

Minutes
Burial Preservation Board
October 20, 2017
10:00 AM – 2:00 PM
Working Lunch
State Capitol Building
Room 137
Helena, MT 59601

Members Present: William Big Day, Conrad Fisher, Marilyn Silva, Rosemary Caye, Morris Belgard, Steve Platt, Carl Davis, and Skye Gilham.

Staff Present: Stan Wilmoth, Mike Manion, Jason Smith, and Monica Abbott.

Public Present: Rena Victor Nez, Irene Victor, Stanley G. Victor, Sr., Kenny Victor, Terry Littleman, Kansas Larry Nez, and Tammi Littleman.

1. Call meeting to order: *Marilyn Silva, Chair*
Marilyn Silva called the meeting to order at 10:08 a.m. She asked William Big Day from the Crow Nation to offer an opening prayer.
2. Introductions
Marilyn asked everyone present to introduce themselves.
3. Approve May 19, 2017 Meeting Minutes
Marilyn asked the members of the Burial Preservation Board (Board) to review the minutes. After the review, Marilyn asked for a motion to approve the minutes for the May 19 meeting.
***Action Item*:** Rosemary Caye offered a motion to approve the minutes. Marilyn seconded the motion and the motion passed unanimously.
4. Old business
 - a. Missoula Remains – *Rosemary Caye*
Rosemary summarized her report to the Board. The project is finished. She recommended we contact the school that if they do further construction to contact the Board. Then a board member can be on hand because Rosemary believes there are more graves. UM and their staff were great to work with on the project. Rosemary stated that all of the graves had been moved. Mike Manion will write a letter to the superintendent of the school district.
 - b. Old cases – *Stan Wilmoth*
As planned Stan Wilmoth and Steve Platt went to First Peoples for the remains highlighted at the last meeting including the remains from the U of M. Richard Parenteau also attended, offered blessings over the reburial at First Peoples.
We have two cases remaining in Stan's office. Stan contacted the Rosebud Battlefield to have the remains reburied there. The two cases are one from Ashland flats, a late teen to young adult female and the other was an adult male, likely Native American, located by a hiker. The Rosebud Battlefield said no to the reburial, but Stan thinks the Pictograph State park may accept them. Conrad Fisher suggested having them buried on federal lands. Conrad thinks it is best to rebury them close to where they are found. Marcia Pablo is the tribal liaison. William says at the Crow agency they have setup a place for repatriation. They have had areas disturbed and discussions if the disturbed areas were from vandalism or farming. Stan has encountered problems with the coroners not giving him more information regarding where the remains were found. Most times he doesn't receive any information. William acknowledged the same thing happens at the Crow

Agency. Carl Davis recommended contacting Gary Smith, the State Archaeologist about that problem.

***Action Item*:** Steve gave a motion to have Conrad work as the lead tribe to work with government agencies to have the Ashland and Powder River remains reburied. Morris Belgard seconded the motion and the vote was unanimous.

***Action Item*:** Skye Gilham recommended sending the pamphlet out again. She offered a motion that staff send the pamphlet to sheriff's offices. Marilyn seconded the motion and the vote was unanimous. Carl Davis suggested using the Archaeologist Resource Protection Act (ARPA) by having someone from the board talk at the law enforcement association. Marilyn suggested dropping off pamphlets at the law enforcement academy. Conrad asked Stan how much trouble does he see getting information from law enforcement. Stan says that often law enforcement collects the remains and sends them to the crime lab, so he receives no information when the crime lab determines it is native remains. Conrad suggested this is an administrative task. Carl has talked previously to law enforcement academy about ARPA. Steve agreed with Marilyn that they don't treat it as crime scene.

***Action Item*:** Conrad offered a motion to have Mike look into discussion with both law enforcement and the county coroners for better communication and possibly be on the agenda of their respective association meetings. Skye seconded the motion and the vote was unanimous.

Bob DesRosier picked up the Chevalier remains, and they have been reburied.

