

# PROGRESS REPORT TO THE GOVERNOR AND THE LEGISLATURE

by the

## STATE ADVISORY COMMISSION ON INDIAN AFFAIRS

(Senate Bill No. 1007)

on

### INDIANS IN RURAL AND RESERVATION AREAS



#### **Commission Members**

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Mrs. Jesse H. Parker  
Mrs. Waldo H. Pate

Thomas Weaver, Ph.D.  
*Executive Secretary, 1964*  
*Consultant, 1965*

Jack A. Tobin  
*Social Research Analyst, 1964*  
*Executive Secretary, 1965*

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10 were on a common pipe system, and 51 dwellings were served by privies that were substandard. It was felt that all of the shallow wells should be discontinued and that the deep drill wells in existence should be altered so that protection would be given to the source. Poor housing was found to be one of the biggest problems on the Indian properties. Many of the dwellings offered practically no protection against the elements. Faulty wiring and structural deficiencies constituted health hazards.

In this connection, a letter dated May 22, 1964, from the county sanitarian stated:

In 1960, a complete survey was made on Indian housing and sanitation in Modoc County of which a copy is enclosed. I might mention that up to this date nothing has been done to correct the deficiencies mentioned in the report.

*Placer.* A report dated July 31, 1961, concerning living conditions on Auburn Rancheria was submitted on May 6, 1964, to the commission by the county sanitarian. Although sanitation facilities have been improved by the United States Public Health Service under the provisions of the Indian Sanitation Facilities Act since the date of the sanitarian's report, the other problems mentioned still exist.

At the request of representatives of the Indian people from the rancheria south of Auburn, and as a result of the many questions and problems that have arisen regarding the rancheria area, this department made a house to house survey of the area. The report is attached to this letter for your information.

Relative to the water supply, this department concludes that the *quality* of the water, being both chlorinated and filtered, is of a safe and sanitary nature, according to state law. However, the problem is one of operation and maintenance. The Indian people do not know how to properly operate or maintain the equipment, and some of it is already in need of repair. The moneys that are necessary to properly operate and repair the water system are apparently not available, and quite likely would not be, regardless of the type of company or district that the people themselves could set up. Due to the potential health hazards involved both within the rancheria proper and the community at large from improperly treated water, this department recommended that the county look favorably upon taking this water system over as some form of county district, to guarantee a continuous, adequate and safe domestic water supply.

Whether or not the county takes over this water system, the *quantity* and pressure of water involved must be brought up to standards. In our survey it was indicated that approximately 11 of the 17 homes in the rancheria had very little or no water at all, at some time or other during the year. Water would have to be carried in buckets in many cases for as long as 2-7 days at a time.

This is primarily due to faulty operation of the automatic shutoff valve in the system. However, we understand from the Department of Public Works that the pipe layout of the entire system makes this problem of inadequate pressure more complicated. Additional development would aggravate the situation even more. Another deficiency is the lack of adequate fire hydrants and pressure to properly deal with fires in the area.

This is our summary of the problem of water supply. You will note in the attached report that there are also problems of sewage and waste water disposal in areas close to the Boardman Canal. These homes are mostly all substandard, some overcrowded, with poor wiring, poor construction and little, if any, interior plumbing. Since no longer under federal jurisdiction, these people now come under local and state ordinances and laws and are technically in violation. Waste water disposed of on the ground, especially in rainy weather, constitutes a pollution and contamination of the Boardman Canal, if and when it washes into it. The canal, as you know, is a prime source of domestic water for many towns and areas downstream. We feel that protection from contamination of this canal as well as any creek or river is of prime importance. An expenditure of approximately \$450-\$800 per home would be necessary for septic tank and leach system installations to properly bring properties up to standards, with plumbing and sewage.

In this connection, Mrs. Waldo H. Pate, resident of the town of Auburn and member of the State Advisory Committee on Indian Affairs, submitted the following report in July 1964:

A water system was installed by the BIA which does not develop enough water to meet the recommendations of the Department of Public Health of the county or state. In this state, when water is furnished by a water system to more than one user, a permit must be obtained from the health department for the operation of the system. Water must be potable and an adequate supply of water must be assured. The recommended amount is 100 gallons of water per person per day. In a report prepared by the Placer County Department of Public Works, an expenditure of about \$28,000 was found to be necessary to develop and deliver the recommended amount of water. Some of the residents now receive insufficient water and one or more receive no water at all during very hot weather. Some land parcels were never piped for water, so receive none. There are no fire hydrants.

*Plumas.* We do have a few Indian areas in Plumas County including one rancheria. It is our understanding that the government has installed roads and an up to date water supply in the rancheria which is located a short distance east of the town of Greenville. Unfortunately we were unaware of the improvements so cannot offer information as to the adequacy of the installation.

We were contacted by a U.S. Public Health Service representative a couple of months ago, a Mr. John Burgess, of the division of Indian health from Sacramento, who informed us that the government was going to install septic tanks and leaching fields in the same rancheria, to county standards, and that then they would turn the land over to the Indians.

Our office has not made any surveys on housing and sanitation as such on Indian properties. Our work to date has been to offer service in the matter of water samples, consultation on water supplies and sewage systems for the Indian areas as we have done for anyone else requesting service. The majority of the Indian homes in Plumas County have individual water and individual sewage disposal facilities with the exception of the Indians living in a larger community where these facilities are provided.

We have not planned any special surveys on these properties in the future due to an already overloaded schedule of activities and 2,570 square miles of county for us to cover (two-man department). We have not been in receipt of any complaints on Indian housing.

*Santa Barbara.* On June 24, 1964, Mr. Paul Herzog and I made a visual inspection of the Indian reservation in the Santa Ynez Valley as a result of your request for certain information.

The health department received a verbal complaint recently from someone concerned about the adequate source of potable water within the reservation. It requires only enough time to drive through the reservation to observe the dilapidated, deteriorated housing, primitive or complete lack of sewage disposal facilities and improper water supplies. The health department has never entered the reservation because it was understood that we had no jurisdiction. It is evident that these people are living in a substandard environment and in need of some form of assistance.

Please advise the health department if we can be of any further assistance in this matter.

*Shasta.* We have done no surveys to develop well documented information on this subject. We do not contemplate having the time to carry on such a service in the near future. On our largest rancheria both the individual water supply and sewage disposal facilities are used. They are typical of many such installations in the county installed before the formation of a health department. In general they will not meet the present requirements and they give rise to complaints from time to time.

*San Diego.* In June 1964 the director of public health of San Diego County, in response to our letter of inquiry, submitted a survey which had been made by his department of all Indian reservations in the county. To our knowledge this and the Modoc County survey constitute the only complete countywide surveys of Indian reservations in the state. Although the

survey was made in 1955-56, present indications are that the situation has not changed radically since that time. The data from this report are presented in Table 10, Appendix B. It is worthwhile to summarize the highlights at this point. Of the 282 Indian homes surveyed in the county, 171 (61 percent) are reported as "insanitary houses" and 96 (34 percent) need replacement. Only 3 (21 percent) of 14 reservations surveyed were listed as having an adequate community water supply system, 4 (28.6 percent) others had community systems, but the source of water was inadequate, unprotected, or involved some hauling; and the majority (7, or 50 percent) are listed as having unprotected or inadequate water supply sources. Sewage disposal is outstandingly inadequate: 10 (71 percent) reservations have only insanitary outside privies, 3 have outside privies and a few septic tanks, all overflowing, and only one reservation has a community sewerage system available which connects 14 (20 percent) of the 68 homes. The remaining homes on this last-mentioned reservation have inadequate sewerage disposal systems. Garbage and trash disposal is unsatisfactory on all reservations; the usual practice reflected in the report being disposal "on the ground around homes." The general condition of housing reported for all reservations, with only a single exception, is that "most homes lack basic sanitary facilities such as kitchen sinks, bathing facilities, water piped to homes; homes in poor repair, waste water runs out on surface of ground."

As stated previously, although this survey was made almost 10 years ago, there have been few changes. Electricity is now available in more homes, but wiring is faulty. More homes have inside bathroom facilities, but septic tanks are inadequate and overflowing. Water is available to more homes, but water sources are still unprotected and inadequate in most cases. There has been a slight improvement in housing, but this may be attributed to the residents who were living in poor homes having moved away rather than to an overall improvement of reservation standards.

*Additional problems.* The previously mentioned survey questionnaire which was circulated by the commission in 1964 to agencies and persons who have occasion to work with Indians provided some relevant information. Some of the comments made by the 160 respondents are pertinent to this portion of the report.

Housing and sanitation were indicated as the most pressing problems faced by Indians. Contributing factors mentioned are undeveloped or poor lands, the reluctance on the part of the Indian to invest in his home or lands because of his inability to transmit these investments to his heirs, and the Indians' inability to qualify for loans which would allow these improvements. The following comment is quoted in this connection:

To [the best of] my knowledge there have been no loans available to Rincon Indians [even though] many have good records and fair incomes. If loans were available many of these Indians could build nice homes and sanitation fa-

cilities that will meet state and county codes, but up to now the Indians cannot get these loans.

I have found myself stopped in advancing on the Rincon Indian Reservation. In my family, mother, sister and myself, [we had] 17 acres of oranges and lemons which were lacking water [because of an inadequate] community water system. So I tried to get some type of federal loan, and I do have a good record on loans I have had on cars and property off the reservation. (Records are available in San Diego County and in Dunn and Bradstreet.) My record is tops, but but when I tried to get a federal loan I was turned down because I was informed that Indians are bad credit risks. I know of many Indians with good standing at Rincon, but have been turned down.

One means of assuring economic advancement is the facilitation of the Indian's ability to acquire loans for improving housing, for establishing small businesses, and for improving livestock, water supplies or land resources. There have been a sufficient number of complaints to the commission to indicate that Indians have difficulty in getting loans under the G.I. Bill, or under provisions of the Small Business Act, Federal Housing Authority, or other local lending agencies. Some reasons for denying loans to Indians are that they live on trust lands and do not have title to their lands, or that Indians are allegedly poor credit risks. Several Indians reported being unable to qualify for G.I. loans even though they were veterans. Another Indian indicated denial of local loans because "Indians are poor pay." This was done despite the subjects' good credit standing in the community. A federal lending firm with headquarters in San Francisco told the executive secretary in 1964 that Indians would be denied loans on the basis of not being sufficiently needy. He added that "Indians are richer than you and I."

Moreover, the revolving loan fund available to Indians in other areas is not available to California Indians. Bureau of Indian Affairs officials have erroneously assumed that loans are readily available to Indians in California. For this reason they have withheld the revolving loan program from this state.

