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Clerk, U.S. District Court
District Of Montana
Great Falls

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**ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA**

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

GREAT FALLS DIVISION

UNITED STATES OF AMERICA,	CR 12- 94 -GF-SEH
Plaintiff,	<u>INDICTMENT</u>
vs.	CONSPIRACY
GAYLE PATRICK SKUNKCAP,	(Count I)
Jr., JESSIE JAY ST. GODDARD,	Title 18 U.S.C. § 371
and WOODROW JAY WELLS,	(Penalty: Five years
Defendants.	imprisonment, \$250,000 fine, and
	three years supervised release)

**LACEY ACT/ILLEGAL SALE OF
TRIBAL WILDLIFE**

(Count II)

**Title 16 U.S.C. §§ 3372(a)(1),
3373(d)(1)(B) and Title 18 U.S.C.
§ 2**

**(Penalty: Five years
imprisonment, \$250,000 fine, and
three years supervised release)**

**LACEY ACT/FALSE
STATEMENTS OR RECORDS
REGARDING THE TAKING OF
WILDLIFE**

(Counts III, IV)

**Title 16 U.S.C. §§ 3372(d)(2),
3373(d)(3)(A)(ii) and Title 18
U.S.C. § 2**

**(Penalty: Five years
imprisonment, \$250,000 fine, and
three years supervised release)**

**THEFT FROM A TRIBAL
GOVERNMENT RECEIVING
FEDERAL FUNDING**

(Count V)

**Title 18 U.S.C. §§ 2 and
666(a)(1)(A)**

**(Penalty: Ten years
imprisonment, \$250,000 fine, and
three years supervised release)**

**THEFT FROM AN INDIAN
TRIBAL ORGANIZATION**

(Count VI)

Title 18 U.S.C. §§ 2 and 1163

**(Penalty: Five years
imprisonment, \$250,000 fine, and
three years supervised release)**

THE GRAND JURY CHARGES:

INTRODUCTION

1. The Blackfeet Tribe of the Blackfeet Indian Reservation is a federally recognized Indian tribal organization whose governing authority has been vested in the Blackfeet Tribal Business Council in Browning, Montana.

2. The Blackfeet Tribal Business Council, in Section (p) of Article VI of the Constitution of the Blackfeet Tribe, is required to "(p)... promulgate rules and regulations governing fishing, hunting and trapping on the Blackfeet Reservation."

3. The hunting of game on the Blackfeet Indian Reservation is regulated through annual hunting regulations which limit the number of, and set prices for, hunting licenses. Although tribal members enjoy liberal privileges when it comes to taking wildlife on the Reservation, non-member licenses are severely restricted and expensive. *Blackfeet Fish and Game Rules*, Chapter 4, Section 2, Subsection F.

4. During the period of the indictment, and at all times relevant hereto, unless special hunts were approved by formal resolution of the

Blackfeet Tribal Business Council, non-member licenses were limited and priced as follows:

- Moose licenses for non-members were limited to five and cost \$12,000 each.
- Black Bear licenses for non-members were limited to ten and cost \$1,500 each.
- Bull Elk licences for non-members were limited to ten and cost \$12,000 each.
- Buck Mule Deer licenses for non-members were limited to five and cost \$3,000 each.

5. Management of wildlife resources on the Blackfeet Indian Reservation is delegated to the Blackfeet Fish and Wildlife Department, which received \$510,414 in FY 2010, and \$862,530 in FY 2011, in federal funding from the U.S. Department of Interior under a Public Law 638 contract and other grants and subsidies.

6. At all times relevant to the indictment, the defendant, GAYLE PATRICK SKUNKCAP, Jr., was the Director of the Blackfeet Fish and Wildlife Department and the owner/operator of a sound system business called Wind Dancer Tunes.

7. At all times relevant to the indictment, the defendant, JESSIE JAY ST. GODDARD, was an elected member of the Blackfeet Tribal Business Council.

8. At all times relevant to the indictment, the defendant, WOODROW JAY WELLS, was an elected member of the Blackfeet Tribal Business Council.

COUNT I

That from on or about June 1, 2010, and continuing thereafter until on or about November 30, 2011, on the Blackfeet Indian Reservation, in the State and District of Montana, the defendants, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, did knowingly and unlawfully, conspire and agree together, and with other persons known and unknown to the Grand Jury, to:

- a) knowingly sell, and offer for sale, wildlife, that is moose, deer, bear, and elk, of a value in excess of \$350, taken in violation of Indian tribal law of the Blackfeet Tribe of Indians of the Blackfeet Indian Reservation, knowing that said wildlife were taken and possessed in violation of Indian

tribal law, in violation of 16 U.S.C. § 3372(a)(1) and §3373(d)(1)(B); and

- b) convert to their use or the use of others and wilfully misapply and wilfully permit to be misapplied, more than \$1000 worth of the goods, assets, and property of the Blackfeet Tribe of the Blackfeet Indian Reservation, that is, wildlife, outfitting goods, and guiding services provided by the Blackfeet Tribe in support of unauthorized and unlicensed big game hunts, in violation of 18 U.S.C. § 1163.

