

Police investigate ‘ghetto’ sign

By Steven Friederich
Grays Harbor Daily News

NORTH COVE — The tribal police of the Shoalwater Bay Indians are investigating the circumstances around a disparaging sign with racial overtones that was put up on a proposed Shoalwater-sponsored low-income housing development near North Cove.

On Tuesday, someone put up a sign that reads “Future Ghetto Site With Your Tax Money” on the eight-acre 13-lot development along Highway 5. The development, partially on the Shoalwater Bay reservation and partly on private property, will be geared for low-income Shoalwater Bay Indians.

Bob Bojorcas, the assistant administrator for the tribe, said the police currently have no suspects or solid leads.

“We’re shocked and we’re surprised that we’re dealing with this mentality,” Bojorcas said. “There’s been a lot of hard work done with the tribe and community to get this stuff behind us. And here, this sign just popped up. We’re just kind of at awe that we in some way have brought this on and are bringing this out of somebody.”

Bojorcas said it’s been years since anyone has seen this sort of thing in the community.

“This kind of thing just doesn’t happen,” he said. “We don’t want to replay cowboys and Indians, that’s all behind us. There’s this generation and future generations to think about. We want to build on what’s going on today, not dig up the past.”

Pacific County Commissioner Clay Harwood, when contacted on Wednesday, said he hadn’t heard about the sign.

Harwood, who represents the North Pacific County area, said he hadn’t heard of any concerns about the proposed development within the past six months.

“I probably have seen some raised eyebrows but nothing has been said,” Harwood said.

The plan is for 13 homes on eight acres, with the exact lot size of each house uncertain at this point, according to Dave Bell, the executive director of the Southern Puget Sound Intertribal Housing Authority, which has oversight of the project.

The 13 homes, along with a couple town homes on a separate parcel, will cost about \$3.8 million to develop. The project is a year or two away, he said, although some permits, including a key state shorelines permit, have already been approved, Bell said.

Bell said there’s a desperate need for housing in the area for tribal members, noting there’s already a waiting list of 44 families who have shown need.

“This is low-income but there will be certain occupancy regulations that will be followed, with no junk cars and no garbage and a provision for fire control,” Bell said. “These are occupancy standards such as you would find in some private housing associations. It may even be a step up from what’s down there right now.”

Bell said there have been some community concerns about sewer and water access, but those are issues that are being worked on.

The building permit, required by Pacific County, has not been approved yet, he said.

Bojorcas said the reaction by what he hopes is just “a newcomer with a small mind” has really upset the Shoalwater Bay Tribal Council.

“We have a casino that is one of the largest employment forces in Pacific County,” Bojorcas said. “We are a community-friendly tribe and we go out of our way so that the community as a whole is always included in our planning efforts. We want to come together over this and tell people this is just not acceptable.”

Investment helped fund gambling suit

By Jay Tokasz
Buffalo News

BUFFALO, N.Y. — The Margaret L. Wendt Foundation’s investment in one of the world’s largest gambling companies generated enough profit to pay for the legal fight against a downtown Buffalo casino.

The foundation, the primary financial backing behind a federal lawsuit opposing the Seneca Nation of Indians Buffalo Creek Casino, made \$2.1 million in earnings by selling 60,000 shares in Harrah’s Entertainment in 2006, according to IRS tax filings examined by The Buffalo News.

Harrah’s owns or manages 41 casinos nationwide, in Canada and in England.

The profitable investment has sparked further criticism of the second-largest private charitable foundation in Western New York, which has been tagged as an elitist group for its attempts to block the \$333 million casino and hotel.

“You can’t have it both ways,” said lawyer and blogger Alan Bedenko, who along with fellow blogger Christopher Smith revealed the Harrah’s connection on his Web site, [Buffalopundit.com](#). “It’s either bad or it’s not bad. If the Wendt Foundation has a philosophical belief against the

casino in Buffalo, I guess it should explain why it’s not bad everywhere.”

The foundation bought the Harrah’s shares in 2003 for \$2.8 million, according to its 2007 tax return. The stock was sold in May 2006 for a total of \$4.9 million — a 75 percent return in less than three years.

Wendt’s three trustees agreed to finance the lawsuit in January 2006, and the foundation so far has funneled \$1.9 million through the Network of Religious Communities, one of the plaintiffs, for legal expenses.

