

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: JUL 11 31 2023 JUL 11 2023

RESOLUTION NO. 1062 (2023) JUL 13 2023

A resolution to exclude Adam Joe Rayfield 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, ADAM JOE RAYFIELD (Date of Birth: 11/15/1978) is not a member of the EBCI, but he has been known to stay on Wrights Creek Road, on EBCI trust lands; and
- WHEREAS, ADAM JOE RAYFIELD has a lengthy criminal history including charges for possession with intent to manufacture, sell, or deliver schedule II controlled substance, aggravated burglary, aggravated trespassing, assault, drug possession, aggravated robbery, and parole violations; and
- WHEREAS, on May 23, 2023, officers and tribal emergency medical services workers were dispatched to a call about a man laying in the road on Old No. 4 Road, on EBCI trust lands; and
- WHEREAS, when officers arrived, they found a man who was later identified as ADAM JOE RAYFIELD, who appeared to be unresponsive and suffering from a fentanyl overdose, and officers revived him, and when they did so, he began to become uncooperative with emergency personnel; and
- WHEREAS, when ADAM JOE RAYFIELD was transported to the hospital, he left a needle in the ambulance which was discovered by EMS staff, and after he was cleared for confinement, he was charged with possession of a schedule II controlled substance; and
- WHEREAS, and on May 24, 2023, the Tribal Court magistrate issued a Writ of Emergency Temporary Exclusion against ADAM JOE RAYFIELD temporarily banishing him from Tribal lands, and assigning him a date to appear at Tribal Council of July 11, 2023; and

WHEREAS, due to the nature of the alleged criminal actions of ADAM JOE RAYFIELD, 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

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, ADAM JOE RAYFIELD 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 ADAM JOE RAYFIELD 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 ADAM JOE RAYFIELD 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.

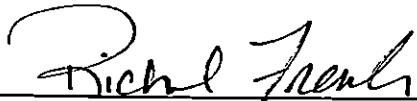
The attached Resolution/Ordinance No. 662 dated JULY 11, 2023 was:

PASSED (X)

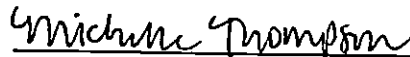
KILLED ()

and ratified in open Council on JULY 11, 2023 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			
Mike Parker	X			
Andrew Oocumma	X			
Albert Rose	X			
Dike Sneed	X			
Michael Stamper	X			
	100	0	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED () VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 7/20/23

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 ()