are all related, that the values of respect, compassion, and nonviolence are integrated into our way of life and that women and children are sacred.

Historically among Native people, was the practice of honoring individual life changes and pass that right to walk through the world with freedom, safety, and respect.

The work in Indian Country to end violence against Native women and their children, is powerful if the Indigenous culture and beliefs are used as models. Rural women and children living on the reservations face unique challenges.
when dealing with violence. Not only are there
generally a limited number of police officers to
respond to calls that cover the vast distances,
but on tribal lands, there are often unresolved jurisdictional
issues about who will respond to the calls.

    Many tribes do not have jails, so
there is very little they can do to enforce laws.
In addition to these complicated jurisdictional
barriers, many Native women and children have
limited access to telephones, transportation,
emergency services or accessible roads, especially
inclement weather.

    Just want to mention that all
children violence happens -- that not all
children violence happens in the home. That is
the reason why I introduced the North Dakota
Senate Bill 2167 relating to crimes that include
bullying and to provide a penalty in North Dakota
during the 2011 session.

    In closing, I want to thank the
advisory committee for the fine work that they're
doing, and the last comment I have is I believe
that violence is inherited from generation to
generation. Thank you very much.
JOANNE SHENANDOAH: Thank you very much, Senator Marcellais, for your comments, and in a moment we're going to ask the advisory committee if they have any questions. But before we do that, we were listening and also there's been recommendation Chairman McCloud, that we had covered your economic activities and then Halloween and then Christmas, but I did not hear moving towards Valentine's Day and we just wanted to give you just a few more minutes, please, to present to us some ideas.

RICHARD McCLOUD: All right. Thank you very much for opportunity for five more minutes, a few more minutes, I appreciate that very much. Thank you.

Our tribal courts from January through November, has seen a total of 1,569 criminal actions from domestic violence, sexual assault, to drug offenses. So, what I wanted to get to -- part of the thing was the BIA -- falls under the Department of Interior (we have parks and recreation) under this we have the BIA and I don't feel -- I think maybe we should start from the top when we restructure. You know, we've -- everybody is focusing with domestic abuse on the child and
what's happening on the reservation. Well, maybe
we need to look at what's happening in
Washington. Maybe that needs to be restructured.

Why does the BIA fall under parks and recreation [Department of Interior]?
Why does his fall under parks and recreation?
Why does law enforcement fall under parks and
recreation? Maybe that's something, you know,
the task force can look at. Take a study, and
maybe it will be a bigger impact in Indian
Country if we separate all those entities, and
I'm just thinking out loud.

My reservation was ranked number one
for sex trafficking and drug trafficking and gang
activity and it's a statistic, you know, as Tribal
Chairman, I'm not very proud of it at all. So,
we have a lot of work to do to get that off of
our reservation. We don't want that.

When I talked about creating economic
development, one the most important things is
education. I've always said education is your
pathway out of poverty. And, with education you
can do whatever you want to do, wherever you want
to go, be whatever you want to be, do whatever
you want to do. I promote education 100 percent.

Cecilia had a good point at the
tribal colleges, let the school systems handle
the funds because tribal governments come and go.
It's -- you know, I don't plan on being the
Chairman forever. You know, I want to do what I
can for my two terms and that's it. I'm hoping
to make a big difference within our reservation
and be an advocate, be a spokesperson and do what
I can, you know, speak on behalf of our tribe
and, you know, get the message out there. I talk
to classrooms all the time, my wife speaks to the
classes. We're on the radio, she's been going to
classrooms for about the last ten years. And one
of the things I talk about in the classes is, you
know, bullying, and I tell these kids remember
bullying because the person you're bullying now
may be the person that beats you up in five
years, ten years down the road.

(Inaudible) Bullying is a big thing
within tribes. I agree we need -- In all
reality, these kids go through a heck of a lot
more than adults do. They've got their own
little world and they can tell you from A to Z
who's doing what and where and when and why and
how before they tell an adult. Texting or
Facebook, their friend. That's something we
really need to take a look at.

Like I said, you know, if the federal government and the state level -- it's not a handout but a hand-up in Indian Country is what we're asking for. Thank you.

JOANNE SHENANDOAH: Thank you very much. Congratulations on your efforts.

Thank you for your work on behalf of the advisory committee. We'd like to open it up if anyone has some questions.

ANITA FINEDAY: I have a question to anyone who wants to answer this: One of the things that Cecilia Firethunder -- no, it was Sarah recommended earlier today was, and I don't know if you were all here, she talked about having, and I think she meant, a federal agency that would deal with Indian children's issues and I -- this was Sarah Deere. And I asked her about it and evidently this is a recommendation that the Tribal Law and Order Act Commission made and there would be one agency that would oversee all the programs for Indian children.

Just wondering if anyone has an opinion on that?

RICHARD McCLOUD: My opinion --
and remember this is just my opinion, just
because something works up north, doesn't mean
it's going to work on a western reservation or
eastern reservation or southern reservation.
It's like when the federal government puts things
together, well, they're sitting in an office in
Washington, they're not out in the field.
They're not out in the northern part of North
Dakota on the Turtle Mountain Band of Chippewa
reservation that this program will work because
the numbers say so.

Well, like I say just because it will
work someplace, doesn't mean it will work on all
reservations. So by having under the Federal Law
and Order Act, a federal mandate, I don't know if
that will work. That's just my opinion.

JOANNE SHENANDOAH: Anyone else
on the advisory who would like to ask a question?
Okay. Thank you very much for your testimony.
We will now do the private individuals that are
pre chosen.

ANITA FINEDAY: Just a quick
announcement. It looks as if we will have some
free time at the end of the day and that we are
going to actually offer an open mic to people
here in the room who would like an opportunity to speak. We still would like to end this by 6:00 or 6:30, and so, if there are people in the room who would like to come up and make five-minute statements -- we still have two more panels to go but if people want to come up and make statements at the end of the third panel, we are going offer an open mic.

This next panel is comprised of three private individuals. We have Dr. Sara Jumping Eagle, a Pediatrician; Mrs. Sue Isbell with NDSU Extension Service; and Mr. Chase Iron Eyes, an attorney.

If you're ready, we'll go ahead and start with Dr. Jumping Eagle.

SARA JUMPING EAGLE: (Speaking in Native language.) Thank you for letting me speak with you today. My name is Sara Jumping Eagle, and I’m a Oglala Lakota and Mdewakanton Dakota. I grew up in several places including near East L.A. through the Relocation Program. My family went there and also Kyle, South Dakota. My grandmother raised me, her name was Juanita White Eye, and she was a registered nurse who moved back to Pine Ridge Reservation in the mid
'80s, and I graduated from high school there.

