

## Makah past points to tribe's future of justice, health

By Jim Casey  
Peninsula Daily News

NEAH BAY, Wash. — The Makah tribe is working hard to restore its culture -- and restorative justice along with it, the tribal chairman says.

Restorative justice means that a wrongdoer, a thief for instance, must square accounts with his or her victim.

The practice once was common to many cultures, Native Americans included, Makah Tribal Chairman Micah McCarty said this week.

It eroded in European cultures when feudal lords said fines must be paid to them, he said.

McCarty addressed a meeting of Prevention Works!, the non-profit coalition that combats child neglect and abuse and domestic violence.

The Makah and other tribes lost restorative justice when the U.S. government ordered them to adopt a federal-style legal system, he said.

As a self-governing tribe, however, the tribe is working to renew some social practices they lost in the mid-19th century.

"We have a traditional system of taking part of our people," McCarty said.

"Enforcement is only part of the battle.

"We haven't been doing enough to provide the restorative systems as resources for the tribal judge to use."

The European-style system uses imprisonment as a punishment, which restores neither victim nor wrongdoer, he said.

"It's not getting to the roots of the causes," McCarty said, so the tribe is turning to more holistic approaches.

That's not always easy either. Beds in residential centers for alcoholism or drug addiction are available for only one in three people who request them, he said.

Still, treatment can take other routes, he added.

McCarty, a recognized artist, once was hired under a cultural intervention grant in which he taught participants to carve and paint.

"You have alternatives to what people would do with idle time on their hands," he said.

"Without some kind of structure, some people are lost."

The tribe also is planning a community center that would offer athletics along with cultural activities.

Reviving a culture requires looking back to a point before smallpox killed 70 percent of the Makah in what McCarty called a holocaust.

Its numbers ravaged, the tribe ceded its land, abandoned its language and folkways, and stood by while its children were forcibly taken from the reservation and sent to boarding schools, he said.

Whole generations were taught to be ashamed of being Indians, he said.

"Those aren't excuses for why we have challenges," McCarty said, but they have contributed to what he called "a wounded narcissism and an entitlement mentality" in some people.

For some families, that has translated into children learning drug abuse and alcoholism from their parents, he said.

To fight back, the tribe hopes to hire a psychiatrist and two psychologists to diagnose brain disorders and addictions, following up with medications and counseling for a 12- to 18-month period.

Education would be an element too.

"Kids aren't leaning traditions, treaty law, treaty rights if they're out drinking and doping," McCarty said.

"It's not enough to preserve your songs and dances, without preservation of your treaty rights," he said.

The various paths may lead to a pinnacle in the summer of 2010 when the Makah host the annual Intertribal Canoe Journey.

Thousands of members of Washington state's coastal, Strait of Juan de Fuca and Puget Sound tribes, plus Canadian western maritime First Nations, will gather for a week in Neah Bay.

# Marshall admits embezzlement, fraud

By Stephanie Vosk  
and George Brennan  
Cape Cod Times

MASHPEE, Mass. — Glenn Marshall, the disgraced former leader of the Mashpee Wampanoag tribe, has admitted to funneling tribe money to political campaigns to secure federal recognition and embezzling \$380,000 for his own expenses, allegations that dogged him even before he was forced to resign last year.

Marshall, 59, faces federal charges of violating campaign finance law, tax evasion, wire fraud and Social Security fraud.

On Thursday, he agreed to plead guilty to all counts in exchange for a reduced sentence on the charges, filed in U.S. District Court yesterday.

He has also promised to fully cooperate with federal investigators, who last year targeted his fellow tribe leaders as well as tribe lobbyists, and investors in a subpoena for financial documents. Several of them — including the tribe's original backer, Herb Strather of Detroit — are referenced in the court documents. Although Strather's name does not appear, he confirmed last night he is the investor in the tribe who helped Michigan legalize casino gambling, matching the description of "Investor A" in the court document. The charges do specifically reference former Washington lobbyist Jack Abramoff, tying the tribe even further to his scandal.

"There are other targets and to the extent that Mr. Marshall has any information he will cooperate," said Robert Craven, Marshall's Rhode Island attorney. Those targets are likely in Washington, D.C., he said.

Marshall entered into an agreement with federal investigators to cooperate on Oct. 12, 2007, about a month after the federal probe was launched. That followed his resignation in August 2007 after the Times confirmed that he had lied about his military record and is a convicted rapist.

No one answered the door at Marshall's East Falmouth home yesterday. Three cars were in the driveway, including his Lincoln Navigator.

