

Rhonda Blevins

From: Rhonda Blevins <rcoclerk@suddenlinkmail.com>
Sent: Tuesday, August 02, 2016 11:17 AM
To: 'pocmayor@cityofpocahontas.com'
Subject: FW: petition questions

Per your request, here is the e-mail I received from Scott Perkins.

Rhonda L Blevins

Randolph County Clerk
101 E Broadway, Suite A
Pocahontas, AR 72455
870-892-5822
rcoclerk@suddenlinkmail.com

Always do your best. What you plant now, you will harvest later.

From: Scott Perkins [mailto:sperkins@arcountries.org]
Sent: Wednesday, July 27, 2016 2:23 PM
To: Rhonda Blevins <rcoclerk@suddenlinkmail.com>
Subject: petition questions

Rhonda, I spoke with April but also wanted to point you guys to the guiding statutes.

A.C.A. . 3-8-801 to 3-8-811.

Scott Perkins
Association of Arkansas Counties
75 counties. One Voice.
Legislative and Communications Director
1415 West Third
Little Rock AR 72201
501-372-7550
www.arcountries.org
@75arcountries

Thanks, I had asked this question to Hank once before, but I couldn't quite recall the exact number he had said. I appreciate your time, as always. Don't work too hard. Have a wonderful day, Josh.

Tracy Chasten

From: Josh Bridges [mailto:josh.bridges@sos.arkansas.gov]

Sent: Thursday, June 16, 2016 9:02 AM

To: Tracy Chasten <rcoclerk2@suddenlinkmail.com>

Subject: RE: Quick easy question

~~etc. anticipated~~

There's nothing in law that will tell you. As a best practice, we verify two pieces of information before we validate a signature. That could be a name and DOB, or a name and address, or any other combination. You can use that as a best practice as well, but there's nothing in code that says you have to.

Josh

From: Tracy Chasten [mailto:rcoclerk2@suddenlinkmail.com]

Sent: Thursday, June 16, 2016 8:55 AM

To: Josh Bridges <josh.bridges@sos.arkansas.gov>

Subject: Quick easy question

Good Morning, Josh.

Just wanted to verify some information before the meeting with the attorney assisting in the wet/dry petition this morning at 10. When verifying signatures for their petitions, how many fields do I need to be able to verify to accept. For some reason, I cannot recall from the last petitions. I am searching the law book but cannot find it.

Sincerely,

Tracy Chasten

Randolph County Voter Registration Deputy Clerk

101 E Broadway, Suite A

Pocahontas, AR 72455

Phone - 870-892-5822

Fax - 870-892-5822

Rhonda Blevins

From: April Duff <april.duff_rcec@yahoo.com>
Sent: Friday, August 05, 2016 4:35 PM
To: Rhonda Blevins
Subject: Fw: Petition Deadlines

Follow Up Flag: Follow up
Flag Status: Flagged

~April Duff

Randolph County Election Coordinator
Randolph County Clerk's Office
101 E. Broadway, Suite A
Pocahontas, AR 72455
(870) 892-5822

On Monday, August 1, 2016 4:24 PM, April Duff <april.duff_rcec@yahoo.com> wrote:

Here's what Josh said... ???

~April Duff

Randolph County Election Coordinator
Randolph County Clerk's Office
101 E. Broadway, Suite A
Pocahontas, AR 72455
(870) 892-5822

On Friday, July 29, 2016 2:12 PM, Josh Bridges <josh.bridges@sos.arkansas.gov> wrote:

Hey April,

You are correct. Something else to keep in mind on this is 14-14-915 (e). this states that the sponsor has "ten (10) calendar days, exclusive of the day notice of insufficiency is receipted..." in order to collect more signatures. So, if you declare them insufficient on Monday, their Day 1 isn't until Tuesday.

Josh

From: April Duff [mailto:april.duff_rcec@yahoo.com]
Sent: Friday, July 29, 2016 1:53 PM
To: Josh Bridges <josh.bridges@sos.arkansas.gov>
Subject: Petition Deadlines

Josh,

Just to confirm, the petitioners have 10 calendar days to collect and re-submit to the county clerk. If that 10th day falls on a Sunday, the deadline extended to the following business day. A.C.A. 7-1-108. Just want to make sure this also applies to local option.

Thank you,

~April Duff

You are a rock-star.....keep your chin up!

