

San José Charter Review Commission
Recommendation Memo Template
Drafted October 29, 2021

Instructions

Complete sections 1-3 below.

Rename document. Replace everything after the “-” in the document name with the proposal name.

*Example: “SJ CRC Recommendations Memo - **Ranked Choice Voting**”*

When ready, email to the Commission Secretary (CharterReview@sanjoseca.gov) for posting to the appropriate subcommittee or full Commission. Final deadline for submitting subcommittee recommendations is 12 noon on the following dates:

Friday, July 26 for Voting & Elections Subcommittee

Friday, September 17th for Governance Structure Subcommittee

Friday, October 29th for Policing & Municipal Law, Accountability & Inclusion Subcommittee

1) Proposal Name

Proposal Name:	<i>Native Land Acknowledgement</i>
Submitted by:	<i>Sherry Segura, Magnolia Segol, Rick Callender. Veronica Amador, Jenny Zhao</i>
Date submitted:	<i>Friday, October 29, 2021</i>

3) Proposal Details

<p>1) What problem(s) are you trying to address? <i>Before suggesting a solution, it is important to be clear about the problem you aim to solve.</i></p>	<p>The secularization of the Bay Area has caused harm to Indigenous People including, but not limited to, taking and not returning land occupied by tribes, instating government policies that exterminated Native language, cultural practices and religious rights, and causing trauma to generations of Native People. The loss of their Native land and lack of acknowledgement continues to cause harm.</p>
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2) How has this problem possibly benefited or burdened people, especially BIPOC, low-income, undocumented and immigrant, those experiencing houselessness, etc.?

Is there data that speaks to the impact of this problem? What does the disaggregated data tell us?

The atrocities leveled against Native People has resulted in mislabeling members with no member input. The Muwekma Ohlone Tribe, without any input from the tribe and without consultation, were mislabeled the Verona Band after a nearby railroad station. Additionally, the Muwekma Ohlone Tribe was slated to receive land in 1914 and again in 1927 but without a site visit or consultation with the tribe they were removed from the list of Tribes to receive land. This adversely affected their ability to have homes, community spaces for gatherings, religious ceremonies, and other important cultural events. The mislabeling and denial of land to them, were and are very harmful to Muwekma Ohlone members. These events led to the start of the intentional extermination of their language, cultural practices and religious rights.

3) What change are you proposing?

Describe the revision to [San José's Charter](#) that you are proposing. Include relevant Charter section numbers.

We are proposing that the land rights acknowledgement(s) below be formally included in the Charter.

Short Version:

Horše túuxi! (Hor-sheh troo-hee)

The City of San Jose would like to recognizes that it is located on the ethnohistoric territory of the ancestral and unceded land of the **Thámien** (*thah-me-in*) **Ohlone** (*oh-loh-knee*) -speaking tribal groups of the greater Santa Clara Valley, which includes the lands of the **Alsons**, **Matalans**, and the **Paleños** - whose tribal region was named after their powerful chief **Capítan Pala**, and the two Mexican land grants located in the East Hills above San Jose - and who were intermarried with the direct ancestors of some of the lineages enrolled in the Muwekma Ohlone Tribe of the San Francisco Bay Area, whom were missionized into Missions Santa Clara, San Jose, and San Francisco. The Muwekma Ohlone Tribe of the San Francisco Bay Area is the legal successor of all of the surviving Native American lineages, including the **Thámien Ohlone-speaking** tribes, who comprised the historic sovereign and previously federally recognized Verona Band of Alameda County. This land was and continues to be of great spiritual and historic importance to the Muwekma Ohlone Tribe and other familial descendants of the Verona Band.

We recognize that every member of the greater San Jose community has, and continues to benefit from, the use and occupation of this land, since The City of San Jose's establishment in 1777. Consistent with our values

of community, inclusion, and diversity, we have a responsibility to acknowledge and make known through various enterprises The City of San Jose’s relationship to Native Peoples. As members of the San Jose community, it is vitally important that we not only acknowledge and commemorate the history of the land on which we live, work, and learn, but also, we recognize that the Muwekma Ohlone People are alive and flourishing members of the San Jose and broader Bay Area communities today. Aho!

