TUNICA-BILOXI TRIBE OF LOUISIANA
TRIBAL COUNCIL RESOLUTION NO. TBN-R-2021-002

Resolution Accepting the Resignation of Councilman Zahn from the
Tunica-Biloxi Tribal Council

WHEREAS, the Tunica-Biloxi Tribe of Louisiana (the “Tribe”) is a federally-recognized Indian tribe:

WHEREAS, the Tunica-Biloxi Tribal Council (“Tribal Council”) is the duly elected governing body of the Tribe, as authorized by Article VII, Section 1, of the Constitution of the Tribe (“Constitution”):

WHEREAS, the Tribal Council has the authority and responsibility to supervise and manage Tribal economic affairs and enterprises and to administer all property of the Tribe:

WHEREAS, the Tribal Council has the power and authority under the Constitution to “promote and protect health, peace, morals, education and the general welfare of the Tribe” and, as repeatedly recognized by the Courts of the United States, to exercise authority over matters of internal tribal governance:

WHEREAS, the Tribal Council has the power and authority under the Constitution to “[d]o acts of governmental and public nature as are not prohibited by applicable laws or by th[e] Constitution” and “may exercise all other inherent tribal powers”:

WHEREAS, Councilman Jeremy Zahn was suspended from the Tunica-Biloxi Tribal Council on October 15, 2020 pursuant to Tribal Council Resolution No. TBN-R-2020-071 as he was under investigation by the State of Louisiana for crimes of a sexual nature and corruption in misuse of his position as member of the committee overseeing the Catastrophic Fund. On January 8, 2021 an attorney for the Tribe learned that the State of Louisiana was in the process of closing that investigation and the Tribal Council has been fully briefed on the status of the State’s closure of that investigation: and

WHEREAS, in the course of Councilman Zahn’s suspension pursuant to Tribal Council Resolution No. TBN-R-2020-071, the Tribal Council conducted a public records search of his criminal history that clearly demonstrates a lengthy record of violence and dishonesty that would disqualify him from being hired as a tribal or casino employee. Councilman Zahn’s prior conduct and criminal record presents an image of impropriety as a member of the Tribal Council necessitating the Council to take action to protect the general welfare of the Tribe.

WHEREAS, that on January 14, 2021, the Tribal Council met with all six active members present and voted to suspend Councilman Zahn indefinitely. Approximately 20 minutes after the vote, the Tribal Council received a letter from Councilman Zahn providing notice of his resignation from the Tribal Council.
NOW THEREFORE BE IT RESOLVED, that the Tribal Council hereby accepts the resignation of Jeremy Zahn for the remainder of his term in office pending the conclusion of a criminal investigation by the State of Louisiana and an internal Tribal investigation in order to protect the Tunica-Biloxi Tribe and its members, and to ensure the integrity of the Tribal Council. This suspension will apply to all positions held within the Tunica-Biloxi Tribe including Councilman, and any other duties or responsibilities he may hold or be exercising within, for or on behalf of the Tunica-Biloxi Tribe or Tunica-Biloxi Gaming Authority.

BE IT FURTHER RESOLVED, the Tribal Council finds that Jeremy Zahn’s criminal record disqualifies him from seeking elected Tribal office in the future, would likely disqualify him from serving as a tribal employee and that he has been denied a gaming license by the State of Louisiana pursuant to the Tribal-State compact. In denyng Jeremy Zahn a gaming license the State of Louisiana relied on its authority to deny certification to applicants who have “created or fostered an appearance of impropriety, by virtue of their present or past activities, criminal record, reputation, habits, or associations.”

BE IT FURTHER RESOLVED, the Tribal Council may provide available public records to the Tribal Membership of the following known criminal history:

- On March 3, 2006 Jeremy Zahn was arrested and charged with aggravated assault of a family member, a felony which was later reduced to deadly conduct a misdemeanor based upon a plea bargain. The Court had found probable cause to detain Councilman Zahn during the pendency of the case. Both aggravated assault and deadly conduct are crimes of violence. Jeremy Zahn entered a plea then served one year of community supervision and paid a fine for the crime of deadly conduct, a crime of violence.

- On July 28 2009, Jeremy Zahn was arrested by the Roswell, Georgia Police department for Stalking, a crime of violence. The charges were dismissed for an unknown reason.

- On July 4, 2010, a criminal complaint was lodged against Zahn with the Roswell, Georgia Police Department for Stalking.

- On October 5, 2010, a criminal complaint was lodged against Zahn with the Roswell, Georgia Police Department for Stalking, a crime of violence. The victim received 59 phone calls in one day from Jeremy Zahn and 631 text messages from Zahn over a three-day period. The victim obtained a restraining order against Zahn.

- On December 2, 2010, a criminal complaint was lodged against Jeremy Zahn with the Roswell, Georgia Police Department for Harassing Phone Calls.

