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News Release

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Man indicted for assaulting a woman on the Bois Forte Indian Reservation

District's first "habitual offender" prosecution

MINNEAPOLIS – A federal indictment unsealed late yesterday charges a 53-year-old man in connection with the domestic assault of a woman on December 19, 2009, while on the Bois Forte Indian Reservation. The indictment, which was filed on September 20, 2011, charges Chris Neil Ferguson with one count of domestic assault by a habitual offender. Since this domestic assault by a habitual offender legislation was passed by the U.S. Congress, this is the first such prosecution in the District of Minnesota. The indictment was unsealed following Ferguson's initial appearance in federal court.

The indictment alleges that on December 19, Ferguson, a non-Indian, who was residing in a halfway house located on the reservation, committed a domestic assault against the Indian victim. The victim sustained injuries to her face. Ferguson has been previously convicted in St. Louis County for felony domestic assault (2008) and gross misdemeanor domestic assault (2002).

If convicted, Ferguson faces a potential maximum penalty of five years in prison. All sentences will be determined by a federal district court judge. This case is the result of an investigation by the Federal Bureau of Investigation, the Nett Lake/Bois Forte Tribal Police Department and the United States Bureau of Indian Affairs ("BIA"). It is being prosecuted by Assistant U.S. Attorney Clifford B. Wardlaw.

Because the Bois Forte Indian Reservation is a federal-jurisdiction reservation, some of the crimes that occur there are investigated by the FBI in conjunction with the BIA. Those cases are prosecuted by the U.S. Attorney's Office.

The U.S. Justice Department is taking steps to increase engagement, coordination and action relative to public safety in tribal communities, including the creation of the Violence Against Women Federal and Tribal Prosecution Task Force. This task force will explore current issues raised by professionals in the field and recommend “best practices” in prosecution strategies involving domestic violence, sexual assault and stalking.

Violence against American Indian women occurs at epidemic rates. In 2005, Congress found that one in three American Indian women is raped during her lifetime, and American Indian women are nearly three times more likely to be battered in during their lives than Caucasian women.

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by a defendant. A defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.