



## CALIFORNIA TRUTH & HEALING COUNCIL

### *June 2021 Listening Session Report*

On June 18, 2019, Governor Gavin Newsom issued [Executive Order N-15-19](#), which:

- Formally apologizes for atrocities committed by the State of California against California Native Americans in the early days of statehood;
- Reaffirms and incorporates by reference the principles of government-to-government consultation required by Executive Order B-10-11; and
- Requires the Governor's Tribal Advisor to establish and convene a "Truth and Healing Council," which will be responsible for examining and producing a written report of the historical relationship between California Native Americans and the State from the Native perspective.

The Council must be composed of California tribal representatives and/or delegates and must produce its final report on or before January 1, 2025.

The Council will be the first entity of its kind tasked with such an expansive and broad-based undertaking; thus, tribal input is critical to ensure that California tribal governments and broader California Native American population drive the creation and work of the Council.

Throughout 2021, the Council tasked the Office of the Tribal Advisor with conducting a "listening season" in order to receive community feedback and input on: (i) the overall scope of the Council; (ii) creating a framework for the Council to begin examining the historical relationship between California Native Americans and the State; and (iii) establishing the issue areas to be examined by the Council.

The comments, recommendations and general feedback included in this report aim to inform the development of and scope for the Council. These comment summary overviews are not intended to be word-for-word records or minutes of these sessions, but are being prepared to provide a brief overview of the discussions that took place for the convenience of the Council and the public. Comments from the public are not verified for accuracy and inclusion in this report does not reflect endorsement by the Council or Staff. More information on the Council is available at

[tribalaffairs.ca.gov/cthc](http://tribalaffairs.ca.gov/cthc). To follow the Council and its work, please subscribe at [catruthandhealing.com](http://catruthandhealing.com).

## CENTRAL REGION LISTENING SESSION

*June 14, 2021*

Council Member Kessler-Mata was in attendance.

Recording available [here](#).

### Summary of Comments

- The Council should examine boarding schools and the cross-jurisdictional roles of the State and counties.
- The National Boarding School Coalition may be a helpful partner.
- In many areas in California, California water policy absolutely destroyed native environments. In the Tulare Lake Basin, these water diversion projects destroyed the largest lake west of the Mississippi River. This action destroyed the Yokut, specifically Tachi, way of life.
- There is a great need for California Native American teachers in public K-12 educational institutions.
- The State needs to advocate to the federal government for inclusion in programs for those who have been tribally disenrolled, and those who are from federally non-recognized tribes, and unrecognized tribes in general. Within California itself, the State must find a way to bring programs to these people, as well as encourage California tribes to acknowledge all their members in every way possible (including language in gaming compacts regarding safeguards against disenrollment) in order to work toward real truth and healing in California.
- The Council should make a recommendation that academics, academic institutions and publishers are held accountable to obey existing laws protecting archeological sites. Participant also recommends the creation of real structures of accountability to follow those laws and stay within the norms of ethical scholarship. The Acjachemen group may be able to be a resource for the Council.
- The State should develop a mechanism to work with the federal government in a way that allows non-federally recognized tribes to have a greater voice in managing public lands.
- The State could help create a defined and comprehensive ancestral land map. There are many variations out there, but there should be one comprehensive map for the entire state.

- It would be helpful to have many small and more focused listening sessions and then a larger one that brings everyone together.
- The State should have a department dedicated to tribal issues and it should also provide supportive services to all California Native people regardless of recognition or enrollment status.
- The scholars conducting research should be compensated appropriately.
- The Youth Council Subcommittee should be limited to California Native youth and structured similarly to the Council.
- The Youth Council could be divided into subgroups - 15-18, 18-21, and 21-25.
- The Youth Council could be divided up into a 14-18 age range and 18-24 age range. Also, 25-30-year-olds could serve as mentors.
- The Youth Council should be 14 years of age or older.
- There should be at least some youth on the Youth Council that practice traditional ways and speak their language, but it should not exclude any youth that may not be as connected to their tribe.
- It would be a good idea to reach out to schools in the area - Sherman Indian High School, Cal State University San Bernardino, University of California Riverside, University of Redlands, etc. would be a good start. Some high schools also have their own Native student clubs (Banning High School for example).
- It is important that the youth council be provided a framework, but that it be flexible enough to allow the youth to take full ownership of it.
- The regions should host their own youth listening sessions and be responsible for bringing youth into this space.
- The California Indian Culture and Sovereignty Center works closely with tribal leaders to conduct research that is tribally owned and driven. The Center also conducts a statewide report on K-12 education in collaboration with a local Tribe; however, this report should be supported and paid for by the State.
- Universities often reach out to out of state Native American students instead of working with California Native American tribes.
- The Governor should acknowledge and validate Native history.
- The State should provide support like zero interest housing and business loans.
- The Youth Group should have an avenue for Urban Indian kids too.
- Youth should be provided a path to state universities, and actively engage with them, and a guaranteed admission program could be considered.
- The Youth Subcommittee should determine teaching methods; their teaching is different, tech-based and fast.

