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SOUTH DAKOTA ADVISORY COMMITTEE  
TO THE UNITED STATES COMMISSION  
ON CIVIL RIGHTS

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FORUM ON NATIVE AMERICANS.

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TRANSCRIPT OF PROCEEDINGS

Taken at  
Hilton Inn  
Rapid City, South Dakota  
June 26, 1987

CCR  
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Meet.  
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A P P E A R A N C E S

ARTHUR PALACIOS, ESQ.  
Civil Rights Analyst  
United States Commission On Civil Rights  
3660 Wilshire Boulevard  
Suite 810  
Los Angeles, California 90010

FRANCIS WHITEBIRD

DAVID VOLK

KITTY WERTHMANN

MS. PRUE

C.R. JOHNSON

APPEARING AS COMMISSIONERS ON CIVIL  
RIGHTS TO THE SOUTH DAKOTA ADVISORY  
COMMITTEE.

I N D E X

SPEAKERS

Page

OPENING REMARKS BY MR. WHITEBIRD	3
CAROLE HILLARD	5
DONOVAN SPRAGUE	8
ANN MILLER	20
EVERETTE POMPI	28
BETH PAY	36
ROSALIE GOODBEAR	43
MARY WRIGHT	55
DR. ARTHUR ZIMIGA	58
CECELIA MONTGOMERY	66
MAMIE LOOKS TWICE	71
FAITH STONE	73
MARY LAMBERT	79

1 (On June 26, 1987, at 1:00 p.m., the  
2 following proceedings were had and made of record,  
3 to-wit:)

4 MR. WHITEBIRD: I will call the meeting  
5 back to order. There has been a lot of items in  
6 the news in regard to certain conditions in Rapid  
7 City, and we want to meet with you informally to  
8 find out what's out there in the public. I want  
9 to let everyone know that we are an advisory  
10 committee. We do not have any enforcement powers,  
11 and we just want to know whether agencies that are  
12 designated to handle certain kinds of situations  
13 are really functioning and whether many of the  
14 agencies are in fact even talking to and among  
15 themselves. I would like to stress that this is a  
16 very informal meeting and we'd like to hear  
17 problems and possible solutions to some of the  
18 problems that are being presented and we'd like to  
19 get a good cross-section of the community in Rapid  
20 City. We do have an agenda that's being  
21 distributed among the general audience. There are  
22 name plates, so if some one of the members asks  
23 you any questions, you know who they are.

24 With that, I'd like to open up this  
25 informal meeting. We had initially invited Mayor

1 Carlyle to attend. However, something has  
2 happened and a person representing Mayor Carlyle  
3 is here.

4 Also I'd like for you to state your name  
5 and your affiliation with a group, or whatever it  
6 is that you are going to be presenting some  
7 material.

8 CAROLE HILLARD: I'd like to welcome you  
9 here, welcome you to this meeting, all of you from  
10 the South Dakota Advisory Committee to the United  
11 States Commission On Civil Rights, other Indian  
12 leaders, Chamber of Commerce representatives, and  
13 business people from the community. I am here  
14 representing the Mayor who, as you know, was in an  
15 accident this morning. The report is much better  
16 than we heard; he is undergoing surgery; but the  
17 injuries are limited and for that we are  
18 prayerfully thankful.

19 We certainly applaud your efforts of  
20 continuing to search for ways to improve  
21 Indian/White relations. As you know, former Mayor  
22 Lacroix was certainly an advocate of this effort;  
23 and many, many years ago, he established the  
24 Indian/White Commission. I served on that  
25 commission for 6 years, I believe. It was just

1 one of many efforts to unify our community. We  
2 worked in areas of law enforcement, employment; we  
3 set up the Indian Employee of the Month program  
4 and have followed through with that for many  
5 years, the law enforcement education, keeping kids  
6 in school; it was really a good, comprehensive  
7 program. Donovan, you are president now, I  
8 understand, and one of many, many efforts in the  
9 community that certainly is accomplishing a lot  
10 and is to be applauded. I am happy to be a part  
11 of this, this afternoon. I wish you well in your  
12 efforts to focus in on the life of an Indian in  
13 South Dakota. I understand that your  
14 recommendations may then go to the National  
15 Commission, which may result in legislation or  
16 whatever will be helpful. So I say welcome to  
17 Rapid City and I hope you have a very productive  
18 conference.

19 MR. WHITEBIRD: State your name for the  
20 reporter.

21 CAROLE HILLARDE: Carole Hillard.

22 MR. VOLK: Before we call the first  
23 person, I'd just like to introduce myself and  
24 maybe the rest of the board could also introduce  
25 ourselves to everyone. I am David Volk and I am

1 vice-chairman of the advisory committee.

2 Just in a way of explanation, I might  
3 just say that the advisory committee to the U.S.  
4 Commission On Civil Rights has been somewhat in a  
5 state of dormancy here the last year, and we are  
6 really just getting back up and running again.

7 As was mentioned, we are an advisory arm,  
8 we are technically the eyes and ears of the U.S.  
9 Commission On Civil Rights, which is located in  
10 Washington. And the one thing I wanted to state  
11 and make very clear here, we always complain about  
12 Washington, D.C. coming out here and getting  
13 involved in our affairs and many times not knowing  
14 what they are doing when they come out here. We  
15 by the same token don't want to leave that  
16 impression with any of you here that we are doing  
17 that. We are not out here trying to inject  
18 ourselves into the Rapid City situation. We feel  
19 you've got good leadership and I know you've got  
20 some good committees being set up and committees  
21 that have been set up that are working on the area  
22 of race relations here in this town. So I just  
23 wanted to kind of open with that statement that we  
24 are not out here trying to interfere or in any way  
25 meddle in the affairs of Rapid City, this

1 community, in the area of race relations. We are  
2 really just here trying to gather information for  
3 the U.S. Commission On Civil Rights and will pass  
4 that on.

5 So I just wanted to kind of open with  
6 that little statement so you kind of understand  
7 where we are all coming from.

8 MS. WERTHMANN: I am Kitty Werthmann from  
9 Pierre.

10 MS. PRUE: Marcella Prue from Sioux  
11 Falls.

12 MS. JOHNSON: Rae Johnson from Sioux  
13 Falls.

14 MR. WHITEBIRD: Francis Whitebird from  
15 Pierre.

16 MR. PALACIOS: I am Arthur Palacios with  
17 the L.A. office; I am part of the staff.

18 MR. WHITEBIRD: With that, I'd like to  
19 have somebody from the Indian/White Relations  
20 Committee.

21 DONOVAN SPRAGUE: My name is Donovan  
22 Sprague; I am the co-chairman of the Rapid City  
23 Indian//White Relations Committee. And I just  
24 have some brief things here to cover and then I  
25 would like to just listen to some of the comments

1       that are being made.

2               As far as Indian people will always hold  
3       the Black Hills as sacred and a place of beauty  
4       and this will continue to be a meeting place for  
5       Indians, maybe sometimes a controversial area  
6       based on, say, historically the 1868 Treaty with  
7       the Sioux, which established the Great Sioux  
8       Reservation. Red Cloud put a clincher in this  
9       treaty by saying that no changes could be made in  
10      it unless by consent of three-fourths of all the  
11      Sioux male population. This treaty also involved  
12      money and other annuities.

13             In 1876, the Black Hills Agreement is the  
14      agreement which ceded the Black Hills and land  
15      west of here. But the U.S. did not get the  
16      three-quarter male consent they needed for the  
17      agreement, so they just took the land. Orders  
18      were issued to the various bands of all Indians  
19      that the unceded land would be considered hostile  
20      and this has been on the docket since, like, the  
21      Indian Court of Claims was established in 1946.  
22      So a lot of these factors have come into play  
23      before.

24             We have mingled here, I guess you might  
25      say, in the Black Hills. And as far as the civil



1 rights, not everything that seems unfair or even  
2 unjust is a violation of rights. It's not always  
3 clear what your rights are in any particular  
4 situation. The Constitution does not contain a  
5 definitive listing of rights. What is contained  
6 in the Constitution is a series of general and  
7 specific regulations for the conduct of federal,  
8 state and local governments. Congress and the  
9 federal courts interpret these constitutional  
10 provisions and apply them to the different factual  
11 situations. Indians, like others, are entitled to  
12 these constitutional protections in regard to  
13 actions by federal, state and local governments.

14 Neither Indians nor non-Indians have the  
15 same rights with respect to tribal governments  
16 that they both have with respect to federal, state  
17 and local governments. Most of the rights that  
18 exist with respect to tribal governments come from  
19 either the tribal constitutions or the Indian  
20 Civil Rights Act of 1968.

21 I am not going to go too much into the  
22 Indian Civil Rights Act as far as steps,  
23 procedures; but they do take complaints in several  
24 areas, such as health, education, welfare, fair  
25 housing, employment, state and local facilities,

1 government programs, voting, law enforcement, and  
2 credit.

3 And I would like to say a few things  
4 about the Indian/White Relations Committee. Each  
5 month the Rapid City Indian/White Relations  
6 Committee honors an outstanding Indian employee of  
7 the month. This person is presented with an award  
8 and is present at the monthly meeting, usually  
9 with their employer. I would like to welcome any  
10 of you to attend the meetings. They are held at  
11 10:30 on the second Thursday of each month at the  
12 Mother Butler Center. We would be glad to take  
13 any complaints or problems and look into them. We  
14 have subcommittees established in the areas of  
15 education, employment, health, housing, law  
16 enforcement, media and Indian arts and crafts.

17 According to the U.S. Census, the Indian  
18 population in Rapid City is just under 2,500. The  
19 number does not reflect the actual number of  
20 Indian people living in Rapid City at various  
21 times of the year. During the months of April to  
22 October and during the summer months, this 2,500  
23 figure can swell to 5,000 to 6,000 people. Indian  
24 people living in Rapid City -- some of these  
25 people come to Rapid City during the summer months

1       for opportunity and jobs in the construction  
2       industry and then go back to live on the various  
3       reservations as this industry slows down in the  
4       winter months. Now, that's not to say that we are  
5       all in construction, but there are a significant  
6       number that are other factors, such as Indian life  
7       style, such as social gatherings and extended  
8       family that make it difficult for an accurate  
9       census portrayal. Many Indian people keep  
10      frequent contact with relatives on the  
11      reservations.

12               And in closing, I guess it's just that we  
13      are in an area that lies in close proximity to  
14      several of the reservations, the closest being  
15      Pine Ridge, Rosebud, Cheyenne River, Standing  
16      Rock, Lower Brule and Crow Creek. Many Indian  
17      people in Rapid City are from these reservations  
18      or have frequent travel to and from Rapid City.  
19      The following reservations also bring a  
20      significant number of Indian people to Rapid City  
21      and the Black Hills, even though they are farther  
22      away; and these reservations include Yankton,  
23      Sisseton, Flandreau; Santee in Nebraska; Fort  
24      Berthold, Devils Lake and Turtle Mountain, all in  
25      North Dakota; Fort Peck, Crow and Northern

1 Cheyenne in Montana; also Fort Belknap in Montana;  
2 and the Wind River Reservation in Wyoming. This  
3 is a beautiful land and I think Indians and non-  
4 Indians can enjoy the land living in harmony.

5 I guess that's all I have right now. I  
6 would just like to emphasize that my ears are open  
7 for the rest of the session.

