

CITY OF CRANSTON
BOARD OF CANVASSERS
Special Meeting of July 15, 2020 – APPROVED MINUTES

The Cranston Board of Canvassers met on July 15, 2020, in a meeting advertised in accordance with the Rhode Island Open Meetings Act on July 2, 2020. The meeting was called to order by the Chairperson, Randall Jackvony, at 4:05 p.m. It was held virtually via electronic means on Zoom, conducted in accordance with the Governor's Executive Order 20-46 in response to the COVID-19 Coronavirus Pandemic.

MEMBERS PRESENT: Randall Jackvony, Gary Vierra, Fred Joslyn

MEMBERS ABSENT: None

NON-MEMBERS PRESENT: Nicholas Lima (Registrar / Director of Elections), David Igliozzi (Assistant City Solicitor), Alice Petrone (Board Alternate), Theresa Bucci (Canvassing Aide), Stephanie Gyamfi-Darkwah (Petitioner)

The chair declared a quorum present.

AGENDA

- I. CALL TO ORDER
- II. THE BOARD MAY HEAR AND DECIDE ON OBJECTIONS TO THE ELIGIBILITY OF CANDIDATES OR SUFFICIENCY OF NOMINATION PAPERS FOR LOCAL OFFICES THAT WERE FILED IN ACCORDANCE WITH R.I.G.L. § 17-14-13
- III. ADJOURNMENT

BUSINESS ITEMS

II. THE BOARD MAY HEAR AND DECIDE ON OBJECTIONS TO THE ELIGIBILITY OF CANDIDATES OR SUFFICIENCY OF NOMINATION PAPERS FOR LOCAL OFFICES THAT WERE FILED IN ACCORDANCE WITH R.I.G.L. § 17-14-13

Mr. Jackvony said the Board was here to hear any objections to the eligibility of candidates or sufficiency of nomination papers for local offices, and that one objection was timely filed with the office.

For the record, Mr. Jackvony reviewed the process as defined by state law. He said the process as outlined in Title 17 was followed for all races on the ballot, starting with candidate declarations, followed by endorsements, and continuing with the receipt and verification of nomination papers, all of which must be filed in accordance with statutory provisions and within the timelines strictly defined by law.

Mr. Jackvony said the Canvassing Dept. staff diligently reviews each signature on nomination papers to ensure that voters are a qualified elector of the City of Cranston, or of the ward or district within the City that the elector is signing for, and that the signature matches the signature on file in the voter's record.

Mr. Jackvony said Stephanie Gyamfi-Darkwah, a declared candidate for School Committee in Ward 1, filed an objection to the status of her candidacy after failing to turn in 50 valid signatures in the nomination process. Mr. Jackvony introduced Ms. Gyamfi-Darkwah, the petitioner, as present on the Zoom call. He thanked Ms. Gyamfi-Darkwah for joining the call and stated that he knows the process to get on the ballot can be challenging.

Mr. Jackvony said Ms. Gyamfi-Darkwah submitted exactly 50 signatures immediately prior to the deadline, and that 16 of those signatures were declared to be invalid, for various reasons. He asked Ms. Gyamfi-Darkwah if she would like to speak or present evidence to overturn any of the invalid signatures. Mr. Jackvony said if evidence is to be presented, he would need to swear Ms. Gyamfi-Darkwah in. Ms. Gyamfi-Darkwah said that Mr. Lima sent her a copy of the nomination paper, and that was the only evidence she had to present related to her petition.

Ms. Gyamfi-Darkwah thanked the Board for an opportunity to present her arguments. She said she filed her candidate declaration in the timeframe allowed by law, and was informed to come in the following week to pick up her nomination form packet, which she did. She said that she works during the day, and that she had difficulty attaining signatures due to the limited time she had to attain them after work and over the holiday weekend, which was further complicated by the pandemic. Ms. Gyamfi-Darkwah said she chose not to get signatures over the holiday weekend because she thought she wouldn't find very many people at home. She added that some voters who she encountered on weekday evenings were new to the area, and she provided them with voter registration forms to help them get registered. She added that she could have been more diligent in attaining more signatures, but reiterated the short timeframe in which she had to do so and that she is a first time candidate. Ms. Gyamfi-Darkwah asked the Board to take into consideration these factors.

Mr. Jackvony said he understood the challenges Ms. Gyamfi-Darkwah faced, however he noted that state law does not give the Board of Canvassers discretion or leeway to allow a candidate to attain ballot access with less than the required number of signatures, or to grant an exception. He said that there is a process to review individual signatures and that their individual rejections may be overturned, however, in this case, he already knows of several signatures on the nomination paper in question that are from voters who are registered in other cities and towns, which cannot in any case be accepted because it would be applying a different standard than is used for all other nomination papers.

