

“Peacekeepers” to begin photo surveillance

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its non-Native supporters.

The “Peacekeepers” whose membership or affiliates includes Gary McHale, Merlyn Kinrade, Mark Vandermaas, Fleming and a few others maintain that “it is illegal not only to sell these brands of untaxed tobacco products, but it is also a crime to purchase it,” and they will be turning in information on anyone who does.

The irony in this statement is that, on two separate occasions, Mr. Fleming himself purchased Native brand cigarettes from one of these smoke huts and set up temporary smoke huts of his own at two locations along highway #6 where he sold them in protest of the Native shops.

“If he is going to be sending pictures of my clients to

the police, I hope his picture and license number is among them,” said Jeff Hawk, owner operator of one of the Hawk Shop located on Highway #6.

“He set up one right in my laneway,” he says. “When the cops moved him off, I told them to arrest him for selling contraband but they said they wouldn’t do that.”

Despite the controversy over the Highway #6 tobacco shops in particular, business remains brisk at them all and the growing demand seems to be coming from mainly non-Natives, some of whom are fellow Caledonia area citizens.

The surveillance doesn’t sit very well with most people who regularly purchase their tobacco products from Native owned smoke huts and have for years.

“That’s invasion of privacy

as far as I see it,” said one non-Native customer Tekawennake interviewed outside a smoke hut Monday.

“No, those people won’t deter me from buying my smokes wherever the hell I feel like it,” said another.

One customer of the One Stop Smoke Shop was let off by a friend near a smoke hut and walked in to buy cigarettes for fear of having her license plate photographed.

“I’ve lived in Caledonia for 30 years and I’m not going to stop buying my smokes where I want to,” she told Tekawennake.

A couple of retired travelers driving through the area, stopped at a Highway #6 smoke hut to buy cigarettes. When they were told about the “Peacekeeper’s” plan they declared, “That’s an invasion of

my right to buy wherever I want to. If the damn government would reduce its taxes on cigarettes, maybe things like this wouldn’t be happening.”

Still another regular non-Native client said, “I think this picture taking thing is going to blow up in Fleming’s face, just like the militia did.”

He conceded, however, that if someone was taking pictures, he would not come in but rather just call in his order and have it delivered.

Police, politicians, and pretty well anyone else who lives near a First Nations community where smoke huts operate, have known about the battle over tax free status on Native brand cigarettes for years. A similar plan of stopping customers was tried before for a short time when police would randomly stop and search

motorists traveling near Six Nations, but was abandoned when no noticeable effect was made on the trade.

MPP Toby Barrett has been supporting the actions of the likes of Mr. McHale and Fleming and has been pushing hard to close down what he calls “illegal” smoke huts in the Caledonia area.

In a recent media release, Barrett states, “This June, the Legislature passed into law amendments to the Tobacco Tax Act which include: a) enforcement provisions aimed at individuals, where there are reasonable and probable grounds to believe that the individuals have contravened the act; b) the authority for the court to suspend the driver’s licenses of persons convicted of offences under the act involving the use of motor vehicle; c) provisions that prohibit the possession of any quantity of unmarked cigarettes; d) the authority of the Minister to apply for a court order to permit the retention of things that are seized that may afford evidence of contravention of the act.”

He also says that in May of 2008, the federal government rolled out a Contraband Tobacco Enforcement Strategy that promised to: a) dismantle the illegal manufacturing facilities in order to cut off the supply lines, and to confiscate illegal products and arrest those involved. b) hire more RCMP officers. and c) to work with U.S. officials.

He is upset that these new policies have not been implemented.

But taking pictures and video of people entering or leaving a smoke hut may not admissible evidence that the

person bought “contraband” there or if they paid tax on it or not. That, along with the sovereignty issues of Native rights to do commerce within their own sovereign territory and other very delicate legal issues, will make charges stemming from the “Peacekeepers” initiative very hard to make stick.

Only a few minutes after “Boots” Powless and three others were arrested at the Pine Ridge smoke shop on Highway #6 a few weeks ago, a non-Native client parked his vehicle along the side of the highway and came in to buy smokes. He was asked by Tekawennake at the time if he was afraid to buy smokes from a Native shop. “Why not?,” was his simple answer. “I’ve been buying Indian smokes for years.”

“I’m from Guelph,” said another person. “Whenever I come down this way I always stock up. No, that (photos) won’t stop me.”

Last week a contractor from Guelph working in the area for the first time, stopped in down town Ohsweken and asked this reporter where to buy cheap smokes. He was told “How did you get here? Where you dropped in by helicopter? There are smoke huts everywhere. You had to have passed at least a dozen.”

It is not known if Fleming’s “Peacekeepers” have actually begun their photo surveillance campaign or not, but according to smoke hut patrons, this is a plan doomed to create much more negative reaction than positive.

“This guy should learn to mind his own damn business,” said another smoke shop client. “What does he care if I buy my smokes here or someplace else?”