

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.8

During the oral communication section of the agenda for Tuesday, July 27, 2010, Harvey Reeves, Steve Adler, Charles Rochon, Bill Booth, Jeffrey Smith and Will Booth spoke in opposition to CRIT.

**ATTACHMENTS FILED WITH
CLERK OF THE BOARD**

**AGENDA NO.
9.8**

COLORADO RIVER
Residents For Justice
"equal rights and fair treatment for all"

Request for Federal Grand Jury
Investigation

Page 1

7/25/2010

Grand Jury foreperson
United States Attorneys Office
Central District of California suite 1200
312 N. Spring Street
Los Angeles, CA. 90012

RE: Request for Federal Grand Jury Investigation into the Deprivation of Rights Under the Color of Law

Dear Grand Jury foreperson:

Colorado River Residents For Justice requests a federal grand jury investigation into the deprivation of citizen's rights under the alleged color of law by the Colorado River Indian Tribe ("CRIT" or "Tribe"). Violations of 42 U.S.C. § 1983 and 18 USC § 242. by the CRIT Attorney General, CRIT Tribal Chairman, CRIT Police, CRIT Fish & Game, CRIT Environmentalist.

The status of the Western Boundary of the CRIT Reservation has been in dispute for a long period of time. The Tribe and its Attorney General are asserting Tribal law over non tribal members living on the California side of the Colorado River ("River"), on lands which never have been adjudicated to be Indian lands.

More than 100 notices of Trespass or 12 Hour Abandonment have been sent to non tribal residents along the River. Assets owned by non-tribal members have been confiscated by CRIT. No one is contesting the authority of a tribal government to issue such notices on property which as a matter of law qualify as "tribal lands". ***But many lawyers openly question whether these lands along the River lawfully are "Indian lands".***

The CRIT, and its Attorney General and other employees, appear to be in violation of 42 U.S.C. § 1983 by denying citizens a civil remedy in a competent and unbiased court, particularly a court within California with jurisdiction. This means that the Tribe is denying citizens a federally protected right of due process. Normally, constitutional rights violations are remedied by specific performance including injunctions by the courts. But the CRIT has hidden behind its tribal sovereign immunity to civil liability to circumvent the citizens' rights to Constitutional due process. CRIT has used tribal immunity like a sword against non Indian citizens instead of the shield that Congress intended its use to be. Without doubt and as a matter of federal law, an

Oral Comm. Submitted By
Harley
Reeves
07/27/10

Indian tribe is subject to suit only where Congress has authorized the suit or the tribe has waived its immunity. *Kiowa Tribe of Oklahoma v. Manufacturing Technologies, Inc.*, 523 U.S. 751 (1998); *Oklahoma Tax Commission v. Citizen Band Potawatomi Indian Tribe of Oklahoma*, 498 U.S. 505 (1991); *Three Affiliated Tribes of Fort Berthold*

Reservation v. Wold Engineering, 476 U.S. 877, 890 (1986); *Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 58-59 (1978).¹

As the Supreme Court noted in *Kiowa Tribe*, **the doctrine was developed almost by accident, going back to a resolution of issues concerning Indian lands** in Oklahoma in the case of *Turner v. United States*, 248 U.S. 354 (1919).² It has become firmly established and today is "settled law."³

Nevertheless, the actions of CRIT and its Attorney General and other tribal employees are violations of the Civil Rights Act of 1871, a federal law to protect those whose rights are being deprived. It would further appear that CRIT, its Attorney General and other employees are criminally liable under 18 USC § 242 by forcing residents into a "friendly" prosecution by a local prosecutor, *i.e.* CRIT Tribal Court and its Attorney General that may be accused of pro-Tribe favoritism. CRIT Tribal Court judges have said in open court that they are not bound by federal or state laws and they alone will determine what laws apply in the CRIT Court.

Secondly, it would appear that the Western Regional Office of the Bureau of Indian Affairs has usurped the authority of Congress and permitted the CRIT to issue leases to residents. There has been no Congressional authority to permit the CRIT to issue leases in this "disputed area" in accordance with the Act of April 30, 1964, *supra*, to lands south of section 25, T.2S, R23 E., S.B.M. California. CRIT's only alleged authority for its actions is an opinion from the Secretary of the Interior that violated a Congressional prohibition on any California land being within the CRIT Reservation. The United States Supreme Court has stated that the Secretary's opinion was "unauthorized" and the Secretary has a conflict of interest in this matter. It is without question that CRIT has no legal authority for its actions:

How can the CRIT and its Attorney General request in their Notice of Trespass to residents that they pay to CRIT back rent, interest, payment and transfer fees and demand that the residents sign lease with CRIT for property that is yet to be determined Indian Lands? CRIT has also demanded that the residents sign a lease that gives the CRIT Tribal Court exclusive jurisdiction to resolve all future disputes.

¹This rule is so firmly settled that one could cite scores of federal decisions affirming it. We have limited the citations to some of the most widely-cited cases relevant to this principle.

² 118 S.Ct. at 1703.

³ Ibid.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: W. A. Booth

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: 562/714-3180

Date: 7-27-10 **Agenda #** _____

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

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for "Appeal", please state separately your position on
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I give my 3 minutes to: BILL BOOTH

BOARD RULES

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Request to Speak**

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SPEAKER'S NAME: Jeffrey Smith

Address: 4899 Glenwood Ave
(only if follow-up mail response requested)

City: Riv **Zip:** 92501

Phone #: 951 992 9446

Date: July 29 **Agenda #** _____

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
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I give my 3 minutes to: Bill Booth

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Riverside County Board of Supervisors
Request to Speak

#3

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SPEAKER'S NAME: Charles Rochon

Address: Hc 20 Box 2810
(only if follow-up mail response requested)

City: Big Lake **Zip:** Ca 92225

Phone #: 949-233-0177

Date: 7-27-2010 **Agenda #** Public Comment

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

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Support **Oppose** **Neutral**

I give my 3 minutes to: _____

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SPEAKER'S NAME: Bill Booth RED ROOSTER

Address: 23264 W. MAIN
(only if follow-up mail response requested)

City: BASTON **Zip:** 92311

Phone #: 760-253 7099

Date: 7-27-10 **Agenda #** _____

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Request to Speak**

#2

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SPEAKER'S NAME: STEVE ADLER

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: 480-205-5130

Date: 7-27-2010 **Agenda #** PUBLIC COMMENT

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Riverside County Board of Supervisors
Request to Speak

#1

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SPEAKER'S NAME: HARVEY REEVES

Address: 35930 DATE ST
(only if follow-up mail response requested)

City: YUCIAPPA **Zip:** 92399

Phone #: 951-6401672

Date: 7/27/10 **Agenda #** _____

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