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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ELECTIONS

- - - - -X
IN THE MATTER OF: :
AGENDA HEARING :
- - - - -X

Wednesday, March 2, 2016

Whereupon, the above referenced matter
came on for hearing at the Board of Elections,
One Judiciary Square, 441 4th Street, N.W., Suite
250 North, Washington, D.C. 20001.

Wednesday, March 2, 2016

1 CHAIRPERSON:

2 STEPHEN DANZANSKY, Presiding

3

4 BOARD MEMBERS:

5 DIONNA LEWIS, Board Member

6 TERRI STROUD, Executive Director

7 KEN MCGIE, General Counsel

8

9 OTHERS PRESENT

10 Arlin J. Budoo, Support Services Specialist

11 Harry Wingo v. D.C. Board of Elections.

12 Cecily Collier-Montgomery

13 William Sanford

14 Michael Sindram

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

2 [Time 3:50]

3 COURT REPORTER: On the record at 10:38.

4 CHAIRPERSON DANZANSKY: Good morning.

5 Welcome to the D.C. Board of Elections March
6 meeting. My name is Stephen Danzansky and I'm
7 acting today as the chairman of the board of
8 elections. I'm joined here by my colleague and
9 fellow member, Dionna Lewis. To my left also is
10 our acting executive director, Terri Stroud. To
11 my immediate right is our General Counsel, Ken
12 McGie and that's all the folks on the dais today.

13 Today is Wednesday, March 2, 2016, and
14 the time is 10:42. Copies of today's agenda are
15 available at the front table and moving to the
16 agenda the first item on our agenda is the
17 adoption of the agenda. Is there a motion to it?
18 So moved. The motion is to adopt this agenda. I
19 second the motion. All in favor say "aye."

20 [chorus of ayes.]

21 Okay the agenda for today is adopted.

22 Our next item on the agenda is the

1 adoption of minutes. Is there a motion to
2 adopt the minutes that have been circulated,
3 including the minutes from the last meeting,
4 have, in fact, been circulated to the board
5 members and generally posted on our website
6 at least 48 hours prior to the meeting. Do I
7 hear a motion to adopt the minutes from our
8 last, February 3, 2016, board meeting?

9 MS. LEWIS: Motion to adopt the February
10 3, 2016, minutes?

11 CHAIRPERSON DANZANSKY: Thank you, I
12 second the motion. All in favor say aye.

13 [Chorus of ayes.]

14 The minutes are adopted.

15 Board matters, which is the next item on
16 the agenda. Do we have any board matters?

17 MS. LEWIS: No.

18 CHAIRPERSON DANZANSKY: No, none from
19 you. I do have a board matter that I would like
20 to bring up. This is likely to be my, and
21 perhaps Deborah Nichol's, last board meeting --
22 monthly board meeting -- since I understand that

1 our successors will -- there'll be a confirmation
2 hearing on March 10th to have Deborah and my
3 successors take off, so this could be our last
4 meeting. That being the case, I would like to
5 publicly thank our chairman for her dedicated and
6 tireless service to the board, to the citizens of
7 the District of Columbia, and to our city, and
8 likewise, my former colleague, Demarius Curry who
9 left us several months ago. The three of us took
10 office in January of 2012 and we basically
11 inherited a staff -- terrific staff -- and an
12 executive director and we had a presidential
13 primary in April of that year to administer as
14 well as the general election.

15 It was one of the largest voter turnouts
16 nationally in years in recent American history
17 and throughout the years we tried to fill
18 vacancies and train newly hired people, operate
19 with somewhat obsolete voting equipment over the
20 years, recruit 2500 election day workers and so
21 forth. It was a challenge. But, over the years
22 we managed to administer eight different

1 elections since then over the years and, while
2 trying to bring performance to the high standards
3 which we as board members had attained in our
4 professional and personal lives, in many respects
5 because the airplane was flying, it was like
6 trying to repair an airplane engine while the
7 plane was in the air. But, I think I can say
8 thanks to Deborah's efforts and to Demarius and a
9 wonderful staff that we leave this board in
10 better shape than we found it.

11 We are going to have new voting
12 equipment. Our staff has done wonders in putting
13 in training programs for our 2500 election
14 workers and moving forward, moving this board
15 forward. So, I'm extremely grateful to all of
16 you and feel we've made sig progress. So, I
17 really want to thank my volunteer citizen
18 colleagues on the board for their dedication and
19 their persistence and for staying on well beyond
20 their terms -- their appointed terms to bring us
21 to this point.

22 And I really want to give a special

1 thanks to our staff -- everyone on our staff --
2 for our office of General Counsel, for the sound,
3 smart legal advice they have given us through the
4 years. Ken you've got a terrific team there.
5 Witness in fact that one of the team is our
6 acting executive director now, but always they've
7 been there for the board and have given us sound
8 and good advice.

9 Our registrar and her office: I never
10 had to worry that our registrar's decisions were
11 based on anything but openness and fairness.
12 Never had to worry about that -- that her
13 decisions were secretive. She enforced the rules
14 and she played by the rules, and we're most
15 grateful to the work that she's done. Our office
16 of campaign finance:

17 Cecily Collier Montgomery and Bill
18 Sanders. What can I say about your guys? Those
19 of us who raised kids know there's always one kid
20 you don't have to worry about and your office was
21 that office. We never had to worry about your --
22 your work was always professional. You managed

1 to take on an enormous new set of laws and rules,
2 implement them, find the resources to get the job
3 done, and we never had to worry about it.

