THE DEVELOPMENT OF THE KAINAI PEACEMAKING CENTRE

By

KELLY MARVIN TAIL FEATHERS

Integrated Studies Project
submitted to Dr. Ken Banks
in partial fulfillment of the requirements for the degree of

Master of Arts – Integrated Studies

Athabasca, Alberta

November 24, 2010
Dedication

This paper is dedicated to my kids, my spouse, my parents, my grandparents, and great grandmother Attun for helping me obtain my education and teaching me to be who I am.
ABSTRACT

Today First Nations people face many issues that are a result of colonial governmental policies. The contemporary initiatives that First Nations operate on a day to day basis are greatly influenced by an understanding of interdisciplinary studies. My final project will provide a descriptive analysis of the development of the Kainai Peacemaking Centre on the Blood Indian Reserve. I will examine the historical undertakings that were required to develop this project and provide a contemporary analysis of the progression of this project. The peacemaking program will also be examined in its relationship with the design of the building. The project budget for the facility is estimated at $14 million dollars. The work on the establishment of this facility involves integration of several areas of knowledge and brings together a broad spectrum of stakeholders from a diversity of backgrounds. Elders from the Blood Tribe, Tribal Council members, Tribal Technicians, government of Alberta employees, independent consultants and government of Canada representatives are all involved in this project which will be the first of its kind in the world.

PREFACE

In 2006, the Blood Tribe Chief and Council passed a band council resolution to mandate the Blood Tribe Tribal Government and External Affairs Department to bring about the establishment of a facility on the Blood Indian Reserve to establish its justice system which includes a restorative justice program and an Alberta Provincial Court. A
Memorandum of Understanding between Alberta Justice, Alberta Infrastructure and the Blood Tribe was signed in late 2008.

The Blood Tribe then retained Matrix Planning Associates to conduct a space analysis program and feasibility study for the Kainai Peacemaking Centre. Matrix completed the report in December of 2008. This report was used as a guiding tool to estimate the gross floor area and cost estimates for the architectural firm that is currently designing the Kainai Peacemaking Centre.

The facility will be located in Standoff, on the Blood Indian Reserve #148 A., and will contain two main components: 1) An Alberta Provincial Court built to meet contemporary Alberta requirements and designed to meet the need of Blood Tribe members with a focus on family, criminal, youth and civil matters. 2) An area to accommodate the restorative justice program which has been termed peacemaking.

The Blood Tribe has since retained Kasian Architecture Interior Design and Planning as of July 8, 2009. Currently we are completing the working documents phase of the project and are preparing the project for tendering for construction. We have designed the building to meet Alberta’s LEED Silver requirements and are placing an emphasis for the facility to be energy efficient, utilize renewable energy and be environmentally friendly, as well as to set a standard for new construction initiatives among First Nations.

The facility will be approximately 2,543 meters squared or 27,374 feet squared in area. The total cost of the project is approximately $14,046,324. We anticipate beginning construction by late spring of 2011. The Kainai Peacemaking Centre will be a one of a kind building among First Nations in Canada.
I chose to write about the development of this facility for my final paper to obtain my Master of Arts Degree in Integrated Studies at Athabsaca University. This project has been the focal point of my life, as it is my main responsibility for my employment with the Blood Tribe. Since September 2006, I have put my full concentration into this project. I felt that this would be an excellent opportunity to tell my story by writing about this very important community development project. It has taken a lot of work by many individual people that I would like to thank. The finalization of this paper would be my thanks to all involved in the project.

Acknowledgements

There are many people that I would like to thank for their assistance on the writing of this project. First I would like to thank my woman Shawna Goodstriker for listening to all my ideas. I would like to thank my parents Marvin and Verona Tail Feathers for pouring water on me when I didn’t want to go to school. I would like to thank my grandmothers Sophie Tail Feathers and Teresa Wadsworth for their spiritual support and my great grandmother Margaret Hindman for speaking to me in Blackfoot. I would like to thank the Blood Tribe Justice Initiative Team, the Adjudication Sub-table Committee, the representatives from Alberta Justice and Alberta Infrastructure, the architects at Kasian. I would like to specially thank all the Elders involved with the Kainai Peacemaking Program and Elder Advisory Committee including Frank Weasel Head, Pete Standing Alone, Wilton Goodstriker and Andy Black Water. I would like to personally thank Annabel Crop Eared Wolf for having confidence in me and my work. I would like to thank Kirby Many Fingers, Eugene Creighton, Rick Soop and Ken Banks my supervisor with Athabasca University.
# TABLE OF CONTENTS

- Introduction .................................................................................................................. 9
- Vision as a Child ............................................................................................................. 9
- Blackfoot Confederacy .................................................................................................. 10
- Blood Tribe general overview ....................................................................................... 11
- Blood Tribe Tribal Government & External Affairs Department ............................ 12
- Traditional Kainai Justice ........................................................................................... 13
- Literature Review ......................................................................................................... 14
- Current Justice Institutes .............................................................................................. 16
- Kainai Community Corrections .................................................................................... 16
- Blood Tribe Police ........................................................................................................ 17
- Statistical Data .............................................................................................................. 17
- RCMP – Kainai Police Relationship ........................................................................... 19
- Rolph Inquiry ................................................................................................................ 19
- Blood Tribe Tribal Government Mandate to Construct the Facility ........................ 22
- Blood Tribe Justice Initiative ......................................................................................... 22
- Kainai Government Agreement ................................................................................... 22
- Blood Tribe Adjudication Sub-table ............................................................................ 23
- Memorandum of Understanding .................................................................................. 24
- Fort Macleod Court Tour ............................................................................................. 25
- Drumheller Court Tour ................................................................................................. 26
- Calgary Court Tour ........................................................................................................ 27
Introduction

My name is Atsiinakoan (Grovaughn Boy); my English name is Kelly Tail Feathers. I am a member of the Aakainaiwa (Blood Tribe) from the Niitsitapii (Real Person – Speak the real language) Blackfoot Confederacy. I write today from the Blood Indian Reserve in present day southern Alberta, Canada.

For the past four years I have been involved with one of the capital projects that the Blood Tribe is currently undertaking. The development of the Kainai Peacemaking Centre is an initiative the Blood Tribe has been working on for many years. We are missing our judicial component to our governing body. Currently the Blood Tribe is only operating with a legislature and an executive body. We are working extremely hard to establish our judicial component that will not only help with the high offender rate but will also help our internal governance system. I felt that this would be an excellent time and opportunity to express my views on how the process has developed over the past few years. I wanted to write about my personal experience as well as the advancements that the Blood Tribe has taken towards this very important initiative. There were many sources and much was written in the area of restorative justice and healing among aboriginal communities. What the literature lacked was a resource where someone explained exactly how to build an aboriginal justice facility. It was only then that I knew what I would write about for my final project to obtain my Master of Arts Degree. Someone needed to write about how to build a contemporary justice facility in an aboriginal community.

Vision as a child
Looking back I can recall some of the thoughts that I had as a child. My parents’ initial residence was located on the south west portion of the Blood Reserve. Our house was an old two room house with no indoor bathroom. We lived in what is called Poomiipiskuni, or Bullhorn, next door to my great grandmothers Atuun, Margaret Hindman, whom today is 90 years old. I can recall that we had a pet deer staying at our home. My uncle also had a pet hawk.

Later, around 1984 my parents were lucky to obtain band housing and we moved to where my old man’s parents stayed in the middle of the Blood Reserve known as Standoff. This is where I grew up and became familiar with the community which I would be a part of the rest of my life. Living with the freedoms associated with the reserve I began to wonder and think about the future. I roamed endlessly on my dirt bike when I was a kid. I often had visions of a giant tipi in Standoff. I envisioned a sky scraper type of structure that one day I would build. Many years later it is peculiar where I find myself and with the work I am involved with.

**Blackfoot Confederacy**

The Blood Tribe is a member of the Blackfoot Confederacy. The Blackfoot Confederacy is comprised of four Blackfoot Speaking tribes. The Aakainaiwa (the Bloods), the Siksika (Blackfoot), the Piikuni (Peigan), and the Amskapii Piikuni (the south Peigans). Our traditional Blackfoot lands extend in the north from the North Saskatchewan River near present day Edmonton, Alberta, bordered to the west by the Rocky Mountains, to the south by the Yellowstone River in present day Montana, United States of America, and to the east into present day Saskatchewan.
Blood Tribe general overview

The Blood Tribe with a population of over 10,600 members is regarded as one of Canada’s leading First Nations. Being Canada’s largest geographical reserve with over 544 square miles of prime agricultural land nestled between two of the cleanest rivers in the world we have continued to protect our rights and interests in our lands not only on the reserve but more broadly within our traditional territories.

The Blood Tribe has taken measures to reject legislation that has been created to further suppress our people. We have filed a number of land claims and have successfully ratified the Akers 1 and Akers 2 land claims and have recently purchased additional lands that we have lost in the past. The Blood Tribe along with some of our neighboring First Nations filed a suit on the Natural Resources Transfer Act. We have been active in combating against Alberta’s Aboriginal Consultation Policy. The Blood Tribe is very active in fighting for our rights against federal and provincial legislation that seeks to alter our well being.

In Alberta, the Blood Tribe has taken specific measures to advance our rights within our traditional territory. Case law has established that Government has a duty to consult First Nations when there is an infringement on aboriginal or treaty rights. These infringements occur whenever there is development within our territory. Alberta is home to thousands of Blackfoot archaeological sites which are found within the borders of our traditional territory. To us, these are our ancestral connections to our past existence within these lands. The Blood Tribe continues to have a legal interest in our traditional territories. As our ancestors mentioned, we never surrendered our land; we agreed to
share our land with the newcomers. Today, the government must respect and honor our treaty and aboriginal rights.

