

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

THURSDAY

FEBRUARY 1, 2018

+ + + + +

The District of Columbia Board of Elections convened Regular Board Meeting, 1015 Half Street, S.E., Washington, D.C., pursuant to notice at 10:30 a.m., D. Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair  
MIKE GILL, Member  
DIONNA MARIA LEWIS, Member

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director  
KENNETH MCGHIE, General Counsel

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:39 a.m.

3 CHAIRMAN BENNETT: Good morning. We  
4 are going to bring the meeting to order. It is  
5 10:39.

6 Board member Dionna Lewis is on her  
7 way and will join us when she arrives. She  
8 should be here relatively soon.

9 But we're going to go ahead and get  
10 the meeting started and move forward with the  
11 agenda.

12 Before we do that, let me introduce  
13 the persons here. To my far left, Ms. Alice  
14 Miller, Executive Director of the Board of  
15 Elections. To my immediate right is Mr. Ken  
16 McGhie, General Counsel, Board of Elections.  
17 To his immediate right is Mr. Michael Gill, a  
18 Board member. And to his immediate right is  
19 Ms. Cecily Montgomery, Director of the Office  
20 of Campaign Finance.

21 Can I get a motion to adopt the  
22 agenda, Mr. Gill?

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1                   MEMBER GILL:    Motion to adopt the  
2 agenda.

3                   CHAIRMAN BENNETT:    Okay.    Second.  
4 And it's unanimous.   The agenda is adopted.

5                   Adoption of the minutes from the  
6 January 10th meeting, Mr. Gill.

7                   MEMBER GILL:    Motion to adopt the  
8 minutes with one correction.   I just want to  
9 update the address for our address here.

10                  CHAIRMAN BENNETT:    Great.    Thank  
11 you.    The motion to accept it with the  
12 amendment to correct the address of the Board  
13 of Elections.   So motion carries unanimous.

14                  And any Board matters, Mr. Gill?

15                  MEMBER GILL:    No.

16                  CHAIRMAN BENNETT:    And none from me,  
17 other than to acknowledge the fact that we are  
18 having the meeting a couple days early,  
19 February 1st.   This is the February meeting  
20 that is required by statute and regulation.  
21 We're having it a couple days early.

22                  Our Board member, Dionna Lewis, who

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1 is on her way, is due to deliver her first  
2 child in a few days. And so we wanted to have  
3 it early as possible to make sure that she was  
4 able to be here while still having it in  
5 February. But hopefully she's not on her way  
6 to the hospital, and she's on her way here.

7 So that's the only other Board  
8 matter I think that we have.

9 So the next item on the agenda is  
10 the General Counsel's report. Mr. McGhie?

11 MR. MCGHIE: Okay. The only thing I  
12 have is a litigation status update. That is  
13 the case of Paul Cohn v. The DC Board of  
14 Elections.

15 As the Board is aware, that was the  
16 case dealing with Initiative 77. They were  
17 opposed to having the initiative go forward.

18 And the Court of Appeals had  
19 initially denied their motion for summary  
20 reversal on the Board's decision. And they  
21 filed for a motion for reconsideration, which I  
22 had indicated at the last Board meeting in

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1 January.

2 The Court of Appeals denied their  
3 motion for a reconsideration on January 12th  
4 and ordered that the mandate be issued. So the  
5 Board is now prepared to go forward with  
6 continuing to process the initiative by doing  
7 the random sample.

8 And that would conclude my  
9 litigation status update.

10 MR. SINDRAM: Mr. Chair?

11 CHAIRMAN BENNETT: Yes, yes, sir,  
12 Mr. -- can you identify yourself, please?

13 MR. SINDRAM: I can barely make out  
14 what's being said by Mr. McGhie. Is it  
15 possible to amplify the sound, please?

16 CHAIRMAN BENNETT: Yes, what we'll  
17 do -- I'm not sure if I can amplify the sound.  
18 But if we can try and move the phone closer to  
19 the dais, we'll try that.

20 MR. SINDRAM: Thank you.

21 CHAIRMAN BENNETT: Okay. Hold on  
22 one second. Let's see if we can see what

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1 works.

2 CLERK: It's maxed out.

3 CHAIRMAN BENNETT: It is up to max?  
4 Okay. So try and move it. All right. Is that  
5 better?

6 MR. SINDRAM: I can hear you very  
7 well. Yes, sir.

8 CHAIRMAN BENNETT: Okay.

9 UNIDENTIFIED PARTICIPANT:  
10 Congratulations, you're now on the dais.

11 CHAIRMAN BENNETT: Thank you. Thank  
12 you, sir. Mr. McGhie, was there anything else?

13 MR. MCGHIE: Nothing further, no.

14 CHAIRMAN BENNETT: Okay. Next item  
15 on the agenda is Ms. Miller.

16 MS. MILLER: Thank you, Mr. Chair.  
17 So we are getting settled into the new space  
18 and actually realizing that sort of leads to a  
19 hallway I would say.

