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COUNCIL PASSES LEGISLATION TO CREATE HUMAN RIGHTS COMMISSION

The 20th Navajo Nation Council took action on several pressing matters facing the tribe during the 2006 Fall Session – the most important being on the issues of racial discrimination facing the Navajo people in border towns surrounding the Navajo Nation.

The first day of session, October 16, 2006, the Council heard reports from first, the Speaker of the Navajo Nation Council Lawrence T. Morgan (Iyanbito/Pinedale) and the DNA People's Legal Services on the issue of hate crimes in border towns, and next from Dennehotso Council delegate Katherine Benally and the family of Harry Claw on issues of racial discrimination in Flagstaff, Ariz.

Speaker Morgan had first reported to Council on the racial discrimination issues during the Summer Session held in July. He said he anticipates more reports to be made to Council as the issue is further explored.

Because undertaking the gathering of data from all border towns would require much time and resources, DNA focused on gathering data from six towns, including Farmington, Aztec, Bloomfield, Gallup, Page and Flagstaff. The information gathered focused on four areas: “(a) information regarding formal administrative complaints by Dine’ to formal municipal authorities alleging police misconduct and/or excessive use of force; (b) formal litigation on these issues in either state or federal courts; (c) statistical data regarding hiring of Dine’ by municipalities, particularly in law enforcement; (d) formal training of law enforcement personnel in cross cultural sensitivity.”

Among the findings by DNA People's Legal Services, it found there was no real data to support the claims of racial discrimination committed against Navajo people. The Legal Services put forth a theory that the reason there is no such data is because such matters largely go unreported. Furthermore, according to Dr. Barbara Perry, people may be reluctant to report such incidences because there is no clear process for reporting and people do not know to which agency they should report. There may also be the general feeling that further discrimination will occur if such incidences are pursued.

The Speaker and the DNA People's Legal Services recommended that a subcommittee be formed to hear sworn testimony from Navajo citizens on treatment or mistreatment in border towns, that a Navajo Nation Human Rights Commission possibly be established and that joint panels with the border towns could facilitate action within communities.

Legislation carrying out one of the recommendations was sponsored by Ervin Keeswood (Hogback) during this most recent Council session. The legislation to establish a Navajo Nation Human Rights Commission passed by a vote of 60 in favor and 1 opposed.

Keeswood said that the primary focus of the Commission will be to begin seeking data to support claims of discrimination by the Navajo people themselves.

“The idea is to ask our own people right now. Once we collect that data we are in a good position to negotiate,” he said. Keeswood further added that the Commission would work with other human rights organizations throughout the world.

During the debate on the legislation on Thursday, October 19, 2006, Council delegate Mark Maryboy (Red Mesa/Aneth/Mexican Water) said, “There's over 300 million people in the United States. We need to find a way to get along. As Native Americans we are probably less than 1 percent of the population. I believe this is very appropriate and we should approve this legislation at this time.”