8 MS. JOHNSON: Donovan, in the text of  
9 your statement you indicated that -- you hinted at  
10 possibly that the people of this community may not  
11 know what exactly their rights are in some  
12 instances. For the purposes of this committee and  
13 in what we are trying to accomplish today, could  
14 you possibly provide us with a synopsis of the  
15 type of issues the Indian/White Relations  
16 Committee has had in the past year in regards to  
17 any of the civil rights acts, specifically Title  
18 VII, you know, and what kind of pulse as a  
19 co-chair you may have in the community to any type  
20 of activity or problem areas that you feel need to  
21 be addressed in as far as furthering employment  
22 opportunity, housing opportunities, fair access to  
23 credit, any of the things that possibly could have  
24 precipitated the supposed boycott that had been  
25 called and subsequently dealt with by your -- the

1       now mayor. I think it's important that the reason  
2       the chair of this committee had decided to come to  
3       Rapid to visit with you community people was to  
4       see if there was any major issues that we could  
5       look at as a committee, that we might help you  
6       redress; and even though that's really nice and I  
7       appreciate the substance of your talk, I think  
8       it's important that if there's any issues that we  
9       need to narrow down in this community, that as a  
10      co-chair of that committee I would like the  
11      benefit of hearing them, as I am sure the audience  
12      would, too, from your perception.

13               DONOVAN SPRAGUE: Some of the areas that  
14      we have worked in are the various subcommittee  
15      areas which I outlined: housing, we did some work  
16      as far as the rescue mission here in town.  
17      Employment, some of these I have sort of sat on  
18      subcommittees myself, working with the United  
19      Sioux Tribes in the past; I dealt with several of  
20      the issues on the Indian/White Relations Committee  
21      and also as part of my job was in the areas of  
22      discrimination, like, credit, check cashing  
23      problems, employment discrimination, several of  
24      them areas. As far as, like, the boycott issue or  
25      whatever, I think there's a process that we need

1 to go through. Anyone is welcome to present  
2 problems that they have to our committee as well  
3 as I know the Minority Relations Committee of the  
4 Chamber of Commerce has a complaint form which can  
5 be filled out regarding the business activities;  
6 also the Human Relations Commission under the  
7 city. But I think we need to document these  
8 instances right when they happen rather than going  
9 back to the reservation and saying, you know,  
10 well, this happened to me last month, you know. I  
11 think right when that happens, you need to write  
12 down the time, the place, maybe if you were  
13 discriminated at in a store, or something, maybe  
14 try to get clerk's name, document all this because  
15 once a couple months lapse or something, then it  
16 becomes more like hearsay. And we need the actual  
17 factual data kept up.

18 MS. JOHNSON: Have there been any  
19 collaborative efforts between the city and the  
20 Indian/White Relations Committee as far as what I  
21 think I hear you are saying is that there is not  
22 the type of educational effort that should be made  
23 to the community or the affected groups, if you  
24 will, in regards to their rights? Do I hear you  
25 saying that?

1 DONOVAN SPRAGUE: I think they have to  
2 have a solid basis for a complaint first before  
3 other agencies can get involved.

4 MS. JOHNSON: This is before the  
5 complaint, before the prospective complaint is  
6 even filed, are there educational efforts that  
7 have been taken on in this community to inform  
8 people of what their rights are? I am not talking  
9 about once there's been any type of complaint  
10 filed. I am talking prior to educational efforts  
11 that would occur in the community to inform people  
12 of what their rights are, how to file, where to  
13 file, et cetera.

14 DONOVAN SPRAGUE: When I was managing the  
15 United Sioux Tribes here in Rapid, say, a year or  
16 two ago, that was an everyday thing was sort of  
17 educating the people as they come in as to  
18 problems; we had a close relationship with a lot  
19 of the employers, personnel offices. Someone  
20 might call me and say, "Well, I would have hired  
21 that Indian person, but they couldn't make good  
22 eye contact," or something. But once we create  
23 some dialogue there and explain some of the  
24 traditions, culture, and stuff like that, why,  
25 they were glad to hire the person. They just



1        didn't know that was, like, a gesture of respect  
2        or something for their elders. They just didn't  
3        know the basis of it. And also in the areas of  
4        housing, I guess most of the referrals were to,  
5        like, a federal agency level or to the Human  
6        Relations Commission, the Minority Relations  
7        Committee for problems with businesses, things  
8        like that, so I think there's an educational  
9        process that's going on but maybe it's not large  
10       enough. There's not enough people aware of it.

11                MS. JOHNSON: How many community people  
12       access the community service you provide in the  
13       context of the Indian/White Relations Committee;  
14       what's your participation level in that?

15                DONOVAN SPRAGUE: We probably have about  
16       anywhere from 20 to 30 people attending and  
17       there's a large representation there of different  
18       agencies: law enforcement, housing, job service,  
19       a lot of business people, personnel managers and  
20       that sort of thing. So there's a wide diversity  
21       of people that represent agencies. Does anyone  
22       have a question?

23                MARY WRIGHT: It's somewhat like the  
24       panel that's sitting there now on Indian/White  
25       relations. They have no kind of enforcement



1 powers, so more or less they are sitting there  
2 hearing complaints just like you are doing and  
3 really not having a place to go where they can  
4 enforce some of the things that's happening. I  
5 really feel that there's a dire need for the  
6 Indian/White Relations Committee in Rapid City.  
7 However, they don't have the enforcement powers;  
8 and more or less most of the people that sit on  
9 that committee are doing it on voluntary basis;  
10 and there's no funding; there's no nothing that  
11 they can use, you know, that can enforce all of  
12 the things of the complaints and different things  
13 that come up. So they are more or less sort of in  
14 that category. What they are doing is -- I think  
15 that it did some good in the past that I have  
16 seen; it did at least, you know -- there has been  
17 some good rapport among different agencies and  
18 different things like that, that some good that  
19 came out of it; and other than that, it's just  
20 like you said or the gentleman said: you are here  
21 only to listen to us and our complaints, but we  
22 don't have the enforcement powers. And so we can  
23 complain and complain to them but most of the time  
24 to no avail.

25 DONOVAN SPRAGUE: One thing that is real

1       beneficial, though, is there are a lot of people  
2       that sit on that committee that are very, you  
3       might say, influential; and there's a lot of time  
4       you can get problems solved just by cooperating  
5       with, say, like, if you call up a judge or  
6       something like that, a lot of times you can work  
7       out some of the problems; and then as far as, you  
8       might say, not enough time to spend on the  
9       committee or whatever, right now we are working on  
10      a proposal to submit to the mayor as far as  
11      additional -- well, funding. There hasn't been no  
12      funding. But we have a proposal to -- I would  
13      like to see something like a state or, I mean, a  
14      City Indian Affairs office with a staff person  
15      there that could work all the time; even if, like,  
16      they had a secretary and one staff person, they  
17      could get a lot of things done. But right now, it  
18      looks like we are going to be asking more for --  
19      well, not that much money -- but we are working on  
20      a budget.

21               MARY WRIGHT: Don't get me wrong; I am  
22      not criticizing you; and I think it is really a  
23      good thing; Indian/White relations has come a long  
24      way and has -- by the way, my name is Mary  
25      Wright.

1           Anyway, I really feel they have done some  
2 things and I would like to make a suggestion to  
3 them that they also have, you know, the non-Indian  
4 honor them because I think that not only Indians  
5 that are successful in employment and whatever, I  
6 think that the employers and a lot of the  
7 businesses should be honored also.

8           DONOVAN SPRAGUE: We also honor some non-  
9 Indian businesses and employers for outstanding  
10 recruitment and contact with various agencies,  
11 such as, United Sioux Tribes or something where we  
12 have had a lot of Indian people go to work. We  
13 have given out, like, a business award to that  
14 agency in addition to the Indian Employee of the  
15 Month award. Any other questions?

16           MR. WHITEBIRD: Thank you. We have  
17 somebody from the Rapid City Human Relations  
18 Committee.

19           ANN MILLER: My name is Ann Miller; I am  
20 the chairman of the Rapid City Human Relations  
21 Commission. This is a commission formed by the  
22 mayor. It consists of volunteers who investigate  
23 specific cases of discrimination in the areas of  
24 race, sex, age, things of that sort, in  
25 employment, housing and public accommodations. In

1 the last year we have had 7 cases of race  
2 discrimination, mostly in the area of employment.  
3 We are a conciliatory agency. We try we get  
4 together the complainant and the person against  
5 whom the they complain, and then we try to find a  
6 meeting of the minds. If someone is disobeying  
7 the law in case of discrimination, we let them  
8 know that they are and we follow up to make sure  
9 that they no longer do. We make sure that they  
10 post on their bulletin boards the law as it now  
11 exists, and the best we can do is make them obey  
12 that law. Are there any questions?

13 MARY LAMBERT: Yes, I have a question. I  
14 am Mary Lambert. The low-income people,  
15 especially Native American Indians on Social  
16 Security income, we had a problem cashing checks.  
17 They don't have enough money to put in a bank to  
18 open a checking account, and they are having  
19 problems cashing a check because they have no  
20 account. So I sent one to the civil rights/human  
21 relations, whatever, but right now, I am trying to  
22 appeal it in court and unable to retain a lawyer  
23 because I go to Black Hills Legal Service and they  
24 say that it's a conflict because already they are  
25 representing a relative of mine. So I said, "Why,

1 I don't know who to go to." So they send me from  
2 door to door and I still got the complaint; don't  
3 know what to do with it.

4 ANN MILLER: This is a complaint you  
5 filed with the Human Relations Commission?

6 MARY LAMBERT: Yes.

7 ANN MILLER: You named specific people  
8 who would not cash your check?

9 MARY LAMBERT: Yes.

10 ANN MILLER: Do you feel they won't cash  
11 the check because of your race?

12 MARY LAMBERT: Yes, because we are sorry  
13 that we are so poor and low-income.

14 ANN MILLER: I understand that.

15 MARY LAMBERT: We are sorry that we have  
16 to beg and live under these conditions, but I  
17 don't think we should feel sorry because it wasn't  
18 our fault.

19 ANN MILLER: Has your complaint been  
20 filed with the Human Relations Commission?

21 MARY LAMBERT: Yes; it was denied; and  
22 said I have to appeal it. But I cannot get a  
23 lawyer.

24 ANN MILLER: Could you tell me by whom it  
25 was denied? That isn't with us. We only handle

1 cases right here in Rapid City. In other words,  
2 this was filed with the state. Beth is going to  
3 be talking -- excuse me. This is with the state.  
4 We handle complaints right here in the city. I  
5 don't know why this was denied at Pierre, but we  
6 have the commission right here in Rapid City.

7 MARY LAMBERT: So there is a lot of low-  
8 income people, especially Native American Indians,  
9 cannot cash and also non-Indians. They say they  
10 have to -- when a check comes, they have to run  
11 like a stampede of cattle; they have to run to  
12 Safeway, Target, all these places; and when they  
13 run out of funds, it brings hardships on them and  
14 they can't -- they have to wait until their funds  
15 build up so they can cash other people's checks  
16 that are on low income.

17 MARY WRIGHT: Mostly the welfare checks  
18 are for older, Social Security and all those kinds  
19 of checks; and the elderly really have difficulty  
20 cashing their checks at the banks because the  
21 banks turn them away because they don't have  
22 accounts there and/or they charge them like \$10 or  
23 something to cash a check if they do cash it.

24 ANN MILLER: I am sure that should be  
25 investigated by somebody. But as I said, we

1 handle employment, housing, and public  
2 accommodations. As far as this particular thing  
3 is concerned, if you would file with the Rapid  
4 City -- although can she, now that she has filed  
5 with the state? That is your decision; we will  
6 let Beth handle this one when she gets it because  
7 she is from the state and we might have had to  
8 have sent it to the state because we don't have  
9 that kind of power here in the city. What we try  
10 to do is get together with the people, like, say  
11 you go to apply for a job and somebody won't even  
12 look at you because you are Native American, then  
13 we investigate that. Or if you are denied housing  
14 and you are sure it's because of who you are,  
15 that's the kind of thing we investigate. You have  
16 to put in a specific complaint.