"I think going to trial he



Associated Press

Mashpee Wampanoag Tribal Council Chairman Glenn Marshall stands outside the council's headquarters and meeting house in Mashpee, Mass. The U.S. Attorney's Office in Boston said Monday, that Marshall, now the former tribal head, has agreed to plead guilty to charges he violated campaign finance laws while working with convicted lobbyist Jack Abramoff as they lobbied for federal recognition for the tribe.

would have been looking at 17 years and at 59 that's a death sentence," Craven said. He said the deal offered and accepted by Thursday's deadline is for 3½ years.

"I'm sitting here and shedding a couple of tears, just what we've been through over the years," said Stephanie Tobey-Roderick, one of four members shunned in 2006 after filing suit in Barnstable Superior Court seeking access to tribe finances. "We were the bad ones and here it is, here it is, everything we fought for the tribe for, it's coming to light."

Marshall, who was elected chairman of the tribal council in 1999, was the public face of the council's efforts to gain federal recognition and negotiate an agreement with the town of Middleboro to build a destination resort casino.

In a 21-page document outlining the charges, U.S. Attorney Michael Sullivan's office spells out Marshall's misdeeds.

From 2003 to 2007, a company run by Strather paid \$4 million into Mashpee Fisherman's Association Inc. — established in 1998 to promote the tribe's ancestral shellfishing interests — which Marshall "willfully omitted" from the tribal council's federal tax returns, according to investigators from the FBI and the Internal Revenue Service Criminal Investigations division.

With that money, Marshall admits he paid family members and fellow council members \$60,500 to make campaign contributions to federal and state officials who could be influential in the tribe's federal recognition pursuit.

He also spent \$1.3 million on lobbying and paid as much as \$20,000 per month in fees to a political consultant.

Marshall used \$380,000 of Strather's money on personal expenses such as groceries, jewelry, tuition payments for his daughter and his mortgage. Marshall also paid out reg-

ular stipends of up to \$2,000 to "certain favored members of the tribe" and provided financial assistance to others, according to the court document.

Federal investigators also charge that Marshall continued to receive about \$10,000 a year in Social Security disability benefits while making \$40,000 a year working for the tribe.

He had been on disability since 1988, according to the document.

The charges also link Marshall and the tribe to Abramoff, who was convicted of federal corruption charges in 2005. Marshall has long denied direct involvement with Abramoff, saying the tribe dealt only with his former associates.

Abramoff and his team provided lobbying services to the tribe from 2002 to 2004. In January 2003, Marshall and "another officer of the tribal council" met with Abramoff and his associates concerning

the tribe's lobbying strategy.

"Abramoff advised them that in order to advance its recognition effort, the tribe needed to make significant political contributions to certain members of Congress so that they might build political pressure on the (Department of the Interior) to act favorably on the tribe's petition," the document states.

The charges carry a maximum sentence of five years in prison on the campaign contribution and Social Security violations, up to three years for the tax return violations, and up to 20 years for wire fraud. All of them also carry a maximum \$250,000 fine.

Marshall could further reduce his sentence, depending on the value of the information he provides to investigators, according to his plea deal.

Marshall will have to appear in U.S. District Court to officially plead guilty, and to face his sentencing. That date is not yet available.

## Slot revenues down in November

By Brian Hallenbeck  
New London Day

NEW LONDON, Conn. — Slot-machine winnings at Connecticut's tribal casinos were down last month compared to November 2007, falling 7.6 percent at Foxwoods Resort Casino and MGM Grand at Foxwoods, and 5.3 percent at Mohegan Sun.

The declines were significantly less than those reported last week by most of the 11 casinos in Atlantic City, where overall November slot-machine winnings were off 12.4 percent.

The Mohegan Tribal Gaming Authority reported that Mohegan Sun won \$66.8 million at its slots last month, while the Mashantucket Pequot Gaming Enterprise, which encompasses Foxwoods and MGM Grand at Foxwoods, said its November slot-machine winnings totaled \$54.5 million.

"To do \$66 million in these economic times is a tribute to our employees and our customers," Jeffrey Hartmann, the Mohegan authority's chief operating officer, said. "I do think the mitigation (in Mohegan Sun's revenue decline) is somewhat reflective of energy prices and consumers becoming more confident about their discretionary income."

The casinos send 25 percent of their slot winnings to the state, meaning that last month the

Mohegans contributed \$16.7 million and the Mashantucket Pequots \$13.6 million.

