

Cherokee Council House
Cherokee, Qualla Boundary (NC)

Date: _____

RESOLUTION NO. _____ (2017)

WHEREAS, the Eastern Band of Cherokee Indians has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of those lands and the welfare of the members of the Tribe; and

WHEREAS, the Tribal Council has codified its authority to exclude persons from the lands of the Eastern Band at Chapter 2 of the Cherokee Code; and

WHEREAS, CARL LUKE HARJOCHEE, with a birth date of 3/19/1989, is not a member of the Eastern Band of Cherokee Indians, but is an enrolled member of Oklahoma Choctaw;

WHEREAS, most recently, CARL LUKE HARJOCHEE was found on tribal lands, on March 22, 2017 CARL LUKE HARJOCHEE pled guilty to two counts of resisting lawful arrest and was sentenced to 198 days imprisonment;

WHEREAS, CARL LUKE HARJOCHEE has also been charged with burglary, criminal mischief, second degree trespass, weapons offenses, and communicating threats; Tribal council has good reason to believe that CARL LUKE HARJOCHEE is a threat to the law and order on Tribal lands and a threat to the welfare of enrolled members;

NOW THEREFORE, BE IT RESOLVED by the Tribal Council, in Council assembled with a quorum present and with the number of votes required by Tribal law, that CARL LUKE HARJOCHEE is hereby permanently excluded from all Tribal lands and is hereby notified and ordered to vacate all tribal lands upon such release or transfer.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits CARL LUKE HARJOCHEE from entering on or being present on Tribal lands for any purpose except as required by a subpoena issued by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if CARL LUKE HARJOCHEE is found improperly on Tribal lands at any time after the effective date of this resolution or upon his release or transfer from the Cherokee Detention Center, whichever is later, he shall be treated as a trespasser and appropriate legal action shall be taken against him.

BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by The Cherokee Indian Police Department Chief of Police pursuant to Cherokee Code Chapter 2.