

### Key Vocabulary

*Oklahoma!*

OKPOP

9/11

Warriors' Circle of Honor

State Question 780

State Question 781

teacher walkout

COVID-19

pandemic

*McGirt v. Oklahoma*

### Learning Outcomes:

The learner will be able to...

- Describe the changing perceptions of Oklahoma in popular culture.
- Identify the role that Oklahomans played in 9/11 and the War on Terror.
- Identify causes and consequences of the teacher walkout in 2018.
- Explain the impact of criminal justice reform efforts, including State Questions 780 and 781.
- Explain the importance of the 2020 *McGirt* decision.
- Explain how state and tribal governments responded to the COVID-19 pandemic.

### Compelling Question:

- What aspects of Oklahoma's past remain important in the twenty-first century?

### Chapter Overview

In this chapter, students will learn that Oklahomans, like people all across the country and the world, witnessed and experienced the 9/11 terrorist attack in 2001 and the COVID-19 pandemic in 2020. At the same time, learners will be able to read how art, culture, and tourism continued to expand. High incarceration rates and a teacher walkout led to meaningful changes and reforms. The historic US Supreme Court ruling in *McGirt v. Oklahoma* (2020) marked a major victory for tribal sovereignty.

Oklahomans experienced both new and old challenges in the first few decades of the twenty-first century. In this final chapter, we discuss the worst terrorist attack in the history of the United States and a global pandemic of epic proportions. We learn about divisions over public health, criminal justice reform, and education in Oklahoma. Throughout the book we have examined the interesting and complicated histories that have shaped Oklahoma. We want you to make connections and contributions to your state. We hope you will keep exploring the past, present, and future of Native nations, because, as we have seen in so many ways, Native history is deeply woven into the history of Oklahoma. In addition, we encourage you to be an active and engaged citizen. We hope you will register to vote when you are eligible. We encourage you to be involved in your community. Oklahomans are, after all, at the very center of the making of Oklahoma history.

### Popular Culture

"So you grow up different when you're in Oklahoma as a Native kid," said Sterlin Harjo, a Seminole and Muscogee filmmaker and cocreator of the TV series *Reservation Dogs*. "People know Native culture, people know who Native people are. And it's a very diverse state. I think that not a lot of people know about Oklahoma and the diversity here, but in rural Oklahoma, it's very diverse. And I don't know, it was something that I wanted to celebrate in the show, growing up in Indian Territory, Oklahoma." First airing in 2021, *Reservation Dogs* is primarily filmed in the city of Okmulgee, the tribal headquarters of the Muscogee Nation, in eastern Oklahoma.

It is the first and only show with an all-Indigenous team of writers, directors, and actors. The show features four Native teenagers who embrace adventure, hip hop and rap, family, friendship, trauma, and humor. To create this show, Harjo teamed up with Taika Waititi, a Maori director from New Zealand to create *Reservation Dogs*. The series has received widespread praise and earned multiple awards.

The recent acclaim of *Reservation Dogs* fits within a long tradition of popular culture expressions in Oklahoma. ***Oklahoma!*** made its Broadway debut in 1943, a little over a year after the attack on Pearl Harbor. The creators of the show, Richard Rogers and Oscar Hammerstein, adapted Cherokee playwright Lynn Riggs's 1931 play *Green Grow the Lilacs* into a full-stage musical. *Oklahoma!* was a box-office hit and its original production ran for more than 2,212 performances. In many ways *Oklahoma!* transformed musical theater with its unique blending of storytelling, music, lyrics, and dance. The film *Oklahoma!* was released in 1955. The songs in the musical and the film are highly popular to this day. Two years earlier, in 1953, state representative and future governor George Nigh had successfully introduced a bill to make "Oklahoma!" the official state song. Marching bands at both Oklahoma State University and the University of Oklahoma play the song "Oklahoma!" as one of their mainstay fight songs. More than seventy-five years later, a revival of *Oklahoma!* on Broadway featured the original words, but it offered a new interpretation by showing onstage the darker side of the twin territories of Indian Territory and Oklahoma Territory before they joined to become the state of Oklahoma.



**Fig. 16.1:** *Reservation Dogs* follows the story of four Native American teenagers in the Muscogee (Creek) Nation, in eastern Oklahoma. *Reservation Dogs* is notable as the first American television series with a team of Indigenous writers, directors, and actors. The lead actors are (left to right) Paulina Alexis, Devery Jacobs, D'Pharaoh Woon-A-Tai, and Lane Favor.

Courtesy of FX/Hulu. FX's *Reservation Dogs* is available for streaming on Hulu.



**Fig. 16.1:** The musical *Oklahoma!* opened on Broadway in New York in March 1943 and was a box office hit. Here is the *Oklahoma!* poster from the 1940s, the first major collaboration between composer Richard Rodgers and lyricist Oscar Hammerstein. In 2019 a revival of *Oklahoma!* explored and interpreted the show through a new lens. Starring Rebecca Naomi Jones as Laurey and Damo Daunno as Curly, this production of *Oklahoma!* won Best Revival of a Musical and Best Featured Actress in a Musical at the Tony Awards.

Courtesy of the Library of Congress.

At the same time art and culture continue to flourish in Oklahoma, the tourism industry also keeps expanding. In Oklahoma, Native American history and the history of the American West are the focus of many tourism sites. Tourism is Oklahoma's third largest industry, with an annual impact of \$8.6 billion. One major new tourism site is First Americans Museum (FAM), located in Oklahoma City at the convergence of interstates 35, 40, 235, and near 44, called the Crossroads of America.



**Fig. 16.3:** Since 2008, fans from all over the state and the nation have cheered on the Oklahoma City Thunder basketball team, helping to unite Oklahomans and strengthen the state's identity.

*Courtesy of Oklahoma City Thunder.*

OKPOP, a popular culture museum operated by the Oklahoma Historical Society, is located across the street from the historic Cain's Ballroom in the Tulsa Arts District near Greenwood. OKPOP offers visitors an immersive experience so they can learn about the talented individuals or "creatives" connected to Oklahoma who have made contributions to literature, music, film, and beyond.



**Fig. 16.4:** Located in Tulsa, OKPOP, an Oklahoma Historical Society museum, showcases the contributions made by Oklahomans to popular culture, including literature, music, and film.

