

Received January 8, 2021 8:40am

In Re: Petition for Referendum (Advisory) to the voters of the City of Decatur- April 6, 2021 Regular Election filed by Principal Proponent, Lisa Kendall. [Filing date: Monday, January 4, 2021] [PETITION]

OBJECTOR'S OBJECTIONS TO PETITION FOR REFERENDUM (ADVISORY) PURSUANT TO 10 ILCS 5/28-4 AND 10 ILCS 5/10-8 THROUGH 10-10.1

OBJECTOR: Jerrold H. Stocks, a Registered Voter residing in the municipality of Decatur, IL with permanent abode at 1155 W. Hickory Point Road, Decatur, IL 62526 *email: stockslaw@gmail.com*

STATEMENT OF INTEREST: Objector, a duly registered voter in the municipality of Decatur, IL, is interested as an opponent to the public question proffered in the Petition for Referendum and interested in assuring compliance with legal requirements for presenting a public question to the voters.

SPECIFICATION OF OBJECTIONS:

A. Facially, insufficient number of voters signed Petition to qualify for ballot placement.

Pursuant to 10 ILCS 5/28-6, a petition to submit a public question to the voters of the municipality must be signed by a number of voters equal to 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election by the registered voters of the municipality. The **PETITION** purports to be signed by 928 Voters. The City of Decatur is comprised of precincts in Decatur Township (wholly included), Precincts # 1 through 34 and all or part of Precincts in the Townships of Hickory Point [HP], South Wheatland [SW], Long Creek [LC], and Whitmore [W]. Considering only the Decatur Precincts, the total ballots cast for candidates for Governor in 2018 was 14,585. 8% of that vote would require Petition signatures numbering not less than 1,167. Further, after including the non-Decatur Township precincts wholly included within the municipality [LC 4, 5, 7, 8, and HP 3,4,6,7,9] the additional votes cast in Governor's race is 4,521 that adds a requirement for 362 additional signatures. Thus, prior to considering the thousands of votes cast from precincts partially including the municipality, a total number of required signatures to support the Petition is 1,529. The **PETITION** is at least 601 signatures below the required amount to be placed on the ballot. [See: Statement of Votes Cast GENERAL ELECTION Nov. 6, 2018 from public records of Macon County Clerk attached]

B. The purported number of signatures must be reduced for invalidity of particularized defects:

1. Voter does not live in City of Decatur [10 ILCS 5/28-3 and 6]:

PETITION Page:	Line:
4	6
5	7
5	9
15	1

PETITION Page:	Line:
15	2
21	6
23	9
36	15
49	13

2. Voter information incomplete or missing address [10 ILCS 5/28-3]:

PETITION Page:	Line:
3	13
5	3
5	4
5	5
5	6
5	10
5	11
5	12
5	13
24	5
24	8
24	9
31	11
46	3
57	3

3. PETITON has no statement by a Circulator in violation of 10 ILCS 5/28-3.

PETITION Page:	Line:
59	All lines
63 (Oath incomplete)	All lines

C. The Heading including the statement of public question on the respective Petition pages is not the same or uniform in violation of 10 ILCS 5/28-3 and 10 ILCS 5/16-7 and mandates an affirmative vote in violation 10 ILCS 5/16-7.

PETITION pages 6,8,11,14,16,18,22,24,27, 29-56, 59, 63, 65-68 all present the public question in a form requiring the voter to vote "YES" on the public question. Accordingly, the pages are different in form than the balance of the PETITION pages presenting the public question in a neutral fashion. Further, the mandatory affirmative presentation of the public question is not compliant with Article 28 of the Election Code or 10 ILCS 5/16-7.

D. PETITION signatures are stale.

All PETITIONS circulated and executed on dates prior to December 31, 2019. Article 28 of the Election Code adopts the provisions of Article 10 which limits the circulation period to 90 days prior to filing. Further, the Header of the PETITION advises the signing parties that each requests placement on ballot at next regular election, in not less than 92 days. Here, there was a regular election, more than 92 days from the circulation of the last PETITION, to wit: November 3, 2020. The PETITIONS are stale for any ballot placement, thereafter.

