BCCON

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

Objections of: DERRICK HUBBARD and JANESE KIMBROUGH	)	
To the Nomination Papers of: SHARON E. PINCHAM	)	No.: 23-EB-ALD-074
Candidate for the office of Alderperson of the 6th Ward, 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 June A. Brown, 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 DERRICK HUBBARD and JANESE KIMBROUGH ("Objectors") to the nomination papers ("Nomination Papers") of SHARON E. PINCHAM, candidate for the office of Alderperson of the 6th Ward ("Candidate") at the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023, having convened on December 9, 2022 at 4:00 p.m. 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 Objectors 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 9, 2022 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Rodney Stewart for further hearings and proceedings.

5. The Objectors 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 Objectors, DERRICK HUBBARD and JANESE KIMBROUGH, through their attorney SCOTT B ERDMAN; and the Candidate, SHARON E. PINCHAM, through her attorney, THOMAS A. JACONETTY.

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.

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

10. 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.

11. 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 1,052.

C. The remaining number of signatures deemed valid as a result of the records examination total 548.

12. 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 Alderperson for the 6th Ward.

13. No motions were filed pursuant to Rule 8 of the Board's Rules of Procedure.

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 548 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 Alderperson for the 6th Ward, 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 SHARON E. PINCHAM are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of DERRICK HUBBARD and JANESE KIMBROUGH to the Nomination Papers of SHARON E. PINCHAM, candidate for the office of Alderperson for the 6th Ward, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of SHARON E. PINCHAM, candidate for the office of Alderperson for the 6th Ward, SHALL be printed on the official ballot for the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023.

Dated: Chicago, Illinois, on Friday, January 13, 2023.

Marisel A. Hernandez, Chair

William J. Kresse, Commissioner

June A. Brown, 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 CHICAGO BOARD OF ELECTIONS COMMISSIONERS

In Re:

DERRICK HUBBARD,
JANESE KIMBROUGH,
Objector(s),

vs **Case No, 23-EB-ALD-074**

SHARON E. PINCHAM,
Candidate.

Hearing Examiner's Recommendation

The matter was called for the initial hearing on December 12, 2022 with respect to the Objector's Verified Petition. Service of Notice of the Hearing upon the Candidate. Appearances were filed. The Objector is represented by Attorney Scott B. Erdman. The Candidate is represented by Attorney, Thomas A. Jaconetty. A briefing schedule was entered pursuant to a Directive permitting the filing of any motions. It was further decided that a Directive for a Records Examination would not be entered until the conclusion of the hearing with respect to the Candidate's Motion to Strike and Dismiss Portions of the Objector's Petition.

Due to time constrains, on January 7, 2023 a Directive for a Records Examination was entered. On January 10, 2023 the Records Examination was completed and a Final Report was tendered. The results of the Records Examination states that the Candidate has 548 valid signatures. The minimum required number of valid signatures is 473 for the Candidate's name to be placed on the ballot for the Office of Alderperson in the City of Chicago. The Candidate has 75 signatures greater than the required minimum.

It is recommended that the name Sharon Pincham be placed on the ballot of the Office of Alderperson for the 6th Ward in the City of Chicago.

Respectfully submitted,

Rodney W. Stewart
Rodney W. Stewart
Hearing Officer

Date: January 10, 2023

23-EB-ALD-074 HO RECOMMENDATION.pdf - 01/11/2023 12:08 pm