

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Finding Pisinemo District Representative Eugene Lopez Guilty of a Removable
Offense of Moral Turpitude as Charged in the Accusation)

LEGISLATIVE ORDER NO. 24-406

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

30 **WHEREAS,** the Legislative Council by Legislative Order No. 24-357 set a removal hearing on
31 the Accusation for October 25, 2024; and
32

LEGISLATIVE ORDER NO. 24-406

(Finding Pisinemo District Representative Eugene Lopez Guilty of a Removable Offense of Moral Turpitude as Charged in the Accusation)

Page 2 of 3

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

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

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

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

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

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

27 **NOW, THEREFORE, BE IT ORDERED** by the Tohono O'odham Legislative Council that it finds
28 Pisinemo District Representative Eugene Lopez, guilty of moral turpitude as
29 charged in the Accusation and he is therefore removed from office effective
30 immediately.

31
32
33
34

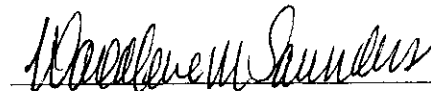
LEGISLATIVE ORDER NO. 24-406

(Finding Pisinemo District Representative Eugene Lopez Guilty of a Removable Offense of Moral Turpitude as Charged in the Accusation)

Page 3 of 3

The foregoing Order was passed by the Tohono O'odham Legislative Council on the 04TH day of DECEMBER, 2016 at a meeting at which a quorum was present with a vote of 3,263.3 GUILTY; -0- NOT GUILTY; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 and Article XIII, Section 1 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).

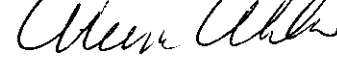
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Wavalene M. Saunders, Legislative Chairwoman

5 day of December, 2024

ATTEST:



Evonne Wilson, Legislative Secretary

4 day of December, 2024

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ACTION: FINDING PISINEMO DISTRICT REPRESENTATIVE EUGENE LOPEZ GUILTY OF A REMOVABLE OFFENSE OF MORAL TURPITUDE AS CHARGED IN THE ACCUSATION

Moved: COUNCILWOMAN PAMELA J. BENAVIDEZ

SECOND: COUNCILMAN LEANDER MASE

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. Eller) | 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] |