



2016 OKLAHOMA VOTERGUIDE

BROUGHT
TO YOU BY:

 LEAGUE OF
WOMEN VOTERS
OF OKLAHOMA

 KOSU
UNIQUELY OKLAHOMA

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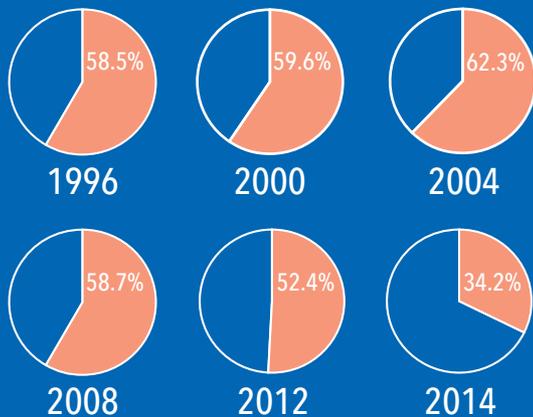
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VOTING FACTS



GENERAL TURNOUT DATA

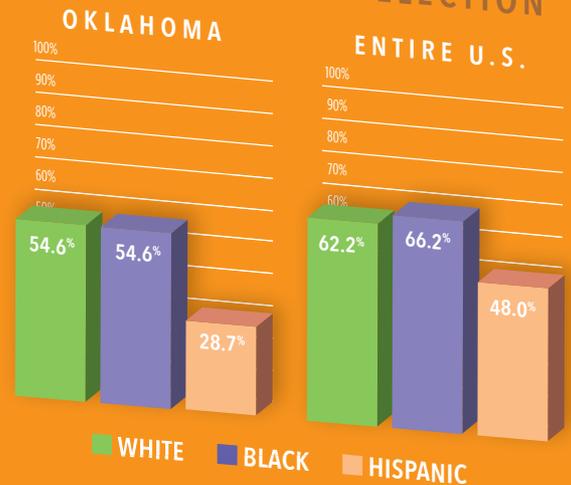
Oklahoma general voter turnout ranked 48th of the 50 states in the 2012 presidential election. Oklahoma's ranking was down from the previous three presidential elections, 44th in 2008, 37th in 2004, and 30th in 2000.

*percentages have an error rate of 2.3% to 2.6%

IN 2015

REGISTERED REPUBLICANS (43.6%)
OUTNUMBERED DEMOCRATS (43.5%)
IN OKLAHOMA FOR THE FIRST TIME
IN STATE HISTORY.

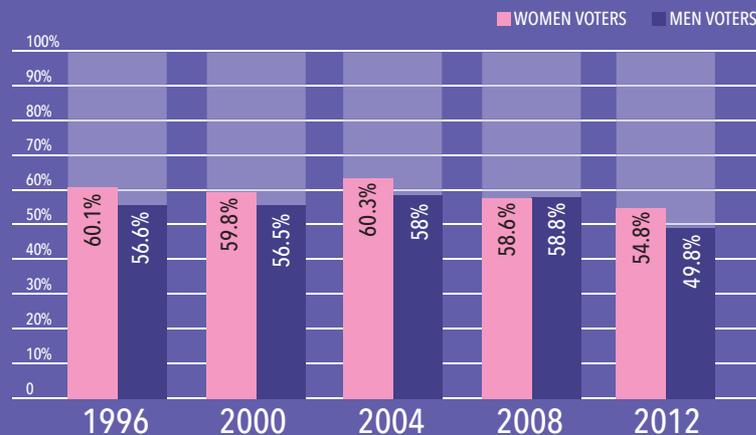
VOTERS BY RACE OKLAHOMA 2012 ELECTION



This chart depicts the percentage of eligible voter turnout by race.
* Asian voters numbered less than 75,000, a figure too small to determine voting statistics in Oklahoma.

WOMEN VERSUS MEN IN OKLAHOMA

WOMEN GAINED THE RIGHT TO VOTE IN OKLAHOMA IN 1918, THE TWENTY-FIRST STATE.

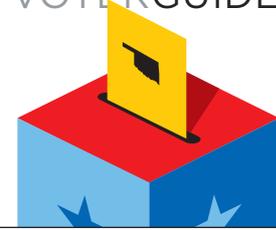


HOW OKLAHOMA VOTED IN THE 2012 PRESIDENTIAL ELECTION By AGE

18-24	27.3%
25-34	34.1%
35-44	50.8%
45-64	61.4%
65+	73.0%

'64

OKLAHOMA VOTED FOR THE DEMOCRATIC PRESIDENTIAL CANDIDATE IN ALL BUT TWO ELECTIONS FROM STATEHOOD IN 1907 TO 1948. SINCE 1948, OKLAHOMA VOTED FOR THE REPUBLICAN PRESIDENTIAL CANDIDATE IN EVERY ELECTION EXCEPT THE 1964 ELECTION OF DEMOCRATIC PRESIDENT LYNDON B. JOHNSON.



Welcome to the 2016 Oklahoma Voter Guide

THE GIFT OF DEMOCRACY

It's your turn. The gift of democracy is that it puts you back in charge every Election Day. The decisions you and a majority of your fellow voters make result in a fresh mandate to the representatives you elect, and the direct enactment—or rejection—of a proposed new law or constitutional amendment. Nobody's vote weighs any more than yours, or any less. It's a collective reset button, and you get to punch it.

Regrettably, too many Oklahomans have been leaving it up to others. Oklahoma voter turnout has declined significantly in recent years. Participation has fallen nationwide, too. Only 34.2 percent of Oklahoma's registered voters took part in the 2014 gubernatorial election, the lowest percentage since 1962. Oklahoma didn't begin tracking statewide voter registration totals until 1960.

Participants in a recent national survey cited numerous reasons for not voting, including dislike of candidates, a general lack of interest, and a belief their vote doesn't matter. But the most common explanation was that they considered themselves too busy or had time conflicts.

Too busy for democracy? Too uninterested to take part? Maybe it's time to reconsider. State voters showed more enthusiasm a century ago. In Oklahoma's first election, held two months before statehood took effect in 1907, about 18 percent of the state's population cast ballots. At the time, only men over the age of 21 could vote. In 2014, when women and men over the age of 18 could cast ballots, only 34.2 percent of the state's citizen population did so. Oklahoma women won the right to vote in 1918, two years before the Nineteenth Amendment was ratified. Eighteen-year-olds received the right to vote in 1971. If participation had kept pace with eligibility, the participation rate should have doubled.

Each Oklahoman's 2016 general election ballot will include federal, state, and local elections. This is a presidential election year. One US Senate seat will be decided, along with all four US House delegates. Votes will be cast in many Oklahoma Senate and House districts. Voters will decide whether to retain two Oklahoma Supreme Court justices, and several judges on the Court of Criminal Appeals and Court of Civil Appeals. The governor's office and most other statewide elected positions will not appear on the ballot until 2018.

Voter turnout is typically higher in presidential election years. It also tends to be higher in years when more incumbents have opponents, which is the case this year.

Another draw is the presence of seven state questions on the ballot. They address a range of issues: death-penalty execution methods, agriculture, education funding, law enforcement (two questions), public spending for religious purposes, and the overhaul of our state alcohol laws.

