

# 2 tribal smoke shops raided

By Clifton Adcock  
Tulsa World

TULSA, Okla. — Oklahoma Tax Commission agents and Oklahoma Highway Patrol troopers raided two tribal smoke shops Wednesday in Henryetta for allegedly selling contraband cigarettes.

The smoke shops, owned respectively by the Alabama Quassarte Tribal Town and the Kialegee Tribal Town tribes, allegedly were selling cigarettes not on the state attorney general's Master Settlement Agreement list of approved brands, Tax Commission spokeswoman Paula Ross said. Other cigarettes had an incorrect tax stamp, Ross said.

All cigarettes sold in the state must be on the settlement list, although that point has been challenged by some tribes, who maintain that it is an issue of sovereignty.

The number of cigarettes confiscated was not known Wednesday, Ross said, and neither store had been closed by the Tax Commission.

The confiscated cigarettes from Wednesday's raid will be subject to forfeiture proceedings, Ross said.

Although a full inventory of the confiscated cigarettes had not been done, one brand confiscated by agents was Seneca, manufactured by the Seneca Nation in New York.

A state agency confiscating goods from a tribal operation is rare, Ross said, although the smoke shops are not on trust or restricted land.

Alabama Quassarte Tribal Town Chief Tarpie Yargee referred questions by the Tulsa World to the tribe's attorney, who did not return a telephone call Wednesday.

Kialegee Tribal Town King Jennie Lillard was not available for comment.

Neither one of the tribes has a tobacco compact with the state.

The confiscation also could be considered a shot across the bow for the Muscogee (Creek) Nation, which has been in an ongoing fight with the state about tobacco, because Henryetta is within the jurisdictional boundary of the Creek Nation.

Sales of cigarettes not on the settlement list have been a major sticking point in negotiations for a tobacco compact between the state and the Creek Nation.

Negotiations broke down a few weeks ago.

Some Creek Nation-licensed stores in the Tulsa area sell cigarette brands not on the list, including Seneca brand, as well as cigarettes that bear low-tax stamps that are supposed to be sold only by stores near the state line.

State Treasurer Scott Meacham wrote to the Creek Nation in September to ask tribal officials to stop the sale of such cigarettes.

But tribal leaders consider the matter a sovereignty issue and say the state cannot interfere with tribe-to-tribe commerce.

In May, Oklahoma Attorney General Drew Edmondson filed a lawsuit against Native Wholesale Supply, which distributes Seneca cigarettes.

From February 2007 through May of this year, Native Wholesale Supply sold or imported about 568,560 cartons of Seneca cigarettes to Creek-affiliated stores, the lawsuit states.

Creek Nation Chief A.D. Ellis was not available for comment Wednesday, and messages left for the tribe's spokesman were not returned.

# Hopi High students: Have fun!

By Stan Bindell  
For the Independent

POLACCA — Marcus Joseph was named homecoming king and Tracy Billy was named homecoming queen at Hopi High School.

"I'm excited and happy," Joseph said about getting the king's honor.

Joseph said he would put the crown in a showcase at his house, but added later that he would give it to his grandmother.

His message to his classmates is that they should have fun, but keep their grades up. Joseph said he was surprised that he won the king's crown because he felt his opponents would get more votes. He had five opponents, but the seniors selected him for the crown.

Joseph excels academically and athletically. He plays football, wrestles and plays baseball for Hopi High yet he made the honor roll with mostly A's. He is also active in the radio class, rides horses, hunts and works construction.

He plans to major in business or architecture at Ft. Lewis College in Colorado.

The 17-year-old senior is the son of Antoinette Laban and Mark Joseph from Oraibi.

Tracy Billy said she was happy, but nervous about winning the queen's crown. She said she will put the crown in a place where she can see it.

Billy said she thanks everyone who supported her. She was also surprised about winning but didn't know why.

Billy, who maintains a B average, runs cross country and track and plays basketball for Hopi High's Lady Bruins. She plans to major in early childhood education at Yavapai College in Prescott.

The 17 year old senior is the daughter of Gertrude and Frederick Billy from Lower Mishongnovi.

Hopi High Principal Glenn Gilman said the students showed a lot of spirit during homecoming this year.

Gerald Flud, coordinator of the homecoming activities, said the parade was outstanding with 48 entrees that made the parade last for a mile. He has been coordinating the parade for the 13 years it has existed.

"We had the best turnout ever this year. It gets bigger and better every year," he said. "The parade was successful because everybody cooperated."

The previous night the powder puff game was played when the boys dressed up like cheerleaders and the girls played football. The seniors won the game, but Flud said the best part was when one of the cheerleaders fake boobs was blown across the field by the wind. The wind was even stronger on Saturday.

"I'm glad that the parade was Friday instead of Saturday because Saturday we would've looked like chickens without feathers," he said.

Flud said homecoming was successful this year because all of the head sponsors worked hard. He agreed with Gilman that the students showed a lot of spirit this year.

"The student council worked their tails off by preparing for the pep rally and making sure everybody had the materials they needed for the floats and the other activities," he said.

Flud credited the administration, Lynn Root and Eileen Navakuku with helping prepare for all of the homecoming events.



