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One-Year Anniversary Of Cherokee Petitions: But Still In Limbo

Written by Phillip Carey

- Recalled the 1999 Constitution that added two at large seats on the Council to represent non-resident Cherokees living outside of the service area,
- Proposed a residency requirement for being a delegate on any Constitution Convention
- Changed JAT Justices from being appointed by a Chief to being elected by the people.

Proponents say they garnered approximately 6000 signatures in support of the 4 measures during the 90 day drive and boasted of a 95% support ratio from all voters asked and a 99% of all Elders asked signed the petitions.

However petitioners ran into a roadblock when the petitions were due to be returned to the commission.

Crittenden said, "After 90 days with plenty of notice that this historic movement by the people was occurring, there still had not been any Election Commissioners appointed to legally receive the documents."

Instead proponents found the Administration directing the remaining employees working within the Election Commission, which proponents say was a direct violation of Cherokee law.

Only three days prior to the deadline to return petitions to the Commission, Tribal Administration had faxed out a memo to all Cherokee Clinic Directors a policy to eject petition carriers out of the clinics where they had peacefully been gathering signatures for months.

Crittenden said, "It was a blatant attempt to sabotage our effort and was absolute interference in the election process and the people's power to petition."

"When they ran us out of the clinics it was a huge violation of the people's most basic rights that are guaranteed within the U.S. Constitution, the Cherokee Constitution and the Indian Civil Rights Act," stated Crittenden.

Only a month before, it was a well-reported fact that Chad Smith had personally endorsed and circulated Brad Carson for US Senate campaign literature in the Cherokee Clinics and had printed signs that were posted on tribal property throughout the Cherokee Nation.

Crittenden said that a lawsuit had been filed in the Judicial Appeals Tribunal naming Chad Smith and his General Council Julian Fite, who has since been dismissed from the case

because of his death, alleging interference with the Election Commission. One of the penalties for this crime is removal from office no longer able to hold office again and even the possibility of banishment from the tribe. It is possibly the most serious crimes in the law books for elected officials. The suit asks the court to receive the petitions and hold them safely until Election Commissioners are seated to legally receive them. Crittenden said the court had not done so but that Chief Justice Darrel Matlock had stated in a recent informal meeting on the case that the court would not impose the normal 90-day statute of limitations for returning the petitions to the commission because there had not been any Commissioners seated to legally receive them.

Crittenden said, "In the final hour before turning in the petitions we were faced with two big questions. Should we, within the time period allowed, turn them in to employees who were answering to the same Administration that had ruthlessly ejected us out of the Cherokee peoples' own public properties in an attempt to thwart our efforts and in essence hand the names of all of our supporters some of who work for the tribe and subject families to the potential wrath? Or, should we hold the petitions until Commissioners were finally seated whereby someone could be held legally accountable and risk them being thrown out because of the filing time?"

"It was an exercise in democracy," Crittenden stated, "So we took a vote among the petition carriers."

He said, "The vote was unanimous to hold the petitions safely and not expose anyone to anything and wait until Commissioners were finally seated."

"It's been a year now and the people are still waiting for a Commission that can receive or deny them however our patience is wearing thin," Crittenden stated.

Proponents plan to submit petitions in September. If the Commission accepts them for verification of signatures, the number of valid signatures will be forwarded along with the number of votes the highest candidate garnered in the last election to the JAT. They render a ruling of sufficiency or insufficiency whether proponents met the required number of names and if so order that the measures be place on the ballot in the next election. Amendments to the Constitution require 15% of the highest candidate's tally. Proponents estimate that number to be approximately 1100 on each petition.

These tribal Council representatives ran on Chad Smith's Slate!

In the trial outlined on page 1, these candidates accepted the illegal Cherokee voters list from Chief Chad Smith. Which has been determined is illegal. Could it be the reason they have protected Chief Smith? They have also violated Cherokee Laws as well, as that may have been the way they won in the 2003 general elections.



Buel Anglen District 8



Jackie Bob Martin District 2



Phyllis Yargee District 3



Audra Smoke Connor District 1



Meredith Swimmer Frailey District 6



Don Garvin District 4



William Johnson District 8



Cara Cowan District 7

Although she (Meredith Swimmer Frailey) didn't run on Chad Smith's slate, she has since sold out the Cherokee people on every important issue that has come before the tribal council.

The Cherokee people voted to have the tribal council representative the Cherokees in their district. Not just their personal view or opinion. It seems they may have violated election laws by not declaring that Chief Smith had given them, the illegal Cherokee voters list that had been obtained illegally by Chief Smith.

They sold out the Cherokee people to get elected and have sold out on every important issue that has come before the tribal council. Their actions speaks louder than words. . . They are not representing us the Cherokee People, but they are Chief Smith's rubber stamps. They do whatever he tells them to do. You ask how we know that? Their actions speaks louder than words. . . Their own voting record on every important issue. They have had their chance to do what they promised the Cherokee People. . . But they have failed us. May have thrown up their hands and quite demanding accountability. But that is what they want the Cherokee people to do . . . When we do this . . . Then our Elderly, children, and disabled family members who can't fight . . . Then the Smith administration has won!

These tribal councilor may need to be replaced for violated the oath they took to uphold the laws of the Cherokee Nation of Oklahoma. Sign up today to help get the information on Cherokee Issues to Cherokees in your area. Send us a email with the Subject -- "I Want To Help" to; editors@cherokeeobserver.org Today. Help keep our Cherokee Families informed on the other half of the real truth.



WE must work with what we have.

We must hold those in office accountable as if they were legitimate, otherwise we have nothing. The Cherokee Nation is in a deep slumber, perhaps never to be awakened. WE cannot allow our national identity to be snuffed out or used to line the pockets of a few greedy and unscrupulous individuals while we sit back and await the fulfillment of prophesy. What if the fulfillment of that prophesy is our inaction. The CNO is the only game in town for all Cherokees right now. But only when a large number of right thinking Cherokees choose to go the polls will things change. I believe the views of the Cherokees are changing. I have hope and faith in our people.

David Cornsilk

ALL SOVEREIGNTY RESTS WITH THE PEOPLE

Many Cherokee's have been very patient in seeing what the Chief, Deputy Chief and our tribal district council representatives have done or not done! So now is the time to compile the information and see which ones didn't do what the promised the Cherokee people when the were running for office.

We will be reporting to the Cherokee People what we find out, stay tuned, stay informed - Subscribe to the Cherokee Observer!.

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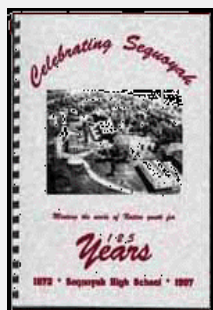
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