GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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SPECIAL BOARD MEETING

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FRIDAY

AUGUST 21, 2020

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The District of Columbia Board of Elections convened via Videoconference, pursuant to notice, at 1:00 p.m. EDT, Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair
MIKE GILL, Member
KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

TERRI D. STROUD, Office of Attorney General
KAREN F. BROOKS, Registrar of Voters
DEANNA SMITH, Assistant Registrar of Voters
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1  P-R-O-C-E-E-D-I-N-G-S
2  
3  (1:02 P.m.)
4  
5  CHAIR BENNETT:  Good afternoon.  This
6  is Michael Bennett, Chair of the Board of
7  Elections.  We're here today to have a special
8  meeting and a hearing regarding a number of ANC
9  petitions and the filing of various petitions and
10  various matters around that.
11  
12  I'd like to call the meeting to order.
13  
14  And I want to acknowledge the other Board Members
15  to make sure we have a quorum.  Board Member
16  Gill, can you acknowledge your presence, please, sir?
17  
18  MEMBER GILL:  Hi, this is Mike Gill
19  and I'm here.
20  
21  CHAIR BENNETT:  Board Member
22  Greenfield, can you acknowledge your presence?
23  
24  MEMBER GREENFIELD:  Yes.  Hi, this is
25  Karyn Greenfield and I'm here.
26  
27  CHAIR BENNETT:  Great, thank you.  We
28  have a quorum and the meeting is now called to
29  order.  What I'd like to do is turn the meeting
over to our General Counsel, Ms. Terri Stroud. And she will walk through each of the petitions -- or each of the matters before us today. We'll go through each matter.

Once we have finished all of them at the end of the afternoon, then we will end the meeting. We will actually go into executive session actually. We'll vote to go into executive session and the Board will actually vote on each of the matters.

Yes, we'll deliberate and we'll vote on the website -- vote on the record. And Ms. Stroud will put out an email almost immediately after that to tell everybody the disposition of their petition. So with that, Ms. Stroud.

MS. STROUD: Thank you. Good afternoon, everyone. The first matter is Robb Hudson. And he is a candidate for -- applying to be a candidate for Advisory Neighborhood Commissioner in Single Member District 1B11.

Mr. Hudson is present. And Mr. Hudson, if you could just state your name and
address for the record for our court reporter and for the record. And we will allow you to state your case in terms of why you should be granted ballot access despite the Executive Director's preliminary determination that you are ineligible to be on the ballot.

MR. HUDSON: Sure. My name is Robb Hudson. I live at 919 Florida Avenue NW, Apt 204 Washington DC 20001. The preliminary determination noted that the Declaration of Candidacy wasn't attached to the last email that I sent with my petitions. So it was a clerical error. I clearly -- I meant to attach it.

I believe it was either left off because of the large attachment size of the petitions or was included as an ICloud Drop Box link, which mail365@boe doesn't accept or it just happened to slip my -- obviously, I've gone through all the process and met all the previous deadlines. And this one form about how to list my name and the candidacy and things like that was the one thing that was missing. And I just -
- the rest of it's outlined in the letter. It's very short. I believe this was just a clerical error on my part.

    MS. STROUD: And the letter is a part of the record, Mr. Hudson. We do have that. And what date did you file your petition and the email that you sent?

    MR. HUDSON: The petitions were filed the same date that I -- I mean, you can see in the Declaration of Candidacy -- I'm sorry, I'm looking at the emails right now on the computer. So my video is out. -- Were sent in the same day July 23rd -- or should have been sent in the same day as the petitions, which was on July 23rd.

    MS. STROUD: Okay.

    MR. HUDSON: That's the date that I signed the Deceleration of Candidacy. And I just reattached it to the email that I sent with the appeal letter.

    MS. STROUD: Okay. So you did email it. So I think in our email, I have email between you and the Voter Services Division. And
it indicates that the petitions were filed around July 23rd or 24th. And that's the date that you sent in your nominating petition to the Board. Correct?

MR. HUDSON: Yes.

MS. STROUD: And so the Declaration of Candidacy which you have attached, which is dated July 23rd just was not -- just did not happen to be attached to the document that you sent, along with your nominating petition.

MR. HUDSON: That is correct.

