

January 9, 2024

CONFIDENTIAL

Via mail and email

Mr. Joel Heitkamp

[REDACTED]

[REDACTED]

Joel.heitkamp@mwcradio.com

Re: Criminal Referral Status of Complaint No. 22-008

Dear Mr. Heitkamp:

As you are aware, the Ethics Commission ("Commission") previously referred the complaint you filed against Representative Jason Dockter for criminal review pursuant to N.D.C.C. § 54-06-08(2). Although the Burleigh County State's Attorney is the agency with jurisdiction, the Commission requested the matter be referred to an independent and unconflicted entity. McLean and Sheridan County State's Attorney, Ladd Erickson, agreed to review the referral at the request of Burleigh County State's Attorney Julie Lawyer.

As mentioned in the letter notifying you of the referral, the Commission does not determine whether criminal charges will be brought once it refers a matter for criminal review. At this time, the Commission wishes to inform you, as the complainant, that a criminal charge has been filed against Representative Dockter. This determination to file a charge against Representative Dockter was made by the reviewing state's attorney, Mr. Erickson. The charge alleges Representative Dockter violated N.D.C.C. § 12.1-13-02. A copy of the signed criminal complaint is attached for your review.

While the criminal case continues, the Commission must pause its ethics investigation under N.D.C.C. § 54-66-08(2) until Mr. Erickson notifies the Commission that the criminal proceedings are complete. Once the Commission receives this notice, the Commission will complete its ethics investigation of your complaint. If you have any questions or concerns in the interim, please contact the Commission's office.

The Commission met at a special meeting on January 9, 2023, and directed staff to provide you with this update. Pursuant to N.D.C.C. § 54-66-12(1), this letter notifying you of the criminal charge is a confidential record as defined in N.D.C.C. § 44-04-17.1.

Sincerely,



Rebecca Binstock
Executive Director, North Dakota Ethics Commission

Encl: Criminal Complaint - *State of North Dakota v. Jason Dean Dockter*