

August 6, 1999

FOR THE COURT
IN THE MATTER OF SENTENCING
JAMES KANE III
FOR THE KILLING OF MY SON
LAH-HUH-BATE-SOOT dob 7/31/72 - 8/6-7/97

On July 31st, 1972 a; long, slim, slanty eyed, golden baby boy came from my body into this world. My kiyah (Indian grandmother) named him Lah-huh-bate-soot after her own father. At the same time she named his not yet born brother Yell-xla-bate-soot and his not yet born sister Ah-bead-soot.

It is my immense pleasure to be their mom.

A newborn Lah-huh-bate-soot was laid across my thighs. He put his long, slim arm around one of my legs and tucked his long, slim, angular little feet around my other leg and looked me square in the eyes. We bonded instantly and my heart was his forever.

He was unique. Curly haired and quick. Gregareous, curious, and adorable. Inventive, imaginative, and loving. Wise beyond his years, he was engaging to people of all ages.

He had a marvelous sense of humor and a wonderful kind heart. He sang and danced wherever he was. He had perfect recall and knew all kinds of Indian songs. He promoted peace among his classmates and friends and stood as advocate for the underdog.

I raised him in an Indian world. He attended our Puyallup Tribal school and grew up within our native community where he was beloved by the littlest baby to the most crippled elder. He was a special hero to our young people.

The gangs were killing each other and 9 of our young boys/men had been fatally shot in the cross fire. Lah-huh-bate-soot intervned and pulled our Indian youth out of the gangs. He told them the gangs had nothing to do with us, because we're warriors and we just have to have Indian Pride and take care of each other.

He walked with his head up, his beautiful hair neatly braided, and always a big old smile on his beautiful face.

No matter where he went Indian people flocked to him.

This attracted the attention of our local, racist, oppressive city police department who viewed his outspoken leadership as a threat. Especially when he confronted them for their harassment of minority youth and insisted on de-escalating confrontations between rival gangs, instead of letting them shoot it out.

Eventually the police harrassment came right into our family home and became a threat and danger to ourselves and Lah-huh-bate-soots' little daughter Eden and son Evan. That's when he left us.

It was Lah-huh-bate-soots' decision. We all believed we could tough it out. In fact a new police chief met with us in May and June of 97, acknowledged the problem, and promised to make things better. Not just for Indians, but all ethnic minorities here in Tacoma.

I know this is all hard to understand for people who live in a world where brown is an acceptable color to be. Here in Tacoma we were reliving John Wayne Theatre with the police, right in the middle of a black on black gang war. A National report found Tacoma to be the third most violent community on the West Coast, right behind Long Beach and Compton. To Lah-huh-bate-soot, there was nobody to depend on but Indians, and he assumed that leadership role with great courage. If he could be considered a gang member, it was a mutual protection gang for survival not profit or glory.

We all knew why he was gone and that he had to be gone and felt that he was safer in Hawaii than here in Tacoma on his beloved Puyallup Reservation. Just because we knew why.....didn't make it easier. He was a home boy. He cooked for us. He carried his daughter high on his shoulders at the pow-wows and praised her Indian dancing. He cheered for Ah-bead-soot when she contested and won the Indian Princess contests. He protected and loved his little brother Yell-xla-bate-soot. His nephews, nieces, and extended family of brothers and sisters, and all of his close and distant cousins treasured every minute with him. He called everybody, every chance he got. He stayed close.

Yell-xla-bate-soot was crossing Portland Avenue the evening of March 28th, 1997. He was on his way, with two other boys, from his brother Eric's house to a little corner store to get soda pops. He was shot in the stomach in a drive by. The police said it was probably because he was a long haired Indian. The other boys had short hair. Yell-xla-bate-soot nearly died. He was taken by helicopter to Harborview in Seattle. Ah-bead-soot was the first to arrive. She stood with him in intensive care when his life dangled on a thread. We all waited all night while they operated. The ten days he was in the hospital the staff worried because he was so home sick they didn't know if he'd live. Lah-huh-bate-soot called him several times a day and talked him through it. No matter how far away Luck was, he was always with us.

He loved the holidays. Eden still rides the bike he bought her and carries the little back packs he got. She was so sad when she outgrew the little dresses he picked out for her. They were like a hug.

He always remembered to tell us, "I love you", or, "I have much love for you" for his brothers.

He didn't have time to tell his children I love you enough to last their lifetimes. Eden is 9 now and it's so important for little girls and women to know every day that their father loves them. Evan was told they were going to take some things to his daddy. When they got to the grave, he just started weeping. Evan was only 2, he forgot his daddy was in the ground. Evan really thought he was going to see his daddy again. Baby Clyde was born 5 months after Lah-huh-bate-soot was murdered. We can only tell him about his daddy. We tell him he is a beautiful boy and we love him, but nobody will ever be Lah-huh-bate-soot, and Lah-huh-bate-soot would have lite up the room with his big old smile. He would have carried him all over the pow-wow showing him off and dancing with him.

