

**OFFICE OF INTERNAL AUDIT AND ETHICS**  
**Ethics Investigations Report**  
**June 13, 2024**

**Complaint Number:** 2024-4-139

**Date Filed:** April 8, 2024

**Complainant:** Confidential

**Respondent:** George Mitchell Littlejohn

**I. ALLEGATION**

The above-named respondent, George M. Littlejohn a former member of the Tribal Alcoholic Beverage Control Commission (TABCC) violated Cherokee Code Section 117-45 Standards of Ethical Conduct when he leveraged his position to benefit a contractor with whom he had a close personal relationship with. He aided the contractor in securing a bid to work for the TABCC. Subsequently, this contractor compensated him for work performed at the Tribal ABC store.

**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 Code of Ethics**

“(a) No Tribal official of the Eastern Band of Cherokee Indians shall participate in the selection or in the award or administration of a contract or grant award, if a conflict of interest, real or apparent, shall be involved.”

“(b) No Tribal official or any member of their immediate family shall solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or subcontractors who are contracting to perform services or sell goods or property to the Tribe or a Tribal program.”

“(c) No Tribal official, directly or through a business entity in which the Tribal official has a personal interest, shall enter into any contract for services or goods with any Tribal entity, enterprise, or program for the purpose of either receiving or providing services or goods. This provision shall not apply to such persons qualifying for housing benefits from the Qualla Housing Authority or for medical benefits from the Indian Health Service or other programs available to all Tribal members.”

**Section 117-45.3(d)**

“(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.”

“(3) Tribal officials of the EBCI shall protect and conserve Tribal resources and ensure the appropriate use of Tribal resources falling under the scope of the office of the Tribal official.”

“(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 April 8, 2024. The complainant provided a statement of events leading to the contract and its completion, which occurred between January and April 2023.

The complaint was determined to be complete and within the Office of Internal Audit and Ethics' jurisdiction. A copy of the complaint was sent to the respondent George M. Littlejohn on April 12, 2024. A response was received from Mr. Littlejohn on May 9, 2024.

The Ethics Review Committee reviewed the complaint and response in a special-called meeting, on May 17, 2024. The Committee approved for the ethics staff to proceed with an investigation. (See Resolution ERC 24-05)

Interviews with witnesses 1 and 2, and the complainant were conducted on June 10, 2024. Mr. Littlejohn was interviewed on June 11, 2024. Myers Construction was contacted but declined the interview. These interviews were conducted to obtain more information about the events as stated in the complaint.

**IV. FINDINGS OF FACT**

1. The respondent was a Tribal Official as defined in Cherokee Code Section 117-45.1(c).
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 Tribal Alcoholic Beverage Control Commissioner from August 2018-March 2024.
5. The respondent performed work on the Tribal ABC store as part of the contract awarded to Myers Construction.

## V. ANALYSIS

The complaint alleges the respondent violated 6 sections of Cherokee Code Section 117-45.3. An analysis is outlined below.

***It is alleged that the respondent participated in the selection or in the award or administration of a contract or grant award, where a conflict of interest, real or apparent, was involved. (Section 117-45.3(a))***

Violation. There is sufficient evidence to substantiate that Mr. Littlejohn's actions violated section 117-45.3(a).

Mr. Littlejohn participated in the administration of the contract between the Tribal Alcoholic Beverage Control Commission (TABCC) and Myers Construction. During his interview, Mr. Littlejohn acknowledged that the owner of Myers construction was his step-uncle and a close friend, with whom he had performed work for in the past.

The investigation concluded that Mr. Littlejohn was involved in the selection of Myers Construction as the contractor. Despite recusing himself from the official vote, Mr. Littlejohn leveraged his position and authority to ensure Myers Construction would be considered for the contract. Mr. Littlejohn admitted to notifying Myers Construction of the bidding opportunity and personally delivering their bid submission to the TABCC. Additionally, Mr. Littlejohn admitted to submitting an addendum on behalf of Myer's Construction for additional work to be completed. Mr. Littlejohn signed a TABCC check to pay Myers Construction.

