

# Spilyay Tymoo

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## No charges in boarding school death

SALEM (AP) - Staff members at the Chemawa Indian School will not be charged in the death of Cindy Gilbert Sohappy, who was 16 when she died of acute alcohol poisoning.

Involuntary manslaughter charges were considered against workers who had contact with Sohappy on the night she died last December, said Bill Williams, an assistant U.S. attorney in Portland.

But Williams said there was not enough evidence to charge the workers, who left Sohappy alone in a cell for three hours at the Salem boarding school, which is run by the U.S. Bureau of Indian Affairs.

An involuntary manslaughter charge means that someone had acted in a negligent way, knowing his actions could kill a person.

"Absent any additional or new evidence that hasn't been discovered at this point, there won't be any criminal charges in this case," Williams said.

The girl's mother, Renee Sohappy, was disappointed with the decision.

"They're getting off scot-free for my daughter's death," Sohappy said. "It left a long scar on me and my kids. What is it going to take for them to realize what they did to my daughter was wrong?"

Sohappy's attorney, Foster Glass of Bend, said he understood the decision, noting the high threshold to prove criminal liability.

He said his client still might pursue a suit claiming wrongful death and violations of Sohappy's civil rights because the girl was locked in a cell without due process and did not get medical attention while detained.

Officials familiar with the case say Sohappy was put in a cell at about 8:20 p.m. Dec. 6. Roughly 45 minutes later, the girl flailed on the floor for a few minutes. She then remained motionless for two hours before a worker discovered she was not breathing.

Sohappy was found dead by Salem firefighters.

In March, Ed Parisian, the head of the BIA's education programs, said students would no longer be held in cells.

## Tribal leaders condemn spill plan

By Dave McMechan  
Spilyay Tymoo

Tribal leaders are opposed to a plan by the Bonneville Power Administration to reduce the amount of water spilled over Columbia and Snake River dams this summer.

The opposition comes from leaders of all the tribes of the Columbia basin.

Of the BPA plan Ron Suppah, Council Chairman of the Confederated Tribes of Warm Springs,

said, "It's like they have deaf ears. They're willing to sacrifice the fish for financial benefit."

BPA has proposed the reduced summer spill in order to generate more electricity for sales to California utilities.

Water that's spilled bypasses the power generators at dams on the rivers, but helps speed juvenile fish along their way downstream.

Under the BPA plan, spills will stop a month early at Bonneville and The Dalles dams. As an offset, the BPA

would buy and release water stored by Idaho Power.

### Sherars Falls

The proposed mitigation is of no benefit to fish relied upon by fishermen of the Confederated Tribes of Warm Springs and other Columbia River tribes, said Harold Blackwolf, chair of the off-reservation fish and wildlife committee.

The BPA spill plan, said Blackwolf, "could mean the elimination of the

Sherars Falls fishery."

Tribal biologists believe that fall chinook spawning above Sherars Falls migrate to the ocean later in the summer than other fish runs.

The juvenile fish moving to the ocean from the Deschutes have to pass both The Dalles and the Bonneville dams, two that are targeted for reduced spillage. The BPA spill plan could mean the loss of 1,000 returning fish above the falls, according to tribal biologists.

See SPILL PLAN on page 16



Revonne Johnson was named the Junior Court Queen of the 2004 Pi-Ume-Sha Powwow. See pages 8 and 9 for more photos.

## Construction starting soon on gymnasium

By Dave McMechan  
Spilyay Tymoo

Construction is going to start soon on a new gymnasium at the Warm Springs Elementary School.

A construction contractor has been hired, and the timeframe for completion is around December, said school board member Jeff Sanders. The project has an estimated cost of \$1.3 million.

The gymnasium that burned down was on an east-west alignment, while the new one will be north and south.

Even while work is going forward on the new gym, school and tribal officials continue to discuss the plans for a new Warm Springs Elementary School.

A site on East Tenino has been the preferred location, but the school district and tribal budgets prevent development there for the immediate future. Meanwhile, the insurance company that is paying for the new gymnasium has been sitting on the money long enough, said Sanders. "We have to move forward," he said.

The tribes and the school district have each pledged \$4 million for construction of a new elementary school. The problem is that building a school on East Tenino has an estimated cost of \$13 million.

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well.

The gym that is going to be at the site of the old one is going to be larger than a normal elementary school gymnasium, said Sanders.

This larger gym would then be suitable to accommodate various uses by the public, he said.

There is also on-going discussion of Warm Springs developing a charter school. One idea is to have a charter school, such as a high school, with 20 to 25 students, in order to test the idea and see how it works, said Sanders.

