


STATE OF MAINE
SECRETARY OF STATE

In re: Challenge of Brian Pellerin and Heidi Sampson to Nomination Petition of David G. Corbett, Candidate for Republican Party Nomination for Sheriff, York County

FINAL DECISION

After review of the Recommended Decision of Presiding Officer Heidi Peckham, issued April 1, 2026 and appended hereto, I hereby accept the Recommended Decision and adopt it as the final decision in this matter.

April 3, 2026


Shenna Bellows
Secretary of State

NOTICE OF APPEAL RIGHTS

The challengers or candidate may appeal this decision by filing a notice of appeal with the Maine Supreme Judicial Court, sitting as the Law Court, within 3 business days of the date of this decision, pursuant to 21-A MRSA section 337, subsection 2, paragraph E.

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RECOMMENDED DECISION

On March 27, 2026, a hearing was held under 21-A M.R.S. § 337 on challenges by Brian Pellerin and Heidi Sampson to the candidate consent form of David G. Corbett, for the Republican primary for York County Sheriff. For the reasons set forth below, I recommend that the Secretary of State conclude that Candidate Corbett's consent form is valid.

Procedural History

On March 17, 2026, Brian Pellerin, a resident of York County, filed a challenge to the candidate consent form submitted by Candidate Corbett for the June 2026 Republican primary for York County Sheriff. Mr. Pellerin alleged that Candidate Corbett was not qualified to hold the office of Sheriff because he did not possess two years of law enforcement and/or corrections supervision employment experience as required by 30-A M.R.S.A. § 371-B(3)(E).

On March 19, 2026, Heidi Sampson, also a resident of York County, filed a second challenge to the candidate consent form submitted by Candidate Corbett. Ms. Sampson alleged that Mr. Corbett's consent form falsely stated that he was exempt from the requirement for supervisory experience because he had held the office of county sheriff on or before June 26, 1997.

On March 20, 2026, the Department of Secretary of State issued a notice of hearing to Candidate Corbett and the challengers, scheduling an adjudicatory hearing for 9:30 AM of Friday, March 27, 2026, in Augusta. The notice of hearing indicated that the two challenges

would be consolidated. In addition, the notice of hearing indicated that I had been designated as the presiding officer for the hearing.

The hearing was held as scheduled on March 27, 2026. On the morning of the hearing, it came to my attention that the candidate consent form submitted by Candidate Corbett contained an outdated description of an exception to the qualification requirements for Sheriff. According to the consent form signed by Candidate Corbett, under 30-A M.R.S.A. § 371-B(4), a candidate may attest that they “meet the qualifications contained in 30-A MRSA §371-B, Sub-§3, because I was either serving in the office of Sheriff on June 26, 1997, or had served in the office of Sheriff prior to that date.” SOS Ex. B. However, in 2021, the Legislature amended that exception to provide as follows:

4. Exception. Any person who served as a full-time law enforcement officer employed by a municipal police department or a state agency, including the University of Maine System, on or before July 1, 1990 or is serving in the office of sheriff on June 26, 2021 or served prior to that date is deemed to meet the minimum qualifications of subsection 3.

30-A M.R.S.A. § 371-B(4) (emphasis added). My legal counsel made the parties aware of this discrepancy shortly before the hearing. I also described the discrepancy on the record at the start of the hearing and offered the parties the opportunity for a recess to consider how the discrepancy might affect their planned presentations. None of the parties requested a recess.

At the start of the hearing, the following exhibits were incorporated into the agency record:

- the original petition of Candidate Corbett, containing 20 pages with 180 certified voter signatures (SOS Ex. A);
- Candidate Corbett’s candidate consent form, dated February 25, 2026 (SOS Ex. B);
- the two written challenges filed by the challengers, dated March 17 and March 19, 2026 (SOS Ex. C & D);

- the Notice of Hearing emailed to the challengers and candidate on March 20, 2026 (SOS Ex. E).

At hearing, Mr. Pellerin called the following witnesses:

Brian Pellerin,
David Loranger
Clinton “Wes” Phinney
Donna Ring

Ms. Sampson called herself as a witness.

Candidate Corbett called the following witnesses:

Gary Winn
David Corbett

Mr. Pellerin and Ms. Sampson also questioned Candidate Corbett on rebuttal.

