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Baltimore City Council Candidates Sue Maryland State Board of Elections

*District 12 Candidates Ian Schlakman and Frank Richardson
Seek Federal Court Injunction to Prevent Violations of Election Laws*

BALTIMORE, Aug. 25, 2016 – Two candidates for the Baltimore City Council District 12 sued the Maryland State Board of Elections in federal court today, seeking an injunction to stop the inclusion of an allegedly ineligible candidate on the November 2016 election ballot.

The lawsuit, brought by Ian Schlakman, a Green Party candidate, and Frank Richardson, an unaffiliated candidate, alleges that the Board of Elections “intends to include Dan Sparaco on the ballot as a candidate for City Council in District 12” despite its knowledge that Mr. Sparaco “knowingly and intentionally failed” to meet a state-mandated February 1, 2016 filing deadline.

According to the lawsuit, the Mr. Schlakman and Mr. Richardson believe that the State Board of Elections entered into a non-public and legally impermissible agreement in which Mr. Sparaco’s failure to meet the deadline was overlooked by the State Board in exchange for him voluntarily dismissing a federal lawsuit he had filed over the constitutionality of Maryland Election Law Title 5.

The lawsuit alleges, “Mr. Sparaco, a lawyer, was well aware of the deadline, but opted not to comply with it because he feared he would have to run against an incumbent. After learning that the incumbent was not running, Mr. Sparaco sought to avoid the consequences of his intentional failure to file by bringing a lawsuit claiming that the February 1, 2016, was too early, and violated his Constitutional rights.” On August 15, Mr. Sparaco voluntarily dismissed the lawsuit.

Baltimore attorney Susan L. Burke, who represents Mr. Schlakman and Mr. Richardson, said, “The election board’s conduct in this case raises some troubling questions about its ability to ensure uniformity of election practices and to promote fair and equitable elections. The Board of Elections is not a free agent with the power to rewrite the plain language of Maryland election laws to suit itself. Mr. Schlakman and Mr. Richardson and the public have the right to insist that the Maryland laws, as written, are applied to govern the conduct of the upcoming election.”

The case is “Ian Schlakman and Frank Richardson v. Maryland State Board of Elections,” C.A. No. 1:16-cv-02968-JFM in the U.S. District Court for Maryland.

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