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(Quick Seven-Page Read. Tells the Whole Story)

Greatest land-grab in the history of the United States	
<p>Supreme Court gives rights to take state lands. In November 2017 the Supreme Court ruled on a historic case giving the Federal Government the power to take any state land and strip the State of almost all sovereign power over it “for the purpose of providing land for Indian tribes.” This means Congress could reduce a State to near non-existence by taking all land within its borders and declaring it a sovereign Indian Nation. Current Tribal land grab has reached epic proportions. Thousands of acres are being transferred to tribal control at an alarming rate. Since 2015 in California alone there have been more than 400 Deed of Trust applications totaling more than 30,000 acres of land. Since 2017, off reservation lands exceed twice the size of Delaware. In 2016, there were 110 Tribes in California of which 75 have state compacts. There are more than 68,819 slot machines and growing. California tribes reaped \$8.3 billion dollars in 2016. Nationwide, the Tribal gaming industry is a \$31.2-billion-dollar per year industry. But the benefits of this industry are, more often than not, one-sided, to the devastation of many smaller communities, and many citizens, as this report clearly documents.</p> <p>“Wampum” Book sub-title: “How Indian Tribes, the Mafia, and an Inattentive Congress Invented Indian Gaming and Created a \$28 Billion Gambling Empire.” Senator Harry Reid describes the book WAMPUM by Donald Craig Mitchell, as a “fascinating look at the origins of Indian gaming in the U.S.A.” Norman Ornstein, American Enterprise Institute writes, “...<u>mostly a case study in the flaws of lawmaking that enabled the huge industry...replete with fake tribes on fake reservations. It is a tale of good intentions gone awry and chicanery run rampant.</u>” Kirkus reviews, “... a sophisticated operation that makes use of every loophole available.” In 1979 the Mafia opened the nation’s first high-stakes Indian bingo hall on the Seminole reservation in Florida. Nine years later, Indian tribes were operating bingo halls on reservations in 23 states. Congress enacted the Indian Gaming Regulatory Act (IGRA) to regulate, but the unintended consequence was an explosion of Las Vegas style casinos nationwide now including more than 300,000 slot machines. The 375-page book WAMPUM looks inside the Bureau of Indian Affairs to tell the story.</p> <p>U.S. Senator Dianne Feinstein is frequently quoted as saying, “enough is enough” concerning off-reservation gaming.</p>	<p>PG</p> <p>14</p>
Current status – legal challenges and actions	
<p>Ridgecrest lands were NEVER eligible for an off-reservation casino.” Three official documents confirm this. 1. We are NOT on the designated map included in the Congressional Timbisha Shoshone Homeland Act of 2000. 2. According to 25 CFR guidelines, Ridgecrest is ineligible on FOUR counts. 3. in 1998-1999 the Tribe and DOI also determined what lands would be “mandatory” and “discretionary” in a detailed Congressional report. Ridgecrest was NOT in ANY of the areas identified.</p>	<p>17</p>
<p>Grand Jury Investigation Requested by local concerned citizens. Numerous improprieties regarding initial land sale, class III gaming, and General Plan. (Gov. Code & 65351, CA Civil sec 16888). City lacked authority to sell lands when property had not yet been taken into trust; NEPA review circumvented.</p>	<p>18</p>
<p>More than 800 citizens signed petitions against the casino via CasiNO org last year.</p>	<p>20</p>
<p>Federal level – THREE significant legal issues and challenges.</p> <ul style="list-style-type: none"> • Citizens lawsuit filed with DOI. Formal letters written to Congressmen, and the Governor’s Office. 	<p>22</p>
<p>Municipal level – FIVE potential breaches of contract issues pending. MSA is extremely weak leaving the city open to massive litigation. Either due to gross negligence or intended deceit.</p> <ul style="list-style-type: none"> • Potential breaches: false statements of fact/misrepresentation; nondisclosure; terms possibly breached; gross negligence; agreement is one-sided; and contract language may support unlawful behavior. (Described in detail in the full report.) 	<p>24</p>