17 MARY LAMBERT: I'd like to address the  
18 panel here to back Thelma Rios and I am working  
19 with a lot of different people trying to lodge  
20 complaints. One of the problems that is a barrier  
21 is that we are being told, "Well, we can't do  
22 nothing about this complaint until you can give us  
23 the name of a non-Indian that was accepted in  
24 housing and in employment," and with this  
25 situation where she was denied this complaint to

1 the state they said, "Well, you've got to come up  
2 with some non-Indian names that were treated  
3 differently." This is what we were told. Mr. Ray  
4 Falk, I think his name was Falk, out of Pierre  
5 told me, "Until you can come up with names of non-  
6 Indian people that were treated differently, we  
7 can't prove discrimination." That's what we are  
8 faced with in housing. How are we going to sit at  
9 a house and prove that that landlord accepted a  
10 different person of a different color? We don't  
11 have that time.

12 Another thing, back to the check cashing,  
13 the banks won't cash these checks. What happens,  
14 we go to a store, a business; we are forced to  
15 spend half that check. We are living in a  
16 vicious, vicious cycle because just to cash that  
17 check to pay the immediate needs, we have to spend  
18 half of that check; it makes us short on our bill  
19 paying and it creates the most horrible cycle for  
20 us to go through; and this is a reality of Rapid  
21 City, South Dakota. I am not only working with  
22 right now -- I am filing complaints with the  
23 federal agency in Denver because it seems like in  
24 the State of South Dakota, nobody has the power,  
25 or there's always some obstacle to get our



1 complaint through. So I am working with filing  
2 complaints into the federal agency today in the  
3 areas of employment, housing, educational system,  
4 law enforcement, right down to violation and gross  
5 violations of the Indian Child Welfare Act and  
6 that the agency -- juvenile detention this spring  
7 had a lot of our young Indian children  
8 incarcerated; I am also working on the boycott.

9 MS. JOHNSON: I think it's important that  
10 we let the presenters get through their  
11 presentations; then we can go to addressing some  
12 of those concerns that you have.

13 THELMA RIOS: I am stating facts.

14 MS. JOHNSON: There's room on the agenda  
15 for those other people. What I would like to know  
16 is: I know that you are primarily a conciliatory  
17 agent; I assume you have been appointed through  
18 the city council, is that not correct.

19 ANN MILLER: Correct.

20 MS. JOHNSON: If you have no enforcement  
21 powers, do you have formal complaint procedures  
22 that you have established that you investigate  
23 before you go into the conciliation state? For  
24 probable cause, have you done any tracking or  
25 research? What's your statistics as far as the

1 complaint intake that you have had, say, in the  
2 last or average in the last two years to five  
3 years, noting that perhaps a predominance of  
4 those, as you already stated, is employment or sex  
5 discrimination?

6 ANN MILLER: This particular year?

7 MS. JOHNSON: What's your average number  
8 of complaints that are filed with your task force  
9 in a year? How many of those have you  
10 successfully conciliated before you referred them  
11 on, I am assuming, to the appropriate state agency  
12 or federal agency, and how many of those  
13 complainants do you know have been from an  
14 affected group or minority group from Title VII  
15 that specifically address Title VII?

16 ANN MILLER: I don't know anything about  
17 Title VII. As I said, we had 7 racial complaints,  
18 mostly in the past year, mostly in the area of  
19 employment. Other years it was mostly in housing,  
20 and when we do get a complaint about housing, we  
21 do the investigating and find out if they had let  
22 other people in or not let others in; this is what  
23 our investigation does.

24 MS. JOHNSON: If you can't successfully  
25 conciliate a complaint, what's your next

1 procedure?

2 ANN MILLER: We send it on to Pierre.

3 MR. JOHNSON: Okay. Do you also refer  
4 any of them out to federal agencies?

5 ANN MILLER: No.

6 MR. WHITEBIRD: Next on the list is a  
7 Minority Committee from the Rapid City Chamber of  
8 Commerce.

9 EVERETTE POMPI: I am Everette Pompi,  
10 Chairman of the Minority Committee, Rapid City  
11 Chamber of Commerce. I am a little bit in the  
12 dark. I heard about this meeting about 2 days  
13 ago, but let me start off by saying that the  
14 Minority Relations Committee, of course, is a  
15 group of people who are part of the Chamber of  
16 Commerce, Rapid City Chamber of Commerce; and this  
17 committee was set up in the Chamber, of course, to  
18 help business people address some of the problems  
19 related to minority relationship or relations in  
20 the city. We try to help businesses with  
21 affirmative action plans and various things that  
22 affect the relationships, say, within the Chamber  
23 of Commerce and that primarily as a business  
24 people they pay the dues and we try to relate to  
25 that.

1           Some of the things that we have been  
2       working on are getting a better relationship,  
3       particularly with the tribe on the Pine Ridge  
4       Indian Reservation, for instance. We have had  
5       some contact with Mr. American Horse and some of  
6       the people on the reservation, and we have had  
7       some trips back and forth to develop what we think  
8       will be a better relationship. By the way, the  
9       thing came up just a minute ago on the check  
10      cashing, and that was brought to our attention at  
11      either the last meeting or meeting before; we had  
12      known about the cash cashing problem for about 2  
13      months now. And the Chamber is working on that  
14      particular problem. Our committee is working on  
15      it. We are trying to find out, too, what is the  
16      problem; why can't Indian people cash checks in  
17      Rapid City, particularly if it's a U.S. Government  
18      check or a Social Security check, or a welfare  
19      check. I personally don't see any reason why we  
20      can't get that accomplished, but maybe there are  
21      some problems that I don't know about. At least  
22      we are looking into it now and we are doing it now  
23      because again, it was brought to our attention  
24      within the last couple of meetings, particularly  
25      since the boycott meeting down at the radio

1 station at Pine Ridge.

2 We heard a lot about the problems there  
3 and I know the mayor is working; I don't see the  
4 mayor here; I don't want to speak for the mayor; I  
5 know the mayor is working on one particular case  
6 of discrimination that's related to a business in  
7 Rapid City. So those kinds of things are being  
8 addressed in one way or the other, perhaps not to  
9 the satisfaction of some people, but at least they  
10 are being looked at. We are working on the --  
11 well, by the way, on the Minority Relations  
12 Committee, we try to work very closely with the  
13 Indian/White Relations Committee because we don't  
14 think there should be duplication of the efforts  
15 of those 2 committees. And I think we have a good  
16 relationship with Donovan and with Karen Means and  
17 the people who have been running that committee  
18 for two or three years now. And we think that  
19 those things that we are interested in are being  
20 accomplished to a certain agree.

21 On the committee of the minority  
22 relations we have about 15 to 20 people; and as I  
23 think of them, I think there are about 4 Indian  
24 people as active members of that committee now.  
25 We do have some people from the air base on the

1 committee also, which I think helps a great deal  
2 because there is a lot of interest in the air base  
3 on the things that are going on in this community,  
4 related to the Indian people. We are working  
5 right now with the Pow-wow Committee and I feel  
6 that's a very important issue for Rapid City, for  
7 the community, and for the whole State of South  
8 Dakota. If we can get that pow-wow going and have  
9 a good pow-wow, perhaps it can develop into  
10 something that I see as a much broader issue than  
11 just what's happening this year. They had a  
12 pow-wow last year, too, but I think that's an  
13 important issue and we are working, I think, very  
14 well with the Pow-wow Committee in that particular  
15 situation.

16 Mr. Melvin Mine was going to be here  
17 today; I don't see Melvin; but I know they are  
18 working hard on that committee.

19 So with that presentation, those are some  
20 of the things that we are doing relating to the  
21 minority relations. So if anybody has any  
22 questions, I'd be happy to answer them.

23 MS. JOHNSON: Is your Minority Relations  
24 Committee composed of predominantly retailers?

25 EVERETTE POMPI: Not really. They are

1 people on the committee that represent some of the  
2 bigger businesses in town, the banks, some of the  
3 bigger industries, the air base, as I said, and  
4 isn't just necessarily the retailers -- but I  
5 think we have some retailers on the committee --  
6 but but we do have contact with retailers.

7 MS. JOHNSON: You mentioned one of the  
8 services that you have been able to provide from  
9 this particular committee is in developing  
10 affirmative action plans for different industries,  
11 if you will. What's your feeling of the  
12 affirmative action plans and how they are being  
13 enforced? Are the percentages low so that  
14 minorities aren't getting fair access to jobs; or  
15 are you using the census figures in developing  
16 your plan, if you will, for employment; or what's  
17 your feeling? I am assuming you know quite a bit  
18 about it.

19 EVERETTE POMPI: Very few businesses have  
20 taken advantage of the committee relating to help  
21 them with affirmative action, primarily because  
22 the businesses that are involved in affirmative  
23 action, which are usually the larger employers, a  
24 lot of the retailers do not come under the  
25 affirmative action program so they don't have to

1 be involved. The people who are involved have  
2 been in the business long enough to know that they  
3 pretty-well, I think, know what their requirements  
4 are; and I guess personally I feel that the bigger  
5 industries in Rapid City are doing a fair job of  
6 hiring minorities related to their affirmative  
7 action programs.

8 MS. JOHNSON: Do you have a sense at all  
9 of what the employment figures are for minority  
10 people in this community? I mean, out of the  
11 total labor force that you may have of available  
12 jobs, how many of those jobs are held by minority  
13 people?

14 EVERETTE POMPI: What percentage? I  
15 guess I'd have to say that I don't know that for  
16 sure. I think that the availability of Indian  
17 people, let's say minorities, and it's primarily  
18 Indian people, of course, is about 5 percent of  
19 the labor force is Indian people. Somebody  
20 correct me if I am wrong. And of that 5 percent  
21 that is available for employment I would guess in  
22 Rapid City at any given time, 50 to 60 percent of  
23 those people are employed. I don't think that's  
24 good, don't get me wrong, but that would be my  
25 guess. I think that the Indian people come and go



1 from the reservation; there are a lot of reasons  
2 for that; and I think about 50 to 60 percent.  
3 There are a lot of other businesses I think could  
4 do a better job. Frankly, I think those things  
5 are being addressed. I personally feel it could  
6 be done a little faster sometimes, but they are  
7 being addressed. But it isn't easy.

8 MS. JOHNSON: I had heard over in Sioux  
9 Falls that Magnetic Peripherals may be bought out  
10 or it may be changing or decreasing its labor  
11 force. They are quite a large employer, are they  
12 not?

13 EVERETTE POMPI: John is executive  
14 director of the Chamber; I think he could answer  
15 that better than I could.

16 MS. JOHNSON: They made a public  
17 announcement that the property is for sale and  
18 they'd like to sell it to a compatible industry,  
19 maintain the same type of labor force; if they are  
20 successful, we will have more employees; if they  
21 are unsuccessful, we may have a vacant building.  
22 So that's still not to be determined.

23 One more question. In regards to the  
24 activities and issues that you look at from the  
25 minorities committee, other than the check cashing

1 that has been just been brought recently to your  
2 attention, what other issues have you been  
3 involved in or do you feel should be looked into?

4 EVERETTE POMPI: We have been involved in  
5 very few of actual complaints by Indian people  
6 such as check cashing and discrimination and  
7 housing; we haven't been involved in  
8 discrimination in housing at all; very little in  
9 employment; and I think primarily because we are  
10 just this last couple of years or 3 years have  
11 really developed a better contact with Indian  
12 people. We finally now have more Indian people  
13 attending our meetings and they too are learning  
14 what the Chamber of Commerce can do as far as  
15 Indian people are concerned, such as, I don't  
16 think a lot of them know there is a chamber that  
17 does have a discrimination form they can fill out  
18 if they feel they are discriminated against by  
19 some business in Rapid City. They can fill out  
20 the form and we can take it from there. I don't  
21 think they knew that in the past and I hope they  
22 are trying to get that information out to people  
23 so they will know that. But that's about where  
24 that is. So those kind of issues, we have haven't  
25 done a whole lot of work in those areas. I have

1        hoped -- at least I think our committee has --  
2        that the Indian/white relations will be more  
3        involved and that the Human Relations Commission  
4        would be more involved; that to my way of  
5        thinking, if somebody has a problem, they should  
6        take it to the people who can do the most good for  
7        them and that's the Human Relations Commission or  
8        the state commission.

