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CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: _____

RESOLUTION NO. _____ (2018)

WHEREAS, Cherokee Code (C.C.) § 117-50(b) requires legislation that is presented by the Eastern Band of Cherokee Indians at the state or federal level must be approved by a resolution of Tribal Council; and

WHEREAS, as expressed in Cherokee Code Chapter 2, Tribal Council has authority to exclude (banish) persons from Tribal lands if the persons commit certain crimes or threaten the law and order on Tribal lands and Tribal Council periodically exercises that authority in a "banishment" resolution; and

WHEREAS, the vast majority of persons excluded by Tribal Council from Tribal lands are excluded because of their involvement in in criminal drug activity and/or crimes of violence; and

WHEREAS, the Cherokee Indian Police Department struggles with enforcing exclusion resolutions because of a lack of a lack of applicable state law in the jurisdictions immediately surrounding Tribal lands; and

WHEREAS, to address this problem, the Tribe should pursue state legislation in the North Carolina General Assembly to make it a violation of state law for a person to enter onto Tribal lands if that person is subject to an exclusion resolution passed and approved by Tribal Council pursuant to Tribal law.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, in compliance with C.C. § 117-50(b), hereby approves the pursuit and enactment of state legislation in the North Carolina General Assembly to make it a violation of state law for a person to enter onto Tribal lands if that person is subject to an exclusion resolution duly enacted by Tribal Council and approved pursuant to Tribal law.

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2 BE IT FINALLY RESOLVED that all resolutions that are inconsistent with
3 this resolution are rescinded, and that this resolution shall
4 become effective when ratified by the Principal Chief.
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7 *Submitted by Dennis "Bill" E. Taylor.*