

**BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO
AS A DULY CONSTITUTED ELECTORAL BOARD**

Objections of: JERRELL REID and)
DARLENA BURNETT)
)
To the Nomination) No.: 19-EB-ALD-053
Papers of: CYNTHIA D. BEDNARZ)
)
Candidate for the office of)
Alderman of the 27th Ward of the City of)
Chicago)
)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse and Jonathan T. Swain, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of JERRELL REID and DARLENA BURNETT (“Objectors”) to the nomination papers (“Nomination Papers”) of CYNTHIA D. BEDNARZ, candidate for the office of Alderman of the 27th Ward of the City of Chicago (“Candidate”) at the General Municipal Election to be held on Tuesday, February 26, 2019, having convened on Monday, December 10, 2018, at 8:30 a.m., in Room 800, 69 West Washington Street, Chicago Illinois, and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate were duly and timely filed.
2. The Electoral Board was legally constituted under the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing was held on these Objections commencing on Monday, December 10, 2018 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer James Rosas for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Call. The following persons, among others, were present at or filed appearances during such hearing; the Objectors, JERRELL REID and DARLENA BURNETT, and/or their Attorney, MICHAEL J KASPER; and the Candidate, CYNTHIA D. BEDNARZ, and/or her Attorney, ANDREW FINKO.

7. The Hearing Officer ordered that an examination of the voter registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

8. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination. The Candidate and/or her duly authorized representative was present during the examination of the registration records. The Objectors and/or their duly authorized representative was present during the examination of the registration records.

9. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records

examination is contained in the Board's file in this case and a copy has been provided or made available to the parties.

10. The results of the records examination indicate that:
 - A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 473.
 - B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1,605.
 - C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 1,523.
 - D. The remaining number of signatures deemed valid as a result of the records examination total 495.

11. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 27th Ward of the City of Chicago.

12. The Hearing Officer conducted a hearing to allow the Objectors an opportunity to present evidence in support of their Rule 8 motion objecting to the Board's clerk's findings during the records examination. In the course of the Rule 8 evidentiary hearing, the Objector was able to invalidate an additional 45 signatures, bringing the Candidate's total to 450 valid signatures, which is 23 less than the required minimum. However, the Candidate was then able to rehabilitate 35 signatures, thus raising her total to 485 valid signatures, which is 12 more than the required minimum.

13. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 485 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 27th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

14. The Objectors then filed a Rule 20 motion to present additional argument to the Electoral Board, which granted said request with a Rule 20 hearing on Jan. 25, 2019. The sole issue raised in the Rule 20 motion was whether the Candidate's Nomination Papers were invalid in their entirety because the Candidate failed to designate the office she is seeking on her Statement of Economic Interests ("SEI") form. The Electoral Board found that the Objectors' additional argument was not persuasive.

15. The Electoral Board finds that the appellate court and Electoral Board precedents cited by the Objectors are not controlling of the issues of this case. Those prior decisions ranged in dates from 1983 to 1987. *Jones v. Municipal Officers Elec. Bd.*, 112 Ill.App.3d 926 (1st Dist. 1983); *Fortas v. Washington*, 87-EB-ALD-56 (Chicago Elec. Bd. 1987); and *White v. Thomas*, 87-EB-ALD-126 (Chicago Elec. Bd. 1987).

16. The Electoral Board finds that more modern precedent involving SEI forms leans heavily in the Candidate's favor, and the more recent case law should control. See, for example, *Guerrero v. Municipal Officers Electoral Board for Franklin Park*, 2017 IL App 1st 170486; *Requena v. Cook County Officers Electoral Board*, 295 Ill.App.3d 728 (1998); *Cardona v. Board of Election Commissioners of the City of Chicago*, 346 Ill.App.3d 342, 346 (2004).

17. More specifically, the Electoral Board has previously found it is not a proper remedy to remove an aldermanic candidate from the ballot when his or her SEI form fails to designate the specific office she is seeking. *Tintor v. Hidalgo*, 95-EB-ALD-76 (Chicago Electoral Board 1995). Statement of economic interest that identified the office or position as “City of Chgo—City Council” is sufficient. *Wahadlo v. Hairston*, 11-EB-ALD-089 (Chicago Electoral Board 2010). Even if the statement failed to properly identify the office for which the person is a candidate, removal from the ballot is not a permissible sanction when the office is mistakenly or inadvertently described, citing *Requena v. Cook County Officers Electoral Board*, 295 Ill.App.3d 728 (1st Dist. 1998). *Wahadlo v. Hairston*, 11-EB-ALD-089, Chicago Electoral Board (Chicago Electoral Board 2010).

