

# Tribe’s donations linked to murder

By John F. Berry  
The Press-Enterprise

SAN BERNARDINO — San Manuel Indian and San Bernardino County district attorney officials deny that \$22,500 in political contributions from the tribe to District Attorney Michael Ramos affected the plea deals that could allow two tribal members to avoid prison for their parts in plotting to kill a man in 2006.

On Friday, Assistant District Attorney Dennis Christy denied the connection.

"I can't emphasize that enough," Christy said.

Christy said Ramos did not provide any input into the decision by prosecutors to support an April 17 plea agreement in the murder-for-hire case against tribal members Stacy Cheyenne Barajas-Nunez, 26, and her brother, Erik Barajas, 36.

Under state law, they could have faced up to life in prison if convicted by a jury on their original charges, which included murder conspiracy.

The pair are expected to be sentenced to home monitoring as part of their plea agreement when they go to San Bernardino County Superior Court on Thursday. Barajas-Nunez could be sentenced to one year of electronic monitoring, while her brother could receive six months, according to court records.

Judge Michael Dest could then reject the plea agreement he signed in April or go through with the sentencing as expected.

According to their plea agreements, Barajas-Nunez pleaded guilty to attempted murder, as well as to transporting a controlled substance and possessing narcotics in jail.

Her plea agreement, according to state sentencing guidelines listed next to her charges, shows she risks 27 years in prison if she violates her probation.

Barajas pleaded guilty to assault with a firearm as well as the gang enhancement. His maximum is eight years if he violates his probation, his plea agreement says.

Attorneys who negotiated the plea agreements have repeatedly declined to discuss how the plea agreements were reached.

The man Barajas and Barajas-Nunez plotted to kill said he believes the tribe's political contributions bought the siblings a light sentence. Leonard Epps, who has been in hiding for more than two years, emerged briefly last week to criticize the plea deals.

California Secretary of State records show the San Manuel Band of Mission Indians has contributed \$22,500 to Ramos since 2001. Records show most of that money, \$12,000, was given in June 2007 and in May this year.

Epps' attorney, Frank Peterson, said anyone else convicted of the same crimes as the Barajas siblings would have been sent to prison. He said the pair faced life in prison if they had been convicted on their original charges of conspiracy to commit murder.

Peterson said he has never seen anyone receive house arrest for crimes that would have sent any other felon to prison.

The attorney said judges generally have a wide latitude in sentencing when a case is settled before trial. He said judges generally stick to penal code sentencing ranges once defendants are convicted at trial.

Peterson said the facts in this case are solid.

"If you add them all up," said Peterson, "these guys could have gone away for a very long time."

James Ramos, chairman of the wealthy San Manuel Band of Mission Indians, said Friday that his tribe's donations did not play any role in the plea agreements.

# Turtle Mountain Band: No abortions here

By Dorreen Yellow Bird  
Grand Forks Herald

GRAND FORKS, S.D. — The Turtle Mountain Band of Chippewa’s tribal council wobbled out on a limb to pass a resolution that bans abortions on their reservation. “Under no circumstances,” their resolution reads, “will abortions be performed and allowed.”

But the council’s on a branch that could easily snap.

When tribal governments pass resolutions such as this one — resolutions that run counter to the U.S. Constitution — those government leaders tend to be depicted as neophytes who are less than knowledgeable of federal laws that all citizens, including tribal members, must abide by. In other words, the resolutions make the tribal councils look bad and give the appearance of poor government.

The Turtle Mountain Band is a North Dakota tribe with a small land base and an enrollment of more than 30,000 members. The reservation borders Canada.

Here is the ruling that the tribe is up against: The 1973 Supreme Court ruling Roe v. Wade overturned all state and federal laws outlawing or restricting abortions. Further, it declares that a woman can have an abortion up until a fetus becomes viable, meaning the point where it could live outside the mother’s womb.

That ruling is constitutional law

unless and until it’s changed.

Regarding the tribe, I wondered: Why now? Roe v. Wade has been on the books since the 1970s. To find out, I made some calls and reached Ernie Azure, council member from Turtle Mountain. Azure said their chairman, David “Doc” Brien, told them in a council meeting that he’d heard Indian Health Service was going to allow abortions.

“It might or might not be true,” Azure told me, but the council passed the resolution just to be safe. The superintendent of the Bureau of Indian Affairs met with them, but they are sticking with the resolution. “This is the way the tribe is going to go,” he said.

Turtle Mountain isn’t the first tribe to step out on such a limb. The Oglala Sioux of Pine Ridge S.D., dealt with abortion in 2006, although in that case, the limb was on the other side of the ideological tree.

Then-tribal Chairwoman Cecilia Fire Thunder took on the state of South Dakota, which had, earlier in 2006, tried to challenge the Supreme Court by banning almost all abortions.

Fire Thunder objected to the move. “To me, it is now a question of sovereignty,” she said.

“I will personally establish a Planned Parenthood clinic on my own land, which is within the boundaries of the Pine Ridge Reservation where the State of South Dakota has absolutely no jurisdiction.”

It didn’t work.

Pro-choice Fire Thunder was impeached by the anti-abortion tribal council. “Life is sacred — the winged, two-legged, four-legged,” said Patrick Lee, than the chief judge. “You hear constant references to respect for life. It is tribal law. Respect for the unborn is specifically stated in the juvenile code of tribal law.” He added the law applies when “a child is conceived.”

The BIA requires copies of tribal resolutions from most tribes, and most of those resolutions require no federal action.

