

Fugitive Chukchansi police chief levels corruption charge at Madera County sheriff

By Marc Benjamin

The Chukchansi tribal police chief who is a fugitive for his involvement in last month's raid at the Chukchansi Gold Resort & Casino says he is confident he is on firm legal ground — but that Madera County Sheriff John Anderson might not be.

John Oliveira said his security force retrieved a document that implicates Anderson in what he describes as public corruption.

Anderson said he was “really surprised” by Oliveira's charge and has attempted to remain neutral throughout the factional fighting.

Oliveira, who also said he got the blessing of Madera County District Attorney Michael Keitz before the Oct. 9 raid, said he will turn himself in to authorities in the coming days on the outstanding arrest warrant — which was authored by Keitz's office. Oliveira said he is collecting evidence for his case and ensuring that his family is secure while he is away.

The father of seven said he expects to be slapped with a higher bail than the \$800,000 amount now in place, so he doesn't expect a quick release when he goes to jail.

TIMELINE: Chukchansi casino's creation and controversy

Oliveira spoke Thursday to The Bee in a conference call with Arizona-based David Leibowitz, a spokesman for the Tex McDonald tribal faction that Oliveira works for. In the call, Oliveira offered details about the raid and what he says his group found.

McDonald faction members mounted “Operation Sovereign Return” on Oct. 9, storming the casino and hotel hoping to get documents requested by the National Indian Gaming Commission. The NIGC had warned the tribe that it risked having its casino closed if it didn't catch up on late audits. The state Attorney General's Office and the NIGC closed it on Oct. 10, citing a danger to patrons in the wake of the violent raid.

Because tribal factions haven't settled their differences, the casino will remain closed until the federal government and attorney general give their approval to open again.

U.S. District Judge Lawrence J. O'Neill ordered all documents seized in the Oct. 9 raid to be returned to the gaming office. But Oliveira said the McDonald faction believes it uncovered documents that would lead to a public corruption investigation of Anderson. Oliveira also said the McDonald faction doesn't understand why Anderson has not arrested members of other factions for threatening patrons and using a stun gun on a member of Oliveira's tribal police force.

Oliveira also said that in the days before his group went into the hotel, he spoke with Keitz.

Speedy mission

In a [Nov. 4 letter](#) to the state Attorney General that requested an investigation of Anderson, Oliveira says the operation was designed to “recover a financial audit required by the National Indian Gaming Commission in compliance with the National Indian Gaming Act. The second mission was to find evidence of wrongdoing by Sheriff Anderson.”

Oliveira said he met with Keitz for an hour and showed him the specifics of the operation, complete with maps. Oliveira said that for strategic reasons, he didn't reveal to Keitz when the raid would happen. He said Keitz didn't express concern about dangers to patrons or others in their conversation, which ended with Keitz telling him that "it sounds like a mess. Good luck."

"The DA didn't say, 'You're risking kidnapping charges and felony charges,' " Oliveira said.

Added Leibowitz: "It's not every day the kidnapper goes to the district attorney and says 'I'm thinking about committing a kidnapping.' "

Keitz filed charges on Oct. 31 against Oliveira and 14 of his men — including tribal council members McDonald and Vernon King — for their armed entry into the hotel and gaming commission offices. Keitz did not return calls Thursday or Friday. As of Friday, Oliveira and eight others remained at large.

Oliveira said he brought in men from around the country, who he knew from police work, government and military jobs, because of their professionalism. About a half-dozen were from out of state, men such as Benjamin James Rhodes, who was arrested last week at his South Carolina martial arts studio.

The men on the tribal police force are all people in "good standing" and some work as military contractors, Oliveira said. "A lot of the guys were brought in to help me build a police department. They are good police officers, some retired police officers."

Oliveira said his group was accompanied by lawyer Mark Levitan, who advised them that they were within their legal rights to go inside the gaming commission offices. "We never stepped within one foot of the casino."

The mission was specific about not disrupting patrons: "There was no takeover; there was no attempted takeover, it was all done in less than three minutes, you can even see patrons checking in to the hotel (on video). There was no violence or problems."

The opposing security force was taken into custody by Oliveira's men because they had firearms and one of Oliveira's men was shocked with a stun gun by a member of casino security. Oliveira said his forces handed members of the opposing security force over to sheriff's deputies.

Sheriff in the cross hairs

Oliveira said that during the office raid, his men turned up a document that "alluded to the sheriff receiving free meals, a condo in Fresno and something in regards to \$200,000. Unfortunately, the document was returned to the (tribal gaming commission) upon order of the federal courts."

Anderson told The Bee on Friday that he has no idea what the alleged document — which he has not seen, either — was referring to, but he said he has never taken or sought free meals or any money from the tribe, nor does he have a Chukchansi-bought Fresno condominium. "I don't know where that \$200,000 or property got involved. I have no idea about a condo in Fresno."

In [a letter](#) sent Sept. 29 to several tribal leaders — 10 days before the gaming office raid, and at the McDonald faction's request — Anderson writes that he tried to dispel rumors that he was not neutral because any "action taken by us that is viewed as partial to one side or the other, is quickly and critically brought to my attention by one faction or the other."

Anderson said he has filed reports with the district attorney's office against all factions in incidents dating back to near-riots in February 2012, but the district attorney's office refused to file charges until the most recent event.

He said he talked to a "unification council" led by Reggie Lewis (a longtime faction leader) about the need to form a tribal police force and said he was willing to help. It's an offer he extended to the McDonald group, too, in his Sept. 29

letter.

“The offer was made as a public service, and there are no deals, promises or other arrangements that have been made between me and any of the factions,” he says in the letter.

Anderson goes on to say that since the upheaval began in 2011, his department has “been placed in the position of determining who’s in charge. Again, this is not our role and we have tried to avoid it, each time urging the sides to come to an agreement. In some cases, we have urged state or federal officials to act. Again, unfortunately, in most instances solutions were not arrived at, requested assistance was not provided, and the conflicts continue ... we have strived to maintain neutrality.”

Anderson said that during a conversation with Chance Alberta, a member of the Lewis/Nancy Ayala faction, he joked about having to work quickly to build a tribal police force while he’s still in office. “I told them if you don’t get it done while I’m still in office, I will probably have to charge a consultant fee,” but he added emphatically, “I was joking.”

In last week’s interview with The Bee, Anderson discussed his property ownership. In 2010, he said, he bought a foreclosed property at the Brighton Crest development near Friant. The land cost him \$70,000. Prior to the recession, the property price was around \$300,000. Anderson admits he “got a great deal.”

He has since built a house there but continues to live in his primary home in Bass Lake. He said he received offers for the Friant property from representatives of Eagle Springs Golf & Country Club, the former Brighton Crest that was bought by the tribal owners of nearby Table Mountain Casino in 2010. Anderson said he later found out they may have been representing Table Mountain Rancheria, which wanted land for overflow parking. Anderson pointed out that he bought the property before Chukchansi started having problems.

Anderson said he doesn’t think he’s curried favor with the Lewis group, which filed a \$5 million lawsuit against him that was later dismissed.

Lewis said he has never offered Anderson anything, financial or otherwise. Lewis’ wife, Gaye, recently asked the Madera County Board of Supervisors to have Anderson investigated by the Madera County grand jury because the sheriff’s office hadn’t made any arrests after the Oct. 9 raid.

Anderson said he expects Oliveira and his fellow defendants to make him a target in their legal defense in the raid.

“Their defense is that a tribal police department can do these things, but even some of the things they did, police can’t do,” the sheriff said.

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