

BALLOT BATTLE

Election Board removes Mitchell, Stanley from GOP primary ballot after challenge hearing

Election 2026

By Courtney Hughett Brown County Democrat

Clockwise from top: The Brown County Election Board listened during last Thursday afternoon's candidate challenge hearing. The board voted unanimously to remove two candidates from the Republican primary ballot following the Feb. 19 proceedings. // Rich Stanley defends his candidacy before the Brown County Election Board on Feb. 19, calling the challenge against him "based upon a lie" and vowing to pursue the matter in court. // Sherrie Mitchell addresses the Brown County Election Board during her challenge hearing Feb. 19, disputing claims about her candidacy paperwork and arguing she met the legal requirements to appear on the Republican primary ballot.

Two Brown County candidates were removed from the Republican primary ballot last Thursday afternoon after a lengthy and at times combative challenge hearing.

The Feb. 19 hearing involved challenges filed by Brown County Republican Chairman Mark Bowman against Sherrie Mitchell and Richard "Rich" Stanley Jr., both of whom had filed to run as Republicans for County Council seats in the May primary.

The election board consisted of Clerk Pearletta Banks, Republican appointee Richard Hall and Marion Banzhaf, who served as proxy for Democratic appointee Joel Frockt. After setting the basic ground rules, including five-minute presentations, sworn testimony and no public comment, the board moved directly into the first case involving Mitchell.

Cynthia Rose Wolpert, representing Bowman and the Brown County Republican Party, walked the board through what she described as fatal flaws in Mitchell's candidacy.

Wolpert said Mitchell originally filed to run for "County Council Jackson 1," which she argued does not exist under Indiana law. "There is no such seat as County Council Jackson 1," Wolpert told the board. "This form is erroneous, and since it doesn't exist, she can't live in that district."

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Wolpert said Mitchell later attempted to amend her paperwork to reflect County Council District 1, but voter registration records show she resides in District 2.

"She doesn't meet the requirements," Wolpert said.





“She’s not a resident of that district.” Wolpert further argued that amended filings submitted after the statutory deadline could not correct the original error.

Wolpert also warned the board that inaccurate candidacy filings are not minor technical errors but could carry criminal consequences. Referring to the Indiana Candidate Guide and state statute, she said, “Anyone who falsifies these documents commits a Class A misdemeanor.” She emphasized that candidates sign their declaration forms under penalty of perjury and argued that listing a non-existent council seat and later attempting to amend it raised serious legal concerns, adding that such documents are “legal documents” that must be true and accurate when filed.

Wolpert went further and suggested the matter should be elevated to state officials. Referring to Mitchell’s amended forms filed after the deadline, Wolpert argued they were not valid corrections. “I think these should be referred to the Indiana State Election Division,” she told the board. Citing state code, she said that documents filed after the statutory deadline “should not even be filed,” and maintained that the alleged inaccuracies were serious enough to warrant review beyond the county level.

She then shifted from technical issues to party affiliation, presenting what she described as evidence that Mitchell was not a Republican in good standing. That included letters to the editor, social media posts and statements critical of the Republican Party.

“They (Republican Party) have a First Amendment right to select their standard bearers and to make sure that the people that are on the Republican ballot are Republicans,” Wolpert said. “And Ms. Mitchell is not a Republican.”

When Mitchell stepped forward, she immediately challenged the legitimacy of the hearing itself. “My name is Sherrie Mitchell, and I would like to make a motion to dismiss this case,” she began. “The procedural rules were not followed. I never got due process. I never had the complaint in my hand.”

She told the board she had received notice that a challenge existed, but not the specific allegations. “I don’t see how you can proceed here,” Mitchell said. “If this was in the circuit court, I would have filed a summary judgment days ago, and it would have been thrown out.”

Election Board Chairman Hall told her he would not entertain a motion from Mitchell from the podium and directed her to continue with her presentation.

Mitchell argued that her filing met the legal standard of “substantial compliance,” meaning the intent of her candidacy was clear even if the wording was imperfect. She maintained that election officials understood which council seat she was seeking.

