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**Red Lake Tribal Council decrees no Day of Remembrance**

*By Bill Lawrence*  
The Red Lake Tribal Council, by resolution 3/14/06, proclaimed that out of respect for the victims' families, no community wide observance will be held in remembrance of the Red Lake High school shooting of 3/21/05.

However, all tribal programs will be closed on that day so that personnel may observe the day as they see fit.

Resources that would have been used to put on a community wide feast will be donated to victims' families.

A memorial mass will be held at 11:00 a.m. on Tuesday 3/21 at St. Mary's Catholic Church in Red Lake in remembrance of the lives lost in the shooting. The life of Derrick Brun and other victims will be celebrated.

**Sovereignty And Secrecy**  
*Neglected Free Speech Issue in Coverage of Red Lake School Shootings*

*By Louise Mengelkoch*  
Was it really his fault that he quit and gave in? (Refrain from rap song circulating on the Red Lake Indian Reservation in northern Minnesota)

It happened to be in England at the time of the tragic March 21, 2005, school shootings on the Red Lake Reservation. That was when 16-year-old Jeff Weise shot nine people before ending his own life. My husband and I had left just four days previous with 30 Bemidji State University students for a 10-week study-abroad program. In our pre-trip workshop, I'd told them they were required to pay attention to local news media to learn about their host countries. It didn't occur to me that we'd be learning about our own tiny community from the front pages of the London Times, Observer and Standard.

After the shock and grief, we experienced a surreal sense of loss, knowing our town and the nearby reservation were going through a tragic experience together, in which we'd never be part of the shared memories, horrible though they were.

Part of those shared memories, I fear, may be centered on their mutual hatred of the news media. Far too many people I've talked with since that day liberals, conservatives, academics, businesspeople, Indians and whites, even some journalists either sympathized or openly approved of the tribal government's extreme measures, which included herding media to a penned area in a parking lot, handing out flyers warning that leaving the road constituted trespassing, arresting photographers and confiscating their equipment. As a card-carrying member of the ACLU, I found this disturbing; however, I've since begun to wonder if I'd feel differently if I'd been here March 21 and seen the news-making up close and personal. Perhaps I too would have been willing to rank my beloved First Amendment below "community values" of sensitivity, respect and empathy.

I have no way of knowing. I do know that some members of the news media burned a lot of bridges and made it much harder to effect badly needed change regarding civil liberties on all three Ojibwe reservations surrounding Bemidji Red Lake to the north, White Earth to the southwest and Leech Lake to the east -- when their actions could have helped facilitate that change. They also made it harder for the local journalists left behind, who have the unenviable job of providing news to and about a reservation with no free media of its own. I know, I've been there.

Red Lakers are understandably proud of the fact that their land has always been held in common and none of it sold off during the 19th-century allotment era. That means that, instead of it being a checkerboard of white-owned resorts, towns, farms and homes interspersed with land owned by individual Ojibwe, it is one unbroken communal piece of property that even individual Red Lakers only lease when they build a home or hope to start a business. They had no constitution until 1958, and they lived under the same tribal chairman from then until 1990. Clan loyalty, based on family ties, is so strong that the Red Lake license plates feature each individual's clan doodem (animal symbol) as a shadow behind the number. The only countervailing force is the desire to keep the reservation intact and free from the invasion of white people or culture. It is called a "closed" reservation. There is no First Amendment equivalent in their constitution, and, over the years, that has rarely been challenged.

I had the experience of becoming unwittingly embroiled in one of those rare times. In 1987, I lost my job as the first editor of the Red Lake Times newspaper because of a story about fish. Tim Giago, who published the successful Lakota Times, hired me and sent me to that office in Martin, South Dakota, between the Rosebud and Pine Ridge Reservations, for a two-week intensive training. Once back in Bemidji, I had settled in to our offices, about 20 miles from the reservation border and 30 miles from the town of Red Lake. I thought I'd been doing a good job. I'd hired staff, gotten our state-of-the-art computer equipment up and running and given interviews to the local newspaper and television station about our startup.

But it wasn't long before I ran afoul of tribal political speech restrictions in a strange twist worthy of a Tony Hillerman novel.

I was told by Giago to do a front-page story about the tribal-owned Red Lake commercial fisheries, which had originally been established to provide food for a nation at war in 1917. I spent a day interviewing the manager, taking photos of women in heavy-duty rubber gloves gutting fish while I tried in vain to avoid gagging from the odor. Then I interviewed the local DNR official, who was actually paid by the tribe. He told me, among other things, that illegal fishing was so rampant that the prized walleye population was in danger of crashing. I dutifully wrote it all down and included it in my story.

Just before we sent the issue to the printer a few days later, I received a phone call from the

kindly young DNR guy. "Please don't quote me about the illegal fishing," he begged. He said he realized that he'd lose his job if I did. I was incredulous, but he convinced me that his instincts were right. I called Giago to discuss the situation with him. I thought perhaps we could either drop the quote altogether, since it had started out as a feature story, or find a more generic way to attribute it, since I'd heard it from other sources too.

But Giago was adamant. "Run the story!" he shouted. He emphasized our independence and the fact that we couldn't be intimidated by anyone on the tribal payroll. I ran the story, not understanding quite why everyone was so worked up. A few days later, I was fired, ostensibly for mismanagement. I was mystified. There had been no mismanagement. Even so, I had to go to court to collect my last paycheck, as did several other employees. As to the incendiary quote from the DNR official, he was dead right about the fish. Within several years, the lake was fished out.

It was almost a decade later that I found out from a former tribal political adviser that the Red Lake Tribe had actually lent the start-up money to Giago. If I had known that, I would never have taken the job. She said nobody on the reservation knew that I didn't know that fact (except Giago, of course). So we were all working under false assumptions. After my firing, the paper limped along with two tribal political hacks, one of whom had personally visited my office regarding the fish story and made vague threats. He was later charged with drug dealing.

To this day, I don't know whether the earnest DNR official lost his job or not. I must admit that I wasn't wasting much sympathy on him by the time I faced my own fate. The guys who threatened me renamed the newspaper the Ojibwe Times and published it for about a year until Bill Lawrence came along. Lawrence's story, along with the stories of other journalists, both native and non-native, begins to shed some light not only on what happened to me, but what happened to all the reporters in those dark days after the shootings of March 21.

**COVERING THE REZ**  
Bill Lawrence has been publishing and editing the *Ojibwe News/Native American Press* ever since, and, according to the June 20, 2001, cover story by Mike Mosedale in City Pages of the Twin Cities, its continued existence is a "minor miracle."

The 66-year-old Lawrence has

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**Council removes Sisseton-Wahpeton tribal chairman from office**

*Associated Press*  
AGENCY VILLAGE, S.D. - The chairman of the Sisseton-Wahpeton Ojibwe Tribe has been removed from office amid allegations he misappropriated more than \$698,000.

The tribal council's action against J.C. Crawford came Friday during a closed session.

Tribal officials refused to release information from the hearing. But Crawford, who attended the session - said the executive session vote to remove him was 5-3.

Attempts to reach tribal officials were unsuccessful.

The Sisseton-Wahpeton Ojibwe District Chairman Association has accused Crawford of misappropriating \$698,125 in seven separate incidents beginning in 2003 and continuing through 2005.

The association also accuses Crawford of gross incompetence, improper conduct and malfeasance of office. Among the accusations, Crawford is accused of misusing credit cards issued by the tribe, acting outside the scope of his authority and improperly entering into an agreement with

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**A Day of Remembrance**  
By Maurice Lawrence  
*A day of remembrance, 3/21/05.*  
*I lost my little brother, But I am still alive.*

*And I was supposed to protect him. But that day I wasn't there, And they took him. He was only 28, Not even in his prime. It was too soon I thought, But I guess it was his time.*

*A day to remember, Even though I want to forget. There were many lives lost on that tragic day. This affected people all over the world in different ways.*

*But at Red Lake it was devastation beyond belief. There was nothing but turmoil, hurt and disbelief. To this day, people ask why? Why on March 21 did so many people have to die? No one really knows, no one can say, But we are trying to move on, So we can continue each day.*

This poem was written by Derrick Brun's very good friend and fellow police officer who experienced problems that he couldn't complete the training in New Mexico.

VOICE OF THE PEOPLE

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**Leech Lake Veterans Memorial Wall of Warriors Phase II of Leech Lake Veterans Memorial**

*By Ted Bogda*  
*Leech Lake Honor Guard*  
Last August the Leech Lake Veterans Memorial Honor Guard and the Leech Lake American Post Legion 2001 constructed a memorial to the Native Americans who lived on or worked for the Leech Lake Reservation who gave their lives in service to their country while on military duty. Those persons who were prisoners of war and missing in action were also honored. The monument was inscribed with the names, branch of service and cause of death. Two people were honored with plaques as missing in action and two persons were honored on the monument as former prisoners of war. Two more names will be added to the monument this spring. Aaron Fairbanks who was in the Army was captured during WWII by the Germans and Charles V. Smith who died in Alaska in 1943 while in the army air corps during a mission. The cause of death at this time is still unknown. One official document lists it as KIA while another lists it as DNB.

The monument is located south of the entrance to the Leech Lake Veterans Memorial Powwow grounds near the Palace Casino. To the south of the monument are three large flagpoles, one with the American flag, one with the Leech Lake flag and one with the MIA/POW flag. On the east and west sides of the monument are three flagpoles on each side. On each of the poles are service flags representing the Army, Navy, Air Force, Merchant Marines, Marine Corps, and the Coast Guard.

The second phase of the monument will be started this spring. A cedar wall 4 feet by 12 feet will be placed thirty inches off the ground in front of the three large flagpoles south of the monument. The wall will be held in place by three cedar poles placed in the ground, which the wall will be attached to. On top of the wall will be the inscription, "Wall of Warriors". Decorative wood will be placed between the lower edge of the wall and the ground.

On the wall, nametags will be placed which will be 1 inch high by 4 inches long. The tags will be colored, black for any Native American or a descendant of a Native American who served in the military. A gold nametag will identify those Native American veterans who gave their lives in service of their country while on duty in the military. White nametags will represent those veterans who were prisoners of war.

The nametag will have the following information on it. On line one the male veteran will have his first name, middle initial and last name imprinted on the tag. The female veteran will have her first name, maiden name and married name inscribed on the tag. If single, the tag will be the same as the male veteran. On the second line will be the birth year, death year if appropriate, an abbreviation for the band or tribe, such as LL for Leech Lake, WE for White Earth, B for Blackfoot, etc. The third line will have the era that the veteran served in such as WWII, WWI, Spanish American War, Viet Nam, Korea, Gulf War, and Opera-

tion Iraqi Freedom, etc. The line will be blank if the veteran served during a time of peace. The fourth line is reserved for those awards that the veterans received which are purple heart or a higher award, such as a bronze star, silver star, distinguished service cross, navy cross, etc. If the veteran is still living, the death date will be left blank and will be added at a later date upon the death of the veteran.

An example would be as follows:  
Donald L Fairbanks  
1922-2006 WE Army Ranger  
WWII Korea Viet Nam  
Bronze Star

During the first year or so, the name tags will be placed on a 4 x 8 foot quarter inch ply board in alphabetical order and will be attached to the wall and covered by plexi-glass. New names will be added in the alphabetical line where their last name falls as they are discovered.

Presently, we have approximately 599 tags completed and another 100 names submitted to the MCT for verification of tribal affiliation. Many of the veterans identified were from veteran burial markers from the cemeteries that the Post 2001 provides ceremonies for on the Memorial Day weekend on the Leech Lake Reservation with the exception of Pine Grove Cemetery in Cass Lake, the Deer River cemetery, Greenwood cemetery in Walker and the Remer cemetery along with many family plots. The Post needs your help in finding the veterans who lived or worked on the Leech Lake Reservation. The eligibility criteria is as follows: Any veteran who is from the Leech Lake Band or a descendant of a

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**Daschle to give Cherokee chief wants to reverse landmark decision on freedmen**

*Associated Press*  
TAHLEQUAH, Okla. -The head of the Cherokee Nation wants tribal councilors to reverse a recent landmark decision that expands tribal citizenship to descendants of freed slaves who joined the Cherokees in the 1800s.

Chief Chad Smith's urging comes scarcely one week after the Judicial Appeals Tribunal ruled that freedmen descendants were to be recognized as citizens with privileges.

During Smith's state of the nation address this week, Smith said the tribunal's decision could be addressed by calling for a tribal constitutional convention to amend the current document or through referendum petition.

He said the Cherokee people should decide questions on tribal citizenship instead of tribal courts.

"Do we provide Cherokee citizens the authority to decide who their citizens are?" he said. "I would think citizenship is the right of the people to decide."

During his address Monday night, Smith offered his theory about freedmen citizenship.

"These Cherokees believe the freedmen did not help during the last 100 years to rebuild the Cherokee Nation and should not at this late time reap any benefits that Cherokees have earned," he said.

Sitting in the audience, Marilyn Vann, president of the Descendants of Freedmen Association, said she was disappointed by Smith's reasoning.

"The judges have written a very detailed decision. I would like to think the council and voters realize that," she said. "I see the Cherokee Nation as a nation, not a race."

Vann said Smith's claim that black freedmen descendants were taking advantage of citizenship -

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# NEWS

## AROUND INDIAN COUNTRY

### DENVER, Colorado

#### Allard urging Bush to name ex-Sen. Campbell as interior secretary

Colorado Sen. Wayne Allard wants President Bush to nominate former Sen. Ben Nighthorse Campbell as interior secretary, Allard spokeswoman Angela de Rocha said Tuesday.

De Rocha said Allard planned to put the recommendation in writing later Tuesday. Both Allard and Campbell are Republicans.

Campbell is "extremely flattered" but has not heard from the White House and had no other comment on the possibility, spokeswoman Kate Dando said.

Campbell retired from Congress in 2005 after two terms in the Senate and three in the House, and Dando said he is happy with his new job as a senior policy adviser with the Washington law firm of Holland & Knight.

"But a call from the White House would give anybody reason to consider serving their country," Dando said.

White House spokesman Blair Jones would not comment on whether Campbell was being considered for the job.

Campbell has twice been considered for interior secretary, Dando said. He made former President Clinton's short list before Campbell switched from the Democratic to Republican party.

President Bush also considered him in his first term.

Campbell said in January that he said he had grown tired of public office and would not run for the GOP nomination for Colorado governor.

Interior Secretary Gale Norton announced Friday she will step down at the end of March.

Norton is a former Colorado attorney general who spearheaded the administration's efforts to open more federal land in the West to oil and gas development. The White House has said Bush will nominate another Westerner with pro-development views to replace her.

At Holland & Knight, Campbell helps Indian tribes deal with the federal government. A Northern Cheyenne Indian, Campbell has spoken to some of his former colleagues about tribal health and energy issues.

### TOPPENISH, Washington

#### Yakamas withdraw from tribal fish commission

In a dispute over law enforcement practices on the Columbia River, the Yakama Nation has withdrawn from the Columbia River Inter-Tribal Fish Commission and revoked the commission's jurisdiction over tribal members.

"They're trying to claim that they're the head of the whole Columbia River, but they're not," Yakama Tribal Council Chairman Louis Cloud told the Yakima Herald-Republic for a story Monday. "We have our own enforcement. We don't need Inter-Tribal."

