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Letter from Senator Langer to H. F. Gierke, Jr. Regarding Law Enforcement Jurisdiction on North Dakota Reservations, February 25, 1955

William Langer

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Fort Berthold

COPY

February 25, 1955

Hon. H. F. Gierke, Jr.
Sunrise Ranch
Watford City, North Dakota

Dear Mr. Gierke:

This will acknowledge and thank you for your recent letter relative to your land near Ft. Berthold.

You will be interested to know that last week the Supreme Court of the State of North Dakota, in a 3 to 2 decision, ruled that the State of North Dakota cannot assume jurisdiction over offenses committed by or against Indians in Indian country and further that the State must amend its Constitution to assume such jurisdiction as was granted to the State by 1946 Federal Law.

The Supreme Court in a previous decision held that the State courts do not have jurisdiction in Indian country even if the land there is deeded land. However, Public Law 280 of the Congress of the United States, 1953, had made the road clear for the State of North Dakota to assume jurisdiction over criminal and civil matters involving Indians and Indian country. If North Dakota amends the Constitution to permit assumption of such jurisdiction, then the problems you have mentioned will be solved.

With my very kindest regards and just every good wish, I am

Sincerely,

WL:mjb