Given Mr. Littlejohn's close personal relationship with the owner of the Myers Construction and his direct involvement in both the administration and selection of the contract, there is a clear conflict of interest.

***It is alleged that the respondent or a member of their immediate family solicited or accepted gratuities, favors or anything of monetary value from contractors, potential contractors or subcontractors who were/are contracting to perform services or sell goods or property to the Tribe or a Tribal program. (Section 117-45.3(b))***

Violation. There is sufficient evidence to substantiate that Mr. Littlejohn's actions violated section 117-45.3(b).

During his interview, Mr. Littlejohn admitted that Myers Construction had hired him to complete a portion of the work outlined in the contract. For his work, Mr. Littlejohn stated he was compensated \$12,000 by Myers Construction.

***It is alleged that the respondent, directly or through a business entity in which they have a personal interest, entered into a contract for services or goods with a Tribal entity, enterprise, or program for the purpose of either receiving or providing services or goods. (Section 117-45.3(c))***

Violation. There is sufficient evidence to substantiate that Mr. Littlejohn's actions violated section 117-45.3(c).

The investigation revealed that Mr. Littlejohn had a close personal relationship with the owner of Myers Construction, who is his step-uncle. Prior to the contract, Mr. Myers had worked with his step-uncle on several projects, for which he received compensation. Mr. Littlejohn contacted the owner of Myers Construction, informed him about the contract opportunity, and discussed the work Myers Construction would complete prior to the contract being awarded. Subsequently, Mr. Myers submitted the bid from Myers Construction to the TABCC.

***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 Mr. Littlejohn's actions violated section 117-45.3(d)(1).

The investigation found that Mr. Littlejohn personally solicited the bid for Myers Construction and subsequently benefited from the contract financially. During his interview, Mr. Littlejohn admitted that he received \$12,000 in compensation for the work performed on the Tribal ABC store. While Mr. Littlejohn asserted that the owner of Myers Construction was not a member of his immediate family, he acknowledged a close personal relationship with the owner and a history of performing contract work for Myers Construction in the past.

***It is alleged that the respondent failed to protect, conserve, and/or ensure the appropriate use of Tribal Resources. (Section 117-45.3(d)(3))***

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

While Mr. Littlejohn's actions raised ethical concerns due to his clear conflict of interest, the evidence gathered did not conclusively demonstrate that Tribal resources were misused, misappropriated, or improperly utilized as a result of the contract award.

***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 Mr. Littlejohn's actions violated section 117-45.3(d)(15).

The investigation found that Mr. Littlejohn had a clear conflict of interest, as he had a close personal relationship with the owner of Myers Construction. Despite this conflict, Mr. Littlejohn personally reached out to and notified Myers Construction about the potential contract opportunity.

Although Mr. Littlejohn recused himself from the official vote, he still took steps to ensure that Myers Construction would be considered for the contract. These actions demonstrate that Mr. Littlejohn leveraged his position to benefit a company with which he had a clear conflict of interest. Mr. Littlejohn's actions undermined the reputation of the EBCI by engaging in behavior that prioritized personal gain over the best interests of the Tribe.

## VI. CONCLUSION AND RECOMMENDATION

The committee finds that there are ethics code violations of sections 117-45.3(a), 117-45.3(b), 117-45.3(c), 117-45.3(d)(1), 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 Tribal Alcoholic Beverage Control Commission, the Attorney General, the Executive Office, and Tribal Council.

Report prepared and submitted by:

Jasheena Parker  
Case Manager/Lead Investigator

06/14/2024  
Date

## VII. REVIEW BY ETHICS REVIEW COMMITTEE

Affirm ethics violation determination

Issue this 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

**VIII. RECOMMENDED VIOLATION CONSEQUENCES BY THE ETHICS REVIEW COMMITTEE**

Issue a fine in the amount of \$5,000, and recommend that George M. Littlejohn not be appointed to a board, committee or commission for a period of 5 years.

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

Jasheena Parker  
Ethics Review Committee Chair

06/17/2024  
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 a majority of voting members of the Audit and Ethics Committee.

Lou Lando  
Audit and Ethics Committee Chair

7/22/2024  
Date