The Portland, Ore.-based commission was formed by four Columbia River tribes — the Yakama, Warm Springs, Umatilla and Nez Perce — nearly three decades ago to help the tribes enforce fishing regulations and protect treaty fishing rights, habitat and ensure conservation.

The commission "has not received any notification that the Yakama Nation has revoked or rescinded or removed themselves in any way from the commission," commission spokesman Charles Hudson said Monday.

The commission's 11 officers, who are delegated authority by the tribes and are also commissioned as police officers in Washington and Oregon, police about 300 miles of river between Bonneville and McNary dams.

However, some Yakama tribal members have complained that commission officers are overstepping their authority. One of those unhappy tribal members is a nephew of the man who went to federal prison over Columbia River fishing rights nearly 20 years ago.

Last September, Jeff Sohappy, nephew of David Sohappy Sr., pulled a 150-foot net filled with dead fish from his Columbia River fishing site about 20 miles west of The Dalles, Ore.

Sohappy, 49, said the net had probably gone unchecked for days. The net did not belong to him but had been illegally placed at his site, he said. He was cited for wasting fish and told to appear in state court in Oregon, though he said he was fishing on the Washington side of the river.

Normally, cases involving tribal members go to tribal court. Sohappy suspects he's being treated unfairly by the fish commission, which issued the citation.

"They're just getting too damn bigheaded," he said. "They're exercising authority that was never delegated to them."

Other complaints include tribal fishermen being caught in fish-buying stings.

Nearly two years ago, commission officers ticketed tribal fisherman and commercial fish-buyer Simon Sampson on the Columbia River after two salmon were sold to undercover state fish and game officers just days before the commercial season opened. He prevailed in tribal court.

Sampson said such sting operations echo what happened to the Sohappys decades ago.

In the early 1980s, David Sohappy Sr., his son, David Jr., and other Yakamas were convicted for fishing and selling fish outside of federal and tribal fishing seasons. They called it subsistence fishing allowed by treaty.

Federal authorities disagreed, and David Sohappy Sr. was sentenced to five years for selling some 300 fish to undercover federal agents. His son and others received similar sentences.

Federal regulators set commercial seasons when salmon can be sold. Selling fish out of season is illegal.

Following the convictions, Yakama tribal members narrowly voted to pull out of the commission in 1987, but tribal leaders failed to act on that vote and other similar votes later.

But in January, tribal leaders responded to recent complaints by withdrawing from the commission and revoking its jurisdiction over tribal members.

"We have our own regulations," Cloud said. "We are the only tribe on the Columbia River that has permanent (fishing) regulations."

John Johnson, enforcement chief for the commission, said its officers usually turn violations over to

tribal police for further investigation. If tribal police aren't available, they will then forward the citations to tribal prosecutors if the evidence is strong enough.

That wasn't the case with Sohappy, so his citation was turned over to state authorities, Johnson said.

"The bottom line is we're responsible for protecting the resources," he said.

Staying with the commission would eliminate the need for state and federal enforcement of tribal fisheries, which caused problems in the past, Johnson said.

"We don't want to go back to that type of enforcement, but there will be some kind of regulation on the river to protect the resource," he said.

### LINCOLN, Nebraska

#### Sheridan County renews Whiteclay alcohol licenses

Three Whiteclay stores will be able to continue selling beer despite complaints filed by American Indians and others.

The Sheridan County Board of Commissioners passed a resolution on Monday automatically renewing liquor licenses for the three stores located in the town of Whiteclay, which is just across the border from the Pine Ridge Indian Reservation in South Dakota.

Alcohol is banned on the reservation, and activists have complained for years that selling beer in Whiteclay only exacerbates problems for the 15,000 Oglala Sioux living across the border. The reservation has one of the nation's highest alcoholism-related mortality rates.

American Indian activists and others rallied in Rushville last week to oppose the license renewals.

The commission could have required the three stores — Mike's Pioneer Service, Jumping Eagle Inn and State Line Liquor — to apply with the state Liquor Control Commission to have their licenses renewed.

But the commission, in its unanimous vote, cited a Nebraska Supreme Court decision that said a license must be renewed if the applicant is qualified to receive it, the store is the same as that which currently holds the license and the premises are suitable for the sale of alcohol.

Mark Vasina, president of Nebraskans for Peace, said Monday that he did not know whether the commissioner's decision could or would be appealed. Other complaints against the Whiteclay beer stores are being investigated, Vasina said.

"We expect to file another complaint against perhaps two of the liquor stores in Whiteclay if not three within the next couple months," he said.

The three stores sell an estimated 12,000 cans of beer a day.

Vasina had argued before the commissioners that there is inadequate law enforcement in Whiteclay, the stores sell to minors and intoxicated people and patrons are allowed to drink in public.

### MILWAUKEE, Wisconsin

#### Lobbyist marshaled Illinois opposition to Kenosha casino

The Forest County Potawatomi tribe, which opposes a Kenosha casino proposed by the Menominee tribe, also hired an Illinois lobbyist to marshal opposition there, an Illinois lawmaker said.

Illinois lobbyist Malcolm Chester orchestrated what was advertised as a public hearing hosted by Illinois Rep. JoAnn Osmond, the Republican lawmaker said. In advance of the March 6 hearing, Chester organized a letter-writing campaign against the proposed \$808 million Kenosha casino, Osmond said.

Potawatomi spokesman Ken Walsh confirmed Chester had worked on the tribe's behalf but said that shouldn't be surprising given the Potawatomi's outspoken objection to what would be a competing casino 35 miles away.

Evan Zeppos, a spokesman for the Kenosha casino project, said it was hypocritical for the Potawatomi to organize opposition. He said the Kenosha casino would create several thousand jobs, which the Potawatomi should support given the tribe's TV ads promoting its own casino job creation efforts.

"These blatantly misleading publicity stunts ... show that they are not the concerned citizens that they falsely claim to be," Zeppos said.

Walsh said the concern of Illinois opponents was relevant because the Bureau of Indian Affairs, whose approval is needed for off-reservation casinos, conducted an inadequate analysis of the Kenosha casino.

Chester contacted Osmond in September about the Kenosha plan, seeking her help in a letter-writing campaign to oppose the casino, Osmond said. She said she knew him from lobby efforts on other issues.

"If he is on the Potawatomi payroll, I don't know about that," Osmond said. "I don't mean to be stupid, but I never asked." She said she knew Chester from his efforts to lobby the Illinois Legislature on other issues.

Chester didn't return calls by the Milwaukee Journal Sentinel.

Osmond said the Potawatomi tribe had not donated to her campaign "that I'm aware of."

She and other Illinois officials opposed the Kenosha casino, saying it could create traffic and other problems in Illinois.

Illinois Rep. Mark Beaubien wrote to the Bureau of Indian Affairs saying the Kenosha casino could take business away from riverboat casinos in Illinois, as well as chances for a proposed casino for nearby Waukegan, Ill.

"In short, Lake County will have all of the problems with gaming and none of the benefits," Beaubien wrote.

Most of the patrons at the Kenosha casino would come from northern Illinois, Zeppos said.

### HARRISBURG, Pennsylvania

#### Gaming or gambling? What's the difference?

Anne L. Neeb, the executive director of Pennsylvania's new agency to regulate slot-machine gambling, was telling senators earlier this month about "compulsive gaming problems" when one of them asked if she meant "gambling addiction."

"Yes, that is gambling addiction," Neeb responded.

"OK," concluded the questioner, Sen. David J.

Brightbill, who opposed the bill that legalized slots in Pennsylvania 20 months ago. "Maybe that would be a better term."

That exchange dramatized a nationwide rhetorical quandary. What most Americans call "gambling" is generally called "gaming" by people who have a stake in its financial or political success.

Even the fledgling agency that Neeb heads is named — by law — the Pennsylvania Gaming Control Board, not the Pennsylvania Gambling Control Board.

"Gambling" suggests vice, the shady underside of games of chance," said Kathleen Hall Jamieson, director of the Annenberg Public Policy Center at the University of Pennsylvania. "Gaming" suggests sportsmanlike, honorable behavior in which there are rules that are enforced, and there is no shady underside."

"Gambling" implies the likelihood of loss, whereas "gaming" implies fun, added Jamieson, who studied the political use of the words as Gov. Ed Rendell led the charge to legalize slot machines in Pennsylvania.

Which word is more accurate? It depends on whom you ask.

Webster's New World College Dictionary defines the words in similar fashion, although "gaming" is also described as "gambling," but not vice versa.

A national casino industry group cites the Oxford English Dictionary's opinion that "gamble" is an 18th-century slang offshoot of "game," and that "game" has been used for much longer. That industry group is named the American Gaming Association.

"The business is gaming, the activity is to gamble," said Virginia McDowell, a spokeswoman for Trump Entertainment Resorts.

Jan Jones, the former Las Vegas mayor who is now a senior vice president for Harrah's Entertainment, said "gambling" became "gaming" as that city's famous Strip transformed into an entertainment mecca, complete with shopping and stage shows.

Nonetheless, Bill Thompson, a University of Nevada-Las Vegas professor who studies the gambling industry, said that "gaming" went virtually unused until the late 1980s.

That was when the federal government paved the way for more casinos on Indian land. States wanted to benefit from those revenues but, at the same time, politicians wanted to avoid the ugly images of mobsters, prostitutes and addicts that were associated with casino gambling in Las Vegas and Atlantic City, N.J., Thompson said.

"The legislators say, 'Oh no no, we don't have gambling. We just have gaming. We're just playing games,'" Thompson said.

In the 1950s, Nevada created a Gaming Control Board and Gaming Commission, the first modern-day agencies to regulate the casino industry. Other state regulatory agencies followed decades later — the Colorado Division of Gaming, the Indiana Gaming Commission and the Louisiana Gaming Control Board, among others.

Only a few states, including Minnesota, California and Washington, use "gambling" in the title of a regulatory agency.

Tad Decker, a Philadelphia lawyer who had no connection to the gambling industry before Rendell tapped him to chair the Pennsylvania Gaming Control Board, uses the word "gaming," but not without a struggle.

During the Appropriations Committee hearing where Neeb testified, he corrected himself after saying the word "gambling."

In the early 1970s, Pennsylvania officials wrestled with the negative image associated with casinos when they introduced another state-sanctioned gambling program.

The sale of 50-cent tickets that underwrote \$1 million weekly drawings and property-tax rebates for the elderly was named the Pennsylvania Lottery.

### FORT SMITH, Arkansas

#### Opposition growing to proposed Fort Smith casino

Political leaders in Arkansas have begun lining up to oppose a proposed Indian casino in Fort Smith.

Arkansas businessman Bennie Westphal and the Keetoowah Band of Cherokees, based in Oklahoma, are seeking clearance to open the casino on land along the Arkansas River in downtown Fort Smith. The band already has a gambling operation in Tahlequah, Okla.

The tribe has federal recognition and says it is applying through the Bureau of Indian Affairs, though the agency says it has not received an application. It could take 18 months for a decision from the bureau once the application is received.

Federal law grants Indian tribes the right to offer the same games allowed in a state on land designated as trust property or on reservation property, and Arkansas voters permitted electronic games of skill at the West Memphis and Hot Springs racetracks last November. Expanding the definition of legal gambling could open the door to the casino, opponents to the casino have said.

Sen. Mark Pryor said he opposes the effort to open the casino in Fort Smith and said he may support a proposal to ban Indian casinos on non-reservation land.

"Arkansans have spoken to this issue many times and said, 'No,' and I will oppose any effort to undermine their will," said Pryor, D-Ark.

Pryor said he is weighing whether to support a bill by Sen. John McCain, R-Ariz., to prohibit gambling on non-reservation lands. Rep. John Boozman, R-Ark., whose district includes Fort Smith, said he opposes casino gambling.

Gov. Mike Huckabee said he opposes the proposal but said the next governor will likely have to deal with the casino organizers.

The major candidates for governor, Democratic Attorney General Mike Beebe and Republican former congressman Asa Hutchinson each say more legal research is needed on whether the casino could be opened. A Hutchinson spokesman, David Kinkade, said Sunday that the candidate was opposed to the proposal. Beebe declined comment, saying his office was researching the matter.

Sen. Blanche Lincoln, D-Ark., said she would "listen to constituents in Fort Smith before deciding on this matter."

The Keetoowah band had opposition among other tribes.

Cherokee Nation spokesman Mike Miller said the Keetoowah band does not have claim to the stretch of land in Fort Smith.

"They have never had a reservation or any land set aside for them," Miller said.

But Westphal said that argument strengthens the Keetoowah band's position.

Westphal says the development would include a 250-room hotel and casino that would have 800 full-time employees. The casino is to have almost twice as many slot machines as the tribe's Tahlequah casino and backers say it could generate \$80 million in revenue during its first year of business.

## FREE SPEECH from pg 1

been waging a free speech battle with all 11 tribes in Minnesota for the past 17 years, but especially Red Lake. He recently was awarded a prestigious Freedom of Information award from SPJ (Society of Professional Journalists) for his tireless efforts to obtain tribal financial documents, especially those related to casinos. Tribal police once jailed one of my former students, who attempted to report on a tribal executive committee meeting in Mille Lacs. He and Lawrence, who has a law degree from the University of North Dakota Law School, pressed his case in court, but lost on grounds of tribal sovereignty.

Lawrence thinks sovereignty has not only been overrated by all concerned, but that this "sovereignty bullshit" has to go. "Those whom the system is benefiting don't want change," he told me over soup and salad at the Bemidji Green Mill. Tall and rangy, the former all-state athlete still has a quietly commanding presence about him that has served him well in the battles he's taken on. Not that he's won any, but, in the war of words, it's engagement itself that constitutes a victory.

He hasn't written much about the shootings. "There's been plenty written about it," he said. Instead, he's using every legal maneuver at his disposal to obtain school records and get to the bottom of the policies and procedures, and, most important, financial dealings of the school district. The district gets approximately \$17,000 per pupil, he said, which is by far the highest in the state; "but," he noted, "the scary part is that kids aren't going to school," alluding to the school's reputation for poor attendance.

Like any good investigative reporter, he believes in following the money, which is almost impossible within the opaque world of reservation government. The tribal governments are "multi-million dollar economies" run by people with "no college degrees," he said. He pointed out that, since the courts are not independent, development is inhibited by uncertainty about rights and responsibilities. He doesn't think Democratic officeholders hold tribes accountable because they are "awash in casino contributions," but still does not consider himself a Republican. "I'm an outsider," he concluded. He said the ACLU has shown no interest in this fight. A search of their website indicates that they often come to the aid of tribal members when their civil rights are violated off the reservation, but not under tribal governments.

Even though he's related to many people in Red Lake, Lawrence is considered an outsider because of what he does. He has a few loyal friends, but mostly he's considered a troublemaker. He's truly a lone voice in the wilderness. One of Lawrence's former reporters, Mark Boswell, experiences a different kind of alienation. Boswell, who is from the nearby White Earth Reservation, works as a graphics designer for the Star Tribune of the Twin Cities. He wrote a poignant op-ed piece in the March 27 edition about being sent up to the reservation to get information for graphics accompanying their stories.

