

**Tribal Cultural Resources Law in California:
A Training Series for Tribes
Unit 5 - Executive Summary**

Unit Title: Discovering, Disturbing and Trafficking Human Remains and Tribal Cultural Resources

Outline of Training:

This unit defines the Federal and California policies and laws around discovering, obtaining, possessing, or trafficking human remains and other tribal cultural resources in California. The legal process required to be followed when an inadvertent discovery of Native American human remains, or cultural items occurs in California will be provided. The penalties and enforcement process for committing a violation will be reviewed.

This unit is grouped into five parts:

- Part 1: Motivations for Desecrating Native American Burials
- Part 2: Excavations & Discoveries Policy
- Part 3: Process for Discoveries – Federal or Tribal Lands
- Part 4: Process for Discoveries – California Private or State Lands
- Part 5: Penalties – Criminal and Civil

This unit takes 37:35 minutes to complete.

Target outcomes:

- The audience will learn about the motivations behind grave robbing and the selling of cultural and funerary objects to museums.
- The audience will gain an appreciation for the federal and state rules in place to protect the remains of deceased ancestors and the rights of lineal ancestors.
- The audience will understand the civil and criminal penalties for the disturbance and looting of tribal cultural resources.

Discussion Questions

The following questions can be used to discuss this topic withing a training group:

1. What self-care practices would you implement to assist you in conducting this work?
2. What culturally appropriate treatments does your community practice for the preservation of ancestors' remains?