9                MR. WHITEBIRD:    Thank you.

10               BETH PAY:    I am Beth Pay and I am with  
11        the South Dakota Division of Human Rights; and I  
12        am out of Pierre.    And the Division of Human  
13        Rights is the state agency which is empowered to  
14        investigate discrimination complaints based upon  
15        race, sex, religion, national origin, ancestry,  
16        creed, handicapped; and we also do intake for the  
17        federal government on age discrimination.    And our  
18        office handles complaints that are filed in the  
19        area of employment; housing; public  
20        accommodations, which are your hotels, motels,  
21        restaurants; public services, which would be your  
22        state and local governmental agencies, any agency  
23        that provides services.    We can touch on  
24        education, credit, those type of areas that we  
25        have.

1           When I was asked to come here -- we have  
2           a new computer program so I tried it out on Rapid  
3           City and I punched in Rapid City and the race of  
4           the charging party: Indian; and I came up with 11  
5           complaints filed out of the Rapid City area. Now,  
6           we cover the whole state and we have 2  
7           investigators who investigate these complaints.  
8           In Rapid City of the 11 complaints, 5 of them were  
9           employment cases; three of them were public  
10          accommodations, and 3 were public service  
11          complaints. I couldn't pull out how they were  
12          decided. I know you will.

13                 MR. VOLK: What's the time period? How  
14          long? Last 12 months; what?

15                 BETH PAY: Yes, we have since July of  
16          last year that we have been adding.

17                 MR. JOHNSON: Is that just 11 minority  
18          people that have filed?

19                 BETH PAY: 11 Native American complaints  
20          who have filed from Rapid City.

21                 MS. JOHNSON: What's the total that have  
22          been filed from this area, do you know?

23                 MR. VOLK: No. She just said she has a  
24          new computer system and she punched Rapid City and  
25          she came up with 11 complaints.

1           BETH PAY: And we haven't done our whole  
2 yearly statistics, so I can't tell you how it  
3 looks across the state. And I also can't pull out  
4 exactly how they were all resolved at this point.  
5 There are a couple of areas of concern which I  
6 think need to be brought up. We do get a lot of  
7 potential complaints. A potential is when  
8 somebody calls our office and asks for information  
9 and may or may not have a basis to file a  
10 complaint, but chose not to; or we will send them  
11 out a complaint and the form does not come back;  
12 and that's perfectly -- you have the right to file  
13 the complaint or not. So there may be complaints  
14 that are out there that could be filed that we  
15 don't get back.

16           Another problem that I see that we need  
17 to work on, and you people who wish to file  
18 complaints with our office, we need to have  
19 specifics; like, we get a lot of people who will  
20 come in and say that a store clerk is rude to them  
21 in the store but they don't know the name; they  
22 can't give us a date, or when they were in there,  
23 that type of thing. And we need to have those  
24 kind of specifics. In order to file a complaint  
25 with our office, you have to show an individual

1     harm occurred and that you feel it's because of  
2     your race. The thing with discrimination cases  
3     and where I know Thelma mentioned roadblocks of  
4     having to know white people that did get their  
5     checks cashed, that type of thing, what we look  
6     for when we investigate a case is we look for a  
7     difference of treatment because of your race.

8             For example, in employment an employer  
9     can have a policy that says that if you miss 3  
10    days of work without calling in late, you can be  
11    terminated. But if they allow white employees to  
12    miss 5 days without calling in and Indian people 3  
13    days, while they are still following their policy  
14    it's discrimination. However, if you are fired  
15    after missing 3 days of work but so are the other  
16    people around you that are missing, then there's  
17    no discrimination. You may not like the policy,  
18    but if it's applied equally -- and that's what we  
19    have to look for when we investigate  
20    discrimination cases. And that's why it's so  
21    difficult.

22            The burden is always on the charging  
23    party to prove the discrimination and that's what  
24    makes it difficult to prove discrimination cases.  
25    We are only an investigative agency; we can only

1 go on the information that's provided to us; and  
2 so when people call our office, that's why we ask  
3 for specific information. We ask for names of  
4 people, witnesses, that type of thing. And the  
5 other thing is to follow through when you file the  
6 complaint. We have -- and I can't tell you -- but  
7 I know we close out a number of cases, and not  
8 just from Native Americans; we have a lot of  
9 charging parties who also file a complaint and  
10 then move; and we don't know where to get ahold of  
11 them. The best we can do is send a letter or  
12 phone to the number or send a letter to the last  
13 known address; but if it comes back, there's  
14 nothing we can do. So you need to follow through  
15 and try and help provide the information that we  
16 can look at when we are investigating a case.

17 Our average processing time right now  
18 runs between right around a hundred days on a  
19 complaint which runs a little over 3 months  
20 basically from the time that the complaint is  
21 filed with our office until usually we have a  
22 written decision. Now, we do refer some cases  
23 on. Like I said, we don't do age intake; anything  
24 that you feel is because of your age we would send  
25 on to the federal government; and the protected

1        ages are 40 to 70 -- 40 on up. They took off 70  
2        as of last November. So anything like that is  
3        referred onto the federal government.

4                Also in housing complaints we do not have  
5        a memorandum of understanding with HUD. So  
6        sometimes HUD is a better agency for people to  
7        file housing complaints with, and we do defer  
8        cases on to HUD unless the charging party wishes  
9        it to be pursued in South Dakota or there's no  
10       federal funding involved; then we will take it;  
11       but if there's a chance that HUD will do it, we  
12       will defer it on to HUD because they have -- we do  
13       not have any kind of punitive damages; we don't  
14       have any kind of emotional or psychological stress  
15       type of awards. The only thing we can give you is  
16       make whole relief, which means an employment. You  
17       may be talking some money because we may be  
18       talking back pay if you are terminated from a job  
19       or you are denied a job that you are qualified for  
20       and a less qualified person is hired, or something  
21       like that. But if you are talking housing, we are  
22       talking about offering you the next available  
23       opening in the apartment, and that type of thing,  
24       whereas HUD does have punitive damages on that;  
25       and that's why sometimes we send them on.



1           Also we do have -- our decisions are  
2           appealable to the circuit court; or if the  
3           employer employs more than 15 people, you can  
4           appeal a decision to the EEOC, which is the Equal  
5           Employment Opportunity Commission in Denver. So  
6           you have a couple of routes that you can go in an  
7           employment case. So with that brief overview, I  
8           will open it up to people.

9           MS. JOHNSON: I think to address some of  
10          the concerns that have already been one of the  
11          concerns already voiced, there is some confusion  
12          obviously with the perceptions of the procedures  
13          that you have and what you term the burden of  
14          proof being upon the complainant prior to filing.  
15          Now, it's my understanding that as a state agency  
16          do you not take complaints and then find probable  
17          cause? I know probable cause, you will do the  
18          investigation, correct? When a complaint is  
19          filed, there's proof; not necessarily a burden of  
20          proof, but just knowing that you are going to file  
21          a complaint, you need to have all the information  
22          handy.

23          BETH PAY: Yes, that's what I am getting  
24          at.

25          MS. JOHNSON: I think there's so many

1 clarification things here that need to be  
2 restated. When you say burden of proof, it's not  
3 likely that any person or woman that's been  
4 discriminated -- feels that they have been  
5 discriminated -- against will go and file a  
6 complaint, armed with sound proof. Is that not  
7 your office's position to investigate a case and  
8 then issue your findings? Do you see what I  
9 mean?

10 BETH PAY: To file a complaint, the only  
11 thing you have to show is that you are a member of  
12 a minority, that there has been an individual harm  
13 that occurred, and that you feel it's because of  
14 your race. The employer must then respond to the  
15 charge of discrimination with their reasons for  
16 the action. They may say, "I was right; I made a  
17 mistake; let's settle this thing;" and we do get a  
18 lot of negotiated settlements out of it. But if  
19 the employer comes back with a non-discriminatory  
20 reason for the action they have come up with, then  
21 we come back to you and say, "Hey, can you provide  
22 us with any witnesses; or can you give us copies  
23 of your job history," if it's, like, an  
24 employment; or "are you aware of any other Indian  
25 families this has happened to," or something like

1       that. But we do come back to you and do ask for  
2       more information at that point.

3               MR. WHITEBIRD: Thank you.

4               ROSALIE GOODBEAR: My name is Rosalie  
5       Goodbear and I am the current chairperson of the  
6       Title IV Parent Committee here in Rapid City. I'd  
7       like to talk a little bit about the role of the  
8       Parent Committee in the past. It is somewhat  
9       different now, but several years ago or many years  
10      ago, I should say, in the 1970s Title IV came  
11      about in Rapid City and since that time, different  
12      members on the Parent Committee pursued the  
13      educational opportunities, as I call it, for  
14      Indian students. And in their involvement in the  
15      school district, they have found that there was a  
16      lot of problems as far as underachievement,  
17      attendance, a lot of problems with that, and they  
18      were seeking to promote affirmative action. And  
19      at that time I believe it was Mary Wright and a  
20      lot of other individuals did request the  
21      assistance of the office of civil rights.

22              As a result, there was a negotiated  
23      agreement that came about and they had asked the  
24      school district to come up with an affirmative  
25      action plan. The Title IV program was continued

1       there and the establishment of the Lowell plan and  
2       of the Lowell remedies plan, and so forth.

3       Throughout the years, Title IV has established --  
4       I can't say perfect -- but at least a workable  
5       working relationship with the school district; and  
6       over the years, the school district has gone  
7       beyond allowing us our civil rights and regulatory  
8       rights under the different title programs, but  
9       also had extended some courtesies to this Title IV  
10      Parent Committee as an elected body of the  
11      community. They have extended various courtesies  
12      to us and in subsequent years there was a real  
13      good relationship there.

14               We have had a very, very difficult year  
15      this year. We have had a new administration. I  
16      have found in working in Rapid City that I have a  
17      question about institutional racism. I found that  
18      a lot of it depends on the individuals. I had  
19      problems with law enforcement, fairness in law  
20      enforcement and fairness in the courts. But  
21      having worked in those institutions, I discovered  
22      a lot of it depends on individuals. I have found  
23      people like Jim Rowenhorst, who is the jail  
24      administrator, has dramatically turned that place  
25      around. Last time I checked, there were 5 Indian

1 employees; when I worked there, I was the only  
2 one. And there's a much better attitude there.  
3 And people like him -- it takes individuals  
4 usually at the upper levels to make a difference.  
5 This year I have found that people at the  
6 upper levels, if they have what I think now today  
7 a discriminating attitude about Indian people,  
8 that changes a whole mood of that working  
9 relationship with the Indian community. We have  
10 found that to be true throughout this year. As I  
11 mentioned, there were some courtesies extended to  
12 the Title IV Parent Committee. There was also at  
13 one time a Title VII Parent Committee, Title VII  
14 Indian Education Act. That no longer exists  
15 because of funding is not there, so Title IV was  
16 the only Parent Committee that did exist. We have  
17 found ourselves losing the courtesies; we had  
18 found ourselves even defending the regulatory  
19 provisions under which the school district had  
20 received funding. More specifically, I guess I  
21 need to get into a little bit of detail here. The  
22 Title IV rules and regulations do call for the  
23 Parent Committee to approve in writing; it  
24 specifically states that in black and white:  
25 written approval of the proposal, written approval

1 of any amendments of this document. This year we  
2 have had some changes in the proposal; we have had  
3 job description changes; we have had reporting  
4 changes; we have had budget changes, all without  
5 Parent Committee approval. And when we brought  
6 these to discuss with administration, the attitude  
7 had always been: you have been around so many  
8 years, you have never done anything right, we are  
9 here to do things right for you. I have entered  
10 into many discussions with the appropriate people  
11 and I have found that the attitude -- as I said, I  
12 have never felt like I had to validate myself as a  
13 human being; I have never had to defend a parent  
14 committee; I have never had to defend a community;  
15 but I have had to do it this year. All these  
16 changes were brought about without Parent  
17 Committee approval under the auspices of bringing  
18 about a new plan, which the administration had  
19 said the Parent Committee was opposed to change;  
20 they are opposed to improvement; but we have never  
21 seen this plan; the Parent Committee has never  
22 seen it. When I asked -- or in fact Mary Wright  
23 asked for a copy of it, she was denied a copy of  
24 it because it was not public information. And yet  
25 we were having to deal with or we were trying very

1 hard to understand if not accept what was  
2 happening.

