

## LETTERS TO THE EDITOR

Dear fellow tribal members:

For the past year my name has been in many discussions before Tribal Council at their regular monthly meetings regarding my paternity and eligibility to be an enrolled Siletz Tribal member. Many of you are wondering why I don't just take the DNA test to prove my paternity as requested not only by the council but by the Mason family. I hope this letter helps to explain.

Tribal Council has the authority within the Enrollment Ordinance, Section 2.314 APPEAL PROCEDURE (d) Reconsideration of Applications. At its discretion the Tribal Council may re-open old applications when new and substantial evidence is submitted to support the applicant's position and when the Council determines that justice requires such reconsideration.

When you read this, it clearly applies to applications and not currently enrolled members. Imagine for a moment that it does apply to currently enrolled members. It also clearly states "new and substantial evidence."

What is "new and substantial evidence"? Does it include letters signed by family members challenging your paternity, or hearsay statements from a man deceased for over 20 years, or statements from strangers that they think they might be your father? This was the type of evidence provided to Tribal Council.

I am the son of Terrance Mason and Trish Holt. In 1993, my enrollment application and supporting documentation

were provided, my name was posted for the required 30-day posting period, and Tribal Council approved my enrollment. I followed the enrollment process the same as anyone else in this tribe.

I refused to take the DNA test because the Tribal Council has no authority to require it nor were they provided any "new or substantial evidence" to support the challenges against me.

As the government body, they should have been protecting me against the challenge instead of joining the challenge. Tribal Council has made others submit to a DNA test and they were dis-enrolled. Just because it was done before to others does not mean it is lawful.

I will not submit to a DNA test at the request of the council or the Mason family. I hope the membership understands that I am doing this to protect us all. Our tribal government and enrollment process, especially a DNA test, should not be manipulated and used to settle family feuds, animosity, or battles among families within our tribe.

The way the process stands today, and I am living proof, anybody can challenge any member's right to be enrolled with just a statement and an accusation. And trust me, there are four members on the Tribal Council who believe this is substantial evidence to act on and you could be next.

Respectfully,  
Tristen John



Dear tribal members:

With deep concern I address the general membership. For the past year an injustice has been presented to our elected Tribal Council. The accusations and hearsay inflicted upon an enrolled tribal member were unmerited. The assumptions were based on selective memory of a few and a birth record from a hospital. Our Enrollment Ordinance accepts this document.

I attended the Dec. 21 hearing where hearsay evidence was submitted: a statement that a woman said a man said "he thought he could be the father of this person"; a woman said her brother told her that "that child was not his; the child does not look like him."

Tribal Council sent a birth record - a confidential enrollment record - to a handwriting expert. This birth record was even projected on a large screen for everyone in this meeting to witness. The parentage was discussed openly and the Tribal Council even called witnesses to testify as to the parentage of the enrolled tribal member.

You might want to ask yourself just how safe is your confidential information in your file? Who has the right to open it and discuss it in an open Tribal Council meeting? Should you have to give permission to allow this? I think so.

This enrolled tribal member's information was taken out of his file and "blasted on a large screen" at an open

meeting without his consent. If the law of the Enrollment Ordinance is followed, your enrollment file documents should be secure and confidential. Or is it?

At the Dec. 21 meeting, Robert Kentta moved to dis-enroll this tribal member; Alfred "Bud" Lane seconded. The vote was 4-yes, 3-no, and 2-abstentions.

This was an illegal action. Our Enrollment Ordinance doesn't allow for any enrollment actions from Dec. 1 up to the date of the annual elections in February. The Tribal Court agreed, finding they had voted on this matter illegally.

At a March 5 special meeting at Chinook Winds, Robert Kentta moved to dis-enroll and Alfred "Bud" Lane seconded. The vote was much different this time - 4-yes, 5-no, and 0-abstentions.