**Blood Tribe Tribal Government & External Affairs Department**

The Blood Tribe Tribal Government and External Affairs Department, where I have been employed since 2003, deals with a broad spectrum of issues. The department was created to protect and preserve the rights, powers and well being of our nation under the powers we hold as a unique people; to protect and exercise our inherent treaty and aboriginal rights, to protect and preserve our lands, our culture, language and traditions, in the true spirit of *Kainaiyssinni* (Blood Tribe Tribal Government).

Since time immemorial the Blackfoot people have occupied these lands we refer to as Blackfoot Territory. *Kainaiyssinni* – the Elders Declaration of the Blood Tribe states that the creator put all people in a specific territory to fulfill their purposes in creation. The Blood Tribe has based a number of its principles and its governing structure on a document created by the Elders of the Blood Tribe. *Kainaiyssinni* or the Elders Declaration is a very important document for the Bloods. It is even referred to as the constitution of the Blood Tribe. All Departments and Entities of the Blood Reserve use *Kainaiyssinni* as a guide in conducting business affairs both among membership and with our newly arrived neighbors. The opening paragraph of *Kainaiyssinni* states:

The Creator put on this earth all peoples with a unique culture and language to occupy a specific territory of land to fulfill His purpose for creation. Thus We The Members of Kainaiwa, a member of the Blackfoot Confederacy; speak the Blackfoot language; among other things, hold Ninastako and Mookowanossini as sacred monuments; which among other beliefs include the Sundance; socially and tribally organized into extended families, clans and tribes; govern ourselves according to customs given to our people by the Creator; presently occupying the Blood Indian Reserve lying between the Belly and St. Mary's rivers; To maintain ourselves under the guidance of our Creator; To initiate a

---

1 *Kainaiyssinni* – Elders Declaration of the Blood Tribe / Kainaiwa
sense of responsibility to our people and nation; To continue to seek better means of survival; To provide for an orderly and accepted way of carrying on our culture; To allow for freedom of expression and diversity; and in general, to promote the rights, powers and welfare of our Nation; under the powers we hold as a sovereign people, do ordain and establish the “Tribal System” (Kainaiyssini)\(^2\).

**Traditional Kainai Justice**

It is important to note that we as the Blood Tribe Tribal Government Department make sure to have an opening prayer at each of our meetings both internally and when we meet with business partners and guests. This is one of our many important cultural practices that we continue to follow. Prayers are spoken in our Blackfoot language.

Our oral history and traditions which we continue to rely on as Kainai peoples are very strong. Crop Eared Wolf (2007) provided a much needed insight into the area of traditional peacemaking and peacekeeping which can be described for these purposes as Traditional Kainai Justice. Our emphasis and use of Elders for guidance has enabled us as Kainai to have a very strong intact cultural system. Our Elders and their knowledge are used in everything we do.

The literature on the Blackfoot is immense. Many authors have written about the Blackfoot and often include aspects of traditional justice systems. The Blackfoot have been regarded as one of the most written about native groups in the world. I caution myself and others to rely solely on this written information. It has mostly been written by non-native authors, and scholars should not rely on it as being truly factual information. Some of the written literature takes an attempt to explain some of the forms of Traditional Kainai Justice but fails in its authenticity.

\(^2\) Kainaiyssini – Elders Declaration of the Blood Tribe / Kainaiwa
Other forms of research took an approach where the Elders explained Traditional Kainai Justice such as in the Cawsey Report (1991).

The Blood Tribe’s traditional notion of justice was explained to us: Traditional approaches to justice were based upon the principle that every person should be given his due. This involved a reference to the tribal moral standard of the tribe. Acceptable behavior was ascertained in light of the competing interests of the tribe. However, individual and group interest, if the occasion arose, would be sacrificed in favor of the greater tribal interest as a totality. As a result social sanctions developed to protect individual interests as well as tribal interests, along with the appropriate machinery to enforce social sanctions. For the Blood Tribe this instrument was the *IKUNUHKAHTSI* which was called upon to settle disputes, carry out punishments, maintain order and tribal equilibrium, and to guard against and/or expel external aggression (Cawsey, 1991, pg. 4-3).

**Literature Review**

When I was first assigned to this project my main focus was on the area of aboriginal justice. I spent a considerable amount of time just familiarizing myself with much of the written work in this area. Our main focus was to start implementing the process of the Blood Tribe Justice Initiative which actually formally began many years ago in the early 1970’s. It wasn’t until the mid 2000’s that the Blood Tribe actually developed the capacity necessary to implement the program on a holistic level. With the Band Council Resolution in 2006, it gave the Blood Tribe Tribal Government the driving force to establish the facility to house its justice program, only then the Blood Tribe became fully serious and used all its capacity to get the programs and facility started.

I first began to study what literature was available. For instance, I examined Clairmont and Linden (1998) *Developing & Evaluating Justice Projects In Aboriginal Communities: A Review of the Literature*. This was a good starting point to examine what literature reviews were already available in the area of aboriginal justice.

Crop Eared Wolf (2007) provides a much needed written account of the concept of peacemaking among the Kainai people. Kainai have direct knowledge of their peacekeeping and peacemaking system and are arguably in the best position to describe
and explain its practices and its processes (Crop Eared Wolf, 2007, pg. 8). Aside from the oral tradition within the Kainai community, very little is known about traditional Kainai peacekeeping and peacemaking (Crop Eared Wolf, 2007, pg. 7). The majority of our way of life continues through our oral traditions that are still very evident through our cultural practices, our societies, Sun Dance and ceremonies. No study on the specific topic of Kainai peacekeeping and peacemaking exists (Crop Eared Wolf, 2007, pg. 7). In addition there is no written literature specifically on the development of the Kainai Peacemaking Centre.

Cawsey (1991) provides extensive examples of the need for such facilities and programs. The report speaks specifically to instances concerning the Blood Tribe. As we state repeatedly in this Report there are calls for a return to a more community based delivery of all services within the criminal justice system (Cawsey, 1991, pg. 4-5).

I also took a look at some older dated reports such as the Native Peoples an Justice: Reports on the National Conference and the Federal-Provincial Conference on Native Peoples and the Criminal Justice System, both held in Edmonton, Feb. 3-5, 1975. I was interested in researching what was happening before my time here on mother earth. There were some very good ideas being generated back then. The workshop on rural courts suggested that native persons accused of a crime in a native community have the choice of being tried in peacemakers courts which, it said, will place more emphasis on reconciliation, restitution, and working with the communities (Natives Peoples and Justice, 1975, pg. 25). The report provided a number of excellent recommendations that have today started to be implemented among First Nations Communities.
It was very hard and frustrating to conduct a literature review that did not speak specifically to what I wanted to write about. I wanted to tell the story of the development of this much needed facility within our community. I read a lot about what other First Nations were doing in terms of programming within justice initiatives but nothing was written on how to construct a facility.

**Current Justice Institutes**

Several Indian and Métis communities are seeking their own Aboriginal justice systems. Studies have been undertaken to achieve those ends in Alberta. To many, such systems are part of self-government. We are aware of two Indian Nations which have studied an Indian justice system for their reserves. The Blood Tribe of the Blackfoot Nation has also developed a model of an Indian justice system specific to its people customs and traditions. They hope the model will be adopted on their reserve eventually (Cawsey, 1991, pg. 4-8).

At the time of writing this paper, the Blood Tribe already has components of the justice system that are fully operational. We have developed the Blood Tribe Justice Model and have implemented the Kainai Peacemaking Program. In addition we have had other components that make up a very strong model. We have the Kainai Community Corrections Centre as well as the Blood Tribe Police. The Blood Tribe has also had the Aisiimohki program and the Kainai Youth Justice Program which were run under the Blood Tribe Health Department. I am a current member of the Kainai Youth Justice program.

**Kainai Community Corrections**

The Blood Tribe established Kainai Community Corrections in 1988. Kainai Community Corrections is a minimum security provincial correctional centre that serves Blood Tribe offenders as well as other aboriginal clients. The Kainai Community Corrections is funded through an agreement with the Blood Tribe and Alberta. The primary focus of Kainai Community Corrections Society is to provide culturally sensitive
and community based Corrections programs and other services for any person in our
jurisdiction that is affected by the criminal justice system (Kainai Community
Corrections). The services provided by K.C.C.S. include: Community Corrections, Native
Court Worker Program, Crime Prevention, Elder Participation, and a minimum security
Correctional Facility (Ibid.). The program established in November 1989 is considered to
be one of the first of its kind within Indian Territory in Canada (Ibid.).

**Blood Tribe Police**


**Statistical Data**

The Blood Tribe Police Service responds to a high volume of calls on an annual basis. In 2005, there were 8,733 calls for service. In 2006, there were 9,235 calls for service on the Blood Indian Reserve. These statistics do not reflect the number of criminal charges that have been laid (Blood Tribe Police Service Year End Report 2006-2007). All charges resulting from the Blood Tribe Police Service are heard in the Cardston Provincial Court located on the southern end of the Blood Reserves boundary. The majority of offences heard in Cardston Provincial Court are from members from the Blood Tribe.

---

I conducted some research where I reviewed the Cardston Provincial Court Docket listing for one year. The Cardston docket listing indicated that approximately 83% of a total of 7,175 offences heard in Cardston Provincial Court were from Blood Tribe members for the period of September 2006 to September 2007. Identical percentage rates were found for the youth court offences also heard in Cardston for the period of May 2006 to September 2007.