20 To that point, we did have two days  
21 of an open house in January, on January 17th  
22 and January 19th. During that time, we had the

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1 staff perform as tour guides and briefly walk  
2 members of the public around to each of the  
3 divisions of the Board's offices.

4 Members of the staff spoke with  
5 members of the public and spoke on their,  
6 briefly described to the members of the public  
7 the divisions of the Board's offices and talked  
8 about what they do within the division as they  
9 saw the new space.

10 We had visits from the City Council,  
11 ANC Commissioners, potential candidates and  
12 members of the general public.

13 We did give small token gifts,  
14 magnets with calendars talking about the 2018  
15 elections with key election dates and early  
16 voting pencils and bottled water that had the  
17 new address on it.

18 And I do want to mention, Mr. Chair,  
19 and I would be remiss if I did not mention,  
20 that one of the highlights of the open house  
21 was the welcoming video that the Chairman did.  
22 As everyone walked in, the Chair welcomed

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1 everybody to the open house. And it was a pre-  
2 recorded video and that, too, was, of course,  
3 well-received. So --

4 CHAIRMAN BENNETT: Thank you.

5 MS. MILLER: Yes. Nominating  
6 petitions, candidates for the June 19th primary  
7 began picking up their nominating petitions on  
8 Friday, January 26th.

9 A list of the names of the  
10 individuals who have picked up is in your  
11 packet. That list is also available on the  
12 website. And it is updated daily, as well as  
13 put on the website daily.

14 We did have a very successful launch  
15 of our e-sign process last week as candidates  
16 picked up. Any candidate who picks up  
17 nominating petitions, they are offered both the  
18 e-sign, electronic, digital petitioning  
19 process, as well as the paper process.

20 Anyone who does elect to take e-  
21 sign, we do also give them the paper process as  
22 well in the event that they start e-sign and

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1 then decide they want to go with the paper.

2 So, as of today, we have four  
3 candidates who are circulating the e-sign. And  
4 we know they are actually using it.

5 Again, the advantage to the e-sign  
6 process is that those, the digital process is  
7 actually tied to our voter roll. And we know  
8 that those are presumed to be valid signatures  
9 because we can, they can determine that the  
10 individuals who sign those petitions are  
11 determined to be registered voters actually  
12 living within the ward and registered,  
13 affiliated with the party for which they are  
14 running as a candidate.

15 And just one more time I want to  
16 recognize and thank our Denver counterparts who  
17 really truly helped us through this process.  
18 We would not have been able to do it without  
19 them.

20 They did spend the week with us last  
21 week making sure that we were up and running  
22 and able to sufficiently get trained on this

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1 process and got us through.

2 And I will make sure that we  
3 recognize them through their director as well.  
4 They were quite patient with getting this done.  
5 So we're very grateful to them as well.

6 Update on the voter registration  
7 system, the request for solicitation has  
8 finally gone out. It went out on January 11th  
9 by the Office of Contracting and Procurement.

10 It had an initial closing date of  
11 February 5th. However, on January 23th the  
12 Office of Contracting and Procurement conducted  
13 a pre-proposal conference with some of the  
14 potential vendors who had some specific  
15 questions about this initial solicitation.

16 So we met with them. And after that  
17 meeting, the Office of Contracting and  
18 Procurement indicated they would have to put  
19 those questions up on the website, and we would  
20 have to respond and make answers available to  
21 all of the vendors or anyone who was interested  
22 in seeing those questions, which then extended

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1 the date for the solicitation to be responded  
2 to.

3 So we didn't get the questions until  
4 Monday. So we have to respond to those  
5 questions. And that's going to, again, extend  
6 the date. We don't have a deadline yet based  
7 on the fact that we just got those questions.  
8 So --

9 CHAIRMAN BENNETT: Okay.

10 MS. MILLER: -- this process  
11 continues. And that's all --

12 CHAIRMAN BENNETT: Right.

13 MS. MILLER: -- I can say about  
14 that.

15 CHAIRMAN BENNETT: Well, clearly  
16 we're not going to be able to do anything  
17 before the election.

18 MS. MILLER: Not the June election.

19 CHAIRMAN BENNETT: Yes.

20 MS. MILLER: Our performance  
21 oversight responses, we did receive questions  
22 in December, performance oversight questions

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1 from the Chairman of the Judiciary, Charles  
2 Allen. And we did submit the responses to  
3 those questions on January 17th. And I'll  
4 share just, this is the responses to the  
5 questions.

