

**Testimony of  
Janine Pease, D. Ed.  
to the  
Montana Districting and Apportionment Commission**

**Date: September 15, 2022**

**Hearing Location: Little Big Horn College, Crow Agency MT**

Presiding Officer Smith, Commissioners Essman, Lamson, Miller and Stusek:

Welcome to Crow Country. Itchick daloom. Baalushee Ukcheewaagiidaaiishitcheesh.

In 1983, the first litigation by American Indians under the National Voting Rights Act was filed right here in Crow Country by four Crow Indian citizens and three Northern Cheyenne citizens. In 1986, following a trial, the Billings Federal District Court mandated the County of Big Horn and the Hardin School District to redraw their commissioner and board member districts, and create Indian majority zones and districts. The court found vote dilution, racial bloc voting, a history of discrimination against American Indians, the intent to discriminate in the registration of American Indian voters, and more. Since that time voters in Big Horn County and the Hardin School District have elected Crow Indian and Northern Cheyenne commissioners and board members. That case, *Windy Boy v. Big Horn Co. et. al.*, was titled after Janine Pease Windy Boy. That is me, the Lead Plaintiff in the case.

Since that precedent setting case, the Districting and Apportionment Commission in the 2000 redrawing of Senate and House Districts, Montana Counties of Blaine, Rosebud, and school districts of Ronan and Wolf Point, have gone through costly litigation, to come into compliance with the Voting Rights Act that protects language minorities. In specific, through arduous and intentional effort on behalf of the tribal nations' voters, Montana has achieved proportional representation in the House of Representatives and the State Senate. With 7% of the state's population, Montana has stood out as a model to the nation to have proportional representation in the State House. I served as the Presiding Officer in 1999 to 2000, appointed by the Montana Supreme Court.

Montana is the beneficiary of these American Indian majority districts, for the American Indian voices have come to the table and been counted in the deliberations of every legislature since 1982 when Ramona Pease-Howe was elected to the House of Representatives, and 1984 when Bill Yellowtail was elected to the Montana Senate and Norma Bixby, a Northern Cheyenne educator, was elected to the State House of Representatives. We have had exemplary leadership from Indian Country from every

Indian tribal nation in Montana during the period from 1982 to the present - nearly forty years. Leadership in education, land tenure, governance, social services, economic development and more have been provided by the many American Indian members of the House and Senate, such as Carol Juneau, Carolyn Pease Lopez, Gerald Pease, Margaret Campbell, William Eggers, Angela Russell, Veronica Small Eastman, Sharon Stewart-Peregoy, Jonathon Windy Boy, Bill Whitehead, the Smiths of Poplar, and so many more.

Montana's seven Indian Reservations, the tribal nations of the Salish and Kootenai, the Blackfeet, the Assiniboine and Gros Ventre, the Rocky Boy Chippewa Cree, the Fort Peck Assiniboine and Sioux Tribes, the Crow/Apsalooke and Northern Cheyenne are strong vital communities of American Indian people, close to 70,000 strong. Montana's tribal nations are distinctive in the fourteen languages they speak, the Plateau and Plains Indian cultures they possess, and the traditions and lifeways they practice. Their lands are significant in tribal present and history, going back uncountable generations up to 2022 and beyond. Together we share social, economic and political life. Impressive progress in our nations have been made in services to children, veteran's and elders, and the presence and excellence in the seven tribal colleges must be highlighted. Tribal governments have comprehensive services that are managed in growing number in state block grants.

In Montana Big Horn, Blaine, Glacier and Roosevelt counties have a super majority American Indian population, among just 28 such counties in the United States. Our nations are especially youthful, about 40% of our population is 18 years and younger. The unemployment rates range from 30 - 60% depending on the season, and those who live in conditions of poverty exceed 30% to 50% far beyond those of greater Montana. The educational achievement levels lag behind at virtually every grade level. Health needs show a high incidence of diabetes, heart disease, and obesity; suicide rates among youth are high and on the rise. Our people suffered tremendous tragedy in the Covid-19 Pandemic. The Crow Tribe lost over 200 tribal members. These factors are some of the distinguishing characteristics that more than demand proportional representation from American Indian representatives, that demand the American Indian majority House and Senate Districts.

The voices, expertise and professional experience of the American Indians who have brought their service to the Montana House and Senate has been exemplary. Reciting their names in this way makes it sound like many, but it has indeed been 6 - 7 % of the State legislature. This is appropriately proportional representation, certainly not a takeover.

My testimony is offered today to support the American Indian majority Senate and House Districts that exist as drawn by the Districting and Apportionment Commissions of 1980, 1990 and 2000. This is a legacy of wise decision-making that has kept our state in compliance with the Voting Rights Act as originally passed and amended in 1982. Any other configuration of districts jeopardizes Montanas near 40 year record of VRA compliance

Ahoogaashiidaa! Thank you for the opportunity to present testimony to the Districting and Apportionment Commission today.

**Presenter Introduction:** I am Dr. Janine Pease, an Adjunct LBHC Faculty Member in humanities and social sciences. I hold bachelor's degrees in sociology and anthropology from Central Washington University (1970), and a masters and doctorate degrees in adult and higher education, (1987 and 1994) from Montana State University - Bozeman. I was a full time Faculty member at LBHC from 2013 – 2020; and coordinated Crow language revitalization initiatives (language immersion, the dictionary project and summer institute). I was Cabinet Head for Education for the Crow Nation (2010-2012). I served as president of LBHC from 1982 – 2000, and Executive Director of Adult and Vocational Education for the Crow Central Education Commission, 1975 – 1979. My career in higher education includes various college administrative and academic positions in Washington and Arizona, and in Montana at Eastern Montana College, Rocky Mountain College, and Fort Peck Community College. My service to Montana includes presiding officer on the Districting and Apportionment Commission (1999-2003), member of the Human Rights Commission (2004-2006) and member of the University System Board of Regents (2006-2011). I am a life-long advocate for American Indian voter education and GOTV; and was the lead plaintiff in *Windy Boy v. Big Horn County* (1986). I am an enrolled Crow Indian, as well as Hidatsa, English and German. I am a member of the Nighthawk Dance Society and the Valley of the Chiefs District of the Crow Nation. I am a mother of two, grandmother of six, great-grandmother of two and reside in Billings MT.