

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Calling on Former Council Vice Chairpersons to Repay Unauthorized Expenditures
and Resign From the Tohono O'odham Legislative Council)

LEGISLATIVE ORDER NO. 24-253

1 **WHEREAS,** “The Tohono O’odham Council shall elect from among its own membership a
2 chairman and vice-chairman. The chairman, or in his absence, the vice-
3 chairman shall preside at all meetings of the council, shall perform all duties of
4 a chairman and exercise any authority delegated to him by the council.”
5 (Constitution of the Tohono O’odham Nation, Article V, Section 4); and
6 **WHEREAS,** the Legislative Council delegates to the Council chairperson authority to
7 “Allocate funds, staff, and other resources for the effective operation of the
8 Legislative Branch,” “Approve Legislative Branch expenditures,” and “Supervise
9 and delegate the supervision of Legislative Branch employees.” Legislative Order
10 No. 06-047; and
11 **WHEREAS,** the Standards of Conduct for Legislative Council Representatives and Alternates
12 adopted by Legislative Order No. 23-022 require all Council representatives to
13 “Only use or authorize the use of branch vehicles and equipment for business
14 purposes and comply with vehicle, travel, and other policies.” Standards, II.(I);
15 and
16 **WHEREAS,** the Standards of Conduct further require, “Council Representatives shall not use
17 their official position to improperly secure information, privileges, or benefits
18 for themselves or others which they are not otherwise entitled by law to receive.”
19 Standards, I(C); and
20 **WHEREAS,** the Legislative Branch Credit Card Policy requires that in the “case of meals for
21 an official government purpose, the receipt shall include the names of all persons
22 involved in the purchase, and a brief description of the government purpose.”
23 Credit Card Policy Section 6(B); and
24 **WHEREAS,** the Credit Card Policy also requires that, “Separate electronic files, which shall
25 include copies of the monthly statements and all receipts submitted, shall be
26 created and maintained by designated Legislative Branch staff for each credit
27 card.” Credit Card Policy Section 6(C); and
28 **WHEREAS,** in May 2023, the Legislative Rules and Budget and Finance Committees received
29 allegations that from 2021 to 2023, then-Chairman Timothy Joaquin directed staff
30 to pay monthly statements for his assigned credit card without providing receipts
31 or required written statements verifying the purpose of purchases and otherwise
32 violated the Legislative Branch’s credit card, travel, and vehicle policies and

1 requirements that are designed to provide accountability and protect the
2 Nation's funds and other assets; and

3 **WHEREAS,** by Legislative Order No. 23-329, the Legislative Council supported an
4 independent audit, under the Council officers' direction, of compliance with the
5 Legislative Branch Credit Card Policy and other policies, including the Travel
6 Policy; and

7 **WHEREAS,** Legislative Order No. 23-329 also directed the Council officers to determine,
8 based on available information, whether action is necessary to comply with the
9 Standards of Conduct for Legislative Council Representatives and Alternates; and

10 **WHEREAS,** on August 31, 2023, the Legislative Branch engaged Keegan Linscott & Associates,
11 PC, an independent forensic accounting firm, to provide forensic accounting
12 services and evaluate compliance with the Legislative Branch Credit Card Policy,
13 Travel Policy, and other policies for the period from January 1, 2016 to April 30,
14 2023; and

15 **WHEREAS,** on May 30, 2024, Keegan Linscott & Associates presented to the Legislative Council
16 the Legislative Branch Phase I Audit Report ("Audit Report"), which detailed
17 significant and repeated violations of Legislative Branch policies by then-
18 Chairman Timothy Joaquin; and

19 **WHEREAS,** by Legislative Order No. 24-152, the Legislative Council called on Representative
20 Timothy L. Joaquin to immediately resign from the office of Legislative Council
21 representative and repay the Branch for unauthorized expenditures consistent
22 with applicable policies, and Representative Joaquin did subsequently resign;
23 and

24 **WHEREAS,** on August 22, 2024, Keegan Linscott & Associates presented to the Legislative
25 Council the Legislative Branch Phase II Audit Report ("Phase II Audit Report"),
26 which included findings of repeated violations of Legislative Branch policies by
27 former Council vice chairpersons; and

28 **WHEREAS,** based upon the detailed, independent Phase II Audit Report findings of repeated
29 violations of the Credit Card Policy and other Legislative Branch policies by
30 former Council vice chairpersons, the Council officers and the Budget and
31 Finance and Rules Committees recommend that the former Council vice
32 chairpersons repay the Branch consistent with applicable policies and that those
33 who currently serve as Council representative or alternate resign from office.

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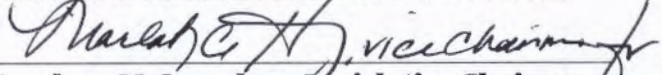
(Calling on Former Council Vice Chairpersons to Repay Unauthorized Expenditures and Resign From the Tohono O'odham Legislative Council)

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NOW, THEREFORE, BE IT ORDERED that the Tohono O'odham Legislative Council calls upon (1) all former vice chairpersons who served during the audit period to repay the Branch consistent with applicable policies and (2) those who currently serve as Council representative or alternate, Representative Lucinda Allen and Alternate Alberta Ray, to resign from office.

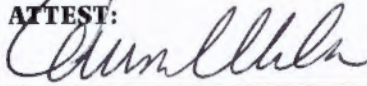
The foregoing Order was passed by the Tohono O'odham Legislative Council on the 22ND day of AUGUST, 2024 at a meeting at which a quorum was present with a vote of 3,017.5 FOR; 245.8 AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by Article V, Section 4; Article VI, Section 1 and Section 1(a); and Section 1(d) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Wavalene M. Saunders, Legislative Chairwoman

23rd day of August, 2024

ATTEST:



Evonne Wilson, Legislative Secretary

23 day of August, 2024

ACTION: CALLING ON FORMER COUNCIL VICE CHAIRPERSONS TO REPAY UNAUTHORIZED EXPENDITURES AND RESIGN FROM THE TOHONO O’ODHAM LEGISLATIVE COUNCIL

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN THEORIA CAMPILLO

DATE: AUGUST 22, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. JEROME F. JOAQUIN ()	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA (Grace Manuel)	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL () 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X	X		
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN-MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X	X		
TOTAL		3,263.30	3,017.5	245.8	-0-	-0-