

**TITLE 23A. OMAHA CONSTITUTIONAL-ELECTION CODE**  
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## **TITLE 23A. OMAHA CONSTITUTIONAL-ELECTION CODE**

*Source: Omaha Tribal Council Resolution No. 17-46 (February 13, 2017)  
and as revised on September 26, 2022 and approved at General Assembly*

### **CHAPTER 1. GENERAL PROVISIONS**

#### **SECTION 23A-1-1. Authority and Purposes.**

(a) Pursuant to the authority vested in the Omaha Tribal Council by the Omaha Tribe's Constitution, and particularly by Sections (l), (m), (o), and (q) of Article IV, concerning the Council's authority to regulate the holding of constitutional elections and to provide for the health, safety, morals, and welfare of the Tribe, the Council enacts this Title, which establishes the procedures for the calling and conduct of elections to amend the Omaha Tribe's Constitution.

#### **SECTION 23A-1-2. Severability.**

(a) If any provision of this Title or its application is held invalid, that invalidity shall not affect the remainder of the Title or any Title of this Code.

#### **SECTION 23A-1-3. Omaha Tribal Election Committee.**

(a) All references in this Title to the "Commission" or "Election Commission" refer to the Tribal Election Commission established and governed by Title 23 of the Omaha Tribal Code.

(b) To the extent that any provision of this Title conflicts with Title 23 of the Omaha Tribal Code concerning the Tribal Election Commission, Title 23 of the Omaha Tribal Code controls.

#### **SECTION 23A-1-4. Definitions.**

(a) The following terms, wherever used or referred to in this Title, shall have the following respective meanings, unless a different meaning clearly appears from the context:

- (1) "Ballot" has the meaning that the same word has under Title 23, Section 23-3-1 of the Omaha Tribal Code.
- (2) "Campaigning" has the meaning that the same word has under Title 23, Section 23-3-1 of the Omaha Tribal Code.
- (3) "Constitution" has the meaning that the same word has under Title 23, Section 23-3-1 of the Omaha Tribal Code.
- (4) "Constitutional-Amendment Election" means an election to determine whether to accept a proposal to amend the Constitution.
- (5) "Election Commissioner" means a member of the Commission.
- (6) "Eligible Voter List" means the official list of eligible voters maintained and updated by the Commission.

- (7) “Member” has the meaning that the same word has under Title 23, Section 23-3-1 of the Omaha Tribal Code.
- (8) “Poll” or “Polling Place” has the meaning that the same word has under Title 23, Section 23-3-1 of the Omaha Tribal Code.
- (9) “Proposal” or “Proposed Amendment” means a written proposal to amend the Constitution.
- (10) “Reservation” means the territory within the exterior boundaries of the Omaha Indian Reservation (including the Blackbird Bend and other tribal land located east of the Missouri River) as set forth in the Omaha Treaty of March 16, 1854, as amended by the Treaty of March 6, 1863, and such other lands without these boundaries as may have been or may hereafter be added to the Reservation or held in Trust for the Tribe under any law of the United States or otherwise.
- (11) “Resident” is a Member who meets the residency requirement of Section 23A-2-1 of this Title.
- (12) “Tribal Council” has the meaning that the same word has under Title 23, Section 23-3-1 of the Omaha Tribal Code.

**CHAPTER 2. QUALIFICATION AND REGISTRATION OF VOTERS**

**SECTION 23A-2-1. Voter Eligibility.**

- (a) In accordance with Article V, Section 1 of the Constitution, every person who meets all of the following criteria is qualified to vote in a Constitutional-Amendment Election:
  - (1) Is an enrolled member of the Omaha Tribe of Nebraska & Iowa;
  - (2) Is 18 years old or will turn 18 years old before the date of the election; and
  - (3) Meets the residency requirement of the Constitution because that person either:
    - (A) Has maintained physical presence within the Reservation for the six months immediately preceding the date of the election; or
    - (B) If a person was temporarily absent from the Reservation during the six-month period immediately preceding the date of the election, the person must nevertheless be deemed to “Reside” within the Reservation for the duration of the temporary absence if the absence is for the purpose of:
      - (i) Temporary employment outside the Reservation for a period of six months or less;
      - (ii) Military service;
      - (iii) Treatment of an illness or disability; or

(iv) To attend school, college, or a university.

