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Executive Council of Iowa

CAPITOL BUILDING
DES MOINES, IOWA 50319
PHONE: 515 281-5368
FAX: 515 281-7562

April 3, 2023

Mr. Sam Langholz
Chief Deputy Attorney General
Attorney General's Office
Hoover Bldg.
LOCAL

Dear Mr. Langholz:

The Executive Council, in a meeting held this date, approved your request to retain special counsel to represent the State of Iowa in criminal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County through June 30, 2023.

Attorney: Thomas L. Hillers
Hillers Legal, P.C.
112 W Main St., Suite 100
State Center, IA 50247

Rate: \$5,000.00 per month retainer with a prorated \$1,935 March retainer

If you have any questions on the matter, please advise.

Sincerely,

Victoria Newton

Victoria Newton
Executive Secretary

BRENNA BIRD
ATTORNEY GENERAL

SAM LANGHOLZ
CHIEF DEPUTY ATTORNEY GENERAL



1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-8583
Email: Sam.Langholz@ag.iowa.gov
www.iowaattorneygeneral.gov

IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

March 30, 2023

Victoria Newton
Executive Secretary
Executive Council
State Capitol
LOCAL

Re: Change of Special Counsel Request – Tribal Land

Dear Victoria:

Our office previously retained Special Counsel, Michael Marquess to represent the State of Iowa in criminal crimes committed when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County. Mr. Marquess provided us his resignation as he is starting his new position as Magistrate Judge in Marshall County as of March 2023.

We would like to request Thomas L. Hillers of Hillers Legal, P.C., 112 W Main St Suite 100, State Center, IA 50247 to represent the State of Iowa in these matters. Hillers will provide services at a monthly retainer of \$5,000 per month for an initial term from March 20, 2023, until June 30, 2023. This is identical to Mr. Marquess' contract terms. The partial month of March will be pro-rated and paid in the amount of \$1,935.

Here is some background on this request: A 1948 act of Congress granted the State of Iowa jurisdiction over all criminal offenses committed on the Settlement. A recent act of Congress returned to tribal authorities the criminal jurisdiction of crimes committed on the Settlement by or against natives. The issue has become - who should bear the cost of prosecution of crimes committed by non-natives on the Settlement, which is considered a sovereign nation? Tama County officials believe the costs of bringing these criminal cases on behalf of the State of Iowa should be borne by the State of Iowa, not Tama County.

Executive Council

March 30, 2023

Page 2

The Office believes alleged crimes committed by non-natives on the Settlement should be diligently prosecuted. In the interest of public safety and equal administration of justice, the Office agrees that it is appropriate to pay these costs from the General Fund, as described above.

Please let me know if you have questions or require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Langholz", with a long horizontal flourish extending to the right.

Sam Langholz

Chief Deputy Attorney General