

FOR IMMEDIATE RELEASE
Jeff Smith Files Objections to Improper Nominating Papers

Yesterday, Dec. 27, I took legal steps to address a tangle of confusion created by politicians and to try to prevent the City of Evanston from holding an unnecessary, expensive, and confusing February primary election. In order to make and preserve a proper legal record, and first try administrative remedies, I filed objections to nominating papers of other candidates for mayor. These objections aren't personal, because I know, like, and get along with the other would-be candidates. Nor have I questioned the authenticity or number of signatures on anyone's petitions, because of my deep respect for those who take time to circulate or sign in Chicagoland in cold weather. The objections are purely legal to prevent a fiasco without precedent in local elections, and because no one should gain a ballot advantage by filing incorrectly. Five candidates have filed in four different ways. We cannot possibly all be right, I believe that most are wrong, and I know from my hundreds of conversations with voters that there is a lot of confusion as a result of conflicting and inaccurate information.

The confusion starts with the belief of some that Evanston by law requires nonpartisan elections. For weeks I've had a FOIA asking the City to document this, and the City has been unable to do so. This is at the heart of the nominating objections, because no primary is in order, or even makes sense, without such an ordinance. I don't fault the City Clerk or city attorneys for not providing such a law, because no one can produce something that doesn't exist. If it does exist, but the City doesn't know where its own law is located, and it takes weeks to tell a citizen what the law is on an extremely important and time-critical topic, that's a different issue, to be addressed later.

The objections are not about the small inconsistencies that election officials can overlook, and boil down to this:

- Mr. Hagerty filed a petition for a nonexistent nonpartisan election; filed during the filing period for a primary election that his petition doesn't reference; and did not file a petition for direct placement on the April consolidated election ballot during the proper filing period.
- Mr. Miller and Mr. Tendam did not identify their party/independent status as required; and filed their petitions during the wrong filing period if aiming to be independent candidates for the April 4, 2017 election, or else filed petitions for a nonexistent nonpartisan election.
- Mr. Gaspard misidentified the election at which he seeks nomination, or, if he meant to seek direct placement on the April election ballot, did not file during the proper filing period.

I also address in my objections the now-dysfunctional 1992 referendum scheme that was not used in the last multi-candidate Evanston mayoral race but that some seek to resurrect.

I know that it's more typical for a candidate to get someone else to be the named objector to petitions. I considered that but ultimately chose to own these legal arguments. In the times we face, state and local governments will need leadership that is willing to question authority, to call out nonsense, and able to take a stand against strong headwinds.

Evanston is a great town that has been periodically held back from an even higher plane by some unfortunate legal and policy choices. Making Evanston an amazing place to live, visit, and do business in over the next four years needs to start with knowing how to run its own elections.