Research statistics compiled by Alberta Justice Court Services indicated similarly high statistics for Blood Tribe offenders. For the period ending March 31, 2007 in Cardston there were 1398 federal adult matters and 1999 adult provincial matters. For the same time period ending March 31, 2007 in Cardston there were 130 federal youth matters and 153 provincial youth matters. For the year to date ending in September 30, 2007 in Cardston there were 666 adult federal matters and 445 adult provincial matters. For the same time period ending September 30, 2007 in Cardston there were 79 federal youth matters and 77 provincial youth matters.4

Alberta Justice Court Services also indicated that they attend court in Cardston approximately 12 times per month. In addition to the high level of offences by adult and youth offenders there is a high number of Family and Child Welfare files which average about 150 files per year that involve Blood Tribe families.5

These statistics indicated that there is a need to address the social issues in the community that result in conflicts with the law. The Blood Tribe recognizes a need for programs in the area of restorative justice and peacemaking on the Blood Reserve to enable the Blood Tribe to combat the high rate of offences and to deter the increasing

4 Statistics Source from Alberta Justice Court Services – Senior Manager Regional Court Operations.
5 Statistics Source from Alberta Justice Court Services – Senior Manager Regional Court Operations.
rates of recidivism. Restorative justice and peacemaking have been used successfully in other First Nations communities across the country and offer hope for the Blood Tribe community which has a strong cultural base and program resources that can be drawn from (Blood Tribe Tribal Government Needs Assessment, 2009, pg.2.).

**RCMP – Kainai Police Relationship**

Our historical relationship with the North West Mounted Police and later the Royal Canadian Mounted Police has not been a positive one. One of the main reasons why they were sent west was to control the Indian problem. There were numerous whiskey trading posts within Blackfoot Territory in the early years of their existence and they were sent to try and make life easy for the influx of white settlers. Years later there continued to be problems with the Blood Tribe and these non-native police forces.

**Rolph Inquiry**

The change from the reliance on a non-native police to our own fully trained and accredited tribal police force was a long social learning process. It was a bottom-up process that was initiated with drastic frustration created by a moral imbalance of public injustice. Certain recommendations that resulted from the Rolph Inquiry (1991) also known as the *Policing in Relation to the Blood Tribe: Report of Public Inquiry*, demonstrated the urgent need to conduct policing in a manner that would be consistent with the values, way of life and social learning process of the Blood people. Thirty-six such recommendations that directly relate the way in which social learning would need to take place are listed in the report. Not only would the Blood Tribe need to learn a new way of social learning, but all outside agencies that come in contact with Blood Tribe
members would need to adapt and take these new recommendations into perspective. The Commissioner believes that the following recommendations should not be viewed as attaching blame but instead should be seen as an attempt to find constructive solutions (Policing in Relation to the Blood Tribe: Report of a Public Inquiry. Commissioner’s Report. Executive Summary. Vol. 2, 1991, p.15).

The Rolph Inquiry or Policing in Relation to the Blood Reserve: Report of a Public Inquiry (1991) was a much needed tool to make something good from something bad. The Blood Reserve is surrounded by off-reserve communities and the City of Lethbridge. For many years the off-reserve police forces were treating the Blood Tribe residents with awful dismay, racism and prejudice. Crimes would be unreported; Indians would be beaten and killed. The current and historic docket of Cardston Provincial Court for example illustrates the phenomenon. The court there is 99% Blood Tribe members on docket days. Don’t other people other than Blood Tribe members commit crimes?

The problems stemmed from a series of unreported and uninvestigated deaths of Blood Tribe members. Commission Counsel reviewed a total of 105 Sudden Deaths (Policing in Relation to the Blood Tribe: Report of a Public Inquiry. Commissioner’s Report. Executive Summary. Vol. 2, 1991, pg. 3). Bodies were being found in the river valleys of nearby Lethbridge. This is also the location of the last great battle between the Bloods and the Crees. The contemporary un-investigated deaths were not ignored. Tribal leadership finally pleaded and an inquiry was established.

On April 20, 1988 Chief Roy Fox of the Blood Tribe forwarded a letter to the Premier of Alberta, The Honorable Don Getty. In this letter, Chief Fox indicated the Blood Tribe: “…is greatly concerned about the increasing incidents of deaths and murders of our members under peculiar and mysterious circumstances.” And the “…apparent unwillingness/ inability of the authorities to solve these tragedies.” Chief Fox stated there was an apparent double standard involved based on race and that the authorities appeared intent on maintaining a low profile level in such cases (Policing in Relation to the Blood
Another important element that exemplifies why the creation of the Blood Tribe Police Force is in my mind an exemplary organization stems from the perception that has been created by off-reserve police forces. Blood Tribe members no longer viewed the Royal Canadian Mounted Police as their “protector”, but rather as the “enforcer” of white man’s laws. Partly as a result of this, they have a reticence to express their fears and concerns openly to police. Social learning was used in my example because the Blood Tribe had to learn what was not working, in this case off-reserve police. The Blood Tribe has to learn how to develop a police force that would be consistent with the ways and customs of the tribe rather than by imposed policies from non-native authorities. The Blood Tribe has a strong desire to have a “community policing” system that is sensitive to its cultural traditions and to the needs of its community. The “response to complaint” style of policing is not acceptable to the Blood Tribe.

At times during the investigations, police officers showed cultural insensitivity and paternalism towards the Indians. The Commissioner believed that this was not a conscious bias on the part of the police officers, but rather a basic lack of cultural knowledge about the Indians.
Summary. Vol. 2. p.3). Again, on the opposite end of the coin, the off-reserve police and authorities would need to undergo some social learning. The off-reserve police were treating the Blood people with a basic lack of respect and were basically over charging our people resulting in continually high docket attendance within the provincial court system. The Blood Tribe felt a need to establish our own police force that would serve to be in a better relationship with our people than the relationship with the off-reserve police forces.

**Blood Tribe Tribal Government Mandate to construct Facility**

The Blood Tribe Tribal Government and External Affairs Department was given the task and mandate of establishing a justice facility on the Blood Reserve. On May 17, 2006 the Blood Tribe Chief and Council signed a Band Council Resolution that provided the mandate for the Tribal Government Department to construct a judicial facility.

**Blood Tribe Justice Initiative**

The Blood Tribe Justice Initiative is directly related but separate from the Kainai Government Agreement. The emphasis is on the establishment of the adjudication and enforcement provisions within the Kainai Government Agreement as well as the creation of the justice facility. The Blood Tribe is taking the opportunity to be able to control, implement and enforce its tribal laws which can be termed bylaws. The present Canadian legal system, on the basis of the laws currently in force, shows considerable flexibility for the creation of aboriginal controlled forms of justice (Leonardy, 1998, pg.266).

**Kainai Government Agreement**

Currently, the Blood Tribe is negotiating the Kainai Government Agreement with Canada. The Kainai Government Agreement is dealing in the areas of governance, child
youth and family matters, membership, elections and our financial management matters (Kainai Government Agreement, 2008).

One of the main concerns that the Blood Tribe has had over the years is that the government system that operates on the reserve is only operating with what other government’s term a legislature and an executive. In a democratic government system there are three components, an executive, a legislature and a judiciary (Blood Tribe, 2006). Currently the Blood Tribe is lacking in the area of a judiciary, thus the need to establish this component with the Blood Tribe Justice Initiative and Kainai Government Agreement. Even if the Kainai Government Agreement does not pass or be ratified we are still going ahead with the Blood Tribe Justice Initiative.

**Blood Tribe Adjudication Sub-table**


Our previous chairman of the adjudication sub-table was Mr. Eugene Creighton whom was prior tribal legal counsel from the firm of Walsh Wilkins Creighton. They have their head office on the top floor in Calgary, Alberta, and a sub-office located in
Standoff, Alberta also on the top floor at the Chief Shot on Both Sides Administration Building. Mr. Creighton was appointed to be an Alberta Provincial Judge in April 6, 2009. We were all invited to his induction ceremony at the Calgary Court Centre. They had for the first time a Blood Ceremony within the Calgary Court Centre during his induction. We had our Elders pray there that day. He continues to provide expert advice and assistance to the development of the Kainai Peacemaking Centre.

One of our earlier activities of the adjudication sub-table was that we had several workshops to get our team all one the same page. For instance, we held a workshop on May 27, 2009. We discussed Traditional Kainai Peacemaking which is referred to as *Aaawaahskataiks*. We also discussed our relationship with the courts, the Kainai Peacemaking Program and the KPC. We discussed how the court system and the peacemaking process would work together.

**Memorandum of Understanding between Alberta and the Blood Tribe**

The Blood Tribe has been working on the justice project for quite some time. The Blood Tribe has compiled a group of several stakeholders that have expertise within Alberta’s governmental system. One of our early initiatives was to establish an MOU with Alberta to set the standards for what we wanted to achieve. We sent Alberta a briefing note date April 11, 2007. The briefing note was titled *Briefing Note to Alberta Justice Respecting The Kainai Government Agreement Justice Initiative and The Provincial Court Project* (2007).

For over ten years, the Blood Tribe, the government of Alberta and the Government of Canada have been engaged in discussions aimed at working cooperatively to develop tribal legislation that would allow the Blood Tribe to exercise jurisdiction in a number of areas on the Blood Reserve. One of the key components of the Tribe’s exercise of that jurisdiction is the implementation of an enforcement and adjudication process. An important aspect of the proposed model is the establishment of a Provincial Court on the Blood Reserve. In light of the evolution of other components of the Blood Tribe’s governance initiative and the interdependence of its constituent parts, the timing is right to advance the Provincial Court element of this project. In order to succeed in that, we are
recommending that the Blood Tribe and Alberta enter into a Memorandum of Understanding to
guide the future discussions about the Provincial Court Project (Blood Tribe, 2007. pg.2).

The Blood Tribe eventually drafted an MOU and had it signed by Chief Charles
Weasel Head of the Blood Tribe on September 23, 2008. Alberta Justice signed it on
October 22, 2008 and Alberta Infrastructure signed it on November 12, 2008. The MOU
would be used as a tool to move the project forward.

