

MEMBERS OF COUNCIL

HON. KIM REYNOLDS
GOVERNOR

HON. PAUL D. PATE
SECRETARY OF STATE

HON. ROB SAND
AUDITOR OF STATE

HON. ROBY SMITH
TREASURER OF STATE

HON. MIKE NAIG
SECRETARY OF AGRICULTURE



Executive Council of Iowa

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

May 6, 2024

Mr. Leif Olson
Chief Deputy Attorney General
Attorney General's Office
Hoover Bldg.
LOCAL

Dear Mr. Olson:

The Executive Council, in a meeting held this date, approved your request for retention of special counsel Iowa Code section 13.7(1), 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.

Attorney: Michael Marquess
203 W. High St.
P.O. Box 51
Toledo, IA 52342
Rate: \$6,000.00 Per Month

Sincerely,

Kristi Onstot

Kristi Onstot
Acting Executive Secretary

BRENNA BIRD
ATTORNEY GENERAL

LEIF A. OLSON
CHIEF DEPUTY ATTORNEY GENERAL



1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-954-9564
Email: Leif.Olson@ag.iowa.gov
www.iowaattorneygeneral.gov

IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

May 1, 2024

Victoria Newton
Executive Secretary
Executive Council
State Capitol

Re: Request for Special Counsel for Prosecutions on Tribal Land

Dear Victoria:

Our office requests approval to retain Michael Marquess of Marquess & Hoyer Law Office, P.C., 203 W. High St., P.O. Box 51, Toledo, IA 52342, as Special Counsel to represent the State of Iowa in prosecutions of non-natives for crimes committed against non-natives (or without a victim) on the Meskwaki, or Sac & Fox, Indian Settlement in Tama County.

This engagement would replace that of Thomas Hillers, who expressed his wish not to renew his contract, which expires at the end of fiscal year 2023. Mr. Marquess served in this position before Mr. Hillers and has expressed the desire to do so again. He would be retained at a rate of \$6,000 per month for an initial term of one year.

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 jurisdiction over crimes committed on the Settlement by or against natives. The State therefore retains jurisdiction to prosecute other crimes committed on the Settlement and would typically do so through the Tama County Attorney. Tama County officials have declined to do so, however, citing the Meskwaki Settlement's status as land of a separate sovereign.

The Attorney General believes crimes committed by non-natives on the Settlement should be diligently prosecuted. In the interest of public safety and equal administration of justice, it therefore requests that the Council renew its approval of the retention of Special Counsel, to be paid from the General Fund, to conduct that diligent prosecution.

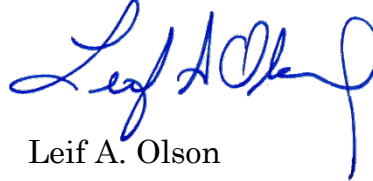
Victoria Newton

Re: Request for Special Counsel for Prosecution on Tribal Land

May 1, 2024

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Leif A. Olson". The signature is fluid and cursive, with a long vertical stroke extending downwards from the end.

Leif A. Olson

Chief Deputy Attorney General