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Spilyay Tymoo

News from the Warm Springs Indian Reservation



VOL. 14 NO. 22

PO BOX 870 WARM SPRINGS, OR 97761

NOVEMBER 3, 1989

Coyote News In Brief

Information Fair draws crowd

The fourth annual Fair, October 19, provided information as well as fun to those attending.

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Seniors get into Halloween spirit

Local senior citizens donned their best costumes for Halloween activities.

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Wildlife mitigation proposal approved

The Northwest Power Planning Council has approved a proposal to mitigate for losses to wildlife populations caused by hydropower dams throughout the Columbia River basin.

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Apprenticeship program trains tribal members

Since 1984 the Apprenticeship program has helped tribal members learn skills.

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Actors to perform

Ashland Shakespearean actors will entertain students and community members Friday, November 3 at Madras High School.

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Girls cross-country enters state meet

Girls cross-country teams qualifies for State by winning the GOL championship.

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November is Alzheimer's Disease Month

Experts say those who provide care for victims of Alzheimer's Disease often ignore their own health and well-being.

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Deadline for the next issue of *Spilyay Tymoo* is November 10, 1989.

Weather

OCTOBER	HIGH	LOW
18	68	31
19	65	40
20	63	46
21	57	50
22	63	44
23	64	55
24	59	35
25	56	35
26	50	36
27	50	35
28	52	26
29	51	22
30	58	21
31	58	40



The young and not so young alike got into the act while attending the fourth annual Information Fair October 19. Headstart students received information from forestry, just one of numerous departments that had a display at the Fair.

Impact aid, upcoming levy issues confused

Impact Aid funding for 509-J schools will be the topic of discussion at a meeting scheduled for November 2, 1989 at Warm Springs Elementary. Also to be discussed is the upcoming bond levy election.

A "fact sheet" recently produced by the Warm Springs Human Services department is an effort to explain "how much Warm Springs contributes per student" to the school district, says Human Services systems analyst John Anderson. It is meant to prepare community members to attend the meeting.

However, says 509-J School Board member Jeff Sanders, the "fact sheet" should be taken "with a grain of salt." The facts may be correct but they are not presented in an objective manner.

In addition, tribal members have recently received flyers in the mail sent anonymously, which use information from the fact sheet to oppose passage of the upcoming levy for school construction and renovation funds. "The two (the fact sheet and the levy) are unrelated," says Sanders. The Tribe and School District are working together to find funding sources for a new educational center which would include an elementary school. Funds designated for renovation of Warm Springs Elementary are only temporary, to meet increasing enrollment needs of the school until

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Juvenile code amended to better serve youth

Recognizing the need for change and improvement in the tribal juvenile code, Tribal Council, in July of this year adopted revisions of Chapter 360 of the code. Some of the amendments are significant, said tribal chief judge Donald Costello.

After thorough examination of the code, said Costello, "certain things became clear...Our code had bottlenecks built into it." Those stoppers caused the "wheels of justice" to slow considerably, putting a child's well-being in jeopardy.

Added to the code is the definition of a neglected juvenile, which is a child who has been abandoned; a child whose parents or guardian do not provide basic living necessities; a child who is physically or mentally abused (mental abuse may be humiliation or threatening the child or yelling at the child); and a child whose parents have created, allowed or failed to remedy a situation which threatens the health, safety, welfare or morals of the juvenile.

Prior to the adoption of the amendments, a diversion remedy was within the discretion of the juvenile coordinator only. Review

Public meeting set

A public meeting to discuss the 509-J School District building construction and renovation bond issue will be held November 2, 1989 at Warm Springs Elementary beginning at 7:30 p.m. Community members are encouraged to attend.

by the juvenile judge was not allowed, according to the code. Now, 360.125(c) reads, "Conduct informal diversion conferences and enter into diversion agreements as provided in WSTC 360.220 or as authorized by the juvenile court."

Code 360.200 was substantially amended and spells out "juvenile procedure."

