



**LEGISLATIVE COMMISSION ON INDIAN  
SERVICES**

900 Court Street NE, Room 167  
Salem, Oregon 97301-1347  
(503) 986-1067

**MINUTES**

**Meeting Date:** March 4, 2020

**Meeting Location:** Oregon State Capitol, Hearing Room 50

**Members Present:**

Brenda Meade, Tribal Chairperson, Coquille Indian Tribe (LCIS Chair Elect)  
Dee Pigsley, Tribal Chairman, Confederated Tribes of Siletz Indians (LCIS Vice-Chair Elect)  
Cheryle Kennedy, Chairwoman, Confederated Tribes of Grand Ronde  
Don Gentry, Tribal Chairman, Klamath Tribes  
Doc Slyter, Tribal Chairman, Confederated Tribes of Coos, Lower Umpqua and Siuslaw  
Eric Hawley, Tribal Chairman, Burns Paiute Tribe  
Dan Courtney, Tribal Chairman, Tribal Board of Directors, Cow Creek Band of Umpqua Tribe of Indians  
Louie Pitt, Government Affairs Director for Raymond Tsumpti, Tribal Chairman, Confederated Tribes of Warm Springs  
Arnie Roblan, Senator  
Tawna D. Sanchez, Representative  
Jackie Mercer, CEO, NARA Northwest (non-voting)

**Members Absent:**

Kat Brigham, Chairman, Board of Trustees, Confederated Tribes of the Umatilla Indian Reservation (Tribal Government Business)  
Bill Hansell, Senator (Legislative Business)  
Daniel Bonham, Representative (Legislative Business)

**Staff**

Mitch Sparks, Executive Director, Legislative Commission on Indian Services  
Adrienne Fischer, Commission Assistant, Legislative Commission on Indian Services

**In Attendance:**

1. Mark Petrie, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians
2. Glendon Smith, Confederated Tribes of Warm Springs
3. Anita Jackson, Confederated Tribe of Warm Springs
4. Jeannie McNair, Klamath Tribes
5. Trevor Sleeman, ODOT
6. Carolyn Holthoff, ODOT
7. Cindy Booth, Corrections
8. Darrel Borello, Corrections
9. Nathaline Frener, Corrections
10. Devery Salaskin, Klamath Tribe
11. Jeannie McNair, Klamath Tribe
12. Sheronne Blasi, Oregon Department of Veterans' Affairs
13. James St. Martin, Lakota Club
14. Trish Jordan, Director, Red Lodge Transition Services
15. Leslie Riggs, OYA
16. Linda Roman, Governor's Deputy Legislative Director
17. Dustin Buehler, Governor's Deputy General Counsel
18. Misha Isaak, Governor's General Counsel
19. Jen Andrew, Governor's Office
20. Tim Simmons, Assistant U.S. Attorney
21. Karen Clevering, Assistant Attorney General
22. Julie Johnson, OHA
23. Steve Allen, OHA
24. Richard Leman, OHA
25. Michael Mason

**WELCOME – Chairwoman Kennedy**

Chairwoman Kennedy called the meeting to order at 9:02 a.m. and welcomed the members and guests.

**INVOCATION**

Chairman Don Gentry gave the invocation.

**ADOPTION OF MINUTES**

Commission members approved the minutes for the September 11, 2019 LCIS meeting. There were two abstentions.

**ELECTION OF OFFICERS**

Chair Meade was elected by acclamation to serve as Chairperson. Chair Pigsley was elected by acclamation to serve as Vice-Chair.

## **STAFF REPORT – Mitch Sparks, Executive Director**

Director Sparks began by thanking Chair Kennedy for her leadership and guidance through the first months of his time as LCIS Director. The first six months in the position have been challenging and insightful. Oregon Tribal interests touch almost every State agency, board and commission. He has strived to foster relationships with other city and county agencies that desire to broaden their ability to consult and partner with Oregon's sovereign nations. HB 2625's Task force has been established and has begun the field work of understanding the issue of missing and murdered native American women directly from Oregon's tribal communities. The task force is working to find solutions that are effective, long-lasting and culturally based. They plan to provide recommendations to the Legislature in September 2020. Director sparks recognized Michaela Madrid who is a student at Portland State University and has been a member of the Task Force. HB 4148, the ICWA bill, was currently on the House floor. He has been in contact with the DHS about the bill working with their Tribal Affairs Director, Adam Becenti.

Since the last Commission meeting, Director Sparks has reached out to many State Agencies, Boards and Commissions. For the 2019 Annual Reports he has contacted Agencies, boards and commissions that have not historically submitted a report. For 2020, one new addition will be the Public Utilities Commission who has started consultations with Oregon's Tribes. He has encouraged State Agencies to send any proposed rule or policy changed to Oregon's Tribes before going to public comment. Director Sparks is currently scheduling training for State Agencies for May or early June. He is also scheduling a housing summit in partnership with Oregon Housing and Community Services and all Tribal housing offices. He is also working with the Department of Corrections to facilitate meetings with government other stakeholder groups to ensure that religious practices and events that center on Native wellness and healing consistently occur. The Cultural Items task has recently reviewed the reports from State Agencies on their look around for cultural items. Tribal representatives on the task force reviewed and provided feedback on over 1700 pages of reports. Director Sparks was grateful for their hard work. Work now begins on the higher education phase of this work. LCIS will provide support for this work.