Randolph County Election Coordinator
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Pocahontas, AR 72455
(870) 892-5822

Rhonda Blevins

From: April Duff <april.duff_rcec@yahoo.com>
Sent: Friday, August 05, 2016 4:35 PM
To: Rhonda Blevins
Subject: Fw: Petitions Not in Jurisdiction

Follow Up Flag: Follow up
Flag Status: Flagged

~April Duff

Randolph County Election Coordinator
Randolph County Clerk's Office
101 E. Broadway, Suite A
Pocahontas, AR 72455
(870) 892-5822

On Tuesday, August 2, 2016 3:38 PM, April Duff <april.duff_rcec@yahoo.com> wrote:

Josh,

We have several petition parts that contained signatures of petitioners from more than one (1) county. Those petition parts were "thrown out". The sponsor now realizes that had the signature of the petitioner from another county been clearly stricken before the filing of the petition with the county clerk, the whole page would've/could've been processed.

The sponsor is asking for these petition parts back so they can clearly strike the signature. Can the County Clerk's Office return these petition parts? Could you counsel with your department and let me know specifically which Arkansas Code refers to your answer?

Thank you in advance for your help.

Sincerely,

~April Duff

Randolph County Election Coordinator
Randolph County Clerk's Office
101 E. Broadway, Suite A
Pocahontas, AR 72455
(870) 892-5822

Rhonda Blevins

From: Tracy Chasten <rcoclerk2@suddenlinkmail.com>
Sent: Friday, August 05, 2016 4:37 PM
To: Rhonda Blevins
Subject: FW: Any luck???

Follow Up Flag: Follow up
Flag Status: Flagged

FOIA

From: Josh Bridges [mailto:josh.bridges@sos.arkansas.gov]
Sent: Wednesday, August 03, 2016 5:57 AM
To: Tracy Chasten <rcoclerk2@suddenlinkmail.com>
Subject: RE: Any luck???

It never is is it? It just means we're committed.

I'm not able to find anything in statute or the Constitution that requires actual signature verification/comparison when checking any kind of petition.

That being said, I don't know if there is a case law ruling that would contradict with my above statement. If need be, consult with the county attorney in order to make sure.

Thanks,

Josh

Sent from my Verizon 4G LTE smartphone

----- Original message -----
From: Tracy Chasten <rcoclerk2@suddenlinkmail.com>
Date: 8/2/16 9:53 PM (GMT-06:00)
To: Josh Bridges <josh.bridges@sos.arkansas.gov>
Subject: RE: Any luck???

Apparently, it is not end of business for any of us...lol

From: Josh Bridges [mailto:josh.bridges@sos.arkansas.gov]
Sent: Tuesday, August 02, 2016 9:51 PM
To: Tracy Chasten <rcoclerk2@suddenlinkmail.com>
Subject: RE: Any luck???

I haven't had a chance to visit with Peyton on this just yet. I'll shoot you an email in the morning!

Sent from my Verizon 4G LTE smartphone

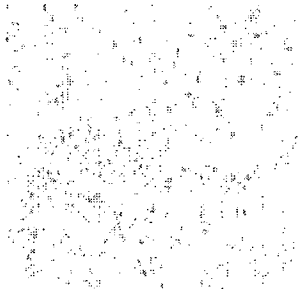
----- Original message -----

From: Tracy Chasten <rcoclerk2@suddenlinkmail.com>

Date: 8/2/16 9:46 PM (GMT-06:00)

To: Josh Bridges <josh.bridges@sos.arkansas.gov>

Subject: Any luck???



Morning Josh,

I was just checking my emails and realized you must have gotten busy and forgot about me. If you could shoot me an email that would be great. Thank you so much, as usual.

Sincerely,

Tracy Chasten

Randolph County Voter Registration Deputy Clerk

101 E Broadway, Suite A

Rhonda Blevins

From: Tracy Chasten <rcoclerk2@suddenlinkmail.com>
Sent: Thursday, August 04, 2016 3:22 PM
To: Lori; April Duff; Rhonda Blevins
Subject: FW: Election commissioner meeting

-----Original Message-----

From: Josh Bridges [mailto:josh.bridges@sos.arkansas.gov]
Sent: Thursday, August 04, 2016 12:44 PM
To: Kathy Smith <kathysmith3782055@gmail.com>
Cc: Peyton Murphy <peyton.murphy@sos.arkansas.gov>; Leslie Bellamy <leslie.bellamy@sos.arkansas.gov>; Tracy Chasten <rcoclerk2@suddenlinkmail.com>; 'Rhonda Blevins' <rhondablevins2014@gmail.com>; Randolph Coord. April Duff (april.duff_rcec@yahoo.com) <april.duff_rcec@yahoo.com>; Randolph Comm. Keith DeClerk (dinsurance@centurylink.net) <dinsurance@centurylink.net>
Subject: RE: Election commissioner meeting

Good Afternoon,

For the sake of clarification, the McDaniel v. Spencer ruling is dated March of 2015. In April of 2015, ACA 7-9-126 was amended by Act 1219 to remove the full page cull requirement. However, also in April of 2015, the full page cull requirement was added to 3-8-811 by Act 1251. Our Election Law book should be up to date in regards to the aforementioned code sections.

