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STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

MONTHLY BOARD MEETING
EXECUTIVE SESSION
(EXCERPT OF PROCEEDINGS)

TUESDAY, OCTOBER 18, 2016
10:30 A.M.
2329 S. MacARTHUR BLVD.
SPRINGFIELD, ILLINOIS

PATKES REPORTING SERVICE
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REPORTER: LAUREL A. PATKES, CSR #084-001340

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BOARD MEMBERS:

- CHARLES SCHOLZ, Chairman
- ERNEST GOWEN, Vice Chairman
- WILLIAM CADIGAN
- ANDREW CARRUTHERS
- BETTY COFFRIN
- JOHN KEITH
- WILLIAM McGUFFAGE
- CASANDRA WATSON

1 . MR. MENZEL: Item No. 28 is Ajster
2 versus Citizens for Towne State's Attorney, 16CD156.

3 The complaint alleges that the
4 candidate, incumbent state's attorney, has used
5 public funds for campaign purposes and failed to
6 include an attribution of source on a political
7 communication.

8 All of the allegations relate to
9 expenditures from the LaSalle County fund that holds
10 the proceeds of drug enforcement fines.

11 Finally, the allegations
12 asserted that LaSalle County donated funds to
13 different groups which then publicly acknowledged
14 the candidate by name and office, three of those
15 doing so by including a reproduction of his campaign
16 yard sign on T-shirts or at a sponsored golf outing.

17 The complaint also alleges that
18 the county fund was used to send the candidate to a
19 conference in Florida and that he promoted himself
20 as a candidate while at the conference.

21 On the attribution of source
22 issue, the hearing officer recommends a finding of
23 no justifiable grounds. His present complaint is
24 against the committee, and all of the evidence

1 submitted relates to expenditures paid by LaSalle
2 County.

3 On the Election Interference Act
4 issues, the hearing officer recommends that the
5 board dismiss portions of the complaint because it
6 lacks jurisdiction to make findings or impose
7 sanctions for violations of the Election
8 Interference Act which are criminal matters, not
9 civil fines.

10 I concur with the hearing
11 officer on this.

12 . CHAIRMAN SCHOLZ: All right. Any
13 questions for Mr. Menzel?

14 If not, we will hear from the
15 complainant.

16 Ms. Ajster?

17 . MS. AJSTER: Thank you.

18 As was stated, Mr. Towne is the
19 current state's attorney of LaSalle County which
20 means he also represents the county board.

21 So in this particular situation,
22 there are two funds in LaSalle County. One is for
23 forfeiture money so when monies are seized and
24 related to drugs, they're put in one account.

1 That's under Mr. Towne's control. He has unfettered
2 control on that account.

3 There's question of spending on
4 that account, but that's not addressed in my
5 complaint.

6 The complaint addresses
7 expenditures from Fund 25 which is where drug fines
8 go.

9 Now, after the hearing officer's
10 report, it was reported in our local newspaper that
11 Towne was cleared of all wrongdoing, and Towne
12 refers to my complaint as annoyances, and that the
13 hearing officer found that needs to be what they
14 were which is a political vendetta.

15 You can read in here in the
16 report, there's absolutely in there about political
17 vendetta. There's nothing in there that they were
18 unsubstantiated.

19 In this particular case when we
20 were at the closed board hearing, the argument was
21 that Brian Towne uses Fund 25 funds that are
22 controlled by the county board. The county board
23 approves the expenditures.

24 I argued that without subpoena

1 power, I have no -- strike that.

2 Without subpoena power, I don't
3 have the ability to understand what was said to the
4 county board to allow these expenditures.

5 After the hearing officer's
6 report, there was an article in the local newspaper
7 wherein Brian Towne says, "See, I did nothing wrong.
8 The county board told me I could spend that money."

9 Then you have county board
10 members saying we didn't know he was spending the
11 money this way. We would never have approved him
12 using county board monies to put his campaign logos
13 on T-shirts that promote him as a candidate.