And now, I'm a pediatrician and I live and work
here in Bismarck, North Dakota.

I was asked to speak with you today
because I'm very concerned about our Native youth
and about the challenges that they're facing in
this day and age. I have children of my own, and
as a physician specializing in adolescent
medicine, I see youth through all walks of life
coming through the door and facing many
challenges.

I've served on several committees and
seen some of the different ways that
bureaucracies are working for and against our
young people and have been frustrated with some
of the challenges that our people face in dealing
with federal agencies like SAMHSA, like the
Justice Department, and like the United States of
America.

And so, I'm here with hope but also
with frustration as well. But today it's hope.

When you ask the question what are our
experiences with American Indian and Alaska
Native youth and their exposure to violence in
the home, and I hear a lot of acronyms and a lot
Every few years in my experience as a former researcher and academic medicine, you hear different code words. Like right now, the fad is toxic stress. And you -- some of you know about that and the effects of violence on the brain has been discussed as well. And that just is common sense. And as Lakota people, we have ways of dealing with stress. We knew about this, and we had ways of dealing with that. And in medicine we know this as well.

In -- I also have written testimony that I submitted and so you have that, and I won't go through all of that. But, the questions that I ask of you are -- are really: What are you going to do to help things change?

One of the main things that I see are that when the State of South Dakota is allowed to block the prosecution of church funded child abuse and the State of South Dakota is allowed to abuse our children in child welfare systems, and that has not been dealt with, you are in a position to help make that change. And I'm sad to see that Senator Dorgan is not here right now or the Associate Attorney General
isn't here either, but that's my question for
you.

The State of South Dakota has set up
laws that block prosecution of the church, and we
know that child sexual abuse happened in the
State of South Dakota and those churches have not
been brought to task. What message does that
send to our families? Why would they tell us
about that? It's coming out all over in the
world that that happened, but we -- we haven't
been able to tell our truth in the Northern
Plains because what's going to happen? Nothing.
That's the message that we're being told here in
the Northern Plains. Nothing's happened. That's
my question for you.

Otherwise, the things that I have to
say which are about hope are the solutions. In
my five years in Bismarck, I have specifically
one young person that I can think of whose family
dealt with substance abuse issues which are at
the root of a lot of the violence that we see in
our homes, which you know has been given to our
communities through governmental policies.
That's -- that violence is the direct result of
substance abuse, and our young people are
reacting to dysfunctional families.

So, the way that we're going to help
is by helping the family and none of the systems
that I've seen have been doing that. And when
people say that off reservation communities take
that for granted, they don't because there aren't
any family based systems in off reservation
communities either. That is what we need.

The only ones that I've seen that
really have made attempts at that are on Pine
Ridge. They do have that and many people in the
community, Kyle, South Dakota have been
successful in getting that program to work.
They're programs on Standing Rock where they
utilize the horse model and trying to get more
mental health providers in the community.

There are some models that have
worked in smaller extents, but we really do need
to reach out to the family based model and
address substance abuse and intergenerational
trauma.

We also have to start earlier. We
have to reach out at a very early age. We know
that programs like the Nurse Family Partnership
works and that those programs go into the home.

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We could train lay people and our own community 
grandmothers and aunties to teach young people 
how to be parents again because that was lost 
when our grandmothers were beaten and that was 
how they taught the next generation to be 
parents.

So, we have to -- in our own families 
have had to learn how to be parents again. So, 
that can be taught in homes and when they go into 
the homes, they identify other risks: Oh, I see 
your baby is laying on their stomach when they 
take a nap. That's an easy thing to fix to 
reduce SIDS. Nurse Family Partnership Program is 
a program that works across the country, could be 
switched from a nurse program to a lay people 
program. It wouldn't cost a lot of money like it 
would to pay an RN. That's a model that could be 
replicated nationally.

There are lots of ideas that I have 
definitely somebody mentioned group homes. But, 
we can't keep putting our kids in jail. That's 
not the solution. We don't have open gyms at 
night. We don't have places for kids to go. 
Where are they going? They're going in 
basements. That's where they're hanging out with
each other. They're bored, and they're modeling what they see. We have to teach them different, and we're trying to as community members, as concerned people. We're trying to be role models. We're taking them running. We're trying to do different things as concerned community members. We're teaching them our ways and that's what's going to save us a people.

The way that governmental agencies can support would be figuring out ways that are going have to be creative because we know how government agencies work. But people need gas money, they need vouchers for gas money. When you live on the Plains and it takes 60 miles to drive anywhere, people need help to get to the counselor. We need more telemedicine, more telemental health. Those are the things that we need.

ANITA FINEDAY: Thank you, Dr. Jumping Eagle. Next, we're going to hear from Mrs. Sue Isbell, NDSU Extension Service.

SUE ISBELL: Thank you for this honor. I'm privileged to speak before you. I am Sue Isbell. I am employed by NDSU Extension, but I work for the youth, the family and the
community on Standing Rock. I always want them
to know they are what's important to me.

I run -- I am the 4-H Youth Educator,
which is a large youth organization in the
nation. I have over 500 youth enrolled in my
programs on Standing Rock. We currently are
functioning under an OJJDP funding grant to the
National~4-H~Council. Our grant is -- was
written for the Solen and Cannonball district.

What we are doing is, I believe,
we've got to teach our kids to be sustainable and
to move forward. We need to offer them skills.
So we have started our own business in Solen High
School. There's 54 students in the school, they
are operating a commercial embroidery business,
screen printing, heat press, they have a kiln,
and they're working with a wood lay.

This is a new venture for us. We're
using it to teach our children and our youth the
skills of digitizing for embroidery. They're
learning web design. They're also learning how
the financial aspect of the business works.

Have we had challenges? Yeah. It's
been uphill a lot of the way. But it's worth it
for our kids and our communities. That's what
it's about. One of the things we have talked
about with our youth is, we want to keep our
money in our reservation's communities. We don't
need to go off reservation to be successful. We
can do it ourselves because these businesses are
all being taken off the reservation at this
point.

Another part of your grant is I've
had the privilege to take our youth to
Washington, D.C. I've taken over 25 youth in the
last four years, which is a Citizenship
Washington Focused Leadership Workshop. The
youth year before last performed at the
Smithsonian, the museum for American Indian.
They performed traditional dance, and I just wish
you could have seen the power of the pride that
the youth had. It was also live streamed back to
the reservation so everybody at home got to take
part in that and that was very powerful.

