

West Bank Homeowners Association

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May 14, 2013

The Honorable Congressman Dr. Raul Ruiz
California 36th District
U.S. House of Representatives
Washington, D.C. 20515

RE: Colorado River Indian Tribes
Reservation Boundary Dispute
Self-Help Evictions of non-Indians

Dear Congressman Ruiz:

We wish to congratulate you on your recent congressional seat victory for the 36th California District and to introduce ourselves. The West Bank Homeowners Association (WBHA) is a California Corporation representing approximately 450 families that have residences just north of Blythe, California, along the Colorado River. The land stretches along 17 miles of the 25 mile western boundary of the Colorado River Indian Reservation. This area has been defined by the U.S. Supreme Court as disputed and Congress has so noted this disputed boundary in PL88-302.

The purpose of this letter is to briefly describe the difficulties our membership is experiencing with the Colorado River Indian Tribes (CRIT), and to seek your assistance in preventing further illegal confiscation of our homes and property by the Tribes, or at least attempt to mediate a solution that will allow parties to legally retain their property and constitutional rights until such time as a boundary determination has been made by a court of competent jurisdiction, or by the U.S. Congress as prescribed by the Constitution. We are very hopeful that you will seriously consider our request and will appreciate any effort on your part to help with this situation.

Previously, we requested assistance from you predecessor, Congresswoman Mary Bono Mack, on several occasions (letters attached). Unfortunately, her efforts to help were restricted to requests for information from the Dept of the Interior (DoI) and the Dept of Justice (DoJ), rather than attempts to work with the parties involved, including the Riverside County Sheriff. Responses from both the DoI and the DoJ were consistent with their arguments before the U.S. Supreme Court in *AZ v CA*. Even though we pointed out that those arguments before the Supreme Court Special Masters Rifkind and McGarr were rejected in favor of California's insistence that the Western Boundary is indeed riparian, Congresswoman Bono Mack refused to recognize the Special Masters' Orders. She refused to acknowledge CRIT's own admission of the boundary dispute. Congresswoman Bono Mack refused to answer questions regarding the rulings in *U.S. v Aranson* that also found the Western Boundary to be riparian. Instead, the Congresswoman deferred entirely to the Executive Branch of the federal government and left the residents to fight it out with the Tribes and the Riverside County Sheriff.

Hostilities with CRIT started in 2000 when representatives of the Tribes entered the Red Rooster Resort and attempted to make a citizen's arrest of all residents. The Riverside County Sheriff advised the residents to leave the property. Within days, CRIT bulldozed the entry roads, and then burned down 26 mobile homes and the resort store. One year later, CRIT attempted to remove 22 families from their homes at the Paradise Point Resort. This time the residents demanded to see a court order. Unwilling to provide due process for the residents, CRIT tore up the individual electrical meters on the properties, making the homes uninhabitable. In 2010, CRIT stole a boat from a resident, and then a few weeks later stole his mobile home while Riverside County Sheriff Deputies stood by and watched. That same year, CRIT filed unlawful detainer actions in their tribal court against 3 residents, including myself. In 2013, CRIT broke

onto and into the property of another resident, changed his locks, boarded up his windows, and posted “no trespassing signs”, all without any semblance of due process, or compliance with California law and PL280.

CRIT has attempted on several occasions to persuade U.S. Congressmen and Senators to initiate legislation to rectify what they refer to as “non-compliant tenants on the western boundary”. However, Congress has not acted in accordance with such requests by the Tribes, apparently recognizing that findings in both *AZ v CA* and in *Aranson* should not be unwound by legislation, which in and of itself would initiate further litigation. We also recognize Congressional reluctance to legislation establishing a riparian boundary as found by the courts due to anticipated opposition by Indian constituents in the 36th District.

However, having the residents who have owned their homes for generations continue this fight with a hostile domestic dependent sovereign begs for a voice of reason to provide some sanity to this intolerable situation. We are hopeful that you will be that voice of reason. A simple meeting with all affected parties, preferably at your office, would be a great way to start such a dialog that could lead to some sort of resolution.

Although some families have given up their homes rather than risk legal action threatened by CRIT, there are some residents that will fight for their homes. We should strive to find a solution to this problem before that fight transforms from paper to physical violence.

I look forward to meeting with you and your staff to discuss these very difficult issues of great concern to many and working on solutions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger L. French', written in a cursive style.

Roger L. French
President

cc: Cheryl Schmit, Stand Up For California
Toni Hawley, Blythe Boat Club
Congressman Duncan Hunter, 50th District
Congressman John Campbell, 45th District