Director Sparks recently sent the form to provide feedback on his first six months in the position and looks forward to hearing from Commission Members.

*Commission Members discussed the work of the Director. Members thanked the Director for his visits to the Tribes and his work on the Missing and Murdered Native American Women Task Force. Mr. Pitt noted the work that has been done on the Indian Child Welfare Bill and shared that they are waiting on the Republicans to return to the Capitol to pass this bill and others that are of great importance to the Tribes. Chair Kennedy shared about the background of the search for a new LCIS director. She complemented the new LCIS Director's ability to understand sovereignty and the differences between the Tribes. She also noted new attention to issues that are now coming to the forefront. Senator Roblan and Chair Meade also shared thoughts about the work of the new Director. Chair Meade*

*spoke of the importance of the work with State Agencies and how crucial the trainings and consultation policies are to the work between each of the Tribes and the State.*

**OREGON DEPARTMENT OF TRANSPORTATION – Trevor Sleeman, Tribal Liaison & Carolyn Holthoff, Cultural Resources Program Manager**

Trevor Sleeman noted that he was there before the Commission to talk about a cultural resources conference being planned by the Department of Transportation. This will be their very first Tribal Summit on Cultural and Natural Resources. Save the date invitations have gone out at the end of last summer. There will be more formal announcements going out soon. The event is scheduled for May 19<sup>th</sup> and 20<sup>th</sup> of this year. It will be held at the Boulder Fall Inn in Lebanon. The purpose is to discuss ODOT's Tribal consultation process and how their transportation programs work. They also want to offer the Tribes an opportunity to discuss their perspective on policies and their expertise on cultural resources.

The Agency has a new Director, who is working on reorganizing, so this training will be happening at an opportune time. They are looking to also establish relationships at high levels and at the staff level. Upper level managers, regional managers and all other managers will be in attendance. The Federal Highway administration likes the idea of the event and is providing funding and will be sending attendees. The Federal funding will cover some costs for Tribal attendees. There are several Tribal members are serving on this planning committee. Topics they hope to cover are: Tribal sovereignty and consultation expectations, ODOT opportunities for engagement, indigenous views of landscape and Tribal ecological knowledge, fish passage coordination and outreach, improving cultural resources consultation, managing natural and cultural resources on the ODOT right of way, traditional cultural properties and transportation projects, wildlife passage coordination and more.

Chair Meade noted that there have been some differences in consultation depending on whether funding came from the State or Federal level and asked if this was something that had been addressed or if it would be addressed at this summit. Ms. Holthoff replied that this was a topic that they planned to address at the Summit. Mr. Pitt spoke about some successes of the past and noted that the newness of the Agency's leadership could be a good opportunity. He noted that they are asking before they act, which is appreciated. Senator Roblan noted that ODOT has recognized that all of Oregon is Indian Country. Chair Kennedy spoke about the consultation with the Tribes and how it seemed now to be understood at the uppermost levels of a lot of agencies but wondered if this was something understood by all employees of agencies. She would like to know what that looks like for ODOT. She also noted that all current roads and highways were originally trails and roads of Native Americans. Chair Gentry noted that the Klamath Tribe has a positive relationship with ODOT and that they have had some successes. He noted that roads were important to the Tribes and noted that wildlife issues have also been a concern. Chair Meade noted that ODOT is a big agency and that they would be very interested to know how decisions of relevance to the Tribes are made at the lower levels. Chair Meade also shared that Carolyn Holthoff has done a wonderful job and been a value to the Cultural

Items Task Force. Vice-Chair Hawley asked whether the Agency has constructed any wildlife crossings. Mr. Sleeman noted that there is a crossing in central Oregon and noted that this a topic that has been generating a lot of interest lately.

**OREGON DEPARTMENT OF CORRECTIONS – Nathaline Frener, Assistant Director, Correctional Services, Cindy Booth, Administrator of Reentry and Release & Darrel Borello, Tribal Liaison**

Nathaline Frener, Assistant Director, Correctional Services, introduced herself and shared that her department encompassed reentry and release and religious services. She thanked the Commission for the opportunity to be at this meeting and looked forward to feedback about how they could improve services to Tribal members in their care and custody. Darrel Borello introduced himself as the new Director of Religious Services and noted that the role was tied to the role of Tribal Liaison for the Department of Corrections. He spoke about increasing communication and looked forward to visiting with each of the Tribes. He envisioned a stakeholder’s task force with members that would be delegated by the Tribes that would meet with representatives from the Agency. He noted that there have been several inconsistencies in how religious services is carried out. He hopes to update the handbook for religious services as it has not been updated in eight or nine years.

Chair Gentry noted that he appreciated the proactive approach and acknowledge Tribal Council Member Jeanie McNair who has worked with Tribal Members in custody for many years. She understands many of the issues and is concerned. Chair Gentry also acknowledged former Council Member Devery Saluskin who now works for Klamath Tribe behavioral health. He noted that was interested in discovering how they can be more consistent in providing services and reduce any roadblocks to providing support. Klamath Tribes have a high number of people in the system and they are trying to address that problem holistically.

