

## Storme Jones

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**From:** Jason Salsman <jsalsman@muscogeenation.com>  
**Sent:** Wednesday, February 9, 2022 10:49 AM  
**To:** Storme Jones  
**Cc:** Kerry Malone  
**Subject:** EXTERNAL: Response to Sheriff Maxwell letter

**WARNING: External Links and/or Attachments!**

Storme,

Thank you for notifying us of this letter and Sheriff Maxwell's complaints. I've checked with Lighthorse Police, our Attorney General's Office and Muscogee (Creek) Nation leadership and this is the first anyone has heard of this letter or the issues she's outlined.

We are reviewing these serious allegations the Sheriff outlines in the letter received by you, but not by us. We won't have all the answers you'd need by noon.

I'm not sure if she's mailed it directly to us or if she excluded us by design. A quick google search popped up this [story](#) from Holdenville when Sheriff Maxwell sent an open letter rather than work directly with the local police chief. So, it could be the latter.

Storme, our Acting Attorney General reached out to Sheriff Maxwell immediately upon receiving this letter from you yesterday afternoon. At this writing, he had received no response.

It is unfortunate that Sheriff Maxwell did not decide to first contact our Attorney General's office regarding these matters. We would have explained that with the cross-commission, or cross-deputization, agreement we have had in place, our Lighthorse officers don't need to respond when the Sheriff's officers are present. Likewise, the Sheriff does not need her officers to be present in most circumstances to prosecute our cases.

If she would have directly provided us the defendants' names, we could have looked up the resolution of each of these cases.

There are numerous other issues here.

- Only part of Hughes County is within our jurisdiction. These may not be cases originating within our jurisdiction.
- Dropping a cross-deputization agreement does not give the Hughes County anything back. The County don't suddenly regain jurisdiction over Indians.
- In fact, without a cross-deputization agreement, the Sheriff has created a great risk for civil liability if they make an error in arresting an Indian. The "good faith" exception normally available to cross-deputized law-enforcement officers is gone.
- Absent a cross-deputization agreement, any evidence the Sheriff collects on a case where she doesn't have jurisdiction may well be excluded from use as evidence in trial.
- The Sheriff's letter doesn't identify if the alleged perpetrator(s) are Indian. It could be that they are non-Indian and we would not have jurisdiction in most instances.

To summarize, while the Sheriff's letter seems straightforward, the motives and the underlying issues are more complicated.

We look forward to a better understanding of both.

**Jason Salsman**