Sault Ste. Marie Tribe of Chippewa Indians
2024 Election Cycle End Report

This 2024 election cycle end report is a summary of the 2024 Primary and General Election. It includes Ballot Summary, Unit Voting Summary, Incident Summary, and Financial Summary. This information is being furnished to the Board of Directors pursuant to Chapter 10.104(8)(n) and shall be published to the Tribe's website.

2024 Primary Election Report
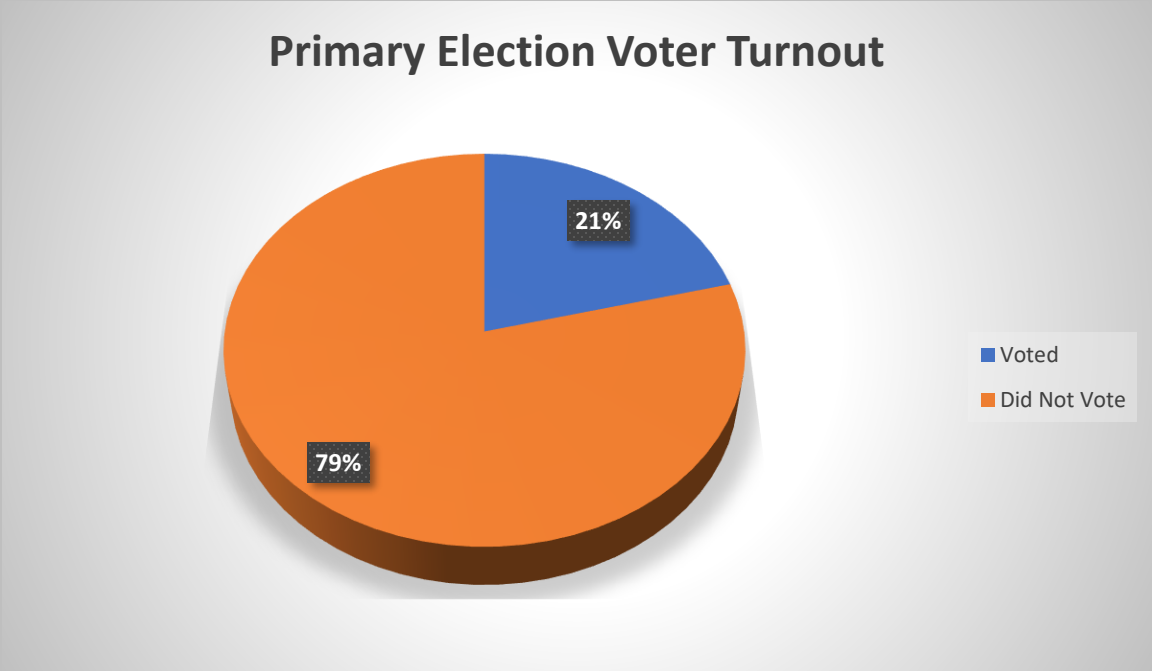
Ballot & Voter Summary

Unit	Total Voters	Ballots Mailed	Ballots Received	Return %
1	7841	7841	3002	38.29
2	2198	2198	727	33.08
3	3001	3001	1437	47.88
4	2527	2527	631	24.97
5	1303	1303	398	30.54
UN*	18308	18308	1180	6.45

*UN denotes Undeclared at large voters. These voters were automatically registered pursuant to 10.110 but did not choose (declare) a Unit to vote in. They were by law only allowed to vote for the Chairman race pursuant to 10.110(6).

Unit Voters: Based on the Ballot and Voter Summary above a total of **16,870** ballots were sent to in-unit voters and a total of **6,195** ballots were returned for a return percentage of **36.72%.**

Undeclared Voters: Based on the Ballot and Voter Summary above a total of **18,308** ballots were sent to undeclared voters and a total of **1,180** ballots were returned for a return percentage of **6.45%.**

Total Combined Voters: Based on the Ballot and Voter Summary above, the total number of ballots sent in the Primary Election was **35,178** and a total of **7,375** were returned for a return percentage of **20.96%.**

Primary Election Voter Turnout

- 21% Voted
- 79% Did Not Vote

Test Ballots

There are in total 300 test ballots, 50 for each color ballot. They are used to calibrate the ballot screening machine. The ranges for the test ballots **do not** correspond with a voting unit. All 300 test ballots are accounted for and will be maintained with the rest of the election records for a period of no less than 90 days pursuant to 10.104(8)(m).

Spoiled Ballots

A spoiled ballot is a ballot that is blank, does not clearly express a choice or preference, or is a ballot that does not comply with security measures adopted by the Election Commission. For this primary, there were **6 spoiled ballots**. The 6 spoiled ballots were all white ballots without the security features used in our elections. After an investigation done in collaboration with law enforcement, it was determined that 5 of the 6 ballots were received from incarcerated tribal members and 1 ballot had an undetermined origin.