Full Version:

Horše túuxi! (Hor-sheh troo-hee). We would like to recognize that while we come together and meet in **The City of San Jose**, we are gathered on the ethno-historic tribal territory of the **Thámien** (*thah-me-in*) **Ohlone** (*oh-loh-knee*)-speaking tribal groups of the greater Santa Clara Valley, which includes the lands of the **Alsons, Thámiens, Matalans,** and the **Paleños** - whose tribal region was named after their powerful chief **Capitan Pala**, and the two Mexican land grants located in the East Hills above San Jose - and who were intermarried with the direct ancestors of some of the lineages enrolled in the Muwekma Ohlone Tribe of the San Francisco Bay Area, whom were missionized into Missions Santa Clara, San Jose, and San Francisco.

The present-day Muwekma Ohlone Tribe, with an enrolled Bureau of Indian Affairs documented membership of over 600 members, is comprised of all of the known surviving Indian lineages aboriginal to the San Francisco Bay region who trace their Tribe’s ancestry through the Missions Santa Clara, San Jose, and San Francisco, during the advent of the Hispano-European empire into Alta California beginning in AD 1769; and are the successors and living members of the sovereign, historic, **previously Federally Recognized Verona Band of Alameda County, now formally recognized as the Muwekma Ohlone Tribe of the San Francisco Bay Area. Muwékma means La Gente – The People** in their Chochenyo-Ohlone language.

The lands on which the **City of San Jose** has been established, was and continues to be of great spiritual significance and historical importance for the Muwekma Ohlone Tribal People. This region extends to surrounding areas that held several **Túupentaks** (*too-pen-tahks*), traditional semi-subterranean spiritual roundhouses. **Túupentaks** were places of celebrations, healing, spiritual cleansing, rituals, dances, intertribal feasts, and religious

ceremonies which were once located on the historic **Lopé Yñigo's Landgrant - Rancho Posolmi y Pozitas de las Animas (Little Wells of Souls)**, and also at **Marcello, Pio, and Cristobal's Land Grant - Rancho Ulistac (oo-leees-tahk)**. Nearby ancestral heritage "shellmound sites" served as the Tribe's territorial monuments and traditional cemetery sites for high lineage families, craft specialists, and fallen warriors.

The region surrounding **the City of San Jose**, is where many of the Tribe's ancestral heritage cemetery and village sites are located especially adjacent to freshwater ways, where many have been destroyed as a result of unbridled development. These localities are viewed as historic and sacred places, and it is acknowledged that these lands had been previously settled, harvested, and controlled by ancestral Muwekma Tribal groups for many thousands of years. Today, the Muwekma Ohlone Tribal leadership and members work as stewards addressing and protecting many of their, up-to 10,000-year-old ancestral heritage village and cemetery sites, such as the old Holiday Inn Site located downtown along **Thámien Rúmmey** (the Guadalupe River) - to the 9,900-year-old Metcalfe Road Site, located along **Máyyan Rúmmey** ~ Coyote Creek and Highway 101.

The City of San Jose is established within their ancestral **Thámien Ohlone** Tribal ethnohistoric territory, which based upon the 18 unratified federal treaties of 1851-1852, includes the unceded ancestral lands of the Muwekma Ohlone Tribe of the San Francisco Bay Area. Some of the enrolled Muwekma lineages are directly descended from ancestors aboriginal to the **Thámien Ohlone** tribal territory whose families had affiliation with Mission Santa Clara. Also some of the enrolled Muwekma lineages are descended from direct ancestors from neighboring Ohlone tribes who were intermarried with Mission Santa Clara **Clareño** Indians.

It is important that we pause, and recognize, the history of the land of the **Thámien Ohlone** on which we gather to participate, learn, and honor, but also acknowledge that the **First People** of this region – the Muwekma Ohlone People, are alive and thriving members of the San Jose and broader Bay Area communities today.

