

After records examination failure

Illinois Democrats make last-ditch effort to bar SEP candidate from ballot

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The Illinois State Board of Elections (SBE) has released its official tally from the records examination of the Socialist Equality Party's nominating petitions, verifying that the SEP has submitted more than enough valid signatures to place its State Senate candidate—Joe Parnarauskis—on the ballot in November. The results provide undeniable proof that the objections to the SEP petitions filed by the Illinois Democratic Party were groundless and lodged in bad faith.

This, however, has not led the state Democratic Party machine to drop its challenge. On the contrary, having been repudiated during the records examination process, the Democratic Party has resorted to increasingly transparent and unscrupulous “legal” methods to bar the SEP candidate from the ballot.

According to figures released Tuesday, 3,222 registered voters signed SEP petitions, well above the 2,985 required for an independent candidate to run for State Senate in Illinois' 52nd legislative district, which includes the cities of Champaign, Urbana and Danville in east-central Illinois. The findings were the result of a painstaking review of all 2,551 objections filed by the Democrats, a process that took several days and involved dozens of people at the SBE headquarters in the Illinois capital of Springfield.

The election board overturned 786, or 30 percent, of objections filed by the Democratic Party, finding that these signatures belonged to perfectly legitimate voters. In hundreds of cases the signatures and addresses on the petitions matched exactly with the information in the voter registration databases even though the Democrats claimed these voters were not registered at the addresses they wrote on the SEP petitions.

Election officials decided to count as valid nearly 100 other signatures the Democrats claimed were “not genuine” (i.e., forged) because voters printed their names on the petitions instead of signing them in cursive. Another two dozen signatures, which the Democrats claimed belonged to voters living outside the district, were, in fact, valid and added to the SEP total.

A large number of objections sustained by the election board were signatures of voters who were registered at a previous

address and had not yet updated their voter information. The Democrats used the state's restrictive ballot access laws to punish voters simply because they have moved. The SEP submitted a list of nearly 200 such voters as part of a legal fight to repeal the restriction that discriminates against lower-income families and college students who tend to change their addresses more often.

Now that the records examination phase is completed both the SEP and the Democratic Party have one week to “rehabilitate” overruled or sustained objections by presenting evidence to a hearing examiner appointed by the SBE. A hearing to review this evidence will take place in Springfield on August 17.

In addition to the voters with changed addresses, the SEP is seeking to rehabilitate scores of signatures, including from women voters whose names were struck because they signed with their married names, instead of maiden names; others whose information could not be conclusively determined in the few moments election board clerks had to verify each of the hundreds of signatures they were assigned to view; and others who transposed a digit in their address or whose signatures (written in haste on a petitioner's clipboard) differed somewhat from the way they signed their registration cards.

In order to rehabilitate these signatures supporters of the SEP must get voters to sign an affidavit verifying that they reside at the address they signed on the petition and that the signature is theirs. This is a difficult process of tracking down voters and urging them to sign a legal affidavit. Over the last several days Joe Parnarauskis has visited the homes of a dozen of such voters.

Where he found such individuals at home Parnarauskis received a warm reception. Seeing the SEP candidate at his apartment door, one University of Illinois worker announced that he had already signed the SEP candidate's petition. After Parnarauskis explained that the Democrats had struck his name from the petition, the worker responded angrily, “I've been voting for the Democrats for 20 years. You tell me who objected to my name and I'll give them a piece of my mind.”

While the principle guiding the SEP is protecting the rights of

these citizens to vote for a candidate of their choice, the Democrats are determined to disenfranchise hundreds of voters in order to protect the political monopoly of the two big business parties and prevent any challenge from a socialist and antiwar candidate.

The legal counsel of the Illinois Democratic Party, Michael Kasper, has made it clear he is willing to use any means necessary to keep Parnarauskis off the ballot, including hiring writing experts to challenge voters' signatures. Kasper has also argued that voters do not become registered until weeks after signing "Motor-Voter" applications at the Secretary of State's office, an argument aimed at disqualifying new voters who signed third party petitions.

Kasper and his co-attorney in the SEP ballot access case, Courtney Nottage, both work for a high-powered Chicago law firm and have close connections to leading state Democrats, including Senate President Emil Jones and House Speaker Michael Madigan. As lead counsel and treasurer of the Illinois Democratic Party, Kasper has a long record of trampling on the democratic rights of state voters, including leading the fight to keep independent presidential candidate Ralph Nader off the ballot in 2004, the same year the Democrats failed in their bid to exclude SEP state legislative candidate Tom Mackaman. Kasper is also directing his party's efforts to bar the Illinois Greens' gubernatorial candidate, Rich Whitney, from the ballot this year.

Kasper and Nottage indicated their intention to reinstate the objections to 82 signatures that were printed instead of signed, until the hearing examiner said he had reviewed those signatures and found the vast majority valid. The Democrats are now seeking to disqualify 28 "out of district" objections overturned by SBE clerks who found that the voters resided in the 52nd district. Even if the Democrats were able to overturn a portion of these signatures it would not be enough to bring the SEP below the amount needed to qualify for the ballot.

Therefore Kasper has concocted an argument aimed at throwing out 44 entire petition sheets, containing 430 signatures. He claims the SEP "misled" voters about what office Parnarauskis was seeking because these 44 sheets contain the words "State Senator" under the heading of office, instead of "State Senator—52nd District," as do the remaining 477 petition sheets. Having lost in the records examination the Democrats really are grasping at straws.

In his response to the Democratic attorneys' legal brief on this question, SEP attorney Andrew Spiegel argued that there was no confusion about what office Parnarauskis was seeking. There is only one office called "State Senator" in the 52nd District, where SEP supporters were gathering petitions. Moreover, Spiegel noted every petition sheet began with the preamble, "We, the undersigned qualified voters of the 52nd State Senate Legislative District ..." Pointing to the fundamental democratic issues at stake, Spiegel wrote, "There is no case on record that denies a candidate a place on the ballot

on such an insignificant basis. A minor error such as this should not result in a candidate's removal from the ballot because access to a position on the ballot is a substantial right that must not be lightly denied."

The SEP attorney also pointed out that the objection sheets filed by the Democratic Party incorrectly cite the SEP candidate's name as "John Parnarauskis," instead of Joe Parnarauskis. If the Democrats were demanding that 44 petition sheets be thrown out because of a clerical error, Spiegel argued, every one of the 2,551 objections listed on their objection sheets should also be dismissed.

The hearing examiner, David Herman, has indicated that he believes the Democrats have no legal basis to demand the rejection of the 44 petition sheets. Nevertheless, the final decision on the matter will be made by the State Board of Elections, a body made up of four Democrats and four Republicans.

Andrew Spiegel has also argued that the State Board of Elections mistakenly set the petition requirement too high for State Senator in the 52nd district. The state law is that an independent candidate must gather 5 percent of the ballots cast for State Senate in the last election. In the 2002 elections—the last held for the 52nd State Senate—the Democratic and Republican contenders received a total of 54,648 votes. Five percent of that would be 2,732, not 2,985—the number of signatures the state has required the SEP candidate to collect.

The SEP and the World Socialist Web Site call on all supporters and readers to donate to the SEP election fund to defray the costs of this antidemocratic process (Make a donation today!), and to continue to write letters of protest to the Illinois State Board of Elections at webmaster@elections.state.il.us. Please send copies of all messages to the WSWS.



To contact the WSWS and the Socialist Equality Party visit:

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