



NANTICOKE LENNI-LENAPE TRIBAL NATION

**Public Statement of Gratitude
By the Nanticoke Lenne-Lenape Tribal Nation
Upon Resolution of its Long-Standing Civil Rights Litigation
Against the Attorney General of New Jersey
November 15, 2018**

The state of New Jersey officially recognized the Nanticoke Lenne-Lenape Tribal Nation as an American Indian tribe thirty-six years ago, in 1982. State recognition is important to tribes because it affirms that our people and culture are both part of the story of humanity's shared past and that we are present and valued in the modern world. State recognition also provides opportunities for tribes to advance our communities' wellbeing through access to essential federal grants for health, education, and workforce development, and by certifying our traditional arts and crafts as Indian-made.

In 2012, members of former New Jersey Governor's Chris Christie's administration acted to undermine our state recognition, causing our Tribe significant harm. State officials acted based on racial stereotypes about Indian tribes and gambling. Our Tribe is one of many that prohibits gambling as a source of our livelihood. We had no choice but to sue the state in federal and state courts alleging violations of the Tribe's rights under the United States and New Jersey Constitutions.

We are pleased that after six years of litigation against his office the new Attorney General of New Jersey has agreed to settle our legal claims. He has reaffirmed, in no uncertain terms, that New Jersey has indeed formally recognized the Tribe since 1982 and that the state reaffirmed that official recognition in multiple independently valid ways throughout the subsequent thirty-six years. Further, the Attorney General withdraws and nullifies any prior statements questioning the Tribe's recognition status. In addition, the state will compensate the Tribe for a portion of our significant economic losses suffered during this battle.

Beyond our Tribe, this outcome has significant implications throughout Indian Country, for the other two other state-recognized tribes in New Jersey whose status was similarly undermined and the tens of thousands of members of the more than sixty state-recognized tribes in other states who may rest more easily. This settlement establishes that states may not retroactively undermine tribal recognition by violating a tribe's rights to due process and equal protection of the laws.

We will immediately begin to reinvigorate cultural and community-building efforts for our people, hand-in-hand with partners old and new. We will be aided in this effort through the continuing assistance of our legal and policy counsel at Cultural Heritage Partners, PLLC, and with the prayers and support of neighbors near and far.

We hope and believe that this resolution will set the stage for the restoration of a positive, mutually respectful, and collaborative relationship between the Tribe, the State of New Jersey, and the government of the United States.

The Nanticoke Lenni-Lenape Tribal Nation gives thanks the Creator for his blessings. We also express our profound gratitude to the following people and institutions whose efforts made this day possible:

- Our Tribal elders, who fought for recognition decades ago, and who mustered the strength to fight for its restoration in their twilight years.
- For their tireless and skillful efforts over six years to defend our civil rights, our legal counsel: Greg Werkheiser and Eden Burgess and their colleagues at the firm of Cultural Heritage Partners, PLLC, and Mr. Frank Corrado and his colleagues at the firm Barry, Corrado & Grassi, PC.
- For filing court briefs in support of our cause as *Amici Curiae* (Friends of the Court): The National Congress of American Indians, The Alliance of Colonial Era Tribes, The Indian Law Resource Center, the Salem Quarterly Meeting of the Society of Friends, The Greater New Jersey Conference of the United Methodist Church, and these parties' legal counsel in this matter, Joseph A. Patella at Hunton Andrews Kurth, LLP.
- For their fair, impartial, and thoughtful administration of justice: The Hon. Renee Marie Bumb, United States District Judge of the United States District Court for the District of New Jersey; the Hon. Joel Schneider, United States Magistrate Judge for the District of New Jersey; and the Hon. Mitchel E. Ostrer, George S. Leone, and Francis J. Vernioia, judges for the Appellate Division of the Superior Court of New Jersey.
- For his effective services as a mediator, the Hon. Dennis Michael Cavanaugh, United States District Judge of the United States District Court for the District of New Jersey (ret.).
- For their expertise in assessing financial damages: Edward A. Gold, Stephen Holzen, and Scott Jones and their colleagues at the firm of Stout Risius Ross, LLC.
- For their work championing the recognition of American Indians in New Jersey in decades past: the late Hon. W. Cary Edwards, former Attorney General of New Jersey, Jack F. Trope, former assistant General Counsel to two New Jersey Governors, and other honorable public servants in the state and federal governments.
- For their wisdom in seeking resolution of this controversy: the Hon. Phil Murphy, Governor of New Jersey, and the Hon. Gubir S. Grewal, Attorney General of the State of New Jersey, and his colleagues.
- For their neighborly love and encouragement: the people of Cumberland County, the Cumberland County Freeholders, the Hon. Mayor Albert B. Kelly and The City of Bridgeton, officials of Fairfield Township, the faculty and students at Monmouth University, and the staff of the Penn Museum.
- For their constant well-wishes, individual supporters throughout New Jersey, the United States, and Indian Country.
- For providing additional legal guidance in Indian Law, attorneys Judy Shapiro and Michael Anderson.

- The news outlets and reporters whose regular, in-depth, and accurate coverage helped to shine a cleansing light, including, in alphabetical order: Tristan Ahtone for Aljazeera America; Thomas Barlas and Tyler R. Tynes for *The Press of Atlantic City*; Alex Bauer for *RYOT*; Cleve Bryan and David Madden and for *CBS Philly* and *KYW Radio Philly*; Michael Booth for *New Jersey Law Journal*; the Editorial Board and Stephanie Maksin for *South Jersey Times*; Lisa J. Ellwood for *Indian Country Today*; Vince Farinaccio for *SNJ Today*; Chris Fry and Nick Rummell for *Courthouse News*; Bill Gallo Jr., Albert B. Kelly, Anna Merriman, and Don E. Woods for *NJ.com*; Aaron Kase for *Vice Media*; Vidya Kauri, Adam Lidgett, Jeannie O’Sullivan, Christine Powell, and Andrew Westney for *Law 360*; Cara McCollum for *SJ Today*; Kate Morgan for *The Progressive*; Geoff Mulvihill and Staff for *the Associated Press*, as published by the *Washington Post*, *the New York Times*, and many others; Jacqueline L. Uργο for *Philly.com*; Megan Pauly for *Delaware Public Media*; Dr. Joseph Schuldenrein for *VoiceAmerica*; Staff for *Indians.com*; and Staff for *Native News Today*.

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