

Commissioners

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JUNE A. BROWN, *Commissioner*

CHARLES HOLIDAY, JR., *Executive Director*



Board of Election Commissioners for the City of Chicago
Regular and Organizational Board Meeting
February 28, 2023, 7:00 a.m.
69 West Washington Street, 8th Floor, Chicago, Illinois 60602

Board Members:

Marisel A. Hernandez, Chair
William J. Kresse, Commissioner/Secretary
June A. Brown, Commissioner

Staff:

Charles Holiday, Executive Director
Sandra Aspera, Assistant Executive Director
Adam Lasker, General Counsel
Lance Gough, Consultant
Trish Sheehy

Guests: [None]

- I. **Call to Order:** The Chair called the meeting to order at 7:06 a.m.
- II. **Roll Call:** All members were present.
- III. **Consideration of Agenda:** The agenda was accepted as presented.
- IV. **Organization**
 - A. Election of Chair: Commissioner Kresse moved to nominate Commissioner Hernandez as Chair of the Board. Commissioner Brown seconded the motion. There were no other nominations. Commissioner Hernandez accepted the nomination. The motion passed by unanimous vote of the Board. The Chair thanked the other Board members.
 - B. Election of Secretary: Chair Hernandez moved to nominate Commissioner Kresse as Secretary of the Board, noting that he has always done a great job (with assistance from Ms. Sheehy). Commissioner Kresse accepted the nomination. Commissioner Brown seconded the motion. No other nominations were offered. The Board voted unanimously to election Commissioner Kresse the Board's Secretary.
 - C. Adoption of By-Laws: General Counsel Adam Lasker pointed out that there were no requests for any substantive changes to the Board's By-Laws. Things have been working well under them, so they are essentially the same set as last year. Commissioner Brown moved to adopt the By-Laws. Commissioner Kresse seconded the motion. The By-Laws were adopted by the Board by a 3:0 vote.
- V. **Approval of Minutes:**
 - A. Minutes of the Regular Board Meeting of December 27, 2022

- B. Minutes of the Special Board Meeting of December 30, 2022
- C. Minutes of the Regular Board Meeting of January 10, 2023

The Minutes presented as items A through C of this section were taken as a group. Commissioner Brown moved to approve the Minutes listed. Commissioner Kresse seconded the motion. The motion passed and the Minutes of the Regular Board meeting of December 27, 2022, Special Board meeting of December 30, 2022, and the Regular Board meeting of January 10, 2023 were approved by unanimous vote of the Board.

VI. Financial Report:

- A. Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-12 dated February 28, 2023, in the amount of \$ 754,767.97: Commissioner Kresse moved to approve the City of Chicago - 2022 Appropriation – 22-12 dated February 28, 2023. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.
- B. Balance Sheet and Voucher Listings for the County of Cook – 2023 Appropriation – 23-01 dated February 28, 2023, in the amount of \$ 560.00: Commissioner Brown moved to approve the County of Cook – 2023 Appropriation – 23-01 dated February 28, 2023. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.
- C. Balance Sheet and Voucher Listings for the City of Chicago – 2023 Appropriation – 23-01 dated February 28, 2023, in the amount of \$ 1,553,461.32: Commissioner Kresse moved to approve the City of Chicago – 2023 Appropriation – 23-01 dated February 28, 2023. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

VII. Election Day

- A. Possible removal of Judges of Election: There was nothing to present at this time.
- B. Possible court action to address delayed polling place openings and/or other emergency needs: Mr. Lasker stated that at this time there is no action needed.

VIII. Public Comment: [None.]

- IX. **Recess:** Commissioner Brown moved to recess until the call of the Chair. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board. The meeting was recessed at 7:12 a.m.

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- X. **Call to Order:** Chair Marisel A. Hernandez reconvened the meeting at 4:48 p.m.

- XI. **Roll Call:** All Board members were present. Also present were Executive Director Charles Holiday, General Counsel Adam Lasker and Consultant Lance Gough.

XII. Election Day

A. Possible removal of Judges of Election:

General Counsel Adam Lasker presented the cases for removal of the following Judges of Election:

1. Brenda D. Dorsey Republican Party Judge of Election assigned to the 13th precinct of the 5th ward. Board Investigators, as well as the Chicago Police, had to be called to the precinct polling place after it was reported that Ms. Dorsey was combative, using profanity with fellow judges, with the voters, and with the polling place proprietor. When the on-duty Chicago Police officers arrived, Mrs. Dorsey was physically abusive with the police and she was removed from the precinct polling place. As such, she is not currently at the precinct polling place, and the General Counsel wants to remove her from the position. Mr. Lasker clarified that when we use the term “removal” it can be used both for a removal from the physical polling place, but also a removal from the position of Judge of Election. Today, Ms. Dorsey has literally been removed by the police from the precinct polling place, but we would like to remove her from the office of election judge.

Commissioner Kresse moved to remove Brenda D. Dorsey as a Judge of Election. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

2. Ms. Laura Lopez Republican Party judge of election assigned to the 9th precinct of the 36th ward. The Board had received reports that Ms. Lopez was inattentive to her duties, including taking frequent naps and not assisting the other poll workers. Investigators were sent to the location and witnessed the same. This is in a grade school and the principal of the school was also reportedly upset by the appearance and conduct of Ms. Lopez. General Counsel is requesting her removal. Commissioner Kresse asked whether the judge was unable to carry out the duties of her office. Mr. Lasker said that she did not, in fact, carry out her duties. Commissioner Kresse moved to remove Laura Lopez as a Judge of Election. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.
3. Ms. Soo Yena Kim, Sr., Democratic Party Judge of Election assigned to the 17th precinct of the 48th ward. Ms. Kim’s fellow judges reported that she was neglecting her duties as a judge, such as sleeping or talking on her phone. A Board Investigator was dispatched to the scene where he witnessed similar behavior. Ms. Kim reportedly told the Investigator that she was doing nothing wrong, although she was using expletives to refer to the other poll workers. She made verbal threats about the physical safety of another poll worker in the presence of the Board Investigator. She also admitted to occasionally

napping on the job. Commissioner Brown made a motion to remove Soo Yena Kim, Sr. as a Judge of Election. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

[The Commissioners signed an Order and a Notice of Removal for each of the above-referenced Judges of Election during open session.]

