



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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Naabik'iyátí' Committee supports bill to lower recall petition requirements to hold elected officials more accountable

WINDOW ROCK – The Naabik'iyátí' Committee on Thursday issued its support for a bill sponsored by Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) that seeks to amend the Navajo Election Code to lower the percentage of signatures required on recall petitions for all Navajo elected officials as a means to holding them more accountable for their conduct and actions while in office.

“It’s a measure to allow the Navajo people to hold their elected leaders accountable if they’re doing something wrong,” stated Delegate Shepherd.

The Election Code currently states that elected officials are subject to recall by voters and that a petition for recalling an elected official must be signed by at least 60-percent of voters participating in the last election of such official. If the 60-percent signature requirement is met, ballots are prepared and a special recall election is conducted.

Delegate Shepherd also pointed out that the Navajo Nation’s 60-percent requirement is generally higher than recall requirements in states such as Arizona and New Mexico, which range from 25-percent to a little over 33-percent depending on the elected position.

The legislation initially called for the percentage to decrease from 60-percent to 30-percent, however, during the discussion Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) proposed an amendment to change the requirement to 45-percent.

He said by compromising and changing the percentage to 45-percent it would honor the majority of the voters that elect officials. He added that a 30-percent requirement would give an unfair advantage to the minority of voters to recall an official, in some cases for illegitimate reasons.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) requested Delegate Tsosie to modify his amendment to change the requirement to 35-percent, as recommended by the Navajo Board of Election Supervisors.

He stated that a 35-percent requirement would be reasonable because some chapters may have very small voting populations, which would make it very easy to recall certain elected officials such as farm board members or grazing officials that only represent one chapter. However, it would also allow voters a reasonable chance to recall other officials such as delegates and election board members, which would require a larger number of signatures because they represent multiple chapters as opposed to only one chapter, in most cases.

Council Delegate Olin Kieyoomia (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') recommended that the requirement be set at 40-percent to accommodate voters that have serious issues and problems with their elected officials. He added that if elected officials are doing their jobs then they should have no worries about being recalled.

In response, Delegate Tsosie said 45-percent is the middle ground because the current requirement is 60-percent and the original legislation called for it to change to 30-percent.

"By my calculation, 45-percent is the compromise," stated Delegate Tsosie, who also restated that 45-percent honors the votes of the people who place officials in office.

Naabik'iyáti' Committee members voted 10-3 to approve the amendment to change the requirement to 45-percent. Following the passage of the amendment, the committee voted 11-1 in support of Legislation No. 0239-18, which is also subject to approval by the Navajo Nation Council and the president.

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