Democracy isn't perfect. Voters sometimes lament the choices they make. But at least they earned the right to feel regret. One of the better arguments for taking part in the process of democracy is self-protection: "Elections belong to the people," Abraham Lincoln reportedly said. "It's their decision. If they decide to turn their back on the fire and burn their behinds, they will just have to sit on their blisters."

Election Day is Tuesday, November 8. Protect your backside. Take the time to study your options and finish making your choices. This voter guide—our gift to you—is designed to help.



Election Day & VOTING INFORMATION

HERO IMAGES/GETTY IMAGES



SELFIE CONTROL

Made popular by our younger generation, the selfie has become a form of self expression across social platforms and digital media. Even in the political sphere, selfies have been used to boast civic engagement as voters proudly pose with iconic “I Voted” stickers, or their marked ballot in the voting booth, better known as the ballot selfie. As Election Day approaches, it is important for voters to know how these means of expression fit within state laws.

Though there is no federal law banning the ballot selfie, each state defines its own guidelines regarding the use of media in a polling place. In Oklahoma, Statute 26 § 7-109 states that it is illegal to share your marked ballot while voting, and according to Statute 26 § 7-112 reporters and photographers may not photograph any voter marking a ballot in a polling place.

New Hampshire’s ban on ballot photos was struck down by a federal judge in 2015, prompting the state to appeal the decision and fight against the ballot selfie once more. In turn, social media giant Snapchat filed an amicus brief in the case in April, stating its concern that anti-ballot selfie regulation infringes upon First Amendment rights.

The Oklahoma State Election Board recommends that voters should not photograph their marked ballot and post their ballot selfie to social media, but, there is no legal penalty for doing so. However, taking a photo of another voter’s marked ballot is illegal and could lead to criminal charges.

THE 2016 GENERAL ELECTION WILL BE HELD TUESDAY, NOVEMBER 8, FROM 7 A.M. TO 7 P.M.

Q: WHICH RACES WILL APPEAR ON BALLOTS ACROSS THE STATE?

A: The US Presidency. One US Senate seat, four US House seats, and seven state questions. Many seats in the Oklahoma Senate and Oklahoma House of Representatives. Retention votes for seven members of the Oklahoma Supreme Court, the Court of Criminal Appeals, and the Court of Civil Appeals. At the county level, many court clerks, county clerks, county sheriffs and county commissioners. In some locations, municipal officials and local bond issues.

Q: DO I NEED TO MAKE DECISIONS ABOUT ALL OF THOSE?

A: No. You can cast as many or as few votes as you like. If you only vote in one race or on one state question, that vote will still count.

Q: WHERE CAN I FIND A SAMPLE BALLOT LISTING MY CHOICES?

A: By the end of September, individualized sample ballots are available on the State Election Board website, elections.ok.gov. County election boards provide sample ballots, too.

Q: WHY ISN'T MY SENATE OR HOUSE DISTRICT ON THE BALLOT?

A: If a candidate ran unopposed or faced only same-party opposition, he or she has been elected and will not appear on the November 8 ballot. In addition, only half

of the Oklahoma Senate’s forty-eight seats are affected by this year’s elections.

Q: WHY AREN'T THE GOVERNOR AND OTHER STATEWIDE OFFICIALS ON THE BALLOT?

A: Most of them will appear on the 2018 ballot. One Corporation Commissioner was re-elected automatically this year when her opponent withdrew from the race.

Q: WHO IS ELIGIBLE TO VOTE?

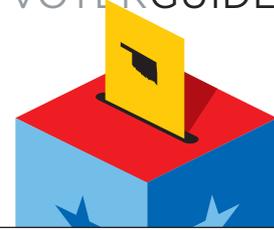
A: All Oklahoma residents who are US citizens, at least eighteen years old, legally competent, and not subject to a current felony sentence. A convicted felon is allowed to vote in Oklahoma after their original sentence is completed.

Q: WHERE CAN I VOTE?

A: On Election Day, only in the precinct where you’re registered. For a list of precinct polling places and other voter information, visit the Oklahoma State Election Board website, elections.ok.gov.

Q: WILL I NEED IDENTIFICATION WHEN I GO VOTE?

A: Generally speaking, yes. You may present valid photo identification issued by federal, state, or tribal authorities, such as a driver’s license or passport. If you do not have a photo ID, you can present your voter identification card. If you have no identification, you may cast a provisional ballot accompanied by a sworn affidavit.



Q: CAN I BRING A SAMPLE BALLOT OR WRITTEN NOTES TO HELP ME WHEN I VOTE?

A: Yes, but don't show them to anyone at your polling place or while you are voting. Our "cheat sheet" on page 17 can help.

Q: I HAVE A FULL-TIME JOB. IS MY EMPLOYER REQUIRED TO LET ME GO VOTE?

A: Oklahoma employers must provide employees with up to two hours of paid time to vote on Election Day, unless their shifts give them plenty of time to do so before or after work. You must notify your employer of your intention to vote at least one day before the election.

Q: HOW CAN I CHANGE MY REGISTRATION NAME, ADDRESS, OR POLITICAL AFFILIATION?

A: You'll need to submit a new voter registration form with the correct information. You can't make changes in your voter registration online or by telephone.

Q: I'M REGISTERED IN ONE PLACE IN OKLAHOMA BUT I AM ATTENDING SCHOOL OR VISITING SOMEONE IN ANOTHER PART OF THE STATE, CAN I VOTE THERE?

A: If you will be away from the precinct where you're registered, you might consider voting by absentee ballot or participating in early voting prior to November 8.

Q: CAN I CAST MY VOTE IN PERSON BEFORE NOVEMBER 8?

A: Yes. Early voting occurs at your county election board from 8 a.m. to 6 p.m. on Thursday and Friday, November 3 and 4, and 9 a.m. to 2 p.m. on Saturday, November 5.

Q: CAN I VOTE BY ABSENTEE BALLOT?

A: Yes. You can request an absentee ballot before 5 p.m. Wednesday, November 2. Requests can be submitted online, downloaded from the State Election Board website, or obtained from your county election board.

Q: HOW DO I TURN IN MY ABSENTEE BALLOT?

A: The state will begin distributing absentee ballots on Friday, September 23. Completed ballots must be returned by mail to your county election board and received no later than 7 p.m. on Election Day, November 8.

Q: WILL I NEED TO GET MY ABSENTEE BALLOT NOTARIZED?

A: Yes, unless you are in the military, living overseas, physically incapacitated, providing care to an incapacitated person, or confined to a nursing home or veteran's center.

Q: IS IT TOO LATE TO SWITCH PARTIES?

A: You can change your party affiliation or register as an independent until Friday, October 14. Doing so will not affect your ballot choices on November 8, because the primary election season has passed.

Q: MAY I WRITE IN THE NAME OF ANOTHER CANDIDATE IF I DON'T LIKE THE BALLOT CHOICES?

A: Write-in candidates are not counted in Oklahoma elections.

Q: WHERE ELSE CAN I GO FOR INFORMATION?

A: The State Election Board website is a good place to start: elections.ok.gov. County election boards also provide election information.

THE LAST DAY TO REGISTER

is Friday, October 14.

You can download a registration form from the State Election Board website or pick one up at your county election board, post offices, tag agencies, libraries, and other public locations. You will need to mail or deliver the completed form to your county election board.

