

Indian Activists May Be Unified by Slay

By Donald L. Baker
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In life, Richard Oakes saw himself as a catalyst in behalf of his fellow Indians. He led the takeover of Alcatraz Island, collected tolls from tourists at a reservation gate and otherwise sought to "bring public attention to inequities" among his people.

In death, Richard Oakes may provide the growing Indian activist movement with the martyr it had lacked,

even though murders were common enough.

Oakes' death—Indians call it murder—was the catalyst that brought divergent Indian groups together for the Trail of Broken Treaties caravan that came to Washington earlier this month.

"We related to it," Hank Adams said of Oakes' death. "We were not coming here with violent attitudes, however, but to free us from these patterns of violence."

Adams, who was principal negotiator for the caravan

in its dealings with federal officials, said, "We were aware that the federal government might respond in a violent manner, but there was no threat of violence posed by the caravan people."

Despite the professed lack of intent, caravan members inflicted what the government estimated to be more than \$2 million damage on the Bureau of Indian Affairs building during a seven-day siege earlier this month.

It was another takeover,

three years ago, that thrust Richard Oakes into the news. He led a band of 78 Indians, representing 30 tribes, onto the rock-like island in San Francisco Bay that had been Alcatraz Prison.

That siege, which began Nov. 20, 1969, lasted 19 months, and attracted attention to the complaints of native Americans.

Richard Oakes carried on his campaign, a confrontation here, a trespassing there, all the while seeking

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his goal of "bringing some public results."

But when death came to Richard Oakes, the deed went largely unnoticed in the public press. (The Washington Post did not report it.)

Oakes was shot to death on Sept. 20 at a YMCA camp on the coast of Northern California. His assailant, a white man with whom Oakes had been feuding, said Oakes jumped out from

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behind a tree and threatened him, whereupon Oakes was fatally shot.

The news shocked his friends, among them Sid Mills, who was to become co-ordinator of the Trail of Broken Treaties caravan.

Mills' fellow coordinator, Russell Means, had his personal martyr too—Raymond Yellow Thunder, a non-activist from Means' tribe, the Oglala Sioux of Pine Ridge, S.D.

"Russell was influenced by Yellow Thunder's murder," Adams said.

Yellow Thunder, 51, was assaulted outside an American Legion post in Gordon, Neb., on Feb. 13, then forced inside the hall to dance to the jeers of whites. His body was found a week later in a used car lot.

Means and Dennis Banks,

leaders of the militant American Indian Movement, led 1,000 Indians on a march on the town in March. Wearing an American flag and police hat, Means shouted, "Let's bring the police chief in and let him dance for us."

The protesters then claimed "total and complete victory" when local and state officials joined them in a statement calling for a federal investigation of Yellow Thunder's death. The Nebraska legislature and U.S. Department of Justice also promised investigations.

The protest at Alcatraz also won promises for the Indians, but that takeover had its tragic consequences too for Oakes.

On Jan. 15, 1970, one of his five children, Yvonne, 12, fell from a third-story cell block in the abandoned prison and suffered a skull fracture. That accident was widely reported as it occurred at the height of the siege. But her subsequent death also went largely unreported.

Oakes, a Mohawk, went north to Sonoma County, Calif., after turning over custody of Alcatraz to other Indians. He settled on the Kashia reservation of his wife's tribe, the Pomos.

He soon was in a leadership role, joining Pomos in an effort to have the federal government return to the tribe vacated land that had been used as a foreign broadcast station, which local residents rumored was a Central Intelligence Agency site.

"His presence seemed to encourage the local Indians to stand up more for their

rights," observed James Reid, a reporter for the Santa Rosa Press-Democrat.

On Nov. 22, 1970, which was Thanksgiving, Oakes and a group of younger Indians blocked roads into the Kashia reservation and imposed a toll of \$1 on vehicles driven by non-Indians.

The act, to protest the taking of three acres of Pomo land to widen a road, resulted in Oakes' arrest, but not before he had collected \$8. The arresting officer, California highway patrolman Harry Humes, said Oakes asked, "what took you so long? You can never

find an officer when you need one."

He originally was charged with armed robbery, but that was dropped in favor of a lesser count, blocking a public roadway.

At his trial in September, 1971, two of the motorists stopped by Oakes testified in his behalf. Don Richardson, who owns a large ranch nearby, said that after Oakes politely explained the purpose of the tolls, "I said I wouldn't object to paying and he gave me a receipt."

Larry Castellani, of Petaluma, Calif., said he would have paid but had no money. Two tires on his car were slit during a two-hour delay, but Castellani went on his way after Oakes gave him one tire and helped him mount his spare for the other.

Oakes testified that "the \$1 toll was to compensate Indians for land robbed

from them." Asked by his attorney, Aubrey Grosman of San Francisco, what he hoped to accomplish, Oakes said, "bring public results. We are taking action because the government has not seen fit to pay for any land they used."

During a second blockade of the reservation, on Nov. 26, 1970, the local newspaper published a picture of Oakes' son, Rocky, 10, holding a rifle while sitting on a tree that had been placed across the road. Oakes was standing nearby.

Both Oakes and his son were arrested on warrants as a result of that action. Apprehended on the reservation, Oakes warned, "If they take my son, we'll hold the sheriff himself." The boy was not jailed, but his father was.

Santa Rosa Municipal Court Judge James Jones Jr. found Oakes guilty, but when it was time to impose sentence earlier this year, Oakes was given credit for time already spent in jail and placed on probation.

Richard Oakes' death climaxed three run-ins he had with Michael Oliver Morgan, 34-year-old manager of the YMCA camp near Annapolis, an old lumber town on the California coast near the Pomo's reservation.

Morgan, who is charged with two felonies, voluntary manslaughter and involuntary manslaughter, in connection with Oakes' death, contends he killed the Indian rebel in self-defense.

Conflicting stories about confrontations between the two men were disclosed at a 5½-hour preliminary hearing before Superior Court Judge Lincoln F. Mahan in Santa Rosa on Oct. 16.

Their first encounter occurred on Sept. 14 when, according to a sheriff's report, the men argued over Morgan's complaint that Oakes and a 16-year-old Indian boy were illegally hunting on camp property. Oakes refused to leave, claiming the land belonged to the Indians.

That Morgan fired a shot in the air and Oakes showed a knife during the argument was agreed upon by all witnesses, but which came first was a matter of contention.