We also do a soup kitchen and a food
pantry. We have hungry kids, we have hungry
families, and we have hungry elders. It's your
duty to take care of our families. Our program
is a mentoring program. It's a national tribal
mentoring program. The larger share of our
mentors are from the reservation. My vision for
our youth is that they are proud of who they are
and where they're from and their families. Thank
you.

ANITA FINEDAY: Thank you, Dr. Isbell. Next, we're going to hear from Mr. Iron Eyes.

CHASE IRON EYES: Thank you. I want to thank all the advisory committee and all
the panelists for coming up here so far. My name is Chase Iron Eyes. I'm an attorney and the
founder of a media movement called
LastRealIndians.com, and I grew up about 45 miles
from here on the Standing Rock Nation. And I
would encourage all of you to visit Prairie
Knights Casino; feel lucky tonight. Just kidding
unless you're serious.

But we have -- I've been listening to
some of the panelists today and we've -- it's
hard to describe and to sort of encapsulate, you
know, 500 to 600 years of contact, and by contact,
I don't mean just genocide, I mean a contact
between our institutions as indigenous peoples
and Western world views and institutions
including legal institutions, political, social,
economic, educational, media, religious, this whole set of institutions of Western civilization as we know it today. That's the contact that we're reeling from and that we struggle against to remain who we are as dignified Indigenous peoples and to not be absorbed by that set of institutions but rather to break through and still be able to be who we are but to meet our needs today in the 21st century. That's not an easy thing for us to do and certainly not something that five minutes, you know, could kind of do justice.

But there are certain things that I wanted to come here today to talk about, and we hear -- so we have this set of circumstances but -- and I do appreciate you coming here but really only we can fight our way out of this. There's nothing that you can do really that's going to save us but -- I don't know the scope or your duties or, you know, the resources that you have available to you or what have you, but what I do know is that there are people out here that are doing on-the-ground work out of their pocket, and I'm one of those people.

I run a group called LR Inspired and...
our pillars are wellness, education, and leadership. As part of that, we have access to about 30 to 50 youth at any given time. In about three weeks here, we're going on a wounded knee survivors run and that -- of course, you've heard of the Wounded Knee Massacre, well, not everybody died at the Wounded Knee Massacre, there are about 20 to 30 survivors that made it back to -- from once they came. We retrace that route. We get all the young people in there to run with us and the purpose of that is to teach them to respect themselves, to respect women, and to teach them without having to teach them in the classroom or according to this tribal method or whatever.

But, we could use some funds.

Whether that's funding through the tribe or whatever, that's -- I won't comment on that. I mean, to me it doesn't matter how it's funded through, but -- for instance, there's another organization called Shoumony Te-Ote (phonetic) the creator is a good friend of mine, he is the former chairman of the Cheyenne River Sioux Tribe. He's got about 15 youth that he gathers, about every other night, for boxing practice, and
different athletic training. 'Cause there is kids out there, and when you grow up in an imposed poverty culture, a lot of times you don't have a father, there's no male role model. I didn't have a single male role model growing up and for us that come from that sort of place that grow up in housing, sometimes there's parties at your house, you know, you're exposed to violence. I was exposed to violence since I was a little kid. We perpetuated that violence as adolescents, as young adults and it's an unhealthy cycle.

So, we've got to reach these kids any way we can. And maybe in your institutions and things like that, maybe there's a place for that. Maybe the DOJ, our law enforcement can have increased school contact because a lot of us go to school because it's safe there. There's -- you get free food there, you can explore your imagination, you don't got to worry about people coming into your house and people fighting and loud music in the background, this and that. It really does provide an opportunity for us to grow. 'Cause right now maybe there's -- we do need funding because right now, our primary
sponsor is a nonprofit called Dr. Sarah Jumping Eagle Incorporated, this is my wife sitting over here. We pretty much survive on her account.

We do need some funding. It doesn't even have to be a lot. Just enough to cover food and what not. But maybe -- for me, what's been independent is to apply for a grant, maybe there's a way that you can structure a grant that the agency or the tribe itself can pay certain costs: Food, shelter, equipment, something that lessons the administrative vote because I -- as an attorney, I just don't have the time or the energy to handle all these administrative tasks, to file 9-90s and blah, blah, blah, you know. There's real people on the ground here who can -- we are only going to save ourselves but to the extent, I just want you to consider some of that rolling around inside your consciousness inside your delivery in thinking and how you can -- you've got to empower us. I'll just conclude there and really do thank you for your time here today.

SARAH JUMPING EAGLE: One thing that I wanted to mention. When I was talking about the girl I was thinking of, I saw her
because of family substance abuse issues. She was in foster care in Bismarck, then she went into -- ran away and went into a group home, then ran away from the group home and was in the JDC in Bismarck and then was running away and then was, I think she was missing for a while, and then was back in juvenile corrections and now is in a group home again.

And another one, I mean there's several. Then another one was -- pretty much grew up in group homes, foster care, was in juvenile corrections, then got out for a brief time and had babies and then now the babies are in foster care. And so, those are the patterns that we're seeing. There's -- we also need transitional services for these young people who are unfortunately growing up in these systems, and that has to stop.

So, in the written things that I gave you, I talk about the pipelines to prison, the pipelines to foster care to -- you know, sometimes people think the solution is, oh, send them away, send them to boarding school, they are acting up send them over here. We have to stop sending them away. We can't send them to JDC, to
psych unit, to -- wherever it is the magical
place that fixes them. There's isn't a place
like that.

So, we have to create our pipeline.
I was calling it pipelines of warriors or rivers
of warriors. And that includes education and our
spirituality that we're talking about. But it
has to start earlier. But the kids that are
already caught up in there, that has to deal with
-- as a physician, I'm dealt with this situation
where I have to report abuse. But really the
issue also is the family substance abuse issues.
That's the basis. If we can help the family with
that, then maybe there wouldn't be the child
abuse or neglect. It's kids wandering around on
the street 'cause the mom is on meth or on pills
and now the kid is in foster care.

And then another family wants to do
foster care, a Native family, but the state
foster care system tells them, well, you have one
too many kids in your house. Well, who are they
to say? I mean, someone else said, oh, the
tribe's foster guidelines are too lax. Well, I
say the state's guidelines are out of connection
with who we are as Lakota people. I slept with

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my sister in a bed until I graduated high school.

I'm fine. So, if we have lack of housing in our communities, and if two kids are going to sleep in the same bed and she's my sister, I mean, what's the problem with that?

