

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

Complaint: Betty Freiheit

April 29, 2026

BACKGROUND

On April 21, 2026, Waabanokiizhick Mandosking submitted a complaint to the Election Commission. In that complaint, Ms. Mandosking alleges that Unit I Candidate Betty Freiheit violated 10.113 by placing a campaign flyer in a window at the MidJim in Sault Ste. Marie alleges that a window does not meet the definition of a designated bulletin board, as windows are intended to be looked through and let in light, and be used to post flyers.

The complaint requested the following relief:

1. That Betty Freiheit be found in violation of Chapter 10 and be sanctioned according to the Sanction Schedule.

ANALYSIS

The Election Commission requested the Election Commission Attorney pursuant to 10.121(2) on whether the allegations in the contest constitute a violation of this Code. The Election Commission Attorney presented his findings to the Election Commission during the April 29, 2026, meeting.

The relevant code sections to this contest are 10.103, 10.113, 10.120, and 10.121.

10.103(4) Campaigning shall mean all efforts designed to influence members to support or reject a particular Candidate, including, without limitation, advertising, rallying, public speaking, or other communications with Members.

10.113(2) No campaigning shall take place in any tribal offices, tribal enterprises, or majority owned subsidiaries, tribally owned property, or events or functions, or those areas reasonably required as access to any of the foregoing locations except as allowed in Subsection (5) (posting of a sign on a public bulletin board) or (6) (signs on housing property with owner/tenant's permission).

10.113(5) A Candidate may post one (1) campaign sign on each designated public bulletin board at the various tribal offices and enterprises. No sign placed on a tribal bulletin board may exceed eight and one-half (8 1/2) inches in width and eleven (11) inches in length. Any sign not meeting the requirements of this Section shall be removed.

10.120(1) All complaints must be submitted based on first-hand knowledge of an alleged violation.

10.121(3) The Election Commission, establishing two categories of Complaints: Administrative Complaints and Campaign Complaints.

a. Administrative Complaints: shall mean any type of action that is related to filing paperwork with the Election Commission. These types of Complaints can be initiated administratively by a majority vote of the Election Commission outside of the complaints/contest process. Examples of these types of Complaints include missed report filing deadline or failed to place endorsement on an advertisement. The Election Commission shall make the following types of decisions on these types of Complaints:

i. Dismiss the Complaint in writing as being without merit, if a Complaint is based on second-hand knowledge, it shall be dismissed as being without merit; or

ii. Issue a notice pursuant to the published Sanctions Schedule.

b. Campaign Complaints: shall mean any type of violation related to campaigning. These types of Complaints can only be initiated by members or candidates through the complaint process. The Election Commission shall make the following types of decisions on these types of Complaints:

i. Dismiss the Complaint in writing as being without merit, if a Complaint is based on second-hand knowledge, it shall be dismissed as being without merit; or

ii. Convene a hearing on the matter and render a written decision pursuant to subsection (5) of this section.

With the complaint alleging a campaign violation, it will be treated as a Campaign Complaint received by the Election Commission.

The complaint submitted by Ms. Mandosking is based on a flyer she witnessed firsthand, meeting the requirements of 10.120(1). The MidJim in Sault Ste. Marie is located on property owned by the Tribe.

There are two exceptions for the prohibition on campaigning on tribal land under 10.113(2), with the one relevant to this complaint being to allow a candidate to place a campaign flyer, not to exceed a size of 8.5x11, on a designated public bulletin board at the various tribal offices and enterprises. Historically, a designated bulletin board has been treated as a space where anyone can post a flyer in a tribal office or enterprise.

The question for the Election Commission is whether the window at the MidJim qualifies as a designated bulletin board. There are multiple flyers posted in the windows of the

MidJim, and anyone can post flyers in the window. If the MidJim did not intend their windows to be used as a public space for flyers, they would have removed all the flyers posted there. For this reason, the Election Commission determined that the window at the MidJim is a designated public bulletin board for the purposes of 10.113(5).

FINDINGS

The Election Commission makes the following findings:

1. That Ms. Freiheit's flyer posted in the window at the MidJim in Sault Ste. Marie is posted in a designated public bulletin board as allowed under 10.113(5).

ORDER

NOW, THEREFORE BE IT ORDERED, that the Election Commission makes the determination pursuant to 10.121(3)(b)(i) that the complaint filed by Ms. Mandosking is without merit, and is dismissed.



Election Commission Vice-Chairperson

April 29, 2026