(b) All qualified voters must be permitted to vote in Constitutional-Amendment Elections.

**SECTION 23A-2-2. Eligible Voters List and Voter Registration.**

(a) The Commission must maintain and update the Eligible Voter List, and must post the list and hear and decide challenges to the list in accordance with Section 23A-4-1 of this Title.

(b) On the day of the election, the Commission must permit any person whose name appears on the Eligible Voter List to register at the polls by signing the Voting Register Ledger.

**CHAPTER 3. INITIATION AND APPROVAL OF PROPOSED AMENDMENTS**

**SECTION 23A-3-1. Council Initiation of Proposals.**

(a) In accordance with Article IX of the Constitution, if the Commission receives a written resolution of the Council offering a Proposed Amendment, and the resolution is signed by at least a majority of the Tribal Council, then the Commission must hold an election to consider the Proposed Amendment.

**SECTION 23A-3-2. Membership and Council Approval of Proposals.**

(a) In accordance with Article IX of the Constitution, a Proposed Amendment will only become effective if:

- (1) A majority of qualified voters voting in an election called to consider the Proposal vote in favor of the Proposed Amendment; and
- (2) The Proposed Amendment is approved by the Tribal Council.

**CHAPTER 4. CONDUCT OF CONSTITUTIONAL-AMENDMENT ELECTIONS**

**SECTION 23A-4-1. Pre-Election Timeline.**

(a) Notice of Election.

- (1) The Election Commission must prepare and post a notice of election at least 28 calendar days before the election will be held.
- (2) The notice of election must include the date, time, and polling place(s) for the election, and the full text of every Proposed Amendment to be considered at the election.
- (3) To meet the posting requirement of this section, the Commission must make the notice available as appropriate to inform the eligible voters of the notice, including but not limited to physically posting the notice in the Tribal Office, the local U.S. Post Office, and other public places throughout the reservation. If a newspaper, newsletter, or Facebook page of the Omaha Tribal Government is available, the Commission

must also publish the notice in that publication or on that electronic platform.

(b) Eligible Voters List.

- (1) In every election year, on the first Tuesday of May, the Commission shall post a DRAFT Eligible voters list.
- (2) 14 or more calendar days before any election, the Commission must approve a current Eligible Voter List.
- (3) 10 or more calendar days before any election, the Commission must post the Eligible Voter List.
- (4) 5 or more calendar days before any election, any Enrolled Member may petition the Commission to challenge the inclusion or omission of any person on the Eligible Voter List. Challenges must be filed in writing under oath on a complaint form provided by the Election Commission, which must be substantially similar to Appendix A. The burden to prove voting eligibility is on the petitioning person.
- (5) 2 or more calendar days before any election, the Commission must make the final decision on all voting list challenges and update the Eligible Voter List accordingly.

**SECTION 23A-4-2. Election Procedures.**

(a) Polling Places, Polling Hours Equipment, and Election Record.

- (1) The Election Commission must make arrangement for the polling place(s), obtain all materials necessary to conduct a proper election, and ensure voting secrecy (including but not limited to ballots, voting booths, automated voting devices, or other facilities).
- (2) The Election Commission must compile the necessary information to provide a record of the election.
- (3) One Polling place(s) must be in Macy, NE unless the General Assembly identifies a different polling place(s).
- (4) On the date of an election, the Commission must open the polls at 8:00 a.m. central time at the prescribed location(s) and close the polls at 8:00 p.m. central time unless the General Assembly identifies different polling hours.
- (5) On the date of an election, the Commission must physically mark off an area of 100 feet around each polling place.

(b) Official Ballots and Absentee Voting.

- (1) The Commission shall provide official printed ballots. The full text of each Proposed Amendment to be considered at the election must be printed on the ballot.

