

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Enacting 7 Tohono O'odham Code Chapter 4, Victims' Rights and Amendments
to the Tohono O'odham Criminal Code)**

RESOLUTION NO. 11-142

1 **WHEREAS, the Legislative Council is vested with the power “to enact criminal and civil laws**
2 **governing the conduct of any person within the Tohono O’odham Nation” and to**
3 **provide laws “to promote, protect and provide for public health, peace, morals,**
4 **education and general welfare of the Tohono O’odham Nation and its members”**
5 **(Constitution of the Tohono O’odham Nation, Article VI, Section 1(c)(6) and 1(c)(2)); and**
6 **WHEREAS, the Tohono O’odham Legislative Council has enacted the Tohono O’odham Criminal**
7 **Code, as amended, to define criminal offenses, establish sentencing guidelines, define**
8 **the Judicial Court’s jurisdiction in criminal actions, and to otherwise govern the**
9 **enforcement of the Nation’s criminal laws (7 T.O.C. Chapter 1); and**
10 **WHEREAS, the Tohono O’odham Nation is deeply committed to protecting the rights of crime**
11 **victims and ensuring that victims are treated with fairness and respect; and**
12 **WHEREAS, the Nation’s Department of Public Safety, Prosecutor’s Office, victim-witness**
13 **advocates, and other victim services staff have recommended amendments to the**
14 **Nation’s existing laws to address domestic violence, victims’ rights, jurisdiction, and**
15 **related matters; and**
16 **WHEREAS, the Legislative Domestic Affairs Committee has reviewed the recommendations and,**
17 **on September 20, 2010, distributed to the public for comment 7 Tohono O’odham Code**
18 **Chapter 4, Victims’ Rights, which preserves and protects victims’ rights to justice and**
19 **due process, defines a prosecutor’s duties to assist with the implementation of a**
20 **victim’s rights, and provides a process for incorporating victims’ rights into the justice**
21 **system; and**
22 **WHEREAS, on September 20, 2010, the Domestic Affairs Committee also distributed to the public**
23 **for comment amendments to the Criminal Code that would (1) amend Section 1.4**
24 **Criminal Jurisdiction to reaffirm the Nation’s sovereign jurisdiction over various**
25 **crimes, (2) add Section 7.10 Stalking, and (3) amend and update Section 8.9 Domestic**
26 **Violence (collectively, “April 2011 Criminal Code Amendments,” which are**
27 **incorporated by this reference); and**
28 **WHEREAS, the Domestic Affairs Committee has determined that the enactment of 7 Tohono**
29 **O’odham Code Chapter 4, Victims’ Rights, and the April 2011 Criminal Code**

RESOLUTION NO. 11-142

(Enacting 7 Tohono O'odham Code Chapter 4, Victims' Rights and Amendments to the Tohono O'odham Criminal Code)

Page 3 of 3

1 **ATTEST:**

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4 **Evonne Wilson, Legislative Secretary**

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6 12 day of April, 2011.

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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
9 **Nation on the 13th day of April, 2011 at 9:17 o'clock, a.M.,**
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
11 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
12 **submittal.**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

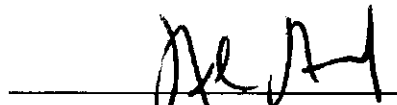
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18 **Verlon M. Jose, Legislative Chairman**

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23 **APPROVED**

on the 13th day of April, 2011

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25 **DISAPPROVED**

at 10:04 o'clock, A.M.

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

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35 **Returned to the Legislative Secretary on the 13 day of**

36 April, 2011, at 10:17 o'clock, a.M.

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41 **Evonne Wilson, Legislative Secretary**

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ACTION: ENACTING 7 TOHONO O'ODHAM CODE CHAPTER 4, VICTIMS' RIGHTS AND AMENDMENTS TO THE TOHONO O'ODHAM CRIMINAL CODE

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN WAVALENE ROMERO

DATE: APRIL 06, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY MULL ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			X
SCHUK TOAK 159.0	1. FRANCES B. CONDE (<i>Absent</i>) (Fredrick Jose) (<i>Present</i>)	79.50	X			
	2. NEDDIE BLAINE ()	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			X
GU VO 206.3	1. GRACE MANUEL ()	103.15				X
	2. PAMELA ANGHILL (Angela Ortiz)	103.15				X
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			X
BABOQUIVARI 324.0	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	162.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	162.0	X			
TOTAL		2,595.50	2,389.20	-0-	-0-	206.30 [06]