

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Urging Immediate Bureau of Indian Affairs Action to Correct All Critical
Health and Safety Issues at the Tohono O'odham Nation Adult Detention
Facility and Supporting Department of the Interior Office of
Inspector General Recommendation)**

RESOLUTION NO. 23-213

- 1 **WHEREAS,** the Constitution vests the Tohono O'odham Legislative Council with the authority
2 to "promote, protect and provide for public health, peace, morals, education and
3 general welfare of the Tohono O'odham Nation and its members" and to "consult
4 with the Congress of the United States and appropriate federal agencies
5 regarding federal activities that affect the Tohono O'odham Nation . . ."
6 (Constitution, Article VI, Section 1(c)(2) and Section 1(j)); and
7 **WHEREAS,** the Tohono O'odham Nation Adult Detention Facility was constructed in 1964 and
8 is Bureau of Indian Affairs ("BIA") owned and maintained; and
9 **WHEREAS,** recently, the Office of Inspector General ("OIG") Department of the Interior
10 released a Management Advisory with a performance audit of BIA funded or
11 operated detention programs that included the Tohono O'odham Nation Adult
12 Detention Facility; and
13 **WHEREAS,** the OIG Management Advisory identified several serious health and safety
14 concerns with the Tohono O'odham Nation Adult Detention Facility including a
15 broken sewer line under the facility, nonoperational toilets and sinks throughout
16 the building, as well as moldy shower ceilings; and
17 **WHEREAS,** the OIG Management Advisory recommended that the BIA:
18 **Coordinate with the Division of Facilities Management and Construction**
19 **and the BIA Office of Justice Services to develop and implement a plan to**
20 **identify and address all critical health and safety issues at the facilities**
21 **mentioned in this management advisory. This plan should include, at a**
22 **minimum, specific corrective actions and associated milestones for each**
23 **identified issue.**
24 ; and
25 **WHEREAS,** the Nation's Department of Public Safety previously advocated for immediate
26 corrective action from the BIA to address the critical health and safety issues at
27 the Tohono O'odham Nation Adult Detention Facility; and
28 **WHEREAS,** the Domestic Affairs and Appropriations Committees urge immediate BIA action
29 to correct all critical health and safety issues at the Tohono O'odham Nation Adult
30 Detention Facility and supports the OIG Management Advisory recommendation.
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1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council urges
2 **immediate BIA action to correct all the critical health and safety issues at the**
3 **Tohono O'odham Nation Adult Detention Facility and supports the OIG**
4 **Management Advisory recommendation.**

5 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH**
6 **day of JUNE, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**
7 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,**
8 **Article VI, Section (c)(2) and Section 1(j) of the Constitution of the Tohono O'odham Nation,**
9 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
10 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
11 **Act of June 18, 1934 (48 Stat.984).**

12 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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17 **Alberta J. Ray, Legislative Vice Chairwoman**

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19 20 day of June, 2023
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23 **ATTEST:**

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25 _____
26 **Evonne Wilson, Legislative Secretary**

27
28 20 day of June, 2023
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30 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
31 **O'odham Nation on the 20 day of June, 2023 at 1:37 o'clock, pm.,**
32 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
33 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
34 **hours of submittal.**

35 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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40 **Alberta J. Ray, Legislative Vice Chairwoman**

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APPROVED

on the 20 day of June, 2023

DISAPPROVED

at 7:10 o'clock, P.m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 20 day of

June, 2023, at 3:05 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

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ACTION: URGING IMMEDIATE BUREAU OF INDIAN AFFAIRS ACTION TO CORRECT ALL CRITICAL HEALTH AND SAFETY ISSUES AT THE TOHONO O'ODHAM NATION ADULT DETENTION FACILITY AND SUPPORTING DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL RECOMMENDATION

MOVED: COUNCILMAN DANIEL L.A. PRESTON III

SECOND: COUNCILWOMAN GRACE MANUEL

DATE: JUNE 16, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. LORRAINE M. EILER ()	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			X
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornellus Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (<i>Absent</i>) (Francine Schooling) (<i>Present</i>)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[01]