There are, however, resolutions that run counter to federal law or the U.S. Constitution. The Secretary of the Interior can disapprove those resolutions.

The resolution to ban abortion is likely to meet that fate.

Unfortunately for tribes, “many resolutions don’t mean anything because there are no penalties for breaking the law nor anyone to enforce them,” Thomas Disselhorst, attorney for United Tribes Technical College in Bismarck, told me.

Enforcement is a big problem on reservation.

Furthermore, the federal government does not provide funding for abortions. The Indian Health Service clinic and hospital in Belcourt is a federal program. That’s one reason why no abortions have been performed there, Indian Health Service sources say. I suspect the same is true on the

Pine Ridge and other reservations that have Indian Health Service facilities.

I realize that tribal councils try to do their best for their people. But tribal governments sometimes are saddled by laws that they don’t like, as the Turtle Mountain council is by Roe v. Wade. In those cases, the councils have few good ways to show their displeasure.

As you can see by the situation at Turtle Mountain, their resolution is just paper. They’re running counter to constitutional law, and when you couple that with the fact that federal health programs don’t pay for abortions, the issue is moot.

In order for tribal governments to be stronger, they must prove that they can run their governments with insight, thoughtfulness and certainly an awareness of the laws that they operate under. If they take a stand against abortion, how are they going to enforce it on the reservation? Besides, if abortions are not funded at Turtle Mountain, they probably won’t be performed in the first place, at least not in the local hospital or clinic.

If tribal leaders feel that strongly about the issue, they should get involved with anti-abortion advocates and work to overturn Roe v. Wade.

*Dorreen Yellow Bird is a reporter and columnist. Her columns appear Wednesdays and Saturdays on the opinion pages of the Herald.*

## Tribal housing



Associated Press

Narragansett Indian Chief Sachem Matthew Thomas stands Thursday, in Charlestown, R.I., among buildings of a partially completed elderly housing complex on land entangled in a legal dispute scheduled to be heard by the U.S. Supreme Court Monday. The case is being closely watched across the country because it could determine how tribes recognized after the 1934 Indian Reorganization Act are allowed to buy, govern and use land.

## More than 100 take buyouts at Michigan casino

MOUNT PLEASANT, Mich. (AP) — More than 100 full-time employees at the Soaring Eagle Casino and Hotel have accepted voluntary buyouts.

The Morning Sun of Mount Pleasant reports workers who took buyouts by Friday's deadline received two weeks' pay for each year of service, capped at six months' pay. They also received lump sums for

health insurance costs.

The Saginaw Chippewa Indian Tribe is Isabella County's biggest employer, with about 4,000 employees at the casino and other operations.

The tribe says the slowing economy is forcing the casino to cut costs. Spokesman Joe Sowmick says the tribe isn't saying how much money the buyouts are expected to save.

## Farmington leaders meet to address alcoholism

FARMINGTON (AP) — City officials addressed Farmington’s troubles with drunkenness at a conference, even as the city takes steps to fight the scourge of alcoholism

One solution that emerged from the meeting of city councilors, health care providers and law enforcement officials Friday was for the city to try to improve recovery programs for alcoholics, The Daily Times reported.

Farmington spends more than \$700,000 each year on shelter, detoxification, treatment, rehabilitation and law enforcement to fight public drunkenness, City Manager Rob Mayes said.

But the total cost is likely more, since the problem takes a toll on other services including the Farmington Indian Center, the Family

Crisis Center, the DWI Detention and Treatment Facility and the San Juan County Detention Facility, Mayes said.

Police respond to about 6,000 calls about alcohol-related incidents each year, Chief Jim Runnels said.

He said the problem has improved in some ways through the years: Alcohol-related vehicle deaths in San Juan County, for example, have decreased significantly this year compared with past years.

The city could make efforts to make more beds available for recovering alcoholics after release from jail, task force members said. It also could extend from 72 hours the amount of time a person is held in a detoxification facility after an arrest.

## Twelve arrests to date in casino craps scam

By Karen Florin  
New London Day

NEW LONDON, Conn. — The state police casino unit has arrested 12 people to date in the ongoing investigation of a scam in which craps dealers at the region's casino allegedly allowed players to make late bets and later collected payment for the favors.

The dealers and supervisors allegedly conspired with Richard

Sequoia Taylor, 42, of Memphis, Tenn., to cheat against Foxwoods Resort Casino and Mohegan Sun. State police began investigating in December 2007 when an unnamed craps floor person at Foxwoods Resort Casino notified a shift manager that a dealer was cheating at the craps tables.

State police spoke with the employees, many of whom described the scheme at length, and obtained arrest warrants for 13 people. The employees have been fired from their

jobs and, when they appear in court on charges of cheating at gambling and conspiracy to cheat at gambling, have been ordered to have no contact with each other.

They are: Chandler Alfred Jr., a Foxwoods dealer; Johnny Baker, a dealer at Mohegan Sun; Joshua Cagle, a Foxwoods dealer; Tim Cahill, a table games manager at Foxwoods; David Kelley, a scheduling and floor manager at Foxwoods; Pierre Langlois, a manager at Foxwoods; Anthony Leyko, a dealer at

Foxwoods; Brian Miller, a Foxwoods dealer; Roger Morris, a floor supervisor at Foxwoods; Steve Panarella, a dealer at Foxwoods; and Mattie Tarlton, also a Foxwoods dealer.

State police said Taylor ran a scheme in which players placed “late bets” on areas of the craps table with high payouts after the outcome of the game was known by the dealer. The players met up with the dealers later and paid them for the favors.