- Balancing subcommittee workload: who handles what?
- Subcommittees should contract Native scholars in particular.

## SOUTHERN REGION LISTENING SESSION

*June 15, 2021*

Council Member Lucas was in attendance.

Recording available [here](#).

### Summary of Comments

- Council Member Lucas recommends looking into possible collaborations with the State Reparations Committee.
- The Council should create structures and mechanisms for academic accountability and oversight of publications. Participant shared that a book was recently published that provided detailed information about sacred sites and encouraged the public to go to the sites.
- Cultural resources publications should be subject to draft inspection by relevant tribes.
- Academic institutions need to be held accountable for their role in the disposition of land, desecration of cultural items and ancestors, and publications of erroneous information.
- Academic institutions and even experts within the community have misquoted individuals in publications.
- The Department of State Hospitals is in the process of drafting a tribal consultation policy. Participant shared concern about tribal people being buried in unmarked graves but noted that the records of individuals are non-existent.
- The State should have some form of state recognition outside of the CEQA process.
- The state-sponsored genocide, land grab and subsequent cultural erasure were some of the most horrific and negatively impactful atrocities the State of California needs to take radical accountability for and make amends as much as possible.
- The taking of our children (and adults) to become slaves in California as supported by early California law, the bounties placed on the heads of Native peoples also legitimized and encouraged by California laws, and the removal of native People from their traditional lands and sacred sites are both cultural and actual physical genocide. These factors contribute to the generational trauma--including tribal disenrollment--that exists today.

- The goal of the final report should be to create a supportive structure, legislation, educational standards, plans to return lands, grants to Native American projects, students for college, etc., and definitive steps with deadlines towards amending the issues brought to the Council by Native peoples.
- It is suggested that traditional ecological knowledge practitioners and clan mothers be consulted.
- A trauma-informed therapist should be present at listening sessions as well.
- Filming in addition to audio recording should be an option during interviews recording historical trauma
- Sonoma County Indian Health and Fresno American Indian Health have good youth outreach at their facilities, and could be helpful.
- The Council should put out a general solicitation for youth artists.
- Health programs often have youth programs and could be potential partners for the youth council subcommittee.
- The Youth Council should be 12 years old and older.
- The Youth Council should be 17-24 years of age.
- Social media is a good way to get in touch with Native youth.
- \$100k or even \$450k a year is not enough to fund the work of the Council.
- The scope of the Council should begin at statehood and the mandate of genocide.
- Genocide is continuing today through historical erasure and desecration of sacred sites.
- The Encinitas School District (and many others) continue to celebrate the California Gold Rush and fail to teach the real history. The teaching materials are there, but the State needs to step in and ensure that Native children are not being harmed through inaccurate and inappropriate lessons.
- The education system is where systemic racism starts and the Council should look into ways to ensure that there is a policy shift towards accurate education and inclusion of California Native peoples into the curriculum.

## EASTERN REGION LISTENING SESSION

*June 16, 2021*

Council Member Burris was in attendance.

Recording available [here](#).