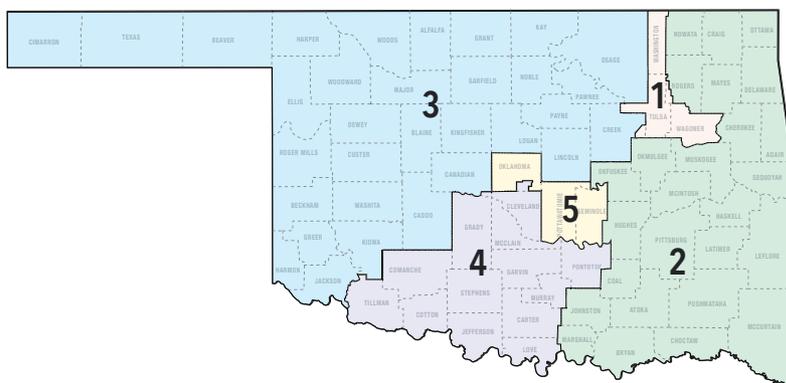
WHAT IF I HAVE PROBLEMS OR WITNESS POSSIBLE VOTER IRREGULARITIES ON ELECTION DAY?

You should call the State Election Board at **405-521-2391** or your county election board. These national hotlines also might be able to help:

1-866-OUR-VOTE
1-888-VEY-VOTA (Spanish Language)
1-888-API-VOTE (Asian Languages)

House and Senate FEDERAL ELECTIONS

KEY (D) DEMOCRAT (R) REPUBLICAN (L) LIBERTARIAN (I) INDEPENDENT (◊) INCUMBENT



UNITED STATES REPRESENTATIVE

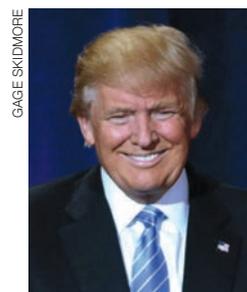
DISTRICT 1*	JIM BRIDENSTINE (◊) (R)
DISTRICT 2	MARKWAYNE MULLIN (◊) (R)
	JOSHUA HARRIS-TILL (D)
DISTRICT 3	JOHN MCCARTHY (IND.)
	FRANK D. LUCAS (◊) (R)
DISTRICT 4	FRANKIE ROBBINS (D)
	TOM COLE (◊) (R)
	SEVIER WHITE (L)
DISTRICT 5	CHRISTINA OWEN (D)
	STEVE RUSSELL (◊) (R)
	ZACHARY KNIGHT (L)
	AL MCAFFREY (D)

* US Representative Bridenstine is running unopposed, therefore he will not appear on the ballot for District 1.

UNITED STATES SENATOR

JAMES LANKFORD (◊) (R)
ROBERT T. MURPHY (L)
MIKE WORKMAN (D)
MARK T. BEARD (I)
SEAN BRADY (I)

UNITED STATES PRESIDENT



GAGE SKIDMORE

REPUBLICAN PARTY

Donald Trump is the 2016 nominee for the Republican Party. He is the chairman and president of the Trump Organization, a real estate developer, author, and former reality television personality. Trump's running mate is the current governor of Indiana, Mike Pence.



GAGE SKIDMORE

LIBERTARIAN PARTY

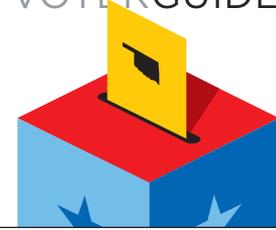
Gary Johnson is the 2016 nominee for the Libertarian Party. Johnson is a former two-term Republican governor of New Mexico. In 2012, Johnson was the presidential nominee for the Libertarian Party. Johnson's running mate is Bill Weld, the former two-term Republican governor of Massachusetts.



DEMOCRATIC PARTY

Hillary Clinton is the 2016 nominee for the Democratic Party. Previously, Clinton served as secretary of state, a US senator from New York, and as first lady of the United States during Bill Clinton's two terms as president. Clinton's running mate is the current US senator from Virginia, Tim Kaine.

Ballot order is drawn every two years, most recently in July 2016. For this year's ballot, Republicans are listed first, then Libertarians, then Democrats.



Judicial & State Executive Office STATE ELECTIONS

JUDICIAL RETENTION

SEVEN STATE-LEVEL JUDGES ARE UP FOR RETENTION ON THE BALLOT. WHEN A JUDGE IS UP FOR RETENTION, A VOTE OF "YES" OR "NO" IS RECORDED ON WHETHER TO EXTEND THEIR TERM. EACH JUSTICE OR JUDGE IS VOTED ON SEPARATELY, THEY ARE NOT RUNNING AGAINST EACH OTHER.

OKLAHOMA SUPREME COURT

The Oklahoma Supreme Court is the state court of last resort for civil matters. It is composed of nine justices, who serve six-year terms.

JAMES R. WINCHESTER, *District 5*
DOUGLAS L. COMBS, *District 8*

COURT OF CRIMINAL APPEALS

Oklahoma is one of two states with multiple supreme courts, (Iowa is the other). The Court of Criminal Appeals is the state court of last resort for criminal matters.

CARLENE CLANCY SMITH, *District 1*
ROB HUDSON, *District 2*

COURT OF CIVIL APPEALS

The Oklahoma Court of Civil Appeals is an intermediate appellate court. The Oklahoma Supreme Court may release this lesser court's opinions for publication, thus granting these cases precedent value.

P. THOMAS THORNBRUGH, *Office 1*
JOHN FISCHER, *Office 2*
LARRY JOPLIN, *Office 2*

STATE EXECUTIVE OFFICE

There will not be any State Executive offices on the ballot for the 2016 election. Elections for governor, attorney general, lieutenant governor and other state executive offices will be held in 2018.

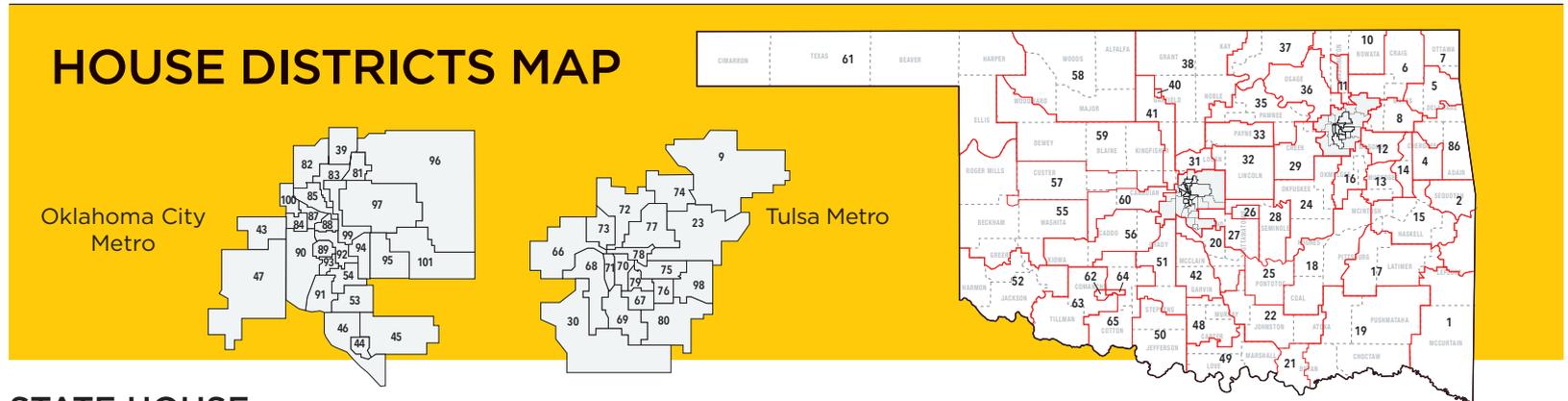
One position on the board of the **Oklahoma Corporation Commission** was set to be on the November 2016 ballot.

