

TRIBAL JUSTICE NEWS

WEEK OF MAY 4, 2010

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Red Lake Man, Minn., Indicted for Assaulting a Woman (U.S. Attorney for the District of Minnesota)

A 27-year-old Red Lake, Minn., man has been indicted in federal court for allegedly assaulting and strangling a woman on the Red Lake Indian Reservation. The indictment, filed on May 5, 2010 in U.S. District Court in St. Paul, charges Ervin Allen Iceman, Jr., with one count of assault resulting in serious bodily injury. The indictment specifically alleges that on March 4, 2010, Iceman hit the woman several times, knocking out one of her teeth. As a result of the attack, the victim reportedly suffered severe swelling to the face. Iceman also allegedly strangled the woman, causing her to suffer petechia hemorrhaging, a condition of strangulation, on her eyes and behind her ear.

<http://www.justice.gov/usao/mn/major/major0562.pdf>

Department of Justice Announces Allocation of 33 New Prosecutors, Launches 3 Community Prosecution Pilot Teams in Indian Country (AG)

Attorney General Eric Holder announced the allocation of 33 new Assistant U.S. Attorney (AUSA) positions to 21 judicial districts that contain Indian Country on May 4, 2010. The department has also launched three Indian Country Community Prosecution Teams. These new resources will enable the Justice Department to work with tribal and state law enforcement partners to improve public safety in tribal communities.

<http://www.justice.gov/opa/pr/2010/May/10-ag-511.html>

Cherry Creek, S.D., Woman Sentenced in Child Abuse (U.S. Attorney for the District of South Dakota)

Wenona Rooks, a Cherry Creek, S.D., woman, was charged with felony child abuse and sentenced on May 3, 2010, to 40 months in custody, three years of supervised release, and a \$100 special assessment to the Victim Assistance Fund by U.S. District Judge Roberto A. Lange. Rooks was the mother of two young children who died in an arson fire in Cherry Creek set by her 18-year-old son, Akeem Rooks, in May 2008. Upon conviction for the arson, Akeem was sentenced to life in prison on May 19, 2009, by Chief U.S. District Judge Karen Schreier. Wenona Rooks was indicted for three counts of child abuse and exposing children to child abuse by a federal grand jury on Nov. 19, 2008. She pled guilty to felony child abuse on Feb. 1, 2009.

http://www.justice.gov/usao/sd/media_news/Pierre-05-05-10-Rooks.html

Arizona Man Sentenced to 10 Years in Prison for Killing One, Injuring Three While Driving Impaired (U.S. Attorney for the District of Arizona)

Ryan James Lewis, 23, of Sells, Ariz., was sentenced on May 4, 2010, by U.S. Chief District Judge John M. Roll to 120 months imprisonment. Lewis pleaded guilty on June 1, 2009 to three counts of assault resulting in serious bodily injury, and one count involuntary manslaughter, charges stemming from two different cases. On Jan. 11, 2006, two Tohono O'odham police officers were southbound on Route 19 at mile post 24, near Sells, Ariz. As the vehicle approached the Officer's vehicle, driver Ryan James Lewis lost control, and crashed into the officer's patrol vehicle. The motorcycle officer was also struck by Lewis's vehicle. Lewis admitted he smoked marijuana earlier that morning, was under the influence of marijuana while driving, and was speeding. While the January crime was under investigation, on Aug. 27, 2007, Lewis again drove under the influence and was involved in a one vehicle roll over.

Former Public Utilities Employee Pleads Guilty to Theft (U.S. Attorney for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on May 4, 2010, Nancy Laducer, 45, of Dunseith, N.D., pleaded guilty before U.S. District Court Judge Daniel L. Hovland to a charge of theft from an Indian tribal organization. Laducer was employed by the Belcourt Public Utilities Commission (BPUC), an entity of the Turtle Mountain Band of Chippewa. As the secretary and bookkeeper, Laducer was responsible for all finances for BPUC. When management officials became suspicious about missing money, a forensic audit was conducted, which revealed a shortage of deposits totaling \$244,618.85. Laducer admitted to allowing other employees to write personal checks and take money from BPUC, with the intent to pay the money back before the checks were deposited. Eventually, Laducer stopped depositing the checks and the money was never paid back. Laducer also admitted that she wrote personal checks to BPUC, received money, and then never deposited her checks in a BPUC account and never paid back the money. Laducer was employed with BPUC for 23 years before her termination.

<http://www.justice.gov/usao/nd/pressreleases/2010/05-04-2010-Nancy%20Laducer%20Plea.pdf>

Arizona Man Sentenced to More Than 21 Years for Killing Cousin in Chui Chu (U.S. Attorney for the District of Arizona)

U.S. Attorney Dennis Burke announced that Gabriel Gastelum, 26, of Casa Grande, Ariz., was sentenced on May 3, 2010 by U.S. District Judge John M. Roll to 262 months in prison. Gastelum pleaded guilty on Feb, 16, 2009 to second degree murder. On Oc, 14, 2007, Gastelum killed his cousin, stabbing him approximately 12 times during an argument. Before the murder, Gastelum and the victim consumed alcohol and marijuana, and began arguing in the village of Chui Chu on the Tohono O'odham Nation.