6 CHAIRMAN BENNETT: Okay.

7 MS. MILLER: The questions ranged  
8 from things such as division roles and  
9 responsibilities, budget enhancement requests,  
10 our Agency performance plans. And they also  
11 asked for all the minutes and agendas for all  
12 the Board meetings from FY17/18 to date. So --

13 CHAIRMAN BENNETT: Okay.

14 MS. MILLER: -- just a range of  
15 questions on Agency operation and other  
16 specific matters. Excuse me.

17 And finally, as I mentioned at last  
18 month's meeting, we met with the budget review  
19 team in the Mayor's office, from the Mayor's  
20 office and the City Administrator's office on  
21 January 5th to discuss our FY spending pressure  
22 and the FY19 budget development.

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1           During that meeting, we were  
2 promised that the current FY18 year spending  
3 pressure would be given priority because we  
4 were facing a deficit and not sure how we were  
5 going to get through the fiscal year because we  
6 did not have money for operation.

7           The City Administrator's office I'm  
8 happy to report has directed and identified  
9 money for the funding for the remainder of the  
10 fiscal year. And in fact, that funding has  
11 been placed in the Agency's budget as of  
12 Monday. So --

13           CHAIRMAN BENNETT: Good deal.

14           MS. MILLER: -- we can perform.

15           CHAIRMAN BENNETT: Good stuff, good  
16 stuff.

17           MS. MILLER: And that concludes our  
18 report.

19           CHAIRMAN BENNETT: Okay. Great.  
20 All right. Any questions, Mr. Gill?

21           MEMBER GILL: None from me.

22           CHAIRMAN BENNETT: Okay. Great.

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1 Next on the agenda is Ms. Montgomery, Office of  
2 Campaign Finance.

3 MS. COLLIER-MONTGOMERY: Yes, good  
4 morning. The first thing I would like to  
5 report is that the training calendar for  
6 calendar year 2018 has been posted at the  
7 website of the Office of Campaign Finance.

8 And new to the calendar this year we  
9 have four sessions which are devoted to  
10 business contributions to try to reinforce to  
11 the filing community and to the public the  
12 requirements for the acceptance or the receipt  
13 of contributions from business entities.

14 Also there are several sessions  
15 which will focus solely on the reporting  
16 requirements of candidates for the Office of  
17 Advisory Neighborhood Commission member as  
18 well.

19 And then the calendar or the  
20 schedule is posted at our website on the  
21 training to begin on February 8th.

22 The other thing is that we also

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1 submitted our responses to the Chairman,  
2 Charles Allen, of the committee, of the Council  
3 on the Judiciary and Public Safety on January  
4 17th.

5 The responses basically addressed  
6 the performance of the Agency during fiscal  
7 year '17 and the performance plan of the Agency  
8 for fiscal year '18.

9 There were two reporting deadlines  
10 during the month of January. The first was on  
11 January 1, 2018. And that was for the filing  
12 of the Report of the Receipts and Expenditures  
13 by the Constituent Service Program, as well as  
14 the Statehood Fund Programs. The report  
15 actually fell on January 2, 2018.

16 There are nine required filers on  
17 the Constituent Service Program. All nine  
18 filers timely filed. There was one required  
19 that asked for an extension, which was granted.  
20 All of the filers also electronically filed  
21 their reports at the website of the Office of  
22 Campaign Finance.

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1           With our Statehood Fund Programs,  
2           there are three required filers. All three  
3           filers timely filed and also electronically  
4           filed their reports online.

5           January 31st was the deadline for  
6           the filing of the Reports of Receipts of  
7           Expenditures by Principal Campaign Committee,  
8           as well as our Political Action Committees.

9           Those stats I will have to provide  
10          at our next meeting. Those are not available  
11          as of this date.

12          During the month of January, we had  
13          new candidates and committees who registered  
14          with the Agency.

15          The first was Michael C. Woods.  
16          Michael Christian Woods for DC Mayor registered  
17          on January 7th.

18          Ed Lazere, Ed Lazere for DC Chair,  
19          Chairman of the City Council, registered on  
20          January 24th.

21          Ernest Johnson, Committee to Elect  
22          Ernest Johnson for the Office of Mayor,

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1 registered on January 25th.