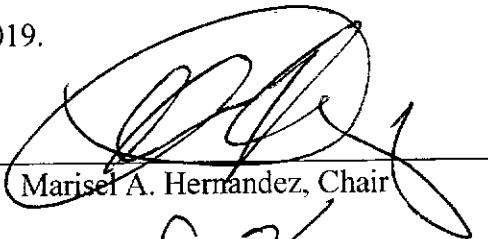
18. In at least two prior cases, this Electoral Board has ruled that an SEI form that fails to identify the governmental unit to which it relates can be cured by looking to the Statement of Candidacy to obtain the missing information. *Wodarski v. Fattore*, 91-EB-ALD-32 (Chicago Electoral Board 1991); *James and Klovstad v. Humphrey*, 99-EB-ALD-075 (Chicago Electoral Board 1999). The above cases guide this Electoral Board towards the conclusion that the alleged omission on this Candidate’s SEI form can readily be cured by looking to the other Nomination Papers. Such review would make it easily possible for the person then to locate and review that Candidate’s SEI form on the county clerk’s website.

19. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer’s report of recommended findings and conclusions of law, hereby adopts the Hearing Officer’s recommended findings and conclusions of law.

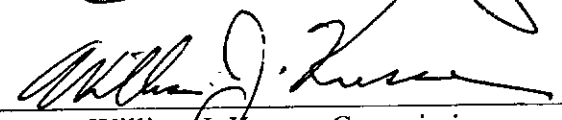
20. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on her nominating petitions and that the Nomination Papers of CYNTHIA D. BEDNARZ are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of JERRELL REID and DARLENA BURNETT to the Nomination Papers of CYNTHIA D. BEDNARZ, candidate for the office of Alderman for the 27th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of CYNTHIA D. BEDNARZ, candidate for the office of Alderman for the 27th Ward of the City of Chicago, SHALL be printed on the official ballot for the General Municipal Election to be held on Tuesday, February 26, 2019.

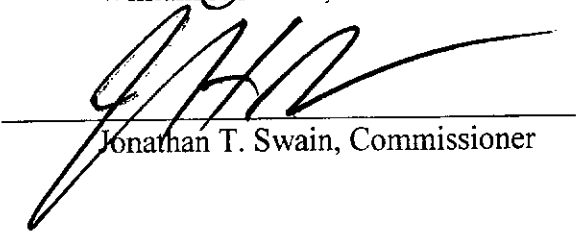
Dated: Chicago, Illinois, on Friday, January 25, 2019.



Marisel A. Hernandez, Chair



William J. Kresse, Commissioner



Jonathan T. Swain, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.

**THE BOARD OF ELECTIONS COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE
HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS OF
CANDIDATES FOR THE FEBRUARY 26, 2019 MUNICIPAL GENERAL ELECTION IN
THE CITY OF CHICAGO, STATE OF ILLINOIS**

JERREL REID and DARLENA BURNETT,)
Objectors)
v.) **Case No. 19-EB-ALD-053**
CYNTHIA BEDNARZ)
Candidate.)

HEARING OFFICER FINAL RECOMMENDATION

This matter comes before the THE BOARD OF ELECTIONS COMMISSIONERS OF THE CITY OF CHICAGO, on the Objector's Petition, and related matters, by JERREL REID and DARLENA BURNETT, against the Candidate CYNTHIA BEDNARZ, and the parties being represented by counsel, and due notice having been given and after a full and final evidentiary hearing pursuant to motions by both parties pursuant to RULES OF PROCEDURE FOR THE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD FOR HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS AND PETITIONS FOR QUESTIONS OF PUBLIC POLICY (2019), Rule 8 Evidentiary hearings, and being fully informed in the premise, IT IS HEREBY RECOMMENDED AS FOLLOWS:

A records examination pursuant to Rule 6 was completed with notice to the parties on 1-2-2109 with a reported finding that that the nominating petition signatures required by the Candidate is 473 and that the candidate had a total of 495 valid signatures.

