

# Little Shell Citizen PETITION

## To Convene Little Shell Arbitration Panel of Elders to investigate and rule upon 2004 Tribal Council Election board infidelities.

To the Currently seated Little Shell Tribal Council (LSTC):

**REQUESTED ACTION:** We, the below signed Little Shell enrolled tribal members, are requesting that the LSTC convene an Arbitration panel of Elders as detailed in the election procedures to settle the below listed election protest and voting irregularities. We request this panel to sit as an official Sovereign Tribal Court to investigate and make binding rules for the Little Shell Tribe of Chippewa Indians of Montana. We request that this panel be formed in accordance with our Tribal Constitution, United States Constitution and the guidelines outlined in DOI/BIA Code of Federal Regulations Title 25. This panel is needed since the actions and the bias of the election board have been called into question as part of the official election protests and they thereby cannot rule on these issues as a neutral body:

- 1) To investigate and rule upon complaints and issues brought up in formal protest by candidate for Vice President, Darryl Olson.
- 2) To investigate and rule upon published Election Regulation and Tribal Constitution violations by the Election board in allowing an ineligible candidate to run for and sit upon the council as detailed in Darryl Olson's official election protest.
- 3) To investigate and rule upon changes to the election rules and regulations by the Election board after the start of the Election without notification to Tribal members in accordance of Department of Interior (Bureau of Indian affairs) guidelines and our Tribal Constitution.
- 4) To investigate and rule upon alleged illegal action by election board by their alleged inappropriate extension of ballot deadline for only **63 absentee ballots** and exclusive ballot extension for **Spokane Washington area members only**.
- 5) To investigate and rule upon Violation of Tribal nepotism Policy by planning to seat two immediate family members on the Tribal Council without doing appropriate research of publicly noted tribal policy and past practices.
- 6) To investigate and rule upon the Alleged Civil Rights violations by the Election Committee Chairman and the Webmaster of the Little Shell Tribe Official Website (<http://www.littleshelltribe.us>) against a candidate for Tribal Council Office, namely Darryl Olson, by preventing Mr. Olson from posting his official complaint upon the message board provided by the Tribal Council to Tribal Members, and also their violation of Mr. Olson's 1<sup>st</sup> amendment rights to free speech and redress of complaints guaranteed to him by the Tribal Constitution and the United States Constitution and making such action without the authorization of the Tribal Council.

- 7) To Investigate and rule upon the Alleged Civil Rights Violations by the Election Committee Chairman and the Webmaster of the Little Shell Tribe Official Website (<http://www.littleshelltribe.us>) against a candidate for Tribal Council Office, namely Darryl Olson, by making written threats against this candidate for office if he attempted to protest any action against the election.
- 8) To make a binding decision on whether or not the actions by the Election Committee and others merit a full reelection in accordance with our Tribal Constitution, US Constitution, and Federal law.
- 9) To make a binding decision, while sitting as a tribal court, that individual members of the tribe involved in this election are to be legally tried and convicted before the tribal court for their actions in the election in accordance with our Tribal Constitution, US Constitution, and Federal law.
- 10) To investigate and rule upon violation of Tribal Members civil rights guaranteed in the Little Shell Tribal Constitution and United States Constitution by the following:
  - a. Failure of the Election board to conduct the Tribal Election in accordance with our Tribal Constitution, United States Constitution, and guidelines set out by the Secretary of the Interior rules as outlined in Code of Federal Regulations Title 25, Chapter 1, Part 81 as directed to by our Tribal Constitution and Federal Law.
  - b. Alleged violation of the Civil Rights of ALL Little Shell Tribal members by the Election board by failing to properly notify Tribal members of the Election itself. Instead of using the Tribal Rolls to notify members of the Election and register all eligible Adult members by direct mailing in accordance with DOI/BIA Election Guidelines, the Board instead relied upon newsletter subscription list, an obscure Internet bulletin board, and "Word of Mouth" to disseminate Official Election information. The Election board did so in violation with DOI/BIA Guidelines as directed to by our Tribal Constitution and Federal Law.
  - c. Alleged violation of the Civil Rights of ALL Little Shell Tribal members by the Election board by failing to follow it's own Election Rules and Regulations and changing those rules in the course of conducting the election and after the election has been held. Failing to notify Tribal Members by Direct mailing of these changes in accordance with DOI/BIA Guidelines as directed to by our Tribal Constitution and Federal Law.
  - d. Alleged violation of the Civil Rights of Little Shell Tribal Members in the Spokane area by failing to ensure the Election Polling place was open to eligible voters in accordance with DOI/BIA Guidelines as directed to by our Tribal Constitution, US Constitution, and Federal Law.
  - e. Alleged violation of the Civil Rights of Little Shell Tribal Members who requested absentee ballots by either not returning the requested voting ballot to the Tribal Member or sending requested ballots out 12 days after official deadline as stated in the Election Rules.









