

### Racketeering and Civil Rights Class Action Brought on Behalf of Mohawk Indian Community

Lawyers for Native American residents of the St. Regis Mohawk/Akwesasne Indian Reservation on the New York/Canadian border announced that they had filed two major civil rights class action suits in federal court in Albany.

The first suit is against Governor Mario Cuomo, Superintendent Thomas Constantine of the New York State Police, and senior State Police officials. The second action is against individuals who are charged with operating a racketeering enterprise that ran illegal gambling casinos at Akwesasne and terrorized its residents to protect the casinos by committing arson, extortion, murder and other crimes.

The suits arise from a six-week reign of terror at Akwesasne in the spring of 1990, following years of conflict over the casinos. The complaints allege that the violence arose from attempts by the operators of illegal gambling casinos and their paid allies and enforcers, known as the "Warrior Society," to intimidate Akwesasne community members who opposed illegal gambling. The complaints further allege that Warriors and casino operators used thousands of rounds of automatic weapons fire, arson, beating of community residents and numerous other acts of intimidation to attack their opponents. Plaintiffs allege that, despite requests from leaders of the Akwesasne community, local municipal officials, the federal government, national political leaders and Canadian provincial and national officials, the defendant state officials refused to provide police protection to stop the violence.

"This kind of violence--a virtual state of terror--would not have been tolerated in any other community in the State," said David A. Barrett, attorney for the plaintiffs. The complaint alleges that by withholding police protection, the defendant state officials discriminated against the Native American residents of Akwesasne.

As a result of the State's alleged refusal to act, many Akwesasne community members were forced to flee their homes. On May 1, 1990, two young Mohawk men were shot to death. Only then did the State Police enter the Reservation and end the violence.

The second suit, under the federal racketeering or "RICO" statute, seeks to hold the casino operators and Warriors responsible for the injuries that they allegedly caused to the community during the reign of terror. It also seeks an accounting for millions of dollars in casino income that the complaint alleges belongs to the entire Akwesasne community.

The suits seek damages--which could reach hundreds of millions of dollars--for the personal injuries, massive loss of property, death and dispossession of the Mohawks from their homes. All proceeds from the class action suits will be placed in a common fund which will be used for the benefit and at the discretion of all members of the Akwesasne community other than the named defendants.

### Fact Sheet

#### Plaintiffs:

Nine Native American residents of the St. Regis Mohawk or Akwesasne Indian Reservation, near Massena, New York, as representatives of a class of over 8,000 residents of Akwesasne. (Mae P. Cole; Selena M. & Ed Smoke Sr.; Charles & Pat A. Benedict; Julius M. Cook, Beverly J. Pyke; Joseph H. Pyke and Margaret Pyke Thompson).

#### Defendants:

**Suit 1:** (civil rights violations): Mario Cuomo; Thomas A. Constantine, Superintendent of the State Police; Robert B. Leu, Major of the New York State Police; Ronald R. Brooks, former Major of the New York State Police.

**Suit 2:** (racketeering conspiracy--RICO) Anthony ("Tony") Laughing and 49 other individuals who own and operate illegal gambling casinos at Akwesasne and leaders and members of the "Warrior Society," a vigilante group supported by the casino owners which protected the casinos by terrorizing the Akwesasne Community.

#### Court Filed:

U.S. District court in Albany, New York

#### Among Sought:

Will be determined at trial, but could exceed \$100 million.

#### Attorneys:

David A. Barrett, former law clerk to Justice Thurgood Marshall and George F. Carpinello, former director of the Government Law Center of Albany Law School, both partners in the law firm of Duker & Barrett.

Duker & Barrett is a law firm which specializes in litigation of complex civil and criminal cases with offices in Albany and New York City.

Copies of the complaints in both actions are available upon request.

Thursday, April 30, 1992

#### Contact:

David Barrett (212) 809-7700  
George Carpinello  
(518) 434-0600

#### Mohawks of Akwesasne

All First Nations  
Southern District

### Re: Fraudulent Band Cards

We have been requested to assist the Ontario Provincial Police in notifying all First Nations in the Southern District of fraudulent Band Cards being issued/sold by "The Indian Nation of North America" for \$50.00.

The individual who has been charged with issuing these cards is a Pierre Fournier, who claims to be a status Canadian Indian, while Departmental records do not have such a registered individual.

This card does not grant any rights or benefits as stated on the reverse side of the fraudulent card.

Anyone in possession of this card who feels the card was fraudulently misrepresented to them when they purchased it, is asked to contact their local Ontario Provincial Police or Reserve Police.

Native merchants are also requested not to honor these cards and to contact the police. Attempts to use these fraudulent cards to obtain exemption to the P.S.T. and G.S.T. would also be illegal.