Michigan Department of Corrections has confirmed that they make photo copies of all mail received by inmates and confiscate any mail that has color ink or color markings as illicit substances have been sent through color ink, markers, crayon, and other colorizing techniques. The inmate is then given the photo copy only. In this case, the incarcerated tribal member was given the photo copy of the ballot and returned it. This is an issue that will need to be addressed for future elections.

Ranges

Each voting unit is assigned a numerical range. This is utilized as a security measure to account for ballots mailed and received. We also use it to ensure no duplicates or out of range ballots are counted. No out of range or duplicate ballots were received.

Undeliverable Ballots

Following the contest period, the Election Commission retrieves the second ballot box. This box is the "undeliverables" as determined by the Post Office. We keep the second box at the post office until after the contest period as to not allow access to additional ballots. The undeliverable data is submitted to Enrollment to update records.

During this primary election approximately 1,300 addresses were flagged by the Post Office as undeliverable. These included addresses where tribal members had lived for years. These 1,300 addresses were unlikely to be delivered correctly and there were a number of tribal members that reached out to the Election Commission about not receiving their ballot. We worked with our mailing house vendor to correct this "undeliverable" list to ensure more timely delivery for the General Election mailer.

Issue Summary

We had several issues regarding the Primary Election. Listed below were the issues and how the Election Commission addressed them:

Contest & Complaints

Each election cycle the Election Commission receives complaints and contests. Following are several to note:

White Ballots and Request to Invalidate 2024 Primary Election. A contest and complaint were filed by a Unit 1 candidate requesting a recount of the primary tabulation; invalidate the election and reconduct the election; and asking the Board to cancel the election and conduct an investigation. The contest and complaint were based on evidence purporting to show a large number of white ballots being sent to voters, voters missing ballots, and a disagreement with the security protocols put in place between the Election Commission and its Vendors.

The Election Commission dismissed the contest and complaint as being without merit. The Candidate declined a recount. After dismissal of the complaint the Unit 1 Candidate contacted the Tribe's Board of Directors, the BIA, and the FBI alleging election fraud. To date no action has been taken by any of these entities. Discussions with the FBI have determined that there is no actionable cause to pursue either civilly or criminally with regard to the complaints alleged.

The Election Commission determined that the delayed ballots were a result of the undeliverable list as determined by the USPS system and that the security protocols in place were sufficient. An investigation done in collaboration with law enforcement determined that there was no evidence of a wide spread issue of voters receiving white ballots and that 5 of the 6 white ballots that were received on tabulation night were from incarcerated tribal members and 1 white ballot had an undetermined origin. The Commission released a notice to the public about these concerns. See Spoiled Ballots section for more information.

Campaigning. Several complaints were received on campaigning. The Election Commission determined that one Candidate had violated the campaigning provisions of Chapter 10 and that one Election Commissioner had violated the campaigning provisions of Chapter 10. Those decisions were later overturned by the Tribal Court.

Delayed Ballots. A number of complaints were received about delayed ballots or members not receiving ballots. As discussed in the Undeliverable Ballot section of this report, approximately 1,300 ballots were flagged as undeliverable by the USPS system. Corrections were put in place to avoid such issues for the General Election Mailer. See Undeliverable Ballots section for more information.