4 So, I really want to thank the office of
5 campaign finance and Bill and Cecily for their
6 superb work. Our operations and our technology
7 people were absolutely terrific. Our Manpower
8 teams: Sylvia, Phil, Terry Adams and her crew
9 kept the trains running on time and we're
10 grateful for that.

11 And I've got to thank Linda Johnson who
12 kept us all sane during these difficult times.
13 She's terrific. She kept us civil. She kept the
14 discourse going and just because of her own
15 light, she shined that light on everybody here.
16 So, if there's anyone I've forgotten, I apologize
17 and we'll amend the record later on if somebody
18 calls that to my attention. But it was a joy
19 working with you all. I really wanted to say
20 that as part of my -- since we're allowed -- Ken
21 tells me we're allowed to say whatever we want
22 during floor time and I wanted to say that

1 publicly on the record for all of you.

2 It's a hard job being a referee, and
3 that's what the Board of Elections is. Nobody
4 thanks you for a job well done, you have to thank
5 yourself and be grateful that the thing went on
6 and there was no fraud or abuse, and I think this
7 board has done that over the years and we're
8 grateful to all of you here who are in this room
9 and those who are in other rooms and up on 14th
10 Street really made this a happy experience for
11 those of us who served as citizen volunteers on
12 this board. So, I just wanted to thank you.
13 Thank you for allowing me the time to do that.

14 MR. MCGIE: May I speak now? Okay. You
15 went on. On behalf of the staff, then, I would
16 like to thank you for your service and your
17 commitment to the board and all you've done for
18 the board. As you said, nobody else says "job
19 well done," but it was a job well done. Board
20 members, the three of you including Ms. Curry
21 were thrown into the fire. There was no senior
22 board member for you to rely on so everybody had

1 to learn everything from scratch and you guys did
2 a brilliant job as far as getting up to speed and
3 carrying us through.

4 I know that you'd to leave with a swan
5 song, but I do have other meetings where you will
6 things over and I'm sure that you'll be able to
7 assist us when the new members come in with the
8 transition and help get them started. Once
9 again, on behalf of the staff we appreciate your
10 service.

11 MR. DANZANSKY: Thank you. Well, we'll
12 move on now to our next item which is our
13 executive director's proposal.

14 MS. STROUD: Good morning everyone. I
15 want to just echo first Mr. McGie's sentiments
16 with respect to your service, Mr. Danzansky. I
17 thank you for it and the rest of the staff does
18 as well.

19 So, the first item on my agenda is
20 Precinct relocations. We have a total of nine
21 relocations and at some of these one Precinct
22 will be relocated for Americans with Disabilities

1 Act (ADA) related concerns. Two will be
2 relocated back to previous sites that were
3 unavailable to us due to construction during the
4 last election cycle, three will be relocated due
5 to concerns about space and three will be
6 relocated due to current renovations at the
7 sites. Our Support Services Specialist, Arlin
8 Budoo, will come forward now to present our
9 proposed Precinct locations. You have the memos
10 with respect to each proposed relocation in your
11 packets.

12 MR. BUDOO: Good morning. My name's
13 Arlin Budoo, I'm Support Services Specialist for
14 the Board of Elections. I'd like to start with
15 Precinct #13. The current location of Precinct
16 #13 is Our Lady Queen of Americas and, as Ms.
17 Stroud stated on the record, this is a site that
18 has no site of ULS. The office of the D.C.
19 Auditor, as well as Council Member McDuffy's
20 office, citing the elevator was not up to the ADA
21 standards, so I am proposing that we relocate
22 from Our Lady Queen of Americas church to St.

1 Margaret's Episcopal Church located at 1820
2 Connecticut Avenue. The board previously used
3 this site as a polling place. We relocated to
4 Our Lady Queen of Americas due to a scheduling
5 conflict with the site. They were doing
6 outreaches at the church, but we have been
7 approved to relocate back to the site and they
8 are willing to work with the board to allow us
9 the use of this site. Voter registration at that
10 site is 1744. The voting space is accessible.
11 The voting area we will be using is the Parrish
12 hall. I deem the voting space good. The
13 lighting is excellent. There is street parking.
14 This is located approximately two blocks from the
15 current polling place so it's not a major change
16 for the site.

17 The next site is Precinct #36. Precinct
18 #36 currently is the Latin American Youth Center.
19 I am proposing that we relocate to the Columbia
20 Heights Community Center. The reason for the
21 relocation is the size at the Latin American
22 Youth Center. It's not a great size for us to

1 conduct an election. We will be relocating to
2 the newly renovated Columbia Heights Community
3 Center and that is a site that we also use as an
4 early voting site for Ward 1 as well. Voter
5 registration for Precinct #36 is 5265. The
6 voting site is accessible. The voting area we
7 will be using is the gymnasium. The lighting is
8 excellent. There is street parking. The
9 location is approximately five blocks from the
10 current polling place.

