



Yasser Marte/East Oregonian

**Vendor Krissy Burchette sets up her tattoo truck Friday, July 15, 2022, at the Pendleton Round-Up Grounds for the Pendleton Run weekend.**

## Bikers:

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“Charging admission to a midway with vendors didn’t seem right to us,” Richards said. “And they had an interesting cast of security staff.”

Richards said he promotes events all over the country.

“I’ve done six events in seven weeks,” he said. “From here I’m going to New York, then to Sturgis (South Dakota). Support from local businesses here has been huge.”

And Pendleton Run is not just motorcycles.

“We’re family friendly,” Richards said. “Pendleton rules: no weapons and no dogs.”

Many vendors attending the event could not be happier with the venue.

“It’s going to be one of the better ones, I can see that,” said Ira Owen, a vendor and Pendleton member of the Bikers For Christ organization.

Owen and fellow member Cricket Nicholson have been attending the Run since its inaugural year as Bike Week.

Nicholson, also a guide at the Pendleton Underground Tours, said she is grateful they’ll be able to stand in the shade of Roy Raley Park, as opposed to other years where they camped in the Pendleton Convention Center parking lot.

Most of the vendors in the park are not experienced Run veterans, but first-timers. Joanna Emry of Pendleton owns Emry Farms with her husband, James. She said they learned of the event through a man who came to the door. She now has a stand in the park selling their all-natural baked goods.

John Sicoan of Milton-Freewater said he heard of the event in its prior years, but this was the first time he and his Smokey Mountain BBQ truck has been able to attend.

“I’m just here to promote

the meat, cook and have a good time,” he said.

And it’s not just local vendors coming to attend. Russell Johnson, a marketing representative for Russ Brown Motorcycle Attorneys, of Studio City, California, said he has traveled to rallies all over the country but this is his first appearance in Pendleton.

“I love going to rallies at rodeos,” he said. “It’s the perfect place to see a motorcycle sideways at 100 miles per hour.”

Johnson, a native of Modesto, California, said Richards, Pendleton Run co-organizer, let him know about the revamped experience in Eastern Oregon. Johnson’s employer, Russ Brown, hopped on as a major sponsor for the event.

Other motorcycle-based companies, including Rattlesnake Mountain Harley-Davidson and Motostuff, have joined on as well. And swarms of biker paraphernalia, T-shirts and even a tattoo artist have set up shop in the Round-Up Grounds.

The reinvigorated event has brought hopes of success for both vendors and organizers. Rice said he anticipates somewhere between 3,000 and 5,000 attendees during the weekend.

Most events of the weekend are free, excluding the July 15 performance from classic rock band Blue Oyster Cult and the marque flat-track races on the night of July 16. Other features include free music, a poker run and a 400-mile motorcycle ride through the Columbia Basin.

For a fellow motorcycle enthusiast in Rice, the event is a long time coming, and one he said he hopes will stay for even longer.

“I want this thing to survive long after I’m gone,” he said. “I want to make it successful, get people in and involved, and get to be with the community.”

The celebration began with a kickoff party July 14 before two full days of events July 15-16.

## Ski:

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1999 — had safety concerns for skiers due to snowmobilers using the north parking area. According to Weseman, the Forest Service worked with the Murrays and tried to resolve the conflict, but no resolution was ever reached. In November 2021, their permit was revoked and the infrastructure became property of the U.S. government.

“The Forest Service is committed to providing for public safety while maintaining a balance of public access to the Forest surrounding Spout Springs Ski Area,” Weseman said.

### Spout Springs’ future

The list of required duties to operate Spout Springs is long.

Weseman said the new operators will be responsible for the operation and maintenance of infrastructure and equipment, physical site management, staffing, food and beverage, planning and development.

Interested parties are encouraged to include ways the recreation area could be used year-round in their proposals. Weseman said candidates should consider four-season operations in order to make the opportunity more lucrative and successful. Previous owners have promoted summer recre-

### MORE INFORMATION

Submission guidelines for interested parties are available on the U.S. Forest Service’s website. Prospective applicants are encouraged to visit Spout Springs and inspect the infrastructure in person prior to submitting a proposal. To schedule a site visit, contact Andy Steele at [andrew.steele@usda.gov](mailto:andrew.steele@usda.gov) with “Spout Springs Site Visit” as the subject line. The proposals are due by Sept. 1 and are being used to gauge competitive interest. They will be reviewed by Walla Walla District Manager Aaron Gagnon, with support provided by the staff at the Umatilla National Forest Headquarters.

ational activities, such as mountain biking and hiking, and the Umatilla Forest Service is open to allowing activities aligned with the intended use of the land, like camping.

The ultimate goal is to sell the existing infrastructure and issue a new Ski Area Term Permit to a qualified application. According to Weseman, the ski area could be operated under a special use permit for government-owned facilities until the sale of the infrastructure is finalized.