Mr. Lasker stated that there are reports of additional Judges of Election that may need to be removed, but we are not quite ready to act on these at this time. As such, Mr. Lasker requested that the Board meeting move forward.

- B.** Possible court action to address delayed polling place openings and/or other emergency needs: Commissioner Kresse asked Mr. Lasker whether this morning all polling places were opened on time or otherwise in such a manner that the Board didn't have to go to court for any time extensions. Mr. Lasker stated that that is correct; we have no evidence of any voter who had to be turned away from a delayed-opening polling place who stated that they would not be able to return by seven o'clock or vote at a Vote Center. Mr. Lasker noted that the Vote Centers have proven to be quite a successful safety net; the Election Day Vote Centers really seem successful in that if a voter's precinct polling place is not open on time in the morning, they can get to one of the Vote Centers before they close tonight. Mr. Lasker stated that he doesn't think we've had to hold a polling place open late since we've had the Vote Centers available on Election Day. Mr. Lasker stated that this is remarkable. The Commissioners all agreed.

XIII. Public Comment: [None.]

XIV. Recess: Commissioner Brown moved to recess until a call of the Chair. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board. The meeting was recessed at 4:56 p.m.

XV. Call to Order:

Chair Marisel A. Hernandez reconvened the meeting at 6:53 p.m.

XVI. Roll Call: All Board members were present. Also present were Executive Director Charles Holiday, General Counsel Adam Lasker, Consultant Lance Gough and Trish Sheehy.

XVII. Election Day

A. Possible removal of Judges of Election:

As a point of order, General Counsel Adam Lasker asked to clarify the record as to one of the earlier removals, specifically the one involving Brenda Dorsey. Mr. Lasker noted that some facts of that case may have been misstated or misunderstood. Mr. Lasker noted that while the Chicago Police were called to the incident, Ms. Dorsey was not arrested. She neither struck a police officer or was being charged with any crime. Rather, with Ms. Dorsey, both Board Investigators and Chicago Police officers were called to the polling place after it was reported that Ms. Dorsey was combative and using profanity with her fellow judges; she made verbal statements threatening the physical safety of another poll worker in front of the investigators. Mr. Lasker stated that he regrets if there was any error with the reports of this matter, and he wanted to correct the record. Commissioner Kresse stated that the reports of Ms. Dorsey's behavior as they currently stand are still sufficient to have Ms. Dorsey removed. Mr. Lasker agreed. The Chair added that as such, the Board's previous decision stands.

Mr. Lasker presented the cases for the removal of the following Judges of Election:

1. Ms. Johnnette Morris Democratic Party judge of election assigned to the 14th precinct of the 25th ward. It was reported that Ms. Morris was engaged in verbal altercations with the building manager, and at one point physically pushed the manager. Both Chicago Police and Board Investigators were dispatched to the scene. The judge reportedly assaulted a police officer and committed battery on a civilian employee of the building. Ms. Morris was arrested on those charges and removed from the Polling Place. The General Counsel stated that grounds exist for the removal of Ms. Morris from the office of Judge of Election. Commissioner Brown moved to remove Johnnette Morris as a Judge of Election. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.
2. Ms. Peggy A. Koehler Democratic Party Judge of Election assigned to the 5th precinct of the 15th Ward. The Board received the initial complaints on this matter through the Chicago Public School System. Complaints were lodge by a principal and an associate principal at the school where this polling place was located. Ms. Koehler reportedly engaged in misconduct unbefitting that of a judge of election in that she spoke disrespectfully to a teacher and the teacher's students in

the school that was hosting the Polling Place. After receiving complaints from the principal and assistant principal, the Board of Elections dispatched an investigator who spoke with Ms. Koehler about the incident. The investigator determined, based on the conversation, that Ms. Koehler did make inappropriate, racially- and ethnically-insensitive comments to the teacher in front of her students. The General Counsel feels that Ms. Koehler's actions constitute a disruptive cause of action that would warrant the removal of the judge. Commissioner Brown moved to remove Peggy A. Koehler as a judge of election. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

3. Mr. Matthew W. Simmons Republican Party judge of election assigned to the 5th precinct of the 2nd ward. The Board received reports that Mr. Simmons was allegedly showing signs of intoxication. A Board Investigator was dispatched, who then approached Mr. Simmons and had a conversation with him. During the conversation the Investigator could readily smell alcohol on Mr. Simmons' breath and observed Mr. Simmons's lack of motor skills, including small stumbling and slurred speech. The General Counsel stated that this is not appropriate for a Judge of Election and requested removal. Commissioner Kresse moved to remove Matthew W. Simmons as a Judge of Election. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

[The Commissioners signed an Order and Notice of Removal for each of the above referenced Judges of Election during open session.]

XVIII. **Public Comment:** [None.]

XIX. **Adjourn:** Commissioner Brown moved to adjourn. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board. The meeting was adjourned at 7:00 p.m.

Submitted,



Commissioner William J. Kresse
Secretary