

## **Cayuga Nation Statement (February 22, 2020)**

The Cayuga Nation took possession this morning of certain Cayuga Nation properties that were seized from the Nation in 2014. The properties were seized and have been occupied by several persons, some of whom have claimed to be leaders of the Cayuga Nation, and some of whom have no connection to the Cayuga Nation at all. With regard to those who claimed to be leaders, the question of leadership was put directly to the Cayuga people in 2016. In an open governance process in which all Cayuga Nation leaders and claimed leaders participated and had a full opportunity to be heard, the Cayuga people overwhelmingly confirmed that a Cayuga Nation Council led by Clint Halftown is the proper government of the Cayuga Nation for all purposes. This Cayuga Nation Council does not include any persons who seized the Cayuga Nation properties in 2014. The internal Cayuga governance process was reviewed by the United States Department of the Interior, which has statutory authority over “the management of all Indian affairs and of all matters arising out of Indian relations.” 25 U.S.C. § 2. The Department found the internal governance process to be consistent with Cayuga Nation law and fair to all participants. In a November 14, 2019 letter, the Department reiterated that Cayuga citizens had confirmed a Cayuga Nation Council led by Clint Halftown “as the Nation’s governing body without qualification” and “the Nation’s government for all purposes.”

Despite this confirmation by the Cayuga people of their government, those who had seized the Cayuga Nation properties in 2014 refused to leave. They continued to operate Cayuga Nation businesses keeping the money for themselves, and refusing to provide any accounting for how the money was spent.

Prior to today’s action, the Cayuga Nation brought suit in state court, seeking to recover the properties that belong to the Nation. On October 29, 2019, however, the New York Court of Appeals refused to exercise jurisdiction in the case. It ruled that the Cayuga Nation property dispute “turns on disputed issues of tribal law” and that the Nation must use “dispute resolution mechanisms other than [state] courts,” which the court emphasized “is itself an exercise of the right to self-govern in a manner consistent with tribal traditions and oral law.”

Today, the Cayuga Nation has employed tribal law to detain persons who have violated that law, and the Nation has retaken possession of its properties. In the course of searching the properties, the Nation’s law enforcement officers located substances suspected to be methamphetamine and marijuana, along with drug paraphernalia, guns, and ammunition. Six individuals were released without charges. A seventh individual was charged with possession of a substance suspected to be methamphetamine and was arraigned by Cayuga Nation Judge Joseph Fahey. The charges will be resolved in the Cayuga Nation court system, and the defendant may be represented by counsel of his choice. If he does not have counsel, an attorney will be provided.

In taking these actions, the Nation has acted in accordance with authority expressly recognized by the United States Bureau of Indian Affairs in a letter to Seneca Falls Chief of Police Stuart Peenstra in a letter dated June 17, 2019. In that letter, the BIA declared that the Cayuga Nation has “inherent sovereign authority to enforce its own laws inside the Cayuga Indian Nation Reservation boundaries through a law enforcement program” and that “the Cayuga Indian Nation may enforce its own criminal laws against Indians within the boundaries of the Reservation.”

The Cayuga Nation also chose today to demolish certain buildings that it owned on these properties. It did so to eliminate certain public safety issues, and it does not want these buildings to become a target for any further friction in the community going forward.