MS. STROUD: Okay. I know that our Deputy Registrar of Voters is on the line. Ms. Smith, do you have anything to add? Ms. Smith?

MS. SMITH: I have nothing to add, no.

MS. STROUD: Okay, thank you.

MS. SMITH: Okay.

MS. STROUD: Board Members, do you have any questions?

MEMBER GILL: No, thank you. The letter was very comprehensive.

MEMBER GREENFIELD: Yes, I don't have
any.

MEMBER GILL:  Yeah, no questions.

Thanks.

MS. STROUD:  Okay.  Well thank you,

Mr. Hudson.  I know this was painful, a very long

and drawn out procedure.

MR. HUDSON:  Well, I'm glad --

hopefully you all can get through it without

getting into the afternoon, all your stuff today.

Hopefully the rest are as quick and painless.  So

thanks for your consideration.  I really

appreciate it.  And good luck with the --

MS. STROUD:  No problem.  And you'll

be hearing from me today.

MR. HUDSON:  Okay, thank you.

MS. STROUD:  Okay, thank you.

MEMBER GILL:  Thank you for giving us

a couple minutes back.

MS. STROUD:  So just so the public

knows, we've scheduled each hearing to last for

20 minutes.  So we will have some time between

hearings because the next matter is not scheduled
until 1:20 p.m. Actually is Mr. Drucker present -- Mr. Merritt Drucker?

(Whereupon, the above-entitled matter went off the record at 1:09 p.m. and resumed at 1:17 p.m.)

MS. STROUD: Hi, Mr. Drucker. Mr. Drucker?

MR. DRUCKER: Can you hear me now?

MS. STROUD: I can hear you now. How are you, sir?

MR. DRUCKER: Good. Thanks for setting it up.

MS. STROUD: Of course, no problem. Glad you got my email today. So Mr. Chair, Mr. Drucker's here.

CHAIR BENNETT: Hi, Mr. Drucker. This is Michael Bennett, Chair of the Board. We've got a quorum --

MR. DRUCKER: Thank you.

CHAIR BENNETT: -- and we are here and the session is open for you to present your case relative to ballot access for your petition.
MR. DRUCKER: Well -- I'm sorry.

CHAIR BENNETT: And Ms. Stroud will kind of conduct us through. But thank you for taking the time to be here.

MR. DRUCKER: Well, thank you.

MS. STROUD: Mr. Drucker is a candidate for Advisory Neighborhood Commissioner in Single Member District 4A02. And Mr. Drucker, we understand that you received an adverse preliminary determination of eligibility regarding ballot access. So if you could explain and make your case for the Board as to why you should be granted ballot access.

MR. DRUCKER: Okay, thank you. Well yes, I did receive the letter. As near as I can tell, I sent over the initial document. The first document that's required is the Declaration of Candidacy.

MS. STROUD: Yes.

MR. DRUCKER: And so I went, I printed it out. It printed out on two pages for whatever reason. I don't know. I've never done this
before. And then I went and I had it notarized, although I did subsequently receive a message saying it didn't need to be notarized. And I scanned it and sent it over.

As near as I can tell, going back through the emails, the scan came over as two documents perhaps in two different emails or maybe one page didn't make it. But I do know that the notarized page with the signature made it. And then subsequently yesterday I figured out how to scan both of them into one document and sent that over. So I figured that out. Then I sent over the Statement of Candidate regarding nominating circulation guidelines after I got the petition. Like I sent the petitions and I, you know, took those around and sent them in.

I also sent over the receipt of ballot access documents. Initially I had signed it like I don't know, mechanically. And then I sent over a signed copy with my actual signature on it. So despite the confusion or maybe errors on my part, I do believe that I substantively, you know, and
technically complied with all the documentation, got it to the Board. And the fact that I got the petitions, you know, the petitions back and got them signed and got them back, seems to indicate that for all intents and purposes, I met the requirement.

So I mean I have nothing more to say. I mean I can't -- you know, that's it.

MS. STROUD: Mm-hmm.

MR. DRUCKER: So thank you.

MS. STROUD: Okay.

MR. DRUCKER: And you know, I ask you to reconsider.

MS. STROUD: Thank you, Mr. Drucker.

Ms. Smith or Ms. Brooks, do you have anything to add?

MS. SMITH: I just wanted to add -- Hi, Mr. Drucker. This is Deanna Smith.

