

'Mixed Bloods' seek Indian status

By Larry Weist

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HEBER CITY — A small group of Utahns — descended from American Indians — is fighting a complex battle to win back rights they claim the United States government has taken from them.

The group is called Mixed Blood Uintas and during a lengthy meeting here Saturday with their lawyer, they discussed their plight and their strategy to win back their status after the federal government "terminated" them as Indians beginning with the Ute Partition Act of 1954. Termination means a person is no longer recognized by the federal government as an Indian.

The Mixed Bloods filed a lawsuit in U.S. District Court last fall in Washington, D.C., in an attempt to reclaim their status as Indians. Their lawyer, Dennis G. Chappabitty, a Comanche who practices Indian law in Sacramento, Calif., told about 50 people at Saturday's meeting that their case is one of the last remaining injustices in America.

The whole Ute Tribe was targeted for termination, he said, but the full-blooded Utes went to Congress and got their termination stopped. One of the issues for Chappabitty, he said, is that from 1954-1961, 490 mixed blood Uintas were terminated — unable to keep their lands and other rights.

The idea behind termination, Chappabitty said, was to sever individual Indians from a relationship with the federal government and make them self-sustaining. However, by not allowing them to keep their lands and their livelihoods, the government has further impoverished the Indians by not fully implementing the Ute Partition Act, he said.

The federal government has filed a motion for dismissal of the lawsuit and Chappabitty has until Sept. 15 to answer. The government says the tribe itself helped write the act, and the tribe itself asked for termination of mixed blood members.

Oranna Felter, Roosevelt, plaintiff in the lawsuit, said at the time of termination, 260 children were the majority of the 490 people terminated, and didn't vote for termination. She wants to see recognition restored for the 490 former tribe members and their descendants along with their lands and water.

LaJean Richman, Neola, said of her seven siblings, only she and one sister are enrolled on tribal records and recognized as Uintas. "This has created problems with other kids wondering why they have not had the same privileges," she said.

"I want recognition for the other six. We're all from the same family."

Sonny Denver, who attended the

meeting along with other family members, was born and raised on the Uintah and Ouray Reservation in eastern Utah and spoke the Uinta language as a youth. A World War II veteran, Denver, 82, has lost his identity as an Indian and was designated a mixed blood because of the Ute Partition Act, he said.

Chappabitty said the transfer of Uinta assets to non-Indians was never intended by the partition act and was accomplished because of shady dealings by government and other officials at the time.

He plans to fight in federal court for identification of the mixed-blood individuals as members of the Uinta Band of the Ute Tribe and then continue with lawsuits showing how the failure of the government to fully implement the partition act has hurt the plaintiffs.

Cal Hackford, who addressed several issues at the meeting, said the Uinta Band has never had a treaty with the United States and the band has never had a concept of mixed blood. "In earlier times, once you were a member of the tribe, by birth or adoption, you were a member of the tribe."

Rick Reber, a mixed blood who lives in Mantua, Box Elder County, said, "The only ones who have to show their blood lines are Indians and race horses."

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