

OFFICE OF INTERNAL AUDIT AND ETHICS
Ethics Investigations Report
January 9, 2024

Complaint Number: 2023-9-102
Date Filed: September 26, 2023
Complainant: Confidential
Respondent: Soloman Saunooke

I. ALLEGATION

The above-named respondent, Solomon Saunooke a former member of the Cherokee Police Commission, violated Cherokee Code Section 117-45 Standards of Ethical Conduct when he attempted to use his position as a Police Commissioner to intimidate law enforcement personnel, made threats to tarnish the reputation of a Police Officer, utilized derogatory language when interacting with officers, and misused Tribal equipment. The allegation is based on the following:

- **September 2021:** Mr. Saunooke showed up to a scene where his grandson was involved. He threatened officers at the scene and attempted to interfere with police action. Subsequently he attempted to get the charges dismissed.
- **September 2022:** Mr. Saunooke used his police issued radio to monitor the movements of Natural Resource Enforcement (NRE) officers and informed other bear hunters of the officers' locations.
- **September 30, 2022:** Mr. Saunooke during a license check threw his license at an officer and used derogatory language.
- **January 8, 2023:** Mr. Saunooke's grandson was involved in an incident. Mr. Saunooke called the Assistant Chief of Police and told him to fire all the responding officers to this incident.
- **January 9, 2023:** While a warrant was being served on his grandson, Mr. Saunooke used derogatory language and threatened an officer's job.
- **February 9, 2023:** Police Commissioners voted to have a letter drafted and sent to Mr. Saunooke asking him to voluntarily resign by March 1, 2023, due to his conduct. Mr. Saunooke did not voluntarily resign from the Police Commission.
- **March 21, 2023:** The Police Commission sent a letter to the Principal Chief recommending Mr. Saunooke be removed from the Police Commission.
- **May 8, 2023:** The Principal Chief sent Mr. Saunooke a letter notifying him he had been removed from the Police Commission.

II. RELEVANT CHEROKEE CODE SECTIONS Section 117-45.1(a) Definitions

"(1) Tribal officials. Any person who is:

- a. A Tribal officer as defined in Section 1 of the Charter and Governing Document;"

- b. A member of Cherokee School Board as defined in C.C Section 115-8;"
- c. Serving as a member of an authority, board, committee, or commission, appointed by Tribal Council, the Executive Committee or Principal Chief, and who is subject to removal by the appointing authority;"
- d. Appointed by Tribal Council or the Executive Committee or Principal Chief, and who is subject to removal by the appointing authority, to carry out actions, provide guidance, or assistance to the Tribal Council, the Executive Committee or to a member of the Executive Committee."

Section 117-45.3(d) Code of Ethics

- "(1) Tribal officials of the EBCI shall treat service to the EBCI as a sacred public trust with fiduciary responsibility to the EBCI, which requires upholding and acting in accordance with the laws of the EBCI and engaging in the proper governance of the EBCI in a manner, which is placed above personal and private gain."
- "(5) Tribal officials of the EBCI shall not use prestige of the office to advance personal interests of others or themselves."
- "(7) Tribal officials of the EBCI shall respect and honor the customs and traditions of the EBCI."
- "(8) Tribal officials of the EBCI shall abide by the laws of any sovereign jurisdiction in which they are present. Tribal officials of the EBCI shall disclose any misdemeanor or felony charges and/or convictions that occur in any jurisdiction while in office to the Office of Internal Audit."
- "(10) Tribal officials of the EBCI shall not act individually, jointly or through another, threaten, intimidate, or discipline any person as reprisal for any legitimate action taken by the person."
- "(15) Tribal officials shall maintain or enhance the honesty and integrity of their respective offices; and safeguard the reputation of the EBCI as a whole."

III. INVESTIGATION PROCESS

The initial complaint was received on September 26, 2023. The complainant provided a statement of the events that occurred between September 2021 and May 2023.