Discussions with officials of the Bureau of Indian Affairs and the Public Housing Administration in California have helped to delineate what these two organizations consider to be some of the obstacles to the initiation of public housing programs in California.

(1) *Difficulties in clearing titles* and in long-term leasing of Indian trust and allotment lands.

(2) *Density of population.* Many believe that Indians are not found in sufficient numbers to make public housing programs feasible. This idea ignores two facts: (a) 30 percent of all California reservations and rancherias have at least 80 persons on them, a number which is certainly large enough to favor institution of these programs, and (b) a much greater density of Indian population is to be found in the vicinity of ran-

cherias and reservations, although not living on actual Indian lands. The addition of these two populations makes the institution of public housing highly feasible and desirable.

(3) *Unemployment.* Two kinds of arguments are offered here. First, Indians are not sufficiently *unemployed* to have the necessary free time to contribute labor to some of these programs. Second, Indians are employed away from the immediate areas and, therefore, cannot contribute labor to these programs. Both of these arguments have been found to be false by the work of the commission staff.

(4) *Insufficient staff facilities* in the BIA for implementation is another obstacle to establishing public housing in California for Indians. Some Bureau of Indian Affairs officials felt that they needed additional staff in order to explore the feasibility of these programs for California Indians. They argue that the general congressional attitude in Washington is for termination in California and against budgeting additional moneys for new programs.

(5) Another type of obstacle concerns the ability of tribal councils to form a *local housing authority*. The formation of such organizations is limited to Indian tribes with constitutions which enable the delegation of broad authority to the council in contract and police matters. A review of tribal charters and organizational structures by the Bureau of Indian Affairs and Public Housing Administration attorneys indicates that many reservations and rancherias in California do not have the power to create housing authorities.

*Summary.* Although specific percentages vary in the foregoing reports and surveys, they are unanimous in the support of the general conclusions of the State Advisory Commission on Indian Affairs with regard to living conditions among California reservation Indians. Housing is grossly inadequate: living conditions are crowded, existing houses are structurally poor, foundations are lacking, electrical wiring is faulty, houses generally do not furnish the minimum necessary protection from extreme climatic conditions, from 30 to 50 percent of the homes need replacement, and 40 to 60 percent need improvements or repairs. Sewage disposal facilities are unsatisfactory in 60 to 70 percent of cases; two county health departments report highs of 71 percent and 97 percent unsatisfactory conditions. Water from contaminated sources is used in from 38 to 42 percent of the homes on California reservations; and water must be hauled, presumably under unsanitary conditions, in from 40 to 50 percent of all reservation homes. The information from all survey reports included in this section is summarized in the following table.

In view of the conditions stated above, the commission must conclude that the means for their alleviation or remedy are not readily available to California Indians under the present interpretation of regulations governing the services which are available to

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Summary of Housing and Sanitation Conditions on California Reservations

Report or survey	Housing			Sewage disposal		Water supply	
	Adequate (percent)	Need repair (percent)	Need replacement (percent)	Adequate (percent)	Unsatisfactory (percent)	Contaminated source (percent)	Haul water (percent)
U.S. Public Health Service.....					73	38	48
Bureau of Indian Affairs.....	14	58	28				
California Commission on Indian Affairs.....	6.8	39	50.7		over 60	42	40
San Diego County Health Department.....		61	34		over 71	71	
Modoc County Health Department (Bureau of Contract Services) ..		(Poor)			97	(Unsatisfactory)	

the average California citizen under federal, state, or local service agencies.

**Education**

The level of educational achievement of all American Indians is lower than any other minority group in the United States.\* The median school year completed is 8.5 years. This represents a range of 9.5 years for Indians living in the urban areas, 8.1 years for Indians in the rural nonfarm areas, and 7.4 median years completed by Indians living in a rural farm environment. This same variation is reflected by each region in the nation and by sections within each state. The median year completed by Indians in the northeastern and northcentral sectors of the United States is 8.9. This compares with indices for the South of 8.4 and 8.1 years in the West. Within the State of California, which has a median year completed by Indians of 9.7, the range is: urban, 10.1; rural nonfarm, 9.1; and rural farm, 8.9. As stated in the section on living conditions, California Indians seem to have fared somewhat better than Indians of other areas of the country. Still, it would be difficult to explain to Indians living in the squalor of California reservations that their poverty or educational level is better than that of other Indians in the nation. The figures cited above should be compared to median school years completed by California population as a whole rather than to other American Indians: urban, 12.0; rural nonfarm, 10.9; and rural farm, 10.0. Thus, we see that the Indian in California is from one to two years behind the average Californian in educational achievement according to U.S. census reports.

\*United States Department of Labor, Manpower Report of the President and a Report on Manpower Requirements, Resources, Utilization, and Training, transmitted to Congress, March 1964; U.S. Bureau of the Census Report, Nonwhite Population by Race, 1963 (data based on a 25 percent sample); Bureau of Indian Affairs, Fiscal Year 1963, Statistics Concerning Indian Education.

The commission's reservation survey. The median school year completed for members of each reservation 19 years old and older in the commission's survey ranged from 8.0 years to 11.5 years with an overall median of 10.3 years (Table 5, Appendix B). Median year completed by age group provides a better index of the overall educational achievement of reservation residents (Table 7, Appendix B). This is a variation by age group of 11.4 median years for persons between the ages of 30-34 to 3.8 years for persons 75 years old and older. An examination of this table shows that the Indian on the reservation has been receiving a better education in recent years. Recent attendants and those still attending school are from 0.2 of a year to 1.2 years behind the standard for the California white male. These persons have attended school within the past six years or are still in attendance. In comparison, the oldest group represented in our sample who must have attended school over 60 years ago or even before the turn of the century is 4.6 years behind the same white age group. Judging from the figures presented in this table there has been a steady decrease in the difference between white and Indian education since the turn of the century, at least until the advent of World War II. This was followed by a sharp increase of difference (2.1 years) and an increasing improvement since that time. Even considering this recent trend it is significant that these comparisons must be made in terms of negative achievement for the Indian.

Table 8, Appendix B, lists the year of school enrolled for persons 5 through 18 years of age. The significance of this information is that it demonstrates a variation in school enrollment between reservations and that the low median year for some of these reservations (average of 6.4 years) is a rough indication of the low socio-economic standard which prevails there.

Another indicator of educational achievement and level of acculturation provided by the commission's reservation survey is language ability, both in the native language and in a foreign language (English). Although the level of ability was not measured by the commission, statements from informants indicate an extremely high level of ability in English by reservation Indians. Ninety-eight percent of all persons over seven years of age speak English, and an equally high percentage (95 percent) write English. This is in sharp contrast to the percentage who speak or understand the principal native language of the reservation; 35 percent of the persons of our total sample population speak or understand the principal native language and an additional 6 percent speak another Indian language. This ability in the native Indian tongue varies greatly among the reservations in the survey group—from 9.3 percent at Pala to 83.3 percent at Stewart's Point. Members of five reservations indicate that they speak or understand Spanish: Big Valley (5 percent), Baron Long (10 percent), Pala, (31 percent), Rincon (40 percent), and Santa Ysabel (53 percent). There are as many or more persons who speak Spanish on three of these reservations as there are persons who speak the native Indian language.

The information on language ability is depicted in Table 9, Appendix B.

Indians living on the reservations, for the most part, are aware of the problems of educating their children. They are concerned with the high dropout rate, the general low level of student performance, the conditions which underlie these problems, and their inability to arrive at an immediate and effective solution. Reasons for the low educational achievement of their children were given as: lack of interest on the part of teachers who often are most attentive to the non-Indian student and have not devised effective methods for coping with the special problems of their Indian students; lack of finances to provide adequate clothing, shoes, and extra equipment for school children; a poor home environment without adequate study facilities; inadequate transportation facilities (children are transported to school by bus in the majority of cases, over poor roads in many situations, and at a great disadvantage to parents and children alike); and a need for vocational training, first, for dropouts; and secondly, for parents, who would be enabled by training and subsequently improved employment to provide a better home environment for school children. Many parents expressed a desire for boarding schools, especially for those students who must live in broken homes and who cannot achieve even in the best public schools under these circumstances, and for those who would be turned over to the juvenile court jurisdiction because of inadequate foster home care. Often heard were criticisms of the situation which made California Indians ineligible for attendance at Sherman Institute at Riverside. Many parents have attended this school and expressed satisfaction with the education received. A few parents, who are financially able, move away from the reservation in order to assure their children an adequate environment and facilities for a better education.

The data on education on California reservations gathered by the commission are less satisfactory than information gathered on other topics. The survey includes educational achievement in terms of years of school completed for 386 of 439 adults 19 years old or older. Those who did not provide educational data (12 percent) either made an outright refusal or "could not remember" the number of years completed in school. Information volunteered in this area is associated definitely with ideas of pride, personal image, or shame. This is especially evident in the number of informants who pointed with great pride to the level of education achieved by their children. The majority of those who "could not remember" educational data are older persons (median age is 40 years) who may feel somewhat ashamed to admit a low level of education. (Six others are illiterate, 10 are nonresidents, 17 are housewives and unskilled workers, 2 indicated "did not finish grammar school," and 3 receive aid to needy children.) Whatever the reason, the index of educational achievement compiled from the commission's reservation survey indicates a higher level of achievement than that provided by the U.S. census report of 1960. It may be explained by postulating that the level of achievement has increased

considerably since 1959 when the U.S. census staff gathered its material. This is unlikely, although five years have intervened between the two surveys. One could also argue for lending greater credence to the U.S. census report on the basis that their sample (25 percent) is more representative of the population than the commission's sample (11.3 percent). Whatever explanations are projected, both sets of figures must be considered in the context of other types of information. Reference is made to an intensive study of the education of Indian children in a public school system by Lund and to the commission's survey of the problems encountered by educational administrators with children throughout the state.

*Voting.* Another item which is utilized more as an indication of participation in the national culture rather than as an indicator of educational achievement is voting registration. Forty percent of the 414 persons in our combined reservation sample who are 21 years of age or older are registered voters, and an additional 15 percent indicated uncertainty when questioned about voting registration. There are other indications that the percentage of registered California Indian voters is very near 40 percent of those persons eligible for voting. In a report on Indian voting, the House Committee on Interior and Insular Affairs reported that 43.7 percent of the Indians of voting age in six congressional districts in California, which included 20 reservations, were registered voters in May 1953.\* One reason given for the widespread apathy with regard to voting evidenced by these figures is the mistaken belief that federal wardship and welfare services will be lost if the Indian votes.