The trustees were unaware of the Harrah’s investment until a periodic review following their decision to fund the suit, said trustee Robert J. Kresse.

Investment advisers Groesbeck Investment Management, based in New Jersey, determined the investment choices. The trustees decided to sell because the holdings were “inconsistent” with their position on gambling in the City of Buffalo, Kresse said.

Some people were resorting to unfounded attacks on the foundation because the U.S. District Court determined the casino is illegal, as many anti-gambling opponents have argued all along, he added.

The Rev. G. Stanford Bratton, executive director of the

Network of Religious Communities, said he was unaware of Wendt’s investment in Harrah’s, but he downplayed its significance.

“Most folks who have a retirement plan may well be invested in a casino,” said Bratton. “It’s hard for almost any of us to be pure in that sense.”

The foundation’s mission is to assist the Western New York region and confront what is harmful, and it shouldn’t be limited in those aims simply because it holds stock in a company that promotes gambling, Bratton said.

“That would say to many of us that we can never speak out,” he said.

It’s akin to a peace protester accused of hypocrisy because he pays his income taxes, which help fund a war effort. “How far do you draw this?” said Bratton.

Besides, casinos and federal agencies have huge amounts of money to invest in lawsuits, while “the people opposed have peanuts,” he said.

Without the Wendt money, opponents of the downtown casino probably would not have been able to press forward in their case against the U. S. Secretary of the Interior and the National Indian Gaming Commission.

U.S. District Judge William M. Skretny ruled earlier this

month that the nine-acre plot on Michigan Avenue is sovereign Seneca land but does not meet the exception for off-reservation gambling.

Some casino supporters have blamed the foundation and others for halting what they believe will be an economic shot in the arm for Buffalo.

A spokesman for the Seneca Gaming Corp. declined to comment on the Wendt Foundation’s connections to Harrah’s, which manages a few Indian casinos and in 2002 had expressed interest in working with the Senecas on their Niagara Falls site.

“We’re not going to discuss it. That’s between the Wendt Foundation and the organizations they support,” said Phil Pantano, the spokesman.

Bedenko said he wasn’t necessarily in favor of a casino but changed his mind after the court decided it was sovereign land.

He took aim at the foundation on his Web site because he was disgusted by the nearly \$2 million spent on lawyers.

“This is a foundation that doesn’t think a casino in the Cobblestone District of Buffalo is a good idea, but they don’t have a problem investing in a public casino corporation for the gain of the foundation,” said Bedenko, who in 2007 ran unsuccessfully for a seat on

the Erie County Legislature. “The whole thing just sort of stank to me.”

Bedenko’s posting provoked a variety of responses, agreeing and disagreeing with his assessments.

Skretny’s decision is being appealed. The foundation will continue its legal funding, all the way to the Supreme Court, if necessary, Kresse said.

Formed in 1955, the Wendt Foundation has given away more than \$61 million in grants to Western New York organizations and played a pivotal role in saving the Buffalo Philharmonic Orchestra, Shea’s Performing Arts Center, the Darwin Martin House and the Roycroft campus in East Aurora, among other charitable enterprises.

The foundation has an endowment of more than \$140 million and gives away about \$6 million per year, mostly to support the local arts and culture, and the needs of the poor, elderly and disadvantaged.

That amount, Kresse said, will only grow as the foundation matures, unlike the casino deal, which will never contribute to the city’s tax base and will end up draining the local economy and taking money from those who can least afford it.

“We haven’t destroyed lives in the process,” he added. “We have helped people.”

Doctor tells of severity of Native man’s injury

By Katie Mulvaney
Providence Journal

PROVIDENCE, Rhode Island — An orthopedic surgeon told jurors yesterday that the Narragansett Indian whose ankle was broken during a state police raid on a tribal smoke shop suffered some permanent loss of motion from the injury.

Dr. Stephen Gross testified in the second day in the retrial of the civil suit brought by tribal member Adam Jennings against state Trooper Kenneth Jones. Jennings accuses Jones of violating his civil rights by using excessive force when he twisted Jennings’ ankle until it broke while officers placed him under arrest.

Gross saw Jennings July 15, 2003, the day after state police executed a search warrant to stop the Narragansetts from selling tax-free cigarettes from the roadside shop in Charlestown. A “twisting stress,” Gross said, led to the ankle being fractured in two places.