Chairman Slyter noted that one of his concerns is that the Department of Corrections had a position for Diversity and wondered what had happened to that position. Cindy Booth answered that she understood the position to be currently vacant and that she was happy to get information and relay it to Commission Members.

Cindy Booth introduced herself as the Reentry and Release Director at the Department of Corrections and spoke about how the release program worked to pair those released to county programs where they would receive reentry benefits established and effective on the day of their release. She noted that they are working on a process in Klamath county for Native Americans that they hoped to be able to replicate in other areas. They aim to better identify Native Americans in the system and then assist them with prerelease planning that is specific to their Native American culture. She understood that Mr. Saluskin acted a mentor in Klamath County and personally picked up individuals, no matter where they were released from, and reintroduces them to the community.

Chair Kennedy noted that this was a conversation that has been taking place among Commission Members for some time and that it was encouraging to have this presentation today. She asked about the rights of an inmate regarding culture, spirituality and the availability of cultural events. She also asked how Tribes could interact in providing those things. Chair Kennedy acknowledged Chair Gentry's earlier statement about the high numbers of incarcerated Native Americans and how an education program could possibly help address that problem. She inquired whether the Agency planned to invite Tribe to participate in the review of the Agency's religious services manual. Mr. Borello noted that he felt it was important to have a stakeholder workgroup build the manual so that there is agreement and education on both ends. He noted that there several layers that affected the policy, including security and federal law ensuring religious expression.

Chair Gentry noted that many Tribal members do not live in Klamath County for a variety of reasons such as termination and asked if the need to release individuals to the country was still an obstacle. Ms. Booth stated that there was a State law that covered Country release and that they often encounter situations where a placement for someone with a physical or mental health condition would require that they be placed in a different location because they are working with other State or Federal Agencies to find the best housing opportunity. It may also be possible that they are unable to return to a County because of victim concerns.

Chair Meade invited testimony from Klamath Tribal Members identified by Chair Gentry. Jeannie McNair introduced herself as a Klamath Tribal Council Member and expressed gratitude for being there today. She stated that she began visiting facilities and has been able to visit eight to see Tribal Members. There were other Tribal inmates there as well. She asked that other Tribes send representatives to visit their inmates because it is very important to them. After talking with inmates, she finds that the administration is very different at each facility. Eagle feathers have been taken away from some and they don't get them back when released. She noted that we don't know what it's like for inmates inside of the prisons unless we speak with them. They have problems with mental health and no communication on medications. The collaboration between the nine Tribes will be very important along with the State and Federal government. She noted that the Klamath Tribe would like to be involved in the updating of the chaplain's manual. She also asked why the available activities were so different across the facilities and why it takes so long to be approved as a volunteer. Ms. Booth responded that they have been working to cut those wait times down significantly. Ms. McNair then read a report received from inmate at a facility and noted that, among many other issues raised, the reporting of the number of Native American inmates was inaccurate. Chair Gentry asked if there was a way to bring consistency across the institutions. Mr. Borrello responded that it would take both policy and partnership with the Tribes.

Chair Kennedy noted that Native Americans have only been able to practice their religion since approximately 1978. So, it was very recent that they were forced to hide the practicing of their faith. Native Americans need to be able to practice their faith in order to heal and be healthy members of society. Additionally, there seems to still be racism towards Native

Americans. She noted that many people may not even know that they really have those beliefs, but it shows up in the way that things are structured.

Chair Gentry noted that their people are spiritual people and they may not always designate times to practice. They need to be together so that they may help one another and remind themselves of a spiritual way of life. The Tribes have lost so much and are trying to regain their ceremonies and customs. If this is applied in the institutions, they can heal and not return to doing the things that caused them to be there. The system needs to change.

Devery Saluskin greeted the Commission and thanked Klamath Tribal Council Member Jeannie McNair and Chairman Gentry for inviting him to speak. He has been developing a reentry program for the Klamath Tribe. Hank Harris has been very helpful at getting through barriers at the local level and Chuck Seeley has aided in the ability to communicate with those in prison. He noted that it was important to communicate with those individuals before they were released because it was very easy for them to be on the wrong track as soon as they are released if there is no help or community. The Klamath Tribes have 25 Tribal members coming back to the community in 2020. He would like to know if that is a complete list. It would also be helpful for the Department of Corrections to identify the Klamath reentry program to inmates. The other thing that would help them is sharing information about assessments. The Klamath reentry program can also schedule assessments and identify transitional housing. He noted that it was easier to do good when those around you are doing good. They are finding success with cultural activities with other Tribal members and sacred spaces. There haven't been any that have engaged with their program that have gone back to prison, though there have been some that don't choose to participate. He requested several sets of information and sources of help.

Chair Meade noted that the purpose of LCIS was for the Tribes to come together with State agencies and share information and work towards common goals. She spoke for the Coquille Tribe when she noted that the Tribe seeks to help Tribal members from cradle to grave and that they wanted to be there during difficult times, such as what is being talked about now.

Chair Kennedy asked if there could be a standardized way for the Tribes to deliver goods to Native American inmates. Mr. Borello responded that he wouldn't be comfortable answering that question as it was a security question but did note that there were some protocols in place for packages and volunteers.