*The Indian in the public school.* A very interesting study of the achievement and scholarship of California Indian children in the public school system has been provided in a master's thesis written at Sacramento State College.† Betty Faye Lund, the author of this report, surveyed the records of 46 of 60 Indian students who had attended Auburn public schools in the past 10 years. She drew heavily from her experiences as a teacher in the same school system and from personal knowledge of the students and their families.

Two important findings reported in this study by Lund are high dropout and truancy rates. She found a dropout rate of 50 percent for students in grades 9 through 14 (two years of junior college). This rate was constant for students living on the reservation, for those living off the reservation, and for both male and female students. The percentage of dropouts during the 9th year (40 percent) is less than during the 10th year (75 percent) when most children reach the age of 16. Dropout rates are 50 percent during the 11th year and 33 percent for the 12th year. The only student who attended junior college dropped out during his second year because of failing grades and poor attendance. Sixty-one percent of the group were re-

\* Committee on Interior and Insular Affairs, House of Representatives Present Relations of the Federal Government to the American Indian, House Committee Print No. 38, December 31, 1958.

† Betty Faye Lund, *A Survey of Comparative Achievement and Scholarship Records of California Indian Children in the Auburn Public Schools*. Unpublished master's thesis, Sacramento State College, 1963.

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ported as consistently having low reading scores on achievement tests throughout their school years, 30 percent had repeated one or more grades, 61 percent had extremely poor attendance records, and 37 percent were consistently truant.

Lund made extensive use of school records in arriving at the underlying factors which contribute to the generally poor academic performance of Indian students. The following are some of her findings:

Ten of 34 reservation children had earaches and hearing deficiencies.

Forty-four percent of the reservation children and 25 percent of the nonreservation group were reported to have vision difficulties or deficiencies. (Many of these students did not have glasses; or if they did, refused to wear them unless forced.)

Fifteen percent of the students had high rates of colds, bronchial or lung infections.

Fifteen percent of the group needed dental work, or had records of "dirty" or badly decayed teeth.

Forty-eight percent of the students had not attended kindergarten.

Fifty-two percent of the students were characterized by their teachers as "shy."

Some additional social and cultural factors indicated by Lund as hindrances to achievement are: crowded living conditions, unemployed or sporadically employed parents, lack of parental supervision and interest, different cultural background and aspirations, social isolation by living on a reservation or because of financial inability to participate in extracurricular activities, unfamiliar surroundings in the school, and poor transportation facilities.

*The commission's educational facilities survey.* In order to achieve a more rounded picture of the education of Indian children in California, it was decided to survey school officials and thus, first, to profit from their views and, second, to assess their knowledge of the underlying conditions.

Late in 1964 a letter was sent to 110 schools requesting information on the education of Indians. Those receiving the survey letter included county school superintendents, unified school district officials, and elementary and high school principals of those facilities believed to have sizeable numbers of Indian students. The survey letter requested comparative data on Indian and non-Indian students such as: percentages of student enrollment compared to percentage of the group in the total school community population, knowledge of special surveys conducted or planned, dropout rates by grade level, information on special funding assistance, obstacles to full educational achievement, and the number of students ready for college or university study at the end of the current school year.

A few more than 50 percent of the persons who received the commission's education survey letter responded, but only two-thirds of these provided sufficient or relevant data. The reasons given for not furnishing adequate information include: Few or no Indians present in student body, concern with defini-

tion of "Indian," lack of information or statistics pertaining specifically to Indians, and belief that the problems and performance of Indians are the same as for non-Indians.

Our first question concerning the comparative school enrollment of Indian and non-Indian students as a ratio of total population component was asked to find out whether Indian students are attending public schools at the same rate as non-Indians. It was felt that, if the local population ratio of Indians to non-Indians is 1 to 20 or 5 percent, the same proportion should prevail in school enrollment. A difference could be interpreted as deriving from a lack of or a greater concern on the part of Indian parents or local school officials. Eighteen of 25 school administrators answered that Indian students were represented in the student body at a rate which was equal to or greater than the Indian population from which they derived their students. The fact that Indian children enroll in high numbers may be explained in one of two ways: (1) There is greater interest on the part of the Indian parent than the white parent for enrolling children in school, or (2) the larger Indian ratio is explained by a higher fertility rate (more children). Evidence gathered by the commission staff and presented in this report seems to lend greater support to the second explanation.

Only two schools have made special studies of the problems of Indian students, and four school officials indicated plans for such studies. The study being conducted at the Bishop Union Elementary School in Inyo County is under the state's compensatory education program (the McAteer Act). The school district superintendent, Sidney L. Gardner, stated in a letter dated November 12, 1964:

The project is a study of the socio-economic and anthropologic impact of the Piute Indian culture on the educational development of the Indian children. Activities in the project have resulted in a general stimulation of growth and achievement on the part of the Indian pupils.

One of the most interesting phases is the pre-school class of four-year-old Indian boys and girls. Their program is centered on educational readiness and the response is amazing. An additional and important part of this activity involves the parents. A monthly meeting is held to discuss and evaluate this class and its activities and their enthusiasm and interest are most rewarding.

Additional information on this important venture is included in Appendix E. One other school in Kings County indicated plans for a similar program under the McAteer Act. Another interesting study was conducted in San Diego County by the county welfare department. The general conclusions of this study are included in Appendix E.

Elementary school principals indicated that dropouts do not constitute a problem for them because of state legal attendance requirements until the child attains age 16. Rate of dropout, however, was reported by 18 high school districts. Five schools report the

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same rate for Indian and non-Indian students, five report from 0.5 percent to 3.5 percent greater rate of dropout for non-Indian students, and eight (44 percent) school districts report an average dropout rate three times greater for Indian students (21 percent) than for non-Indian students (7 percent) during the high school years. These figures support a subsequent fact reported by 22 high schools: 1,617 non-Indian and 51 Indian students will be ready for junior college or university study at the end of the school year.

The fourth question in the commission's survey concerned the effect of the withdrawal of Johnson-O'Malley funds on the dropout rate of Indian students and whether other funds had fully replaced their withdrawal. The Johnson-O'Malley Act of 1934 authorized the Secretary of the Interior to enter into contracts with states for the education of Indians and to permit the use of federal school buildings and equipment by local school authorities. Under the terms of Public Law 874, 81st Congress (as amended 1958), administered by the U.S. Department of Health, Education, and Welfare, a new federal aid resource was made available to eligible school districts for educating Indian children. There were 31 respondents to this question; 94 percent indicated that they did not know the effect of the withdrawal of Johnson-O'Malley funds on the dropout rate of Indian students and 6 percent indicated the effect was not noticed. Thirty-seven percent of the school districts replying stated that Johnson-O'Malley funds had not been replaced by other moneys, 37 percent did not know, and 26 percent indicated adequate replacement by Public Law 874 funds.

Interesting responses from the view of the commission's interests are the school administrators' views of the chief obstacles to Indian student achievement. Some of these statements are somewhat contradictory. Two-thirds of 31 respondents indicate that the obstacles to educational achievement are not different for Indian and non-Indian students, but a greater number of respondents (33), including some who answered as indicated above, listed a series of obstacles to Indian educational achievement in another portion of their answers to the same survey letter. Furthermore, some school administrators demonstrate a lack of understanding of the limitations of a different cultural background in the answers they provide. The obstacles listed include:

- (1) Lack of motivation, poor attitude, lack of desire, little or no effort;
- (2) Lack of ability, low native intelligence.
- (3) Poor home environment, no place to study, irregular meals and inadequate rest;
- (4) Inadequate cultural or economic background and lack of finances;
- (5) Lack of parental encouragement and supervision;
- (6) Poor performance, attendance, vocabulary;
- (7) Poor teacher attitude, acceptance of work which is below class standard;
- (8) Distrust of whites.

Following are some excerpts from the responses to the commission's educational survey.

*Humboldt.* The dropout rate for Indian students in the class of 1964, which provides a probably typical profile, was:

Grade	Percent of original group
9th	14
10th	7
11th	21
12th	14

The dropout rate for non-Indian students in the 1964 graduating class was:

Grade	Percent of original group
9th	7½
10th	10
11th	2½
12th	None

The chief obstacle, as I see it, that hinders achievement by Indian students is low motivation and the low value placed on education by many adult Indians. The commonly held notion is that Indian youngsters lack the money for attendance at the high school and college level. On the Hoopa reservation, Indian youth are generally as well off as their white classmates.

We have provided additional classes of a vocational or manipulative nature, thinking that this might increase the number of Indian youth who remain in school. Interest and enrollment in these classes by Indian youth has been low, and no noticeable effect has been achieved in increasing the percentage of graduating Indians.

Nine generous scholarships, restricted to Indian youth only, have gone unclaimed in the last six years.

While it may seem a paradox, I am convinced that the best help for Indian youth would be the termination of all earmarked assistance. The criterion for aid of any kind ought to be on a non-racial basis.

So long as an Indian youth may receive enough "Indian money" to buy a car, live on tax-free land, hunt and fish without restriction or limit or regard to seasons, it is difficult to convince him that education is the key to the good life. So far as he is concerned he has already found it. By the time he discovers differently, he is too old for regular high school attendance.

Our conspicuous efforts to treat him differently and preferentially serve to convince him that Indian blood is his most important asset. Somehow circumstances must be restructured so that education becomes more meaningful to him. The restructuring must, it seems to me, be directed, not toward education, but toward the environment in which Indian youth live.

Other than the preferential treatment given in certain areas to Indians, there is little or no difference in the circumstances of Indian and non-Indian.



Of the 10 seniors eligible for graduation, all could probably succeed in some form of higher education.

Of the 40 students eligible for graduation, most could succeed in some form of higher education, probably one-fourth of them in a four-year college or university program.

Kenneth C. Bortles  
*Principal*  
Hoopa Valley High School

*Kern County*

Out of 12 [Indian] students enrolling in grade 9, 8 of these students will not finish grade 12.

Woodrow W. Wallace  
*District Superintendent*

*Kings County*

We occasionally lose a seventh or eighth grade girl by marriage—but only one boy in 12 years. Most drop out of high school.

James Focht, *Superintendent*  
Central Union Elementary  
Lemoore, California

Most drop out in 10th grade. Only one finished high school.

W. H. Reilly, *Superintendent*  
Lemoore Union High School

*Lassen*

A general opinion on the school staff is that these particular students [Indians] are less motivated, either from the home or their associates. It seems in our area that there is a prevalence of outdoor and low-skill vocations which attract some students away from school.

Robert Irwin  
*Director of Guidance*  
Lassen High School

*Mendocino*

Lack of parental stimulation.

Gertrude A. Turner  
*Principal*  
Arena Union School District

The Indian students have an attitude of indifference toward education.

