

**Greetings Honorable Utah Legislatures and Committee Chair and members
(Full Statement)**

My name is Eunice (Abraham) Davidson and I am a full blood Dakota Sioux enrolled member with the Spirit Lake Sioux tribe in North Dakota.

Among my credentials I have a BA Degree from Black Hills State University in Education with an emphasis in social science. I have a two-year degree in Dakota Sioux studies and have taken Dakota Language I & II to learn my Dakota language. I am currently working to get certified as a genealogist, as I have already helped many from Spirit Lake with their family trees dating back to the early eighteen hundred as well as for others tribal members.

I am one of the founding member, organizer and current President of the Native American Guardian's Association (NAGA), a 501-C-3 federally recognized non-profit group. Our motto is "Educate, not Eradicate". In our few short years of existence, we have grown to over one hundred thousand followers and members. Although my journey began in 2008, it wasn't till the fall of 2014 that NAGA came into existence.

I have been in this fight since January 2008 and know the real pushers and drivers behind this eradication movement, it is a certain segment of the education system aided by a bias news media. What took place in North Dakota is taking place around the country as over 2000 American Indian names and images have been removed, through deceit, distortions, and lies with a promise not to stop till all are gone.

After my book "Aren't We Sioux Enough" came out in the spring of 2014 describing how the loss of the Fighting Sioux name and image at the University of North Dakota was accomplished by the education system and not the Sioux people as was and is promoted yet today. Due to a media boycott and blackout on truth, you would not know the truth of what took place in ND due to only one side being told.

When I say the education system is the driving force behind this eradication movement, it is not just an opinion but a fact. "Why", is the only question unanswered?

All independent polls or studies since 1992 have consistently found 80 to 90% of American Indians support or have no problem with the use of our names and images. Three of these polls were done by institutions that have stated publicly they are personally opposed to the use of Native American names and images but could not skew the results. That alone, should lay

this issue to rest but the education system continues to cloud the public's view through falsehoods, distortions, and selective voices.

NAGA's official journey began in January 2015 after sending letters in support to Paw Paw Michigan School Board and community as they debated on keeping the Redskin name and image, we were informed that a school board member who did not know me was fabricating who I was, She was telling the community that I was a fraud. Claiming "Eunice Davidson is a white lady who grew up as a foster child with no Indian blood and is only trying to sell her book" and nothing more.

During a 20-minute presentation to the Paw Paw School Board I challenged this school board member to examine my family tree going back to 1745 with federal documents proving my heritage to which she never responded or bothered to look. But that is the education system we fight today. After NAGA's presentation about truth and local history the Board voted to keep the name and image.

The opposition cannot counter our message, so they attack the messenger. As NAGA has visited communities from Skowhegan Maine to Cedar City Utah, where school boards refuse to meet with us and boycott our presentations except for one who will come to challenge not what we say but our right to say it. All places we have traveled to, we have encountered one or two Board members who selectively seek out and promote only American Indian voices that can be useful. These school boards use baseless and unfounded accusation, as they try to destroy the messenger because they cannot challenge the message.

Our message is simple "the majority of American Indians are proud of being American Indian" we also take pride in our ancestors who fought against all odds to ensure we are still here today. These names and images keep us alive even as we have become the smallest minority in a land that was once ours. One of the biggest questions I hear from Native Americans around the nation is "no one ever asked for our opinion". While another statement we've heard from many Native Americans "these people do not speak for me".

From the few in the Indian community, we are accused of being "Apples (red on the outside and white on the inside), sell outs, traitors" but they never address or challenge our message. From the non-Indian community, we are accused of being "bribed, fools, hypocrites, not Indian" but they go further by searching deep into our background for any negative accusation by anyone regardless of truth and then attack us on them. What is even worse is the

education system is apparently coordinating these tactics with other communities from coast to coast. While we were giving our presentation in Skowhegan, Maine one of the school board members was making accusations against one of our leaders who wasn't along on that trip. He made claims that one of our representatives was accused of something he was never charged with and worst yet, this school board member already had him convicted.

As we were in Cedar City early February 2019 where personal unfounded attacks were leveled against all our presenters by a member of the school board, then Oxford Ohio two weeks later and Skowhegan Maine on February 25th, 2019, followed by Driggs Idaho on in May 2019 where almost word for word these baseless and unfounded attacks were repeated showing clear evidence these attacks are coordinated by an education system and not by chance.

