

**From:** Shelby County Clerk - Jessica Fox <shcoclerk@shelbycounty-il.gov>

**Sent:** Thursday, April 4, 2024 10:14 AM

**To:** Kirk Allen <Kirk@illinoisleaks.com>

**Subject:** RE: Electoral Board Hearing process

I said in the past we had not sworn in petitioners/objectors at the Electoral board hearings. I had 2 hearings with Tom Devore, who I very much respect, as the objectee's attorney. The EB hearing prior to Boehm's, Devore was again present as was Jay Scott and nobody who testified at those hearings were sworn in. The EB hearing before that I had Devore and Steve Friedel. This was the first hearing I had been a part of where anyone was sworn in. Mr. Hanlon is a resident of a much larger county, I am certain he has more expertise in this area than I do, as I am sure those larger counties frequently do these type of hearings. I don't believe I used the words conventional or common to that proceeding. I told him I had never witnessed that being done before. Perhaps at the State level, but I had never been part of an electoral board hearings where those testifying were sworn in. Considering the fact that I had what I consider to be reputable attorneys attend past EB hearings in Shelby County, I would have thought there would have been a question raised about that, but until the most recent EB hearing there had been none. While our ROP's do say that we can administer oaths, I have never been part of an EB hearing where testifiers were sworn in, until the most recent hearing. So, while I doubt my verbatim statement was as you quoted me since I am not that eloquent of a speaker, I imagine my statement was more along the lines of "I have never seen oaths given before", would be a truer statement. I am not one to say that placing people under oath was not "conventional or common to that proceeding". I am certain in much larger areas, and probably SBE they regularly put people under Oath. I am limited only to the experiences I have had with previous Shelby County electoral board hearings, so I can't judge what is "conventional or common". I definitely feel as though I learn something from each one. Unfortunately, in my opinion, these hearings are serious matters, and the timeline in which things much be done is very tight. That is why this office suggests that people seek legal advice for all things election related. While all people have the right to file an objection, it is up to them to make sure it conforms to statute, and that it is filed correctly. I would welcome all education I could about Electoral Board hearings, most of what I have researched comes from Cook County. So, if you write an Electoral Board for dummies book, please forward me a singed copy. Thank you.

## **Jessica Fox**

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