3 The administration wanted to appoint  
4 Parent Committee members; and again, in black and  
5 white, it very specifically states that the  
6 parents of the Indian children are those that  
7 should elect this body. That's one specific  
8 thing. We cannot get tapes of meetings, which are  
9 to be public information under the Freedom of  
10 Information Act; we can't even get them. We have  
11 asked for them and they say, "Come to my office  
12 and listen to them." Well, everybody feels so  
13 darn intimidated they don't want to go there. The  
14 secretary said, "I am going to resign because I  
15 don't want to go in there."

16 I think that there's been some very  
17 blatant violation of constitutional rights of the  
18 staff members. They have been told to keep their  
19 mouth shut and not to talk to anybody. And when  
20 they came to the Parent Committee and talked to  
21 the Parent Committee, they were reprimanded; they  
22 filed grievances; but it still continues. We  
23 have Parent Committee elections every year. We  
24 were about a month away from that when we started  
25 being insistent on our rights; under the rules and

1 regulations we were saying, "Hey, wait a minute.  
2 Before that budget is revised, we need to know,  
3 see; we need to understand;" and they were saying,  
4 "You are not elected properly." Well, that's no  
5 political trick. You know, we see that every time  
6 something is not right; people don't agree. I  
7 have heard, as I mentioned, I have personally felt  
8 like I had to validate myself as a human being.  
9 We are not treated intelligently, we were  
10 disregarded totally, and when, as I said, I had  
11 discussions with administration, the attitude was,  
12 "You either accept this or we will go on without  
13 the Parent Committee."

14 I was chastised for speaking to school  
15 board members, which I never felt that I shouldn't  
16 do. We were always told that these changes are  
17 coming about because a parent of the Title IV  
18 program is out of compliance and when asked for  
19 information specifically how are we out of  
20 compliance, let's correct it; we never got the  
21 information.

22 And then we have always had in the Title  
23 IV program, have had an external evaluation, which  
24 only makes sense. We have an outside,  
25 uninterested party come in and review the program



1 and say is it effective or not; is it on course or  
2 not. This year we have an internal evaluation  
3 being done by district staff member, and we have  
4 visited with the program officer and he advised  
5 the district that the evaluator should be selected  
6 in cooperation with the Parent Committee, which  
7 wasn't done. So it's these things that really are  
8 disturbing; not only are we trying to protect our  
9 civil rights, but we are trying to protect some  
10 rights that are there in regulations. And as I  
11 said before, I personally feel a lot of it depends  
12 on individual attitudes. I hate for this to  
13 reflect on all the people within the district that  
14 have worked with us over a number of years and who  
15 we have set up those working relationships because  
16 some of them are really profitable as far as the  
17 Indian students go. The principal calls and says,  
18 "Hey, this isn't going right;" or "there are so  
19 many students that need this, how can we work that  
20 out?" That is still there.

21 But I think at the top level what we are  
22 facing is an elimination of the Indian education  
23 programs. I personally feel that this effort  
24 comes about because the district is to make an  
25 effort to pick up the programs when federal

1 dollars aren't there anymore, although there's  
2 decreasing federal dollars, so let's cut the  
3 program down drastically before we have to pay for  
4 it.

5           There's been an attempt to eliminate  
6 busing, which is very important to the people here  
7 in Rapid City. We have a low-income community out  
8 there where we bus well over 200 children. In  
9 meetings with the administration, I was told that  
10 if he had his way, there would be no busing; and  
11 it's comments like these that we attempt to deal  
12 with where they should be dealt with, which is  
13 with the district.

14           We are now at a point where we requested  
15 a hearing before the school board. The school  
16 board was very isolated from what was happening.  
17 As I said before, I was chastised for talking to  
18 them. So we will proceed from this point in  
19 dealing with the school district: what are your  
20 feelings? You signed off on this contract; you  
21 accepted the money; you gave us assurance you'd  
22 follow all the rules and regulations. Now, are  
23 you going to honor that? We do seek some  
24 assistance externally just for the monitoring  
25 purposes and also to help us clarify some of the

1 rules and regulations.

2 There's been a lot of misinterpretation  
3 of it. We have our interpretation; they have  
4 theirs. We have been asking for a third party  
5 mediator, and I think in that fashion you might be  
6 able to be of some help to us. That's it.

7 MS. JOHNSON: If I might, can I just kind  
8 of recant back to you what I believe I heard you  
9 say? Under Title IV, which is Indian education  
10 funded through the Department of Education out of  
11 Washington, D.C., is that correct, there is  
12 specifically within those Title IV federal  
13 guidelines sections that pertain to the  
14 organization of a Title IV Parent Committee which  
15 has certain roles and responsibilities in advising  
16 the administration, whoever they may be, in the  
17 direction that Indian education or cultural  
18 programs should take place within the school  
19 district; that within those mandates of the  
20 federal regulations, that you have not been  
21 afforded the committee -- the Title IV Parent  
22 Committee has not been afforded your  
23 responsibilities and authority given to you by the  
24 laws; and that there has been a new plan that has  
25 been developed that changes the direction or

1 activities of Indian education within the school  
2 district that has not met with your approval and  
3 that you have not had access to the plan, even  
4 though you have attempted through the Freedom of  
5 Information Act, requested it?

6 ROSALIE GOODBEAR: I didn't go through  
7 the office. I cited that and asked for the  
8 information.

9 MS. JOHNSON: Am I assuming that any  
10 action taken by the office of education here, any  
11 type of program changes that I am assuming that  
12 you are assuming have been made because you  
13 haven't seen it so we don't know, right?

14 ROSALIE GOODBEAR: Yes.

15 MS. JOHNSON: That has to be before the  
16 school board for approval and you can't access the  
17 information through the elected school board  
18 members either, is that what you are telling us?

19 ROSALIE GOODBEAR: What I am saying is  
20 that we have the proposal which has been approved  
21 by the Parent Committee, by the school board, and  
22 has been funded by Washington; and that's been  
23 modified.

24 MS. JOHNSON: You don't know what those  
25 modifications are?

1                   ROSALIE GOODBEAR: We do know some of the  
2                   modifications in budget changes; this was not  
3                   brought to the school board or -- it was brought  
4                   to the Parent Committee; the Parent Committee  
5                   approved them partially, in part.

6                   MS. JOHNSON: Which?

7                   ROSALIE GOODBEAR: The job descriptions  
8                   were not brought to the budget committee. The  
9                   budget were brought to the Parent Committee; we  
10                  approved some in part and did not approve, I  
11                  think, one budget line item. And the information  
12                  I got or correspondence I got was that "We are  
13                  going to send this in anyway."

14                  MS. JOHNSON: What essentially you are  
15                  saying is that the Parent Committee is not  
16                  afforded the authority that was mandated to you in  
17                  the federal regulations of the government in Title  
18                  IV.

19                  ROSALIE GOODBEAR: Exactly.

20                  THELMA RIOS: I really don't understand  
21                  what you folks are doing here; that is an inner  
22                  conflict. I have to go. But in records in the  
23                  school district I recently completed American  
24                  Indian Task Force study on the Rapid City School  
25                  District. I was the parent that filed a complaint

1 with Mr. Jones in Washington, D.C. declaring this  
2 past board, as I recognize them, illegal, and I  
3 didn't know that this committee was going to come  
4 in here to hear inner conflicts of the community.  
5 I am from the Indian community and I am the person  
6 that lodged and requested investigation on the  
7 previous Indian Parent Board's existence and that  
8 it wasn't representative of the Indian community;  
9 and if this is what this community is here to  
10 listen to, I have other complaints, not what's  
11 going on in Indian country, but the discrimination  
12 that's going on in Rapid City, South Dakota, is  
13 Native Americans, is why I came here. I was  
14 hoping I wouldn't hear this type of -- there's  
15 always a struggle among Indian people just like  
16 there is any other race, and that's what's  
17 happening here; it is all just a political game,  
18 as I see it. Thank you for your time.

19 MR. WHITEBIRD: Next on the agenda is Joe  
20 American Horse or his representative.

21 We will take a 15-minute break.

22 (A recess was taken.)

23 MR. WHITEBIRD: We will continue.

24 MARY WRIGHT: I just wanted to add to  
25 some of the things that what Rosalie had said.

1 And at one meeting that we had with the  
2 superintendent of schools, and I wanted to be  
3 specific about what administrator that we are  
4 having difficulties with, and that's the  
5 superintendent of schools. He is very, very rude,  
6 rude particular to Indian people; he shakes his  
7 hands at us like that when he talks and  
8 particularly the Indian Parent Board and the  
9 treatment he gives us. Some of the staff under  
10 the Title IV program are resigning and as the  
11 results of intimidation by that administration and  
12 this one -- particularly one meeting that we  
13 attended, I attended, I asked him why he was not  
14 sensitive to Indian people. And he sort of  
15 literally attacked me and said, "How could you go  
16 over my head and do these things, say these  
17 things?" And he said, "I place my actions on  
18 white man's values," and he said, "and the concept  
19 I have here," he said, "that's the way I wanted to  
20 go. If I had my own way," he said, "I would not  
21 have buses running out to the Lakota homes in  
22 Sioux addition." He said, "I would take that  
23 money and I would do things, you know, the way I  
24 want to do and that's the way I would do it."

25 So I was really hurt by that. And then

1 Rosalie invited him to come to the Title IV Indian  
2 Parent Board meeting and present his concept: the  
3 concept that we were talking about. And he said  
4 that only if it was a closed meeting that he would  
5 come to that meeting and present that concept to  
6 the Parent Committee. And Rosalie said, "We can't  
7 close any meetings. The door is open to the  
8 public and they can come."

9 And I said, "Well, could I come? I'd  
10 like to hear the concept;" and he said, well, if  
11 you -- "if she comes, I will not come to that  
12 meeting." Those kinds of attitudes and things are  
13 just always coming up all the time.

14 When he first came, I remember we  
15 presented him with a -- there was a district-wide  
16 Indian Parent Board that we presented him and we  
17 said we wanted to reactivate that; and of course,  
18 it never happened. He totally disregarded that  
19 and he put -- picked his own people to be on a  
20 task force, and that's where Thelma Rios comes in  
21 and now she made some comments here, but that's  
22 not totally true what all Thelma says, because she  
23 has been doing that to Indian people all along.

24 MS. JOHNSON: Excuse me, Mary. I think  
25 it's important when you provide information, that



1 we not use names.

