PASSED

RESOLUTION NO. 50 (2021)

A resolution to exclude April Nations from the lands of the Eastern Band of Cherokee Indians.

WHEREAS, the Eastern Band of Cherokee Indians ("EBCI" or "Tribe") 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, the power to exclude is an inherent and essential part of Tribal sovereignty that is indispensable to the Tribe's autonomy and self-governance; and

WHEREAS, APRIL NATIONS (date of birth 07/25/1985) is not a member of the Eastern Band of Cherokee Indians, but has been found to be on tribal trust lands while allegedly committing crimes; and

WHEREAS, on March 25, 2021, APRIL NATIONS was arrested at Whitewater Drive on the Qualla Boundary and charged with Possession of a Controlled Substance, Schedule II – Heroin, and Possession of Schedule II – Methamphetamine, in violation of state and tribal law; and

WHEREAS, according to the Cherokee Police Department's Master Name Index Involvement History, APRIL NATIONS has at least eighty-two (82) entries, which indicate numerous incidents with CIPD officers going back to 2010; and

WHEREAS, APRIL NATIONS has faced numerous charges in several jurisdictions as an adult person; and

WHEREAS, APRIL NATIONS has faced numerous recent charges of drug offenses and theft crimes;

WHEREAS, APRIL NATIONS was taken before a Cherokee Court Magistrate on September 9, 2021, and a Writ of Emergency Temporary Exclusion was issued and served on her by hand delivering a copy of the Writ to her, and she was scheduled to appear before Tribal Council on November 4, 2021; and

WHEREAS, due to the nature of these charges and based on her lengthy history with CIPD officers, the Tribal Council has good reason to believe that APRIL NATIONS is a threat to the integrity, law and order of EBCI lands and the welfare of the

members of the Tribe.

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,
APRIL NATIONS is hereby permanently excluded from all Tribal lands and is
hereby notified and ordered to vacate all tribal lands.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits APRIL NATIONS from
entering on or being present on Tribal lands for any purpose except as required by
Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if APRIL NATIONS is found improperly on Tribal lands at
any time after the effective date of this resolution She shall be treated as a
trespasser and appropriate legal action shall be taken against her.

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 Chief of Police of the Cherokee Indian Police Department pursuant to
Cherokee Code Chapter 2.*

The attached Resolution/Ordinance No. __50__ dated _____ NOVEMBER 04, 2021 _____ was:

     PASSED (X)

     KILLED ( )

and ratified in open Council on _____ NOVEMBER 04, 2021 _____ by _____ 93 voting for the act and ____0____ members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke				X
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe	X			
Bill Taylor	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	93	0	0	7

Richard French
TRIBAL COUNCIL CHAIRMAN

Michelle Thompson
ENGLISH CLERK

[signature]
PRINCIPAL CHIEF

APPROVED ( )   **VETOED ( )**

VETO UPHELD ( ) VETO DENIED ( )

DATE: _____

I hereby certify that the foregoing act of the Council was duly:

     PASSED ( )

     KILLED ( )

and ratified in open Council after the same has been interpreted by the Official Interpreter and has been fully and freely discussed.

INTERPRETED ( )

OMITTED ( )