



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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Navajo Nation Council extends the statute of limitations and increases penalties for “white collar crimes”

WINDOW ROCK – On Tuesday during the second day of the Fall Council Session, the Navajo Nation Council unanimously passed legislation with a vote of 22-0, which will extend the statute of limitations to allow additional time to prosecute public officials and employees who are accused of committing “white collar crimes” through financial fraud, dishonesty, and gross mismanagement of the Navajo Nation’s funds.

Legislation sponsor Council Delegate Otto Tso (Tó Nanees Dizi) requested the support of his Council colleagues, citing the need to hold public officials and employees accountable for their actions when they are accused of misusing public funds. He added that the legislation developed as a result of discussions between the Budget and Finance Committee and the Law and Order Committee last year, which then evolved into a working group that included Council members, the Office of the Attorney General, the Judicial Branch, and the Division of Public Safety.

Speaking in the Navajo language, Delegate Tso said the legislation should have been considered and passed long ago in order to protect the peoples’ money over the years.

If the resolution is signed into law, it would increase the statute of limitations to “any time within 10 years after commission of the offense,” for offenses such as solicitation, conspiracy, theft, theft of services, receiving stolen property, fraud, embezzlement, criminal stimulation, obtaining a signature by deception, criminal impersonation, bribery, unlawful influence in official and political matters, abuse of office, obstruction of justice, tampering with evidence, and others.

The legislation also clarifies the definitions of offenses within Title 17 of the Navajo Nation Code and outlines certain penalties for offenses including imprisonment for a term not to exceed 365 days, or be ordered to pay a fine not to exceed \$5,000, or both.

Language in the bill states that past offenses have resulted in extensive, long-term damage to the Nation, including lost revenue and expenses for prosecution of these crimes.

The legislation was strongly supported by Council members including Council Delegate Davis Filfred (Mexican Water, Aneth, Teecnospos, Tóíkan, Red Mesa) who said it’s time to support the

legislation and stop letting officials and employees “get away with a slap on the wrist” for crimes that take away funds from the Nation that impact services for the public.

At the conclusion of nearly three hours of debate on Tuesday, the Navajo Nation Council voted 22-0 to approve Legislation No. 0177-17. The President will have 10 calendar days to consider the resolution once it is delivered to the Office of the President and Vice President.

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