2 Omekongo Dabinga, Dabinga for DC At-  
3 Large City Council, registered on January 26,  
4 2018.

5 And we held one entrance conference  
6 during the month of January. That was  
7 conducted on January 17th.

8 The participants were Elissa  
9 Silverman, candidate, Elissa 2018, Bob Price,  
10 treasurer, Elissa 2018, Paul H. Hammond Jr.,  
11 treasurer, DC Government Industry Association  
12 Political Action Committee.

13 In our audit branch during the month  
14 of January, the audit branch conducted 18 desk  
15 reviews of past Constituent Service Programs,  
16 as well as the Statehood Fund Program, and also  
17 conducted 27 desk reviews of Principal Campaign  
18 Committees, which was included in amended  
19 reports as well. They issued 12 new requests  
20 for additional information.

21 In the audit branch as far as  
22 ongoing audits with our periodic random audit

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1 program, with the periodic random audits of  
2 candidates in the 2018 election for the July  
3 31, 2017 filing, there is one which is  
4 outstanding, Brianne for DC 2018, which was  
5 initiated on September 27, 2017.

6 Also, a periodic random audit of our  
7 Political Action Committee with respect to the  
8 July 31, 2017 filing.

9 The audit was initiated on 9/12/17  
10 with the Metropolitan Political Action  
11 Committee, of the Constituent Service Program,  
12 the October 1, 2017 filing. A periodic random  
13 audit was initiated of the Ward 4 Constituent  
14 Service Fund on October 30, 2017.

15 We didn't have issues with any audit  
16 reports during this particular coverage period.  
17 And there are no outstanding full field audits.

18 I will ask Mr. Stanford to provide  
19 the report of the Office of the General Counsel  
20 for the Agency.

21 CHAIRMAN BENNETT: Okay. Thank you,  
22 Ms. Lewis. Can you move that phone back down

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1 to the -- so we can hear Mr. Stanford? Thanks.  
2 Thank you. Mr. Stanford?

3 MR. STANFORD: Good morning, Mr.  
4 Chairman and distinguished Board members. My  
5 name is William Stanford, General Counsel for  
6 the Office of Campaign Finance.

7 During the month of January 2018,  
8 the Office of the General Counsel received five  
9 referrals from the Reports Analysis and Audit  
10 Division of the Office of Campaign Finance.

11 The Office of the General Counsel  
12 conducted two informal hearings, issued two  
13 orders, which included the following.

14 One order was issued for failure to  
15 timely file a report, in which a fine of \$2,650  
16 was imposed. An order was issued for accepting  
17 excessive contributions, in which a fine of  
18 \$5,000 was imposed.

19 The Office of the General Counsel  
20 also issued three orders that concluded full  
21 investigations, which will be discussed later.

22 During January 2018, the Office of

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1 the General Counsel imposed a total of \$91,650  
2 in fines, which includes the following.

3 A fine of \$80,000 was imposed  
4 against Jeffrey Thompson in accordance with the  
5 settlement and consent agreement that was  
6 reached between the Office of Campaign Finance  
7 and Mr. Thompson for involvement in activity  
8 involving illegal campaign contributions.

9 A fine of \$2,000 was imposed against  
10 Lee Calhoun, and a fine of \$2,000 was imposed  
11 against Stanley Straughter for involvement in  
12 illegal campaign contributions.

13 A fine of \$5,000 was imposed against  
14 the Committee for Karl Racine for Attorney  
15 General for receiving excessive contributions.

16 And a fine of \$2,650 was imposed  
17 against the Toliver for Ward 4 Principal  
18 Campaign Committee for failure to file reports.

19 During the month of January 2018,  
20 the Office of the General Counsel collected a  
21 total of \$54,650 in fines, which includes the  
22 following.

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1 Fines totaling \$51,500 were paid by  
2 Jeffrey Thompson. A fine of \$200 was paid by  
3 Andrew Franklin. And a fine of \$2,950 was paid  
4 by the DC Chamber of Commerce.

5 During the month of January 2018,  
6 the Office of the General Counsel concluded  
7 three investigations into activity that arose  
8 during the 2013 and 2014 calendar years. The  
9 activities included the following dispositions.

10 The Office of Campaign Finance  
11 arrived at a settlement and consent agreement  
12 with Jeffrey Thompson to pay a total of \$80,000  
13 in fines and to refrain from engaging in  
14 political activity during the 2018 election  
15 cycle and also to consult with the Office of  
16 Campaign Finance at any future date that he  
17 decides to engage in political activity.

18 The settlement agreement required  
19 Mr. Thompson to pay initially a sum of \$50,000  
20 and to pay installment payments to retire the  
21 balance of \$30,000 over a 20-month period in  
22 installment amounts of \$1,500.