You will no doubt hear from a few tribal members opposed to the use of American Indian names and imagery, but they will all rely on propaganda produced through an education system bent on our removal and will express little to no opinions of their own.

States Acts Raise Equal Protection Issues

These ban extend only to Native American themes and do not appear to cover other ethnic or historic groups (Patriots, Fighting Irish, Vikings, Crusaders, etc.). Native American groups and images are solely targeted by attempting to eliminate them from athletic contests

The United States Code, 42 U.S.C. §1983, prohibits a state government from unlawfully discriminating against a discrete minority group. Singling out Native Americans as a class of people that cannot be represented in public school imagery is *per se* discriminatory, under both the 14th Amendment and Section 1983.

Here are some attachments to back up my statement.

First off, every independent poll or survey since 1992 (Washington Post, CBS, ESPN, Annenberg, USA, Sports Illustrated) have all concluded 80 to 90% of American Indians support or have no problem with the use of our names and images portrayed by sports teams, whether High Schools, University/Colleges, or Professional sports.

<https://www.usatoday.com/story/sports/nfl/2013/05/02/washington-redskins-name-poll-associated-press-gfk/2131223/> (also sites 1992)

<https://www.si.com/vault/2002/03/04/8100154/the-indian-wars-the-campaign-against-indian-nicknames-and-mascots-presumes-that-they-offend-native-americans-but-do-they-we-took-a-poll-and-you-wont-believe-the-results> (Sports Illustrated 2002)

<http://mcadams.posc.mu.edu/blog/Redskins.pdf> (2004 Annenberg Poll)

<https://www.usatoday.com/story/sports/nfl/2013/05/02/washington-redskins-name-poll-associated-press-gfk/2131223/> (2013 combination of polls)

<https://www.cbssports.com/nfl/news/new-poll-finds-that-9-in-10-native-americans-not-offended-by-redskins-name/> (2016 Washington Post Poll)

<https://www.newsbusters.org/blogs/culture/jay-maxson/2019/08/11/washington-posts-vargas-disappointed-over-latest-poll-supporting> (2019 Washington Post Poll – Pride)

Three of these polls were conducted by institutions that expressed their personal view of opposing this use, but they could not skew the results. So any Legislation or Policy enactments passed to limit or abolish this use is a direct attack on the American Indian and nothing more. It is under any definition of the word “Discrimination” and a violation of the 14TH Amendment.

You will no doubt here attacks on the word Redskins and what it supposedly refers to, these claims are all false. The word or description in fact comes from the lips of our ancestors as they described us when talking to the White Skins dating back before there even was a USA. It never meant Scalping or Bounties as falsely claimed today. There is nothing wrong with use of the Redskin name which is also supported by the vast majority of American Indians.

You will hear the term MASCOT used over and over by these people whether Indian or non-Indian. In truth, there are few to none of the institutions under attack that actually have a “Mascot”. They do have honorable and respectful names and images that refer to the first people

of this land. But this truth does not fit the false narrative created by these individuals so “Mascot” is used for a distraction and shock purposes only, even though it does not apply to the institutions under attack.

You will hear about the APA resolution opposing these names and images with focus on Stephanie Fryberg, but if you take the time to read her 2002 dissertation paper you will find it was a study to reach a predetermined conclusion. It did not look for truth and lacks all the required standard information for a valid study. That is why you will be hard pressed to find any peer-reviews of the so-called study; it was and is just a personal opinion directed and over saw by non-Indians with a clear bias. You will also find all of these so-called studies were guided and oversaw by educators who had worked for years for the removal of American Indian identity.

When reading the 2002 Angela LaRocque so-called study, again you will not be informed of how she determined participants or why only negative information is given. For the record, at the time of the so-called study, there were over 400 Native students attending the University of which she choose 33.

You will hear how all tribes oppose the use of our names and images, but they will not and cannot supply any evidence to this false claim. There is but one tribe that allowed full participation by its members. That tribe was the tribe I belong to “Spirit Lake Sioux Tribe” and the result of that 2009 tribe-wide vote was in the largest turnout ever “(90%) and where just over 67% voted in favor of keeping the Fighting Sioux name and logo at the University of North Dakota. This validates the 2002 Sports Illustrated poll which also which found 67% of those living on Reservation supported the continued use of the Washington Redskin name and image, and where over-all 9 out of 10 American Indians also supported this use.

