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**CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA**

Date: \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_ (2023)**

WHEREAS, Section 23 of the Charter and Governing Document authorizes and empowers Tribal Council to enforce obedience to Tribal laws; and

WHEREAS, Tribal Council has a duty to address the conduct of its members when their conduct violates Tribal civil or criminal laws and what the community expects of Tribal elected officials; and

WHEREAS, the impeachment law, Cherokee Code Section 117A-7(a), states that "Any EBCI member may submit a resolution to Tribal Council for an impeachment investigation"; and

WHEREAS, Tribal Council Representative Bo Crowe has been charged in the Cherokee Court with three crimes arising out of an incident in a parking area at Harrah's Cherokee Casino on Friday, January 6, 2023. He was arrested by officers of the Cherokee Indian Police Department on Saturday, January 7, 2023; and

WHEREAS, on Monday, January 9, 2023, Bo Crowe was arraigned at the Cherokee Court and was charged with the following crimes, as reported by the Cherokee One Feather on January 9, 2023:

- (a) Case No. 23CR9019: assault inflicting serious bodily injury (Cherokee Code Sec. 14-40.54);
- (b) Case No. 23CR9020: aggravated reckless endangerment (Cherokee Code Sec. 14-40.64); and
- (c) Case No. 23CR9021: assault by strangulation (Cherokee Code Sec. 14-40.49).

WHEREAS, on January 10, 2023, Bo Crowe read a statement to Tribal Council and the public, on air, stating that he was involved in the incident, that he reported it to the Ethics Committee, and that "I stand accountable for my actions" and "I must place my faith in the tribal process". Bo Crowe's statement was published in the Cherokee One Feather on January 10, 2023; and

WHEREAS, the criminal complaints listed in this resolution describe wrongful conduct by Bo Crowe which may constitute violations of his oath of office and the following sections of the Tribe's ethics laws, and may provide grounds to impeach and remove Bo Crowe from office:

- (a) Violation of the oath of office in Section 18 of the Charter and Governing Document.

- (b) Cherokee Code Section 117-20; Section 117-45.2; Section 117-45.3(d)(1); Section 117-45.3(d)(5); Section 117-45.3(d)(7); Section 117-45.3(d)(8); Section 117-45.3(d)(10); Section 117-45.3(d)(15); Section 117-45.3(f).

WHEREAS, on May 17, 2022, the Ethics Review Committee issued a report that concluded that Bo Crowe had violated the Tribe's ethics laws by engaging in threatening and intimidating, behavior toward Dr. Michael Murray, who was then the Superintendent of Cherokee Central Schools, on February 7, 2022; and

WHEREAS, the ethics report issued on May 17, 2022, was distributed to Tribal Council members and published by the Cherokee One Feather; and

WHEREAS, Tribal Council has not done anything in response to the ethics report; and

WHEREAS, there is probable cause for Tribal Council to investigate Bo Crowe to determine if his conduct and statements on and after January 6, 2023, violated Tribal civil law in a manner that supports impeachment and removal from office; and

WHEREAS, there is probable cause for Tribal Council to investigate Bo Crowe to determine if his conduct directed toward the Superintendent of Cherokee Central Schools, as reported by the Ethics Review Committee on May 17, 2022, violated Tribal civil law in a manner that supports impeachment and removal from office; and

WHEREAS, by this resolution, Tribal Council is engaging the process that Bo Crowe said he will place his faith in, and it calls for his suspension, investigation and, if supported, impeachment and removal from Tribal Council.

NOW THEREFORE BE IT RESOLVED, the Eastern Band of Cherokee Indians Tribal Council, in Council assembled, at which a quorum is present, that pursuant to Cherokee Code Section 117A-7, this resolution and the criminal cases and complaints identified in it, and the newspaper articles, and the report of the Ethics Review Committee dated May 17, 2022, are hereby determined to be admissible in Tribal Council for the purpose of establishing probable cause for the commencement of an impeachment investigation into Wolfetown Tribal Council Representative Bo Crowe.

BE IT FURTHER RESOLVED that, under Cherokee Code Section 117A-16, Wolfetown Tribal Council Representative Bo Crowe shall be immediately suspended from office during the impeachment investigation and impeachment proceeding (if any). He shall continue to be suspended until the conclusion of the investigation or impeachment proceeding, and he may only be reinstated to office if acquitted of the criminal charges arising from the incident on January 6, 2023 or found to not have violated the Tribe's criminal laws, his oath of office, or the Tribe's ethics laws.

BE IT FURTHER RESOLVED that Bo Crowe's suspension shall be a complete suspension from all official duties and activities that he would otherwise be entitled to perform by virtue of his position on Tribal Council; but he shall continue to receive his regular pay and benefits while he is suspended.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

*Submitted by:*

*Chelsea Taylor and Mary Jane Ferguson*