Stipulations:

During hearing and on the record and after conference between the attorneys for the parties, the parties stipulated that the following signature shall be rehabilitated as valid signatures to the Candidate's nomination petition:

Sheet	Line
13	18
19	4
20	6
21	7
22	4
22	6
43	9
65	7
75	8
81	5

Objectors Petition Paragraphs 5, 6, 7, 8 and 9.

During hearing and on the record, the following signatures to the Candidate's nomination petition were rehabilitated based on presentation and review of affidavits and documents and consideration of the clear and convincing testimony by the Candidate and by Vivian Stewart Tyler, Notary Public, as to procedures used to circulate and notarize nominating papers and completing voter affidavits:

Sheet	Line
6	3

9	2
13	3
14	4
18	1
20	4
20	8
31	5
47	3
60	11
62	8
66	4
66	18
70	12
82	12
82	14
85	8
86	14
97	12

During hearing and on the record, the following signatures to the Candidate's nomination petition were rehabilitated based on presentation of evidence by the Candidate that the petition signers resided, and are registered to vote, in a building with more than one street address entrance.

Sheet	Line
24	7

28 1

During hearing and on the record, the following signature to the Candidate's nomination petition was rehabilitated based on judicial notice that the name "Jesse" is a common Americanized version of the name "Jesus" when applied to many Hispanics with that name given at birth:

Sheet	Line
93	7

The following signatures to the Candidate's nomination petition are rehabilitated based on presentation of clear and convincing testimony by the Candidate that she preserved her objection and the presentation of affidavit. No contrary testimony was presented:

Sheet	Line
25	2
27	2
21	5

Objectors Petition Paragraph 11. Kevin Gregg

The Objectors called Kevin Gregg as a witness. The objection by the Candidate that Kevin Gregg was not on the Objectors' witness list was overruled. Mr. Gregg was identified in the Objectors' petition, he was present at hearing, he testified willingly, his name was on the Candidate's witness list, and the Candidate was able to fully cross exam him.

Kevin Gregg testified as follows¹:

BY THE HEARING OFFICER:

Q. Would you state your name for the

¹ EXCERPT REPORT OF PROCEEDINGS before HEARING OFFICER JAMES ROSAS upon the hearing of the above-entitled cause at 69 West Washington Street, Lower Level Conference Room, Chicago, Illinois, at 11:24 a.m., on January 10, 2019.

record, sir.

A. Kevin D. Gregg. Kevin Dushawn Gregg.

Q. Spell your last name.

A. G-R-E-G-G.

THE HEARING OFFICER: You may proceed, Mr. Kasper.

BY MR. KASPER:

Q. Mr. Gregg, thank you for coming in today. I'm going to show you what's previously been marked as an exhibit in this case. It's a nominating petition for a candidate named Cynthia Bednarz. I'm going to show you this document and ask you to look at the bottom part.

THE HEARING OFFICER: Would you mark that, Mr. Kasper.

MR. KASPER: I think these have already been marked.

THE HEARING OFFICER: I don't think they have been but the specific page.

MR. KASPER: They're usually Board Exhibit A, but if you want to renumber them --

THE HEARING OFFICER: Well, I'd like to mark it specifically because you're showing him a specific page. I want to mark the item that you're asking the witness to identify as your exhibit.

MR. KASPER: This will be Objectors' No. 3. It's Sheet No. 29.

BY MR. KASPER:

Q. Is that your signature right there?

A. That's most definitely my signature.

Q. And that's your name right there?

A. Yes, sir.

Q. Do you recall circulating this nominating petition?

A. Yes, I do.

Q. Here in this circulator's affidavit you indicated that your address is 139 West Hoyne?

A. Yes.

Q. You don't live there, do you?

A. No.

Q. I'm sorry, could you speak up?

A. No, sir, because I was misled on the address.

Q. What do you mean you were misled on the address?

A. Is this a question? Okay. Do you want me to explain the situation about the petition?

Q. My question is: Do you live at 139 West Hoyne?

A. No.

THE HEARING OFFICER: Would you speak up, sir, please?

