

August 12, 2009

To: Joelle Desjarlais, White Bear Lake, Tribal Chairperson

This past weekend I believe I found out why our board member, Tribal Joe, came to the most recent meeting trying to create yet another conflict. This knowledge is prompting me to write this letter. Over the weekend, I learned that the Tribal Council, at your recommendation, decided to leave Joe in his position as Director of Programs Important to the Community so he could “fix his mistakes”.

An ethical person would have been grateful to the Council for a second chance. However, Joe is not an ethical person he responded the complete opposite. He must have thought, “The Council is too scared to do anything to me; now I can go and raise hell with the Board and scare them into reversing their actions against me.”

Joe should have gone back to work, finally started doing his job, and left it at that. Instead, he decided to try to scare us as well, which in turn prompted a letter to you. At this point, regardless of what the other board members decide, if Joe does not resign his position on the Board, I will personally sign an Expulsion Order against him. Whether I win or lose is not the point. Someone has to have the courage to stand up to him and if it has to be me—so be it.

With all due respect, Joelle, the decision to let Tribal Joe keep his job was a horrible mistake. It was unethical and has started a ripple effect: Tribal Joe paid back the Council for its kindness by verbally assaulting three enrolled members. → This, in turn, prompted a letter to you from three enrolled members. → You are obligated to act. → If you don't act, than Expulsion papers will be filed. → Regardless of the outcome of the Expulsion hearing (which a few more enrolled members, in addition to us three, who Tribal Joe has verbally abused have already agreed to attend), the issue will not be over. → The enrolled members who are tired of a non-enrolled member bullying them and support the Expulsion Order will be very upset with you—all because of the unethical decision to allow Tribal Joe to remain in his job when he should have been outright fired and a Forensic Audit done on his finances.

It should not matter if Tribal Joe is not enrolled. He is still using tribal buildings as well as receiving funds to provide services to our young tribal members. Letting him keep his job is similar to catching an alcoholic with a case of beer and giving it back to him and telling him, “Here, don't drink anymore.” It won't work. Moreover, he doesn't have to face consequences for the mismanagement that occurred the past couple of years other than getting, told, “Go fix it?” Wow!

I am not making these statements out of ignorance and/or anger. As you are aware, through my employer, I recently participated in a training from the Tribal Leaders Institute. One aspect of this project is an on-line ethics course. Below are excerpts from the on-line ethics course which I believe can be applied to this situation:

**Ethics Myths Preventing Positive Ethical Change –
Myth #3: We All Need To Get Along**

An excuse we have seen on the reservation for not taking a stand is that "We all need to get along." This is said in many ways, using our culture as an excuse, that we are family-oriented and Joe The Tribal Worker has a lot of relatives so we don't want to cross him.

Without a fair ethical system, people have bad feelings over injustices that last for a long time (years, generations) and make tribal leaders ineffective.

As we said at the beginning of this course, it is not a complicated problem. However, it is a difficult problem. People try to make it a complicated problem by avoiding, not facing, reality.

A recent example occurred when a board met on ending the contract of an employee who had engaged in many instances of misuse of tribal funds.

The employee's supervisor asked the board to just accept his unethical behavior, "... so we can all just get along and have less conflict in our community. After all, the person only has one year left in that position." From this person's viewpoint, after all, this use of tribal funds and property for personal gain had been going on for three or four years and just been uncovered, or, at least, just now been brought to board attention. The supervisor considered another year an acceptable price to pay for maintaining peace in the community.

One board member replied,

"Regardless of what happens, the staff and community members will learn of his dishonest behavior and wonder why we let him get away with it, again. I don't want to be the one to say, 'It, is his last year, and we are trying to get along with him.'"

Calling it misuse of tribal property, bringing up the conflict it would cause in the community, talking about our family, and consensus orientation—all of that made it complicated. The choice was very simple. An employee had been caught stealing from the tribe and should be fired. It was simple and obvious, but not easy, which was why the supervisor wanted to make it complicated so we did not have to face the hard choice.

