



THE PUBLIC REPORT



SALMONSCAM

by Jack L. Schwartz

"Probe Uncovers Illegal Fishing," "Columbia Fish Poaching Ring Broken Up," "Elaborate Trap Uncovers Illegal Fishing by Indians."

And so the headlines said, all across the Northwest. The only problem was that no one had been tried or found guilty of anything — except by the press.

After two years, the government effort called "Salmonscam" has passed through the trial stage. The outcome of the cases has shown that the headlines were dead wrong. And now the question remains: Can an accused citizen lose his right to a fair trial as a result of media biases?

The answer for Indian people along the Columbia River, is yes; the press appointed itself prosecutor, judge and jury, and thereby perverted our system of justice.

In the fall of 1981 and the spring of 1982, the federal government joined with Oregon and Washington in a costly undercover operation designed to stop what was alleged to be a coordinated Indian illegal fishing operation on the Columbia. This Indian organized crime ring was said to be so massive that the biological existence of the fish resource was in jeopardy.

After the undercover fish buyers induced the sales that they came to investigate, Indians were indicted and tried in county, federal and tribal courts throughout Oregon and Washington. The men and women were acquitted of every charge of conspiracy. They have defeated almost two-thirds of the substantive federal charges and the great majority of the state prosecutions. All tribal cases ended in victory for the defendants. The few convictions are now being appealed.

But the result — and probably the government's intention from the beginning — was the disruption of the Indian community, the destruction of families and the poisoning of attitudes of non-Indians against treaty rights.

In November 1983, the Columbia River Defense Project of the National Lawyers Guild, which represents the river Indian community, hired a social science organization to analyze the media coverage of Salmonscam and the resultant effect upon fair trials.

The report confirmed our greatest fears. According to the Litigation Attitudes Group of Portland, five findings were made regard-



ing the print media in Multnomah, Hood River and Wasco Counties:

1. News reporting was biased against Indian fishermen.

2. News reporting evidenced bias in favor of non-Indian fishermen by omitting coverage of their alleged violations of the law.

3. News reporting in Wasco and Hood River counties was further biased by omission of coverage of what subsequently happened to those Indian fishermen accused of illegal fishing.

4. Government resources are relied upon as a major source of news reporting.

5. Editorial comment was clearly biased against the defendants. (The group's in-depth analysis included only one editorial.)

To arrive at these conclusions, our experts reviewed fifty press clippings from the period of August 11, 1981, through November 5, 1983. Most were from The Oregonian. A list of evaluative or judgemental words and phrases was developed, in which the connotation of the word or phrase used in the context would not be seen as neutral as a reasonable person.

A list of more than fifty non-neutral words and phrases was made, such as "illegal fishing scheme," "poacher," "criminal element," "out-and-out robbing," and "ringleader." A frequency count of their use was also done.

Overall, twenty-four percent of the headlines used identified non-neutral words. The Oregon Journal, however, used them in seventy-seven and seven-tenths percent of its headlines.

Two articles referred to white fishermen, while forty-two related to Indians.

Moreover, it was determined that the press throughout the region was monolithic. Dailies, the wire services, radio and television news and even the so-called alternative paper Willamette Week used government agents as the major or sole sources of what passed as fact before the trials.

Four news articles and one Oregon Journal editorial were published solely on the basis of a United States Commerce Department news release of June 17, 1982; a typical headline appeared in the next day's paper: "Probe uncovers Illegal Fishing." In another example, an article actually written by Officer Jim Gladsen of the Oregon Department of Fish and Wildlife was reprinted verbatim in at least six Oregon newspapers.

The second phase of the study involved an opinion survey of the three relevant Oregon counties. Analysts from Northwest Attitudes conducted direct interviews with seventeen community leaders and telephone interviews with one hundred and fifty-four registered voters in each county.

They concluded that the bias against Indians was so pervasive that none of the defendants could get a fair trial in Wasco County. Their chances were a bit better in Hood River County, and more so in Multnomah County.

In Wasco County, more than three-fourths of the respondents reported that they had

heard of the cases. Two-thirds expressed opinions concerning the defendants' guilt or innocence, with sixty-seven percent believing that they were guilty. One third even admitted they could not be fair jurors if chosen for jury duty.