We in ND battled our tribal leadership or Chairperson even through the tribal courts to allow tribal membership our Constitutional rights to a vote, and in the end we were successful in forcing the tribe to allow a vote.

Other tribes such as our sister tribe of Standing Rock were not successful where 1004 (57%) members signed a petition to have the chance for their voice to be heard, but they were denied through a 2008 Tribal Resolution and the 2010 petition still sits on a shelf collecting dust. So in fact, many tribal leaders do not speak for their tribal membership but over them instead.

As we are in Utah, you have the Utah Utes approval of your University name and if I am not mistaken they themselves have stated "it keeps us relevant and without it we will disappear".

As NAGA has become a threat to this movement to eradicate the American Indian, we are now under constant personal attacks by the handful of Indians you have no doubt heard from some and also by Public School Boards and the Education System. Here again, they cannot defeat our message so they are left to attacking us and our organization on a personal levels.

We also have encountered a blackout or boycott on our message by the media as they promote the propaganda pushed by the education system. These are not assumptions but proven facts backup by years of research of which I have supplied just a sample of.

Go to any reservation and you will find Tribal members wearing the very apparel now under attack and also the Tribal schools using almost identical names and images. If these names and images are so harmful, why would almost every reservation use them? Do you truly believe we as American Indians do not care about our children?

For the record

As I do not expect you to just take my word for all this, so I have supplied some back-up material in the form of access to my book (which lays out the Education System's role in removing names and images) with information that has never been challenged by those it sources, local newspaper accounts as well as nationally (which show a twisting of the truth) clearly showing bias by the local and national media, independent polls all reaching the same conclusion of 80 to 90% of American Indians support or have no problem with this use, court documents (State and Federal) where the American Indian are denied Standing by the education system (wanting to silence the American Indian), the actual vote tally from the only tribe to allow its membership full participation with the stats proving the participation numbers, the total deceit and manipulation by the education system, the actual desire of this eradication movement and its goal, the assistance to this eradication movement by the Education System, but as I cannot prove motive, for that is in the heads of those pushing this movement and I unlike them cannot read minds, but their actions tell the true story.

- Copy of "Aren't We Sioux Enough"
https://www.amazon.com/s?k=Aren%27t+we+Sioux+Enough&ref=nb_sb_noss
- Polls by SI 2002, Annenberg 2004, AP/GFK 2013 which also references a poll from 1992 conducted by the Washington Post and CBS, Washington Post 20016 and the 2019 Washington poll all concluding 80 to 90% support by the American Indian community.
- Statements by American Indians describing themselves as Red People or Red Skins from 1769 set of "talks", or letters, from chiefs of the Piankeshaw to an English officer at Fort de Chartres. One letter included "*si quelques peaux Rouges*", which was translated as "*if any redskins*", and the second included "*tout les peaux rouges*", which was translated as "*to all redskins*" Ives Goddard <https://en.wikipedia.org/wiki/Redskin>
Meet Darrell – from today and why they support the name Redskin -
<https://www.facebook.com/Redskinsfacts/videos/733485503402835/>
Testimonies from American Indians-
<https://www.facebook.com/Redskinsfacts/videos/702419659842753/>