Director Sparks noted that he had worked with the Department of Corrections in the past and was looking forward to working with them again in this different capacity.

### **NASRAC and LAKOTA CLUB**

Jim St. Martin noted that he was there not as a representative of Lakota, but as someone they had asked to help. They are looking to set up an intertribal reentry program since there are so many Native Americans that are not a member of Oregon's Nine Tribes. He has tried to raise money but finds it difficult since they are not a 501 C (3). Therefore, he is

asking the Tribes for their support. There has been quite a bit of turnover in Tribal liaisons at the Department of Corrections so there has not been any consistent support for their work. There are many native men who don't have access to these services to help them cope and heal and these men, when released, will have an impact on Native communities. He spoke of some instances of difficulties including fire bans and possession of eagle feathers. Native Americans there are not allowed to wear eagle feathers and they are not allowed beaded feathers. He noted that he has been going into the prisons for four years and still has not been issued a volunteer pass. He asks for the Commission to get involved in this work. There are not enough people out there doing this kind of work.

Trish Jordan introduced herself and spoke a phrase that meant "What do you want to eat, what do you want to drink? Are you hungry, are you thirsty?" Through their work, they talk about that in a spiritual way and find that the women in the prison system are starving for spiritual connection. They find that this is what they need to live a clean and sober life. She noted that there are very few current volunteers and it was very difficult to get volunteer cards. She noted that the process of reentry starts at the time there are entering the system. They are there to help people change their mind and believe that they can have a different life. Other states contract out the work of religious services. It is tiring for those who are volunteer, but they know that the work they do is needed. Ms. Jordan spoke of several of the events that were coming up and invited Commission members to attend the events and see what they are doing. She brought with her several draft policies for the Commission to review. She noted that some of the prisons will allow children to come into those annual events and others will say no. She noted several other issues that are of concern. They strive to take in the ceremonial foods to annual events and would welcome help from the Tribes.

Leon Arisa introduced himself and spoke about common struggles that affect Native Americans. He has been volunteering for about three years now and has never been given a permanent volunteer card. He wanted to know why and was given a variety of reasons. He wants to continue this work and feels that there isn't a good reason for him to not do this work. He works as a contractor and undergoes background checks for a variety of the places he works but is unable to receive a volunteer card with the Department of Corrections.

Mr. St. Martin invited testimony from the Lakota Club at the Oregon State Penitentiary. They described some of the issues they have encountered. The first issue they noted was the fire ban and how this affects the sweat lodges. This issue started in 2018. They had understood that ceremonial fires were exempt from that. They have also been looking into the issue of eagle feathers, including the ordering and possession of those feathers.

Chair Meade thanked everyone for their testimonies and for the representatives from the Department of Corrections for staying to hear those testimonies. She looked to the other Commission Members and noted that they should come together, perhaps with the Director, and address these issues spoken about today. Ms. Jordan shared that she was proposing to the Department of Corrections to do a point in time survey in conjunction with the 2020 Census and survey Native Americans and Pacific Islanders at each institution.



They would like to have the support of the Commission, so that they will have more accurate data on who their people are and so be able to better serve them. Chair Meade asked if she would send that request to the LCIS Director. Mr. Leon Arisa also asked that the Commission look at the policy proposals. Chair Kennedy noted that the Native American community is tightknit and that she has personally tried to reach out but has been met with resistance. She also spoke about other barriers that seem to exist for Native Americans.

There were several others who also shared testimony about their experiences. They spoke about their histories, struggles and why they were drawn to the work that they did. They also shared their frustrations over interactions with the agency.

Chair Slyter spoke about how important this work is and noted that the Commission heard this issue back in September and he hopes that they are able to move forward productively.

### **OREGON YOUTH AUTHORITY –Leslie Riggs, Tribal Liaison/Native American Programs Coordinator**

Leslie Riggs introduced himself and shared that he was an enrolled member of the Grand Ronde Tribe. He has been with the Oregon Youth Authority for six months. He noted that there were a lot of things to do as he started in this position. He stated that there were about 111 youth, which amounts to five percent of the population in their facilities. That number is a concern. He also noted that the number may not be entirely accurate. 64 of those are not from Oregon Tribes and 19 don't know their Tribal affiliation. Some of the services the agency provides while they are in their care are sweat lodge, smudging, drum circles, talking circles, and the white bison sobriety group offered at several facilities. They have contractors who teach cultural arts classes. They also hold pow wows at four of their facilities, and they hope to expand to all nine of their facilities. Mr. Riggs traveled to a few of the facilities with the Native American Services Coordinator, Derwin Decker and took with them a mini Native American Celebration. They talked to them about what their heritage meant to them. Mr. Riggs has spent a lot of time recently helping youth enroll in their Tribes, both in Oregon and across the Nation. They are always looking for ways to help the youth grow. There are several other programs to help to this end including, educational vocational training, treatment for negative and harmful behaviors, substance abuse disorders and psychiatric care, life skills for reentry and enrichment activities. He noted that reentry has been a big topic today and this is a big topic for their agency. He noted that the agency is doing a good job of providing information around Native American Culture. He can present to all new employees about sovereignty and cultural practices. Regarding reentry, Mr. Riggs is also staying in touch with organizations to help youth who are not a member of one of Oregon's Tribes. He noted that he has not been out to visit all the Tribes, but it is something that he hopes to do. The Agency has MOUs with several Tribes, but they are dated. Mr. Riggs would like to seek advice from the Tribes to address those MOUs and see if there are any changes that should be made. There are two Tribes that do not have a MOU with the Agency.

