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Perrodin Upheld as Mayor of Compton

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TIMES STAFF WRITER

A state appeals court Monday upheld Eric Perrodin's election as mayor of Compton, overturning a lower court decision that had awarded the election to former Mayor Omar Bradley.

The state court also removed City Councilwoman Melanie Andrews from her post.

Perrodin already has been serving as mayor under a stay issued by the 2nd District Court of Appeal pending its final ruling.

That ruling came less than a week after the district attorney's office charged Bradley, City Manager John D. Johnson and three City Council members (not including Andrews) with crimes involving misuse of city funds.

The appellate court found that Superior Court Judge Judith C. Chirlin had erred in her Feb. 8, 2002, decision of a case brought by Bradley after he lost the June 2001 election by 281 votes. In his suit, Bradley claimed that the city clerk had improperly listed Perrodin's name before his on the ballot, giving Perrodin an advantage.

Chirlin agreed that Bradley had been the victim of "the primacy effect," which holds that voters tend to vote for the first name on the ballot. As a result, she found, Bradley had improperly lost the election. She also cited the Compton city clerk for failing to use a randomly alphabetized ballot order.

The appeals court found that ballot order is not sufficient grounds on which to overturn an election, and even if it were, the order of the names on the ballot was not illegal or wrong.

Chirlin also had ousted City Councilwoman Leslie Irving from office, finding that she committed election fraud and barring her for life from holding any elected post in California. Chirlin then replaced her with Andrews, a Bradley supporter.

In its 20-page decision, the appeals court affirmed only one judgment by Chirlin: ejecting Irving from office. But the court found that the judge wrongly instated Andrews when she should have nullified the election results in that race.

The appellate court's decision becomes final April 9, unless an appeal is filed with the state Supreme Court, which Bradley's attorney vowed to do.

"I believe that the primacy effect is an accepted theory in the courts, and what happened here is a travesty of justice, that Bradley was denied his rightful position," attorney Milton Grimes said.

Attorneys for Andrews and Irving said they are reviewing the court's decision but have not decided whether to appeal.

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But Compton City Clerk Charles Davis said he feels vindicated by the verdict. Still, he forecast uncertainty and political turmoil with next month's election (two of the three council members charged last week are up for reelection), the ongoing criminal investigation and trials, and the question of how the beleaguered City Council will fill Andrews' seat.

Davis said he will urge the City Council today to hold a special election in June to fill that seat.

"There is the potential," he said, "for us to have four elections by year's end, and that isn't even counting next month's. We are having to look down the street and around the corner to try to anticipate what could happen so we're prepared."

While the state court agreed with the lower court's finding that Irving had committed voter fraud, which it called "offenses against the collective franchise," it reversed the decision banning Irving from any future office in the state. The law allows that, the court said, only if Irving had been convicted of a crime.

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