

Survey: Officers down sharply on First Nations

The Canadian Press

CANADA — The number of aboriginal police officers patrolling Canada’s First Nations communities is plummeting, despite a recruiting drive over the last decade, a new survey suggests.

Just 55 per cent of officers serving native communities are aboriginal, a sharp drop from 77 per cent in a similar survey taken in 1996.

The “change [is] most marked in the RCMP, but [is] also substantial in the [self-administered]” police forces of many native communities, says a preliminary report.

The 2007 survey of 788 officers found progress in almost every other area: officers generally have more education and experience, are better trained, and include more women.

But the face of native policing is becoming more non-native, as employment strategies apparently fail to engage more aboriginals on reserves.

More than 1,200 police officers, many of them RCMP, currently serve about 400 First Nations communities across Canada. The number has grown steadily since 1991, when the federal government announced a policy to deliver special police services that respect aboriginal culture.

The Mounties also developed a recruiting strategy to help increase the numbers of aboriginal officers assigned to First Nations groups “to ensure that the RCMP’s workforce is representative of the communities it serves.”

The Public Safety Department ordered the \$126,000 survey from Alderson-Gill and Associates Consulting Ltd., which developed the detailed questionnaire with the help of native chiefs of police and the RCMP.

A final report is expected later this summer, but preliminary results were presented at an RCMP conference earlier this year. The Canadian Press obtained a PowerPoint version through the Access to Information Act.

Native officers don’t stay: former Mountie

Researchers are still investigating what factors might explain the decline in the number of aboriginal officers.

“Drops have been recorded for both RCMP and [self-administered force] officers who are aboriginal,” said department spokesperson Jamie Tomlinson.

“We are still analyzing the data and will provide the results of our analysis when it is concluded.”

Dean Fontaine, an aboriginal officer who in 2005 quit the Mounties in frustration after 22 years, says the problem is partly the high attrition rate at the RCMP.

“The retention for their aboriginal officers, First Nations police, is not very good,” he said in an interview.

“You rarely see a First Nations member stay past 25 years, whether it’s because they had other opportunities or they just get fed up with how the RCMP upper management is running things. ... A lot of the First Nations officers get to a certain level and they just say ‘the heck with it.’”

Fontaine said he left the force after senior RCMP officers would not allow him to continue with gang prevention work in Winnipeg. He now advises the Assembly of First Nation in Ottawa on policing issues.

The RCMP currently has 1,358 officers who identify themselves as aboriginal, or almost eight per cent of all regular members.

The federal government pays 52 per cent of the cost of policing services for aboriginal communities, while the provinces and territories pay the remainder.

Ottawa spends about \$105 million each year on aboriginal policing. There are currently about 168 First Nations policing agreements in effect, some of which apply to more than one community.

Native American beliefs clash with dress code

By Eric Hanson
Houston Chronicle

HOUSTON — A small rural school district in Fort Bend County and a determined mother are tangled in a dispute over hair.

Michelle Betenbaugh says her 5-year-old son, Adriel Arocha, wears his hair long because of religious beliefs tied to his Native American heritage.

But the leaders of the Needville school district have strict rules about long hair on boys and don’t see any reason to make an exception in his case.

The dispute illustrates a problem American schools have faced for decades: how to balance individual student rights against rules designed to maintain order and discipline in the classroom.

The case also shows that some rural Texas school districts often have stricter grooming codes that reflect the traditional or old-fashioned values of small-town America when compared to those in big-city school districts such as Houston’s.

According to a legal expert, courts have repeatedly backed school districts in numerous lawsuits. But the same courts have granted students and par-

ents some rights when it comes to hairstyles tied to religion.

“Every sort of legal challenge that could spring into the creative mind of a lawyer has been brought,” said Joy Baskin, an attorney for the Texas Association of School Boards. “Time after time, courts have said that it is not unreasonable to regulate dress and grooming.”

Baskin said legal rulings regarding challenges to hair codes on religious grounds let school districts grant exceptions.

Appeal to board

Betenbaugh’s fight started in May when she told Needville school officials she planned to move to Needville from her Meadows Place home over the summer and enroll her son in kindergarten.

She told officials that Adriel had waist-length hair and she wanted to keep it that way. She said her husband is of Apache heritage and the tribe’s religious practices call for men to wear their hair long.

“His dad is of Native American descent, so we have chosen to raise him with certain beliefs in place, one of them being that his hair is

sacred and we don’t cut it,” she said.

But Needville administrators said the boy’s hair would have to be cut.

Betenbaugh said she plans to appeal the decision to the school board Wednesday, and if the board rules against her she will fight in court.

Betenbaugh will be taking on the Needville Independent School District, a system of 2,596 students surrounded by farm and ranch country. The town is tight-knit, and many of the children at the Needville schools are third- and fourth-generation students.

Superintendent Curtis Rhodes, a Needville High graduate himself, said he talked to Betenbaugh about the dispute and decided no exception should be granted to the rule.

“What is their religious belief that defies cutting hair and following our policies?” Rhodes said. “They have not produced any information except they are Native American Indians.”

Rhodes said if the family can provide more specifics, the district would reconsider the case.

Needville’s dress and grooming code, which does not allow hair past the collar

or eyes, is similar to other rural districts’ in the Houston region.

In the Devers school district in Liberty County, boys cannot wear hair below the collar.

“I would consider it pretty much a rural community with the basic tenets and beliefs that go with that,” said superintendent Larry Wadzek.

Wadzek said controversies over hair rarely come up and the district has never had to go to court over it.

Houston school district spokesman Norm Uhl said the district has no hair code and that individual school administrators set dress policies.

Baskin said school districts have had more success enforcing dress codes because courts have ruled that clothing can be disruptive, which creates distractions in the classroom.