### Over three years ago

It was in June of 2001 that tribal members approved a referendum for construction of a new elementary school.

The vote wasn't even close, as the ratio was more than four-to-one in favor of the plan.

The proposal calls for the tribes and the district to share the costs.

The school district is to pay half of the school's cost through lease payments to the tribes over 20 years.

## Police, fire activity slow during holiday weekends

The police and fire activity were slow over the Fourth of July weekend. The same was also true during Pi-Ume-Sha, said Officer Bob Medina of the Warm Springs Police Department.

There were a few house parties during the weekends, but the number of problems for police was low, said Medina.

If anything, the Fourth of July weekend was even quieter than Pi-Ume-Sha, in terms of police response calls, he said.

On July 4 the number of fire calls was down from previous years, said Jason Schjoll, of the Warm Springs Fire Department.

There were a few accidental fires from fireworks, and a couple that are being investigated as possibly reckless acts. But there were no cases of arson, said Schjoll.

The few fires that did break out as a result of fireworks were contained to grassy areas around homes, and no structures were damaged.

## Governor discusses future of casino

By Bill Rhoades  
Spilyay Tymoo

Governor Ted Kulongoski said the Confederated Tribes and the state are making progress in their discussions to establish a new tribal casino, but he would not comment on its probable location.

"I'm confident we're going in the right direction," said Kulongoski. "We would both like to see it happen sooner rather than later, but we want to make sure we do it right."

Kulongoski spoke to Warm Springs reporters just prior to the Governor's Banquet at Kah-Nee-Ta on June 25. He answered a number of questions regarding the Tribes' request for a new Warm Springs casino and tried to frame the ongoing negotiations in a positive light.

"I don't think there's any state in the union that has better relations with tribes," said Kulongoski in reference to Oregon. "We understand the sovereign nature of the nine federally recognized tribes here. We know the tribes have a right to self-sufficiency."

In choosing a location for a new tribal casino, tribal members have shown overwhelming support for a site in the Columbia River Gorge.

Tribal property in Hood River provides one option, but the local citizens

have openly opposed such a move.

The city of Cascade Locks would like to have the casino and there is land within the city's industrial complex that would accommodate development.

Not everyone wants to see a casino in Cascade Locks. Environmental and land-use organizations have vowed to protect the integrity of the Columbia River Gorge, which has gained national recognition for its outstanding natural features.

The controversy makes any development in the Columbia Gorge politically sensitive, requiring diplomacy from all the negotiating parties.

"The biggest issue is the site of a casino on the Columbia Gorge," said Kulongoski. "The Gorge is a big issue to the people of Oregon. It's a very big step and I can't stress it enough."

The Gorge is also extremely important from a tribal perspective. Cascade Locks and Hood River both lie within the tribe's ceded territory. Tribal members and their ancestors have lived in the Gorge since time immemorial, utilizing the area's resources to provide subsistence.

Tribal members are now hoping the Gorge will provide them with enough economic benefits to erase economic doldrums and support vital tribally funded programs.

*"The tribes are entitled to benefit from this, but as governor, I have to see that the state benefits as well."*

Gov. Kulongoski

Kulongoski understands the current situation and knows the tribal economy needs a boost. "I'm aware of the situation in Warm Springs," said the governor. "If we can improve the economy in Warm Springs a lot of other things will fall in place."

The governor says it's all a matter of balancing the needs of tribes with those of Oregon's general population. He says he understands the economic urgency facing the tribal economy and he offers hope through an administrative agenda that promotes economic development.

"The tribes are entitled to benefit from this, but as governor, I have to see that the state benefits as well," said Kulongoski.

The governor said when it's time to make an announcement about the casino's siting, it will come jointly from the tribes and the state.

He is not willing to put a timeframe on making the announcement, but he

is confident the parties are moving forward in a positive direction and if they can clear a few important hurdles, the process could come to a quick conclusion.

A threshold issue in reaching a quick conclusion is the treatment of lands held by the Tribes in Hood River. Another issue is the retention of future profits and the percentage of casino revenues allocated to statewide purposes.

"We won't make an announcement until we reach an agreement on all critical issues," said Kulongoski.

### 2002 referendum

It just a little over two years ago that tribal members of the Confederated Tribes approved the Columbia Gorge casino plan.

Close to 1,000 tribal member voters went to the polls, with three-quarters casting their ballots in favor of a Gorge casino. The 2002 vote in favor of the Gorge plan is even greater than the 1999 vote on the question of whether or not the tribes should continue in the business of gaming.

Of the two potential Gorge sites, Cascade Locks is located less than an hour's drive from the Portland metro area, while the Hood River property is over an hour's drive.