The complaint was determined to be complete and within the jurisdiction of the Office of Internal Audit and Ethics. A copy of the complaint was sent to the respondent Solomon Saunooke on October 2, 2023. On October 23, 2023, Mr. Saunooke

requested an extension to submit his written response. An extension was granted until November 3, 2023. A response was received from Mr. Saunooke on November 2, 2023.

The Ethics Review Committee reviewed the complaint and response in a special called meeting, on November 8, 2023. The Committee approved for the ethics staff to proceed with an investigation. (See Resolution ERC 24-01)

An interview was conducted on November 29, 2023, with the complainant. Witness 1 was interviewed by phone on December 6, 2023. Respondent Solomon Saunooke was interviewed on January 2, 2024. These interviews were conducted to obtain more information in understanding the events as stated in the complaint. Police reports, officer statements, and meeting minutes from the Police Commission were also reviewed during this investigation.

IV. FINDINGS OF FACT

1. The respondent was a Tribal Official as defined in Cherokee Code Section 117-45.1(c) from January 1, 2020, to May 8, 2023.
2. The respondent is an enrolled member of the EBCI.
3. The complainant is an enrolled member of the EBCI.
4. The respondent served as a Police Commissioner when the incidents occurred.
5. The respondent was present during the license check on September 30, 2022.
6. The respondent was present at his residence on January 9, 2023 when a warrant was served on his grandson.

V. ANALYSIS

The complaint alleges the respondent violated six sections of Cherokee Code Section 117-45.3(d). An analysis is outlined below.

It is alleged that the respondent failed to treat service to the EBCI as a sacred public trust with fiduciary responsibility to the EBCI, which requires upholding and acting in accordance with the laws of the EBCI and engaging in the proper governance of the EBCI in a manner, which is placed above personal and private gain. (Section 117-45.3(d)(1))

Violation. There is sufficient evidence to substantiate that Solomon Saunooke's actions failed to treat service to the EBCI as a sacred public trust with fiduciary responsibility to the EBCI, which requires upholding and acting in accordance with the laws of the EBCI and engaging in the proper governance of the EBCI in a manner, which is placed above personal and private gain.

On January 9, 2023, officers arrived at Mr. Saunooke's residence with a warrant for his grandson's arrest. Mr. Saunooke became upset, and informed the officer he had no right or evidence to charge his grandson for the incident. Mr. Saunooke began

cursing at the officer using inappropriate profanity and stated he was going to “have the officer’s job tomorrow.”

Mr. Saunooke threatened to have the officer who charged his grandson fired, and stated, if they had not taken the power away from the Police Commission, he would have had the officer fired right then.

It is alleged that the respondent used the prestige of the office to advance personal interests of others or themselves. (Section 117-45.3(d)(5))

Violation. There is sufficient evidence to substantiate that Solomon Saunooke’s actions used the prestige of the office to advance personal interests of others or himself.

During the January 9, 2023, incident, Mr. Saunooke confronted officers stating they had no right or evidence to charge his grandson. Mr. Saunooke threatened to have the officer who charged his grandson fired and informed him if they had not taken the power away from the Police Commission, he would have fired him right then.

During Mr. Saunooke’s interview, he admitted to cursing officers and telling them he was on the Police Commission. He also admitted to bringing his grandson’s arrest to the attention of the Police Commission during an official meeting.

It is alleged the respondent failed to honor the customs and traditions of the EBCI (Section 117-45.3(d)(7))

Dismissed. There is not sufficient evidence to support this allegation.

It is alleged that the respondent failed to abide by the laws of a sovereign jurisdiction in which they were present. (and/or) they failed to disclose any misdemeanor or felony charges and/or convictions that occur in any jurisdiction while in office to the Office of Internal Audit. (Section 117-45.3(d)(8))

Dismissed. There is not sufficient evidence to support this allegation. There was no evidence to substantiate while serving as a Police Commissioner, Mr. Saunooke was charged with or convicted of a crime.