*Courtesy of the Oklahoma Historical Society.*



### Section 1

### Twenty-First-Century Oklahoma

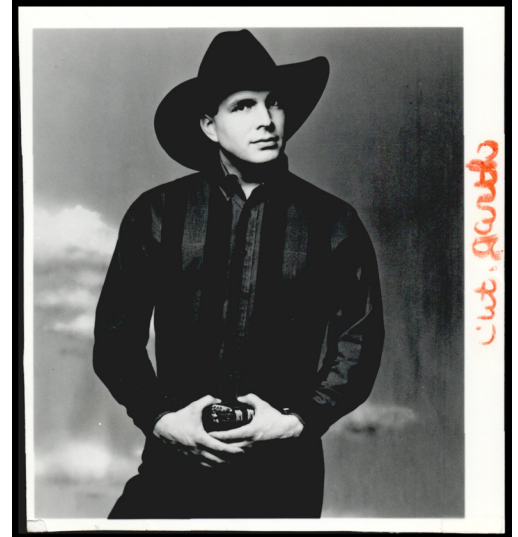
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As Oklahoma country artist Garth Brooks has said, “I don’t think it is a coincidence that so many artists, entertainers, actors and writers are from Oklahoma. You talk about the crossroads of creativity, it’s in the blood out here.” Influential writers from Oklahoma include Will Rogers (Cherokee), N. Scott Momaday (Kiowa), Ralph Ellison, S. E. Hinton, and US Poet Laureate Joy Harjo (Muscogee). Famous musicians from the state include Woody Guthrie, the “Queen of Rockabilly” Wanda Jackson, Merle Haggard, Leon Russell, the GAP Band, Flaming Lips, Reba McEntire, Toby Keith, the All-American Rejects, Kelli O’Hara, Blake Shelton, and Carrie Underwood. Oklahoma has also produced actors Wes Studi (Cherokee), James Garner, Alfre Woodard, Bill Hader, Tracy Letts, and Kristin Chenoweth. Many creatives call Oklahoma home.



**Fig. 16.6:** *Wanda Jackson*, by Tracey Harris. Born in Maud, Oklahoma, Wanda Jackson, known as the “Queen of Rockabilly,” was a pioneer in the music industry and paved the way for future generations of women singer-songwriters. Her music spanned multiple genres including country, rock and roll, and rockabilly. In 2009, Jackson was inducted into the Rock and Roll Hall of Fame.

*Courtesy of the Capitol Art Collection, Oklahoma Arts Council.*



**Fig. 16.5:** Born in Tulsa and raised in Yukon before going to Oklahoma State University as a student athlete, Garth Brooks has achieved phenomenal success in country music. He remains the number-one-best-selling solo artist in US history, thanks to such hits as “The Dance” and “Friends in Low Places.”

*Courtesy of the Oklahoma Historical Society.*



**Fig. 16.7:** Born in McAlester, Reba McEntire grew up as a member of a ranching and rodeo family in the town of Chockie in Atoka County. In the mid-1970s she sang the national anthem at the National Finals Rodeo in Oklahoma City. She performed the national anthem again fifty years later at the Super Bowl. As a two-time Grammy Award winner, McEntire is perhaps best known for her career as a country musician, having sold over 75 million records worldwide.

*Courtesy of the Oklahoma Historical Society.*



**Fig. 16.18:** Born in Tulsa, poet and musician Joy Harjo is an enrolled member of the Muscogee (Creek) Nation. In 2019, Harjo was named the Poet Laureate of the United States. She was the first Native American poet to hold the position.

*Courtesy of the Oklahoma Historical Society.*

### Joy Harjo, US Poet Laureate

Joy Harjo, a member of Muscogee (Creek) Nation, served for three terms as the US Poet Laureate, from 2019 to 2022. In this role she served as the official poet of the United States. And she was the first Native American poet to do so.

As a child growing up in Tulsa, Harjo experienced many challenges. She details these hardships in her beautifully reflective memoir *Crazy Brave*. When she was a teenager, Harjo left her mother and three siblings to attend high school at the Institute of American Indian Arts in Santa Fe, New Mexico. While there, she joined a drama and dance troupe and toured the Pacific Northwest. Eventually Harjo attended the University of New Mexico and studied creative writing. She joined the Kiva Club, an organization of American Indian students determined to bring peace and justice to their people. And she fell in love with poetry. She published her first poetry collection, titled *The Last Song*, in 1975. She later pursued a

Master of Fine Arts degree from the Iowa Writers' Workshop at the University of Iowa. After graduating, Harjo began teaching English, American Indian Studies, and Creative Writing at several universities, including UCLA, the University of New Mexico, and the Institute of American Indian Arts.

In addition to writing poetry, Harjo sings and plays the saxophone. While her poetry is only one form of her artistic expression, it is powerful and breathtaking in its honesty and depth. She pulls from more than just her personal life experiences. She also draws on the knowledge and experience of her ancestry. Another of her memoirs is called *Poet Warrior*. In this book, Harjo tells the story of her sixth-generation grandfather, who lived through the Trail of Tears. She discusses the nuances or small details of life while also revealing the complexity of what it means to grow up as a Native person in a colonized world.

In her poetry, Harjo reflects on the world around her, expressing the timelessness of the earth and its elements. She also captures the haunting challenges and the beauties of love and loss. Harjo's poem "Perhaps the World Ends Here" explores themes that frequently appear in her work. It begins with the line, "The world begins at the kitchen table. No matter what, we must eat to live." This poem reflects on the way our lives revolve around food and family, on the stories that we create around the kitchen table, and the way those stories in turn create us.

As her poems and memoirs demonstrate, Harjo is a gifted storyteller. She weaves into words feelings and experiences that are often hard to describe. Her many awards speak to the great impact of her work all around the globe.

### The 9/11 Attacks and US Involvement in Iraq and Afghanistan

On the morning of September 11, 2001, the United States suffered the largest terrorist attack to date in the nation's history. Militant Al-Qaeda terrorists hijacked four US commercial airlines, and used them as tools of destruction. Two planes crashed into the Twin Towers of the World Trade Center in New York City. One plane crashed into the Pentagon building outside of Washington, DC. And a fourth plane, Flight 93, from Newark, New Jersey, headed for San Francisco, crashed into a field in Pennsylvania. The hijackers intended it to hit the US Capitol, but forty passengers and crew members overtook the terrorists and prevented the attack. Nearly three thousand people lost their lives that day, including six Oklahomans.

Following reports of the first plane hitting the North Tower, millions of Americans watched on live television as the second plane hit the South Tower. When the first one hit, journalists speculated that it was pilot error or engine problems. Then, when the second plane hit, everything changed. Oklahomans who had lived through the Oklahoma City bombing were quickly reminded of that awful day in 1995. In the days and weeks and months that followed, Oklahomans reached out to those affected by the 9/11 attacks. And they extended the Oklahoma Standard to New York City. Oklahomans raised enough money to buy a new heavy rescue firetruck for the New York City Fire Department (NYCFD). All five of their heavy rescue fire trucks had been destroyed during the 9/11 attacks. Oklahomans saw their donation as a way to repay the NYCFD for the help it provided in the aftermath of the Oklahoma City bombing. As horrific as the attacks were, they did bring people together in meaningful ways.