When we go to the pow-wows, all Lah-huh-bate-soots friends and relatives try to fill in. We just miss him.....

Its been two years.

I cry every day.....our family is having a hard time....we all cry.

I had taken children to DisneyLand. At midnight on the 8th of August, 1997 we were in a van coming back to our hotel. The 9th was Ah-bead-soots' 18th birthday, so the dozen of us all sang happy birthday to her as we parked. We had 4 rooms at the motel and we all went to our rooms. There were calls coming into all 4 rooms from friends and family at home. They had all learned that the police in Honolulu had identified Lah-huh-bate-soot as a murder victim.

Nobody could believe it.....

No way! But....as they described him....we knew it was true.

The police said they knew someone would care about him....because he cared about himself. He was clean...his skin, clothes, and hair were clean. The tatoos were his....the I.D. was his....he was ours and he was dead.

I had promised the little girls, including Eden, Lah-huh-bate-soots' 6 year old daughter, that we were going to spend the day in Toon Town. I did not want to honor Lah-huh-bate-soot by breaking my word to his daughter. The next day I sat on the curb in Toon Town, with tears pouring down my face, supervising three little girls. Eden, in shock, trying to have a good day...before so many bad days.

My husband Clyde and I staggered crying through a store birthday shopping for Ah-bead-soot. Trying to salvage a sense of continuity. Trying to not forget to celebrate the living because we were grieving the dead. Trying to be healthy and to keep going as parents.

Ah-bead-soot opened her presents and said, "it's my birthday and I'll cry if I want to". Boy!, did we understand.

Our Indian clan is Spirit Hawk with feet back. We don't have a word for flying, so feet back means the Hawk is flying. On the way back to Tacoma Washington from California, Eden was looking out the window up to the sky.

She saw a little family of hawks circling. One of the hawks was rocking from side to side and making little dives. Eden said, "look, my daddy is dancing in the sky with the hawks".

We stopped at a Indian Casino at Cow Creek. There was a gift shop that we went into. I asked if they had Moccasins and they pulled out a little apple basket of Indian tanned, beaded Moccasins. In the basket was a pair that were identical to his favorite Moccasins that he wore when he was a little boy. His daughter Eden danced in them when they fit her. Evan dances in them now. They have a jade beaded background with yellow, white, and red geometric designs. When Lah-huh-bate-soot was a little boy, he picked them out himself. When I picked them up, I knew they were his burial Moccasins.....and I knew he was really dead.

Fred Morley is our funeral director. He has respect and empathy and knows our family well. He has taken care of the grandmas and grandpas and works well with our cultural requirements. Fred was the first of dozens of helpers for our family. He began working with the Hawaii Medical Examiner and a Honolulu Funeral Home to bring our boy home.

State of Hawaii Crime Victim Compensation Commission paid \$4,160.30 of the funeral expenses, including shipping Luck home and part of the monument. The Puyallup Tribe helped with the other costs, including obituaries in Tacoma and Hawaii, and the dinner/giveaway. The Tribes donation was \$2,947.85. Our families personal costs, including the one year memorial and seeking legal closure by attending both the trial and sentencing is way over \$13,000.. Lost wages, medical costs, and life disruptions for Ronica (Lucks' sister) and Leslee (Eden and Evans' mom) cannot even be estimated. It's devastating and ongoing.

When they released Lah-huh-bate-soots' body, we brought him home. Larry Lockwood sang mens songs and warrior songs while Lah-huh-bate-soots' friends dressed him in a red ribbon shirt, slacks, and his new beaded moccasins. Alaina, his girlfriend, was pregnant with baby Clyde. She went shopping and got him his new favorite underwear and socks. He was wrapped in a pendleton blanket, placed in a wooden casket that was lined with another pendleton blanket. The casket has our tribal logo, a Indian design carved salmon, with Puyallup Tribe carved under it. He was given his cedar and feathers.

We brought him home for 3 days before his funeral on August 17th. We did that because he wanted to come home. We needed him home.

He was placed, with love, in our living room. For three days and nights his friends and relatives sang him songs, talked with him, and prayed. Our home and yard were full of a steady stream of visitors.

People brought him so many gifts I joked that we would need a cargo casket for all his stuff. (Our travelers that go by canoe take along a cargo canoe for provisions.) He was given; flowers, feathers, drum sticks, native american church rattles, pagers, necklaces, medicine bags, a phone, more blankets, a rifle, trade beads, scarves, and so much love and so many prayers and songs.