Stan Bindell/For the Independent

Homecoming Queen Tracy Billy and Homecoming King Marcus Joseph, smile at the Hopi High School Homecoming celebration.



Stan Bindell/For the Independent

Seniors display who they are, at the Hopi High School Homecoming celebration.

# Women guests of 'Oprah'

By Mike Hughes  
Lansing State Journal

LANSING — For most viewers, Thursday's hour is just another edition of "The Oprah Winfrey Show."

It has big-name guests (Maria Shriver, Gloria Steinem, Billie Jean King) and an upbeat topic. "Oprah" often does.

But to two Lansing women, Becky Roy and Jodi Whitfield, this was more. They're not on the show, but they were invited members of the audience.

"Women love Oprah, at some point in their lives," said Roy, 35. "She talks right to us and she's so positive."

That think-positive notion is important, Whitfield said. "People can help themselves and empower themselves."

And it's basically why they were asked to be there.

On Sept. 2, Roy was diagnosed with diabetes. "In my community, that has had a terrible effect," she said. "I was

devastated."

She's from the Ojibwe tribe and the Wikwemikong reserve. That's on Manitoulin Island on Ontario, known lately as the home turf of country singer Crystal Shawanda; it's also an area where diabetes has hit hard, Roy said.

Her friend Whitfield had a particular effect, Roy said.

"She said, 'Go ahead and cry. Your body is in stress. It's OK to cry about it.'"

And then take action. Whitfield, a chiropractor, says that's always a key. "It's, 'Are you going to be a victim or are you going to take control?'"

Later, on Winfrey's Web site (www.oprah.com), Roy saw a box asking: "Who is your superwoman?" She put Whitfield's name and an essay; a few days later, the show asked them to be in the audience.

That was for a specific hour, "Women Who Changed the World." The show was assembling a studio audience

that could relate to the subject.

At the time of the Oct. 9 taping, Roy said, "I was celebrating one month of living healthy."

She'd watched her diet, exercised five or six times a week and lost 15 pounds. This was a good time to celebrate.

The audience had to be in the building by 7 a.m.; it was ushered into the studio at 8:15, for a 9 a.m. taping.

"The studio was very intimate," Whitfield said. "Oprah was authentic and real. Everything you see is what you expect from her."

And the subject seemed to make an impact. Roy wasn't born yet, when Steinem began fighting for equality. She was 3 months old when King won her famous "Battle of the Sexes" tennis match.

She hadn't heard of the match and few details about King or Steinem. "They paved the way," Roy said. They spurred a world in which women can lead and Oprah Winfrey can dominate.

# Attorney opposes Dec. 9 trial date in AIM slaying

By Heidi Bell Gease  
Rapid City Journal

RAPID CITY, S.D. — on opposing the federal government's request to move Marshall's trial up to December, saying he cannot be ready for trial by then.

In a motion filed Tuesday in U.S. District Court, defense attorney Dana Hanna wrote that if Marshall's trial were moved from February to Dec. 9 Marshall "would be deprived of his constitutional rights to present a defense and to effective assistance of counsel."

Marshall and John Graham are charged with murder in connection with the 1975 slaying of fellow American Indian Activist Annie Mae Aquash. Graham was scheduled for trial earlier this month but a judge threw out the indictment because it didn't show that grand jurors considered whether either he or Aquash — both Canadian citizens — belonged to a federally-recognized tribe.

A federal grand jury then indicted Graham and Marshall as co-defendants. Marshall, who was originally indicted in August, was already scheduled for trial Feb. 24.

"The government has taken 33 years to investigate this case," Hanna wrote in his motion. "Now, Defendant

Richard Marshall requires more than three months to investigate the facts and history of this case and to prepare his defense."

Hanna said he received about 5,000 pages of discovery from the government on Oct. 6. In addition to reviewing that information he wants to seek additional information through interviews and court documents.

Hanna also said he plans to file a motion asking U.S. District Judge Lawrence Piersol to separate trials for Marshall and Graham because "Richard Marshall's defense is irreconcilably in conflict with that of Defendant Graham."

Prosecutors believe Marshall provided the gun that killed Aquash, whose body was found near Wanblee.

Witnesses at the 2004 trial of Arlo Looking Cloud, who was convicted for his role in Aquash's murder, said Graham and another AIM member, Theda Clarke, drove Aquash from Denver to the Pine Ridge Indian Reservation in December 1975 and that Graham shot Aquash as she begged for her life. Graham has admitted being in the car from Denver but denies killing Aquash.

Clarke lives in a nursing home in Nebraska and has not been charged. Looking Cloud is serving a life sentence.

# Tribes keep watch on casino campaign

Maine Public Broadcasting Network

OXFORD — Leaders of the Penobscot Nation and the Passamaquoddy Tribe are closely watching the casino campaign unfolding in Oxford County. Over the last 14 years, Maine's two Indian tribes have seen their own hopes and

plans for a casino in Calais, a high stakes bingo operation in Oxford County, a casino in southern Maine and, last year, a racino in Washington County, defeated at every turn. And as Susan Sharon reports, despite their silence this election, they have strong feelings about the outcome of Question 2 on the statewide ballot.