

Billy Frank Jr., 83, Defiant Fighter for Native Fishing Rights

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U.S.

Photo

Billy Frank Jr.
Credit Ted S.



Warren/Associated Press

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The crime was fishing. The year was 1945. The boy was 14. It was his first offense, but it would not be his last.

Billy Frank Jr. continued to fish, and he continued to get arrested — more than 50 times over the next decades. He was not out to cause trouble. The goal was to preserve the traditions he had been taught as a member of the Nisqually tribe, people who had fished for millennia in the waters that flow from the foot of Mount Rainier into Puget Sound in Washington.

For Mr. Frank, who was 83 when he died on May 5 at his family's longtime home on the Nisqually River, that arrest at 14 was the beginning of his leading role in what would become known as the “[fish wars](#)” in the Pacific Northwest in the 1960s and '70s.

He became one of the most recognizable faces of a unique and successful civil rights movement that included years of highly publicized “fish-ins” (Jane Fonda showed up, as did Marlon Brando, who was briefly taken into custody), protests at the State Capitol in Olympia, confrontations with non-Indian fishermen, and lawsuits waged with the help of the N.A.A.C.P., the American Civil Liberties Union and eventually the Department of Justice.

Photo

Mr. Frank, left, fishing on the Nisqually River in the 1960s in January. Credit Northwest Indian Fisheries Commission, via Associated Press



“I wasn’t a policy guy,” Mr. Frank liked to say. “I was a getting-arrested guy.”

Salmon, once abundant, had been in sharp decline, in large part because of overfishing by commercial fishermen. Yet it was Indians like Mr. Frank, fishing where they had always fished, who were increasingly being sought out by state game wardens for fishing in restricted areas, out of season or without licenses.

Mr. Frank wanted the state to honor treaties written in the 1850s in which Native Americans ceded more than two million acres in exchange for the right to fish their “usual and accustomed grounds and stations.” Mr. Frank and others frequently cited the treaties while they were being arrested.

In 1974, [Judge George H. Boldt](#) of Federal District Court in Tacoma, Wash., ruled with startling and historic force that they were right. Nisqually and other tribes in the Northwest, he wrote, had a right to catch up to half the salmon in their traditional waters. They would also become co-managers of the fishery, with the state.

The ruling, [upheld by the United States Supreme Court](#) in 1979, drastically changed fishing in the Northwest and helped give momentum to assertions of Indian rights elsewhere. Mr. Frank was transformed from an outlaw to a voice of wisdom and authority, a national figure recruited to serve on boards and commissions.

For more than 30 years he was chairman of the [Northwest Indian Fisheries Commission](#), a support and advisory group, and he became a constant presence in discussions about protecting salmon from pollution, protecting habitat and slowing climate change. He received numerous awards, including [the Albert Schweitzer Prize for Humanitarianism in 1992](#).

President Obama said of Mr. Frank in a statement after his death: “Today, thanks to his courage and determined effort, our resources are better protected, and more tribes are able to enjoy the rights preserved for them more than a century ago. Billy never stopped fighting to make sure future generations would be able to enjoy the outdoors as he did.”

Mr. Frank was born in Nisqually on March 9, 1931, and grew up on Frank’s Landing, the six acres on the Nisqually

River that his father had bought after the expansion of an Army base nearby drove them from their reservation. He dropped out of school after ninth grade, working construction jobs before serving in the Marines for two years in the early 1950s.

His death was confirmed by members of the Nisqually tribe. No cause was given. Survivors include three sons, James, Tanu and Willie.

Mr. Frank struggled with alcohol abuse into the 1970s, but at the insistence of his family, he quit drinking after the Boldt decision. He never stopped fishing.

The day in December 1945 when he was arrested, he went out early to check a net he had set the night before to catch chum salmon on the Nisqually.

"You're under arrest!" he heard someone call, according to the 2000 book "Messages From Frank's Landing: A Story of Salmon, Treaties, and the Indian Way," by Charles Wilkinson.

He tried to get away but was taken into custody by two game wardens.

"Leave me alone," he screamed. "I live here!"