

Illinois hearing examiner recommends SEP candidate be placed on ballot

By Elisa Brehm
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On Monday, David Herman, the hearing examiner appointed by the Illinois State Board of Elections, issued a recommendation that Joe Parnaruskis, the Socialist Equality Party candidate for state Senate from Illinois' 52nd Legislative District, be placed on the ballot for the November 7 elections.

The recommendation confirms that the challenge mounted by the Democratic Party to Parnaruskis' nominating petitions is without foundation and represents an anti-democratic attempt to keep the SEP candidate off the ballot.

However, the final decision on Parnaruskis' ballot status must be made by the Illinois State Board of Elections—a body made up of four Democrats and four Republicans appointed by the governor. The election board is required to issue its ruling at its next general meeting, which is scheduled for Thursday, August 31 in Chicago.

Herman's recommendation is the result of an exhaustive review of the more than 2,500 objections the Democrats made to the 4,990 signatures submitted by the SEP on June 26. On August 17, Herman conducted a hearing that determined the SEP had submitted at least 3,229 valid signatures—well above the 2,985 required under state election laws.

Having failed to strike a sufficient number of signatures to prevent the SEP from attaining ballot status, the Democrats seized on a trivial technicality. They claimed the SEP "misled" voters about the office Parnaruskis was seeking because 44 petition sheets contained the designation "State Senator" instead of "State Senator—52nd District."

At the time, SEP attorney Andrew Spiegel argued that there was no confusion about what office Parnaruskis 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."

Herman's recommendation rejects the challenge to these 44 sheets. Several pages of his 14-page document deal with this issue. Herman cites legal precedents and the Illinois election code to refute the claims made by the Democrats that the 44 sheets in question had misled voters. According to Herman's ruling, the objectors failed to present any affidavits from voters who claimed to have been misled.

Last week, a hearing examiner recommended that the statewide slate of the Illinois Green Party be placed on the ballot, after a records examination showed that the Greens had collected 27,000 valid signatures, well above the 25,000 requirement. The Democrats then withdrew their objection.

While the election board generally upholds the hearing examiner's recommendations, there is no guarantee this will be the case. The Socialist Equality Party calls on all its supporters and all those who defend democratic rights to continue to flood the offices of the Illinois State Board of Elections with letters demanding that it place Joe Parnaruskis on the ballot. Emails can be sent to the Illinois State Board of Elections at webmaster@elections.state.il.us. Please send copies of all messages to the WSWs..

The SEP and the *World Socialist Web Site* also call

on all supporters and readers to donate to the SEP election fund to defray the costs of the fight against this antidemocratic process. (Make a donation today!)

To contact the WSWS and the Socialist Equality Party visit:

<http://www.wsws.org>