14 So that's the situation that we
15 have is that under the statute, he is using public
16 funds. These are monies that belong to LaSalle
17 County, and as an attorney for LaSalle County, he's
18 telling them, let's make this donation here. Let's
19 make this donation there.

20 Then, when the donation is made,
21 he is putting it as Brian Towne LaSalle County
22 State's Attorney and giving them his campaign logo
23 to put on T-shirts, yard signs that go next to tees
24 at golf outings.

1 Additionally, with regard to the
2 one T-shirt that went to the LP Renaissance Club,
3 Mr. Towne claims that that's not for campaigning,
4 but yet, when he's in Florida with the Renaissance
5 Club, he then makes an expenditure to his campaign
6 fund for \$500 for a dinner at Disney.

7 So it seems that that doesn't
8 seem to make sense as to how he says that his
9 involvement with the Renaissance Club and this
10 donation is not campaigning but then while he is
11 with the club and while they're wearing these
12 T-shirts, he's then taking these kids to dinners at
13 Disney World.

14 So this is the situation that I
15 have is that he's using public funds to campaign.
16 He's not disclosing to the county board that he's
17 using these funds to campaign. He's not disclosing
18 them on his campaign disclosure forms that he's
19 getting thousands of dollars from the LaSalle County
20 Board to which then he is using to promote himself
21 as LaSalle County State's Attorney.

22 One of the hearing officer's
23 findings was that there was lack of evidence that
24 Mr. Towne, in fact, directed people as to how to I

1 guess when these donations are made in whose name
2 they were made, but that's contrary. The donation
3 to the LP High School Sports Program of \$500, the
4 letter clearly addressed to Mr. Towne says your
5 donation is appreciated. We'll make sure to promote
6 you and your efforts through multiple media sources.

7 It's not saying we're going to
8 promote LaSalle County or LaSalle County State's
9 Attorney Office. It says we're going to promote
10 you, Mr. Towne, LaSalle County State's Attorney.

11 Additionally, he does the same
12 thing with the T-shirts. He does it also -- if you
13 look at my Exhibit N which was a hundred dollar tee
14 sponsorship, the form that was actually returned
15 with the LaSalle County check says tee-sponsored
16 name on sign, LaSalle County State's Attorney's
17 Office, Brian Towne.

18 So he's promoting himself as a
19 candidate. All the documentation that's on the
20 T-shirts are, in fact, his yard sign, and so in this
21 particular situation, I disagree with the hearing
22 officer that, one, these are funds that are being
23 spent by the LaSalle County Board...well, it perhaps
24 is a situation if the LaSalle County board knew they

1 were giving him campaign funds or that he was going
2 to be using these funds to campaign in such amount
3 that they would actually be a political committee
4 themselves because I think the total donations are
5 over \$5,000, and then they would have to report
6 themselves.

7 So in this particular case, the
8 county board was unaware from their own admission
9 that he was using these monies as campaign funds,
10 and that's why we recommend that we go to a full
11 hearing so that way, we can have the county board
12 members in and ask them what their understanding of
13 it was because if it's a situation where he's using
14 county funds and the county board is not aware that
15 he's using them for elections, that's an issue.

16 And additionally, if they were
17 aware that he was using them for campaign purposes,
18 it's something that he should have disclosed in his
19 quarterly reports that he was receiving these
20 monies. The monies should have been then deposited
21 into his campaign fund and then spent from there
22 rather than to be spent directly from LaSalle County
23 to the organization in exchange for his political
24 campaigning.

1 . CHAIRMAN SCHOLZ: Questions for
2 Ms. Ajster?

3 . MEMBER CADIGAN: You indicated at the
4 beginning of your statement that you didn't have
5 subpoena power.

6 You would have wanted to direct
7 subpoenas to either the state's attorney or the
8 county board?

9 . MS. AJSTER: Correct.

10 . MEMBER CADIGAN: Did you issue FOIA
11 requests?

12 . MS. AJSTER: I did not issue FOIA
13 requests to the county board for this particular
14 issue.

15 At the closed board hearing,
16 counsel for Mr. Towne made the representation that
17 because I had -- or strike that.

