

Arapaho man pleads not guilty in ceremony flap

CONCHO, Okla. (AP) — A man ordered by a tribal court not to hold a sacred tribal ceremony pleaded not guilty to violating the order after an attempt to conduct the ceremony earlier this month led to violence involving members of the Northern Arapaho Tribe in Wyoming.

The Cheyenne-Arapaho Tribal Court issued an order last year prohibiting Patrick Spottedwolf from performing the Sun Dance or other Arapaho ceremonies.

But Spottedwolf was one of several people who were building a ceremonial arbor near Concho for an Arapaho Sun Dance Ceremony this month

when about 50 people raided their encampment, cutting down the arbor with chain saws and setting it on fire.

"It was like a movie, with 20 to 30 cars coming across that field, whooping and hollering," Spottedwolf said after a hearing last week.

The attackers threw personal and ceremonial objects in the fire, including buffalo robes, eagle wings and medicine that Spottedwolf said has been in his family 140 years.

No charges have been filed against any of those who raided the encampment. Charles Morris, the tribes' attorney general, said he did not receive police reports until last Wednesday

morning and had not had time to read them.

The attackers included about six men of the Northern Arapaho Tribe from central Wyoming, said Laverne White, a Northern Arapaho who came to the hearing.

"We came down here to take it apart, to saw it up," she said, referring to the ceremonial arbor. The tools they brought were solely to dismantle the arbor, she and other participants said.

Oklahoma Arapahos lost the right to hold the ceremonies because they allowed an anthropologist to attend and write about them, violating their secrecy, the judge's order said.

White said those who at-

tacked the camp took the law into their own hands because the Bureau of Indian Affairs would not enforce court orders forbidding the ceremony. The bureau declined to comment, said Mike McCoy, assistant special agent in charge of the agency's Muskogee office.

Spottedwolf's contempt case was set for trial in September.

"We would like to see them go to jail," said Chris Schneider, the Northern Arapaho Tribe's attorney.

Spottedwolf, 63, said he does not believe that will happen because he thinks the court orders unconstitutionally infringe on his freedom of religion.

State can't prosecute Indians on private lands within pueblos, court says

SANTA FE (AP) — The New Mexico Supreme Court has ruled that the state does not have jurisdiction to prosecute Indians for alleged crimes on private land within pueblo boundaries.

Such privately held lands "remain Indian country," the Supreme Court said last week, reversing decisions by the state Court of Appeals.

The ruling, which was issued in consolidated cases involving Taos and Pojoaque pueblos, would leave it to the federal government or tribes to prosecute those crimes.

A spokesman for the tribes and pueblos that filed written arguments in the case said they were "very pleased" with the ruling.

"This decision is extremely important in reaffirming the Indian country status of all lands within pueblo boundaries," said Santa Fe lawyer Richard Hughes.

There was no immediate comment from the office of Attorney General Patricia Madrid. Spokeswoman Sam Thompson said the opinion was being reviewed.

Del Romero of Taos Pueblo was indicted by the state in 2001 for aggravated battery against another pueblo member at the privately owned Pueblo Alegre Mall in the town of Taos, within the exterior boundaries of the Taos Pueblo Land Grant.

Matthew Gutierrez of Pojoaque Pueblo was indicted in 2002 on charges including aggravated battery and child abuse, after a stabbing incident on private land, within pueblo boundaries, owned by his father-in-law. The alleged victims were non-Indians.

The defendants challenged the indictments, arguing that the state lacked jurisdiction to prosecute Indians in Indian country.

State district courts agreed, and the state appealed; the Court of Appeals overturned the lower courts' rulings.

The definition of Indian country in federal law includes "dependent Indian communities," and the state Supreme Court said a pueblo fits that definition.

Remains could open window into history

BLOOMINGTON, Ill. (AP) — Skulls and bones of 33 American Indians found in a long-vacant home date back up to 700 years and could provide a glimpse into Illinois' history centuries before the state was founded, officials said Tuesday.