- (2) Each official ballot must be initialed by at least two Election Commissioners before it may be cast. The Commission is responsible for ensuring that this requirement is met as to every cast ballot.
  - (3) Absentee voting is prohibited. The Commission may not accept or count any absentee ballot.
- (c) Voting Register Ledger.
- (1) The Election commission must maintain a print or electronic voting register ledger with the full name of every eligible voter.
  - (2) On voting day, a voter must register by signing their name next to their name on the Voting Register Ledger.
  - (3) When a voter registers, an Election Commissioner must give that voter one official ballot to cast in the election and must mark on the Voting Register Ledger or otherwise indicate electronically that the voter received an official ballot.
- (d) Spoiled Ballots.
- (1) A ballot is spoiled if:
    - (A) It does not bear the initials of at least two Election Commissioners;
    - (B) In a manually conducted election, the ballot contains erasures; or,
    - (C) The ballot contains voting check marks next to more than one option as to a single Proposed Amendment.
  - (2) An Election Commissioner may only authorize an additional ballot for a voter only if the voter's original ballot has been spoiled.
  - (3) The Commission must:
    - (A) Keep a record of all spoiled ballots; and
    - (B) Keep all spoiled balloted separated from other ballots.
- (e) Confidentiality of Voting.
- (1) All voting must be conducted by secret ballot.
  - (2) No procedure prescribed or authorized by this Title may be interpreted or enforced in a way that would compromise the confidentiality of a voter's ballot.
  - (3) Voting records may not be used for any purpose outside the scope of this Title, except:
    - (A) As needed to compile a list of persons eligible for jury duty;
    - (B) Subject to Tribal Council approval, for voter registration in a federal, state, or other public election; or
    - (C) For a purpose authorized or directed by court order.

- (f) Voter Assistance.
  - (1) If a voter indicates that they need help casting their ballot, then the elder interpreter must assist that individual with reading and/or marking that ballot.
  - (2) On election day, tribal interpreters must be available at the polling place(s) to assist Election Commissioners in carrying out administrative responsibilities by translating the Omaha language into English and visa-versa.
- (g) Procedures in a Manual Election. For each manual election:
  - (1) At least two Election Commissioners must verify that the ballot box(es) is empty of all ballots and that the ballot box is properly locked before polls open.
  - (2) Each voter must cast a ballot by dropping that ballot into a locked ballot box.
  - (3) If a voter makes a mistake in marking his or her ballot, or requests an exchange of a spoiled or mutilated ballot, then:
    - (A) The voter must fold the spoiled ballot in half so that the voter's choices remain confidential;
    - (B) The voter must return the spoiled ballot to an Election Commissioner; and
    - (C) An Election Commissioner must print the word "SPOILED" across the outside of the ballot and insert it into a spoiled-ballot envelope;
    - (D) The spoiled-ballot envelope must be signed by two Election Commissioners and placed in a spoiled-ballot box;
    - (E) An Election Commissioner must write the word "SPOILED" next to the voter's name on the Voting Register Ledger; and
    - (F) An Election Commissioner must issue a new ballot to the voter.
  - (4) The Election Commission must:
    - (A) Assure that no ballot other than official election ballots are deposited into the election box;
    - (B) Assure that all ballots cast bear the initials of two Election Commissioners;
    - (C) Record the number of ballots cast in accordance with Section 23A-4-3 of this Title; and
    - (D) Prepare and deliver to a fireproof safe in the locked ballot box all properly cast ballots, all spoiled or mutilated ballots, and all records pertaining to the election.

(E) Six months after the election is held, the Commission shall dispose of all properly cast ballots, all spoiled or mutilated ballots, and all records pertaining to the election in a manner that reasonably maintains the confidentiality of the records.

