

Boat seized by Red Lake Band

Fisherman says, 'My government is required to protect my rights'

By Tom Burford

The issue of who owns Lower Red Lake (raised by Bagley resident Greg Spaulding) continued last weekend, when a Princeton, Minn., man had his boat seized by tribal authorities on Lower Red Lake on Sunday, May 28.

The boat owner, Jerome Muller, 64, of Princeton, Minn., was fishing on Upper Red Lake after embarking from Roger's Resort on the south shore. He said he likes to get away from the crowd while fishing, but he accidentally crossed over the invisible boundary between Upper and Lower Red Lake.

He said two tribal officers approached him in a boat. The officers took the boat and tackle and left Muller and his son-in-law, Jon Hemstad of Blaine, Minn., with only their thermos and lunch. One of the two Red Lake officers took control of their boat, while the other officer drove the tribal boat with Muller and Hemstad to shore. Once on shore the two men were transported by a tribal vehicle to the main road, where another tribal vehicle escorted them to Roger's Resort.

Muller asked how he could get his boat back, and one of the officers gave him a phone number to call. "I can't believe this," he said.

"I felt I'd been kidnapped and pirates took my boat. I'm furious!"

Muller said he filed a complaint with the Beltrami County Sheriff and also with the FBI.

He said one of the Red Lake officers was a "bitter fellow." Muller said he apologized for trespassing, and noted he did not trespass purposely. There are no markers on the water to indicate the boundary. Still, he said the "bitter" officer told him, "We'll treat you a lot better than they treat us off the rez." Muller said the other officer was more civil.

He said there were two assault rifles on the floor of the tribal officers' boat. These were moved to the back of the boat, uncased, before Muller and Hemstad were ordered into the tribal boat, where they were seated in the bow.

Muller was raised in Blackduck and moved away many years ago, but he has fished Upper Red for many years. He said, "There's no way I intended to be there. I would apologize."

"This is no way for a citizen to be treated," he said. He said the tribal officers said they have confiscated numerous boats. "We need to find out who else had boats confiscated," Muller said.

He said, "My government is required to protect my rights."

Whether or not Muller's boat seizure will be the "test case" that Bagley's Greg Spaulding has been seeking is yet to be proven. Spaulding has argued that the Red Lake Band does not own or control Lower Red Lake. He has cited two Supreme Court cases and the treaty with the Red Lake Band to argue his point. Spaulding said he began his questioning of the Lower Red Lake ownership after the Red Lake Band seized an airplane there in 2002.

The Red Lake tribal chairman responded by sending a letter to the Minnesota DNR commissioner demanding that Spaulding be fired from his position as a Minnesota DNR conservation officer.

A call from this newspaper to the Red Lake conservation department on Tuesday, May 30, did not yield any results, as the person to speak with was absent.