

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: MAR 01 2022

RESOLUTION NO. 182 (2022)

A resolution to exclude Paul Christopher Hampton Jr. 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, PAUL CHRISTOPHER HAMPTON JR. (Date of Birth: 10/16/1997) is not a member of the Eastern Band of Cherokee Indians, and has been residing in Bryson City; and
- WHEREAS, on January 13, 2022, PAUL CHRISTOPHER HAMPTON JR. was found on Tribal trust lands allegedly while in possession of methamphetamine; and
- WHEREAS, a Swain County magistrate found probable cause to charge PAUL CHRISTOPHER HAMPTON JR. with Felony Possession of a Schedule II Controlled Substance, in violation of N.C.G.S. § 90-95(A)(1); and
- WHEREAS, PAUL CHRISTOPHER HAMPTON JR. has faced previous drug and criminal charges in neighboring jurisdictions; and
- WHEREAS, while in custody, on January 13, 2022, PAUL CHRISTOPHER HAMPTON JR. was served with a Writ of Emergency Temporary Exclusion issued by a Cherokee Court magistrate; and
- WHEREAS, due to the nature of the alleged criminal actions of PAUL CHRISTOPHER HAMPTON JR. and based on his residing near Tribal trust lands, the Tribal Council has good reason to believe that PAUL CHRISTOPHER HAMPTON JR. 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,

PAUL CHRISTOPHER HAMPTON JR. 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 PAUL CHRISTOPHER HAMPTON JR. 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 PAUL CHRISTOPHER HAMPTON JR. 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. 182 dated MARCH 1, 2022 was:

PASSED (X)

KILLED ()

and ratified in open Council on MARCH 1, 2022 by 94 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			
	94	0	0	6

Richard French

TRIBAL COUNCIL CHAIRMAN

Michonne Thompson

ENGLISH CLERK

[Signature]

PRINCIPAL CHIEF

APPROVED (✓)

VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: 3/2/22

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 ()