### Summary of Comments

- The Council should consider increasing the voting membership.
- There should be guidelines and a mechanism for a state recognition process and some sort of process for ensuring that individuals are descended from the tribe.
- The Council should have a subcommittee on disenrollment.
- There should be clear criteria specifying how to gain State recognition.
- The California Museum has an exhibit on remarkable women and it features Tillie Hardwick. It speaks volumes that she is recognized for her leadership as a strong California Native woman but if she were alive today she would not be enrolled in her tribe because her descendants have been disenrolled.
- Some Tribes, including Wuksache Mono and the Federated Indians of Graton Rancheria have prohibited disenrollment through their constitution or made it very difficult to disenroll through bylaws (requiring 100% tribal membership consensus).
- The disposition of land and removal is the most harmful State (and pre-statehood) action because everything stems from that, Tribes are now pitted against each other and unable to be together and share culture and language in pre-contact ways.
- The State should be held accountable for the bounty placed on Native peoples' heads and scalps.
- The State should be held accountable for the destruction of burial sites, criminalizing people designated as vagrants, and for the open executions.
- The State should be held accountable for every action at the State's origin (especially the Governor's role in lobbying to hide the unratified treaties). It is not possible to point to every instance of injustice.
- Individual tribes are going to be conducting this research and do not have the resources to do so - the Council should provide compensation for the Tribes' time.

- The disposition of land is the root cause of a lot of trauma. Land is tied to resources and economic well-being and if a tribe does not have enough resources, this can result in lateral oppression. Tribal sovereignty should be respected and the State and Federal Governments should not get involved in disenrollment disputes, but, perhaps the Council should examine current enrollment status issues as a byproduct of inadequate resources and create the foundation to ensure that California Native American tribes are well-resourced in order to heal.
- If the State does provide land to non-federally recognized tribes, it needs to also define non-federally recognized tribes in a way that removes them from the California tax roll. This would prevent tribes from being overwhelmed or burdened by taxes on their newly returned land.
- The goal of the report should be that it become actionable and legally binding.
- The 18 treaties should be examined because even those treaties dispossessed non-signatory tribes of their lands.
- The Council should help Native people access archival records like the State Library - it is difficult, time consuming, and expensive to access information through the BIA and other entities.
- Kyle White from Michigan State University may be a good resource for the Council.
- The final report should address funding, hunting rights, and capacity building for tribes.
- The researcher should be a California Native American and should work within the California system because they understand the needs of the community.

## NORTHERN REGION LISTENING SESSION

*June 17, 2021*

Council Members Bojorquez, Harper, and Myers were in attendance.

Recording available [here](#).

### Summary of Comments

- Transformative funding should be the goal of this Council. California Native American tribes are historically underfunded.
- Increased funding for California Native American professors in the UC and CSU system is needed. These professors should not need to write grants for cultural development and curriculum. It would be ideal if the Council could secure transformative funding and provide it to those California Native professors.
- The Council should consider a subcommittee on Identification and Status instead of separate subcommittees on disenrollment and recognition. If we have separate committees, it may create animosity between non-federally recognized tribes and federally recognized tribes and that is not conducive to healing.
- Traditional practitioners have difficulty accessing ancestral land unless they have a letter from the Tribe, but this is not always possible and is a barrier when dealing with state agencies.
- Identity in California is complex and perhaps the Council can look to the definition of the Indian Health Care Improvement Act to create a process or guidelines for larger state recognition of Indian people.
- Non-federally recognized tribes lack of access to Federally owned lands due in part to the States historical mistreatment of California Native American tribes.
- The Council could look into creating a state trust responsibility or something similar to the federal trust responsibility. Not necessarily the same thing, but a similar concept.
- Philanthropic groups should be approached for funds needed to buy ancestral lands back.
- There needs to be laws guaranteeing access for traditional use, but in order to do so, we need to transform the concept of current property rights and usage.
- The State should provide funding for higher education and trade schools.

- The city of Eureka gave land back to the Wiyot Tribe and it may be beneficial for the Council to hear about the process.
- There should be more financial investment from the State into Native programs in the UC and CSU systems.
- The State should continue the California Truth & Healing Council in perpetuity through legislation. It took generations to perpetrate the mass genocide of California Indian people and it's going to take more than 5 years to examine the history and provide recommendations for restoration and reparations.
- The Council should submit a report to the Governor's Office twice a year or on a quarterly basis.
- The goal of the youth council should be to provide them with the tools needed to eventually take seats on the Council, but first, the Council needs to be something that will be around for longer than a few years.
- Schools need to teach California Indian history.
- The UCs and CSUs should waive tuition for California Indian students.