MR. DRUCKER: Hi. Ms. Smith, yes.

Hi.

MS. SMITH: Hello. I just wanted to add that I spoke with Mr. Drucker twice yesterday
and he did try to resubmit the declaration on one page. Unfortunately, it may be his system or his setup. It was timely filed. It just did not print out on the one page.

MS. STROUD: Okay. So all of the documents that were required for ballot access were timely filed including the Declaration of Candidacy, albeit in two separate sheets.

MS. SMITH: Yes.

MS. STROUD: So he submitted the top part and the bottom part, which was notarized. And all of his other filing requirements were met and were timely met.

MS. SMITH: That's right.

MS. STROUD: Okay, thank you. Board Members, do you have any questions?

CHAIR BENNETT: None from me. Thank you, Mr. Drucker.

MEMBER GREENFIELD: None from me.

MEMBER GILL: This is Mike Gill. No, I do not have any questions.

MS. STROUD: Okay, thank you. So Mr.
Drucker, what we're going to do is the Board Members are going to hear all of the matters today. And then they're going to deliberate at the end. And at the end of this meeting, they will announce their votes with respect to each matter. And so you don't have to stay on unless you want to. But I will inform you today as to whether or not you've been granted ballot access.

MR. DRUCKER: Okay, thank you.

There's no need for me to witness your internal discussion. So I'll just wait to hear from you.

Will it be by email probably?

MS. STROUD: Yes, it will.

MR. DRUCKER: Okay.

MS. STROUD: It will.

MR. DRUCKER: Well thanks for taking the time.

MS. STROUD: Thank you, Mr. Drucker.

CHAIR BENNETT: Thank you, Mr. Drucker.

MR. DRUCKER: I appreciate it. Thanks so much.
MS. STROUD: Okay, bye-bye.

(Whereupon, the above-entitled matter went off the record at 1:22 p.m. and resumed at 1:31 p.m.)

MS. STROUD: Hi, Ms. Epstein. She's connecting to audio. Hi, Ms. Epstein.

MS. EPSTEIN: Can you hear me?

MS. STROUD: Yes, I can hear you now. How are you?

MS. EPSTEIN: I'm well. How are you?

MS. STROUD: I'm good. I'm good.

MS. EPSTEIN: This is the first time I've been in a meeting without a mask in so long. I had to put on lipstick. I don't even know what to do about this.

MS. STROUD: I love it.

MS. EPSTEIN: I found one. I found one.

CHAIR BENNETT: Hi, Ms. Epstein. This is Michael Bennett. I'm Chair of the Board.

MS. EPSTEIN: Hi, Mike. Nice to meet you.
CHAIR BENNETT: Nice to meet you, too.

Thank you so much for participating virtually.

MS. EPSTEIN: Thank you.

CHAIR BENNETT: During these interesting times.

MS. EPSTEIN: Unusual times, yes.

CHAIR BENNETT: Yeah. But we have the full Board here. Thanks for participating in this hearing. We want to just take an opportunity to hear your position. And then we'll make a ruling later on today and Ms. Stroud will let you know how things turned out.

MS. EPSTEIN: She and I have been frequent correspondents in the past few days.

MS. STROUD: Yes.

CHAIR BENNETT: Okay. I'll let Ms. Stroud go with it.

MS. STROUD: Hi, Ms. Epstein. Welcome again. So this is the hearing into your appeal of the Executive Director's adverse determination -- preliminary determination of eligibility for ballot access. And I understand that you're a
candidate for Advisory Neighborhood Commissioner in Single Member District 2A06. And so we just wanted to give you're the opportunity to state your case as to why you should be granted ballot access in light of the untimely filing of the Declaration of Candidacy.

MS. EPSTEIN: Well, thank you very much. I really do appreciate you taking the time to discuss this with me. As you know, during the pandemic, information flow has been a little bit difficult. Normally, I would have walked into the Board of Elections. I would have presented my ID. You would have handed me documents. I would have then come back with the documents and somebody would have said to me, you missed one. You need to fill this out. And it would have been done very quickly.

This year everything was done virtually. And unfortunately the information flow wasn't as smooth as it could have been. I spoke to a woman and then when I called back, she'd taken sick leave. She wasn't well. And
the second woman said she was new and didn't know about it. But if they had sent me out the petitions, everything must be fine. And I admit, I probably should have looked to see if there was something else.