Chair Meade said that it would be helpful for him and the Director to send letters to each of the Tribes with that request. She asked if he felt that the policies were consistent across their facilities. Mr. Riggs responded that he perceived the policies to be the same but noted that the implementation may not be the same. That was something that he felt was important for him to address as the Tribal Liaison. He noted that he has had conversations to address those discrepancies and that they have generally gone very well.

**GOVERNOR'S OFFICE – Misha Isaak, General Counsel, Dustin Buehler, Deputy General Counsel, Linda Roman, Deputy Legislative Director**

Dustin Buehler introduced himself and noted that they had a few matters to report to the Commission today.

Linda Roman introduced herself and shared that the Governor had asked her to develop a domestic violence agenda. They have had over 40 different conversations with communities, service providers and all nine Tribes. They aimed to find out about needs and funding requirements. They hope to make programs intersectional and tribally informed. They want the system to be flexible. They will be launching a Tribal specific workgroup later this month. She looks forward to providing updates in the future

Mr. Buehler spoke about the progress of the Governor's Cultural Items Task Force. The Agencies collectively submitted more than 1400 pages of information to the Tribes. The Task force has now communicated feedback to the Agencies. The Task Force envisioned this to be a conversation and that is how it is functioning. Phase two, which includes Universities and Community Colleges, begins tomorrow. Finally, he thanked the Tribes for their engagement on the issues of this session

Chair Gentry asked who the representatives were on the Domestic Violence Task Force. Ms. Roman responded that there were some names from Klamath on the Task Force and that they had originally reached out to the social service directors or medical directors to help identify who should represent each Tribe.

Mr. Isaak shared that this was his last meeting as the Governor's General Counsel. Mr. Buehler will take on the position. He reflected on the past years' achievement and that it has all happened through consultation with each of the Nine Tribes and through listening. He thanked the Commission for all their work and guidance.

\*Break for Lunch\*

**Commission Member Reports:**

**Senator Roblan** - Senator Roblan began by speaking about the Tribal Relations classes from PSU attending the meeting today. He also spoke HB 1530, which is the cap and trade bill. He was not in total agreement with the bill last session and worked with republication members to craft amendments that made sense. He spoke about some of the conversations

that he has had regarding this bill and how much it has moved from where it started out. He has appreciated how involved the Tribes have been in the discussion. Senator Roblan also noted that he was asked by the Governor to be a co-convenor of the 100-year water plan. They will be reaching out to all the Tribes to be a part of this. This will be a regional conversation because the needs are different in all regions. He noted that the Tribes need to be a part of that conversation because they have long term knowledge about the resource. He noted that he appreciates being a part of the Commission and working with Oregon's Tribes.

**Representative Sanchez** - Representative Sanchez also spoke about the current political climate surrounding HB 1530 and how her experience as a Native American shapes how she views the topic. Native American people have experienced dramatic change and Oregonians as a whole can expect to experience change going forward because of the climate. Oregonians today owe the future generations a healthy world. She also spoke at length about the legislature's work on an ICWA bill and what happens should this session end without passing it. The bill was passed out of the house and now sits in the Senate. If it does not pass this session, it will be brought back next session to go through the process again. It has received bipartisan support. It was noted that there is a Federal statute standard that can be adhered to by DHS employees. Representative Sanchez also shared that she provided the bill to a lawmaker in Kansas, who was able to pass it there.

**Confederated Tribes of Warm Springs – Louie Pitt, Governmental Affairs Director:** Mr. Louie Pitt shared that the Chairman was meeting with the West Coast fisheries representatives. The Tribe heard recently that had potentially been an illegal nuclear dump on their ceded lands. Mr. Pitt spoke to the Department of Environmental Quality and found that it was true and where it happened. He was then referred to the Department of Energy and spoke with the Assistant Director of Nuclear Safety. A Gilliam County Judge did issue a violation of disposal of radioactive material at Arlington Landfill. Tribal Council thanked the Judge. The report of the incident stated that there was no threat to the public or the environment from this disposal. Mr. Pitt also stated that they are now having meetings with councilmen to find a way for the United States to live up to its word on obligations regarding dams. There are 28 dams on the Columbia River and its tributaries. There are also issues dealing with water infrastructure that the Tribe is working through. They have communicated with the State about the funds needed and are now formulating the required plan. Mr. Pitt also noted that the ICWA bill was a big concern to the Tribe.

**Burns Paiute – Vice-Chair Eric Hawley:** Vice-Chair Hawley noted that he stepped down from the Chair position in September. Cecil Dick is the current Chair of the Burns Paiute Tribe. He expressed that it was a difficult time for the Tribe as they were without a general manager, social service director and HR director. They are hiring for those positions and note that it is difficult to find applicants since they are so remote. On the economic front, they have been working on CBD, which has produced about 35 jobs. He remarked that it was hard to see the current political environment and how it affects everything moving forward for future generations.

