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

Objections of: NANCY A. ANGELOPOULUS and DANIEL ANTHONY FANELLI, JR To the Nomination Papers of: JOSE "CHE-CHE" WILSON	)	No.: 24-EB-WC-003
Candidate for election to the office of DEMOCRATIC Ward Committeeperson of the 1st Ward, City of Chicago, State of Illinois	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of the 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 NANCY A. ANGELOPOULUS and DANIEL ANTHONY FANELLI, JR ("Objectors") to the nomination papers ("Nomination Papers") of JOSE "CHE-CHE" WILSON, candidate for election to the office of DEMOCRATIC Ward Committeeperson of the 1st Ward, City of Chicago, State of Illinois ("Candidate") at the General Primary Election to be held on Tuesday, March 19, 2024, having convened on December 18, 2023, at 9:30 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 Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute or statutory service was waived and service by email was authorized.

4. A public hearing held on these Objections commenced on December 18, 2023 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Kevin E. Bry for further hearings and proceedings.

5. The Objectors and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. Appearances were filed by or on behalf of the following persons: the Objectors, NANCY A. ANGELOPOULUS and DANIEL ANTHONY FANELLI, JR, by Attorney STEVEN M LADUZINSKY; and the Candidate, JOSE "CHE-CHE" WILSON, *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 his duly authorized representative was present during the examination of the registration records or waived their right to do so.

9. The Objectors and/or their duly authorized representative was present during the examination of the registration records or waived their right to do so.

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 Electoral 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 973;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1,677;

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 825;

D. The remaining number of signatures deemed valid as a result of the records examination total 852.

12. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was 85 fewer than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of DEMOCRATIC Ward Committeeperson of the 1st Ward, City of Chicago, State of Illinois.

13. Following the records examination, both parties filed motions pursuant to Rule 8, so the Hearing Officer conducted a hearing to allow the parties an opportunity to present evidence in support of their Rule 8 motions objecting to the Board's clerk's findings during the records examination.

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 only 885 valid signatures, which is 52 signatures fewer than the minimum of 937 valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of DEMOCRATIC Ward Committeeperson of the 1st Ward, City of Chicago, State of Illinois, and that the Candidate's Nomination Papers should be found invalid.

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 and incorporates them herein.

16. The Candidate filed an untimely motion pursuant to Rule 20 and, although that motion was denied for failure to comply with the rule, the Electoral Board rejects the Candidate's argument therein that the Board is required to grant each and every one of the Rule 8 affidavits submitted by the Candidate merely because those affidavits were notarized, and that it was allegedly improper for the Hearing Officer (and thereby the Electoral Board) to actually analyze the evidence presented within each of those individual affidavits. The Electoral Board declines to adopt a new rule that a notarized affidavit is valid on its face, without question, and that it cannot be analyzed or impeached.

17. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on his nominating petitions and that the Nomination Papers of JOSE "CHE-CHE" WILSON are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of NANCY A. ANGELOPOULUS and DANIEL ANTHONY FANELLI, JR to the Nomination Papers of JOSE "CHE-CHE" WILSON, candidate for election to the office of DEMOCRATIC Ward Committeeperson of the

1st Ward, City of Chicago, State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JOSE "CHE-CHE" WILSON, candidate for election to the office of DEMOCRATIC Ward Committeeperson of the 1st Ward, City of Chicago, State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on Tuesday, March 19, 2024.

Dated: January 23, 2024

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 by 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.