So, if we have to figure out different ways of having our own guidelines, but there has to be a level of acceptance for that. So those are just some of the things that -- that are connected to violence and how our kids are getting placed out of homes losing their way and then they're coming back and having kids and that's the next generation.

ANITA FINEDAY: With that, I want to thank the panelists for their remarks.

JOANNE SHENANDOAH: And we won't be taking any questions only because I have several announcements to make but thank you again for being here and giving us testimony. We look forward to your written submissions as well. So we'll take all of that into consideration as well. Thank you so much.

Before we begin the next begin the next phase of testimony, I want to make sure you're aware of a new policy that requires the
Department of Justice personnel who are informed
of suspected child abuse of a child under the age
of 18 to report these allegations of child abuse
to the appropriate state or local authorities.
This policy mandates that we DOJ personnel are
informed of suspected child abuse during an
official course of duty. There are several of
the DOJ staff who are here with us, in the
building, and in the hearing room today. So
please, keep that in mind.

ANITA FINEDAY: Thank you.

We'll seat the next panel, which I believe is the
Standing Rock Sioux Tribal Council panel. And we
have first, Dave Archambault, the Chairman of the
Standing Rock Sioux Tribal Council and Phyllis
Young, a Council person. We'll start with
Chairman Archambault.

DAVE ARCHAMBAULT: Okay. Thank you. Good afternoon, my name is Dave
Archambault, the Chairman of the Standing Rock
Sioux Tribe. We had a council meeting the other
day and Tim Burton had come to this and so our
council had requested that we submit a lot of our
members so that if they were willing to testify,
that they would be able to get on because we knew
we had to register before. So, there was I think
there was four or five of us that came. I heard
Jay Taken Alive earlier. The other ones had to
go back because of the weather so there's just
myself and Phyllis right now.

There are many reasons why our
children are exposed to violence and there's
different factors such as poverty and substance
abuse. And not one government can -- government
agency can fix this problem. It's become a
national crisis and I commend you for taking this
task on as a committee because it's not an easy
one especially when it comes to Indian Country.

We have a high rate of poverty. We
have high rate of substance abuse. And so, as a
tribe, we're always -- we're constantly trying to
come up with solutions of how to fix this. And
it's a difficult task.

And I just want to share with you a
couple of things that Standing Rock is doing to
ensure that our children are safe. In our tribe,
we have -- we have a close relationship with the
U.S. Attorney's office in both North and South
Dakota. We have our tribal prosecutors
designated as Special Assistant U.S. Attorneys,
which allows them to appear in federal courts in
assisting in the prosecution of indigenous
people.

We also participate in Violence
Against Women Act pilot project. We also have
begun tribal sex offender registry notification
system among individuals who may prove
dangerous. And we also have -- are participating
in a pilot project with the State of South Dakota
to monitor parolees returning to the
reservation. State of South Dakota passed
legislation and are -- of course, we are
participating in that.

So, there's different things that
we're doing but both the tribe, the federal and
the state governments have to continue to work
together and find a way to ensure that child
welfare, social services, law enforcement,
juvenile justice, and educational systems are
adequately funded.

Right now with the resources that are
available, there's no way that we can -- we can
fix this especially there's no way that the tribal
level alone can fix this problem.

So we're asking you to ensure that

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that funding will be there and when I say "be there," that means adequately funded, adequately staffed. And I'm hoping that with this committee, that Congress will hear and listen and that will make recommendations.

Last thing I want to touch on are some of the things that we see. There are -- a lot of our adults who are prosecuted, are sentenced long term. They're put in institutions, prisons, and correctional facilities, and they leave us. And when they go into these institutions, there's no healing or there's no treatment for them. So they simply serve their time and then become repeat offenders. So we need to look at that and address this somehow so that this problem doesn't perpetuate and doesn't continue. We have different ideas if we had our own correctional facilities for long-term inmates, then we can give them the cultural treatment, the healing that needs to be done so they don't become repeat offenders and continue to harm our children. That's all I wanted to share with you for now.

One of the things, you know, Nelson Mandela just passed away. One of things that he
said was that education is the best way for
peaceful change -- is the best way to peacefully
change the world. Our educational systems are
inadequately funded and they're not working. So
if there's a way to address how we teach our
children, how we can nourish them to become
productive citizens for our nation, rather than
having a high dropout rate. What is it going to
take? So our education is something that we need
to adhere to. I want to give -- turn the mic
over to Councilwoman Young.

ANITA FINEDAY: Thank you.

Councilwoman Young.

PHYLLIS YOUNG: (Speaking in
Native language.) I offer my hand with a good
heart. Woman who stands by the water. I'm the
woman on the edge. I would just like to welcome
this task force to our homeland, and we're being
blessed right now by mother nature. And so, feel
sure that we'll be doing good work here.

I want to be short and sweet and I’ve
never been that in my life. I have here, for the
record, I've submitted 42 testimonies that I have
submitted to Senator Heitkamp's office for the
Commission on Native children. These are 42 case
histories of testimonies that were taken on May 17th, 2013, at a national summit on child welfare.

There is considerable violence in these testimonies. There are children who are being born -- at least three children who have been born out of -- from the foster fathers. There's a new thing happening here. It's more egregious and so I leave this record with you and, you know, I thank the gentleman who took the testimony for a whole day and who became deathly ill two days later just from the testimonies that he had to hear. So, I am very grateful for this record and we also have 80 additional testimonies from Standing Rock alone that we reserve to pursue actions on.

So with that, I would read into the record. What I came here was for the many children. Many children are five Lakota children who were adopted by a non-Indian in the State of South Dakota. And I read for the record: Honorable Senator Dorgan, Joanne Shenandoah, and distinguished members of the Task Force Advisory Committee, I come before you today as a tribal council member of the Standing Rock Sioux Tribe.
to offer the following testimony: Today I will be presenting testimony about child abuse that has and continues to have been in state licensed foster homes involving Native American children. In particular, abuse and neglect of Native American in state licensed foster homes in South Dakota.

In October of 2010, in the County of Brown, Aberdeen, South Dakota, one of the most horrific cases of South Dakota child abuse ever to be reported was uncovered. This case consisted of physical abuse and torture, sexual assault, exploitation, rape, incest, and massive exposure to child pornography.

To even make this case more egregious, is the fact that this case involved five Native American children who had been foster children adopted by a white family. From the time -- I'm going to not read the whole letter here, but I'm leaving that for you in -- what transpired later was that the Deputy State's Attorney who was handling the case and the Child Welfare Worker for the State, were indicted by the State itself and charged with perjury.

