

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: JAN 11 2022

RESOLUTION NO. 111 (2022)

A resolution to exclude Christopher Lee Johnson 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 the lands, and the welfare of Tribal members; 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, CHRISTOPHER LEE JOHNSON (Date of Birth: 04/27/1996) is not a member of the Eastern Band of Cherokee Indians, and has been residing in Swain County, North Carolina, and at various times has resided on the trust lands of the Tribe; and

WHEREAS, on the evening hours of November 24, 2021, CHRISTOPHER LEE JOHNSON was arrested at the Chestnut Tree Inn on Tribal lands and was charged with Possession With Intent to Manufacture, Sell, or Deliver Methamphetamine and Possession of Methamphetamine, in violation of N.C.G.S. 90-95(A)(3), in Swain County District Court, where he was set a secured bond in the amount of \$20,000 and given a future court date; and

WHEREAS, after being arrested, Cherokee Indian Police Officers transported CHRISTOPHER LEE JOHNSON to the Cherokee Detention Center to perform a determination of jurisdiction and serve a Writ of Temporary Emergency Exclusion on him; and

WHEREAS, the arrest of CHRISTOPHER LEE JOHNSON yielded the following:

- (1) white in color powder substance inside plastic bag (17.5g);
- (2) white in color powder substance inside plastic bag (2.2g);
- (3) clear crystal-like substance inside plastic bag (1.9g);
- (4) folded tin foil with white powder substance inside (0.4g);
- (5) red and black in color scales;
- (6) US currency in the amount of \$2,637; and

WHEREAS, due to the nature of the alleged criminal actions by CHRISTOPHER LEE JOHNSON and based on his residing on or near Tribal trust lands, the Tribal Council has good reason to believe that CHRISTOPHER LEE JOHNSON 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, CHRISTOPHER LEE JOHNSON 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 CHRISTOPHER LEE JOHNSON 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 CHRISTOPHER LEE JOHNSON is found improperly on Tribal lands at any time after the effective date of this resolution, 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 Attorney General's Office on behalf of the Chief of Police as provided in Cherokee Code Chapter 2.

The attached Resolution/Ordinance No. 111 dated JANUARY 11, 2022 was:

PASSED (X)

KILLED ()

and ratified in open Council on JANUARY 11, 2022 by 100 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			
	100	0	0	0

Richard French

TRIBAL COUNCIL CHAIRMAN

Michelle Thompson

ENGLISH CLERK

Richard French

PRINCIPAL CHIEF

APPROVED (X) VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: 1-12-22

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 ()