



United South and Eastern Tribes, Inc.

Nashville, TN Office:

711 Stewarts Ferry Pike, Suite 100
Nashville, TN 37214
Phone: (615) 872-7900
Fax: (615) 872-7417

Washington, DC Office:

400 North Capitol Street, Suite 585
Washington, D.C., 20001
Phone: (202) 624-3550
Fax: (202) 393-5218

USET Resolution No. 2015:023

REQUESTING A FEDERAL-TRIBAL-STATE INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE KILLING OF PETER FRANCIS AND THE ESTABLISHMENT OF A JOINT FEDERAL-TRIBAL-STATE TASK FORCE TO EXAMINE THE UNSOLVED AND UNPROSECUTED KILLINGS OF WABANAKI PEOPLE IN THE STATE OF MAINE

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an inter-Tribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** the State of Maine asserted near exclusive criminal jurisdiction over Indian reservations in Maine until 1975; and
- WHEREAS,** the State of Maine continues to exercise criminal jurisdiction over all felonies on Indian reservations in Maine; and
- WHEREAS,** there is a disturbing historical propensity in the State of Maine where Wabanaki People are targeted for violence because of their status as native people, and
- WHEREAS,** criminal convictions against the perpetrators of violence aimed at Wabanaki People have not been attained; and
- WHEREAS,** Peter Francis, a Passamaquoddy elder and World War II veteran, was brutally killed in 1965 by five non-Indian men who traveled to the Passamaquoddy community of Pleasant Point with the goal of propositioning Passamaquoddy women; and
- WHEREAS,** a heinous assault was also perpetrated against Christy Altvater, another Passamaquoddy man, who never fully recovered from his injuries; and
- WHEREAS,** local law enforcement only investigated the incident at the request of the Passamaquoddy Tribe and subsequent Grand Jury proceedings resulted in manslaughter charges against only one of the five men present when Peter Francis was murdered and no criminal charges were brought in the violent assault of Christy Altvater; and
- WHEREAS,** a trial in the killing of Peter Francis resulted in a not guilty verdict that was widely considered to have been the product of prosecutorial indiscretions and a widespread failing of the State of Maine's criminal justice system; and
- WHEREAS,** in the late summer of 1967, Maine State Law Enforcement Officers including state police, deputy sheriffs and game wardens, descended on the Pleasant Point community breaking into Tribal

members homes without warrants, and assaulted Tribal members for a perceived assault on a state trooper; and

WHEREAS, a State Court Judge, Ian McInnes publically stated that he was “very disturbed” about the actions of state law enforcement officials and urged a “forthright investigation of the police actions”; and

WHEREAS, no action was taken against law enforcement for the violations of Tribal members civil rights; and

WHEREAS, unfortunate stories such as this are all too common in Wabanaki communities; and

WHEREAS, the failure of the State of Maine and United States’ justice systems to adequately protect the civil rights of Peter Francis and Wabanaki People in the State of Maine has opened the door for numerous killings and brutal acts of violence for which no justice has ever been served; and

WHEREAS, certain discrepancies in how these crimes against Wabanaki People have been investigated and prosecuted by State and Federal agencies fosters distrust between Maine’s Tribal and criminal justice communities; and

WHEREAS, this distrust hinders the ability of Tribal communities to heal from these historical traumas and obstructs the ability of law enforcement to adequately protect those whom they are obligated to protect and serve; and

WHEREAS, public safety and trust in Tribal communities demands that active efforts be undertaken to repair the damaged relationship between law enforcement and Tribal communities in Maine to promote justice for all; and

WHEREAS, in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it

RESOLVED the USET Board of Directors requests a Tribal, State, and Federal Criminal and Civil Rights inquiry into the killing of Peter Francis and the manner in which the criminal proceedings related to his killing were undertaken; and be it further

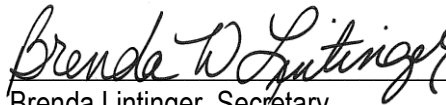
RESOLVED the USET Board of Directors requests that a Joint Tribal, State and Federal Task Force be formed to inquire into the unsolved and unprosecuted killings of Wabanaki People in the State of Maine, and to produce a report with recommendations to address past abuses and implement future policies that will foster fair and just relations between Tribal communities and law enforcement agencies.

CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present, in Arlington, VA, February 12, 2015.



Brian Patterson, President
United South and Eastern Tribes, Inc.



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”