2 MARY WRIGHT: I am that way, though. I  
3 am always like that; I am very blunt and I'd like  
4 the people to know exactly what's happening and I  
5 just want to tell people and clarify to people who  
6 the people are that are doing things to us because  
7 -- and that's your way maybe, but not my way. I  
8 like to tell you if, Rae, you are doing something  
9 wrong, I like to say, "Hey, Rae, you are not doing  
10 it right;" that's what I like to say and that's  
11 what I usually say at any of the meetings; I am  
12 very open about what I say. So I'm sorry if  
13 that's the way you don't want it, but I'm sorry  
14 for that.

15 But I have a lot of other things I would  
16 have like to said but I said I'd only take 2  
17 minutes of your time. Perhaps in writing I will  
18 send something to the chairman of this board or  
19 something, and if I can get an address or  
20 something I can do that.

21 ARTHUR ZIMIGA: First of all, I'd like to  
22 thank you, Mr. Chairman and members of the  
23 committee, for giving me this opportunity to  
24 present my view and some of the things that I have  
25 seen in Rapid City here.

1           My name is Dr. Arthur Zimiga. I work in  
2       the Ministry of Presence in Rapid City and that's  
3       with the United Methodist Churches, and  
4       specifically the area that I look at is for  
5       advocacy for Indian people in Rapid City. I have  
6       been involved in youth, elderly, and in  
7       employment, and also in business training. Other  
8       areas is that in looking at the church -- in  
9       speaking in churches and looking at racism and  
10      discrimination in the church, in the Methodist  
11      church. The other point is that -- I wish they  
12      were here, Mr. Everette Pompei and John Schmidt  
13      from the Chamber of Commerce -- a few years back I  
14      worked with the Rapid City Indian Service Council,  
15      and at that time we became very active in  
16      developing liasons between the various tribes and  
17      the Chamber of Commerce. I think now, in looking  
18      in retrospect to that situation, that we have come  
19      to understand one another. There has been some  
20      ground that has been broken; there's been some  
21      understanding. We as people that have sat on  
22      those committees have learned that we will have  
23      some of the responsibilities of being a committee  
24      member of being and looking at the situation and  
25      trying to find a solution; it may not be the right

1 solution, but at least it's an effort in that  
2 area.

3 Today what I'd like to talk about, and  
4 one of the areas I think is the concern, the many  
5 areas I work with is that profile, the profile of  
6 the American Indian woman in Rapid City. The  
7 American Indian population in Pennington County is  
8 3,092 people. That was the census that was taken  
9 from the U.S. Census in 1980. 1,031 are Indian  
10 females. The largest American Indian female age  
11 category is 15 to 59 years of age. 64 percent of  
12 all Indian women giving birth in 1985 were single  
13 parents. That issue I think is very important to  
14 me because I'm dealing with in this ministry, in  
15 dealing with the needs, immediate needs of Indian  
16 families.

17 These statistics come from the public  
18 health nursing in 1985. 52 percent of the Indian  
19 babies were delivered by single Indian teenagers.  
20 Approximately 411 American Indian babies were born  
21 in Rapid City during 1953. Since 1980, South  
22 Dakota American Indian population has experienced  
23 a 122 percent increase. 30 percent of the Indian  
24 population in western South Dakota is Native  
25 American. 21 percent of the Indian population in

1 western South Dakota reside in the Rapid City  
2 area. So we are talking about a population of a  
3 continuing growing population in Rapid City.  
4 Given a yearly 800 percent increase of Indian  
5 populated people relocating to Rapid City in 1985,  
6 the expected population of Indian people in four  
7 years will be around 5,169 people. An additional  
8 1,477 American Indian people will be residing in  
9 Rapid City by 1990. This figure may be seen as a  
10 distorted figure because of the additional  
11 increase of 411 Indian babies delivered per year  
12 in Rapid City.

13           These statistics seem to reenforce the  
14 arguments that Native Americans are the fastest  
15 growing ethnic population in Rapid City in the  
16 west and also in western South Dakota. Dependent,  
17 underemployment in many situations, the majority  
18 poorly educated, lacking marketable skills, seem  
19 to be the characteristic traits that hinder the  
20 growth process of the majority of this population  
21 of Indian people. Also single parenthood without  
22 a positive Indian male role model is currently the  
23 trend of the Indian family structure.

24           The culturally extended, supportive  
25 family, the traditional Indian cultural structure

1 are usually left rooted back on the reservation.  
2 Those organizational structures, schools, that  
3 Rosalie talked about, others talked about: the  
4 city and the county, the state and federal  
5 agencies which serve Indian people, seem to  
6 preclude the strength of the traditional Indian  
7 family but have in many ways because of the  
8 policies and rules and regulations only enhanced  
9 the single parent arrangement. Direct control  
10 over the physical needs as well as the mental  
11 needs are not within the grasp of a traditional  
12 Indian family structure.

13 Indian people are directed by many  
14 agencies that have no awareness or little  
15 awareness of the physical and psychological needs  
16 of their Indian clients. Resources, funds,  
17 decisions, alienation and racism are part of the  
18 tendencies of many non-Indian authorities that  
19 serve Native American domestic needs. The general  
20 public throughout the State of South Dakota along  
21 with other western states continue to equate  
22 alcoholism, unemployment, poorly educated,  
23 domestic dependence, as traditionally Native  
24 American cultural values. But the non-Indian  
25 population does not recognize this situation as it

1 imposed American poverty culture. I strongly  
2 say: American poverty culture. Domestic  
3 dependency, single-parent, female families is the  
4 merging picture of the American Indian in Rapid  
5 City. American Indian women are seen as a  
6 suitable model for the American Indian family.  
7 The American Indian male is viewed as an invisible  
8 part of the family that has only the function of  
9 fathering. Misunderstanding and mistrust will  
10 continue to be the attitude of both the Indian and  
11 non-Indian community with relationship to the  
12 Indian family. It is within this, we look at the  
13 statistics that have brought us this.

14 Some of us have been very fortunate to  
15 have the opportunity to improve ourselves through  
16 education. It is my belief that there is nothing  
17 wrong with being poor. There's nothing wrong  
18 because from this poverty you can at least  
19 enlighten yourself to a better way of living  
20 through education. But I think if we can equate  
21 it to a sin, that to be wealthy and ignorant is a  
22 sin because you have the means in which to direct  
23 the needs and to help other people, and that as  
24 professionals we need to know that what are we  
25 doing to improve this situation through the

1 education of those that are underprivileged.

2 Yes, statistics this U.S. Census, 1980,  
3 the Rapid City census of 1985, available  
4 employment in South Dakota indicates a two-class  
5 system of employment. These figures are not my  
6 figures; these figures come from statistical  
7 figures and federal figures. This information  
8 strongly points out that 2 levels of employment  
9 opportunity exist: one for non-Indian American  
10 culture, and the other for the American Indian  
11 culture. The system from all indications is  
12 structured for specifically the purpose of helping  
13 the non-Indian person while showing a little or a  
14 realistic benefit to the majority of Indian  
15 people. These statistical observations reflect as  
16 well as depict to a reasoning individual a concern  
17 that governments that are confronted with this  
18 problem, that they are not sure what to do with  
19 it. The Rapid City area, for the most part the  
20 western part of the State of South Dakota, has the  
21 highest ratio of unemployment of Indian people.  
22 The eastern part of the State of South Dakota,  
23 with a lower Indian population, still reflects a  
24 scenario of employment opportunities for whites,  
25 but little opportunity for Indians. If a picture

1 does represent a thousand words, then imagine for  
2 a minute a young Indian person in Rapid City  
3 disappointed; what does he feel about the federal  
4 funding that the state, the county, the city, our  
5 tribal governments receive on behalf of his  
6 benefit for employment? Is it possible that the  
7 apathy on the part of that Indian unemployed is  
8 continued to be seen as a failure in bettering the  
9 plight of the Indian people in the State of South  
10 Dakota?

11 I believe that unemployment should be  
12 looked at as a social disease that causes  
13 alcoholism, suicide, disrespect for the law and  
14 alienation of an individual from the right to earn  
15 their own livelihood; a social disease that is as  
16 deadly and as modern a plague as the one that we  
17 see in the paper every day in AIDS. There was a  
18 question that was put before that said: what has  
19 the Indian contributed to America? The farmer  
20 says, "Look, we farmed the land and we provided  
21 plenty to the world." The businessman says, "We  
22 built industry and we have grown in population; we  
23 became wealthy." And way in the back room an old  
24 man stood up and said, "I know what American  
25 Indians have contributed to America," and he said,



1 "real estate." And I think that's the question  
2 that I like to say is that we need to share and  
3 win that value in putting forth positive  
4 responses.

5 In concluding I'd like to say if any of  
6 these have hurt you or your feelings, I don't mean  
7 it to do that. I mean it to be in a reasoning  
8 sense that we can find a solution together. I  
9 think that is important that we that have this  
10 narrow time that we spend on this earth and can  
11 find a better solution than to continually come  
12 back and talk about racism and discrimination and  
13 alienation of a human being with other human  
14 beings. If I had my dream, if I had that time, I  
15 would say that people are what makes this world go  
16 on. And if we show goodness and we show that  
17 responsibility that we have, then we wouldn't see  
18 a number of young Indian people not having an  
19 opportunity to make a living for themselves.

20 I thank, again, Mr. Chairman and this  
21 board for providing me this opportunity. Are  
22 there any questions? Thank you.

23 MR. WHITEBIRD: Cecelia?

24 CECELIA MONTGOMERY: I'd like to address  
25 the board, welcome you here to Rapid City. My

1 name is Cecelia Montgomery and I am an elderly  
2 Indian. I have lived here for the past 42 years  
3 or so. I have made my home in Rapid City. I left  
4 the reservation; my husband and I wandered around  
5 looking for jobs and we finally made our home in  
6 Rapid City. My children have all grown up here;  
7 they have been educated in Rapid City in the Rapid  
8 City schools; they have good education. They are  
9 now working in different schools systems,  
10 different places on the reservation.

11 And as far as I am concerned, I think  
12 that Title IV program here in Rapid City is doing  
13 a good job. But one of the things that they have  
14 to look at is Mr. Indian, the young Indian that  
15 needs the education, and I think the Parent  
16 Advisory Board is very attentive and they are  
17 working hard to make this effort to see that the  
18 young Indian youth of our Rapid City schools is  
19 making progress among the white society.

20 One of the things I would like to bring  
21 out is I am a concerned Indian elderly. I have  
22 been involved with the Indian elderly programs as  
23 far back as 1969. When I started working for the  
24 Community Action Program and started a nutritional  
25 kitchen for the Indian elderly so they could find

1 a place to eat, we called it a soup kitchen and it  
2 started at 804 Chicago. That was before the  
3 flood. Since then, I have been involved with the  
4 National Indian Council On Aging; I have been on  
5 the South Dakota Advisory Council On Aging in  
6 Pierre, and I am with the Minneluzahan Board for  
7 many years. I am also a member of the Retired  
8 Senior Volunteer Program; and I have worked for  
9 the Green Thumb Program for 8 years; and I retired  
10 about 3 years ago. Since that time, I have spent  
11 a lot of time being involved in community affairs,  
12 and one of my biggest concerns right now at  
13 present is working with the Wawokiyasopia that we  
14 have started a year ago. And we are recognized by  
15 the South Dakota Indian Commission On Aging as one  
16 of their branches that is working towards helping  
17 the elderly for better health.