As soon as people realized he was a reporter, he wrote, it didn't matter that he was Ojibwe. He was shunned. "I just couldn't shake the feeling of being the voyeuristic journalist," he added. "But I was just trying to do my job as best I could." Months later, he told me, he has yet to get inside the school. He was enterprising enough to call the company that drew up the architectural plans for that part of the school. He was astonished to discover that someone in Red Lake had called the company and ordered them to not release the plans to anyone. He said he understands why journalists may be viewed with "deep suspicion" on any reservation and being seen as "one more in a long line of colonists." He added, though, that there might be an overblown sense that the media are "trying to manipulate information to some weird end." He concluded that he "didn't really belong and could never understand."

Larry Oakes is the Star Tribune's northern correspondent, and is originally from nearby Cass Lake, on the Leech Lake Reservation. He described the week of March 21 as "a low point in my career." Oakes, who is non-native, said the magnitude of the story and the presence of dozens of journalists from as far away as Sweden created a competitive "feeding frenzy" in which grief-stricken families were hounded almost incessantly for interviews. "I witnessed a lot of bad behavior by fellow journalists," said Oakes, who has been with the paper for 20 years. He said that some reporters, feeling intense pressure from editors and news directors not to miss a detail, slipped into funerals from which the media were specifically banned. Another sneaked into a closed hospital wing, prompting the previously cooperative hospital to ban journalists from the building. After a quote from the shooter's grandmother appeared in the *Washington Post*, Oakes was ordered to visit her home, he said. He refused, informing editors that the grandmother had twice refused other *Star Tribune* reporters on two previous days, saying she had no comment until after the boy's funeral. Oakes said an editor pressed him to the point of calling him insubordinate and hinting that he may be disciplined.

It was Dalton Walker who interviewed Weise's grandmother for the *Washington Post*. According

## FREE SPEECH to page 7

**The Native American Press/Ojibwe News**  
VOICE OF THE PEOPLE

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# NEWS BRIEFS

## Expanded American Indian Center opening at UND

GRAND FORKS, N.D. (AP) - A new, roomier American Indian Center is expected to be ready for University of North Dakota students next week.

Leigh Jeanotte, director of American Indian Student Services, said this week is set aside for moving and cleaning from the former center to a larger space.

The new center will have 22 computers compared with eight in the former space, and it will offer students a place to get extra help with classes.

A program to recruit American Indian students will be in the center, and some of UND's American Indian associations, such as the American Indian Science and Engineering Society, can relocate to the center if needed, Jeanotte said.

Later, the center will house resource materials and artifacts for the university and the Grand Forks community.

The project to build the facility initially was funded through UND, which designated \$500,000 for the project. Jeanotte said the American Indian Center raised nearly \$500,000 more to finish some of the construction and to furnish the new center.

## Hearing set for Bear Butte bar application

STURGIS, S.D. (AP) - A Sturgis bar owner is moving ahead with plans for an entertainment area near Bear Butte.

Meade County commissioners plan to take testimony April 4 on Jay Allen's application for a malt liquor license. Allen owns the Broken Spoke Saloon in Sturgis and has bought land near Bear Butte in hopes of putting in a bar, amphitheater and campground.

The site would be called Sturgis County Line and would cater to people who attend the annual motorcycle rally.

American Indians oppose the project because they consider Bear Butte a sacred place.

## Construction completed at UND Indian center

GRAND FORKS, N.D. (AP) - The University of North Dakota has finished construction on a \$500,000 American Indian Center.

The center is slated to open on Monday.

"We pretty much have everything packed up already," Donna Brown, assistant director of American Indian Services, said Friday. "It's an extremely exciting time."

The center was completed after two years of off-and-on construction.

More than half of the approximate 450 American Indian students on used the old center, a converted old home. Brown said the old center had eight computers and old, mismatched furniture. The new center will provide double the space. The center also has 22 new computers and new furniture. It also will have space for the school's American Indian Student Services division. "Everything is going to be new," Brown said. "I think our students deserve that."

The new center may only be temporary. Fundraising continues for a larger \$4 million facility to be built later.

## American Indian Journalism Institute accepting nominations

VERMILLION, S.D. (AP) - This year's session of the American Indian Journalism Institute is scheduled for June 4-23 at the University of South Dakota. "We're expanding and improving the curriculum this year to help prepare more Native Americans for journalism careers," Jack Marsh, AIJI director and executive director of the AI Neuharth Media Center, said in a release. "Students will be able to return to AIJI a second or third year and take different courses."

This year's institute is the sixth-annual event. The application deadline for students is March 31. Any American Indian college student with an interest in becoming a newspaper journalist may apply, organizers said. In its first five years, AIJI graduated 127 students.

Program graduates earn four hours of college credit that they may transfer to their school. Top graduates receive paid internships as reporters, copy editors and photographers at daily newspapers and with The Associated Press for up to six weeks in the summer.

Last summer, more than two dozen AIJI graduates worked in paid news internships. Nominations should be sent to Jack Marsh, executive director, AI Neuharth Media Center, 555 Dakota St., Vermillion, SD 57069. Nominations also may be sent via e-mail to [jharris@freedomforum.org](mailto:jharris@freedomforum.org). The application also is online at <http://www.freedomforum.org/diversity>

## Billions uncollected in penalties for wrongdoing; many reasons why

By MARTHA MENDOZA and CHRISTOPHER SULLIVAN  
Associated Press Writers

When a gasoline spill and fiery explosion killed three boys in Washington state, officials announced a record penalty against a gas pipeline company: \$3 million to send the message that such tragedies "must never happen again."

When nuclear labs around the country were found exposing workers to radiation and breaking other safety rules, assessments totaling \$2.5 million were quickly ordered.

When coal firms' violations were blamed for deaths, injuries and risks to miners from Alabama to West Virginia, they were slapped with more than \$1.3 million in penalties.

What happened next with these no-nonsense enforcement efforts? Not much. The pipeline tab was eventually reduced by 92 percent, the labs' assessments were waived as soon as they were issued, and the mine penalties largely went unpaid.

The amount of unpaid federal fines has risen sharply in the last decade. Individuals and corporations regularly avoid large, highly publicized penalties for wrongdoing - sometimes through negotiations, sometimes because companies go bankrupt, sometimes due to officials' failure to keep close track of who owes what under a decentralized collection system.

These are conclusions of an Associated Press examination of federal financial penalty enforcement across the nation, which also found:

The government is currently owed more than \$35 billion in fines and other payments from criminals and in civil cases, according to Justice Department figures. This is almost five times the amount uncollected 10 years ago - and enough to cover the annual budget of the Department of Homeland Security. A decade ago, Congress mandated that fines be imposed regardless of defendants' ability to pay, which has added tremendously to outstanding debt.

In 2004, federal authorities ordered \$7.8 billion in 98,985 fines, penalties and restitution demands in criminal and civil cases, but collected less than half of that.

White-collar crime cases account for the largest amount of uncollected debt. In a study, Government Accountability Office investigators found that just 7 percent of restitution in such cases is paid.

Fines and orders to pay restitution are an important part of how we punish convicted criminals. When so little effort is made to collect that money, we allow convicted criminals to avoid punishment for their crimes, weaken our criminal justice system and ultimately deny

justice to the victims of crimes," said Sen. Byron Dorgan, D-N.D., who has pressed for closer scrutiny for years.

The mechanisms of financial penalty enforcement are complex. To glimpse them, the AP filed Freedom of Information Act requests with a dozen federal agencies, seeking records on why and how they issue and collect administrative penalties and other assessments.

The AP reviewed the responses, which ranged across the spectrum of regulation - from penalties for an Illinois company's shoddy bike handlebars that resulted in knocked-out teeth to fines for selling tainted meat in Tennessee. The AP also reviewed more than a decade of congressional and Justice Department reports on uncollected debt, and interviewed agency officials, prosecutors and individuals who were fined.

Although the government does collect billions each year in fines, penalties and restitution - including hundreds of millions in long-outstanding debt - success rates vary from agency to agency, region to region, case to case.

In many high-profile cases, fines are touted by authorities as proof that they are cracking down. Yet frequently those orders are quietly negotiated to just a fraction of their original amounts - as if drivers, faced with fines for speeding, offered the traffic court judge pennies on the dollar, and the judge agreed.

Documents provided to the AP by the Labor Department's Employment Benefits Security Administration, whose job is to protect pension and welfare benefits, showed that \$2,000 was the maximum amount paid on nearly a dozen penalties ranging from \$86,500 to \$180,000; these were for various kinds of violations, everything from failure to file reports to self-dealing by pension fund managers.

Why the reductions? Officials explained that compliance is the agency's goal, and that the law allows penalties to be reduced when companies make amends. Violators who don't comply risk being referred to the Treasury Department, which can collect by seizing federal benefits.

The Occupational Safety and Health Administration's written policy explains to inspectors that they can reduce penalties by as much as 95 percent, "depending upon the employer's 'good faith,' (25 percent) 'size of business,' (60 percent) and 'history of previous violations.' (10 percent)"

Internal documents from U.S. Customs show that dramatically large fines may be cut sharply.

Agency documents released under AP's FOIA request listed, for example, a \$60,911,316 "commercial fraud" assessment for one company - but the case ended with a \$15,000 collection by Customs.

The company, Richemont North America, contradicted the Customs reports, saying the case never reached the point of an actual, multimillion dollar fine.

Admittedly, some paperwork was not in order, company lawyer Alan Grieve said, but he added: "Ultimately, the size of the settlement does reflect the fact that Richemont had no major problem at all."

The Energy Department routinely issues substantial fines it isn't even allowed to collect.

Federal law exempts the national nuclear laboratories from most financial liability, but the Energy Department has issued some \$2.5 million in fines against Los Alamos, Livermore and Argonne national laboratories since 2000. The fines - issued and waived in the same sentence - involved 31 different workers who inhaled or touched radioactive or toxic materials.

In 2004, Energy's National Nuclear Security Administration fined Los Alamos National Laboratory in New Mexico \$770,000 for five separate violations after two workers were exposed to dangerously high levels of plutonium. The violation notices add in parentheses: "Waived by Statute."

"This is kind of an exercise in absurdity," said Greg Mello, who heads the Los Alamos Study Group, a nuclear disarmament activist organization in Albuquerque. Even so, the Energy Department includes the fines in its annual reports to Congress and often announces them in press releases.

Last year, Congress tightened the rules so that as nuclear laboratory contracts are renewed, the fine waivers are eliminated. Eventually, said DOE spokesman Jeff Sherwood, nuclear labs will have to pay imposed fines.

The reason DOE issued fines it could not collect was to show what the problems were and how bad, he said: "A \$1 million fine says something different than a \$10,000 fine."

**BILLIONS** to page 6

## VETERANS from pg 1

Leech Lake Band member, no matter where they reside, is eligible to be honored and placed on the Wall of Warriors. Any Native American veteran or descendant of a Native American who in the past lived on or presently lives on the Leech Lake Reservation or who lived near the Reservation and worked for or on the Leech Lake Reservation is eligible to be placed on the Wall of Warriors. If in doubt, submit the name and the Post will decide if the person is eligible. Both living and deceased veterans will be placed on the wall. A veteran is one who served in the military in one of its branches, the Army, Marines, Navy, Air Force, Coast Guard or Merchant Marines.

Your help is needed to identify the Native American veterans who served their country in the military who are Leech Lake members or descendants, or who are Native Americans from other bands or tribes who lived on or worked for the Leech Lake Reservation. If you are a veteran or have a veteran in your family, or know of a veteran, we need his/her full name, date of birth or death if deceased, the band or tribe the person is from, what service branch the person served in, sometimes more than one, and the dates of service if known, and any awards of purple heart or higher. If you know a Native American Veterans, tell him about the memorial. Also give an address or phone number that you can be reached at if there is a question on any material that you submit. Our goal is to have as many Native American veteran names as possible on the wall this Memorial Day, and we can only do this with your cooperation and help.

Please send the information to the following persons: Ted. M. Bogda, 14941 Iowana Beach Road NE, Bena, Minnesota 56626, phone 218-665-2318 or to Gina Erwin, 1305 East 24th Street, Minneapolis, MN 55404, phone 612-721-0207.

## "Dying in Indian Country" A Story of Inspiration



**MTN 75 - Thursday, March 16 @ 10 pm**  
**MTN 75 - Thursday, March 23 @ 10 pm**  
**MTN 16 - Sunday, April 9 @ 10 pm**

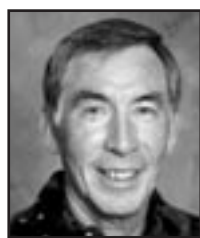
If you think getting tested for colon cancer is a **pain in the butt,** consider the alternative.

If you are 50 or older, even if you have no family history of the disease, you are at risk for colon cancer. But colon cancer can be prevented. Ask your physician about getting tested.

For more information about colon cancer and how to talk about it with your physician, call 1.800.ACS.2345 or visit [www.cancer.org](http://www.cancer.org).

# EDITORIAL & COMMENTARY

Editorial articles, commentary and letters to the editor appearing in the Native American Press/Ojibwe News represent the views of their author(s), and do not necessarily reflect the opinion, attitude, philosophy, or beliefs of the Native American Press/Ojibwe News, its staff, or publisher. All letters and commentaries must include a name and contact information. Writers wishing to remain anonymous may request their name withheld from publication.



**Bill Lawrence**  
Publisher  
Native American  
Press/Ojibwe News

## COMMENTARY

Last week we printed an article about the condition of the Red Lake Police Department (RLDP). We were criticized for our coverage in an article posted on the Red Lake News Net (RLNN). Nothing I like better than setting the record straight.

The information we printed was taken from the Red Lake Nation Law Enforcement Program Review conducted by The Bureau of Indian Affairs, (BIA) District 1 Law Enforcement Services personnel and Office of Professional Standards Staff at Red Lake during August 23-September 3, 2004.

Readers wishing to verify the data we presented may obtain a copy from Press/ON for the cost of copying and shipping. A copy should also be available to interested persons at The Red Lake Tribal Offices.

Our critic challenged that we publish "letters from people who will not sign their names." Please note, the message critical of me and the Native American News/Ojibwe Press was unsigned.

The writer likened our publication of unsigned letters to those found in the Dear Abby advice column, an apples and oranges comparison. Dear Abby gives advice based on letters that talk about everyday occurrences, domestic troubles and the like. We publish letters that speak of abuse of civil rights, denial of constitutional guarantees, of tribal government mismanagement and abuse of powers. I submit there is a substantial difference in the importance of the subject matter found in these two kinds of published letters.

Our policy is to print only letters to the editor that are signed and verifiable. We get many letters that don't meet this standard and are not printed. We also get letters that we consider libelous, i.e. accusing someone of a crime, loathsome disease, etc., and we will not print them.

We feel we have a liberal letter to the editor policy, allowing names to be withheld upon request when justified. (Later in this column you will have an opportunity to read the content of surveys conducted during the BIA review wherein tribal members frequently cite a fear of repercussion should they speak up about matters on the reservation.)

I willingly offer anonymity to writers who express sincere interest in exposing wrongs. I have always given space to anyone interested in expressing a point of view and/or to offer a counter point to what has been printed. More prominent and influential voices than mine have proclaimed the importance of an Independent Press to a successful democratic process. The press has consistently been identified as a guarantor of individual freedoms. The press has been recognized as the guardian of the peoples' right

## Press/On responds to Red Lake News Net messages

to know.

