

PRESS RELEASE

**March 1, 2007
Indigenous Action Movement**

WHY DID British Columbia SENTENCE ABORIGINAL ELDER TO DEATH?

Fellow Aboriginal activists and concerned non-indigenous citizens demand answers regarding the death of Harriet Nahanee as a direct result of her incarceration

On February 24, 2007 Aboriginal Elder Harriet Nahanee passed away, exactly one month after she was sent to jail on January 24, 2007. Madame Justice Brenda Brown sentenced Mrs. Nahanee, age 71, to fourteen days incarceration for contempt of court in disobeying the Eagleridge Bluffs injunction. While in jail under unacceptable conditions at Surrey Pre-Trial Centre, where she was held in a cell with tens of other inmates and subject to racist treatment, Harriet Nahanee contracted pneumonia. She was hospitalized within a week of her release from custody and passed away within a week.

Aboriginal activists and non-indigenous concerned citizens demand a **public inquiry into Harriet Nahanee's death as a direct result of her incarceration**. These are the questions we want answered:

- 1) Why was Aboriginal elder Harriet Nahanee sent to jail despite clear direction from the Supreme Court of Canada that imprisonment should be the last remedy for Aboriginal persons?
- 2) Why did Madame Justice Brown fail to take Mrs. Nahanee's frail health into consideration?
- 3) Why did Madame Justice Brown refuse to hear Mrs. Nahanee's Aboriginal sovereignty defence?
- 4) Why was Mrs. Nahanee incarcerated at Surrey Pre-Trial Centre, under such inappropriate conditions?

A public inquiry will have to determine why Madame Justice Brown refused to hear Mrs. Nahanee's Aboriginal sovereignty defence and incarcerated her, whereas all non-Aboriginal defenders of Eagleridge Bluffs charged with the same offence were given either fines or community service. Such an inquiry will also have to address Madame Justice Brown's refusal to exercise her discretionary powers in considering other sentencing options or ordering medical check up before incarcerating a great-grandmother. Madame Justice Brown was made aware of elder Harriet Nahanee's health condition, including her asthma and recent influenza before sentencing. Madame Justice Brown is also set to sentence fellow activist and elder Betty Krawczyk, 78, on Monday, March 5, 2007 for her involvement in the Eagleridge Bluffs protests. Crown Counsel is asking for 9-15 months of incarceration for Mrs. Krawczyk for her peaceful opposition to the expansion of the Sea to Sky Highway, paving the way to the 2010 Olympics.

The Crown and the courts also have to answer the underlying question: why are 2 respected elders and women over seventy years of age being prosecuted for protecting the environment and sent to jail for defending the land?

There can be no justification for the incarceration and resulting death of esteemed Aboriginal elder Harriet Nahanee, a strong voice for her people at a time when many are afraid to speak out in the light of criminalization of dissent.

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Harriet Nahanee was a part of many struggles, firstly for the recognition of Aboriginal land rights and protecting the environment and also fighting against discrimination, marginalization and institutionalization of Aboriginal people in the cities, especially Aboriginal women in Vancouver's Eastside. She was a vital member of so many movements and activist communities, a role model for many and will be deeply missed. The loss is aggravated by the fact that she passed away as a direct result of her incarceration, starting January 24, 2007, in Surrey Pre-Trial where she contracted pneumonia. A service was held at the Squamish Recreation Centre on February 28 with hundreds of people in attendance mourning the passing of their mother, grand-mother, great-grandmother, fellow activist, friend and role-model.