(h) Procedures in an Automated Election. For each automated election:

- (1) The Election Commission must verify through a logic and accuracy test that is open to the public that all automated voting equipment is in proper working order.
- (2) At least two election Commissioners, along with an automated voting technician, must verify that the automated voting machine is set at zero before the first ballot is cast.
- (3) In an automated election, each voter must cast a ballot by feeding that ballot through an automated voting machine. If the voting machine will not accept a ballot or prints a message indicating a problem with the ballot, then:
  - (A) An automated voting monitor will instruct the voter to remove the ballot from the machine and reinsert the ballot in a different orientation; and
  - (B) If the ballot is returned again, then the voter must request a new ballot, and:
    - (i) The voter must fold the spoiled ballot in half so that the voter's choices remain confidential;
    - (ii) The voter must return the spoiled ballot to an Election Commissioner; and
    - (iii) The voter must insert it into a spoiled-ballot envelope;
    - (iv) The spoiled-ballot envelope must be signed by two Election Commissioners and placed in a spoiled-ballot box; and,
    - (v) An Election Commissioner must issue a new ballot to the voter.
- (4) The Election Commission must:
  - (A) Assure that no ballot other than official election ballots are fed through the electronic voting machine;
  - (B) Assure that all ballots cast bear the initials of two Election Commissioners;
  - (C) Record the number of ballots cast in accordance with Section 23A-4-3 of this Title;
  - (D) Prepare and deliver to a fireproof safe in the locked ballot box all properly cast ballots, all spoiled or mutilated ballots, and all records pertaining to the election.



- (E) Six months after the election is held, dispose of all properly cast ballots, all spoiled or mutilated ballots, and all records pertaining to the election in a manner that reasonably maintains the confidentiality of the records.

**SECTION 23A-4-3. Count and Return of Votes.**

(a) The Commission must assure the proper tally of all votes cast in the election. For each election, the Commission may decide whether to tabulate ballots by either a manual hand count or by automated means, but the Commission may only use that decided-upon method throughout the entire election, and that decided-upon method will be the only means to tabulate ballots in that election.

(b) If conducting a manual election, during the counting of ballots, the Commission must read out the vote cast on each ballot.

(c) If conducting an automated election, after automated tabulation of votes, the Commission must announce the number of votes cast for and against each Proposal.

(d) After all votes are tallied, the Commission must prepare and deliver in the locked ballot box all properly cast ballots, all spoiled or mutilated ballots, and all records pertaining to the election. Automated Election Services, or a similar vendor, will label and secure all automated ballot boxes with their security locks and the boxes must be stored at the Omaha Tribal Administration Building basement.

(e) Upon completion of an election, the Commission must certify the number of unused ballots, the number of votes cast, the number of spoiled ballots, and the result of the election. The Election Commission must immediately notify the Chairman and Secretary of the Council of the election results.

(f) The Election Commission must resolve all disputes arising from the tabulation of ballots cast in the polling place.

**SECTION 23A-4-4. Recounts.**

(a) If the tabulated vote count shows that the number of votes cast for a Proposed Amendment is within .5 percent of the votes cast against that Proposed Amendment, the Election Commission must conduct an automated automatic recount.

(b) No person may request a recount of a Constitutional-Amendment Election if the difference between the votes cast for and against the proposed election is equal to or greater than .5 percent.

**SECTION 23A-4-5. Election Commission and Commissioner Duties.**

(a) In addition to the other duties described in this Title:

- (1) All Election Commissioners must remain at their assigned polling place from the opening of that polling place until all ballots have been

counted and secured in the ballot box and secured in the fire proof safe, except that the Election Commission Chair may leave the polling site to open and close other polls and to address any matters in reference to the election process and procedures.

- (2) On the date of each election, the Commission must provide breakfast, lunch, dinner, and snacks for each of the Election Commissioners at the Commissioners' assigned polling places.
- (3) Election Commissioners may answer questions about procedure, but must not express any preference for any particular election outcome, whether before, during, or after an election. Election Commissioners are neutral officials of the Tribe and must at all times avoid even any appearance of impropriety or bias.

**SECTION 23A-4-6. Prohibited Activities.**

(a) Electioneering.

- (1) No person may campaign within 100 feet of a polling place on election day.

(b) Election Tampering.