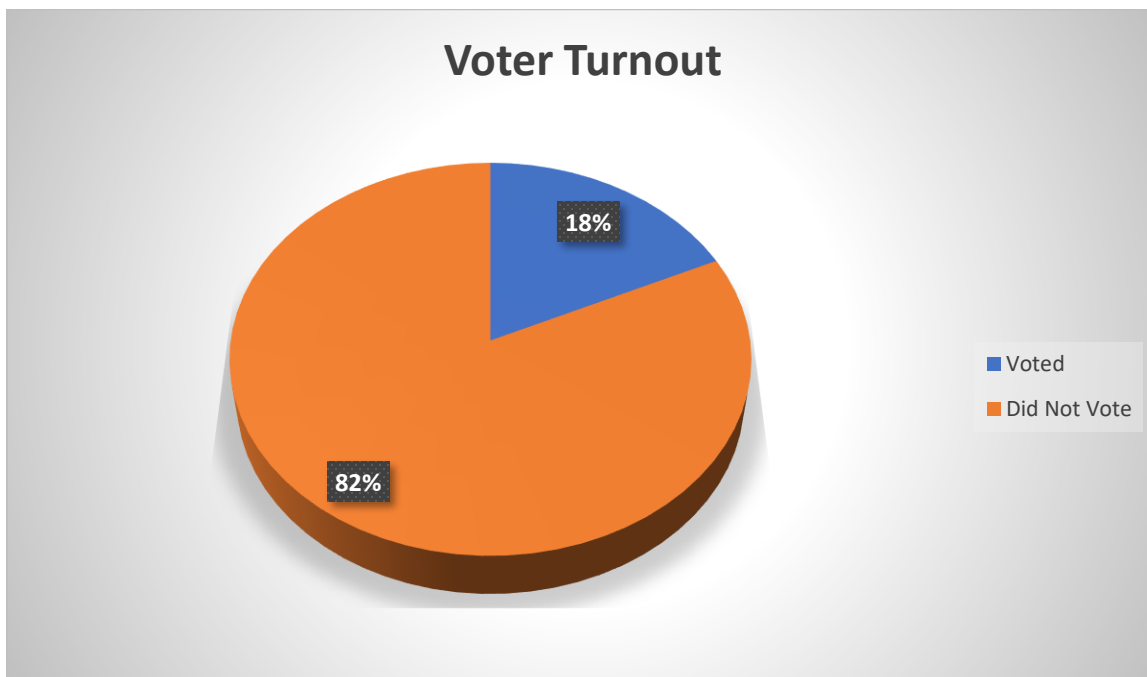## 2024 General Election Report

Ballot & Voter Summary

Unit	Total Voters	Ballots Mailed	Ballots Received	Return %
1	7834	7834	2513	32.08
2	2194	2194	679	30.95
3	2992	2992	1195	39.94
4	2530	2530	765	30.24
5	1303	1303	414	31.77
UN*	18310	18310	846	4.62

*UN denotes Undeclared at large voters. These voters were automatically registered pursuant to 10.110 but did not choose (declare) a Unit to vote in. They were by law only allowed to vote for the Chairman race pursuant to 10.110(6).

Unit Voters: Based on the Ballot and Voter Summary above a total of **16,853** ballots were sent to in-unit voters and a total of **5,566** ballots were returned for a return percentage of **33.03%.**

Undeclared Voters: Based on the Ballot and Voter Summary above a total of **18,310** ballots were sent to undeclared voters and a total of **846** ballots were returned for a return percentage of **4.62%.**

Total Combined Voters: Based on the Ballot and Voter Summary above, the total number of ballots sent in the General Election was **35,163** and a total of **6,412** were returned for a return percentage of **18.24%.**

Test Ballots

There are a total of 300 test ballots, 50 for each color ballot. They are used to calibrate the ballot screening machine. The ranges for the test ballots **do not** correspond with a voting unit. All 300 test ballots are accounted for and will be

maintained with the rest of the election records for a period of no less than 90 days pursuant to 10.104(8)(m).

Spoiled Ballots

A spoiled ballot is a ballot that is blank, does not clearly express a choice or preference, or is a ballot that does not comply with security measures adopted by the Election Commission. For this general, there were **5 spoiled ballots**. The 5 spoiled ballots were all white ballots without the security features used in our elections. After an investigation done in collaboration with law enforcement, it was determined that 4 of the 5 ballots were received from incarcerated tribal members and 1 ballot was from a tribal member that called enrollment indicating they had spilled coffee on their ballot so they sent in a photo copy.

Michigan Department of Corrections has confirmed that they make photo copies of all mail received by inmates and confiscate any mail that has color ink or color markings as illicit substances have been sent through color ink, markers, crayon, and other colorizing techniques. The inmate is then given the photo copy only. In this case, the incarcerated tribal member was given the photo copy of the ballot and returned it. This is an issue that will need to be addressed for future elections.

Ranges

Each voting unit is assigned a numerical range. This is utilized as a security measure to account for ballots mailed and received. We also use it to ensure no duplicates or out of range ballots are counted. No out of range or duplicate ballots were received.

Undeliverable Ballots

Following the contest period, the Election Commission retrieves the second ballot box. This box is the "undeliverables" as determined by the Post Office. We keep the second box at the post office until after the contest period as to not allow access to additional ballots. The undeliverable data is submitted to Enrollment to update records.

Issue Summary

We had several issues regarding the General Election. Listed below were the issues and how the Election Commission addressed them:

Contest & Complaints

Each election cycle the Election Commission receives complaints and contests. Following are several to note:

Unit 1 Recount. A contest was submitted to recount Unit 1. A recount took place and the results remained unchanged.

Removal Proceedings

On May 7, 2024 the Board of Directors, by majority vote, sent a removal action to Tribal Court pursuant to Chapter 10.104(10). The Tribal Court created a scheduling order for an administrative hearing and mandated that the Federal Court Rules would apply. A removal hearing never occurred as the Interim Chief Judge dismissed. This dismissal was pursuant to the Order Granting Motion to Dismiss entered on July 15, 2024. When Chapter 10 was revised it was to make it more difficult for the Board of Directors to remove an Election Commissioner and was designed to give the Tribal Court and the Chief Judge the authority and jurisdiction to adjudicate removals. The provisions of Chapter 10 regarding removal worked as drafted.

