

Receipt number AUSFCC-11366088

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

A.B., a minor, by and through her
mother and guardian, PEGGY
RISINGSUN; and R.C., a minor, by
and through her mother and guardian,
GAYLEEN RYAN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

COMPLAINT

26-1021 L

Plaintiffs A.B. and R.C., two minor enrolled members of the Northern Cheyenne Tribe, by and through their respective mothers and guardians, allege as follows:

NATURE OF THE ACTION

1. This action enforces a solemn, money-mandating promise made by the United States in Article I of the Treaty with the Northern Cheyenne and Northern Arapaho, concluded at Fort Laramie on May 10, 1868. Treaty with the Northern Cheyenne and Northern Arapaho, art. I, May 10, 1868, 15 Stat. 655, 655 (the “Treaty”).
2. While on duty as a Bureau of Indian Affairs (“BIA”) law-enforcement officer on the Northern Cheyenne Indian Reservation, Murrell Deela used the

authority, control, and isolation of two separate custodial encounters to rape and sexually assault A.B. and R.C., both of whom were minor Northern Cheyenne girls.

3. Article I of the Treaty requires the United States to reimburse an injured Northern Cheyenne person when a bad man among the whites, or another person subject to United States authority, commits a wrong upon that person. Plaintiffs seek the compensation necessary to make each child whole for the losses caused by Deela's criminal acts.

PARTIES

4. Plaintiff A.B. is a minor, an enrolled member of the Northern Cheyenne Tribe, and a permanent resident of the Northern Cheyenne Indian Reservation in Montana. She proceeds only by initials as required by RCFC 5.2(a)(3).

5. Peggy Risingsun is A.B.'s biological mother and guardian and brings this action on A.B.'s behalf under RCFC 17(c). Ms. Risingsun does not seek an individual recovery in this action.

6. Plaintiff R.C. is a minor, an enrolled member of the Northern Cheyenne Tribe, and a permanent resident of the Northern Cheyenne Indian Reservation in Montana. She proceeds only by initials as required by RCFC 5.2(a)(3).

7. Gayleen Ryan is R.C.’s biological mother and guardian and brings this action on R.C.’s behalf under RCFC 17(c). Ms. Ryan does not seek an individual recovery in this action.

8. Defendant is the United States. The United States is the sole proper defendant on Plaintiffs’ claims for monetary relief under Article I of the Treaty.

JURISDICTION

9. This Court has jurisdiction under the Tucker Act, 28 U.S.C. § 1491(a)(1), because Plaintiffs’ claims are founded upon a treaty with the United States that expressly mandates the payment of money. Individual tribal members are intended third-party beneficiaries entitled to enforce the Bad Men Clause. *Hebah v. United States*, 428 F.2d 1334, 1337–38 (Ct. Cl. 1970); *Tsosie v. United States*, 825 F.2d 393, 400–01 (Fed. Cir. 1987).

10. Article I of the Treaty provides:

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

11. The Treaty’s promise to “reimburse the injured person for the loss sustained” is money-mandating and requires compensation sufficient to indemnify

or make the injured person whole. *See Elk v. United States*, 87 Fed. Cl. 70, 79–83 (2009).

12. The Treaty protects individual members of the Northern Cheyenne Tribe. A.B. and R.C. are members of the signatory Tribe, reside on the Tribe’s Reservation, and were injured there.

13. On July 2, 2026, before filing this action, counsel provided written proof and notice of A.B.’s Treaty claim to the Secretary of the Interior, the Assistant Secretary for Indian Affairs—the modern equivalent of the Commissioner of Indian Affairs—and the Acting Superintendent of the BIA’s Northern Cheyenne Agency. The notice identified A.B., the wrongdoer, the date and place of the wrong, and the Treaty claim.

14. On July 2, 2026, before filing this action, counsel separately provided written proof and notice of R.C.’s Treaty claim to the same officials. The notice identified R.C., the wrongdoer, the date and place of the wrong, and the Treaty claim.

15. These submissions satisfied Article I’s presentation requirement. The Treaty requires presentation to the responsible Interior officials; it does not require an injured person to await a final administrative decision before filing suit. *See Begay v. United States*, 219 Ct. Cl. 599, 600–03 (1979); *Elk v. United States*, 70 Fed. Cl. 405, 410–12 (2006).

