



and fifty-eight (1,258) signatures. The minimum requirement to obtain ballot access for this office is one- thousand (1,000) signatures.

Challenger Mary C. Lord filed challenges to a total of four-hundred and sixty-four (464) signatures, enumerated by line and page number on individual “challenge sheets” filed for each petition page. Petition signatures were challenged pursuant to 3 D.C.M.R. §1607.1 of the Board’s regulations on the following grounds: the signer’s voter registration was designated as inactive on the voter roll at the time the petition was signed; the signer is not a duly registered voter; the signer, according to the Board’s records, is not registered to vote at the address listed on the petition at the time the petition was signed, provided that an address on a petition which is different than the address which appears on the Board’s records shall be deemed valid if the signer’s current address is within boundary from which the candidate seeks nomination, and the signer files a change of address form with the Board during the first 10 days following the date on which a challenge to the nominating petition is filed; the signature is a duplicate of a valid signature; the signature is a duplicate of a valid signature; the signature is not dated; the petition does not include the address of the signer; petition does not include the name of the signer where the signature is not sufficiently legible for identification; and the signature is not made by the person whose signature it purports to be.

The Registrar determined that 388 of the 464 challenges were valid leaving Mr. Patterson with 870 signatures, which is 130 under the amount required for ballot access. Of the three-hundred and eighty-eight (388) signatures challenged, 143 are not registered, 120 require address changes, 31 are inactive, 8 are duplicate signatures, 54 are illegible, 2 do not match the signatures in the voter registry, and 30 are addresses outside of the District of Columbia.

Both parties received the Registrar's preliminary determination with respect to the challenge. Mr. Patterson submitted 11 change of address forms and was given credit for nineteen (19) signatures that had been initially been determined to be invalid. This leaves the candidate's nominating petition with 900 signatures, 100 signatures below the number required for ballot access.

#### **CHALLENGER'S ISSUES FOR REVIEW**

The Challenger accepted the Registrar's finding regarding the valid challenges.

#### **CANDIDATE'S ISSUES FOR REVIEW**

Mr. Patterson did not offer any additional evidence during the hearing to dispute the Registrar's preliminary determination.

#### **DISCUSSION**

The United States Supreme Court has long recognized that states and localities have a responsibility to protect the integrity and reliability of the election process, and has generally accorded them latitude in establishing rules and procedures toward that end. "[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order is to accompany the democratic process." *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182, 187 (1999). Accordingly, the District of Columbia has established a nominating petition process that require prospective candidates to demonstrate a modicum of support from a specific number of qualified electors as a condition precedent for ballot access.

Mr. Patterson bemoaned the challenge process which he believes is cynically used by challengers to avoid competition on the ballot. However, he did not take issue with the

Registrar's findings. He lamented not having enough time avail himself of more address changes.

**CONCLUSION**

Mr. Patterson secured 900 valid signatures, which is 100 signatures below the 1000 signatures required for ballot access. It is hereby:

**ORDERED** that candidate Jacque Patterson is denied ballot access for the office of At-Large Member of the State Board of Education.

September 12, 2016  
Date



D. Michael Bennett  
Chairman,  
Board of Elections