

## **Before the Election Board of Monroe County, Indiana**

In the Matter Of:           The Potential Election Law Violations of Candidate Wolfe-Bender.

### **DECISION**

The hearing was convened at 1 p.m. by the Election Board with Clerk Browne, Donovan Garletts, and John Fernandez. Mr. Fernandez served as a proxy for Election Board member David Henry pursuant to paperwork filed by Mr. Henry on May 5, 2023. Witnesses Fox and Wolf-Bender were sworn in. Allison Chopra was present virtually as council for Mr. Wolf-Bender.

Mr. Garletts summarized the situation as follows--On Tuesday February 17, 2023, Marissa Meador of the Indiana Daily Student published an article noting potential election law violations by Candidate David Wolfe-Bender. At the March 2, 2023 regular session of the Monroe County Election Board Mr. William Ellis brought a formal complaint to the same effect. After deliberation, the Election Board found reason to believe an election violation occurred. Certified correspondence was directed to Mr. Wolfe-Bender, his listed counsel, and to the landlord of the property in question, Mr. Justin Fox, for consideration. The cited violations were IC §3-14-1-3 and IC § 3-14-3-1.1. Today, we are present to conduct a hearing on those violations in order to determine the Board's action, if any.

Mr. Fox presented information that he was the manager of the property located at 304 E. 16<sup>th</sup> Street; that he had no knowledge of Mr. Bender; that he had to approve any sublease of the premises, and that he had not seen or approved of the sublease to Mr. Bender.

Mr. Wolfe-Bender presented evidence that he believed the sublease was valid at the time he filed as a candidate for District 6 City Council Office. He discovered that his sublease was invalid after the time to withdraw from the race. Since learning of that the sublease was invalid, Mr. Wolfe-Bender had secured housing for the summer and next school year. Mr. Wolfe-Bender indicated his belief that IC § 3-5-5-7 residency provisions applies to this situation.


The Board questioned both Mr. Fox and Mr. Wolfe-Bender extensively on the issues. The full hearing can be found at <https://catstv.net/m.php?q=12426>.

Mr. Fernandez moved that the issue be forwarded to the Monroe County Prosecutor. Clerk Browne seconded the motion. The motion passed unanimously.

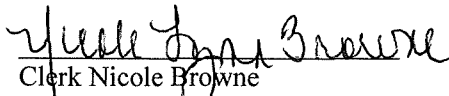
Mr. Garletts moved that the issue be forwarded to the Indiana Attorney General's Office and Clerk Browne seconded the motion. The motion passed 2-1 with Mr. Garletts and Clerk Browne voting in favor of the motion and Mr. Fernandez voting against the motion.

In the Matter Of:        The Potential Election Law Violations of Candidate Wolfe-Bender.

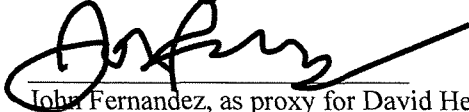
**MONROE COUNTY ELECTION BOARD**



\_\_\_\_\_  
Donovan Garletts



\_\_\_\_\_  
Clerk Nicole Browne



\_\_\_\_\_  
John Fernandez, as proxy for David Henry

Distribution:    Mr. Wolfe-Bender

Monroe County Election Division

Monroe County Prosecutor

Indiana Attorney General