## Voices:

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For Indigenous families, the struggle to prosecute crimes committed by non-Natives on tribal land has created lasting trauma. And a lack of crime data, high rates of cases being declined by federal prosecutors and meager resources for help leave some feeling abandoned, a consensus among tribal officials, advocates and survivors.

Violent criminal acts committed on tribal land by non-Natives have historically fallen through the cracks due to a dizzying jurisdictional maze that critics say made Indian Country lawless. Changes to laws giving tribes more authority over non-Native offenders started in 2013. However, those came with a caveat: finding the resources, including jail space, courts and court-appointed attorneys before tribal courts could be authorized to prosecute.

A ruling from the U.S. Supreme Court last month also could shake the legal landscape by giving states concurrent jurisdiction with federal authorities over crimes committed by non-Natives on tribal land, according to legal experts, though others are hopeful the ruling won’t make a big difference in Oregon.

Despite painfully slow progress and a growing movement calling attention to missing and murdered Indigenous women, generations of survivors like Coyote have suffered decades of trauma with only each other to turn to.

“The United States has done a terrible thing for Indigenous people and continues to do terrible things to Indigenous people,” Coyote said. “Left to our own ways before boarding school, before fur trappers, this would not exist. Sexual violence would not exist here.”

### Changing laws

Critics tie the high rates of violence on tribal land in part to a 1978 ruling, *Oliphant v. Suquamish Indian Tribe*, when the U.S. Supreme Court stripped tribes of the authority to prosecute non-Natives. Instead, cases involving non-Natives were forwarded to federal authorities.

But the threshold for prosecuting these crimes is high, tribal and legal experts say. Between 2011 and 2019, the only years for which data is available, federal figures show the U.S. Attorney’s Office in Oregon declined to prosecute nearly 25% of violent crime cases forwarded by law enforcement from tribal land, while nationwide case declination was around 35%. The U.S. Attorney’s Office declined to provide comparative data about declined non-Indian Country crimes, citing Justice Department policy.

The Violence Against Women Act reauthorization in 2013 gave tribal courts authority to prosecute non-Native offenders for acts of domestic violence, if certain conditions were met.

“Before, abusers could do horrible things to their wives, their partners, and run free and nothing would happen to them because they couldn’t be prosecuted by the tribes,” said Rep. Tawna D. Sanchez, D-Portland.

Minimal funding has hindered progress, however, officials said. Only 31 of 574 federally recognized tribes in the U.S. have been authorized to prosecute non-Natives as of May 2022, according to the National Congress of American Indians. And only the Confederated Tribes of the Umatilla Indian Reservation is authorized in Oregon.

Starting Oct. 1, tribal courts legally will be able to exercise their inherent jurisdiction over non-Natives for additional crimes, including child violence, sexual violence, stalking, sex trafficking, assaults of tribal justice personnel and obstruction of justice.

Brent Leonhard, an attorney for CTUIR, said the reauthorization is another step toward overturning the 1978



Kathy Aney/For Underscore

**Merle Kirk, standing at a spot high above her nearby home on the Umatilla Indian Reservation near Pendleton holds a portrait of her sister, Mavis Kirk-Greeley, who died in 2009 after her boyfriend allegedly hit her with his vehicle on the Warm Springs Indian Reservation.**

case that has prevented tribes from holding non-Natives accountable.

“It’ll just show, once again, those who have concerns about Indian Country exercising authority over non-Indians that they’re just wrong, that there isn’t anything really to be concerned about,” Leonhard said.

Still, before being able to prosecute non-Native offenders the tribes will need resources — trained law enforcement, developed tribal codes and robust courts — to carry out justice.

“A lot of tribes don’t have their own financial capacity to run this program,” Sanchez said, “and federal resources are relatively thin.”

Since *Oliphant v. Suquamish Indian Tribe*, the high court earlier this month placed limits on a 2020 decision recognizing a large area of Oklahoma as unceded Indian reservation land. This gives states the authority to prosecute non-Natives who commit crimes against Native Americans on tribal land.

While state officials in some parts of the country

the time that there was “a strong possibility she was murdered,” as reported by the Yakima Herald-Republic. Forty years later, another 28-year-old family member, Lisa Pearl Briseno, went missing. She remains one of the 11 missing Indigenous people in Oregon, according to a February report from the U.S. Attorney’s Office.

The latest tragedy came in 2009, when Mavis MayAnne Kirk died after she was hit by a car following a workplace Christmas party on the Warm Springs Indian Reservation, said her sister, Merle Kirk. Family members at first did not suspect foul play. But an autopsy report indicated that Mavis Kirk had been run over twice, and the family later learned that the driver — Mavis Kirk’s boyfriend at the time — asserted his Fifth Amendment right to remain silent in an interview with authorities, Merle Kirk said. That’s when the family suspected Mavis Kirk was murdered.