President George W. Bush and members of Congress came together, in a rare bipartisan moment, to support the country and the families of those who were killed. Deciding how to respond to these acts of terrorism on American soil was challenging. This was the largest and most significant attack in the United States since Pearl Harbor in 1941 and the Oklahoma City bombing in 1995. What complicated the decision was that the terrorists were part of a widespread organization. They did not come from just one country. President Bush chose to retaliate by declaring a War on Terror, which led to US involvement in Iraq and Afghanistan during the next two decades. The effort to ensure safety and security at home resulted in trillions of dollars in military spending. In the two decades following 9/11, nearly 7,000 US service members from all 50 states were killed, including 133 from Oklahoma. The government created the Department of Homeland Security in 2003, and everyday people were asked to become more aware of possible threats around them.



**Map 16.9:** The 9/11 terrorist attacks in 2001 were a tragic reminder to many Oklahomans of the Oklahoma City Bombing in 1995. This headline on the front page of the Chickasha Express Star from that day declared "Terrorists Strike World Trade Center, Pentagon Under Attack."

*Courtesy of the Oklahoma Historical Society.*



#### Oklahomans and the War on Terror

Chad Kirchen was retired from active duty and was teaching history at Eisenhower High School in Lawton, Oklahoma, when the 9/11 attacks took place. He was also a lieutenant colonel in the Army Reserves and a field artillery battalion commander. After 9/11, Kirchen served for two years in Iraq and one year in Afghanistan. He was attached to the joint taskforce overseeing the conflict. In his role, he traveled frequently and interacted with lots of different civilians and soldiers. He recalled the challenge of having enough food to feed 4,000 refugees and having 14,000 show up. He also interacted with numerous military units because of his role as a liaison and problem solver. During this three-year period, he ran into eight of his former students from Lawton who were serving as well. He recalled how surprised and excited they were to see a familiar face. In his spare time, Kirchen developed lesson plans for history and civics classes based on his military travel experiences to share with teachers and students back home. After his tour in Afghanistan ended, he returned home to his family and his classroom, where he resumed his teaching duties until becoming a school principal. Kirchen was recognized as Lawton Public School's teacher of the year in 2016 and received numerous badges and service medals for his military contributions.

While some Oklahomans served with great distinction in the War on Terror, others have more complicated stories. For example, the WikiLeaks scandal has an Oklahoma connection. In 2010, army intelligence analyst and Oklahoma native Chelsea Manning, who was stationed in Iraq, shared hundreds of thousands of military and diplomatic records about the wars in Iraq and Afghanistan with WikiLeaks, an online outlet for posting secret documents from anonymous sources. This was likely the largest leak of classified documents in US history. A heated debate arose over whether the twenty-two-year-old was a whistleblower or traitor. In 2013 Manning transitioned to align with her gender identity and changed her first name to Chelsea. That same year Manning was sentenced to thirty-five years in prison at the US Disciplinary Barracks at Fort Leavenworth in Kansas. President Obama later commuted (reduced) the sentence to seven years. Manning refused to testify in a grand jury investigation of WikiLeaks and went to prison again in 2019 for one more year.

In 2009, a military court convicted US Army first lieutenant Michael Behenna for shooting an Iraqi prisoner suspected of being a member of Al-Qaeda a year earlier. The Iraqi prisoner was killed in a combat zone during questioning about a roadside explosion that had killed members of a platoon under Behenna's command. Behenna had questioned the prisoner alone weeks after the prisoner was initially released. The case was complicated, with Behenna saying he was acting out of self-defense. Behenna grew up in Edmond, Oklahoma, and graduated from Edmond North High School. After 9/11, he wanted to enlist in the army. His parents encouraged him to attend the University of Central Oklahoma and participate in the Army ROTC program. Following graduation from UCO, Behenna was commissioned as a second lieutenant in the army, and attended Infantry Officer Training and Ranger School. He was deployed to Iraq as a platoon leader in 2007. Behenna's mother led a campaign to first win parole for her son and then seek a presidential pardon. Governor Mary Fallin and Oklahoma attorney general Mike Hunter urged President Donald Trump to pardon her son.



**Fig. 16.10:** In the aftermath of the 9/11 attacks, Lt. Col. Charles Jon "Chad" Kirchen came out of military retirement, returning to army service and leaving his job as a teacher at Eisenhower High School in Lawton. He went on to serve two years in Iraq and one in Afghanistan. In this 2004 photograph, Kirchen (left) is with his son, Senior Airman Charles Jason Kirchen, USAF C-130 Loadmaster (right), in Afghanistan. The father and son met up a few times during their respective tours. After returning from Afghanistan, Chad Kirchen resumed teaching before becoming the principal of Lawton High School.

*Courtesy of the Oklahoma Historical Society.*

Behenna received an initial sentence of 25 years in prison, but his term was later reduced to 15 years. He served his sentence at the US Disciplinary Barracks at Fort Leavenworth in Kansas. Then he was released on parole in 2014 after serving 5 years of his sentence. In 2019 President Trump granted a full pardon to Behenna.

### Oklahoma Veterans

In the two decades following the 9/11 attacks, Oklahomans continued to feel the impact of the War on Terror. Air travel changed drastically. Military service carried new challenges. New generations of Oklahomans encountered an uncertain world. As all this unfolded, Oklahomans placed renewed emphasis on veterans. In December 2023 Oklahomans participated in Wreaths Across America Day, a nationwide event. Retired army colonel Jerry Shiles explained, “We want to make sure that every single veteran gravestone is decorated and that every family knows that we are honoring their family member.” Oklahoma has a long tradition of recognizing veterans and passing legislation considered to be veteran friendly. Native nations in Oklahoma also prioritize recognizing veterans.

The National Native American Veterans Memorial opened on November 11, 2020, on the grounds of the National Museum of the American Indian in Washington, DC. This memorial, named **Warriors’ Circle of Honor**, recognizes for the first time on a national scale the enduring and distinguished service of Native Americans in every branch of the US military. The memorial was designed by artist Harvey Pratt (Cheyenne and Arapaho Tribes of Oklahoma), a retired forensic artist and Marine Corps Vietnam veteran. The design features an elevated stainless-steel circle resting on a carved stone drum. Born in El Reno, Oklahoma, Pratt credits his parents and teachers for encouraging his artistic pursuits and respect for veterans. He served in Vietnam from 1962 to 1965 as a US Marine in Air Rescue and Security, and was stationed at Da Nang Air Base. Pratt was inducted as a traditional Peace Chief, the Cheyenne Nation’s highest honor.



