

Section 4- Present Language

Section 4-Proposed Amendment

Candidates for Tribal Council must pass a criminal background check. Potential candidates who have been convicted of a felony involving murder, manslaughter, rape, assault with intent to kill, burglary, child or elder abuse, assault resulting in serious bodily injury, theft, fraud or embezzlement, during his or her term of office or within ten (10) years prior to the election, shall be ineligible to run for office or serve on the Tribal Council. However, persons who have completed their sentence for such conviction at least ten (10) years before the date of the election in which they intend to run for office may file as candidates. Potential candidates who have been removed from Tribal Council office for gross misconduct, terminated from employment with the Tribe for theft, fraud or embezzlement, or who have been convicted of a crime requiring registration as a sex offender, shall be ineligible to run for office or serve on the Tribal Council.

Candidates for Tribal Council must take a criminal background check. Individuals who fall into the following categories shall be permanently ineligible to run for office or serve on the Tribal Council: (1) removal from Tribal Council for gross misconduct; (2) termination from employment with the Tribe for theft, fraud or embezzlement; (3) conviction of a crime requiring registration as a sex offender; or (4) conviction of a felony involving murder, rape, child abuse, elder abuse, assault with intent to kill, or assault resulting in serious bodily injury.

Individuals who have been convicted of any other felony, not enumerated above within Section 4, during his or her term of office or within ten (10) years prior to the election shall be ineligible to run for office or serve on the Tribal Council. Potential candidates who have completed their sentence for such conviction at least ten (10) years before the date of the election in which they intend to run for office may file as candidates.

Pro: The proposed change to Section 4 of the Karuk Constitution excludes individuals with convictions for inherently dangerous felonies—such as murder, rape, etc.—from serving and running on Tribal Council. The proposed change also clarifies when an individual with a prior conviction may be eligible to run for Tribal Council.

Con: Presently, under Section 4, an individual who has been convicted of murder may serve on Tribal Council ten (10) years after they have served their sentence.