





This guide contains auxiliary information intended to accompany but not replace the current

procedures approved in the legislative document, CB-088-19.



# CANDIDATE GUIDE 2019

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## CANDIDATE GUIDE 2019

#### RESIDENCY REQUIREMENTS

#### **APPLICABLE CONSTITUTION PROVISIONS**

Article VI. Executive Department

**Section 4.** The Chief and the Assistant Chief must have been residents of the Choctaw nation for two (2) years or more immediately preceding any election for Chief and must remain residents of the Choctaw Nation during the tenure of their office.

Article VIII. Legislative Department [in pertinent part]

**Section 3.** Members of the Tribal Council must be members of the Nation and must have resided in their respective districts for one (1) year immediately preceding the election. They must remain residents of the district from which they were elected during the tenure of their office.

#### **APPLICABLE ORDINANCE SECTIONS**

Article II. Definitions

#### Sections I(I).

I (I) Residency/Resident means the act of residing or one who resides within the territorial jurisdiction of the Choctaw Nation of Oklahoma as the primary place of domicile and is synonymous with the term domicile or abode and means the place where the Candidate or prospective candidate has the intention to return.

Article VII. Filing Qualifications and Fees

#### Sections 4(d), 5(d), and 6

4(d) Qualifications for Chief...Must have been a Resident within the boundaries of the Choctaw Nation of Oklahoma for two (2) years or more immediately preceding any election for Chief and if elected must remain a Resident within the boundaries of the Choctaw Nation of Oklahoma during the tenure of office.

5(d) Qualifications for Tribal Council Member...Must have been a Resident in their respective districts for one (1) year immediately preceding the election if elected must remain a Resident of the district from which they were elected during the tenure of office.



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6 Each Candidate or prospective candidate for office must submit proof that he/she meets Residency requirements of the office being sought if such proof is requested by the Election Board. Verification of residence may be shown by not less than three (3) of the following documents, provided that such documents show one or more addresses within the required geographic area for the continuous period of the time required for each elected office:

- (a) Current driver's license;
- (b) Utility bill or bills;
- (c) Income tax returns;
- (d) State or tribal voter's registration; and
- (e) Homestead exemption statement.

Other forms of address documentation may be submitted to the Election Board for purposes of verification of address. The sufficiency of any such other documentation shall be in the sole and final discretion of the Election Board. The Residency time requirements will be calculated using the date of the election.

#### **PURPOSE**

Candidates must be able to provide proof of residency within the Choctaw Nation in accordance with the Constitution of the Choctaw Nation of Oklahoma. All candidates should be prepared to submit proof of residency at the time of filing.

#### **DURATION OF RESIDENCY**

• The time requirements will be calculated using the date of the election; not the date a candidate is required to file for candidacy.

**Example of timing:** John is a candidate for Chief in the 2035 Tribal Election. John and his family moved to Stigler on June 25th, 2033. John is eligible to run for Chief in the 2035 Tribal Election as he will have completed two full years of residency prior to the July 14th, 2035 election date even though on the date he files for candidacy, May 14th, 15th or 16th, he has not yet met the two-year residency requirement.

#### VERIFICATION OF BOUNDARY STATUS AND DISTRICT AFFILIATION

**Example 1:** John files for candidacy in the 2019 election for Tribal Council Member District 9. He provides his Voter Registration Certificate issued by the Choctaw Nation of Oklahoma on September 2016 as one of his three



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(3) address documents. The Secretary verifies that the information contained on the Choctaw Nation Voter Registration Certificate is valid with the Voter Registration Department with no address changes since issue or registration date. In addition to the Voter Registration Certificate, a water bill and current driver's license contain the same physical address of the residence (domicile) in Durant; all documents meet the time requirements, and, the Council District and Choctaw Nation boundary status has already been verified by the Voter Registration Department.

#### **EXAMPLES OF ESTABLISHING RESIDENCY**

**Example 1:** John is a candidate for Chief in the 2035 Tribal Election. John has brought in a water bill from the City of Stigler dated May 2035, his current driver's license showing his address in Stigler and that such license was issued in April 2035 and his County Voter Registration Form for Haskell County. John will be asked to provide additional proof of residency. While the three (3) documents are acceptable and they show current residency in Stigler, they do not provide proof sufficient to establish the entire two-year residency requirement.