BY THE WITNESS:

A. No.

BY MR. KASPER:

Q. And you also signed Sheet No. 32 which I'll mark as Objectors' Exhibit 4. Do you see that?

A. Yes.

Q. Is that your name there?

A. Yes.

Q. And you put your address as 139 West Hoyne?

A. Yes, sir.

Q. You don't live at that address, do you?

A. No.

Q. And Sheet No. 33 which I'll mark Objectors' No. 5. I'm sorry. This will just take a couple of minutes. Objectors' No. 5, Sheet 33. You also indicated that your address is 139 West Hoyne?

A. Yes.

Q. And you do not live there?

A. No.

Q. Have you ever lived there?

A. No. I live 139 West Hoyne once upon a time.

Q. How long ago?

A. A few years ago.

Q. But at no time in the last year, 2018, did you live in --

A. No.

Q. At 139 North Hoyne?

A. No.

Q. Never?

A. No.

Q. Okay. Sheet No. 35 which I'll mark as Objectors' No. 6. You also indicated 139 -- it looks like West Hoyne. That's not your address, correct? And it wasn't when you signed this? You did not live there when you signed this form?

A. No.

Q. Or any of the forms?

A. Correct.

Q. Where did you live then?

A. At a shelter.

Q. Sheet No. 35 --

THE HEARING OFFICER: Your Exhibit 6 is Sheet No. 35?

MR. KASPER: No. I think that's Sheet No. 34. I'm sorry.

THE HEARING OFFICER: All right.

BY MR. KASPER:

Q. Objectors' 7 will be Sheet 35. Again, Mr. Gregg, that's your name and that's your signature?

A. Yes, sir.

Q. That's the address that you put?

A. Yes, sir.

Q. That's not the address that you lived at?

A. No.

Q. Sheet No. 36, Objectors' No. 8, the same thing. That's your name there, Kevin Gregg?

A. Yes.

Q. That's your signature?

A. Yes.

Q. And you put 139 West Hoyne?

A. Yes, sir.

Q. You did not live there at the time?

A. No.

THE HEARING OFFICER: That's Sheet 35?

MR. KASPER: That's Sheet 36 which is Objectors' 8.

BY MR. KASPER:

Q. Sheet 37 is Objectors' 9. Same thing. That's your name and your signature?

A. Um-hum.

Q. Again, you put 139 West Hoyne?

A. Um-hum.

Q. You did not live at 139 West Hoyne at the time, correct?

A. Right.

Q. Sheet No. 39 which is going to be Objectors' 10.

THE HEARING OFFICER: Did you mark 38?

MR. KASPER: No. 38 is not one that Mr. Gregg circulated.

BY MR. KASPER:

Q. Objectors' 10 is 39. Again, sir, that's your name right there, Kevin Gregg, and that's your

signature?

A. (No response.)

THE HEARING OFFICER: Would you speak up, sir. I can't hear you.

BY THE WITNESS:

A. Yes, sir.

BY MR. KASPER:

Q. And you indicated that your address is 139 West Hoyne?

A. Yes, sir.

Q. You did not live there at the time?

A. No, sir.

Q. Okay. Sheet No. 44 which will be Objectors' No. 11. That's your name right there, Mr. Gregg?

A. Yes, sir.

Q. And your signature?

A. Yes.

Q. Again, you indicated the address was 139 West Hoyne, but you do not live there?

A. (No response.)

Q. You did not live there at the time?

THE HEARING OFFICER: Sir, would you answer the question?

THE WITNESS: I'm listening.

BY MR. KASPER:

Q. You do not live at 139 West Hoyne?

A. No, sir.

Q. Is that the case that with Sheet No. 44 -- there's also Sheet 45. Can I show you that, which will be Objectors' Exhibit No. 12?

A. Excuse me. I only had an hour and a half of sleep last night and that's why I'm so tired because I worked very late and got up very early to be here. Please bear with me.

THE HEARING OFFICER: All right. That's noted on the record. You're very, very tired.

THE WITNESS: But I'm coherent, and I understand everything that you're saying.

BY MR. KASPER:

Q. I'll be as quick as I can.

The same goes for Sheet No. 46 which I'll mark as Objectors' No. 13. Sheet No. 49 -- no, I'm sorry. I'll strike 49. Sorry about that.

71 as well as has your name there, 139 West Hoyne?

A. Yes, sir.

Q. I'll mark that as Objectors' 14.

THE HEARING OFFICER: Objectors' 14 is?

MR. KASPER: Page 71.