The Oklahoma Corporation Commission is an executive board of the Oklahoma state government, consisting of three elected officials focusing on the regulation of fuel, oil and gas, public utilities and transportation industries.

Republican incumbent Dana Murphy runs unopposed for re-election and thus has been elected by default.

House and Senate STATE ELECTIONS

KEY (D) DEMOCRAT (R) REPUBLICAN (L) LIBERTARIAN (I) INDEPENDENT (O) INCUMBENT



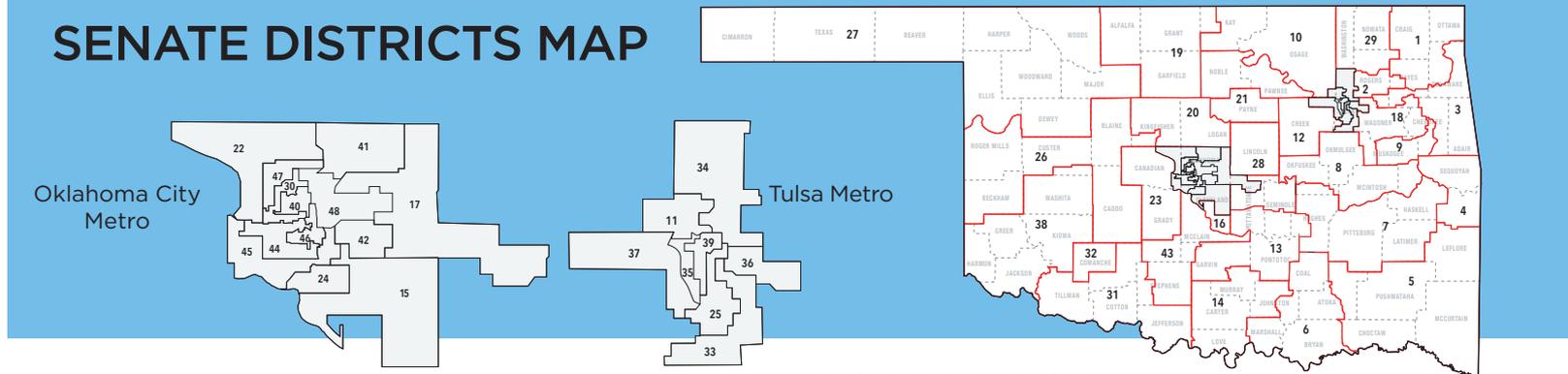
STATE HOUSE

DISTRICT	DEMOCRAT	REPUBLICAN	OTHER
01	Johnny Tadlock (O)	Steven McGowen	
02	Tom Stites	John Bennett (O)	
03	Troy Dyer	Rick West	Dewey Harrison (I)
04	Matt Meredith	Bob Ed Culver	
05	Matt Nowlin	Josh West	
06	Chuck Hoskin (O)		
07	Ben Loring (O)	Hoguen Apperson	
08	Darrell L. Moore	Tom Gann	
09		Mark Lepak (O)	
10	Eric Epperson	Travis Dunlap (O)	
11		Earl Sears (O)	
12	Darla Milligan	Kevin McDugle	
13	Wayne Herriman	Avery Carl Frix	
14	Lee Ann Langston	George Faught (O)	
15	Ed Cannaday (O)	Don Herrold	
16	Ronnie Kell	Scott Fetgatter	
17	Brian Renegar (O)	Paul Marean	
18	Donnie Condit (O)		
19	James Albert Campbell	Justin JJ Humphrey	Morgan Hopson (I)
20	Matt Failing	Bobby Cleveland (O)	
21	David S. Northcutt	Dustin Roberts (O)	
22		Charles McCall (O)	
23	Keith Welch Sr.	Terry O'Donnell (O)	
24	Steve Kouplen (O)		
25	David S. Weir	Todd Thomsen (O)	
26	Nick Atwood	Dell Kerbs	
27	John Karlin	Josh Cockroft (O)	
28	Marilyn Rainwater	Tom Newell (O)	
29	Macy Gleason	Kyle Hilbert	
30		Mark Lawson	
31	John B. Tiller	Jason Murphey (O)	
32	Billy Hinton	Kevin Wallace (O)	
33	Caryl Talley	Greg Babinec	Erin K. Adams (L)
34	Cory Williams (O)		

DISTRICT	DEMOCRAT	REPUBLICAN	OTHER
35		Dennis Casey (O)	
36	Cathy Ross	Sean Roberts (O)	
37		Steve Vaughan (O)	
38		John Pfeiffer (O)	
39		Ryan Martinez	Clark Duffe (L)
40	Pierce Jones	Chad Caldwell (O)	
41		John Enns (O)	
42	Liz George	Tim Downing	
43	Mike Bounds	John Paul Jordan (O)	Sooner Davenport (I)
44	Emily Virgin (O)		
45	Claudia Griffith (O)	Marc Etters	
46	Jacob Rosecrants	Scott Martin (O)	
47	O.A. Cargill	Leslie Osborn (O)	
48		Pat Ownbey (O)	
49	Michelle Bray	Tommy C. Hardin (O)	
50	Melissa Tilley	Marcus McEntire	
51	Charles L. Murdock	Scott Biggs (O)	
52		Charles Ortega (O)	
53		Mark McBride (O)	
54	Mary Newcome-Hatch	Kevin West	Elizabeth Larios (I)
55	Wayne A. Walters	Todd Russ (O)	
56	David Perryman (O)	Chris Verser	
57		Harold Wright (O)	
58		Carl Newton	
59		Mike Sanders (O)	
60	Dennis Purifoy	Rhonda Baker	
61	Ashlee Renee Ortiz	Casey Murdock (O)	
62	Larry Bush	John Michael Montgomery (O)	
63	Randy Batt	Jeff Coody (O)	
64	Jacobi T. Crowley	Rande Worthen	
65	Rick Gilleland	Scooter Park (O)	
66	Dianna Phillips	Jadine Nollan (O)	
67	Lori Decter Wright	Scott McEachin	Zac Davis (L)
68		Glen Mulready (O)	