11 The next site is Precinct #51. Precinct
12 #51 currently is Lafayette Elementary School.
13 This school is currently undergoing renovations
14 and will not be available for the June 14, 2016
15 primary election. Therefore, I propose that we
16 relocate and combine with Precinct #52 which is
17 St. John's College High School. This will be a
18 temporary relocation. The school is set to
19 reopen in September of 2016, so it will be
20 available for the November/January election. The
21 voter registration for that site is 4308. The
22 voter registration at Precinct #52 is currently

1 1593. We will be using the gymnasium at St.
2 John's College High School. The voting space is
3 excellent, the lighting is excellent, and there
4 is a parking lot. It is approximately ten blocks
5 from the current polling place.

6 Next site is Precinct #88. Precinct #88
7 which currently is [inaudible 18:50] Baptist
8 Church West, cited by ULS due to a ramp that was
9 not up to ADA standards, therefore proposing
10 that we relocate and combine with Precinct #89,
11 the Eastern Market north hall. The voter
12 registration for that site -- I'm sorry, the
13 Eastern Market located at 225 7th Street
14 southeast. The voter registration for Precinct
15 #88 is 2819. The registration for Precinct #89
16 is 3796. The voting space is accessible. We
17 will be using the north hall. The lighting is
18 excellent. There is street parking and a small
19 parking lot. The location for this site is
20 approximately 10 blocks from the current polling
21 place.

22 Our next site is Precinct #92, Kenilworth

1 Elementary School. The space that we use which
2 is the multipurpose room, is currently undergoing
3 renovation and will not be available for the
4 upcoming 2016 election cycle. I propose that we
5 relocate to Cesar Chavez Public Charter School,
6 Park Side Campus, located at 3701 8th Street
7 Northeast. The registration for this site is
8 1832. This space is accessible. The voting area
9 we will be using is the gymnasium. The voting
10 space is excellent, the lighting is excellent.
11 There is a parking lot as well as street parking.
12 This site is located approximately eight blocks
13 from the current polling place.

14 The next site that we'll be relocating is
15 Precinct #101. In 2014 we relocated Precinct 101
16 from the River Terrace Elementary School to the
17 Beyond the Veil Worship Center due to
18 construction at the site. The construction has
19 now been completed. Therefore, I am proposing
20 that we relocate back to the River Terrace
21 Elementary School which is now River Terrace
22 Education Campus, located at 420 34th Street

1 Northeast. The registration for this site is
2 1740. Voting space is accessible, and I want to
3 go on the record and say that this is the school
4 within DCPS that is used as the persons with
5 disabilities school, so this takes in everyone
6 throughout the District of Columbia so it's fully
7 accessible. The voting area we'll be using is
8 the multipurpose room. The voting space is
9 excellent, lighting is excellent, there is street
10 parking and it's approximately one block from
11 Beyond the Veil Worship Center.

12 The next site is Precinct 115. Precinct
13 115 is a 7th District police station. When we
14 had the special election, we relocated from the
15 7th District police station due to construction
16 at the site. We relocated and combined with
17 Precinct #134 at an AME Church. The construction
18 has been completed at the 7th District police
19 station so, therefore, I am recommending that we
20 relocate back to 7th District Police Station
21 located at 2455 Alabama Avenue Southeast. The
22 voting space is accessible. The voting area that

1 we will be using is the community room. The
2 space is good, the lighting is excellent, and
3 there is street parking. It is approximately one
4 block from Precinct #134 at an AME church.

5 Our next precinct for relocation is
6 Precinct #119, Matthews Memorial Baptist Church.
7 I am proposing that we relocate due to the size
8 of the voting space that we use within the site.
9 I am proposing that we relocate to the newly
10 renovated Barry Farms Recreation Center located
11 at 1230 Summer Road Southeast. The number of
12 registered voters for that precinct is 3367. The
13 space is accessible. It is a newly renovated
14 facility. We'll be using the gymnasium. The
15 voting space is excellent. The lighting is
16 excellent. There is a parking lot as well as
17 street parking. It is approximately one block
18 from the e current polling place.

19 Our last site is Precinct #131. Van Ness
20 Elementary School. We use the multipurpose room
21 at the Van Ness Elementary School which is
22 currently undergoing renovations and will not be

1 available for the upcoming 2016 election cycle.
2 Therefore, I propose that we relocate to the
3 newly developed Community Center located at 1005
4 5th Street southeast. The number of affected
5 voters is 2934. Space is accessible. The voting
6 area we'll be using is the gymnasium. The voting
7 space is excellent, lighting is excellent. There
8 is street parking and it is currently across the
9 street from the previous site.

10 MR. DANZANSKY: Mr. Budoo would it be
11 fair to say that the majority of these
12 relocations will substantially improve the
13 board's ADA compliance?

14 MR. BUDOO: Yes sir.

15 MR. DANZANSKY: Okay.

16 MS. LEWIS: Yes, Mr. Budoo, in terms of
17 the notification of the new voters in addition to
18 the mailing, what else do you all contemplate
19 being done to ensure that voters are aware beyond
20 just getting a mailing that their voting site has
21 been moved?

22 MR. BUDOO: Okay, once the final action

1 is taken at the next board's hearing, today I
2 would notify the affected council members as well
3 as the fact that ANC commissioners for these
4 precincts. They in turn would then spread the
5 word through their ANC commissioner meetings
6 whatever schedule they have set up to let them
7 know that these relocations are being proposed.
8 We also sent out the notification once further
9 action is taken at the next board meeting as
10 well.

11 MS. LEWIS: Will there be signage posted
12 on --

13 MR. BUDOO: Yes -- I'm sorry -- on
14 election day we do post signage stating that the
15 polling place has relocated and give them the
16 address of the new polling place as well.