<p>Former Ridgecrest Mayor Pro Tem, Jim Sanders, speaks out about the “crooked and backward path” of the casino. Sanders was on Council when the final MSA vote was taken. In a letter to the DOI, Sanders states, “The issue stayed in closed session for several months with the clear intent to delay it going to the public as long as possible, fearing opposition... Questionable land sale... Sanders was repeatedly blocked from putting items on the agenda regarding an economic assessment... The day the final MSA was voted on there were still revisions being drafted as late as three hours prior to the meeting. Nobody had time to review, and Mayor Breeden and other council members insisted on holding the vote anyways.” (Full letter included.)</p>	31
<p>Lori Acton, former councilwoman under FPPC investigation AGAIN. This time for casino issues.</p> <ul style="list-style-type: none"> ○ Her deciding MSA vote is now in question due to numerous improprieties. ○ Hired by tribe 3 months after election defeat. 12 months min. required by law. Investigation pending. ○ Earlier, fined \$1,400 by FPPC for 2 counts of failing to report financial interests ○ Pertexa Scandal pending. Letters sent to Dept Justice, FPPC, and DA 	32
<p>Citizens attorney confirms strong perception of collusion. Breach of contract alleged. Legal injunction request filed to delay the tribe requested meeting between the city and the DOI. Concerned citizens confirm that the DOI did not request any such meeting. Meeting was improperly orchestrated by the Tribe as a strong, last-minute one-sided lobby attempt. Citizens declare potential breach of contract for the Tribe agreeing to and signing the MSA which guaranteed a full NEPA review and then renegeing on the commitment six months later. Entire deal rushed and inappropriate. MSAs are never negotiated until AFTER lands are taken into trust. Tribe used the MSA prematurely as a political tool to encourage the DOI to take the land into trust. Potential collusion at March 21st Council Meeting. Agenda item allowing fair representation and critical city protections was barred via a highly contested and suspicious vote where an electronic vote was taken, results shown briefly on the screen, and upon seeing the results, ALL THREE councilmembers stated that they “hit the buttons wrong by mistake?” and a verbal vote was re-taken where ALL THREE then switched their votes, thereby barring Councilwoman Stephens from attending the meeting along with Mr. Strand – thereby barring the city from proper representation demanding appropriate city protections. A letter was then requested to be sent explaining concerns – denied! <u>In a letter to the city, the attorney reviewing the case stated, “based on all of the factors flowing into this matter there appears to be a strong perception of collusion given the changed votes and rush to sign documents without properly addressing all of your constituents’ concerns.”</u> (Letter available upon request.)</p>	35
<p>Potential perjury – two counts. City Manager potentially presented false testimony to the Department of the Interior in Washington D.C. April 4. The Tribe orchestrated two pro-casino agenda discussion items. Wording as follows: 1. “In support of casino” (False: multiple legal actions have now been filed. City and Tribe have MANY issues that must first be addressed) and Tribe unwilling to formally amend the MSA. 2. “In support of Mandatory Acquisition” taking Ridgecrest lands into trust. (False! Council has TWO official signed documents stating that we DO NOT approve a mandatory acquisition.) Councilwoman Stephens requested that the agenda item be renamed “to discuss the needs of the City of Ridgecrest regarding the MSA.” This was denied! Stephens requested that the full Council and public discussion be conducted to determine the topics that would be discussed at the D.C. meeting. Denied! (Council did not object, but then later, after the Council meeting, the D.C. meeting was purposefully scheduled on the exact same day as the next council meeting, thereby circumventing public input. Multiple requests for the meeting to at least be recorded – denied! Citizens have now demanded a detailed account of the trip be made public. Awaiting the results of this request. Strong suspicion of perjury!</p>	38
<p>Civil action complaint filed in Superior Court regarding improprieties by Acton, Breeden and Mower for violations of California Code 1090. Injunctive relief. Filed by Ridgecrest resident in Superior Court of Kern County, Bakersfield. Complaint involves former Councilwoman Lori Acton for FPPC violations, Mayor Breeden for Swap Sheet casino industry ads, and Councilman Mike Mower for likelihood of involvement in providing construction services and hardware purchases for major casino development. Complaint also sites illegal closed-door meetings, and improper Tribal actions.</p>	39