**Fig. 16.12:** Harvey Pratt’s *Warriors* honors Oklahomans who served in the armed forces or, in many cases, protected and defended the Constitution by serving in the judicial branch. The painting features Peace Chief Lawrence Hart, Peace Chief Harvey Pratt, Major General Rita Aragon, Lieutenant General Thomas Stafford, Commander John Herrington, Justice Tom Colbert, Justice Steven Taylor, and Justice Marian Opala, among others.

*Courtesy of the Oklahoma Judicial Center, Oklahoma Supreme Court.*



**Fig. 16.11:** *Warriors’ Circle of Honor*, by Harvey Pratt, a veteran of the Vietnam War and a Peace Chief of the Southern Cheyenne, honors the legacy and sacrifice of Native Americans serving in the US armed forces throughout American history. The stainless-steel circle in the center of the memorial symbolizes the circle of life, as well as the unity of Native American veterans.

*Courtesy of the National Museum of the American Indian, Smithsonian Institution (NMAI-NMAI\_SpecialEvents\_NNAVM\_20221111\_ProcessionDedication\_110). Photo by NMAI Photo Services.*



## High Incarceration Rates

Oklahoma ranks third among states in overall incarceration rates. And many, including women, are sentenced for nonviolent crimes such as drug offenses or property crimes. Women's incarceration rates have been increasing at almost double the rate of men since 1985. In Oklahoma and in the United States more broadly, women of color are arrested and imprisoned at a higher rate than men. We know that high incarceration rates harm families. More than one in ten children in Oklahoma have experienced having at least one incarcerated parent during their childhood.

Another imbalance in Oklahoma's prison and jail populations is the high incarceration rate for Black and brown people. For example, while Black Oklahomans represent about 7 percent of the state's population, more than 26 percent of people in Oklahoma's prisons are Black. Latinx Oklahomans are incarcerated at two times the rate of white Oklahomans. And Native women are incarcerated in Oklahoma at three times the rate of white women.

## High Incarceration Rates

Since the 1980s the number of prisoners in Oklahoma has increased. A truth-in-sentencing law passed in Oklahoma in 1999 required that people convicted of violent crimes serve 85 percent of their sentence before becoming eligible for parole. The law increased the length of time people had to serve. Between 2008 and 2017 the incarcerated population increased more rapidly as the parole board granted fewer paroles and the total number of parole applications decreased. Paroles dropped by 77 percent during this time.

All of this began to change in 2016 when Oklahoma voters approved two ballot initiatives promoting meaningful criminal justice reform. **State Question 780** made drug possession a misdemeanor rather than a felony, and **State Question 781** directed the Office of Management and Enterprise Services to determine the savings to the state from these changes and to put that surplus amount into a new fund for county governments to provide substance abuse and mental health services. The criminal justice reform measures went into effect in 2017 and had an immediate impact in reducing the number of felony filings in Oklahoma. Two years later the legislature made State Question 780 retroactive, so that people convicted of felonies for crimes that became misdemeanors could apply to have their sentences commuted by the Pardon and Parole Board. In 2019 Governor Kevin Stitt commuted the sentences of 450 inmates, the first group to benefit from the new policy.



**Fig. 16.13:** This graphic from OU's student newspaper The Oklahoma Daily shows how fracking works. First, a mixture of water, sand, and chemicals is injected into the ground at extraordinarily high pressure. This process creates cracks deep underground, which free oil and gas trapped in a layer of shale, allowing the oil and gas to be extracted for production.

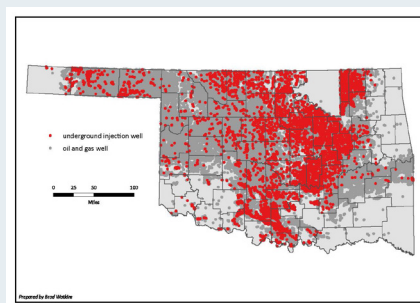
*Courtesy of the Oklahoma Historical Society.*

### Fracking and Earthquakes

Fracking is a method of extracting oil and gas from shale (fine-grained rock) formations. Oil field workers can draw out fossil fuels from as deep as 14,000 feet. To drill that deeply, the workers use a mix of water, sand, and other materials. They open the shale formations to extract the oil and gas. The extractions cause fractures in the shale formations. Experts have analyzed the environmental impact of these methods. The fracking fluids and the wastewater may contain harmful chemicals, including arsenic, formaldehyde, and mercury. These chemicals can leak into the earth. When they do, they can contaminate groundwater.

Since 2009, fracking has caused a growing number of earthquakes in Oklahoma. In fact, no other state has more fracking-related earthquakes. It is a common misconception that the drilling itself causes the earthquakes. For the most part the process of disposing wastewater is what causes them. Some people are not convinced that fracking causes earthquakes, however. Regardless of one's opinion on the cause of Oklahoma's earthquakes, the oil and gas industry without a doubt leaves a permanent impact on the land. Some Oklahomans have raised concern over these effects. Many debates have occurred surrounding the need for new laws to regulate the oil and gas industry.

On May 29, 2015, Governor Mary Fallin signed Senate Bill 809. The law stopped cities and counties from passing laws to regulate the oil and gas industry. At that time, Stillwater was considering new rules to limit drilling within city limits. SB 809 stopped this. The influence of oil in Oklahoma politics is clear. With scientists still studying the environmental impact of fracking and politicians refusing to prioritize the effects of climate change, Oklahomans remain vulnerable to water pollution and environmental damage.



**Map 16.1:** Map of underground injection wells and major oil and gas wells in twenty-first-century Oklahoma. Oil and natural gas remain at this time the top economic industries in the state. Hydraulic fracturing or fracking is an industrial practice in the oil and gas industry that involves injecting wastewater disposal deep underground.

*Courtesy of Brad Watkins, PhD.*

### The Teacher Walkout of 2018

Oklahoma teachers organized a walkout in 2018. They wanted better pay and for their salary increases to be a permanent part of the state's education budget. Republicans held a supermajority in the Oklahoma legislature, which meant they had the majority of seats in the state house and state senate. Because some Republicans did not support a tax increase to fund education, the majority of Republicans who did needed Democratic support to fund these changes to the education budget. State law requires the legislature to fund education by April 1, so this is why April 2 was the date of the teacher walkout. About two hundred local school boards passed resolutions supporting the **teacher walkout**. Those districts represented about 75 percent of Oklahoma's public school teachers and students.

