

RED LAKE NATION PROSECUTION OFFICE

P. O. Box 572
Red Lake, MN 56671

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June 1, 2026



Clayton Van Wert
Counsel for Darrin Smedsmo
P.O. Box 711
Redby, MN 56670

VIA EMAIL

RE: Smedsmo Trespass Case

Dear Mr. Van Wert:

I am writing to inform you that the Red Lake Prosecution team has decided not to bring trespass or other related charges against Mr. Smedsmo with respect to his conduct on the Red Lake Nation lands on October 15, 2025; and the Prosecution has decided that it would be fair and equitable to return Mr. Smedsmo's airplane to him at this time.

The incident involving Mr. Smedsmo has caused the Red Lake Nation to review and update the Nation's policies pertaining to the regulation of aircraft over Red Lake Nation airspace, particularly with respect to air ambulance services that operate in conjunction with Red Lake Comprehensive Health Services; helicopters and airplanes that operate in cooperation with the Red Lake Department of Natural Resources in wildland fire-fighting activities, and wildlife and natural resources management activities; and other emergency aircraft that notify the Red Lake Department of Public Safety ahead of time of the emergency need to fly through Red Lake airspace, and that receive approval prior to entering such airspace.

The three air ambulance services that work in conjunction with Red Lake Comprehensive Health Services requested, and have each received written approval from the Red Lake Nation to continue serving Red Lake Nation residents with this important service. Additionally, the Red Lake Tribal Council has issued specific protocols to the Bureau of Indian Affairs, the U.S. Forest Service, and the Minnesota Department of Natural Resources when these agencies are fighting fires on or near the Red Lake Nation. Each of these agencies cooperate with each other when engaged in wildland fire-fighting activities on and near the Red Lake Reservation, and each agency appreciated receiving the Red Lake Nation's prescribed protocols.

The incident involving Mr. Smedsmo also opened doors for the Red Lake Nation to the Federal Aviation Administration (FAA), which has been very helpful in explaining the process for the Red Lake Nation's airspace concerns to be accommodated, despite the fact that the federal government has preempted virtually all airspace matters throughout the United States through its authorization to the FAA to regulate the Nation's airspace.

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As the only fully closed Indian Reservation in the United States, the Red Lake Nation takes its responsibility to exercise its sovereignty very seriously. The decision to return Mr. Smedsmo's airplane in this matter is the result of the Red Lake Nation's responsible exercise of its inherent sovereignty.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ogema Neadeau".

Ogema Neadeau
Chief Prosecutor