BY MR. KASPER:

Q. Page 72 will be Objectors' 15. Also the same name and address. And Sheet No. 73 is Objectors' 15 which is the last one.

On each of those you put your address as 139 West Hoyne, correct?

A. (No response.)

Q. You never lived there?

A. No.

Q. You used to live at 139 North Hoyne but not in several years; is that correct?

A. Right.

MR. KASPER: Okay. I have no further questions for the witness.

THE HEARING OFFICER: Mr. Finko.

CROSS-EXAMINATION

BY MR. FINKO:

Q. Mr. Gregg, do you have a residence?

A. I live in a shelter.

Q. So do you consider yourself to be in between homes?

A. Yes.

Q. Was that the same situation when you were circulating petitions?

A. Yes.

Q. You didn't really have any residence at that point that would have been a permanent residence?

A. No.

Q. Let me ask you about on the day when you were circulating. Do you remember circulating at or near Walter Burnett's office?

A. Yes, sir.

Q. Tell me about that time.

MR. KASPER: Objection. Beyond the scope.

MR. FINKO: It's related to the circulation of these specific petition sheets which the Objector is challenging and the signature and the addresses that he wrote on it.

THE HEARING OFFICER: If it goes to the issue of whether or not he resides -- his testimony has been focused on the circulator sheets and his

residence at the time he circulated, so to that extent you can cross-examine him but going beyond that, if it's relative to those points, he circulated the sheets and he did not reside on Hoyne, you can cross-examine him on that. Otherwise you could call him as your witness for new matters.

MR. FINKO: I understand.

BY MR. FINKO:

Q. Do you remember, Mr. Gregg, why you put 139 West Hoyne on the petition sheets?

A. Yes, sir.

Q. Tell us why you wrote that on the petition sheets?

A. Well, when I was circulating the petitions sheet Mr. -- I guess his name is Burnett.

Q. The alderman?

A. He had some other guys out there petitioning sheets and personal workers, like workers that work for him and -- that definitely worked for him not just temporarily. One of them walked up to me like they were going to sign a petition sheet. He asked me for the clipboard. When he got the clipboard instead of signing the petition sheets and signing it right away, he took the clipboard and walked into his car and then he walked up to his office.

Q. Which office was it?

A. Burnett's office.

Q. The alderman?

A. The alderman's office.

Q. Okay.

A. I know he went to his car. Then he came back out with the sheets and told me that --

MR. KASPER: Objection. Hearsay.

THE HEARING OFFICER: Sustained.

MR. FINKO: I think it was an excited utterance type situation where there was a threat that was made and that's what he would be -- anticipating will be saying.

THE HEARING OFFICER: Well, he can testify the statement that was made but not the content of the statement.

BY MR. FINKO:

Q. So Mr. Gregg, what did you understand would have happened to you personally if you did not write 139 West Hoyne on those sheets? What did

you understand would have happened to you?

A. Well, I was led to believe that the sheets would be invalid and that I would never be able to work any sites again.

Q. Anything else?

A. I was also told that --

MR. KASPER: Objection. Same.

BY MR. FINKO:

Q. Where would you have -- if you wrote your address for real on the petition sheets, where would you be living after that according to your understanding of that dialogue?

A. Where would I be living at? In a shelter still.

Q. Is there any reference, if I could refresh your memory, to going to jail?

MR. KASPER: Objection. Hearsay.

THE HEARING OFFICER: Well, that's sustained, and it's also leading.

MR. FINKO: I'm going to mark it as Candidate's No. 70 just because I have others that are premarked.

MR. KASPER: I object. This is a purported affidavit from a witness who is sitting right here who can testify to whatever they want, and the affidavit contains the same hearsay that I just objected to.

THE HEARING OFFICER: Any response to that?

MR. FINKO: Well, the affidavit will help the witness remember some things and talk about the circumstance of why 139 West Hoyne was placed on this because of the imminent threat of jail.

THE HEARING OFFICER: Well, the affidavit will be accepted as Candidate's exhibit without a ruling at this time as to its admissibility.

MR. FINKO: Okay.

BY MR. FINKO:

Q. Mr. Gregg, let me ask you on all of those sheets that you signed as a circulator, did you watch all the voters sign their own name on that?

A. Yes, I did.

Q. You kept the clipboard with you other than the time that it was forcibly removed from you

by Alderman's Burnett's staff member?