**Confederated Tribe of Coos, Lower Umpqua and Siuslaw Indians – Chairman Doc Slyter:** Chair Slyter spoke of the last meeting in September and the conversation they had about the green algae. Towards the end of the year, he sent a letter to Senator Roblan asking for direction. The letter was forwarded to DEQ and they are waiting to have the Director come to have a conversation with the Tribe to understand what is happening. This problem appears to be happening in all of Oregon. The City of Coos Bay has approved a dredging project. Chair Slyter has sent a letter to all Nine Tribes and is appealing that decision. After the Annual Summit, he met with the Coquille and the other Tribes regarding the fisheries. He noted that decisions made without consultation is unacceptable. The Tribal Council sent a letter to Senator Roblan in support of HB 4148. The plan to have a lamprey tagging process in April on 10 Mile Lake. He noted the Vice-Chair of the Tribe, Mark Petrie, was present at the meeting.

**Confederated Tribes of Siletz Indians – Chairman Delores Pigsley:** Chairman Pigsley spoke about the ribbon cutting on their housing project in Portland which was done in conjunction with NARA, NAYA and others. Nineteen Siletz tribal member are now housed there. The Tribe is hosting ATNI in May. They also celebrated the birthday of Chemawa. Chair Pigsley noted that she was pleased to hear about the Klamath Tribe's progress with their reentry program and noted that the Siletz Tribe had recently applied for grants to do the same work. They recently held elections and all, but one member of Council was reelected, and all officers would remain the same.

**Commission Member Jackie Mercer:** Commission Member Jackie Mercer thanked Siletz for their role in the housing project in Portland. She also shared that their organization's email was hacked, and they have been dealing with the situation. The homelessness issue in Portland has become such a problem and a large reason for that is mental health. Commission Member Mercer has met with County Commissioners and is on the Governor's Behavioral Health Commission. There have also been changes to laws that make it harder to address the problem. This is NARA's 50<sup>th</sup> year and they owe a lot of their success to the Tribes.

**Confederated Tribes of Grand Ronde – Chairwoman Cheryle Kennedy:** Chairwoman Kennedy shared that, like everyone else, the Tribe has been concerned about the current health crisis and helping the health clinic. Many of the Tribes are involved in the Opioid litigation and they don't want to be left behind as they were with the tobacco settlements. She spoke about the Hatfield Fellows at the Affiliated Tribes meeting doing a presentation and how impressive the talent is among the Tribes. The Spirit Mountain Community Fund used to fund the county fire department and had built a facility at Grand Ronde to house them. The Tribe has just recently taken over that fire department and are still serving the entire area. They are also looking at their educational programs to see how they can support their students.

**ASSISTANT U.S. ATTORNEY and OREGON DEPARTMENT OF JUSTICE – Tim Simmons, Assistant U.S. Attorney and Karen Clevering, Assistant Attorney General**

Tim Simmons introduced himself and noted that he would invite Karen Clevering up at the end of his presentation as they are speaking about a common topic. The US attorney's office publishes an Indian Country Newsletter with the next issue coming out later this month. He encouraged the Tribes to reach out with anything that should be included. Mr. Simmons noted that he wanted to mention two federal issues concerning missing and murdered native American people. As some may be aware, the President created a task force on MMIP issues. There was an executive order in 2018 establishing that task force. They have recently announced who the Executive Director of that task force was and listed their consultation and listening sessions. The closest one to Oregon is on May 21<sup>st</sup> and will be hosted by Yakima Nation. That task force will present a status report on November 26, 2020 and a final report on November 26, 2021. In November, the Attorney General launched a nation strategy to address MMIP issues and part of that strategy includes giving 11 US Attorney offices an MMIP coordinator position. The District of Oregon was awarded one of those positions and they just finished the scope of work this week. It is being sent out to vendors to advertise that position. They want to work closely with the Tribes to ensure the right person is in that position. Mr. Simmons spoke of the Power Act and noted that Congress passed legislation in September of 2018 which was titled "Pro Bono Work to Empower and Represent Act of 2018." It requires the Federal District Court to hold public empowerment events in partnership with victim service providers and volunteer lawyers to promote pro-bono legal service to empower survivors of domestic violence, dating violence, sexual assault and stalking. For Federal Judicial Districts with an Indian Tribe or Tribal organizations in their district, the Act requires a public event is done in partnership with Indian Tribes or Tribal organizations and that the event must happen every two years. The way it was passed, there must be an event this year. Mr. Simmons asked for assistance with planning and organizing that empowerment event. The chief Judge wants the Tribes to have input on this event.

On January 30<sup>th</sup> the US Attorney, Bill Williams, and Oregon Attorney General, Ellen Rosenblum issued official guidance on enforcement of Tribal protection orders and foreign restraining orders. Mr. Simmons shared that the Violence Against Women Act (VAWA) included that Tribal Orders would be granted full faith and credit. He noted that he went to a few trainings and was surprised to find that many of the people there had never heard of VAWA and were unaware of the fact that Tribal protection orders are required to get full faith and credit. They felt that there should be training of all law enforcement about these laws. They have been working on this for several years.

