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## **PUBLIC NOTICE**

TO: Nation's Members  
Nation's Districts  
Members of the Public

FROM: Timothy L. Joaquin, Chairman 

CC: Tohono O'odham Legislative Council

DATE: May 17, 2023

SUBJECT: Legislative Council May 16, 2023 Judgment in Primary Election Contest Hearing

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The Nation's Elections law gives Nation's voters the opportunity to contest an election and contests alleging Election Board misconduct are heard by the Legislative Council.

On May 2, 2023, Nation's voters filed election contests alleging Election Board misconduct in the 2023 primary election for the offices of the Nation's chairperson and vice-chairperson based, in part, on the Board's disqualification of a candidate for a felony conviction. The Legislative Council conducted an election contest hearing in Council chambers on May 16, 2023 in accordance with the Elections law and Council's Election Contest Hearing Procedures. The hearing was open to the public and broadcast on the Nation's radio station.

At the conclusion of the election contest hearing, a majority of the Legislative Council voted to set aside the 2023 primary election for the offices of the Nation's chairperson and vice-chairperson.

The Legislative Council's decision to set aside means that the results of the 2023 primary election for the offices of the Nation's chairperson and vice-chairperson are invalidated.

A new "special" primary election will be held on **June 24, 2023**.

The 2023 special primary election ballot will include eligible and qualified candidates, as determined by the Election Board in accordance with the Nation's Elections law, for the offices of Nation's chairperson and vice-chairperson only.

The general election is postponed until **July 22, 2023** to give the Board time to conduct the 2023 special primary and the general election.

**The Election Board will issue a revised election schedule to notify voters of the upcoming deadlines for the 2023 special primary election and postponed 2023 general election.**

Under the Nation's Constitution and Elections law, all the elected Nation's officials and district officials who are currently in office will remain in office "until their successors have been certified and seated" after the postponed 2023 general election. Article XI of the Constitution of the Tohono O'odham Nation; Nation's Elections law, 12 T.O.C. Chapter 1.