

**Report to the ARRL Board of Directors  
Ethics and Elections Committee  
Calendar Year 2016**

We are pleased to provide this report to the ARRL Board covering activities of the Ethics and Elections Committee for calendar year 2016.

Early in 2016, the committee verified the proper procedure for immediately replacing 645 ballots that went missing en route to members.

**Routine Actions:**

The Committee ruled on eligibility of two candidates for Vice Director positions, answered a question about election cycle dates affected by By Law 18, and received an election ethics violation complaint against a Section Manager Candidate and found it to be without foundation. The Committee also received and approved four potential conflict-of-interest advisory notices.

In April, the Committee approved the resending of the Alabama Section manager ballots with a detailed explanation to correct a misspelling.

In June, we ruled on an appropriate method of acknowledging an unsolicited equipment donation to an ARRL officer without offending the donor.

In July, the committee considered a question about information requested on a candidate's application form that when answered could potentially violate attorney-client privilege. We ruled that the question was answered appropriately and met the intent of the question. It is this Committee's recommendation that this form be reviewed and the unexpected effect of this question be reviewed.

In late fall, a complaint was received about a Section Manager candidate challenging his ability to serve based upon a YouTube video and the offensive language it contained. The candidate, his Division Director and others were interviewed by the E&E chairman. The YouTube posting was in excess of 2 ½ years old, the candidate fully explained the reasons for its original posting, and agreed to block it. In further discussion, the committee agreed to allow the candidate's election process to continue.

The Committee appointed election tellers to monitor elections routinely during the year, and wishes to express its thanks to Director Tom Frenaye, K1KI, for representing the Board during the ballot counting processes.

**Complex Actions:**

The Committee spent considerable time discussing the material contained in a press release from a Director while analyzing the balance between our members need to know and the propriety of protecting information during a negotiation process. We found our By Laws and Guidelines both unclear and in conflict and urge a review and possible rewrite of both for clarity.

Therefore, E&E could not fault the writer for keeping his constituents informed about his opinion, but urged extreme caution in the future to insure that the information released has no impact upon current negotiations.

We were contacted by a Vice Director to discuss a commercial Van Wrap provided by the Private Land Mobile division of an amateur radio equipment vendor. Assurances were given that this venture was to promote the vendor's Land Mobile equipment and the presence of amateur radio gear in the van was incidental and of no significant import. At that time the Committee considered the details acceptable and found no cause for conflict of interest. Later, the van was displayed at a large hamfest where it was visited by ARRL staff and facts revealed that there clearly was the appearance of a conflict of interest and these findings were presented to the owner. The van owner chose his commercial interests over those of ARRL and opted to withdraw from the Vice Director election process.

Certain specific campaign statements and actions by a candidate for Director were challenged by an ARRL member and reviewed by the Committee. The E&E Committee members found that the alleged actions and statements were in violation of League election standards. A request for the removal of the statements was extended to the candidate as well as an advisory to refrain from those certain specific actions. The advisories were defiantly not heeded and the candidate was declared disqualified. The former candidate then requested a review by the full Board of Directors and the Board exercised their option to decline the request. An applicable document is attached to this report.

Respectfully submitted,

Kent Olson KA0LDG  
Rod Blocksome KØDAS  
Dale Williams WA8EFK, Chairman

Attached: No Probable Cause Determination and Dismissal



STATE OF CONNECTICUT  
JUDICIAL BRANCH

LITCHFIELD JUDICIAL DISTRICT  
GRIEVANCE PANEL

Gail S. Kotowski, *Grievance Counsel*

P.O. Box 37  
Guilford, CT 06437-0037  
(203) 453-6030

December 15, 2016

Mr. Doug Rehman  
34646 Rust Road  
Eustis, FL 32736

Attorney Christopher D. Imlay  
14356 Cape May Road  
Silver Spring, MD 20904-6011

Re: Rehman vs. Imlay Grievance Complaint No. 16-0632  
Litchfield Grievance Panel

**NO PROBABLE CAUSE DETERMINATION  
AND NOTICE OF DISMISSAL**

Dear Mr. Rehman and Attorney Imlay:

Pursuant to Practice Book Section 2-32 and Rule 1 of the Grievance Panel Rules of Procedure, the Litchfield Grievance Panel (hereinafter, "Grievance Panel") has completed its investigation of the above referenced grievance complaint. At a meeting of the Grievance Panel held on December 15, 2016, the Grievance Panel determined that the record did not support a finding of probable cause that the Respondent engaged in misconduct. Accordingly, the grievance complaint is dismissed. The Grievance Panel made its determination based upon the written record and without the need for a hearing.

The Grievance Panel determined that the Complainant is a member of the Board of the ARRL. ARRL is a Connecticut non-stock membership association. The Complainant alleges the unauthorized practice of law on the Respondent's part, as he is not admitted in Connecticut, but rather the District of Columbia and Maryland. The Respondent is General Counsel for the ARRL and has the primary responsibility as an advocate for ARRL and addressing FCC matters in Washington. ARRL has Connecticut counsel, the firm of Day Pitney LLP.

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The Complainant's eligibility to run for re-election has been denied by the Ethics and Elections Committee of the ARRL. It appears that this is the motivation of the present grievance. Contrary to the Complainant's allegations, attendance by the Respondent at two (2) meetings a year does not equate to the unauthorized practice of law.

The Grievance Panel cannot make a finding that Attorney Imlay violated Rule 5.5 of the Rules of Professional Conduct.

Pursuant to Practice Book Section 2-32(i), this letter and a copy of the Grievance Panel's record are being filed with the Statewide Grievance Committee. Please note that the dismissal of this complaint is a final decision and that there is no right to appeal, review or reconsideration of this decision by any disciplinary authority. You may contact the undersigned for assistance in understanding the reasons for the dismissal. I am available most afternoons by telephone at (203) 453-6030.

Very truly yours,

Gail S. Kotowski  
GSK: cg

cc: Statewide Grievance Committee  
Litchfield Grievance Panel

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