We would appreciate your assistance in notifying your members and merchants in your community of the foregoing.

Barry Brant  
Superintendent  
Lands, Revenues and Trusts  
SOUTHERN DISTRICT



### Mohawk Council Housing Authority News

The Mohawk Council of Akwesasne would like to inform you that we are in full support of the initiatives being taken by the Mohawk Council Housing Authority for the implementation of a housing loan recovery plan.

This action must be taken to recover the losses that have accumulated over a twenty year period totaling \$2.6 million dollars with 186 accounts in arrears.

This plan is being implemented to enable us to increase our revenues so we can increase our housing loans to enable community members to complete their homes.

Ms. Sandra Benedict will be doing home visits starting May 1, 1992. She will have reviewed your file and can discuss any questions you may have and she can negotiate a repayment plan as well as explain the different programs available through the housing program that you may be eligible for. If you have any concerns, please inform her so your concerns can be forwarded to the Mohawk Council Housing Authority for discussion and viable solutions. Ms. Benedict looks forward to meeting with you and we sincerely hope we have your cooperation in helping us resolve this issue, as increased revenues will mean better housing.

The Mohawk Council has approved the following as an incentive towards repaying your loan:

**A - Loans will no longer have interest charged effective April 1, 1991.**

**B - Should you choose to close out your account, you will receive 20% off the total balance. For example, if you have a balance of \$10,000 on your account and if you want to pay this account off, you would pay back \$8,000, which means you would save \$2,000 which is your incentive of 20%.**

This plan is a part of the recommended changes in the policy review that we are presently working on. We will be notifying the public of any other changes made. We are presently in the process of revising and developing policies that will reflect the real needs of our community.

Should you have any questions regarding the above, please do not hesitate to contact: Phyllis Lazore or Richard Caldwell at 575-2222 or Chiefs Lynn Roundpoint, Rose Marie Sunday and Debbie Thomas who are members on the Housing Authority at 575-2348. We look forward to hearing from you.

### Mother's Day Originated As A Day for Peace

Julia Ward Howe initiated the idea of a Mother's Day for peace. After her experience tending the wounded in the American Civil War, she started a two-year crusade to institute a Mother's Day. This is her statement, issued in 1870.

"Arise all women who have hearts...say firmly: we women of one country will be too tender of those of another country to allow our sons to injure theirs. In the name of womanhood and humanity I earnestly ask that a general Congress of Women, without limit of nationality, promote the alliance of the different nationalities, the amicable settlement of international questions, the great and general interests of peace."

Source: Distributed by Voice of Women, 736 Bathurst St. Toronto, Ont. M5S 2R4

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### CRISIS

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trouble-making savages. There is no doubt we would have lost Akwesasne completely if the Mohawk Police had not been there during our time of greatest need.

Recently, however, the M.C.A. decided to change things. The Council retained the services of an O.P.P. inspector named Ernest Houghton from the St. Catharines, Ontario area. Remember, this is the same O.P.P. which cowardly abandoned Akwesasne in 1990. When the Akwesasne Police found out about Houghton, who is not native and has no experience in this area, they were concerned. At the very least any outsider should work in an advisory capacity before they are placed in a position of authority. Akwesasne remains in a delicate state of peace and a wrong decision by someone new to the community could very well cause further tensions. In addition, the decision to replace Chief King with Houghton was not made by the community but was the result of pressures brought to bear upon the M.C.A. by Toronto. Suspicion, resentment and mistrust were bound to follow.

The community should know the funds which support the Mohawk Police are controlled by the Canadian federal government, Quebec and Ontario. Given this, it is obvious the M.C.A. must either follow the directions of these three governments or risk losing its funding. Given the determination of Chief King to abide by the Mohawk people's directions rather than the bureaucrats it is not surprising they sought to have him replaced with someone who would toe the line. Chief King told the M.C.A. he was willing to work with any advisor who had something to contribute to Akwesasne but he would not give up his independence. He was not given any great encouragement by the M.C.A. appointed Police Commission or the M.C.A. itself, which is surprising given the experiences he and his men went through on the M.C.A.'s behalf. Frustrated by the lack of support King resigned in January of this year. He was asked to rescind his resignation by the Police

Commission, which he did. There was every indication he would be returned to work but in March the Commission contradicted itself and denied King his job.

Furthermore, at a public meeting in April, the chairperson of the Police Commission denied he had received any letter by King requesting to return to work. This is not the way to handle such matters. If the M.C.A. is truly concerned about restoring peace to the community, replacing the experienced chief of police with an outsider can hardly inspire confidence in the people. It is also most alarming to think the bureaucrats in Toronto can so easily manipulate our Council into acting in ways which are contradictory to its claims of being self-governing. We therefore urge the M.C.A. to take a firmer stand on policing and return such a vital activity back to our people, where it belongs. We urge the M.C.A. to return Chief King to his former position and to prevent a repeat of this controversy by directing the Police Commission to hold public meetings to respond to the wishes of the people. We believe the people have complete confidence in Chief King and perhaps under his command some of the more outrageous criminal acts we see happening around us in broad daylight will be brought to an end.