SENATE DISTRICTS MAP



STATE SENATOR

DISTRICT	DEMOCRAT	REPUBLICAN	OTHER
69	Paul Sullivan	Chuck Strohm (◊)	
70	Joe Jennings	Carol Bush	Tamara Morton (L)
71	Millie Hardesty York	Katie Henke (◊)	
72	Monroe Nichols		
73	Regina Goodwin (◊)	Leland Cole	
74	Jeri Moberly	Dale Derby	
75	Karen Gaddis	Dan Kirby	
76	Glenda K. Puett	David Brumbaugh (◊)	
77	Eric Proctor (◊)		
78	Meloyde Blanchett	Molly McKay	Eugene Bell (L)
79		Weldon Watson (◊)	Teresa Marler (I)
80	Tom Bates	Mike Ritze (◊)	
81	Dan Myers	Mike Osburn	Steve Long (L)
82	Misty Warfield	Kevin Calvey (◊)	David Dickerson (I)
83		Randy McDaniel (◊)	
84	Will Hollander	Tammy West	
85	Cyndi Munson (◊)	Matt Jackson	
86	Will Fourkiller (◊)	Rhonda Hopkins	Shannon Grimes (L)
87	Collin Walke	Bruce Lee Smith	Elle Collins (L)
88	Jason Dunnington (◊)		
89	Shane Stone (◊)		
90		Jon Echols (◊)	
91	Trey Puckett	Chris Kannady (◊)	
92	Forrest Bennett	Joe Griffin	
93	Mickey Dollens	Jay Means	
94	Scott Inman (◊)	Jason Sansone	
95	James J. Cook	Roger Ford	
96		Lewis H. Moore (◊)	
97	Jason Lowe	Tonni Canaday	
98		Michael Rogers (◊)	
99	George Young (◊)		Marina Mangiaracina (I)
100	Donald Wentroth Jr.	Elise Hall (◊)	Christina Wright (L)
101	Cheryl Mooneyham-Hessman	Tess Teague	

DISTRICT	DEMOCRAT	REPUBLICAN	OTHER
01	John Myers	Micheal Bergstrom	
03	Rhonda Cox	Wayne Shaw (◊)	
05	Stacey Allen Ebert	Joseph Silk (◊)	
07	Joel Kerns	Larry Boggs (◊)	
09	Jack A. Reavis	Dewayne Pemberton	
11	Kevin Matthews (◊)		
12		James Leewright	
13	Eric Hall	Greg McCortney	
15		Rob Standridge (◊)	Shawn P. Sheehan (I)
17		Ron Sharp (◊)	
19	Rhonda Harlow	Roland Pederson	Whitney Hall (I)
21		Tom J. Dugger	
23	Larry Wasson	Lonnie Paxton	
25	Robert Founds	Joe Newhouse	
27		Bryce Marlatt (◊)	
29	Robert Jobe	Julie Daniels	
31	Perry Brinegar	Chris Kidd	
33	Kimberly Fobbs	Nathan Dahm (◊)	
35		Gary Stanislawski (◊)	Frank Grove (L)
37	Lloyd W. Snow	Dan Newberry (◊)	Shawn W. Ketcher (I)
39	John Waldron	Dave Rader	
41	Kevin McDonald	Adam Pugh	Richard Prawdzienski (L)
43	Leah Pollan	Paul Scott	
45		Kyle D. Loveless (◊)	
47	Judy Mullen Hopper	Greg Treat (◊)	Steven Weber (I)

THE LEAGUE OF WOMEN VOTERS

“Why The State Questions Are Important”

There will be seven state questions on the November 2016 ballot, giving voters an opportunity to decide the fate of proposed amendments to the Oklahoma Constitution and statutes.

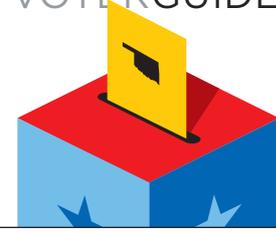
You may wonder why Oklahoma asks voters to decide policy issues. Oklahoma’s Constitution provides that these important decisions may be made by the people; these ballot measures are presented to voters by either an initiative petition (requiring signatures) or legislative referendum (a vote by the legislature referring the question to registered voters).

You’ve probably heard the phrase “Let the people decide.” The outcome of voting on state questions can have a big impact on how the state conducts its business, and that directly affects the people who live in the state.

Voting on state questions is sometimes said to be “direct democracy.” It’s one of the only ways that “we the people” have an opportunity to make or change public policy.

2016 STATE QUESTIONS

SQ776 Death Penalty	9
SQ777 Agriculture	10
SQ779 Education Funding Tax	11
SQ780 Law Enforcement.....	12
SQ781 Criminal Rehabilitation...	13
SQ790 Religion & the State.....	14
SQ792 Alcohol	15



Death Penalty

STATE QUESTION 776

BALLOT TITLE

This measure adds a new section to the Oklahoma Constitution, Section 9A of Article 2. The new Section deals with the death penalty. The Section establishes State constitutional mandates relating to the death penalty and methods of execution. Under these constitutional requirements:

- The Legislature is expressly empowered to designate any method of execution not prohibited by the United States Constitution.
- Death sentences shall not be reduced because a method of execution is ruled to be invalid.
- When an execution method is declared invalid, the death penalty imposed shall remain in force until it can be carried out using any valid execution method, and
- The imposition of a death penalty under Oklahoma law—as distinguished from a method of execution—shall not be deemed to be or constitute the infliction of cruel or unusual punishment under Oklahoma's Constitution, nor to contravene any provision of the Oklahoma Constitution.

Shall The Proposal Be Approved?

FOR THE PROPOSAL – YES

AGAINST THE PROPOSAL – NO

SUMMARY

State Question 776 does two things: it addresses the method of execution for an inmate on death row, and it states that the death penalty shall not be deemed cruel and unusual punishment. If the proposal is approved, a new section would be added to the Oklahoma Constitution that allows the state to continue to impose the death penalty, even if a specific method of execution becomes unavailable. Death sentences would remain in effect until they can be carried out by any method not prohibited by the US Constitution.

If approved, the constitutional amendment would apply to the state constitution but not the federal constitution or courts applying federal law.

The Oklahoma death penalty law, enacted in 1976, has been consistently applied by Oklahoma elected officials: the state executed 191 men and three women between 1915 and 2014 at the Oklahoma State Penitentiary (eighty-two by electrocution, one by hanging, and 111 by lethal injection). Statutes specifically allow gas inhalation, electrocution, and firing squad as backups to the primary form of execution by lethal injection.

In October 2015, Oklahoma suspended executions for a review of lethal injection protocols. One of the drugs most commonly used for lethal injection is sodium thiopental, which is no longer manufactured in the United States. In 2011, the European Commission imposed restrictions on the export of certain drugs used for lethal injections in the United States.

As a result, many states no longer have the drugs used to carry out lethal injection. Oklahoma has turned to other drugs as a substitute for sodium thiopental. However, recent instances of executions around the country in which alternative drugs were used may have produced adverse outcomes.

The death penalty is legal in thirty-one states, and illegal in nineteen.

FOR MORE INFORMATION

thinktwiceok.com

supremecourt.gov/opinions/14pdf/14-7955_aplc.pdf (The U.S. Supreme Court Opinion Allowing Use of Execution Drug)

PROPOSANTS SAY: YES

BOTH SIDES

OPPONENTS SAY: NO

- The death penalty is legal in Oklahoma and has a history of support from officials and the general public. The state's ability to carry it out must be protected at a higher, constitutional level.
- There is a chance that certain drugs used in lethal injections, or even the use of lethal injection itself, will be ruled unconstitutional. Oklahoma needs options so that the death penalty can continue to be used.
- The state of Oklahoma should have more flexibility to designate and use any available, legal method of execution.

- Oklahomans are increasingly opposed to the death penalty, citing inconsistent application of it as a punishment, a preference for life sentences, and the increasing frequency of exonerations.
- This measure could make it much more difficult to rule Oklahoma's death penalty unconstitutional and could make use of barbaric practices such as the firing squad more likely.
- The amendment's only purpose is to undermine the current moratorium resulting from the recent mistakes in the administration of the lethal drug method of execution.