**Example 2:** John is interested in becoming a Tribal Council Member. John bought a house on Atoka Lake, in 1990 and can provide utility bills beginning the day he purchased the house. John has also owned a house in McAlester since 1985 and can provide utility bills for that house as well. John is a registered voter in Pittsburg County. John goes to the Atoka lake house during fishing and hunting seasons but rarely uses the Lake house other than for hunting and fishing. The utility usage for the Atoka lake house reflects intermittent usage while the utility usage for the McAlester house reflects continuous usage. John must run for Tribal Council in District 11 as opposed to District 10 as his residence (domicile) is deemed to be in McAlester as that is the place of his permanent home that he intends to return. While the Atoka lake house may have three (3) pieces of documentation supporting it, the documentation of the McAlester home shows proof of actual residency as opposed to ownership.

**Example 3:** John is a candidate for Chief in the 2035 Tribal Election. John has brought in a water bill from the City of Durant dated May 2035, his current driver's license showing his address in Durant and that such license was issued in April 2035. John has also submitted his 2031, 2032, 2033, and 2034 income tax returns. The tax returns show a different address than what is on his driver's license; however, the address on his tax returns is located in Talihina. John's documentation is sufficient to establish residency within the Choctaw Nation for the two-year requirement. The tax returns show continuous residency within the Nation even though he did not live at the same address the entire time.



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#### USE OF TRIBAL ASSETS

#### **APPLICABLE ORDINANCE SECTION**

#### Article II. Definitions

#### Section I(n).

I (n) "Tribal Assets" means property of all kinds including real, personal, and mixed property, including tangible and intangible property, belonging to the Nation.

Article XXVII. Use of Tribal Assets Prohibited

**Section I.** Candidates and prospective candidates are responsible for their campaigns. Candidates and prospective candidates for elective office are strictly prohibited from the willful use of any Tribal Assets of any kind for campaign purposes.

#### PURPOSE

Candidates have a duty to protect and conserve Tribal Assets and may not use Tribal Assets, or allow their use, for a campaign or for any campaign related purpose other than one that is authorized.

#### **TRIBAL ASSETS**

The term "Tribal Assets" includes real or personal property that the Choctaw Nation of Oklahoma owns or leases such as:

- telecommunications equipment
- computers
- office supplies
- furniture
- vehicles
- Choctaw owned data

#### **AUTHORIZED PURPOSE**

A purpose is "authorized" if:



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- There is a Council Bill, law or regulation that allows the property to be used for that purpose; or,
- It is a purpose for which the Tribal Asset is made available to members of the public. For example, a Choctaw Casino is an asset that is available to the members of the public, including Candidates, for their use.

Nothing in this Guidance shall be construed so as to permit Campaigning on Tribal Property, as defined in the Election Ordinance of the Choctaw Nation of Oklahoma.

#### **EXAMPLES OF UNACCEPTABLE CONDUCT**

**Example I:** John is a candidate for Tribal Council. John would like to design a document he intends to handout at his next Campaign luncheon. He uses a computer that the Tribe owns to type and reproduce the document. This would be a misuse of Tribal Assets.

**Example 2:** John is a candidate for Tribal Council. John is a good friend of the head of construction for the Choctaw Nation and obtains permission to take family photos in one of the new Choctaw construction sites with his family, as long as everyone is wearing appropriate construction safety gear. This would be a misuse of Tribal Assets as the general public is not permitted the same opportunity.

#### **EXAMPLES OF ACCEPTABLE CONDUCT**

**Example I:** John is a candidate for Tribal Council. John would like to take photos of himself with the Choctaw Stickball Team, who have agreed, on the Tribe's stickball field. This would be an acceptable use of Tribal Assets as the general public has the same opportunity to take a photo.

**Example 2:** John orders 5,000 t-shirts that are delivered to him in boxes. After giving away all 5,000 t-shirts, John takes the empty boxes to a recycling dumpster owned by the Choctaw Nation located at the Tribal Complex. This would be an acceptable use of Tribal Assets as the general public has the same opportunity to use Choctaw recycling dumpsters.



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#### CAMPAIGN FINANCE

#### **APPLICABLE ORDINANCE SECTIONS**

Article XXVI. Campaign Contribution Reporting

#### Sections I through 7.

#### PURPOSE

All candidates and prospective candidates must submit a Campaign Financial Disclosure Statement upon Declaration of Candidacy and updates shall be filed at the end of every month during the election cycle until the election(s) for said candidate or prospective candidate is completed. Statements must be filed for any monetary contributions, including \$0.00.

#### **OFFICIAL FORM**

The official form filed with the Secretary of the Election Board is the Campaign Financial Statement. It is Appendix A of this guide and is also located on the Tribal Elections webpage: <u>www.choctawnation.com/elections</u>.

The three (3) page form can be completed by anyone on the campaign team but it must be signed by the candidate and a witness, who is the typically the Campaign Manager. Once received, the Secretary of the Election Board will initial at the bottom of each document.

There are currently two approved versions of the Campaign Financial Disclosure Statement (Reference# 5554) and either will be accepted by the Election Board for this election cycle.

