

## Team with experience at dispatch center

The Warm Springs Fire Management dispatch center becomes a busy place during the fire season. Extra personnel come on board when a wild fire is burning on the reservation.

Fire Management dispatch is fortunate to have an experienced team to rely upon during fire season.

Bob Medina is the dispatch center manager, working with Chuck Hudson, who worked previously as a police dispatcher.

Lee-Ann Tufti and Annette Polk also come on board during summer, along with Harry Phillips.

"There is a lot of experience here, and we appreciate that," Medina said.

Harry Phillips worked for several years at the Warm Springs Elementary School, starting in the 1960s, and worked during summer at dispatch. So he brings many



Lee-Ann Tufti, Charles Hudson and Harry Phillips with Bob Medina.

years of experience in fire dispatch.

During a wild fire, the cen-

ter coordinates the response of multiple agencies, from Fire Management and BIA

Forestry, to law enforcement, the State Fire Marshal, aircraft, etc. There are up to 19 channels in operation during an incident.

The main focus is safety, followed by containment of the fire. The response technology is always being upgraded.

A new development will be installing GPS devices in the fire response vehicles, allowing them to be tracked by the dispatch team.

The tribes are working toward development of fire applicants of unmanned aerial systems, and Fire Management and dispatch will be key partners in this effort.

Last week, Fire Management made a gesture of appreciation to the dispatch team, presenting shirts with the tribal fire response logo, and Fire Management hats.

## Hip-hop spreading a message in Indian Country

### Indigenous Youth in Oregon tell a different story about rez life

fire on Youtube, Scott says.

The songs can be streamed and downloaded for free during the pre-release on Soundcloud.

Creative oversight on the video was left to Eat Cho, one of Portland's most revered visual artists.

The video features acting by a rising star, Talia Reasoner, also based out of Portland.

Music production was led by Yamio263, and includes session work by Tony Ozier, Portland's "king of funk." The project was recorded at Orbit Audio in Seattle, where Macklemore cut his biggest record.

*Rez Life* gained momentum when, after a year of artist development training through Beats Lyrics Leaders.

This was made possible through the Oregon Arts Commission's World of Work program, the Northwest Portland Area Indian Health Board, and PDX Pop Now!

The youth were encouraged to take their vision into fruition through support from the Meyer Memorial Trust.

The young MCs on the song were able to involve close and extended families while the production team travelled all over the state to capture the artists' vision on film.

Scott Kalama says, "The most significant thing about this project to me is the message in the lyrics, which tell the truth of reservation life and the situations we as a people are living. I love how the video shows us in a fun, positive atmosphere."

Last March in Seattle, a small group of young Native American musicians met for a three-day songwriting retreat.

This was led by legendary recording engineer Uncle Rick Clifford, former chief engineer at Death Row Records.

The musicians wrote and recorded what would become the first single on the new project by Blue Flamez, *Rez Life*, coming out on Portland-based Ibori Records this month.

Scott Kalama (aka Blue Flamez) has been a mentor in training with the music empowerment program Beats Lyrics Leaders.

On *Rez Life*, youth from the program join Scott to tell the world about life on the Indian Reservation, strictly from their perspective.

"It's a hard-core West Coast hip-hop song reminiscent of Too Short, punctuated with flute, drumming and Native humor," Scott says.

The five minute music video draws on footage from all over the Pacific Northwest, keeping with a cultural vibe that could only exist somewhere between contemporary West Coast hip-hop, and thousands of years of Indigenous wisdom and history.

As copies of the debut EP wait to hit on-line distribution centers like Apple Music and Spotify, the video is spreading like wild-

From the Office of the Special Trustee

## Reasons to avoid 'do-it yourself' wills in Indian Country

Estate Planning in Indian Country can be puzzling for the general practitioner. The puzzle can be even more daunting for someone without legal training, or who is unfamiliar with the laws that surround Indian land held in trust by the federal government.

Indian land held in trust is distinctly different from land held by non-Indians in fee simple. Non-Indians can sell or give property to whomever they choose. Indian lands are heavily regulated and must follow strict guidelines to preserve trust land for future generations.