17 MS. LEWIS: Thank you.

18 MS. STROUD: We also publish this
19 information in the voter guide and it will be on
20 our website. And that will be some information
21 that the ward coordinators could spread the word
22 regarding it in their outreach.

1 MR. DANSANSKY: I believe the next step
2 is back to the board that publishes these
3 proposed relocations in the D.C. Register --

4 MR. BUDOO: In the D.C. Register, yes
5 sir.

6 MR. DANZANSKY: And to that effect I will
7 entertain a motion that the proposed nine
8 relocations that Mr. Budoo has referenced be
9 posted in the D.C. Register.

10 MS. LEWIS: I so move.

11 MR. DANZANSKY: Can anyone -- I second
12 the motion. All in favor say aye. Opposed?
13 None. Thank you sir.

14 MS. STROUD: So, the next item on my
15 agenda would be identification of the early
16 voting centers that we propose to use for the
17 2016 election cycle and Mr. Budoo will identify
18 those early voting centers that we will be using.

19 MR. BUDOO: As you know, and are aware,
20 early voting will begin on Tuesday, May 31st,
21 here at 1 Judiciary Square which is the site for
22 Ward 2. We will be using the old council city

1 chambers that we have used downstairs in previous
2 elections. The satellite sites will begin on
3 Saturday June 4, and they will run through
4 Saturday, June 11. Ward 1 early voting center
5 will be the Columbia Heights Community Center,
6 located at 1480 Girard Street, Northwest. We'll
7 be using the gymnasium at that site. Ward 3 will
8 be the Chevy Chase Community Center located at
9 5601 Connecticut Avenue. We will be using the
10 multipurpose room at that site. Ward 4 will be
11 the Tacoma Community Center located at 300 Van
12 Buren Street Northwest. We will be using the
13 community room at that site. Ward 5 will be
14 using the Turkey Thicket Recreation Center
15 located at 1100 Michigan Avenue Northeast. We
16 will be using the gymnasium at that site. Ward 6
17 will be using the King Green Recreation Center
18 located at 201 N. Street somewhat. We'll be
19 using the gymnasium at that site. Also in Ward 6
20 we'll be using the Sherwood Recreation Center,
21 located at 640 10th Street Northeast. We'll be
22 using the gymnasium at that site. Ward 7, we'll

1 be using the Adobe Heights Lending Library
2 located at 3935 Benning Road, Northeast. We'll
3 be using the community room at that site. And
4 Ward 8 will be using Malcolm X Elementary School
5 -- the former Malcolm X -- excuse me, located at
6 1351 Alabama Avenue southeast and we'll be using
7 the multipurpose room at that site.

8 MS. STROUD: Thank you Mr. Budoo. I just
9 want to state for the record that as Mr. Budoo
10 says, on May 31st early voting will begin here at
11 1 Judiciary Square and it will begin on Saturday,
12 June 4th at the satellite early voting centers,
13 and once the early voting centers open they will
14 remain open every day from the hours of 8:30 a.m.
15 through 7:00 p.m. until June 11th --

16 MR. BUDOO: Yes.

17 MS. STROUD: -- which is the final day of
18 early voting. The Saturday before election day.
19 Thank you.

20 MR. DANZANSKY: Thank you very much. Any
21 questions of our --

22 MS. STROUD: Actually I, sorry, just the

1 early voting centers as part of my agenda, I have
2 two more items. As far as election preparation,
3 to date 39 individuals have picked up nominating
4 petitions for 41 contests and you have a chart
5 that identifies how many candidates in each party
6 have picked up for the various contests. So, 39
7 individuals have picked up nominating petitions
8 for 41 contests in one party, one individual
9 pickup for three contests.

10 As far as dates that are important to be
11 aware of, Monday February 22nd was the first day
12 that nominating petitions could be filed. To
13 date, two candidates have submitted nominating
14 petitions. Wednesday, March 16th, is the
15 deadline for filing nominating petitions. On
16 Saturday March 19th, 2016, all nominating
17 petitions will be posted for a ten-day challenge
18 period which will end on Monday, March 28th,
19 2016. As I indicated on the record during the
20 board's performance oversight hearing on February
21 23rd, the board has acquired new voting equipment
22 through a leasing agreement with the vendor for

1 our previous equipment, ES&S. We will be
2 receiving 190 DF 200 precinct scanners which will
3 replace the N100s, four hundred Express vote
4 ballot and winding devices which are designed to
5 provide an accessible voting experience to voters
6 with disabilities. These will replace the
7 Avotronic (sp?) touch screen devices and one DF
8 850 high-speed digital image scanner which will
9 tabulate all our absentee and special ballots and
10 this will replace the DF 650 model. The new
11 voting equipment is an upgrade to the technology
12 we've been using since 2010 which our poll
13 workers and voters are already familiar with.

14 The basis for the entire voting system
15 will now be the optical scan method and this
16 means that regardless of whether a voter votes a
17 paper ballot using a pen or pencil, or whether
18 they mark the ballot through the ballot marking
19 device, the Express Vote, which, again, is
20 intended for use by voters with disabilities, all
21 of the ballots will be scanned and tabulated with
22 the DF 200 scanner. As far as general matters, I

1 just want to indicate that our voter registry
2 stands at 435,537 registered voters as of
3 February 29, 2016. That concludes my report.