**Fort Macleod Court Tour**

When I first started on the Kainai Peacemaking Centre project back in September
2006, one of the early ideas we had was to actually take a look at some of the courthouses
in close proximity to Standoff. We decided to tour the Fort Macleod Courthouse on
December 11, 2006. The size of the Fort Macleod Courthouse is 1,690 meters squared
(Alberta Justice, 2007). Fort Macleod is 32 kilometers north of Standoff, and has a high
number of Blood Tribe members attending court there as well. I decided to pack my
video tape recorder and film the entire tour of the facility. In attendance for the tour were
Clara Finan, the Senior Manager for Regional Court Operations, Mr. Eugene Creighton
who at the time was the Blood Tribe legal counsel with the firm Walsh Wilkins
Creighton, and myself. We all met at about 10am on an off day at the court in Fort
Macleod. We entered the building with Clara and all of a sudden the building alarm goes
off. It was a really loud alarm and it never stopped ringing for about 20 minutes. So there
were two Native men standing in the back door of a courthouse with the alarm blaring at
extreme decibel levels. It didn’t look good.

I videotaped the tour of Fort Macleod for future references when designing the
Blood Tribe Justice Centre. Note that this was before we came up with official name of
the building which is now called the Kainai Peacemaking Centre. Our goal was to
determine the details of what the Blood Tribe needed in terms of requirements. There is a complex amount of requirements that we began to understand that we needed for the establishment of a courthouse. Eugene stressed that the Blood Tribe is starting from the infrastructure stage and we will get things done right the first time. At the time we were thinking that the project would take about three years to complete.

Taking a look back at that first initial tour of the Fort Macloed Courthouse, a lot of work has been done since then. We toured Fort Macleod in December 2006. The date now is almost December 2010, so it has been about four years of just steady work on this planning. I would like to now talk about the Drumheller Court House tour.

**Drumheller Court Tour**

When we toured the Drumheller facility it served a couple of purposes. The community of Drumheller was said to be similar in size to the population of the Blood Indian Reserve around 10,500 people at the time. As well, the architect firm that designed Drumheller was on our radar as a potential firm to maybe help design our facility. The size of the Drumheller courthouse is approximately 2,391 meters squared on both floors (Alberta Justice, 2007).

Again on this trip, I packed my video camera and taped the whole tour. We had Alberta Justice accompany us on the tour. I remember I was a bit late and had to catch up to the group who were all viewing the holding cells. Again a big group of Indians all gathered in jail. During this tour, of importance was when I first met Mr. Randy Sloan. He would later become a very important and useful resource person for our entire project. We owe him a lot of thanks for all his help since this initial meeting.
In the summer of 2007, I had a summer student view the video tapes and transcribe the Fort Macleod tour. She did not quite get to the Drumheller tape when my video camera was stolen right from our offices at the Blood Tribe Administration building. I was lucky to get at least the Fort Macleod tour transcribed.

**Calgary Court Tour**

We toured the Calgary Court Centre which houses 73 court rooms and costs about three hundred million dollars to build on Saturday April 26, 2008. We had a number of our Elders accompany us including our Elder Advisory Committee which includes Andy Black Water, Pete Standing Alone, Frank Weasel Head, and Wilton Goodstriker. We also had a few of our Peacemaker Elders come along including Dale and Sylvia Low Horn. We had our Tribal Government Council Committee at the time including Les Healy, Oliver Shouting, Kirby Many Fingers, as well as our chairman at the time of our Tribal Justice Initiative Mr. Eugene Creighton. I remember vividly the amount of paraphernalia confiscated by the use of the metal detectors. There was a big pile of knives, switchblades, handmade weapons, pipes, canned beer, pints of whiskey, forty ounce Big Bears, knuckle busters and other weapons and drug paraphernalia. These were all collected within one month. Some people continue to pack things even when they go to court. We briefly took a look at the aboriginal court room, or what they also term the multipurpose room. This court room has a table set up in a circle configuration, uses aboriginal colors and has a vent and a stone area where smudging can take place. The Aboriginal Peoples of Canada First Nations have a deep respect for their Elders that is deeply rooted in their traditions and cultures (McCaslin, 2005, pg. 349).

**Aboriginal Court Room Tour – Calgary**
We set up another field trip on September 18, 2009 to take a look at the Calgary Court Centre where they house the Tsuu T’ina Nation Peacemaker Court. Our first trip there we sat in and analyzed how the court room functioned with its round court room table and circular set up. One of our friends Mr. Ellerly Starlight leads the Tsuu T’ina program. He has been very supportive with sharing information with our program.

The Tsuu T’ina Court is an on-reserve provincial court with an aboriginal judge, Crown prosecutor and court clerks. The Court deals with criminal matters (adults and youth), and with violations of federal and provincial statutes and First Nation by-laws. The associated Office of the Peacemaker operates a peacemaking program that employs culturally appropriate mediation and alternative dispute resolution techniques. The program engages offenders, victims, family and community members in resolving conflicts, addressing underlying causes of offending behavior, and promoting a more peaceful community (Aboriginal Justice Strategy).

We were able to also witness Eugene in action at the tour. The neat thing about the second visit was that our former Blood Tribe Justice Initiative Chairman Mr. Eugene Creighton was now Judge Creighton. Judge Creighton was now sitting in the peacemaker court. We attended and he called a recess. About 15 of us Bloods were called to go into the back rooms of Judge Creighton’s chambers where we sat and had a short discussion with him. He explained how things were working and some of the details of his job and new surroundings.

A Tsuu T’ina Peacemaker Advisory Council provides direction on matters that relate to the establishment, implementation, mandate and administration of the Peacemaker Program. The Advisory Council is comprised of representatives from the Tsuu T’ina First Nation, the presiding judge of the Tsuu T’ina Court, and federal and provincial justice agencies (Aboriginal Justice Strategy).

**Judge visit to Blood Sundance**

Right from the inception of the Blood Tribe Justice Initiative we have had several very instrumental and supportive judges back up our program. We are very grateful for
their support to our program. Judge Jim Langston has been very supportive as well as Chief Judge Vickery, Judge Wood, Judge Peterson, Judge Wilkins, and Judge Creighton.

We decided to invite Judge Peterson to our annual Blood Tribe Sundance in the summer of 2008. One of the crazy stories of this visit is when Mr. Kirby Many Fingers brought Judge Peterson for a walk around the inner circle gathering. Inside the circle encampment of tipis, is another circle where the people gather to watch the ceremonies. We were all sitting on one end of the encampment. I watched as Mr. Many Fingers brought our invited guest around the inner circle. All of a sudden Mr. Many Fingers disappeared. The judge and a few of the other councilors all stopped and were looking down when up jumps Mr. Many Fingers, who had tripped in one of the many gopher holes in the area.

Aboriginal Justice Strategy

Canada’s Aboriginal Justice Strategy was instrumental in providing much needed funding to initiate the Blood Tribe Justice Initiative and subsequent Kainai Peacemaking Program. I helped in early 2006 and 2007 by drafting proposals.

The Aboriginal Justice Strategy (AJS) enables Aboriginal communities to have increased involvement in the local administration of justice and, as such, provides timely and effective alternatives to mainstream justice processes in appropriate circumstances. AJS programs are also aimed at reducing the rates of victimization, crime and incarceration among Aboriginal people in communities operating AJS programs, and helping the mainstream justice system become more responsive and sensitive to the needs and culture of Aboriginal communities (Aboriginal Justice Strategy).

Representatives from the Aboriginal Justice Strategy sit on the Blood Tribe’s adjudication sub-table. They usually attend meetings via conference call. One of the problems that we did have was that there was a high turnover rate with the AJS Directors. I believe we had to re-orientate about 5 directors since the time we started receiving funding from them. The AJS is responsible for funding a high percentage of the Kainai
Peacemaking Program. At an adjudication sub-table meeting we held on December 18, 2009 our chairman Kirby Many Fingers spoke about the revolving door within the Aboriginal Justice Strategy and that we had to keep updating the new employees there.

Kainai Peacemaking Centre Overview

In May of 2007, I felt that it was necessary to hire a local architect to draft us up an image of what the Kainai Peacemaking Centre would look like at that point in time. We hired a local architect by the name of John McKinnon. John drafted us up the first draft of the Kainai Peacemaking Centre. We would use this draft image during our many discussions with various stakeholders. By no means was it how the final facility would look, but you have to start somewhere. We used the first design as an image to create discussion and dialogue among the stakeholders.

Kainai Peacemakers

The Kainai Peacemakers are all Elders from the Blood Tribe. They each have gained their own respect within the community. These Elders are the people that deal directly with the clients and offer them guidance and knowledge within the peacemaking process. The Kainai Peacemaking Program has a coordinator Billy Wadsworth and presently two support staff Sherry Tail Feathers and Debbie Melting Tallow. The mission statement is as follows: To continue to strive for quality of life and to provide for an orderly and acceptable way of conducting our lives within the Kainai community by providing opportunities for individual community members to resolve conflicts with the
law, wrongdoings and disputes arising from various aspects of community life (Kainai Peacemaking Program, 2010).

The Kainai Peacemaking Program has at its core a group of Elders known as the Elders Advisory Group. The Elder Advisory Group consists of four Elders which attend most adjudication sub-table meetings, architect meeting and act as general consultants for the peacemaker program. The four Elder advisors are Frank Weasel Head, Andy Black Water, Pete Standing Alone and Wilton Goodstriker. These Elders have provided much needed knowledge to all the stakeholders involved. As one of the Elders described that for too long has the criminal justice system been like a boogey man. What we don’t want to do with our Kainai Peacemaking Program is to create an Indian boogey man. Our people are terrified of the criminal justice system right from kids when they see cops they instantly hide.

