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ELECTIONS DIV.

2022 JUL 22 PM 1:53

William J Hunt Jr.  
401-741-2255  
7 Beechwood Ct.  
Warren, RI 02885

July 22, 2022

State of Rhode Island Department of State  
State of Rhode Island Secretary of State  
148 W. River St.  
Providence, RI 02904

To whom it may concern:

I, William J Hunt Jr., a qualified voter in the state of Rhode Island and chairman of the Libertarian Party of Rhode Island, do hereby submit my formal challenge of the Rhode Island Department of State/Rhode Island Secretary of State's certification of nomination papers submitted for Elijah J Gizzarelli for the office of Governor of the State of Rhode Island on or about July 22, 2022. I am specifically challenging\*:

- The "sufficiency", specifically the insufficiency, of the nomination papers submitted on behalf of Elijah J Gizzarelli, between July 6, 2022 and July 15, 2022.
- The overall process the Rhode Island Department of State has utilized to transmit, collect, and tabulate the validated nomination papers from the local board of canvassers.
- The inconsistency between the number of nomination papers certified and the timed-stamped nomination papers submitted.
- The inconsistency of the local board of canvassers to provide volunteers of Mr. Gizzarelli's campaign with documentation essential to reconciling the validated nomination papers with the ballot petitions submitted to each local board.
- The inconsistency of the "rejection rate" or "invalidation rate" of specific local boards of canvassers. The local boards have significant variations in their rejection rates which indicate that the validation process may be subjective and nomination papers are inconsistently evaluated based on which city/town they were submitted to.
- The unwillingness of Rhode Island Department of State/Rhode Island Secretary of State employees to notarize completed nomination forms for a declared candidate (Corey Vecchiarino) on July 15, 2022, which prevented said candidate from submitting all of the signatures which he had collected.
- The overall confusion and delay the Rhode Island Department of State's unclear, arbitrary, and capricious process created, which had a significant impact on Mr. Gizzarelli's campaign's ability to obtain the required signatures in the statutory timeframe.

*\*Because of the statutorily limited amount of time the campaign has to submit a complaint to the board of elections, I would like to clarify that the enumerated challenges listed above are not to be considered an exhaustive list of the issues the campaign may or may not be challenging. We reserve the right to amend or add to this complaint as more information becomes available to us.*

1. Parties to this complaint:

- a. William J Hunt Jr., as an individual and qualified voter in the state of Rhode Island, complainant. (Mr. Hunt is also the Chairperson of the LPRI and LPRI described below.)
- b. Elijah Gizzarelli, the Libertarian Party of Rhode Island's endorsed candidate for governor of the state of Rhode Island
- c. Nellie Gorbea, Secretary of State of Rhode Island, subject of this complaint.
- d. Rob Rock, Director of Elections, RI Department of State, subject of this complaint.

2. Other parties relevant to this complaint:

- a. The local board of canvassers for each municipality in the state of Rhode Island.
- b. Libertarian Party of Rhode Island (LPRI), registered non-profit corporation in good standing with the State of Rhode Island and the sole recognized Rhode Island state affiliate of the national Libertarian Party.
- c. Libertarian Party of Rhode Island PAC (LPRIPAC), registered political action committee in good standing with the Rhode Island Board of Elections.
- d. The national Libertarian Party and its governing body: the Libertarian National Committee, Inc.
- e. Corey Vecchiarino, the Libertarian Party of Rhode Island's endorsed candidate for Rhode Island state representative - District 5.

3. Standing:

I, William J Hunt Jr., an individual, and a qualified voter in the state of Rhode Island supportive of the LPRI's efforts to obtain official party status have standing to file this complaint. Further, in my capacity as Chairperson of both the LPRI and the LPRIPAC, I also have standing to file a complaint on behalf of the LPRI and the LPRIPAC.

4. Complaint:

- a. We are generally challenging the "sufficiency" - specifically the insufficiency - of the nomination papers submitted on behalf of Elijah J Gizzarelli, between July 6, 2022 and July 15, 2022. It is our contention that our campaign submitted the required number of signatures to qualify for ballot placement, however, due to bureaucratic inefficiencies and inconsistencies outlined in preceding complaints, the Rhode Island Secretary of State certified the incorrect number of qualified signatures for Elijah J Gizzarelli for the office of Governor of the state of Rhode Island.
- b. The overall process the Rhode Island Department of State has utilized to transmit, collect, and tabulate the validated nomination papers from the local board of canvassers is inherently flawed and creates an arbitrary barrier for independent and third-party candidates from obtaining ballot access. Specific

bureaucratic malpractice is outlined in preceding complaints, but generally, the Rhode Island Department of State/Rhode Island Secretary of state utilizes an inefficient inconsistent process which caused them to miss nomination papers and not apply the correct number of validated signatures to Mr. Gizzarelli.

