

MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
July 11, 2018

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday July 11, 2018 in the Board’s Hearing Room, located in Suite 750, 1015 Half Street, S.E., Washington, D.C. 20003. The Board’s Chairman Michael Bennett was present, and Board Members Michael Gill and Dionna Lewis also attended. Additionally present on the dais were Kenneth McGhie, the Board’s General Counsel; Cecily Collier-Montgomery, the Director of OCF; and Alice Miller, the Board’s Executive Director.

Chairman Bennett called the meeting to order at 10:57 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meeting on Wednesday, June 6, 2018 were moved for approval and adopted without objection.

The Board had a special meeting on June 29 to certify the elections results of the primary election held in June.

Ms. Collier-Montgomery gave the Director of Campaign Finance report:

- Several of the OCF managers on June 15, 2018 met with Jared DeMarinis, who is the Director of the Division of Candidacy and Campaign Finance for the Maryland State Board of Elections. The purpose of the visit was to discuss their public funding program. This most recent election in Maryland was the first election under which their public funding program became effective. OCF is trying to gear up for the implementation of the public funding program, and the provisions of the Act will become effective or applicable on November 7, 2018.
- On June 19, 2018, 15 of my staff members including managers visited 87 of the precinct sites out of the 143 precincts. The purpose of our visits is to make sure that the campaign literature displays the proper identifications including the disclaimer.
- OCF collaborated with the Board of Elections, with the Board's Community Outreach Program, so that we can have more of a presence in the community.
- OCF established a Planning Committee to assist the Office of Campaign Finance with meeting its requirements under the Fair Elections Program.
 - The Planning Committee addresses certain areas: the engagement of voters through community outreach, how better to utilize the OCF educational program and social media resources; using technology to provide greater transparency and disclosure of campaign operations; the administration of the debate requirement by creating partnerships with civic and media sponsors; and bringing services to assist candidates and treasurers with compliance.

- The first reporting date was June 10 report of receipts and expenditures for active principle campaign committees, independent expenditure committees, and initiative committees.
 - 110 required filers; 86 timely filers; one late filer, and 4 requests for extensions, which were granted. We had 7 failures to file, and we referred 8 of those delinquent filers to the Office of the General Counsel.
- June 10 was also the reporting deadline for the report of receipts and expenditures by our independent expenditure committees.
 - Four required filers and four timely filed.
- June 11 reporting deadline for the eight-day pre-election Report of Receipts and Expenditures for Ballot Initiatives.
 - Three required filers and three timely filed.
- New candidates on committees who registered with the agency include the following: Art Lloyd, Committee to Elect Art Lloyd Mayor, who registered on June 4, 2018; Erik Metzroth, US Shadow Representative, who registered on June 15, 2018; Lyndon Walker, Mayor, who registered on June 20, 2018; James Adams, Mayor, June 20, 2018; Anthony Greene, Ward 1, City Council, June 20, 2018; Marcus D. Thompson for US Shadow Senator, June 20, 2018; Victoria Gordon 2018, Independent Gordon for Mayor, June 21, 2018; Traci Hughes, Friends of Traci Hughes, June 25, 2018; Ronald Thompson, Jr., Committee to Elect Ronald for D.C. Chairman 2018, June 25, 2018.
- OCF also conducted four entrance conferences.
 - On June 4, 2018 there were 15 participants. On June 7, 2018 there were 15 participants. On June 14, 2018 there were 11 participants. On June 27, 2018 there were 14 participants. The names of the participants will be published at OCF's website.
- The Audit Division conducted 113 desk reviews of the reports of receipts and expenditures received by OCF.
 - We do have periodic random audits ongoing. the candidates of the 2018 election. with respect to the January 31st, 2018, filing. Re-elect Muriel Bowser our Mayor, again, that was initiated on March the 5th, 2018. Kenyan McDuffie, 2018, was initiated on March the 22nd, 2018.
 - Periodic random audits of our Constituent Service programs, and those audits will be on April the 1st, 2018, filing, Phil's Fund for Citizen Service, Ward 3 Constituent Services Fund, and the Evans Constituent Service Fund initiated on May the 7th, 2018.

Mr. SanFord gave the General Counsel's report.

- During the month of June 2018, the Office of General Counsel received eight referrals from the Public Information and Records Management Division. The Office of the General Counsel completed six informal hearings and issued six letters in which no fines were imposed.
- During the month of June 2018, the Office of the General Counsel transmitted 12 petitions for enforcement to the Office of the General Counsel for the Board of Elections.
- The Office of the General Counsel collected a total of \$3000 in fines from Jeffrey Thompson. The fines were paid pursuant to an installment payment agreement that the parties had engaged in in December of 2017.

