

Meeting of the Joint Ethics Commission and Election Board

Town of Chevy Chase  
June 15, 2015

The JEC and EB (hereinafter, "Joint Board" ) met at 7 p.m. in the Lawton Center. Mr. Hager was selected as Chair, and Mr. Lawton volunteered as Acting Secretary for purposes of recording the meeting.

Present: Barry Hager, Scott Fosler, Debra Soltis, Stephan Lawton and Robert Charrow.  
Absent: Gloria Tristani

Mr. Lawton announced that Ms. Tristani cannot attend because she is out of town, and that he holds Ms. Tristani's proxy.

Mr. Hager advised that despite protests from Mr. Lawton and himself expressed in a June 12 letter to the Mayor and Council members (attached), the Mayor has scheduled for consideration on June 17 possible changes in town election law governing write-in campaigns, purportedly based on recommendations from the Joint Ethics Commission and Election Board.

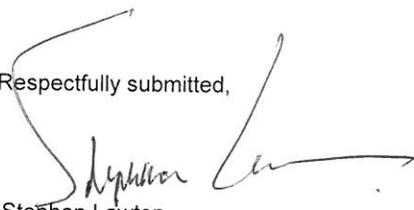
He then introduced a draft Resolution to be submitted urgently to the Council, which, by unanimous consent, was amended by Mr. Lawton and Ms. Soltis. The amended resolution, which was adopted by a vote of 5-1 (Mr. Charrow dissenting and Ms. Tristani voting yea by proxy) is attached to and is a part of these minutes.

The discussion of the resolution made clear that its purpose was to strongly object to any action on election law reform by the Town Council before the Joint Committee has completed its work, which it has not, and submitted recommendations and an explanatory report to the Council and to the residents of the Town.

Discussion then turned to progress in drafting the report requested by the Council. There was a consensus that work on the report and recommendations would take some time yet, and that it was important to make the report and recommendations thorough and responsive to public comments rather than to rush the report, especially given the length of time before another election in the Town will occur.

The meeting adjourned at 7:44 p.m.

Respectfully submitted,



Stephan Lawton

Acting Secretary

Resolved,

That the work of the Joint Ethics Commission and Election Board of the Town of Chevy Chase is not yet complete, as was clearly stated at the conclusion of the June 4, 2015 meeting and that the Joint Committee has not yet forwarded its recommendations to the Council;

that as part of our work in formulating our recommendations to the Council, the Joint Committee has embarked upon a factual investigation of Council Members' roles, if any, in the write-in campaign, and, as part of this inquiry has directed letters of inquiry to all Council Members requesting facts as to their knowledge of, and participation in, the write-in campaign;

that the Joint Committee has yet to receive responses from two Council Members, Mayor Lang and Councilman Bickerman; and

that the Joint Committee strongly objects to any action by the Council on potential changes in election or ethics laws until the Ethics Commission and Election Board have completed their work and submitted written recommendations proposing changes in the law, and addressing the ethical/legal responsibility of Council Members during an election, and have provided an accompanying explanatory report to the Council and to the citizens of the Town.

**TOWN OF CHEVY CHASE  
ETHICS COMMISSION**

June 12, 2015

Mayor Al Lang  
Town of Chevy Chase  
Lawton Center  
Chevy Chase, MD

Dear Mayor Lang:

In response to the request from the Town Council to the Town Ethics Commission and Election Board to review events surrounding the May Town Council election and to make recommendations about future elections, the two committees held joint public meetings on May 26 and June 4. The minutes of those meetings have been approved and filed with the Town Office.

Based on the extensive comments from town residents at those two meetings and through submissions to the Town Office, and on the discussion and debate within the two committees at those meetings, we are now working on finalizing our recommendations and writing a report to the Council conveying those recommendations.

In that regard, at our June 4 meeting, we also voted to send a letter of inquiry to the members of the Town Council prior to the recent election, regarding certain factual questions. We are hoping to receive responses to that inquiry from all of the Council members as soon as possible. Those responses will inform our further discussion and decisions about necessary reforms.

As Chairs of the two committees, Steve Lawton and I hope that we can get final agreement on our recommendations and complete the drafting of our report to you by the time of the Council's regular July meeting. We will keep you informed of our progress. Please convey this information to your colleagues on the Council at your meeting on June 17.

With best regards,

Barry Hager  
Chair  
Town Ethics Commission

Steve Lawton  
Chair  
Town Election Board

TOWN OF CHEVY CHASE  
ETHICS COMMISSION and ELECTION BOARD

June 16, 2015

Mayor Al Lang  
Town of Chevy Chase  
Lawton Center  
Chevy Chase, MD

Dear Mayor Lang:

As chairs of the Ethics Commission and Election Board, we are writing to strongly urge the postponement of the deliberation on election law reform that is on the agenda for your June 17 Council meeting.

The Joint Ethics/Election committee met last evening, June 15, and passed the resolution which is attached. As the resolution reflects, the work of our joint committee, which the Town Council itself requested by a unanimous vote at its May meeting, is by no means finished. We have not yet submitted any recommendations to the Council and it would be highly misleading to suggest that any Council action is being taken based on our recommendation.

We are working in good faith to provide the Council and the Town with our best analysis of the current ethics and election laws and how those may need to be strengthened in light of what occurred in the May election. And we are looking at the question of the legal and ethical responsibilities of Council members in the conduct of elections. We will provide the Council and the Town with recommendations as soon as we responsibly can. Until then, no action should be taken based on any claim that we have provided the Council with recommendations, which we have not done.

With the next election some eleven months away, it seems clear that there is no urgency to Council action this week. The matter should be postponed until you have the benefit of the advice you asked us for.

Barry Hager  
Chair, TOCC Ethics Commission

Steve Lawton  
Chair, TOCC Election Board