

OFFICE OF INTERNAL AUDIT AND ETHICS
Ethics Investigation Report
November 6, 2025

Complaint Number: 2025-8-181

Date Filed: August 14, 2025

Complainant: Confidential

Respondent: Travis Smith

I. ALLEGATION

The above-named respondent, Travis Smith, a member of the Tribal Alcohol Beverage Control Commission, (TABCC) violated Cherokee Code Section 117-45 Standards of Ethical Conduct by engaging in a persistent pattern of intimidation and public belittling of staff, issuing conflicting directives that impeded departmental operations, and creating a hostile work environment. These behaviors have caused emotional distress and a decline in morale among TABCC employees.

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

“(l) Tribal officials shall not act individually, jointly, or through another, threaten, intimidate, or discipline any person as reprisal for any legitimate action taken by the person.”

“(q) 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 complaint was received on August 14, 2025. The complainant provided a detailed account of the events that transpired from November 2024-August 2025.

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 Travis Smith on August 21, 2025. A response was received from Commissioner Smith on September 5, 2025.

The Ethics Review Committee reviewed the complaint and response in a special-called meeting, on September 16, 2025. The Committee approved for the ethics staff to proceed with an investigation. (See Resolution ERC 25-03)

The complainant was interviewed on October 14, 2025. Seven witnesses were individually interviewed on October 15 and October 16. The respondent was interviewed on October 24, 2025. These interviews were conducted to obtain additional information in understanding the events as stated in the complaint. Relevant documents and meeting recordings were also reviewed.

IV. FINDINGS OF FACT

1. The respondent is 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 Alcohol Beverage Control Commissioner at the time of the allegations.
5. The respondent attended the TABCC meetings that were reviewed for this investigation.

V. ANALYSIS

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

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(l))

Violation. There is sufficient evidence to substantiate a violation.

Witnesses consistently corroborated that Commissioner Smith's conduct during TABCC meetings was loud, combative, and demeaning. According to their

accounts, these behaviors created what they described as an intimidating and hostile environment. Multiple witnesses noted frequent yelling, belittling, and interruptions, as well as recurring physical displays—such as leaning forward, “puffing up,” pointing, and striking the table. They also described dismissive body language, including eye-rolling and leaning back in his chair while appearing disengaged, which discouraged staff from speaking up. Several witnesses stated that staff “walk on eggshells,” never knowing how Commissioner Smith would respond.

Witnesses stated that Commissioner Smith often spoke over others, used an argumentative tone, and insisted on a “my way or no way” approach. In one meeting, he demanded a “yes or no” answer from the complainant, struck the table, and criticized a staff member’s work, calling it “unprofessional.” During this same meeting when the complainant was trying to answer questions, Commissioner Smith frequently interrupted and scoffed and at one point said, “What are we paying you for?” On another occasion, Commissioner Smith threw a document across the table, calling it “unreal.” Witnesses affirmed that these actions caused significant emotional distress; one employee became upset and considered resigning. Multiple witnesses expressed feeling intimidated, stressed, and reluctant to participate, with some experiencing chronic stress and physical symptoms. Several witnesses noted that Commissioner Smith’s behavior was typically directed at women.

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(q))

Violation. There is sufficient evidence to substantiate a violation.

Witnesses consistently described Commissioner Smith as condescending and lacking compassion, openly discussing personnel matters in front of others and undermining professional integrity. Several witnesses stated that Commissioner Smith overstepped professional boundaries, withheld contract information from the commission, showed favoritism to certain vendors, and disregarded established procedures, including bypassing required RFP processes and failing to include TERO in the process.

Multiple witnesses stated they observed Commissioner Smith engage in distracting behaviors during meetings, including vaping and watching videos, which further undermined professionalism and contributed to a breakdown in transparency and trust among commissioners and staff. Meetings were described as chaotic, unpredictable, tense, and disorganized.

Witnesses consistently agreed that staff did not feel able to participate openly, as their input was frequently micromanaged, disregarded, or ignored. Commissioner Smith often reversed positions to undermine staff, criticized their work, dismissed policies intended to improve operations, and responded argumentatively or

dismissively when challenged. These actions created confusion, inefficiency, and a stressful work environment.

Collectively, witnesses stated that Commissioner Smith's actions eroded trust, hindered communication, and fostered a hostile and unprofessional environment. They noted that meetings held in his absence were more productive, direct, and collaborative.

VI. CONCLUSION AND RECOMMENDATION

The committee finds that there are Ethics Code Violations of Sections 117-45.3(l) and 117-45.3(q), for the reasons set forth in the report. There were additional concerns uncovered during the investigation that may warrant further review. 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:

Jashena Parker
Case Manager/Lead Investigator

11/06/2025
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

The Ethics Review Committee recommends escalating the fine to \$2,500, based on the circumstances; removing Commissioner Smith from the Tribal Alcohol Beverage Control Commission; and that Commissioner Smith not be appointed to any position 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.

Joahena Parker

Ethics Review Committee Chair

11/7/2025

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

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

MONIQUE TAYLOR (Nov 19, 2025 18:17:27 EST)

Audit and Ethics Committee Chair

Date _____