To make a long story short, they were

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acquitted. And so we're talking about
$100,000,000 dollar subsidies that goes to the
state from HHS that we feel should be afforded to
the tribe and tribes for the children that we can
take care of ourselves. They should not have
a business of foster care and foster homes that
do not meet the standards and requirements of
foster homes by any state standards.

So, I submit this for the record on
behalf of the many children. I have some
recommendations, again, I'll try to be short and
sweet. Recognition -- my first recommendation is
the recognition of customary law. On behalf of
the Southern Council Fires of the Lakota Nation,
these represent the unwritten laws and principles
of our people. Our customary law is not theory.
It is based on natural law. We know the
importance of customary law. We know the
criteria for identification of customary norms.
Custom is the general practice that is accepted
as law.

A general practice in child rearing
in Lakota Country is based on kinship rules. Our
grandmother is the most eminent person of our
circle. She has every right to her family and
first right to her grandchildren.

Under the federal policy of prohibition, of customary law from 1910 to 1978, the customs went underground and prevailed. The element of time has not diminished our customs. Our own factors and definitions of wealth, power, and size under customary law are not the same as Western law.

The Indian Child Welfare Act did not have a rule making process in 1978. Standing Rock has adopted the customary law recognizing the grandmother's private right to intervene in the interest of her grandchildren.

With that, we are moving forward to initiate the tenants of customary law in our court system. We -- everyone has a right to a mother, right to a father. When you have four sisters, those children have four mothers. And so you have not exhausted the kinship until you have exhausted the four mothers for those children.

So, we are working on developing policy. On funding, I recommend that funding be commensurate with the loss and use of tribal resources of Lakota people. For example, if HHS,
Health and Human Services, funds 11 million dollars for the research of the isolated gene of the Lakota people, then HHS should also fund Lakota for the mutual benefit, mutual protection and participation of our people.

We need funding for safe homes, for group homes, for dormitories, for safe houses, for our children, for our women. There's times of respite when we all have to take a break from each other, from our own relatives, from our own children. And as I said, those four mothers have a responsibility as the first aunt who has the most respect to the youngest aunt who has responsibility, then those subsidies that the State of South Dakota is getting, so generously, need to be afforded likewise to Indian Country.

I have had a safe house in my home from 30 years ago. I raised many, many children on a moccasin string budget. That means nothing at all but love and many, many children and relatives.

So it's a natural order for a grandmother and for aunts and for the women in our society to make that available to our relatives. And that's all we're asking. That
the funding be based on a social impact assessment. I call it SIA and that methodology be created from that social impact assessment based on the loss of what resources have been lost that we be compensated based on that methodology and therapy could be a big operation that we have coming from that funding.

The most important thing I say, I dedicate to the many children, is to the Justice Department. And I recommend that the federal government bring charges against the many under 15 statute 635, which is the “Bad Man” Clause of 1868 Treaty. That guarantees damages and reparations for the harm that comes to our people. We have an incredible relationship based on the most principle documents in this country and in fact in the international community, which is the treaties based on the supreme law of the land derived from the Constitution of the United States. And we are dual citizens in accordance with that statute. We should be afforded the human right and dignity to have our own dorms, to have our own homes so that our children are protected.

Number two, reparations for the five and Mette children for the damages done by the abuse

of the many under 15 Statute 635.

Three, federal charges against the
abuser in foster homes in South Dakota and to
other states under 15 Statute 635.

Four, federal reparations for damages
done to the children under 15 Statute 635.

Five, federal charges against the
Mettes under the Proxmire Act that was
passed by the United States Congress in 1988.

in closing, I say this: We
have endured our suffering. We have survived our
ordeal. We have even perfected a social grace
on burying our dead from suicide. The crying is
over. The grief is over. And we're taking
anyone to task that stops us, that tries to stop
us from incorporating our language, from
practicing our customary law, we are moving
forward aggressively as a people of Standing Rock
Nation. Thank you.

ANITA FINEDAY: Thank you, Ms.

DELORES SUBIA BIGFOOT: I hope I
can formulate this right, Ms. Young. You talked
about the amount of money, 10 million, that goes
to the state for foster care. I'm sorry, 100

million that's foster care. And -- the need for
accountability. Would that be, I mean from my
perspective, it seems like that is state
sanctioned human trafficking. I mean, that --
taking children for profit. And, you know, when
we think about -- that's a lot of ineffective
services being given for the purpose of profit.
So I would call it, state sanctioned human
trafficking. Is that -- would you agree?

PHYLLIS YOUNG: I would agree.

I would agree that there are many crimes that are
prohibited by the Proxmire Act itself, from
transferring children from one group to another
group is a violation of the Proxmire Act itself.
And there are provision in the Proxmire Act, it's
a million dollars for the death, it's a million
dollars for bodily injury and other provisions
that are in there. But there -- there are
testimonies on human trafficking to Canada.
There are elements throughout these testimonies
that will be clarified in the Native children
forum that hopefully will addressed in
the future.

ANITA FINEDAY: Any other
questions? Thank you panelists. We would like
to take this opportunity to open the microphone
to anyone in the room who wants to make a
statement. We will allow people five minutes to
make a statement on open mic. If you will come
up and identify yourself.

JENNIFER MELLOTTE: Hi, I'd just
like to greet you in my traditional Native
language. I come from the Standing Rock Nation.
(Speaking in Native language.)

My name is Jennifer Mellotte, and I
greet you all with a heartfelt handshake. And
like I said, I come from Standing Rock. And,
you've heard a lot of adults and other people in
charge come and talk to you, but what I would
like to give to you today is a message from the
youth. And it's a very bleak one.

Our youth are suffering. They're in
agony, they're in such pain that they've chosen
to end their lives. We just buried one today.
The suicide is coming back again because they've
lost hope. There's such ugliness and horrible
negativity that's surrounding them; human
trafficking, rape, drugs, alcoholism, sexual
assaults. All of it's here. No one is doing
anything about it. You're letting them slide away. You're letting them suffer.

I'm so thankful that you're here to actually listen to them and that I'm here to give this message to you. Come down, come see them. They're waiting for you. They want to know you. They want to show you that they are people too and they need you to show them that you respect them as individuals. That you realize that they are the future of our Nation, of my people. And that they don't have to be alcoholics; they don't have to be druggies; and they don't have to be uneducated. And that they are not team mascots. That their culture is not a fashion trend. And that their language and traditional ways are nothing to be made a mockery of.

