
RE: Oregon Presidential Election10 messages

BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>

Tue, Mar 5, 2024 at 10:54 AM

To: "*****" <*****>

Cc: PLUKCHI Lydia * SOS <Lydia.PLUKCHI@sos.oregon.gov>

Hi Mathew,

Lydia has discussed your correspondence with me, thank you for raising your request. We recognize the importance of making elections accessible to all qualified voters and candidates, and we provide auxiliary aids and services that a person with a disability might need to gain equal access to the services we provide, consistent with applicable laws. However, as you note we cannot provide aids and services that would fundamentally alter the election process. Oregon law requires signature gathering, and those requirements are fundamental to the way our elections are run because our process relies on signature verification. Therefore, we cannot waive the signature gathering or submission requirements. However, we will consider any suggestions you have for how we can provide equal access in other ways, without making a fundamental alteration. Please let us know which requirements you require assistance to meet due to your disability and what aids or services we can provide.

Luke Belant

Deputy Director

[Elections Division](#) | Oregon Secretary of StateWe like feedback. [Tell us how we're doing.](#)

Cell: 971-718-6534 |



Mathew Tyler <*****>

Tue, Mar 5, 2024 at 11:04 AM

To: BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>

Cc: "*****" <*****>, PLUKCHI Lydia * SOS <Lydia.PLUKCHI@sos.oregon.gov>

Mr. Belant,

I do not note that the State of Oregon cannot provide services that would fundamentally alter the election process. I stated that if the State does not want to honor my request, federal law mandates that the State must "...demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations.". Thus far the State has yet to demonstrate how honoring my request would alter anything.

To avoid any further confusion, below is the message I had sent to Lydia;

What the State of Oregon's law provides for and doesn't provide for is inconsequential as federal law (42 U.S.C. §§ 12101 et seq.) requires that the State provide reasonable accommodations or "...demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations." If the State does not honor my request for reasonable

accommodations and the State does not demonstrate how honoring my request would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations, the State will be committing a hate crime (18 U.S.C. § 249) against me by discriminating against me for my disability in my enjoyment of federally protected activities (18 U.S.C. § 245) which will also violate my civil rights (18 U.S.C. § 241 and 18 U.S.C. § 242).

18 U.S.C. § 245(b)(1)(A) Interfering with my ability to qualify as a candidate for elective office in any primary, special, or general election; and,
18 U.S.C. § 245(b)(1)(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; and,
18 U.S.C. § 245(b)(1)(E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance

Would the State of Oregon like to proceed by making the reasonable accommodations I've requested by including my name on the ballot as an unaffiliated (independent) candidate or would the State of Oregon rather proceed by having me file criminal complaints for a hate crime and disability discrimination with the appropriate State of Oregon and federal law enforcement agencies?

[Quoted text hidden]

BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>
To: Mathew Tyler <*****>
Cc: PLUKCHI Lydia * SOS <Lydia.PLUKCHI@sos.oregon.gov>

Tue, Mar 5, 2024 at 3:40 PM

Mr. Tyler:

Thank you for your message. My intent was to explain that the signature gathering and verification process is an important part of the ballot qualification process prescribed by the legislature. The Elections Division could not waive those requirements as you request without fundamentally altering that system. I understand that you disagree with that point, and it appears we must agree to disagree.

But as I noted, we are still willing to discuss how we can assist in ways that do not fundamentally alter the election system. Please let me know if you have other suggestions or information that would help us work together.

Luke Belant

Deputy Director

[Elections Division](#) | Oregon Secretary of State

We like feedback. [Tell us how we're doing.](#)

Cell: 971-718-6534 |



From: Mathew Tyler <*****>
Sent: Tuesday, March 5, 2024 11:04 AM
To: BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>
Cc: *****; PLUKCHI Lydia * SOS <Lydia.PLUKCHI@sos.oregon.gov>
Subject: Re: Oregon Presidential Election

You don't often get email from ***** . [Learn why this is important](#)

[Quoted text hidden]

Mathew Tyler <*****> Tue, Mar 5, 2024 at 3:55 PM
To: BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>
Cc: Mathew Tyler <*****>, PLUKCHI Lydia * SOS <Lydia.PLUKCHI@sos.oregon.gov>

Mr. Belant,

According to Lydia, a candidate does either of the following to get listed on the ballot; who does what as a result of the following though?

"Candidates who are not members of any political party may file for partisan office in a general election in two ways only: (1) by submitting a completed Individual Electors nominating petition containing the required number of valid signatures, or (2) by holding an Assembly of Electors and Filing the assembly minutes that contain the required number of valid signature of active Oregon voters."

-Mathew Tyler

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Mathew Tyler <*****> Tue, Mar 5, 2024 at 4:19 PM
To: DHS.FRAUD-INVESTIGATIONS@dhsosha.state.or.us

[Quoted text hidden]

Mathew Tyler <*****> Wed, Mar 6, 2024 at 3:08 PM
To: Ask.CRT@usdoj.gov

----- Forwarded message -----

From: Mathew Tyler <*****>
Date: Tue, Mar 5, 2024 at 11:04 AM
Subject: Re: Oregon Presidential Election

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BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov> Fri, Mar 8, 2024 at 2:36 PM
To: Mathew Tyler <*****>
Cc: PLUKCHI Lydia * SOS <Lydia.PLUKCHI@sos.oregon.gov>

Mr. Tyler,

To begin the **Individual Electors** petition process:

1. You would need to complete form **SEL 114 Candidate Filing – Individual Electors** marked *Prospective Petition* and designating whether *Petition circulators will be paid*. The form can be returned by email.



