



# MUSCOGEE (CREEK) NATIONAL COUNCIL

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Speaker: *Randall Hicks*

Second Speaker: *Darrell Proctor*

## MUSCOGEE (CREEK) NATIONAL COUNCIL

### IMPEACHMENT DIRECTIVE

#### PURPOSE

The Muscogee (Creek) National Council hereby authorizes this **National Council Directive** (hereinafter the "**Directive**"), in accordance with Title 31 of the Muscogee (Creek) Nation Code Annotated, and instructs the Special Prosecutor to convene a Special Impeachment Committee (hereinafter the "**Committee**") to consider the removal of Representative Travis Scott (hereinafter "**Rep. Scott**") as a member of the Muscogee (Creek) National Council. The National Council has authorized the engagement of a Special Prosecutor, Attorney Jeff Davis (hereinafter the "**Special Prosecutor**"), to investigate the allegations, prepare information, and present evidence to the Committee consistent with Title 31.

The Special Prosecutor and the Committee are hereby directed to examine charges, investigate activities, and examine evidence regarding Scott Native Products (d/b/a Parks Brothers Act Hardware, hereinafter the "**Business**"), a business owned by Rep. Scott, engaging in business transactions with the Nation during his term of office in violation of the Nation's laws.

The National Council directs the Committee, moreover, to state and report the Committee's findings in this matter to the National Council within thirty (30) days from the vote to authorize this Directive during the Impeachment Session. The Committee is also directed to report whether the Committee authorizes the Special Prosecutor to prepare Articles of Impeachment against Rep. Scott.

#### CAUSE OF REMOVAL - ALLEGATIONS

Based upon the National Council's review of documentary and witness evidence presented and recommendations from both the National Council's Internal Affairs Committee and Fact-Finding & Investigations Committee the National Council presents probable cause for removal of Rep. Scott based upon the following allegations:

Rep. Scott has owned "Scott Native Products" (doing business as "Parks Brothers Ace Hardware", hereinafter the "**Business**"), with his spouse, Ms. ShaRee Scott since 2015.

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Session - Pale - Hokekolen Eshvkontvlatkat (21st)

2020-2021

- Rep. Scott was elected as a National Council Representative for the Okfuskee District – Seat B in 2017 and began his term in January 2018.
- From the date in which Rep. Scott took the oath of office in January 2018, the Business engaged in business transactions with numerous of the Nation’s business entities from January 2018 until approximately September 2020 as follows:

<u>Entity Name</u>	<u>Amount</u>
Muscogee (Creek) Nation (Government)	\$70,458.47
Muscogee (Creek) Nation Casinos	\$36,802.97
Muscogee Nation Businesses, LLC (MNBE)	\$322.89
<b><u>Total</u></b>	<b><u>\$107,584.33</u></b>

- Witness testimony confirmed that the Business engaged in illegal business transactions with the tribal government of the Muscogee (Creek) Nation and its’ subsidiaries, while Rep. Scott was serving his term as a National Council Representative in violation of the Nation’s laws.

The National Council, in conjunction with the evidence presented, reviewed the relevant laws of the Nation to this matter and identified the following high crimes and misdemeanors as defined in Title 31, § 1-104.C, and specifically regarding Political Misconduct (including *37 MCNCA § 4-101*, *37 MCNCA § 4-103(B)*, and *31 MCNCA § 1-104(C)(9)*<sup>1</sup>). Ultimately the National Council determined this Directive was necessary for the National Council to authorize such investigation based upon its obligation to the citizens of the Nation to uphold the Nation’s Constitution and laws in regards to the conduct of elected officials. The Special Prosecutor and the Special Impeachment Committee are authorized pursuant to this Directive to investigate any and all matters pertaining to Mr. Scott’s business dealings with the Nation, including any and all related facts, evidence, and testimony.

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<sup>1</sup> 37 MCNCA § 4-101 states: No officer or employee of the Muscogee (Creek) Nation or officer or employee of any entity under the jurisdiction of the Muscogee (Creek) Nation shall be permitted to enter into business contracts or do business with the Muscogee (Creek) Nation.

37 MCNCA § 4-103(B) states: Any officer of the Muscogee (Creek) Nation found to be in violation of this subchapter shall be subject to removal as defined by the Constitution and laws of the Muscogee (Creek) Nation.

31 MCNCA § 1-104(C)(9) states: An officer of the Muscogee (Creek) Nation shall not engage in any business of whatever nature, directly or indirectly, with the Muscogee (Creek) Nation, nor shall an officer solicit, participate, profit, benefit, or conspire to gain advantage over others; except that business transactions may be allowed which are nominal in nature and the government transacts business in the same nature as does the general public, freely and openly.