Because there are only 50 signatures submitted in total, of which 36 are valid, and 50 valid signatures would be required, there is no path for Ms. Gyamfi-Darkwah to legally attain the required number of signatures.

Ms. Petrone asked if Ms. Gyamfi-Darkwah had a walking list of registered voters. Mr. Lima said Ms. Gyamfi-Darkwah was provided with that list, and that all candidates have the option of taking a printed or electronic version of the list. Ms. Petrone suggested that if Ms. Gyamfi-Darkwah runs again in the future, she should try to get at least 20 extra signatures because of the inability of the Board to grant exceptions in cases like this, to ensure a future nomination paper will have enough valid signatures. She said some

candidates hold shared nomination paper signing events for this purpose, that are often helpful.

Mr. Vierra asked if there was any executive order or change of requirements from the Board of Elections regarding nomination paper signatures for local candidates. Mr. Lima said there are no changes for local candidates, except that they were granted the ability to attain a version of electronically submitted signatures by court order. He said most candidates did not choose that route.

Mr. Lima said that the number of signatures for United States Congress and United States Senate were reduced by half by an action of the General Assembly due to the pandemic, but the legislature chose not to act accordingly regarding the signatures needed for local or state offices.

Mr. Vierra said the City Charter and state law prevent the Board of Canvassers from reducing the number of signatures required for candidates unilaterally.

Mr. Jackvony asked if there were any more questions from the Board. Mr. Joslyn said he had no questions.

Mr. Iglizzi asked that the documents reviewed be introduced as exhibits for the record in the event of a further appeal to the state Board of Elections. Mr. Jackvony said the two-page nomination paper and Ms. Gyamfi-Darkwah's two-page letter filing the objection constituted the record on this matter. He reminded Ms. Gyamfi-Darkwah that she has the ability to appeal the decision of the Board to the state Board of Elections if she disagrees with the ruling.

Mr. Iglizzi asked for confirmation that the information on the record was shared with the petitioner. Mr. Lima confirmed that he emailed the documents to Ms. Gyamfi-Darkwah and also sent her a return-receipt certified letter that included the documents for her records. Ms. Gyamfi-Darkwah confirmed she received the email.

Mr. Lima asked Mr. Jackvony to add to the formal record the letter he sent to Ms. Gyamfi-Darkwah via email and certified mail informing her of the objection hearing.

Mr. Iglizzi said that the record is complete, the related documents were provided in advance to Ms. Gyamfi-Darkwah, no new or additional evidence was presented, and sufficient notice was provided for the hearing.

Mr. Jackvony asked for a motion related to the objection. Mr. Joslyn said upon careful review and consideration of all the documents which constitute the record of this proceeding, he would offer a motion to dismiss the petitioner's challenge.

MOTION: By Mr. Joslyn and seconded by Mr. Vierra to dismiss petitioner Stephanie Gyamfi-Darkwah's challenge in regard to her candidacy for Cranston School Committee.
PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Mr. Joslyn voting Aye.

Mr. Jackvony thanked the attendees for their diligence in reviewing this matter. Ms. Gyamfi-Darkwah asked what the appeal process is. Mr. Lima said the Board of Elections must rule on all objections related to candidacy by Monday due to impending election deadlines, so any appeal would have to be made either tomorrow or Friday.

Ms. Gyamfi-Darkwah asked if the ballot placement lottery for School Committee candidates, scheduled for Friday, July 17, would still take place. Mr. Lima said based on the outcome of today's hearing, there is only one candidate on the ballot, so the School Committee lottery would be cancelled. If today's ruling is appealed and later overturned, the lottery would be rescheduled, as it does not need to be held on July 17 and can occur at a later date if necessary, provided it takes place before the completion of the September primary.

Mr. Lima provided Ms. Gyamfi-Darkwah contact information for the state Board of Elections. Mr. Iglizzi recommended that if she plans to file an appeal, she do so quickly due to the elections timetable.

ADJOURNMENT

MOTION: By Mr. Joslyn and seconded by Mr. Vierra to adjourn.
PASSED UNANIMOUSLY – VOICE VOTE

The meeting was adjourned at 4:30 p.m.

Respectfully Submitted,

Nicholas J. Lima
Registrar / Director of Elections
Cranston Board of Canvassers

APPROVED by the Cranston Board of Canvassers: May 20, 2021