BALLOT TITLE

This measure adds Section 38 to Article II of the Oklahoma Constitution. The new Section creates state constitutional rights. It creates the following guaranteed rights to engage in farming and ranching:

- The right to make use of agricultural technology
- The right to make use of livestock procedures, and
- The right to make use of ranching practices.

These constitutional rights receive extra protection under this measure that not all constitutional rights receive. This extra protection is a limit on lawmakers' ability to interfere with the exercise of these rights. Under this extra protection, no law can interfere with these rights, unless the law is justified by a compelling state interest—a clearly identified state interest of the highest order. Additionally, the law must be necessary to serve that compelling state interest.

The measure—and the protections identified above—do not apply to and do not impact state laws related to:

- Trespass,
- Eminent domain,
- Dominance of mineral interests,
- Easements
- Any state statutes and political subdivision ordinances enacted before December 31, 2014.

Shall The Proposal Be Approved?

FOR THE PROPOSAL – YES

AGAINST THE PROPOSAL – NO

SUMMARY

If the proposal is approved, the measure would prevent lawmakers from passing legislation to regulate agriculture unless there is a compelling state interest. The proposal would forbid the state of Oklahoma from regulating the use of agricultural technology, livestock procedures, and ranching practices. The standard of “compelling state interest” is a key component to the question because it sets a very high standard for a law to be judged.

If passed, the proposal would apply to any democratically elected body that can trace its creation to the state legislature, including county and city governments, but not school boards. Federal laws would not be impacted; current state laws about farming and ranching would be grandfathered in, and would not be repealed by this amendment. Grandfathered laws could be amended or repealed in the future.

Similar proposals have been presented to voters in other states, first in North Dakota. A similar amendment passed in Missouri in 2014; another amendment was considered in Nebraska earlier this year but was

not approved by legislators for a vote of the people. Oklahoma's State Question 777 is inspired in part by opponents of Proposition 2 in California. Proposition 2 required certain farm animals to be able to lie down, stand up, fully extend limbs, and turn around freely. SQ 777 is unique in that it added the “compelling state interest” clause.

Oklahoma's top agricultural products in revenue are cattle, hogs, poultry, wheat, and dairy. Agriculture is the state's fourteenth highest economic sector, accounting for less than 2 percent of GDP, (higher than agriculture's national rate.) For decades, as technology and yields have advanced, the number of agricultural jobs and farms has declined. Nine in ten Oklahoma crop and animal operations are owned by private citizens, many of whom contract with larger corporations.

FOR MORE INFORMATION

oklahomarighttofarm.com

votenoont777.com and okfoodfarmfamily.com

kirkpatrickfoundation.com/sq777-right-to-farm

PROPOSANTS SAY: YES

BOTH SIDES

OPPONENTS SAY: NO

- The amendment would shield Oklahoma farmers and ranchers from needless red tape and attacks from out-of-state special interests, overzealous environmentalists, animal rights advocates, and other groups who promote stricter regulation of agriculture.
- The amendment may protect farm-related jobs and could provide long-lasting protection for farming and ranching families who don't have a lot of resources.
- Family farmers and ranchers work hard to pass their farm on to the next generation. This amendment would help ensure that transition to the next generation by giving farmers and ranchers another tool to defend themselves from onerous laws and regulations in the future.

- The amendment, introduced by out-of-state “Big Ag” entities, is contrary to the ideals of democracy and representative government and would remove the rights of Oklahoma voters by putting agricultural lawmaking into the hands of the judiciary and large corporate enterprises that have the resources to wage long-term legal battles.
- The amendment is designed to protect large-scale, corporate-industrial farms—often owned by foreign entities—rather than to defend the heritage and rights of small Oklahoma farmers. It gives free rein to industrial agriculture and factory farms to pollute the water and environment and erode local economies.
- Serious, unintended consequences could give puppy mills, cock fighters, and factory farm employees license to treat vulnerable creatures with cruelty.



Education Funding Tax

779

STATE QUESTION

BALLOT TITLE

This measure adds a new Article to the Oklahoma Constitution. The article creates a limited purpose fund to increase funding for public education. It increases State sales and use taxes by one cent per dollar to provide revenue for the fund. The revenue to be used for public education shall be allocated: 69.50% for common school districts, 19.25% for the institutions under the authority of the Oklahoma State Regents for Higher Education, 3.25% for the Oklahoma Department of Career and Technology Education, and 8% for the State Department of Education. It requires teacher salary increases funded by this measure raise teacher salaries by at least \$5,000 over the salaries paid in the year prior to adoption of this measure. It requires an annual audit of school districts' use of monies. It prohibits school districts' use of these funds for increasing superintendents' salaries or adding superintendent positions. It requires that monies from the fund not supplant or replace other educational funding. If the Oklahoma Board of Equalization determines funding has been replaced, the Legislature may not make any appropriations until the amount of replaced funding is returned to the fund. The article takes effect on July 1 after its passage.

Shall The Proposal Be Approved?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

SUMMARY

If this proposal is approved, Article 8-C would be added to the Oklahoma Constitution creating a limited purpose fund—the Education Improvement Fund.

An increase of the sales and use tax by one cent on the dollar would provide revenue for the fund. School districts that benefit from the fund would be subject to an annual audit. Funds generated by the tax cannot be used to replace other state funding of common, higher, career and technology, and early childhood education.

The provisions of the new article require a minimum \$5,000 salary increase for teachers over the salaries paid in the year prior to adoption. The funds generated would not be used to increase the salaries of school superintendents or to add superintendent positions.

Oklahoma's average compensation for teachers, including salary and benefits, is \$44,921. According to the National Education Association, Oklahoma ranks 49th in the nation in teacher pay.

A section within the new article to the state constitution establishes that monies collected would be distributed as follows:

- 69.5 percent to common education
 - > 86.33 percent of common education funding would be used to provide teachers with a minimum \$5,000 raise and otherwise address or prevent teacher and certified instruction staff shortages.
 - > 13.67 percent of common education funding would be used to adopt or expand, but not maintain, programs, opportunities or reforms for improving reading in early grades, improving high school graduation rates, and increasing college and career readiness.
- 19.25 percent to higher education
- 3.25 percent to career and technology education
- 8 percent to early childhood education

FOR MORE INFORMATION

sos.ok.gov/documents/questions/779.pdf

ocpaimpact.com

yesfor779.org

PROPOSERS SAY: YES

BOTH SIDES

OPPOSERS SAY: NO

- There is no greater need in Oklahoma than the adequate funding of education for our children. As of 2016, the Oklahoma Legislature has not approved an across-the-board salary increase for teachers in eight years.
- The measure would ensure a guaranteed source of additional education funds that cannot be used for other purposes by the legislature.
- The proposed salary increase would be permanent, not a one-time "bonus." This would aid in the recruitment of new teachers and retention of experienced teachers.

- A sales tax disproportionately impacts lower-income people, a concern especially in Oklahoma, whose poverty rate is higher than the national average.
- If approved, SQ 779 would set a harmful precedent in public policy making by weakening the state legislature's obligation to fund education adequately.
- Higher state sales taxes would hurt city governments' ability to raise or maintain their own sales taxes, on which they rely heavily to pay for services such as police and fire protection and water, sanitation, and streets services.