In less than a year, however, the U.S. Attorney’s Office told the family they

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— Desireé Coyote, assault survivor

have applauded the ruling, many tribal leaders say the decision strikes a major blow to nearly two centuries of precedent and could imperil tribal sovereignty and further complicate law enforcement on tribal lands.

Umatilla Tribal Court Chief Judge William Johnson said many tribal leaders still are trying to figure out what the ruling could mean, but that it’s a reversal of centuries of policy and practice. Still, he’s hopeful that Oregon’s history — where state authorities have had some jurisdiction on tribal land since the 1950s, and where reservation boundaries are more clearly defined than in other states — will mean the ruling won’t have a big impact in Oregon.

“I think it’s a wait and see thing, and we hope it just stays simmering in the background and doesn’t explode into anything else, that’s what I would hope,” Johnson said in an interview after the decision.

### Finding a way forward

For families whose loved ones’ cases were declined by federal authorities, there are unhealed wounds. Mavis MayAnne Kirk of Warm Springs, whose family lives on the Warm Springs, Umatilla and Yakama reservations, and in urban areas of Oregon and Washington, is among those cases and her family has been repeatedly struck by tragedy.

In 1957, a 32-year-old family member, Mavis Josephine McKay, was found dead in an irrigation canal in Washington, and a criminal investigator said at

would be dropping the case, Kirk said. No one has been prosecuted for Mavis Kirk’s death.

“They made it like she didn’t matter,” Merle Kirk said. “It hurts. She matters.”

A spokesperson for the U.S. Attorney’s Office said in an email response to questions about this case that the office “cannot discuss the specifics of investigations that do not result in criminal charges.”

Merle Kirk remains shaken. Every year, she pins red ribbons on every stop sign in the Warm Springs community to remind people of her sister. This year, six days before the anniversary of her sister’s death, Merle Kirk’s daughter had a child. She named her newborn daughter Mavis.

### Money for justice

Congress has passed two pieces of landmark legislation providing billions of dollars in federal support for crime victims: the Victims of Crime Act in 1984 and the Violence Against Women Act in 1994. In 2001, Oregon also established the Oregon Domestic & Sexual Violence Services Fund, which began funding 49 nonprofit organizations supporting victims statewide.

Tribal victims services programs rely heavily on state and federal grant awards that are funded by these pieces of state and federal legislation, according to state and tribal officials. But for years, Oregon struggled to connect these resources with tribes across the state.

During listening sessions with tribes in 2010, Diana

Fleming, program analyst for the Oregon Department of Justice Crime Victim and Survivor Services Division, and Coyote, who also worked for the state, said many tribes told them they didn’t even know grant funds through the state of Oregon were available to them.

“The bottom line is, yes, we acknowledge that the funding wasn’t getting to tribal nations in the way that we had thought it was,” Fleming said.

It wasn’t until 2011 that the nine federally recognized tribes in Oregon became eligible to receive funding from the Oregon Domestic & Sexual Violence Services Fund and the Violence Against Women Act. Two years later, seven of the tribes could start receiving these grant funds for victim’s services — \$20,000 per year, per tribe.

In the following years, state and federal grant funds for tribal victim’s services would continue to increase. Now, tribes in Oregon can receive \$120,000 per year from the Oregon Domestic & Sexual Violence Services Fund and the Violence Against Women Act, and eight of the nine tribes in Oregon can receive an additional \$125,000 per year from the Victims of Crime Act.

But advocates say the slow progress and meager funds help explain why it is such a challenge for victims of crimes on tribal land to get support. In Oregon, there is one domestic violence shelter on tribal land.

### Voice of resilience

In the decades since Coyote reported the alleged kidnapping to tribal police in 1991, and the authorities did not charge him, Cruz has twice pleaded guilty in federal court to child sex crimes, the latest coming in 2013, when he pleaded guilty to two counts of first-degree child molestation in Rhode Island. He was sentenced to 15 years in prison.

William Cruz declined to comment for this story.

Coyote has shared her story from that night near Deadman Pass in northeastern Oregon countless times. As an advocate for Indigenous survivors of violence, she hoped to amplify injustice and help survivors feel less alone. And yet, as she opened the red and white envelope with the police report in May, she wondered if memory served her right, or if perhaps it had all been a bad dream. She was silent as she read the four-page report in her office in the Nixyaawii Governance Center in Mission.

For years, she had said that Cruz did not rape her, that somehow she convinced him to stop and drive her home. But now, the report told a different story. A memory she had long suppressed flooded back.

“I think I chose not to remember it,” she said. “I do think it happened. Because it wasn’t the only time he raped me.”

No matter how many years go by, she cannot forget that night up near Deadman Pass. But that hillside has taken on a new meaning. Each year, on Memorial Day weekend, Coyote returns to those foothills near the Blue Mountains. There, alongside her daughter and grandchildren, she picks flowers and spreads them on her mother’s grave.