



BY NICOLE BOYD

**T**hree BYU Law alumni—Beth Parker, '06, Clifford Parkinson, '10, and Alisa Lee, '00—anxiously waited as more than 40 planes loaded with 11,000 pounds of desperately needed supplies took off from the Salt Lake City International Airport on the morning of Wednesday, June 3, 2020, headed to help the people of the Navajo Nation.

"It's the willingness of all of our partners and volunteers to help that made it possible to mobilize this expansive relief effort so quickly," says Parker.

Parker and Parkinson work at the same firm; they met Lee when all three were asked to be part of the Indian Child Welfare Act subcommittee of the Utah State Bar Indian Law Section. During a routine meeting, the group decided they needed to help Utah's tribal communities dealing with COVID-19. Hours later, Utah Tribal COVID-19 Relief (UTCRR) was born.

"It's a grassroots organization that began as a small idea, and now it has expanded into this unified effort with partners from Vernal to St. George," says

## What Leadership Looks Like

### *BYU Law Alumni Lead Navajo Nation COVID-19 Relief Efforts*

Parker. In less than two months, the group partnered with more than a dozen private and state entities to help Utah's eight federally recognized tribes, raising more than \$30,000 in addition to the donated supplies. The ongoing task of organizing collections, as well as making and executing distribution plans, has involved many volunteers.

"One of our first Zoom calls with all of our partners had about 30 people on; I was literally in tears to see the overwhelming response," Parker says. "People just jumped in and said, 'We'll do this,' and 'We'll do that,' taking time out of their professional and personal lives to make hard things happen. It's been overwhelming and humbling."

Parker's passion for addressing inequities in Native American federal policy is a family legacy started by her grandfather Douglas Parker, who was the first professor at

the J. Reuben Clark Law School to teach federal Indian law back in 1975. Parker says, "If you understand Native American history, helping tribal communities becomes a moral responsibility. How can you not help once you know?"

Parker's desire to help native peoples intensified the day she walked into Larry Echo Hawk's class as a 2L student. The former United States assistant secretary for Indian Affairs soon became a mentor and friend, even helping Parker get her first job specializing in Indian law. Years later BYU Law School called her to ask if she would temporarily teach the federal Indian law class her grandfather started, an opportunity that was pivotal in setting the trajectory of her career. She said yes.

"Something really poignant was inviting my grandfather in as a guest lecturer on one of the first days of my class," Parker

says. "It's something that we really bonded over, grandfather and granddaughter both teaching the same course."

#### Helping Where It Is Needed Most

At first glance, it is not obvious why this rolling desert landscape—covering 27,000 square miles that include parts of Arizona, New Mexico, and Utah—should be the scene of the highest per capita COVID-19 infection rates in the nation. It is only on closer inspection that doctors see the makings of a perfect virus-spreading storm.

"A lot of homes, in addition to not having electricity, don't have running water. How can you wash your hands to avoid spreading germs without water?" explains Parkinson.

While Parkinson's professional involvement with tribal law is relatively new, he says he has always felt sympathy for

the plight of Native Americans: "These are our neighbors, and there's no reason why they should be suffering this way."

The reservation has just over 170,000 residents, 60 percent of whom don't have electricity and 30 percent of whom lack access to clean running water. Health officials say that these challenges make it almost impossible to keep the virus in check.

"We hope to help them more easily practice the COVID-19 pandemic lifestyle that many have the privilege of being able to practice. It's a nuisance for us, but it's an impossibility for them," says Parkinson.

The first trailer load of supplies rolled out in late May to the Confederated Tribes of the Goshute Reservation in Ibapah, Utah. The next delivery hauled 7,000 pounds of goods to the Navajo Nation, including desperately needed water. But the air delivery was crucial to get supplies to remote areas of the reservation, including Navajo Mountain, where pilots had to land on a dirt runway, carefully avoiding livestock.

As the Indian Child Welfare program administrator for Utah's Department of Child and Family Services, Lee is familiar with life on tribal lands. She is a member of the Paiute Tribe, whose reservation, Fort Independence, is located in eastern California. Ancestors on her maternal side have been in that same valley for generations. A convert to The Church of Jesus Christ of Latter-day Saints at nine years old, Lee's mother instilled in her daughter a love of Native American history and culture and encouraged her to attend BYU Law, in part because Larry Echo Hawk taught there.