- (1) It shall be a violation, known as Election Tampering, for:
  - (A) Any voter to knowingly cast or attempt to cast more than one valid ballot at an election;
  - (B) Any person to place more than one ballot in the ballot box for the same Proposed Amendment;
  - (C) Any person to campaign within 100 feet of a polling place on election day; or
  - (D) Any person to, for the purpose of influencing votes in or the outcome of the election, give or offer to give to a voter or Commissioner a bribe or reward.
- (2) Any person who observes a person feeding an unauthorized ballot through an automated voting machine or depositing an unauthorized ballot into a ballot box must reported the behavior to an Election Commissioner.

(c) Loitering.

- (1) No person may loiter within 100 feet of a polling place on election day. Loitering is remaining in an area for no obvious reason.

(d) The Election Commission may, at its discretion, call the Tribal Law Enforcement concerning activities prohibited under this Title.

**SECTION 23A-4-7. Subsequent Election After Invalidation.**

(a) If a subsequent election must be held after an invalidation, then all provisions of this Title govern the subsequent election.

## **CHAPTER 5. CHALLENGES TO CONSTITUTIONAL-AMENDMENT ELECTION RESULTS**

### **SECTION 23A-5-1. Who May Challenge an Election Result; Timing.**

(a) Any eligible voter may challenge the announced result of a Constitutional-Amendment Election on or before the second business day after that election.

(b) The Election Commission or any Election Commissioner may challenge the announced result of a Constitutional-Amendment Election on or before the second business day after that election.

(c) No other person or entity may challenge the announced result of a Constitutional-Amendment Election.

(d) Neither the Court nor the Commission may consider an election challenge raised on or after the third business day after that election.

(e) In any challenge to an election result, the Tribe's legal department must represent the Commission.

### **SECTION 23A-5-2. Grounds for Challenges.**

(a) Allegation of Election Tampering.

(1) An eligible voter may challenge an election on the basis of alleged Election Tampering by filing a complaint with the Court. The Commission may challenge an election on the basis of an allegation of Election Tampering by filing a complaint with the Court.

(2) Any complaint alleging Election Tampering must:

(A) Be filed in writing under oath on a complaint form provided by the Election Commission, which must be substantially similar to Appendix B to this Title; and

(B) Specifically identifying the circumstances of the alleged Election Tampering, including where it occurred, the specific act complained of, and the names of the alleged perpetrator(s) of the prohibited act.

(b) Allegation of other irregularity.

(1) An eligible voter may challenge an election on the basis of an allegation of an irregularity other than Election Tampering by filing a complaint with the Court. The Commission may challenge an election on the basis of an allegation of an irregularity other than Election Tampering by filing a complaint with the Court.

(2) Any complaint challenging an election on the basis of an irregularity other than Election Tampering must:

- (A) Be filed in writing under oath on a complaint form provided by the Election Commission, which must be substantially similar to Appendix B to this Title;
- (B) Specifically identifying the circumstances of the alleged irregularity, including where it occurred, the specific act complained of, and the names of the alleged perpetrator(s) of the prohibited act; and
- (C) Describe why the irregularity is of sufficient number or of such a nature that:
  - (i) Without the alleged irregularity, the outcome of the election would have been contrary to the reported result; or
  - (ii) The petitioner can prove that is impossible to determine with mathematical certainty the outcome of the election without the irregularity.

**SECTION 23A-5-3. Procedure for Challenges.**

- (a) All Constitutional-Amendment Election challenges must strictly comply with this Chapter.
- (b) Commencement of Challenge.
  - (1) All challenges must be filed on or before the second business day following the Commission's certification of the election.
  - (2) Every challenge commenced by a voter must be accompanied by a cash bond of \$250.00.
- (c) Consideration of Challenge.
  - (1) Upon receiving a Constitutional-Amendment Election challenge, the Court must set a date within 7 business days of receiving the challenge to hear the challenge, and a date before the hearing by which the person(s) that the challenger alleges committed the irregularity may respond to the challenge. At the hearing, the Court may consider whatever evidence that it determines may be relevant to the challenge.
  - (2) Before the Court may uphold a challenge to an election, the person challenging the election results must prove by clear and convincing evidence that:
    - (A) A prohibited activity occurred; and
    - (B) In the case of irregularities other than Election Tampering, that without the prohibited activity having occurred, the election would have been different, or that it is mathematically impossible to determine the outcome of the election without the irregularity.
- (d) Challenge Outcomes.