The actual peacemakers are comprised of a group of ten Elders who include Jack Red Crow, Pat Eagle Plume, Joe Spotted Bull, Bruce Wolf Child, Dale Low Horn, Camille Russell, Silvia Low Horn, Mary First Rider, Sophie Tailfeathers, and Byrde Eagle Speaker. All the Elders are highly respected within the community and have substantial knowledge in traditional healing methods. Also they received training in restorative justice and mediation. The training was certified through the Alberta Arbitration and Mediation Society. The training took place at our Red Crow Community College and several college students also partook in the training. The training was accredited and the students were able to use this for credit towards their programs. The goals and objectives of the peacemaking program are:
1. To implement Kainai Traditional Peacemaking customs and values into alternative sentencing and other court sanctioned alternate and diversion measures. 2. To address disputes between and/or among community members utilizing traditional Peacemaking practices and protocols. 3. To reduce recidivism amongst criminal offenders by resolving systemic issues. 4. To provide healing and resolve for the individual as well as the community. 5. To reduce incarceration rates of Blood Tribe members. 6. To fulfill the goals set out in section 718.2 of the Criminal Code of Canada (Kainai Peacemaking Program, 2010).

The Kainai Peacemaking Program officially started to hear cases on February 1, 2010. People actually come to the program voluntarily and are not forced into the program. More people are starting to hear and learn of the program. It is important to note that the peacemaking program was established with full input from local Chief Crown Prosecutor Bob Coleman and local judges.

**Kiinotsisi – All Night Smoke 1**

One of the more special memories that I have with the whole process of being a part of this project is its direct ties to our traditional presence and traditional methods of conducting our way of life. I cannot speak directly to my experience during my first *Kiinotsisi*, but it was a good experience. I have always tried to accept and to participate in ceremonies whenever I may be asked. This special event was no exception. I made sure to attend and felt a feeling of accomplishment when it was over. I had no idea of what to do there, all I knew was that I would be working as one of the helpers. The ceremony lasted all night from seven in the evening to about eight the next morning. Never have I prayed so long.

This particular date was important for our organization, our Elders who are peacemakers and for our staff. It was great learning curve for myself and I respected the way things were done and the protocols that I am still learning. I had my Uncle Gary “Twister” Tail Feathers make me a pair of moccasins for this ceremony. I felt prepared as long as I had my moccasins. I haven’t owned a pair since I was about seven years old.
This brings me to another funny memory that I had when I was invited to a Kinatsiimiitaiks sweat lodge hosted by my napi Nolan Little Bear. Our Elder at the sweat kind of gave us shit because a few of us entered the sweat wearing our Nike Airs. He explained that when you attend ceremonies like sweat lodges it is very important to have your traditional attire on such as moccasins, and a blanket. The Elder explained a lot of the understanding and thoughts of this particular sweat. After the sweat we ate a good traditional meal of Kentucky Fried Chicken and Pepsi Cola.

My point is that as a member of Kainai, we still practice our traditional way of life but within a modern context. We do have Elders with vast amounts of traditional information. We do not want to exploit them and take credit for their knowledge within our modern western academic attempts at educating ourselves. Rather we are encouraged to pass this knowledge down within our ways of life, orally, within our stories. As you can read from this paper I am not going to be revealing information that Elders have told me. I will try to give a general understanding but will not be quoting my Elders word for word. That is the wrong way of doing things and it must be respected.

Terms of Reference for a Needs Assessment

In March of 2008 we felt that it was necessary to bring in an outside consultant to assist us with determining how big of a facility we would need, what exactly we needed and to provide some cost estimates. We then drafted a terms of reference for a consulting firm which we felt could perform the necessary work we sought. The Blood Tribe / Kainai will recruit a consulting firm to undertake the following project: To prepare a detailed feasibility study for the establishment of the Kainai Peacemaking Centre on the Blood Indian Reserve (Blood Tribe Tribal Government, 2009.). The detailed feasibility
study will be used as a source of reference in future discussions among the Blood Tribe, Alberta Infrastructure, Alberta Justice and an architect firm that will design the Kainai Peacemaking Centre (Ibid.).

**Matrix Planning Associates**

On May 7, 2008 we retained Matrix Planning Associates from Victoria, British Columbia, to conduct the feasibility study. Matrix completed the Facilities Program in December of 2008 titled *Facilities Program Kainai Peacemaking Centre* (2008).

**Architect Interviews**

I did a number of cold calls and eventually developed a list of seven architectural firms that may have an opportunity to design the KPC. One of the more tedious tasks that I was assigned during this process was drafting a request for proposals (RFP) to issue to our short list of architect firms that we had on our radar.

**Short List of Architects**

**Le Blond**

We had interest in the Le Blond firm because of the fact that they designed the Head Smashed Inn Interpretive Centre which is a world renowned heritage site. It is located about fifteen minutes west of Fort Macleod, Alberta. It is a very beautiful building and is built right into the landscape of the foothills of southern Alberta. Le Blond had also designed the Drumheller courthouse and their use of stone and cement was very intriguing.

**Kasian**
Kasian provided the best impression. They brought their full team down to Standoff, during the interview process. They had experience working with Kainai. They had also recently completed the design of the Calgary Court Centre.

**Zeidler**

We were interested in Zeidler because one of their principal architects was previously involved on our Kainai Health Centre Project. In addition they had a Native lady whom would be the main architect if they were awarded the job. They also had good experience in Native owned buildings.

**Architect Terms of Reference**

One of the hardest tasks of this project was drafting the architects terms of reference. I put considerable detail and research into the drafting of this document. I had our adjudication sub-table look it over. I also had a lawyer who specializes in these types of documents from Walsh Wilkins Creighton look over the terms of reference. This document would set the scope of work of exactly what we wanted from the architects. I spent about two and a half months drafting and revising the document.

**Architect Selection**

On July 8, 2009 we notified Kasian that they were selected as the successful firm to design the Kainai Peacemaking Centre. We conducted our formal meet and greet meeting on July 23, 2009 in Calgary at Kasian’s office. We utilized a standard architect contract listed with the Alberta Association of Architects.

**Architect Contract**
The signed contract with Kasian is dated August 10, 2009. We utilized the standard document entitled the Canadian Standard Form of Agreement Between Client and Architect Abbreviated Version (2005). We needed to add a few additional clauses that the standard form simply did not cover; these additional clauses would protect the cultural and intellectual properties of the Blood Tribe.

3.1.4 The Architect agrees that there are specific parts of the Architect’s services that will be generated as a result of information that is collected pertaining to the customs, religious practices, religious artifacts, traditions, language, art dating from pre-contact, sacred objects, tools, ornaments, designs/motifs on tipis and tipi liners, oral history, Elders testimonies and archaeological sites and finds of the Blood Tribe and that the Blood Tribe, as represented by the Client, has sole ownership of this cultural and intellectual property including all such information that is collected from the Client that is unique to Blood Tribe ways (Blood Tribe and Kasian Contract, 2009).

Site Location

We considered many options for the site location of the KPC within the area of Standoff. Each site we considered had pros and cons. We developed a site matrix to weight the opportunities, threats, strengths and weaknesses of each of the various site locations. In total, we first analyzed about eight different site locations but choose the site we refer to as the track next to the Old Saipoyi School. The legal land description of our site is NE 9-6-25 W4.

Blood Tribe’s contracted project manager Mr. Jerry Johnson who works for AECOM out of Lethbridge. AECOM is a professional civil engineering company. Jerry was previously employed with the Indian and Northern Affairs Canada and had many years of experience working for the Blood Tribe. Jerry explained the history of the site location and that at several meetings with the Blood Tribe Chief and Council that there were some major concerns with the site location. The concerns were that the site has very poor drainage, floods frequently and basically that the area acted as a storm water
retention basin where run off from the surrounding area collects. During this meeting Jerry identified that there was a plan of action in place and that the site with some major work could be used as the location for the Kainai Peacemaking Centre. The cost for this work would be about $1.2 million dollars.

Many corners have been cut in previous years with the development of infrastructure systems on Canada’s Indian Reserves. Just to save money many corners have been cut. Since around 1967 the infrastructure system in Standoff was built. Forty three years later in 2010 we are finally dealing with the many outdated major infrastructure problems within our community. The issues are not only safety issues related to proper fire protection with hydrants and proper flow of water but they are also health issues as we must be able to control our waste water and sewage.

Site Visit (when architects came down to look at site)

We invited our architects to come down to Standoff and take a look at the site. We scheduled the meeting to take place on July 31, 2009. We would take a look at the site in just before noon then we would drive up to the Belly Buttes to where our sacred grounds are and have them take in a meal and meeting inside one of our tipis.

Blood Tribe Sundance Architect Visit

Our Elders kept emphasizing to the architects the need for the main door to face east. To fully explain the concept and its tie to our cultural traditions we invited the architects to our annual encampment at the Blood Indian Sundance. On the afternoon of July 31, 2009 we set up a luncheon and meeting inside Wilton Goodstriker’s tipi at the Blood Sundance. We had made sure to let the architects know that there would be no cameras and cell phones allowed. We stressed this policy to the architects however one of
the architects’ wives was busy taking pictures. Frank Weasel Head had to tell her not to take pictures.

**Visioning Session**

One of the earliest activities that would set the architectural process in motion was the visioning session. The visioning session took place at Kasian’s office on August 21, 2008. In attendance were the Blood Tribe Committee, the Kasian team, and representatives from Alberta Infrastructure and Solicitor General.

