

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: APR 04 2023

RESOLUTION NO. 547 (2023)

A resolution to exclude Terry D. Williams 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, TERRY D. WILLIAMS (Date of Birth: 07/20/1993) is not a member of the Eastern Band of Cherokee Indians; and
- WHEREAS, on February 22, 2023, TERRY D. WILLIAMS was arrested at 777 Casino Trail on the Qualla Boundary; and
- WHEREAS, TERRY D. WILLIAMS was found to be in possession of 47 grams of what is alleged to be methamphetamine and 72 pills of what is alleged to be oxycodone; and
- WHEREAS, TERRY D. WILLIAMS was taken before a Tribal magistrate and a Writ of Emergency Exclusion (Writ No. TB-23-02) was issued which ordered TERRY D. WILLIAMS to be excluded from the Qualla Boundary; and
- WHEREAS, TERRY D. WILLIAMS is facing criminal charges pending in Jackson County, North Carolina for charges arising out the incident, which include: Assault on a Female, Communicating Threats, Second Degree Trespass, Possession of a Firearm by a Felon, Trafficking in Methamphetamine, and Possession With Intent to Manufacture, Sell, or Deliver Schedule II Controlled Substance; and
- WHEREAS, due to the nature of the alleged criminal actions of TERRY D. WILLIAMS, Tribal Council has good reason to believe that he is a threat to the integrity, law and order of EBCI lands, and the welfare of the members of the Tribe; and
- WHEREAS, TERRY D. WILLIAMS is a Black male, 6’00” tall, 200 lbs., with Black hair and Brown eyes; and

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, TERRY D. WILLIAMS 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 TERRY D. WILLIAMS from entering or being present on Tribal lands for any purpose except as required by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if TERRY D. WILLIAMS 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 Chief of Police Carla Neadeau.

The attached Resolution/Ordinance No. 547 dated APRIL 4, 2023 was:

PASSED (X)

KILLED ()

and ratified in open Council on APRIL 4, 2023 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			
Mike Parker	X			
Andrew Oocumma	X			
Albert Rose				X
Dike Sneed	X			
Michael Stamper	X			
	88	0	0	12

Richard French

TRIBAL COUNCIL CHAIRMAN

Michelle Thompson

ENGLISH CLERK

[Signature]

PRINCIPAL CHIEF

APPROVED () VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 4/12/23

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 ()