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YAKAMA NATION STRIKES SETTLEMENT ACCORDS WITH
YAKIMA, BENTON COUNTIES, AND VIRGINIA AND
MISSISSIPPI MUNICIPALITIES REGARDING FEBRUARY 2011
RESERVATION RAID

LOCAL GOVERNMENTS AGREE TO HONOR THE YAKAMA
TREATY; CITY SAYS "[WE'RE SORRY. WE WILL ASK FOR
PERMISSION IF WE EVER ENTER YAKAMA INDIAN COUNTRY
AGAIN](#)"

Toppenish, WA – The Confederated Tribes and Bands of the Yakama Nation have reached out-of-court settlements with Yakima County, Benton County, and local governments from Virginia and Mississippi, to resolve the Nation's lawsuit against those governments for a February 16, 2011, dawn raid of Yakama Reservation trust lands. Upon the first of two joint dismissal requests filed with the U.S. District Court, Judge Rosanna Peterson has already dismissed most of the claims between the parties.

"We are pleased and proud that governments from here in the Yakima Valley and Columbia River Basin, to as far away as the east coast, have all agreed to honor the Yakama Treaty of 1855," said Yakama Nation Tribal Council Chairman Harry Smiskin. "Each of them will seek our blessing before every again returning to Yakama lands. They will also cooperate with our Tribal Police, Tribal Jail and Tribal Court to improve public safety on our reservation."

Through Article II of the Yakama Treaty of 1855, the Yakama Reservation was set apart for the exclusive use and

benefit of the Yakama Nation. To that end, the Yakama Treaty makes clear that no “white man” shall be permitted to reside upon Yakama Indian Country without permission from the Yakama Nation. The federal Treaty negotiators explained to the Yakama that Article II meant that no one would be permitted to step onto Yakama Reservation lands without the Yakamas’ consent.

In Article VIII of the Yakama Treaty, the United States and Yakama Nation set forth a process for delivering Yakama criminals or suspects who are in Yakama Indian Country to federal authorities. Federal Treaty negotiators explained to the Yakama that Article VIII meant there would be a consultation process between the Head Chief or all of the Yakama Chiefs, and the United States relative to any Yakama alleged to have committed a wrong, before they might be delivered up to federal authorities.

In March 2011, the Yakama Nation sued federal law enforcement agencies and several local governments for violating these federal Treaty provisions when raiding a Yakama member-owned business on Yakama trust lands without providing any advance notice to Yakama authorities, and in turn barring Yakama Nation cops who arrived at the scene of the raid to help keep the peace.

Since the spring of 2012, all of the parties to the litigation have engaged in a multi-track mediation process. The Yakama Nation and Department of Justice defendants remain in settlement negotiations.