18 The documents that were provided
19 to the board were in response to other FOIA requests
20 which shows that the county board is approving these
21 expenditures, okay? They're signing.

22 The county board has a
23 subcommittee that oversees the State's Attorney's
24 Office, so it was actually not even a full county

1 board. It was a subcommittee that oversees the
2 State's Attorney's Office that approved the
3 expenditures, but according to county board members
4 and local media, they're saying we didn't know what
5 he was using the money for.

6 So if I sent a FOIA request to
7 the county board and there wouldn't be anything, any
8 document that they could respond with...

9 . MEMBER CADIGAN: That subcommittee
10 doesn't keep any minutes or records of its
11 proceedings?

12 . MS. AJSTER: I don't believe so, but
13 again, I've never sent a FOIA request for those
14 until my Election Board complaint and then also,
15 additionally, my petition for special prosecutor,
16 Prosecutor Mr. Towne.

17 The county board was unaware of
18 any of this. They were unaware because actually,
19 under the statute, drug fines can only be used for
20 drug enforcement.

21 So here the county board, on the
22 advice of counsel, their state's attorney, is saying
23 you can spend these monies by giving it to the
24 softball and the high school and sponsoring tees at

1 golf outings, and so, one, it's a violation of the
2 statute to spend it that way.

3 Secondly, he's using it to
4 promote himself as a candidate so the county board
5 was unaware of that.

6 I don't know if they keep
7 meeting minutes or not.

8 MEMBER CADIGAN: Well, I think we
9 need to separate out the issue of the financial
10 controls at the LaSalle County Board and the
11 subcommittees it might use from the issue of whether
12 or not the respondent engaged in conduct that
13 violated the act.

14 Is that correct?

15 MR. MENZEL: Well, I mean,
16 historically, this board has not gotten into
17 Election Interference Act matters because it's a
18 criminal violation, which we don't prosecute.

19 MEMBER CADIGAN: Right.

20 MR. MENZEL: So we don't make
21 findings with regard -- that's something for the
22 special prosecutor that's been requested. Usually,
23 it's the state's attorney's matter.

24 Given that this is the state's

1 attorney in this particular county, either the
2 attorney general's office or a special prosecutor
3 would be the entity that would need to bring the
4 criminal charges for violation of the Election
5 Interference Act.

6 . MEMBER CADIGAN: To the extent that
7 the hearing officer's report references conduct that
8 crossed the mind of what is permissible, what weight
9 do we give that as a board?

10 . MR. MENZEL: Again, we have not in
11 the past enforced the Election Interference Act.
12 It's a criminal statute that requires criminal
13 charges or enforcement.

14 . MEMBER CADIGAN: So that material, if
15 it was to have any use moving forward, is in that
16 context?

17 . MR. MENZEL: Correct, yes.

18 . MEMBER CADIGAN: Summarize for me,
19 there's a lot of material here, what does the
20 hearing officer find may have crossed the line? I
21 have located the two instances.

22 . CHAIRMAN SCHOLZ: Well, I think the
23 T-shirts -- and Mr. Nauman is here.

24 . MR. MENZEL: In essence, we have

1 three instances in which T-shirts were printed for
2 particular events. Similar in, you know, you see
3 the 5K runs at places, and there will be all the
4 logos at the local bank and the local accountant and
5 the medical facilities that sponsored the 5K run. A
6 similar sort of thing with some educational deals.
7 The county paid a donation into that event, and what
8 appeared on the commemorative T-shirts if you will
9 was a little thing that said Towne, State's
10 Attorney, which was a reproduction of the logo that
11 appears as his yard signs and other sorts of
12 campaign materials for the committee.

13 Now, you know, if the attorney
14 general's office or a special prosecutor saw it the
15 same way as Mr. Nauman on those kind of items,
16 perhaps he would be looking at bringing a
17 prosecution, but that's not our domain.

18 . MEMBER CARRUTHERS: Is it our domain
19 to refer it to them? I know we do that in other
20 matters.

