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Petition update

Drew Clemson suing Colleen Unroe



Smita Bharti
State College, PA

Dec 31, 2015 — Drew Clemson suing Colleen Unroe

For several weeks, Nittany Valley Water Coalition organizers have been aware of a rumor that ousted supervisor Drew Clemson, who lost the election, was planning to challenge Colleen Unroe's November 3 election win.

We did a file search at Centre County Courthouse on December 23 to try to confirm the rumor.

As of that time, no suit had been filed.

Today (December 30), Mr. Clemson made good on his rumored threat to try to throw out the Ferguson Township voters' choice and have a judge declare him, as the second-place finisher, as the winner instead.

<https://steadystatecollege.files.wordpress.com/2015/12/12-30-15-clemson-v-unroe-lawsuit.pdf>

Several interesting factors to consider:

1. Under state law, 2015 primary election results had to be challenged no later than June 8, and 2015 general election results had to be challenged no later than November 23. So the court could throw out Clemson's challenge based on its untimeliness.

<http://www.dos.pa.gov/VotingElections/Documents/Elections%20Division/Election%20Calendar/2015%20election%20calendar.pdf>

2. It's true that Ferguson Township has a charter provision requiring candidates to be registered to vote in Ferguson Township for one year, not just reside in the township. However, that provision may be unconstitutional, so the court could nullify the charter provision Clemson is trying to use to throw Unroe off the board.

3. The circumstances surrounding the addition of that charter provision are interesting as well – related to Elliot Killian's unusual campaign for election to the board in 2011, when he was 19 but not eligible to be sworn in until age 21. To clear that obstacle, Killian simultaneously pushed a referendum on a charter amendment to lower the eligible age to be sworn in to 19, replacing the age rule with a requirement that candidates be registered to vote in the township for at least one year.

<http://onwardstate.com/2014/03/07/elliott-killian-student-by-day-politician-by-night/>

We'll post more information as more information becomes available.

More interesting information about election contests under US law.

<http://elections.uslegal.com/election-contests/>

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