



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

THOMAS H. PROL
Chairman

RYAN PETERS
Commissioner

NORMA R. EVANS
Commissioner

JON-HENRY BARR
Commissioner

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STEPHANIE A. OLIVO
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EDWIN R. MATTHEWS
Legal Counsel

PUBLIC SESSION MINUTES

March 19, 2024

Chairman Thomas H. Prol, Commissioner Ryan Peters, Commissioner Norma R. Evans, Commissioner Jon-Henry Barr, Acting Executive Director Joseph Donohue, Acting Legal Director Amanda Haines, Compliance Director Stephanie Olivo, Legal Administrator of Review and Investigation Theresa Lelinski, Information Technology (IT) Director Anthony Giancarli, IT Specialist Lou Solimeo, and Executive Secretarial Assistant Elbia Zeppetelli were present. IT Specialist Elias Amaya participated via Zoom. Legal Counsel Edwin R. Matthews was absent.

A court reporter was available to record the proceedings.

The Public Session Minutes will be available online on the Commission's website at: <http://www.elec.state.nj.us>.

Chairman Prol convened the meeting at 11:03 a.m. in Trenton.

The Commissioners unanimously consented to add the following items to the agenda in executive session:

- New Jersey Republican State Committee, et al. v. Jersey Freedom, et al.;
- Transparency and Public Disclosure During Investigations and Enforcement Activity; and,
- Daniels' Law.

1. Open Public Meetings Statement

Chairman Prol called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., adequate notice of the meeting of the Commission had been filed with the Secretary of State's Office and distributed to the entire State House Press Corps. It was also posted on the Commission's website.

2. Pledge of Allegiance

3. Approval of Public Session Minutes for February 20, 2024

On a motion by Commissioner Barr seconded by Commissioner Evans, and passed by a vote of 3-0, the Commission approved the Public Session Minutes for February 20, 2024. Commissioner Peters abstained.

4. Acting Executive Director's Report

Acting Executive Director Donohue presented the Acting Executive Director's Report.

5. Public Comments

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission voted to open the meeting for public comments.

No public comments.

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission resolved to close public comments.

6. Chairman Prol Read Resolution Authorizing an Executive Session

Whereas, there exists a need to hold an Executive Session for the purpose of discussing the following matter/matters, which fall within the exceptions to the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq. to wit.

Matter/Matters (OPMA Exception)

- Discussion of Executive Session Minutes for February 20, 2024;
- Complaint Recommendations;
- Final Decision Recommendations for Non-Filer Complaints;
- Final Decision Recommendations for 48-Hour Notice Violation Complaints;
- Legal Memorandum;
- New Jersey Republican State Committee, et al. v. Jersey Freedom, et al.;
- Transparency and Public Disclosure During Investigations and Enforcement Activity; and,
- Daniels' Law.

Whereas, it is unknown at this time when such discussion to take place in Executive Session may be disclosed to the public.

Now Therefore Be It Resolved by the Election Law Enforcement Commission as follows:

1. This Executive Session Meeting of the Election Law Enforcement Commission shall be closed to the public for discussion of the aforesaid referenced matters.
2. The matters discussed during this Executive Session Meeting shall be disclosed to the public at such time when reason for discussing and acting on same in Executive Session shall no longer exist.

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission resolved to enter Executive Session to discuss anticipated litigation and current litigation, which will become public as follows:

- A. Final Decision Recommendations in complaint proceedings which will not become public. However, the Final Decisions resulting from those recommendations will become public not later than seven business days after mailing to the named respondents.
- B. Matters under current litigation, the substance of discussions of which will not become public in order to protect the attorney-client privilege and the deliberative process. However, any litigation in which the Commission is currently a party is a public matter and will become public subject to the above limitations and privileges.

Return to Public Session

Chairman Prol stated that the following items were discussed in Executive Session:

- Discussion of Executive Session Minutes for February 20, 2024;
- Complaint Recommendations;
- Final Decision Recommendations for Non-Filer Complaints;
- Final Decision Recommendations for 48-Hour Notice Violation Complaints;
- Legal Memorandum;
- New Jersey Republican State Committee, et al. v. Jersey Freedom, et al.;
- Transparency and Public Disclosure During Investigations and Enforcement Activity; and,
- Daniels' Law.

7. Approval of Executive Session Minutes for February 20, 2024

On a motion by Commissioner Barr seconded by Commissioner Evans, and passed by a vote of 3-0, the Commission approved the Executive Session Minutes for February 20, 2024. Commissioner Peters abstained.

8. Complaint Recommendations

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission approved the complaint recommendations as follows:

Item 1. ELEC v. Ras Baraka and David McKnight (Treasurer)
C-G 0714 01 04-M2022; and,

Item 2. ELEC v. Ras J. Baraka, Cecil Lawrence Crump, LaMonica R. McIver, Louis J. Weber, Anibal Ramos, Jr., Dupre Kelly, Luis A. Quintana, Carlos M. Gonzalez, Louise Scott-Roundtree, Patrick O. Council, and David McKnight (Treasurer)
aka Team Baraka, C-E 0714 01 04-M2022.

9. Final Decision Recommendations for Non-Filer Complaints

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission adopted the Final Decision Recommendations for Non-Filer Complaints in the following matters:

- 2019 Primary Election: 1. Krafczek;
- 2020 Primary Election: 2. Talamini, 3. Ramsey, 4. Mickiewicz, 5. Adler;
- 2022 Primary Election: 6. Corona, 7. Hindy, 8. Winner;
- 2022 General Election: 9. Miller, 10. Wyatt.

10. Final Decision Recommendations for 48-Hour Notice Violation Complaints

On a motion by Commissioner Evans, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission adopted the Final Decision Recommendations for 48-Hour Notice Violation Complaints in the following matters:

- Item 1. ELEC v. New Jersey State Laborers PAC and John J. Duthie (Treasurer)
C-T 0000 0040 44-Q2021;
- Item 2. ELEC v. IBEW Local 456 COPE Fund and Warren Smith (Treasurer)
C-T 0000 0120 44-Q2021;
- Item 3. ELEC v. New Jersey Organization for a Better State, aka New Jobs PAC and Christine Buteas (Treasurer) C-V 0000 0016 33-Q2021; and,
- Item 4. International Longshoremens' Association AFL-CIO Committee on Political Education and Stephen Knott (Treasurer) C-T 0000 0007 33-Q2021.

11. Public Comments

On a motion by Commissioner Barr, seconded by Commissioner Peters, and passed by a vote of 4-0, the Commission voted to open the meeting for public comments.

No public comments.

On a motion by Commissioner Barr, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission voted to close public comments.

12. Adjournment

On a motion by Commissioner Evans, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission resolved to adjourn the meeting at 1:33 pm

Respectfully submitted as true
and correct,

Joseph W. Donohue
Acting Executive Director