RELIEF REQUESTED:

That the City of Decatur Electoral Board rule upon each OBJECTION herein AND find, for one or more of the reasons herein stated, that the PETITION does not comply with statutory requirements for the placement of the public question on the April 6, 2021 ballot, or any subsequent regular election ballot, striking the PETITION and denying the placement of the advisory public question on the ballot and for such other relief the Board is authorized to grant.

Respectfully Submitted [2 copies] this 7th day of January, 2021, under oath:

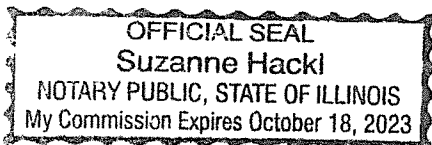


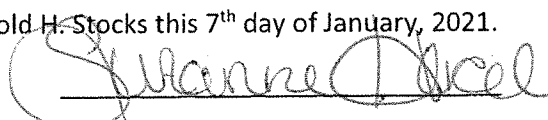
Jerrold H. Stocks, OBJECTOR

COUNTY OF MACON

STATE OF ILLINOIS

Subscribed and sworn to before me by Jerrold H. Stocks this 7th day of January, 2021.





Notary Public

Statement of Votes Cast
 GENERAL ELECTION
 TUESDAY, NOVEMBER 6, 2018
 MACON COUNTY, ILLINOIS
 November 6, 2018 General Election
 FINAL RESULTS