4 MR. DANZANSKY: Okay, thank you very
5 much. Our general counsel's report is next.

6 MR. MCGHIE: The first item on my agenda
7 is also campaign finance, this is enforcement and
8 I'm going to ask Mr. Sanford and Mr. McGann to
9 come forward and please identify yourself for the
10 record.

11 MR. STANFORD: Good morning Mr. Chairman
12 and board members. I am William Sanford, General
13 Counsel for the Office of campaign finance.

14 MR. MCGANN: Good day Mr. Chair, Ms.
15 Lewis. Rudolph McGann, staff attorney for the
16 Board of Elections. With respect to the
17 petitions for enforcement, I will give a brief
18 synopsis of each matter in full so that you can
19 move them for enforcement and invoke.

20 The first docket number is 15R-008,
21 Morgan for D.C. The fine is in the amount of
22 \$2200.00. Mr. Morgan was notified by e-mail and

1 first class mail. He has not attended any
2 prehearing conferences, which we scheduled two,
3 and this is the case for all of these, so just
4 for sake brevity I'll just give you that, none of
5 the respondents have shown up for prehearing
6 conferences of which two were scheduled in each
7 case. So, this one is for Morgan for D.C. to
8 reiterate, 15R-008 and the fine is for \$2200.

9 The next one is Morgan for D.C. docket
10 #15R-003 and that fine is for \$350.00. The next
11 one is Youth Action Pac, docket #15P-034 and that
12 fine is for \$1400.

13 The next one is for Gertrude Stein,
14 Democratic Political Account, docket #15-P-033.
15 The fine amount is \$1400.

16 The next one is Action-Pac again 15P-029
17 and that fine is for \$1900.

18 The next one is 15P-026, Gertrude Stein,
19 Democratic Political Account, the fine is in the
20 amount of \$600.

21 The next one is Youth Action Pac 15P-024,
22 the fine is in the amount of \$1700.00.

1 Next one is Whitacre for Ward 4, docket
2 #15C-046, that fine is in the amount of \$2500.

3 The next one is Ward 8, docket #15C-045B
4 and that fine is for \$2500. The next one is
5 Whitacre for Ward 4 #15C-045A, that fine is in
6 the amount of \$2000.

7 The next one is billed for Ward 8 15C-039
8 and that fine is in the amount of \$2000.

9 The next one is Whitacre for Ward 4, 15C-
10 036 the fine amount is \$2500.

11 The next one is Gaston 2015 15C-033 and
12 that fine is in the amount of \$2500.

13 The next one is billed for Ward 8, 5C-
14 031, the fine amount is \$2500.

15 The next one is 15C-016, Bruce Majors,
16 Libertarian for Mayor. That fine is \$1400.

17 The final one is the Committee to Elect
18 Valerio Johnson, docket 15D-013, fine amount is
19 \$1400.

20 All of these fines are as a result of
21 failure to file, reports of receipts and
22 expenditures. I believe I've transmitted a

1 synopsis of the whole case on each individual
2 member and for the sake of brevity I refer you to
3 those files.

4 MR. DANZANSKY: Okay. Any questions
5 about this? No.

6 MR. MCGIE: At this point I would request
7 that the board entertain a motion to commit a
8 summary statement of all of the matters
9 [inaudible 35:05].

10 MS. LEWIS: So moved.

11 MR. DANZANSKY: Okay, I'll second that
12 motion. All in favor of the motion to enforce
13 say aye.

14 [Chorus of ayes.]

15 All right. Opposed? Thank you.

16 MR. MCGIE: Okay, the only other thing
17 that I have on my agenda is a status update. The
18 only pending case that the board has is Mary
19 Wainwright versus the Board of Elections. As the
20 board is familiar this was originally filed all
21 the way back in August of 20?? [inaudible 35:35].
22 This was a complaint from a summary statement on

1 initiative #76. All of the matters were agreed
2 to go to court. The court found on January 29th
3 that from the bench, there was no written order,
4 denied the board's motion for summary judgment
5 and the grievant's previous motion for summary
6 judgment, granted the plaintiff's motion for
7 summary judgment on the sole issue that the board
8 was not properly constituted and could not have
9 approved the initiative measure #76. The board
10 immediately filed for reconsideration, the board
11 was also joined by the Office of the Attorney
12 General which intervened and the matter was
13 rebriefed by all of the bodies and now there is a
14 status hearing set on March 3rd at 10:30 a.m. in
15 front of Judge Ross and at that time I expect he
16 will make a decision.

17 MR. DANZANSKY: Okay thank you very much
18 counselor.

19 MR. MGIE: You're welcome.

20 MR. DANZANSKY: All right, the Office of
21 Campaign Finance, Mr. Stanford.

22 MR. STANFORD: Good morning again, Mr.

1 Chairman and the same to board members. I am
2 William Sanford from the Office of Campaign
3 Finance. I am appearing for Cecily Collier
4 Montgomery, our director and on the behalf of
5 the Office of Campaign Finance. We would just
6 like to acknowledge your distinguished service on
7 this board and your contribution to this city and
8 all of the support and guidance you gave our
9 agency during your tenure in this board and we'd
10 like to publicly thank you for your contributions
11 to us personally and to the city and to the
12 Agent.

