

Chukchansi casino brings cash and turmoil to once impoverished tribe

By John Ellis and Marc Benjamin

On a June day in 1999, close to 20 Chukchansi members burst into tribal headquarters, banging on doors, screaming and terrorizing staff members inside. Daisy Liedkie, the Chukchansi tribal chair at the time, later said one of the aggressors spit on her.

The Chukchansi Gold Resort & Casino was at that time still mostly a dream, but the tantalizing possibility of big money had already begun to cause internal squabbling — squabbling that continues to this day. Now the casino sits closed, with millions being lost, because tribal members can't get along.

Madera County sheriff's deputies were called to the incident 15 years ago, and a subsequent report described the scene as "some sort of insurrection by Indian subjects." Liedkie, 80 at the time, was ousted as tribal chair, and a short time later she and all her relatives were kicked out of the tribe. Scores more were sent packing with them.

"I think it was the death of her," Chuck Schillings says of his late grandmother. "It just ripped her apart."

It would foretell the future. Control of the \$180 million, 300,000-square-foot casino near Coarsegold has been at the root of an endless cycle of tribal chairs, power grabs and disenrollments. Friends turned against friends. Warring factions and shifting alliances vied for supremacy as the tribe seemed forever mired in turmoil.

TIMELINE: Chukchansi casino's creation and controversy

Off the reservation, Chukchansi leadership waged scores of legal battles. Conflicts erupted with everyone from Madera County to the tribe's first casino management firm to the subcontractors that labored to build the casino and adjacent hotel.

Not a day seemed to pass when there wasn't some sort of crisis.

"What's happened is greed has taken over," Schillings said. "It pits people against people. I think it is particularly nasty. There's just some nasty people in that tribe. I hate to say it but it's true."

The conflict that flared earlier this month, in which armed tribal members and tribal police representing one Chukchansi faction took over the tribal gaming commission office in the casino — squaring off with security guards of a rival faction along the way — is only the latest in the endless soap opera.

In this long-running tale of power and tribal politics, the only thing that's been missing is peace.

Seeking better lives

It all started in the mid-1990s, when the then-impoverished Chukchansi tribe began looking at a casino to boost its members' standards of living. At the time, the Table Mountain Casino in Fresno County was already open and profits were skyrocketing after an expansion.

By the end of 1997, the Chukchansi tribe began clearing pines and oaks and burning debris along the north side of Road 417, about a mile east of Highway 41 near Coarsegold. It's pretty much where the hotel and casino sit today.

Tribal leaders at the time told nearby residents they wanted to open a 70,000-square-foot gaming hall and restaurant

as soon as Memorial Day 1998, and no later than that summer.

It wasn't a complete surprise. Four years earlier, the tribe had been working with a professional gaming group to open a casino in the Oakhurst area. There were fierce protests by residents, and it never worked out.

But as then-tribal chair Gilbert Cordero moved forward along Road 417, there was already trouble. Nearby residents were unhappy about the disruption to their rural lifestyle, government officials said the project site didn't qualify for casino status, questions were being asked about a municipal bond deal put together for the land purchase, and a faction of about 50 Chukchansis had been disenrolled after bitter clashes with Cordero and other tribal leaders.

One of those disenrolled was Mona Bragdon. She was part of a faction that had lost power to Cordero's regime in 1992, and says today that "it was politics."

Around a decade later, Bragdon and others ousted in that early disenrollment were reinstated to the tribe, and are still recognized members today. But recalling that incident, Bragdon says not much has changed.

"It was the same as today," she says. "Just different faces fighting."

By late 1998, Cordero was out, and Liedkie was in. A year later, she was out as tribal chair, and shortly thereafter came another round of disenrollments that hit Liedkie and her family, among others. The total was near 200 people, and unlike Bragdon, these members never won reinstatement, Schillings said.

Those disenrolled at that time didn't go down without a fight.

"We really pushed it very, very far," Schillings said.

They succeeded in getting the federal Bureau of Indian Affairs to say they'd been disenrolled without due process. Schillings said Liedkie and the others hired attorneys and even did DNA testing to prove their heritage. Liedkie was first recognized by the federal government as a Chukchansi Indian in 1928.

In the end, the disenrollment was confirmed.

Daisy Liedkie moved to Arkansas and later died. Schillings said it was too much for his grandmother to remain in an area where she grew up catching fish in the rivers and weaving baskets — and not be considered part of it.

Casinos legalized

Away from Chukchansi, the political landscape was changing. In 2000, Proposition 1A won easy voter approval, and most forms of casino gambling were legalized on American Indian lands.

The new tribal leadership teamed with Cascade Entertainment, a firm that helped tribes develop casinos and then managed them.

It came in fits-and-starts, but by October 2002, the tribe was breaking ground, this time for real. More than \$180 million in high-yield private bonds had paved the way for actual construction of the casino.

The gaming center, with 1,800 slots and more than 40 card tables, opened the following summer.