Date: 11/21/2018
 Time: 10:21:55 AM CST

GOVERNOR/LT GOVERNOR

Jurisdiction Wide	Turnout		GOVERNOR/LT GOVERNOR										
	Reg. Voters	Ballots Cast	Reg. Voters	Total Votes	(JULIANA STRATTON)	(BRUCE RAUNER EVELYN)	(GRAYSON KASH JACKSON)	(WILLIAM "SAM" MCCANN)					
DECATUR 1	1072	403	37.59%	1072	380	281	73.95%	69	18.16%	21	5.53%	9	2.37%
DECATUR 2	951	353	37.12%	951	344	246	71.51%	78	22.67%	9	2.62%	11	3.20%
DECATUR 3	1774	702	39.57%	1774	687	543	79.04%	109	15.87%	14	2.04%	21	3.06%
DECATUR 4	877	269	30.67%	877	257	156	60.70%	69	26.85%	6	2.33%	26	10.12%
DECATUR 5	972	549	56.48%	972	537	265	49.35%	229	42.64%	22	4.10%	21	3.91%
DECATUR 6	704	279	39.63%	704	274	153	55.84%	101	36.86%	11	4.01%	9	3.28%
DECATUR 7	759	248	32.67%	759	241	140	58.09%	78	32.37%	7	2.90%	16	6.64%
DECATUR 8	1478	822	55.62%	1478	810	475	58.64%	266	32.84%	35	4.32%	34	4.20%
DECATUR 9	798	366	45.86%	798	389	258	66.32%	107	27.51%	12	3.08%	12	3.08%
DECATUR 10	1319	550	41.70%	1319	535	319	59.63%	167	31.21%	22	4.11%	27	5.05%
DECATUR 11	762	508	66.67%	762	497	227	45.67%	230	46.28%	16	3.22%	24	4.83%
DECATUR 12	1075	607	56.47%	1075	598	319	53.82%	107	17.89%	22	4.11%	27	5.05%
DECATUR 13	783	441	56.32%	783	435	156	35.86%	241	55.40%	9	2.07%	29	6.67%
DECATUR 14	672	285	42.41%	672	277	134	48.38%	115	41.52%	10	3.61%	18	6.50%
DECATUR 15	1083	318	29.36%	1083	305	253	82.95%	34	11.15%	7	2.30%	11	3.61%
DECATUR 16	727	391	53.78%	727	386	155	40.16%	199	51.55%	15	3.89%	17	4.40%
DECATUR 17	1538	475	30.88%	1538	464	411	88.58%	35	7.54%	8	1.72%	10	2.16%
DECATUR 18	768	264	34.38%	768	260	182	70.00%	56	21.54%	9	3.46%	13	5.00%
DECATUR 19	737	419	56.85%	737	403	179	44.42%	172	42.68%	17	4.22%	35	8.68%
DECATUR 20	1631	602	36.91%	1631	583	414	71.01%	135	23.16%	15	2.57%	19	3.26%
DECATUR 21	1489	873	58.63%	1489	863	279	32.33%	506	58.63%	32	3.71%	46	5.33%
DECATUR 22	967	319	32.99%	967	304	210	69.08%	71	23.36%	7	2.30%	16	5.26%
DECATUR 23	1115	473	42.42%	1115	466	284	60.94%	143	30.69%	17	3.65%	22	4.72%
DECATUR 24	636	218	34.28%	636	214	120	56.07%	72	33.64%	10	4.67%	12	5.61%
DECATUR 25	576	231	40.10%	576	214	113	52.80%	75	35.05%	10	4.67%	16	7.48%
DECATUR 26	594	207	34.85%	594	204	96	47.06%	76	37.25%	13	6.37%	19	9.31%
DECATUR 27	740	275	37.16%	740	267	129	48.31%	111	41.57%	10	3.75%	17	6.37%
DECATUR 28	1314	609	46.35%	1314	566	233	39.09%	309	51.85%	18	3.02%	36	6.04%
DECATUR 29	928	508	54.74%	928	492	245	49.80%	200	40.65%	12	2.44%	35	7.11%
DECATUR 30	712	432	60.67%	712	426	197	46.24%	199	46.71%	9	2.11%	21	4.93%
DECATUR 31	794	429	54.03%	794	417	189	45.32%	194	46.52%	14	3.36%	20	4.80%
DECATUR 32	1138	620	54.48%	1138	606	205	33.83%	338	55.78%	14	2.31%	49	8.09%
DECATUR 33	761	421	55.32%	761	407	168	41.28%	196	48.16%	18	4.42%	25	6.14%
DECATUR 34	714	450	63.03%	714	447	148	33.11%	271	60.63%	14	3.13%	14	3.13%
AUSTIN	191	120	62.83%	191	117	16	13.66%	91	77.78%	2	1.71%	8	6.84%
BLUE MOUND	635	417	65.67%	635	412	79	19.17%	291	70.63%	13	3.16%	29	7.04%
FRIENDS CREEK	1025	607	59.22%	1025	600	177	29.50%	367	61.17%	18	3.00%	38	6.33%
HARRISTOWN 1	1370	817	59.64%	1370	798	233	29.20%	473	59.27%	32	4.01%	60	7.52%
HICKORY PT. 1	2245	1432	63.79%	2245	1410	361	25.60%	975	69.15%	14	0.99%	60	4.26%
HICKORY PT. 2	1305	845	64.75%	1305	817	240	29.38%	510	62.42%	24	2.94%	43	5.26%
HICKORY PT. 3	880	560	63.64%	880	552	202	36.59%	299	54.17%	21	3.80%	30	5.43%

14585 Decatur
 Town Office

Statement of Votes Cast
 GENERAL ELECTION
 TUESDAY, NOVEMBER 6, 2018
 MACON COUNTY, ILLINOIS
 November 6, 2018 General Election
 FINAL RESULTS