21 . MR. MENZEL: We have in regard to
22 like Electoral Board matters where we've had
23 fraudulent petitions, and that sort of thing.

24 My understanding is there's

1 already a request in for a special prosecutor, and
2 all of that material, that would go to the court.

3 . MEMBER CADIGAN: Ms. Ajster?

4 . MS. AJSTER: It's a little bit of a
5 sticky situation with regard to the special
6 prosecutor because typically it would be something
7 if I found misconduct I would report it to our local
8 law enforcement.

9 The Attorney General's office
10 has been aware of not specifically these allegations
11 but other allegations with regard to -- I did attach
12 a copy of my petition for special prosecutor. It's
13 about half a million dollars that was diverted to a
14 bank in a different county from drug forfeiture
15 money.

16 . MEMBER CADIGAN: Hang on a second.

17 Who's that petition directed to,
18 the petition for the special prosecutor?

19 . MS. AJSTER: The petition for the
20 special prosecutor is myself, Julie Ajster, against
21 Brian Towne.

22 . MEMBER CADIGAN: Who are you asking
23 to make the appointment for the special prosecutor?

24 . MS. AJSTER: It was filed in the

1 Circuit Court of LaSalle County. It's been sitting
2 there for about a month. The chief judge just
3 now -- initially they said they were going to ask
4 that the Supreme Court reassign it outside the
5 county or outside the circuit.

6 After about two weeks when that
7 didn't happen, then the chief judge said he was
8 going to hear it. It was scheduled for last Friday.
9 Then he called Thursday afternoon and said I've
10 changed my mind. I'm going to reassign it outside
11 the circuit.

12 So that would go to a different
13 judge, and then I would ask that a special
14 prosecutor be appointed, and in this particular
15 instance, you have three choices, well, actually
16 four or five, but typically, it would go to the
17 attorney general's office.

18 The issue though with the
19 attorney general's office is that they represent
20 Brian Towne before the Illinois Supreme Court with
21 regard to the source of a lot of these funds, which
22 is his illegal police force called SAFE, so that
23 would take the attorney general's office out of it.

24 The second entity is the

1 Attorney Appellate Prosecutors Office in Springfield
2 to which Mr. Towne is chairman of the Board of
3 Governors so that would take that off the table.

4 So in this particular case, once
5 the case is before the court and a judge is assigned
6 to it, I would ask that state's attorney's from a
7 neighboring county or a private --

8 . MEMBER CADIGAN: It sounds like
9 you're making progress in those efforts. It's being
10 considered by the authority that you petitioned to
11 make the appointment of a special prosecutor.

12 . MS. AJSTER: It is.

13 . MEMBER CADIGAN: Okay. Thank you.

14 . MS. AJSTER: But my position is that
15 they're not mutually exclusive. You can't rely on
16 the criminal prosecution of him if, in fact, these
17 are, you know, also election board violations.

18 I understand that the board
19 typically doesn't enforce this particular section of
20 the Act but they do have the authority to enforce it
21 if need be. It's under the Election Code.

22 . MR. MENZEL: I would take issue with
23 that. Penalty for violation of the Election
24 Interference Act is a Class B misdemeanor. We have

1 no power to prosecute misdemeanors.

2 . MEMBER CADIGAN: To Mr. Carruthers'
3 point, we do have the ability to make a referral if
4 we believe that there is conduct that law
5 enforcement should review.

6 . MR. MENZEL: I mean, typically in the
7 past, we've referred things to state's attorney's
8 offices and attorney general's office. It sounds
9 like they're already aware of the situation and the
10 process has already begun it sounds like, and I
11 don't want to be redundant but...

12 . MEMBER CADIGAN: So again, I think it
13 may be helpful to you to just simply have this piece
14 of paper where our hearing officer makes findings
15 helpful to you.

16 We're sort of in an area where
17 my lawyer is telling me it's not an area where we
18 can act, but we've developed a record to this point,
19 and I believe that portions of that record are
20 helpful to your reference. That may be where we
21 have to leave things today.

22 . MS. AJSTER: They are.

