



Four Directions Community Center

“Where People Come Together”

2/5/18

Testimony of Frank LaMere to the General Affairs Committee

I am certain that LB 1120 will be seen as many things to the many interests who will weigh in and provide testimony for the hearing record and as I will respect all perspectives I would ask the committee to hear and to respect mine!

If section 5 of the proposed 1120 piece has been inserted as a vehicle to allow re-issuance of Whiteclay licenses, please know that it will be opposed vigorously and that the elevation of the discussion of the veiled effort will begin immediately and will continue until it is removed. In the time that I have been involved addressing the violence and lawlessness in Sheridan County most people that I encounter and who have some authority there simply beg the questions that arise about illegality and the violence. They can be subtle or in my face but either way I know! Section 5 inclusion is a clear example of that!

For fully twenty years I sought to give voice to our Oglala Lakota relatives at Whiteclay who had none! I and many others did the best we could, but it was not enough! We worked to stop the illegal flow of alcohol onto the dry Pine Ridge Indian Reservation in hopes of stopping the death, the destruction, the fetal alcohol syndrome, the lawlessness and even the murders if it was humanly possible.

I would like to think that we made a difference but if some families there opined that we failed miserably I would not argue! Especially the families of Little John Means, Ronald Hard Heart, Wilson Black Elk, Sanford Wounded Foot and Sherri Wounded Foot, all brutally murdered within a hundred yards from the beer sellers that all Nebraskans reference today and wring their hands over and feel sorry for!

On September 29th the Nebraska Supreme Court determined that because the unincorporated village of Whiteclay, NE did not have adequate law enforcement that an April Liquor Control Commission decision to refuse renewal of beer licenses there was upheld! The tally that day was the Nebraska Supreme Court 7 and Whiteclay beer sellers 0. I view that fairly or unfairly as a win for Nebraska and for the Oglala Lakota people! Perhaps the Supreme Court saw it the same way! It was a unanimous vote with no equivocation!

Since the closing of the stores I am able to glean that as of this moment Senators, that 3,091,000 cans of beer, many of them large cans, have not been sold to Lakota people who have no legal place to drink them! I cannot even imagine that many cans being sold in a village with perhaps 10 or 12 people! Nor can I imagine what health care providers now think and the hope they must have as they now can cease to make the ambulance runs to Whiteclay that must number in the hundreds and even thousands since the time that I went there to look in and help in 1998!

I do not feel for those who lost their licenses at Whiteclay and any other licensee that does not abide by liquor laws while snubbing their noses at those in the public trust who simply try to regulate according to Nebraska law. To my mind it is not enough to wrap yourself in the flag and recite a tired old mantra about free enterprise and turning a buck, all the while that you are allegedly end running Federal, state and local tax laws, cannot produce records that reconcile and until very recently did not even own a cash register! The committee work before you should include a tightening of licensing procedures for all liquor establishments across Nebraska who operate like those at Whiteclay and a serious look should be taken at all Sheridan County licensees as there is a hint that they knowingly continue to sell to known bootleggers! If Sheridan County will not conform why does the Legislature feel it necessary to make

special allowances for them? What precedent will you set? Every Nebraska licensee will be at your doorstep wanting their own set of regulations! Please think about that!

As I reflect back to those early days I would be remiss if I did not acknowledge the fact that the Oglala Lakota people had already voiced disapproval of Nebraska beer being sold onto that dry reservation for decades but that we had refused to act. We must act now. See Section 5 of LB 1120 for what it is and remove it.

Respectfully,

Frank LaMere
Winnebago Tribe of Nebraska