- 1812, 15 and 22 This term appeared in an August 22, 1812, meeting between President James Madison and a delegation of chiefs from western tribes. There, the response of Osage chief "No Ears" (Osage: *Tetobasi*) to Madison's speech included the statement, "*I know the manners of the whites and the red skins,*" while French Crow, principal chief of the Wahpekute band of Santee Sioux, was recorded as having said, "*I am a red-skin, but what I say is the truth, and notwithstanding I came a long way I am content, but wish to return from here.*" Ives Goddard <https://en.wikipedia.org/wiki/Redskin>
- 1812, 15 and 22 translations by "The Western Journal July 1815, Weekly Register Baltimore October 1815, The Missouri Gazette July 1815, The Daily National Intelligencer February 1822,
- The definitions of Mascots versus logo or symbol
- Excerpts from the Fryberg dissertation used by the APA which does not state how participants were chosen or why only negative information was presented.
http://www.indianmascots.com/ex-17---fryberg-final_disse.pdf
<https://www.apa.org/pi/oema/resources/affective-difference.pdf>
- Judges 2006 ruling against the NCAA
- Change of Lawsuit direction by the State Board Higher Ed July 2007 and from that point on everything was done in secret.
- October 2007 Settlement which increased exemption requirement in a Lawsuit that was going to be won to insuring a loss
- Statement from the NCAA Senior Vice President Bernard Franklin
- The December 2007 statement from the ND Higher Ed System wanting to scuttle the settlement 3 years ahead of the settlement deadline
- The May 8th , 2008 Standing Rock resolution to deny its members their Constitutional rights to a vote and the Legal opinion from the Tribal Attorney December 2009 that the Resolution was un-Constitutional
- Attempts to stop SL 2009 vote by the Chairwoman's son through the court aided by the education system
- The 2009 Spirit Lake vote and data from the Federal Government proving out of over 1200 Eligible Tribal Voters over 67% voted support for the name and image

- The education systems response to the SL vote calling tribal members hypocrite's and lacking level headedness
- May 14th 2009 State Board decision three weeks after SL's vote to disregard it Spirit Lake and retire the name and image
- The 2009 injunction against the State Board by the Sioux people
- Arguments by the Higher Ed System in the court battles in District and ND Supreme Court 2009 and 10 the Sioux have no Standing
- The 2010&11 testimony from the Sioux people getting a State Law passed keeping the name and image in place
- The Legislative process repealing the law 9 months later through the Education Systems manipulation of facts without any Indian support.
- The 2011 Federal Lawsuit again the NCAA by Spirit Lake Tribe
- The obstacles placed in front of the Sioux peoples as we worked for a State-wide vote by the Education System in 2012.
- The absolute lies and distortions prepared by the Education System using a quarter million dollars add campaign to insure voting down of the 2012 Sioux peoples Initiated Measure to keep the name and image
- The actual 2012 threat made against the Sioux people by the Education System if they persist to fight for truth and honor
- The 2012 Oregon Pubic School Board attempt to ban Native names and images from tribal schools
- The 2015 South Dakota resolution making teach any American Indian history K-12 optional
- The 2018 success by the Oregon School Board in making the tribes change their names and images.
- The 2019 ban on American Indian names and images from any Public institution in Maine
- These bans extend only to Native American themes and do not appear to cover other ethnic or historic groups (Patriots, Fighting Irish, Vikings, Crusaders, etc.). Native American groups and images are solely targeted by attempting to eliminate them from athletic contests

- The United States Code, 42 U.S.C. §1983, prohibits a state government from unlawfully discriminating against a discrete minority group. Singling out Native Americans as a class of people that cannot be represented in public school imagery is *per se* discriminatory, under both the 14th Amendment and Section 1983.

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As these are just a sample of what is actually taking place in the country, it is the familiar pattern wherever NAGA has been. The Education System has selectively sought voices from the Indian community to aid in their goal of eradication, reject all voices from the majority of American Indians.

You would not know this for the media “print and news cast” have avoided the alerting the public of the truth. Examples of this are

- <https://www.nytimes.com/2009/12/09/us/09nickname.html>
- <https://www.washingtontimes.com/news/2009/nov/20/tribe-joins-battle-to-save-fighting-sioux-logo/>
- <https://fox17online.com/2017/01/18/redskin-mascot-debate-raises-tempers-at-paw-paw-high/>

Also a 2009 interview by ESPN in which you would never know that 8 months earlier Spirit Lake overwhelmingly voted to keep the Fighting Sioux name and image in place. In the case of the New York Times and the Washington Times after in-person interviews with 3 members of the Spirit Lake’s Committee for Understanding and Respect lasting over an hour and a half, none of what was said made the papers which were filled with opposition propaganda. Why they bothered to even come is beyond me for no facts made the stories.

But with what I have provided, it is just a mere sample of the truth behind this movement. I could go into just how the NCAA working with the University System, Office of Civil Rights, and the APA beginning in 1996 in manufacturing material to justify their 2005 Policy change or how it has never been adopted by the NCAA Full Membership as required under the NCAA Constitution.