"... Our gaming enterprises continue to be a leading economic force contributing significantly to the stability and growth of the regional economy and will remain so," Michael Speller, newly appointed president of the Mashantucket Pequot Gaming Enterprise, said in a statement. "While the national economic climate remains challenging, we will continue to focus on delivering an exceptional guest experience and exceptional customer service to our patrons."

Slot revenues have been declining for months at gaming locations across the country. But one site that bucked the trend last month was Twin River, the Lincoln, R.I., racino that offers greyhound racing and more than 4,700 slot machines. According to the Rhode Island Lottery, slot-machine winnings at Twin River totaled \$31.5 million in November, up 1.2 percent over November 2007.

"For the fiscal year (that began July 1) we're actually up ... just a little but that makes us better off than the rest of the world," said Gerald Aubin, director of the Rhode Island Lottery, which also oversees slot machines at Newport Grand. "We lose a lot of people to Foxwoods and Mohegan but the economy is keeping people closer to home and that's helping us."

## Subcontracting work at FireKeepers Casino

Kalamazoo Gazette

ANN ARBOR, Mich. — The Nottawaseppi Huron Band of the Potawatomi Indians will own the casino, which is scheduled to open this summer.

"We appreciate the tribe, FireKeepers Casino and Clark Construction keeping work within the region rather than going out of state for these services," Malek Eljizi, vice president and general manager of Stress-Con, stated in a press release provided by the companies.

Lansing-based Clark Construction Co. is general manager of the project.

"This local project has helped keep our company going and afloat in West Michigan," Eljizi said.

Stress-Con has been providing precast concrete for the casino's parking facility. That enclosed, 653,700-square-foot, 2,078-space garage will be attached to the 236,000 square feet. According to the press release, that has meant the addition of 45 temporary workers at its 3102 E. Cork St. Kalamazoo plant.

Stafford Smith has been contracted to supply food service equipment for the employee dining area of the entertainment facility and its five dining out-

lets. The casino is expected to employ 2,200 employees, including 700 construction workers and 1,500 permanent casino employees.

The dining outlets will include a 300-seat buffet, a 150-seat coffee shop, a 110-seat fast-food court, a 70-seat fine-dining restaurant and a coffee bar.

"We've served as a contractor for other casinos around the country but this is particularly exciting for our West Michigan-based company to be working for a Southwest based casino," Rich Harrison, vice president at Stafford Smith, stated in the release. "We're looking forward to the completion of the project."

## Nebraska Ponca Tribe will continue to pursue Carter Lake casino

The Omaha World Herald

OMAHA, Neb. — The Ponca Tribe of Nebraska vowed Wednesday to continue its quest to build a casino in Carter Lake.

In the tribe's first comments since a federal judge blocked the project, Ponca Tribal Chairman Larry Wright said in a written statement that the tribe would look at a "host of options" to get the project going again.

The statement did not elaborate, and tribal leaders did not return calls seeking comment. A U.S. District Court judge last week ruled that the tribe was bound by a 2002 agreement with the State of Iowa that the tribe would not seek gambling on five acres of land it owns in Carter Lake.

A federal commission last year had granted the tribe permission to use the land for gambling purposes.

"U.S. District Court Judge Charles Wolle's disapproving ruling against the National Indian Gaming Commission's authority won't withstand scrutiny, and the Ponca Tribe of Nebraska will continue pursuit of our world-class casino resort in Carter Lake, Iowa," Wright said in the tribe's statement.

The States of Iowa and Nebraska and the City of Council Bluffs sued the federal commission, arguing that the tribe had given up

its right to develop a casino and that the commission lacked the authority to decide the issue.

Attorneys for the federal commission said this week they were reviewing the U.S. District Court ruling and had not decided the government's next step.

It was unclear whether the tribe could appeal the ruling itself if the government does not. The tribe was not a named defendant in the case.

In 2002, Iowa agreed not to challenge the Ponca plan to develop the land because the tribe stated it would be used for a health clinic, not gambling.

Attorneys for the federal government and the tribe argued that the agreement with Iowa was not legally binding, just a notice of the tribe's intentions.

In the tribe's statement Wednesday, Wright reiterated that the tribe has the right to change its mind on how to use its land, just as any government would be able to do.

The State Attorney General's Offices in Iowa and Nebraska have hailed the court decision stopping the casino project.

Nebraska Attorney General Jon Bruning has said a Carter Lake casino would harm Nebraska because the casino would be nearly surrounded by Omaha and create economic and social problems for residents.