They need your support. They need funding for programs, for treatment for their parents. They need funding for their grandmothers if they have to go and live with them, and they need support getting an education so that they can come back and help our other families, our other friends, our other relatives to continue and mend our society, our broken circle.
There's so much negativity that's outside in this world. It's starting to seep in. And it's taking a horrible toll on our children. And they ask for your help, your love, and your support. They ask that you come and care for them. To show them that not everything about this outside world is as ugly as it appears.

So please, come down to them. Show them that you care. Be there for them so that we can finally mend our circle. Thank you so much for your time.

ANITA FINEDAY: Thank you.

YVONNE WYNDE: (Speaking in Native language.) I just said my relatives, with a glad heart I shake your hand. There are many things that we could speak about but I'm going to just read some things to keep things in order that are important to me. And that one is the loss of our traditional parenting and I think if we did have --

ANITA FINEDAY: Excuse me, would you like to introduce yourself?

YVONNE WYNDE: Yes. My name is Yvonne Wynde and I'm the Director of the Early Childhood Intervention Program of the Sisseton
Wahpeton Oyate. I think I traveled about five hours to get here today, and I'm anxious to get this before you. And I'm thanking for the opportunity to be able to speak to you.

This testimony conveys the state and the status of children of the Sisseton Wahpeton Oyate of the Lake Traverse Reservation which is located in Northeastern South Dakota. Studies indicate that impoverishment has adversely affected their intellectual growth and physical development. South Dakota tribes have the lowest education levels for Native American students and the highest incidences of mental and physical health issues. There is a soaring suicide rate in Native American communities, high incidence of diabetes, heart disease, and cancer.

As a brief history, the Sisseton Wahpeton people resided in the Minnesota Territory until the Dakota Battle of 1862, about 150 years ago and in my case, three generations ago. This caused removal of all Dakota people from their territory. These people were forcibly removed to South Dakota, North Dakota, Montana and Nebraska. Some fled to Canada and have never returned to reside in the United States.

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At the root of child neglect and abuse problems is the loss of traditional parenting methods and patterns. The disruption enforced removal to new territory, removal of children to boarding schools, have caused the disruption in traditional parent training.

For example, in the past generations, physical punishment was not used as a disciplinary measure. In fact, one of the words for children in the Dakota language is WAKAN IZA, meaning they are also sacred. In these teachings and beliefs, parents would hesitate to physically abuse a sacred being.

Parents were taught to have no more than four children as this was a full-time care for children. The traditional childhood birth order names bore this out. Girls names were Winona, Hapan, Hapsti, and Wanske. For boys it was Caske, Hepi, Hepan, and Catan. This did not mean one should have eight children. The first born whether a boy or girl was treated with great care. They were taught throughout their life that they had the tremendous responsibility to care for their tiospaye or the larger family group. These teachings have been lost.

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The noted author and physician, Dr. Charles Alexander Eastman, said he was the "pitiful last" child in his family. In his generation, the number of children in a family was noted. In today's world, it is a financial burden to have too many children.

There was a separation of sexes in the old community life. Children stayed near the women to learn their roles in life and the boys stayed with the men for their teachings. This provided added protection for children. For more protection, the grandmother was never far away from adolescent girls. Today, Dakota children are vulnerable to sexual violence, human trafficking, and sexual solicitation through the Internet and cell phones by predators.

The boarding schools provided many educational opportunities for literacy in the mainstream Euro-American culture but this was where the traditional parenting was diminished, as it was not taught. Brutal violence against children was a reality there scarring the generations that followed.

The ability to learn the Dakota language, culture, and history was not taught in
schools during early reservation days creating a
legacy of losses for subsequent generations. Low
education attainment in the present has caused a
lack of tribal social capital to fill the jobs
that require education, certification, and
adequate job skills in all areas of employment.

Today, the Sisseton Wahpeton Oyate
has developed programs to meet the needs of their
children. The Early Childhood Intervention
Program gives support to children ages zero to
five who have disabilities or delays and have
reached about 500 children this year. They also
provide parent training once a month. Many
traditional Dakota parenting patterns will never
be recovered due to years of repression by the
dominant society.

Sisseton Wahpeton Oyate Early Head
Start and Head Start programs are offered and
teach many children during the year. Family and
Child Education, FACE, Program at the Enemy Swim
Day School provide the opportunity for parents to
support their child's learning in the classroom
setting.

Child Protection Program provides
support for children in need of safe homes.

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These three programs also offer parent training. Several day care centers are in operation and one is managed by Sisseton Wahpeton Oyate. The Child Support Program assists parents to provide financial care for their children.

In summary, many other programs indirectly provide services to Sisseton Wahpeton Oyate children such as childcare, early intervention and preschool services, health, wellness and recreation services, and family services, and support. Still there are deficits and many children have not been served due to years of inadequate funding.

Sequestration has further affected the reduction of many necessary services; yet, there is more need to adequately care for children. These is a dire need for safe facilities for pregnant women and for children who are removed from their homes; the best qualified and trained teachers to improve learning. Caring mental health and pediatric professionals are essential to children's health. Year round camps would be a luxury for children, but a safe learning environment would be available to them.

I also want to say that my son is the only psychiatrist, Dakota psychiatrist in this area, in the -- he worked at Sisseton Wahpeton Indian Health Services until recently.

I want to thank you for this opportunity to address the needs of our most important resource, Sisseton Wahpeton children, and to hear recommendations for a better future for them. Thank you very much.

ANITA FINEDAY: Thank you. Just a note, if the ones who are providing testimony, if you want to submit your written testimony today, you can hand it to Bonnie Clairmont. Thank you.

PETRA REYNA: Hi, my name is Petra Reyna. I'm from Standing Rock. I call myself a "child of relocation." I'm a child born from government policy. So, when my mother went up to relocation in Cleveland, she met my father who is Mexican and came from Texas and his family were migrant workers who moved and relocated up into Ohio.

I have my Bachelor's degree in Biology and started to be a teacher. And when I started teaching summer school for high school
kids, I said this is too hard. I'm going to medical school. So, I went to medical school and completed three years. Due to health issues and issues with some of the -- with the University, I didn't complete my study, but I did return home to the Standing Rock Reservation and started to teach Biology for the high school. But I work with youth a lot. I just want to share some of the things that I see and in discussions with the students, is that we lack the recognition of basic civil rights on our reservation. So when we talk about bullying, there's deeper issues there. There needs to be an acknowledgement of basic civil rights for our children all the way up to our adults. And sometimes I think that -- the hardship that I have experienced have open my eyes to that. And I experienced that in medical school too, where I didn't know where to go to file for discrimination and later -- five years later, I find out that it's the Department of Health and Human Services.

