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February 4, 2015

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Ole Red Barn owner receives “slap on the hand” at sentencing hearing for felony drug charges

ST. JOHNS, Ariz. - On Tuesday, over 30 people attended the Arizona Superior Court sentencing hearing at St. Johns in the case of the State of Arizona vs. Gary McDonald, owner of “Ole Red Barn” and “Lee’s Liquor” business establishments.

Those in attendance included Council Delegate Raymond Smith, Jr. (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins), the Navajo Nation Human Rights Commission, members of the Nahata Dziil Renewal of Hope Task Force, and Nahata Dziil Chapter House president Darryl Ahasteen.

McDonald was sentenced to a jail term of one year and three months. However, McDonald will receive credit for time served for approximately 368 days, which provides for his release in less than three months. In addition, the court sentenced McDonald to four years probation, 50 hours of community service and over \$3,000 in fines.

“It was disappointing to have Mr. McDonald get off on a light sentence. While it is clear that the extent of the issue is before the court and is limited to events that transpired while McDonald is in jail. Judge Kindig was encouraged to take into consideration Mr. McDonald’s old age, loss of his business and how half of the Navajo people in court owe money to Mr. McDonald,” stated Leonard Gorman, executive director for the Navajo Nation Human Rights Commission.

The liquor licenses are still currently in McDonald’s name but by virtue of McDonald’s guilty plea and sentencing, he will not be able to use the liquor licenses up to five years. The closure of Ole Red Barn and Lee’s Liquor continue to be enforced at this time.

The discussion of the revocation of the liquor licenses owned by McDonald was not part of the court session due to an error in the filing of paperwork.

“The sad part of it is that this hearing here is like a slap on the hand. I understand that it is a \$3 million dollar a year business and the fees that he [McDonald] is paying is very minimal. Navajo County dropped the ball on prosecuting him and within a few years, he could be back out there and may reestablish the business,” stated Delegate Smith.

After the sentencing, community members from Sanders and Chambers gathered outside the courthouse and expressed their disappointment over McDonald’s sentence.

“We have counted on him losing the liquor license as a result of the prosecution and guilty plea and conviction. Because the crime was so diminished, and the paperwork for cancelling his

license seems to have gotten lost over at Navajo, and as a result, it was never discussed,” stated Marjorie Footracer, a Hope Task member.

In a Jan. 8. liquor board hearing held in Phoenix, the Arizona Liquor Board voted unanimously to deny the transfer of liquor licenses for the Ole Red Barn and Lee’s Liquor to McDonald’s close friend, George Ryan because he was “not qualified, not capable, and not reliable” to own the liquor licenses.

On Jan. 22. the Naabík’yáti’ Committee recently passed Legislation No. 0017-15 recommending changes pertaining to Title 4 of the AZ Liquor Law Statutes for the AZ State Legislature.

Efforts by Arizona Sen. Carlyle Begay (Dist. 7) are still in progress to amend Arizona liquor laws.

“In the event, my efforts will continue to seek resolutions of the purchase and transfer of the liquor licenses for the benefit of the citizens of Sanders, Chambers and surrounding areas,” stated Senator Begay.

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