Even though their tribe was denied a land base through the gross negligence of derelict BIA officials, after their Tribe was first federally recognized in 1906, it is because of the tenacity, strength,

and legacy of their ancestors and Elders, that their Tribe has been able to maintain their identity and traditions, and keep their culture and their language alive, today. Furthermore, the Muwekma Ohlone Indian families have never left their aboriginal ancestral homelands of the Bay Area. Today, they attempt to repair the sustained ecological, environmental, and cultural devastation to their Tribe wrought by over 251 years of colonial processes of disenfranchisement through the Politics of Erasure. They are focused on keeping their traditional culture strong, while they work for a bright and favorable future for their children and ensuing generations, as they follow in the footsteps of their ancestors.

We respectfully request, that the good citizens of the City of San Jose and surrounding towns strive to be faithful stewards on behalf of the Muwekma Ohlone Tribe by maintaining the bay, freshwater creeks, native plants, animal habitats, and the air we all breath. Furthermore, we request that the City of San Jose and surrounding towns within Santa Clara County honor the military service of the Muwekma men and women who have honorably served overseas during World War I, World War II, Korea, Vietnam, Desert Storm, Iraq and who are still serving in the United States Armed Forces today; and honor the tribal veterans and service members from California, North and South America who have served this country with dignity and honor.

In closing, it is of great spiritual significance to acknowledge the special relationship of this **Holše Warep** (*hol-sheh wah-rehp*) ~ **Beautiful Land** to the indigenous Muwekma Ohlone Tribe of this region, as well as to all people residing in the Bay Area. We respectfully request that everyone **who lives, works, or visits the City of San Jose and surrounding towns**, to be respectful of their aboriginal lands and natural habitats; and consistent with their principles of community, diversity, and inclusion, strive to be good citizens on behalf of the Muwekma Ohlone Tribe (removed coma) on whose aboriginal lands you(removed coma) are guests.

Makiš horše 'ek-hinnan. 'Útaspuṭ makkam. Mak 'lwe.

(Mak-keesh hor-sheh eh-k-hee-non. Oo-trahs-poot mahk-kahm. Mahk eew-weh.)

Thank you, and on behalf of the Muwekma Ohlone Tribe, we hope you celebrate, honor, and stand in solidarity with all Indigenous People with their struggles to reverse the adverse colonial legacies affecting all people of color in San Jose, the greater Bay Area,

	<p>California, the United States, and the Americas, as we gather and reflect on the sacred lands of the Thámien Ohlone. Aho!</p>
<p>4) Is this change feasible? <i>Think through the revision you are proposing. Is it legally possible? Is it practical? If there are questions you cannot answer, list them here.</i></p>	<p>This is, to our knowledge, becoming a common practice in many places in California and the rest of the country. We are not aware of any law prohibiting such an acknowledgement.</p>
<p>5) Who might benefit from or be burdened by this change? <i>Is there data that speaks to the potential impact of this change? What are the potential unintended consequences of this change?</i></p>	<p>A Native land acknowledgment will support the healing of generations of trauma and promote them in finding their voice in the conversation of where and how they fit into the diverse community of the Bay Area. Land acknowledgements are very important for the healing process. They recognize the existence of Native People, not only that they were here in some distant past but rather they are alive and thriving. The Muwekma Ohlone People are stewards of their ancestral land, preserving their connections from past to future generations. This acknowledgement will also recognize and show appreciation for the contributions their ancestors have made to our shared history.</p>

<p>6) What are the arguments against this proposal? <i>Summarize the arguments you expect or data you have found in opposition to this recommendation.</i></p>	<p>We do not see any at this time. There is no monetary impact to the community and no contradiction to the fact that our land was previously occupied by Native People.</p>
<p>7) Must this be a Charter revision? <i>Can this problem be addressed without changing the charter (e.g., Council action, cultural change)? If not, should this be a policy recommendation to be included in the Commission's report?</i></p>	<p>Including this in our charter is of the utmost importance to our Native community. It is the first step to healing the community by acknowledging its importance to the Muwekma Ohlone Tribe and other Indigenous People.</p>
<p>8) Are there other examples of this change? <i>If you have found other examples of this change, please share them and any outcomes that have been observed.</i></p>	<p>Local Examples:</p> <ul style="list-style-type: none"> City of San Jose San Jose State University California College of the Arts San Francisco State University Centers for Educational Justice & Community Oakland University ACLU of Northern California

3) Proposal Research & Citations

List below the results of any research conducted to inform this memo.