Belcourt, N.D., Woman Sentenced for Theft (U.S. Attorney for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on May 3, 2010, Billie Jo Parisien Decoteau, 42, of Belcourt, N.D., was sentenced before U.S. District Court Judge Daniel L. Hovland on a charge of theft from an Indian tribal organization. Judge Hovland sentenced Parisien Decoteau to two years of probation, restitution of \$5000, and Parisien Decoteau must pay a \$100 special assessment to the Crime Victim's Fund. The incidents occurred from October 2007 through May 2008 on the Turtle Mountain Indian Reservation, where Parisien Decoteau operated Angels Only Daycare. Parisien Decoteau submitted falsified documents to the Turtle

Mountain Child Care Assistance Program to receive daycare payments she was not entitled to receive. Parisien Decoteau submitted documents where the children's dates of birth and client expenses had been altered, including billing for dates and hours children were not at her daycare.

<http://www.justice.gov/usao/nd/pressreleases/2010/05-03-2010-Parisien%20Decoteau%20Sentenced.pdf>

Fifteen-Year Sentence for Sexual Assault (U.S. Attorney for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on May 3, 2010, Primus J. Demery, 44, of Dunseith, N.D., was sentenced before U.S. District Court Judge Daniel L. Hovland on charges of abusive sexual contact, sexual abuse and assault resulting in serious bodily injury. Judge Hovland sentenced Demery to serve 15 years in federal prison, to be followed by 15 years of supervised release. Demery was ordered to pay restitution of

\$8,680.69 and to pay a \$300 special assessment to the Crime Victim's Fund. Demery was also ordered to register as a sex offender. On April 18, 2009, Demery was drinking alcoholic beverages at a residence in Dunseith. In the early morning hours, Demery left the residence, walked to the victim's residence, and sexually assaulted her while she was sleeping.

<http://www.justice.gov/usao/nd/pressreleases/2010/05-03-2010-Demery%20Sentenced.pdf>

Rolla, N.D., Woman Pleads Guilty to Burglary & Larceny Charges (U.S. Attorney's Office for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on May 3, 2010, Courtney Charbonneau, 21, of Rolla, N.D., pleaded guilty before U.S. District Court Judge Daniel L. Hovland to two counts of burglary and two counts of larceny. On April 3, 2009, Charbonneau and two juveniles broke into a residence in the Belcourt area and took money, a PlayStation and keys to a car, using the keys to steal a car parked outside the residence. The car was used to ram into the walls of a bar also in the Belcourt area. Once inside the bar, Charbonneau and the juveniles took alcohol, tills and black lights. After leaving the bar, Charbonneau and the juveniles stole another car parked in the bar parking lot.

<http://www.justice.gov/usao/nd/pressreleases/2010/05-03-2010-Courtney%20Charbonneau%20Plea.pdf>

Man Sentenced to 108 Months for Aggravated Sexual Abuse (U.S. Attorney for the District of New Mexico)

U.S. Attorney Kenneth J. Gonzales announced that Melvin Hayah, 26, an enrolled member of the Acoma Tribe, was sentenced on April 30, 2010, by U.S. District Judge James O. Browning to 108 months in federal prison, to be followed by three years of supervised release. Hayah pleaded guilty on Jan. 20, 2009, to aggravated sexual abuse. The offense occurred within the boundaries of the Acoma Pueblo Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

Man Sentenced for Arson (U.S. Attorney for the District of New Mexico)

U.S. Attorney Kenneth J. Gonzales announced that Malcolm Kurt Begay, 21, an enrolled member of the Navajo Nation, was sentenced On April 29, 2010, by U.S. District Judge Judith C. Herrera to nine months in federal prison, to be followed by six months in a halfway house and three years of supervised release. Begay pleaded guilty on Dec. 22, 2009, to arson. The offense occurred in Shiprock, New Mexico, within the boundaries of the Navajo Nation Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

Leader of Drug Trafficking Ring on Red Lake Indian Reservation is Sentenced (U.S. Attorney of the District of Minnesota)

The leader of a drug trafficking ring responsible for selling cocaine and crack cocaine throughout the Red Lake Indian Reservation between 2007 and 2009 was sentenced in federal court in St. Paul for his crime. On May 3, 2010, U.S. District Court Judge Donovan W. Frank ordered Marcus James Neadeau, age 28, of Red Lake, to serve 240 months in federal prison on one count of conspiracy to distribute and possess with intent to distribute cocaine and crack cocaine. According to evidence presented at trial, Neadeau was the leader of an organization that served as a primary source of drugs on the Red Lake Reservation from January of 2007 through March of 2009. Neadeau conspired with others to distribute 500 or more grams of cocaine and at least 50 grams of crack cocaine over that two-year period.

