BCCON

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

Objections of: DEBRA MURPHY	)	
	)	
	)	
To the Nomination	)	No.: 20-EB-RGA-007
Papers of: NICOLE L. "NIKKI" HARVEY	)	
	)	rel.: 20-EB-RGA-006
Candidate for the nomination of the	)	
Democratic Party for the office of	)	
Representative in the General Assembly, 9th	)	
Representative District of the State of Illinois	)	

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, Chair of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of DEBRA MURPHY ("Objector") to the nomination papers ("Nomination Papers") of NICOLE L. "NIKKI" HARVEY, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly, 9th Representative District of the State of Illinois ("Candidate") at the General Primary Election to be held on Tuesday, March 17, 2020, having convened on December 16, 2019 at 9:00 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 were duly and timely filed.

2. The Electoral Board was constituted according to 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 or service was waived.

4. A public hearing was held on these Objections commencing on December 16, 2019 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Lynne Ostfeld for further hearings and proceedings.

5. 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, DEBRA MURPHY through her Attorney, ED MULLEN; and the Candidate, NICOLE L. "NIKKI" HARVEY, Pro Se.

6. 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.

7. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

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

9. 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.

10. 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 500.

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 468.

D. The remaining number of signatures deemed valid as a result of the records examination total 765.

11. 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 nomination of the Democratic Party to the office of Representative in the General Assembly, 9th Representative District of the State of Illinois.

12. 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 765 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate of the DEMOCRATIC Party for the office of Representative in the General Assembly, 9th Representative District of the State of Illinois, and that the Candidate's Nomination Papers should be found valid.

13. 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.

14. 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 NICOLE L. "NIKKI" HARVEY are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of DEBRA MURPHY to the Nomination Papers of NICOLE L. "NIKKI" HARVEY, candidate for nomination of the DEMOCRATIC Party for the office of Representative in the General Assembly, 9th Representative District of the State of Illinois, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of NICOLE L. "NIKKI" HARVEY, candidate for nomination of the Democratic Party for the office of Representative in the General Assembly, 9th Representative District of the State of Illinois, SHALL be printed on the official ballot for the General Primary Election to be held on Tuesday, March 17, 2020.

Dated: Chicago, Illinois, on Tuesday, January 14, 2020.

Marisel A. Hernandez, Chair

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.