Lah-huh-bate-soots' skin was all blotchy and pale because he was dead. A makeup guy had to put skin tone on him so he'd look "natural". Bob, the makeup guy, came several times a day to redo Lah-huh-bate-soots' makeup because people kept stroking his face and kissing him and the makeup would smear. Bob didn't even care...he could see we loved Lah-huh-bate-soot so much, we couldn't help it.

I had a medicine woman place my mothers' ashes in a pendleton blanket so her bones could be buried in his arms. They could look out for each other....in life, they were very close. My mom died on Lah-huh-bate-soots' 18th birthday. He was inconsolable....just lost. They were buddies. They both used to whistle and they'd whistle harmony to the old old songs. They'd be in different parts of the house just whistling away.

Our whole family cried uncontrollably when he had to leave our house to be taken to the tribal center. They begged me to let him stay one more night. I told them, "that's how people go crazy and keep bodies in their houses. He has to leave now....his journey is beginning".

At Lah-huh-bate-soots' funeral 500+ people came for a 5 1/2 hour funeral. So many songs. So many people stood to talk about important things he had done to make their lives better. All Lah-huh-bate-soot stories. Jokes he played, stories he told, kindnesses he did.

His peers, from early childhood on, talked about how he wouldn't let anyone be mean to; the fat ones, the light ones, the dark ones, the poor ones, the dumb ones, the skinny ones. He would say, "If you bees mean, I won't be your friend, and if I'm not your friend, you won't have any friends". He went to school every single day and had the only harmonious class in the school. They all love him for giving them a peaceful, protected, childhood. They all understood why he freaked out when Indians started getting shot and killed in Tacoma.

At the end, when the casket was closed, there was wailing and sobbing and just silent painful tears.

I called for girls and women to carry him, but only if they loved him. Twenty young women came forward and carried him to the pickup truck that took him, and my mom, to their grave.

They're buried in a new part of the Puyallup Tribal cemetery, a big field where he used to play with the other pre-school kids.

At the one year memorial friends and family came out for the setting of the tomb stone. It's a friendly granite bench, so visitors can sit.

Flowers, rings, necklaces, a baseball bat, jackets, caps, toys, cards, pictures, tapes, dew rags, prayer candles all around, cigarettes, lighters, and more flowers are left there by his visitors. Sage, cedar, tobacco, and sweet grass are gifted them in an abalone shell that lays there. It's been two years and there are still daily visitors. Even when it's raining someone will be brought in by one of our kids. I say, "where did you find him/her?". "Up at the grave".

His third grade teacher came down from Makah just to leave flowers. (4 hour drive each way) She told me that many of her students are dead already, but Lah-huh-bate-soots death hit her hard. She said it was impossible to believe because.....when he was alive....he was so alive.....

I think she said it best. He felt everything deeply and showed his feelings.

I cry every day.....

He always said I love you. He always put his arm around me.

He had his mocking side. He had a temper. He was controversial.

But he had an enormous amount to charisma and joy.

He had the most beautiful smile and now he's in the ground with his beautiful teeth smashed. He used to say I love you and now his lips are sewed shut to conceal the damage the bullet did to his mouth.

While Larry sang her through....Ah-bead-soot...choked with tears.....cleaned the blood out of her brothers' beautiful long hair.....chunks of his flesh still tangled there.....she braided his hair one last time and sang for him.....

We scheduled ourselves over and over to come to the trial. Continuance after continuance.....so stressful.....no resolution.....no closure.....

Leslee, the mother of Lah-huh-bate-soots' little son and daughter, had worked at the same job at Puyallup Tribe for 9 years. Her deep depression resulted in her losing her job. Ronica, Lah-huh-bate-soots' big sister, had to seek professional help for depression, anger, and grief. She lost a job at Boeing that she had held for over a decade.

His close friend and sister Ee-nuck-amee and his nephew little Larry miss his cooking and his caring relationship with them. Little Larry is a special needs child. Ee-nuck-a-mee could not come to the trial, but she wants you to know that Lah-huh-bate-soot was good and kind and loving to her son. He only has a few magic people in his life. Lah-huh-bate-soot was very important to both of them. They miss him. Ee-nuck-a-mee cries every day.

Michelle LaMere, Lucks' foster sister and sister forever grieved his death until the end of her own life this spring. HIV/Aids claimed her and she joined him. She could only just keep saying, "how could anyone do that to him?". We have no answer.

Arron, Lucks' cousin and forever since toddler days sidekick, walked around like a zombie. They were going to be old men together, still laughing about all the crazy stuff they did as kids.

Charles Carson was a very bad little boy that Luck brought home. He asked me to be Charles's mom, because he needed a good mom. Charles was adopted that way. He sees Luck as kind of a dad, although they were close in age. Luck was like that. He always wanted to help everybody. Charles stayed with us through High School and just graduated with a B.A. from Evergreen State College.

David Myhre was "adopted" by Yell-xla-bate-soot and became a member of our household. Lah-huh-bate-soot became his big brother that way. Luck was the protector and friend. David was as close to him as he is to his own three brothers.

