

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

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Objections of: KEVIN BAILEY )  
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To the Nomination ) No.: 19-EB-ALD-144  
Papers of: QUANDRA V. SPEIGHTS )  
 )  
Candidate for the office of )  
Alderman of the 20th Ward of the City of )  
Chicago )

**FINDINGS AND DECISION**

The duly constituted Electoral Board, consisting of the Board of Election Commissioners of 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 KEVIN BAILEY (“Objector”) to the nomination papers (“Nomination Papers”) of QUANDRA V. SPEIGHTS, candidate for the office of Alderman of the 20th Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held on February 26, 2019, having convened on 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 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 Objector and the

Candidate, by registered or certified mail and by Sheriff's service, as provided by statute or service was waived.

4. A public hearing held on these Objections commenced on December 10, 2018, and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Lynne Ostfeld for further hearings and proceedings.

5. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, KEVIN BAILEY, *pro se*; and the Candidate, QUANDRA V. SPEIGHTS and/or her Attorney, MAX SOLOMON.

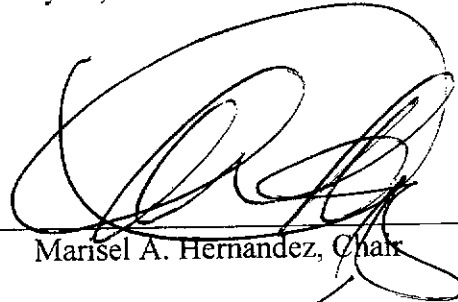
6. The Electoral Board finds that on January 23, 2019 the Objector moved to withdraw his Objections against the Candidate's Nomination Papers. The Electoral Board grants the motion to withdraw the Objections and the Objections are withdrawn.

7. The Electoral Board further finds that there are no additional Objections filed against the Candidate's Nomination Papers.

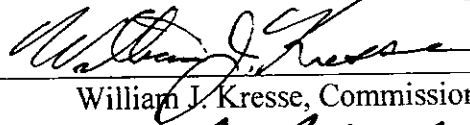
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IT IS THEREFORE ORDERED that, the Objections having been withdrawn and there being no other objections to the Candidate's Nomination Papers, the Nomination Papers are legally valid and the name of QUANDRA V. SPEIGHTS, candidate for election to the office of Alderman of the 20th Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 26, 2019.

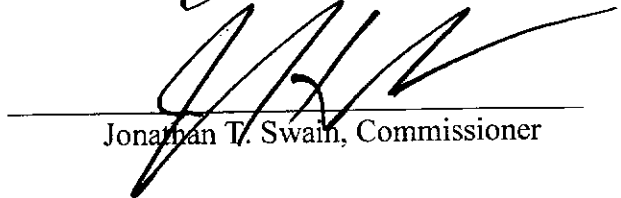
Dated: Chicago, Illinois, on January 25, 2019.



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.

CHICAGO BOARD OF ELECTION COMMISSIONERS

Objections of: )  
**KEVIN BAILEY** )  
) )  
To the Nomination )  
Papers of: ) **No. 19-EB-ALD-144**  
**QUANDRA V. SPEIGHTS** )  
) **Lynne R. Ostfeld,**  
Candidate for the Office of ) **Hearing Officer**  
Alderman of the 20th Ward )  
in the City of Chicago )

**RECOMMENDED DECISION**

This matter having come before the Chicago Board of Election Commissioners ("CBOE") on objections of KEVIN BAILEY ("Objector") to the nomination papers of QUANDRA V. SPEIGHTS ("Candidate"), Lynne R. Ostfeld, Esq., Hearing Officer, finds and recommends as follows:

1. The hearing was begun on December 10, 2018. In attendance at the hearing were the Objector, Kevin Bailey, and the Candidate, Quandra V. Speights. her attorney, McStephen O. A. Solomon was also in attendance. The Objector appeared *pro se*.
2. The objector requested that Quandra V. Speights's name not be printed on the ballot for election to the office of Alderman of the 20th Ward, City of Chicago, because she did not have the requisite number of 473 valid signatures, based on the following objections:
  - A. the nomination papers contained the names of persons who were not registered voters at the addresses shown;
  - B. the nomination papers contained sheets with the names of people whose addresses were not in the 20th Ward, City of Chicago;
  - C. the nomination papers contained the names of people who did not sign the papers in their own proper persons, whose signatures were not genuine, or complete;
  - D. the nomination papers contained the names of people who had earlier signed nomination papers for Kevin Bailey, the Objector in the instant case;
  - E. the nomination papers contained petition sheets where signers did not properly sign their names;
  - F. the nomination papers contained petition sheets with addresses either missing or incomplete.
3. Inasmuch as the objections were primarily factual in nature, a records examination was ordered.
4. The Candidate was given leave to file a motion to strike and dismiss and a briefing schedule was entered. Pleadings were submitted accordingly.

5. The Candidate filed a Motion to Strike and Dismiss paragraphs numbered 6 - 12. She alleged that the Objector failed to make proper allegations in his Objector's Petition to which she could respond.