5. New business

a. Hugh Clubfoot Ancestor – *Conrad Fisher*

Conrad related the background of a gentleman named John Young Bird Sr. Hugh Clubfoot is from a village called Birney. Hugh remembers that John Young Bird was of extreme importance to the tribe. John was sent off to the Deer Lodge area and he died in the 50's. Hugh can't find any records of his burial. He contacted Warm Springs, Galen, and Boulder. Mike did some research and found an article about Mr. Young Bird but is unable to locate his place of burial.

William spoke about the 1898 act signed by President Grant that was devastating to the Native Americans. Native Americans were sent to other places like North Dakota.

William's grandfather ended up dying in North Dakota. He said that records before 1948 were dispersed.

Rosemary asked if they did a cultural history of the burial records. Conrad mentioned that there was often lack of records. Rosemary suggested libraries, cemeteries in the area and online for census records.

Conrad wanted to have this case on the record.

b. Rudy Redd Victor – *Stan Wilmoth*

The family of Rudy Victor came to the Board meeting to find more his remains. They were given 28 skeletal pieces for burial once his remains were identified by the Air Force. Tammi Littleman spoke about her uncle Rudy Victor. The family was distressed about the article printed in the Helena Independent Record. The family doesn't find the article factual.

Between mile marker 221 and 222 by Wolf Creek is the location of where his remains were found. The family doesn't think they were told everything that happened to her uncle. The family was shocked that a livestock brand officer had the skull for several years. In 1984 some explorer boy scouts found remains. Mickey Nelson, the coroner at that time, confronted the livestock officer when he heard about the skull. He sent the skull to the crime lab.

The family came in August after the remains were identified for a ceremony at the site and they found more remains. Those remains were later identified as animal. The family thinks more remains are there on the site. They are working with the FBI, the Bureau of Indian Affairs, the Bureau of the Interior, the Air Force, and the OSI. The Congressional Cemetery have Indians buried there.

They want to get back on the hill. It's on private land and they haven't been given the name of the landowner. They want access to records at the coroner's office also.

Irene Victor spoke about her brother Rudy. Four of her siblings besides Rudy have passed, there were 12 in their family. Her father asked her to look for her brother. In 2009, she started writing letters. They always thought he disappeared in Colorado. She gave her DNA to check to see if she matched some remains there. His remains were matched in July 2017. Irene gave a background of Rudy. She told of his character. Kenny Victor was brother of Rudy. He is a social worker in AZ. They received 28 bones including his skull. His skull was found by a livestock brand inspector in 1982. This person should have turned his skull over to law enforcement. They want peace, so they can start their grieving process. They want to give an offering to mother earth. They want to be assured that the remains that were recently found are not his remains. They would also like copies of records from the coroner's office.

Stanley Victor spoke of Rudy who was three years older and idolized. He kept a journal for thirty years after Rudy disappeared. He had a dream about Rudy, and when they went to the site where his remains were found, it was the same as in his dream.

Rena Nez is a sister of Rudy. Rudy was very distinguished in school. Of the 12 children, only six remain in the family. She helped raise him. Their mother was heartbroken when he disappeared. He was proud of his career as an airman. She explained how she and her siblings were raised and their native culture. She would like to have all of his remains together.

Irene added that when they met at the coroner's office the detective told her there's nothing they can do to bring him back. There isn't anything that can be done monetarily.

**At 12:33 p.m. the meeting broke for lunch. The Board was joined by the Victor family at lunch. The meeting resumed from lunch at 1:24 p.m.

6. Public Comment

The family would like access to the site where Rudy's remains were found. They would like permission from the landowner. They would like to do a ceremony because it was interrupted when they discovered more bones. They would like to take possession of the bones. They want to stop by the area and make sure it is okay to stop and look.

Stan asked if it was a crime scene and what they were told. It matters if it is a crime scene.

Mike explained how the board can handle the remains. He must look at the board's jurisdiction. Jason Smith, from the Governor's Office, said he will act as the point of contact with the family.

Conrad spoke of how the board wants to help.

Carl suggested using the hunting maps to help locate the land owner.

Rosemary suggested Conrad offer a healing song for the family. Conrad agreed if the family wanted it and they said yes. Conrad sang a healing song. It is a journey song saying that you have a safe journey to your ancestor.

7. Set next meeting date

The Board set the next meeting for May 18 tentatively depending on member's calendars. The meeting adjourned at 2:13 p.m.