

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Certification and Request for Appointment of
Independent Prosecutor)

RES. NO. 100-90

1 WHEREAS, the Legislative Council did by Ordinance No. 03-89 and
2 Resolution No. 305-89 establish the procedure for the
3 establishment of an Office of Independent Counsel for the
4 investigation and prosecution of crimes which the
5 Legislative Council has reason to believe were committed
6 by public officials while purporting to perform their
7 duties of office; and
8 WHEREAS, the Domestic Affairs Committee of the Legislative Council
9 has determined and reported to the Legislative Council
10 that Angelo J. Joaquin, Sr. has been accused of certain
11 violations of the laws of the Nation while purporting to
12 perform his duties as a representative to the Legislative
13 Council or as Vice Chairman of the Nation; and
14 WHEREAS, the Legislative Council has reason to believe that Angelo
15 J. Joaquin, Sr. has violated laws of the Nation and that
16 there are currently a number of criminal complaints
17 outstanding against him which were filed by five current
18 or former employees of the Nation for actions or conduct
19 occurring during his term of office as a representative
20 to the Legislative Council or as Vice Chairman of the
21 Nation.
22 NOW, THEREFORE, BE IT RESOLVED by the Legislative Council that it
23 does hereby certify to the Chief Judge of the Tohono
24 O'odham Courts in accordance with the provisions of
25 Paragraph (e)(1) of Ordinance No. 03-89 that it has reason
26 to believe that Angelo J. Joaquin, Sr. has violated laws
27 of the Nation while purporting to perform his duties of
28 office, complaints having been filed by five current or
29 former employees of the Nation charging him with assault
30 or other criminal behavior, which complaints are currently
31 on file with the Nation's Police Department, and does
32 hereby direct that the Office of Independent Counsel be

1 established to investigate and prosecute such complaints
2 in accordance with the provisions of Ordinance No. 03-89.
3 BE IT FURTHER RESOLVED that the Legislative Council does hereby
4 direct that a budget be prepared and submitted by the
5 designated individuals, as outlined in Ordinance No. 03-
6 89, for review and action by the Domestic Affairs
7 Committee and the Budget & Finance Committee before final
8 action by the Tohono O'odham Legislative Council.

9 C E R T I F I C A T I O N

10 The foregoing Resolution was passed by the Tohono O'odham Council
11 on the 3rd day of April, 1990 at a meeting at which a quorum was
12 present with a vote of 870.0 for; 419.0 against; 435.0 not
13 voting; 03 absent, pursuant to the powers vested in the Council
14 by Section 1 (b) (c) (6) of Article VI of the Constitution of the
15 Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
16 January 18, 1986, and approved by the Acting Deputy Assistant
17 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant
18 to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

19 TOHONO O'ODHAM LEGISLATIVE COUNCIL

20 Edward D. Manuel
21 Edward D. Manuel, Legislative Chairman
22 6th day of April, 1990.

23 ATTEST:

24 Teresa M. Choyguha
25 Teresa M. Choyguha, Legislative Secretary
26 6th day of April, 1990.

27 Said Resolution was submitted for approval to the office of the
28 Chairman of the Tohono O'odham Nation on the 6th day of
29 April, 1990, at 3:31 o'clock, P..M.,
30 pursuant to the provisions of Section 5 of Article VII of the
31 Constitution and will become effective upon his approval or upon
32 his failure to either approve or disapprove it within 48 hours of
submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

33 Edward D. Manuel
34 Edward D. Manuel, Legislative Chairman

35 [] APPROVED) on the 8th day of April, 1990.
36 [X] DISAPPROVED) at 2:45 o'clock, P..M.

37 Angelo J. Joaquin, Sr.
38 Angelo J. JOAQUIN, SR., Chairman
39 TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 10th day of
2 April, 1990, at 3:10 o'clock, p.M.

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4 Juliana Saraficio for:
5 Teresa M. Choyguha
6 Legislative Secretary
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MOVED: Willard Juan
 SECOND: Joann Garcia
 DATE: April 3, 1990

SUBJECT: Certification and Request
for Appointment of Independent Prosecutor

RESOLUTION NO. 100-90

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Joann Garcia (Frances Miguel)	114.5	X			
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
GU ACHI 166.0	1. Percy Lopez ()	83.0	X			X
	2. Alex J. Ramon (Fernando Joaquin)	83.0	X			
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0	X			X
	2. Virgil Lewis (Michael Flores)	57.0	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5			X	
	2. Henry Ramon ()	62.5			X	X
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Edward Manuel (Alex Antone)	59.5	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0		X		
	2. John Reno ()	53.0		X		
SAN XAVIER 127.0	1. Eugene Enis, Sr. (Michael Rios)	63.5		X		
	2. Joanne C. Preston (Carmelita Mattias)	63.5		X		
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5		X		
	2. Joseph Juan (Frances Francisco)	53.5		X		
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0			X	
	2. Andrew Patricio (Daniel Lopez)	155.0			X	
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0		X		
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
TOTAL		1,724.0	870.0	419.0	435.0	03