

City of Norman
Norman Election Commission Complaint Form

COMPLAINT OR INFORMATION

William Hickman, hereby alleges a violation of Chapter 7.5 of the Code
(Name of Complainant or Informant)

of Ordinances of the City of Norman. Section(s) 7.5-27, Section 2-103,

by Greg Jungman on MARCH 12 2014
(Name of Respondent) (Date of alleged violation)

The facts upon which this complaint or information is based are as follows: CM Jungman
(State specific facts and

Used his office to endorse his candidacy by using publicly funded
explain why a violation had occurred. Attach additional sheets if necessary. Also attach any written evidence you have of the
public property (emails) to promote his campaign for office.
alleged violation.

Attached are emails - one from the Ward 4 public account which contains
campaign information and was sent using private emails received for public purpose.

WHEREFORE, complainant or informant requests that the Norman Election Commission review this complaint or information and investigate the matter within a reasonable time.

3/24/14
Date

[Signature]
Complainant's or Informant's Signature

William Hickman
Complainant's or Informant's Name

517 Macy St
Mailing Address (P.O. # or Street)

Norman OK 73071
City, State, Zip Code

DELIVER OR MAIL TO:

City Clerk's Office
Post Office Box 370
Norman, Oklahoma 73070

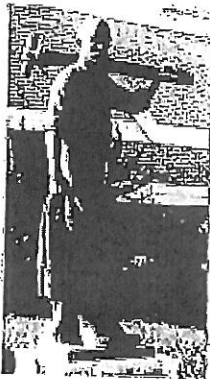
City Clerk's Office
201 West Gray
Norman, Oklahoma 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/24/14
2:20 pm


From: Greg Jungman (Ward 4) <Ward4@normanok.gov>
Date: March 12, 2014 at 1:46:26 PM CDT
To: [REDACTED]
Subject: Ward Meeting - Public Safety Sales Tax - Vote April 1st
Reply-To: Greg Jungman (Ward 4) <Ward4@normanok.gov>


Public Safety Sales Tax meeting tonight! The joint Ward 2 and Ward 4 public meeting will feature an informative presentation. Vote April 1st!

Is this email not displaying correctly?
[View it in your browser.](#)



WARD 4

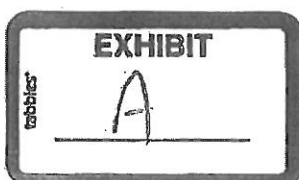
 [Join the Ward 4 Facebook Group](#)

 [Forward to a Friend](#)

Dear Neighbor,

Tonight! March 12, 2014 at 6:30 PM in City Council Chambers you are invited to join a joint Ward 2 and Ward 4 public meeting on the upcoming Public Safety Sales Tax election. The meeting will feature an informative presentation by city staff on the details of the proposal and ample opportunity to ask questions.

Public safety is my top priority for our community. Having the best possible public involvement in the





process in the beginning and throughout implementation is important to me.

If you have any questions, please let me know.

See you at City Hall,

GREG

Questions?

Please contact me directly or you may contact the City thru the Action Line (405) 366-5396. Do you prefer an online forum? Use the link above to find the Norman - Ward 4 Facebook Group.

[Visit the Norman-Ward 4 Blog page](#)

Copyright © 2014 Jungman - Ward 4, All rights reserved.
Your email address was migrated from our list of interested persons in Jungman for Ward 4 campaign.

Our mailing address is:
Jungman - Ward 4
642 So. Lahoma Avenue
Norman, OK 73069

[Add us to your address book](#)

[unsubscribe from this list](#) | [update subscription preferences](#)

Don't Forget! Campaign Event at Main Site Today, February 28th!

Subject: Don't Forget! Campaign Event at Main Site Today, February 28th!

From: Jungman for Ward 4 <jungman4ward4@gmail.com>

Date: Fri, 28 Feb 2014 17:14:21 +0000

To: [REDACTED]

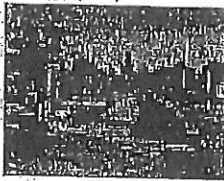
I want to extend a special invitation to anyone who has not attended a campaign event before. This event is casual and open. The gallery is a draw on its own! Please stop by, enjoy the exhibit, and introduce yourself! You will enjoy it.

Is this email not displaying correctly?
[View it in your browser.](#)

JUNGMAN - WARD 4



Forward to a Friend



Never been to a campaign event?

Please consider stopping by! Our events are casual and more like a neighborhood social than anything else.

You will meet great people that share your point of view about Norman. We like to use a gallery-type space as it provides a fun distraction to compliment the conversation.

Please join us.

All campaign material is paid for by our supporters "Jungman for Ward 4". Cameron Brewer is our Treasurer.

Charles and Lyntha Wesner
David and Victoria Dollarhide
Mike Brinkley and Linda Donley
John and Judi Hadley
Steve Davis and Eddie Rothermel

Invite you!

Jungman for Ward 4 Campaign Kick-Off and Fundraiser

MAIN SITE Contemporary Art Gallery

Friday, February 28, 2014

4:30 PM to 7:00 PM

This will be an excellent opportunity to discuss the issues important in the City Council race or just enjoy the art gallery with friends and neighbors.

Your presence and support would be greatly appreciated!

Jungman for Ward 4 Campaign Kick-Off is hosted by ...

MAIN SITE Contemporary Art is located at 122 East Main Street in the heart of Downtown Norman.

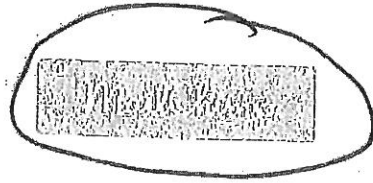
Donate to our Campaign Now!