- c. The inconsistency between the number of nomination papers certified and the timed-stamped nomination papers submitted. With the extremely limited amount of time the campaign was given to evaluate the final nomination papers, we found: two (2) nomination papers that were submitted to the local board but not counted or certified by the Rhode Island Secretary of State. Two (2) certified nomination papers with certified signatures which were not added to Mr. Gizzarelli's total. There are, at minimum, two (2) outstanding nomination papers not accounted for, and based on the circumstances around the two (2) certified nomination papers described above, there is a good probability more could be unidentified and therefore not certified by the Rhode Island Secretary of State.
- d. The inconsistency of the local board of canvassers to provide volunteers of Mr. Gizzarelli's campaign with documentation essential to reconciling the validated nomination papers with the ballot petitions submitted to each local board has made the task of tracking all of the forms submitted nearly impossible. Most municipalities provided copies of the submitted nomination papers with a time-stamp showing it had been received. Many larger municipalities, which based on their population would be expected to have a higher number of signatures for a statewide office, did not provide this courtesy. Cranston, for example, charged for their copies and Providence refused to make copies at all. The monumental feat of delivering these forms to all 39 cities and towns made the utilization of many volunteers to deliver these nomination papers a necessity, and the unhelpful and capricious municipal employees ultimately made collecting comprehensive records of all forms submitted by our volunteers an unfairly difficult process.
- e. The inconsistency of the "rejection rate" or "invalidation rate" of specific local boards of canvassers. The local boards have significant variations in their rejection rates which indicate that the validation process may be subjective and nomination papers are inconsistently evaluated based on which city/town they were submitted to. If any or multiple municipalities have a significantly higher rejection rate than the remaining municipalities, any candidate submitting nomination papers to that municipality - and the voters who signed said nomination papers - are being disenfranchised by the inconsistent validation process promulgated by the Rhode Island Secretary of State. We wish to reserve the right to investigate this claim further and amend this specific challenge.
- f. The unwillingness of Rhode Island Department of State/Rhode Island Secretary of State employees to notarize completed nomination forms for a declared candidate (Corey Vecchiarino) on July 15, 2022, which prevented said candidate from submitting all of the signatures which he had collected. Mr. Vecchiarino went to the Rhode Island Secretary of State's office on July 15, 2022 to have his own nomination papers and the nomination papers he had collected for Mr. Gizzarelli.

The employee refused to notarize all of Mr. Vecchiarino's forms and subsequently prevented him from turning in a good number of signatures. Seeing how the Rhode Island Secretary of State has specifically and successfully pushed to remove the notary requirement on absentee ballots (with the rationale that the requirement has the potential to disenfranchise voters), it is confounding that the office did not have extra notaries available to provide notary service during this limited window to submit petition paperwork. This dereliction of duty directly prevented Mr. Vecchiarino from submitting 24 signatures.

- g. The overall confusion and delay the Rhode Island Department of State's unclear, arbitrary, and capricious process created, ~~which~~<sup>was</sup> had a significant impact on Mr. Gizzarelli's campaign's ability to obtain the required signatures in the statutory timeframe. From the start of the declaration period, the decision to allow an unqualified candidate to be a declared "Libertarian" candidate for governor created significant confusion and animosity amongst our party's natural voting base. Further, the inconsistent and delayed response from the Rhode Island Secretary of state and their legal counsel as to what their decision was, and the appropriate process to contest their decision caused us to divert a significant amount of time and effort away from the task of collecting signatures for the candidate. This specific issue, while ultimately proving to be a moot one, was unable to be ignored by Mr. Gizzarelli's campaign due to the significant harm having two "Libertarians" candidates on the ballot would cause by undermining our ability to obtain the 5% required to gain official party status.

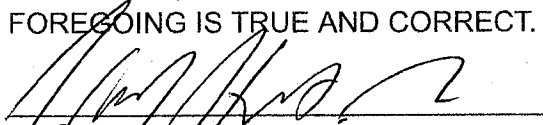
Additionally, the Rhode Island Secretary of State indicated on July 13, 2022 (when I picked up the forms) that any copies made of nomination papers needed to be "stamped" by their office in order to qualify to be validated. When I brought the forms in to be stamped on July, 14, 2022, Mr. Rock skimmed through them and told me they "looked good." Having to waste an extra day to bring in copies to be "verified" by the Rhode Island Secretary of State's office delayed my ability to distribute said nomination papers to many volunteers by at least one day.

#### 5. Requested Remedy:

- a. We request that, in light of these numerous bureaucratic breakdowns, you grant Mr. Gizzarelli additional time to locate and account for the missing ballot access petitions.
- b. We also request additional time to submit any paperwork that was not submitted by the July 15, 2022 deadline. We have notarized forms which we were unable to deliver due to these bureaucratic delays - in addition to the forms we could not submit because the Rhode Island Secretary of State's office refused to notarize Mr Vecchiarino's completed nomination papers.
- c. We also request access to all nomination papers submitted for all candidates to every municipality in Rhode Island so we can analyze them to see if there is a statistically significant deviation in the rejection rate from by municipality and/or political party affiliation.

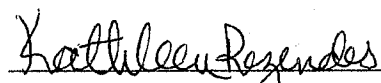
- d. Most importantly, we demand that the Rhode Island Secretary of State drastically change their regulatory procedures to make the process of collecting and validating signatures easier for both the candidates, the voters, and the local board of canvassers. The Rhode Island Secretary of State's own rules and procedures have directly caused these issues, it is the responsibility of their office to promulgate these statutes effectively or work with the legislature to revise the statutes to make the process more consistent and equitable.

I DECLARE (OR CERTIFY, VERIFY, OR STATE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON 7/22/2022.

  
\_\_\_\_\_  
William J Hunt Jr.

7/22/2022  
\_\_\_\_\_  
Date

Subscribed and sworn before me this 22<sup>nd</sup> day of July 2022

  
\_\_\_\_\_  
Notary Public Signature

Kathleen Rezendes  
\_\_\_\_\_  
Notary Public (Print Name)

Kathleen Rezendes  
Notary Public  
State of Rhode Island  
MY COMMISSION EXPIRES 07-01-2026  
Commission # 763634