"How do you serve your community? That's what I

learned from [Larry Echo Hawk]," Lee says. "He asked us to use our skills, use our talents, and use our tools to not just get an education but to give back."

Lee is currently the vice chair of her Paiute Tribe at Fort Independence, where she travels once a month to oversee tribal business. She said her tribe is fortunate to be on solid footing compared to many of the Utah tribal communities. "[These communities] already had this structural racism in place, this lack of opportunities, these inequities, and then when you have a public health disaster, it just exacerbates and lays bare how the inequities affect this vulnerable population," says Lee.

The Navajo Department of Health keeps a daily running total of deaths and positive cases. By the beginning of June, there were 6,110 positive cases and 277 deaths. To try and get ahead of those numbers, tribal leaders issued one of the strictest lockdown laws in the nation, requiring residents to stay home from Friday until Monday morning.

"They knew their communities were vulnerable, they knew their communities were underserved, and they knew their healthcare facilities were underfunded, so they mobilized early to try and meet that challenge," explains Lee.

Now that the groundwork is laid to get help where it is needed most, the group said they plan to keep the organization going through the COVID-19 crisis and well into the future.

"The government is never going to be enough, whether it's tribal, federal, or state," Lee says. "It's never going to be enough to meet the underserved population's needs. It takes our communities to mobilize."

## Seeking Permanent Solutions

Another BYU Law alum, Oliver Whaley, '17, has been directly involved in that mobilization. Whaley is the executive director of the Navajo Nation Environmental Protection Agency (NNEPA) and part of Navajo Nation president Jonathan Nez's executive cabinet. He assists in planning and executing public health orders relating to COVID-19. "It's a unique challenge given the limited amount of resources that we have, the broad land base, and the resource exploitation that's taken place here on Navajo land," Whaley says.

Established in 1972, the NNEPA has responsibilities that include protecting human health, welfare, and the environment. They have recently teamed up with Northern Arizona University to test wastewater, looking for the virus. Whaley's hometown of Kayenta, Arizona, was the first hotspot for positive COVID-19 cases. He says, "We found traces of the virus in the wastewater. Luckily it was in the influent, coming in, not the effluent. So at least we know our treatment centers are working."

Now the agency is working on creating more water access points, drilling new wells and checking existing wells for contamination. "We are also teaching people how to maintain and sanitize their tanks and haul water safely so they don't take it home and contaminate themselves," Whaley says.

Whaley was born on the Navajo Nation reservation. He left to pursue his undergraduate degree at BYU and his master's degree at Southern Utah University. While at SUU, he felt guided to seek a profession in law.

"I felt inspired that this was a step I should take," says Whaley. "I said a prayer before I took the LSAT and said, 'Lord, I feel like I'm supposed to do this. I'm going to do the best I can, and you're going to have to fill in the gaps.'"

After graduating from BYU Law and spending some time in private practice, Whaley found himself drawn back to the cause of his people. "For me and for a lot of young native people, we're always told to get educated and come back to help your people," he says. "I remember driving into Window Rock, [Arizona,] at night. I just had this feeling it was time to come back." Whaley passed the Navajo Nation Bar Association bar exam, and for the past two and a half years he has used his skills and his degree to help his people. He hopes to use funding from the CARES Act to create more permanent solutions for the Navajo Nation's water crisis, like building pipelines.

Whaley acknowledges that some days it is harder than others to keep a positive attitude. Whaley's middle name, Baahozho, means "someone who possesses inner happiness." "I was told I was a happy baby, but my name is also a reminder to myself to always be happy," he says. "Every Monday morning you've got to put your shield on, get your sword, put your helmet on, and go in to work. But the whole intent of going to law school and coming back was to fight those battles. It's a privilege and a blessing."

*To learn more about the history of the Navajo Nation, visit their official website at [navajo-nsn.gov](http://navajo-nsn.gov). For more information about how to support UTCR's efforts, visit [indianlaw.utahbar.org/covid-19-tribal-relief-fund.html](http://indianlaw.utahbar.org/covid-19-tribal-relief-fund.html).*