

## SOUTH JERSEY PROGRESSIVE DEMOCRATS

FOR IMMEDIATE RELEASE

MAY 28, 2019

Contact: Martha Stem

Phone: 856-489-0014

Email: admin@southjerseyprogressivedemocrats.org

*Camden County Clerk Candidate Rena Margulis calls upon N.J. Attorney General Gurbir Grewal to investigate disqualification of Primary Election candidates by the Office of Camden County Clerk Joseph Ripa, other ballot issues*

*Previously undisclosed Camden County Prosecutor's investigative report did not substantiate candidate "fraud" charge brought by the Camden County Democratic Committee (CCDC) and Freeholders Carmen Rodriguez and Ed McDonnell against primary challenger, yet Deputy Clerk John Schmidt granted their request to disqualify candidates anyway.*

On April 10, 2019 Camden County Deputy Clerk John Schmidt, disqualified "Democrats of Camden County" freeholder candidates Jennifer O'Donnell and Michael Lovett from the June 4 Democratic Primary Election. The pair were to anchor a ballot column for nearly 100 municipal, county, and state candidates running against the Camden County Democratic Committee, Inc. ("CCDC") incumbents, including Schmidt's boss, County Clerk Joseph Ripa.

"Democrats of Camden County" Clerk Candidate Rena Margulis is now calling for a New Jersey Attorney General's investigation into that disqualification and other Camden County ballot issues.

Schmidt's disqualification determination cited a law enforcement agency investigation finding "ill-gotten signatures" on nominating petitions circulated by O'Donnell's former running mate, Jerome Taylor, an African-American veteran and Camden City community leader.

According to a previously undisclosed April 8 report of the investigation from Camden County Assistant Prosecutor Lesley Sokol to Schmidt, ***the Prosecutor's investigation yielded no finding of fraud or unlawful act by candidate Taylor.*** The investigation found that one woman signed Taylor's petition on behalf of and in the presence of another woman residing at the same address, who, according to voting records, is 83 years old. The investigation also found that a second woman signed the Taylor petition on behalf of her mother, with her mother's prior consent. The Prosecutor's report did not say that signing the petition for another with consent was wrongful or that Taylor was even aware that such had happened.

Yet despite the Prosecutor's report and an April 8<sup>th</sup> letter from Taylor's attorney flatly denying the allegations of candidate "fraud" made on April 4 by the CCDC and Freeholders Carmen Rodriguez and Ed McDonnell, Schmidt granted their challenge and disqualified O'Donnell and Lovett, Taylor's replacement candidate.

According to NJ Election Law Enforcement Commission filings, Schmidt has made \$4000 in contributions to the CCDC over the last four years.

Also on April 10, Schmidt denied a challenge to the petitions of Democratic freeholder candidates Amanda Semple and Jason Witte even though one of their petitions — which they needed to reach the required 100 signatures — did not even include the candidates' names on the face of the petition. As investigated by Politico New Jersey and the Philadelphia Inquirer, Semple and Witte are two of the four so-called “phantom” freeholder candidates on the 2019 ballot. Jan Heffler wrote in the Inquirer: “None of these freeholder candidates has a website or a Facebook page to tout accomplishments and make campaign pledges. None replied to numerous phone messages, texts, and emails.” However, given their placement on the ballot laid out by Clerk Ripa, the “phantoms” push legitimate challenger candidates to less visible locations on the ballot, termed “ballot Siberia.” Semple shares a home address with serial “phantom” freeholder candidate Kathryn Petner, who ran in the Democratic primaries every year between 2014 and 2017, with her nominating petitions circulated by CCDC members Andrew Rosati and Carmen Scarduzio.

Schmidt also denied a challenge to the nominating petitions of Democratic County Clerk candidate Mohammad Kabir. A County Clerk Office election worker reviewed the challenge and found that one signature flagged as “same hand” on a nominating petition Kabir circulated did not match the voter's signature on file. The worker marked the signature “No,” and the signature was not counted towards Kabir's total number of signatures needed to qualify for the ballot. Schmidt allowed Kabir to remain on the ballot.

The day after their disqualification, O'Donnell and Lovett brought a lawsuit asserting that their candidacies were wrongfully terminated. The case was assigned to Camden County Superior Court Judge Michael Kassel, who failed to schedule a judicial hearing and failed to make a determination as required by N.J.S.A. 19:13-12.

Judge Kassel did not call the plaintiffs' attorney and did not bring Schmidt before the court to justify his decision to disqualify the candidates. Kassel made a brief statement on the record on April 11 concerning the plaintiffs' Complaint, “I don't even want to try to summarize it, because I really don't know.” His remarks ignored the basis of the Complaint – the disqualification of O'Donnell and Lovett – and the relief sought – their restoration to the ballot. With respect to the statutes cited in the Complaint, including N.J.S.A. 19:13-12, Judge Kassel stated, “I have no idea what these statutes mean.”

At the April 12 ballot drawing the following day, Schmidt did not honor the previously-accepted bracketing requests of nearly 100 candidates running for municipal, county and state offices as “Democrats of Camden County.” Freeholder candidate Kyle Nash, running for the unexpired term, was not granted the same column that a single Freeholder candidate had received when running in the 2018 primary. As a result, the “Democrats of Camden County” candidates were mixed in with other challenger candidates in the last column, Column 4, with “phantom” candidates occupying Columns 2 and 3.

Schmidt's boss, CCDC-endorsed County Clerk Joseph Ripa, benefits. Ripa in Column 1 no longer faces a head-to-head challenge in the primary with County Clerk candidate Rena Margulis. Instead, Margulis appears in Column 4 below Kabir, also running for County Clerk.

"Democrats of Camden County" Clerk Candidate Rena Margulis wrote: "I call upon the New Jersey Attorney General to investigate (a) the disqualification of candidates O'Donnell and Lovett, (b) the disparate treatment applied by the Camden County Clerk's Office to candidates whose placement on the ballot helps CCDC candidates, (c) the non-campaigning "phantom" freeholder candidates who have appeared on every Democratic primary election ballot for the better part of a decade, and (d) the other Camden County ballot practices and policies that disadvantage legitimate primary challengers to CCDC-endorsed candidates."

On April 11, Schmidt forwarded the CCDC's attorney a copy of the April 8<sup>th</sup> Prosecutor's report. Nevertheless, the CCDC, led by State Senator and CCDC Chair Jim Beach, subsequently launched an attack on O'Donnell and Taylor by mail, website, press, and, social media declaring that they were tossed from the ballot "due to fraud."

###

The Camden County Prosecutor's investigation report (April 8<sup>th</sup> Sokol letter), the MP3 of Judge Kassel's April 11 remarks on the record, and other relevant documents are online at <https://www.southjerseyprogressivedemocrats.org/supporting-documents.html>. Please contact [admin@southjerseyprogressivedemocrats.org](mailto:admin@southjerseyprogressivedemocrats.org) for additional documents or information.

South Jersey Progressive Democrats is a grassroots organization working to restore democracy to South Jersey. We stand for transparent, accountable government that works for the people. This press release is from the SJPD Vice Chair.

For more information: [www.southjerseyprogressivedemocrats.com](http://www.southjerseyprogressivedemocrats.com)