Forms may be returned via the following methods:

- Deliver in person to the Voter Registration/Election Board Suite at the Choctaw Nation Headquarters in Durant, OK.
- E-mail to electionboard@choctawnation.com.



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#### VOTER REGISTRATION

#### **APPLICABLE ORDINANCE SECTIONS**

Article II. Definitions

#### Section I(p).

I (p) "Voter Registration Department" means the department of the Choctaw Nation of Oklahoma, led by the Director of Voter Registration, the ex officio Secretary of the Election Board. It is a department within the Executive branch that maintains and protects the Choctaw Nation Voter Database. The department also supports the Secretary of the Election Board of the Choctaw Nation of Oklahoma as requested.

Article IV. Voter Registration

#### Sections I through 8.

#### **PURPOSE**

Candidates who need to have a basic understanding of Voter Registration procedures if they choose to help gather forms to register Voters for any elections. The Voter Registration Department has a limited number of staff that must remain in the office leading up to any election to process forms and help the Secretary of the Election Board.

#### **OFFICIAL FORM**

The official document used to register and/or update Voter information is the Voter Registration Form. It is in the current Election Ordinance as Appendix Form F. Another location of the form is on the Voter Registration webpage: <a href="http://www.choctawnation.com/vote">www.choctawnation.com/vote</a>. General instructions for completing the form are located on page 2 of the document.

• If candidates choose to help collect forms to register Voters, then they are responsible for any costs associated with the copying, distribution, and delivery of the official form.

Voters may also use the back of their Voter Registration Certificates to make any changes to their information. The Voter Registration Certificate is issued after a form has been processed and serves as confirmation of current Voter information on record, including a Voter's signature. This document should be reviewed for accuracy and



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can be kept for a Voter's own record. It is specifically addressed to the Voter and mailed to the address on record.

Forms may be returned via the following methods:

- Deliver in person to the Voter Registration/Election Board Suite at the Choctaw Nation Headquarters in Durant, OK. We accept forms from anyone who has collected forms so long as the form has been completed and signed by the eligible tribal member.
- E-mail to <u>VoterRegistration@choctawnation.com</u>.
- Mail to the following address: Choctaw Nation of Oklahoma Attn: Voter Registration PO Box 1210 Durant, OK 74702

#### **VERIFICATION OF VOTER ELGIBILITY**

The Voter Registration database shares a connection with the CDIB/Tribal Membership database that allows for instant verification of tribal membership status using name, birthday, and/or last four of Social Security Number. This connection also allows for changes made to names, birthdays, social security numbers, life status, and membership status by the CDIB/Membership Department to transfer to the Voter Registration database.

• This connection does not share information with regards to married names, phone numbers, emails, or address changes.

#### **VERIFICATION OF BOUNDARY STATUS AND DISTRICT AFFILIATION**

The physical address is used to verify whether someone lives inside or outside of the boundaries of the Choctaw Nation of Oklahoma by sending the address through a Geographic Information System (GIS).

 If a Voter lives inside of the boundaries, then the Geographic Information System will provide the Council District associated with the address. If it fails to locate the address or a Voter wants to dispute his/her assigned Council District, then the Voter Registration Department will request physical directions to residence and use a map service to plot the residence's actual location with a Council District. A screen snapshot of map will be placed into the Voter's record.



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• If a Voter lives outside of the boundaries, then he/she may choose to affiliate with a specific district or choose not to affiliate and only vote for Chief. If a Voter chooses to affiliate, then he/she will remain with the chosen Council District unless he/she moves inside of the Choctaw Nation boundaries.

#### **VERIFICATION OF USPS FORMATTED ADDRESS**

The physical address, and mailing address (if different), will be verified through the United States Postal Service and formatted to ensure mail delivery. The mailing address is used to send Voter Registration Certificates or department associated letters and Mail-in Ballots.



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#### VOTING LIST

#### **APPLICABLE ORDINANCE SECTIONS**

#### Article II. Definitions

#### Section I (o).

I (o) "Voter" means a member of the Choctaw Nation of Oklahoma who has registered to vote in accordance with Article IV of this Ordinance.

#### Article IX. Voting List

**Section I.** The Secretary will provide each Candidate one (1) paper copy and/or one (1) electronic copy of the names of Voters in the election in which said person is a Candidate for office. This list of Voter's names will be provided within three (3) working days after validation by the Election Board that such Candidate meets all qualifications and requirements.

**Section 2.** The list provided to Candidates shall contain only the names of Voters in an election unless otherwise designated by a Council Bill.