But I would say in defense of this, that once the Board of Elections waived the need to notarize documents, the page that I inadvertently left out didn't offer any new information. You already had all of the information on the other two documents. When you requested it, I sent it in right away. But when they waived notarizing petitions and waived notarizing documents, the page that I did not mean to omit, but omitted, actually offered no information that wasn't already there.

So I would hope that you would overlook that. This is an unusual year. It's a pandemic. We're all trying to make things work. I am the only person who is willing to run in 2A06. And I'm already a representative. I already am in the Commissioner in 2A06. I asked
around. Nobody else wants this job. Trust me.

The other point that I would bring up is I live in what may be arguably the demographically oldest district in the District of Columbia. There are more wheelchairs, walkers, and canes in my district than anywhere else. All of these people are going to be voting by mail from home. For many of them, the internet is a rumor, but it's not a fact. And they call their children once a week to come fix it because the Google isn't working again.

So anything that we would find to be confusing for them will not move our election process forward. So they can do write-ins, I understand that. But voting by mail and writing in is going to give us less participation in the election process than we would want.

So I'm asking for a waiver based on the fact that I'd like to see them voting. I would like to see them engaged. And I understand what the barriers are for them to complete things. All right, thank you. That's the whole
-- There's no more to it than that.

MS. STROUD: Okay. Thank you, Ms. Epstein. Ms. Smith or Ms. Brooks, do you have anything?

MS. SMITH: I do not have anything. Thank you.

MS. STROUD: Okay. Board Members, do you have any questions for Ms. Epstein?

MEMBER GREENFIELD: No, I don't have anything.

MEMBER GILL: This is Mike. No, I do not have any.

MS. STROUD: Okay.

MEMBER GILL: Although Ms. Epstein, now I'm curious. I want to know how to find out -- I want to know what the competition is for walkers and canes in an ANC district. You've now spurred my curiosity. You've now spurred my curiosity to know. How do we measure such a thing?

MS. EPSTEIN: That's right. And I can tell you that in our building, there is always a
notation that says, if you need a walker or a
cane, ask the front desk. One of the residents
can provide it to you. So what can I say? It's
an aging population, but we're doing really well,
thank you, in the District of Columbia.

MEMBER GILL: Thank you. No
questions.

MS. STROUD: Thank you, Ms. Epstein.

MS. EPSTEIN: Thank you very much. I
appreciate your time.

MS. STROUD: No problem, absolutely.

So what's going to happen is the Board is going
to hear all of the matters scheduled for today.

MS. EPSTEIN: Sure.

MS. STROUD: And you can see in the
group chat, the schedule that we have for these
matters. And so they're going to deliberate
after each matter is heard. And then they will
come back onto the record to vote. And you can
wait for that or you don't have to. But I will
be in contact with you today letting you know
what the Board's decision is.
MS. EPSTEIN: I will look forward to hearing from you later. And thank you all very much for your time today.

MS. STROUD: Absolutely.

MS. EPSTEIN: Stay safe.

MS. STROUD: You too, Ms. Epstein.

Bye-bye.

(Whereupon, the above-entitled matter went off the record at 1:42 p.m. and resumed at 1:58 p.m.)

CHAIR BENNETT: Hi, Ms. Botstein.

MS. BOTSTEIN: Hi. How are you?

CHAIR BENNETT: Good, good. This is Michael Bennett, Chair of the Board. We've got Board Members, Karyn Greenfield and Board Member, Michael Gill with us. Thanks so much for taking the time. Sorry for the Zoom --

MS. BOTSTEIN: No worries.

CHAIR BENNETT: -- but you know, I'm sure after all these months, everybody's starting to get used to it. So what we're going to do, we've given everybody 20 minutes. We'll let
people know that they can jump in early if they can. These are going relatively fast. But Ms. Stroud will kind of conduct the hearing and it will be relatively informal. So Ms. Stroud?

MS. STROUD: Hi, Ms. Botstein. How are you?

MS. BOTSTEIN: Hi. How are you?

MS. STROUD: Good. So we're holding right now a hearing into your appeal from the Executive Director's adverse preliminary determination of eligibility with respect to your candidacy for Advisory Neighborhood Commissioner in Single Member District 4C08. As you're aware, the Executive Director found that your ballot access packet was deficient. And so this appeal is to give you the opportunity to state your case as to why you should be granted ballot access.