- On December 7, 2010, a criminal complaint was lodged against Jeremy Zahn with the Roswell, Georgia Police Department for Stalking, a crime of violence. The victim received 43 phone calls within a two-day period from Jeremy Zahn and 90 text messages in a single day from Jeremy

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Zahn, as well as 8 pages of Facebook messages from Jeremy Zahn. According to the police report, the victim was scared of what Zahn “would or could” do to her family.

- On February 15, 2012, Jeremy Zahn was arrested on an outstanding warrant for Stalking, a crime of violence. The adjudication of this charge was deferred for prosecution.

- On April 4, 2018, after Councilman Zahn was elected as a Councilmember, Councilman Zahn was arrested for criminal mischief, for smashing the windows of a car, and slashing the tires of a car, of a woman that he was intimately involved in, the charges were dismissed when the victim did not appear in court.

**BE IT FURTHER RESOLVED**, the Tribal Council finds that Councilman Jeremy Zahn has consistently sought to intimidate, manipulate and threaten fellow members of the Tribal Council and the membership since his election and the pending acceptance of his resignation is in the best interest of the Tribe in light of his history of violence and the appearance of impropriety created by his background and prior conduct. Specifically, the Tribal Council finds that Councilman Jeremy Zahn has;

- By his own admission, had sexual relations with a married tribal member upon personally delivering a check to her from the Tribal catastrophic fund, while he was responsible for overseeing the catastrophic fund.

- Failed to prove his qualifications for Office by misleading the Tribe about his criminal history when running for office and when providing a certification for an FCC license sought by the Tribe.

- Knowingly and willfully lied to the full Tribal Council on October 15, 2020 when confronted about the State of Louisiana’s criminal investigation into his activities of a sexual nature. Zahn asserted that he had been assured by State Investigators that he was no longer under investigation, but was being treated as a victim and that the investigation was instead focused on the Tribal Members who had reported him to the State. Counsel for the Tribe immediately called the State Investigators who confirmed that Zahn’s claims were wholly and completely inaccurate.

- Repeatedly claimed to be working with outside law enforcement agencies on alleged and unreported violations of law as a means to threaten and intimidate his fellow Council Members with potential criminal prosecution.

**BE IT FURTHER RESOLVED**, the Council finds that in August of 2020 Zahn caused protected health information to be shared in violation of the Health Insurance Portability and Accountability Act (HIPAA), and was found to have done so by the Tribal Council of the Tunica-Biloxi Tribe of Louisiana, and the Tunica-Biloxi Ethics Commission. The violation of the HIPPA by Councilman Zahn was a violation of federal law that violated a tribal member’s right to privacy and potentially exposed the Tribe to legal liability. This HIPPA violation coupled with his criminal history shows that he is an individual that does not believe that he needs to follow duly enacted laws.
BE IT FURTHER RESOLVED, the Tribal Council hereby accepts the resignation of Councilman Jeremy Zahn pending the conclusion of a criminal investigation by the State of Louisiana and an internal Tribal investigation.

BE IT FURTHER RESOLVED, following the acceptance of this resignation by the Tribal Council, Jeremy Zahn is prohibited from entering any tribal government buildings except for the purpose of obtaining services eligible to all tribal members. He is prohibited from contacting any members of the Tribal Council, any employees of the Tribe and from continuing to hold himself out to the membership or public as a member of the Tribal Council. Councilman Zahn shall cease receiving Council stipends. He shall not receive a Council salary or any back pay for his prior suspension.

BE IT FINALLY RESOLVED, the Tribal Council finds that by virtue of his ongoing activities and criminal record Jeremy Zahn has fostered a hostile workplace for the other members of the Tribal Council and Tribal employees, created an environment of fear and intimidation within the Tribe and engaged in a pattern of behavior that makes him unsuitable to serve on the Tunica-Biloxi Tribal Council. Therefore, we accept his resignation from the Tribal Council for the remainder of his term pending the outcomes of a pending criminal investigation by the State of Louisiana and an internal Tribal investigation. The Chairman is authorized on behalf of the Tribe to provide appropriate notifications of the suspension, resignation and this pending acceptance to the membership and to relevant third parties at his discretion. This Resolution supersedes and replaces Tribal Council Resolution No. TBN-R-2020-071 and any other prior Resolutions to the extent they may be inconsistent.

CERTIFICATION

We, the undersigned, as Chairman and Secretary-Treasurer of the Tunica-Biloxi Tribe of Louisiana, certify that the Tribal Council of said Tribe is composed of seven (7) members, of whom __5__, constituting a quorum, were present at a meeting thereof, duly called, noted, convened and held this 14th day of January 2021; and that the foregoing Resolution was duly adopted by a vote of __4__ members in favor, __1__ opposed, and __0__ abstaining.

Dated this 14th day of January 2021.

[Signature]
Marshall Pierite, Chairman

[Signature]
Beverly C. Rachal, Secretary-Treasurer