

CONFIDENTIAL

Via Email Only

October 26, 2023

Julie Lawyer
Burleigh County State's Attorney
514 E Thayer Ave
Bismarck, ND 58501
jlawyer@nd.gov

Re: Complaint Nos. 22-003 – 22-010 Criminal Referral

Dear Ms. Lawyer:

The North Dakota Ethics Commission ("Commission") has received a number of complaints against Representative Jason Dockter related to the legislative assembly's appropriation to allow the Office of Attorney General to lease and renovate property located at 1720 Burlington Drive in Bismarck, North Dakota. Section 54-66-08(2) of the North Dakota Century Code instructs that "If the Commission believes a complaint contains allegations of criminal conduct, the matter must be coordinated with the appropriate law enforcement agency with jurisdiction over the offense."

At this time, based on the allegations contained in the complaints, together with information the Commission has obtained through its investigation, the Commission believes the complaints implicate a violation of section 12.1-13-02 of the North Dakota Century Code may have occurred. The Commission does not have jurisdiction over violations of section 12.1-13-02, therefore, the Commission is referring these complaints to your office pursuant to section 54-66-08(2) for review.

Although your office is the "agency with jurisdiction over the [alleged] offense," the Commission is aware, due to one of your employees being a potential witness, your office would have a direct conflict reviewing the underlying facts of this matter. For that reason, the circumstances demand you refer this matter to another state's attorney. Therefore, the Commission respectfully requests you refer this matter to an independent and unconflicted state's attorney.

Once the matter has been assigned to an appropriate state's attorney, the Commission will share the information it has received and generated forming the basis for this belief.

Pursuant to N.D.C.C. § 54-66-12(1), this letter of referral is a confidential record as defined in N.D.C.C. § 44-04-17.1. The Commission will timely notify Representative Dockter and the complainants of this referral unless the accepting state's attorney objects pursuant to N.D.C.C. §

54-66-08(2). Thank you for your anticipated cooperation. If you have any questions or concerns, please feel free to contact my office.

Sincerely,



Rebecca Binstock
Executive Director, North Dakota Ethics Commission