

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: FEB 01 2022

RESOLUTION NO. 129 (2022)

A resolution to exclude Richard Allen Dickson 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, RICHARD ALLEN DICKSON (Date of Birth: 12/29/1993) is not a member of the Eastern Band of Cherokee Indians, and has been residing in Bryson City, North Carolina; and
- WHEREAS, on December 15, 2021, RICHARD ALLEN DICKSON was found to be on Tribal trust lands and was charged with Possession of Methamphetamine, a Schedule II Controlled Substance, in Swain County District Court case number 22-CR-50590, in Swain County, North Carolina; and
- WHEREAS, RICHARD ALLEN DICKSON has a court date pending in Swain County District Court of March 22, 2022; and
- WHEREAS, on December 15, 2021, RICHARD ALLEN DICKSON was served with a Writ of Emergency Temporary Exclusion by a Magistrate of the Cherokee Court; and
- WHEREAS, RICHARD ALLEN DICKSON was previously charged in Swain County in 2016 with one count of Felony Breaking or Entering, Misdemeanor Larceny, and Possession of Stolen Goods; and in 2017 with one count of Possession of Methamphetamine and one count of Shoplifting; and
- WHEREAS, due to the nature of the alleged criminal actions in December 2021 and previously of RICHARD ALLEN DICKSON and based on his residing near Tribal trust lands and his previous involvement with the Cherokee Indian Police Department, the Tribal Council has good reason to believe that RICHARD ALLEN DICKSON 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, RICHARD ALLEN DICKSON 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 RICHARD ALLEN DICKSON 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 RICHARD ALLEN DICKSON 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.

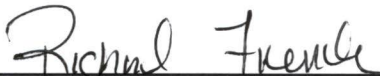
The attached Resolution/Ordinance No. 129 dated FEBRUARY 1, 2022 was:

PASSED (X)

KILLED ()

and ratified in open Council on FEBRUARY 1, 2022 by 88 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			
	88	0	0	12



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

VETO UPHOLD () VETO DENIED ()

APPROVED (✓) VETOED ()

DATE: 2/2/22

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 ()