

RESOLUTION OF THE TOHONO O'ODHAM COUNCIL
(Removal from office of Judge William L. Farrison)

RES. NO. 111-87

1 WHEREAS, Tony Felix (the "accuser"), a registered voter of the
2 Tohono O'odham Nation, did on March 5, 1987, file with
3 the chairman of the Judiciary Committee of the Tohono
4 O'odham Council an accusation against William L.
5 Farrison (the "accused"), Judge of the Tohono O'odham
6 Courts, accusing him (1) of conduct involving moral
7 turpitude by reason of the fact that he applied for
8 and accepted the office of Judge without revealing to
9 the Tohono O'odham Council that he had previously been
10 convicted of three drunken-driving violations, and (2)
11 of misconduct reflecting on the dignity and integrity
12 of the office and the government by reason of the fact
13 that at the time of the accusation he was and remained
14 a fugitive from justice and subject to an outstanding
15 Body Attachment, Judgment and Sentence issued by a
16 judge of the City Court of Scottsdale, and demanding
17 that the accused be removed from his office of Judge
18 pursuant to the provisions of section 2 of article IX
19 of the Election Ordinance; and

20 WHEREAS, the Judiciary Committee did on March 13, 1987, after
21 notice to the accused, conduct a hearing in accordance
22 with the provisions of the ordinance; did determine
23 that there was reasonable cause to believe that the
24 accused had committed a removable offense as charged
25 in the accusation; and did file the accusation, to-
26 gether with a certified copy of the resolution of its
27 determination with the secretary of the Tohono O'odham
28 Council; and

29 WHEREAS, the secretary of this council did on March 16, 1987,
30 cause a copy of the accusation and of the Judiciary
31 Committee's resolution to be personally served on the
32 accused, together with a notice that the trial of the

1 accusation had been set before this council on Friday,
2 March 27, 1987, at 1:00 p.m., and that if he failed to
3 appear the council could hear and determine the accu-
4 sation in his absence; and

5 WHEREAS, the accused did advise this council that it was his
6 intention to sue the Nation upon his release from jail
7 for the abridgement of his constitutional rights, but
8 the accused failed to appear, whether in person or by
9 attorney or agent, at the time set for trial, failed
10 to request a continuance of the trial to enable him to
11 appear therefor, and failed to object to the suffi-
12 ciency of the accusation or to plead to or answer the
13 accusation; and

14 WHEREAS, this council proceeded to determine the accusation in
15 accordance with the provisions of section 2 of article
16 IX of the Election Ordinance, and the accuser presen-
17 ted into evidence certified copies of court records
18 and evidence establishing that the accused was convic-
19 ted of three Driving Under the Influence Violations
20 prior to his appointment to the office of Judge of the
21 Tohono O'odham Courts and that at the time of his
22 appointment and until his arrest on March 6, 1987, he
23 had been subject to an outstanding Body Attachment,
24 Judgment and Sentence issued by a judge of the City
25 Court of Scottsdale; and

26 WHEREAS, the accuser further testified and presented into
27 evidence the accused's application for appointment to
28 the office of Judge of the Tohono O'odham Courts from
29 which it appears that the accused did not reveal to
30 this council that he had been convicted of drunken-
31 driving violations or that there was an outstanding
32 warrant for his arrest prior to his appointment and

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installation in office; and

WHEREAS, from the foregoing this council finds and determines that the accused is guilty of a misdemeanor involving moral turpitude and of misconduct reflecting on the dignity and integrity of the office and of the government, two removable offenses, as provided for in section 1 of article XIII of the Constitution of the Tohono O'odham Nation and in section 2 of article IX of the Election Ordinance.

NOW, THEREFORE, BE IT RESOLVED that this council does hereby pronounce judgment of conviction against William L. Farrison and does hereby remove him from the office of Judge of the Tohono O'odham Courts.

BE IT FURTHER RESOLVED that William L. Farrison shall receive compensation as Judge of the Tohono O'odham Courts from the date of his appointment to the effective date of this resolution, but not thereafter, in accordance with section 9 of article VIII of the constitution.

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

The foregoing Resolution was passed by the Tohono O'odham Council on the 27th day of March, 1987, at a meeting at which a quorum was present with a vote of 1640.0 for; -0- against; -0- not voting; 02 absent, pursuant to the powers vested in the Council by Section 1 of Article XIII 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

Harriet Toro
Harriet Toro, Legislative Chairperson
31st day of March, 1987.

ATTEST:
Lucinda Carter
Legislative Secretary

31st day of March, 1987.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 1 day of April, 1987, at 10:52 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution. It 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

Andrew M. Patricia
For Harriet Toro, Legislative Chairperson

APPROVED) on the 1 day of April, 1987
[] DISAPPROVED) at 11:27 o'clock, A.M.

Josiah Moore
JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 1st day of April, 1987, at 4:56 o'clock, P.M.

Jucinda Allen
Legislative Secretary

MOVED: YVONNE CORELLA

SUBJECT: REMOVAL FROM OFFICE OF JUDGE

SECOND: MAX JOSE

WILLIAM L. FARRISON

DATE: MARCH 27, 1987

RESOLUTION ~~OR ORDINANCE~~ # 111-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138	1. Elliott Lewis (Eugene F. Jose) 2. Nicholas Jose (Letitia Garcia)	69.0 69.0	X X			
SELLS 257	1. Andrew M. Patricio (Nora Alveraz) 2. Fred Stevens, Sr. ()	128.5 128.5	X X			
SCHUK TOAK 105	1. Joseph Juan () 2. Julia Carrillo (JoAnn Francisco)	52.5 52.5	X X			
SAN XAVIER 126	1. Yvonne Corella (Austin Nunez) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X X			
BABOQUIVARI 241	1. Edward N. Kisto () 2. Kenneth Chico, Sr. (Frances Miguel)	120.5 120.5	X X			
GU ACHI 158	1. Angelo Joaquin, Sr. () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116	1. Jerome Antone (Consuela Mendoza) 2. Johnson Jose (Edward Manuel)	58.0 58.0	X X			X
SAN LUCY 85	1. John Reno () 2. Max P. Jose (Dewey Ortega)	42.5 42.5	X X			
GU VO 117	1. Cross Antone (Fern Salcido) 2. Virgil Lewis (Roy Montana)	58.5 58.5	X X			X
HICKIWAN 128	1. Henry A. Ramon (Pablo Baptisto) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169	1. Rosemary Lopez (Anita C. Clark) 2. Harriet Toro (Marvin J. Thomas)	84.5 84.5	X X			
TOTALS		1640.0	1640.0	-0-	-0-	02