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1           In both the Stanley Straughter and  
2 Lee Calhoun cases, the Office of Campaign  
3 Finance arrived at an agreement to impose  
4 \$2,000 fines against both Mr. Straughter and  
5 Mr. Calhoun for campaign contribution  
6 violations in exchange for their commitment to  
7 refrain from engaging in political activity in  
8 the District of Columbia.

9           During the month of January 2018,  
10 there were no requests for interpretative  
11 opinion. And the Office of the General Counsel  
12 did not conduct any show cause proceedings.

13           And that should conclude my report.

14           CHAIRMAN BENNETT:     Anything else,  
15 Ms. Montgomery?

16           MS. COLLIER-MONTGOMERY:     That  
17 concludes --

18           CHAIRMAN BENNETT:     Okay.     Any  
19 questions, Mr. Gill?

20           MEMBER GILL:     No questions.

21           CHAIRMAN BENNETT:     Ms. Lewis, any  
22 questions?

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1 MEMBER LEWIS: No questions.

2 CHAIRMAN BENNETT: Okay. We'll go  
3 back just a bit. Any Board matters, Ms. Lewis,  
4 you'd like to bring up?

5 MEMBER LEWIS: Not Board related,  
6 however, this is my last meeting as a childless  
7 woman.

8 (Laughter.)

9 CHAIRMAN BENNETT: That's pretty  
10 significant. We ought to hit the gavel on that  
11 alone. So, but thank you for coming in. And  
12 also next time we will be celebrating.

13 MEMBER LEWIS: Yes.

14 CHAIRMAN BENNETT: Absolutely.

15 MEMBER LEWIS: And she might be here  
16 on the dais.

17 CHAIRMAN BENNETT: All right. There  
18 you go. There you go. Let's see. Any public  
19 matters?

20 MR. SINDRAM: Yes.

21 CHAIRMAN BENNETT: Okay.

22 MR. SINDRAM: Thank you, Mr.

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1 Chairman. I have a question for Campaign  
2 Finance General Counsel. His name escapes me  
3 at the moment.

4 CHAIRMAN BENNETT: It's Mr.  
5 Stanford. But can you identify yourself and --

6 MR. SINDRAM: If I understand --

7 CHAIRMAN BENNETT: -- for the  
8 record?

9 MR. SINDRAM: -- you correctly, Mr.  
10 Stanford, there was a --

11 CHAIRMAN BENNETT: Mr. Sindram?

12 MR. SINDRAM: Yes.

13 CHAIRMAN BENNETT: Can you identify  
14 yourself for the record, please, sir?

15 MR. SINDRAM: Yes, Michael Sindram,  
16 disabled veteran, served our country more than  
17 most, appearing by phone.

18 CHAIRMAN BENNETT: Thank you.

19 MR. SINDRAM: Yes. My question, Mr.  
20 Chair, was to Mr. Stanford.

21 If I understand your report  
22 correctly, Mr. Stanford, there was a fine

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1 imposed to the Chamber of Commerce. What is  
2 that all about?

3 MR. STANFORD: The DC Chamber of  
4 Commerce is a Political Action Committee that  
5 is registered with the Office of Campaign  
6 Finance. They failed to file a required  
7 report. And as a result of their failure to  
8 file that report, the Office of Campaign  
9 Finance imposed a fine in the amount of \$2,950.

10 MR. SINDRAM: Mr. Wingle was  
11 Director. Was that under his watch? Do you  
12 know?

13 MR. STANFORD: Mr. Wingle is no  
14 longer the Director of the --

15 MR. SINDRAM: Okay.

16 MR. STANFORD: -- DC Chamber of  
17 Commerce.

18 MR. SINDRAM: I see. And also, Mr.  
19 Chair, missed the grand opening. Is there any  
20 possibility that there'll be another in the  
21 near future?

22 CHAIRMAN BENNETT: We don't have

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1 anything scheduled. But if you let us know,  
2 we'd love to have you down to take a look  
3 around the space.

4 MR. SINDRAM: That would be great.  
5 Appreciate that. Thank you so much.

6 CHAIRMAN BENNETT: Okay. Thank you.  
7 Any other public matters? With that, no  
8 additional public matters.

9 Any matters of, for the good welfare  
10 of the District of Columbia from Mr. Gill or  
11 Ms. Lewis?

12 MEMBER LEWIS: No.

13 CHAIRMAN BENNETT: Okay. Meeting is  
14 adjourned. Thank you.

15 (Whereupon, the above-entitled  
16 matter went off the record at 11:04 a.m.)  
17  
18  
19

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