

Units tracking crime near American Indian reservations

RAPID CITY, S.D. (AP) — A task force started in South Dakota to catch drug users and dealers has become a blueprint for other agencies nationwide to track crime on and off American Indian reservations.

"The drugs don't recognize the borders of the state," said Mark Vukelich, the FBI agent who oversees the Northern Plains Safe Trails Drug Enforcement Task Force, which is made up of local, state, tribal and federal officers.

In South Dakota, the U.S. Justice Department pays for drug agents and equipment on both ends of the state but not the central counties, he said.

Much of that land includes Indian reservations that are sovereign, so the authority of other agencies ends at the border. That's why the FBI started funding the Safe Trails program in June 1999, Vukelich said.

Now, investigators from various agencies can follow the drug trail from Native land to wherever it leads because they share information and work cases together, he said.

James McMahon, U.S. attorney for South Dakota, said about 50 people in the past 16 months have been indicted and convicted because of the Safe Trails program. Most of those cases were for methamphetamine distribution.

One case has resulted in nine convictions so far, said Mark Pecora, the FBI agent who put the task force together and coordinates it.

It started when Robert Allen was arrested on a warrant in Eagle Butte on the Standing Rock Indian Reservation, and later included arrests on the Cheyenne River and Rosebud reservations and in Nebraska, he said.

"Through interviews and getting people to cooperate, we were able to

get the (drug) organization," Pecora said. "Before the task force, each reservation worked independently. Whatever happened in their boundaries, it would stop there. The state would work cases up to the boundary."

Shane Avery, who was sent to prison for 27 years, would pick up methamphetamine in Sioux City, Iowa, and deliver it to dealers on the reservations, Pecora said.

Allen got 11 years for his part. More indictments are likely, said Pecora.

Besides Pecora, Safe Trails has two other full-time FBI agents on it, one state Division of Criminal Investigation agent, a Pierre city detective, two tribal officers from Pine Ridge, an officer from Crow Creek, one from Lower Brule, one from Cheyenne River and an investigator from Rosebud.

Each agency pays for that full-time position and vehicle but the FBI funds any overtime and specialized equipment, Pecora said.

Sheriff's departments in the area, the Highway Patrol and the U.S. Department of Alcohol, Tobacco and Firearms help on a part-time basis, he said.

"Everybody's deputized federally to work drug cases, so in essence what we did was erase the boundaries," he said.

Mike Walters grew up on the Cheyenne River reservation. He has been a detective for the tribe since 1989 and now is a task force member.

"I think the task force is a good thing not only for Indian country but the whole state," he said. "Everybody's working together for the same goal, and that's to get the drugs off the street and away from the youth and away from the people (addicted) so they can't

harm themselves anymore."

Besides letting agents follow leads onto and off reservations, the Safe Trails Task Force allows agents to deal with cultural differences because of the tribal officers involved, he said.

Safe Trails isn't only used for drug cases. After allegations of voter registration fraud arose during the 2002 campaign, state agents used task force contacts to help the investigation, Pecora said.

"So besides drugs, we've found that it has assisted in other investigations," Pecora said.

In Minnesota, U.S. Attorney Thomas Heffelfinger said authorities used the South Dakota model to develop a task force for Indian gangs.

"They're really out in front there," he said of the Safe Trails task force.

Heffelfinger chairs the Native American Issues Subcommittee in the Justice Department. It is made up of 28 U.S. attorneys representing most of Indian country.

They met last spring in the Black Hills and are using the Safe Trails concept in other states with reservations, he said.

"What you're seeing in South Dakota is being replicated," Heffelfinger said. "The solution we are pursuing on a national level will obviously get tweaked to make it work in that part of the country but it is national."

McMahon, who hosted the Black Hills meeting and is on the subcommittee, said other similar programs already are started and more are in the works. "All the districts have the same problems when you're trying to prosecute crime activity on the reservations, and that's getting into those organizations," he said.

State study finds John Day River navigable

(AP) — Most of the John Day River in Eastern Oregon would be declared a navigable river, opening private land to boaters and anglers, under a recommendation by the Department of State Lands.

The draft report was prompted by a 1999 Marion County Circuit Court ruling that sections of the John Day met the criteria for a navigable river. Then, opposing sides could not agree last year on legislation that would have set out terms for public access to rivers around the state.

The issue of navigability has become increasingly contentious statewide as farms and ranches where boaters and anglers were routinely allowed have been bought by people who do not want strangers in their backyards.

"We are not after more access to rivers," said Gary Benson of the Association of Northwest Steelheaders, the sport fishing group that petitioned for the navigability study in 1997 and sued in 1999 on behalf of a fisherman cited for trespassing on the John Day. "We believe it's about clarity."

A public hearing is scheduled for June 22 in Fossil and the State Land Board is to decide next April whether to declare the John Day navigable.

The 1859 law making Oregon a state declared the bed and banks of rivers up to the high water mark were owned by the state if they had been used for commercial purposes, such as moving logs or freight. So far 11 rivers have been declared navigable and studies are

pending on six more.

The 2002 declaration that the lower 371/2 miles of the Sandy River near Portland were navigable created an uproar among property owners.

The State Lands Board is to decide next month whether to authorize a study of the upper and middle stretches of the Rogue River, where the numbers of riverfront homes and anglers are both increasing.

Not as popular as the Deschutes and Rogue Rivers, the John Day is the second-longest free-flowing river in the nation. The river has seen increased use by rafters and anglers because of the scenic canyon stretch between Clarno and Cottonwood Bridge and world-class smallmouth bass fishing.

The study looked at 174 miles of the John Day from Kimberly near the confluence with the North Fork of the John Day River down to Tumwater Falls, located 10 miles from where the John Day flows into the Columbia River. The study concluded that the river has been used since statehood by sternwheelers, a survey crew boat, ferries, recreational boats and rafts, and to transport logs. Before statehood, Indians navigated the river in canoes. Most of the rafts, canoes and driftboats now using the river have draft shallow enough to negotiate the river even at low summer flows.

All or parts of the Columbia, Willamette, Coos, Coquille, Klamath, Rogue, Snake, Umpqua, Chetco, McKenzie and Sandy rivers have been

declared navigable. Studies are pending on the middle and upper Rogue, the North Santiam river, the South Umpqua, the Trask, the Kilchis and the South Santiam. The Oregon Farm Bureau, which represented farmers and ranchers in efforts to legislate a solution, did not immediately return a telephone call for comment.

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