Tribal Joe and his supporters will attempt to make the issue complicated and they will attempt to turn the tables. Accusing his accusers in the hope of taking the focus off him and putting it on them is what he will try to do. Regardless of what he and his supporters

do, it will not frighten me into backing down. The following excerpt from the ethics course relates to this:

Is fear a new Indian tradition?

How could I possibly say that about my own people when we have a proud tradition and history as warriors? The Sioux, as were all Indian Tribes, were known for their extreme bravery.

Yet, one of our favorite tactics to accomplish our goals is to use fear rather than fairness and decency. We organize family, friends, and attack anyone who disagrees with us to frighten them into giving into our demand. We use fear to the extent that most tribal employees are afraid to speak up when they see someone committing a wrongful act, because of fear.

Everywhere we look we see the result of fear; policy and procedures ignored, nepotism, and favoritism is rampant throughout our work places, people are fired without due process, we have high unemployment—yet a huge number of our jobs are filled with non-Indians and/or non-tribal members. Tribal members, and tribal leaders alike, are afraid to speak up due to fear.

Abuse and Fear

One of the signs of an unethical workplace is it is abusive—this was commonly reported in our survey and we have observed this on many occasions ourselves. We witnessed board members and supervisors yelling and swearing at staff members, threats to beat up a co-worker, reports of employees who physically assaulted other workers.

You have seen the words “courage” and “scared” throughout this letter. I put them in there for a reason. Enrolled members are very scared of Tribal Joe’s intimidating behavior. He doesn’t hesitate mistreat them: to yell, cuss, and threaten whoever stands up to him. Someone has to have the courage to stand up to him and his supporters. This is what the ethics course says about people who come forward and report unethical practices in the workplace.

Don't Shoot The Messenger

When an employee does come forward, don't shoot (him/her) the messenger. For example, Amy tells you (the boss) about co-workers who have been punching each other in and out on the time clock, so each works about a 22-hour week while getting paid for 40 hours. These individuals turn on you and put a lot of pressure on you. So the next time Amy calls in sick you turn around and write her up. We have seen supervisors justify this cowardly behavior based on "it's our policy" but they have not enforced that policy for any other worker. Make sure that Amy is not treated any differently than anyone else. In fact, no one but you and Amy should ever know that she reported these problems.

By not holding Tribal Joe accountable for his unethical behavior as a tribal employee, you reinforced his belief that his threats and intimidation work. Hence, his coming to the Board meeting and yelling and threatening fellow board members thinking we would back down. Fortunately, he was not able to frighten any of us, and we did not change the motion passed that holds him accountable for his unethical behavior. I hope you have not already made up your mind to continue to support Tribal Joe without considering the contents of this and the other letters that have been written to you. This leads to my last excerpt from the course:

Without consistent enforcement, ethical violations will lead to more violations, dismissal of the rules, and ethical collapse.... In organizations with ethical collapse, everyone sees the issues, but they are afraid to speak up because leaders do not have the courage to stand up to unethical individuals.

I hope you do not see this letter as me threatening you. It is not. I am simply fed up with Tribal Joe's unethical behavior, and I am making a stand because no one else will. All we are asking for is to use the influence of the Council to have Tribal Joe resign from the Board. We do not want to sign an Expulsion against Tribal Joe (yet) because we are thinking of his family. Although, if the tables were turned, Tribal Joe would not show the same compassion for any of us; his past behavior of yelling, threatening, and intimidating tribal members bears this out.

In closing, for what it is worth, I have a few words of advice/encouragement for you. You have a great opportunity to turn things around here on the White Bear Lake reservation. Due to the perceived unethical behavior of your predecessors, you were overwhelmingly elected to the position of Chairperson of our tribe. We tribal members are looking to you for courageous and ethical leadership, and I will be the first to stand behind you should anyone attempt to oppose your courageous and ethical decisions. You have these assets working for you; you are very well respected, you are intelligent, you are a gifted public speaker, and you truly are a good person. Most importantly, tribal members like me will follow you and support you every single time you make a courageous and ethical decision. With the moral majority behind you, can make great things happen here on White Bear Lake in the next four years.

Sincerely,

Susie Sainte