Karen Clevering introduced herself and noted that she has recently taken on the role of Tribal Affairs Coordinator for DOJ. The DOJ's involvement came from the Tribal court/State court forum that has been going on in the State for five years. It involves a judge from each of the Tribes and the State and they meet once a year. A draft guidance letter was shared in the fall. The first training will happen the day after this meeting. The

notification has been sent out to law enforcement agencies as well as VAWA contacts with the Tribes. The training is open to everyone.

Mr. Simmons noted that when they issued the guidance, they became aware of some existing training programs. Their intent is to reach out to the Tribes to see if they would like to have trainings done there.

Ms. Clevering also spoke about the concern about other types of Tribal court orders. They have been looking into how they can address that since there seem to be gaps in the law. The Tribal court has been looking to other states to see how to fill those gaps in the most effective and meaningful way. DOJ is excited to talk about the Stand Against Hate Initiative which came from SB 577. That bill revised the statute about bias crime and hate crime in Oregon. There is a new hotline to report those types of crime so that they can gather more information and address it. Their Civil Rights Director will be reaching out to the Tribes soon to learn about the communities and find the best way to get this information out there.

## **HUNDRED-YEAR WATER PLAN DISCUSSION – Commission Members**

Chair Mead noted that the Governor had shared at the Annual Summit that they would be beginning work on a 100-year water plan. Some of the Tribes had already been contacted for consultation by OWEB for the Governor. This process is in the early stages. Later, at the Oregon Tribes meeting, the Nine tribes all agreed that they needed to have a voice in the process of forming the 100-year water plan for the State. They need to talk about the history and importance of water to the Tribes. There may be as many as nine State agencies that will contribute to this plan. The Tribes discussed how they would interact with this process. The Tribes came together again at the ATNI meeting and discussed that they would all have different needs but were able to come up with many needs that they had in common. They found that the Cultural Items Task Force has been well received, so would be best to have State and agency leaders come together with Tribal leaders to work on this before significant plans were made. Chair Meade noted that the Tribes would send a letter to the Governor through LCIS and that input had been received from all the Tribes for that letter. Mr. Pitt spoke about the Warm Springs Tribe's experience with water and noted how complicated and sensitive the subject can be. He spoke of historical decisions and the wide-ranging repercussions into the present. Chair Meade noted that Tribal voices were vitally important and that the Tribes have tremendous knowledge, interest and responsibility regarding water in all its forms and uses. Chair Gentry noted the extinction of fisheries and stressed the importance of sovereignty and treaty rights. He also noted that the Director of OWEB has met with some of the Tribes and questioned how they would treat the information gained from the Tribes. Water is used for consumption, business, and fisheries. They fear that this plan will not fully acknowledge that there is a legacy of problems. Chair Gentry also noted that despite frequent mention of sustainable practices, that no one has invested to find out what sustainability really means. There was also a question of how the Federal Government would participate in this given the land under their management in the State. Chair Kenney shared that she agreed that they needed to

move forward in a meaningful way. She noted that if they were to be partners in this work then, they needed to be treated as such. Director Sparks share that he intended to work with the Governor's Natural Resources Advisor to make sure that the Tribes were appropriately informed about this work. Chair Meade noted that it is very valuable to have the Governor supporting this work and that it will ensure relevant agencies are also at the table. Chair Gentry requested that they include two Klamath basin species in the paragraph noting the extinction of native fisheries. Chair Meade noted that there may be others, so they agreed to add "and others."

Chair Cheryle Kennedy made a motion to approve the letter. It was seconded by Chair Delores Pigsley and approved by acclamation. Commission members will seek approval from their councils before signing.

**OREGON HEALTH AUTHORITY – Julie Johnson, Tribal Affairs Director, Steve Allen, Behavioral Health Director, Dr. Richard Leman, Public Health Department**

Julie Johnson greeted the Commission and shared that they would be presenting on the Governor's Behavioral Health Advisory Council and an update about Covid-19 in Oregon.

Mr. Allen thanked the Commission for the opportunity to present and noted that there has been excellent participation by the Tribes in the process. The Governor signed an Executive Order last fall establishing the Advisory Council for the purpose of developing funding and policy changes for the upcoming session. This would focus on those who may also have an addiction and experience housing challenges. The Council consists of 35 members and 12 participating agencies. The task force meets monthly. It includes adults and transitional aged youth and has expanded to include children 12 and over. He noted that a lot of work has been done in Oregon over the years, so they are not looking to reinvent the wheel and have charged Task Force Members with research. Tribal strategic reports have been some of the most relied upon by the Task Force. They are using the theme of "simple, responsive and meaningful" to inform their work. They want access to service to be simple, responsive to the identity and culture of the individual and meaningful in that the services create positive change. They will be driving toward system change. The elements of the policy package include data/outcomes, housing and supports, accountability, services/programs, funding/incentives, and workforce. All these elements are crucial to the work and the absence of one of these undermines the success of the rest. Each of the elements is being worked on by a subcommittee within the Task force. In 2019, the Task force reviewed existing research and recommendations and are now, in 2020, making policy recommendations based on that work. They have been working to integrate the Tribal Behavioral Health Plan into this work. Moving forward, they are looking for individual and collective meetings and consultation.

