



## Council considers changes to court system

By Dave McMechan  
Spilyay Tymoo

One of the powers of Tribal Council, under the Tribal Constitution, is to establish and maintain the operation of courts of law on the reservation.

The current Council is considering some significant changes to the tribal court system. One consideration is the creation of an alternative dispute resolution process.

Adding an alternative dispute resolution element to the tribal court system is the top recommendation to the tribes by Oregon Judge Walt Edmonds.

Edmonds, a retired Oregon Court of Appeals judge, last year studied the Warm Springs court system, and made a series of recommendations to Tribal Council.

Alternative dispute resolution would provide a way to apply tribal customs

and traditions in the administration of justice on the reservation, Judge Edmonds recommended.

Tribal Secretary-Treasurer Jody Calica is in agreement with the recommendation. Many civil, domestic and juvenile cases, and some minor infractions or less-serious criminal cases, could be better handled through alternative dispute resolution, Calica said.

Alternative dispute resolution is a process, outside of court, where the parties work with a mediator toward a mutually acceptable agreement. Many cases, especially those involving family members on both sides, could be taken care of this way.

"Rather than winners and losers," Calica said, "we would have more of a family court atmosphere."

Other tribes, such as the Navajo, and most non-tribal court jurisdictions offer an alternative dispute resolution process, Judge Edmonds said.

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S-T Jody Calica on alternative dispute resolution proposal

Edmonds also recommends that the tribes revise the Tribal Code in order to more clearly identify the standards of review that define the authority of the tribal Court of Appeals.

Edmonds recommends that the tribes clarify that the Court of Appeals cannot create new tribal policy, which is an exclusive power of the elected Tribal Council.

The tribal Court of Appeals, like other courts of appeal, should review for the correct application of the law by the Tribal Court, in cases that are properly appealed, Edmonds recom-

mends.

The Tribal Court, including the jury, is charged with determining the facts of the case. The Court of Appeals reviews how the law—the Tribal Code, for instance—was applied at the trial court, but should not re-hear or re-determine the facts of the case.

Edmonds also recommends that the Court of Appeals judges have law degrees. "Asking any person not trained in the law to perform the kind of review of trial court decisions that an intermediate appellate court is traditionally understood to perform is a difficult task," he says.

Calica agrees with the recommendation: There are several tribal members and members of neighboring tribes, in the community and off the reservation, who have law degrees and could serve on the Appeals Court.

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## Voter registration deadline

The deadline to register to vote in the May election is next Tuesday, April 24. The May 15 ballot will determine, among other issues, a school district 509-J bond proposal.

The \$26.7 million bond would fund district improvements including a k-8 school in Warm Springs. Up to \$10 million of the bond revenue would go toward the Warm Springs school, which is estimated at \$18-20 million. The tribes would fund the other half. Members will see a tribal referendum in May regarding the school.

## New water system work starting soon

By Duran Bobb  
Spilyay Tymoo

The Confederated Tribes have secured the funding necessary to complete work that will establish a safe, arsenic-free water source for the Simnasho community.

Nancy Collins, resident Sanitarian for Indian Health Services, said funding has become available from two sources, and the team has set this November as the target for work to be complete.

"We have a grant from HUD for \$450,000," she said. "The tribes were going to kick in \$700,000, but that is now being picked up by the EPA. So as of now, all the funding has been established."

Requests for quotes on the geo-tech work, necessary to construct a storage tank, were due last week. Requests for quotes on the well construction opens April 19.

Arsenic is odorless and has no taste. It can appear in drinking water through natural deposits in the earth and cause cancer, stomach pains, nausea, vomiting, diarrhea and numbness of the hands, among other problems.

In 2006, the EPA required water systems in the nation to have no more than 10 ppb (parts per billion) of arsenic in drinking water. At that time, Simnasho's water supply failed to meet standards.

An analysis in February 2010 showed arsenic levels at 27 ppb.

"This was brought to our attention in 2007," said Aurolyn Stwyer-Pinkham, who was Tribal Council's vice chairwoman at that time. "We took immediate action to implement the bottled water system to ensure the health of our people."

Over 80 Simnasho residents have received bottled water delivery service since May of 2007 at the cost of \$4,400 per month.

"I know this has been a long process," Collins said. "It has taken longer than any of us would like. It is hard to come up with \$2.5 million, but we did it. All the funding is secured, and once the work is done the bottled water delivery will not be needed."

Simnasho's new water source will come from a different aquifer across Highway 26 to the west, five miles from the current Beaver Creek wells. Arsenic levels have been checked twice at the new well during a 72 hour pump test. No arsenic was detected.

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## Salmon Feast

Celilo Village hosted the Salmon Feast and Powwow last weekend.

This is the fourth year that Raymond Estrada has served as the powwow coordinator. The powwow itself is a tradition more than 50 years old.