Mr. McGhie presented the General Counsel's report.

- The first thing on my agenda is the adoption of the initiatives of the petitions. We have two initiatives.
 - The D.C. Bike Life Access and Use of Non-Traditional Vehicles Act of 2018.
 - The Proposer's name is Aaron S. Butler, Jr. I reside at 4914 8th Street NE, Washington, D.C. 20017.
 - The language that would be on the petition reads as follows. Initiative Measure No. 78, short title, District of Columbia Non-Traditional Vehicles Act of 2018. Summary statement. If enacted, this initiative will allow individuals with a valid driver's license to operate alternative vehicles on public roadways with posted speed limits of 45 miles per hour or lower and on shoulder lanes, highways in the District of Columbia; allow persons to register alternative vehicles with the Department of Motor Vehicles; establish a civil fine of \$100 for an unauthorized use; and prohibit individuals from parking alternative vehicles on District roadways. Under the initiative, individuals operating alternative vehicles on public roadways and highways in the District shall not be required to obtain a motorcycle endorsement on their driver's license.
 - **BOARD ACTION:** Board unanimously approved the petition formulation.
 - The next initiative is the Money Supply Increase(+3000) Initiative.
 - The proposer's name is Ameer Flippin, and I am at 1100 Alabama Avenue, Washington, D.C., SE, 20032.
 - Summary statement. If enacted, this initiative will allow all citizens and recipients of social services in the District of Columbia to invest up to \$3000 in start-up companies and to retain assets without losing state and federal subsidies and benefits.
 - **BOARD ACTION:** Board voted unanimously approved the petition formulation.
- The next matter on the agenda is a proper subject matter hearing on the University Incubator Initiative and Referendum.
 - Ameer Flippin, 1100 Alabama Avenue, Washington D.C. 20032. I am the proponent for the University Incubator Initiative and Referendum
 - He has met all the statutory required, the filings, at the Office of Campaign Finance.
 - The Attorney General, just to summarize it, says that it's not a proper subject for an initiative because the submitted language is unclear. It does not appear to violate any of the restrictions on the use of initiative set out in District of Columbia law. The Attorney General concluded that the proposal does not set out a proper subject of initiative because it is not legislative.
 - UII does not appropriate funds nor negate or limit a budget act. However, it is unclear what the measure seeks to accomplish other than creating a start-up economic opportunity.
 - Mr. Flippin provided testimony in support of the initiative:
 - This particular issue and referendum is sort of, it's sort of connected Congress passing the Tax Cuts and Jobs Act, Donald Trump's opportunity zones to help increase economic opportunity in distressed communities.

- The University Incubator was really meant to say we're not going to use any public funding. Anything that happens will be from private funding, from corporations or maybe some type of non-profit, possibly a venture capital fund.
- The last matter on my agenda is OCF Petition for Enforcement. Mr. McGann will be handling that one.
 - 15R-008, Morgan for D.C. treasurer. Mark Morgan is the respondent in the amount of fines \$2200 for failure to respond to an audit notification letter on February 23, 2015.
 - 16C-005, Zukerberg for Attorney General. Lenox Ramsay is the respondent. The amount of the fine 2900. Failure to file receipts and expenditures on January 31, 2016.
 - 16C-007, Committee to Elect Natalie Williams. Natalie Williams is the Treasurer and Respondent. The fine amount is 1600 for failure to report receipts and expenditures on February 17, 2016.
 - 16C-010, Whitaker for Ward 4, Robert Whitaker, Treasurer as Respondent. Amount of fine is 1600 for failure to record receipts and expenditures, February 17, 2016.
 - 16C-022, Bell for Ward 8, Milton Bell Treasurer. Amount of the fine 1600. Failure to report receipts and expenditures for February 17, 2016.
 - 16C-036, Treasurer Christian Carter, Vote Carter 2016. The amount of the fine is \$2100 for failure to report receipts and expenditures on August 10, 2016.
 - 16C-09, Zukerberg for Attorney General. Lenox Ramsey is the Treasurer and Respondent. The fine amount is 1500. Failure to report receipts and expenditures for July 31, 2016.
 - 16C-044, Natalie Williams, Treasurer, Committee to Elect Natalie Williams. The amount of the fine is \$1500 for failure to report receipts and expenditures from July 31, 2016.
 - 16C-045, Committee to Elect Khalid Pitts, 2014. Amy Pritchard is the Treasurer and Respondent. The amount of the fine is 200 -- \$2000, excuse me, report receipts and expenditures for July 31, 2016.
 - Robert Whitaker, Treasurer, Whitaker for Ward 4. The amount of the fine is 2500 for failure to report receipts and expenditures from July 31, 2016.
 - 16C-049, Bell for Ward 8, Milton Bell is the Treasurer and Respondent. Fine amount is \$2000 for failure to report receipts and expenditures, July 31, 2016. That concludes the list.
 - **BOARD ACTION:** Motion to enforce petitions in superior court approved unanimously.