Eric, Lah-huh-bate-soot's big brother, Yell-xla-bate-soot, and Ronica were all in casino dealing class at the time of the murder. Two years have passed, and they are all still trying to recover. They will recover, but it's going to take a long, long time.

I want the brothers to attend sentencing. The sisters attended the trial. It's part of healing...it's part of recovery. My boys are having a hard time. If they go there....it makes it real.....

He'll never call again.....he won't come home again.....

The corner of avoidance and denial is very crowded in our neighborhood.

Everybody feels so guilty. If he hadn't done this....if he hadn't done that.....I could have said this....I could have sent him that. If..if..if..... Not a day goes by that someone doesn't come up with still another thought on how Lah-huh-bate-soot could be saved.

Lah-huh-bate-soot can't be saved. He has stepped across the line between the worlds. He sings with his ancestors, walks with the warriors, trades stories with the wise ones, and visits with the ones not yet born. Hopefully teaching them all good things.

He still loves us and he looks out for us.

The first week of November 1997, the Navajo Medicine People had a ceremony for Lah-huh-bate-soot.

They picked his spirit up by pulling his killers' spirit down.

Lah-huh-bate-soot prayed and cried for the brothers and sisters who had to live in cages...worse than animals. He sang for them in sweat lodge and prayed for them in Native American Church.

At first I thought he would not want James Kane III to be locked up for the rest of his life because he is a young person that could still grow a brain.

After hearing the cruel, premeditated way he killed Lah-huh-bate-soot, I understand why Lah-huh-bate-soot had the Navajo Medicine People help him "put James in check".

James could grow a brain.....but he has no heart.

I asked Eden how long she thought James Kane III should be locked up.

Eden says, "a long long time. Evan cried so hard when he thought he was going to visit his daddy.....and baby Clyde doesn't even get to know him."

I want you to listen to Eden. She isn't even thinking of herself, and I know she misses him most of all. Oh I wish you could have seen them Indian dance and modern dance together. I wish you had heard them sing. She looked so happy when her daddy took her, in his muscle car convertible to visit her aunty Ee-nuck-a-mee. I still can see her sitting at the table with her daddy fixing her breakfast. When they talked on the phone....he said he'd be back....but not like that.

So many brief memories and so many I love you's.....but not enough to last a life time.

James, you are a hater.

You are a liar.

My son thought you were his friend and you let him think that.

He really liked to smoke weed....that was a weakness.

You promised him weed and like the cowardly little sneak you are...you ambushed and executed him.

You weren't satisfied to just kill him....you had to mutilate his beautiful mouth and smile.

You're a jealous hater and you'll never change. You broke our hearts and I hope you never get a chance to walk free in normal society.

At the end of this life.....when you go to spirit place....you will walk with liars, fools, cowards, and thieves.

You earned that place: by lying to Lah-huh-bate-soot and the detectives and the court; by being a fool and thinking it was a good idea to take a life and that you could get away with it; being a coward by snaking around and trying to shoot my boy in the back of the head; by being a thief and stealing his belongings and keeping his suitcase, especially when you knew he had children who would treasure every little scrap of his life.

It's August the 6th, 1999. It's been two years. It's 8:30 at night....
the clock is ticking.

Last year our family was in sweat lodge. Eric sang us through. We
were getting ready for the memorial.

Alaina, Lucks' girlfriend, never did get her life together. She has
relinquished her parental rights so Lucks' sister Ah-bead-soot can
raise baby Clyde within Lah-huh-bate-soots' family.

Yell-xla-bate-soots' little family, his baby daughter Tiauna and her
beautiful mama Angcla live with us too.

Ah-bead-soot graduated from high school this June.

Our lifes will go on.

They will never be the same.

Luck will always be missing.

I talked with him on his birthday. We talked about the Disney Land
trip. He told me, "I'm a quarter of a century old. It's time for my
life to change".

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I wanted to see the next quarter of a century James. Lah-huh-bate-soot
wanted to live it. I think he could have lived a long life and been a
respected elder.

He had a great love of life.....he just had a lot of love.

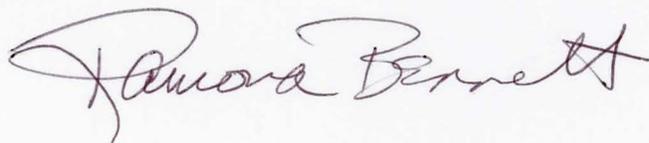
I think the only thing you said that was true, was when you said he put
his hand over his heart and said, "I have much love for you brother".

For one moment, I could see him.

I'll bet you see him all the time.

You'll have to pray he forgives you.

I can't.

A handwritten signature in cursive script that reads "Ramona Bennett". The signature is written in dark ink and is positioned at the bottom of the page.