The writer said we got it wrong. That it was Criminal Investigating that was "unsupervised, ill trained and ineffective, Not [sic] the police officers." It continued, "Last I knew, All the police officers attended the Indian Police Academy/Federal Law Enforcement Training Center in Artesia, New Mexico. All the Red Lake police officers are Federally certified. . . . The statement about the Red Lake police officers is untrue."

If RLPD officers are well trained how can the following write-ups apply?

The BIA report lists the following areas of noncompliance of RLPD in training issues:

Law Enforcement Officer Pre-Service Training requirement, Restrictions on the use of officers prior to completion of pre-service training [having officers slated to attend is not sufficient, they must complete training before being allowed to serve].

Law Enforcement Officer In-Service Training, no documentation on file regarding completion of an additional 40 hours of job relevant training for each year.

Noncompliance with law enforcement operations:

No compliance with constitutional protections of suspects.

Non compliance with arrest procedures, response to emergency calls, search of prisoners prior to transport, supervision of prisoners during transportation, search and seizure, submission of crime data. . .

The above notations are simply examples taken from the BIA Review. There are many more details in the report. We've included a sampling to substantiate the information we've presented earlier.

The writer is partially correct, the 85 missing files were from Criminal Investigating. The BIA reviewers noted that the files were sometimes in the possession of the criminal investigators, being worked on. Additionally, they report that one investigator grudgingly handed over the files, one at a time. However, given the breach of faith and leaks to suspects prior to action, it is not unexpected that the investigators would want to retain possession of all information.

Several responders to this internet posted article added their comments. Most of them were derogatory about us. One said, "But there are actually some letters that are printed that do spark an interest - just like this forum." Another said, "I hate it though, seeing our dysfunction plastered all over the state. . . ." The last one asked, "So are all the allegations untrue? Or is there some truth to them? Because I hear a lot of the negative about the PD. Any why is nothing happening to these d drug dealers?"

This comment deserves some response. The allegations about the ineffectiveness of the RLPD are true. You can verify the statements printed here by looking at the report. It also contains copies of surveys collected from tribal members taken at community meetings, held in Little Rock, Red Lake, Ponemah,

and Redby on August 31, September 1, 2, 3, 2004 respectively.

The surveys substantiate the report. Little Rock respondents said when they have requested law enforcement assistance, their situation was not handled professionally. They were concerned about police response time, "officers using excessive force. . . . Some asked for more patrols and street lights." A small number of Little Rock attendees "stressed juvenile delinquency activities such as teens and children running around after curfew, teens breaking into houses and cars and unsupervised children." Others indicated they were concerned about the Tribal Courts and fairness in sentencing for serious crimes.

Of 113 Red Lake surveys, 90 respondents indicated they had requested law enforcement assistance in the past; 79 of the 90 said the situation was not handled professionally.

"The concerns mentioned by the community were mainly drugs and drug dealers. Juveniles were also a concern as well as stray dogs. Property damage and break ins were also mentioned. People were also concerned with lack of police response and slow response time. Some expressed concern for officers using excessive force and fairness during arrests." Red lake respondents were also concerned about Tribal courts and fairness in sentencing serious crimes.

Ponemah surveys: of the 34 attending the meeting, 27 attendees said they had requested law enforcement's assistance. Of the 27, seven said they received professional care, 20 thought they did not receive professional care. Ponemah concerns included "police officer attitude and response time. About half of the people felt safe in their community. They asked for extra patrol and more visibility. . . . A few asked for a permanent officer in the area."

Of 32 surveys from Redby, 27 said they had requested law enforcement assistance. Eleven said their situation had not been handled professionally. Redby concerns "were mainly juvenile activity. . . . Drug use and drug dealers were also mentioned as a catalyst for crimes that included theft, violence and trespassing. Preventive patrol and better response time from officers was also mentioned in many letters."

So there you have it. According to the surveys, which can be regarded as a significant sampling of the whole population, the majority of people in all the communities have expressed that their situation requiring law enforcement assistance was not handled professionally. Members are concerned about the lack of activity and supervision of juveniles, two of the 4 communities expressed concern about the effectiveness and fairness of the tribal court. Most respondents wanted better response time by police to their calls.

In order to improve on response time, the Review expressed that officers should be stationed in each of the communities rather than having them all be in Red Lake.

For us to assert that everything is wrong at RLPD may have been an

overstatement. To counter that, we list below examples of the positives that do exist in the Department. We will also give further examples of noncompliance with accepted police standards. The items included are somewhat random choices, based on what might be of most interest to tribal members.

Positives included: All officers were sworn to enforce the law, uphold the U.S. Constitution and . . . those of the Tribal governments. The Department has a written mission statement and annually reviews it and the statement of values. The Review recommends that a mission and value statement should be posted in a public place.

Unity of Command, each employee is accountable to only one supervisor; Compliance with orders, employees obey lawful orders. All employees have access to a Law Enforcement Program Handbook. There is compliance with budgeting and other administrative directives. Criteria for selection of law enforcement officers is adhered to.

Examinations to determine fitness for duty, physical fitness examination, testing of applicants are certified as adequate. All sworn officers are expected to comply with a Code of Conduct.

Procedures exist covering inspection of firearms; firearms proficiency tests and annual training on use of force are conducted semi-annually. Generally speaking, police officers were appropriately uniformed and equipped.

In addition to the training inadequacies discussed above, BIA reviewers pointed out the following items. Negatives: Media access to law enforcement events (crime, fires, natural disasters or catastrophic events) was noncompliant. There is no policy on file, no designated personnel authorized to release information, no written plan for emergency notification of the public, etc. No compliance with constitutional protections of suspects, no written policy on arrest procedures, response to emergency calls, search of prisoners or vehicles; no case numbering system.

The summary score sheet gives these ratings:

Law Enforcement Role, Responsibility & Relationships - 86% compliant; Organization, Management & Administration 83% compliant; Personnel Process - 83% compliant; Training- 54% compliant; Law enforcement operations 38% compliant; Operations support; 29% compliant

The RLPD is seriously non-compliant. This statement from an "Overview of the Red Lake Tribal Police Department," signed by Agents Jerry Keener and Mike McCoy tells what serious noncompliance does to a program.

"Failure to adhere to basic policy increases program liability and decreases program effectiveness. The result is a community that is potentially placed at greater risk and danger from less than optimum or poor law enforcement services. Poor performance can be reflected in a high crime rate, a high number of citizen complaints against the

MESSAGE to page 6

## Unsigned message on RLNN besmirches my reputation — my response

An unsigned message posted to the Red Lake News Net (RLNN) attacked our coverage of the Bureau of Indian Affairs' Review of the Red Lake Police Department. We've answered the criticism by quoting extensively from the report. That information is contained in the regular editorial feature of this issue.

The Internet posting also contained information from a report that Roger Jourdain had commissioned in 1986. Jourdain paid four individuals to travel to Nevada and California to try to find some 'dirt' on me. Former Chairman Jourdain then published an extremely derogatory report. Some of the lies about me in the report were repeated in the RLNN posted message.

The writer of the RLNN message said "Bill Lawrence was found to have bankrupted the Fort Mojave Tribe in California, The Fort Mojave Tribe is still attempting to get back on their feet from the actions of Bill Lawrence." The continued statement declared I was a "fraud and a person attempting to get rich off of the Fort Mojave Tribe."

It said I had burned down a trailer home provided for me by the Fort Mojave Tribe, and that he [I] "undermine[d] the Fort Mojave School district hoping to make himself and his friends rich."

The writer admits this 'information' came from an assignment by Roger Jourdain, who sent "Two respected Red Lake Tribal Council Members," to the Fort Mojave area to try to dig up something on me. Jourdain was prompted to take this action by his fear that I would run against him for Tribal Chairman in 1986.

When I learned of the 'investigation' and report about me, I contacted my former boss, Llewellyn Barrackman. He refuted every allegation that Roger Jourdain was circulating against me.

Mr. Barrackman was the Tribal Chairman while I was employed by the Fort Mojave Tribe. He re-

tired only two years ago after having served 45 years on the Tribal Council. He is a man of impeccable integrity. He still serves on the Fort Mojave Gaming Board.

The letter he wrote on my behalf is printed adjacent to this statement. I invite you to read it and make your own judgment about the 'facts' that were circulated in the false report.

Incidentally, I was invited to and will be attending the Fort Mojave's 100th Anniversary celebration Saturday March 18, 2006.

\* \* \* \*

At the end of the diatribe, the anonymous writer declared me to be "a person who hates his own people. . . . He attacks the Red Lake Tribal Council or enrolled Red Lake Tribal Members every chance he gets. He wants the Red Lake people to fight each other by using his newspaper, . . . He isn't the only one doing this to our people. There are certain people in Red Lake who are trying at this very minute to slander the Tribal Council for their own gain. Hoping that they are elected to certain positions. . . ."

What a sad and disturbing attack this is on my friends, my work and me. Talk about "slander!" The writer of the email message hides behind anonymity to slander me, harking back to lies that were circulated in 1986.

I am not against my people. Remember, that ¾ of Indian people in the U.S. do not reside on reservations and have a different position and values.

My work, making space and ink available for the people to tell their story, over the past 18 years speaks for itself. Without the vehicle for disseminating information that The Native American Press/Ojibwe News provides, the people would never know how unscrupulous their leaders have been and how they have stolen from the people. Those who hate the people are those who steal from the tribes and defraud by mismanagement

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## Fort Mohave Indian Tribe

To Whom It May Concern: May 5, 1990

I recently had occasion to read a report dated March 28, 1986, commissioned by Roger A. Jourdain and written by Elmer M. Savilla of EMS, Enterprises. The apparent focus of the report was to discredit William J. Lawrence, who was formerly employed by the Fort Mojave Indian Tribe as Executive Director. In the report Mr. Lawrence was accused of mismanagement, misuse, and theft of funds and property of the Fort Mojave Indian Tribe. During the period of these allegations, I was, as chairman of Fort Mojave Indian Tribe, Mr. Lawrence's immediate supervisor. The report begins by alleging that Mr. Lawrence got the Fort Mojave Indian Tribe into serious indebtedness while employed as Executive Director. The truth of the matter is that all actions taken by Mr. Lawrence were the results of reso-

lutions and directives of the Fort Mojave Indian Tribal Council.

Prior to Mr. Lawrence's employment by the Fort Mojave Tribe, the Fort Mojave Tribal Council, in order to protect our water rights, had undertaken an ambitious plan to develop approximately 14,000 acres of irrigatable land on our reservation. In fact, prior to Mr. Lawrence's employment by the tribe, we had obtained loans of approximately \$3 million and hired a development and management company to develop and manage 2,000 acres of our agricultural lands. In addition we had embarked upon a program to lease out under 25 year developmental leases nearly 10,000 acres of our lands. Durant the course of Mr. Lawrence's employment by the tribe, all the lands were developed and put into agricultural production. In pursuing our own tribal development, the council had

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## Please vote April 4, 2006

By Benay Nazhike Fairbanks

My name is Benay Fairbanks. I am running for the office of Secretary Treasurer of the Leech Lake Band of Ojibwe.

I would like to take this opportunity to give a little background of who I am.

My mother is Deanna Fairbanks, the daughter of Leroy Fairbanks and Edna Whitefeather. I have lived here in the Cass Lake area for the past 10+ years where I have had several positions within the Leech Lake Tribal organization which I will recap in the following.

My first position with the Tribe was working with Heritage Sites, conducting archeological studies of our areas. The experience was rewarding and established a keen sense of who we are, and where we came from.

My second position was within the Tribal Specialized Transportation Department where I with help from a group of dedicated people created the Medical Transportation Program. We made it possible for many people who had hardships, to make and keep medical appointments all over the state of Minnesota. During my time there, I had a profound understanding of the esoteric workings of Tribal Finance. I've had first hand experience in budgeting, contracts and all that pertains to the workings of our tribal governmental structure.

My third position for the Tribe was as the Fleet Director of Fleet Management. This was a project to where the basic workings of the Program were in place but was expanded upon. I've established a building more fitted for

its intended goals, equipment, and staff. I believe firmly in teamwork, and all Fleet successes were shared equally, because I firmly believe that anything worth achieving is best achieved as a team.

Throughout my career within the Tribal Organization, I have learned how the structure works, and have insight on positive change. I do not believe in paranoia or fear, or the powers that perpetuates it. All who want good things for the Leech Lake tribe will share in its strong future. I also believe that Band Members who have experience or who wish to gain experience in running our organization be given the chance to do so.

This is our responsibility, this is our people, and this is our future.

I also believe that the Tribe must look into bigger and better business. We live in the middle of an immense recreational area and we must take advantage of the millions of dollars that go through our borders each summer. Gaming is our main source of funding, however how certain is its future? Businesses that create jobs, that create stronger local economies means a stronger society.

Who feels with me that sometimes there is little hope of making good change, the notion of positive change is stricken by the pitfalls of complacency, the quicksand mentality that this is all the good it's going to be. I am a student of history and a believer of faith and hope for more, more options, more pride in our nation, more respect as a people, more than we expect now.

Please support and join me on April 4 at the polls.

## Melanie Benjamin: It's a lobbying scandal, America, not an 'Indian' one

Yet some will try to shift the blame onto tribes instead of getting Congress to enact meaningful campaign finance reform.

Most Americans were shocked when the scandal involving lobbyist Jack Abramoff began to unfold. Indian people weren't all that surprised.

A small group of businessmen hatches a scheme to steal from Indian tribes, employing lies, deception, and even bribing members of Congress. The cast of characters may have changed, but there's nothing new or ingenious about the plot.

Yet some are clamoring to blame the very people who were most victimized. Certain editorial boards have portrayed this mess as an "Indian" scandal rather than what it is: a lobbying scandal. Legislative proposals are circulating that would restrict or ban all tribal political giving. One commentator in the Wall Street Journal even called for reservations to be done away with.

A few anxious politicians have hopped aboard that wagon train in a transparent attempt to disguise their own misdeeds and portray themselves as the victims

SCANDAL to page 5



## EDITORIAL & COMMENTARY

### Shotley runs for Secretary-Treasurer of Fond du Lac

My name is Lavern Koon Shotley. I am running for the position of Secretary-Treasurer of the Fond du Lac Reservation. I would appreciate your vote for me in the Primary Election to be held on April 4, 2006.

One of the issues concerning all of us this year is the expansion of the Black Bear Casino. There is on the table a plan to demolish and then build a whole new Casino-Hotel Conference Complex. This plan will put the Reservation in debt for 20 years and will essentially cost us \$200 million. We will have to pay at least \$60 million in interest alone.

Also on the table is a plan to expand onto the existing Casino with funding at a more logical cost of \$50 million. This is the plan I support. I believe we should be more conservative with the money we have now and proceed cautiously.

Our market for the Casino does not change substantially from year to year. That is, the people that come to our Casino will be the same whether we build the expensive Casino or the cheaper expansion.

My concern is that with reckless spending, our Per-Capita payment could be in jeopardy. A

lot of people depend on it. Also, some of our State and Federal funding has been cut. The funds to make up these Program deficits would have to come out of our Development Funds.

