

Monica Strauss, Testimony before the Native American Heritage Commission, March 28, 2011.

Hi, everybody, and thank you very much for having me. Just a little bit of background about myself--I'm an archaeologist. I've been practicing in the Los Angeles area for about 15 years. Over the past 8 years or so, I was the Project Director at the Fort Moore Cemetery just two blocks to the west of the La Plaza Cemetery and I'd like to share a little bit about my experiences there and what became of that project and how we managed to navigate that to a successful end.

I think the most important point is that immediately upon discovering human remains, of course, as happened at La Plaza, we contacted the Coroner and went through a series of discussions with the Coroner about the Coroner's observations and our observations.

I'm surprised to hear the testimony about the Coroner making, providing direction to the archaeological group and the project proponents about whether or not they are allowed to proceed, as long as they are following the EIR they can proceed. In my experience the Coroner doesn't necessarily provide direction like that.

The Coroner in the case of the Fort Moore Cemetery indicated immediately that they felt that we had Native American human remains. We stopped work of course and contacted the Native American Heritage Commission and an MLD was assigned. The MLD wanted to see what was going on on-site, came out, had a monitor on site while we excavated a couple of burials just to see and before long it became clear to us and to the MLD and the monitors that were present, that we really weren't dealing with a Native American cemetery. We were dealing with what turned out to be a 1860s-1890s cemetery, with very little evidence of Native Americans present.

For that project, we conducted extensive historical research. We found initially people turning us away saying, "There are no maps, there are no records, that cemetery was exhumed,

all of the remains were moved.” We found out that across the country, exhumed cemeteries notoriously left people behind. It’s common knowledge among the archaeological community and I’m outright flabbergasted that the archaeologists working on this project did not take that into consideration. That with the technology and the abilities of people in the 19th century to move graves that may or may not have had headstones, that there would be any assumption whatsoever that they managed to get everybody. It just doesn’t happen. They get left behind. It’s happened at several cemeteries in Los Angeles and it happens all over the country.

So in any event, through our historical research that took place over many years, we found pieces of maps in county basement archives. This was LAUSD, this was Board of Education former headquarters, in LAUSD storage warehouses, in boxes, we pieced together the geographic location of the cemetery, in bits and pieces. We visited other cemeteries around the City and County and asked them, “Can we look in your records? Were any of the remains moved here?” And through a process of elimination, we figured out as best we could, which remains were removed, where they went, and which remains were not accounted for, and do we have any of those remains that were not accounted for. And that was our process.

And speaking to the legal side of the whole thing, I hear a lot of people talking about, well the Coroner comes out and determines whether or not the remains are of forensic value. If they are not of forensic value, there’s another alternative, are they of Native American origin? Well if they are not of Native American origin, which in this case we know through the documentation that Desiree brought forward from the Huntington, there’s a third option. The third option is that you have human remains that the Coroner’s not interested in, that are not Native American, that are of non-Native American origin, and these remains have very specific treatment requirements in the Health and Safety Code.

So in my opinion, the county and its consultants at this point need to be following two tracks: they need to identify who they have: Do they have Native Americans? Do they have people of other origin? And the people of Native American origin, they need to follow the PRC and the Health and Safety Code, working with the MLD, with the Commission and so forth. And for people who they determine are not Native American, they need to follow the Health and Safety Code, identify the people, do genealogical research, and locate their next of kin. That is what they are required to do under state law. Whether they are of Native American origin or not, somebody other than the County has to be deciding what's going to happen with these remains.

Woman's Voice: Ms. Strauss, you're five minutes are up. Can you wrap it up?

MS: Yes, sure. And, at Fort Moore Cemetery it was a very long process of, very deep and engaged process, of historical research and archaeological research to try to identify people. We did identify people. We outreached to their families. We put out public word if anybody had any documentation in their private archive, in their private records, to bring it to us. This is what I feel we should be working towards with La Plaza Cemetery. Thank you.