Chair Meade shared that she was pleased to see housing included in this work. She then asked for clarification on working with Tribal leaders and the workforce. Mr. Allen responded that they were looking at strategies for specialized Tribal workforce. Julie Johnson added that there were some historical programs where OHA teamed with Tribal

Health departments that could offer roadmaps for the future and that the Behavioral Health Aide program could also be a guide.

Ms. Johnson noted that Dr. Thomas Weiser from NPAIHB was unable to attend this meeting but has been very involved in the work on Covid-19.

Dr. Leman introduced himself and noted that he had, at one time, worked at the Siletz clinic. He began by describing the timeline of Covid-19. The first cases were discovered on December 8, 2019. The outbreak was declared on December 31, 2019 and it was identified as a novel coronavirus on January 7, 2020. The initial cases were traced to a live market. They were able to develop a test by early January and the first case outside of China happened in mid-January. The first US case was on January 15<sup>th</sup> in Washington State. Testing has been done entirely through the CDC and Oregon has just recently been able to begin testing, but that capacity is limited based on availability of materials. They are working to have testing available through commercial labs. WHO declared a public health emergency of international concern on January 30<sup>th</sup>. The first case of Covid-19 in Oregon was reported on February 28<sup>th</sup>.

Coronavirus is an envelope virus and is very susceptible to simple disinfectants and handwashing. It is named for the visible spikes which make it appear to have a crown. There are about 20 known coronaviruses of which, about seven cause human disease. They typically cause cold-like illness. Exceptions to this are SARS, MERS and this current Covid-19, which cause more severe disease. Dr. Leman shared a dendrogram which shows breakdown based on the genetic makeup of these viruses and the new corona virus is far away from MERS and bit closer to SARS. He next shared information about the clinical characteristics of the disease. Cough and fever are the most common. Many people seem to develop trouble breathing. He noted that the data from China should be taken with a grain of salt as they initially only looking for really sick people and it is known that there are also milder cases. Based on 425 patients in China, the average age is 59, time between exposure and start of symptoms is 5 to 12 days. CDC has noted that if you don't get sick by 14 days, then you are unlikely to get sick. Chair Pigsley asked how long the disease lasted. Dr. Leman responded that they are still learning that. People seem to be sick at least a week or more. The basic reproductive number is 2.2. Chair Gentry asked how long a person would be contagious. Dr. Leman responded that they are learning and that broader availability of testing will help determine that. They think that as long as someone is coughing, they can potentially be contagious. Chair Kennedy asked if current and recent deaths from pneumonia are being tested to determine if they were in fact caused by Covid-19. Dr. Leman responded that they are not because their concern is for those patients who be infecting others. Though they have issued protective guidance to mortuaries on how to take care of people who are deceased. Dr. Leman answered several more questions from Commission members about various aspects of Covid-19.

At the time of this meeting, there are just over 90,000 cases worldwide with 86% of those case in mainland China. There are 125 cases in the United states and three in Oregon. In Oregon, they are interviewing people who have been ill to find out who they have come in



contact with. They are recommending that high risk individuals not go to work or school. They are working with the healthcare community and ramping up testing. Chair Kennedy asked about the test and Dr. Leman described the different methods currently available to test for the disease. Chair Kennedy asked whether Tribal health clinics would be able to perform the test and have the testing done at a lab. Dr. Leman noted that the Tribe had a MOU with OHA to do that at the public health lab. OHA is happy to receive those calls from the Tribes. He also noted that because the test is provided by the CDC, that they had to follow their protocol. Chair Kennedy noted that Tribal communities are very tight knit and friendly and that makes them potentially more susceptible to the disease. Dr. Leman shared that it was important for everyone to work together and provide information to everyone so that we can slow the rate of infection and flatten the curve. Commission Member Mercer asked about the availability of point of contact testing and Dr. Leman indicated that they don't know when that will be available. Commission Member Mercer noted that it was important to understand who might have contracted this illness and that this had implications for the admittance policies at tribal health clinics. Dr. Leman noted that there could be uncertainties about negative test results because they don't know at this point whether someone who has exposure and tests negative, could later test positive.

Ms. Johnson noted that they were always available to the Tribes if they have any questions.

#### **Commission Member Reports Continued:**

**Coquille Indian Tribe - Chairperson Brenda Meade:** Chair Meade shared with the Commission that Toni Ann Brend, who was a long time Tribal Council Member and treasured member of the community, passed away. In the interest of time, Chair Meade will give the rest of her report at the next meeting.

**The Klamath Tribes – Chairman Don Gentry:** Chairman Gentry shared that the Klamath Tribe was continuing to fight for their water rights. A drought declaration was issued today by the Governor, so the situation continues to be dire. Chairman Gentry also shared that Klamath Tribal member Gordan Bettles passed away. He was instrumental in many of the gains the Tribe made concerning cultural resources.

**Cow Creek Band of Umpqua Tribe of Indians – Chairman Dan Courtney:** Chairman Courtney shared that a group of environmentalist and timber industry executives were meeting with the Governor and had produced a MOU. The Tribe's concern is that they were unaware of this and wondered if this was something they should have been included on. They feel like the MOU will be positive in the long run but missed the consultation.

Chair Meade adjourned the meeting at 3:22 p.m.