16. All conditions precedent to these claims have occurred or been performed. RCFC 9(c).

17. This action is timely under 28 U.S.C. § 2501. Both wrongs occurred in 2024, less than six years before this action was filed.

18. Joinder is proper under RCFC 20(a)(1). The claims arise from a series of closely related occurrences in which the same on-duty BIA officer used his law-enforcement authority against minor Northern Cheyenne girls on the same Reservation within a period of weeks. Common questions include the Treaty's scope, the children's protected status, Deela's status under Article I, the legal character of his conduct, and the measure of Treaty compensation.

COMMON FACTUAL ALLEGATIONS

19. At all relevant times, Murrell Douglas Deela was a sworn BIA Office of Justice Services police officer assigned to the Northern Cheyenne Agency. He carried a badge and firearm, used a federally issued patrol vehicle, exercised arrest and detention authority, and acted under color of federal law.

20. Deela's position gave him coercive power over minors whom he stopped, detained, arrested, searched, or transported. Both assaults alleged below occurred while Deela was on duty and actively policing the child he assaulted.

21. Deela was subject to the authority of the United States within the meaning of Article I. His federal employment independently placed him under that

authority, and federal criminal law governed his conduct in Indian country.

Whether characterized as a bad man among the whites or as another person subject to United States authority, Deela falls within Article I. *See Richard v. United States*, 677 F.3d 1141, 1148–53 (Fed. Cir. 2012).

22. Rape and nonconsensual sexual penetration are affirmative criminal wrongs that support arrest and prosecution under federal law, including 18 U.S.C. §§ 1152, 2242(3), and 2246. They are therefore cognizable wrongs under Article I. *See Jones v. United States*, 846 F.3d 1343, 1354–55 (Fed. Cir. 2017).

23. Neither child consented to sexual contact with Deela or was legally capable of consent to sexual contact with Deela. His use of law-enforcement authority, custody, threatened incarceration, and isolation made the encounters coercive and nonconsensual.

DEELA’S SEXUAL ASSAULT OF A.B.

24. On or about July 17, 2024, while on duty on the Northern Cheyenne Indian Reservation, Deela responded to an incident involving A.B. and took the minor child into law-enforcement custody and control.

25. During that custodial encounter, Deela used his authority, control, and isolation of A.B. to rape and sexually assault her, including sexual penetration without her consent. The assault occurred within the exterior boundaries of the Northern Cheyenne Indian Reservation.

26. Deela had no legitimate law-enforcement purpose for any sexual contact with A.B. His conduct was an intentional, affirmative criminal wrong upon the person of a Northern Cheyenne child.

27. As a direct and foreseeable result, A.B. experienced physical pain and injury; severe emotional distress; fear, humiliation, shame, and loss of trust; anxiety and trauma symptoms; disruption of her childhood, education, relationships, and normal life; and other noneconomic losses.

28. A.B. has required, and is reasonably likely to continue to require, medical, psychological, counseling, and rehabilitative care. Her losses include past and future treatment costs, impairment of educational and vocational opportunities, diminished earning capacity, pain and suffering, and mental anguish.

29. The full nature and extent of A.B.'s injuries and future losses are continuing and will be established through discovery and expert testimony.

DEELA'S SEXUAL ASSAULT OF R.C.

30. On August 7, 2024, R.C. was fourteen years old. She was an enrolled member of the Northern Cheyenne Tribe and lived on the Northern Cheyenne Indian Reservation.

31. At approximately 11:15 p.m., while on duty and acting in his official capacity, Deela encountered R.C. at The Depot gas station on the Reservation. R.C. was visibly intoxicated and tried to run. Deela performed a takedown

maneuver and placed her in the back seat of his BIA patrol vehicle. He knew that she was a young teenager.

32. R.C. was sobbing and repeatedly asked whether Deela was taking her to jail. Through the conversation and the circumstances Deela created, R.C. was led to believe that she could avoid jail by engaging in a sexual act with him.

33. Rather than drive R.C. to her grandmother's house as he later claimed, Deela drove past the house to People's Park, a dark and deserted location within the Reservation. He did not notify dispatch that he was taking the child to the park and falsely radioed that he had dropped her off at her grandmother's house.

