

The 2004 Tribe Election

The Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized, sovereign Indian tribe. The Tribe is governed by a Board of Directors, which includes a Tribal Chairperson. The Directors and the Chairperson are elected by the members of the Tribe every four years.

The Tribe held an election in 2004. The race for the position of Chairperson was hotly contested. The incumbent, Defendant Bernard Bouschor, had been the Chairperson for 17 years. During that time, he had placed his supporters in the highest positions in the Tribe, including Defendants Green (General Counsel), Scott (Director of Human Resources), Jannetta (Deputy General Counsel), Weaver (Chief Financial Officer), Shagen (Director and Assistant General Counsel), Nertoli (Executive Director of the Tribe), and Paczkowski (Special Assistant to the Chairperson). These Defendants are referred to as the “Key Employees.”

Defendant Bouschor’s challenger, Aaron Payment, was a member of the Board of Directors. Mr. Payment and others had taken issue with Chairperson Bouschor’s policies and accused various high-ranking Tribal officials of working in the best interests of Chairperson Bouschor, rather than the Tribe. On the night of June 24, 2004, the election results showed that Mr. Payment had defeated Defendant Bouschor.