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Recalls becoming more common in U.S. *Effort to recall Shawnee Co. Treasurer won't be easy*

by ALY VAN DYKE

A lot about the effort to recall Shawnee County Treasurer Larry Wilson is unique.

That his party has asked him to resign, that he isn't a mayor or city official, that the reason for the recall is an accusation that he simply doesn't know what he is doing — all make the voter-led effort to recall Wilson different from other efforts across the country, election experts say.

But on one point, Wilson is just like the others.

More than 275 state and local officials are up for recall throughout the country this year. Each is one name on a growing list of recalls, a trend in which residents — mobilized by anger, emboldened by precedent and equipped by technology — have the strength to bring their dissatisfaction to a vote.

“The use has really shot up in the last few decades but definitely this year in particular,” said Jennie Bowser, senior fellow with the National Conference of State Legislatures.

In the country's history, only 32 state legislators have faced a recall election. Eleven of those happened just this year, according to the NCSL.

An unofficial count puts the number of local officials facing recall this year at 229. The efforts led to the recall or resignation of 64 officials — or about 28 percent.

“If you are an elected official, the chance of re-election is well above 50 percent,” said Joshua Spivak, senior fellow at the Hugh L. Carey Institute for Government Reform at Wagner College. “Recall reverses the odds and gives the angry opposition a chance to win.”

Anecdotal, it appears the number of local recalls is increasing, said Spivak, who also tracks and blogs about local recall efforts. But it is difficult to know for sure, he said, because there isn't a reporting requirement for recall efforts, even those that bring about a vote.

The only organization tracking local recalls appears to be Ballotpedia.com, a staff-and user-generated website that has been in operation since 2007. It lists detailed descriptions of recall efforts, from botched to ballots, dating back to 1911. This year and last are the most complete; though the effort to recall Wilson has yet to be included.

According to reports pulled, and double-checked, from Ballotpedia and its references, at least 156 recall efforts, which often go after more than one official, were underway in 2011 in 27 states, mostly on the west side of the country.

If those efforts are any indicator for the charge to remove Wilson from office, supporters are in the midst of their biggest challenge: Gathering signatures.

“Getting the signatures is always a tough one,” Spivak said. “But if it goes to a vote, there's a very, very good chance the official will be removed.”

At least 65 recall efforts — or 42 percent — made it to a vote in 2011. Of the 110 local officials who faced a recall election this year, exactly half — 55 people — were removed from office.

However, nearly as many were abandoned before they got to a vote. Of the 52 efforts abandoned, 24 were because of a lack of signatures.

In most of those cases, supporters had to gather only a few hundred or thousand signatures to force a recall vote. Getting Wilson's recall to a vote will take 31,395 signatures — and supporters have only until March 12 to get them.

The number of signatures amounts to 40 percent of the votes cast in the 2008 election that kept Wilson in office — Kansas' requirement to bring about a recall election. The percentage is among the highest in the country, Bowser said, with most ranging from 15 to 20 percent.

But voters hoping for a recall face another challenge in Kansas, she said.

Kansas is one of eight states that requires grounds for a recall before the petition can be circulated for signatures, Bowser said. In Kansas, those grounds include conviction of a felony, misconduct in office, incompetence or failure to perform the office's duties. Many other states, she said, accept recall petitions for any reason whatsoever.

"You could, in theory, launch a recall petition because you don't like somebody's fashion sense," she said.

According to Ballotpedia pages, many voters sought recalls based on excessive salaries, unjustified terminations and violations of open meetings acts.

Spivak, who has been tracking local recall efforts, said reasons for recall run the gamut from being a drunk to ethical violations. But the reason for Wilson's recall, he said, is unique because it doesn't imply Wilson intentionally commingled funds for some kind of personal benefit. "To me, it says he doesn't know what he's doing," he said. "That's not one you hear all the time."

The petition seeking to remove Wilson says he willfully neglected to perform his statutory duties by diverting money from his office's motor vehicle operations to fund its real estate division. District Attorney Chad Taylor approved the grounds Dec. 13. That kick-started the 90-day deadline to submit the signatures. Four of the 156 recall attempts didn't make it past legal review.

Although 90 days is on the shorter end of deadlines for signatures, Bowser said, it isn't uncommon.

Kansas might face higher hurdles when it comes to finishing the race for a recall, but the eight local officials up for recall last year came to a vote. As a result, five officials — two city councilors, one township trustee and a mayor — were recalled from office in 2010.

In addition to Wilson, two other Kansas officials are up for recall this year.

Basehor voters want to remove city council members Dennis Mertz and Iris Dysart from office, claiming the duo discussed firing former city administrator Mark Loughry outside a public meeting, thereby violating the Kansas Open Meetings Act. Supporters have until late January to collect 124 signatures for Mertz and 193 for Dysart.

City officials top the list when it comes to positions targeted by recalls. In 2011, 111 of the 228 officials up for recall were city councilors; 61 were mayors.

Aside from Wilson, only five treasurers — all in Michigan townships — have been the target of recalls in 2011. All but one of made it to a vote. Of those, two were recalled.