34. Deela parked, removed R.C. from the back seat, and moved her outside the view of the patrol-vehicle cameras. He then caused his penis to contact her mouth and penetrated her vulva with his penis. He knowingly engaged in those sexual acts without R.C.'s consent and through coercion.

35. After the assault, Deela warned R.C. not to tell anyone. He then drove her to her grandmother's house.

36. The next morning, R.C. disclosed the assault to multiple witnesses and underwent a medical examination. The FBI collected the clothing she had worn during the assault. Laboratory testing found Deela's semen in two places on her pants.

37. On March 30, 2026, the United States filed a stipulated offer of proof in *United States v. Deela*, No. 1:26-cr-00030-WWM (D. Mont.). Deela and his counsel signed the filing, and Deela admitted that the facts summarized above were true and that the government could prove them beyond a reasonable doubt. The stipulated facts supported a charge of Sexual Abuse under 18 U.S.C. §§ 2242(3) and 1152.

38. As a direct and foreseeable result, R.C. experienced physical pain and injury; severe emotional distress; fear, humiliation, shame, and loss of trust; anxiety and trauma symptoms; disruption of her childhood, education, relationships, and normal life; and other noneconomic losses.

39. R.C. has required, and is reasonably likely to continue to require, medical, psychological, counseling, and rehabilitative care. Her losses include past and future treatment costs, impairment of educational and vocational opportunities, diminished earning capacity, pain and suffering, and mental anguish.

40. The full nature and extent of R.C.'s injuries and future losses are continuing and will be established through discovery and expert testimony.

COUNT I

ARTICLE I BAD MEN CLAIM — A.B.

41. A.B. incorporates all preceding allegations.

42. A.B. is an enrolled Northern Cheyenne tribal member, an intended beneficiary of Article I, and an “Indian” protected by the Treaty.

43. Deela was a bad man among the whites or another person subject to United States authority. While on duty as a federal BIA officer, he committed rape and sexual assault—affirmative criminal wrongs—upon A.B.’s person on the Northern Cheyenne Indian Reservation.

44. A.B. timely presented proof and notice of the wrong to the officials designated by Article I, and all conditions precedent have been satisfied.

45. Under Article I, the United States must reimburse A.B. for the losses she sustained. That reimbursement includes the amount required to indemnify and make her whole for past and future treatment expenses, lost income and earning capacity, pain and suffering, mental anguish, and all other losses proven. *Elk*, 87 Fed. Cl. at 81–83, 92–98.

46. The United States has not reimbursed A.B. for those losses and is liable to her in an amount to be proven at trial, presently estimated at not less than \$10,000,000.

COUNT II

ARTICLE I BAD MEN CLAIM — R.C.

47. R.C. incorporates all preceding allegations.

48. R.C. is an enrolled Northern Cheyenne tribal member, an intended beneficiary of Article I, and an “Indian” protected by the Treaty.

49. Deela was a bad man among the whites or another person subject to United States authority. While on duty as a federal BIA officer, he committed rape and sexual assault—affirmative criminal wrongs—upon R.C.’s person on the Northern Cheyenne Indian Reservation.

50. R.C. timely presented proof and notice of the wrong to the officials designated by Article I, and all conditions precedent have been satisfied.

51. Under Article I, the United States must reimburse R.C. for the losses she sustained. That reimbursement includes the amount required to indemnify and make her whole for past and future treatment expenses, lost income and earning capacity, pain and suffering, mental anguish, and all other losses proven. *Elk*, 87 Fed. Cl. at 81–83, 92–98.

52. The United States has not reimbursed R.C. for those losses and is liable to her in an amount to be proven at trial, presently estimated at not less than \$10,000,000.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

1. Enter judgment that the United States is liable to A.B. and R.C. under Article I of the Treaty;

2. Award A.B. compensatory damages sufficient to reimburse and make her whole for all losses sustained, in an amount to be proven at trial but presently estimated at not less than \$10,000,000;
3. Award R.C. compensatory damages sufficient to reimburse and make her whole for all losses sustained, in an amount to be proven at trial but presently estimated at not less than \$10,000,000;
4. Award Plaintiffs their allowable costs and fees; and
5. Grant such other monetary relief within this Court's jurisdiction as is just and proper.

Dated: July 17, 2026

/s/ Timothy M. Bechtold
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