

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Judicial Proceedings Committee



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October 4, 2022

Linda H. Lamone
Administrator, State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Administrator Lamone:

I am writing regarding a serious issue that is currently affecting the St. Mary's County general election for Commissioner President. It is my understanding that one of the candidates on the General Election ballot for Commissioner President does not meet the residency requirements set out in law to hold that office. The candidate is aware of the error and has publicly acknowledged it, but is not planning to withdraw from the election. I have a number of questions regarding this matter to ensure that our residents know how this error occurred and the impact it will have on the election for St. Mary's County Commissioner President.

I am very concerned as to how an ineligible candidate was allowed to file and appear on certified ballots for both the primary and general elections without verification of the qualifications for the office. What is the process by which the St. Mary's County Board of Elections and then the State Board of Elections must follow to ensure that candidates are eligible for the offices for which they have filed? Whose responsibility is it to ensure that our laws setting forth residency requirements, or any other requirements for elected offices are followed?

Additionally, we now have an ineligible candidate appearing on the ballot, which is completely circumventing election laws. This will have an impact on the election for St. Mary's County Commissioner President. Both the St. Mary's County Board of Elections and the State Board of Elections have failed to ensure the integrity of our election for St. Mary's County Commissioner President. Since these two entities failed to properly certify this candidacy, our citizens will not have the constitutional right to vote and select the Commissioner President. Instead, it may be left to the Local Government Articles, appointments and potential lawsuits to select a Commissioner President rather than relying on the vote of the citizens.

This error in certification has the potential to set a terrible precedent to alter our election process. Clearly, our current certification process is flawed since this error occurred in both the primary and general elections. Why should any potential candidate follow the established qualifications for office, if these requirements are just going to be ignored by the Board of Elections and allow candidates to be placed on the ballot?

It is unfair to every citizen to "wait and see" what the election results may be, this inaction is essentially tampering with the election by allowing an ineligible candidate to remain on the ballot. It is critical that the residents of St. Mary's County and Maryland understand how this issue occurred and trust that our State's election laws are followed and enforced fairly and appropriately. Thank you for your prompt attention to address this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey", followed by the printed name "Senator Jack Bailey".

Senator Jack Bailey