<p>Motion for temporary injunction filed in Superior Court against Breeden and Mower for conflict of interest. (Cal. Civ. Code 3368, 1090, 1092, 18704-05.) Filed by Ridgecrest resident on April 3, 2018, in the Superior Court of Kern County, Bakersfield. Lawsuit involves Councilman Mike Mower and Mayor Breeden and their refusal to declare a conflict of interest and recuse themselves from the casino and associated MSA. <u>Mayor Breeden owns the Swap Sheet and stands to make tens of thousands in annual advertisement revenue, a benefit that the general public will not receive. Mower owns a construction company, a local hardware store, "High Desert Hardware", and real property in Ridgecrest that is valued in the millions. He also stands to benefit significantly, in a manner that the public will not. (Potential self-dealing). The suit demands nullification of the MSA and the sale of land due to Breeden and Mowers unethical votes in approving the initial deal, and their ongoing votes in support of the deal.</u> (FPPC threshold is exceeded via "reasonably foreseeable opportunity to profit" (any financial interest above \$2,000 where 25% or more of the general public could not benefit. Multiple violations alleged.)</p>	39
<p>Tribe circumvented NEPA (the National Environmental Protection Act) denying the public full review, and critical input which the tribe agreed to do in the original MSA.</p> <ul style="list-style-type: none"> • The "alternative" Tribal Environmental Impact Report ("TEIR") is inadequate and premature. • TEIR does NOT properly address water issues, children's health, increased crime and law enforcement issues and critical local socio-economic impact, among other things. • Laws should apply to both sides equally! 	40
<p>Recent Tribal Environmental Impact Statement (TEIR) is inappropriate</p> <ul style="list-style-type: none"> • City response to Tribe: "not an actual TEIR; is untethered to any enforcement mechanism; is premature." • Three professionals / concerned citizens wrote formal responses in challenge • TEIR does NOT properly address water issues, children's health, increased crime and law enforcement issues and critical local economic impact, among other things. • Even if the casino were very successful, city payments remain nearly same. Tribe wins – city loses. 	43
<p>League of Cities attorney says the deck is heavily stacked in favor of the Indians. Disputes over anything can be difficult? Time is NOT on your side. If the TEIR is lousy, enforcement is difficult. Bring plenty of money to litigate.</p>	46
Department of Defense – Serious Issues	
<p>DoD Serious Issues: Casino to be located adjacent to our top-secret DoD weapons facility. Totally unacceptable! Threatens homeland security, employee clearances, and young sailors and families. Water shortages? Secure radio transmissions? Listening posts? Serious law enforcement issues at the main gate of our largest employer in town? Military leaders and the Sheriff weigh-in.</p>	48
<p>DoD Serious Issues: Marijuana sales at the front gate of our proud Navy base? American Indian tribes often ignore state-regulated system. Marijuana growth and sales is against federal law and against Ridgecrest municipal code. According to the Timbisha Shoshone Tribal newsletter, the tribe is now in the pot business and have built a 50,000 SF facility in Death Valley Junction and dug a well to harvest water despite the current draught. The Tribe has also set up a "health" co-op in Bishop for medicinal sales. Articles, evidence, and public remarks at Council meetings suggest that the Tribe has plans to make marijuana part of their business plan. At the March 7 Council Meeting, on the issue of marijuana, Chief Gholson stated, "Why should other people be left out because of their ethnicity? Unacceptable. Our people are also citizens of California just like everybody else. We should be able to take advantage of everything just like everybody else" ... "and I will tell you, if there is any other industry that we could get into that would produce those returns, we would."</p>	52
<p>DoD: A few citizens voice their concerns regarding the casino next door to the base. Based on research for this report, in discussing the issue informally after hours with dozens of employees, the majority are not in favor of the casino, and hardly anyone thinks it makes sense at the front gate. Location was one of the main objections discussed and the main objection received via CasINO surveys.</p>	60

Quick Background. Who Voted to Bring the Proposed Casino to Town	
PRO-CASINO	
<p>Pro-casino votes: Mayor Peggy Breeden, Councilwoman Lori Acton, Councilman Mike Mower. Partial list of other pro-casino advocates: Staff: Gary Parsons (Economic Director), Ty Stahali (Finance Director), Justin O’Neil. 2016 Council candidates: Scott Lehey, Warren Cox, Tom Wiknich. Former city officials: Chip Holloway (former Mayor), Dan Clark (former Mayor).</p>	66