Voter Turnout

The General Election saw **35,163** ballots mailed out and a total of **6,412** were returned for a return percentage of **18.24%.** This return percentage is down, slightly, from the **20.96%** return in the primary. Notably **Unit 1** saw **489** less ballots returned and the **Undeclared** saw **334** less ballots returned. There were **963** less ballots returned in the General as compared with the Primary. There were **823** less ballots returned combined from **Unit 1** and **Undeclared** which accounts for **85%** of the discrepancy between the Primary return and the General return.

There has been speculation at the Board of Directors level and from membership chatter on Social Media that this unusual drop in ballot return between the Primary and the General Election indicates errors in the process. In comparing the 2024 election to the 2016 election (the last General Election with Chairman Race that has complete data) we see that there was an approximate **7% increase** in the number of returned ballots from the 2016 Primary return to the 2016 General return and an approximate **13% decrease** in the number of returned ballots from the 2024 Primary Return to the 2024 General Return. See table below:

2016	Mailed	Cast	Return %
Primary	14,761	6,402	43.37
General	14,556	6,860	47.13
2024*	Mailed	Cast	Return %
Primary	35,178	7,375	20.96
General	35,163	6,412	18.24

*This return percentage is skewed as this is the first election where all tribal members 18 years and older were sent a ballot. Approximately 18,000 more ballots were mailed in this election than any previous election so comparing this election to previous elections will not be accurate. It will take multiple years of running under this new system to get accurate data.

This **13% decrease** in the number of returned ballots could be attributed to multiple things including, but not limited to:

- The mailing for the Primary went out 3 days early allowing more time for voters to get and return their ballot while the mailing for the General went out precisely on the statutory date allowing less time for voters to get and return their ballot;
    - o It should be noted that multiple candidates objected to mailing out even one day early but the Election Commission decided that the benefit of allowing more opportunity for voters to vote outweighed any concern the candidates had about mailing early. Early mailing is allowed by law, see Chapter 10.116(1)(c) and 10.118(4).

- Candidates, by and large, front loaded their campaign push and spending during the Primary Election, there were more candidates at play during the Primary Election, and there was more time for voters to return their ballots. This all likely accounted to a larger voter turn-out in the Primary vs. the General;

- Once specific candidates lost their Primary, voter apathy may account for a decrease in interest of voting for the candidates that were on the ballot during the General Election resulting in a decrease in voter turn-out;

- Rhetoric from Board of Directors, Social Media campaigns from candidates and prior candidates about "errors" in the election, and online campaigns speculating about fraud, "white ballots" and urging members to contact Board of Directors, BIA, and the FBI to allege fraud (without evidence)

likely contributed to a growing distrust in our election process fueling a lower voter turn-out.

<u>Volunteers</u>

Each year it becomes increasingly harder to find volunteers for the election cycle. The Election Commission will be looking at ways to increase this and asks that the Board of Directors review and examine how it could assist in galvanizing more volunteer support in our elections.

Financial Cost

Total expenses to date, for this election cycle totaled **$115,959***. The greatest expense is attributed to an increased cost of mailing to the **18,310** tribal members that are now automatically registered to vote in our elections. Less than 7% of those 18,310 voters decided to vote in our election. The Election Commission will be exploring how to increase interest in our elections with this new demographic of voters.

*This amount may not include the final cost of the installation ceremony and does not account for the staff time involved in running our elections.

Conclusion

This Election Cycle dealt with a newly revised chapter 10, was the first election where **all** tribal members 18 years and older were sent ballots, and had a brand-new Election Commission comprised of members who had never previously run a tribal election. From the Election Commission's prospective, despite the rampant speculation of fraud, rhetoric surrounding delayed and missing ballots, and the baseless speculation of "white ballots" being sent, and with the backdrop of a removal petition of an appointed commissioner, the 2024 General Election was successful.

The ballots were successfully printed by and mailed by our vendors, the batch reports indicate that the scanners are accurately reflecting the ballots being cast, and the revised Chapter 10 provided for more transparency into our election process then ever allowed previously. The Election Commission and the support staff ensured a secure and fair election and our systems are working as intended.

Over 18,000 more ballots were mailed in this election than any previous election so comparing this election to previous elections will not be accurate. It will take multiple years of running under this new system to get accurate data.

Thank you for allowing us the opportunity to serve our Tribe. With that, this concludes the 2024 End of Cycle Report. Any questions or concerns please contact me so I can bring them to the Election Commission's attention.

Sincerely,

Boyd Snyder
Election Commission Chairman
elections@saulttribe.net