Gross, who practices in Westerly, had treated Jennings a year earlier when he broke his ankle falling down the stairs at home, Gross said. But, there was no relation between the 2002 and 2003 injuries, which were in different parts of the ankle, he said. The previous break, he said, did not put Jennings at greater risk of injury such as the fractures that resulted from the altercation.

He placed Jennings in a cast for about four weeks and charged him \$1,000 to \$1,100 for treatment, he said.

State police executed the warrant on the shop at Governor Carcieri’s orders. The raid erupted into a confrontation that left eight people injured, including Jennings, and eight

tribal members, also including Jennings, facing misdemeanor charges.

Jennings, his mother and another shop worker filed suit shortly after the incident, accusing state troopers of violating their civil rights.

A jury in 2005 found that Jones used excessive force and battery when he twisted Jennings’ ankle during his arrest. The jury awarded Jennings \$301,000.

U.S. District Judge Ernest C. Torres overturned that verdict, but the federal appeals court ruled in Jennings’ favor, sending the case back to Torres to consider motions he did not rule on in 2005.

In May, Torres granted the state’s motion for a new trial. In ruling, he wrote that the state police testimony proved more believable than that of defense witnesses and Jennings during the 2005 trial.

Chief U.S. District Judge Mary M. Lisi is presiding over the retrial.

Detective Kenneth Bell returned to the stand yesterday, telling the jury that Jennings swore at and acted threatening toward troopers as they entered the smoke shop. He said he told Jennings to leave the shop and then asked another officer to “cuff him” as he moved toward the door. Jennings, he said, then backed into the corner, flailing his arms and kicking.

Under questioning by Jennings’ lawyer, Michael Bradley, Bell admitted he wrote in a deposition that he wanted Jennings to get out the door before he became a problem. He also said Jennings never took an “aggressive stance” toward him and agreed that Jennings did not begin kicking until he said “cuff him.”

tion in a year or two.

That official status, along with state approvals that the tribe would seek, could legally entitle the Shinnecock to a casino on their reservation — or a site purchased elsewhere.

Anticipating that likelihood, officials like Mr. Lindsay say they want to work with the tribe to find the best location.

Proponents say a casino would generate thousands of jobs, tax revenue and an economic ripple totaling billions of dollars. Critics doubt whether any community would welcome a casino and dispute its local benefits.

Julyamsh Pow Wow



Associated Press

Native American Alex Buck of the Wanapum tribe waits to ride in the grand entrance Friday, July 25, kicking off the first night of festivities of this weekend's Julyamsh Pow Wow in Post Falls, Idaho.

Inching ahead on a tribal casino agreement

By Bruce Lambert
New York Times

NEW YORK — The Shinnecock reservation, home to about half the tribe’s 1,300 members, is shown north of Meadow Lane in Southampton. The tribe says it needs a casino to survive economically.

Carrying on a tradition of nearly four centuries of rocky relations, whites and native Indians here have been feuding in and out of court for the last few years over a proposed casino and a compensation claim for land the tribe says was stolen.

Now a glimmer of com-

promise has enticed leaders from both sides into talks that could result in Long Island’s first casino.

Some Suffolk County legislators have met with Shinnecock tribal trustees about finding an alternate site for a casino away from Indian lands in the Hamptons, where it has been proposed and which officials adamantly oppose.

Many hurdles remain, especially finding an acceptable location. But if that can be accomplished, Shinnecock leaders say they are eager to also resolve their land lawsuit.

“A global settlement would

be very welcome,” Frederick C. Bess, chairman of the Shinnecock Indian Nation trustees, said in an interview. “We want to sit down and negotiate something amicable to all of us, a win-win. We’re always trying to be good neighbors. We have to live together on Long Island.”

The overtures have included a pro-casino presentation by tribal members to a county legislative committee and a tour of the reservation in late June by the Legislature’s presiding officer, William J. Lindsay, and its economic development chairman, Wayne R. Horsley, both Democrats.

“I’ve always been a proponent of gaming,” Mr. Lindsay said in an interview. “A facility on the East End is not the smartest thing, because the roads and infrastructure couldn’t support it and the communities are opposed. But Suffolk is a big place, with lots of arteries like the Long Island Expressway and Sunrise Highway and places where it might go, including downtowns that need revitalization.”

What sparked the new talks was progress in the Indians’ decades-long attempt to win federal recognition. They now predict winning recogni-