WOMEN VERSUS MEN IN OKLAHOMA

Women gained the right to vote in Oklahoma in 1918, the Twenty-First State.

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%

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.

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%

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.
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: 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
FEDERALELECTIONS

UNITED STATES REPRESENTATIVE

DISTRICT 1*
JIM BRIDENSTINE (◊) (R)

DISTRICT 2
MARKWAYNE MULLIN (◊) (R)
JOSHUA HARRIS-TILL (D)
JOHN MCCARTHY (IND.)

DISTRICT 3
FRANK D. LUCAS (◊) (R)
FRANKIE ROBBINS (D)

DISTRICT 4
TOM COLE (◊) (R)
SEVIER WHITE (L)
CHRISTINA OWEN (D)

DISTRICT 5
STEVE RUSSELL (◊) (R)
ZACHARY KNIGHT (L)
AL MCAFREY (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 BRADDY (I)

UNITED STATES PRESIDENT

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.

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

## House Districts Map

### State House

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<td>Keith Welch Sr.</td>
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<td>68</td>
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## Senate Districts Map

### State Senator

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<td>Greg Treat (0)</td>
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### Oklahoma City Metro

- 01 John Myers, Micheal Bergstrom
- 03 Rhonda Cox, Wayne Shaw (0)
- 05 Stacey Allen Ebert, Joseph Silk (0)
- 07 Joel Kerns, Larry Boggs (0)
- 09 Jack A. Reavis, Dewayne Pemberton
- 11 Kevin Matthews (0)
- 12 James Leewright
- 13 Eric Hall, Greg McCartney
- 15 Rob Standridge (0), Shawn P. Sheehan (1)
- 17 Ron Sharp (0)
- 19 Rhonda Harlow, Roland Pederson, Whitney Hall (1)
- 21 Tom J. Dugger
- 23 Larry Wasson, Lonnice Paxton
- 25 Robert Founds, Joe Newhouse
- 27 Bryce Marlett (0)
- 29 Robert Jobe, Julie Daniels
- 31 Perry Brinegar, Chris Kidd
- 33 Kimberly Fobbs, Nathan Dahn (0)
- 35 Gary Stanislawski (0), Frank Grove (1)
- 37 Lloyd W. Snow, Dan Newberry (0), Shawn W. Ketcher (1)
- 39 John Waldron, Dave Rader
- 41 Kevin McDonald, Adam Pugh, Richard Prawdzienski (L)
- 43 Leah Pollan, Paul Scott
- 45 Kyle D. Loveless (0)
- 47 Judy Mullen Hopper, Greg Treat (0), Steven Weber (1)
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

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SQ790 Religion & the State....... 14
SQ792 Alcohol ........................ 15
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.

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.
**STATE QUESTION 777**

**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.

**OPPONENTS SAY:** NO

- 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 lawmakers 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.

**PROONENTS SAY:** YES

- 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.
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.

**PROPOSITION**

Shall The Proposal Be Approved?

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<th>FOR THE PROPOSAL – YES</th>
<th>AGAINST THE PROPOSAL – NO</th>
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**PROPONENTS SAY: YES**

- 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.

**OPPONENTS SAY: NO**

- 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.
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.

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

**PROONENTS SAY: YES**

- 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.

**OPPONENTS SAY: NO**

- 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.
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

For the proposal – yes
- 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.

Against the proposal – no
- 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.

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

PROPRIETARY SAY: ☑ YES

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.

Shall The Proposal Be Approved?
☐ FOR THE PROPOSAL – YES
☐ AGAINST THE PROPOSAL – NO
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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With special thanks to Bryan Dean of the Oklahoma State Election Board.

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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

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