MS. BOTSTEIN: Thank you. I prepared a short set of remarks and then I'm happy to take questions.

MS. STROUD: Sure.

MS. BOTSTEIN: Do you want me to just
jump in or --

MS. STROUD: Sure. Go right ahead.

MS. BOTSTEIN: Okay. Thank you all so much. Okay, so good afternoon. Thank you for your time. My name is Clara Haskell Botstein. I love Washington DC and Petworth has been my home for over four years. My background is in public policy and advocacy. And I work in public education, specifically for a network of free college programs for high school students. I helped to establish the first public early college high school east of the river through a partnership between Bard College where I work and DC public schools.

I'm here because I want to use my skills and experience as an advocate to support my neighbors and my neighborhood during this very challenging time by serving as ANC of 4C08 in Petworth. This is my first time running for office, and although I submitted all my petitions and all of the required documents. I unfortunately submitted my Declaration of
Candidacy form 1 hour and 41 minutes after the deadline at 5:00 p.m. on August 5th for reasons I will discuss. I was informed by the Board of Elections that I'm not eligible for the ballot as a result. And I'm here to appeal that decision.

This is an unprecedented time. In any other year, this would have been an in-person filing process. And my confusion about the need to file the declaration form on August 5th at 5:00 p.m. would never have occurred. I would have filed in-person, talked to someone at the Board of Elections to confirm that my documents were filed correctly. And the absence of my declaration form would have immediately been identified and I would have been able to address the issue on the spot.

My filing less than two hours late stemmed directly from confusion due to not having access to the traditional process and in-person communication, which COVID-19 made impossible. I know this has been a challenge all around for everyone.
In preparation for my candidacy, I attended trainings, I talked to ANC members, and I read information relying mainly on the ANC website; anc.dc.gov. I made substantial efforts to ensure that my submission was complete, including corresponding with the Board's helpful staff and responding to the request for revisions as needed promptly. This was the case with numbering the pages on my petitions, one of which couldn't be filed because it was electronic.

I recognize the importance of deadlines and election integrity. I filed my Statement of Candidacy, receipt of ballot, access document, data request form, and my petitions, which took the longest and was the most substantive component in a timely fashion. The reason I didn't submit my declaration form by 5:00 p.m. on August 5th was due to my genuine confusion regarding the deadline.

The ANC website I relied on stated that the declaration does not have to be filed before August 5th, which I interpreted to mean
that the form could be filed after August 5th.

In addition, when I submitted my petitions around 1:00 p.m. on the 5th and asked if my submission was sufficient, the Board of Elections emailed a few minutes before 5:00 saying my application was received and they would let me know if anything was missing. The staff included a helpful reminder to submit the declaration, but did not give a deadline or indicate that the form was due that day at 5:00 p.m. So I did not think there was a rush.

I thought I had more time, but I decided to complete the process that day. So I submitted the declaration after work at 6:41 p.m. on August 5th. When I submitted the form, the Board emailed back saying, received. Thank you.

At no point did I receive any indication or notification that my form was late or that I might be disqualified. I now understand that I should have relied on the Board of Elections website for deadline information even though the ANC website is a great resource.
In normal circumstances in-person, I would have connected with a Board of Elections representative and a quick conversation would have clarified that I had to sign an additional form. I was being as conscientious as I could, but as I said before this is my first time running for office. And the first time anyone is running for office during a pandemic in modern history.

Especially in light of the pandemic, I argue that the 1 hour and 41 minute delay does not reflect a lack of respect for the Board of Elections regulations or my enthusiasm to serve. And most importantly, was not significant enough to impact the Board of Elections review of my candidacy or its goals to promote a fair and inclusive elections that provides voters with meaningful choice, especially because my form was submitted on the deadline day.

After submitting my materials, I wasn't told that anything was missing. And I received communication from the DC Office of
Campaign Finance on August 7th addressed to me as an ANC candidate, so I thought I was approved. The letter read, greetings, ANC candidate. As a candidate for the ANC, the Office of Campaign Finance would like to provide you with important information to assist you with your campaign.