Before revision, only the juvenile coordinator was allowed to file a petition concerning the well-being of a juvenile. Now, the code allows that anyone can file a petition. Tribal code 360.200 now reads, "Any person may file a petition in the juvenile court alleging that a juvenile named therein is within the jurisdiction of the court", and the "petition may be based on oral or written information provided by any person."

Sub-section "3" states that if the juvenile court is informed that a juvenile is or appears to be within its jurisdiction, a "preliminary inquiry shall be made to determine whether the interests of the juvenile or the public require that further action be taken." The court may make informal recommendations to the juvenile and the parents or custodian; direct that a petition be filed or direct that the matter be resolved by a diversion agreement. This could not be done prior to the amendments, said Costello.

Sub-section "4" reads, "At any time after a petition is filed, the juvenile court may make an order providing for temporary custody of the juvenile." Sub-section "5" reads, "At any time after a petition is filed, the court in the circumstances set forth in WSTC 360.130

may remand the case to tribal court for prosecution as an adult criminal offense."

The revisions also allow the court to dismiss the case at any time.

Section 360.205 details how a petition should be completed and what should be included in the petition. The juvenile must be identified by including name, age and residence; a petitioner must furnish the facts concerning the case; and

the petitioner must reveal the name and residence of the juvenile's parents, guardian or custodian. If the petition alleges a delinquent act, the name and residence of the person injured must be furnished.

Section 360.230 speaks to hearings. It notes a juvenile has the right to a spokesperson, whether a para-legal or attorney. Prior to amendment, jurisdictional hearings were to be held within five business

days after the petition is filed. Now, jurisdictional hearings are to be "conducted within 60 days after the petition is filed, unless otherwise ordered by the court."

Costello explained that often five or ten days was not sufficient time to conduct an investigation, especially when dealing with difficult cases. "Often, cases were dis-

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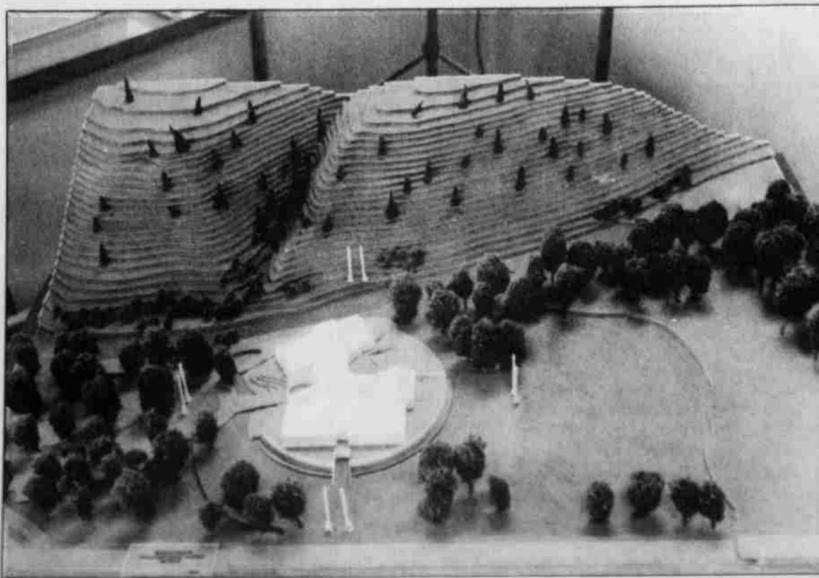
Board approves museum design

By "listening with (their) eyes and hearing with (their) hearts," architects Donald Stastny and Bryan Burke of Stastny and Burke feel they have developed a design for the Warm Springs tribal museum that will suit the needs of the Warm Springs community for

many years to come. The Middle Oregon Indian Historical Society (MOIHS) board of directors apparently agreed, as members gave their approval early this week for architects to prepare construction drawings for the \$4.5 million project.

The site, located adjacent to Highway 26 approximately one mile south of Warm Springs, gained formal Tribal Council approval October 31, 1989 with resolution 7919 and provides a 25-year lease.

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The architect firm of Stastny and Burke, hired to develop plans for the Warm Springs museum, presented the MOIHS board of directors a model of the new museum last week.

Be sure to vote
November 7