

From the Desk of Ben Alke
Candidate – Montana Attorney General - 2024

March 13, 2024

Attorney General Austin Knudsen
Montana Dept. of Justice – Office of the Attorney General
215 North Sanders Street
Helena, MT 59601

Re: Public Law 280 & Lake County

Mr. Attorney General:

The Attorney General has a responsibility to promote the public interest, safety and well-being of all Montanans through effective leadership and law enforcement. Unfortunately, crime is going up in Montana. There have been increases in violent crimes, illegal drugs (especially fentanyl) and lawlessness in our urban and rural communities during your tenure as Attorney General.

Lake County is now in the middle of a law enforcement crisis. The purpose of this letter is to request that you coordinate with Governor Gianforte and take immediate action to protect the residents of Lake County and the Flathead Reservation.

The State of Montana (“State”) has a duty to provide the services necessary to fulfill criminal jurisdiction on the Flathead Reservation pursuant to Public Law 280. The State assumed that responsibility at the request of the CKST and residents due to the lack of law and order arising out of the federal government’s failure to provide effective law enforcement.

Lake County has handled felonies on the Flathead Reservation on behalf of the State for the past several decades. Its enforcement of the State’s criminal jurisdiction has been described as “a model of success” by Governor Gianforte. Unfortunately, Lake County can no longer fulfill the State’s obligations without help from the State. Even though the local sheriff recently described Lake County as a “catch and release” county for felons, the State has refused to help. As a consequence, Lake County can no longer fulfill the State’s obligations under Public Law 280.

Currently, there is no plan for handling felonies following the May 20, 2024, deadline. The State is not honoring its obligations to the CKST and is leaving residents of Lake County and visitors to the area subject to lawless chaos and the threat of felony-level violence with no law enforcement in place.

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The residents, homeowners, business owners and families of Lake County are now looking to you – Montana’s top law enforcement official – for a plan for the future of law enforcement in Lake County. Do you intend to step up and provide the leadership necessary to protect the residents of Lake County and the Flathead Reservation? Or will you continue to sit on the sidelines and do nothing?

Please act now before it is too late. The residents of Lake County need to know: (1) whether you have any plan to enforce the law on the Flathead Reservation following May 20, 2024, and the details of any such plan; (2) whether you acknowledge that under the plain language of Montana law, the State is obligated to provide for criminal jurisdiction on the Flathead Reservation – with or without the consent of Lake County – according to a recent Montana District Court decision; and (3) whether you intend to do nothing and hope that the Biden Administration steps in to do your job.

It is time to get the job done for the residents of Lake County, the Flathead Reservation and the entire State of Montana.

Regards,

A handwritten signature in blue ink that reads "B. Alke". The letters are stylized and connected, with a horizontal line extending from the end of the signature.

Ben Alke
Candidate, Montana Attorney General, 2024