

**SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS
ELECTION COMMISSION**

Complainant: Lana Causley-Smith

May 16, 2024

BACKGROUND

On April 12, 2024 the Election Commission received a complaint filed by Unit Director and Incumbent Candidate Lana Causley-Smith regarding a postcard that she received on April 11, 2024 at her home address through USPS. The postcard in question did not have a return address or any indication who created it or who sent it out. On April 18, the Election Commission asked that the Elections Attorney investigate to see what could be determined about the mailer.

The complaint alleges that the mailer is mail fraud and an impersonation of Candidate Causley-Smith and is a clear violation of Tribal Code Chapter 10.

Documentation Provided. A copy of the mailer.

The complaint requested the following relief:

1. Find the mailer in violation of Tribal Code Chapter 10.

On May 15, 2024 the Election Commission held a regularly scheduled meeting to review the grounds alleged in the complaint and the investigation findings. Under Tribal Code 10.121(2)(c) the Election Commission hereby renders this written decision finding the mailer in violation of 10.113 generally, 10.114, 10.115 and Tribal Code 71.1103 Election Fraud.

ANALYSIS

A review of the mailed postcard by the Election Attorney indicated that the mailer appeared to be created on a home computer. The postcard was mailed with a first-class stamp and there were no visible indications of where it was mailed. The contents of the postcard showed a photo of Candidate Causley-Smith and slogans from what appear to be taken directly from her own Candidate literature. The Election Attorney spoke with Candidate Causley-Smith and spoke with the Postmaster General in Sault Ste. Marie, MI. Based on conversations with the post office there appeared no way to track down who may have mailed the post card. Additionally, there was no way to definitely determine how wide spread the mailer may or may not have been sent.

What is clear through the investigation is that this mailer was not sent by Candidate Causley-Smith and appears to be a hostile mailer directed at her and her campaign. It

appears to be a clear instance of someone impersonating Candidate Causley-Smith and may even be an attempt to interfere with the election by falsely campaigning. This goes against the intent of 10.113 Campaigning as this was campaigning not clearly done by a candidate or a non-candidate registrant. This mailer also violates 10.114 and 10.115 because if this was sent by a candidate or non-candidate registrant it should have been reported. Finally, this mailer may implicate Tribal Code 71.1103 Election Fraud subsection (1)(b) as an act meant to compromise the integrity of the election through falsifying the mailer and sending it through USPS.

FINDINGS

The Election Commission makes the following findings:

1. Based on the complaint filed and the documentation provided, there are sufficient facts to support a finding that the postcard received by Candidate Causley-Smith was fraudulent, an attempt to impersonate a Candidate, and possible criminal election fraud. A written finding that there was a violation would be reasonable under 10.121 2(c).
2. A referral to the Prosecutor's Office is reasonable despite the fact that it is not known who sent the mailer. This is reasonable to have on file this complaint should any new evidence come to light that could lead to the prosecution of any individuals.

ORDER

NOW, THEREFORE BE IT ORDERED, that the Election Commission makes the determination pursuant to 10.121(2)(c) that the postcard received by Candidate Causley-Smith was fraudulent, an attempt to impersonate a Candidate, and possible criminal election fraud. This order shall be published according to 10.121(2)(c).

May 15, 2024

Election Commission Chairman



NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Tribal Court of Appeals by filing a notice of appeal within five days of receipt of this decision. That appeal shall be governed by Tribal Code Chapter 82 Subchapter II: Appeals from the Election Committee. A notice of appeal must be filed within five (5) business days of the Appellant receiving this order and the publication of this order.