BALLOT TITLE

This measure amends existing Oklahoma laws and would change the classification of certain drug possession and property crimes from felony to misdemeanor. It would make possession of a limited quantity of drugs a misdemeanor. The amendment also changes the classification of certain drug possession crimes which are currently considered felonies and cases where the defendant has a prior drug possession conviction. The proposed amendment would reclassify these drug possession cases as misdemeanors. The amendment would increase the threshold dollar amount used for determining whether certain property crimes are considered a felony or misdemeanor. Currently, the threshold is \$500. The amendment would increase the amount to \$1000. Property crimes covered by this change include; false declaration of a pawn ticket, embezzlement, larceny, grand larceny, theft, receiving or concealing stolen property, taking domesticated fish or game, fraud, forgery, counterfeiting, or issuing bogus checks. This measure would become effective July 1, 2017.

Shall The Measure Be Approved?

- FOR THE MEASURE - YES
- AGAINST THE MEASURE - NO

SUMMARY

If the measure is approved, State Question 780 would reclassify certain offenses, such as simple drug possession and property crimes, as misdemeanors rather than felonies. The reclassification of the drug possession offense is intended to be applied to persons who use the drugs, not to those who are selling or manufacturing the drugs. The measure also would change the dollar amount threshold for property crimes charged as felonies from \$500 to \$1,000.

The goal of this measure is to reduce the size of the state's prison population and to reduce the amount of state funds being spent on prisons. SQ 780 proposes to change Oklahoma statutes, not the constitution.

According to the U.S. Bureau of Justice in 2014, Oklahoma had the second highest incarceration rate in the nation at 700 inmates per 100,000 U.S. residents. Oklahoma also had the highest incarceration rate for women that year. The total correctional population of a state includes people incarcerated and on probation or parole.

The Oklahoma Department of Corrections indicated in August 2016 that the prison system was at 104 percent of its capacity with 27,097 inmates being held. Drug offenders comprise 26.3 percent of inmates. Another 23.3 percent of inmates are imprisoned for other nonviolent crimes. According to the Oklahoma DOC 2015 annual report, the Oklahoma prison population has increased by 22.6 percent since 2006. In fiscal year 2016, the Oklahoma legislature appropriated \$485 million to the Oklahoma Department of Corrections.

If the measure is approved, the changes proposed would not be retroactive. Sentences for current inmates would not change.

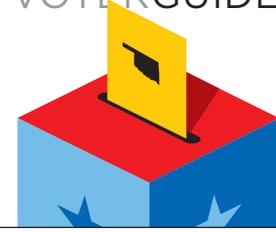
FOR MORE INFORMATION

okjusticereform.org
ok.gov/dac

PROPOSERS SAY: <input checked="" type="checkbox"/> YES	BOTH SIDES	OPPONENTS SAY: <input checked="" type="checkbox"/> NO
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- If the measure is approved, SQ 780 would result in reduced prison populations, which would reduce costs to taxpayers.
- Treating drug addicts through appropriate rehabilitation and mental health services is more effective than placing them in jail or prison. The prison system does little to equip drug offenders to successfully re-enter society, which increases their chances of recidivism.
- Misdemeanor charges would carry a punishment of up to one year in jail. Prosecutors would continue to have discretion as to whether to pursue a drug case as simple possession or as possession with intent to distribute.

- Reducing the charges for possession of drugs, such as methamphetamine, cocaine, and heroin, along with date rape drugs, (from a felony to a misdemeanor) could endanger the citizens of the state. There are certain situations in which the possession of drugs, especially more powerful substances, needs to be considered a felony.
- If the measure is approved, county jail populations could increase from the number of misdemeanor offenders being charged. County jails are not adequately equipped or funded to handle an increase in jail population.
- Eliminating felony possession charges would reduce the incentive for those charged with drug crimes to complete treatment programs and would weaken prosecutors' leverage in cases involving more serious offenses.



Criminal Rehabilitation

STATE QUESTION

781

BALLOT TITLE

This measure creates the County Community Safety Investment Fund, only if voters approve State Question 780, the Oklahoma Smart Justice Reform Act. This measure would create a fund, consisting of any calculated savings or averted costs that accrued to the State from the implementation of the Oklahoma Smart Justice Reform Act in reclassifying certain property crimes and drug possession as misdemeanors. The measure requires the Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a yearly basis. The amount determined to be saved must be deposited into the Fund and distributed to counties in proportion to their population to provide community rehabilitative programs, such as mental health and substance abuse services. This measure will not become effective if State Question 780, the Oklahoma Smart Justice Reform Act, is not approved by the people. The measure will become effective on July 1 immediately following its passage.

Shall The Measure Be Approved?

FOR THE MEASURE - YES

AGAINST THE MEASURE - NO

SUMMARY

The implementation of State Question 781 is contingent on the passage of State Question 780 (see opposite page). If SQ 781 is approved by voters, but SQ 780 is not, none of the changes described in SQ 781 will be enacted.

If both measures are approved, SQ 781 would create the County Community Safety Investment Fund. That fund would hold any cost savings achieved by reducing numbers of people incarcerated—a decrease resulting from reclassifying certain property crimes and drug possession as misdemeanors. The new Investment Fund would be a revolving fund not subject to fiscal year limitations. Any savings or averted costs would be calculated by the Office of Management and Enterprise Services.

If savings are determined, the legislature would be required to appropriate that amount from the general fund to the County Community Safety Investment Fund.

The money must be used for county rehabilitative programs, including those that address mental health and substance abuse, or provide job training or education. The money would be distributed to Oklahoma counties in proportion to their population.

The Office of Management and Enterprise Services will use actual data or make its best estimate when calculating cost savings per year. Its calculation would be final and would not be adjusted because of subsequent changes in underlying data.

The intent of SQ 781 is to focus on root causes of criminal behavior such as addiction and mental health problems, as opposed to placing more people charged with lower-level offenses behind bars.

FOR MORE INFORMATION:

okjusticereform.org
ok.gov/dac

PROPOSERS SAY: YES

BOTH SIDES

OPPONENTS SAY: NO

- The measure could provide a way to finance mental health and drug rehabilitation services at the county level for citizens who might otherwise be imprisoned under current laws.
- Data indicate that treatment programs for low-level offenders are more effective than incarceration in preventing recidivism.

- The revenue stream for the County Community Safety Fund is not guaranteed. The monies are subject to appropriation by the legislature.
- Lowering possession to misdemeanors will remove offenders' fear of going to prison—a fear that is an incentive for them to participate in drug court.

BALLOT TITLE

This measure would remove Article 2, Section 5 of the Oklahoma Constitution, which prohibits the government from using public money or property for the direct or indirect benefit of any religion or religious institution. Article 2, Section 5 has been interpreted by the Oklahoma courts as requiring the removal of a Ten Commandments monument from the grounds of the State Capitol. If this measure repealing Article 2, Section 5 is passed, the government would still be required to comply with the Establishment Clause of the United States Constitution, which is a similar constitutional provision that prevents the government from endorsing a religion or becoming overly involved with religion.

Shall The Proposal Be Approved?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

SUMMARY

State Question 790 addresses public funding and property use regarding the separation of church and state. It is a proposal to repeal a section of the state’s constitution. If the measure is approved, Article 2, Section 5 of the Oklahoma Constitution would be repealed. By removing this section, public expenditure or property use for religious purposes would not be explicitly prohibited.

Under the First Amendment to the United States Constitution, “congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”

Under the Oklahoma Constitution’s Article 2, Section 5, state money or property cannot be used directly or indirectly to support a church, sect, denomination, or system of religion.