**Geotechnical Soil Investigation 1**

Prior to any turning of earth at the site location we felt that it was necessary to have the site blessed with a ceremony conducted by one of our Elders. Elder Pete Standing Alone along with myself and a photographer Sioux Crop Eared Wolf with Blood Tribe Public Relations all met at the site location on September 4, 2009. Pete led the ceremony, blessed and smudged the land. Our geo-technical soil testing would be starting soon and we wanted to make sure we did things properly by conducting the ceremony. Pete also transferred me the right to bless sites prior to earth movement, of which I am grateful for. Wilton Goodstriker actually recommended that Pete transfer the right to me at a meeting we held the day before.

Global Engineering completed their soil report on October 6, 2009. Our structural engineer for the project Halcrow Yolles, along with Kasian reviewed the report and found some discrepancies with their understanding and fulfillment of the terms of reference for the required work. The engineer and architect firm were lacking confidence with Global’s recommendations on the foundation requirements.
Geotechnical Soil Investigation 2

Our team along with our architects met on November 4, 2009 and we decided to hire an additional geotechnical company to conduct a review and second opinion of the geotechnical data. EBA from Lethbridge, Alberta was hired to conduct the review of the geo-technical data. EBA utilized the initial information from Global and did not have to drill any more bore holes at the site location.

Site Location Survey

The site location survey was completed on November 16, 2009. The auto cad file was distributed to our architect firm. Martin Geomatics from Lethbridge, Alberta conducted the site survey. They also had previous experience working for the Blood Tribe.

Site 1 Problems

The site location known as Parcel Q, had been registered with Indian and Northern Affairs Canada (INAC) in their Indian Land Registry, as land set aside for educational purposes. The Band Council Resolutions (BCR) that initially set this land aside was dated August 10, 1971. We needed to have the land changed within INAC’s land registry to set the particular parcel of land for the purpose of constructing the Kainai Peacemaking Centre and Multi-Purpose Centre.

Need for a Civil Engineer

A civil engineer was required to provide much needed input related to the infrastructure and general site requirements as well as to provide long term planning for the project. The Blood Tribe already had an engineer company that has been working with the tribe for many years. UMA / AECOM from Lethbridge, Alberta, had already
done a substantial amount of work for the Blood Tribe and they were recommended to conduct the civil engineering work for the Kainai Peacemaking Centre.

**Lagoon Update**

Early in 2005 it was identified that the Standoff Infrastructure system was running at full capacity. The sewer lagoons were full and could not accommodate the expansion of any more buildings within Standoff. The Blood Tribe Public Works Department led by Joe Healy has been aware of the problems with the waste water and sewer. The sewer lagoons would need to be expanded to accommodate the establishment of the KPC and other buildings that would soon be built. The Blood Tribe and the Public Works Department made an INAC capital submission in 2006/2007. The Blood Tribe was granted a sewer lagoon expansion in Standoff that would cost an estimated $1.2 million. We would also be using the cost of the lagoon update as another Blood Tribe in-kind contribution.

The Blood Tribe has commenced construction of the Standoff Sanitary lagoon Expansion in 2008 to provide needed capacity for the future development of the community of Standoff including the construction and operation of the Kainai Peacemaking Centre and the proposed multiplex. The sanitary sewage collection system within the town site has yet to be upgraded (Johnson, 2010, pg. 2.).

**Standoff Infrastructure Problems and Solutions**

Our major obstacle would be the increased costs associated with updating the storm water and general water upgrades at the current site location. We already completed some of the necessary work including a site survey and geotechnical testing. From the scope of work provided by AECOM dated July 28, 2010 there were a number of issues identified and solutions to remedy these problems.
During significant rainfall events, the site frequently floods and the site is a natural low area which acts as a natural, temporary storm water retention site. Because the site acts as a natural low area and serves a storm water management function, the site will require significant engineered fill. While eliminating the site as a natural storm water pond, adjacent storm water management facilities must replace the existing natural, temporary ponding and natural drainage route (Johnson, 2010, pg 1.).

Early on, our engineer indicated that they would have to raise the footprint of the building. They would need to build up the site with material taken from another location. This would enable the water to drain away from where the building would be positioned.

The site data confirms that the majority of the center of the site is 0.30 meters below flat/level grade and the majority of the site is 0.5 to 1.5 meters below flat / level grade and the majority of the site is 0.5 to 1.5 meters below the surrounding roadway centre line grades. As stated, the site actually acts as a storm water detention pond during most rainfall events – detaining approximately 0.30 meters of storm water (Johnson 2010, pg 1.).

**LEED – Leadership in Environmental and Energy Efficiency Design, Silver Designation Alberta Requirement**

We had an initial LEED meeting on February 10, 2010 in Standoff at our Health Centre. It is important to note that the principal architect with Kasian used to work for another firm that actually designed our Health Centre. Our architects travelled down to give us a presentation on what exactly LEED was and how we may incorporate it into the KPC.

The cost of the LEED work would be $137,835. In addition there was a fee to apply to the Canada Green Building Council of $1,050 of which we paid and are now registered.

In addition to certification we understand the nature of this project will extend beyond minimums required by LEED®, paying particular attention to your cultural traditions and acknowledging the interconnection of various environmental issues. We propose to work with you and our consultants to address specific environmental concerns related to the Peacemaking Centre by incorporating defined sustainable initiatives into our design and specifications. This is a very meaningful project and we would be thrilled to provide our sustainable consulting services to assist in achieving a space that effectively serves the centre users while paying respect to the environment that surrounds it (Kasian Leed Proposal, 2010, pg. 1).
In order for a building to become LEED Silver certified it must meet a detailed checklist. There is a point system and it must achieve at least 33 points. There will be an upfront cost to achieve the status of LEED, but over time the savings will be noticed in energy savings.

**Design Process**

There were a number of design meetings since our first visioning session in 2008. One of the basic concepts that I had and am sure many others agreed to was that we needed to design the building to separate the two cultural components. One side of the facility would have to house the Native peacemaking part of the building. The other side would have to house the provincial court components including the holding cells. We could not mix the two, it simply would not work. This idea has many foundations. It deals with the continued separateness of our people. For instance on one side of the road you have the Blood Indian Reserve. On the other side of the road you have the non-native community of Cardston. Another example that has stuck with me was my experience attending Cardston High School. During school assemblies everyone gathers in the gymnasium. The visual problem that occurred at the time was that there was an entrance to the gym where bleachers were on one side of the corridor as well as the other side of the corridor. I don’t think it was coincidence that all the Indian kids sat on the one side while all the non-native kids sat on the other side. We kept separate. I feel that the same situation continues to happen today within Canada’s modern criminal justice system. It continues to fail and separate our people. Thus the need to design our own facility and to keep our respected flow of people within their respect confines within the facility.
Our overall goal of the feeling of the facility would be to bring peace. The Elders mentioned that you should feel peace when you walk in. Andy Black Water for example mentioned how the building would be a place of harmony and good feelings. Andy also wanted to have a lot of rock formations located in the front of the building in the common area and entrance leading up to the facility. Our Elders provided so much input and stories made everything we are doing seem relevant and pre-meditated.

Kasian provided us with three different design options for the KPC. At a meeting on September 3, 2009 our committee selected the first design option or option number one. We had discussions on the three options and the group felt that that the first option was the one that we could work with. The term “ceremonial room” which the architects kept referring to needed to be changed to “peacemaking room”. The peacemaking room would be the focal point of the building.

**Provincial Court Side Presentation Meeting**

Taking a look back at some of the research I conducted I remember reading one instance in Green (1998). He stated in Sandy Bay, Saskatchewan, the aboriginal court was held in a church basement on the reserve. Thinking about this notion and the already overcrowded condition in the Cardston Courthouse it became more apparent and persuasive that we needed a facility that would exemplify our programs. The Cardston Courthouse is 2,231 meters squared, but only half that space is utilized (Alberta Justice, 2007). The other half 1, 115 meters or so is used to accommodate other provincial programs.

I remember at one meeting Alberta mentioned that as a requirement for space they would allocate eighteen inches per each individual in terms of space. I busted out
laughing immediately. At every subsequent meeting I mentioned to the attendees what Alberta indicated that they only allow eighteen inches per individual. I put up my hands and show how big eighteen inches actually was. Then I reminded them of how big our Indians really are. We need more like thirty six inches of space for each individual. There are some big boys out on the Blood Reserve.

Another detailed specification we ran into was that we needed a court room capable of accommodating at least one hundred people in one sitting. At the Cardston Courthouse it was illustrated that the court room was way to small as well as the offices they use for interviewing. I recall that there are only two interview offices at the Cardston courthouse. Some offenders are being interviewed outside, in the bathroom, in the hallway, in the porch and other areas where privacy and confidentially are exposed. People have to wait to hear their name called in the lobby. There are people sticking their heads into the court room door simply because there is not enough room. The lobby itself has about twenty chairs around the outside wall. However there are at least one hundred people standing up waiting around in a circle. There was even a dog in the lobby waiting to attend court one day.

**Peacemaking Side Presentation Meeting**

In March 1994, the federal and provincial justice ministers reached a consensus on the problems that aboriginal peoples face in the Canadian criminal justice system. They agreed (a) that the Canadian criminal justice system had failed and is failing the aboriginal people; (b) that a new holistic approach to criminal justice, based on aboriginal values, practices, and traditions, is essential to aboriginal justice reform; and (c) that the aboriginal concept of justice as healing should be reflected in the general justice system (McCaslin, 2005, pg. 3).

The development and design of the building would ultimately reflect our Blood Tribe culture. We spent many hours developing what we thought we needed in terms of space with the Matrix consultants. Later the architects took a look at what Matrix
compiled and fine tuned the space and areas. We walked step by step through the floor plans and had our Elders consult us if the layout would work. We decided on exactly how many offices we would need on the Peacemaking side. We designed the Elders lounge, smoking areas outside the building as well as spent numerous hours fine tuning the actual peacemaking room and mediation rooms.