Now we're asked to question the ethics of two elected Tribal Council members for voting no. We were not asked to look at ethics when the Tribal Enrollment Ordinance was violated. Why not?

Who will be the "watch dog" of the rights of tribal members? As our Constitution states: May we continue forever, with the help of God, our unique identity as Indians and as the Confederated Tribes of Siletz Indians of Oregon and to protect that identity from forces that threaten to diminish it.

Thank you for your time.  
Krisit Martin-Bayya

Dear tribal members:

The whole ordeal that Tristen John had to go through over his enrollment was a shameful time for our tribe.

I attended both meetings where the Tribal Council acted on this. I felt terrible for this young man and was shocked when the first vote was to dis-enroll him. It was unbelievable.

I have heard from other tribal elders who felt this was wrong. I was very relieved and happy that the second vote was to not dis-enroll him.

Dear tribal members:

Having read the letters about council action over Tristen John's enrollment, I am compelled to voice my views.

The Enrollment Ordinance allows council to re-examine an enrollment when presented with "substantial evidence." In this case, the evidence was verbal hearsay submitted through "confidential" presentations over the course of nearly a year.

In December, after these presentations, the council held a hearing on this matter. Immediately after the hearing, the council convened a special meeting at which 4 members voted to dis-enroll Tristen (3 members voted no and 2 members abstained).

This action was appealed in Tribal Court and the chief judge ruled the action invalid as the Enrollment Ordinance specifically prohibits any

I don't personally know Tristen John. All I know of him is that he is a traditional man. He dances at the dance house, he is respectful to elders, he helps at the wood cutting for elders, and he is always pleasant and cordial to people.

This matter has been voted on twice now and needs to be closed.

Sincerely,  
Liz John  
Tribal Elder



enrollment actions (including dis-enrollment) between Dec. 1 and the second Saturday of February each year.

In March, the council held a special meeting with "Enrollment" on the agenda and voted again on a motion to dis-enroll Tristen. This time all 9 members voted and the action failed - 5 against and 4 for dis-enrollment.

Enrollment and dis-enrollment are serious matters that should not be left to the decision of a minority of the full council. While I can understand that the Mason family is unhappy that the vote did not go the way they wanted it to, the matter has been decided.

I hope that they can let the matter go and not be antagonistic. We need to follow our rules and laws and be fair to everyone.

Sincerely,  
Laurie Brown-Godfrey



To the editor:

This letter responds to the letters in the last newsletter regarding Tristen John.

One letter makes claims against our Tribal Council members, who were voted in by the majority to represent **all** tribal members. Now, because the Mason family did not get the results they wanted, they are questioning the abilities of those council members who voted against dis-enrolling a tribal member.

This letter refers to an "overabundance of legal proof that someone has been fraudulently enrolled in our tribe." This overabundance of legal proof included hearsay of both verbal and written statements. All other evidence presented at the hearing was acquired through the enrollment record by Tribal Council.

What type of a system is this? Tribal Council should be protecting the membership, not working against them. The policies and procedures were followed during this enrollment process over 10 years ago and it is very disturbing that Tribal Council interprets their authority to question that process.

The letters in the tribal paper accused council members of having personal involvements with the person they claim to be fraudulently enrolled

because their son works with him, or because he has considered someone like a grandfather, or he works in the same department. These are not conflicts of interest under any law.

We as tribal people understand the importance of not only family, but of community. We often help to raise children who lack parents with the ability to provide cultural ties to our tribe and that relationship is easily and openly established among many.

The Tribal Council Rules and Procedures Ordinance states that council members must abstain from decisions in which they receive a personal financial gain or advantage. This would also apply to a benefit received by an immediate family member of a council member. There was no benefit gained and no conflict of interest for any of the nine members voting on this issue.

We also know and understand that being a tribal member is not about the status, benefits, or even per capita. It is about our identity and relationship to our culture and tribal community. In any case, this matter has been resolved and I hope we never see another like it again.

Sincerely,  
Bonnie Petersen