

# Arctic John denied injunction

## Seeks appeal in Federal court

By SHARON McCONNELL

FAIRBANKS (Nov. 19) — Angered by a recent Superior Court order and findings by the Alaska Judicial Council, John Hettle, president of the Association of Interior Eskimos, has issued a request to the Interior Department, asking that all Native cases be heard in Federal Courts.

In his letter, Hettle asked Forrest Gerard, Assistant Secretary of Interior for Indian Affairs to "take the steps necessary to remove Alaska from Section 280 state where criminal matters involving Natives are tried in the State Courts and to restore prosecution of all Native defendants to the Federal Courts."

Hettle told Gerard, "I have had experience involving members of my family and other Natives of Alaska that there is a high degree of prejudice on the part of certain trial judges in the Alaska Court system against Alaska Natives. This results in Alaska Natives receiving excessive sentences and being denied fair trials in the Alaska Courts."

A recent study by the Alaska Judicial Council found that Natives received harsher sentences than non-whites in District Courts, and that Superior and District Courts in Alaska do discriminate.

On October 31, Superior Court Judge James Blair issued an injunction against Hettle and Arctic John Italook to stop blocking

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## ● Arctic John

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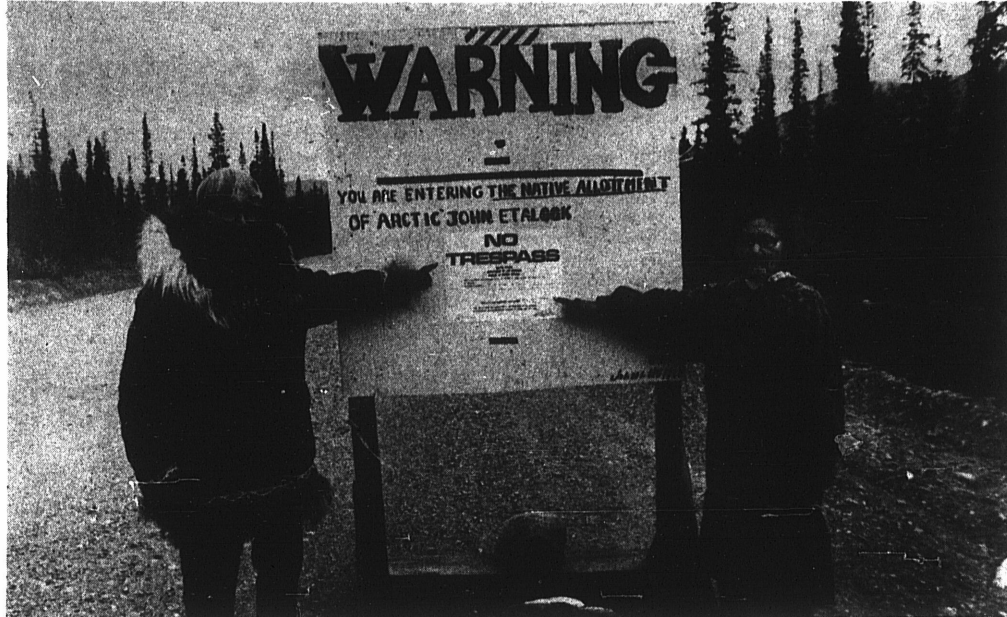
the North Slope Haul Road. Last summer, Heffle and the 86 year old Arctic John tried to block traffic on the road where it crosses Italook's Native allotment near Wiseman in the Brook's Range. They contend that neither the State nor the Alyeska Pipeline Service Company have obtained rights of way or easements to cross Arctic John's land. Heffle says he objects to the injunction because it is partially based on the assumption that the State does have a right of way for the road crossing the allotment.

Heffle says this angers him and says Clarence Antioquia, BIA Area Director, wrote a letter last June to Avrum Gross, State Attorney General, stating that the State's application for a right of way could not be granted because Arctic John has not consented to it.

Heffle says he also objects to the injunction because it is partially based on the premise that the Haul Road is a public highway. He said the road is not a public road but a restricted access road requiring a permit for usage.

Heffle is appealing Judge Blair's injunction and has lodged complaints against him with the Judicial Qualifications Commission and the Alaska Bar Association. He is asking that Blair be removed from the bench because he discriminates against Natives. Heffle says he is doing this because, "Anybody in the State of Alaska should go to court and feel that when you go there the judge is going to listen to all the evidence and draw conclusions based on the evidence produced."

*Editor's Note: The reporter is with KIAK Alaska Native News. For Heffle's letter in its entirety, see page 2.*



ARCTIC JOHN ETALOOK AND HIS WIFE, ESTER, POINT TO OFFICIAL TRESPASS SIGN ISSUED BY THE BUREAU OF INDIAN AFFAIRS.

Photos courtesy of Tom Snapp—All Alaska Weekly



LOUISE MORRY, WITH BABY NORMA. MORRY IS ARCTIC JOHN'S DAUGHTER OF ANAKTUVUK PASS.



ARCTIC JOHN SIGNS A RECEIPT FOR THE FIRST DOLLAR TOLL COLLECTED LAST SUMMER.