ANTI-CASINO	
<p>Anti-casino votes: Former Councilman Jim Sanders, Current Councilman Eddie Thomas Other anti-casino candidates who won: Councilmembers Wallace Martin and Lindsey Stephens Other anti-casino candidates running: Mike Neel (Mayoral candidate), Dave Matthews (Council)</p>	
Major Objections	
<p>Hesperia Nightmare. Same developers who failed miserably with casino scheme in Hesperia, moved on to Ridgecrest Since it met the “casino playbook profile” -- financially strapped with \$1M in debt BUT the town had a \$500M+ local ongoing payroll from the base. Ripe for the picking. Questionable developers? Public records court case – what really goes on behind the scenes. Also, latest online investment scheme by Nigel White: 400% returns?? Buyers Beware! (Hesperia data and developer background data supplied earlier by Hesperia citizens.)</p>	67
<p>Local economic impact study shows the casino likely to have negative effects.</p> <ul style="list-style-type: none"> • Due to public demand, city sent out RFPs for outside economic impact studies. Bids were received, but NO FOLLOW-UP action was taken? No explanation given. Local engineer with specific skill set in this area, then volunteered to take on the task and conducted a detail analysis. • Developer touts \$100M economic effect. Local study shows \$6 to \$8M <1% economy. • Revenues are comparably low to the city. And not guaranteed. • Model works in larger end-destination cities, but detrimental to smaller communities. • (Full economic study available upon request.) 	72
<p>High potential for loss of local political control. Indian Chief and Developer ruled City Council? Developers put up \$150,000 to support ONE pro-casino candidate in Hesperia. The same developers who are now working Ridgecrest, put up \$150,000 for ONE candidate to swing the tide in their election. Developers applying high-powered financial pressure is threatening small towns, governmental leaders, and political campaigns around the country. In recent weeks, there has been talk of developers trying to finance pro-casino candidates in Ridgecrest during the next city council race. Do we want our city government run and operated by a Chief and out-of-town developers? Beware! Read the report...story, after story...after story nationwide.</p>	77
<p>Complex scheme simply redistributes money FROM: local citizens, businesses, and the city TO: out-of-town developers</p> <ul style="list-style-type: none"> ○ Casino states 90% customers come from within a 100-mile radius, mostly from 25. This says it all! ○ Casino further verifies that 66% revenue comes from locals, NOT out-of-town visitors. ○ The MORE the casino “wins”....the MORE citizens lose. Money comes right from their pockets. ○ Ridgecrest is NOT an end-destination. Casino model does not work for Ridgecrest. ○ Casinos surround Ridgecrest north/south/east/west. (Independence, Bishop, Lancaster, Beatty, Armagosa Valley, Stateline, Delano and Porterville). Plus, larger, nicer casinos are much closer to them including San Manual, and Morongo. Why would anyone want to drive here? Makes no sense. Detailed drive-time / mileage tables included. 	79

<p>Location close to homes, schools, churches totally unacceptable. Casino inappropriately proposed right next to the front gate of our proud Navy base, on the most desirable commercial piece of land in town, 300 yards from the campus center of Immanuel Baptist Christian School, and less than one mile from both Burroughs High School and Murray Middle School. CasINO organization, like many others around the country, say no less than two miles from homes, schools, and churches.</p>	81
<p>Ridgecrest loses the most desirable piece of commercial land in town – FOREVER. Also, important to note that if any other business defaulted or was not successful in any way, the business could just be sold, and re-invented as something else. But the “sovereign nation” casino is FOREVER. If unsuccessful, the “business” (whatever the tribe wants) can pass on to other Las Vegas developers or shady operators and the plight and complications and social distress, and illegal spin-off businesses can continue to put our proud Navy base at risk FOREVER.</p>	81
<p>Highly Questionable Land Sale. Developers orchestrated a \$5.5M sale with personal lands owned by the former mayor. City revenues touted to be \$2.75M but will end up less than \$200K • Class III Gaming not in General Plan and Plan was never officially amended. Meetings improperly noticed.</p>	81