For that reason, tribes have taken it upon themselves to offer estate planning services for their members. They did this by contracting with outside attorneys in order to avoid potential conflicts of interests with their members.

However, due to limited resources, some tribes are unable to provide these services for their members year round, or can provide them on a limited basis. As a result, some Indian people are turning to "do-it-yourself" wills. Here are the reasons to avoid DIY forms:

**Do-it yourself (DIY) forms do not consider fed-**

### eral and tribal law.

In 2004, Congress passed the American Indian Probate Reform Act (AIPRA). It creates a unified federal probate code for Indian trust land in the United States.

Many considerations must be made when preparing a will for Indian landowners because they may need a will drafted to comply with federal, tribal and state law. It is also not uncommon for an Indian landowner to own property on several reservations. Thus, each tribe's probate code will need to be researched and applied when drafting a will.

### DIY do not constitute legal advice.

DIY services provide forms, not legal advice. In fact, they clearly state they are not giving legal advice and if that is wanted, a user must retain the services of a qualified professional.

At the same time, they try to convince the consumer that an attorney is simply not necessary. This provides a false sense of security.

### Your property may be taken out of trust or sold to the tribe.

To preserve Indian lands trust status, AIPRA contains

special rules on who can inherit land in trust. It can even change a will.

In order to carry out someone's last wishes, it is important to understand these rules.

Under AIPRA, a person may leave property to any "lineal descendant" (children, grandchildren, great-grandchildren), or to any Indian. If the person names a non-eligible heir, then the property will be taken out of trust and pass in fee.

### Some DIY wills fail to include a self-proving affidavit.

A self-proving affidavit is a statement attached to a will that swears that the information is true and correct to the best of a person's knowledge.

AIPRA requires that the self-proving affidavit be signed by the person making the will and two witnesses. The witnesses must be "disinterested," meaning that they are not taking any property under the will. Otherwise, the will can be deemed invalid.

### Family identification information is essential to inherit trust land.

To transfer trust property by will, a person must designate how the trust land will

be transferred in trust (Tenancy in Common or Joint-Tenancy with the Right of Survivorship – the default) to an Indian or descendant even if they are not tribal members. Accurately listing a person's personal and family information—such as date of birth, tribal affiliation, tribal enrollment number, place of residence, marriages, divorces, children, etc.—is critical because eligibility may determine who can inherit Indian trust land.

*(This article will continue in the next edition of the Spilyay Tymoo.)*

For more information on having a will, contact the Office of the Special Trustee, 541-553-2409.



## Dakota 38 + 2

Documentary film presentation and guest speakers Jim Miller and Alberta Ironcloud

Wednesday, Nov. 4

Bend Campus  
3:30 to 5:30 p.m.

Hitchcock Auditorium

Friday, Nov. 6

Madras Campus  
6 to 8 p.m.

Community Room

In the spring of 2005, Jim Miller, a Native spiritual leader and Vietnam veteran, found himself in a dream riding on horseback across the great plains of South Dakota. Just before he awoke, he arrived at a riverbank in Minnesota and saw 38 of his Dakota ancestors hanged. At the time, Jim knew nothing of the largest mass execution in United States history, ordered by Abraham Lincoln on December 26, 1862.

*Dakota 38 + 2* retraces the 330-mile route of his dream on horseback from Lower Brule, South Dakota to Mankato, Minnesota to arrive at the hanging site.

This is the story of their journey- the blizzards they endure, the Native and Non-Native communities that house and feed them along the way, and the dark history they are beginning to wipe away.

After the showing of the film, Jim Miller and Alberta Ironcloud will speak and answer questions from the audience.



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For more information contact Gina Ricketts  
ricketts@cocc.edu • 541.318.3782

In advance of College events, persons needing accommodation or transportation because of a physical or mobility disability, contact Joe Viola: 541.383.7775. For accommodation because of other disability such as hearing impairment, contact Annie Jenkins: 541.383.7743.