18 At present, we are working on the Sioux  
19 San land to get 5 acres so we could build complex  
20 housing that will help our elderly handicapped  
21 Indians and also the disabled. One of the things  
22 that we are doing is working with the Indian  
23 Commission On Aging; so far, we have support from  
24 the different Indian reservations. What we need  
25 now is the approval of the Aberdeen area, which we

1 plan to get real soon, and also one of the things  
2 that we are working on is with our Congressman and  
3 state legislators to get this thing going so that  
4 we can get monies from HUD to start building as  
5 soon as we get the land from the Sioux San. And  
6 so far we have had people go into Washington to  
7 see that this land is available and that it is  
8 meant to be used for educational purposes or for,  
9 like I said, Indian elderly housing, that is for  
10 health purposes and our Wawokiyaospia is a group  
11 that is working very hard. We meet once a month  
12 every Thursday at Mother Butler Center at 9  
13 o'clock and Art Zimiga is our coordinator from the  
14 Ministry of Presence. He has put in many hours  
15 with us and he has helped me to make presentations  
16 at different places like in Pierre; I was in  
17 Pierre last October 6 and that's when I first made  
18 the presentation to the Commission On Aging,  
19 saying that we would like this land from the Sioux  
20 San. I don't know if the advisory board has  
21 anything to do with it, but we did take it to the  
22 area office and we do have the Commission of  
23 Indian Affairs helping us to get this land. So I  
24 think we are on the right path, but what we need  
25 now is support, for we have many elderly Indians

1 in Rapid City and a lot of them are from the north  
2 Rapid area where the low-income Indians live.

3 I would say that the elderly population  
4 in Rapid City is very high. I cannot give you  
5 certain numbers. I cannot give you statistics of  
6 the Rapid City Indian elderly, but there are  
7 plenty and a lot of them are home-bound and these  
8 are the ones that need attention. At present, one  
9 of the things we are asking for is to get help for  
10 our home-bound people through the state. At our  
11 last meeting in Pierre this was one of the things  
12 that we talked about. About two weeks ago, I made  
13 a trip to the Dakota Wesleyan University in  
14 Mitchell. I made a presentation of this to the  
15 group and they were very attentive and the Bishop  
16 himself was very pleased to know that there are  
17 Indians, Indian elderly that are willing to speak  
18 for the rest of their elderly people in South  
19 Dakota, not only Rapid City. But I would say that  
20 I am a Pine Ridge Indian and I met a lot of the  
21 Indians yesterday from Pine Ridge that came to the  
22 Sioux San for the elderly Indian recognition  
23 dinner and presentation of different groups that  
24 was there. Ion Garreaux from the Cheyenne Indian  
25 Reservation is the chair person of the Indian

1 Commission On Aging and she was there and she had  
2 spoke highly of the elderly Indian of today: how  
3 active they are, and what they are doing for  
4 themselves. And this is what we need, to show  
5 that just because we are old, we are not down and  
6 out; we are still going to get there; and if we go  
7 after something, we will get it if we have to  
8 fight for it. And so this is some of the things  
9 that I think maybe the Civil Rights Commission can  
10 look into for us, see that we can get what we are  
11 asking for for our Indian elderly.

12 One of the main things is health  
13 services; home-bound people need home care,  
14 nursing homes; our reservation Indians are  
15 neglected and they die of loneliness because no one  
16 is there to cheer them. So we need people to  
17 spend a lot of time to go see them and cheer them  
18 up, encourage them to prolong their life. And  
19 this is one of the things that our Wawokiyaospia  
20 is working on and we have many people that have  
21 joined our little elderly group that was started  
22 and we do have a membership; we also have a  
23 membership for associate members; anybody that's  
24 young is welcome to join our group.

25 And again, I want to thank you people for

1 letting me make my presentation to the Civil  
2 Rights. Thank you. Do you have any questions?

3 MR. WHITEBIRD: Eva Nichols?

4 MAMIE LOOKS TWICE: We are from KILI. I  
5 am Mamie Looks Twice; I am the program director  
6 for KILI radio and I have been sitting here all  
7 afternoon listening to everybody. And we do have  
8 racism, obviously, but at KILI radio, we don't  
9 have no -- we can't solve the problem, but we can  
10 sure let the people know what's going on. And  
11 that's what basically we are here for, Faith and  
12 I, and what I want to let everybody know is that  
13 we do have an open-door policy at KILI radio and  
14 that is, you can come up there any time during the  
15 time we are on the air and voice your opinion, ask  
16 your questions, whatever; you come up there and  
17 talk about your problems, whether it be there on  
18 the reservation, here in Rapid City, because we  
19 air here in Rapid City at 88.3 now for the Indian  
20 community, whoever wants to listen to us; so we  
21 are at 88.3.

22 And we covered issues; we have a show  
23 called the "Unheard Word," and we have covered  
24 issues anywhere from education, to the land  
25 issues, and we did a special on the boycott. And

1 Carlyle went down there; we had Dennis Banks; we  
2 had Joe American Horse; we had people down there  
3 that were available to answer questions, to do  
4 something -- not really do anything about the  
5 boycott, but to make people aware that it was a  
6 proposed boycott and at the time it was put on a  
7 moratorium. But like I said, we can't solve  
8 anything; but we will make it, we can make it  
9 aware to the people as to what's going on there.

10 And it's been a while since Carlyle has  
11 been down there and there obviously hasn't really  
12 been anything done as far as racism goes or --  
13 because you keep hearing the complaints; you hear  
14 them at KILI; you hear the complaints that are  
15 called into us. What do we do? Well, we can tell  
16 the people, "Well, here's the number you can call;  
17 here's the people you can contact." But people  
18 get tired; they don't want to come to you anymore  
19 if you know that there isn't anything being done.  
20 They get tired of going back there and saying,  
21 "Hey, I went to that person; there's not anything  
22 they can do; or it's going to take a long time and  
23 they want to see results."

24 But I just wanted the community and  
25 everybody else to know that we had the open-door



1 policy and if there was anything you want to give  
2 these people, these listeners, give them the  
3 information, then we will gladly have you up to  
4 KILI.

5 Faith is going to talk about our CAB that  
6 has been formed in the community. CAB is  
7 Community Advisory Board and it consists of 7  
8 members; and she will go into that.

9 FAITH STONE: Good afternoon everybody.  
10 My name is Faith Stone. I work at KILI radio and  
11 I am under this project called Lakota Nations  
12 Broadcasting Service. And what our goal is to do  
13 is to provide for constant flow of news and  
14 information with Indian people and non-Indian  
15 people in the Rapid City area and on the  
16 reservation. We have expanded to Rapid City here  
17 recently, so as Mamie mentioned, if you tune into  
18 88.3, you could hear KILI.

19 We recently asked Rapid City residents to  
20 submit an application or resume to the Community  
21 Advisory Board, which would be served in the Rapid  
22 City area; and in case you all haven't heard my  
23 monotone voice on KILI, I will just tell you who  
24 all the members are: Verlene Eyes, Ben Eicker,  
25 Arthur Zimiga, Edgar Lone Hill, Harold Hill, and

1 Shirley Garnett. And what this Community Advisory  
2 Board is basically about is to provide information  
3 and review of KILI by a group of diverse -- excuse  
4 me -- by a group that reflects the diverse needs  
5 and interests of the community; and so the  
6 Community Advisory Board for the Rapid City area  
7 will just be mainly concerned with the Rapid City  
8 issues. We are currently expanding to Cheyenne  
9 River also as soon as we get done with Cheyenne  
10 River, we will go on to the Rosebud Reservation.  
11 So we will be covering a really big area of those  
12 3 reservations. So, like, I have been coming to a  
13 lot of the meetings; I don't know if I have seen  
14 any of you at meetings I have been attending. And  
15 there were the Indian/White Relations, and  
16 Minority Relations, and the Human Relations  
17 Commission I have been attending regularly just to  
18 get an idea of what is really needed at KILI or  
19 how we could serve the Rapid City area better; and  
20 that's mainly what the Community Advisory Board is  
21 for also.

22 And I guess the most important thing that  
23 I do for KILI radio is I am an ad writer. I sell  
24 air time to Rapid City businesses and I haven't  
25 really gotten into it yet, because I don't feel

1     like I am ready to go to the businesses with all  
2     the information that they might be asking about  
3     KILI, and I haven't got everything together yet.  
4     But as soon as I do, I will be working closely  
5     with the businesses in Rapid City. And I need a  
6     lot of help from Rapid City residents because I am  
7     new at this and I want to make it work for KILI as  
8     much as possible.

9             I guess that's all I really have to say  
10    about what I am doing for KILI radio. And does  
11    anybody have any questions they'd like to ask?

12            MR. PALACIOS: Just a comment. There was  
13    a gentleman here from the Minority Relations from  
14    the Rapid City Chamber of Commerce and they  
15    supposedly are trying to work in helping out  
16    minorities; and I suspect if you want to go to the  
17    businesses here in Rapid City, that it might help  
18    if you had the backing of the Chamber of Commerce;  
19    and I would certainly start with that gentleman  
20    and make an appointment to sit down with him and  
21    spend some time with him and get him to support  
22    you.

23            FAITH STONE: I have attended a few  
24    meetings with Mayor Carlyle and I have been in to  
25    visit him and he has really given us a lot of

1 support.

2 MR. PALACIOS: This gentleman works  
3 directly with the business. If I were you, I'd  
4 make an appointment with him. And he claims  
5 that's their goal; let's see if he will do that  
6 for you now.

7 FAITH LITTLE: My name is Faith Little  
8 and KILI radio was saying there was calls coming  
9 in for racism and discrimination and it's really  
10 disappointing for me to look around this room and  
11 say, "Where is all the Indians?" They are  
12 hollering for racism, discrimination; they are not  
13 even here to testify for the state. As soon as  
14 you guys leave, go around the corner and they are  
15 going to be crabbing about housing, this and that;  
16 they ought to be here to voice their opinions. It  
17 doesn't make any sense.

18 There's housing discrimination here that  
19 I have been through myself and I am sure there's  
20 probably a hundred fifty other Indians that have  
21 been through it too, but they don't stand up and  
22 go find help for it. They sit there and talk  
23 about it. County housing commissioners -- I mean,  
24 Pennington County housing that there's one lady  
25 there that treats Indians -- puts Indians in one

1 area in north Rapid and everybody complains about  
2 it and nobody does anything to her. I think I am  
3 probably one of -- the only person that ever told  
4 her, "Hey, just because I am Indian, you don't  
5 have to throw me up in north Rapid where a bunch  
6 of broken beer bottles are." So I rejected that  
7 unit and now 50 percent of my income is used for  
8 shelter, which in their guidelines says when 50  
9 percent of your income is used for shelter, you  
10 are eligible for emergency priority housing. So I  
11 went up there; I told her that and she said, "You  
12 rejected a unit before." I said, "Yeah." But I  
13 said, "That unit that had my application on there,  
14 my name on there before was rejected because I was  
15 \$2,000 over the income guideline. This is a far  
16 different type of application. This is just for  
17 my kids and I." And I said, "I rejected that  
18 because you put me up -- put me in north Rapid on  
19 Curtis Street where AIM -- the Indians are; I  
20 don't think that's fair; why don't you put me on  
21 the west side or south side?"

22 And I am just saying that there's -- I go  
23 around Rapid City; people are complaining about  
24 housing; and nothing is being done about it. All  
25 they do is talk. They are not even here today to

1 get up and testify for all of you. If they have  
2 got calls coming in for KILI, then they better get  
3 up and start fighting and do something about it  
4 instead of calling and complaining. There's every  
5 agency in the city: there's Human Relations  
6 Commission; I told that lady, I said, "I will take  
7 you to Human Relations Commission; I don't have to  
8 deal with you; but I will take you farther than  
9 what you are. And if you don't go from there, we  
10 will go to a different agency," I said, "because  
11 if you are burnt out of your job, you don't belong  
12 there." And it's all Indians, it's all diverted  
13 to Indians; Indians are all complaining about  
14 housing; they ought to do something about it. I  
15 worked for South Dakota housing when I worked in  
16 Sioux Falls. And over here you go to South Dakota  
17 housing and they look at you like: where did you  
18 come from; who would hire you? You know. So I am  
19 just saying if there's complaints coming into KILI  
20 radio, I think Mamie and Faith should say, "Hey,  
21 there's agencies in the city and go there and do  
22 something about it. Go there and hit the TV, hit  
23 radio, hit the Journal and speak your piece.  
24 That's the only way you are going to get something  
25 done."