13 During the month of January, 2016, the
14 January 31st was a filing date and during that
15 period there were a total of 147 required filers,
16 a total of 99 filers timely filed and 64 of them
17 are principal campaign committees, 55 were
18 political action committees, and 26 failed to
19 timely file and those 26, which included 23
20 principal campaign committees and three political
21 action committees were referred to the office of
22 General Counsel.

1 Also, during the month nine of the
2 required filers who failed to file will be posted
3 at our website so in the interest of time I won't
4 read every single referral, all 26 of them.
5 During that month, there were new candidates who
6 registered their committees with the Office of
7 Campaign Finance and they are the following:
8 Ryan Austin and the Committee to Elect Ryan
9 Austin for city council; Leon T. Andrews Jr.,
10 Friends of Leon T. Andrews candidate for city
11 council; Franklin Garcia, Franklin for D.C. 2016
12 U.S. Representative; Anita Kurtz, 2016 Ward A
13 City Council; Calvin Gurley, Calvin Gurley 2016
14 Ward 4 City Council; candidate, Vincent Gray,
15 Vincent Gray 2016; Vincent Gray for Ward 7 City
16 Council; Treon White, Treon White for Ward 8,
17 City Council candidate; Gertrude Aikin US
18 representative; Gertrude Aikin again at Large
19 City Council; Gertrude Aikin again Ward 2 City
20 Council; Oliver Johnson, We are Ward 8; Oliver
21 Johnson Ward 8 City Council candidate; Michael
22 McHugh, Ward 1 D.C. Republican Committee; Gary

1 Kraiss Ward 2 City Council; and Robert Hyman,
2 Ward 3 D.C. Republican Committee. Also during
3 the month of February, there were an exploratory
4 committee and that was established by Shakira
5 Hemphill, Family and Friends of Shakira Hemphill
6 for Ward 8; state member of the Board of
7 Education and that committee was established on
8 the 18th of February 2016. During the month of
9 February, the Office of Campaign Finance
10 conducted two entrants conferences.

11 The first entrants' conference was
12 conducted on the 10th of February and it was
13 attended by the following representatives of
14 committees: Michael Zack on behalf of Paul
15 Cavill, candidate for Republican National
16 Committee; Chris Royster Junior, Treasurer; the
17 committee to elect Ron Austin; Walter Deleon
18 candidate for Deleon 2016.

19 On the 24th of February 2016, the Office
20 of Campaign Finance conducted a second entrants'
21 conference and the participants were the
22 following individuals: Ronald Austin, Candidate;

1 Renita Marcellane Finance Director for Tierra
2 Jolle, a Ward 8 candidate for the State Board of
3 Education; Nichole Spritz, Treasurer for Treon
4 White Ward 8 for Ward 8 council member from that
5 ward, Treon White, Candidate, Ward 8; Calvin
6 Gurley, Candidate Ward 4; and Renita Kurt,
7 Candidate Treasurer for Renita Kurt Ward 8, 2016.

8 During the month of February, the audit
9 division conducted 126 desk reviews and conducted
10 three periodic random audits which included the
11 following: for D.C. Continuing Committee on the
12 2015, January 31st 2015 filing date; Vin
13 Alexander Constituent Service Fund from October
14 21st, 2015, filing date, and political acts and
15 committees were the following: Higher Ground
16 Political Action Committee, D.C. First Political
17 Action Committee; Local 25 General Political
18 Account and ABC Metro with its ?? committee.
19 And, finally, the Office of Campaign Finance
20 Audit Division conducted full field audits of the
21 following newly elected officials: LaRuby May,
22 Council Member from Ward 8; Brandon Todd, Council

1 Member from Ward 4; Brian Nadul, Council Member
2 from Ward 1; and Alissa Silverman, Council Member
3 at large. During the month of February the
4 Office of General Counsel received 26 referrals
5 from other information and record ?? division 23
6 of the referrals were of principal campaign
7 committees and three were from political action
8 committees who failed to timely file on January
9 31st, 2016 report of receipts and expenditures.

10 The Office of the General Counsel
11 conducted five informal hearings and issued five
12 orders which include the following: Four were
13 orders for failure to timely file reports in
14 which no fines were imposed and one order for
15 failing to timely file a report in which an order
16 of \$100 was imposed. During the month of
17 February 2016, the office of the General Counsel
18 imposed a fine of \$100 against the SEIU Political
19 Action Committee and during that month the Office
20 of the General Counsel collected \$250 in fines
21 and the sole payor of that fine was Ron Melton
22 who had paid a candidate for Ward 7 in the 2014

1 election. During the month of February the
2 Office of the General Counsel maintained a total
3 of seven active investigations, no new
4 investigations were opened and during that month
5 the Office of the General Counsel did not conduct
6 any show cause proceedings nor were there any
7 requests for interpretive opinions and that
8 should conclude my report.

9 MR. DANZANSKY: Are there any questions?
10 All right. Any public matters?

11 MR. SINDRAM: Good morning Mr. Chair.

12 MR. DANZANSKY: Good morning, sir.

13 MR. SINDRAM: Michael Sindram, disabled
14 veteran, who has served our country more than
15 most. You look pretty official there. And I
16 didn't recognize you, every time you look younger
17 and younger. Can I borrow your comb to comb my
18 hair? Come to think of it, just for a point of
19 order have you been formally confirmed by the
20 counsel? I know there was an issue about the
21 Wingo initiative because kind of the interim, you
22 know, acting commissioners, it was voided by the

1 good judge, so, with all due respect, you've been
2 formally confirmed or still up in the air?