Robert May, *Principal*  
Potter Valley Union  
Elementary School

*Modoc*

This statement was prepared by one of the teachers.

The observations in this paper are based on only very brief observation of both students and teachers—just over one year. Nevertheless, a certain validity may be obtained in even a short time.

The general performance, scholastically, of the Indian students, is lower than the performance of the whites. The general vocabulary level is also noticeably lower—and the white students tend to suffer from paucity of vocabulary. While a very

general correlation might be made between the low economic level of the Indians and their low educational performance, I think this would be begging the question, for many impoverished white children perform at a higher level than their Indian counterparts.

A portion of the trouble can be found right in the classroom. Many of the teachers will, thinking that they are being understanding, accept a lower level from their Indian pupils. No normal child (or low-normal either) is going to do more than is demanded. I do not think the teachers are demonstrating prejudice/dislike; I rather suspect that this is sort of an inverted tolerance.

I suspect (but have no proof) that many of the Indian parents regard the school as something belonging to the white men, and they have great contempt for the institutions of the whites. The Paiutes particularly, members of the proud Ute nation, have little but contempt for the white man—if I remember correctly, their word for liar was white-eyes (meaning white men). Since there are no teachers of Indian extraction in the schools, these people conclude (and possibly they are correct) that the white man intends to turn their children into white men. This is not a desired end as far as the Indians are concerned, but they do not seem to have an alternative to offer.

I do not know if there are any Indians with elementary credentials available to teach here; I am somehow convinced that a portion of the problem might be solved in this way. There is a definite and distressing lack of cultural communication between the Indians of Modoc and the whites. Both sides have allowed their thinking to degenerate to clichés and most of the teachers (including the author of this polemic) know almost nothing of either the Pits or the Paiutes. Perhaps some special study would be in order.

What could be done to increase the vocabulary of the Indian children I cannot say. Most of them start school with a terrible handicap—they only use about 150–250 words total, and that is NOT enough for effective communication.

Clarence B. Larison  
*District Superintendent*

Johnson-O'Malley funds were never a significant factor in our districts budget, and since there is no dropout rate the J-O'M funds withdrawal has not had any effect.

For several years the district has received moneys through P.L. 874, because of the federal connection of the Indian students in the school. These moneys help the district considerably; however, they represent only about 10 percent of our total budget as compared to Indian enrollment of about 54 percent. Since 874 moneys can be allocated only to cost of education other phases of school operation suffer and the school cannot keep abreast of changing equipment and procedures, etc.

The chief obstacles or conditions which hinder achievement by Indian students could be generalized to two related things—lack of academic heritage and lack of incentive.

The Indian students, while on a par with non-Indian students at our grade level, seem to lose interest after entering high school.

The non-Indian student has the same basic obstacles and conditions which face Indian students, but non-Indian students are under more pressure to continue education, and their goals seem more attainable. Non-Indian family background is probably a potent factor—where going to school and continuing education is a way of life for several generations; and further, non-Indian families better see the value of an education program even though the family may never have received a great amount of formal education. In this community, almost 100 percent of non-Indian employable persons are employed, while among the Indian community only a small fraction are employed. This is not discrimination among the non-Indian employers, because most of the Indians are good workers.

Ft. Bidwell School District  
Prepared by Maurice O'Callaghan,  
Clerk

I don't know how to overcome the complacent attitude of the Indian toward school and life in general; however, since it's only about 100 years since they were savages living in a semistone age culture, I assume that the process must be evolutionary in character. It has been my observation that the family background of the Indian youth attending school is most important. I therefore believe that if we can get this generation through high school, the next will aspire to higher goals and be better high school students with a fair amount of them continuing school.

On this premise, I've held a protective attitude toward the Indian students enrolled. This may or may not be responsible for the lower drop-out rate and higher graduation rate during my six years tenure here. Up until six years ago, however, I believe that only three or four Indians graduated. Two of these were eight and seven years ago respectively. Since that time there has been one, two, and three each year, and in 1965 there should be five or six. In some of these cases, special board action has been necessary to make graduation possible.

One might ask, why is this special action needed. The answer is partly that the Indian is not especially academically inclined. His elementary school background, whether he be mentally well equipped or not, is such that, coupled with his lack of enthusiasm, makes it difficult for him to succeed in academic courses. He is therefore shunted into the easier academic and the nonacademic classes, and because of economics is kept from taking band for lack of the price of

an instrument, often from shop for lack of the money to buy materials, or from excelling in crafts for lack of funds to purchase materials over and beyond those furnished by the school for required projects. Then when he comes to the state-required history and government courses, his attitude apparently is: "Why study about white man's laws or history; we don't hold offices and can't seem to meet white man's standards in obeying the laws." As a result many failed the "must" courses; repeating them causes a loss of units; and the student ends up with less units than the number required by the board.

Most of our Indians live on the reservation at Ft. Bidwell, which is not good from two standpoints; first, the Indian is still looked down on by the townspeople of Ft. Bidwell and is set apart on the reservation; second, free rent and welfare payments lead to an indolent attitude. One Indian mother who had lived off the reservation for several years and has since moved away a second time told me that they'd made a big mistake by moving back during a time of financial crisis because their children became like the others by association. Many Indians do not subscribe to the marriage laws of the white man; hence there are a number of illegitimate children and half orphans, which lead to the welfare payments. (They keep their offspring; the white man puts his up for adoption.) Work, not welfare, is what is needed and since private employment is not available, some local, state, or national government employment is needed in lieu of welfare.

You have asked for completeness; hence the foregoing. You've also expressed an interest in bettering the lot of the California Indians. I am, therefore, making some suggestions.

In regard to employment, to my knowledge no Indian is employed by the county road department, yet I'm sure many can drive a truck, would be pleased to learn to run a "cat" or pilot a grader, and could do work equal to some of those already employed. There is no Indian employed so far as I know, in the county courthouse. I know of no Indian working for the state in the county and I believe none are employed by the forest service. A few are employed by the mills in the county. The rest must work on farms, which in most cases is a short-season job.

Some effort to employ Indians by the ordinary governmental agencies and perhaps the creation of a few more jobs might well take care of the nonemployment problem.

As for school, two or three actions might help to improve the Indian's attitude. First, someone from outside could counsel the students on future job possibilities and possible schools for continuation of their schooling. Musical instruments might be purchased for their use to be held by the school after the user graduated and passed on to another Indian student. Finally, some aid in purchasing materials for shop, arts and craft

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might help. This might be done by furnishing work around school similar to the N.Y.A. program of a few years back.

Give them the chance to be our equal and I'm sure they will be.

Francis R. Page  
*Superintendent and Principal*  
 Surprise Valley Union High School  
 Cedarville, California

*Mono*

The Indian child's educational experience is characterized by irregular attendance, underachievement, limited opportunities in the area of vocational training, and school dropouts. In school he is cooperative and seems to make the most of his educational opportunities within reasonable limits.

It seems that in many instances that it would be in the best interest of the child to provide for his enrollment in an Indian school or institute.

Earl L. French  
*Guidance Consultant*

We feel that the academic achievement of some Indian children is adversely affected by low socio-economic conditions, poor housing and impoverished cultural surroundings.

Dan C. Spencer  
*Superintendent of Schools*

*Sonoma*

The chief obstacles to Indian educational achievement are: one-room school; changing administration; lack of interest of Indian parents in reading, etc.; distance from enrichment areas; distrust of and by white neighbors.

I believe it would be helpful if some orderly program could be started in the early grades toward the utilization of the knowledge of the forests and its life; plants and animals, that these children have. First graders do not know letters and numbers, but do hear about the world around them.

Allen Austin  
 Reservation School  
 Stewart's Point

*Yuba*

Our Indian children do not do as well in school as the whites because of lack of education of the parents. They care for their children exceedingly well.

William Van Laanen  
 Yuba Feather Joint Union  
 School District

*Summary.* California Indians have achieved less in formal education than other Californians. The U.S. census figures show a greater disparity between these two groups than do the commission's figures: 8.9 median school years completed in the rural farm areas by Indians compared to 10.0 years for non-Indians in the same area. The commission's survey found the median year completed for the Indian group to be 10.3 years. These differences in educational achieve-

ment between Indians and non-Indians increase with age; the greatest difference exists between Indians 75 years or older and a comparable group of non-Indians of the same age. This fact has important implications for Indian leadership; in those areas where leadership is in the hands of the elderly, it is in the hands of those who are the less well educated by modern standards.

Specifically, the findings of the commission derived from surveys and personal interviews indicate that Indians are enrolled in elementary schools at the same ratio as non-Indians. Upon reaching the age at which attendance is no longer a legal requirement, dropouts from school increase at a phenomenal rate. High schools with high percentages of enrolled Indian students reported a dropout rate which was three times higher for Indians (21 percent) than for non-Indians (7 percent), with some schools reporting rates which ranged from 30 percent to 75 percent. Needless to say, few Indian students finish high school, few attend college, and many who have graduated from high school receive an inferior education because of lack of teacher concern or the failure of the school system to devise compensatory teaching techniques to cope with students of differing cultural backgrounds.

Obstacles to the full education of Indian children are found in the home, the schools, and educational administration.

Those obstacles found in the Indian home include: inadequate study facilities; an oppressive social environment due to crowded living conditions, inadequate incomes to provide proper clothing and to allow participation in recreational and subsidiary educational activities such as music programs and social events; lack of motivation and encouragement from parents and peer groups; lack of preparation because of a lack of educational heritage in the home and nonattendance in kindergarten.

Obstacles to the full education of the Indian child are also found in the schools. Teachers are not encouraged or prepared to deal with the special problems of children who come from a social and cultural environment such as described in the report. Teachers often accept work from Indian students which is below the standards of others in the same class. This results in the inadequate preparation of those Indian students who manage to advance, and eventually results in discouragement and dropping out when the student finds himself well behind his class in later years; should he graduate, he finds himself still unable to compete in the job market with other high school graduates.

In the area of educational administration mention has already been made of the lack of courses or workshops which prepare teachers for the special problems they will encounter with minority groups. Another feature is suggested by the many school districts indicating a lack of replacement of Johnson-O'Malley funds for educating children. Thirty-seven percent of the school districts (31 respondents) replying to our questionnaire stated that Johnson-O'Malley funds had not been replaced by other monies for assistance in educating Indian children.

Schools with large percentages of Indian students are in need of funds to set up compensatory educational programs, such as pre-school or head-start schools and vocational training, to mention only two of these areas of need.

