

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

Objections of: ALBERTO BOCANEGRA)
JR.)
)
To the Nomination) **No.: 07-EB-ALD-107**
Papers of: CARINA E. SANCHEZ) **(rel. 07-EB-ALD-038)**
)
Candidate for the office of)
Alderman of the Twelfth Ward,)
City of Chicago)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal and Richard A. Cowen, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of ALBERTO BOCANEGRA JR. (“Objector”) to the nomination papers (“Nomination Papers”) of CARINA E. SANCHEZ, candidate for the office of Alderman of the Twelfth Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held on February 27, 2007, having convened on January 2, 2007, at 10:00 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 herein were duly and timely filed.
2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman 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.

4. A public hearing held on these Objections commenced on January 2, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Richard Zulkey for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing; the Objector, ALBERTO BOCANEGRA JR., by counsel, Sidney B. Smith; the Candidate, CARINA E. SANCHEZ, by counsel, Avila & Tomic LLC.

7. The Objections allege that the Candidate failed to file an Ethics Report with the City of Chicago within 5 days after qualifying as a candidate.

8. The Chicago City Council has adopted Chapter 2-164 of the Chicago Municipal Ordinance that imposes certain obligations on candidates for municipal office in the City of Chicago, which obligations have been become part of the City of Chicago's ethics ordinance administered and enforced by the City of Chicago Board of Ethics.

9. The Electoral Board finds that any failings with regard to the filing of ethics statements with the City of Chicago Board of Ethics as required by City ordinance does not invalidate the Candidate's Nomination Papers since the Electoral Board has no jurisdiction over enforcement of the ordinance and compliance or non-compliance with the ordinance does not affect ballot access. *Jones v. Love*, 03-EB-ALD-157, CBEC, February 5, 2003; *Smith v.*


Sherman, 95-EB-ALD-20 (CBEC 1995). Therefore, the Electoral Board overrules the objections as to alleged non-compliance with the City of Chicago's ethics ordinance.

10. There were additional objections filed against the Candidate's Nomination Papers in case 07-EB-ALD-038, but those objections were withdrawn. There are no other pending objections against the Candidate's Nomination Papers.

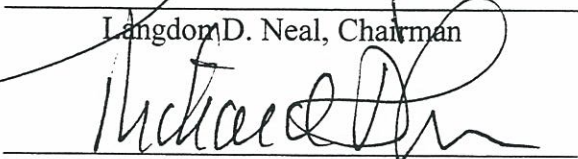
11. For the reasons stated above, the Electoral Board finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of ALBERTO BOCANEGRA JR., to the Nomination Papers of CARINA E. SANCHEZ, candidate for election to the office of Alderman of the Twelfth Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of CARINA E. SANCHEZ, candidate for election to the office of Alderman of the Twelfth Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 9th day of January 2007.



Langdon D. Neal, Chairman



Richard A. Cowen, 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 10 days after the decision of the Electoral Board.