

Julia G. Longenecker and Jeff VanPelt

# Training for Law Enforcement

## A Tribal Perspective

The Pacific Northwest now has an Archaeological Resources Protection Act (ARPA) training course taught from a tribal perspective, which complements an existing ARPA training program taught by the Federal Law Enforcement Training Center (FLETC). The course was developed by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in cooperation with other local tribes and agencies. It is taught each October and by special arrangement.

The training is held in the heart of Indian country, in Richland, Washington, in order to involve local tribal elders and to take advantage of the U.S. Department of Energy's HAMMER Center.\* The HAMMER Cultural Resources Test-Bed and Training Center is a 7-acre surface and subsurface test-bed designed to provide a training ground for non-destructive archeological methods that can be used to teach others about site protection, and to encourage and enhance non-invasive archaeological methods, namely geophysical techniques.

The first annual HAMMER Archaeological Resources Protection (ARPA) Training for Law Enforcement was held October 29 and 30, 1998. The two days included a series of classroom presentations and an in-field ARPA crime scene investigation at the HAMMER Test-Bed. The 28 people taking the class included law enforcement officials, park rangers, county coroners, and tribal cultural resource technicians from various locations in Washington and Oregon. The Washington State Criminal Justice Training Commission approved 16 hours training credit for law enforcement officers taking the class.

The course is unique in that it is taught from a tribal perspective. We developed and organized the course after we completed a five-day

ARPA training conducted by FLETC. The FLETC class, while excellent, was not designed to provide a tribal perspective on the impact of looting.

A tribal perspective is important because disturbing cultural resources is not a victimless crime—such destruction has many social impacts on the lifestyles of Indian people. By providing a forum for Native Americans to speak about the impact of looting, students begin to understand and appreciate the seriousness of the crime. Other in-class training includes lectures and discussion on the laws, education efforts, and archeology.

Another unique quality of the class is its focus on crime scene investigations and techniques for proper prosecution, conviction, and restoration. The crime scene consists of a permanent simulated archeological site constructed specifically for the ARPA training. The site included buried features such as an earth oven used to heat treat lithic materials, a fire pit, a house pit with several caches, a human burial, and a multi-component archeological site. Out of respect for real archeological sites, all the “artifacts” and features for the simulated sites were made by Umatilla tribal members. For example, stone tools were replicated in 1998, and ash and firecracked rock were brought in from tribal sweat lodges to simulate earth ovens. After the features were constructed and buried, the site was left to rest for a few days, encountering a wind storm and thunderstorm. A day before the class, we intentionally looted the site with shovels and screens. The looting activity was stabilized and looter's evidence was planted for the site investigation.

The students were divided into five teams, each assigned to one of the features. Each team investigated the looted feature, looking for the types of evidence discussed during classroom lectures. In addition, actors playing looters were detained on-site by a law enforcement officer and were available for interviews.

The teams then returned to the classroom at the main HAMMER training facility and began presenting their cases to a county deputy prosecuting attorney, John Jensen of Benton County, and to a U. S. assistant prosecuting attorney, Timothy Simmons, of Portland. The prosecutors then decided whether or not they would take the case, based upon the information provided by the teams. The pitfalls and successes of each team were discussed.

\* Hazardous Materials Management and Emergency Response Volpentest Training and Education Center

In all, 15 instructors from across the Pacific Northwest contributed to the training. Whether Native American or not, all instructors shared the vision that to be effective in cultural resource management, Native Americans must take an active leadership role and be involved in all phases of the work. In the recent Plymouth Island ARPA convention in Washington, for example, a prosecutor stated, "If the tribes had not been involved in this case, we wouldn't have been successful in the prosecution."

The ARPA training at HAMMER represents one more step initiated by tribes in the Mid-Columbia to protect cultural resources. For decades, tribes such as the Umatilla, Nez Perce, Wanapum, Yakama, and Warm Springs have been crying out to local, state, and federal agencies to protect burial sites, archeological sites, and traditional use areas. When protection efforts failed to meet expectations, tribes took matters into their own hands. Several tribes started cultural resource programs during the 1980s to protect resources important to them.

The Umatilla, for example, began its Cultural Resources Protection Program in 1987 and began a vigorous campaign to improve the way CRM was conducted throughout its ceded lands. One aspect of this campaign was participation in regional and national archeological conferences, calling on the CRM profession to expand its definitions to include all tribal cultural resources, improve its methods, and involve tribes. The CTUIR were equally aggressive in calling on agencies to live up to their responsibilities in surveying lands, reporting ARPA violations, and increasing patrols to stop future ARPA violations. (A volume of the papers presented by the CTUIR from 1988 to 1998 with over 40 published papers is currently in publication and will be available in fall 1999.)

In the early 1990s, the Wanapum, in cooperation with the Grant County Public Utility District, began sponsoring ARPA training workshops for the region. Then, beginning in the mid-1990s, the tribes throughout the Columbia River system began working together to influence the development of federal agency cultural resources protection. These efforts led the Bonneville Power Administration, U.S. Corps of Engineers, and the U.S. Bureau of Reclamation to commit \$65 million dollars over a 15-year period to strengthen CRM protection. Fourteen working groups composed of tribes and federal agencies oversee the work being conducted in different parts of the Columbia River system (see McKinney, *CRM* Vol. 21, No. 9, for more description).

An example is the Wanapa Koot Koot working group, which oversees the activities in the Bonneville and John Day reservoirs. Since the funding began in 1997, accomplishments have included surveys of the reservoir shorelines to document sites and ARPA violations, development of long-term monitoring procedures so that changes in site condition can be identified, and hiring of a full-time ARPA law enforcement person. Funding from the agencies has enabled the introduction of new technologies such as digital photography, laser mapping, and videography. The approach to CRM in the Mid-Columbia has changed dramatically since incorporation of tribal values has started.

Another example of tribal influence is found in the cooperative efforts at the Hanford Site, a 560-square mile site managed by the U.S. Department of Energy, Richland Operations. Contained within the Hanford Site are many places important to the tribes. Of particular interest is the Hanford Reach, the last 55 miles of undammed Columbia River. Since 1994, the Nez Perce, Umatilla, Wanapum and Yakama tribes have been working cooperatively with the DOE to improve the management of cultural resources. One benefit achieved from this relationship was the development of the HAMMER Cultural Resources Test Bed and Training Center, where the Umatilla ARPA training was held in October 1998.

The future of CRM is bright in the Mid-Columbia Region. More work is being done than ever before. Tribal involvement continues to increase. ARPA convictions are on the rise. Public education is more prevalent than ever. And most importantly, more groups and agencies are getting involved such as local cities, law enforcement agencies, and public groups. An indication of this success is in Benton County, where Hanford is located. In May, the Benton County prosecuting attorney's office and sheriff's department were awarded the Washington SHPO award for Stewardship. In making this award, Allyson Brooks, the new Washington SHPO stated: "The successful prosecution of looters by Benton County sends a strong message across the state that vandalizing and looting will not be tolerated."

If efforts such as these can continue, ARPA violations in the Mid-Columbia will surely become a thing of the past.

---

*Julia G. Longenecker and Jeff VanPelt are with the Cultural Resources Protection Program, Department of Natural Resources, Confederated Tribes of the Umatilla Indian Reservation.*