### Health and Welfare

An overview of the status of the American Indian is especially important in this section on health for several reasons. First, statistics on the health status of Indians in California are meager, and second, there is available a study of the American Indian by the U.S. Department of Health, Education and Welfare, which includes comparative figures on Indians in California.<sup>1</sup> In addition to this, the Commission was able to develop a few comparative figures based on its surveys of health agencies.

Dr. Carruth J. Wagner, chief of the division of Indian health of the Public Health Service, has stated that the "impoverished condition, isolation and cultural differences [of Indians] adversely affect their health status, which is about that of the general population a generation ago."<sup>2</sup> He reports that the average age at death of the American Indian is 42 years, compared to an average of 62 years for the general population. The Indian infant death rate is 41.8 deaths per 1000 live births, which is 70 percent higher than the rate for infants in the population as a whole. The death rate among Indian infants 28 days through 11 months of age (25.9 deaths per 1000 live births) is 3.8 times the rate for all races. The chief causes for these high postneonatal deaths are influenza, pneumonia and other respiratory diseases, gastroenteric conditions, and other infective and parasitic diseases. Dr. Wagner linked these infant deaths directly to living conditions:

With virtually all Indian babies now being delivered in hospitals, mortality of babies under one week of age is actually slightly lower than in the general population. However, this situation is reversed—and sharply—in the subsequent weeks and months of life as the infant is removed from the sanitary conditions of the hospital to the rigorous conditions of his home.

Several of the leading diseases among Indians are so minor in their impact on the general non-Indian population as not to be reported. The death rate from tuberculosis for American Indians (29 per 100,000 population) is almost six times greater than for all races. Currently, the Indian rate of newly reported tuberculosis cases is seven times the rate for all races. The 1962 gastroenteric disease death rate among Indians (30.5 per 100,000 population) was nearly seven times higher than the comparable rate for the general population. Again, Dr. Wagner links health status to environment:

Nearly one-sixth of all Indian deaths in a year are attributable to tuberculosis, gastroenteric and

<sup>1</sup> Division of Indian Health, U.S. Department of Health, Education, and Welfare, *Indian Health Highlights*, Fifth Edition, November 1961.

<sup>2</sup> Wagner, Carruth J., and Erwin S. Rabeau, "Indian Poverty and Indian Health," *Health, Education and Welfare Indicators* (March 1964), U.S. Department of Health, Education, and Welfare, Washington, D.C.

other infectious diseases, reflecting, in part, the rigorous environment of the beneficiary group, the insufficient sanitation facilities, poor and crowded living conditions, inadequate food and poor nutritional levels.

Testifying before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, House of Representatives, Dr. Wagner indicated the leading health problems of Indians as communicable diseases among children, accidents, mental health, alcoholism, nutritional deficiencies, dental deficiencies, and problems of the aging.<sup>3</sup> His valuable and authoritative opinion necessitates quoting his testimony at length:

One-half of the accidental deaths are due to motor vehicles, but the other half occur in the homes and are due to all of the factors we have tried to point out here: living in one room, the use of gasoline or kerosene lamps, the rigors of the environment, the poison of snake bites and other typical conditions.

Mental health problems often associated with socio-economic conditions, lack of resources, cultural and family patterns, alcoholism, and emotional insecurity manifest themselves in the community and the schools. In the boarding schools, in particular youths away from home and families, with problems of adjustment which affect their mental wellbeing, need attention.

Nutritional deficiencies are associated with many of the illnesses and diseases. Malnutrition of babies results in long periods of hospitalization and premature, unnecessary deaths. Inadequate nutrition and lack of care in the prenatal period are commonly associated with prematurity, which is a leading cause of infant deaths during the first month of life.

As I stated, the dental deficiencies are extreme. Many are associated with poor nutrition, a limited knowledge of hygienic practices, and insufficient preventive care. Last year approximately 25 percent of the potential beneficiaries were examined and received about 54 percent of their required care. So there is a marked inadequacy in the dental health area we cannot overcome in the absence of additional resources.

*The bureau of contract services survey.* Reference has been made in the section on living conditions to a survey of the utilization of health and medical resources by American Indians in California. This survey provides some important insights into the major health problems of Indians in 10 California counties.<sup>4</sup> The major conclusions of this study are (1) that "Indians as a whole in these 10 counties are using the health facilities to an extent comparable to the utilization of these services by other residents," (2) "Indians in the contract counties generally are in

<sup>3</sup> Hearing Before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, House of Representatives, 88th Congress, 1st Session on A Review of the Indian Health Program, May 23, 1963, Serial No. 7.

<sup>4</sup> The counties included in this survey are Alpine, Amador, Calaveras, El Dorado, Mariposa, Modoc, Mono, Nevada, Sierra and Trinity.

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a lower socio-economic stratum than the non-Indians: they earn less money; are primarily unskilled laborers; have inadequate housing where they live under insanitary conditions aggravated by overcrowding," and (3) "the Indians' lower economic status is often associated with health problems more serious than those found among non-Indians. However, the Indians themselves do not usually perceive poor housing and unsanitary living conditions as being detrimental to their health."

The most important aspect of this study is not the conclusion that Indians were utilizing medical facilities at a rate equal to or greater than the non-Indian population. This may be attributed to longer standing health problems and therefore, a greater need than the white population who have generally always had good medical resources available. More important is the information contained in the tables outlining the leading causes of death among Indians which accompany the study. According to this information, the leading causes of death among California Indians are tuberculosis, accidents, cirrhosis of the liver, influenza and pneumonia (except of the newborn), congenital malformations, and diseases of early infancy. The death rate for tuberculosis among California Indian men is six times the rate for the population as a whole; deaths by accidents and cirrhosis of the liver occur at a rate about four times the rate for all races for each cause; influenza and pneumonia account for 2.2 times as many deaths among Indian men as among the population as a whole; congenital malformations account for male Indian deaths at a rate which is 1.7 times greater for Indians than for non-Indians. Rates of death for Indian females are lower than the rates for Indian men in every category except diseases of early infancy, arteriosclerosis, and suicide, and except for arteriosclerosis they occur at a higher rate than among the California population as a whole. This information is depicted in the following table adapted from the bureau of contract services study.

*The commission's social and economic survey.* Additional support for the statement above concerning the poor health status of Indians in California is derived from the commission's survey of agencies and

individuals in contact with Indians. Of 160 respondents furnishing useful information, 106 provided statements on health and welfare. About 50 percent of these indicate the existence of high rates of certain diseases; alcoholism is by far the most commonly mentioned, with tuberculosis and diabetes following closely, and mention also being made of high rates of trachoma, obesity, blindness, respiratory diseases, dental diseases, and the underlying factor of poor nutrition. Modoc County health department furnished statistics on hospital admissions for Indians and non-Indians. The rate of admission for respiratory diseases per 1,000 population is 19 for non-Indians and 53 for Indians. The rate of admission for gastrointestinal diseases per 1,000 population is 4.4 for non-Indians and 47 for Indians. The rates for Indians are 2.8 times and 10.7 times the rates of admission for non-Indians.

Twenty-five percent of the 160 respondents to this section of the survey indicate high rates of welfare aid by Indians. Other indications of problems are the lack of medical facilities near the reservation with attendant transportation problems, a few instances of prejudice by local officials which hindered the receipt of welfare or health services, and the lack of knowledge on health and hygiene.

The bureau of contract services survey indicated that American Indians in 10 northern California counties utilize medical facilities at the same or greater rate than non-Indians. Information provided to the commission by 14 county welfare departments and 10 county health departments substantiate this finding. Three counties (Imperial, Mono, and Lassen) report utilization of county health and welfare services by Indians at a rate which is less than their representation in the county population, and three counties (Placer, Plumas, and San Bernardino, the latter only for health services) report utilization of the same county services at a rate equal to the Indian population. The remaining 18 county departments (75 percent) report utilization of health and welfare services at a rate greater than the Indian population ratio in the county. The range is 10 percent greater to 25 times the utilization by the non-Indian population. In four counties—Alpine (health and welfare), Modoc (health), Calaveras (health), and Riverside (welfare)—the rate of utilization is from one and one-half to three times the percentage of Indians in the county population; in eight counties—Lassen (health), Modoc (welfare), Inyo (welfare), Lake (welfare), Imperial (welfare), Tuolumne (welfare), Butte (welfare), and Nevada (welfare)—the rate is from 3 to 5 times, and in the remaining 5 counties the rate is from 8 to 25 times the proportion of Indians in the county population—Lake, 8 to 11 times; Tehama, 14.3 times; Siskiyou, 18.8 times; San Bernardino, 20 times; and Kings, 25 times. The following table presents this information:

Cause of death	Percent distribution		
	California non-Indian	Indian men	Indian women
Diseases of the heart.....	37.0	22.0	19.3
Accidents.....	5.9	25.6	13.3
All other causes.....	13.7	14.3	23.7
Malignant neoplasms.....	16.3	4.8	11.1
Influenza, pneumonia except of newborn.....	3.3	7.1	7.4
Cirrhosis of the liver.....	1.9	7.1	5.9
Vascular lesions affecting central nervous system.....	11.0	4.8	6.7
Certain diseases of early infancy.....	4.4	4.2	5.9
Tuberculosis.....	0.7	4.2	2.2
Congenital malformations.....	1.4	2.4	1.5
General arteriosclerosis.....	2.4	3.0	0.7
Suicide.....	1.9	0.6	2.2

Source: State of California, Department of Public Health, Death Records. Adapted from *California's Health*, November 15, 1962.

The statistics furnished by the State Department of Social Welfare on welfare assistance to American Indians should be considered in this same area of con-

**Utilization of Health and Welfare Services by California  
Indians Compared to Percentage of County Population**

County	Percent Indian of total population	Percent of total workload of department	
		County department of welfare	County department of health
Alpine.....	45.1	87	50
Lake.....	3.1	11	25-33
Inyo.....	8.9	30	----
Siskiyou.....	1.8	33	----
Modoc.....	3.3	10	5
Tehama.....	0.7	----	10
Kings.....	0.4	----	10
San Bernardino.....	0.4	8	0.4
Lassen.....	1.7	0.004(?)	5
Imperial.....	1.2	4.5	<1
Tuolumne.....	0.9	4	----
Butte.....	0.5	2-2.5	----
Calaveras.....	1.1	----	2
Mono.....	5.6	----	2
Plumas.....	2.1	2	----
Riverside.....	0.6	1-2	----
Nevada.....	0.2	1	----
Placer.....	0.4	<1	----

cern. The following table summarizes this information:

According to these figures, Indians receive slightly less than one percent of the social welfare services provided in the state. From another view, however, the 6,246 persons receiving welfare assistance represent 16 percent of the total Indian population if the population base used is 39,014, and 8.3 percent of the total Indian population if the population base used is 75,000 the commission's estimate of Indians in California. Either of these percentages may be considered very high for the utilization of welfare services for any group.

