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# NEWS

SEDGWICK COUNTY, KANSAS – COMMUNICATIONS AND COMMUNITY INITIATIVES

**FOR IMMEDIATE RELEASE**

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**MEDIA RELEASE ON BEHALF OF ELECTION COMMISSIONER TABITHA LEHMAN**

(Sedgwick County, Kan.) – There has been substantial inquiry regarding the Sedgwick County Election Office and the processing of the petition for removal of criminal penalties for marijuana possession from the Wichita municipal code. The purpose of this release is to explain our processes and what has occurred.

On July 24, 2014, approximately a week prior to the primary election, our office received the original petition filed with the City of Wichita Clerk. The petition contained 483 pages of signatures. As is standard practice when we receive a petition, we numbered the pages, scanned the pages and printed those scans for processing. We do not use the original document when processing a petition.

Our office followed the long-standing guidelines outlined in the election standards provided by the Secretary of State's office for processing petitions, which include the following:

1. Make a photocopy of the original petition that can be written on
2. Develop a scheme for coding signatures
3. Skip questionable signatures and return to them only if they are needed to meet the minimum qualifications of the petition

4. Count only signatures of registered voters unless the specific statute governing the petition does not require registration
5. If the same person appears to have signed more than once, count only one signature
6. Once the required minimum number of valid signatures is reached, it is not necessary to waste office employees' time in continuing to verify the remaining signatures

The criteria needed to have a signature accepted on this petition is as follows:

1. Must be a registered voter residing within the city limits of Wichita
2. Must sign with the same name as contained in the voter registration record (nick names, abbreviations, middles are acceptable, but last name must match)
3. Address signed on petition must match the address on the voter registration records, at the time of signing
4. Signature must be consistent with signature on file in our office
5. Petition circulator may not sign the same page they circulated (can't attest own signature)
6. Petition page must have a legal notarization
7. Date of signature must be prior to the date of notarization on the document
8. Must not sign the petition more than once, if signed more than once only one signature will count
9. Information must be legible enough for our staff to determine name and address

At the time of scanning, two pages of the petition became stuck together so that one page was inadvertently not scanned. This meant that when the documents were printed and processed, one page was missing. Further, during the process of validating signatures, it was discovered that three separate pages had deficiencies in the notarization of the document. These three pages were set aside and have not been processed.

After going through the petition twice, I determined it contained 2,881 signatures that could be counted under Kansas law. When I certified the results to the City Clerk of Wichita, my original certification had a typographical error stating that I was certifying 2,887 accepted signatures. When this was realized, I immediately certified the correct number of 2,881. It was not until after this certification that it was brought to our attention that one page had been missed during the scanning process. That page contained 11 valid signatures, which means the petition contained 2,892 acceptable signatures. Under Kansas law, the petition needed 2,928 acceptable signatures. Thus, even including the 11 signatures from the missing page, this petition is still short of the total required.

In the Secretary of State's written election standards it is strongly recommended that county election officers use the Petition Verification Chart provided by the Secretary of State's office to verify petition signatures. This was done in this case. We also followed the statutory requirements in K.S.A. 12-3013.

The criteria used to process this petition is the same as the criteria used for each of the other two Initiative Petitions this office has received since I became election commissioner. The first one being the Ambassador Hotel Tax question in late 2011/early 2012, the second being the Water Fluoridation of 2012.

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