I -- in our court system, my 3\(^{rd}\) child -- we had a disagreement and I don't believe as a Lakota mother that I should let my son stand up to me and push me. He lives under

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my roof, he should follow my rules. But yet, the
court agreed with him and allowed him to get sent
from the home. So, I had my basic civil rights
violated. I didn't have due process and took it
to the Supreme Court and won. But by that time,
they were already off the reservation.

I've seen that in high school with
the students. When they don't have a voice and
there was something that wasn't an issue that
came up, it's easier to push the child about who
doesn't have the family that's outspoken. And
tyre're not -- they don't know what they're
supposed to do. I ended up being the general
Biology teacher to going into alternative ed
because I felt like as a teacher, I needed to
focus more on an individual where I could help
them and help them in their basic skills. Ms.
Rena (phonetic), I can't make it to school. How
come? I don't have nobody to wake me up. Okay,
let's get you an alarm clock.

So those basic -- just those basic
things, you know, need to be instilled. I don't
want to repeat too much what was said:
Parenting. There's a lack of parenting. It
broke my heart to know that kids wanted to

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graduate and one sat on my desk, and she said Ms. Rena (phonetic), my mother said if I graduate, she's not going to be there, she's not going to come.

And so, what is the solution? Mental health services. We need mental health services. We need the people trained on how to deal with intergenerational trauma. I was sitting -- hardly watch TV -- but last night, I was watching the special on suicide. 38,000 suicide in the U.S. nationwide. So it's a problem across the U.S., and it's not just in Indian Country. One out of five of them are veterans. Well, in my family alone, for the past five generations, we've had veterans in our homes. And so, we have those veterans coming home and they're becoming parents and they don't have the skills to deal with PTSD and then on top of that they're being new parents. Of course we see that in the past generations too.

So then they're deemed unfit and they're taken away. We need those mental health facilities. As a medically trained person, what is the protocol for our children who attempt suicide off the reservation? You call the
police, you're taken to the ER. You're taken to
the mental health facilities, they're evaluated,
they're treated by the physician.

What I have seen in the past six
months on the reservation when someone tries
to commit suicide, they're taken to the ER, and
they're released that very same night. Nothing
else is done. No evaluation, no -- nobody
watching them. So there's no protocol in place.
There's nowhere to take them. There's nowhere
for counseling or for them to get evaluated. So,
I see a total lack of mental health services for
our children -- for the children who are at risk.

I think about meeting the statistics
for WIC. About three years ago, they said
there's two mothers breastfeeding on Standing
Rock. And I think of Harlow's monkey. So, you
have that total disconnection of those mothers
from their children. They're not bonding. And
then it made me think of gee, just think of all
the mothers that went through boarding school and
never had parent, never had a mother or a
grandmother to hug them.

So we're seeing that effect. That
Harlow monkey effect where you're detaching from

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your parent. You don't have that connection.

So, we need those mental health -- and the answer
isn't just to go off to the University and get a
psychology degree or become a doctor of
psychology and then come home and use their
techniques.

Like they said, the answer comes from
us. And reestablishing those customary laws
where the grandmothers take their children and
they say, I'm going to nurture you. When you're
pregnant, you're staying with us and I'm going to
be there for the whole process and when that baby
is born, I'm going to be there to support you.

So, we need to reestablish our
support group. So thank you. Thank you for
listening. I know it's been a long day.

ANITA FINEDAY: Thank you.

DELORES WHITE: I'd like to
thank you for coming -- I mean, for me to come
and you coming and having this. My name is
Delores White. I'm from the three affiliated
tribes, Mandan, Hidatsa, and Arikara. And I come
from a little town 350 people from the White
Shield Community. And if you ever come to our
community in White Shield, I will treat you like
a king and a queen, I guarantee you that.

And I really -- I'm a liaison for the Chairman Tex Hal for the community. And people always ask me what a liaison is. I tell you that everything you can put under your -- I can do it, I tell you.

I worked in the industrial field with the natural gas companies. I ran heavy equipment. I did a lot of things like that. I also am a mother of two successful children, got three grandchildren, and I run a tough ship, I'll tell you that right now too. But I got a lot of training from my folks. My folks -- my dad worked, my mother didn't. I have two sisters and five brothers and we made it. They made us work and they never stopped and they said if you want to get anywhere, it was education and work no matter what. Do something with yourself. But they treated us with love. That's what counts is love.

I don't care who you are, if you have grandchildren or anything, give them a hug. Tell them, how's school? It really makes a difference.

And I would like to invite you guys
to the three affiliated tribes and why, it is because we have the oil industry there. It came in like a fire and it isn't going to go out for the next 13, 14 years. And nobody was prepared for this. Nobody was. We have already children trafficking sixth grade on up. Can you imagine that? And what's so troubling is that a lot of these kids come from broken homes. And a 100 dollar bill means something to them because they never ever got a 100 dollar bill. So, they're trapped. So that person that's peddling them drugs or sex or whatever, here's your 100 dollar bill; that's all they get and then torture or whatever you want to call it. But that's wrong. And, I get so upset because we do have domestic violence. We do have child abuse. We do have dropouts and they're going nowhere. And the worst thing we could ever have in this State of North Dakota is meth. Meth is bringing us down. And there's 21 babies that are never going to come home. Why? Because their parents were on drugs: Meth. So, them babies, where are they going to go? Who's going to nurture them? They're never going to see love. They don't even know what love is because they have to be in a

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facility where they wouldn't even know where they
came from. And that's really hard for me
because, you know, my parents really treated us
good and our grandparents.

And what I say is that our folks and
our grandfolks always said, you're an angel from
when you're baby until you reach adulthood and
then you're an adult.

And children don't lie. You teach
them to lie. That's where we say, don't you say
that to the cops. Do you say that to the social
worker or don't you, you know -- that's what
parents do, because I've seen that. I witness
that.

And the last thing I want to say is
that Friday I had my whole schedule filled out,
I'm a pretty busy person, and I was doing the
elderly program to go gets gifts and stuff for
them on December 18th, and my daughter is a
police officer for the Fort Burthold Reservation.
And I always tell her: Could you go get a
different job? But she likes it. Why, I don't
know. But, the thing about it is she comes and I
have to listen to her tell what happened 'cause
she has to express herself and can't keep in.
You keep it in, it's going to bring you stress, high blood pressure, all that stuff. So you got to release it. So I listen to it and I go in the room and I cry because it's all about children. Nobody wants them.

