

R. I. STATE BOARD OF ELECTIONS

MINUTES OF MEETING (Open Session)

September 20, 2006

The Rhode Island State Board of Elections convened at 4:05pm, a quorum of the members were present including Acting Chair Thomas Iannitti, Commissioners John Daluz, Frank Rego and Raymond Xavier. Also present were Executive Director Robert Kando and Legal Counsel Raymond Marcaccio.

First order of business: Director Robert Kando and Supervising Accountant Richard Thornton presented to the Board the status of campaign finance violations by Leon Tejada. The Chair entertained a motion to allow a payment schedule for the current fine of \$7,071 through the campaign finance office. Commissioner Rego made a motion to add a probation period starting 9/20/06 to 9/20/07. The motion was second by Commissioner Xavier. The motion was passed unanimously.

The next matter: Richard Thornton Supervising Accountant of the Board of Elections presented to the Board the status of campaign finance violations by David R. Carlin III. Mr. Carlin called Mr. Thornton at 3pm today and stated that he will not be in attendance at today's meeting. After numerous attempts to rectify the violations Commissioner Daluz moved to deny the appeal of David R. Carlin III, Commissioner Rego seconded the motion. The Chair moved to refer

this matter to the Attorney General's office if the fine is not paid in full within 30 days and seconded by Commissioner Xavier. Commissioner Rego amended Commissioner Xavier motion to add a 1-year probation period starting 9/20/06 to 9/20/07. Commissioner Xavier's amended motion was passed unanimously.

Next order of Business: Elections complaint filed by Wilbur Jennings Jr. regarding the 8th Ward City Council Democratic Party was continued to September 27, 2006.

Next order of business: Elections complaint and hearing re: Cumberland Mayor David S. Iwuc and possible violation of R.I.G.L 17-23-18. Mr. Iwuc was present and represented by Attorney Michael J. Colucci. At the close of the discussion Commissioner Daluz moved to make no finding and order the staff to send an advisory statewide of R.I. G.L 17-23-18. The motion was passed unanimously.

Next order of business: To address two separate allegations of voter fraud in Ward 8 by Eulogio Acevedo and Laura Perez District 11 in the city of Providence during the September 12, 2006 primary. Both parties are present and after discussions with the board referred both complaints to the State Police for further investigation.

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Next order of business: To hear any and all public comment on the subject of fraudulent voting by non-citizens. The board heard comments from Terry Gorham from Rhode Islanders Immigration Law Enforcement and Angel Tavares as private citizens.

At this time, Vice Chair Iannitti motioned to adjourn this open session meeting, and that in accordance with R.I. General Laws § 42-45-5(a)(4) and R.I. General Laws §42-46-5(a)(2) that the Board move into Executive Session to discuss an investigation of a civil matter(s). The motion was seconded unanimously passed. The Board went into Executive Session.

The board reconvened from the executive session and adjourned.

Andreza Skipworth