Carlos Calica was the master of ceremonies, and the opening invocation was delivered by tribal elder Aurelia Stacona. The Salmon Feast, this year held on April 15, is an event older than recorded history. It is a celebration of the salmon run, giving thanks to the Creator.



Duran Bobb/Spilyay

## Inspired cooking at Cottonwood kitchen

By Duran Bobb  
Spilyay Tymoo

At the Cottonwood Restaurant you'll find the daily lunch buffet, the build-your-own Indian taco bar, the Cedar Plate Salmon, and a talented young line cook with an inspirational story.

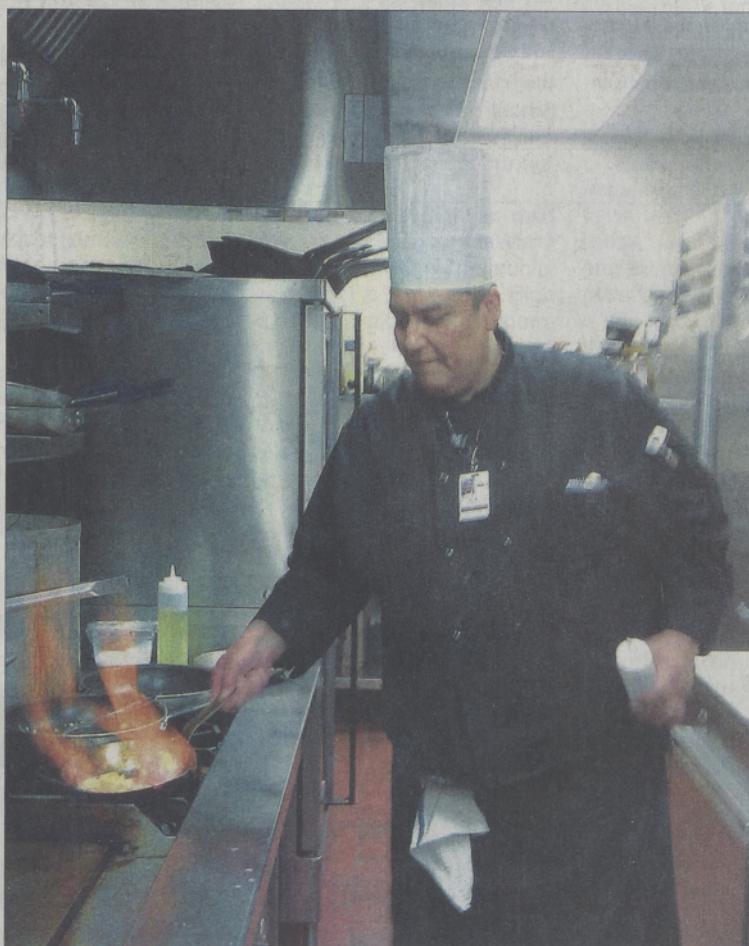
Jake "Buffalo Horse" Eastman, 35, looks forward to going to work as a line cook. For most of his life, Buffalo has worked in the food industry. In fact, when he's not at work he enjoys watching the Food Network and cooking shows on TV.

"I've always liked to cook," Buffalo said. "My favorite things to cook are desserts. Steaks are fun. I also like making our signature dish called the Indian Kiss. Sometimes, they joke around and make me bring the dish out and give the customer a kiss."

But the life Buffalo enjoys today has been hard-earned. At one point in his life, he was involved with gangs, crime, drugs, and alcohol.

"My lowest point was when I woke up in jail without knowing why I was there," Buffalo said recently. "I thought that I would be getting right out, but the officer read off six charges that were pending against me. I was in there for another two months."

Buffalo is the father of two girls, 3 and 11. Both of them, along with



Courtesy photo.

Eastman at work at the Cottonwood Restaurant.

his mother Roberta Kirk have been the inspiration Buffalo has needed to change his life.

"My girls know what jail is now," he

says. "I don't want them to see me like that, especially my oldest. One time, they saw me arrested and they cried. I figured, my kids need me. It's time for

me to step up and learn responsibility. I would hate to be 40 and still on probation."

Finding a new way of life was hard. At first, old friends would stop by without knowing that Buffalo was determined to change his ways.

"But I think everybody pretty much knows by now that I'm turning things around," he says. "I go to meetings, counseling, and I'm finding out that I'm not alone in this. There are other people like me, and that gives me strength."

Last fall, Buffalo lost his father, Daniel Rocky Eastman. But in his sobriety, Buffalo has found hope.

"Once I'm here, everything is good," he says. "It's fun, this is my social life. I can't hang out with people that I used to hang out with—so I come to work and have fun with coworkers."

Buffalo also keeps himself busy as a rap artist under his own record label, Big Chief Records. His music is available online and CDs are for sale at Skyn Style.

"My mom has been a big help during this time," he says. "She watches over my girls while I'm at work and even helped me with transportation when I first started. It's nice knowing that she doesn't have to worry about me anymore. She let me know that I would always have support."

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