3 MR. DANZANSKY: I think that's a matter
4 we can take up maybe after the meeting. I'd be
5 happy to --

6 MR. SINDRAM: I take that as meaning no?

7 MR. DANZANSKY: Yeah.

8 MR. SINDRAM: What concerns me, because
9 you are the republican representative, as
10 reported in the Express on February 26th, this
11 year, page 4, it says here, "ex head of D.C.
12 Republican Committee fundraising arm pleads
13 guilty to theft." That's not good. We need to
14 know if the rule, competition is good. In fact
15 we don't even have an election in this
16 jurisdiction, we have a primary, because of the
17 obstinate donkey, and I can't fathom how African-
18 Americans flock to the Copperheads, the former
19 masters' democratic party when it was Republicans
20 who were the emancipators. Help me help you help
21 us. What gives here? All right moving along.
22 Mr. McGie we've still got a burning issue that

1 with full complement of the board and that being
2 ANC 4A. Two issues: 1) The grant improvidently
3 rescinded, nothing in writing, right? Togo West,
4 the law of this case indicates a full complement.
5 Of course, when Harry Thomas went down he, you
6 know, went his way, but it still leaves that full
7 complement hearing to take place, like an ANC,
8 Advisory Neighborhood Commission 4A, the digital
9 dynamo Dee Nice Rhodes grant which was
10 improvidently rescinded.

11 2) Is the good commissioner Dwayne
12 Tolliver, who is doing pay to play contracts with
13 the office. He is a D.C. contracted -- I don't
14 want to say employee because he is a private
15 practitioner -- but nonetheless he's entered into
16 contracts personally to be unjust and enriched --
17 unjustly enriched, right? For the ANC 4 office
18 which adversely affects we the people. So,
19 again, if you'd take it under advisement, let me
20 know of a date and time certain, convenient for
21 all, so we can convene again with the full
22 complement, the law of the case pursuant to the

1 chair at that time, Togo West. There is a debt
2 due note by the LaRuby May councilwoman. I'm
3 going to pass that up, a copy to the board and to
4 Mr. Sanford upon departure. I have a couple of
5 burning questions I think that need to be
6 addressed. 1)--

7 MS. LEWIS: Excuse me, sir. Is there
8 something that needs to be set right?

9 MR. SINDRAM: Set right? Yeah.

10 MS. LEWIS: Is there something you can
11 pass up now so we can kind of review that
12 document?

13 MR. SINDRAM: Sure, sure, sure, yes
14 ma'am. Yeah. Some craft kits from the veteran.

15 MR. DANZANSKY: Would you like to come
16 up, please?

17 MS. LEWIS: Do you have a copy here?
18 Thank you.

19 MR. SINDRAM: I highlighted one point
20 there. It's a relevant part, it's \$163 due and
21 owed to the Disabled Veterans. They're craft
22 kits by Ruby Mae, she did pay \$25 and it's not

1 good to slight as an elected official, when
2 they're supposed to be following the law and
3 they're not. So this is something -- where
4 you're raising your eyebrows, Mr. McGie -- it
5 needs to be nipped in the bud and the right thing
6 done here. Not an astronomical amount but every
7 little bit helps and it is due and owed, so if
8 you'd like to take that under advisement the
9 appropriate corrective action, take it. And if
10 there's any questions I'd be delighted to field
11 them about this issue.

12 MS. LEWIS: What is the outstanding
13 amount due for?

14 MR. SINDRAM: \$163 as detailed here,
15 veteran craft kits, I put it there, referencing
16 veteran craft kits from me, Michael Sindram, a
17 disabled veteran, a respective phone number and,
18 again, to the debt due and owed by Councilwoman
19 Ruby Mae.

20 MR. DANZANSKY: She didn't actually
21 supplied to the campaign?

22 MR. SINDRAM: Absolutely, yes, yes.

1 MR. DANZANSKY: Okay. Delivered?

2 MR. SINDRAM: By hand by me personally.
3 Don't hold it against me, I'm toothless and
4 hairless but delivered nonetheless. All right.
5 A couple of burning questions. 1) Has the Board
6 of Elections received the "new voting machines"
7 as represented to the D.C. Council on February
8 23, 2016?

9 MR. DANZANSKY: I think yes, our acting
10 executive director in her report that she gave a
11 bit earlier and went over that material and I'm
12 sure that it will be in the minutes of our next
13 meeting, but it has been -- do you want to answer
14 that directly?

15 MS. LEWIS: We are taking delivery of
16 those this week, the new voting machines.

17 MR. SINDRAM: So, when you say you're
18 taking delivery, you've not yet received them if
19 I understand your response.

20 MS. LEWIS: They are due to arrive this
21 week starting today.

22 MR. SINDRAM: I hear you. But my point

1 is have you received them here and now? Yes or
2 no? You're shaking your head.

3 MS. LEWIS: That is ongoing. That is a
4 process that's we're picking up the equipment
5 that we previously had and that is being removed
6 from our facilities and we are taking delivery of
7 it this week beginning today.

8 MR. SINDRAM: Okay, I appreciate your
9 process. But again what I'm asking you a pointed
10 question, those "new voting machines," do you
11 have them here and now? Just yes or no.