(1) Challenge based on Election Tampering.

- (A) If a challenger proves Election Tampering by clear and convincing evidence, then the Court must order the Commission to invalidate the election and the Commission must hold a subsequent election on the same Ballot Proposal within 30 calendar days after the date of the invalidation.
- (B) If a challenger other than the Commission does not prove Election Tampering by clear and convincing evidence, the Court may hold the challenger civilly liable to the Election Commission or accused person for all damages sustained, including reasonable attorney fees. The challenger's bond must be forfeited to the extent necessary to pay any damage award.

(2) Challenge based on Irregularity Other Than Election Tampering.

- (A) If a challenger proves by clear and convincing evidence that a sufficient number of irregularities or an irregularity of such character occurred that this irregularity changed the outcome of the election, or that it is impossible to determine with mathematical the outcome of the election without the irregularity, then the Court must order the Commission to invalidate the election and the Commission must hold a subsequent election on the same Ballot Proposal within 30 calendar days after the date of the invalidation.
- (B) If a challenger other than the Commission does not prove by clear and convincing evidence that a sufficient number of irregularities or an irregularity of such character occurred that this irregularity changed the outcome of the election, or that it is impossible to determine with mathematical the outcome of the election without the irregularity, then the Court may hold the challenger civilly liable to the Election Commission or accused person for all damages sustained, including reasonable attorney fees. The challenger's bond must be forfeited to the extent necessary to pay any damage award.

## **CHAPTER 6: CRIMINAL VIOLATIONS**

### **SECTION 23A-6-1. Complaints and Commission Authority**

- (a) Any eligible voter may file a complaint concerning an alleged voting violation. All violation complaints must:
  - (1) Be filed on or before the second calendar day after the certification of an election; and
  - (2) Be filed with the Court in writing under oath on a complaint form provided by the Election Commission, which must be substantially similar to Appendix C to this Title.
- (b) The Election Commission may, at its discretion, file charges against any

person for violations of this Title.

(c) The Commission may not under any circumstance impose criminal liability on any person.

(d) In any complaint to which the Commission is a named party or to which the Commission determines that it is an interested party, the Tribe's legal department must represent the Commission.

**SECTION 23A-6-2. Voting Violations.**

(a) A person is guilty of violation of this Code who:

- (1) Knowingly votes more than once or attempts to vote more than once at any one election;
- (2) Not being entitled to vote, knowingly votes or attempts to vote;
- (3) Hinders the voting of others;
- (4) Threatens unlawful harm to any person with the purpose to influence a person's vote;
- (5) Offers, confers, agrees to confer upon another, or solicits, accepts or agrees to accept from another any benefit including any pecuniary benefit as consideration for the recipient's vote;
- (6) After having received a ballot as a voter, knowingly fails to cast the ballot or return the ballot to an Election Commissioner before leaving the polling place or going outside the voting area;
- (7) Knowingly adds a ballot to those legally cast at any election by fraudulently introducing the ballot into the ballot box or mixing the ballot with other ballots lawfully cast while they are being canvassed or counted;
- (8) Knowingly detains, destroys, alters, or mutilates a ballot or election return;
- (9) Intentionally disables or removes from the polling place or custody of an election official, a voting machine, ballot box, or voting record; or
- (10) While at a voting location, refuses to obey a lawful order of a member of the Election Commission.

(b) Any person who violates the provisions of this Section is guilty of a criminal offense, and upon conviction, shall be subject to a fine not to exceed \$1,000.00, or a term of imprisonment not to exceed 180 days, or both. If the person is not a tribal member and not under the jurisdiction of the Tribal Criminal Court, the Tribal Council must exclude the person from the Reservation if there is a preponderance of the evidence of a voter violation.