The last time teachers organized a walkout in Oklahoma was in April 1990 during Governor Henry Bellmon's second term. He had made education reform a centerpiece of his agenda. During the walkout teachers lobbied legislators at the State Capitol in Oklahoma City for better pay and improved working conditions. The legislature responded by passing House Bill 1017 (also called the Education Reform and Funding Act of 1990), providing higher pay, smaller class sizes, and an increase in general funding for common education. House Bill 1017 was a significant milestone in improving Oklahoma's public education system.

For nine days in early April 2018, almost 30 years later, as many as 50,000 educators, students, and other concerned citizens participated in the teacher walkout each day at the Oklahoma State Capitol. Inside the building, songs and chants from teachers at the rotunda could be heard on the House and Senate floors. Outside the building, protestors carried signs and marched around the Capitol. On Tuesday, April 10, a group of Tulsa teachers arrived at the State Capitol to join the walkout after walking 110 miles over seven days from Tulsa to Oklahoma City. The legislature quickly started to draft legislation during the first three days of the walkout. Then Governor Fallin signed a teacher pay-raise bill.

Dedicated educators rarely pass up the chance to turn any situation into a learning opportunity. Just as Chad Kirchen used his experiences in Iraq and Afghanistan to develop lesson plans, other Oklahoma teachers used the walkout as an opportunity to educate. Brook Bullock and Regan Killackey, two English teachers from Edmond Memorial High School, created a "classroom at the Capitol" where they provided instruction to students. Gabrielle Davis, a senior student at Edmond Memorial, said that the classroom at the Capitol was "eerily similar to what class is like in the classroom—overcrowded, cold, not enough supplies." Some teachers used the walkout as an opportunity to talk about how bills become laws and to discuss how public education is funded. Teacher skills came in handy in another way as well during a particularly tense moment at the Capitol. A child went missing. One Oklahoma teacher stepped in and told everyone in the crowd to sit down. The only person left standing was the missing child. Crisis averted.



**Fig. 16.14:** During the 2018 teacher walkout, tens of thousands of educators, students, and other concerned citizens demonstrated outside the Oklahoma State Capitol. Some teachers even walked over 110 miles from Tulsa to Oklahoma City to be a part of the demonstrations. This photo depicts people cheering on the arrival of the Tulsa teachers as they were approaching the Capitol.

*Courtesy of the Oklahoma Historical Society.*



While some Oklahomans were critical of the walkout, due to the missed instruction time and the childcare challenges that arose from teachers being absent, many Oklahomans voiced strong support for the teachers. Oklahoma businesses offered their support as well. Free food, classroom supplies, yoga classes, and massages are examples of donations made to teachers during the walkout. The show of public support had a major impact. The teacher walkout of 2018 resulted in a house bill that provided historic raises for teachers and support staff and nearly \$500 million in new education funding. It led to the Oklahoma legislature's first tax increase since the previous teacher walkout, twenty-eight years earlier. The house bill makes clear the new funds were to pay for teacher raises (\$6,000 for each teacher) and raises for school support staff (\$1,250 for each staff member). It also required that an additional \$50 million go toward general education funding.

Many of the teachers who participated in the walkout were inspired to seek political office. Sixteen educators, both Republicans and Democrats, won seats in the State House of Representatives in 2018. The education caucus increased from 9 to 26 members. Trish Ranson, for example, a music education teacher at Westwood Elementary School in Stillwater, participated in the walkout in April and then decided to run as state representative for Oklahoma's 34th District. "Some of the representatives were absent, or not accepting visitors, or literally talking in circles and not listening to the teachers' concerns," Ranson recalled. "That's what frustrated me the most and got me thinking there's got to be a better way. We need people in the legislature who can work together." After 2018, educators running for office became a trend in Oklahoma and throughout the country.

### Oklahomans and Political Engagement

In Oklahoma, there are lots of ways to be politically engaged. You can register to vote if you are a citizen of the United States, a resident of the state of Oklahoma, and at least 18 years old. Individuals who are at least 17½ years old may pre-register to vote in Oklahoma if they meet all eligibility requirements. Applicants who pre-register cannot vote until they turn 18 years old and the application has been approved by the applicant's County Election Board Secretary. Applicants will be mailed a Voter ID card upon approval of their registration.

Another way to become politically engaged is to educate yourself about Oklahoma's government and its history. It is important to know how Oklahoma's constitution and government have changed over time. Even as the size of the federal government grew bigger over the course of the twentieth century, many Oklahomans remained strong supporters of federalism, which emphasizes the importance of putting more power in the hands of the states rather than the federal government). As we discussed in chapter 6, Oklahomans must follow both the state and the US Constitution, but the state is free to make its own laws so long as those laws do not conflict with the US Constitution.

The state legislature and the governor play important roles in the process of turning proposed bills into laws. But Oklahoman citizens also play an important role. Citizens can propose new legislation through initiatives, and they also are responsible for electing officials at various levels of government. Oklahomans elect their US senators and members of the US House of Representatives as well as their governor and members of both houses of the state legislature. They also participate in smaller, more local elections, including those to elect mayors of cities and school board members.

By Oklahoma law, there are nine county offices where the officials responsible for the offices are elected by the eligible voters within the county. The elected officials are three county commissioners, a county clerk, a county assessor, a county treasurer, a county sheriff, a court clerk, and a district attorney. The district attorney is elected by the voters from one or more counties within a district. Statutory law establishes the county or counties comprising a district. Each elected officer serves a four-year term in office. The terms stagger so that every two years at the November general election there are ballots for several county offices.

In addition, every county in Oklahoma has three county commissioners' districts. These districts are approximately equal in population and are numbered as district one, two, and three. A county commissioner is elected by the eligible voters within a district to serve on the board of county commissioners. The board of county commissioners is the chief administrative body for the county. Many citizens perceive a county commissioner as mainly being responsible for maintaining and constructing the county roads and bridges. While these are important duties required by the office, a county commissioner, as a member of the board, is also responsible for setting and administering policies for the county.