In addition, the following exhibits were admitted into evidence:

Pellerin Exhibits

1. Secretary of State response to Sheriff Challenge FOAA, including letter from Grace Perron, Assistant Director of Elections, and 11/7/06 Sheriff election results
2. Journal Tribune article, “Completes Policy Course”
3. Journal Tribune article, “Young cadets an extension of Saco police force arm”
4. Journal Tribune article, “Crime prevention tips outlined”
5. Journal Tribune article, “York County sheriff hopefuls await governor’s bidding”
6. Journal Tribune article, “Chaplain joins force as deputy”
7. Journal Tribune article, “Sanford police deputy chief candidates narrowed to 3”
8. Journal Tribune article, “Corbett bids for GOP sheriff run”
9. Journal Tribune article, “GOP candidate begins run for sheriff”
10. Journal Tribune article, “Races also expected for county offices”

Sampson Exhibits

1. York County Sheriff’s Website, “Meet Our Board Of Visitors”
2. pressherald.com article, “Retired criminal justice professor pitches in to help recruit jail staff”
3. Facebook posting from David N Sylvia Corbett

Corbett Exhibits

1. Basic Police School Graduation Program
2. Transcript from Heidi Sampson Tuesday Jan 20 4:11 PM
3. Sheriff’s Office York County, Maine Deputy Sheriff ID and badge
4. Maine Criminal Justice Academy Certificate #13956
5. Secretary of State certificate to solemnize marriages
6. Maine Criminal Justice Academy – Basic Police School certificate

7. Maine Criminal Justice Academy – Juvenile Justice Institute certificate
8. Maine Criminal Justice Academy – Child Abuse & Neglect certificate
9. Law Enforcement Officers Training School certificate
10. Doppler Traffic Radar Operation certificate
11. Maine Criminal Justice Academy – Basic Corrections School certificate
12. Maine Criminal Justice Academy – Corrections Officer certificate
13. University of Maine – Bachelor of Science in Vocational Technology
14. Golden Gate University – Master of Public Administration
15. Certificate of Appreciation – Pensacola Christian College
16. Maine Criminal Justice Academy – Law Enforcement Pre-Service Training School

In addition to the testimony and exhibits, the parties stipulated on the record that Candidate Corbett has never held the office of Sheriff.

Following the close of evidence, each party was permitted to make a closing statement.

Legal Requirements

To qualify for the ballot in a primary election, a candidate must file a candidate consent form that, among other things, contains a sworn statement that the candidate meets the qualifications of the office the candidate seeks. 21-A M.R.S.A. § 336. If, upon a challenge under 21-A M.R.S.A. § 337(2), “any part of the declaration” by the candidate “is found to be false by the Secretary of State, the consent and the primary petition are void.” *Id.* § 336(3). In such challenges, the challengers bear the burden of proof. 21-A M.R.S. § 337(2)(B).

Proposed Findings

Based on the testimony and evidence submitted, I propose that the Secretary find the following facts:

1. Candidate Corbett has never held the office of Sheriff, in York County or elsewhere. (Stipulation of the Parties).
2. Candidate Corbett was employed as a full-time law enforcement officer by the city of Saco and the York County Sheriff’s Office prior to July 1, 1990. (Loranger Testimony; Phinney Testimony; Ring Testimony).

3. Candidate Corbett has never held a law-enforcement or corrections position in which he exercised supervisory authority over subordinate personnel. (Loranger Testimony; Phinney Testimony; Ring Testimony).

4. Candidate Corbett submitted a completed candidate consent form to the Department of Secretary of State on March 3, 2026. (SOS Ex. B).

5. Candidate Corbett checked the box of the consent form affirming that he met the qualifications contained in 30-A M.R.S.A. § 371-B(3), because he was either serving in the office of Sheriff on June 26, 1997, or had served in the office of Sheriff prior to that date. (SOS Ex. B).

6. Because Candidate Corbett had never held the office of Sheriff, his attestation was untrue. (Stipulation of the Parties)

7. The consent form provided to Candidate Corbett by the Department of Secretary of State had not been updated to reflect the amendment to 30-A M.R.S.A. § 371-B(4) enacted by P.L. 2021, ch. 202, and therefore misstated the scope of the exception. The form used by Mr. Corbett therefore did not provide an option for him to attest that he met the current criteria for the exception in subsection 4. (SOS Ex. B).

Legal Analysis

I. Candidate Corbett meets the statutory qualifications for the office of Sheriff.

The facts at hearing established that Candidate Corbett meets the current qualifications for Sheriff. Section 371-B(3) provides a list of five qualifications for sheriff: that (1) the candidate swears or affirms to the Law Enforcement Code of Ethics, (2) that the candidate has never been convicted of a Class C or higher crime, (3) that the candidate applies to the Secretary of State for a criminal background investigation, (4) that the candidate submits written

certification from the Maine Criminal Justice Academy that the candidate meets certain training standards, and (5) that the candidate swears to or affirms that they have “at least 2 years of supervisory employment experience in law enforcement or corrections or a combination of both.”

However, section 371-B(4) contains an exception to these qualifications. It provides that “[a]ny person who served as a full-time law enforcement officer employed by a municipal police department or a state agency, including the University of Maine System, on or before July 1, 1990 or is serving in the office of sheriff on June 26, 2021 or served prior to that date is deemed to meet the minimum qualifications of subsection 3.” 30-A M.R.S.A. § 371-B(4). This exception used to be far narrower, covering only individuals who had served in the office of Sheriff as of certain dates. However, the Maine Legislature in 2021 significantly expanded the exception in Public Law 2021, chapter 202, to include anyone who had served in a full-time law enforcement officer for a municipal or state agency on or before July 1, 1990.