At that point, I launched my campaign in good faith. I raised money, created a website, developed flyers, began canvassing, and scheduled meet and greet events with neighbors. I launched my campaign, I've invested resources, and I am so excited for the opportunity to be a candidate for the ANC.

I was extremely disappointed and surprised to receive the Board of Elections letter on August 17th, ten days after I launched my campaign telling me I was not eligible to be on the ballot. My background is in advocacy and I want to support my neighborhood, especially during this very difficult crisis.

I respectfully request the opportunity to stay on the ballot so that my single member
district can have a competitive election. And so I can have the chance to represent my community. I appreciate the hearing of this appeal. And I hope that the Board of Elections will grant some flexibility on its reasonable rules in light of these unprecedented circumstances.

MS. STROUD: Thank you, Ms. Botstein. I'm going to turn to the Registrar voters and the Deputy of Registrar Voters. Do you have anything to add or any statements?

MS. BROOKS: No, I don't have anything to add.

MS. STROUD: Okay. Board Members?

CHAIR BENNETT: No questions from me.

Thank you, Ms. Botstein.

MEMBER GILL: Nothing -- Go ahead, Karyn.

MS. BROOKS: Yeah. No questions from me. Thank you very much.

MEMBER GILL: And none from me. Thank you for the well prepared remarks.

MS. HASKELL: Thank you. And I do
recognize this is a really difficult time for everyone and this is all new. And so I just, I definitely -- I'm not in any way saying that the -- like I was clearly -- now I realize I did make an error. I did try to correct it as quickly as I could once I realized. And you know, I'm very sorry if it caused any inconvenience. But yeah, I guess the main thing is just because it wasn't in-person, that was -- I'm sure you're hearing from others -- just a confusing process, I think for a first time candidate.

MS. STROUD: Yes. So I just have one question, Ms. Botstein. The ANC website that you referred to, there was the language that said, Note: This is different from the Declaration of Candidacy. The Declaration of Candidacy does not have to be filed before August 5th. But the same page went on to say, finally, be sure to file your Declaration of Candidacy, which is available on the Board's website and all of your petitions well before 5:00 p.m. on Wednesday, August 5th, 2020.
And then it went on to say that although there was space on the bottom of the form for a notary, the form does not have to be notarized. So that language was on the same document that the other language was on.

MS. BOTSTEIN: Yeah, so once I tried to find the cache. I think what happened is that -- I re-read that first part of the page several times and I was so focused on the petition. So I sent in my petitions around 1:00 and I got back a note saying they had to be re-numbered and one couldn't work because it was electronic. So I re-did that. And then you know, I said is this okay?

Again, in-person someone would have said yeah, this works. But also make sure to sign this. So I had read the first page of the website and I remembered going back to it. And then when I got the Board of Elections email saying don't forget to submit your declaration, it was like at 4:51. So I figured if it had been due that day, they would have said something.
But I thought okay, you know, this is a reminder.
I'll just get it done.

Unfortunately I had a work meeting, so I couldn't submit it. I could have done it -- it's a quick form -- you know, within that nine minute window. But I figured -- you know, and then when I got the response back saying you know, received. I thought okay, it's all good.
So I definitely hear you and I found the cache and re-read that. I think I was just very focused on the first part of the page. And because there was some conflicting information, I figured it's probably not a big deal. It's appearing in two different ways. But now that I know, I recognize that it was 5:00 p.m.

MS. STROUD: Got it, okay. Thank you, Ms. Botstein. Are there any more questions? I think that I had the last one. So thank you very much for appearing today. So the Board is going to hear all of the matters that are scheduled for today. And then they're going to deliberate. And then they will make their decisions with
respect to each matter. And I will email you concerning the Board's decision after the hearings are completed.

    MS. BOTSTEIN: Okay. And do you know relatively what timeframe that would be in?

    MS. STROUD: That will be today.

You'll hear from me today.

    MS. BOTSTEIN: Oh, okay. Okay, okay, great.

    MS. STROUD: Thank you so much.

    MS. BOTSTEIN: Thank you for your consideration and definitely reach out if you would like any further information.

    MS. STROUD: Absolutely. Thank you, Ms. Botstein.

    CHAIR BENNETT: Thank you.

    MS. BOTSTEIN: Have a good day.

    MS. STROUD: Okay, bye-bye.

