

## Offers made to resolve Chukchansi office raid criminal case

By Marc Benjamin

New footage shows a police force from a rival faction of the Picayune Rancheria tribe arriving at Chukchansi Gold Resort & Casino on Oct. 9, 2014, to take over the gaming office. THE FRESNO BEE

- 
- 
- 
- *Lawyers say their clients are weighing the Madera County district attorney's plea bargain offers.*
- *The district attorney warns defendants that long prison terms could await them.*
- *The former tribal chair will take a plea deal to avoid possible prison time.*



Tex McDonald, the former chairman of Picayune Rancheria of Chukchansi Indians, is expected to take a plea deal Friday in Madera County Superior Court that allows him to avoid a possible third strike for his involvement in the Chukchansi Gold Resort & Casino office raid in October.

McDonald's lawyer, Antonio Alvarez, said his client intends to plead to a "non-strike felony" that will let him out of jail within a few months.

"I think we are going to resolve," said Alvarez. "We have a framework in place, we just have to iron out the details."

Other participants in the raid that led to the casino and hotel closure may have their cases resolved Friday, too, lawyers in the case said.

But some of the men who served as "tribal police" in the raid said they will not take a plea bargain offered by Madera County District Attorney David Linn, because it will affect their abilities to get jobs in the future.

Linn said that he is offering to whittle down the more than a dozen charges against most of the 15 men to one count of false imprisonment and possibly a lesser charge. The officers and three employees of the McDonald faction's tribal police said they will consider the offer. Tribal council member Vernon King also is considering his options, a tribal official said. King and McDonald are the only two of the 15 defendants who remain in jail since their arrests six months ago.

If they reject the plea deals, the remaining defendants will have a preliminary hearing, the stage that determines whether the case goes to trial, said lawyer Mark Coleman, who represents eight of the 10 officers and one tribal employee.

McDonald, 64, who previously served prison time and already has two strikes, was risking a third strike and could have spent the rest of his life in prison if he was convicted of charges stemming from the raid. Before becoming tribal chairman he was working as an alcohol drug and rehabilitation counselor in Fresno.

In addition to McDonald, Linn said several others are interested in settling their cases, too.

Coleman said the officers, who work in law enforcement or as military contractors, could lose work opportunities if they have any serious felony convictions on their records. He said Thursday that he was continuing to negotiate the plea

deals. Eric Suniga, the tribal employee he represents, will be willing to take a plea deal as long as there is no jail time, Coleman said.

Coleman said the tribal police officers may be willing to accept a plea bargain to a count of trespassing under certain circumstances. He said the district attorney's offers have been reasonable.

"Offers have been made which in normal circumstances anyone would accept to avoid the normal time and expense of going to trial," he said. "But in this case, these men are having a very difficult time admitting they did anything. Really, it's a matter of honor."

Attorney Serita Rios, who represents Tyrone Bishop, said she is in discussion with the district attorney and is not sure if he will take a plea deal.

Craig Collins, lawyer for Miguel Ramos, said his client is "not guilty of anything ... he had a job, had a guard card and he was doing what he was told. He didn't kidnap anybody and he didn't assault anybody."

Linn said that there will be no more offers after Friday.

"We have made some very reasonable offers," he said. "This is the week, and if they think I'm bluffing, they better strap themselves in and get ready for the ride."

He said the case has cost his office in time and resources to prosecute. He also was angered by legal claims filed against the county by the 15 defendants, who say they were attacked by the rival security group employed by the Reggie Lewis-Nancy Ayala faction.

Unless the plea bargains are accepted, "I plan on hiring additional attorneys to prosecute this case," Linn said. "The negotiating phase ends Friday."

If the defendants reject the plea bargains, many of them could ask for publicly funded lawyers, which will cost taxpayer money. And since Chukchansi Gold Resort & Casino was one of Madera County's larger employers, it's possible a change of venue also could be required, meaning the trial could be moved to a city where the case has received little publicity. Linn said he doesn't think a change of venue is necessary.

"Let's go to trial, let's get it on," Linn said. "If they want to roll the dice and take the chance of significant jail time, that's their choice."

Contact Marc Benjamin: [mbenjamin@fresnobee.com](mailto:mbenjamin@fresnobee.com), (559) 441-6166 or [@beebebenjamin](https://twitter.com/beebebenjamin) on Twitter.