This state question is a response to recent controversy over display of the Ten Commandments monument on the grounds of

the Oklahoma State Capitol. In 2009, the Ten Commandments Monument Display Act was passed by the state legislature and, three years later, a privately donated Ten Commandments monument was erected on the grounds of the State Capitol. Lawsuits followed, and by June 2015, the Oklahoma Supreme Court ruled the monument’s placement on state property was unconstitutional, ordering that it be removed. The basis for the court’s decision was Article 2, Section 5 of the Oklahoma State Constitution. In October 2015, Oklahoma Governor Mary Fallin called on the legislature to repeal that section of the state constitution in order to allow the monument at the State Capitol.

FOR MORE INFORMATION

aclu.org/issues/religious-liberty/free-exercise-religion
johnpauljordan.com/john-paul-news

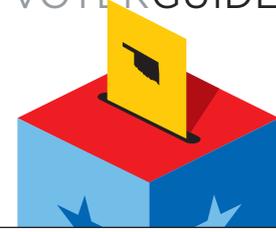
PROPOSERS SAY: **YES**

BOTH SIDES

OPPONENTS SAY: **NO**

- The Oklahoma Supreme Court’s interpretation of Article 2, Section 5 in the Ten Commandments case “can potentially make our state hostile to religion and have damaging impacts on our counties, cities, and school districts.”
- Religious liberty should allow the placement of the monument on the grounds of the State Capitol.
- If approved, the repeal would remove an obstacle to the state allowing religious institutions to participate in public programs on an equal basis with non-religious institutions.

- Passage of SQ 790 would open the state to expensive federal lawsuits that the Oklahoma Attorney General would have to defend at the expense of Oklahoma taxpayers.
- Passage of SQ 790 would affect many areas of religious freedom, including state money and property being appropriated for specific religious purposes, including religion-based schools or activities.
- The state could be faced with proposals from other religions and religious groups to place their own monuments on public property or grounds, leading to difficult and divisive decisions and lawsuits.



Alcohol

STATE QUESTION **792****BALLOT TITLE**

This measure repeals Article 28 of the Oklahoma Constitution and restructures the laws governing alcoholic beverages through a new Article 28A and other laws the Legislature will create if the measure passes. The new Article 28A provides that with exceptions, a person or company can have an ownership interest in only one area of the alcoholic beverage business—manufacturing, wholesaling, or retailing. Some restrictions apply to the sales of manufacturers, brewers, winemakers, and wholesalers. Subject to limitations, the Legislature may authorize direct shipments to consumers of wine. Retail locations like grocery stores may sell wine and beer. Liquor stores may sell products other than alcoholic beverages in limited amounts. The Legislature must create licenses for retail locations, liquor stores, and places serving alcoholic beverages and may create other licenses. Certain licensees must meet residency requirements. Felons cannot be licensees. The Legislature must designate days and hours when alcoholic beverages may be sold and may impose taxes on sales. Municipalities may levy an occupation tax. If authorized, a state lodge may sell individual alcoholic beverages for on-premises consumption but no other state involvement in the alcoholic beverage business is allowed. With one exception, the measure will take effect October 1, 2018.

Shall The Proposal Be Approved?
 FOR THE PROPOSAL - YES

 AGAINST THE PROPOSAL - NO
SUMMARY

If the proposal is approved, it would repeal Article 28 of the Oklahoma Constitution and replace it with Article 28A, which restructures the laws governing alcohol. If approved, the measure will go into effect on October 1, 2018.

Currently, under Oklahoma law, liquor stores can sell full-strength, unrefrigerated beer but cannot sell cold beer or chilled wine. Liquor stores can sell wine and spirits but no other items. Grocery and convenience stores can sell cold low-point beer (3.2 percent alcohol by weight) but not spirits, wine, or high-point beer.

State Question 792 would change the current

alcohol laws to allow grocery, convenience, and drug stores to sell cold, high-point beer (up to 8.99 percent alcohol by volume) and wine (up to 15 percent alcohol by volume). Liquor stores would be allowed to sell cold beer and any item that also may be purchased in a grocery store or convenience store—except motor fuel—in limited amounts. Liquor or spirits will still only be available for purchase from licensed retail liquor stores.

FOR MORE INFORMATION

conveniencecosts.com
yeson792.com

PROPOSANTS SAY: **YES**
BOTH SIDES
OPPONENTS SAY: **NO**

- Oklahoma's alcoholic beverages laws are Prohibition-era laws and need to be modernized.
- Passage of SQ 792 would provide Oklahomans with the same level of access to wine and beer as consumers in forty-five other states and would allow customers to purchase wine and cold beer more conveniently throughout the state at all levels of retail.
- State tax dollars are being driven to other states where alcohol laws allow the sale of high-point beer and wine in grocery stores.

- The additional competition from grocery and convenience stores would hurt the state's independent liquor retailers. Many current retail liquor stores would go out of business, resulting in job losses and inconveniencing consumers, especially those in smaller cities.
- Allowing grocery and convenience stores to sell strong beer and wine would concentrate more power in the hands of fewer corporate owners, reduce competition, and result in higher prices.
- SQ 792 contains language that would allow out-of-state distributors to buy controlling interests in wholesalers and then designate themselves as the sole wholesale distributor of any product they represent. Retailers would not be able to choose between competing wholesalers but would have to buy each product from only one particular wholesaler.

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OKLAHOMA VOTER GUIDE *is a nonpartisan effort by a coalition of Oklahoma entities from both the non-profit and for-profit sectors. After many months of planning, we are proud to offer readers a high-quality resource with analysis and education for the 2016 general election. This voter guide does not endorse or oppose any candidates for state or federal office, nor does it take any position on the state questions. We welcome your feedback and encourage you to share this guide, which is available for download on all partner websites and at okvoterguide.com.*

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MyCHEATSHEET

2016 OKLAHOMA
VOTERGUIDE



POLLING PLACE

ADDRESS: _____

NOVEMBER 8

ELECTION DAY IS NOVEMBER 8, 2016

You are allowed to bring notes into the voting booth, but you are not allowed to show them to anyone. This cheat sheet will help you make an informed decision and reduce ballot fatigue—there are many decisions to make in the voting booth on Election Day. Find your polling place, confirm your registration, and even view a sample ballot at elections.ok.gov.

PRESIDENT

- Hillary Clinton
- Donald Trump
- Gary Johnson

CONGRESS

DISTRICT #

I AM VOTING FOR

STATE HOUSE DISTRICT #

I AM VOTING FOR

STATE SENATE DISTRICT#

I AM VOTING FOR

STATE QUESTIONS

SQ776 | Death Penalty..... YES NO

SQ777 | Agriculture..... YES NO

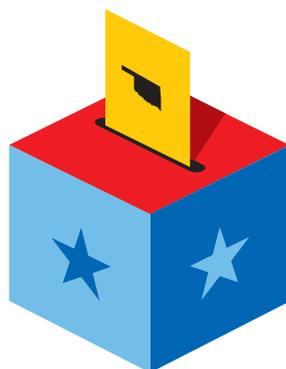
SQ779 | Education Funding Tax..... YES NO

SQ780 | Law Enforcement..... YES NO

SQ781 | Criminal Rehabilitation YES NO

SQ790 | Religion and the State YES NO

SQ792 | Alcohol..... YES NO



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