With most of the stocks and bonds tied up in the Casino loan, the Reservation could be in deep trouble financially in a very short time. Obviously this Casino expansion project has been poorly thought out and leaves too many questions not answered.

Sincerely,  
**Lavern Koon Shotley**  
(218) 879-5119

### Leech Lake reservation has been a cow with internal bleeding since we started this system

By Skip Lyons

In the world of psychology, a study has been made about the life cycle of cultures as to the stages of development.

The stages are in this order and last roughly 200 years—beginning in bondage, to spiritual faith, courage, liberty, abundance, selfishness, apathy and finally back to bondage.

I was thinking in terms of reservation culture, we've gone from bondage to apathy (lack of emotion or indifference) to bondage, never having achieved spiritual faith, courage, liberty and abundance as a people and we wonder why.

For as many years as I can recall, this reservation has been in a state of oppression to the point it has been accepted as a way of life.

Most of you attribute our development or lack of development to the style of government we possess or government that possesses us as a tribe.

We annually vote in, with ritual, a candidate promising change. But all that ever happens are different families turn into the haves and the losers turn into the have nots.

The politician's family and friends get the good jobs and the rest of the jobs go to whites and non-bands.

Leech Lake reservation has been a cow with internal bleeding since we started this system and our only emotion is that of apathy.

At this point in time we have a chairman that brags about his 27 man Leech Lake Police Force with all white cops that act like U. S. Marshals.

What he ought to brag about is how many of our people are working, but that he can't do because he fired them all.

The reason our people are at the Comot Hut or Tribal Referral is no jobs, or jobs that pay so low they

would be better off on welfare.

A friend of mine said we ought to hook our chairman up to a lie detector and put a screen on the wall at our meetings. Every time he told a lie we could go him.

Each election we get promised opens government or open meetings, but it's been getting consistently worse. Most of us only know what's going on by what we read.

These are some of the acts that happened this past year: The firing of 100 Leech Lakers, homeless people getting kicked out of the homeless shelter, the Secretary/Treasurer stripped of his authority, security cameras installed in the RTC office, District III Rep assuming Secretary/Treasurer powers and getting paid extra. Multiple trips to Las Vegas by District III rep, the Chairman and Tribal attorney.

The forensic audit to see where our disappearing money went never done.

I know most of you as Leech Lake people could add to this list, but this gets the point across.

When we elect representatives I think they thought executioners because that is what we got.

The amount of in fighting within the RTC system by men that have become power mad will hasten the end of this structure as we know it and I can only say, Good Riddance.

The selection process of democratically choosing a representative was rigged from the very start by the TEC with their Secretarial Election, and by what the RTC with \$50 can buy.

Each member was supposed to be able to pick and Election Board member, but the Secretary/Treasurer was not able to.

I am not if favor of this system

that has the ability to override the process of impeachment by being their own judge and jury, by being able to appoint their own judge and attorneys.

Rumor has it a certain tribal attorney has been campaigning during work hours handing out campaign contributions. I thought this was illegal also.

The only hope we have as a people in a government such as ours is a performance bond contract. In order to be sworn in, an individual contracts to do certain things such as a contractor that builds a house.

A contract becomes null and void by non performance.

In the process of rebuilding our reservation we ought to drop to a skeleton workforce made up of Leech Lake people and seek out those with educations and skills.

The best of our people have always been run off and replaced by whites and non bands.

This month could be a key turning point in the history of this reservation. So I would encourage you, as constituents, not to ask but DEMAND reform from these men that seek to be our leaders.

The salaries of too many of our workers have been more of an incentive to quit rather than work.

About a year ago I asked the Gaming Director, who was complaining about Leech Lake employees not wanting to work, if he could live on those wages. His reply was NO.

My advice is to cut to a skeleton crew and increase the wages and go from there. Leech Lakers only make up about 30% of our workforce anyway. What's the point of belonging to a tribe, band or government if it doesn't serve the needs of the people?

### GET OUT & VOTE For ANYONE (But Luke Wilson)

Frank Bibeau, Non-certified Candidate for Leech Lake Reservation District 1

I filed as a candidate for LL District 1 to have the legal standing to challenge the 1972 Amendment to the MCT Constitution, which restricts members' rights of candidacy and voting to the reservation of their enrollment. I believe this 1972 amendment is unconstitutional and only serves to further divide and conquer the MCT members.

While I am enrolled at White Earth, and most of all of my Anishinabe cousins are from Ball Club, I am of part the Pillager Band which negotiated and retained inherent and sovereign rights for the band members by treaty with the United States Government. Enrollment is an IRA-BIA number identification of each tribal member, to be entered into funding formulas for federal and state dollars. Band membership like Winnibigoshish, Sandy Lake, White Oak, Mississippi is our ancestry, not IRA-BIA number\$ for money.

Another way to look at it is

that most of us live in Minnesota, but we have various ethnic backgrounds including Anishinabe, White Earth, Leech Lake or Fond du Lac are a geographic territories of our country (like states), and we should be able to travel to and enjoy all the rights as a citizenship and membership of the MCT (See Article XIII MCT Const.), anywhere in our collective country.

Many Bands, Chief and false chiefs (professional treaty signers) were lumped together as one tribe, the Minnesota Chippewa Tribe, with ceded territory and common rights throughout the northern two-thirds of Minnesota. The United States Government created these rights in common on all MCT reservations and resources, without regard to the various ceded territories by creating the Minnesota Chippewa Tribe. We, as the Minnesota Chippewa Tribe, have one of the best areas anywhere for natural resources and economic opportunity.

But for nearly all 28,000 eligible voters of the MCT who are not aware, many of the elected

members of the RBCs and TEC are working to transfer all the land held in common by the MCT, to each individual reservation where the land is physically located. The next step after that is to try to divide the current 6 MCT reservations into individual reservations.

It seems to me and other Anishinabe Nationalists, the governing body called the Tribal Executive Committee (12 members – Chairmen and Secretary-Treasurers of 6 reservations) should be asking the 28,000 MCT members if WE THE PEOPLE want to give away more of our land and rights without any notice, opportunity to be heard or consent of the true owners of MCT lands, the MCT tribal members.

WE THE PEOPLE should first have the right to decide if WE THE PEOPLE want to be divided and how it should occur. What some members of the TEC want is to surrender important and significant constitutional rights of all members without even a whisper

WILSON to page 6

“loophole” in political giving. Don't be fooled by that Beltway spin; there is no loophole. The FEC has clearly ruled that tribes are unincorporated entities, and they are treated as such. We have no unique rights when it comes to lobbying -- we follow the same rules as other unincorporated entities.

Those who allege that tribal giving is “out of control” are silent when it comes to industries that have given much more. In the 2004 election cycle, total tribal contributions were \$7.2 million -- that's less than one-third of 1 percent of total contributions nationwide.

In that same cycle, the oil and gas industry contributed \$50.2 million, the securities and investment industry spent \$89.9 million, and the health care and pharmaceutical industries spent more than \$800 million on lobbying, contributions, and state and federal elections. Where is the outcry about these big spenders?

Indians were the last group of Americans to become enfranchised with full citizenship, not obtaining the right to vote until

1924. Absent the ability to fully participate in the political process, many tribes like the Mille Lacs Band of Ojibwe were helplessly pillaged by timber, minerals, mining and agricultural barons while members of Congress looked the other way.

Tribes support lobbying reform and transparency. Trust me, when Congress finally gets serious about campaign finance reform, we will be among the first to applaud. I don't know one tribal leader who likes to make political donations or write out checks to lobbyists. If organizations and other governments would cease attacking our rights, perhaps we wouldn't need lobbyists.

Abramoff called Indians “troglydites” and “morons” behind their backs. Let's not add injury to his insults by allowing Congress to penalize the Indian tribes and announce they've “reformed.”

It's the cowboys you need to keep an eye on, America, not the Indians.

Melanie Benjamin is chief executive of the Mille Lacs Band of Ojibwe Indians.



## SMOKE SIGNALS

of Upcoming Events

### Indian Uprising Radio Program airs Sundays on KFAI

Indian Uprising - March 19

IT'S A LOBBYING SCANDAL, AMERICA, NOT AN 'INDIAN' ONE by Melanie Benjamin, Minneapolis Star Tribune Opinion Exchange Section, Mar. 13, 2006. Yet some will try to shift the blame onto tribes instead of getting Congress to enact meaningful campaign finance reform. Most Americans were shocked when the scandal involving lobbyist Jack Abramoff began to unfold. Indian people weren't all that surprised. A small group of businessmen hatches a scheme to steal from Indian tribes, employing lies, deception, and even bribing members of Congress. The cast of characters may have changed, but there's nothing new or ingenious about the plot. <http://www.startribune.com/562/story/304641.html>

WHEN A TREE FALLS IN THE PHILIPPINES by Barbara Goldoftas The Boston Globe, March 7, 2006. The recent coup attempt in the Philippines and the mudslide that turned a village into a mass grave may seem unrelated. In many respects they are, but in important ways the Philippines' environmental woes are inextricably linked to the political turmoil that persists there. The ways that societies respond to environmental problems reveal their strengths and their fault lines. <http://www.iht.com/articles/2006/03/07/opinion/edgold.php>

CORRUPTION AMONGST OUR OWN. E-mail (partial) by Richard Blunt to Representative Frank Moe,

Larry Howes and Senator Carrie Ruud, February 16, 2006 – Hello. My name is Richard Blunt. I am an enrolled member of the Minnesota Chippewa Tribe on the White Earth Reservation. I live over on the Leech Lake Reservation. I have been witness to too much corruption taking place over here on this reservation. The tribal government uses its power to steal monies, materials, and whatever it needs to look out for themselves and leave nothing for the rest of the members of the community. I am witness to many atrocities, one in particular that has left a family homeless because of a land-grabbing scheme to acquire lake-front property owned by this particular band member and her family. They have succeeded at this particular moment to evict this family using members of the tribal courts, tribal police, and an attorney who represents the tribal government. Richard Blunt <thndr\_brd@hotmail.com>

MOTHER EARTH. Our planet, unfortunately, is suffering a severe beating from us human beings, especially by advanced industrialized societies with their material greed and lust for power. Existence for us humans and other beings are in real harms way if those selfish desires continue at its present pace. There are warnings of unusual weather patterns and catastrophes worldwide. It would be beneficial to all human kind that indigenous people collectively voice their concern. Let's create a "Native Indigenous Movement" so all will



Radio host Chris Spotted Eagle

understand that the world is a living being, and as such, to respect and protect our environment. It's a matter of survival – cse.

KFAI's Indian Uprising Sundays  
KFAI Community Radio 90.3 FM Minneapolis and 106.7 FM St. Paul. \* \* \* \*

NATIVE AMERICAN JOKES AND HUMOR, [home.att.net/~native-jokes/](http://home.att.net/~native-jokes/) Indian Uprising is a one-half hour Public & Cultural Affairs radio program for, by, and about Indigenous Native People & all our relations, broadcast each Sunday at 4:00 p.m. over KFAI 90.3 FM Minneapolis and 106.7 FM St. Paul. KFAI's current programs can also be heard via the Internet online for 2 weeks after broadcast at [www.kfai.org](http://www.kfai.org). Click Program Archives, scroll to Indian Uprising.

Contact volunteer producer and host, Chris Spotted Eagle, at: E-mail: [radio@spottedeagle.org](mailto:radio@spottedeagle.org); KFAI voice message: 612-341-3144 Ext. 818; mail: KFAI Fresh Air Radio, Box 61, 1808 Riverside Ave, Minneapolis Minnesota 55454.

### Sea of Grey, page filler Who does the Tribal Attorneys Represent? The RBC member?

BIA-IRA-MCT Constitution's Article V & VI RBC Elections. Bureau of Indian Affairs – BIA. Indian Reorganization Act of 1934 – IRA [48 Stat. 984]. Minnesota Chippewa Tribe – MCT [48 Stat. 984]. MCT Constitution [48 Stat. 984], Article V, “Authorities of the Tribal Executive Committee” (TEC) & Article VI “Authorities of the Reservation Business Committees,” (RBC) elections. Elections for “48 Stat. 984” positions.

Positions created by federal law, through the IRA.

When viewing the IRA-MCT-RBC it is important to view them as what they actually are. “Bureaucrats” of and for the United States. Designed to supplant the governing rights, treaty-property rights, unique citizenship of the Autochthonous Anishinabe’Ojibwe the United States made Treaty agreements with. To say they weld the inherent sovereign authority of the Anishinabe’ is wrong and a misrepresentation. The BIA IRA MCT was created to be a part of the body politic of the United States, a conduit for federal funding, housing, health and [often forceful assimilation] education. As BIA-IRA-MCT “TEC” RBC members they swear an oath of office- sworn in with, “I, Hollywood Indian, do solemnly swear (or affirm) that I shall preserve, support and protect the Constitution of the United States and the Constitution of the Minnesota Chippewa Tribe, and execute my duties as a member of the Tribal Executive Committee to the best of my ability, so help me God.”

Many Anishinabe’ often wonder why and how RBC members can claim they are exercising the Inherent sovereign authority of “any IRA-MCT Reservation?” A former IRA MCT RBC Chairperson, use to claim that as “RBC Chairman” they were exercising the inherent Sovereign authority of their reservation. However when questioned, and asked when did the Anishinabe’ of these regions vote in elections, with the clear and the precise language giving the IRA the Inherent governing rights, treaty-property rights, unique citizenship of the Autochthonous Anishinabe’Ojibwe the United States made Treaty agreements with?

Silence was the usual response. Uncomfortable silence, because they can not produce it. Quasi- Sort of, Nearly, Almost, not quite, Not Really! Quasi-sovereignty – Sort of, not quite, not really exercising the governing authority of the Anishinabe’Ojibwe.

Another example = The IRA MCT RBC system is a creation of the laws and policies of the United States. The US BIA allows the IRA MCT RBC to practice quasi-sovereignty, given to MCT TEC RBC by the Indian Reorganization Act of 1934.

The governing rights, treaty-property rights, unique citizenship of the Autochthonous Anishinabe’Ojibwe the United States made Treaty agreements with are STILL held in Trust by the United States. SO, in reality the “RBC’s” are not welding the inherent sovereign powers and authorities of the Anishinabe’Ojibwe.

The Anishinabe’ and their governing rights, treaty-property rights, unique citizenship of the Autochthonous Anishinabe’Ojibwe the United States made Treaty agreements with; are the...The RAW Resource, which fuels the BIA-IRA-MCT-RBC. Historically, just a small percentage of the [eligible] Anishinabe’ political members of the IRA MCT participate in the IRA Elections. Lack confidence in the IRA. Because the IRA MCT RBC’s are business committees, welding the United States granted Quasi-sovereignty there governing ability is nil. However this does not stop them from exploiting the historical grief, economic and social poverty they perpetuate. Perpetuate for more band-aid funding. Case co-management funding agreements with state and county agencies. Funding that lacks the ability to bring about any meaningful change; other than hiring non-Anishinabe as RBC employees, police and social workers loyal to the IRA. No loyalty or little compassion to Anishinabe’ memberships who’s Unique Citizenship Rights that employs them.

