

## **Signature Gathering Process Reeked**

By William Hunt Sr.

There has been a lot of “politically-provocative rhetoric” about Judge Sandefur’s decision to invalidate the majority of signatures gathered for CI-97, CI-98 and I-154. I would hope that people would actually read the 47 page decision for themselves - it is on the Gazette website.

Contrary to the simplistic misinformation touted by Mr. Balyeat and Mr. Butcher, the complaint and order were not about just nine voters who were deceived. Their stories were a part of the evidence that the signature gathering process was riddled with fraud - from giving false addresses to bait and switch tactics. There was also the sworn testimony of a professional signature gatherer detailing the fraudulent practices that were the norm of the industry, and that were used in Montana.

Judge Sandefur wrote: “In contrast, the Proponents presented no credible evidence to rebut Plaintiffs’ showing of a pervasive and general pattern and practice of fraud and conscious circumvention of procedural safeguards. As the parties who commissioned the professional migrant signature gatherers, the Proponents should have been in the best position to contact their signature gatherers and bring a sufficient number of them into court to rebut the Plaintiffs’ showing of fraud and irregularity. However, either because they were unwilling or themselves unable to locate them, Proponents failed to present any direct evidence from the best and most knowledgeable source to rebut Plaintiffs’ showing.”

Judge Sandefur concluded that: “As recognized by other courts, and contrary to the politically-provocative rhetoric that is certain to follow, invalidation of the signature gathering process does not result in disenfranchisement of the people who support the Ballot Initiatives. As a matter of law and reason, the people who support the initiatives have no political or legal right to vote on them until Proponents have duly qualified them for the ballot *in the manner provided by law, free from the taint of fraud*. Thus, this decision does not preclude Proponents from fairly and lawfully qualifying the initiatives for a vote of the people on the merits in the next election cycle.”

The proponents had the choice to do it right, to follow the letter and spirit of Montana’s initiative laws, they chose instead to utilize out of state signature gatherers of dubious character who flaunted and broke Montana’s laws. Mr. Balyeat blames the Judge that upheld the integrity of Montana’s initiative process. The real culprits are the out of state money men who got what they paid (over \$670,000) for - as many signatures as possible, using any means, legal or not.

Judge Sandefur did what judges are supposed to do - listen to all the evidence and apply the relevant law to the evidence. His decision is now before the Montana Supreme Court.

In the meantime, CI-97, CI-98 and I-154 are still on the ballot. All three ballot measures deserve a NO vote. Each has a component that makes sense - that’s why they are already Montana law - but in reality they’re just another bait and switch ploy.

*William Hunt Sr., Helena, is a retired Supreme Court Justice and co-chair of **Montanans For Justice: Vote No On CI-98**, a ballot committee opposing CI-98, [www.noci98.org](http://www.noci98.org).*