It is alleged that the respondent acted individually, jointly or through another to threaten, intimidate, or discipline any person as reprisal for any legitimate action taken by the person. (Section 117-45.3(d)(10))

Violation. There is sufficient evidence to substantiate that Solomon Saunooke acted individually, jointly or through another to threaten, intimidate, or discipline any person as reprisal for any legitimate action taken by the person.

On September 30, 2022, during a license check an officer asked Mr. Saunooke for his license. When the officer was not able to read the information, Mr. Saunooke was asked to move his finger. Mr. Saunooke then threw his license at the officer and yelled "Here! Just take the damn thing."

After being waived through the license check, Mr. Saunooke pulled up to another officer and asked, "Where is she from?" referring to the first officer. Mr. Saunooke referred to the officer as a "bitch" and said, "You can tell her I said that."

During Mr. Saunooke's interview, he admitted he cursed at officers on occasion. Also, during the January 2023 incident Mr. Saunooke told the officers that he was on the Police Commission and that he would have the charging officer's job.

It is alleged that the respondent failed to maintain or enhance the honesty and integrity of his respective office; and safeguard the reputation of the EBCI as a whole. (Section 117-45.3(d)(15))

Violation. There is sufficient evidence to substantiate that Solomon Saunooke's actions did not maintain or enhance the honesty and integrity of his office; and safeguard the reputation of the Police Commission or the EBCI as a whole.

Mr. Saunooke was appointed to the Police Commission to help guide and advise the direction of law enforcement for the EBCI. Mr. Saunooke, in these specific interactions with law enforcement officers, was derogatory, used abusive language, and attempted to exert the authority of his own office in an abusive manner.

Mr. Saunooke's conduct during the January 2023 interaction with officers was reviewed by the Cherokee Police Commission. The Police Commission concluded that there was no reason to dispute that the encounter occurred as reported by the officers.

VI. CONCLUSION AND RECOMMENDATION

The committee finds that there are Ethics Code Violations of Sections 117-45.3(d)(1), 117-45.3(d)(5), 117-45.3(d)(10), and 117-45.3(d)(15), for the reasons set forth in the report. The Audit and Ethics Committee will assess a fine and further action if needed. This report will also be forwarded to the Police Commission, the Attorney General, the Executive Office, and Tribal Council.

Report prepared and submitted by:

Jashuna Parker
Case Manager/Lead Investigator

01/09/2024
Date

VII. REVIEW BY ETHICS REVIEW COMMITTEE

- ☒ Affirm ethics violation determination
 - ☒ Issue this report to complainant and respondent as final decision
 - ☐ Issue revised report to complainant and respondent as final decision
- ☐ Deny ethics violation determination
 - ☐ Request further investigation prior to further decision by the committee
 - ☐ Request hearing prior to further decision by the committee
- ☐ Affirm no ethics violation determination
 - ☐ Dismiss complaint with issuance of this report to complainant and respondent as the final decision
 - ☐ Dismiss complaint, with issuance of revised report to complainant and respondent
- ☐ Deny no ethics violation determination
 - ☐ Request further investigation prior to further decision by the committee
 - ☐ Request hearing prior to further decision by the committee

VIII. RECOMMENDED VIOLATION CONSEQUENCES BY THE ETHICS REVIEW COMMITTEE

Issue a fine in the amount of \$750.00 and recommend Soloman Saunooke not be appointed to a board, committee or commission for a period of five years.

I hereby certify that the above decision was approved by majority of voting members of the Ethics Review Committee.

Jashuana Parker
Ethics Review Committee Chair

01/11/2024
Date

IX. FINAL DECISION BY AUDIT AND ETHICS COMMITTEE

- ☒ Affirm decision and recommendation of the Ethics Review Committee as final
- ☐ Request further investigation prior to decision
- ☐ Overturn decision and recommendation of the Ethics Review Committee in part as described below
- ☐ Overturn decision and recommendation of the Ethics Review Committee and dismiss the complaint in its entirety
- ☐ Other as described below

I hereby certify that the above decision was approved by majority of voting members of the Audit and Ethics Committee.

Levi Lambert
Audit and Ethics Committee Chair

1/18/2024
Date