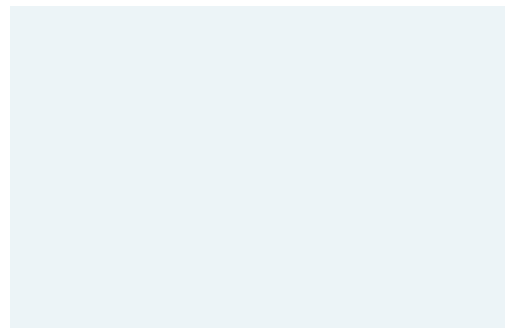
Oklahoma has grown a lot since becoming a state in 1907, and this is reflected in the way the government works. The state maintains up-to-date information on elected officials, voting, and important policy changes at the website [Oklahoma.gov](http://Oklahoma.gov), which is an important resource for all Oklahomans. As we saw with the COVID-19 pandemic, sometimes unforeseen challenges require rapid responses from the government, so this timely sharing of information with the public is vital. Such challenges also provide new reasons for citizens to engage in discussions about how best to respond to new developments as they unfold.

## The COVID-19 Pandemic

By March 2020 **COVID-19** became a worldwide pandemic. It disrupted daily life and caused millions of people to lose their lives. The **pandemic** was similar in many ways to the flu epidemic that happened one hundred years ago during the First World War. In the United States alone, COVID-19 has resulted in over one million deaths. By 2023, Oklahoma had the seventh-highest death toll from the virus among states. COVID-19 has affected all population groups, but it has disproportionately targeted low-income communities, women, and people of color. In addition, COVID-19 has resulted in the loss of life of Native people and Black people at a higher rate than for any other group in the United States.

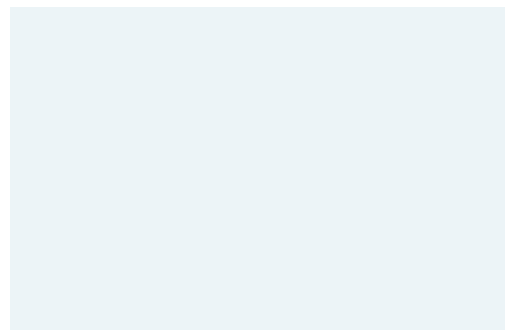
In Oklahoma, Native nations led the vaccine effort. Within days of the World Health Organization declaring COVID-19 a pandemic, the Muscogee (Creek) Nation declared a state of emergency. Days later the Chickasaw Nation and Cherokee Nation also declared a state of emergency. They closed schools and shifted to remote learning. They also closed most businesses and asked people to isolate themselves at home to stop the spread of the virus. Protecting the health of elders by administering the vaccine as soon as it became available was a priority for Native nations. They also encouraged tribal members, especially the elderly, to wear masks and practice social distancing. When the Cherokee Nation began administering the first doses of the vaccine, Principal Chief Chuck Hoskin, Jr. said, "We put Cherokee-fluent speakers at the front of the line. Saving the language is in our national interest." In addition, within the first months of vaccines becoming available, the Cherokee Nation, Chickasaw Nation, Muscogee Nation, and Osage Nation offered vaccines to eligible groups, including educators, outside of their nations and ahead of other vaccine efforts in the state.

The vaccine rollout was a success in Oklahoma due in large part to the leadership of Native nations working in partnership with the Oklahoma State Department of Health and the Indian Health Service. Oklahoma was the sixth state to reach one million administered doses of the COVID-19 vaccine. It is worth noting that several states with the highest vaccination rates in the United States, including Oklahoma, Alaska, and South Dakota, are states with large Native populations.



**Fig. 16.16:** During the early stages of the COVID-19 pandemic, Native nations were vital to Oklahoma's response through their leading role in administering the COVID-19 vaccine. In this photo, Cherokee Nation healthcare workers are seen providing free drive-through COVID-19 testing at the Redbird Smith Health Center in Sallisaw.

*Courtesy of the Oklahoma Historical Society.*



**Fig. 16.17:** In her role as historian for the Muscogee (Creek) Nation Oral History Project, Midge Dellinger, shown here in 2021 at the Muscogee (Creek) Nation Council House, began interviewing tribal members in 2021 to record how they managed during the COVID-19 pandemic. Dellinger's passion is to pass along the oral history, knowledge, and experiences of her people to future generations, and through the Muscogee (Creek) Nation Oral History Project she is helping to preserve valuable primary sources.

*Photograph by John Beaver.*

Community health and taking care of one another are key priorities during pandemics. Dr. Henrietta Mann, the endowed chair in Native American Studies at Montana State University and a member of the Cheyenne and Arapaho Tribes of Oklahoma, said pandemics throughout history have affected Native Americans more than other populations. Perhaps as many as 90–95 percent of the Indigenous population died within the first 150 years of contact with Europeans due to the introduction of new diseases such as smallpox and whooping cough. “As each tribe was relocated into Oklahoma, each added the vibrancy of their respective cultures and languages to the others which they had devotedly carried with them to their new homelands,” Mann said.



**Fig. 16.15:** When Representative Cyndi Munson was first elected in 2015, she became the first Asian American woman to be elected to the Oklahoma legislature. Representative Munson is passionate about criminal justice reform because of her experiences working with the Girl Scouts and the Office of Juvenile Affairs, and she wants to encourage young people to find a cause they are passionate about so that they too can seek to make a positive change in their communities.

*Courtesy of Cyndi Munson.*

### Representative Cyndi Munson

Representative Cyndi Munson has served in the Oklahoma House of Representatives since 2015. She represents District 85, which includes The Village and Nichols Hills areas of Oklahoma City. She was the first Asian American woman elected to the Oklahoma legislature. She hopes to show others that they too can make an impact on their communities.

Munson's father is a veteran. His military service inspired her interest in politics and public service. A native of Lawton, Munson has always been fascinated by women in politics. She began her career by pursuing a bachelor's degree in political science from the University of Central Oklahoma. She was a first-generation college student. She earned the Presidential Gold Medal for Leadership and Public Service while there. In her senior year at UCO, Munson volunteered with the Girl Scouts. She helped develop programming for students from lower-income backgrounds. Her work with the organization made her want to continue working in the nonprofit sector.

After graduating from UCO, Munson received her Master of Science in Leadership Education at the University of Nebraska–Lincoln. Then she returned to work with the Girl Scouts in Oklahoma. Her work focused on community programming and training troops. During her time with the Girl Scouts, Munson worked with schools in thirty-nine different counties in western Oklahoma. This experience opened her eyes to the shortage of counselors in public schools. Another eye-opening part of her job was working with the Office of Juvenile Affairs (OJA). She says, “That is where my eyes were really opened to generational incarceration.” She learned about what incarceration does to families. She related to the young girls she worked with at the OJA. She grew up with a mom who was not present, so she could relate to their struggles. “I could have gone down all these different roads,” she says. In her role as Girl Scout leader, she was able to show girls from all different backgrounds that they could be leaders. Munson stresses the significance of incarceration and its impact on families, saying, “Kids don't go to juvenile centers because they're bad. Kids go to juvenile centers because systems have failed them and adults have failed them. So I started to get very vocal about that.”