**Interior Design**

We have had a couple of meetings that dealt specifically with the internal design of the facility. On February 19, 2010, we met with our architects in Calgary and we went over some of our traditional colors. Our Elders spoke of our four main colors. Our architects described the concrete, which would compost the floor, as well as the large main bow which acts as the central wall structure of the building. We discussed how the concrete can be colored. We wanted to get away from too much grey concrete as that can look institutional more like a prison. We wanted the concrete to resemble more of the sand stone, in places where this is evident like Writing on Stone. Our Elders stress the idea that we wanted our people to walk into a Blackfoot environment when entering the building as well as viewing it from the outside.

There first go at the colors portrayed a color scheme that was very dark. We asked them to lighten up the color schemes to resemble our colors more naturally. We also discussed the peacemaking room which would be an actual tipi, placed within a glass dome structure. The outside of the building would have a glass tipi on the roof which would be illuminated at night. Over the course of several years I took a look at several tipi structures. Throughout First Nations territory there are many contemporary tipi
designed motifs contained both within the structure of a building as well as an exterior modification to the building.

On September 12, 2009 we brought our architects to view the newly designed Blackfoot Historical Park located within Siksika Nation Indian Reserve east of Calgary. The Siksika Nation one of brother Nations from the Blackfoot Confederacy utilized a steel pole structural support within the interior design of their facility. They also utilized a sheet rocked formed interior Elder space in their administrative area. Both tipi room construction methods were analyzed and discussed. For our facility we felt that it would be best to use a real actual tipi for the peacemaking room. For the exterior the glass tipi structure we thought would look pretty good from a distance entering Standoff.

Discussions on the tipi were very lengthy as we wanted the actual peacemaking room to resemble our Blackfoot tipis design. It was suggested that we send them some examples. On February 24, 2010 I was instructed to bring our tipi design binder up to the architects in Calgary. They would go through the book and take a look at exactly what we wanted. We wanted our colors, shapes and designs to be resembled within the architectural work of the Kainai Peacemaking Centre. We wanted the design of the KPC to present and image that reflects the Blood Tribes culture both on the inside of the building and on the outside. We felt that the use of many of our shapes, such as symmetrical patterns and clockwise circulation routes would be integral to the design of the facility. The color choices would also represent our culture and way of life. Our main traditional colors are ochre, blue, yellow and black.

March 16, 2010 we met in the afternoon with our architects at the Kainai Government Agreement Boardroom. We actually have two different office locations in
downtown Lethbridge. The first location the Kainai Government Boardroom is located on the fourth floor at Commerce Court. Our Blood Tribe Satellite Office is located across the street on the fourth floor of Chancery Court. So this creates a bit of confusion. We invited our architect for the meeting and they hauled all their luggage and samples up to the wrong fourth floor building. We finally met at about one in the afternoon and they had provided us with many samples of carpet, brick colors, concrete colors, and update visuals of the interior design colors and images. One of the funny things was an image of the main hallway of the KPC. There were these two beautiful blonde girls dressed in very short gym shorts. I immediately told our architect if he could change the pictures of the people used as models for the picture. For one thing, the building will have mostly all Native people attending. The other thing which our Elders stressed is that it is very disrespectful to be dressed that provocative especially in a cultural setting. Our women are expected to cover up especially when attending a peacemaking session.

There are four basic components that make up the KPC and we have had lengthy discussion on the interior design of each area. The Building Components are: Component A – Public Services, Component B – Peacemaking Component C – Provincial Court, and Component D – Court Security (Matrix Planning Associates, 2009, pg.16.).

*Kiinotsiisi – All Night Smoke 2*

On March 26, 2010 I was asked to attend a second *Kiinotsiisi*. Again most of our peacemakers and KPC staff attended. This time it was held at the Elders lodge in Standoff. Invited to the ceremony was Ellerly Starlight from the Tsuu T’ina Peacemaker Court. Also working at this ceremony was Judge Eugene Creighton. I thought I would be working as well, but the general manager of the Kainai Government Agreement showed
up and offered to work. Mr. Lance Tail Feathers who manages the KGA offered to work this night so it relieved a bit of stress of my shoulders. This would be Lance’s first time at this ceremony and he was given one of the harder jobs which made a lot of us laugh at certain times during the night. We all prayed very hard for the work we were doing and it felt good to go through the ceremony a second time.

**Lease Negotiations**

In order to pay for the building, the Blood Tribe would need to generate a lease with the Alberta Government to pay the mortgage of the building. Ultimately, Alberta would be renting the building from the Blood Tribe.

A major proponent of the project was the lease negotiation process. The discussion and timing of activities related to this aspect seemed to take very long. At the time of writing this paper we were just starting the preliminary lease negotiation process. I will provide a bit of the history of our lease negotiation process up to the time of writing this paper.

In September 2009 the Blood Tribe drafted a letter to the attention of Jacques Requier indicating that the Blood Tribe wished to now enter in lease negotiations with Alberta Infrastructure. We thought that this letter would start the leasing negotiations right away rather we had to wait for Alberta to develop and have their documents signed off.

On April 26, 2010 I was asked to send all the correspondence I had with Alberta Infrastructure back to Alberta Infrastructure to re-brief them as to what we had all done in terms of initiating the lease negotiations. They wanted to have all the information so that they could brief their Deputy Minister.
On May 18, 2010 I wrote an email to Randy Sloan at Alberta Justice mentioning to him that the project has kind of slowed down and fell behind schedule a bit. I asked him if there was anything we needed to do on our end to expedite the process. The Blood Tribe wanted the leasing process to move along. We felt that we had waited a very long time and that nothing was happening. Randy replied shortly indicating that he had sent a briefing note and that Alberta Infrastructure had been working on the project. We just needed to wait a little longer for things to move at their end.

Alberta needed to generate a couple of documents within their respectful governmental organizations. In order for the lease negotiation process to be initiated with Alberta, these documents would need to be signed off by their ministries. The first document that was needed is what they call a Request for Accommodation (RFA). The second document was the W5, essentially a who, what, where, when, why, document that is used to explain the project. Alberta indicated that as soon as these documents were signed off, the leasing negotiation process could begin. We finally received notification that the Deputy Minister for Alberta Infrastructure signed off on the W5 document on August 9, 2010.

During an adjudication sub-table meeting we asked a question of how much is Alberta currently leasing space of this type. A representative from Alberta Infrastructure indicated at that meeting that Alberta is currently paying in the $400 to $500 dollar range for meter squared. This number has been very helpful in the Blood Tribe setting up its side of negotiations. We need enough dollars per square meter to cover our mortgage as well as to cover the operating costs of the building. At the time of writing this paper we
are still in the negotiations phase with Alberta and I cannot speak directly because the information is still confidential.

**Financing the Project**

The Blood Tribe has calculated that we have already contributed about five million dollars towards the project. We are referring to this as an in-kind contribution. We have also put aside about $2.5 million dollars cash to be used as a down payment to mortgage the building. We plan to use a long term lease as security to cover our mortgage. A Tribal Justice System costs money, who is going to guarantee its funding (Cawsey, 1991, pg. 4-8).

As of November 9, 2010 we have a list of several financial institutions that we are considering to help us obtain financing for this project. We have on the list Scotia Bank, Bank of Montreal, Peace Hills Trust, TD Bank, and the First Nations Finance Authority. We are currently planning meetings with each of these banks and institutions in correlation with our negotiations with Alberta Infrastructure. Our idea is to create a bit of competition with the Banks.

**Project Budget**

The total project budget is $14,046,324.

**Recent Updates**

On October 22, 2010 we had an adjudication sub-table meeting in Lethbridge at the Kainai Government Agreement boardroom. It had been some time since we last met. Our last sub-table meeting was held on June 23, 2010 also in Lethbridge. There were a number of developments that took place over the summer holidays, and I was eager to present them. During the summer our main obstacle and set back was the upgrading of
the storm water and infrastructure problems at the site location. Because of this additional work, our total project cost had also increased to a little over $14 million dollars.

I will list a few important dates and some developments that happened over the summer and early fall months of 2010 and the progression of the project. On July 12, 2010, we met with Alberta Infrastructure in Edmonton, Alberta. Our intention of this meeting was to sit down and talk about the process of the leasing negotiations which we would soon be entering into. We were provided the name of Mr. Jim Hrynyk whom would be the main leasing contact person for the leasing aspect of this project. Also during this meeting, Alberta signed off on the Schematic Design Report dated January 28, 2010. The report is titled *The Blood Nation Kainai Peacemaking Centre Schematic Design Report (2010).*

July 27, 2010, I drafted a proposal and an accompanying letter to apply to the First Nations Development Fund. This is a fund comprised of the First Nations owned Casinos in Alberta. The Blood Tribe wanted to acquire some funding to cover the costs of the storm water and infrastructure upgrades at the site location. We submitted a joint proposal and letter signed by the directors of our Tribal Government Department, Recreation Department, and Public Works Department.

On July 29, 2010, we met with our architects, Kasian in Calgary at their downtown office boardroom. We were notified that as of March 15, 2010 the architectural professional fees would be increasing from $754,000 to $1,031,389 dollars. We were told that we would need a letter from the Blood Tribe indicating that we agree to these new increased fees. I was also asked to sit down with Mr. Rick Soop, the Director for the Kainai Community Corrections Centre, to work on a plan and to see what
we would all need for the Kainai Peacemaking Centre Lease Agreement. Kainai Community Corrections has a lease with Alberta and we wanted to use certain aspects of their lease as a basis point to draft our lease.

August 9, 2010, Mr. Randy Sloan from Alberta Justice sent me an email indicating that Julie Williams has confirmed that the Deputy Minister for Alberta Infrastructure had signed off on the Kainai Court Project W5 document. Mr. Jim Hrynyk the lease negotiator would also be in contact with the Blood Tribe. This was some very good news to hear. Over the summer holidays, most people take their annual leave and the offices are very quiet. Work sometime comes to a standstill as Chief and Council also break for the summer. The signing off of these two documents the Schematic Design Report and the W5 document were very important to get the project moving ahead.