The Political Anishinabe’ MCT membership have never consented for the reservation business to grab Police and Judicial powers over them or their governing rights, treaty-property rights, unique citizenship of the Autochthonous Anishinabe’Ojibwe the United States made Treaty agreements with. Remember when voting in the IRA Elections, it is the nature of the IRA Entities to exploit you and your participation in their elections.

In closing: Tribal Courts.

SUBJECT MATTER JURISDICTION At various time I or other Anishinabe’ have appeared in Tribal Courts and raised subject matter questions to attorneys being paid by RBC’s to be Judges and prosecutors representing the “Tribe or Band.” The Attorneys that are playing Tribal “Hollywood Indian” judges and Prosecutors representing RBCs as the Band or Tribe = [always are representing RBCs.] would always throw tons of state court cases, federal court cases backing up their Quasi status.

Federal or State/county court cases that state “Indian” governments can have court and police powers. That federal and state/county laws recognize the Inherent sovereignty of Tribes and Bands of Indians. How do the Anishinabe’ respond? Show me the elections where the Anishinabe’ of these regions voted in elections, with clear and the precise language giving the IRA the Inherent governing rights, treaty-property rights, unique citizenship of the Autochthonous Anishinabe’Ojibwe the United States made Treaty agreements with! They can not produce them!

As Always this commentary is not meant to offend but to inspire thought and discussions. Gathering and discussing the benefits of the Anishinabe’ Political members withdrawing their consent from the BIA-IRA-MCT RBC system and entities. I write, “BIA-IRA-MCT-RBC” because I believe it is important to see and remember the difference in being IRA Hollywood Indian and being born Anishinabe’

BIIDAANAANKWAAD

### FOR THE PEOPLE! RE-ELECT ARTHUR “ARCHIE” LAROSE FOR LEECH LAKE SECRETARY/TREASURER VOTE ON TUESDAY, APRIL 4, 2006



I will do everything in my authority to ABOLISH THE CREDIT CARD REQUIREMENT FOR HOTEL PURCHASES & PROVIDE SPECIAL TRIBAL RATES.

I will always SUPPORT BAND MEMBERS IN ALL JOBS AND PROGRAMS.

Continue forensic audit so there is NO MORE MISSPENDING ON OUR RESERVATION.

REQUEST A REFERENDUM VOTE ON HOW THE PEOPLE WANT THE MONEY from the 1972 hunting and fishing rights agreement and the 1978 tax agreement used. This is the sovereign dollar that can be spent as the people see fit.

TOTALLY OPPOSED TO GIVING ANY CASINO REVENUE TO THE STATE. This should be left up to the Leech Lake People to decide.

ARTHUR “ARCHIE” LAROSE  
P.O. Box 370, Cass Lake MN, 56633  
Home Ph: (218) 335-7722 or Cell Ph: (218) 760-7515

### SCANDAL from pg 4

of Indian money, although there is no evidence that even one tribe did anything wrong. In a tradition as old as America itself, some in Congress now vow to punish and “reform” the Indians.

Some tribal leaders fear the Abramoff scandal might mean that our political participation could, once again, be limited, if not by legislation, then by public perception. In a town obsessed with appearances, some in Congress may turn the other way when they see Indians coming. That would be a shame, because Congress is a lifeline for the majority of the 562 Indian tribes across the country.

Most tribes are poor, and we must have the right to fully represent our interests through the political process. The small number of tribes that can afford lobbyists frequently advocate for the health, housing, education and rights of the 2 million Indian people who can't afford to play the Washington game.

Some politicians and journalists have referred to an Indian

# EDITORIAL & COMMENTARY



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
 INTERIOR BOARD OF INDIAN APPEALS  
 401 NORTH QUINCY STREET  
 SUITE 800  
 ARLINGTON, VA 22201

ANTHONY WADENA, : Pre-Docketing Notice and Order  
 Appellant, : Consolidating Appeals  
 :  
 DARRELL WADENA, :  
 Appellant, and :  
 :  
 FRANK BIBEAU, :  
 Appellant, : Docket Nos. IBIA \_\_\_\_\_  
 :  
 v. :  
 :  
 MIDWEST REGIONAL DIRECTOR, :  
 BUREAU OF INDIAN AFFAIRS, :  
 Appellee. : February 16, 2006

On February 13, 2006, the Board of Indian Appeals (Board) received a notice of appeal from Frank Bibeau (Appellant), p. 3. Appellant seeks review of a January 5, 2006 decision of the Midwest Regional Director, Bureau of Indian Affairs (Regional Director), denying Appellant's challenge to a November 22, 2005 Secretarial Election, at which two amendments to the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe were adopted. The Regional Director approved the amendments on January 5, 2006. Appellant is advised by this Pre-docketing notice that the Board has received the appeal.

Procedural regulations governing administrative appeals to the Board are found in 43 Code of Federal Regulations (C.F.R.) Part 4. A copy of these regulations is enclosed for non-Federal parties.

On February 9, 2006, the Board received an appeal from Anthony Wadena, also challenging the November 22, 2005 Secretarial election. Anthony Wadena stated that he was enclosing a copy of the decision that was the subject of his appeal, and attached a copy of the Regional Director's approval of proposed Amendment "B," designated as "Amendment Number IV." He did not include a copy of any decision specifically addressed to him. The next day, the Board received an appeal from Darrell Wadena, challenging the same election. Darrell Wadena did not include any of the referenced enclosures with his notice of appeal. The Board issued separate pre-docketing notices for these appeals on February 10, 2006.

Appellant Bibeau included a copy of a January 5, 2006 decision letter from the Regional Director addressed to him, which is the specific decision he appeals. The Board contacted the Regional Director to determine whether Anthony Wadena and Darrell Wadena had received similar decisions and had failed to include them with their notices of appeal. The Regional Director faxed the Board copies of decisions, also dated January 5, 2006, addressed to Anthony Wadena and Darrell Wadena. The decisions, although somewhat different, address related challenges to the November 22, 2005 Secretarial election.

Because all three appeals raise related challenges to the November 22, 2005 Secretarial Election, the Board consolidates these appeals.

In its February 10, 2006 pre-docketing notice for Anthony Wadena's appeal, the Board directed the Regional Director to prepare the administrative record. In its pre-docketing notice for Darrell Wadena's appeal, the Board presumed the decision being appealed by Darrell Wadena was the same decision that was the subject of the appeal by Anthony Wadena, and did not order the Regional Director to prepare and submit a separate administrative record.

Section 4.335 of 43 C.F.R. requires the Regional Director to assemble and transmit the administrative record for this appeal to the Board. Although the three appeals involve separate individual challenges to the Secretarial election, the Regional Director may, if he chooses, prepare and submit a consolidated administrative record for all three appeals.

In accordance with 43 C.F.R. § 4.336, this appeal will be assigned a docket number 20 days after the date of receipt noted above unless the Board has been properly notified before that date that the Assistant Secretary - Indian Affairs has assumed jurisdiction over the appeal. Upon receipt of the record, a Notice of Docketing, setting forth the briefing schedule or other procedures, will be sent to all interested parties as shown by the administrative record. If the Assistant Secretary - Indian Affairs properly notifies the Board of an assumption of jurisdiction under 25 C.F.R. § 2.20(c) and 43 C.F.R. § 4.332(b), the parties will be so informed, and the administrative record will be transmitted to him.

Steven K. Linscheid  
 Chief Administrative Judge

Enclosure (for non-Federal parties)

## TRIBE from page 4

budgeted about \$800 per acre in development costs for the 4,000 acres we'd planned to develop. These costs would soon double because of 21 percent interest rates and the 14 percent annual inflation rate under the Carter administration in the late 1970's. In addition the 1980 wheat boycott by President Carter sent both the tribal farm economy and the total U.S. farm economy into a recession from which we have not yet fully recovered. Another factor adversely affecting our farm development and operations were the Reagan administration's elimination of various grants and contracts that we used to develop and operate our tribal farm. As a result of these occurrences, our development costs per acre rose to over \$2,000 per acre and required the tribe to acquire long term refinancing. All of these occurrences were well-known, and the refinancing was approved by the Fort Mojave Tribal Council.

Several of our former council members who were involved with our initial loans which resulted in nearly \$3 million losses to the tribes found it convenient in the said report to blame Mr. Lawrence for their incompetence. Be aware that these occurred before Mr. Lawrence's employment with the Fort Mojave Indians.

During Mr. Lawrence's tenure as Executive Director he was always burdened in the management of our affairs by the previous indebtedness. Another important occurrence was the reopening of our water rights case (Arizona v. California) by the states of Arizona, Nevada, and California. Legal proceedings in this case have been going on since the 1950's, and the latest reopening, which lasted nearly five years, cost the tribe nearly \$1 million in engineering and legal fees. Since water is our lifeblood we had no other choice than to fight this case with all the resources we could muster.

Mr. Lawrence was instrumental in protecting our water rights, which in many ways were preserved by our recently developed agricultural land. The estimated cost of developing those 14,000 acres was in the neighborhood of \$30 million and their current value nearly doubled that amount. So, when the full facts are known, no money was lost at Fort Mojave—it was invested in our land to preserve our water rights for the benefit of our future generations.

Those in the know at Fort Mojave are appreciative and thankful for the help Mr. Lawrence gave us in the development of our reservation. Prior to his arrival as a tribe we had been forgotten and neglected by the BIA.

I would like to respond to specific

allegations.

1. Mr. Savilla stated that we had purchased an airplane for Mr. Lawrence's pleasure. In truth, we had purchased an aircraft prior to Mr. Lawrence's employment for tribal use. At the time of our purchase, Mr. Lawrence owned his own aircraft.

2. Mr. Savilla quotes Norman McCord as stating that the tribe paid for his home and paid for insurance covering the home. Mr. Lawrence bought his own home, costing approximately \$47,000 (not \$80,000), with a loan from the Needles branch of the Bank of America and paid his own insurance from U.S.A.A. out of San Antonio.

3. Mr. Savilla's report also stated that a \$40,000 boat was purchased for Mr. Lawrence's pleasure, when in fact the only boat owned by Mr. Lawrence was a \$200 aluminum canoe he brought from Minnesota.

4. The report accuses Mr. Lawrence of leasing as many as five vans from friends in Bemidji. The truth is that after obtaining five bids from auto dealerships, the council accepted the bid from a Bemidji dealer and authorized Mr. Lawrence to pick the vehicle up in Bemidji at his own expense. To my knowledge Mr. Lawrence never drove or owned a van.

5. The reports states that I purchased a gold engraved shotgun and that he showered my wife and myself with gifts. These allegations are totally false.

6. Regarding the dismissal of attorney Raymond Simpson: his dismissal was the result of tribal council action based on information Mr. Lawrence provided regarding Simpson's activities and billings for excessive fees and multiple expenses submitted to the tribes.

7. Browning-Ferris Incorporated (BFI) approached the tribe regarding a waste disposal site on tribal properties. After preliminary environmental and geological studies, the tribal council made the decision

## MESSAGE from page 4

program and lawsuits filed against the program. Program compliance utilizing sound policy is directly related to its effectiveness and efficiency in providing quality law enforcement services. If a program is not in compliance with many policy standards, it is highly probable that the program is ineffective and poorly administered, increasing liability to the government."

The BIA report highlights the department for making "commendable efforts in seeking and acquiring supplemental funding, . . . [for providing] high quality police equipment and vehicles and office equipment.

The lowlights are reported as

## THE MINNESOTA CHIPPEWA TRIBE PRIMARY ELECTION NOTICE

The Regular Minnesota Chippewa Tribal Election of the BOIS FORTE Reservation Business Committee a/k/a Tribal Council will be held on April 4, 2006 to fill the following positions:

Election Date: April 4, 2006  
 Polling Places:  
 District I: Nett Community Center  
 District II: Vermilion Center  
 Polls Open: 8a.m. Polls Close: 8 p.m.  
**SECRETARY/TREASURER - 4 Year Term**  
 \* David C. Morrison, Sr.  
 Carol M. Burr  
 J. Kay Davis  
 Shane G. Drift

## CANDIDATES FOR DISTRICT I COMMITTEEMAN - 4 Year Term

\* Mark E. Drift, Sr.  
 Lorna L. Landgren  
 Troy A. King  
 Gordon Adams, Jr.

## CANDIDATES FOR DISTRICT II COMMITTEEMAN - 4 Year Term

\* Kevin A. Strong  
 Christy Running Bear  
 Daniel J. Morrison  
 Raymond A. Toutloff

\* Incumbent

## Primary Election Notice

A primary Minnesota Chippewa Tribal Election of the MILLE LACS Reservation Business Committee a/k/a Band Assembly will be held on April 4, 2006 to fill the following positions:

Election Date: April 4, 2006  
**Polling Places:**  
 District I: Mille Lacs Community Ctr  
 District II: East Lake Community Ctr  
 District IIA: Isle - Chiminising Ctr  
 District III: Lake Lena Community Ctr  
 Urban: All Nations Church, 1513 E. 23rd St., Mpls

District I is the Designated Polling Place for absentee ballot voting.

Polls Open: 8 a.m. Polls Close: 8 p.m.  
**CANDIDATES FOR SECRETARY/TREASURER - 4 Year Term**  
 Archie Dahl Cash  
 Rayna Joyce Mattinas  
 Bahwahung Merrill  
 Meskwanskwad  
 Tracy Lynn Sam  
 Arlene Weous  
 Herbert Weyaus Sr., Incumbent

to reject the possibility of a proposed site on tribal land.

8. According to Mr. Savilla's report, former publisher of the Desert Star, Mr. Lee Perry, claims Mr. Lawrence stole \$225,000 from the tribe. This is totally untrue. Mr. Lawrence had no access to our funds which were audited annually by the CPA firm of Anthony Choi of Flagstaff, Arizona. These reports were and are available to tribal members and government agencies with whom we did business.

In addition, two Department of Interior Inspector General audits were performed during Mr. Lawrence's employment at Fort Mojave. These audits found no misuse or missing funds.

9. The report accuses Mr. Lawrence of causing turmoil in the Mojave Valley School District. The facts include that many of the 90 percent non-Indian and 10 percent Indian residents of the Mojave Valley School District were dissatisfied with the administration of the school district before the Lawrence's moved to the Mojave Valley. Max Hinton was the school superintendent, while the report claims that Joe McIntyre was the superintendent, continuing the list of inaccuracies. Several months prior to Mr. Ted Bogda's arrival in, both Indian and non-Indian residents approached Mr. Lawrence to assist them in solving the problems in the school district, knowing his previous educational background and experience as a former school board member.

Mr. Lawrence asked the tribal council if they had any objections to his working with the local committees to remedy the situation at the school. He became involved with both Indian and non-Indian residents of the Valley in making the desired change in administration.

## TRIBE to page 8

"deplorable working conditions. . . officers . . . lacking a positive rapport with the public. The public has described the attitude of police as having an, us against them mentality.

"The community surveys convey these issues as community concerns and causes of fear. . . . Community members have expressed the opinion of minimal to non-existent law enforcement presence."

Time and space do not permit further examination of the BIA Review. It should be clear that from this presentation that what we printed is verifiable. We did not make the judgment about the Red Lake Police Department. We merely printed what professional evaluators had to say about it.

## BILLIONS from page 3

Financial penalties are regularly touted by agencies and prosecutors as a strict consequence of lawbreaking. The message \_ that violators can expect to pay dearly \_ can be misleading.

