

LOCAL NEWS

Republican Rivera withdraws from Chester County primary ballot

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The Kennett Square attorney who is the endorsed candidate of the Chester County Republican Committee to run for the 158th Legislative District seat that veteran legislator Chris Ross is giving up at the end of the year has withdrawn his name from the Primary Election ballot.

Instead, Leonard Rivera will run a write-in campaign to win the GOP nomination to run for the seat in November.

The announcement of Rivera's decision to remove his name from the April 26 ballot came as a challenge to his nominating petitions was scheduled to be heard Thursday in Commonwealth Court. Three local Democrats had challenged the petitions on the basis of a number of factors, chief among them that Rivera had not circulated the forms personally, as he stated he had.

Republican supporters of Rivera claimed the objections to Rivera's petitions were made on "technical" grounds and accused the challengers of playing politics in support of the Democratic Party's candidate, Susan Rzucidlo. But Democrats said Rivera's attempt to submit fraudulent petitions showed a lack of good judgment that voters could take into account in November, should Rivera's write-in attempt succeed.



It marks the second time in two years that an endorsed GOP candidate has withdrawn his name from the ballot. In September 2014, East Marlborough Supervisor Cuyler Walker unexpectedly withdrew his name from contention, citing unspecified personal reasons. The Commonwealth Court later ruled that Ross's name could be added to the November ballot, a decision which angered Democratic supporters of Susan Rzucidlo, who was running for the seat then as she is this year.

Ross was re-elected to his 10th term, but has declined to run again.

A statement from Rivera's campaign was released in his name Wednesday, ahead of the scheduled hearing in Commonwealth Court challenging the petition. The hearing was canceled by court order.

"My opponent's supporters challenged my petitions on technical grounds," Rivera was quoted as saying. "Rather than divert my attention from the race and waste the time of our courts by fighting the challenge, I have chosen to withdraw my petition to be placed on the primary ballot and focus on winning the Republican primary through a write-in effort."

"I appreciate the great work my volunteers have put into this race, and I look forward to doubling my efforts to earn the support of the residents of the 158th State House District," the statement read.

In an interview, Rivera explained that the challenged petitions had been gathered during group outings in which he and friends went door-to-door to get Republican voter signatures. In some instances, residents would sign petitions presented by others in his group, documents he later signed as the circulator.

"This is the first time I've run, not the fourth," he said, noting that he had understood his practice as being legal. "At the end of the day, I signed as the circulator. That was what I believed the law to be. I was always there. But the law states that I have to be the person holding the petition to sign as the circulator." He called the challenges, "political posturing."

Rivera said he believed his chances were still good to be nominated and win in November. "I am still very excited to win the 158th."

County GOP Chairman Val DiGiorgio also released a statement about the challenge and Rivera's chances in the November election.

"The Democrats would rather play political games than run a campaign on the issues," it read. "I'm not surprised. Susan Rzucidlo and her supporters have no interest in talking about their support of Gov. Wolf's proposed budget which would levy massive tax increases on families and seniors in the 158th State House District and around the Commonwealth.

"Instead, Rzucidlo's campaign would seek to take away voter choice in this election so that she might actually be successful in her fourth attempt for this office." DiGiorgio said. "Lennv Rivera will not let that happen. and

Contacted at her home, Rzucidlo said that she had heard dissatisfaction about Rivera's petitions from Republicans and decided to act.

"Really, this whole thing is just a matter of ethics," she said. "I saw what happened, I felt it was illegal, and we filed a challenge. I think the process of running for office should be done ethically and legally. If you are willing to cut corners to get on the ballot, you shouldn't be allowed in government."

Rzucidlo questioned Rivera's intention.

"I reviewed his petition and I noticed irregularities," Rzucidlo said. "We found evidence he falsified his petition. If you decide you want to hold office, you have to be ethical. I really find it offensive that (Rivera) is saying this is a technicality. He stood in front of a notary and falsely swore. I think the voters in the 158th District deserve a candidate who is ethical."

The challenge was filed by area residents Diane Hicks, James Steele and Kimberly Steele.

In response to the news about Rivera's decision to withdraw his name from the ballot, county Democratic Chairman Brian McGinnis said that what Rivera had done with his nominating petitions showed a lack of honesty.

"The petition alleged that there were a variety of errors, including missing information, unregistered voters, and the like," he told the Kennett Paper. "Most troubling, the petition alleged that many of the petitions contained a defective circulator's affidavit. Specifically, the petition alleged that despite Lenny Rivera's signing the affidavit as circulator, it would have been impossible for him to obtain all of the signatures on the dates listed in the affidavits and that he could not have been the circulator or was not present when the elector signed the petition."

In a statement from Democratic Committee headquarters, McGinnis elaborated on the race to replace Ross.

"Voters should evaluate and choose elected officials based on their trustworthiness and their ability to make good judgments and follow the rule of law," he said. "This is not only poor and non-ethical behavior for a state legislator candidate; in doing so, he knowingly made sworn false statements to a public notary. This illegal behavior should not be rewarded with a free pass to be on the ballot."

Although Rivera has an edge in the write-in campaign because of the ground support of the GOP committee, his nomination is not insured. Should Rzucidlo, or another candidate, wage a competing campaign, whoever receives the most votes in the primary would be listed on the November ballot. Rzucidlo said she was contemplating a competing write-in drive.

Rivera, of New Garden, is a legal solo practitioner who handles a variety of types of cases, both civil and criminal. It is his first run for political office.

The 158th district includes municipalities mainly in the county's south-central area around Kennett Square and Unionville.

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