1 MAMIE LOOKS TWICE: People get  
2 frustrated.

3 MARY LAMBERT: What it is all about is we  
4 are Indians, and the white, you know, culture  
5 coming here -- 2 cultures can't mix. And what it  
6 is is the government should be responsible for our  
7 problems or for everything that's happening  
8 today. Now, are you expert in Indian affairs?  
9 Are you expert in Indianness? Have you lived as  
10 an Indian? Have you prayed? Have you gone up to  
11 the mountain? Have you prayed and are you really  
12 Indians? But if you are went to school like in  
13 Holy Rosary or someplace, and they brainwashed  
14 you, or if you went to white school and they  
15 taught you all English and brainwashed you, it's  
16 going to be hard for you to come back to being  
17 Indian. And these people that are in these  
18 offices don't know about Indian, could care less  
19 about Indian, could even care less about us. So  
20 actually we are facing -- we are trying to live in  
21 2 worlds. And if we don't change pretty damn  
22 soon, there will be a war. There's a conflict of  
23 laws, jurisdiction, conflict of interest; we are  
24 having problems fighting among each other right  
25 here. And we are asking for unity among the

1 Indian people -- but here you got 2 cultures and  
2 they are not working. What do think or suggest?  
3 Give me an answer.

4 MR. WHITEBIRD: One of the first things  
5 we want to stress, we pointed out in the  
6 beginning, is that this is an informal meeting;  
7 and we have been inactive for a year; we are  
8 looking for areas of study. So we are gathering  
9 information; we are not here to get into community  
10 disputes; get into conversation, you know, of  
11 answering questions that do take a lot of time.  
12 And I think they are areas that we'd like to see  
13 and I think Dr. Simiga had pointed out an area  
14 that I think would really -- at least in my mind  
15 -- needs to be studied. And someone asked me if  
16 we were going to resolve anything out of this  
17 meeting and I said, "Well, if they are looking for  
18 an answer today or tomorrow, or next month, or  
19 even the remainder of this year, they are not  
20 going to get any." However, I think with further  
21 study and also with probably a new funding from  
22 the Civil Rights, we may be able to get into some  
23 other areas and we may be able to do a study  
24 within a year. We are not here to solve anybody's  
25 problems with bureaucracy, or procedures, or



1       filling out forms, or what have you. So I just  
2       want to point that out: that this is an informal  
3       meeting.

4               (Mr. Whitebird is addressing the audience  
5       in the Lakota Sioux language.)

6               MARY LAMBERT: We all must live in  
7       harmony; birds and beasts all do. We must act  
8       like civilized adults and people. And we must  
9       tell our children that they must, if they want to  
10      be Indian, fine, live; if they want to be white,  
11      fine; but let's all live in harmony; peace.

12              MARY WRIGHT: I am just saying it's  
13      disappointing to me that when you have an  
14      opportunity like this which is very rare, the  
15      Indian people should be down here testifying for  
16      this lady so that you can all investigate it and  
17      there can be something done about it. Did he say  
18      3,000 Indians in the city is how many is here?  
19      That's what's disgusting to me. When you go down  
20      the street -- when I leave here, I go around the  
21      corner; there's going to be an Indian down the  
22      street saying, "I was discriminated in the store  
23      today; I went down to Prairie Market and they  
24      treated me this way and that way." I think,  
25      "Well, why don't you go to the meeting today?" you

1 know. "Why don't you go up and fight and speak  
2 for yourself?" There ain't no white man, and no  
3 Indian, no black man in my thinking that I would  
4 ever lower my head for, you know. I never did and  
5 I never will. I would never feel inferior to  
6 anybody. But that's something I had to build and  
7 I had to work on myself, and that's what everybody  
8 else has to do when you have racism, you have  
9 discrimination, and you have that potential to be  
10 what you want to be and speak your say what you  
11 want; that's nothing, you know. And that's what a  
12 lot of Indian people are going to have to do; they  
13 are going to have to build that. They are going  
14 to have to build positive attitudes and positive  
15 thinking and good thinking, not negative stuff.  
16 And that's what's wrong with us; we have to throw  
17 that away; then we get where we are going.

18 ROSALIE GOODBEAR: There was a suggestion  
19 or at least there was some plans on the part of  
20 the Indian/white relations to make an effort to --  
21 I know I served on the city Human Relations  
22 Commission and for a time there; I regret that I  
23 didn't remain active, but part of my problem was I  
24 was so busy with survival that I couldn't  
25 contribute the energy it would take. And maybe I

1       guess my suggestion would be that if there's a way  
2       to fund an office that would serve as an education  
3       office mainly --. You know, I wasn't aware of  
4       this meeting until the gentleman there called me  
5       and it was a surprise; and I kind of thought I  
6       knew everything that was going on, which I don't.  
7       So that office could serve as some publicity for  
8       something like this; but it could also serve in  
9       educating the general public about what office  
10      does what, what can they do; some are  
11      conciliatory; some aren't.

12               Title VII, what is it? What do you do  
13      when you have this kind of complaint or that kind  
14      of complaint? And also that office could  
15      definitely function in helping somebody like KILI  
16      radio station to do a lot of the education. They  
17      call in and that person could help say, "Okay,  
18      this is the way you go and let's track and see  
19      what happens with that particular complaint," you  
20      know. "I hear a lot of things here," something  
21      like that they could address. A lot of education,  
22      a lot of publicity and advocacy and as an Indian  
23      person -- what do they call it? E-way-echu: I  
24      have learned that the hard way, which is to speak  
25      up for other people because Lakota people by

1 nature aren't confrontive. It's something that  
2 they haven't had to do until they were dealing  
3 with a culture that was different and they had to  
4 switch gears and communicate differently and a lot  
5 of people haven't; and I have talked with a lot of  
6 people who have complaints and just say, "I don't  
7 want to cause trouble; I don't want to" -- it's  
8 very hard for some to get up and speak, and that  
9 kind of advocacy is very definitely needed,  
10 particularly for the elderly people.

11 MS. JOHNSON: I just have one comment.  
12 When we began this afternoon we made the statement  
13 or the chair person made the statement we are a  
14 fact-finding advisory committee to the U.S.  
15 Commission On Civil Rights. I think it's  
16 important to give you a little bit of history as  
17 to this committee's work and what it has  
18 contributed to in the statewide picture.

19 Back in the mid 1970s, early 1970s, this  
20 committee undertook a task and subsequently  
21 produced a paper and became involved -- and the  
22 paper was entitled "Native American Participation  
23 And Native Political Participation in the State of  
24 South Dakota." This was prior to the  
25 redistricting effort that the South Dakota state

1 government undertook. As a result of the research  
2 and the efforts of this particular committee,  
3 whose work does extend over anywhere from a year  
4 to two years to 3 years to see a project begin  
5 through a successful finish, what the Denver  
6 office and this committee was able to accomplish  
7 and be a participatory agent in, was the  
8 redistricting effort in which now you have -- is  
9 it District 54? Is that the district where we  
10 have Todd County and Shannon County with a portion  
11 of Mellette County? And the whole issue there was  
12 equitable and fair representation on state  
13 government, and subsequently we do have Indian  
14 representation now as a result of the  
15 redistricting effort. Some of the things that  
16 came out of Native American political  
17 participation were the voter registration efforts  
18 that had been started by not only different  
19 parties, but other special interest groups outside  
20 the state. What happens, as some of you may know,  
21 is as a result of the voter registration efforts,  
22 of course, the state undertook and they redefined  
23 through the Attorney General's Office stricter  
24 procedures as to the how the notaries could go out  
25 and register people to vote. They made it a

1        little bit tougher as a result of the big drive  
2        that was undertaken I think for the 1978 election,  
3        so it's not that this committee may not have  
4        enforcement power per se, but I think the work of  
5        this committee with the expertise that's provided  
6        to us not only from Washington, D.C., but from our  
7        contact regional offices, we can hopefully upon  
8        presentation of concerns to this committee, go  
9        back and research them for you and if not  
10       anything, provide you with information and  
11       direction so that you may evaluate some of your  
12       frustrations.

13                You know, as the chair person said, we  
14       are not here to -- we are not empowered or nor are  
15       we as a group or individually able to solve the  
16       problems that you present to us right now today,  
17       but it would be my hope that as a committee that  
18       we can help you not only individually but as a  
19       group if you represent a committee or a certain  
20       entity, to funnel you or to provide you with the  
21       appropriate resources and to resolve some of your  
22       concerns or to find the information that you are  
23       looking for, and I think it's important that we  
24       make that clear.

25                There was also some studies done and

1 papers completed on the Highway Surface  
2 Transportation Act a year ago that addressed the  
3 10 percent minority set-aside in that particular  
4 act on highway construction, and this committee as  
5 a facilitator was able to bring together the  
6 contractors and minority people to resolve some  
7 alternatives and options and to air the concerns  
8 between contractors themselves and what the act  
9 did or didn't do, and specifically to those  
10 set-asides.

11 We have also been involved in activity  
12 that addresses women and the work force in the  
13 State of South Dakota. Where are women at in the  
14 work force? Are they under represented; are they  
15 in the pink-collar jobs; what are the barriers  
16 that women have in the State of South Dakota in  
17 accessing housing, employment, those type of  
18 things.

19 So the message being that this committee  
20 in its entity may not have enforcement power, but  
21 if we are provided with enough information and  
22 enough direction from you as to problems that are  
23 real prevalent in the community, or in the state,  
24 then it behooves us as committee members to follow  
25 through and at least assist you or guide you in

1 the appropriate direction so that you can get your  
2 problems resolved in a real efficacious manner as  
3 opposed to being frustrated all the time.

4 So with that, that's what I see my  
5 responsibility is, as I am sure the rest of the  
6 panel members do, as individuals functioning on  
7 the South Dakota Advisory Committee.

8 MR. WHITEBIRD: I want to thank everyone  
9 for coming. And Beth has these human rights  
10 pamphlets that she sells them for 2 for a  
11 quarter. No, they are free and they are in the  
12 back over there and you can pick them up on the  
13 way out. Thank you for coming.

14 (The proceedings were concluded at 4  
15 o'clock p.m., June 26, 1987.)

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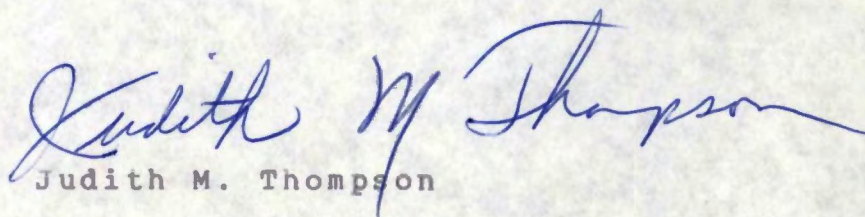
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## 1 COURT REPORTER'S CERTIFICATE

2  
3 STATE OF SOUTH DAKOTA )

4 ) ss.

5 COUNTY OF PENNINGTON  
67 I, JUDITH M. THOMPSON, a Registered  
8 Professional Reporter,9 DO HEREBY CERTIFY that I acted as such  
10 Reporter at the proceedings of the within-entitled  
11 action, and that the foregoing transcript, pages 1  
12 to 88, inclusive, is a true and complete  
13 transcript of my stenograph notes taken at said  
14 proceedings.15 That I am not of kin or in anywise  
16 associated with any of the parties to said cause  
17 of action, or their counsel, and that I am not  
18 interested in the event thereof.19 Dated at Rapid City, South Dakota, this  
20 18th day of August, 1987.  
2122  
23   
24 Judith M. Thompson

25 Registered Professional Reporter