12 MS. LEWIS: I'm going to stick with my
13 answer that I provided.

14 MR. SINDRAM: Okay, so I take that as
15 meaning no. My next question is are said
16 machines in fact new" And please explain your
17 response?

18 MS. LEWIS: They are new.

19 MR. SINDRAM: They are new, never been
20 used before.

21 MS. LEWIS: They have not been used
22 before.

1 MR. SINDRAM: Okay. 3) What position is
2 Alice Miller currently holding with the Board of
3 Elections?

4 MR. DANZANSKY: You have a number of
5 questions, Mr. Sindram, do you have any more than
6 these three? Because I was thinking if you would
7 submit them in writing maybe we could answer
8 them.

9 MR. SINDRAM: Well, I don't want to get
10 sanitized answers, I wanna get it right off the
11 cuff.

12 MR. DANZANSKY: I understand, I
13 understand.

14 MR. SINDRAM: So, my question, this one
15 is going to be followup and it's concluding.
16 What is the position of Alice Miller currently
17 with the Board of Elections?

18 MR. DANZANSKY: Does our -- you want to
19 answer it?

20 MS. LEWIS: She is the election
21 management advisor.

22 MR. SINDRAM: Election management

1 advisor. Okay. And my final question is, what
2 process of the vetting procedure to select the
3 next Board of Elections Executive Director?

4 MS. LEWIS: Well, that's a personnel
5 matter and as such we don't have to discuss it.

6 MR. SINDRAM: Will there be a nation-wide
7 search conducted for that position? Yes or no?

8 MR. DANZANSKY: There will be a search
9 according to our -- the requirements of the law -
10 - we will certainly comply with every --

11 MR. SINDRAM: Well, I'm a layman, Mr.
12 Danzansky, I'm not a liar, I mean lawyer, so you
13 gotta enlighten me the law. My question is very
14 pointed, very simple: Will there be a national
15 search conducted? Just yes or no?

16 MR. DANZANSKY: There is a process by
17 which searches are conducted.

18 MR. SINDRAM: You're dancing with me. I
19 just want to know will there be a national search
20 conducted, just yes or no?

21 MR. DANZANSKY: Okay, we always

22 [inaudible 53:59]

1 MR. SINDRAM: It's always a [inaudible]
2 So, I take that as meaning yes.

3 MR. DANZANSKY: Yes. Very good. Any
4 follow-up questions from the. Very pretty, you
5 have a lot more hair than I do.

6 MR. SINDRAM: So, if we could get some
7 resolve to these -- we need an elephant in the
8 room, that's really -- competition is good,
9 right? I mean, the one party system it's
10 tantamount to communism, it's not good. Freedom
11 ain't free. There's been a lot of blood shed for
12 due process in front of men of fairness. It's
13 good to see you.

14 MR. DANZANSKY: Thank you.

15 MR. SINDRAM: And in conclusion we'll
16 hopefully get this whole complement hearing right
17 on track, you have my digits, I know Mr. McGann
18 does as well and we'll call away and we can get
19 this resolved. Because I've been coming before
20 the board quite a bit. One other thing, too,
21 that comes to mind. Public comment. And I'll be
22 brief. You know you are there because we are

1 here, with all due respect. And I understand
2 it's a voluntary position, although you have the
3 gavel, you do get compensated for incidental
4 consequential expenses to wit cab or whatever
5 else. But for we the people, we get nada. And
6 look at we're even sitting below the bench.

7 My point is, when I, Dorothy Brizill and
8 others come forward, be nice. My understanding
9 is the last go around with the chair then was
10 acrimonious and it's left a very bitter taste in
11 Ms. Brizill's mouth. I don't want to speak,
12 she's not here, but that's my understanding and
13 then I'll not be. I do know from council
14 hearings, right, oversight with the board, I know
15 last year passed, the good chair kicking the
16 [inaudible 55:33] outside of the glass, room 120-
17 123, when she should be in the room, you know,
18 hearing what's going on. What it tells me and
19 the rest of us, you know, we don't matter and
20 that's not -- that ought not be. You are there,
21 again, because we are here. So, what I'm asking,
22 Mr. Chair and others, help me help you help us.

1 MR. DANZANSKY: Thank you, Mr. Sindram,
2 for your comments, always good to hear from you.
3 Well that concludes our business. I had
4 mentioned earlier -- sorry.

5 MS. LEWIS: Can I interrupt a second? If
6 it's at all possible can I have a copy of your
7 notes? The things you were reading from, were a
8 bit fast for me and I don't think I quite grabbed
9 everything.

10 MR. DANZANSKY: We can talk off line.

11 MS. LEWIS: All right, we'll talk after.
12 Thank you so much. Thank you.

13 COURT REPORTER: I see Mr. Danzansky and
14 others are anxious to go home so I don't want to
15 ...

16 I had mentioned if there was anybody I
17 forgot and I did forget someone in my comments.
18 And that is I want to thank personally, on behalf
19 of the board, Alice Miller for her willingness to
20 come back and support and tell the board -- the
21 new board -- as it proceeds with the executive
22 search process and give us her advice and counsel

1 based on her long experience and we are grateful
2 to her for coming back and supporting us.
3 Hearing no further business, the meeting is
4 adjourned.

5 [Whereupon, at 10:13 p.m., the above-
6 entitled matter concluded.]

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