The defense failed in its attempts to gain a change of trial sites to Portland from Circuit Court Judge John Jelderks, despite the overwhelming evidence. As a result we abandoned our hope of receiving fair trials from all-white juries and chose a strategy of defeating the prosecution before trial.

In the spring of 1983 the press began a temporary shift to objectivity. The Oregonian in April ran a report that expose the government's hidden report, written by the National Marine Fisheries Service, which found that Indian poaching was not the cause of the reduction of salmon in the Columbia. The fish had learned to spawn at new locations to avoid the dams.

The Vancouver Columbian ran the item under the headline: "Study Absolves the Indians". Yet the radio and television outlets, along with the small-town newspapers, totally ignored this biological acquittal.

In August 1984, the Defense Project held a press conference to announce that Oregon had gotten only two convictions out of thirty-six fishing cases and that the government agents had been found, in the courts, to have committed entrapment, withheld crucial evidence and illegally used electronic surveillance against the Indians.

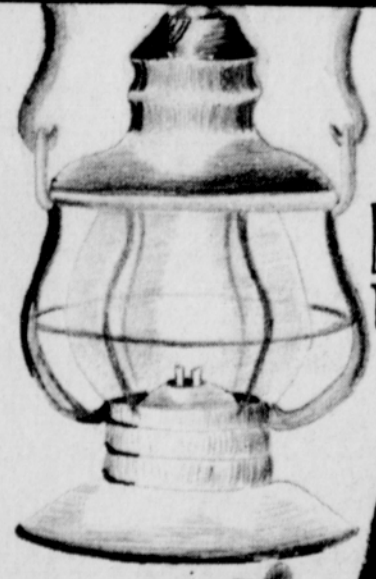
The Oregonian's coverage of the end of the Salmonscam trials ignored all of this. Its wrapup story ran under the headline: "Few convicted, but 'Salmonscam' called success." Once again, the source was the agent in charge of the failed undercover operation.

In October, when Amnesty International, the Nobel Prize-winning human rights group, announced that it was investigating claims that Oregon unjustly attacked the Indian community. The Oregonian blindly attacked the organization for "buying into defense claims." The paper contacted neither the official observer nor the defense team to determine what evidence was being considered.

The press, as a group, has declined to do any independent investigations of these serious charges. Only when the editors, reporters and anchorpersons relinquish their role as defenders of the status quo and start to question the lies of the government will they merit the trust of the public.

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drawing by Farzahn Kamali



**the
BRASS
LANTERN
RESTAURANT**

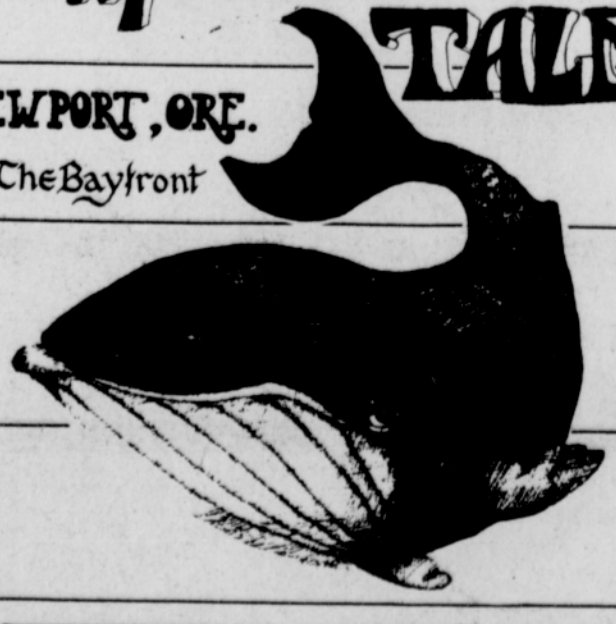
IN CANNON BEACH

APRIL 2 MARKS OUR FIFTH
ANNIVERSARY. WE WISH TO
THANK YOU.

**WHALE'S
TALE**

NEWPORT, ORE.

On The Bayfront



START THE SPRING
WITH A POPPYSEED
PANCAKE