6. The Objector responded that he had affidavits from voters who had signed his nominating petitions before signing hers and generally repeated his allegations from his Objector's Petition.

7. The Candidate generally repeated her statements in her Reply to Objector's Response to her Motion to Strike and Dismiss.

8. The hearing was reconvened on December 17, 2018. The Hearing Officer denied the Motion to Strike and Dismiss on the basis that these were factual allegations requiring a record exam, and not a legal argument. A record exam was again ordered.

9. The Objector submitted a Subpoena for records.

10. The Hearing Officer denied the request on the basis that the Subpoena was too vague and general, that it did not specify what was requested and the reason therefor. Also, the subpoenas had not been attached. The Objector had not met the requirements of Rule 19 of the Rules of Procedure of the CBOE.

11. On December 30, 2018, the CBOE returned a summary of the results of a record examination. It reported that an evaluation of approximately half of the nominating petitions showed that the Candidate had more than the required minimum of 473 valid signatures. Therefore, it suspended the records examination.

12. The Hearing Officer undertook an exchange of emails with the Candidate, through her attorney, and the Objector, to fix a return date for a status hearing on the summary of the record examination.

13. On December 30, 2018, the Objector filed his Objection (to the Record Examination results) and Motion for Clarification.

14. At the reconvened hearing on January 2, 2019, the Hearing Officer informed the Candidate about the Objector's motion and advised the Objector that she had not received a copy prior to a few minutes before the hearing when she had looked at the CBOE's online records in this case. The Objector apologized for the failure to adequately serve the Candidate and the Hearing Officer. He stated his belief that everyone had been served when he had hit "reply all" to send the pleading to everyone.

15. Discussion was undertaken about his objection to the summary report of the records examination and the decision to suspend further review. The Objector contended that his math showed that the Candidate did not have sufficient signatures and that the examiners had not adequately considered his objections to certain signers having earlier signed his own nominating petitions.

16. Given general confusion about what signatures were improperly accepted or rejected, and the basis for the disputed math, it was determined that a full records examination would clarify the matter.

17. Resumption of a complete record examination was undertaken and finalized on January 20, 2019.

18. No Rule 8 Motions were filed.

19. The Hearing Officer set continued hearing for January 23, 2019, at 9:30 a.m.

#### **Findings of Fact and Conclusions of Law**

20. On continued hearing on January 23, 2019, the Hearing Officer received the report of the

Record Examination Results, prepared by staff of the Chicago Board of Election Commissioners, and found the following:

Number of signatures required	473
Number of signatures on petitions	2166
Number of objections	3462
Number ruled on	3462
Number of objections overruled	540
Number of objections sustained	1433
Number of valid signatures	733
Number of unchallenged signatures	193

260 Signatures greater than the required minimum

21. There were no issues of law to be dealt with.

22. The issues of fact were the validity of the signatures on the nominating petitions and whether any signers of the Candidate's nominating petitions had earlier signed nominating petitions for the Objector. The completed and uncontested record examination report showed the candidate having 260 signatures greater than the 473 required minimum.

23. There were no objections to the findings in the final record exam. In fact, neither the Objector nor the attorney for the Candidate appeared at the hearing.<sup>1</sup>

#### Order of January 4, 2019

24. The Candidate's Motion to Strike and Dismiss paragraphs numbered 6-12 was denied.

25. The Objector's request for subpoenas was denied as being too vague, general and not addressing specific names. No subpoenas to be issued had been attached.

26. The Objector's Objection and Motion for Clarification was continued until further factual information was obtained from the CBOE, through the completed records examination.

27. The CBOE was requested to resume the records examination and review all nominating petitions.

28. The Objector was ordered to have representation at the examination should he wish to make objections to any voter he contended had signed an earlier petition. No objections would be heard to voters having earlier signed petitions without an objection being made at the continued records examination.

29. Should the Objector wish to maintain his objections, he was directed to provide to the Candidate copies of the Affidavits he claims to have from voters who state to have signed his petitions earlier than the Candidate's.

#### Recommended Decision

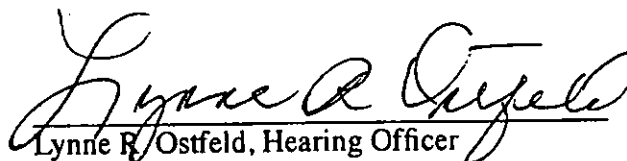
30. The Hearing Officer recommends that this Board find that the Nomination Papers of

<sup>1</sup> Six hours after this Recommended Decision was prepared, the Hearing Officer received an emailed Motion to Withdraw Objections from the Objector.

QUANDRA V. SPEIGHTS be declared to be VALID for the reasons stated above.

31. The Hearing Officer recommends that this Board order that the name of QUANDRA V. SPEIGHTS BE printed on the ballot for the Aldermanic Election, 20<sup>th</sup> Ward, City of Chicago, to be held on February 26, 2019, for the reasons stated above.

Dated: Chicago, Illinois, this 23rd day of January, 2019.

  
Lynne R. Ostfeld, Hearing Officer