STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BCC

ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICES OF STATE SENATOR AND REPRESENTATIVE IN THE GENERAL ASSEMBLY OF THE STATE OF ILLINOIS FOR THE MARCH 17, 1992 PRIMARY ELECTIONS.

IN RE: Objection of: Betty J. Owens)
)
To the)
Nominating Petition of: Randolph)
Anderson, Jr.)
)
) NO: 92-EB-REP-26
Candidate for the Office of Representative)
in the General Assembly of the 24th)
Representative District, Democratic Party.)

DECISION

The duly constituted Electoral Board, consisting of MICHAEL J. HAMBLET, ARNETTE R. HUBBARD and CHRISTOPHER ROBLING, organized by law in response to a Call issued by MICHAEL J. HAMBLET, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nominating Petitions for the Office of State Senator and Representative in the General Assembly for the State of Illinois, having convened on February 7th, 1992 at 12:00 p.m. in the City Council Chambers, City Hall, Chicago, Illinois; and having heard and determined the objections to the petition in the above entitled matter find that:

1. The said Electoral Board has been legally constituted according to the laws of the State of Illinois;

2. Objections to the nominating petition of the candidate herein were duly filed;

3. A call to the hearing on said objections was duly issued and was served upon the members of the Electoral Board, the Objector and the Candidate by mail and by personal service as provided by statute;

4. A public hearing was held on these objections commencing on February 7, 1992;

5. The following persons, among others, were present at such hearings: the members of the Electoral Board, the Objector by counsel and the Candidate by counsel;

6. The Board having heard and considered all evidence and arguments tendered by those appearing at the hearing;

7. The Board having ordered an examination of the precinct binders to be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board;

8. During examination of the precinct binders, the Board directed all parties to appear and be present, either personally and/or by their authorized representatives, duly appointed and authorized by said parties;

9. The Candidate and/or his duly authorized representatives having been present during the examination of the binders at all times;

10. The Objector and/or his duly authorized representatives having been present during the examination of the binders at all times;

11. The Board finds that:

a) In light of the Court's holding in Fortas v. Dixon, 462 N.E.2d 615 (1st Dist., 1984), the circulators' affidavits are false, thereby reducing the number of valid signatures below the statutory minimum of 300. One circulator, J.J. Boozer, admitted on the record that he did not see each and every signature signed on his sheets, only some signatures.

b) Of all the petition sheets:

i) Sheets 7-9, 18, 22, 24 and 32, which were circulated by J.J. Boozer, Roy W. Moore, Richard Perkins and Sandra Peterson, exhibit the highest degree of common authorship; i.e. approximately 75% of the signatures on said sheets have been forged. Hence, because these sheets bear false circulators' oaths, the signatures appearing on these sheets are invalid (a total of 326).

ii) Sheets 4-6, 10-12, 15-17, 20-21, 23 and 34, which were circulated by J.J. Boozer, Charles Blair and Roy W. Moore, exhibit a high degree of common authorship; i.e. approximately a clear majority of the signatures on said sheets have been forged. Hence, because these sheets bear false circulators' oaths, the signatures appearing on these sheets are invalid (a total of 323).

d) In view of the above rulings, the Board deems moot any remaining objections not otherwise addressed.

12. Examination of the precinct binders was completed;

13. The Board finds that:

a. The statutory minimum of signatures required for placement on the ballot is 300;

b. The number of signatures filed by the candidate total 784;

c. The number of signatures deemed invalid because of objections sustained total 649;

d. The remaining number of signatures deemed valid total 135;

The written report of the Board's finding sustaining signature objections are contained in the Board's file in this cause and is available upon request of a party.

The Board further finds that the number of valid signatures on the nominating petition falls below the minimum number of signatures required by law to be placed upon the ballot as a candidate for election to the office of Representative in the General Assembly of the 24th Representative District, Democratic Party.

IT IS THEREFORE ORDERED that the objections of Betty J. Owens to the nominating petition of Randolph Anderson, Jr., candidate for nomination to the office of Representative in the General Assembly of the 24th Representative District, Democratic Party, are hereby sustained and said petition is hereby declared invalid and the name of Randolph Anderson, Jr., candidate for nomination to the office of Representative in the General Assembly of the 24th Representative District, Democratic Party, shall not be printed on the ballot for the Primary Elections to be held on March 17th, 1992.

Dated: Chicago, Illinois, this 11th day of February, 1992.

Michael J. Hamblet
MICHAEL J. HAMBLET, CHAIRMAN

Arnette R. Hubbard
ARNETTE R. HUBBARD, COMMISSIONER

Christopher Ingleberry Robling
CHRISTOPHER ROBLING, COMMISSIONER