Finding such a large collection of remains is unusual, according to historic preservation officials, who are negotiating with the Bloomington home's new owner in hopes she will donate the bones to the state for further study.

"We've been given a rare opportunity to open a window onto the past, 600 or 700 years ago, before recorded history in this state," said Dave Blanchette,

spokesman for the Illinois Historic Preservation Agency.

Officials said jawbones or partial jawbones of seven American Indians were found Tuesday during a search of the house, where complete skulls of 26 American Indians were found last week by a woman who bought the house last November.

The house was owned by a Bloomington dentist and avid collector of American Indian artifacts who died in 1982. Officials believe he dug them up in the 1930s at a site about 10 miles from Dickson Mounds Museum near Lewistown — more than a half-century before laws protecting burial grounds were enacted.

Dawn Cobb, an anthropologist with the historic preserva-

tion agency, said the dentist likely recovered the remains to study the teeth, some "beautifully preserved."

Dates written on bones and other artifacts found in the house helped trace the remains to an American Indian settlement that was active for about 500 years after it was founded in 1200, said Alan Harn, an archaeologist at Dickson Mounds, an American Indian burial ground.

Harn said the site was "essentially looted" as European settlers moved into the state, so the remains are likely the last collection that can be studied to provide insight into the Spoon River Mississippians who once lived in the region near the Illinois River.

"It's a once in a lifetime op-

portunity ... Why should we study history? Because we need to know where we've been, how we got here and where we're going and history gives us a window unto that," Blanchette said.

Blanchette said state officials started negotiations Tuesday to obtain the remains from the home's owner, Kathleen Hollonbeck of Rochelle. Laws ban selling remains, but Hollonbeck could keep them or donate them to the state or another museum, Blanchette said.

Hollonbeck did not immediately return a call for comment Tuesday.

American Indian groups have said they hope the remains are ultimately reburied.

North Dakota to sue NCAA over school nickname

WILLISTON, N.D. (AP) — State officials voted last week to sue the NCAA for penalizing the University of North Dakota over its "Fighting Sioux" nickname and Indian head logo.

Following a meeting with Attorney General Wayne Stenehjem, the Board of Higher Education voted 8-0 to authorize the lawsuit, which would be handled by Stenehjem.

The NCAA last year announced it was banning the use of ethnically or racially hostile or abusive nicknames, mascots and imagery at championship events. It found 18 schools, including UND, in violation of the policy.

Several of those schools have since changed team names and mascots or won appeals after local tribes came to their defense. In UND's case, though, the NCAA rejected the appeal

and told the school it may not use the Fighting Sioux nickname and Indian head logo during NCAA postseason tournaments, and it may not host a tournament if it continues to use them.

Stenehjem said the NCAA's decision was an edict delivered by a committee that used constantly changing standards and didn't put the plan to a vote of the NCAA's membership.

The NCAA's executive committee, "more or less by fiat, decided that some institutions were going to be subject to this rule, and some institutions, for reasons that are not understandable, were exempted," Stenehjem said.

Teams that have continued using Indian nicknames with the NCAA's blessing include the Florida State Seminoles, Central Michigan Chippewas and the University of Utah Utes.

Stenehjem wouldn't say when the lawsuit, to be financed by private funds, would be filed.

NCAA President Myles Brand has said the NCAA will defend its policy "to the utmost."

North Dakota's Board of Higher Education reviewed the UND nickname and logo in 2000 and ordered the university to keep them shortly after a benefactor building a hockey arena on campus threatened to leave it unfinished if the name and logo changed.

A number of Indian tribes and students support dropping the nickname and logo. One official with the Standing Rock Sioux Tribe wrote a letter supporting the university, but another opposed the nickname.

David Gipp, president of Bismarck's United Tribes Technical College, asked the board

to forgo legal action.

"We would hope that rather than spend funds on a lawsuit, the funds were instead used to create more opportunities for American Indians, and all North Dakotans, to improve their lives and to promote diversity," he wrote.

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