But with success came controversy. By that fall, angry unpaid subcontractors were lining Lucky Lane, the road the tribe had constructed from Highway 41 to the casino. They said the tribe owed more than \$15 million for work on the casino and hotel.

Local businessman John Hutson, who was active with the Fresno, Madera, Kings and Tulare Counties Building and Construction Trades Council, said the dispute was devastating to several businesses that did work on the hotel-casino.

The tribe said the subcontractors should be paid, but pointed the finger at Cascade Entertainment, the architects and the general contractor. The general contractor said it was one of those owed money, too. Stuck in the middle were the subcontractors.

Most subcontractors never were paid the full amount owed them, and some of the smaller ones were forced out of business, Hutson said.

Scott Holley, then a manager of Hopkins and Son, a Fresno construction company, said the delay in getting paid more than \$720,000 for the casino work was a contributing factor in the eventual closure of Hopkins and Son. They also had to spend money on attorney fees in pursuit of the money.

“It takes the fun out of contracting,” said Holley, who is now retired. “We enjoy building things. It would have been great if they would have paid like they should have.”

Holley still feels that if not for the media attention and public support, none of the subcontractors would have ever been paid.

“It was making a bad name for them, and they already had their casino,” he said.

The tribe had paid the money, but sought reimbursement from Cascade Entertainment and the general contractor. They eventually reached a settlement with the general contractor, and terminated the management contract with Cascade.

Independent arbitrators later awarded more than \$22 million to Cascade as part of the dispute with the tribe following the acrimonious split. When Chukchansi fired Cascade, it was only a year into a seven-year management contract for the casino.

During this time, the tribe was also involved in a bitter, long-running dispute with Madera County over property taxes and whether the tribe — a sovereign nation — needed to obtain county permits for an expansion of the hotel. That ended in 2007 with the tribe paying nearly \$13 million to Madera County.

Internal fights

For all the disputes the tribe has had outside its borders, as the years passed it was the internal battles that got meaner and uglier. Disenrollment became a prominent word in the Chukchansi vocabulary, said Dora Jones, a longtime tribal council member, who most recently served on the Morris Reid Council.

As the tribe shrunk from its peak of 1,800 to about 900 today, disenrollment became a weapon to get rid of political opponents. Those being disenrolled speculated that tribal leadership was trying to shrink its numbers to raise the monthly allowance from casino profits those left would receive.

The monthly stipend that started in the \$200 range is now about \$400. Clearly, Jones said, those pushing disenrollment didn't attain their goal of becoming wealthy.

“If it enhanced your life, good, but food stamps, elder programs, utility assistance, scholarships, housing programs, is what I wanted,” she said.

Many members booted from the tribe dispute their loss of citizenship — as well as the hundreds before and after them.

Cathy Cory, disenrolled in 2006, said tribal ancestry files were stolen in the early 1990s by members of the Wyatt and Ramirez families. That resulted in long-term tribal suspensions for 11 tribal members, including Lewis council co-chair Nancy Ayala and Bragdon, then Mona Davis.

“Most people have papers from the National Archives,” Cory said. “With all of this infighting and bickering I am sure our ancestors would be rolling over in their graves if they saw what’s going on ... I just want a tribe more than a business and I want my federal recognition back that was stolen from me by these people.”

The disenrollments persisted until 2011 when the family of former tribal chair Gilbert Cordero — whose mother was one of the few living native Chukchansi language speakers — was targeted.

It led to hostilities that continue brewing today. For Irene Cordero, Gilbert’s sister, there is no doubt about her ancestry. Gilbert Cordero had been a council member who supported lengthy suspensions for Wyatt and Ramirez family members, but when members of their families, including Nancy Ayala, were on the tribal council, it was the Corderos who were on the defensive.

“Gilbert (Cordero, who died last year) kept telling me they are going to get us next,” Irene Cordero said. “I said ‘They wouldn’t do that to us, we’re relatives, our grandmothers were sisters.’”

In the court hearing on Wednesday, Judge Lawrence O’Neill said that anyone disenrolled after 2010 was still deserving of tribal recognition and casino payments.

“They couldn’t take it (her ancestry) away from me,” Cordero said. “I am Chukchansi ... it makes me feel better what the judge said, because there are a lot of people that need help worse than me and I’m glad they’re going to be back in.”

The Cordero family’s October 2011 disenrollment shaped the election. In the tribe’s four-seat election two months later, Harold Hammond, a tribal medicine man, ran for election with a slate opposing that group of disenrollments — Morris Reid, Dixie Jackson, and Dora Jones. The slate won but Hammond was disqualified from the election because of improper use of a badge at the casino. The slate declined to take their seats because Hammond could not be seated and it divided tribal representation into two councils.

Reggie Lewis and Chance Alberta finished fifth and sixth in the election, but they stayed on the council and remained in control of the casino and business complex. His council included Nancy Ayala, Jennifer Stanley and Nokomis Hernandez, who were not up for election.