Munson decided to run for office in 2014. She won election to the state house in 2015. During her time in office, Representative Munson has prioritized certain issues. One is criminal justice reform. Another is funding for higher education. A third is election reform. A fourth is protections for survivors of sexual assault and domestic violence. And a fifth is the expansion of veteran's benefits. Overall, Munson has proven she cares about helping working families in Oklahoma.



In 2018, she won the election for House Democratic Caucus Chair. In this role, she represents the minority Democratic party in Oklahoma's legislature. In 2022, Munson worked with other representatives to create the first ever Asian American and Pacific Islander caucus in Oklahoma.

For those who are interested in getting involved in public service or politics, Munson advises, "Absolutely get involved. First is voting. It is so easy for us to feel like our voice doesn't matter, when it really does. Find causes you feel passionate about and reach out to them. Don't hold back, and consider all different levels of government." Munson hopes to continue to see changes in Oklahoma politics. She encourages young people from all backgrounds to change the status quo and fight for the causes they care about the most.

## Changes to Reproductive Rights

Among other things, the pandemic and subsequent vaccine rollout highlighted the unique role of Native nations in relation to public health in Oklahoma. This would also be the case with discussions of reproductive rights in the state. The COVID-19 pandemic led to divisions in Oklahoma over personal rights and public health, but as heated as debates became over vaccines and mask-wearing, these were not the only public health issues that divided Oklahomans—and the entire country—in the 2020s. In June 2022 the US Supreme Court overturned *Roe v. Wade*, the 1973 landmark decision protecting women's constitutional right to access abortion. *Roe* had ensured the legality of abortion in the United States for almost fifty years. In *Dobbs v. Jackson Women's Health Organization*, the US Supreme Court overturned *Roe v. Wade* and said that it was returning decisions about abortion to the people and their representatives. Now it would be up to individual states to decide whether or not abortion should be legally protected. Governor Kevin Stitt and other social conservatives in Oklahoma strongly supported the *Dobbs* decision. Most abortions in the state quickly became illegal. Those who supported abortion access voiced concerns about the consequences these changes would have on women's health. It was not immediately clear how the *Dobbs* decision would affect health services provided by Native nations. Even two years after the 2022 *Dobbs* decision, it remains uncertain whether Native nations will adopt laws to either ban or protect abortion access. As with the pandemic response, debates over abortion illustrate, among other things, the complex intersection of tribal, federal, and state power over public health in Oklahoma.

The Oklahoma constitution does not provide protection for the right to abortion. In fact, Oklahoma and eleven other states including Arkansas and Missouri had already passed state "trigger laws" to outlaw abortion rights in anticipation of the overturning of *Roe v. Wade* and of a related case, *Planned Parenthood v. Casey* (1992). Even prior to the *Dobbs* decision, Oklahoma restricted young people's access to abortion services by requiring parental notice and consent. The legal age of consent for sexual activity in Oklahoma is 16 years old. This means it is illegal for a minor who is 15 years old or younger to have consensual sex with an adult who is 18 years old or older. At present, Oklahoma schools are not required to teach sexual health and gender education as part of their curriculum. However, schools are required to teach HIV/AIDS prevention. The overall emphasis of the health education curriculum appears to be on abstinence. The curriculum, however, must include instruction on rules governing consent.



**Fig. 16.17:** In her role as historian for the Muscogee (Creek) Nation Oral History Project, Midge Dellinger, shown here in 2021 at the Muscogee (Creek) Nation Council House, began interviewing tribal members in 2021 to record how they managed during the COVID-19 pandemic. Dellinger's passion is to pass along the oral history, knowledge, and experiences of her people to future generations, and through the Muscogee (Creek) Nation Oral History Project she is helping to preserve valuable primary sources.

Photograph by John Beaver.

### Midge Dellinger and Muscogee (Creek) Nation Oral History Project

Midge Dellinger is an oral historian in the Historic and Cultural Preservation Department for the Muscogee (Creek) Nation. Oral traditions take many forms. These include storytelling, songs, and prayers. Through these practices, Native peoples have passed down tribal knowledge. "Oral traditions and histories are what have sustained Indigenous peoples since time immemorial," she stated.

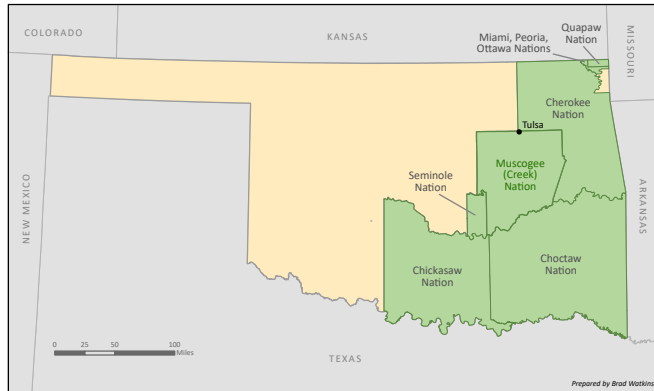
In 2021, Dellinger began doing oral history interviews. She talked to forty members of the Muscogee (Creek) Nation about the impact of COVID-19. She spoke with people of all ages and backgrounds. She talked to people from both urban and rural communities. The nation received a grant from the Mellon Foundation to create a digital archive. The archive includes the oral history interviews Dellinger conducted. "We know as Muscogee people that our ancestors experienced pandemics in their lifetimes," Dellinger said. "They experienced them, they suffered them, they endured them and thank goodness they survived them. With this history project, now we have in our historical record how our people of 2020 dealt with COVID-19 and everything it brought into our lives. At the core of who I am as an Indigenous person, our Muscogee people, our ancestors, our people today, our future generations are who I work for." Dellinger's interviews hold important lessons. More information about the oral history interviews is available on the website Mvskoke National Library and Archives ([mvskokenationallibraryarchive.org](https://mvskokenationallibraryarchive.org)).

### The McGirt Decision

The case *McGirt v. Oklahoma* centered around Jimcy McGirt, a citizen of Seminole Nation who was found guilty in 1997 of crimes on Muscogee Nation lands. In response to the original verdict, McGirt's legal team appealed, arguing that the state of Oklahoma did not have jurisdiction, or the legal power, to prosecute him. They maintained that because McGirt was a Seminole tribal member and his offenses took place on Muscogee Nation lands, only the federal government, not the state government, could prosecute the case. When the case went to the Supreme Court in 2020, the justices ruled 5–4 in McGirt's favor. The Court maintained that the state of Oklahoma did not have criminal jurisdiction over Jimcy McGirt because he was a tribal citizen on tribal land. In other words, the state of Oklahoma has no criminal jurisdiction on Native land.