As always, please check with your county attorney for guidance, but I wanted to make you aware of the history of these code sections.

Best Regards,

Josh Bridges

-----Original Message-----

From: Josh Bridges
Sent: Wednesday, August 03, 2016 7:11 AM
To: 'Kathy Smith' <kathysmith3782055@gmail.com>
Cc: Peyton Murphy <peyton.murphy@sos.arkansas.gov>; Leslie Bellamy <leslie.bellamy@sos.arkansas.gov>; 'Tracy Chasten' <rcoclerk2@suddenlinkmail.com>
Subject: RE: Election commissioner meeting

Good Morning,

We advise that you speak with the county attorney on this matter. Since this is concerning a petition that is filed at the county level, we cannot make the decision as to whether or not a signature page is disqualified due to someone signing it that does not reside in the county.

When I provided the statute to the Randolph County Clerk's office, I was not aware of the McDaniel v Spencer case ruling; further, our Election Law books were printed before the ruling came out. I apologize in advance for not being able to help more in this matter. Please call or email with further questions or concerns.

Thanks,

Josh

-----Original Message-----

From: Kathy Smith [mailto:kathysmith3782055@gmail.com]

Sent: Tuesday, August 02, 2016 4:08 PM

To: Josh Bridges <josh.bridges@sos.arkansas.gov>

Subject: Election commissioner meeting

Josh, I need clarification from your office and Payton Murphy on this particular statute by the time we are on conference call tomorrow morning.

McDaniel v Spencert Sealy at 2015 ARK 94 (2015)

Regarding page 12 paragraph 22

When it struck down a provision identical to 3-8-811 (b) (6)

Sent from my iPad

Rhonda Blevins

From: Lori Patterson <rcoclerk1@suddenlinkmail.com>
Sent: Tuesday, August 02, 2016 3:23 PM
To: sperkins@arcountries.org
Cc: rcoclerk@suddenlinkmail.com
Subject: Reviewing of petition

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

It seems we are now getting different criteria than we originally received. It seems last week when the petitions were being worked on the instructions received from the Secretary of State was that 2 fields have to match as well as the signature. Several people were removed because the signatures did not match. New information from Secretary of State and Legal Counsel for Election Commissioners is that as long as 2 voter fields match it should be approved.

What are your feelings on review to this new criteria? We need to get on this right away if it is acceptable to review. We are also trying to contact our county attorney. If you could send me an e-mail with your opinion, I would greatly appreciate it. I have also discussed this with Rhonda and she is for reviewing as long as this new criteria is correct.

Sincerely,

Lori Patterson
Randolph County Chief Deputy Clerk
101 E Broadway, Suite A
Pocahontas, AR 72455
870-892-5822

Rhonda Blevins

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FOIA

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To: Kathy Smith <kathysmith3782055@gmail.com>
Cc: Peyton Murphy <peyton.murphy@sos.arkansas.gov>; Leslie Bellamy <leslie.bellamy@sos.arkansas.gov>; Tracy Chasten <rcoclerk2@suddenlinkmail.com>
Subject: RE: Election commissioner meeting

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Regarding page 12 paragraph 22

When it struck down a provision identical to 3-8-811 (b) (6)

Sent from my iPad

Law Used For Incomplete information on Petitions

Arkansas code 3-8-805

(a) (1) A person signing a petition under this subchapter **SHALL***:

(A) Be a registered voter; and

(B) Sign his or her own name and print his or her own name, address, birthdate, and the date of signing on a petition in his or her own handwriting;

(2) If a person signing a petition under subdivision (a)(1) of this section requires assistance due to disability, another person:

(A) May print the name, address, birthdate, and the date of signing; and

(B) Shall sign and print his or her name in the margin of the petition.

* **SHALL-** used to give a command or to say that you will or will not allow something to happen (Merriam-Webster)

Law Used for Disqualifying Sheets with Out of Jurisdiction

3-8-811(B)

(6) The petition part clearly and unmistakably contains signatures of petitioners from more than one (1) county unless each signature of a petitioner from another county is clearly stricken before the filing of the petition with the county clerk;

① Names per page - out of County -

② Some ~~signed and said~~ said they didn't sign but name wasnt on list.

③ Others want their names off the petition. Cant touch petition!