### St. Regis Parish News

Congratulations to the First Communion Class of 1992. All these boys and girls received their first holy communion at the 11 o'clock mass on Sunday, May 3.

Mitchell Arquette, Elston Barnes, Nicole Benedict, Tiffany Burns, Lorrie Caldwell, Shelby Chubb, Cheyenne Cook, Eileen Cook, Katie Cook, Kimberly Cook, Mallory Cree, Dana David, Lindsay Day, Adam Delormier, Alexander Delormier, Jordan Francis, Peter Francis Jr., Ashley Garrow, Brant Garrow, Allix Gibson, Kyla Gray, Kathleen Herne, Richard Herne, Sarah Herne, Kimberly Jackson, Nicole Jock, Amber King, Michele King, Amber LaFrance, Owen Lazore, Lindsay Leaf, Peter Leaf, Adam Martin, Jennifer Mitchell, Lucas Mitchell, Tobi Mitchell, Rosalie Morris, Alfred Papineau, Manny Pierce, Courtney Skidders, Rachael Square, Haylee Sunday, Kellen Sunday, Olivia Terrance, Kasey Thomas, Aymee Thompson, Chelsey Thompson, Kyle Thompson, Ricky Thompson, Ashley White.

The first reading at the ceremony was offered by Peter Leaf.

The responsorial psalm was read by Olivia Terrance.

Amyee Thompson shared the second reading.

The prayer of the faithful were read by:

Manny Pierce, Tiffany Burns, Nicole Benedict, Peter Francis Jr., Eileen Cook, Shelby Chubb.

At the time of offertory the gifts were presented by: Cheyenne Cook, Alexander Delormier, Tobi Mitchell, Kellen Sunday.

Thanks to all who contributed to this day in any way. Congratulations to the parents who worked so hard during this past school year in our parish

preparation program and for raising their children, since baptism in the Catholic faith. Parents are to be commended as the journey surely isn't always easy. Thanks for their cooperation and perseverance. Thanks also to the children who added so much joy and life to our program. We are most grateful to all the catechists who volunteered so much time to religious instruction: Annie McDonald, Dorothy Jacobs, Linda Jacobs, Betty Kelly, Lucille Peters, Shirley Braman and Debbie Wilcox. Special thanks to Vincenette Cook who prepared a beautiful banner for our celebration and to Mr. Leonard Bintz who did a wonderful job as our organist. Thank you one and all.

**Religion Program:** There are 3 weeks of religious instructions remaining in the Canadian school and on the American side for the school year. The last week of religion class will be the week of May 25th. The one exception to this is that the Confirmation classes (grade 8's) will continue through the week of June 8th.

**Children's Bible Corner:** These sessions will resume Sunday, May 10th during the 11 o'clock mass. There was no session held last weekend during the First Communion class mass.

**Mass Change:** A reminder to parishioners that the anticipated Saturday evening mass has been returned to 7 p.m. instead of 5 p.m. effective May 2, 1992.

**Confirmation Program:** Letters to Bishop Lebel are now over due from several candidates. Please check if yours has been turned in. Next large group session for all candidates parents and sponsors will be Thursday, May 21st, 7-9 p.m. St. Regis Church with guest speaker Sr. Monique Couture. More details to follow. Retreat date has been set for Wednesday, May 27th, 4 p.m. - Thursday, May 28, 4 p.m. This is a must for all candidates. Plan now to attend. More on this later.

**Spring Fund Raiser:** Winner to date of \$100 have been: Week 1 - Drawing April 29th - Charlie Peters

Week 2 - Drawing May 6th - Theresa Phillips

Memberships are still available for the 8 - \$100 drawings remaining. Tickets can be purchased for \$16 Can. or Am. at the Kateri Hall or at the St. Regis Rectory, thanks for your support.

**Happy Mother's Day** to all our mom and grandmothers in the parish. Many blessings to them in recognition for all they do!

**As part of an ongoing photo documentary, I am looking for individuals trained in the Native American traditions of healing - medicine men (or women). This project focuses on the oral tradition used to pass healing remedies from generation to generation. If you are interested in participating in this project, have questions, or have information to contribute, please contact:**

Lindfors Photography  
120 North Green St.  
Chicago, IL 60607  
(312) 829-3330 (collect if necessary)

### Thank You

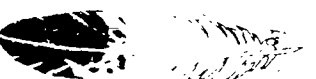
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