

LONG ISLAND

Shinnecocks Sue NY Police Claim arrests unlawful

By Andrew Smith
STAFF WRITER

In the past three years, Shinnecock native Rebecca Genia has seen what she believes is sacred tribal land sacrificed to development and has been arrested while protesting it.

Although the battle for the land, now the site of a 37-home subdivision under construction, was lost, she and other tribal members had some success in court. Criminal charges of disorderly conduct and resisting arrest have been rejected by judges and juries. Now, she and two others are seeking compensation for what they say were unlawful and needlessly aggressive arrests.

Genia, 46, and two other Shinnecock natives have filed a federal lawsuit against the State Police. They seek \$60 million for what they say were false arrests, brutality and discrimination.

"It was degrading," Genia said of her ordeal at the hands of the police. "This is what happens when Native Americans try to exercise their rights."

State Police spokesmen said they were unfamiliar with the lawsuit and could not comment on it.

The episode began Feb. 24, 2000,

when about a dozen Shinnecocks showed up at Saint Andrews Road and Montauk Highway in Shinnecock Hills to protest the start of construction of a luxury home development. Residents of the reservation said the 62-acre site was taken improperly from the tribe and that burial grounds and sacred wampum manufacturing sites were there.

With bulldozers rumbling in the background, State Police showed up at about 8 a.m.

Suddenly, Genia said, a trooper shoved her from behind, separating her from her 6-year-old grandson. She said the trooper grabbed her around the neck.

"This man is tossing me around in the middle of the road," she said. "He slammed me up against his car."

In the suit, filed Friday by civil rights attorney Frederick Brewington of Hempstead, Gordell Wright said he was similarly attacked. The third plaintiff, Herman Quinn, was not part of the protest. He had merely stopped in his van to see what was going on.

Even after he agreed to move when the police asked him to do so, the suit said he was arrested and treated roughly for no reason.

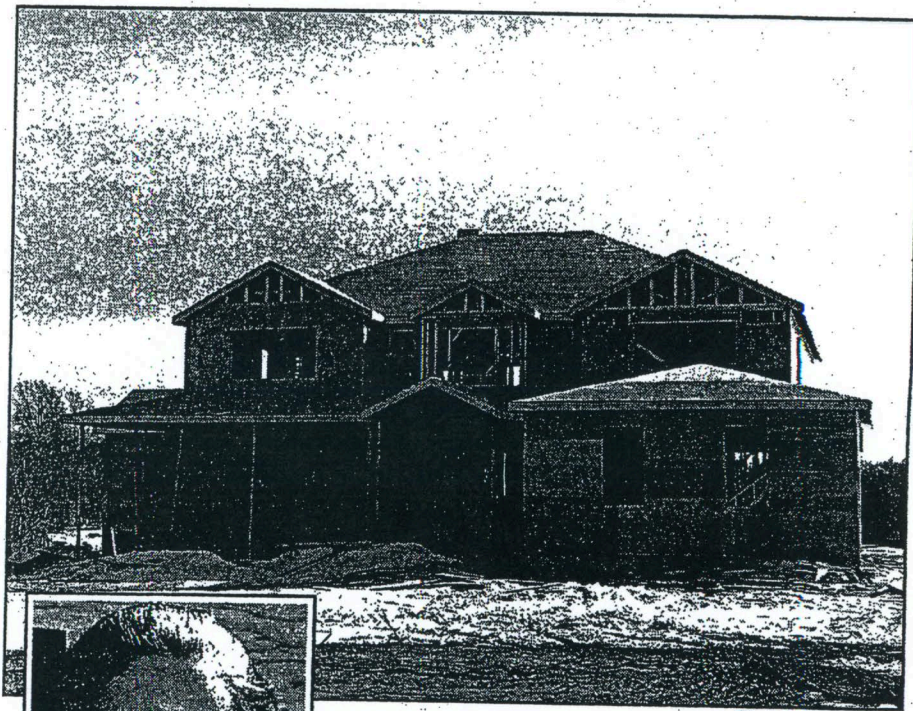
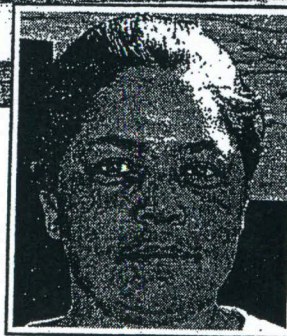


Photo by Doug Kuntz

Construction is under way in the 62-acre lot off Saint Andrews Road and Montauk Highway in Shinnecock Hills, land that some Shinnecocks say was improperly taken from them. In 2000, while conducting a protest for the land, several Shinnecock natives, including Rebecca Genia, left, were arrested.



"The State Police rushed them and beat them," Brewington said.

The suit says one reason for the attack by police is that "the state has . . . tolerated a pattern and practice of unjustified, unreasonable abuse of authority with regard to the treatment of Native Americans in and around the Shinnecock Tribal Reservation."

During the scuffle, Genia said troopers taunted the protesters.

"Where are your tribal leaders now?" troopers jeered, according to Genia.

Although Genia said she is hopeful of prevailing in court, she lamented the loss of the tribal land — the issue behind the protest in the first place.

"It's a disgrace," she said.