OBJECT OF THE CONSPIRACY

It was the objective of the conspiracy to facilitate unauthorized and illegal hunts of wildlife belonging to the Blackfeet Tribe by non-members, to then divert monies and funds received, directly and indirectly, from the illegal hunts to their own personal use and benefit, and to promote their own political and personal agendas within Blackfeet tribal government, the Pikuni Rodeo, and the International Indian Finals Rodeo (IIFR).

OVERT ACTS

In furtherance of the conspiracy, and to effect the objects thereof, the conspirators committed the following overt acts:

1. During the Summer of 2010, GAYLE PATRICK SKUNKCAP, Jr., reached an agreement with Eric Richey of Sovereign Media Group, LLC, to exchange big game hunts for wildlife belonging to the Blackfeet Tribe of Indians for television exposure and promotion on *The Sovereign Sportsman* and concerts by country western artists.

2. On or about August 16, 2010, GAYLE PATRICK SKUNKCAP, Jr., solicited and obtained a sponsorship pledge of \$5,000 for the IIFR from Eric Richey.

3. On or about September 27, 2010, GAYLE PATRICK SKUNKCAP, Jr., and JESSIE JAY ST. GODDARD purchased \$4,777.70 worth of outfitting supplies to support the hunts arranged with Eric Richey, using tribal funds from the Blackfeet Tribe's general accounts.

4. In October 2010, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, guided, arranged, assisted, and provided the appearance of lawful authority for the hunting and taking of a Black Bear by Eric Richey.

5. In October 2010, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, guided, arranged, assisted, and provided the appearance of lawful authority for the hunting and taking of a Shiras Moose by Forrest Parker.

6. In October 2010, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, guided, arranged, assisted, and provided the appearance of lawful authority for the hunting and taking of a Mule Deer Buck by Curtis Fleming.

7. In October 2010, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, guided, arranged, assisted, and provided the appearance of lawful authority for the hunting and taking of a Bull Elk by Josh Thompson.

8. In October 2010, GAYLE PATRICK SKUNKCAP, Jr., as Director of the Blackfeet Fish and Wildlife Department, directed tribal employees to guide, aid, and assist, the non-member hunters in the hunting, harvesting, field preparation, and transportation of the trophy wildlife made available by the agreement forged between GAYLE PATRICK SKUNKCAP, Jr., and Richey.

9. In October 2010, GAYLE PATRICK SKUNKCAP, Jr., as Director of the Blackfeet Fish and Wildlife Department, directed the Administrative Assistant and Financial Manager for the Department to provide hunting tags for a moose, mule deer, elk, and black bear.

10. On or about October 18, 2010, GAYLE PATRICK SKUNKCAP, Jr., used \$4,125 in tribal funds from the Blackfeet Tribe's general accounts to pay a guide whose services were used on an unlicensed Bull Moose hunt with Forrest Parker on or about October 15, 2010.

11. In the Fall of 2010, GAYLE PATRICK SKUNKCAP, Jr., and JESSIE JAY ST. GODDARD used monies from the general fund of the Blackfeet Tribe to purchase goods and services for the guiding and outfitting of the hunters on the Blackfeet Indian Reservation.

12. On or about April 29, 2011, GAYLE PATRICK SKUNKCAP, Jr., solicited, accepted, and received a \$12,000 check payable to the Pikuni Rodeo in exchange for the opportunity to hunt for a Bull Elk on the Blackfeet Indian Reservation.

13. In October 2011, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, guided,

arranged, assisted, and provided the appearance of lawful authority for the hunting and taking of a Shiras Moose by Mark Cooke.

14. On or about October 12, 2011, after spotting a Shiras Moose on the Blackfeet Indian Reservation, JESSIE JAY ST. GODDARD, without authority to do so, gave Mark Cooke express permission to shoot the moose, even though no permit or license had been purchased or otherwise secured for the hunting or taking of a moose by Mark Cooke.

15. In October 2011, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, guided, arranged, assisted, and provided the appearance of lawful authority for the hunting and taking of a Bull Elk by Justin Moore.

16. In October 2011, GAYLE PATRICK SKUNKCAP, Jr., as Director of the Blackfeet Fish and Wildlife Department, directed tribal employees to guide, aid, and assist, the non-member hunters in the hunting, harvesting, field preparation, and transportation of the trophy wildlife made available by the ongoing agreement reached between GAYLE PATRICK SKUNKCAP, Jr., and Richey during the summer of 2010.

All in violation of 18 U.S.C. § 371.

COUNT II

That between on or about October 1, 2010, and continuing thereafter until on or about November 30, 2011, on the Blackfeet Indian Reservation, in the State and District of Montana, and elsewhere, the defendants, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, did knowingly sell, offer to sell, and intend to sell illegally taken and possessed wildlife having market value in excess of \$350, namely moose, elk, bear, and deer, by providing, for money and other consideration, outfitting, guiding, and licensing services for the hunting, taking, and transportation of said wildlife, which they knew was conducted in violation of Indian tribal law of the Blackfeet Tribe of Indians of the Blackfeet Indian Reservation, in violation of 16 U.S.C. §§ 3372(a)(1), 3373(d)(1)(B), and 18 U.S.C. § 2.