The **McGirt decision** granted tribal jurisdiction over much of eastern Oklahoma as Indian Country and offers another glimpse into the tensions between state and tribal authority in Oklahoma. By establishing the state's lack of jurisdiction over McGirt's case, the US Supreme Court reaffirmed the Muscogee Nation's 1866 treaty with the United States with respect to reservation boundaries.

In summary, the *McGirt* decision meant that the state of Oklahoma had no criminal jurisdiction on Five Tribes land, meaning land belonging to the Muscogee, Cherokee, Choctaw, Seminole, and Chickasaw Nations. The Five Tribes had been forcibly removed to Indian Territory, what is now eastern Oklahoma, in the 1820s and 1830s. And the 1866 Reconstruction Treaties following the Civil War defined the reservation boundaries of the respective Five Tribal Nations.



**Map 16.2:** The *McGirt* decision is a landmark Supreme Court ruling that affirms tribal sovereignty, and, more specifically, the existence of the Muscogee (Creek) Nation Reservation in eastern Oklahoma with regard to criminal jurisdiction. As a result of *McGirt*, 43 percent of Oklahoma is now “Indian Country” as defined by federal law, including most of Tulsa. Since the *McGirt* decision, Oklahoma courts have affirmed at least nine other Native nation reservations: the Cherokee Nation, the Choctaw Nation, the Chickasaw Nation, the Seminole Nation, the Miami Tribe, the Ottawa Tribe, the Peoria Tribe, the Wyandotte Nation, and the Quapaw Tribe.

Courtesy of Brad Watkins, PhD.

Two years later, in 2022, the Supreme Court clarified or complicated its position, depending on one’s perspective, in *Oklahoma v. Castro-Huerta*. In a 5–4 decision, the Court maintained that the federal government and the state have concurrent (co-existing) criminal jurisdiction and the right to prosecute nontribal members when the victim is a tribal member and the crime is committed on tribal land or Indian Country (the eastern part of Oklahoma). Taken together, the *McGirt* and *Castro-Huerta* decisions magnified the complexities of criminal jurisdiction and tribal sovereignty in Oklahoma. The Supreme Court affirmed that the state of Oklahoma has no criminal jurisdiction on Native land. Tribal courts can prosecute most crimes involving Native Americans. Major crimes involving Native Americans, including murder, manslaughter, and kidnapping, are federal crimes. The Supreme Court also clarified that the *McGirt* decision could not apply to cases that came before this ruling.

Another important outcome of the *McGirt* decision is that it changed the identification of Oklahoma as a non-reservation state. Ever since Oklahoma opted out of the original Indian Reorganization Act of 1934 (discussed in chapter 9), the state had been defined by policy-makers and scholars as a non-reservation state. The Dawes Act in 1887 had ended the collective ownership of tribal land. As an extended version of the Dawes Act, the Curtis Act one year later had called for the abolishment of tribal governments and reservations. However, the Supreme Court ruling in *McGirt* overturned those earlier federal laws by recognizing that the eastern half of Oklahoma is in fact reservation land.

### Doctrine of Discovery Revisited

As we learned in chapter 2, the Doctrine of Discovery became the legal basis or justification for taking away Indigenous land. This doctrine lasted for five hundred years, but in March 2023, the Vatican issued a repudiation (rejection) of it. The statement from the Vatican said that the “Catholic Church repudiates those concepts which fail to recognize the inherent human rights of Indigenous peoples, including what has become known as the legal and political ‘doctrine of discovery.’” Pope Francis warned that “never again can the Christian community allow itself to be infected with the idea that one culture is superior to another.” The rejection of the Doctrine of Discovery by Pope Francis and the Catholic Church does not necessarily reflect a change in American law. For two hundred years the 1823 Supreme Court ruling in *Johnson v. McIntosh*, which relied on the Doctrine of Discovery, has remained in place. That 1823 ruling used the Doctrine of Discovery as the basis for stating that Indigenous people had the right to occupy but not own land on which they had lived for centuries. However, as we have seen, sometimes the Supreme Court rejects precedent and reverses earlier decisions. It remains to be seen whether the Vatican’s rejection of the doctrine will influence court decisions or legislation in the United States. However, the ruling from Rome marks a major shift in the way that the dispossession of Indigenous land is understood and justified.



**Fig. 16.18:** *One Daughter of the Earth* by Sharron Ahtone Harjo. The Oklahoma Historical Society commissioned this mural by the artist in 1985. “I am reflecting my environment, traditional and symbolic nature of my heritage, and concerns of past, present and future,” Harjo said about the mural. “I feel this piece of work is a statement of our time and could also make an additional statement to generations to come.”

*Courtesy Oklahoma Judicial Center, Oklahoma Supreme Court.*



## Conclusion

Early twenty-first-century Oklahoma has experienced many changes and challenges. Indigenous contributions to the state's economy and culture continue to grow. The population and the economy continue to diversify. The artistic contributions of the state have received national and international recognition. However, public health challenges, including alcohol and drug addiction, reproductive health restrictions, and COVID-19, have put significant strains on Oklahomans. Many Oklahomans are dealing with new or growing political and social divisions. Debates over teacher pay and school curriculum have played a major role in recent state and local elections. One of the most significant changes in recent history has come with the historic 2020 *McGirt* decision handed down by the Supreme Court. The decision marked a major victory for tribal sovereignty. Critics, including Governor Kevin Stitt (an enrolled member of the Cherokee Nation), have expressed concern that the ruling will complicate law enforcement efforts in the state. While it is not yet clear how exactly the *McGirt* decision might reshape criminal justice in Oklahoma, it is important for other reasons. We began this book with a discussion of the first inhabitants of the land that became Oklahoma. And we end this book with the recognition that whatever the future holds for Oklahoma, it will remain closely tied to its rich Indigenous culture.

## Short Answer Questions

- 1 How did the state song "Oklahoma!" originate?
- 2 List two results of the teacher walkout in 2018.
- 3 What changes did State Questions 780 and 781 bring about?
- 4 In what ways did the Supreme Court ruling in *McGirt* impact the Oklahoma legal system?
- 5 How has tribal gaming benefitted some tribal communities in Oklahoma?

## Short Response Questions

- 1 Describe how tribal governments responded to the COVID-19 pandemic. Provide at least two examples from the text to support your response.
- 2 Describe the changing perceptions of Oklahoma from the debut of the musical *Oklahoma!* in 1943 to the present day.