

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Finding Pisinemo District Representative Eugene Lopez Guilty of a Removable Offense of
Misconduct Reflecting on the Dignity and Integrity of the Government as Charged in the
Accusation)**

LEGISLATIVE ORDER NO. 24-405

1 **WHEREAS, the Legislative Council is constitutionally vested with “all of the legislative powers**
2 **vested in the Tohono O'odham Nation” and is exclusively vested with the authority**
3 **to conduct removal upon accusation proceedings when a Nation’s elected officer**
4 **or judge is accused of committing a removable offense (Constitution of the**
5 **Tohono O'odham Nation, Article VI, Section 1 and Article XIII, Section 1; 12**
6 **Tohono O'odham Code Chapter 1, Article X, Section 11002); and**

7 **WHEREAS, pursuant to 12 Tohono O'odham Code Chapter 1, Section 11002(B) removal upon**
8 **accusation proceedings are commenced “by the filing with the chairperson of the**
9 **Legislative Council Judiciary Committee a written, notarized statement stating**
10 **the offense(s) charged against the accused in ordinary and concise language and**
11 **signed by a registered voter or voters of the Nation.”; and**

12 **WHEREAS, the Judiciary Committee is then required to hold a hearing to determine whether**
13 **“there is reasonable cause to believe that the accused has committed a**
14 **removable offense as charged in the accusation” (12 T.O.C. Chapter 1 - Elections,**
15 **Article X, Section 11002(C)); and**

16 **WHEREAS, on July 24, 2024, registered voters Patricia Cruz and Eleanor Pablo (the**
17 **“Accusers”) filed with the Judiciary Committee a written, notarized statement for**
18 **removal from office (“Accusation”) against Pisinemo District Representative**
19 **Eugene Lopez (the “Accused”) alleging the Accused committed removable**
20 **offenses; and**

21 **WHEREAS, the Accused was provided written notice of the Judiciary Committee’s reasonable**
22 **cause hearing, a copy of the Accusation and attachments, and the Judiciary**
23 **Committee’s Reasonable Cause Hearing Procedures; and**

24 **WHEREAS, pursuant to 12 Tohono O'odham Code Chapter 1, Section 11002(C), the Judiciary**
25 **Committee conducted a reasonable cause hearing, dismissed the accusation of**
26 **gross neglect of duty, and found reasonable cause to believe that the Accused had**
27 **committed the remaining removable offenses as charged in the accusation, and**
28 **filed the accusation and copies of the resolutions supporting its determinations**
29 **with the Council secretary; and**

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(Finding Pisinemo District Representative Eugene Lopez Guilty of a Removable Offense of Misconduct Reflecting on the Dignity and Integrity of the Government as Charged in the Accusation)

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1 **WHEREAS, the Legislative Council by Legislative Order No. 24-357 set a removal hearing on**
2 **the Accusation for October 25, 2024; and**

3 **WHEREAS, the Accused was personally served more than ten days before the removal**
4 **hearing with a written removal hearing notice, a copy of the Accusation and**
5 **attachments, and the Tohono O'odham Legislative Council Removal Hearing**
6 **Procedures; and**

7 **WHEREAS, the Legislative Council by Legislative Order No. 24-363 postponed the removal**
8 **hearing at the Accusers' request (with the Accused's agreement) and by**
9 **Legislative Order No. 24-397 further postponed the removal hearing at the**
10 **Accused's request (with the Accusers' agreement) and rescheduled the hearing to**
11 **December 4, 2024; and**

12 **WHEREAS, the parties were given written notice of the December 4, 2024 removal hearing**
13 **and the Accused was personally served more than ten days in advance; and**

14 **WHEREAS, the Accused was given the opportunity to be represented by counsel at his own**
15 **expense, file motions and subpoena witnesses, and at the Legislative Council's**
16 **December 4, 2024 removal hearing, was given the opportunity to be present,**
17 **testify, call and question witnesses, confront witnesses against him, make**
18 **opening and closing statements, make objections, present evidence, and**
19 **otherwise answer the allegations contained in the Accusation; and**

20 **WHEREAS, at the December 4, 2024 removal hearing, the Accusers made opening and closing**
21 **statements, testified, and presented witnesses and evidence in support of the**
22 **Accusation; and**

23 **WHEREAS, "If the accused is found guilty by a majority vote of the representatives of the**
24 **Council present at the hearing, the Council shall pronounce judgment and enter**
25 **such judgment upon the minutes of the Council. The judgment of conviction shall**
26 **be final and shall provide that the accused is removed from office effective**
27 **immediately upon the Council's vote." 12 T.O.C. Chapter 1 - Elections, Section**
28 **11002(E)(2).**

29 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it finds**
30 **Pisinemo District Representative Eugene Lopez, guilty of misconduct reflecting**
31 **on the dignity and integrity of the government as charged in the Accusation and**
32 **he is therefore removed from office effective immediately.**

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LEGISLATIVE ORDER NO. 24-405

**(Finding Pisinemo District Representative Eugene Lopez Guilty of a Removable Offense of Misconduct Reflecting on the Dignity and Integrity of the Government as Charged in the Accusation)
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1 The foregoing Order was passed by the Tohono O'odham Legislative Council on the 04TH day of
2 DECEMBER, 2016 at a meeting at which a quorum was present with a vote of 3,263.3 GUILTY; -0-
3 NOT GUILTY; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section
4 1 and Article XIII, Section 1 of the Constitution of the Tohono O'odham Nation, adopted by the
5 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
6 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
7 18, 1934 (48 Stat.984).
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10 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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12 _____
13 Wavalene M. Saunders, Legislative Chairwoman
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15 5 day of December, 2024
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20 ATTEST:

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23 Evonne Wilson, Legislative Secretary

24 4 day of December, 2024
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ACTION: FINDING PISINEMO DISTRICT REPRESENTATIVE EUGENE LOPEZ GUILTY OF A REMOVABLE OFFENSE OF MISCONDUCT REFLECTING ON THE DIGNITY AND INTEGRITY OF THE GOVERNMENT AS CHARGED IN THE ACCUSATION

MOVED: COUNCILWOMAN PAMELA J. BENAVIDEZ

SECOND: COUNCILWOMAN GLORIA M. RAMIREZ

DATE: DECEMBER 04, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	GUILTY	NOT GUILTY	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 ()	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		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 (<i>Absent</i>) (Sharon A. Francisco) (<i>Present</i>) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X 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. FRANCIS HOMEWYTEWA () 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X		
	TOTAL	3,263.30	3,263.3	-0-	[02]