A. Yes, I did.

Q. Did you see the clipboard when it was removed? You watched the guy carry it around?

A. I watched him until he got into the van.

Q. And then they gave it back to you?

A. Yes, he did.

Q. Was there any alteration or change to those petition sheets?

A. Just suggestions.

Q. What's that?

A. Just suggestions.

Q. They told you that?

A. Yes.

Q. Did anybody write their name on the petition sheets that was out of your presence, somebody that you didn't see right there?

MR. KASPER: We haven't alleged that.

MR. FINKO: I have no further questions.

Thank you, Mr. Gregg.

THE HEARING OFFICER: Any redirect?

MR. KASPER: No.

THE HEARING OFFICER: Thank you, Mr. Gregg.

THE WITNESS: That's it?

MR. FINKO: That's it. Thank you, sir.

Appreciate it.

MR. KASPER: Thank you.

Mr. Gregg intentionally provided an address at which he knew he could not be located, ostensibly to protect himself from perceived threats. Although the board did receive information alleging threats from the Candidate's attorney², there was no evidence that these "threats" were serious enough to report to law enforcement. Mr. Gregg simply did not, in any way, comply with his obligation to provide a true address.

Although Mr. Gregg, to his credit, voluntarily testified without subpoena, his answers and his demeanor did not render his testimony totally credible.

Section 10-4 of the Election Code provides that each petition circulator's affidavit

² Email from Mr. Andrew Finko to Mr. Michael Kasper on 1-7-19.

include the circulator's "street address or rural route number, as the case may be, as well as the county, city, village or town, and state..." 10 ILCS 5/10-4. Here, Mr. Gregg admitted that he set forth an address at which he did not, in fact, reside at the time that he executed the circulator's affidavit. Section 10-4 further provides that "[no] signature shall be valid or be counted in considering the validity or sufficiency of such petition unless the requirements of this Section are complied with." Id.

It is respectfully recommended that Mr. Gregg's intentional failure to comply, in any truthful way, with a provision of the Election Code renders each and every one of the petition sheets that he circulated invalid in each sheets entirety.

The final record examination results have already invalidated most of Mr. Gregg's circulated nomination petitions sheets with only 45 valid signatures previously remaining. It is recommended that those remaining previously valid 45 signatures be invalidated in the final count.

Objectors Petition Paragraph 12. Ernestine Humphries

The objection with respect to Ernestine Humphries is overruled based on clear and convincing testimony and exhibits.

Objectors Petition Paragraph 14. Statement Of Economic Interest

The Candidate testified the she filed the SEI using the "For Candidates Only" form, and she filed the SEI, in relation to her aldermanic candidacy, and for no other reason and for no other employment. The SEI was filed in relation to her candidacy for Alderman of the 27th Ward, and the receipt was then filed with her nomination papers. In addition, the Candidate testified that there were no instructions provided on the SEI as to what the Cook County Clerk was asking for in the line designated only as "Office." Candidate testified that she believed it referred to her campaign office,

and that she did not have a campaign office at the time she filed her SEI.

No evidence was presented by the Objectors that the Candidate's SEI actually misled anyone, actually confused anyone, or was intended for any improper purpose.

The scope of the electoral board's inquiry is limited to whether the SEI and the receipt thereof have been timely filed with the appropriate government agencies; the Board lacks jurisdiction to determine the sufficiency of the responses to the SEI's questions.

Burgess v. Mitchell, 11-EB-ALD-041, CBEC, January 13, 2011. *Haynes v. Mallory*, 07-EB-ALD-021, at ¶ 17 (Chicago Electoral Board 2007)

It is respectfully recommended that the objection with respect to the Candidates failure to make any entry in the space for "Office" in her properly filed Statement Of Economic Interest be overruled.

Recapitulation Count Of Valid Signatures:

Signatures required by the Candidate:	473
Signatures valid after Final Record Review:	495
Signatures rehabilitated at evidentiary hearing:	35
Sub total:	530
Remaining Kevin D. Gregg signatures:	45
Recommended final valid signatures:	485

RECOMMENDATION:

It is respectfully recommended that the name of CYNTHIA BEDNARZ be printed as a candidate for the February 26, 2019 Municipal General Election in the City Of Chicago, Illinois pursuant to her duly filed nomination papers.

James D. Rosas
Hearing Officer

January 23, 2019