**Estimate of American Indians in the Categorical Aids  
December 1963**

Program	Caseload	Persons	
		Number	Percent
ATD.....	39,995	280	0.7
OAS.....	265,074	1,325	0.5
AB.....	11,952	167	1.4
AFDC*.....	367,946	4,415	1.2
MAA.....	14,860	59	0.4
			Families
AFDC*.....	95,097	1,426	1.5
1960 Indian population in California.....		39,014	----

\* AFDC—without BHL.

Source: 1962 Characteristic Studies, ATD, AB, OAS, AFDC, expanded to December 1963 caseload figures, Statistical Summary, Public Welfare in California. Medical Assistance for the Aged Caseload Activity Report, Form MAA 237, and Intake Social Data Schedule, Form MAA 251.

The following are special statements submitted by county departments of health or welfare concerning the special problems of Indians within their respective jurisdictions.

*Alpine*

For some time it has been the intention of the public health nurse and sanitarian to make a joint inspection of the living quarters of all the Indian homes in Alpine County.

Catherine Brescoll, public health nurse; Mrs. June Barrett, social worker; Mr. D. Taylor, sanitarian; Mr. A. Dryer, state housing inspector, and I recently participated in this joint venture. Due to the many and perplexing health problems of the Indians living in Alpine County we felt that their poor housing conditions definitely were contributing factors to their many social as well as health problems. All of these individuals will be submitting their own reports, but I would like to make a brief summary of what my observations have been over the four-year period that I have been coming into the county.

One of the main health problems in the Indian population has been the high incidence of tuberculosis. I have seen Indians living under deplorable conditions when their disease was acute and they needed good hygienic surroundings to prevent further deterioration of their disease. This included inadequate housing, exposure to extremely hot and cold weather, inadequate sanitary facilities (most of the Indians living in Alpine use privies). Many of existing poor living conditions stem from the fact that these people do not have adequate employment. They are reluctant to leave their homes to seek work elsewhere.

Although there are few babies born among the Indians each year (about four or five) they do not get adequate prenatal care during this period. Very few of them go for private medical care. Most of the babies are now born at Schurz Hospital. There were two home deliveries last year because patients were unable to make the 70 miles to Schurz for hospitalization.

The preschool children do not receive the medical care they need. They are fortunate to get medical attention for acute illness. As in most cases of illness these people usually get medical attention after the condition has progressed markedly. These illnesses should be treated much earlier.

I also have been working very closely with the schoolchildren and I find that especially during the winter months these children have a much higher rate of upper respiratory conditions than the white children. They bathe so infrequently that the dirt on their skin is visible. Their clothes are also dirty. With bathing and washing facilities so inadequate in the homes this is understandable. It is not (in most cases) that these people are lazy and do not want to keep clean but they are not able to do any better under the circumstances.

The older Indian population in the county present many health problems. Some are suffering from the effects of trachoma and they are receiv-

ing blind aid. They have a variety of old age infirmities, and they are in need of better and more sanitary living conditions.

MAE J. SWEENEY  
Public Health Nurse  
County Health Department

They are treated as anyone else who comes to the welfare office for help. However, their problems seem to be so deep and numerous that just a welfare check is not the complete answer. Also the health nurse works very hard to solve their medical problems. She, too, feels the pinch of our lack of funds and no facilities.

As I mentioned before, I feel I need the services of a government hospital and a government vocational training school. These services are available to the Nevada Indian, but not the California Indian. Yet we are only 22 miles from the Nevada line. We are too far from larger California centers which could offer many services, but we are close to the federal hospital in Nevada.

MRS. JUNE BARRETT  
Welfare Director  
Department of Social Welfare

### Fresno

The biggest problem is quite difficult to define. Perhaps illegitimate children and their welfare is the biggest problem. Within this scope, the following problems are so closely connected that it is extremely difficult to determine cause and effect relationship: (1) apparent lack of initiative and concern; (2) alcoholism; (3) poor housing; and (4) lack of consistent spiritual guidance.

WILLIAM A. DEFRIES, M.D.  
Health Officer  
County Public Health Department

### Imperial

Diabetes and trachoma have extremely high rates of incidence. Alcoholism is one of the most serious problems, and is the cause of child neglect, accidents, and loss of employment. The welfare load on the reservation is quite low at present but is expected to take an upward curve if and when the per capita payments are made because of the excessive drinking we anticipate.

MRS. MARTHA HUDSON  
Special Supervisor  
County Welfare Department

### Inyo

High rates of certain diseases; high rate of welfare aid. None of the Indian population make any provision for medical insurance, in the event of illness they are dependent [on the welfare department].

MARIE E. LANE  
Welfare Director  
County Welfare Department

### Lake

Less than 10 percent of their children are legitimate. Their "marriages" are either common law or known as "Indian style." During the pear harvest season a large number of Mexicans are recruited who are free spenders and like to show the younger Indians a "good time." The results are conception of illegitimate children among Indians from the ages of 13 to 18 years of age or older. Perhaps the abolition of the bracero program may alleviate this problem to some extent.

On the largest rancheria in Lake County 94 percent of the population receive some type of public assistance. In most cases their income from this source is above what they could earn providing they were willing to work full time. They always seem able to buy liquor with the resulting fights, stabbings and automobile wrecks and the resulting medical and hospital care. Prior to 1956 federal funds were available for this type of care and since, they as medical indigent cases, have become a charge against the county. We do have but one hospital (proprietary—45 bed) where they are given the same treatment and care in a ward with private cases. When in need of special care they are sent to the U.C. hospital in San Francisco.

We have a good number of stepfather cases on childrens aid. The stepfather knows the amount he can earn for the support of his wife and himself and anything above this amount will be deducted from the children's grant. Pear growers in particular are very disturbed about this for the stepfather will quit his job pruning trees during the middle of the week and not seek employment until the first of the following month. They do not feel they have any moral obligation to support their stepchildren.

We are well on our way to third generation of families who have been raised on public assistance rolls. Each new child (born or unborn) at no expense to them means an increase in their grant. Pleading for sterilization among the larger families has had little or no effect.

Their standard of living remains the same whether they receive \$150 or \$375 per month. An example is one family where (living together) they receive children's aid, blind aid, aid to disabled and old age security with a combined net income of \$511 per month. We believe in the stepfather cases (regardless of race or color) legal rather than moral obligations should be in order.

B. J. BROWN  
Director III  
County Welfare Department

### Lassen

The biggest problems among Indians are alcoholism and associated debilities.

J. L. McCULLOUGH, M.D.  
County Health Department



*Modoc*

Health surveys should be carried considerably further than those done by the local health department. This should include a nutritional survey to determine deficiencies. Housing and sanitation should also be surveyed again. Diseases particularly prevalent, such as blindness, diabetes, obesity, and certain infections should be investigated.

**Comparison of Certain Diseases in Indians to non-Indians.  
Hospital Admissions Per 1,000 Population.**

	Non-Indian	Indian
Respiratory diseases.....	19	53
Gastrointestinal diseases.....	4.4	47

It may be noted that when Indians make use of the hospital, they are usually desperately ill and are never admitted for any minor ailment. They also have large incidences of alcoholism and a high incidence of trauma. Diabetes and diseases of the eye run exceptionally high in the Indian group.

A trained nurse interested in this type of work should make regular rounds to their homes and act as a health advisor and I am sure that she could advise them in other problems also. This would encourage the Indians to partake in a more balanced diet and also to attend to their illnesses at an earlier time than they do at the present. Other preventative measures could be brought to their attention at home. Prenatal and post-natal care is taken lightly by this group and a nurse, by making such regular visits, could see that such care was given to the young mothers.

LLOYD W. SHANNON, M.D.  
*Health Officer*  
County Health Department

*Sacramento*

We have the slight impression that alcoholism and tuberculosis may be slightly more prevalent among them than in the general population, but this is merely an impression.

CECIL GRONVALL, *Chief*  
*Hospital Social Service*  
Sacramento County Hospital

*San Bernardino*

The Indian needs good medical care and hospitalization readily available in his immediate vicinity to be administered by someone he can trust and respect. Transportation is one of the major factors for the Indian who is not in a position to afford transportation. The older person does not want to leave the local area and this is a major problem also.

CECIL W. DOSSETT  
*Director of Social Services*  
San Bernardino County Hospital

*Siskiyou*

We wish to call your attention to the fact that in our department we come in contact with a small portion of the Indian population in Siskiyou County. In reviewing our files, we have determined that on a continuing basis approximately 700 persons, or one-third of the total number of persons in our caseload, are Indians or of Indian descent.

Our agency finds excessive drinking and child neglect to be the biggest problems of the percentage of Indians on public assistance.

W. M. VAN OVER, *Director*  
County Welfare Department

*State Department of Social Welfare*

Services provided—The department has consistently taken the position that Indians are citizens with full rights and has never made any distinction in relation to the categorical aids or its services programs between Indians and other persons. We attempt to apply generally the same policies, recognizing the services rendered need to be appropriate to these people as individuals. This approach is quite different from that used in some other western states with large Indian populations. It was challenged by one county, San Diego, in 1952 during the course of the withdrawal (by the Indian bureau) of certain services. The challenge was not successful and the court case, well known as *Acosta v. San Diego*, settled the principle for assistance programs upon which we have acted for many years.

Indian percentage of clientele—We do not have statistical material on the use which is made of all departmental programs by Indians but we do have it for the categorical aids. You have already received this from us but I am again attaching a copy of this material to your letter so that it will be readily available in connection with this service.

In addition to this data we have very little about the children who receive child welfare services. Of the 4,246 children placed by adoption agencies in 1962, for whom the data is available, only 32 were Indian or Indian in combination with another race. There, of course, may have been other Indian children placed independently, that is directly by their parents but we do not know of their racial extraction.

Special programs for Indians—The welfare system has occasionally provided special services for Indians. Division 7 of the Welfare and Institutions Code was adopted with the idea that the Department of Social Welfare might be called upon to administer federal funds as have the Departments of Education and Public Health but there has never been an occasion when it seemed appropriate because of the access which Indians have to the general resources of the department. However, there have been at least two special programs. At one time, a number of years ago, federal child welfare funds were used to provide

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for a child welfare worker in one county welfare department to work particularly with Indians. This was a temporary plan and did not work out to a permanent service. A special service was rendered when the Indian bureau decided to withdraw from its schools all children who were residents of California. The Department of Social Welfare took responsibility for actual planning for each child with county welfare departments and in many instances this involved foster home finding placement, medical planning, etc.