Candidate filing forms must be completed, signed and submitted for all candidates.
Candidates include President, Vice President and eight Presidential Electors.

2. The Elections Division will review the **SEL 114** for required information and if complete will provide the approved signature sheet.
3. Once the required number of signatures have been collected, signature sheets would need to be submitted to our office for verification along with a completed **Petition Submission – Candidate, Voters' Pamphlet (SEL 338)**. Completed signature sheets may be mailed to our office.

The required number of signatures is 23,744.

To begin the **Assembly of Electors** process:

1. Each candidate must file form **SEL 115 Candidate Filing – Assembly of Electors** completed and signed by the candidate. *Forms may be emailed to our office, originals are not required.*



Candidate filing forms must be completed, signed and submitted for all candidates.
Candidates include President, Vice President and eight Presidential Electors.

2. The Elections Division will review the **SEL 115** for required information and if complete will provide approval to organize and schedule the assembly of electors. To nominate candidates the assembly must be conducted in one place at one time within a 12 hour period.
3. After the assembly is held and the required number of signatures collected, the presiding officer submits the sheets to our office for verification along with a completed **Petition Submission – Candidate, Voters' Pamphlet (SEL 338)**. The required number of signatures is 1,000.



You may begin either of these processes at any time. However, you may only submit signatures for verification beginning **June 5, 2024**. Additionally, you must allow sufficient time for signature collection or the convening of the assembly and for the verification process to be completed prior to **5:00:00 pm** on the filing deadline, **August 27, 2024**. To ensure we have time to complete signature verification, you would need to submit signatures to us no later than **August 13, 2024**.

You can find the candidate manual here:

<https://sos.oregon.gov/elections/Documents/statecandidates.pdf>

We are happy to answer any other specific questions you may have.

Thanks,

Luke

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2 attachments



image001.png
2K



image004.png
2K

Mathew Tyler <*****>

Mon, Mar 11, 2024 at 10:25 AM

To: BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>

Mr. Belant,

From your email of March 8th, 2024 @ 2:36PM outlining the procedure, I'm not seeing how honoring my ADA request would fundamentally alter anything and that in fact your office does have the ability to make an exception; I mean what happens when the signatures are all verified and sufficient, someone from your office inputs into a computer that indicates that candidate met the unlawful statutory requirements (Williams v. Rhodes, 393 U.S. 23 [1968]) in illegally attempting to decide who qualifies for federal office (Trump v. Anderson, No. 23-719, 601 U.S. [2024])?

A "...state can't disqualify a presidential candidate, in part because it doesn't have that power and in part because having such power would lead to chaos"; "It would be incongruous to read this particular Amendment as granting the States the power — silently no less — to disqualify a candidate for federal office" via <https://www.washingtonpost.com/politics/2024/03/04/takeaways-supreme-court-trump-ruling/>

-Mathew Tyler

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Mathew Tyler <*****>

Mon, Mar 11, 2024 at 10:38 AM

To: natalie.wight@usdoj.gov

Criminal complaint

I request the US Attorney of Oregon compel the State of Oregon to honor my ADA request so when I make one in subsequent elections this type of discrimination can be avoided, and criminally charge the following persons from Oregon Secretary of State's Office:

1. Lydia PLUKCHI (Candidates, Recall, Political Party Specialist); and,
2. Luke Belant (Deputy Director)

Charges:

1. disability discrimination, failing to honor my ADA request to remove an unnecessary state imposed accessibility barrier or demonstrate how honoring my ADA request would fundamentally alter anything as required by law (42 U.S.C. §§ 12101 et seq.) which supersedes state law (Article 6, clause 2 to the US Constitution).
2. interfering in my enjoyment of federally protected activities;
 1. interfering with my ability to qualify as a candidate for elective office (18 U.S.C. § 245[b][1][A]); and,
 2. interfering in my participating and enjoying privilege provided by the United States (18 U.S.C. § 245[b][1][B]); and,
 3. interfering with my participating in and enjoying activities receiving federal financial assistance (18 U.S.C. § 245[b][1][E])

Disability discrimination is a hate crime (18 U.S.C. § 249). 18 U.S.C. § 241, 18 U.S.C. § 242

Per SCOTUS, the State lacks the authority to determine federal eligibility anyways,

1. Trump v. Anderson, No. 23-719, 601 U.S. (2024); A "...state can't disqualify a presidential candidate, in part because it doesn't have that power and in part because having such power would lead to chaos"; "It would be incongruous to read this particular Amendment as granting the States the power — silently no less — to disqualify a candidate for federal office" via <https://www.washingtonpost.com/politics/2024/03/04/takeaways-supreme-court-trump-ruling/>
2. Williams v. Rhodes, 393 U.S. 23 (1968)
3. United States v. Price, 383 U.S. 787 (1966)


-Mathew Tyler

----- Forwarded message -----

From: **Mathew Tyler** <*****>

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2200K

Mathew Tyler <*****>

Mon, Apr 8, 2024 at 10:06 AM

To: Mathew Tyler <*****>

Cc: BELANT Luke * SOS <Luke.BELANT@sos.oregon.gov>

What other actions/alternatives to my request for reasonable modifications is the state proposing to make to satisfy the state's obligation to operate in an inclusive manner; providing me, a qualified individual with disabilities with an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of the state?

As mandated by federal law (28 CFR § 35.107), what is the contact information of the ADA coordinator / designated employee [28 CFR § 35.107(a)] and what is the published complaint procedure for grievances [28 CFR § 35.107(b)]?

29 U.S.C. § 794(a)

-Mathew Tyler

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