#### **PURPOSE**

Candidates who have been validated will receive a list of all registered voters in compliance with the Election Ordinance and CB-56-15 to include names of tribal members and addresses, as appropriate. Voting lists will not be distributed to candidates at the time of filing.

#### VALID/VALIDATED CANDIDATE

A "valid candidate" shall mean a qualifying Tribal Member who has filed a Declaration of Candidacy with the Election Board, paid the appropriate fee for such filing and have been determined by the Election Board as an eligible candidate for an elected position for the Choctaw Nation of Oklahoma.

Determination of "qualifying Tribal Member" and "eligible candidate" includes, but is not limited to, verification of membership, verification of requisite blood quantum, verification of age, verification of residency, qualifying background check, and statement of tribal employment status.



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#### LISTS

Each Candidate will receive a list of registered voters applicable to the position the candidate is running for upon validation of their candidacy.

- A candidate for Chief will receive a list of all registered voters of the Choctaw Nation.
- A candidate for Tribal Council will receive a list of all voters registered to vote in the District subject to the election. Non-resident Voters who have affiliated with the District subject to the election will be included.
- All lists will include the names of all registered voters as appropriate depending on the office the candidate is seeking and the address of members who have designated their preference to release such address to candidates as reported to the Choctaw Nation Voter Registration Department.
- The list will only be generated and distributed to candidates one time at the start of the election cycle. There will not be a second list provided during a run-off cycle.



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#### APPENDIX A

Figure I - PDF / Campaign Financial Disclosure Statement



#### CAMPAIGN FINANCIAL DISCLOSURE STATEMENT

1. D/	ATE OF REPORT	2. NAME OF CAND	IDATE			
2.	BUSINESS NAME (ASSCOCIATED WITH CANE	)IDATE, if applicable)				
3. A	DDRESS AND PHONE NUMBER					
_	Street or Rural Route	City		State	Zip Code	Phone
		ary		Julie	Zip Code	Flidle
7.A.B	EGINNING DATE OF REPORTING PERIOD		7. B. ENDIN	IG DATE OF RE	PORTING PERIOD	
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8.	stant to Chootaw Nation Election Ordinance Artik	N WW Sections 1-3 31	l candidate sub s	elective office	are required to the act	Them e at director is a the
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	Signature of Candidate			Date		
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10.	SUMMARY					
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For Board Use Only:		
Rovd by (Initials):	Date:	Page <u>1</u> of
Reference Number: 5554		Effective Date: 4/10/19

This publication is approved and issued by the Choctaw Nation of Oklahoma Election Board. Approved: 4/10/19



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Figure 2 - PDF / Campaign Financial Disclosure Statement

# Choctaw Nation Election Board

#### SUMMARY PAGE

11. CANDIDATE/BUSINESS NAME	12. REPORT COVERIN	G THE PERIOD
	FROM:	то:
MONETARY RECEIPTS		
13. CONTRIBUTIONS (In the amount of \$250.00 or more)		
a. Itemized Contributions (over \$250.00 from each source <b>this period</b> )	\$	
ь. Beginning Balance of Latest Report Completed	\$	
c. TOTAL CONTRIBUTIONS (13.a. plus 13.b.)	\$	
14. TOTAL RECEIPTS	\$	

For Board Use Only: Rovd by (Initials): \_\_\_\_\_ Date: \_\_\_ Reference Number: 5554

Page <u>2</u> of \_\_\_\_\_ Effective Date: 4/10/19



## **CANDIDATE GUIDE 2019**

Figure 3 - PDF / Campaign Financial Disclosure Statement

# Choctaw Nation Election Board

#### ITEMIZED STATEMENT OF CONTRIBUTIONS

1.NAME OF CANDIDATE	2. REPORT COVERING THE PERIOD	
	FROM:	To:
3. TOTAL ITEMIZED CAMPAINGN CONTRIBUTIONS FROM PRECEDING PAGE (Enter \$0) if first itemized page)		Amount:
4. COMPLETE THE APPROPRAITE ITEMS FOR EACH ITEMZED CONTRIBUTION	·	
Full Name (Including Middle Name):		Amount of Contribution:
Organization Name:		
Address:		
Contact Phone Number:		
Occupation:		
Employer:		
	_	
Full Name (Including Middle Name):		Amount of Contribution:
Organization Name:		-
A ddress:		_
Contact Phone Number:		
Occupation:		
Employer:		
5. TOTAL ITEMIZED CONTRIBUTIONS:		
(Carry forward to item 3 of next page if additional pages of this form are used.) (If this is the last page of contributions, this amount must be shown in item 13b. of summary.)		
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For Board Use Only:		
Rovd by (Initials):	Date:	Page of
	Please use duplicates of this page for addition	onal donation reporting
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NOTES