Ms. Miller gave the Executive Director's report.

- General, high level overview of the June 19th primary election.
 - The Board held early voting for the primary began on June 4th at One Judiciary Square. It continued the early voting beginning on June 8 at eight additional satellite locations, one in each ward with the exception of Ward 6, where we hosted two early voting sites, and that was through June 15th. Early voting hours were daily including Sunday from 8:30 a.m. to 7:00 p.m.

- On Election Day the polls were open from 7:00 a.m. to 8:00 p.m. in 143 precincts. We had approximately 1500 poll workers staff at the precincts in Election Day to operate the various positions, captain and special ballot clerks.
- We trained 320 poll workers for early voting. We also had training on accessibility and provided polling places with technicians, ADA coordinators, roving technicians, area representatives, pulling additional 140 individuals for backup support on Election Day.
- The total turnout for early voting for the 11 days was 14,492 early voting voters.
- We did a number of outreach events at senior citizen facilities, nursing homes, community groups, and D.C. public, charter, and private high schools.
- We also conducted voting for qualified citizens who were incarcerated at the Central Detention Center, and at the Central Treatment Facility. Staff went to both facilities on June 13 and processed our qualified voters.
 - We work closely with the Department of Corrections and Charlie Sullivan to make this successful. For the primary election, we processed 76 individuals at these combined facilities.
- We had 90 precincts that had results returned by nine o'clock. One hundred twenty-three precincts had reported, and by 9:40, we had all 143 precincts who had transferred the results.
- I want to thank all of the staff who worked tirelessly to support this primary election. The staff should be commended for a job well done. I said it once and I'll say it again, they continue to stay committed and it cannot go unnoticed.
- CHAIRMAN BENNETT: For the record, I just wanted to, and if the other Board members have a comment, please make it. The organization, one, is incredibly well run, and the leadership and the entire organization just worked really well. The results I think were, at least from our tenure, were faster and more efficient than we've ever had before.
- On the procurement for the voter registration system. We have a Technical Review Committee that is meeting, I'm not part of that committee, with the Office of Contract and Procurement. It's my understanding that they have narrowed it down to I think three vendors that they had made recommendations to OCP.
- We submitted testimony to the Committee on the judiciary for the June 27 hearing on the Youth Vote Amendment Act of 2018. I would like to recognize and to thank Rachel Cole, Public Information Officer, for appearing on behalf of the Agency at the eight o'clock p.m. testimony

Mr. Michael Sindram presented public matters:

- It's important to give praise where praise is due. Terrica Jennings goes above and beyond the call of duty, the ADA/504 Coordinator. I appreciate alerting with the confirmation of the vote tally last minute, that was very helpful, and everything else that she has done.
- Ms. Miller, thank you, the veterans appreciate your support. Our paths crossed the other day. Keep up the good work.
- If you could refresh my memory, Mr. Chair, the initiative that was passed, the \$3,000, briefly, what was that again about? essentially it would allow people that are on public assistance are right now limited to what they can invest, there's a capped amount. And this would raise the capped amount by \$3,000

Ms. Dorothy Brizill raised public matters:

- I was not in town on the day of the election, which is normally my custom. But from every indication it did go rather smoothly, even though there was a different location and different logistics as regards the tabulating of the vote. Eighteen percent of the registered voters in the District of Columbia voting is not a good measure as regards the smoothness of operations.
- I would ask this board when you have an initiative or referendum coming before you, both in terms of being proposed and after you have approved it as a proper subject but are about to issue petition, that you publish that language on your website.
- I must say that with regard to the website of the D.C. Board of Elections, it is sorely wanting in one area. There is no staff listing on that website. There is no contact information on that website, other than the general number for the D.C. Board of Elections.
- I always am of the opinion that a Press Officer, a Public Information Officer, and a Freedom of Information Officer should work with the public to provide the information and not try to obstruct the request for information.

There being no further business before the Board, the meeting adjourned at 12:25 p.m.