

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

Objections of: ALBERT BURNS)
)
)
To the Nomination) No.: 19-EB-ALD-006
Papers of: RAYNETTA GREENLEAF)
)
Candidate for the office of)
Alderman of the 17th 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, Chairwoman of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of ALBERT BURNS (“Objector”) to the nomination papers (“Nomination Papers”) of RAYNETTA GREENLEAF, candidate for the office of Alderman of the 17th 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 Objector 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 Richard Zulkey for further hearings and proceedings.

6. The Objector 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 Objector, ALBERT BURNS, and/or his Attorney, STEPHEN STERN; and the Candidate, RAYNETTA GREENLEAF, and/or her Attorney, RANDY CRUMPTON.

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.

9. The Candidate and/or her duly authorized representative was present during the examination of the registration records.

10. The Objector and/or his duly authorized representative was present during the examination of the registration records.

11. 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.

12. 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 1,233.
 - C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 652.
 - D. The remaining number of signatures deemed valid as a result of the records examination total 581.

13. 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 17th Ward of the City of Chicago.

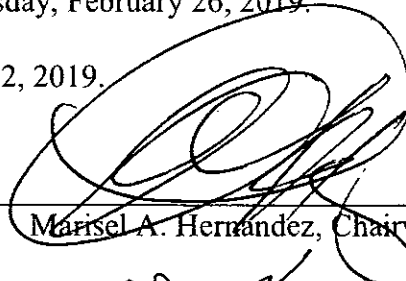
14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 581 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 17th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

15. 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.

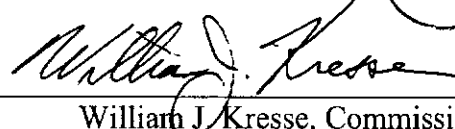
16. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on her nominating petitions and that the Nomination Papers of RAYNETTA GREENLEAF are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of ALBERT BURNS to the Nomination Papers of RAYNETTA GREENLEAF, candidate for the office of Alderman for the 17th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of RAYNETTA GREENLEAF, candidate for the office of Alderman for the 17th 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.

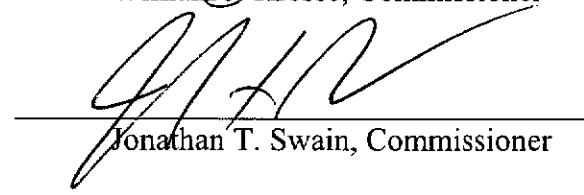
Dated: Chicago, Illinois, on Wednesday, January 2, 2019.



Marisel A. Hernandez, Chairwoman



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.

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD
CITY OF CHICAGO, ILLINOIS**

ALBERT BURNS		
Petitioner-Objector		
vs.		19-EB-ALD-006
RAYNETTA GREENLEAF		
Respondent- Candidate		

RECOMMENDATION BY HEARING OFFICER

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For Petitioner-Objector

For Respondent-Candidate

1. **Background:** The Candidate filed her petitions for Alderman of the 17th Ward of the City of Chicago. Nomination papers for aldermanic candidates of the 17th Ward of the City of Chicago must contain signatures of no fewer than 473 duly qualified, registered and legal voters gathered and presented in the manner provided in the Election Code.
2. **Objector's Claims:** Objections were made alleging that:
 - a. A number of persons did not sign such papers in their own proper person, did not reside at the addresses shown, or were out of the jurisdiction, all in violation of the Illinois Election Code;
 - b. Paragraphs 8 and 9 of the Objections allege that circulators failed to set out their names or their addresses fully and legibly;

- c. Paragraphs 10 and 11 of the Objections allege the notary date was missing or that there was a faulty notary jurat.

The Candidate filed a Motion to Dismiss the Objections claiming the Objector made “shotgun” objections in bad faith and without any reasonable investigations. Record exams were ordered and were immediately initiated by the Board.

3. **Hearings:** The matter was set for hearing from time to time, and requests for continuances were entered upon request and stipulation of the parties. On December 26, 2018 a request was made by the Objector to stand by the record exam result and not make any evidentiary presentation on the other objections. No Rule 8 Motion would be made. The Candidate agreed. The record exam results were sent to the Hearing Officers and read into the record.
4. **Record Exam:** The Record Exam was completed on December 24, 2018 and presented to the Hearing Officer on December 26, 2018. A copy is attached and made a part of this Recommendation.

In sum it provides:

- 473 signatures required
- 581 total valid signatures
- 108 signatures greater than the required minimum.

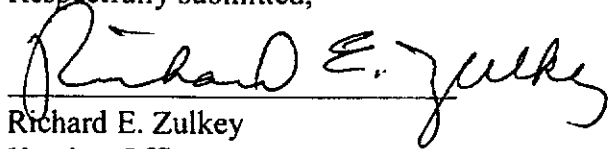
5. **Conclusion:** The issues raised by the Objector regarding improper signatures, improper circulators and improper notaries shall be stricken.

The Candidate’s Motion to Strike the objections based on “shotgun” objections shall be denied.

- 6. Recommendation:** The results of the Record Exam be accepted that the Candidate has more than 108 signatures greater than the required minimum of 473 and that the Candidate's name appear on the ballot for Alderman of the 17th Ward.

Date: December 27, 2018

Respectfully submitted,



Richard E. Zulkey
Hearing Officer

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