COUNT III

On or about October 16, 2010, on the Blackfeet Indian Reservation, in the State and District of Montana, the defendant, GAYLE PATRICK SKUNKCAP, Jr., knowingly commanded, induced, and procured the making of a false record, account, and label for, and identification of, wildlife, to wit, a Black Bear shot on the Blackfeet

Indian Reservation by Eric Richey, which was intended for transport in interstate commerce between Montana and Tennessee, by falsely executing and issuing a tribal member hunting license in the name of Eric Richey, when, in truth and in fact, as GAYLE PATRICK SKUNKCAP, Jr., then and there well knew, Eric Richey was not a tribal member and that the bear had been hunted and taken without a valid non-member Blackfeet Tribal hunting license, and that the hunt and guiding and outfitting services had been provided as part of a sale and offer to sell the wildlife in exchange for monetary and non-monetary considerations with a market value greater than \$350, in violation of 16 U.S.C. §§ 3372(d)((2), 3373(d)(3)(A)(ii), and 18 U.S.C. § 2.

COUNT IV

On or about October 16, 2010, on the Blackfeet Indian Reservation, in the State and District of Montana, the defendant, GAYLE PATRICK SKUNKCAP, Jr., knowingly commanded, induced, and procured the making of a false record, account, and label for, or identification of, wildlife, to wit, a Shiras Moose shot on the Blackfeet Indian Reservation by Forrest Parker, which was intended for transport in interstate commerce between Montana and North Carolina, by falsely executing and issuing a tribal member hunting license in the name of

Forrest Parker, when, in truth and in fact, as GAYLE PATRICK SKUNKCAP, Jr., then and there well knew, Forrest Parker was not a tribal member and that the moose had been hunted and taken without a valid non-member Blackfeet Tribal hunting license, and that the hunt and guiding and outfitting services had been provided as part of a sale and offer to sell the wildlife in exchange for monetary and non-monetary considerations with a market value greater than \$350, in violation of 16 U.S.C. §§ 3372(d)(2), 3373(d)(3)(A)(ii), and 18 U.S.C. § 2.

COUNT V

That from on or about June 1, 2010, and continuing thereafter until on or about November 30, 2011, on the Blackfeet Indian Reservation, in the State and District of Montana, the defendants, GAYLE PATRICK SKUNKCAP, Jr., then being an agent of an Indian tribal government, that is, the Director of the Blackfeet Fish and Wildlife Department, JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, then being officers of an Indian tribal government, that is, elected members of the Blackfeet Tribal Business Council, did knowingly convert to the use of another other than the rightful owner, and did intentionally misapply, property valued at \$5,000 or more and owned by and under the care, custody, and control of the Blackfeet Tribe

and the Blackfeet Fish and Game Department; that is, the defendants, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, agreed to, facilitated, and assisted the hunting and harvesting of wildlife owned by the Blackfeet Tribe, without the payment of license fees required for such hunts and taking of wildlife, and without obtaining a council resolution approving a special hunt for such wildlife, and thereafter expended tribal monies on supplies for outfitting and services for guiding such hunts, used tribal personnel and property for the guiding and support of the hunting parties, and other expenditures of tribal monies related to the unauthorized hunts, and did aid and abet the unlawful conversion of tribal wildlife and funds, in violation of 18 U.S.C. §§ 2 and 666(a)(1)(A).

COUNT VI

That between on or about October 1, 2010, and continuing thereafter until on or about November 30, 2011, on the Blackfeet Indian Reservation, in the State and District of Montana, and elsewhere, the defendants, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, did knowingly convert to their use and the use of another, wilfully misapply and wilfully permit

to be misapplied, more than \$1,000 worth of the goods, assets, and property of the Blackfeet Tribe of the Blackfeet Indian Reservation, an Indian tribal organization; that is, the defendants, GAYLE PATRICK SKUNKCAP, Jr., JESSIE JAY ST. GODDARD, and WOODROW JAY WELLS, arranged for and facilitated the hunting and taking of trophy wildlife belonging to the Blackfeet Tribe without the payment of license fees required for such hunts and taking of wildlife, and without obtaining a council resolution approving a special hunt for such wildlife, and thereafter expended tribal monies on supplies for outfitting and services for guiding such hunts, used tribal personnel and property for the guiding and support of the hunting parties, and other expenditures of tribal monies related to the unauthorized hunts, and did aid and abet the unlawful conversion of tribal wildlife and funds, in violation of 18 U.S.C. §§ 2 and 1163.

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A TRUE BILL.

Robert D. McKinney Jr.
FOREPERSON

Michael W. Cotter
MICHAEL W. COTTER
United States Attorney
Attorney for Plaintiff

George F. Danagh Jr.
for KRIS A. McLEAN
Criminal Chief Assistant U.S. Attorney
Attorney for Plaintiff

Crim. Summons ☒ ☒ ☒
Warrants: _____
Bail: _____

Rtn: in Great Falls
1/8/2013 @ 10:00am
before Judge Strong