

Tyonek sues to evict families

Administrative Services

Tyonek village officials are saying close to nothing about a recent suit filed by the village to evict two families from rented homes in Tyonek.

Tyonek last week filed suit in U.S. District Court against two non-tribal-member white families and the people from whom they rent their homes.

The suits were filed against Esther Kaola, her mother Alexandra Kaola, and Fred and Virginia Slawson, Tyonek tribal members who have rented homes to two white families. The white families are the families of Donald and Erna Puckett and Alec and Olga Constantine.

The suit contends that the Pucketts were given tribal permission to lease homes through the end of the 1981-82 school year. However, according to that permission, they were to leave the homes by May 27, 1982.

The suit states that village officials asked the Pucketts to leave their homes after the May 27 deadline but they have remained "in violation of village ordinance 4 which prohibits non-members from staying more than 24 hours in the village without tribal consent and in violation of ordinance 68-32 which prohibits members from leasing or alienating housing to non-tribal members without tribal consent."

A similar charge was filed against the Constantines who rented their house to the Slawsons.

The suit asks U.S. District Judge James Fitzgerald to order the Pucketts and Slawsons to leave their homes and order the Kaolas and Constantines not to lease the homes without tribal consent again.

Evicted Tyonek family 'hurt'

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This is the second time this summer that the question of residency in Tyonek has arisen. The village council in June sent out letters to all white residents in town informing them that they had to leave by a certain deadline.

That letter was rescinded when one white resident appealed the eviction. At that time Village Council President Don Standifer said the village would schedule a vote on the matter.

Standifer this week would not say if the council had voted nor would he comment on the council's decision other than to say the council voted at a meeting to file suit.

He said that the council had approved a public information release last week and he would

make that statement available to people on Sept. 21 "unless something more pressing comes up."

Standifer was quoted by The Associated Press as saying he was unaware that the people being evicted were white.

The suit will be vigorously fought in court by attorneys for the Kaolas and for the Pucketts. Attorney Robert Wagstaff of Anchorage said he is willing to fight the eviction on "primarily constitutional, equal protection, grounds"

He said that Mrs. Kaola is "appalled" at the tribal council's actions and added "She resents it as much as the Pucketts do."

He disagreed, however, that the matter is racially motivated. "This is being cast as somewhat of a Native-

white battle and I don't think it is. It's the present political structure . . . versus the world. It's not a Native-white issue."

Wagstaff said the village does have some powers of self-determination because of its status as an IRA (Indian Reorganization Act) village "but it does not mean you can go against the constitution."

"Tyonek can't prohibit whites from living there or villagers from renting to whites any more than the Assembly of Anchorage can prohibit people from renting to Natives."

Mrs. Constantine declined to comment on the matter but Mrs. s Slawson, a volunteer worker at the Tyonek school, said "We don't know why they're pulling this. I don't know how I feel yet - hurt mostly. It's pretty rotten.