<p>List of citations <i>All data must be cited so that Commissioners who are not part of the Subcommittee in</i></p>	<p><u>Dylan Robinson, Kanonhsyonne Janice C. Hill, Armand Garnet Ruffo, Selena Couture, Lisa Cooke Ravensbergen Canadian Rethinking the Practice and Performance of Indigenous Land</u></p>
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<p><i>question may locate the source of information as needed.</i></p>	<p><u>Acknowledgement. Theatre Review, Volume 177, Winter 2019, pp. 20-30 (Article)</u></p> <p>-</p> <p><u>Baldy, C.R. Why we gather: traditional gathering in native Northwest California and the future of bio-cultural sovereignty. <i>Ecol Process</i> 2, 17 (2013). https://doi.org/10.1186/2192-1709-2-17</u></p>
<p>Any speakers who presented to the subcommittee must be listed. <i>Include name, title, affiliations, etc., along with a brief summary of the information presented by them.</i></p>	<p>Gerardo Loera, Director of Development and Communications for the Indian Health Center of Santa Clara Valley</p> <p>Corina Herrera-Loera, Public Information Officer for the Santa Clara County Emergency Operations Center. She is also a professor of Chicano/a Studies at San Jose State University and the Board President Elect for Alum Rock Union Elementary School District.</p> <p>Monica Arellano, Vice Chair, Muwekma Ohlone Tribe of the San Francisco Bay Area</p> <p>Gloria Gomez, Councilmember, Muwekma Ohlone Tribe of the San Francisco Bay Area</p>
<p>Relevant Links <i>Provide links or locations of the information in this research as much as possible, otherwise provide attachments.</i></p>	<p>http://www.muwekma.org/</p> <p>https://native-land.ca/resources/territory-acknowledgement/</p> <p>-</p> <p>https://americanindian.si.edu/nk360/informational/land-acknowledgement</p> <p>-</p> <p>https://www.sjsu.edu/diversity/land-acknowledgement/index.php</p> <p>-</p> <p>https://www.cca.edu/about/indigenous-land-acknowledgement/</p>

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<https://sfsuais.sfsu.edu/content/land-acknowledgement>

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<https://cejce.berkeley.edu/ohloneland>

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<https://oakland.edu/diversity/land-acknowledgement-statement/>

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<https://www.aclunc.org/campaign/aclu-northern-california-land-acknowledgment>

<file:///C:/Users/ssequ/Documents/Rethinking-the-Practice-and-Performance-of-Indigenous-Land-Acknowledgement.pdf>

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<https://ecologicalprocesses.springeropen.com/articles/10.1186/2192-1709-2-17>



Mákkín Mak Muwékma Wolwóolum, 'Akkoyt Mak-Warep, Manne Mak Hiswi!
We Are Muwekma Ohlone, Welcome To Our Ancestral Homeland!

**Muwékma Wolwóolum Warep Taššu ~
Muwekma Ohlone Tribal Land Acknowledgment
For San Jose's City Charter, San Jose, CA
Thámien Ancestral Muwekma Ohlone Territory
Short Version**

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(Mak-keesh hor-sheh eh-k-hee-non. Oo-trahs-poot mahk-kahm. Mahk eew-weh.)

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Muwekma Ohlone Tribal Land Acknowledgment for San Jose's City Charter, San Jose, CA
Alsons, Thámien, Matalans, and Paleños Thámien Ancestral Muwekma Ohlone Territory – Read by Public – October 25, 2021