Date: 11/21/2018
 Time: 10:21:55 AM CST

Turnout

GOVERNOR/LT GOVERNOR

	Reg. Voters		Ballots Cast		Turnout %		Reg. Voters	Total Votes	(JB PRITZKER (JULIANA STRATTON)		(BRUCE RAUNER (EVELYN		(GRAYSON KASH JACKSON		(WILLIAM "SAM" MCCANN	
HICKORY PT. 4	1161	660	56.85%	1161	638	54.94%	638	264	41.38%	290	45.45%	24	3.76%	60	9.40%	
HICKORY PT. 5	1231	500	40.62%	1231	496	40.30%	496	219	44.15%	220	44.35%	21	4.23%	36	7.26%	
HICKORY PT. 6	880	273	31.02%	880	260	29.55%	260	163	62.69%	70	26.92%	11	4.23%	16	6.15%	
HICKORY PT. 7	1002	658	65.67%	1002	640	63.87%	640	222	34.69%	371	57.97%	16	2.50%	31	4.84%	
HICKORY PT. 8	1144	703	61.45%	1144	690	60.31%	690	182	26.38%	439	63.62%	24	3.48%	45	6.52%	
HICKORY PT. 9	819	481	58.73%	819	469	57.26%	469	205	43.71%	231	49.25%	13	2.77%	20	4.26%	
HICKORY PT. 10	678	340	50.15%	678	333	49.11%	333	189	56.76%	115	34.53%	8	2.40%	21	6.31%	
HICKORY PT. 11	732	407	55.60%	732	398	54.37%	398	136	34.17%	220	55.28%	14	3.52%	28	7.04%	
HICKORY PT. 12	888	550	61.94%	888	537	60.36%	537	151	28.12%	345	64.25%	13	2.42%	28	5.21%	
ILLINI	963	565	58.67%	963	559	58.05%	559	122	21.82%	358	64.04%	31	5.55%	48	8.59%	
LONG CREEK 1	922	575	62.36%	922	567	61.50%	567	173	30.51%	349	61.55%	15	2.65%	30	5.29%	
LONG CREEK 2	1810	1138	62.87%	1810	1120	61.88%	1120	256	22.86%	740	66.07%	30	2.68%	94	8.39%	
LONG CREEK 3	991	635	64.08%	991	626	63.17%	626	196	31.31%	363	57.99%	28	4.47%	39	6.23%	
LONG CREEK 4	786	432	54.96%	786	426	54.07%	426	183	42.96%	212	49.77%	10	2.35%	17	4.03%	
LONG CREEK 5	620	386	62.26%	620	381	61.45%	381	110	28.87%	243	63.78%	11	2.89%	17	4.46%	
LONG CREEK 6	1523	913	59.95%	1523	893	58.65%	893	206	23.07%	597	66.85%	31	3.47%	59	6.61%	
LONG CREEK 7	999	599	59.96%	999	589	58.96%	589	219	37.18%	309	52.46%	23	3.90%	38	6.45%	
LONG CREEK 8	891	505	56.68%	891	493	55.33%	493	171	34.89%	277	56.19%	12	2.43%	33	6.69%	
MAROA	1373	764	55.64%	1373	750	54.63%	750	197	26.27%	477	63.60%	24	3.20%	52	6.93%	
MT. ZION 1	2155	1311	60.84%	2155	1288	59.76%	1288	326	25.31%	820	63.66%	52	4.04%	90	6.99%	
MT. ZION 2	2556	1433	56.06%	2556	1404	54.93%	1404	376	26.78%	845	60.19%	49	3.49%	134	9.54%	
MT. ZION 3	665	435	65.41%	665	424	63.76%	424	70	16.51%	319	75.24%	7	1.65%	28	6.60%	
NIANTIC	518	291	56.18%	518	286	55.21%	286	95	33.22%	152	53.15%	11	3.85%	28	9.79%	
OAKLEY	871	516	59.24%	871	514	59.01%	514	100	19.46%	369	71.79%	10	1.95%	35	6.81%	
PLEASANT VIEW	909	495	54.46%	909	494	54.34%	494	107	21.66%	309	62.55%	21	4.25%	57	11.54%	
SOUTH MACON	1069	632	59.12%	1069	613	57.43%	613	124	20.23%	410	66.88%	22	3.59%	45	6.14%	
SOUTH WHEATLAND 1	1119	743	66.40%	1119	733	65.59%	733	173	23.60%	497	67.80%	18	2.46%	47	6.15%	
SOUTH WHEATLAND 2	1383	810	58.57%	1383	797	57.64%	797	206	25.85%	507	63.61%	35	4.39%	49	6.15%	
SOUTH WHEATLAND 3	759	507	66.80%	759	499	65.73%	499	145	29.06%	319	63.93%	11	2.20%	24	4.81%	
WHITMORE 1	1460	934	63.97%	1460	918	62.94%	918	220	23.97%	607	66.12%	18	1.96%	73	7.95%	
WHITMORE 2	1675	803	47.94%	1675	797	47.58%	797	395	49.56%	332	41.66%	26	3.26%	44	5.52%	
Total	75161	39738	52.87%	75161	38923	51.79%	38923	14961	38.44%	20316	52.20%	1255	3.22%	2391	6.14%	