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- 1 Q Please state your name and address for the record.
- 2 A Audrey LaRose Martinez, Santa Clara Pueblo.
- 3 Q Do you live at Santa Clara Pueblo?
- 4 A Yes, I do.
- 5 Q When were you born?
- 6 A I was born on January 4th, 1946.
- 7 Q And have you lived at the Pueblo ever since then?
- 8 A Yes, except for the times that I was away in school.
- 9 Q How many brothers and sisters do you have at this time?
- 10 A I've got four brothers and three sisters.
- 11 Q Have they also been raised at the Santa Clara Pueblo?
- 12 A Yes.
- 13 Q Do all of you children, brothers and yourselves, and
- 14 yourself, do you all speak and understand Tiwa?
- 15 A Yes, we do.
- 16 Q Are you and your brothers and sisters eligible to
- 17 participate in the activities that go on in Santa Clara
- 18 Pueblo?
- 19 A If we choose to do so, it's our personal option. If we
- 20 want to do so, we can.
- 21 Q Does that extend to religious affairs and functions that
- 22 go on? Are you allowed to participate in those, if you
- 23 want to?
- 24 A Yes.
- 25 Q Are you and your brothers and sisters members of the

1 Pueblo?

2 A No, we are not.

3 Q Do you have any idea how many other children like yourself,
4 brothers and sisters, there are living at Santa Clara
5 Pueblo who are not members of the Pueblo because their
6 mother or aunt has married their father who was not a
7 member of the Pueblo?

8 A Yes.

9 Q How many children are there?

10 A There would be over a hundred children like myself.

11 Q Do you generally enjoy most of the privileges and activities
12 at the Santa Clara Pueblo?

13 A Yes, we do.

14 Q Are there any rights that members have that you do not
15 enjoy?

16 A Yes. We don't have the right to vote, to hold office,
17 the right to inherit any real property and the right to
18 have been named as a beneficiary at the time that the
19 housing projects came.

20 Q Where were these housing projects that you are speaking
21 of?

22 A I believe they were started in around 1968, I think.

23 MR. PRELO: If the Court please, I'm going to object
24 to this line of questioning on housing. That has been
25 specifically dropped from the suit. Any mention of it

has no relevancy and would be a complete surprise to me.

THE COURT: She may testify as to any of the matters which have been denied by reason of the lack of membership from the tribe.

Mr. Collins, if the objection is going to be responded to, Mr. Taradash should respond to it, under the circumstances.

MR. COLLINS: All right.

THE COURT: He is interrogating the witness.

Q (By Mr. Taradash) As to the housing which you said was granted about 1968 or '69, in what way were you denied any benefits under that housing program?

A I believe initially, when the housing projects came out, women that were married outside the tribe were not able to participate.

And then later, when it was decided that women that were married outside the program, could also participate, there was an additional form that these people and all the other people had to fill in at the time that they had to be named as a beneficiary, an enrolled member of the tribe.

Q So then the right that was being denied was really to your mother for her to participate because she couldn't name children as beneficiaries, is that what you mean?

A Yes.

1 Q If something were to happen to your mother, would your
2 brothers and sisters and your father have the right to
3 remain in Santa Clara and live there?

4 A We don't know for sure. We can't be very definite or
5 very sure in knowing that we could stay there if we wanted
6 to.

7 Q Is it possible that you could be ousted from the Pueblo?

8 A Yes.

9 MR. PRELO: If the Court please, I am sure that's
10 pure speculation.

11 THE WITNESS: Well, not speculation because I believe
12 that this concern first emerged way back in '64 when I
13 was at --

14 MR. PRELO: Excuse me. Your Honor, did the Court
15 rule on the objection?

16 THE COURT: Yes. Yes.

17 MR. PRELO: I move it be stricken from the record.

18 THE COURT: It will be disregarded, Mr. Prelo.

19 If there is anything of record, any previous practice,
20 anything of that kind, Mr. Taradash, she may respond to
21 it; otherwise, it is an educated guess or something
22 similar.

23 Q (By Mr. Taradash) Have you personally made any attempts
24 to have yourself enrolled as a member of the Santa Clara
25 Pueblo?

1 A I personally have not done anything to have myself enrolled,
2 but my parents, on my behalf, have made various attempts
3 to have me enrolled as a member of the Santa Clara Tribe.

4 Q Are you familiar with the Constitution of Santa Clara
5 Pueblo?

6 A Yes.

7 Q Are you familiar with the Tribal Court System of the
8 Santa Clara Pueblo?

9 A Yes.

10 Q In the Constitution of the Pueblo, does it specify which
11 body is the judicial body in the Tribal Court?

12 A The judicial body?

13 Q Yes. The Tribal Court, in other words, does it specify
14 in the Constitution what the Tribal Court is composed of?

15 MR. PRELO: If the Court please, the Constitution
16 speaks for itself if it is a part of the record. It is
17 a document that the Court can read as well as the witness.

18 THE COURT: Correct.

19 Q (By Mr. Taradash) Would you please tell us what the last
20 attempt was that was made on your behalf to have you
21 enrolled as a member of the Pueblo?

22 A The very last attempts that were made were through the
23 efforts of the attorney that we obtained.

24 Q And what --

25 A As soon as --

1 Q When was that?

2 A This was in '71, '72.

3 Q And were you enrolled as a result of those attempts?

4 A No.

5 Q So as of this date, you and your brothers and sisters are
6 still not enrolled in the Santa Clara Pueblo?

7 A That's true.

8 MR. TARADASH: We have no further questions at this
9 time, Your Honor.

10 CROSS EXAMINATION

11 BY MR. PRELO:

12 Q Miss Martinez, you have personally made no effort to be
13 enrolled, is that correct?

14 A Personally, no.

15 Q How old are you?

16 A I am twenty-seven years old.

17 Q I'm sorry?

18 A I am twenty-seven years old.

19 Q Twenty-seven. You have been an adult, certainly, since
20 this suit has been filed, is that correct?

21 A Yes. Could I make a -- you asked me if I had made any
22 personal attempt to have myself enrolled.

23 Q Yes.

24 A Okay. I, myself, along with my parents, soon after the
25 draft of the Complaint was to be filed, I, along with my