



## KICKAPOO TRIBE in Kansas

### TWO YEAR REVIEW

September 16, 2016

Dear Kickapoo Tribal Membership:

In remaining consistent in my pledge to keep you updated on the affairs of the Tribe, this letter serves to provide you with the progress the Tribal Council has made over the past two years.

### PLUM CREEK

- The Tribal Council and the State of Kansas executed a Plum Creek Settlement Agreement to secure the Kickapoo Tribe's long-term water viability. The Tribe held a ceremony to commemorate completion of the Settlement Agreement on Friday, September 9, 2016 at the Kickapoo Tribal Government Center. The ceremony was a huge success and we had a great turnout from tribal members and especially our youth.
- The Plum Creek Agreement quantifies the Tribe's senior water rights in the Delaware River Watershed, which is necessary for the Plum Creek Project to proceed. Plum Creek is a tributary to the Upper Delaware River, which flows through the Kickapoo Reservation in Brown County. The Tribe has successfully negotiated its water right with the State of Kansas, the U.S. Department of the Interior and U.S. Department of Justice, with the assistance of technical staff and consultants.
- This Agreement will now be drafted into legislation that will be approved and ratified by United States Congress.

## NEW TRIBAL GOVERNMENT CENTER

- With assistance from the Shakopee Mdewakanton Sioux Community, the Department of Housing and Urban Development and the Federal Emergency Management Agency, the Tribe was able to construct a new tribal government center which is located at 824 111th Drive. A grand opening and ribbon cutting was held on August 10, 2016 to formally thank those who helped fund this project and to dedicate the new government center to the Kickapoo tribal membership.
- The new administration building will house the Tribal Council and many tribal programs. This centralization will provide better access to tribal members who wish to utilize these services. All tribal members are welcome to visit the new facility. Please contact me if you would like to have a tour of the office.

## GOLDEN EAGLE CASINO

- The Golden Eagle Casino's (GEC) bank balance as of November 1, 2014 was \$602,196.57. The GEC bank balance on August 23, 2016 is \$3,278,207.00. That's an increase of 444.37%.
- Net revenue from the GEC from January 2014-July 31, 2014 was -\$88,404. The net revenue from January 2016-July 31, 2016 is \$1,373,258. That is a 1,653.39% increase!
- Per capita payments in 2015, based on 2014 net revenue of \$22,060, were a little over \$2.03. The per capita payments in 2016, based on 2015 net revenue of \$2,516,916 are \$230.00

## TRIBAL HEALTH CLINIC

- We are happy to report that all medical bills are paid to date.
- We continue to have healthcare funds available which can be used to pay for tribal members' unpaid medical expenses. Contact health clinic staff for information on how to apply for these funds.

## CONSTITUTIONAL REVISIONS

- Documentation on the Tribe's Constitutional revisions has been sent to the Bureau of Indian Affairs (BIA) Southern Plains Regional Office for review. We are waiting for the BIA to move forward with the Secretarial Election on these amendments.
- Notice will be sent to each Tribal member on the amendments and information to vote on the revisions.
- The projected time for the vote is this Fall and the election outcome should be released by December, 2016.