<p>Developers hyped initial perceived benefits while hiding significant risks in later development once a compact is signed and “sovereign nation” immunity takes effect. Initial projections greatly exaggerated. Public meetings improperly noticed. Initial slide/rendering depicted a casino SEVEN times the real size. Why?</p>	83
<p>Direct threat to our water rights. Water rights are now threatened at a time when our water table in the desert is in critical over-draft. MSA states only that the tribe “MAY” connect to city water. The truth is, it “MAY NOT” as well, allowing them to drill wells and export water, and control ground water usage beyond city or county control. Happening at other cities nationwide.</p>	84
<p>Direct threat to our property rights and our property values. Here is how it works. In addition to casino land, developers buy more land. Second, lands go into trust. Third, State compacts are signed. Fourth, trust lands then fall under the “sovereign nation” umbrella enjoying all the rights and privileges that the casino lands enjoy including not paying taxes, and not worrying about zoning restrictions, environmental impacts, etc. Then, once the land is in trust, a tribe may change the intended use for the land from non-gaming to gaming or whatever they want. <u>Citizens could end up with a marijuana farm as neighbors which has been done in other areas, or strip clubs. Anything goes.</u> National Association of Realtors report home values declining 4-10% in many areas that bring in casinos.</p>	85
<p>Direct threat to sewer treatment facilities and public safety. Final wording in the MSA is vague, ambiguous, and allows the tribe the right NOT to connect to the City’s sewer system allowing unsafe “alternative” options.</p>	86
<p>Direct threat to other local businesses, especially hotels, restaurants, and gasoline retailers. Never discussed, but we later learn that they never have to pay any taxes, they only have to pay their employees federal minimum wage which is \$7.25 hour, and they get to undercut all other local businesses. <u>In a Facebook post to the city, the Chief admits, “They could purchase cheaper gas.”</u></p>	86

<p>Damaging Effects on Our Community as well as the Native American Indian Community</p>	
<p>Indian casinos, in general, do not improve the lives of average tribe members. Mainly benefits top leadership. Tribe members speak out. The majority of tribal casino employees are NOT Native Americans. Internal Tribal disenrollments are pitting tribal members against tribal members. Native Americans are hurt by casinos like everyone else. They suffer the same addictions and financial despair that chronic gambling brings. Casinos hurt the ones who can afford it the least. Despite newfound fabulous wealth amongst the leadership, the sad truth is that the majority of Native Americans still live in poverty.</p>	89

<p>All churches strongly against gambling. 100% say NO! Threatens the moral fiber of the community. Every religious denomination in town has formal statements and positions against gambling and all that comes with it. All statements are included in this report. Pastors speak out.</p> <ul style="list-style-type: none"> • Methodist..... 93 • Baptist..... 94 • Mormons..... 95 • Seventh Day Adventist..... 97 • Church of Nazarene..... 97 • Catholics..... 98 • Lutheran..... 98 • Presbyterian..... 99 • Pentecostal..... 100 • Cornerstone Bible Church..... 100 	
<p>Senior Citizens. Gambling is proven highly detrimental to all three groups. The people who get hurt the worse are those who can afford it the least.</p>	103
<p>Lower socio-economic citizens</p>	104
<p>Young People – Students</p>	107
<p>Casino industry propaganda turns towns against themselves. Division, anxiety, stress, and intimidation. Always comes down to battle between those who have researched the issue and those who have not. Calm, friendly towns frequently turn sour whenever casino decisions come to town since they always pit citizen against citizen, neighbor against neighbor, turning long-time friends into enemies. Nationwide, articles describe how skilled propaganda organizers pay small behind the scene uninformed teams to conduct “smear campaigns” against any local elected officials who dare to challenge the pro-casino position. Local Internet social chat sites frequently light-up with slanderous, misdirected, and hurtful accusations often attacking officials for completely unrelated issues. Simply part of the casino playbook. Bottom line, money and greed corrupt. The French say, “gambling is the son of avarice and the father of despair.” We need to ask ourselves. Is this what we want in our FAMILY ORIENTED town?</p>	110