

## “WE ARE THE CAYUGA NATION OF NEW YORK”

Recent reporting concerning the Cayuga Nation has often fallen into inaccuracies. While the Nation cannot respond individually to every error, one persistent inaccuracy concerns the groups that have fomented strife within the Cayuga Nation.

One of those groups is known as the “Unity Council” or the “Jacobs Council,” along with its few supporters. The Unity Council has long claimed to be the Nation’s leadership—but for just as long, the Cayuga people have rejected their claims. In a traditional “Statement of Support” campaign, a broad cross-section of Cayuga citizens memorialized their views that the Unity Council is not the Nation’s lawful government and that the Unity Council’s interpretations of Cayuga law are incorrect. Instead, the Cayuga people identified as the Nation’s government a Nation Council composed of Clint Halftown, Timothy Twoguns, Gary Wheeler, Donald Jimerson, and Michael Barringer. Sometimes, that Council has been identified as the “Halftown Council.” Subsequently, the Department of the Interior reviewed the Nation’s Statement of Support process and, based on it, recognized this Council as the Nation’s government for all purposes. A federal court upheld that decision, rejecting the Unity Council’s challenge. It was the Unity Council that was responsible for the theft of the Seneca County properties that the Nation recently regained.

The second group that has created unrest is not part of the Nation at all. We are the Cayuga Nation of New York, referred to as such because our reservation is within the territorial boundaries of New York State, and the citizens of our Nation reside in the United States. The violence that occurred last Saturday, however, was sparked by a group of Canadian Cayuga led by Chief Roger Silversmith of the Haudenosaunee Confederacy, which is based in Canada. This group’s ancestors relocated to Canada more than 200 years ago and now reside on the Grand River Reservation at Six Nations in Canada. And it was *this* group, together with followers of the Unity Council, that

triggered the violence that occurred last Saturday. In fact, as the attorney for the Unity Council has admitted, Saturday's rioting resulted from an "ill-advised decision" by these Canadian Indians to cross a crime-scene tape, storm onto the property, and start an altercation with the Cayuga Nation Police. The Grand River Cayuga, who are from a foreign country, have never had a role in our Nation's government and are not recognized by the Cayuga Nation of New York, nor by the United States government.

We acknowledge and appreciate the position local law enforcement has taken, both with respect to the authority of our Nation Police Force, as well as in assisting in maintaining order on our lands. In particular, the Seneca County Sheriff has acknowledged that our Police Force is authorized to enforce Nation law on our lands, that our Council is the recognized leadership of the Cayuga Nation, and that this dispute is ours to settle internally, saying, "The Bureau of Indian Affairs and Department of Interior has recognized Clint Halftown as the leader of the Cayuga Nation." Seneca Falls Police Chief Stuart Peenstra has recognized that the Nation's police force is made up of professional and seasoned former state and local law enforcement officers.

The law enforcement actions that occurred on February 22, 2020 represent an important step forward for the Nation. Those actions concerned properties purchased by the Nation, with the Nation's own funds, that long generated important revenues that the Nation distributed for the benefit of its members. In 2014, however, these properties were stolen by the Unity Council—and thereafter, seized by the John family. Ever since, the revenues from these properties have been diverted from the Nation into private pockets, without any accounting of how these revenues are spent and in violation of federal, state, and Nation law. The Nation did everything possible to redress this ongoing theft through other means. It sought relief from New York courts, and two courts ordered the properties to be returned—until the highest court in New York, the Court of

Appeals, dismissed the case, telling the Nation to rely on its own self-government processes. The Nation therefore acted, via its lawful police department and court system, to recover the properties wrongfully seized from the Nation.

The Nation then chose to demolish certain buildings, to remove them as a target for future unrest—which last Saturday’s incident involving the Canadian Cayugas proves was not an idle concern. False information about the properties abound: that the Nation destroyed a school, a day care center, a Longhouse. None of that is true—there was no licensed school or day care center; there was no Longhouse. These were commercial properties the Nation had acquired and operated on its own, until they were wrongfully seized in 2014. Those with longer memories may recall that prior to the seizure of the properties in 2014, an individual smashed a truck through the front window of the Nation’s offices that also was located on these properties (and was prosecuted for it). Sadly, these are the elements the Nation has had to face—not unlike challenges the Oneida Nation, the Mohawk Nation, and other Indian nations in New York faced.

One of the most significant changes that has occurred, however, is that the Cayuga Nation now has a highly professional, experienced police force, consisting largely of former state and local law enforcement officers. In the past two weeks, the Nation has proved that its police force can share information and coordinate with New York State Troopers and other local and county police departments. The lawless incidents will not continue. Cayuga Nation police will arrest persons who assault them or attempt to seize or damage Nation property. Violators (if Indian) will be prosecuted in the Cayuga Nation courts; if non-Indian, violators will be turned over to state, local, or federal authorities. This is all consistent with well-established, longstanding federal law, including decisions from the United States Supreme Court.

The Cayuga Nation of New York looks forward to putting this matter behind us and building upon our strong relationships with federal, state, and local law enforcement in order to maintain order in our community. And just as important, the Cayuga Nation of New York looks to build strong relationships with all those in our local communities, along both sides of the lake that bears our name.