

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the Request for Executive Clemency for Mr. Leonard Peltier)**

RESOLUTION NO. 93-367

WHEREAS, on June 26, 1975 a firefight broke out between Native Americans and agents of the Federal Bureau of Investigation (F.B.I.) on the Pine Ridge Indian Reservation, Oglala, South Dakota; and

WHEREAS, Mr. Leonard Peltier a Lakota/Chippewa Indian has been imprisoned and has served approximately 17 years and four (4) months for the alleged aiding and abetting of the deaths of two F.B.I. agents as a result of the firefight (Leonard Peltier convicted 04-18-77; sentenced 06-02-77); and

WHEREAS, also on June 26, 1975 a twenty-one year old, Coeur d'Alene Indian, Joseph Stuntz-Killsright of Lapwai, Idaho was also shot and killed, however, no one has ever been charged or indicted, nor has any investigation ever taken place; and

WHEREAS, upon appeals to the U.S. 8th Circuit of Appeals, Leonard Peltier has obtained and provided information, to the Courts satisfaction, that indicate the likelihood that F.B.I. misconduct had occurred (e.g. perjury, withholding of evidence and fabricating of evidence) to secure the conviction of Mr. Leonard Peltier to two (2) consecutive life terms; and

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WHEREAS, despite the building evidence of probability of misconduct by the Federal Bureau of Investigation (F.B.I.), Mr. Leonard Peltier is repeatedly denied a new trial and remains in prison, exhausting all available possibilities for a new and impartial trial; and

WHEREAS, most recently in November 1992, the U.S. Government's Prosecutors in the U.S. 8th Circuit Court of Appeals admitted in court that "the Government does not know who killed their agents."

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council:

- 1. on behalf of the Tohono O'odham Nation supports the request for Mr. Leonard Peltier to be granted Executive Clemency and released from prison immediately.**
- 2. that a Congressional investigation be conducted into the illegalities of the Peltier case.**
- 3. that the killing of Joseph Stuntz-Killsright be investigated and properly resolved.**

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The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 13TH day of OCTOBER, 1993 at a meeting at which a quorum was present with a vote of 1,044.5 FOR; 296.5 AGAINST; 422.0 NOT VOTING; and 02 ABSENT, pursuant to the powers vested in the Council by Section 1(l) of Article VI 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


Alex J. Ramon, Legislative Chairman

19 day of Oct, 1993


ATTEST:


Teresa M. Choyguha, Legislative Secretary

19th day of October, 1993.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 19 day of Oct, 1993, at 3:09 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Alex J. Ramon, Legislative Chairman

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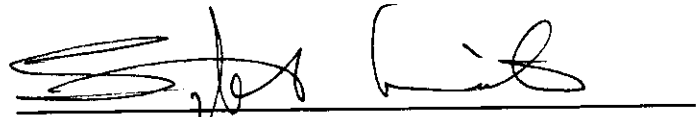
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APPROVED on the 20 day of October, 1993

DISAPPROVED at 1:43 o'clock, P..M.



**SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 20th day of October,
1993, at 2:33 o'clock, P..M.

Teresa M. Choyguha for:
Teresa M. Choyguha, Legislative Secretary

ACTION: SUPPORTING THE REQUEST FOR EXECUTIVE CLEMENCY FOR MR. LEONARD PELTIER

MOVED: COUNCILMAN MICHAEL FLORES

SECOND: COUNCILMAN MANUEL OSEQUEDA, JR.

DATE: OCTOBER 13, 1993

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5		X		
	2. MARY ANN ANTONE (Nellie Miguel)	75.5			X	
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0			X	
	2. JOSEPH T. JOAQUIN (Allen W. Garica, Jr.)	145.0			X	X
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5			X	
	2. KENNETH J. ANTONE ()	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ()	67.5	X			
	2. DENNIS RAMON ()	67.5	X			
BABOQIVARI 230.0	1. FRANCES MIGUEL** ()	115.0	X			
	2. EARL A. FRANCISCO (Lucilda Norris)	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ()	90.0	X			
	2. ALEX J. RAMON** (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0		X		
SAN LUCY 98.0	1. JOHN RENO ()	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			X
GU VO 124.0	1. EMILIO LEWIS** ()	62.0	X			
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ()	68.0	X			
	2. LLOYD FRANCISCO (Henry A. Ramon)	68.0		X		
CHUKUT KUK 178.0	1. ALBERTA M. LOPEZ (Berdella Jose)	89.0		X		
	2. KENNETH WILLIAMS ()	89.0	X			
TOTAL		1,763.0	1,044.5	296.5	422.0	02

**PASSED VOTES