And that's what happened Friday was this young boy that got abused by his dad. Nobody wanted him; not one relative wanted him. So she asked me, mom, you've got to help us. I said, all right, I'll help you. I never raised a boy. You know, that's really different and I gave this little boy -- he's not a little boy but I call him that -- and I knew -- he came into the house with a duffel bag, like kids put their books in, one pair of pants, one pair of socks, and two shirts. That's what he had. And I said, didn't your folks get you no clothes? No. So we -- I had to go to Minot and order them, and I said, well -- my granddaughter and him went in the mall and I have him a credit card, not a big one but a small one, to get his necessary things. He gave me the credit card back and said, I never spent it all. I said you could have. He said can I get a phone card and I said yeah, you can go get a phone card. So he
went and got a phone card just to call his 
grandma and say that they're going to fly him 
back to his hometown away from his father. But 
that's good. You know, I think that's good. A 
good way to go.

But always remember children are 
precious and we teach -- we're the teachers, and 
we guide them. And even if you sit down here and 
you listen -- I got food, 'cause you're under my 
roof. You got to listen to them. It ain't about 
slapping them up, taking a whip after them or 
kicking them in the butt or whatever, it's 
sitting down there and talking to their level. 
Put yourself at their level and say, what's the 
matter? Are you having a bad day? What 
happened? You know, and then they'll start 
talking to you and they'll trust you. And it's 
trust. It's all about trust. And I thank you.

ANITA FINEDAY: Thank you.

SANDRA BERCIER: I want to 
acknowledge my sister, that was her, and I know 
she's having a hard time because she said, I have 
two sisters and five brothers. And I was like, 
you do not, you have two brothers and five 
sisters. So, I'll correct the record.
(Speaking in Native language.) My name is Keeper of the Medicine. My English name is Sandra Bercier. And I stand here not as a professional because I do -- I work for the Native American Training Institute here in Bismarck. I am an enrolled member of the Turtle Mountain Band of Chippewa.

I stand here as a mother, and I'm just going to take a minute of your time 'cause I know it's cold and it's late. But, my children, two of my daughters, are survivors of being physically and sexual abused by a choice that I made. And I'm grateful to TLPI and -- that they had a safe room for me today 'cause I hit a hard patch earlier and I had to leave for a while. 'Cause -- and it's been 14 years since I got away. And, you know, I went and I stayed in Kyle, South Dakota with my family, those girls' grandparents come from down there. And I stayed at (inaudible) which no longer exists because they lost their funding. Okay? So, that's one thing. We need shelters on our reservations for women who want to protect their children.

The other thing that I just want to say is that the way that -- I have a daughter...
going to medical school right now. She's going
to be a pediatric oncologist, one of those girls
that was molested. She won. The man that
molested her is still alive; he's a professional,
he's not an addict. He said that he's a pipe
carrier, he said he's a traditional person. You
know, somebody said earlier, Cecilia said, you
know, when a man does that, he has to -- he needs
to put those things down 'cause that's not a man.

But, I guess I want to say is that
the thing that healed us was our love for each
other and our traditional ways.
I took my kids into ceremony and that's
what healed us. We went in there over and over
and over.

So, programs on and off reservations
-- 'cause this happened here in Bismarck, North
Dakota to my children, you know. So we needed
something here -- earlier somebody said, you know
where to go to get that kind of thing. Not
everybody does. I know where to go. You know,
so I went home. But not everybody knows, and I
think that's one of the things that can save our
children is that they're afforded -- families,
mothers, you know, that they're afforded that

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cultural healing and that often isn't available in your everyday services.

So, I really think that the panel needs to think about incorporating, you know, traditional cultural healing into their services. And I wrote a thing, and I didn't even look at it. But I appreciate your time and I wish you all safe journeys. And if you do get to White Shield, North Dakota, she will take care of you.

She takes care of her people like they're all kings and queens; my sister does.

ANITA FINEDAY: Thank you.

JOANNE SHENANDOAH: I'd like to ask one more time if there is anyone else that would like to make a public statement? And if you are in a position where you prefer to write it in, then we will be happy to look it over. And we appreciate you reaching out to other people in your communities to ask them also to stand up and be counted because this is how we will make change.

I want to thank everyone for coming here today. I just want to share with you briefly a small Iroquois story that we tell because I want to leave you with a very good
feeling. And that is: There were seven young
children being mistreated by their parents. They
had forgotten their traditional ways. And so,
they decided to get together and meet in private
and they would discuss how they would make their
journey back to sky world and they decided that
the power of song and dance and their traditional
ways was very important so they began to sing.
And they shut their eyes and they started
thinking of their ancestors and the stories that
they heard and their grandparents, those that had
passed on. And they started making that journey
across the Milky Way and started dancing all
through the stars. One little boy missed his
mother and he fell back to earth and now there's
a falling star. It's a beautiful story but one
that's very real to us because we know that
children are sacred. We've heard that today and
want to thank you.

So on behalf of myself and the
Advisory Committee, I would like to say thank you
to the witnesses and our audience who's listening
today. As co-chair, Senator Dorgan indicated at
the beginning of this hearing, this is the first
public hearing to your testimony surrounding
cultural healing and that often isn't available in your everyday services.

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American Indian and Alaska Native children exposed to violence.

The Advisory Committee will convene for three other hearings. Hearing number two will be on February 11, 2014, in Phoenix, Arizona and the theme for that hearing is Juvenile Justice Response to American Indian Children Exposed to Violence. Hearing number three will be on April 16th and 17th in Fort. Lauderdale, Florida, immediately following the NICWA conference. The theme for hearing three is American Indian Children Exposed to Violence in the Community. Hearing number four will be June 13 to 14 in Anchorage, Alaska, following the NCAI mid-year conference. The theme for hearing number four is Alaska Native Children Exposed to Violence, Special Issues in Alaska.

Please do visit the website at www.justice.gov/defendingchildhood/. And please share that with your communities. We really wish that you get the word out.

I also want to say, you may certainly also submit written testimony to testimony@tlpi.org. Thank you again for coming today.

Many blessings to you all. And at
this time, we'd ask Jim Clairmont to come on up.

Thank you for coming today, and we now adjourn

the first public hearing of the Advisory Committee of the Attorney General's Task Force on American Indian and Alaska Native Children Exposed to Violence. Thank you very much to the Advisory Committee.

(Hearing adjourned.)