

Gov. Kevin Stitt on Monday announced the formation of a state commission to delve into the ramifications of a U.S. Supreme Court decision that declared much of eastern Oklahoma to still be a Muscogee (Creek) Nation reservation for major crime jurisdictional purposes.

Stitt's announcement comes after the state attorney general's attempt last week at presenting a united front to Congress fell apart. Stitt named Devon Energy co-founder Larry Nichols to be chairman of the Oklahoma Commission on Cooperative Sovereignty. Other commission members include both former and current lawmakers, as well as those representing energy, farm and real estate interests. No tribal representatives were included on the board named by Stitt, although a press release from his office notes that one tribal representative may be included along with a representative from the Attorney General's Office and the District Attorneys Council. Attorney General Mike Hunter announced Thursday that his office had reached an agreement-in-principle with five area tribes regarding guidelines for proposed federal legislation in light of the landmark ruling.

However, Hunter's attempt to present a united front on any proposed federal legislation fell by the wayside when Seminole Nation and Muscogee (Creek) Nation leaders indicated Friday that they were opposing the agreement-in-principle, which would have rolled back criminal jurisdictional regulations on most crimes to their status prior to the ruling, where the state prosecuted most crimes with the exception of those on restricted or tribal trust land. In a 5-4 decision, the Supreme Court ruled in favor of Jimcy McGirt's contention that the federal government, not the state, should have prosecuted him in a child sex abuse case because he is a Muscogee (Creek) Nation citizen and Wagoner County, where he was prosecuted, is in Indian Country because Congress never disestablished the 11-county Creek Nation reservation. "While I appreciate the enthusiasm to rush into agreements, it's vital that our next steps be thoughtful and informed," Stitt said in a written statement. "The Commission provides all Oklahomans with a central platform to help determine what those next steps might be." A spokesman for Hunter's office said forming the commission is a "logical next step" in the process since the governor noted last week that Congress needs

to address issues created by the decision. "We look forward to hearing input from all stakeholders, including those on the governor's commission, and we are sure the tribes and the congressional delegation also welcome those perspectives," said Alex Gerszewski, spokesman for Hunter. The forming of the commission follows a July 9 landmark decision by the Supreme Court that ruled the Muscogee (Creek) Nation boundaries from 1866 had never been disestablished. The ruling meant what would have been a state crime has now become a federal offense if the victim or perpetrator was American Indian and the incident occurred within the historical 11-county reservation boundaries that includes much of Tulsa. The decision has also cast uncertainty as to the validity of dozens of state convictions where the crime occurred in the 11-county region and involved an American Indian. Still others have said the decision could be extended to include four other tribes with similar treaties as the Muscogee (Creek) Nation: the Cherokee, Chickasaw, Choctaw and the Seminole Nations. The three tribes that didn't bolt from the AG's agreement-in-principle issued a joint press release Monday indicating that, "upon further reflection and after obtaining feedback from the people we represent," they agreed that more discussion was needed on jurisdictional issues. The three tribal leaders for the Cherokee, Chickasaw and Choctaw tribes said in their joint statement that "any path forward requires strong collaboration between the Five Tribes." "None of the leaders of the Five Tribes support eroding our sovereignty or turning back the recognition of our reservation achieved through McGirt," the three tribes' statement reads. "We feel that the leaders of each tribe understand that we must be engaged with the state Attorney General and members of Oklahoma's Congressional delegation if we are to have a meaningful voice in any legislative process that moves forward as a result of McGirt." The commission announced by the governor will:

- Review and evaluate the implications of the McGirt decision on the state economy and welfare.
- Assess and propose recommendations in specific areas, including agricultural, criminal and civil jurisdiction, economic policies, taxation, and land and trust policies.
- Work with tribal leaders to develop responses that reflect the sovereign-to-sovereign

relationship among tribal nations and the state. • Provide a forum to hear from and engage with leaders from various sectors of the state economy, Oklahoma Indian tribes, local communities and other state residents. • Work with Stitt's office to provide guidance to the Oklahoma congressional delegation on the appropriate federal response. • Issue a report with recommendations to the governor. Stitt gave state agencies, boards and commissions until Aug. 28 to notify Nichols if they believe they are affected by the McGirt decision.

The same boards are given until Sept. 30 to submit reports on the potential impact of the McGirt decision to the commission. The Muscogee (Creek) Nation did not immediately respond to a request for comment. Other members of the commission include: former U.S. Sen. Don Nickles; former U.S. Rep. J.C. Watts; state Sen. Julie Daniels, R-Bartlesville; state Rep. Mark Lepak, R-Claremore; Williams Cos. President and Chief Executive Officer Alan Armstrong; State Board of Agriculture member Brent Bolen; Continental Resources founder Harold Hamm; Tulsa real estate developer Joe Robson; and Suzie Brewster. Video: Supreme Court ruling leads to dismissal of state murder charges against father in children's deaths. Curtis Killman 918-581-8471 curtis.killman@tulsaworld.com Twitter: @loucardfan61 Get local news delivered to your inbox! Subscribe to our Daily Headlines newsletter. Sign up! * I understand and agree that registration on or use of this site constitutes agreement to its user agreement and privacy policy.