NBCOFF-ALD

**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO NOMINATION PAPERS OF CANDIDATES
FOR THE FEBRUARY 23, 1999 MUNICIPAL GENERAL ELECTION
FOR MAYOR, CLERK, TREASURER AND ALDERMAN
IN THE CITY OF CHICAGO**

Objections of: CHRISTOPHER C. WILLIAMS	)	
	)	
To the Nomination	)	
Papers of: CHARLES PARTLOW	)	No.: 99-EB-ALD-032
	)	
Candidate for the office of	)	
Alderman of the 17th Ward	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, 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 CHRISTOPHER C. WILLIAMS to nomination papers ("Nomination Papers") of CHARLES PARTLOW, candidate for the office of Alderman of the 17th Ward for the City of Chicago ("Candidate"), having convened on December 28, 1998, at 9:00 a.m., in the City Council Chambers, City Hall, 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(s) 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 December 28, 1998 and was continued from time to time.

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objector, CHRISTOPHER C. WILLIAMS, by counsel; and the Candidate, CHARLES PARTLOW, pro se.

6. The Electoral Board assigned this matter to Hearing Examiner ROBIN SHOFFNER for further hearings and proceedings.

7. The Objector alleges that the purported circulator did not circulate the petition sheet as required by law.

8. Section 10-4 of the Election Code (10 ILCS 5/10-4) states in part that the bottom of each petition sheet shall contain a statement from the circulator stating that the signatures on that sheet of the petition were signed in his presence.

9. The Electoral Board finds that the Candidate signed the circulator affidavit on every sheet of his nominating petitions. The Electoral Board finds that the Candidate admitted in testimony that several people circulated his nominating petitions but that he signed each petition as the circulator.

10. The Electoral Board finds that where testimony clearly discloses a pattern of fraud, false swearing, and a total disregard for the mandatory requirements of the Election Code, then it is proper to invalidate the entire sheet. *Fortas v. Dixon,* 462 N.E.2d 615 (1984). In *Fortas,* it was demonstrated that the circulators of the various sheets had filed affidavits in connection with the circulation of the sheets. The Electoral Board therefore finds that all of the Candidate's nominating petition sheets demonstrate a pattern for fraud and false swearing and are invalid in their entirety.

11. The Electoral Board finds that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED, that the Objections of CHRISTOPHER C. WILLIAMS to the Nomination Papers of CHARLES PARTLOW, candidate for election to the office Alderman of the 17th Ward for the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of CHARLES PARTLOW, candidate for election to the office of Alderman of the 17th Ward for the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election for Mayor, City Clerk, City Treasurer and Alderman to be held on February 23, 1999.

Dated: Chicago, Illinois, this Second day of February, 1999.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Theresa M. Petrone, 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.