Fighting breaks out

On a brisk night in late February 2012, the strained relationship degenerated further when Reid group members sneaked into a building on the tribal business complex. They holed up in the building for nearly 38 hours until law enforcement refused to let group members back onto the tribal complex after they left for food or supplies. Allies of the members in the building pushed over plastic fencing —now replaced with tall wrought iron fences — made it onto the complex property and were greeted by their angry rivals. Each side began beating up people they identified who opposed them. Security guards were mixed up in the melee, too.

By the time order was restored, three people were injured, at least one stabbed. From there, the Lewis group asserted its control and would retain control for the next year.

Still, disenrollments continued: Another 150 in 2012, and then last year’s effort to condense the tribe to 46 members in a petition backed by Wyatt and Ramirez family members. It was, Jones said, the final major effort in the past three years to cull tribal membership.

In summer 2012, a group of Chukchansi known as the “distributees,” Ayala and Ramirez family members who claimed to be members of the two original Chukchansi families, filed a suit in federal court in San Jose. They claimed the tribe was comprised of 46 members from the two families. In January 2013, a federal judge disagreed, dismissing the case.

The following month, members of the two families filed a petition with the tribal council. It had 14 signatures, 30% of

what they say were the tribe's 46 members. Chairwoman Nancy Ayala brought the petition to a vote. Lewis, Alberta and their supporters walked out of the meeting, citing the petition as unconstitutional because it required hundreds more signatures. The vote led to a new council with Ayala as the leader along with members of the Wyatt and Ramirez families.

Soon after, Ayala admitted that the vote was improper and she named new members to the council and managed to get a quorum of the old council. Members Lewis, Alberta and Buzz Bushman went out on their own. Their group and their lawyers found an office building at Palm Bluffs in north Fresno, and continued working as a tribal council while Ayala and her group stayed in Coarsegold.

In less than a year, her leadership status was in doubt. Earlier this year, with a new council impaneled, Ayala was suspended from the tribal council by its new members, led by Tex McDonald, the chairman.

Then in February, after two years of tense battles and angry words among the four groups, the federal Bureau of Indian Affairs issued a decision on who the federal government viewed as the official tribal council for its government-to-government relationship. There was no winner: it was a split decision. The BIA chose the tribal council after the 2010 election, the last undisputed tribal election. It left out McDonald, and his group is appealing the BIA decision to the Interior Board of Indian Appeals, a process that has taken years for other tribes to resolve.

The BIA-recognized council included: Lewis, Alberta, Ayala, Reid, Dora Jones, Nokomis Hernandez and Jennifer Stanley. In a reorganization effort, Lewis began courting the recently deposed Ayala to join his council. Eventually, she did. They then created a new council out of the old councils, but purged Reid and Jones. Stanley declined participation. And Karen Wynn and Tracey Brechbuehl, who served with Ayala on the 2013 council, joined, too. The seventh seat is unfilled.

Antagonism today

For the past six months, McDonald has claimed legitimacy since he was in the Coarsegold business complex and his group operated the casino. That is, until Aug. 24, when Lewis and his followers got inside the casino through a rear door and claimed the 10th and 11th floors, which has offices and a boardroom. They're still there and operate the casino. McDonald and his council remain at the business complex.

On Oct. 7, the National Indian Gaming Commission issued a temporary closure order for the casino because the tribe was late issuing its audits for 2012 and 2013. The tribe was threatened with fines that could exceed \$16 million and the casino would close on Oct. 27 without the audits. Concerned that the Lewis group was not making progress on the audits, McDonald, his faction members and tribal police officers stormed the casino with weapons on Oct. 9, fighting security guards. A fire alarm was pulled and 500 employees and patrons ran from the hotel, leaving money and chips behind.

The following day, the NIGC made its closure immediate. At almost the same time, the state Attorney General issued a closure order for the casino, outlining safety concerns for patrons and employees.

John Gomez of American Indian Rights and Resources in Temecula, himself a disenrolled Pechanga tribe member, said the Chukchansi weren't first in disenrollment, but because it is a larger California tribe, its disenrollment practices appear more severe than other tribes.

"It's pretty sad," he said. "It's hard to imagine that leadership struggles and the disenrollment have gone on this long and led to this. All the twists and turns are unfortunate, but it's a product of the environment they've created; it's lack of federal intervention and a reluctance to enforce the rights of Indians."

He added: "It's an almost 'What can I get away with' mentality, and it's unfortunate because it creates the mentality of the people that they can do anything until they're told they can't anymore."

Contact John Ellis: jellis@fresnobee.com, (559) 441-6320 or [@johnellis24](https://twitter.com/johnellis24) on Twitter; Contact Marc Benjamin: mberjamin@fresnobee.com, (559) 441-6166 or [@beebenjamin](https://twitter.com/beebenjamin) on Twitter.

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