<http://minneapolis.fbi.gov/dojpressrel/pressrel10/mp050310.htm>

New Town Man Found Guilty of Voluntary Manslaughter (U.S. Attorney for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on April 29, 2010, Marcus Lone Bear, Jr., 18, of New Town, N.D., was found guilty by a federal jury of the offense of voluntary manslaughter. U.S. Judge Daniel L. Hovland presided. On Oct. 15, 2009, Lone Bear and the victim were at a residence in New Town, N.D., on the Fort Berthold Indian Reservation. After having consumed alcohol one evening, Lone Bear and the victim became involved in a dispute. Lone Bear retrieved a knife from the kitchen of the home and slashed the victim in the face with the knife. Lone Bear returned to the kitchen and the victim followed him. When the victim entered the kitchen, Lone Bear stabbed him in the neck with the knife. The victim later died from the injury.

<http://www.justice.gov/usao/nd/pressreleases/2010/04-29-2010-Lone%20Bear%20Verdict.pdf>

Ft. Apache Drug Dealer Sentenced to Five Years in Federal Prison (U.S. District of Arizona)

Leo Nachu, Jr., 31, of Whiteriver, Ariz., was sentenced by U.S. District Judge James A. Teilborg to 60 months in prison for possession of a firearm in relation to a drug trafficking crime. This offense occurred on the Ft. Apache Indian Reservation in Whiteriver. On Nov. 11, 2008, Nachu, a known gang member in Whiteriver, was engaged in a foot pursuit with law enforcement. He was carrying a backpack as he ran from law enforcement. Nachu threw the backpack and

continued to run. A later search of that backpack revealed numerous plastic bags with drugs individually packaged for sale, a firearm with additional rounds of ammunition and a large amount of cash.

<http://phoenix.fbi.gov/dojpressrel/pressrel10/px042810.htm>

Warren James Trombley Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

U.S. Attorney Michael W. Cotter announced that during a federal court session in Great Falls on April 28, 2010, before U.S. District Judge Sam E. Haddon, Warren James Trombley, a 38-year-old resident of Browning, pled guilty to incest. T.T., the 18-year-old victim, resided with Trombley (who is the victim's biological father) and Trombley's girlfriend, at a residence within the exterior boundaries of the Blackfeet Indian Reservation. On January 1, 2009, Trombley's girlfriend saw Trombley was in bed with the victim. The victim was transported to the Indian Health Services Hospital in Browning following the incident. DNA tests were performed and Trombley's semen was found in the victim's vagina.

<http://www.justice.gov/usao/mt/pressreleases/20100428163951.html>

Joseph Daniel Little Coyote, Sr. Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

U.S. Attorney Michael W. Cotter announced that during a federal court session in Billings on April 28, 2010, before Senior U.S. District Judge Jack D. Shanstrom, Joseph Daniel Little Coyote, Sr., a 67-year-old resident of Lame Deer/Ashland, pled guilty to five counts of distribution of marijuana to persons under the age of 21. Little Coyote came under investigation when the FBI received information that he had been routinely providing marijuana to juveniles on the Northern Cheyenne Indian Reservation for a number of years. It was alleged that Little Coyote allowed them to smoke his marijuana with him as well as gave them marijuana to smoke on their own. A number of juveniles gave statements to law enforcement about Little Coyote's marijuana usage and his giving them marijuana to smoke in 2005 and 2006, and in some cases, until recently.

<http://www.justice.gov/usao/mt/pressreleases/20100428161055.html>

Armund George Bull Tail Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

U.S. Attorney Michael W. Cotter announced that during a federal court session in Billings, Mont., on April 28, 2010, before Chief U.S. District Judge Richard F. Cebull, Armund George Bull Tail, a 21-year-old resident of Crow Agency, pled guilty to assault with a dangerous weapon/aiding and abetting. Sentencing has been set for July 30, 2010. He is currently detained. During the early morning hours of May 28, 2009, the victim, Bull Tail, and his juvenile brother were drinking at the victim's house in Crow Agency, which is within the exterior boundaries of the Crow Indian Reservation. The victim, who had won quite a bit of money at the poker machines earlier in the night, gave his mother the keys to his car and his money (his parents lived in a nearby house), and then went into his house and passed out. At

some point, one of the brothers tried to nudge him awake. Then Bull Tail struck him with a wooden bar stool. The victim was airflighted to Billings with serious and numerous facial fractures and lacerations. Bull Tail was interviewed. After lying several times about not being involved, he finally admitted that he struck the victim with a stool.

<http://www.justice.gov/usao/mt/pressreleases/20100428130835.html>

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