With recent legislation through the 1962 amendments of the Social Security Act and the State Aid to Families with Dependent Children for unemployed parents a new emphasis has been placed on specialized services for children and adults. A work and training program has been added to AFDC which provides opportunities for additional education, literacy training, and training for work and job opportunities. An individual plan must now be made for every child on the caseload. Specialized counseling services, protective services, and other specialized services are required if problems of persons receiving public assistance require it. Additional funds for special projects are available. Such programs and services should be particularly helpful in pinpointing needs of the Indians, and in county welfare departments providing for such established needs.

MRS. EUNICE EVANS  
Chief Deputy Director

*Summary.* California Indians have health problems which are a result of a history of inadequate medical care and aggravation by conditions of poor housing and sanitation, lack of employment, poor nutrition, and the apathy which accompanies these social conditions. Leading causes of death among California Indians are tuberculosis, cirrhosis of the liver, accidents, influenza and pneumonia, congenital malformation, and diseases of early infancy. The death rates from these health conditions occur at rates which are from 1.7 times (for congenital malformations) to six times (for tuberculosis) the rates for death from the same causes among non-Indians. Alcoholism, tuberculosis, and diabetes are the most commonly mentioned diseases of the Indian population by county departments of health and welfare. Other problems include the inaccessibility of medical facilities, the lack of transportation, lack of health and hygiene information, and high rates of utilization of health and welfare facilities. Seventy-five percent (18 of 24) of the county departments of health and welfare responding to the commission's survey questionnaire indicate a range of 10 percent greater to 25 times greater utilization of welfare and health facilities by Indians than by non-Indians. County welfare and health agencies indicate a great concern for the special problems of their Indian clients.

#### Law and Justice

The problems of Indians in California in the area of law and justice are not as clear and documented

as problems in other areas. The commission did acquire information which delineates the problems from several sources. The first is from a report by the United States Commission on Civil Rights. Other information comes from analysis of the questionnaire on the social and economic condition of Indians and from complaints received by the commission from Indians.

*The U.S. Commission on Civil Rights report.* The United States Commission on Civil Rights was created by the Civil Rights Act of 1957 as a bipartisan agency to study civil rights problems and report to the President and Congress. A preliminary report published in 1961 considered the civil rights problems of Indians. During hearings in California in January 1960, testimony was taken to the effect that Indians in the state were deprived of their rights because of race. The commission described the problems of Indians as extremely and uniquely complex, and in part based on their unique status.

If American Indians are a minority, they are a minority with a difference. Of course, Indians face problems common to all minorities—jobs, homes, and public places are not as accessible to them as to others. Poverty and deprivation are common. Social acceptance is not the rule. In addition, Indians seem to suffer more than occasional mistreatment by the instruments of law and order both on and off the reservation.

Yet to think of the Indian problem solely in terms of bias, discrimination, or civil rights would be a mistake. For unlike most minorities, Indians were and still are to some extent a people unto themselves, with a culture, land, government, and habits of life all their own.\*

Before discussing the problems which derive from the Indian's minority status, it is well to define his legal status. There are three aspects to the legal status of the American Indian. First, he is a tribal member with cultural, social, economic, religious, and political ties to tribal life. Even considering his fractionated and watered tribal status, the California Indian is a member of a somewhat modified tribal life; more about this point later. Second, the American Indian is a "ward" of the federal government. His wardship has been somewhat modified in California by a lack of treaties, by his small or in many cases nonexistent land base, and through the effects of House Resolution 108 and Public Law 280. Furthermore, the Indian in California does not have the services available to Indians in other states; the Bureau of Indian Affairs in California acts only as a trustee for Indian land. Third, the American Indian is a citizen with most of the same rights and privileges possessed by other citizens. Since the Indian Citizen Act of 1924, all Indians born within the territorial limits of the United States are automatically citizens of the United States. The 14th Amendment makes them citizens of the state in which they reside. The Indian also

\* United States Commission on Civil Rights. Report Number 5, Justice. U.S. Government Printing Office, Washington, D.C., 1961, pp. 115-160.

has freedom of movement; those who stay on a reservation do so by choice.

It is as a citizen of his county and state and because of his status as a member of a minority group that the Indian encounters many of his problems. Testimony on some of these problems was heard by the Commission on Civil Rights during its hearing in California.

One of these problems concerns the receipt of county welfare services by Indians. The Indian in California was upheld in his right to receive direct county relief payments by a case which is now famous throughout the United States.<sup>1</sup> The commission report indicates that despite this clear holding discrimination against Indians exists in California on the county levels in many areas.

Most Indians interviewed by the commission staff claimed they were often discouraged from applying for public welfare. They contended that welfare workers are reluctant to approve their applications for various forms of benefits. It is probably within this area of administrative discretion that the greatest amount of discrimination occurs. However, it is difficult to find clear evidence.<sup>2</sup>

The legal implications of such practices are outlined by the commission report:

Insofar as a given state explicitly refuses to extend its programs to Indians, the refusal would seem to amount to a clear denial of equal protection of the laws. As for the more subtle kinds of discrimination, where, for example, the refusal of welfare benefits to a particular Indian falls within the area of local administrative discretion, the fact of discrimination is more difficult to establish. Nonetheless, if the refusal is on racial grounds, it, too, amounts to a denial of equal protection of the laws.<sup>3</sup>

The Commission on Civil Rights also found some evidence of prejudice and discrimination on the community level, albeit sometimes on a spotty basis, in all of the 25 states with substantial groups of Indians (including California).

The degree of hostility in communities adjoining Indian reservations is usually in inverse proportion to the distance of the locality from reservation boundaries. The larger cities are often too far away from reservations to provide ready access to reservation Indians and yet big enough, in most cases, to absorb a sparse Indian population. To be sure, the Indian still runs into discrimination in cities, but it does not seem to be as staunch a kind as that which finds expression in smaller communities adjacent to reservations.<sup>4</sup>

Testimony on two specific cases of segregation in the state—at Round Valley and in Modoc County—were taken by the Commission.

<sup>1</sup> *Acosta v. County of San Diego*, 272 P. 2d 92 (California 1954).  
<sup>2</sup> Commission on Civil Rights report, pp. 150-151.  
<sup>3</sup> *Ibid.*  
<sup>4</sup> *Ibid.*, p. 135.

Until 1958 there was a segregated school system in Round Valley, California, with Indian children attending one public school and white children another. A forceful school superintendent consolidated both and reportedly lost his job as a result.<sup>5</sup>

The withdrawal of white children from the public school in Cedarville, California, because of its integrated character was also described in testimony to the commission. Witnesses indicated that

... white children were permitted to transfer to another school district some distance away to avoid integration in the Cedarville school. Funds were also "transferred" from Cedarville to the school receiving the white transferees.<sup>6</sup>

This action was considered by a witness to be encouragement of discrimination by the State Department of Education.

Another complaint received by the Commission on Civil Rights concerned the administration of justice. Public Law 280, passed in 1953, permits certain states, including California, to supersede federal and tribal laws with respect to reservation Indians. Limitations are incorporated in the law to protect Indian property from taxation and to protect Indian hunting and fishing rights. Complaints with respect to administration of justice represent two extremes:

On the one hand the charge is made that law and order is not adequately maintained on Indian reservations; on the other, there are frequent and widespread complaints that law enforcement officials in the white communities with substantial Indian populations "throw the book" and sometimes more at Indian violators.<sup>7</sup>

With respect to California, the commission states the following:

There is widespread opinion in California among Indians and those close to them that police are more prone to arrest Indians off the reservation than they are whites.<sup>8</sup>

An additional problem in California is that local governments claim they do not have funds to maintain or station deputy sheriffs on the reservation. Consequently, the reservation must rely on answers to calls as the sheriff is able.

The Commission on Civil Rights concludes that the foregoing complaints of discrimination allege denials of equal protection of the laws.

How extensive, how valid they are, could not be determined in this preliminary study. Yet the repetitive nature of the charges emanating from different sources suggests that discrimination in the administration of justice is a serious concern. If true, the charges amount to a substantial denial of civil rights for an important segment of the population.<sup>9</sup>

<sup>5</sup> *Ibid.*, p. 144.  
<sup>6</sup> *Ibid.*  
<sup>7</sup> *Ibid.*, p. 146.  
<sup>8</sup> *Ibid.*, p. 147.  
<sup>9</sup> *Ibid.*, p. 148.

Discussion of the United States Commission on Civil Rights report has been provided above for two reasons. First, the commission held hearings in Los Angeles and San Francisco with ample reference to the problems of Indians in California. Second, the statements by the Commission on Civil Rights in fact correspond to some of the problems encountered by the California State Advisory Commission on Indian Affairs.

One of the chief difficulties found by the California commission, and incidentally also by the U.S. Commission on Civil Rights, is the difficulty in gathering information from official records because these records do not include separate statistics by race. The purpose of this measure is to forestall the use of such information for purposes of racial discrimination by administrators. This is a laudable objective; by the same token, one which prohibits gathering of the very information which is necessary for the planning of specific programs which are directed to problems of minority groups.\* The U.S. Commission on Civil Rights has the following to say regarding this point:

Several of the commission's recommendations have been directed not to measures that in themselves would remedy civil rights deprivations, but to the collection of information that would make such remedies more easily and effectively applied. Thus the commission has recommended the collection of statistical information on race, color, religion, and national origin in the fields of voting, education, federal employment, and housing. It has found a need for such data in its own studies, and believes that they are often necessary for planning and evaluating local, state, and federal programs as they affect equality of opportunity. The commission is aware that many agencies which formerly recorded racial information have abandoned the practice, largely from fear that keeping of racial records creates or facilitates discrimination, and it recognizes that such records may indeed in some cases invite discrimination. The commission has also found, however, that the lack of such information often makes it difficult to ascertain the extent of discrimination. The commission's recommendations in this line are premised on the belief that until discrimination is no longer a problem of its present dimensions, more rather than less statistical information is needed in some areas; and that means can be found to obtain such information without rendering it susceptible to discriminatory use.

*The California Commission's Social and Economic Survey.* The 160 respondents from agencies and organizations interested in Indians furnished a total of 69 answers in the area of law and justice. Sixty-eight percent of these (47) indicate either that Indians do not understand legal codes or that they need legal

\*The Health Department of New York City, for example, announced that beginning January 1961 identification of "color" and "race" would be dropped from birth certificates in that city; but for needed statistical purposes, this information would be recorded on the back of corresponding documents in the department's confidential medical file. *New York Times*, December 27, 1960, p. 1. Quoted in U.S. Commission on Civil Rights Report, 1961, p. 295.

advice and representation. Twenty percent (13) indicate a disproportionate number of arrests, particularly for drunkenness.