“As far as being a Republican in good standing, there is no such thing,” Mitchell said. “The CAN-2 says, did you vote in two primaries? I did.”

She rejected the legal theory that a political party could block a candidate from appearing on its primary ballot based on internal determinations. “There is no case law saying that you have to be a Republican in good standing to be on the ballot. There’s no such thing,” she said.

Hall responded that if she disagreed with how courts have interpreted party authority over primary ballots, the proper venue to challenge that would be the judicial system. “You’ll have to litigate that issue,” Hall said.

After a brief discussion among the board members, the vote was unanimous to remove Mitchell from the ballot.

The board then moved to the second hearing involving Stanley, which quickly became more heated.

Tanner Bowman, representing the Republican Party, began by arguing Stanley’s paperwork was incorrect because it listed “Jackson 4” as his precinct, and that precinct no longer exists following re-precincting in November 2025.

He then focused on a prior ruling by both the 9th District Republican Committee and the Indiana Republican Party declaring Stanley not to be a Republican in good standing and barring him from running in a Republican primary for five years beginning Jan. 23, 2025.

“These cases make it crystal clear,” Bowman said, referencing court decisions, that “a political party has a First Amendment right to limit its membership as it wishes.”

When Stanley took the podium, he first addressed the precinct issue. “This is the very first time I’ve heard this, so I have not had a chance to really defend myself on this,” he said. “I believe I do live in Jackson 4.”

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Pictured from left: Tanner Bowman speaks on behalf of the Brown County Republican Party during the challenge hearing involving Rich Stanley, arguing that party rules and prior rulings barred Stanley from running as a Republican. // Cynthia Rose Wolpert presents arguments on behalf of Brown County Republican Chairman Mark Bowman, citing filing errors and party standing issues in her case against Sherrie Mitchell. **Courtney Hughett | BC Democrat**

He told the board he had submitted written defense materials two days earlier, including witness statements and a legal memorandum, and suggested he had not been given adequate opportunity to present them.

Stanley then directly challenged the motive behind the party's action against him. "This challenge against me is based upon a lie," Stanley said. "I have done absolutely nothing wrong, and you are not going to be able to point to anything that I have done wrong."

He argued that the party punished him because he filed an internal complaint against party leadership. "The reason this challenge is being made against me is because I actually followed the Republican rules," Stanley said.

At one point, he accused Clerk Banks of having a conflict of interest related to a past campaign fundraiser and said her participation violated due process. "A fundamental principle of due process is that individuals are entitled to impartial justice," Stanley said.

Board Chairman Hall repeatedly emphasized that the election board was not in a position to overturn decisions made by the district and state Republican Party. "I don't think we, as the election board, have the power to go against the district and the state party determinations," Hall said.

Proxy board member Banzhaf addressed Stanley directly, explaining her view that the board lacked authority to overrule the party's decision. "As I see it, the Democratic Party or the Republican Party has the authority as a private entity in and unto themselves to determine who their members are and who gets to go on their ballot," Banzhaf said.

She also questioned why Stanley wanted to remain affiliated with a party he had publicly criticized. "I don't know why you want to remain in the Republican Party. You've said all those things about them, but that's neither here nor there," she said.

She added that while he retained the right to run for office, it would not be as a Republican. "You still have your constitutional right to run, it's just the Republican Party doesn't want you," Banzhaf said.

Before the final vote, Hall reminded Stanley that he had options outside the Republican primary. "One is to make good with the party chairman, two is to run as an Independent and three is litigation," Hall said.

Stanley made it clear that litigation was likely. "If you uphold this challenge, I am going to file another lawsuit against the election board in the Brown County Circuit Court," he said.

The board again voted unanimously to uphold the challenge and remove Stanley from the ballot.

Unless a court intervenes, neither Mitchell nor Stanley will appear on the Republican primary ballot in May. Both indicated they intend to challenge the decision in court.

