

# Hold Officials Accountable For Their Misconduct



**Oneida Nation**  
 Legislative Operating Committee  
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## Sanctions And Penalties Law

### Definitions

- "Official" means any person who is elected or appointed to serve a position for the Nation, including, but not limited to, a position on a board, committee, commission, or office of the Nation, including the Oneida Business Committee.
- "Misconduct" means wrongful, improper or unlawful conduct or behavior.

### Current Sanctions and Penalties

Currently, if a elected or appointed official of the Nation engages in misconduct in office, the only remedy is to have the official REMOVED.

#### Complaints Against Appointed Officials

File Complaints with BC  
 Support Office

Business Committee  
 reviews complaint



#### Complaints Against Elected Officials

File Complaints with Judiciary

Judiciary Tribal Court  
 reviews complaint

### FAQ

**Why do the complaints against appointed officials go to the Business Committee rather than the Court?**

- Since OBC has the responsibility to appoint members, they also have the authority to terminate if necessary. If OBC has the right to terminate, OBC should be able to sanction an individual and correct the action of the misconduct.

**Who can file a complaint?**

- Any individual at least eighteen (18) years of age or older, or an entity, who in good faith, has knowledge or reason to believe that an official has committed misconduct, may file a written complaint.

**Refusal - What happens if a BC member or Judge has a conflict of interest?**

- By law, if a OBC member or Judge has a conflict of interest with a complaint brought before themselves, they must recuse themselves.

## Additional Opportunity for Input on the Sanctions and Penalties Law

The Legislative Operating Committee will be accepting written thoughts and comments from the community until **August 31, 2019**. One can submit via email to [LOC@oneidanation.org](mailto:LOC@oneidanation.org) or in person at the Legislative Reference Office located in the Norbert Hill Center. **Join the Legislative Operating Committee (LOC) at the following community outreach events to share ideas, ask questions, and provide input on the proposed Sanctions and Penalties Law:**



Date	Time	Location
July 11, 2019	5:00 pm -6:00pm	Prior to GTC Meeting, Radisson Hotel & Conference Center
July 17, 2019	12:00pm-1:00pm	Norbert Hill Center, Business Committee Conference Room
August 9, 2019	8:00am-9:00am	Oneida Veteran's Breakfast, Vets Office, Riverdale Dr, Oneida
August 15, 2019	12:00pm-3:00pm	Oneida Farmer's Market, Water Circle Place, Oneida

Find more Information on Sanctions And Penalties Law at <https://oneida-nsn.gov/government/register/featuredlegislation/>