Information provided to the commission by 13 county probation and sheriff's departments stipulate percentage of caseload which is Indian. This is compared to the percentage of Indians in each county according to the 1960 U.S. census report. This information is depicted in the table which follows.

Percentage of Caseload of County Probation Departments and Sheriff's Departments Compared to Percentage of Indians in the County

County	Percent Indian of total population	Percent of total workload of department	
		Probation departments	Sheriff departments
San Benito.....	0.16	0.5	
Tulare.....	<1	0.4	
Tehama.....	0.7	4	
Humboldt.....	2.5	10	
Mendocino.....	2.4	15	
Siskiyou.....	1.8	25	
Riverside.....	0.6	---	.5
San Diego.....	0.3	---	<1
Mendocino.....	2.4	---	4
Mariposa.....	2.1	---	10
Del Norte.....	3.9	---	12
Siskiyou.....	1.8	---	208 arrests/year

Disproportionate arrests of Indians occur in four of these counties. In Mariposa County, Indians are arrested at a rate which is 4.8 times the proportion of Indians in the county. In Del Norte the rate is three times and in Mendocino almost twice the percentage of Indians in the county. The Siskiyou sheriff's department did not indicate the total size of their arrest caseload, but did volunteer that an average of four Indians a week are arrested. This represents from one-fourth to one-third of the total Indian population in the county. County probation departments in four instances report a high percentage of their total caseload which is Indian. In Humboldt the percentage of caseload which is Indian is 4 times, in Tehama 5.7 times, in Mendocino 6.3 times, and in Siskiyou 14 times the percentage of Indians in each county. The premise behind these statements about utilization of services, or percentage of clientele, as a ratio of percentage of Indian population in the county is the notion that if a group is within an average range of utilization that this rate of utilization will correspond to the proportionate number of that group within the population unit (in this case, the county).

Ten State Department of Correction facilities were sent questionnaires, and six replied with usable answers concerning Indian prisoners. Information from the director's office in Sacramento states that 1 percent of the men and 1.9 percent of the women prisoners in all state correctional institutions are Indians. Since this percentage represents a greater rate than the proportion of Indians in the total state population, it may be assumed that Indians are incarcerated at a greater rate than non-Indians. If the total num-

ber of Indians in the state is estimated at 75,000, the rate of Indian commitment to correctional institutions is over twice the rate for other California men and four times the rate for other California women. Needless to say, the rate at which Indians are committed to correctional institutions would be greater in comparison to non-Indians if the population base used in this computation for Indians is 39,014 as indicated in the U.S. census for 1960.

The only statement received from a state correctional officer indicates that Indian prisoners have failed in adjustment on reservations and in the larger community. This statement was submitted by James W. L. Park, associate superintendent of the correctional training facility at Soledad, California.

Experience with Indian inmates indicates a major problem is their feeling of hopelessness regarding achievements in the larger community. Our Indians obviously have been spectacular failures in community living, have not been able to compete successfully in the communities in which they live, and apparently were unable to do much for themselves when living on a reservation or rancharia. Our experience has not been sufficiently extensive to offer any knowledgable solution to the problem. It is the impression of some staff members, again based on individual cases, that reservation or rancharia living has tended to isolate Indians from the mainstream of American culture and hence, ill-equipped them for competition.

County, health, education, and welfare officials along with probation officers and Indians indicated other problems in the area of law and justice in comments made in the questionnaire. For example, strong feelings by Indians of being persecuted or discriminated against have been noted by local officials in Mono and Kings Counties. Discrimination against Indians was reported specifically for Mariposa and Tuolumne. A church official in Tuolumne County indicated that "The discrimination is of the hangover type from the earlier days. It is of a social nature mostly and is evidenced in the young." The same official indicates that segregation in schools is "a subtle kind."

Speaking of employment in Modoc County, another respondent indicated, rather paradoxically, that "there is no discrimination, although some ranchers pay Indians only three-fourths of what the non-Indian is receiving." Another respondent, also from Modoc County, felt that federal and state laws are discriminatory.

Some Indian money is held in trust and the Indian doesn't get the use of it. Example—Ft. Bidwell has over a hundred thousand dollars in their tribal treasury and it can't be used. They need it badly for improvement in sanitation, housing and health.

In some instances the state laws are discriminatory. Example—under the Cal-Vet program Indians who live on reservations cannot qualify,

since there is no title to the individual Indian's land.

A personal experience is appropos to the foregoing allegation. While I was executive secretary last year I called the Small Business Administration in San Francisco regarding the eligibility of Indians to apply for loans under their program. A high-ranking official answered that Indians would be eligible for loans except for one provision. The applicant must demonstrate that other types of loans are not available by having a letter submitted from a Bureau of Indian Affairs official. One additional stipulation was mentioned which made the Indian ineligible for a loan even if he did produce the needed document from the Bureau of Indian Affairs. The applicant must demonstrate his "neediness" for the loan, and as the official indicated "many of these Indians are richer than you and I." When I tried to explain the true state of affairs, the small business official became rather angry, and stating he did not wish to argue the matter with me, promptly terminated the conversation.

Comments or complaints regarding the disproportionate arrest of Indians come from Imperial, Modoc, Siskiyou, and Lake Counties. These are comments other than from sheriff's departments which have been indicated previously.

A few occasions in which there has been mistreatment.

Disproportionate arrests, especially for drunkenness. Non-Indians sometimes would not be put in jail while for the same cause an Indian would.

The following statement refers specifically to *Modoc County*:

The Indian population accounted for 38.53 percent of the jail occupancy during the year of 1963. One hundred and seventy-four Indians were jailed with 125 of these arrests being for drunkenness and 49 for other reasons. This, of course, reflects on their own type of life, and a complete failure of the Indian to find his place in the white man's society as the government had hoped they would when they brought about termination.

Greater need for police protection is reflected in statements from Imperial, Riverside, San Diego, and Mendocino Counties.

*Mendocino:*

More adequate police control needed in rural areas where juvenile drinking exists to extremes.

*Riverside:*

Members withholding tribal money and documents is not covered by local police.

*San Diego-Riverside:*

Since termination of federal responsibility for law enforcement, local sheriffs, fish and game wardens, district attorneys, and others often fail to recognize their new jurisdiction. This is due to ignorance of new legal circumstances resulting often in no law enforcement or great variances in practice from one location to another.—American Friends Service Committee, Pasadena.

Complaints about the enforcement or interpretation of fish and game laws on reservation lands came from Imperial, Riverside, Siskiyou, and San Diego Counties. The following query was sent from *San Diego County*:

Game may be shot on reservations, but may it be transported from one reservation to another? May it be taken off the reservation to the Indian's residence off the reservation? To a locker plant?

Letters and comments in questionnaires indicate a concern with infringement of boundary lines or squatters on Indian lands in Imperial, Lake, Mono, and Alpine Counties. This seems to be a widespread problem with which the Indian has absolutely no help or legal advice from any federal, state, or local law enforcement agency.

**Summary.** The findings of the State Advisory Commission on Indian Affairs on the problems of Indians in the area of law and justice substantiate the allegations made by the United States Commission on Civil Rights in their 1961 report. Although we have dealt only with complaints and comments made by individuals and local agency representatives, the California commission's conclusion must be the same as that of the U. S. commission:

... the repetitive nature of the charges emanating from different sources suggests that discrimination in the administration of justice is a serious concern.\*

These complaints include disproportionate arrests of Indians; a need for legal advice and representation; local discrimination and racial persecution of Indians, especially in the areas of employment and qualifications for loans—both state and federal; and the need for police protection and law enforcement on and near reservations especially with regard to squatters and violators of fish and game laws. The limited staff facilities of the State Advisory Commission on Indian Affairs and time limitations of this preliminary study precluded extensive investigation of this problem. It would seem that attention to the investigation of these problems is mandatory and that this activity falls within the realm of responsibility of the State Attorney General and other state and local law enforcement officials, although the State Attorney General is the one who should lend direction to an initial investigation.

**Relocation**

The programs of the Bureau of Indian Affairs, which are generally referred to as relocation and termination, are varied in their present effect on California Indians.

The first of these, relocation,† is not as important as termination in assessing the current status of California Indians as it is in its potential use—potential, because it has not yet been implemented fully for California groups.

\* *Ibid.*, p. 148.

† Bureau of Indian Affairs, Employment Assistance Program of the Bureau of Indian Affairs. Information pamphlet reproduced by the San Francisco field employment assistance branch, October 23, 1963.

The Bureau of Indian Affairs refers to its relocation program as "employment assistance," partially because of the unsavory connotations of the word "relocation," and in part because of recent shifts in certain aspects of the program.

The present activities of the employment assistance branch of the Bureau of Indian Affairs are an outgrowth of a program which was designed for Navajo Indians in the late 1940's. It was originally started as a job placement program, carried out in cooperation with state and federal employment services and focused largely on seasonal employment. Some Indians were assisted in moving permanently away from the reservation to large urban centers, particularly to Los Angeles. In 1952 the bureau expanded the program to include all tribes under their jurisdiction and relocation assistance to family dependents. These services include transportation, subsistence checks prior to receipt of the first pay check and guidance in adjusting to urban living. Increased appropriations in 1955 allowed the bureau to increase the scope of services provided under this program, and the following year the program was given additional impetus by passage of Public Law 959. This law authorized the bureau to provide vocational, on-the-job, and apprenticeship training for Indians between the ages of 18 and 35.

More than 35,000 Indians have been relocated, with one-half of this number coming to the four relocation centers in California. The effects of this group on California and their special problems will be discussed in a subsequent report. The effects of the total employment assistance program on the California Indian have been negligible if measured by the number of persons involved. Over the past four years 132 heads of families and single resident California Indians have received adult vocational training under Public Law 84-959. Information in the following table was supplied in a letter dated July 30, 1964, from Acting Commissioner John O. Crow of the Bureau of Indian Affairs.

**California Indians Provided Adult Vocational Training Under P.L. 84-959**

	Individuals trained	Average number of persons benefited
Fiscal year 1961.....	40	102
Fiscal year 1962.....	38	86
Fiscal year 1963.....	44	79
Fiscal year 1964 (first 10 months).....	10	23
<b>Totals.....</b>	<b>132</b>	<b>290</b>

By way of comparison the 38 individuals trained and 86 persons benefited in 1962 represents 2.5 percent and 3.1 percent, respectively, of the total number of Indians from other states trained and benefited in the four California relocation centers.‡

‡ U.S. Congress, 1st Session. Hearing Before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, House of Representatives, A Review of California Indian Affairs, May 24, 1963.