

April 21, 2014

Jim Brannon, Kootenai County Clerk

451 Government Way

Coeur d'Alene, Idaho 83816

As Chair of the Kootenai County Democrats and a write-in candidate for #7 Precinct Committeeman, I am writing to protest the handling of a recent, unannounced change in procedure for candidate filing by the Elections Department in Kootenai County. Promulgation of that new procedure has sullied the election process in Kootenai County. Several candidates for precinct committeemen, both Democrats and Republicans, have or may have been harmed by a recent change of procedure in the Elections Department. I have sent an inquiry to the Elections Section of the Idaho Secretary of State and consulted a local attorney regarding this matter.

When a member of the Kootenai County Democratic Central Committee attempted on behalf of several KCDCC members to turn in the precinct committeeman filing papers to the elections office during the initial filing period, the elections office refused to take them. Our representative was told that each candidate had to submit his/her filing form in person. This was a different procedure from what we have followed for many years. Because at least two KCDCC members were out of town during the filing period, they were unable to comply with the in-person filing requirement and have now had to file as write-in candidates.

When I inquired at the elections office about the reason for the new procedure--was it new law, a item in statute previously overlooked, a new county rule, etc.--I was told that it was merely a procedure initiated by the Kootenai County Elections office to make sure that each candidate had a packet of candidate and voter information and could fill out a form collecting additional contact information.

It also appears that this new procedure was not necessarily followed with consistency, depending upon the immediate workload of the clerks--for example, when a crowd of last-minute filers flooded the elections office just before the close of the filing period on March 14. We learned that Sandy Patano had a similar experience when turning in several filing forms for Republican candidates for committeemen. However, when she repeatedly pressed the point that these folks were unable to file in person because they were out of town, those four filings were permitted. Recently another elections department staff informed me that a state legislator had also pressed the point and was permitted to file by email. She said that if we had protested strongly enough, an exception would have been made.

I further inquired of the County Clerk's office about the initiation of this new procedure as no one had been notified ahead of time of the change. As Chair of the Kootenai County Democrats, I do routinely receive press releases from the Clerk's office. I did not receive any notice, and Pat Raffee, Chief Deputy Clerk, verified that such a notice was not sent and did apologize to me for the oversight.

Of most concern is that this unexpected change of procedure resulted, for some of us, our having to file for write-in candidacy instead of having our names printed on the ballot. This may indeed change the outcome of the election. I wonder how many folks on the Republican ballot had this same unfortunate experience.

We are asking for a redress of grievance through the following actions: 1) that the Clerk's office issue a public apology for the arbitrary and unannounced change of procedure for precinct committeeman filing and 2) that no future changes to procedure be accomplished without due notice and direction in statute.

Sincerely,

Paula K. Neils

Chair, Kootenai County Democrats