

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Adopting Amendments to 6 T.O.C. Chapter 1, Section 1103 and Section 1108, and**  
**7 T.O.C. Chapter 1, Section 1.11)**

**RESOLUTION NO. 13-390**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham**  
2 **Legislative Council with the power to enact laws to protect and promote**  
3 **individual rights, "to provide for the maintenance of law and order and the**  
4 **administration of justice," and "to enact criminal and civil laws governing the**  
5 **conduct of any person within the Tohono O'odham Nation consistent with**  
6 **federal law" (Constitution, Article III; Article V, Section 1; and Article VI, Section**  
7 **1(c)(6)); and**

8 **WHEREAS, the Legislative Council has enacted provision within 6 Tohono O'odham Code**  
9 **Chapter 1, Courts and Procedures, establishing the qualifications of Judicial**  
10 **Court judges and providing for the right to counsel (6 Tohono O'odham Code**  
11 **Chapter 1, Section 1103 and 1108); and**

12 **WHEREAS, the Legislative Council also has enacted criminal laws governing the maximum**  
13 **sentences for criminal offenses, including general sentencing provisions within**  
14 **Criminal Code Section 1.11 Penalties and Remedies (7 Tohono O'odham Code**  
15 **Chapter 1, Section 1.11); and**

16 **WHEREAS, in order to ensure criminal court judges are sufficiently qualified and to provide**  
17 **for the effective assistance of counsel, the Domestic Affairs and Judiciary**  
18 **Committees recommend that the Legislative Council amend 6 T.O.C. Chapter 1,**  
19 **Section 1103 and Section 1108, and 7 T.O.C. Chapter 1, Section 1.11 in accordance**  
20 **with the October 2013 Rights in Criminal Proceedings Amendments, which are**  
21 **incorporated by this reference.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council amends 6**  
23 **T.O.C. Chapter 1, Section 1103 and Section 1108, and 7 T.O.C Chapter 1, Section**  
24 **1.11 in accordance with the October 2013 Rights in Criminal Proceedings**  
25 **Amendments.**

26 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that if the Nation seeks**  
27 **to impose a total term of imprisonment of more than one year in any pending**  
28 **criminal proceeding in which a trial is scheduled within 30 days of the effective**



**RESOLUTION NO. 13-390**

**(Adopting Amendments to 6 T.O.C. Chapter 1, Section 1103 and Section 1108, and 7 T.O.C. Chapter 1, Section 1.11)**

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**APPROVED**

**DISAPPROVED**

on the 03 day of October, 2013

at 11:46 o'clock, a.m.



**NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 3 day of

October, 2013, at 12:00 o'clock, p.m.



**Evonne Wilson, Legislative Secretary**

**ACTION: ADOPTING AMENDMENTS TO 6 T.O.C. CHAPTER 1, SECTION 1103 AND SECTION 1108, AND 7 T.O.C. CHAPTER 1, SECTION 1.11**

**MOVED: COUNCILMAN VERNON SMITH**

**SECOND: COUNCILMAN BILLMAN LOPEZ**

**DATE: SEPTEMBER 30, 2013**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ( )	112.1	X			X
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			X
	2. BARBARA HAVIER ( )	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			X
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS ( <i>Absent</i> ) ( Daniel I.A. Preston III) ( <i>Present</i> )	112.1	X			
	2. ADAM ANDREWS (Rachel Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ( )	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ( )	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ( )	9.8	X			X
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			X
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ( )	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ( )	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
<b>TOTAL</b>		<b>2,946.5</b>	<b>2,946.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>