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 WARD COMMITTEEMAN OF THE CITY OF CHICAGO FOR THE MARCH 17, 1992 PRIMARY ELECTIONS.

IN RE: Objection of: Odell Lee)
)
To the)
Nominating Petition of: June A. Russell)
)
) NO: 92-EB-WC-41
Candidate for the Office of Ward Committee-)
man of the 24th Ward, 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 Ward Committeeman of the City of Chicago, having convened on December 30th, 1991 at 10:00 a.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 December 30th, 1991;

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. Examination of the precinct binders was completed;

12. The Board finds that:

    a. The statutory minimum of signatures required for placement on the ballot is 181;

    b. The number of signatures filed by the candidate total 435;

    c. The number of signatures deemed invalid because of objections sustained total 250;

    d. The remaining number of signatures deemed valid total 185;

The Board further finds that the evidence relating to non-circulation by the purported circulators of sheets 1, 8 and 15, in light of the total number of signatures on said petition (435), is insufficient to trigger the application of the Fortas v. Dixon doctrine, 462 N.E.2d 615 (1st Dist., 1984), to invalidate entire sheets due to false circulators' affidavits. Specifically, the Objector failed to establish the "pattern of fraud" required under Fortas, supra.

The written report of the Board's finding overruling 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 exceeds the minimum number of signatures required by law to be placed upon the ballot as a candidate for election to the office of Ward Committeeman of the 24th Ward, Democratic Party.

IT IS THEREFORE ORDERED that the objections of Odell Lee to the nominating petition of June A. Russell, candidate for election to the office of Ward Committeeman of the 24th Ward, Democratic Party, are hereby overruled and said petition is hereby declared valid and the name of June A. Russell, candidate for election to the office of Ward Committeeman of the 24th Ward, Democratic Party, shall be printed on the ballot for the Primary Elections to be held on March 17th, 1992.

Dated: Chicago, Illinois, this 3rd day of ~~January~~ February 1992.

Michael J. Hamblet

MICHAEL J. HAMBLET, CHAIRMAN

Arnette R. Hubbard

ARNETTE R. HUBBARD, COMMISSIONER

Christopher Fitz Simon Robling

CHRISTOPHER ROBLING, COMMISSIONER