## ACTIONS AGAINST FORMER LEADERS

- Civil Cases against Steve Cadue and Bobbi Darnell

The Kickapoo Tribe has filed civil lawsuits against both Clifford "Steve" Cadue and Bobbi Darnell, seeking civil penalties against them for violations of the Kickapoo Tribe Budget Ordinance for actions taken by Mr. Cadue while serving as Chairman of the Tribal Council, and actions taken by Ms. Darnell while serving as Treasurer of the Tribal Council. In response to those lawsuits, an attorney representing both Mr. Cadue and Ms. Darnell filed a Motion to Dismiss, asking the Kickapoo District Court to throw out the cases. The attorney for the Tribe, Tom Lemon, filed responses in opposition to the motion to dismiss. On March 11, 2016, the Kickapoo District Court denied the Motions to Dismiss, allowing the cases to proceed. The attorney for Mr. Cadue and Ms. Darnell then sought an interlocutory appeal to the Kickapoo Supreme Court to overturn the denials of the Motions to Dismiss. The Tribe opposed the request for the interlocutory appeal, and on July 25, 2016, the Kickapoo Supreme Court denied the interlocutory appeal, ordering that the cases should continue to proceed in the Kickapoo District Court. Thereafter, the attorney for Mr. Cadue and Ms. Darnell asked the Kickapoo Supreme Court to set aside the Order denying the interlocutory appeal, and filed a motion with the District Court asking that Judge C. Steven Hager recuse himself from the cases. Again, the Tribe opposed both of those motions. In a hearing on September 9, 2016, Judge Hager of the Kickapoo District Court denied the motion asking him to recuse, and ordered Mr. Cadue and Ms. Darnell to produce information and documents requested by the Tribe's attorney by October 21, 2016. **Also, during that hearing Bobbi Darnell and Adolph Cadue, Jr. both invoked their rights to remain silent and not incriminate themselves.** The two civil lawsuits will next be heard by the District Court on October 24, 2016.

- Criminal Cases against Clifford "Steve" Cadue, Adolph Cadue, Jr. and Bobbi Darnell

A Special Prosecutor appointed by the Tribe, Tom Lemon, has filed two criminal Complaints against Clifford "Steve" Cadue, Adolph Cadue, Jr., and Bobbi Darnell.

The first Complaints arise out of conduct occurring between January 9, 2014 and December 31, 2014, while Steve Cadue, Adolph Cadue, Jr. and Bobbi Darnell were serving on

the Kickapoo Tribal Council. Those three individuals are charged with fraudulent handling of recordable instruments, tampering with records, and misusing public money. The second criminal Complaints against Steve Cadue, Adolph Cadue, Jr. and Bobbi Darnell assert criminal charges against them for conduct arising on April 16, 2012, June 14, 2012, and February 7, 2013. The charges arise out of those three individuals' conduct while serving on the Kickapoo Tribal Council. Each of the three individuals are charged with tampering with records, fraudulent handling of recordable instruments, and misusing public money.

In response to the first criminal Complaints, an attorney for Steve Cadue, Adolph Cadue, Jr., and Bobbi Darnell filed Motions to Dismiss. Mr. Lemon opposed those motions, and on July 8, 2016, the Kickapoo District Court denied the Motions to Dismiss. Thereafter, the attorney for Steve Cadue, Adolph Cadue, Jr., and Bobbi Darnell filed a motion asking for an interlocutory appeal to the Kickapoo Supreme Court. The Special Prosecutor opposed that motion. The motion was denied. The matter is set for a pretrial on October 24, 2016 at 2:00 p.m. Thereafter, the cases will be set for jury trial.

As to the second set of criminal complaints against Steve Cadue, Adolph Cadue, Jr., and Bobbi Darnell, a plea hearing was conducted on those cases on September 9, 2016. At that plea hearing, the matter was set for pretrial on October 24, 2016. Thereafter the cases will be set for jury trial. I feel that they are utilizing stall tactics to drag these cases out to avoid resolution.

There is still a pending federal investigation into financial inconsistencies at the Tribe. We continue to work closely with the FBI on getting this completed.

The Tribal Council remains committed to supporting the Kickapoo tribal membership while remaining open and transparent with our constituents. We will work hard to continue experiencing economic gains at both the Casino and the Tribe and making progress to protect our tribal assets, both natural and financial.

I would love to hear from you. If you have any questions for me, please feel free to contact me at 785-486-2131. We have regular meetings on Thursdays at 10:00 AM if you would like to attend.

Respectfully,



Lester Randall  
Tribal Chairman

**Make sure to check out the Tribe's new website: [www.ktik-nsn.gov](http://www.ktik-nsn.gov)**