The Office of Pipeline Safety, a Transportation Department bureau, is one of a number of agencies chastised by members of Congress for failing to follow through on enforcement.

Nearly seven years ago, a pipeline ruptured, spilling 230,000 gallons of gasoline into a creek near Bellingham, Wash. The fuel exploded into a fireball that ravaged the surrounding woods. And it killed three boys who had gone to the stream for a swim.

Authorities vowed to punish those at fault, and indeed some company officials eventually served prison time.

But on June 2, 2000, the Transportation Department issued a forceful press release, announcing a \$3.05 million administrative penalty against the pipeline owner, Olympic Pipe Line Co. This, it said, was the largest in the history of the federal pipeline safety program.

"Tragic events like this pipeline failure must never happen again," then-Transportation Secretary Rodney E. Slater said at the time. "This civil penalty is one of a series of actions we have and are taking to help protect the people and environment."

But last year, with the memorials in place, fish returning to the creek and the forest budding with new growth, the penalty was quietly reduced to \$250,000.

"They let them off with a slap," said Carl Weiner, who heads the Bellingham-based Pipeline Safety Trust.

Olympic Pipe Line officials disagree, saying they already paid \$11 million in state and Justice Department assessments and \$15 million in restoration and improvements.

Still, the case illustrates how the value of assessed penalties is merely a starting point for some officials.

The Environmental Protection Agency, for example, is often willing to reduce penalties in exchange for polluters agreeing to spend money cleaning up.

"We trade off a portion of the penalty in return for them doing supplemental environmental projects," said the EPA's Tom Skinner.

The recent West Virginia coal mine deaths focused new criticism on enforcement tradeoffs made by mine safety inspectors.

During hearings in January, Sen. Arlen Specter, R-Pa., voiced outrage at how coal operators can whittle down fines. He cited assessments by the Mine Safety and Health Administration against a company in an Alabama mine where 13 people were killed in 2001.

"Incredibly, . . . an Administrative Law Judge reduced these fines from \$435,000 to a mere \$3,000 \_ a decision that harms workers and erodes MSHA's authority," Specter and three fellow senators elaborated in a letter to Labor Secretary Elaine

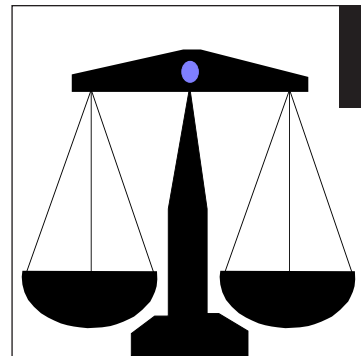
## WILSON from pg 1

to WE THE PEOPLE. These are OUR collective and individual rights. We have a right to know what is really happening on our reservations in a real time basis.

BEWARE. There are elected TEC-RBC members currently working to undermine sovereignty and divide up our resources and rights without any concern for

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Chao.

The Labor Department later announced plans to raise fine amounts, and in a case it called "precedent-setting" sought an injunction against a Kentucky mine operator and two companies he owns, which paid nothing on \$200,000 in penalties.

AP's Freedom of Information filing turned up numerous cases in which administrative penalties were ordered against mining companies for dangerous laxness in following rules \_ and yet records showed many went unpaid. Sometimes, in the narrow-margin world of small coal companies, the violator escaped paying by declaring bankruptcy or ceasing operations.

On Feb. 20, 2002, near Rupert, W.Va., a section of mine roof up to 10 feet thick collapsed, killing one miner and seriously injuring another. It took more than four hours to dig them out.

The MSHA investigators' report concluded: "Root cause \_ Mine management condoned unsafe work practices and . . . demonstrated a reckless disregard of the dangers posed by conditions created when faulty pillar recovery methods were used." Some supervisors were eventually ordered jailed and fined, prosecutors said; two companies that ran the mine were placed on a year's probation.

The companies also were hit with \$165,000 in administrative penalties each. But MSHA has no record of any payment four years later. When contacted by AP about why, the agency cited records showing the mine was sealed and, in one case, a bankruptcy filing made.

"They probably figured it wasn't worth it financially to stay in business," said the agency's Allen K. Watson.

When agencies can't get debtors to pay, the Justice Department may get the task of collecting a fine or penalty. But the process is decentralized. The collection legwork falls to the 93 U.S. Attorney offices around the country, where "financial litigation units" have the task of pursuing the money.

Although the backlog of uncollected debt has drastically increased, from \$6 billion in 1995 to more than \$35 billion in 2004, the number of financial litigation unit lawyers has remained steady, usually just one or two per office, supplemented by paralegals.

Reviewing the adequacy of staffing was one of 14 recommendations made by the GAO in 2001 to improve collection. A followup report two years ago noted progress in streamlining procedures but still said "fragmented processes and lack of coordination" remained.

Until these problems are fully addressed, GAO said then, "the effectiveness of criminal fines and restitution as a punitive tool may be diminished."

An attempt by the prosecutors and court system to create a National Fine Center, centrally coordinating collections across myriad jurisdictions, collapsed and was abandoned a decade ago.

The Justice Department office overseeing U.S. attorneys said it has

made strides toward better coordination, including links with Treasury's program to offset certain federal benefits to repay debt. Justice also published a "Prosecutors Guide to Criminal Monetary Penalties."

A major factor in the high rate of uncollected fines and penalties was a change in the law.

The 1996 Victims Mandatory Restitution Act requires judges to order payments regardless of a defendant's ability to pay. It's no coincidence, says Natalie Collins, a spokeswoman for the U.S. Attorney's office in Las Vegas, Nev., that the uncollected debts have steeply increased since the law was passed.

"These people come out of prison with a huge restitution debt and if they can't pay, they have that judgment just hanging over them," she said. "We can't squeeze blood out of a turnip."

That said, some prosecutors' offices are more successful than others in going after the money.

For example, in 2003, Delaware's U.S. Attorney's office was the top collector in the country, bringing in \$365 million in criminal and civil debt and leaving just \$19 million outstanding.

At the other end of the spectrum that year was the Montgomery, Ala., office, which collected \$914,676 and ended 2003 with almost \$30 million uncollected.

Steve Doyle, an assistant U.S. Attorney in Montgomery, said the small office has just one attorney and one paralegal, assigned part-time to collecting debts \_ which are often uncollectable.

"Other than in white-collar cases, most criminal defendants don't have any money," said Doyle. "We attempt to collect everything that can be collected."

Sometimes even as financial penalties are being ordered, it's obvious that the money is never going to be paid.

"I've had clients who have had millions of dollars of restitution imposed, and every one in the courtroom knows that this person will never be able to pay," said Mike Filipovich, a federal public defender in Seattle.

Five years ago, Filipovich represented Leonard Fridall Terry Antoine, a member of Canada's Cowichan band of the Salish tribe, who was sentenced to two years in prison and ordered to pay \$147,000 for paying people to shoot bald eagles and selling their parts. Prosecutors charged him \$3,000 for each of 49 eagles.

"It is absolutely right that this defendant serve time for such an outright violation of our nation's environmental laws," said Tom Sansonetti, then-Assistant Attorney General of the Department of Justice's Environmental and Natural Resources Division. "The outcome will serve as a deterrent."

Antoine was released from prison in 2003, but has not paid any of the fines, according to federal records.

"The reality for most folks," said Filipovich, "is that they simply can't afford to pay."

OUR opinion, wishes or consent. The real question is, should these elected members of the TEC-RBC even be spending OUR resources on dividing up OUR resources and rights without at least asking the other 28,000 adult members? We

need people representing tribal interests, not self interests!

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**FREE SPEECH**

from pg 2  
to his bio posted on on-line version of the March 27 story, he is a Red Laker currently attending college in Phoenix. The Washington Post flew him home to accompany one of their reporters on the reservation.

According to the story, Weise's grandmother said he ate a turkey sandwich at 12:30 on March 21, that he was not a loner and that he wanted to open a video store someday.

Finally, at his request, Oakes was taken off the story. "Grief is not a commodity to be harvested and sold," Oakes said. "People should be allowed to bury their dead in peace." In the end, Oakes wasn't disciplined, and he appreciated it when, weeks later, the paper and his union responded to his concerns by sponsoring newsroom sessions with counselors who specialize in the trauma journalists experience from covering tragedy. "The paper actually did soul-searching on issues such as the ethics of how we cover funerals and approach bereaved people," Oakes said. "I give the bosses a lot of credit for that. But I hope we remember those conversations next time we're in the heat of competition."

He said he felt more comfortable with the way he reported for an award-winning series he wrote in 2004 entitled "The Lost Youth of Leech Lake," when he and a photographer spent six months doing comprehensive stories after a series of horrific murders on that reservation. "That's how you get the best stories," he said. There are two larger questions that Oakes still thinks about: how do media frenzies affect normally decent reporters? And what about the irony of isolated, troubled young people who reach out to troublesome forms of the mass media, such as violent video games and movies?

The Bemidji news media felt they understood the situation but now are lumped in with those who don't. Pioneer editor Molly Miron arrived at the high school 45 minutes after the tragedy. She took the photo of the three teenage girls hugging each other that was on the front page of newspaper around the world, and became the AP photo of the month.

Reporting on Red Lake is a priority at *The Pioneer*. Red Lakers are well represented in a wide variety of stories, obituaries, personals ads and engagement and wedding announcements. Miron, who came to *The Pioneer* five years ago, takes Ojibwe language classes at the University because she thinks it's crucial to understanding the people she writes about. "If you live in a

country," she said simply, "you should speak the language. I do it partly as a self-serving thing, but also a courtesy thing. It's a gesture of respect and relationship building." Miron took classes in Dakota when she lived in South Dakota, and also speaks French and German.

Miron had that relationship-building in mind when she sent sympathy cards to the families of the victims and respected their request that reporters not attend the funerals. "I can be patient," she said. "They (other reporters) have to have it right now." To that end, non-local reporters tried to piggyback on Miron's access by tagging along with her. Some reporters assumed she was a Red Laker, probably because of her long dark hair and the Hudson Bay blanket-style jacket she wore. She didn't appreciate it, nor did she appreciate getting shoved and also hit with a television camera.

She said one day she was asked to do a stand-up interview with CNN at 6 a.m. When she suggested 8 a.m. instead, they were not amenable to the more reasonable hour "Journalists could be more civil with each other," she said. She declined to do the interview. She also had little respect for reporters who shined lights into people's homes, searched for the worst possible images of poverty, sneaked into funerals and even took photos of deceased victims in caskets.

"Media need to educate themselves about the culture of the area," she said, "rather than coming in from the cold. It's not that hard with the Internet. It's more than statistics. It's the names of people. You'd think they'd do their homework."

Brad Swenson, *The Pioneer's* political editor, has been doing his homework on Indian politics for 25 years. He takes it quite seriously, despite the fact that access has always been a problem. Now, he said, it is worse because of all that happened after March 21. He recalls one high-profile Twin Cities TV reporter bristling at being "cloistered" in the parking lot. "Don't you know who I am?" she'd demanded. Swenson was not impressed with her attitude. He's covered Indian political issues within the context of state and national politics, always with an eye to cultural and political differences. "We understand the reservation," he said. He added that every so often he looks up at the wall by his desk where he has framed his Red Lake passport. Back in the 80s, Chairman Roger Jourdain issued passports to favored visitors, partly as an expression of his own power and

the power of the reservation's so-called sovereignty. Swenson thinks that closing the reservation to the media entirely was "too drastic," but doesn't question their right to do so.

He's slowly being given more access, including an invitation to cover an education summit last summer. Interestingly, he noted, the high level of frustration expressed by parents and staff was more about the problem of bullying, not about the shooting itself. Someone at the meeting held up a copy of *The Pioneer* from April 21, 1999. The front-page story at the top of the fold was about the Columbine school shootings, but at the bottom of the fold was a story about problems at Red Lake High School. Swenson seemed proud of the fact that at least he'd been covering these events, even if it hadn't resulted in solutions.

Tom Robertson, news director for KCRB, the local Minnesota Public Radio station, thinks Indian politics need to be taken more seriously by mainstream media. As the sole MPR reporter for north central Minnesota, he has covered Indian affairs for seven years. "Read their constitution," he told me (which is available on-line). "There are not enough checks and balance and no separation of powers." But he continues to try. "We cover what we can," he said, speaking of the local news media. "But we can only do so much, given the restrictions that are out there." He thinks it's easy to dismiss Indian politics because it's so "tumultuous" and often "mind-blowing." However, he added, the structure of their governments allows it to continue, and mainstream media either don't cover it at all or dismiss it as "just Indian politics," instead of realizing ordinary reservations residents have no voice.

He echoed Miron and Swenson's frustration at being denied access even more now than before March 21. He expressed disgust with journalists offering kids candy, cigarettes and money for their high school yearbooks or for guide services. "I feel it's to my benefit to play by the rules," he said. "I have to maintain a relationship and I'm rewarded in increments."

Holly Cook Macarro's experience was on the other side of the cameras and notebooks. The Red Lake Tribal Council asked her to act as the point person for what she described as the "world-wide media onslaught." She arrived the day after the shooting, even though she was on her way home to Washington, D.C., from the West Coast at the time. Cook, an enrolled member of the reservation, currently works as a senior public affairs adviser in the federal public

law group at Holland & Knight law firm in Washington, D.C.

She has worked in the White House and for the Democratic National Committee.

She said she understands that if you close the "front door" on the media, they will go in the back door. After the initial reports, the tribe realized that people would speak for them if they didn't speak themselves, and they thought she could be helpful in that regard. She described the media's behavior as "garden variety" in one sense; however, the cultural gap was so wide in this "unique community" that it was "not acceptable" and "overwhelming." Individual free speech rights were not abridged by the tribal council, she said. That was a misperception, and the tribal council "acted entirely appropriately."

She said the tribal chairman was most impressed with the Canadian media and least impressed with Fox news reporters. Chairman Jourdain, she said, complied with their request to go on air at 3:30 a.m. one morning. He was forced to wait for a long time while reporters joked around in what she described as a disrespectful way.

**GETTING IT RIGHT**

For many years, I have sought to attract and retain Native American students in our journalism program. The excesses and ethical lapses of the news media during this troubled time will affect my ability to do my job. It will be even more difficult for me to now make the case that they should be interested in entering a profession whose representatives they so recently saw bribing kids with candy and cigarettes and badgering elders in a time of such grief.

However, that's not to let tribal officials off the hook. They bear responsibility for having created an atmosphere of suspicion and fear by refusing to face the hard choice of free speech and hiding behind the smokescreen of sovereignty, tradition and cultural values. Sovereignty is only as good as those who reign, and too often it has twisted the meaning of a "tight-knit community" into a heavy-handed city-boss style government well hidden in its isolation from public scrutiny.

It's perverse that someone like Jeff Weise can connect with neo-Nazis in other countries, but can't read about the proceedings of tribal council meetings in a local newspaper. The reservation is reportedly well-connected fiber-optically, but there's no freedom to use that access for local issues.

The mainstream media are complicit in this sham. They squawked like chickens when penned up in

what Brad Swenson called the "cloister," but fail to report on the lack of First Amendment freedoms for reservation residents on a day-to-day basis. Freedom of speech is not reserved for the news media elite; it's for everyone.