23 The only thing with regard to
24 that is if it's an Election Code violation, I don't

1 necessarily think it should be up to me to be the
2 champion of the cause.

3 If the board feels that there
4 was a crossing of the line, then it should be
5 reported to some law enforcement agency or, since in
6 this case it wouldn't be the attorney general's
7 office or the state's attorney's because it involves
8 the state's attorney, perhaps to the U.S. Attorney
9 General's office or someone else.

10 I think that just to say that,
11 well, Ms. Ajster is taking care of it, we'll
12 defer...because I could tomorrow decide I don't want
13 to pursue it and then, you know, I'm taking --
14 basically, I'm acting in the place of the State
15 Board of Elections when perhaps mine should be my
16 own independent thing, and the State Board of
17 Elections should conduct their own or refer it to
18 their own law enforcement agency.

19 . MEMBER CADIGAN: You didn't come to
20 us first when we said no. You proceeded on a couple
21 of your tracks here.

22 . MS. AJSTER: Yes.

23 . MEMBER CADIGAN: Which is your right
24 to do, and I think that that's appropriate for you

1 to do.

2 . MS. AJSTER: Yes. And the petition
3 for special prosecutor does involve some of these
4 allegations that are before the board and some
5 additional allegations of misconduct that are not
6 under the realm of the State Board of Elections.

7 But with regard to the elements
8 that would be under the control and under the
9 purview of the State Board of Elections, it would be
10 my position that I think the State Board of
11 Elections should do something besides just making a
12 finding and relying on me, whether it's just further
13 finding that, you know, this should be handled by
14 law enforcement and refer it to someone.

15 . CHAIRMAN SCHOLZ: Ms. Watson wants to
16 be heard.

17 . MEMBER WATSON: Mr. Menzel, so you
18 are in agreement with the recommendations of the
19 hearing officer on this matter, is that correct?

20 . MR. MENZEL: Yes, ma'am.

21 . MEMBER WATSON: So if you can just
22 explain to me, because I'm reading it's the opinion
23 of the hearing officer that the complaint was not
24 filed on justifiable grounds.

1 . MR. MENZEL: We don't enforce those
2 matters. It's not something that you come to us to
3 get enforcement of, and that's consistent with the
4 way we've handled Election Interference Act matters
5 in the past. It's not our domain. It's the
6 criminal law domain which is enforced generally by
7 the state's attorney or the attorney general's
8 office.

9 . MEMBER CADIGAN: Or an independent
10 prosecutor.

11 . MR. MENZEL: Yeah, but that would be
12 through the criminal law process, not through the
13 administrative agency.

14 . CHAIRMAN SCHOLZ: But I understand
15 Member Watson's point when you say it's not filed on
16 justifiable grounds, yet you read the hearing
17 officer's report and clearly there were some
18 instances here where the statute wasn't complied
19 with.

20 So I think it kind of puts us in
21 a, you know, we don't want to be in the position of
22 exoneration.

23 . MEMBER WATSON: I mean, the language
24 matters.

1 . MEMBER McGUFFAGE: Well, you know,
2 we've ruled in the past that since this has a
3 criminal penalty attached, it belongs in the
4 criminal justice system.

5 . MEMBER WATSON: And I don't disagree
6 with that at all.

7 . MEMBER McGUFFAGE: Yeah. And, you
8 know, if we make any findings on election
9 interference, we may be prejudice of misdemeanor
10 prosecution.

11 . MEMBER WATSON: And I'm not
12 suggesting that.

13 . MEMBER McGUFFAGE: So, you know, we
14 just can't deal with it.

15 . MEMBER CARRUTHERS: My concern is I
16 think if we say that it was not filed on justifiable
17 grounds, I think certain parties, perhaps the
18 respondent in this matter, could take that as I've
19 been vindicated by the State Board of Elections, and
20 in fact, our hearing officer, with what little we
21 were able to explore this, found some areas where
22 the line may have been crossed.

23 So obviously I don't think
24 we're -- I'm concerned the message we're sending

1 when you say that the complaint was not filed on
2 justifiable grounds is that there's no concern when,
3 in fact, we have concerns.