September 10, 2010 I decided to give Mr. Jim Hrynyk a call and to ask him if we could set up a meeting date as he had previously called our Chairman, Councilor Kirby Many Fingers. Mr. Jim Hrynyk commented that Alberta Infrastructure needed to first know what kind of rent they would be paying. They needed to know how much a square foot we would be charging them for rent. Then they would be able to proceed on their end. He indicated that the project had been approved by the Minister, that there was a commitment, and that the dollars for their budget needed to be transferred. Alberta Infrastructure also wanted to know what type of operating costs there would be tied to the building. This was all good news to hear.

On September 29, 2010 I submitted a proposal to Indian and Northern Affairs Canada. They have an Energy Efficiency Grant for new buildings and infrastructure
among First Nations communities. I felt that our project would qualify because it is being designed to meet LEED Silver requirements.

On October 5, 2010 I met with Mr. Rick Soop at Kainai Community Corrections to look over the Kainai Corrections Lease Agreement. I pulled all the relative clauses out and created a draft lease agreement as a basis point. We would use the K.C.C. lease agreement as a template for the KPC lease agreement. We started to look at who would pay for what. What would Alberta pay for, and what would the Blood Tribe pay for?

Also during this day, I met Mr. Kirby Many Fingers outside in the parking lot of the Blood Tribe Administration Building, which is also referred to as the Chief Shot on Both Sides Building, which is basically the headquarters of the Blood Tribe. Kirby informed me that we were successful in obtaining the First Nations Development funding for the storm water and infrastructure upgrades. We were successful in obtaining $845,000 which would be available in fiscal year 2011. Currently we already had an additional $450,000 from the same lottery fund for fiscal year 2010.

**Civil Engineer Updates**

AECOM, our civil engineer, had indicated that the site work has to start this year in 2010, to allow for construction of the building to take place in 2011. We needed to start construction of the site prior to the freeze up of the ground in the winter. Then we would be able to let it sit tell spring. The total cost of the site development specific to the Kainai Peacemaking Centre was $1,245,000. We asked our civil engineer to provide us with a detailed amortization of site development costs. We needed to now on a month by month basis, what exactly we would be paying for. AECOM provided a monthly cash flow projection which would be billed directly to the Blood Tribe Tribal Government
Department. The site is being raised 2.1 meters to provide proper drainage (Johnson, 2010).

On October 8, 2010, I drafted a letter authorizing AECOM to proceed with the scope of work which was identified on July 28, 2010. We wanted to move the project forward. We had our chairman Mr. Kirby Many Fingers sign the letter and it was forwarded to our civil engineer. Also on October 8th we sent a letter to Kasian, our architect authorizing them to proceed and that we agreed to their updated increase in professional fees.

On Monday November 1, 2010, DeGraaf started the site location work. The company will be digging a storm water retention pond in a large cultivated field behind our police station and fire hall. They will be stripping off the top soil at the site location and building it up with compacted clay material from the storm pond. One of the funny things that happened, was that I drove by the site location the evening of the day when the company started to excavate and seen a local jogger still running around the track. The problem was that there was only half a track. The tractor had cleared half of one side of the track but the guy was still trying to run around it. This prompted me to bring up the need for the public to be notified of what was happening. To date very little public notification was issued. A few community meetings were held at the onset of the Kainai Peacemaking Program being established. But nothing in terms of the sudden excavation of the site location. I felt that it would be necessary to notify our band members that there is construction in that area and for their own safety to stay out of there.

One of the early problems experience with the hiring of a non-native contractor was that they were unable to contact our representatives from our employment and skills
training centre. The Blood Tribe Employment and Skills Training Centre, (B.T.E.S.T), should have been involved with the project. Due to the sudden need to start the work we were unable to hire some of our own personnel from the Blood Tribe to help with the site work preparation. The site excavation company did need some general laborers including flag people, twenty four hour security personnel to watch the heavy machinery and general labor helpers. In order for them to get the work done on time and on budget we opted for them to just go ahead and use their own employees for this phase. Our committee will need to be ready with our own people when the actual construction of the facility will start in the spring of 2011.

Due to the time of year and the need to complete works prior to December 1, 2010, we cannot wait any longer knowing the Blood Tribe requires the building footprint prepared for building construction commencement in the spring of 2011. Accordingly, in the best interests of you our client, we have approved the contractor, DeGraaf Excavating to proceed with works and the full complement of equipment and labor needed to complete works while temperatures are above freezing to allow for proper compaction of the engineered earthen fill (Jerry Johnson Email).

On November 4, 2010 we met with Kasian in Calgary. One of the items from the contract is that they are suppose to build us a model of the building. I asked for them to build the model, we had to double check the contract with them to see if that was actually in the contract. The model would be useful so we can display at our public open houses.

On November 5, 2010, I received a letter from Indian and Northern Affairs Canada. Taking a look at the small size of the envelope I already knew what it contained. I opened it up it was dated October 29, 2010 it read:

Thank you for your proposal sent to Indian and Northern Affairs Canada’s ecoENERGY for Aboriginal and Northern Communities Program. Unfortunately, we cannot provide funding for your project as presented in the proposal we received on September 30, 2010. The proposal indicates that the Kainai Peacemaking Centre will not be built this fiscal year, only in summer 2011, and the focus of the project does not appear to be on a specific system. Our program has received an overwhelming number of proposals for 2010-2011 and we must focus on the buildings that are being built this year. We are pleased to see that the Blood Tribe is interested in incorporating sustainable initiatives into the plan of the new Kainai Peacemaking Centre and we wish you success with your project (INAC Letter, 2010).
The time and energy put into writing that proposal was not worth reading the one page letter that they sent back. It does become frustrating trying to obtain any type of government contribution. In the end we will be actually saving the government money by reducing the incarceration rates of First Nations offenders as well as providing a greener footprint with our sustainable energy technologies. It is too bad that INAC would not support our proposal.

On November 8, 2010 we drafted a public notice to inform Blood Tribe members of the recent activities in the site location. The excavation is well under way and we wanted to inform our membership of what was happening. We planned to place the notice up at all bill boards throughout the reserve as well as print it in the local Blood Tribe News.

**Electrical Fortis**

Fortis Alberta will be providing the electrical hookups for the KPC. One of the earlier tasks that we had to do was contact Fortis and identify the current electrical infrastructure. As well we did not want to disturb any underground electrical lines when we conducted the geo-technical site investigation and later the site location infrastructure work. Another early requirement was that we needed to fill out a form called the New Connect Commercial Service Form. This form was simply to get our project in their system and enable them to have a file where they can later design and come out and install the necessary electrical hookups.

**Project Schedule and Time Line**

There have been some delays in our overall time line. We needed to adjust some of the milestones and are working vigorously to have the building constructed. We started
the site work on November 1, 2010 and they completed the first phase of the site work on November 12, 2010. We are optimistic to see construction of the facility to start by at least late spring of 2011, and to have the facility open by January 2012. Our first initial schedule anticipated the construction to start in spring of 2010. We are actually one year behind schedule.

Conclusion

The current Canadian criminal justice system is continuing to fail and stigmatize our people from the Blood Tribe. We have lived for many years under forced colonial governmental rules that have not benefitted our people. We have suffered through the horrific consequences of forced assimilation practices such as residential schools. Today our people continue to have dire social problems related to a high percentage of members with drug and alcohol abuse problems. Many of our youth have committed suicide and have been killed in alcohol related car accidents. We have a high rate of domestic violence as well as general violence towards each other. We have had several of our young people murder each other. As a result our families and children are suffering and our people become caught up within the criminal justice system. We continue to face racism and prejudice off our reserve and even within. We need to establish bylaws on the reserve to control our own problems. We have many community problems that off-reserve tax payers take for granted such as simple garbage collection, dog and animal regulations and dispute processes. On the reserve we do not have a mechanism where we can take control, implement and enforce our bylaws.

We are confident that the Kainai Peacemaking Centre will be the mechanism we need to help control our problems. We are missing something in our lives that we have
always had prior to European contact. We have always had a way to deal with our problems where two disputing parties can come together in a setting and resolve the problem, to make peace with each other. This traditional process has been brought back into our community and we are taking the process to a new level by creating the space we need to establish the process of *Iinaihtisiini* (peace-making process). We have used *Iinaihtisiini* with the white man at the time of treaty making. We have used it with our traditional enemies and we will continue to use it today with the Kainai Peacemaking Centre.

The process of establishing a capital project within a First Nations Community is a very tedious job. Multiple stakeholders are involved in the process. Governmental delays and changes to leadership further impede the progression. The Kainai Peacemaking Centre project has taken a life of its own. It has manifested from a concept and a vision to actuality. We are planning the construction phase as I write this paper. We are determined to have the facility built to full fill our mandate and to enhance the role that the Kainai Peacemaking Program will deliver to our community members. We as the Blood Tribe have taken the necessary steps to identify a problem and to take action to combat the problem. We are adamant that our program and facility will help those who are struggling with the Canadian Criminal Justice system. All we are doing is recreating traditional aspects of our traditional governing system and ways of dealing with problems and putting it into a contemporary context.
References


*Kainai Community Corrections.* Brochure.


*Kainaiyssini. Elders Declaration.* Blood Tribe


*Native Peoples an Justice: Reports on the National Conference and the Federal-Provincial Conference on Native Peoples and the Criminal Justice System, both held in Edmonton, Feb. 3-5, 1975.* Ottawa, Ont: Solicitor General Canada.

*Statistics Source from Alberta Justice Court Services – Senior Manager Regional Court Operations.*