The fish story for which I was fired in 1987 is emblematic of the dilemma. Why was it such an incendiary bit of information? Probably because it connected the dots. Everyone broke the rules governing harvesting limits, because everyone benefited in the short term. Red Lakers (and people in Bemidji) got cheap walleye on the black market, the fishermen make extra money on the side, and the fisheries manager kept making his comfortable salary and everyone was happy. The environmental and economic impact was invisible until it was too late. Nobody was watching anyone else because they were all implicated, and, until the honest DNR guy said the emperor had not clothes, everyone was able to participate in the lie that this could go on forever. One of the ironies, of course, is that traditional Ojibwe cultural mores would have imposed such limits because it would have been understood that patience and restrictions were needed to allow nature to replenish itself. Now, almost 20 years later, I just read in *The Pioneer* that Red Lake is being opened to limited walleye fishing after an intensive program of restocking.

One Red Lake teacher, who didn't want to be named, said they appreciated the media "being told to get off the reservation. From the

teachers' perspective, it was better than the alternative." This referred to being called day and night by reporters who threatened to drive to one teacher's home. Teachers are now being subpoenaed, and it's difficult for them to see how talking to the media could possibly do them any good. The ground rules of the school administration, tribal government and the media are also unclear, but the consequences are potentially serious. Given all that, it's understandable that they are not eager to be noticed.

That's not to say the people on Red Lake or any other reservation are so different from anyone else. They're not. If most of us had a choice, we'd prefer that free speech be reserved for only ourselves, because it goes against all our instincts. We'd close off our towns just as the reservation closed its borders. Tom Robertson is right. Red Lake needs to revise their constitution. But the pressure will have to come from the outside, since there's no free media to pressure from within. Mike Barrett runs a website called Red Lake Net News, but it's funded by the Tribal Council. He did not answer my request for an interview. Neither did the Tribal Chairman or the Tribal Secretary, both of whom are considered nice people by all the media who dealt with them.

A former student of mine is trying to start a public radio station in Red Lake. If ever there was a role for publicly funded media, it's on Indian reservations. News media funded by tribal councils

**FREE SPEECH** to page 8

**CHIEF** from page 1

while contributing nothing \_ lacks credence.

"If the freedmen have not participated in building up the nation so far, it's because they haven't been allowed to," she said. "They haven't allowed us to use our talents to serve."

**COUNCIL** from page 1

out seeking council oversight, according to documents obtained by the Watertown Public Opinion.

Crawford, who denies doing anything wrong, said the council threw out four of seven allegations before voting to remove him.

Following the hearing, Crawford said he was the victim of a political agenda.

"This was not an objective hearing," he said. "Several of the council members went in there with premeditated decisions."

Crawford also said his right to

Supporters of freedmen citizenship said Smith's suggestions spoke to narrow beliefs in the tribe's administration.

"If he (Smith) thinks there needs to be redress, he's racist," said David Cornsilk, lay advocate who represented the freedmen in their court case.

due process had been violated and that he could challenge the ruling in court. But, he added, he had not decided what he might do.

"It's a tough decision," said Crawford. "I have to decide if I want the emotional burden of continuing to go through this."

Even after his removal, Crawford said he plans to continue to be involved in tribal leadership.

"I want people to know that this is not a cancerous place," said Crawford. "Politics aside, there are still plenty of very good people living in this area and our government continues to function."

**CLASSIFIEDS**

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[www.saintpaulfoundation.org](http://www.saintpaulfoundation.org)

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**FREE SPEECH**

from pg 7

are an oxymoron, as much at odds with freedom of the press as news media funded by any partisan administration and not sheltered from political pressure. Truly independent reservation media are almost nonexistent, except for a few persistent souls like Bill Lawrence, who are forced to live and work off the reservation because there's such a limited economic base to support advertising. Even so, Lawrence tells stories about his advertisers being threatened with a tribal economic boycott when they don't like his news.

Kate Perry, the reader, represents for the Star Tribune, wrote a column March 27 about the challenges in their coverage of the shootings. She thought a headline using the word "rampage" was insensitive, but also expressed indignation about the way reporters were treated by tribal officials. Sensitivity certainly has its place, but I sometimes think we're over-emphasizing that at the expense of good investigative reporting. Bill Lawrence is a hero, but where's the mainstream media? They should be sending their reporters to cover reservation politics on a regular basis, and underwriting the cost of legal representation when their reporters press for access. Investigations have been done about casino scandals and BIA scandals, but almost always only at the nexus of Indian and white politics or, even more frequently, Indian politics and white economics. That same indignation should be expressed about violations of civil rights for reservation residents who live under tribal governments; the ACLU should be championing their cause.

**A ROADMAP FOR THE FUTURE**

The traditional values of journalism need not clash with "traditional" Indian values. In fact, they should be compatible. Corruption, cronyism and secrecy are, in fact, more associated with "traditional" white political values, which may explain the constitutional and role model issues that burden reservations today. But when news values get twisted so that objectivity becomes harshness, aggressive reporting becomes snoopiness and tragedy becomes sensationalism, it's no wonder that reservation residents are not ready to fight for free speech rights. White liberals align with those who want to close themselves off to the media out of concern for the concept of self-determination for tribes and guilt for our checkered past of crimes against all Native Americans. As Paul Boswell explained, "It's easy to think that way when you don't have to live under such a system."

Don't get me wrong. I am not claiming there is any connection between the Red Lake shootings, free speech on reservations and the behavior of the news media. Alienation and access to weapons, fueled by bullying, seem to comprise the glue that binds terrorists and school shooters. Borders of all kinds that have been violated by global communications cultural, national, reservation ironically seem to be producing a significant segment of the young male population who feel homeless, with virtual passports to anywhere but no place where they feel they belong. What I am saying is that this tragedy puts in high relief a long-standing issue of basic rights in all of Indian Country, but especially on the Red Lake Reservation, which is one of only two reservations in the country that is an unbroken piece of land held in common by the tribe. It's always been very proud of its separateness, but in a global reality, that separateness is not complete and comes at a price.

So now we're at a point where secrecy and rumors have taken over. People are becoming distrustful not only of outsiders, but of each other. And it only became exacerbated after the FBI moved in. The FBI likes secrecy even more than the tribal council, so we knew only that a secret grand jury has been convened, that the son of the tribal chairman was in jail, probably because he was a conspiracy suspect. We couldn't know for sure, because juvenile proceedings are secret. At one point, U.S. Attorney Tom Hefelfinger admonished the public and the media for wanting to know anything. The Star Tribune paraphrased his criticism in an article April 18: that „false information is "fueling fears and suspicions," but he refused to say which reports were false. Conspiracy is a difficult charge to prove, and, by late 2005 that charge was dropped in a plea bargain. Louis Jourdain, the son of tribal chairman "Buck" Jourdain, pled guilty to a lesser charge and will be sentenced in early 2006. However, when he returns home to the reservation, suspicions will continue to linger because of the continuing secrecy.

There,s an important role for mainstream media now. Accord-

ing to Margaret Nelson, a long-time stringer for Newsweek, the real story now is what,s happening with the ongoing FBI investigation. Add to that stories about human and civil rights in Indian country and what,s going to happen at Red Lake High School now. Newsweek has not yet published Nelson,s follow-up story because she needs a news peg, and it would be helpful if the tribal chairman would grant her an interview. The Star Tribune can't get into the school to do a graphic of the layout. Those stories should either be done anyway, or stories should be done about why they can't get access. The news pegs need to be created by the news media.

Bill Lawrence is not quite alone. There are other Native journalists out there in both mainstream and alternative media trying to get attention for these kinds of stories. The Navajo Times is reportedly now independent, the Cherokee passed the Cherokee Independent Press Act in 2000 and the National Congress of Americans passed a free press resolution in 2003. The Native American Journalists Association (NAJA) appears to be a vibrant core group of committed professionals who are struggling against intense odds to bring these issues to public view. They deserve more support from mainstream media.

Life goes on here, in fits and starts. The teachers were reportedly uneasy about going back into the school in the fall because they thought too little had been done to improve security and safety at the school. Millions of dollars have reportedly flowed in to the reservation, but it,s unclear exactly how much or where it,s going. About a fourth of the Red Lake students left for other school districts. Those who did return had no computers, since they were all confiscated by the FBI after the shootings.

Leech Lake tribal members recently held a protest at the Beltrami County Courthouse about removal of their tribal chairman and creating a new constitution. Bill Lawrence was visited by a group of ten international journalists who had read about his SPJ award. They listened carefully and diligently took notes during his two-hour presentation, but expressed surprise and bewilderment at the absence of free-speech rights on Indian reservations.

Pioneer editor Molly Miron is right parachute journalists should do a better job on their homework. Star Tribune reporter Larry Oakes is right reporters should somehow be better prepared to deal with the ethical pressures created by pack journalism in extraordinary situations. What Jeff Weise ate for lunch before he went on a shooting spree was not worth the time or ethical capital expended to get that information at that time.

Ojibwe News editor Bill Lawrence is right sovereignty needs to be challenged for the sake of those who are not in power. Newsweek stringer Margaret Nelson is right the FBI needed to be challenged about its glacial pace in this investigation. MPR's Tom Robertson is right ^ Indian politics needs to be taken seriously. If those things happen, perhaps the veil of silence that shrouds news coverage of reservation life and issues can begin to be lifted. The real stories, both positive and negative, can begin to be heard, and the thorny questions of how to preserve native values within the context of best practices in contemporary journalism can begin to be addressed.

When that day comes, I will, at last, be able to stand before my Red Lake students and show, not tell, with honesty and conviction, that journalism is truly a way to serve their people and a profession worth pursuing.

Louise Mengelkoch is an associate professor of journalism at Bemidji State University.

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**RESPONSE** from pg 4

of resources. I am dismayed to see tribal members, of any band, victimized by tribal officials. I tell about corruption, mismanagement, greed, abuse, incompetence and failed programs in order to encourage change. I have never spoken poorly of ordinary individuals.

Information will set you free—a common, but true, statement. It creates insight and knowledge that leads to positive change. The Independent Free Press is a valuable entity. It provides information. If done in an unorthodox manner, so

**TRIBE** from pg 6

The presiding board, which dismissed superintendent Max Hinton and the elementary principal, voted at the same meeting to pay off both the superintendent's and principal's contracts for approximately \$100,000.

Mr. Lawrence was urged to become a candidate in the election six months after this. He was elected to the board and also the presidency of the board. Mr. Bogda, an employee of the Fort Mojave Indian tribe, was not interested in, nor did he apply for, the position of School Superintendent.

10. Regarding the allegations that Mr. Lawrence was to blame for my recall as tribal chairman is simply not true. The truth is that outside agitators were after our land and water rights and out to

be it. What's important is to shine light on what is going on and let observers know so they can investigate further to ascertain what is really going on and then to decide what to do about it.

So often we hear leaders speak of defending tribal sovereignty when they are really hiding behind it to conceal their incompetence, mismanagement and corruption. And instead of protecting sovereignty, they are really eroding or destroying it by making their words bands, tribes or communities more dependent on the state or federal governments.

The Red Lake Tribal Council,

punish Mr. Lawrence and me for getting the Phoenix Area Director, John Artchoker fired. They were paid off to cause internal dissension among tribal members and the tribal council. It also resulted in the BIA withholding grant, contract and funds to refinance the farm. Far from being a broken man, as accused by Mr. Savilla, I have always played an active role in tribal politics as evidenced by the fact that I am currently vice-chairman of the Fort Mojave Indian Tribe.

11. Not mentioned in the Savilla report was the role that Mr. Lawrence played in the termination of a 99-year lease that was not in the tribal interest and resulted in the return of our Nevada tribal lands. With the cancellation of this lease, the tribe regained full use of the land and has begun obtaining a federally approved, Las Vegas

style gambling operation there. We are currently negotiating with six major gambling companies to locate on the reservation. In closing, it is difficult for me to understand how Red Lake Tribal Chairman Jourdain can justify spending a substantial amount of money and send two council members to Fort Mojave to discredit Mr. Lawrence. Mr. Lawrence is a man of integrity, courage, and foresight who produced significant results for our tribe. He was a credit to the Fort Mojave Indian Tribe and the entire community. I would highly recommend him for the position of chairman of the Red Lake Band of Chippewa Indians or any other position he would aspire to.

Signed: Llewellyn Barrackman, Vice-Chairman, Fort Mojave Indian Tribe

defunct. This Council has done nothing to promote economic development by reviving and reformulating tribal businesses. The Court system is incompetent, and despite a blueprint for reform provided by an independent evaluator, there has been no forward motion in that regard.

When we print information to that effect in Press/ON, it is backed up with hard copy, e. g. actual documents published by government sources, audits or memos, letters, etc. I challenge anyone to produce a 'lie or misinformation' that we have published.

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# MARIJUANA COULD THREATEN YOUR TEEN'S SUCCESS.



The high school years are some of the most important in your son's or daughter's life. This is the time when poor academic performance can compromise a teen's future because low grades and test scores limit options after graduation. As teens enter high school they are at an increased risk for drug use and drinking. While overall drug use among teens is down in recent years, be sure your teen remains drug-free during these critical learning years.

**Marijuana can limit your teen's academic achievement.**

- *Marijuana can hinder a teen's ability to learn. Heavy marijuana use impairs young people's ability to concentrate and retain information.<sup>1</sup>*
- *Marijuana use is linked to poorer grades. A teen with a "D" average is 4 times more likely to have used marijuana than a teen with an "A" average.<sup>2</sup>*
- *Some frequent, long-term marijuana users show signs of lack of motivation (amotivational syndrome). Lack of motivation or concern about the future can lead to poor performance in school.*
- *Marijuana and underage drinking are linked to higher dropout rates. Students who drink or use drugs frequently are up to five times more likely than their peers to drop out of high school.<sup>3</sup> A teenage marijuana user's odds of dropping out are more than twice that of a non-user.<sup>4</sup>*



Many parents still don't understand that marijuana is harmful. But research shows it's a stronger drug than it used to be and kids are starting to experiment at younger ages. Know the facts and share them with your teen. The rules you set and enforce today can make all the difference in your teen's life tomorrow.

- Signed,
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  - American School Counselor Association
  - ASPIRA Association, Inc.
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  - Hispanic Association of Colleges and Universities
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  - National PTA
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  - Partnership for a Drug-Free America
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<sup>1</sup>Pope HG; Gruber AJ; Hudson JI; Chohane G; Huettis MA; Yurgelun-Todd D. Early-onset cannabis use and cognitive deficits: what is the nature of the association? *Drug and Alcohol Dependence*, April 1; 69 (3): 303-310 (ISSN: 0376-8716), 2003. <sup>2</sup>The NHSDA Report: Marijuana use among youths. SAMHSA, 2002. Based on data from the National Household Survey on Drug Abuse 2000. <sup>3</sup>The National Center on Addiction and Substance Abuse at Columbia University (CASA). Malignant Neglect: Substance Abuse and America's Schools. New York: Columbia University, 2001. <sup>4</sup>Bray JW, Zarkin GA; Ringwalt C; Qi J. The relationship between marijuana initiation and dropping out of school. *Health Economics*, January; 9 (1): 9-18, 2000.