

October 23, 2018

Mr. Crovelli:

The Ethics and Elections Committee of the ARRL Board of Directors is in receipt of your strident complaint with respect to the campaign material of Kermit Carlson, W9XA dated October 16, 2018. Although the Committee has reviewed your complaint in detail and each of its provisions, and while we appreciate your input (to the extent that the complaint contains any factual information concerning a campaign statement of a current candidate for office), we decline to adjudicate it formally for the following reasons:

1. While the Committee has the plenary jurisdiction and the obligation to monitor and review campaign materials by Board candidates, you lack standing to complain about campaign materials of a candidate for Director in the Central Division. You are not a resident of the Central Division and therefore have no direct interest in the outcome of the election. ARRL's Board functions, and always has, on a representative basis. The Ethics and Elections Committee is a committee of the Board of Directors. If you have a complaint about an action of the Board, or a complaint about a pending election matter in a Division other than your own, you are entitled to bring that concern to the attention of your ARRL Director and/or Vice Director. In your case, inasmuch as you are a resident of the Hudson Division, the recipients of your complaint should be Mr. Lisenco, N2YBB and Mr. Hudzik, W2UDT. If they believe that your concerns are meritorious, they can ask the Committee for a review of the campaign materials at issue.
2. Alternatively, you may wish to note your complaint to the other candidate for Director in the Central Division, should she wish to raise the subject with this Committee.
3. Since the entirety of your complaint constitutes advocacy in favor of ARRL Southwestern Division Director Norton and statements made by an incumbent Director with respect to another Director, you may wish to furnish Director Norton, N6AA with a copy of your complaint, should he wish to take the matter up with this Committee, pursuant to the terms of the ARRL Policy on Board Governance and Conduct of Members of the Board of Directors and Vice Directors. We would note, however, that the issue of the censure of Director Norton, the principal issue in your complaint, is a settled one; one that was resolved by the vote of a substantial majority of the Board of Directors.
4. The Committee is unwilling to engage with you in any case, aside from your lack of standing to raise the issues in your complaint, because of the threat of litigation contained in Section 4.c. thereof. It is ARRL's longstanding policy for staff and board members to cease dialog with a member when threats of litigation are raised, no matter how frivolous they may be. In this case, given the threat of litigation and the animus reflected in the remainder of your complaint, we decline to engage in a dialog with you on the subjects you raise, and we dismiss the complaint with prejudice. You have no ability to appeal this decision to the ARRL Board of Directors, and our decision is final.

For the Committee,

David Norris K5UZ, Chairman

Ethics and Elections Committee