



Capitol Network News

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ELECTION RESULTS CHALLENGED IN HOUSE, SENATE DISTRICTS

By Shawn Ashley
Staff Writer

■(GIT) Republican candidates in one House and one Senate race challenged the results of Tuesday's general election results, alleging improprieties and asking that some ballots be recounted.

Curt Roggow, Republican candidate for the House District 41 seat, alleged 11 candidates voted improperly in Tuesday's election, including the parents of his opponent, Sean Voskuhl, D-Marshall. Roggow was defeated by only 11 ballots in the general election.

According to Roggow's filing with the state election, Mary Ellen Voskuhl and William Lee Voskuhl were two of nine voters registered in other counties who cast ballots at Garfield County precincts during the general election. Roggow also alleges that two voters were allowed to vote although they were not registered in the county.

Roggow also requested a manual recount of all the ballots cast in the three counties —

Garfield, Logan and Kingfisher — which make up the 11th District, including all absentee ballots.

District 21 state Senate candidate Randy Wedel filed three petitions alleging irregularities in Tuesday's election, one for each county in the senatorial district, and requested a manual recount of all absentee ballots from seven Logan County voting precincts. Wedel, a Stillwater Republican was defeated in the election by Mike Morgan, a Democrat also from Stillwater, by only 32 votes.

In Logan County, Wedel alleges, like Roggow, that eight voters were allowed to cast a ballot although each of the voters "had

moved his or registration to another precinct" in another county. Seven of those individuals, Wedel notes in his petition, are now registered in Oklahoma County, while the remaining voter is registered in Tulsa County. Also in Logan County, Wedel alleged five voters whose names did not appear on the precinct voter roll were allowed to cast their ballots "after completing and signing a challenged voter affidavit.

Wedel's allegations concerning Payne County are similar. In that county, Wedel alleges 12 voters registered in other counties were allowed to cast their ballots in Payne County precincts and that 56 voters

See Election, page 2

PRISON SUIT HEADS BACK TO FEDERAL DISTRICT COURT

By Shawn Ashley
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■(GIT) A 24-year-old lawsuit challenging the constitutionality of Oklahoma prison conditions was ordered back to federal district court Thursday in a move that took Oklahoma's attorney general by surprise.

The Tenth Circuit Court of Appeals was instructed by the U.S. Supreme Court to re-evaluate an order for evidentiary hearings on injunctions and orders arising from the 1972 *Battle v. Anderson* case in light of the enactment of the Prison Litigation Reform Act of 1996, a law aimed at eliminating needless prison lawsuits and returning control of prisons to the states.

In a surprise move Thursday, the circuit court notified Attorney General Drew Edmondson's office that it had "reaffirmed its previous order," setting the stage once again for the evidentiary hearings. The move, Edmondson said, was entered without any additional briefing or arguments and without further explanation from the court. It came one month to the day after the Supreme Court issued its instructions to the appeals court.

The decision means Oklahoma will have to submit evidence of its compliance with federal mandates concerning the state's

prison conditions.

The attorney general's office contends that Oklahoma's corrections system was found to be in constitutional compliance in 1983 and that all the orders should be dissolved. Tulsa attorney Louis Bullock, who filed the original case, disagrees, saying the federal district court noted substandard conditions at that time.

"The Prison Litigation Reform Act instructs courts to stay in a case only until specific constitutional violations are resolved, and Oklahoma's violations have long been resolved," Edmondson said. "I believe the state has a very strong argument for shutting down the *Battle* case, and I am disappointed that the Tenth Circuit did not even allow us to make that argument. It is time for this case, which is now about a quarter of a century old, to be over."

Edmondson, who is the sixth attorney general to deal with the case, said he again intends to appeal to the U.S. Supreme Court.

"We will submit our petition to the Supreme Court right away," said Edmondson. "We thought, after the Supreme Court's order last month, that we saw the light at the end of this long tunnel, and we were pleased. We still see that light, only it is a little further away."

Capitol Network News will not be published on Monday, Nov. 11 due to the Veterans Day holiday.

What's Inside

Commissions Continue Border Discussions	2
Senate Plans Focus for 105th Congress	3
Governor Keating Announces Appointments	3
SEC Report Issued	3
Monthly Air Travel Consumer Report	
Issued	4
That's Good for Oklahoma	5
Official Results of 1996 Election	7
Official Results of State Questions Vote	12
Official Results of Judicial Election	12
State News Weekly Summary	13
Federal News Weekly Summary	24
Interim Studies	28
State Questions	32
Calendar	36