At hearing, there was much testimony concerning whether Candidate Corbett, despite claiming the exception in subsection 4, met the requirement in subsection (3)(E) for “at least 2 years of supervisory employment experience in law enforcement or corrections or a combination of both.” As I concluded above, the challengers established that Candidate Corbett would not meet this requirement—were it to apply.¹ However, the text of subsection 4 is plain that it exempts those who meet its criteria from all five criteria set forth in subsection 3, including the

¹ Candidate Corbett argued that the statutory phrase “supervisory employment experience” should be read broadly to include “supervision” over particular situations, such as the transfer of a prisoner, rather than supervision of other law enforcement personnel who worked under the candidate. I am unpersuaded. A sheriff is responsible for managing an entire law enforcement agency with many employees. The qualification is plainly meant to ensure that individuals assuming the office of Sheriff have some pre-existing experience in managing personnel.

supervisory experience qualification in paragraph E. Specifically, subsection 4 instructs that candidates who meet its criteria must be deemed to meet the “minimum qualifications” of subsection 3. Subsection 3’s overall heading is captioned “*minimum qualifications* for officers.” Subsection 3 thereby assigns all five qualifications, including the supervisory-experience qualification, the exact description for which subsection 4 provides an exemption. While there is some question in my mind as to whether the Legislature intended such a broad exemption, I cannot disregard the plain language of the statute, especially where the broad scope of subsection 4’s exception predates the 2021 amendments and was left unaltered by those amendments. I also note that the Department of Secretary of State has historically interpreted the exception as applying to all qualifications listed in subsection 3, as reflected on the candidate consent form itself. *See* SOS Ex. B.

The challengers also elicited testimony on the question of whether Candidate Corbett was sincerely seeking the office of Sheriff or whether he was a “paper candidate,” with no intention to actively campaign and, perhaps, with an ulterior motive to act as a “spoiler” for other candidates in the race. Candidate Corbett denied these allegations. However, neither challenger pointed to any legal requirement that a candidate for office have a sincere desire to win and hold the office for which they are running, nor am I aware of any such requirement. I therefore decline to resolve the parties’ dispute concerning this issue.

In sum, the evidence at hearing established that Candidate Corbett meets the statutory qualifications for the office of Sheriff because he served as a full-time law enforcement officer prior to July 1, 1990 and therefore is deemed to meet the minimum qualifications of 30-A M.R.S.A. § 371-B(4). Under the plain language of subsection 4, his lack of supervisory experience is not disqualifying.

II. Candidate Corbett's misstatement on his candidate consent form should not disqualify him in these unique circumstances.

I have proposed finding that Candidate Corbett made a misstatement on his consent form by checking a box indicating that he attested that he was either serving in the office of Sheriff on June 26, 1997, or had served in the office of Sheriff prior to that date. Under 21-A M.R.S.A. § 336(3), a candidate must be disqualified if “any part of the declaration is found to be false by the Secretary of State.” “The declaration” referenced in this provision must include “the candidate’s place of residence and party designation and a statement that the candidate meets the qualifications of the office the candidate seeks.” 21-A M.R.S.A. § 336(3).

The consent form issued by the Department requires candidates to attest to meeting each specific qualification for Sheriff and then concludes with a final attestation that “I meet the qualifications to hold this office.” SOS Ex. B.

Ordinarily, a misstatement earlier in the form concerning whether a candidate meets a specific qualification would necessarily make the final attestation on the form—that the candidate meets the overall qualifications to hold office—also false. In the unique circumstances here, where an error on the consent form required the candidate to attest to meeting a qualification that was not the actual qualification for office, Candidate Corbett’s misstatement that he previously held the office of sheriff did not also render his final attestation—the one expressly required by section 336(3)—false. Rather, he truthfully affirmed that he met the qualifications for office. While Candidate Corbett’s decision to check a box attesting to a statement that was not true rather than bring the error on the consent form to the attention of the Elections Division is troubling, I conclude that it does not form a basis for disqualifying Candidate Corbett under 21-A M.R.S.A. § 336(3). Ultimately, the purpose of section 336 is not to punish candidates for false statements, but to ensure that unqualified candidates are not

granted ballot access. Here, the evidence at hearing confirmed that Candidate Corbett meets the qualifications for the office of Sheriff.

Conclusion

I conclude that the challengers did not meet their burden under 21-A M.R.S. § 337(2)(B) to provide sufficient evidence to invalidate Candidate Corbett's candidate consent form. I therefore recommend that the Secretary of State deny the two challenges.

Opportunity to Object

Any party may file an objection to this recommended decision for consideration by the Secretary of State. Objections must be filed by email no later than **Friday, April 3 at 10:00 a.m.**



Heidi Peckham
Director of Elections
Presiding Officer