4 It's a difficult position that
5 we're in, and I hope that certainly our complainant
6 can appreciate sure that because we're very
7 reluctant as we always are to exceed our authority
8 or exceed our jurisdiction as he's indicated, and
9 frankly, recently we have been criticized for
10 whether or not we've followed things up in a
11 diligent way and fully exercised the authority, and
12 I think there's some public confusion frankly as to
13 what our authority is but...

14 . MEMBER CADIGAN: Well, what about
15 this? If we make a finding that a complaint was
16 filed on justifiable grounds but take no further
17 action and leave the matter open for the resolution
18 of the criminal matters because it sounds like you
19 have gone pretty far down the road with advocating
20 for the court the appointment of a special
21 prosecutor, and that has had some -- well, I'm
22 sensitive to all the remarks that were made up here
23 that we not exceed our administrative authority.

24 The record as it's been

1 developed here to this point sort of speaks for
2 itself, and you've represented to us that the
3 criminal justice system is acting on it and that you
4 can take the material that's been developed at this
5 point and incorporate it into those proceedings.

6 . MS. AJSTER: Along those lines, like
7 Mr. Carruthers was saying, based on the hearing
8 officer's report where it's not based on justifiable
9 grounds, the news headline in our local paper is
10 Towne to be cleared of campaign abuse claims, and
11 they say, we've done nothing wrong. It's a
12 vendetta. This is an annoyance to me, when actually
13 it's a criminal matter because there's nothing in
14 there that says, hey, we're deferring to possible
15 criminal prosecution of him, and maybe that's...

16 . MEMBER CARRUTHERS: What he's
17 suggesting though is that we not follow the
18 recommendation of our counsel or hearing officer;
19 that we actually find that it was filed on
20 justifiable grounds but that we, consistent with
21 some of our past decisions, we just don't take any
22 further action.

23 Frankly, as the counsel has
24 pointed out, it's not in our authority to do so.

1 So it's the difference of saying
2 whether or not you were justified in bringing the
3 complaint or it has no justifiable grounds, which I
4 think most people interpret it, well, it shouldn't
5 have been brought at all, and I would certainly
6 agree, and I would be willing to make the motion
7 that we find that your complaint was filed on
8 justifiable grounds; however, we take no further
9 action.

10 CHAIRMAN SCHOLZ: The chair will
11 consider that a motion.

12 Is there a second?

13 MEMBER CADIGAN: Second.

14 CHAIRMAN SCHOLZ: All right. Is
15 there discussion on the motion?

16 Member McGuffage.

17 MEMBER MCGUFFAGE: You know, if
18 you're saying that the hearing officer and the
19 general counsel recommendation is the complaint was
20 not filed on justifiable grounds, why are we
21 reversing that? I don't understand.

22 My motion would be finding the
23 complaint as to the administrative matters
24 complained of, noncriminal matters, was not filed on

1 justifiable grounds and make no finding whatsoever
2 on the election interference allegations. Say, you
3 know, we can't do it.

4 But I don't know why we'd want
5 to reverse the hearing officer's recommendation and
6 counsel's recommendation.

7 I mean, you know, I want to go
8 along with the hearing officer and general counsel
9 on this one based on what I've read.

10 . MEMBER CARRUTHERS: Yeah, and I don't
11 think -- I'm not trying to make any specific
12 findings as to whether or not the interference has
13 occurred. I just am reluctant to...I'm reluctant to
14 say that the complaint was not filed on justifiable
15 grounds when, in fact, our hearing officer has found
16 several areas of concern where we think there may
17 well have been.

18 So I think what I'm asking, all
19 I'm asking for is that we find it filed on
20 justifiable grounds but yet recognize also that
21 we're within our own authority by saying we are
22 taking no further action and are making no further
23 findings of fact, and we're going to leave that for
24 whoever has that authority.

