



For Immediate Release  
April 19, 2021

## **Former Quapaw Nation Chairman John Berrey and former Secretary Treasurer Tamara Smiley-Reeves charged with embezzlement, conspiracy, other crimes**

*Four former elected officials, nine total defendants, also face civil charges; Quapaw Nation seeks more than \$7 million in damages*

**QUAPAW, Oklahoma** – The Quapaw Nation, on behalf of two of its gaming boards, the Downstream Development Authority (DDA) and the Saracen Development Authority (SDA), filed criminal charges against its former Chairman John L. Berrey and former Secretary Treasurer Tamara Smiley-Reeves on Friday, April 16, 2021. The 11 criminal counts against Berrey and seven criminal counts against Smiley-Reeves range from abuse of office to conspiracy and embezzlement. Each count is punishable by up to three years in prison and a \$15,000 fine. Some counts are punishable by the temporary suspension of tribal benefits or permanent banishment from Quapaw Indian Country.

In addition to criminal charges, Berrey, Smiley-Reeves and seven other individuals face four civil complaints: fraud, constructive fraud, conversion and unjust enrichment. The Quapaw Nation seeks civil relief from the nine defendants in the form of \$7 million in monetary damages; punitive damages in an amount sufficient to punish defendants and deter such conduct in the future; attorney's fees and related costs, to the extent recoverable by law.

All charges were filed in the Court of the Quapaw Nation (The O-Gah-Pah) and are related to a forensic audit and investigation into misappropriation of funds initiated in June of 2020 by the Quapaw Nation Gaming Authority. In addition to Berrey and Smiley-Reeves, the other seven implicated in the civil suit are:

- George (Ranny) McWatters, former member of the Quapaw Nation Business Committee
- Marilyn Rogers, former member of the Quapaw Nation Business Committee
- Jack Brill, former legal counsel for the Quapaw Nation
- Tena Smith, former executive secretary of John Berrey
- Janet Cummings, former general manager of Downstream Casino Resort



- The known and unknown heirs of Merlin (Kent) Jones Jr., former Chief Financial Officer for Downstream Casino Resort, who passed away on or about April 8, 2021
- Sheri Smiley, Quapaw Nation citizen and sister of former Quapaw Nation Secretary Treasurer Tamara Smiley-Reeves

The complaints outline various levels of involvement and collaboration between the individuals to pay one another illegal bonuses totaling millions of dollars and illegally increase base pay and benefits. The investigation also found deliberate attempts to conceal the unlawful behavior by either omitting information from official meeting minutes or keeping information in official tribal records intentionally vague.

The investigation revealed Berrey consistently abused his authority as Chairman by using tribal funds and assets for his own personal benefit and the benefit of those around him. Accounting records, cell phone data, computer data and text messages show the tribe paid for private jets to fly Berrey, his family and friends to concerts and events. These concerts and events were not related to any contract and were of no benefit to the tribe or casino player development.

Executive Secretary Tena Smith, often acting as the Chairman's personal secretary, booked the travel, paid for the tickets, lodging and other expenses, and sent confirmation information to friends of Berrey and his associates via her Quapaw Nation cell phone.

Chairman Berrey and Secretary Treasurer Reeves allowed the issuance of more than 70 company credit cards to numerous individuals, employees, agents, consultants and vendors not employed by Downstream Casino Resort or the Quapaw Nation. The complaint also revealed the gross misuse of casino funds for personal use, including, but not limited to:

- Personal and private use air travel valued at more than \$100,000
- Tickets to Kansas City Chiefs football games, Kansas City Royals baseball games, Arkansas Razorbacks sporting events and various concerts valued in excess of \$100,000
- Free meals and alcohol valued at more than \$100,000
- Spa treatments totaling more than \$75,000
- The purchase of personal goods and services on Downstream Casino Resort credit cards costing more than \$50,000



- Statements revealed purchases of luggage, personal trips, gifts, donations, electronics, event tickets, many cell phones and related electronics, medical equipment and non-business-related activities in excess of \$100,000
- Significant revenues were spent on food and alcohol for parties in suites at Downstream Casino Resort totaling well over \$100,000.
- Cash withdrawals from casino cashiers in excess of \$10,000

Douglas Dry, acting as a special prosecutor and attorney for the Plaintiff, filed the charges on Friday and requested summonses issued in lieu of warrants for Berrey and Smiley-Reeves. Both are summoned to appear on May 6 at 10 a.m. in Quapaw Tribal Court at the Ki-Ho-Ta Center in Miami, Okla., before Judge Diane Hammons.

Current Quapaw Nation Chairman Joseph Tali Byrd, who was elected July 25, 2020, issued the following statement:

“While I’m saddened at the depths of criminality discovered, the Quapaw Nation is a nation of laws, and no one is above them. I’m pleased charges have been filed against these individuals, who will now face the consequences of their dishonesty and greed. For too long, the defendants treated the Quapaw Nation and its assets as a personal bank account and playground. The charges filed Friday send a strong message that those days are over.

“I’d like to thank the auditors and investigators for the countless hours they spent combing through records, analyzing data, conducting interviews and constructing a timeline showing a clear pattern of abuse, fraud, waste and gross mismanagement of the Quapaw people’s assets and funds. The due diligence that went into this investigation is commendable.

“I also want to thank the Quapaw Nation citizens for their patience. Between this investigation and maneuvering a global pandemic, the past year has been extremely difficult for everyone in our tribe. Our citizens demanded transparency and accountability long before now. Asking them to remain patient while auditors and investigators compiled a thorough case was not easy, so I’m grateful for their patience, support and continued prayers.

“Despite all of this, the Quapaw Nation is stronger than it’s ever been. Now that we’ve rooted out corruption and theft, our casinos are more profitable than ever, which means more profits are flowing



back to the Quapaw people. We're building a better, stronger Quapaw Nation for future generations. As a new father myself, I'm reminded that's what serving our people is all about, and that gives me more hope than ever before."

For copies of the criminal and civil filings, please contact Quapaw Nation Tribal Court Clerk Corissa D. Millard at (918) 238-3138 or [Corissa.Millard@Quapawnation.com](mailto:Corissa.Millard@Quapawnation.com)

The first hearing in the criminal counts against Berrey and Smiley-Reeves will be May 6 at 10 a.m. in Quapaw Tribal Court at the Ki-Ho-Ta Center in Miami, Okla. Judge Diane Hammons will preside.