Don't Forget! Campaign Event at Main Site Today, February 28th!

Copyright © 2014 Jungman - Ward 4, All rights reserved.
Your email address was migrated from our list of interested persons in Jungman for Ward 4 campaign.

Our mailing address is:
Jungman - Ward 4
642 So. Lahoma Avenue
Norman, OK 73069



Add us to your address book

[unsubscribe from this list](#) | [update subscription preferences](#)



office memorandum

Date: June 16, 2014
To: Norman Election Commission
Through: Jeff Harley Bryant, City Attorney
From: Kristina L. Bell, Assistant City Attorney
Subject: Response to March 24, 2014, Complaint

Background

On March 24, 2014, William Hickman, challenger for the Ward 4 City Council seat, filed a complaint with the Norman Election Commission (“NEC”) against incumbent Councilmember Greg Jungman claiming that he “used his office to endorse his candidacy by using publicly funded, public property (emails) to promote his campaign for office. Attached are emails - one from the Ward 4 public account, which contains campaign information and was sent using private emails received for public purpose.” The NEC has requested a formal legal opinion regarding the complaint.

Discussion

Chapter 7.5 of the Norman City Code addresses Municipal Elections. Article II of that Chapter is entitled, “Campaign Disclosures of Contributors, Contributions, and Expenditures.” The duties of the NEC are set out in § 7.5-26 as follows:

Sec. 7.5-26. – Duties of the Norman Election Commission.

In addition to any other duties designated by the terms of this article, the Norman Election Commission shall:

- (1) Enforce the provisions of this article;
- (2) Cooperate with the City Clerk in preparing the design and content of appropriate forms for campaign statements required by this article;
- (3) Cooperate with the City Clerk in the preparation and publication of written instructions explaining the duties of person and committees under this article;
- (4) Determine whether the statements required to be filed under this article and also the statements required to be filed by the State Statute in the Office of the City Clerk have been properly filed;

- (5) To review, compare and examine for inconsistencies or other deficiencies all statements filed in the Office of the City Clerk, including forms required to be filed under this article and also State forms required to be filed in the Office of the City Clerk by the applicable State Statutes;
- (6) Investigate any substantial discrepancy, including, but not limited to, total expenditures listed in campaign statements filed before the election and expenditures listed in statements filed after the election;
- (7) Make a public report to the City Council within forty (40) days after the Municipal Election and ninety (90) days after the final election, including, but not limited to, ongoing investigations, violations of this article and violations of the election laws of the State of Oklahoma;
- (8) Recommend or advise the City Council on possible changes as needed to this article;
- (9) Make an effort to inform the public about the importance of reporting all contributions and expenditures by candidates for local offices as well as the political action committees (PACs) involved in a given campaign.

Section 7.5-26(a)(1) grants the NEC the authority to “[e]nforce the provisions of this article.” Likewise, § 7.5-27(a) provides the procedure for filing and responding to a “violation of any portion of this article.”

It appears that the gist of Mr. Hickman’s complaint as it relates to Chapter 7.5 of the Norman City Code is that City resources were used to further Councilmember Jungman’s campaign for re-election to the Ward 4 City Council seat that perhaps were not included in campaign expenditure reports required by that Chapter of the City Code. It has been confirmed with Councilmember Jungman and through review of Ward 4 e-mails contained on the City of Norman network that City resources were not used to disseminate Councilmember Jungman’s Ward 4 campaign materials.

Recommendation

Having found no factual basis for a violation of Chapter 7.5 of the City Code as alleged in Mr. Hickman’s complaint, it is recommended that this complaint, as it relates to possible violations of Chapter 7.5, be closed.



The City of
NORMAN

201 West Gray P.O. Box 370
Norman, Oklahoma • 73070

Norman Election Commission
Phone: 405-368-5408

June 16, 2014

William Hickman
517 Macy St.
Norman, OK 73071

RE: March 24, 2014 Complaint

Dear Mr. Hickman:

We are in receipt of the written Complaint you filed on March 24, 2014. As you are aware, we requested legal advice from the City Attorney's Office regarding the alleged violations of Chapter 7.5 of the Norman City Code, the Chapter of the Code over which the Norman Election Commission ("NEC") has jurisdiction. See § 7.5-26(a)(1) and § 7.5-27(a), providing the NEC authority to enforce the provisions of, and respond to alleged violations of, Article II of Chapter 7.5, which is entitled, "Campaign Disclosures of Contributors, Contributions, and Expenditures."

The City Attorney's Office provided the NEC with a June 16, 2014, memorandum, addressing the factual and legal concerns raised in your complaint. That memorandum is enclosed here for your records.

Following the advice of the City Attorney's Office, based on the information provided and the follow-up investigation conducted, that complaint is now considered closed.

Please feel free to contact me with any questions or concerns.

Sincerely,

Ty Hardiman
Chairman, Norman Election Commission

Cc: Mayor Cindy Rosenthal
Councilmember Greg Heiple, Ward 1
Councilmember Tom Kovach, Ward 2
Councilmember Robert Castleberry, Ward 3
Councilmember Gregory Jungman, Ward 4
Councilmember Lynne Miller, Ward 5

Councilmember James Griffith, Ward 6
Councilmember Stephen Holman, Ward 7
Councilmember Chad Williams, Ward 8
Steve Lewis, City Manager
Brenda Hall, City Clerk
Jeff Harley Bryant, City Attorney
Kristina Bell, Assistant City Attorney