1 So anyway, that was my intention
2 behind the motion.

3 CHAIRMAN SCHOLZ: Well, that's a
4 difficult matter, and I want to commend Hearing
5 Officer Nauman because he did a good job I think in
6 examining each and every issue because there are
7 things that simply inert to the benefit of the
8 incumbent by the nature of the office, and also,
9 there are these matters like the T-shirt where it
10 would appear to be a campaign-related matter.

11 Did you make a motion?

12 MEMBER McGUFFAGE: Well, no. I'm
13 just saying that...

14 MR. MENZEL: Mr. Carruthers made a
15 motion.

16 CHAIRMAN SCHOLZ: So there's a motion
17 by Member Carruthers, seconded by Member Cadigan to
18 find the complaint was filed on justifiable grounds
19 but take no further action.

20 All right. Anybody else wish to
21 be heard on the phone there?

22 VICE CHAIRMAN GOWEN: I think under
23 the circumstances, this is about all we can do.

24 CHAIRMAN SCHOLZ: All right. Roll

1 call, please, or no.

2 . MR. MENZEL: Before calling our vote,
3 we should get Casandra back.

4 . CHAIRMAN SCHOLZ: And also, when we
5 forward it to the hearing officer and the general
6 counsel, have we made a sufficient record on that?

7 . MR. MENZEL: I think the discussion
8 here is adequate for why you went...

9 . DIRECTOR SANDVOSS: He'll get a copy
10 of the transcript.

11 . MR. MENZEL: So we'll attach the
12 transcript as justification for what it was that you
13 wanted to do, but we'll need Cassandra back to have
14 five physically present.

15 . CHAIRMAN SHOLZ: Of course.

16 Sorry, Ms. Ajster. We have to
17 have five for a quorum.

18 (Pause)

19 . CHAIRMAN SCHOLZ: Amy, we're going to
20 have to call a quick recess here because we don't
21 have a quorum until we find Cassandra, so ten after
22 12 we'll reconvene.

23 (Recess taken.)

24 . CHAIRMAN SCHOLZ: We have a quorum.

1 There's five of us here in Chicago.

2 So we had a motion by Member
3 Carruthers seconded by Member Cadigan that would
4 find that the complaint was filed on justifiable
5 grounds but to take no further action and just defer
6 to what other criminal proceeding.

7 Is that fair?

8 . MEMBER CARRUTHERS: Action by other
9 agencies.

10 . CHAIRMAN SCHOLZ: Action by other
11 agencies.

12 Is there any other discussion on
13 that?

14 This is 28 only.

15 Are we ready to vote?

16 Will you call the roll, please,
17 Darlene?

18 MS. GERVAIS: Mr. Cadigan?

19 . MEMBER CADIGAN: Yes.

20 . MS. GERVAIS: Mr. Carruthers?

21 . MEMBER CARRUTHERS: Yes.

22 . MS. GERVAIS: Ms. Coffrin?

23 . MEMBER COFFRIN: Yes.

24 . MS. GERVAIS: Mr. Keith?

1 . CHAIRMAN SCHOLZ: Yes.

2 . MS. GERVAIS: Mr. McGuffage?

3 . MEMBER MCGUFFAGE: No.

4 . MS. GERVAIS: Ms. Watson?

5 . MEMBER WATSON: No.

6 . MS. GERVAIS: Vice Chairman Gowen?

7 . VICE CHAIRMAN GOWEN: Yes.

8 . MS. GERVAIS: Chairman Scholz?

9 . CHAIRMAN SCHOLZ: Yes.

10 . 6 to 2. Motion carried.

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1 STATE OF ILLINOIS)
2)SS.
3 COUNTY OF SANGAMON)

4 CERTIFICATE

5 I, Laurel A. Patkes, Certified Shorthand
6 Reporter in and for said County and State, do hereby
7 certify that I reported in shorthand the foregoing
8 proceedings and that the foregoing is a true and
9 correct transcript of my shorthand notes so taken as
10 aforesaid.

11 I further certify that I am in no way
12 associated with or related to any of the parties or
13 attorneys involved herein, nor am I financially
14 interested in this action.

15 Dated October 18, 2016.

16 *Laurel A. Patkes*
17 Certified Shorthand Reporter
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