**APPENDICES**

**APPENDIX A. Eligible-Voter Challenge Petition**

**APPENDIX B. Election-Result Challenge Form**

**APPENDIX C. Violation Complaint Form**

**VOTER ELIGIBILITY CHALLENGE PETITION – APPENDIX A**

**Who are you?**

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Last Name	First	Middle or Nickname
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Address

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Phone	Email
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**Who do you think the Commission should add or delete from the list?**

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Last Name	First	Middle or Nickname
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Address, phone, or email (to confirm identity of challenged person)

**What is the basis for your challenge (check all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> Not an enrolled member              | <input type="checkbox"/> Does not meet residency requirement      |
| <input type="checkbox"/> Not 18 or older on date of election | <input type="checkbox"/> Was not included but is eligible to vote |

**Attach a short summary of your reasons for this challenge and any supporting evidence to this form and complete the oath below.**

I, declare under penalty of perjury that I: (1) am a Member of the Omaha Tribe; (2) have personal knowledge of the basis or bases for this challenge; and (3) have exercised due diligence to personally verify the evidence that accompanies this petition.

Signed:

Dated:



**ELECTION-RESULT CHALLENGE FORM – APPENDIX B**

**Who are you?**

---

Last Name                                      First                                      Middle or Nickname

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Address

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Phone                                      Email

**Why do you think the Tribe must invalidate the results and hold a new election? Check all that apply.**

- Someone tried to cast or cast more than one ballot
- Someone placed more than one ballot in the ballot box
- Someone campaigned within 100 feet of a polling place on election day
- Someone bribed a voter
- Something else (explain here): \_\_\_\_\_

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**If you checked that “something else” happened that should invalidate the election results, which of these is true (check one)?**

- The result of the election would have been different if the action I’m filing a complaint about hadn’t happened.
- There is no way to tell whether the result of the election would have been different if the action I’m filing a complaint about hadn’t happened.
- The action I’m filing a complaint about did not change the result of the election.

**Include here or attach to this form a summary specifically identifying the circumstances of the alleged violation(s), including where it occurred, the specific act complained of, and the names of the alleged perpetrator(s) of the prohibited act, along with any supporting evidence, and complete the oath below.**

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I, declare under penalty of perjury that I: (1) am a Member of the Omaha Tribe; (2) have personal knowledge of the basis or bases for this challenge; and (3) have exercised due diligence to personally verify the evidence that accompanies this challenge.

Signed:

Dated:

**ELECTION-VIOLATION COMPLAINT FORM – APPENDIX C**

**Who are you?**

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Last Name	First	Middle or Nickname
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Address

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Phone	Email
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**Who do you think violated the Tribe’s election law?**

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Last Name	First	Middle or Nickname
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Address, phone, or email (to confirm identity of challenged person)

**If your complaint is about more than one person, attach a list of the other people that this complaint is about to this form.**

**What violation do you think happened (check all that apply)?**

- Person voted or tried to vote more than once in on election
- Person who was not eligible to vote voted or tried to vote
- Person tried to or did make it difficult for someone else to vote
- Person threatened a voter in order to influence the voter’s voting decision
- Person bribed a voter in order to influence the voter’s voting decision
- Person received a ballot but did not cast it or return it to an Election Commissioner

- Person fraudulently added a ballot while the ballots were being counted
- Person kept, destroyed, or altered a ballot
- Person disabled a voting machine
- Person removed from a polling place or took from an Election Commissioner a voting machine, ballot box, or voting record
- Person refused to obey a lawful order of the Election Commissioner

**Attach a short summary of your reasons for this complaint and any supporting evidence to this form and complete the oath below.**

I, declare under penalty of perjury that I: (1) am a Member of the Omaha Tribe; (2) have personal knowledge of the basis or bases for this challenge; and (3) have exercised due diligence to personally verify the evidence that accompanies this petition.

Signed:

Dated: