

**CROW TRIBAL LEGISLATURE  
MAY 14<sup>th</sup>, 2019 SPECIAL SESSION**

**LR No. 19-10**

INTRODUCED BY SEN. THOMAS YELLOWTAIL  
HEALTH & HUMAN SERVICES COMMITTEE CHAIRMAN

A LEGISLATIVE RESOLUTION TITLED:

**“A LEGISLATIVE RESOLUTION TO PERMANENTLY EXCLUDE JOSEPH DUNN,  
AS A NON-TRIBAL MEMBER FROM THE CROW INDIAN RESERVATION FOR  
CONDUCT DETRIMENTAL TO THE BEST INTERESTS OF THE CROW TRIBE.”**

**LEGISLATIVE FINDINGS:**

**WHEREAS**, pursuant to Article V, Section 2(a) of Crow Tribal Constitution the Crow Tribal Legislature (hereinafter, “Legislature”) has the power and duty to promulgate and adopt laws and resolutions in accordance with this Constitution and federal laws for the governance of the Crow Tribe of Indians and for providing for the exclusion of persons not legally entitled to reside or remain within the exterior boundaries of the Crow Indian Reservation; and

**WHEREAS**, pursuant to Article IV, Section 3(h) of the Crow Tribal Constitution, the Crow Tribal Executive Branch (hereinafter, “Executive Branch”) has the power and responsibility to exclude from the restricted lands of the Crow Tribe any persons not legally entitled to reside therein, under ordinances which shall be adopted by the Legislature; and

**WHEREAS**, pursuant to Legislative Resolution Number 10-20, “A Resolution of the Crow Tribal Legislature to Establish Branch Policy and Procedure for Legislative Resolutions” Section 1, Subsection 7., Exclusion Resolutions provide for the Legislature to enact Legislative Resolutions to exclude non-members by Legislative Resolution; and

**WHEREAS**, Crow Tribe, also known as, the “Apsaalooke Nation,” has three treaties with the United States and is a modern, federally-recognized sovereign tribal nation with all inherent rights, privileges, and powers as a self-governing nation; with the power to remove “Bad Men” from the Crow Indian Reservation; and

**WHEREAS**, Indian tribes retain inherent sovereign authority to exclude and restrict non-tribal member from entry upon Indian lands or any other lands subject to tribal regulatory jurisdiction; and

**WHEREAS**, the Crow Tribe has been made aware of actions taken recently by a non-tribal member, Joseph Dunn, involved in conduct detrimental to the Crow Tribal membership at the Crow-Northern Cheyenne Indian Health Service (Hospital) located on the Crow Indian Reservation. Such conduct has amounted to:

1. Lack of communication that Joseph Dunn demonstrated during his assignment to the Crow-Northern Cheyenne Indian Health Service.
2. Mr. Dunn's lack of customer service, professionalism and lack of competency- demonstrating an impact on Crow Tribal members.
3. Lack of professionalism by Mr. Dunn by abusing his authority by intimidating and making personal attacks on Hospital staff.
4. Mr. Dunn's actions have resulted in tribal staff members resigning from their positions at Crow-Northern Cheyenne IHS.
5. Mr. Dunn's use of racial profiling and discriminating remarks is unprofessional and harmful to tribal members both employed and who are patients at the Crow-Northern Cheyenne Indian Health Service.

**NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE IN SPECIAL SESSION:**

The following non-tribal member is immediately and strictly prohibited from entry, for any purpose, on any trust or restricted or other lands owned in whole or part by the Crow Tribe of Indians, including all such tribal lands located in the 1904 Ceded Strip:

**Joseph Dunn, Non-Crow Tribal Member**

Furthermore, this non-tribal member shall be immediately and permanently excluded from all lands and waters within the exterior boundaries of the Crow Indian Reservation, provided that this non-tribal member shall retain the ability to travel on the state and federal right-of-ways, excluding right-of-ways held by the Bureau of Indian Affairs.

**BE IT FURTHER RESOLVED;**

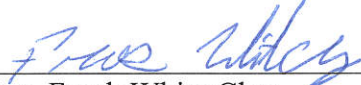
In the event Joseph Dunn is found by officers of the Crow Tribe or United States to be in violation of this Tribal Resolution, they shall be immediately detained and transported to a suitable location at the exterior boundaries of the Crow Reservation.

**BE IT FINALLY RESOLVED;**


This Tribal Resolution shall take effect immediately upon being duly adopted by the Crow Tribal Legislature, and a certified copy shall be hand delivered by the Crow Tribal Secretary, to the Regional Director at Indian Health Services Administration, to the Bureau of Indian Affairs, Office of Justice Services Chief of Police in Crow Agency, the Crow Tribal Department of Public Safety, and Joseph Dunn. A copy of the Resolution shall be mailed to United States Senators Tester and Daines and United States Representative Gianforte.

## CERTIFICATION

I hereby certify that this Bill for an Act titled “**A LEGISLATIVE RESOLUTION TO PERMANENTLY EXCLUDE JOSEPH DUNN, AS A NON-TRIBAL MEMBER FROM THE CROW INDIAN RESERVATION FOR CONDUCT DETRIMENTAL TO THE BEST INTERESTS OF THE CROW TRIBE.**” was duly approved by the Crow Tribal Legislature with a vote of 14 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 14<sup>th</sup> day of May, 2019.

  
Sen. Frank White Clay  
Speaker of the House  
Crow Tribal Legislature

ATTEST:

  
Sen. Lawrence DeCrane  
Secretary  
Crow Tribal Legislature



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**"A LEGISLATIVE RESOLUTION TO PERMANENTLY EXCLUDE JOSEPH DUNN, AS A NON-TRIBAL MEMBER FROM THE CROW INDIAN RESERVATION FOR CONDUCT DETRIMENTAL TO THE BEST INTERESTS OF THE CROW TRIBE."**

**Bill or Resolution:** LR19-10 **Introduced by:** Sen. Thomas Yellowtail-H&H Serv. **Date of Vote:** 5/14/2019  
**Number**

| <b>REPRESENTATIVE:</b>  | Yes               | No                | Abstained         |
|-------------------------|-------------------|-------------------|-------------------|
| M. White Clay           | <u>X</u>          | <u>          </u> | <u>          </u> |
| D. Spotted              | <u>X</u>          | <u>          </u> | <u>          </u> |
| L.Hogan, III            | <u>X</u>          | <u>          </u> | <u>          </u> |
| B. Brown                | <u>X</u>          | <u>          </u> | <u>          </u> |
| S. Real Bird            | <u>X</u>          | <u>          </u> | <u>          </u> |
| V. Nomee                | <u>          </u> | <u>          </u> | <u>          </u> |
| T. Yellowtail           | <u>X</u>          | <u>          </u> | <u>          </u> |
| T. Gros Ventre          | <u>          </u> | <u>          </u> | <u>          </u> |
| P. Alden, Jr.           | <u>          </u> | <u>          </u> | <u>          </u> |
| M. Not Afraid           | <u>X</u>          | <u>          </u> | <u>          </u> |
| G. Bouyer               | <u>X</u>          | <u>          </u> | <u>          </u> |
| J. Demontiney           | <u>X</u>          | <u>          </u> | <u>          </u> |
| B. Hugs                 | <u>X</u>          | <u>          </u> | <u>          </u> |
| N. Old Crow, Jr.        | <u>          </u> | <u>          </u> | <u>          </u> |
| B. Good Luck            | <u>X</u>          | <u>          </u> | <u>          </u> |
| H. Male Bear-Stone, Jr. | <u>X</u>          | <u>          </u> | <u>          </u> |
| L. DeCrane, Secretary   | <u>X</u>          | <u>          </u> | <u>          </u> |
| F. White Clay, Speaker  | <u>X</u>          | <u>          </u> | <u>          </u> |
| <b>Total:</b>           | <u>14</u>         | <u>0</u>          | <u>0</u>          |

Result of Vote:

**Passed**

**Not Passed**

**Tabled**

**Veto-Override**

Frank White Clay 5-14-19  
 Senator Frank White Clay                      Date  
 Speaker of the House  
 Crow Tribal Legislative Branch

Lawrence DeCrane  
 Senator Lawrence DeCrane                      Date  
 Secretary of the House  
 Crow Tribal Legislative Branch