No plans to move

A federal appeals court has said schools can also set rules about hair but that accommodations can be made for religious reasons.

“Religion is probably one of the few or only areas where students are going to be afforded a greater protection,” Baskin said.

Baskin said the reason rules

regarding dress and grooming are imposed is that educators believe the classroom environment is more orderly with those guidelines in place.

“The students have better attendance, have better disciplinary behavior, and it has alleviated tension among students who might be distracted by dress,” she said.

Baskin said Texas has a religious freedom law that basically says a governmental unit can’t pass a rule that infringes on a person’s good-faith exercise of religion unless an exemption would cause an undue hardship for the governmental unit.

Baskin said many Native American tribes include hair length as a religious belief and if the case is litigated, a court will have to consider a number of factors. “Where does the religious tenet come from? Is it an organized religion or a personal set of beliefs?” she said.

Meanwhile, Betenbaugh said she is ready to fight the Needville rule and has not considered moving to another school district with a less stringent hair code.

“It would just teach our son that it is easier to roll over and do what you’re told and not stand up for your rights,” she said.

Cocopah elects new Tribal Council

Yuma Sun

YUMA, Ariz. — Sherry Cordova was elected to her seventh consecutive term as the chairwoman of the Cocopah Indian Tribe in Friday elections.

According to vote returns made public Monday, Cordova received 149 votes in the race for a new two-year term as chair, compared with 67 for Neil White and 33 for Phyllis Miller.

Dale Phillips was re-elected with 136 votes, followed by 68 for White and 48 for John Villanueva.

Candidates who won three other two-year seats on the tribal council were Edmund Domingues with 99 votes, White, 96 votes, and Paul Soto, 81.

Under tribal rules, White was allowed to run successively for chairman, vice chairman and a separate council seat because he was nominated as a candidate for each.

Cordova previously served as a council member and then the vice chairwoman. Soto previously served on the council from 2004 to 2006, while White will serve his first term.

The new council is scheduled to be officially sworn into office at 10 a.m. on July 25 during a special ceremony in the Tribal Council Chambers on the West Cocopah Reservation.

Treaty of Easton



Associated Press

Michael Pennington, left, plays the role of “Quaker Pemberton” and Troy Reynard, portrays Delaware Chief Teedyuscung, during a re-enactment marking the 250th anniversary of the signing of the Treaty of Easton, an agreement between the British Colonial government and Indian tribes of the Ohio Valley, in Easton, Pa., on Sunday. The document helped end the French and Indian War.

Cowlitz gives one year to negotiate agreement

By Jeffrey Mizw
Columbian

VANCOUVER, Wash. — The Cowlitz Indian Tribe is making a final effort to negotiate an agreement with the city of La Center to offset the financial sting of its casino plans.

The Cowlitz Tribal Council voted 17-3 Saturday to renew the offer it made the city in February 2006, including compensating La Center for up to \$3 million annually for lost gambling taxes from its four nontribal cardrooms.

City officials worry that if a big tribal casino is built along Interstate 5 two miles west of La Center, it will bankrupt the cardrooms and cost the city its largest taxpayers, employers and utility customers.

La Center is likely to reject the tribe’s latest overture, if it even formally responds. The

city council has repeatedly shunned negotiations and never gave the tribe an official answer to its February 2006 proposal, except to tell federal officials that it was insufficient recompense for the “virtual elimination” of La Center’s tax base.

Last year, La Center collected \$3.48 million from its 10 percent tax on cardroom gambling receipts. ECONorthwest, a Portland consulting firm that has studied La Center and its cardrooms, predicted two years ago that city gambling taxes would drop by 66 percent if the Cowlitz build a 134,150-square-foot casino as planned.

Cowlitz Chairman Bill Iyall, in a Monday letter to La Center Mayor Jim Irish, offered to negotiate an agreement and pledged not to decrease the amount of compensation the tribe proposed in

February 2006.

The tribe also agreed to a limited waiver of immunity for one year, during which time La Center could sue if the tribe fails to negotiate an agreement.

The tribe, as a sovereign nation, is immune from most lawsuits.

Iyall became Cowlitz chairman after John Barnett, the tribe’s leader for more than a quarter-century, died June 15.

In his letter to Irish, Iyall thanked the mayor for “honor and decency” in his personal relationship with the tribe’s longtime leader.

Irish and Clark County Commissioner Betty Sue Morris were among those who attended a June 22 memorial service for Barnett in Toledo.

“I wanted you to know that Chairman Barnett very much valued his relationship with you,” Iyall wrote in his letter to Irish. “Even in his last days, he

was discussing his wish that the tribe and the city of La Center forge a cooperative working relationship.”

Iyall’s letter includes a copy of the tribe’s 2006 proposed agreement with La Center.

The final environmental impact statement on the proposed Cowlitz casino says the tribe will establish a fund to replace gambling taxes lost by La Center for at least 10 years.

On the surface, it appears to be a better deal for La Center. Unlike in the 2006 proposal, there is:

- No \$3 million annual cap on compensation.
- No restrictions or requirements for spending the money.
- No provisions to reduce compensation if one or more cardrooms go out of business or if the city or state changes gambling law.

But Phil Harju, the tribe’s vice chairman and its designat-

ed casino spokesman, said the provision outlined in the May 2008 environmental impact statement is only a recommendation, not a binding condition.

A decision on the project won’t be made before a comment period closes Aug. 11.

“I don’t know what the Bureau of Indian Affairs will put in the record of decision,” Harju said.

Even if the recommendation to replace lost gambling taxes for at least 10 years is incorporated into the record of decision, there may not be a mechanism for the federal government to enforce that condition, he said.

“A memorandum of understanding between the tribe and the city of La Center would be enforceable,” he said.