(Whereupon, the above-entitled matter went off the record at 2:08 p.m. and resumed at 2:10 p.m.)

    CHAIR BENNETT: Hi, Mr. Toomajian.
This is Michael Bennett. I'm Chair of the Board.

Thanks for appearing today. Also here are the other two Board Members; Board Member Karyn Greenfield and Board Member Michael Gill. Ms. Stroud will conduct the proceedings. But this is relatively informal, so I mean, take your time and make sure that we're clear as to what your positions are. So thanks a lot.

MR. TOOMAJIAN: Good afternoon. Thank you.

MS. STROUD: Am I pronouncing your name correctly first of all?

MR. TOOMAJIAN: It's Toomajian.

MS. STROUD: Toomajian, okay.

CHAIR BENNETT: Toomajian, okay.

Thank you. Sorry about that.

MS. STROUD: So we are here -- the Board is here to hear your appeal from the Executive Director's adverse preliminary determination of your eligibility to appear on the ballot as an ANC Commissioner for Single Member District 6A02. And if you could now just
state your case as to why you should be granted ballot access despite having not timely filed the Declaration of Candidacy.

MR. TOOMAJIAN: Sure, thank you. Good afternoon, Mr. Chair, Ms. Greenfield, Mr. Gill, Ms. Stroud, other members of the staff and I guess civic-minded district residents who are here with us on this Zoom. My name is Phil Toomajian. For the last six years, I've been the ANC Commissioner for ANC 6A02. And I've served hundreds of hours for my community and the District of Columbia in that volunteer capacity.

The outbreak of the coronavirus has complicated my life and everyone else's, I know immeasurably. In addition to serving as a volunteer Commissioner, I am blessed with full-time employment, a fully employed spouse, and two wonderful small children. Unfortunately the coronavirus has cost us schooling, cost us our chance to be in-person with others as we attempt to stay safe and keep others safe. And my wife and I are just absolutely buried trying to keep
up and to survive.

I'm using annual leave from my job to be here with you this afternoon. And I apologize in advance should either of my small children choose to join us for today's hearing.

MS. STROUD: Children are welcome.

Children are welcome.

MR. TOOMAJIAN: Rest assured I've advised them both that PBS Kids has more interesting programming, but past practice has shown that they tend to enjoy waving hello in the background when I am on Zoom and on other calls.

The counsel and the Board have recognized the complication that the pandemic has posed to candidacies and indeed I'm sure, grappled with it countless times before. And I recognize that you and the counsel have taken steps to improve the ballot access process. Unfortunately, the process remains quite complicated and mistakes have happened. And the staff has recommended denying me access to the ballot. I'm here today to ask you to overrule
that unjust decision, which serves no end. I've complied with requirements for office, both in form and in substance.

A little background. On June 29, I timely requested and obtained records from the Board, including the ballot access petition. I've run for office three times previously all for the same position as ANC 6A02. Historically, when collecting petitions, the Board's staff provided me with a folder of all of the required documents. That did not happen this year.

Historically, when I requested a list of voters in my SMD, the Board also provided those. That did not happen this year either. The pandemic, I understand it's difficult for everyone and we're all doing our best to get by here. So I moved on after my first two requests for the registered list of voters and my SMD were unresponded to and did not provide me with it.

Over the next two weeks, I obtained more than twice the required signatures of registered voters in my SMD, wearing a mask, and
keeping six feet away from each of my neighbors while doing so. After I did so, I called the Board to inquire about the next steps and to determine what the best method in moving forward was. In particular on the morning of -- Because this was a new process during the pandemic and I was not comfortable putting myself and others at risk by coming down to deliver the petitions in-person.

On the morning of July 15th, I spoke with a member of the Board staff by telephone and I asked what additional steps were required, whether I should submit the petitions by email, by U.S. Mail, or both. Staff told me to either mail the petitions to the Board or to email them to candidate@dcboe.org and that either method was sufficient. I asked if I had to do anything else to complete the process and was told, quote, that's it.

I specifically asked the latter question because I knew historically there were more forms that BOE provided to us that we either
filled out in-person when picking up our petition or in-person when dropping off our petitions at the end of the process.

Indeed, BOE staff has always been terrific about this, incredibly helpful, which I think is a big deal for those of us who are serving as volunteers, those of us who have children, those of us who did not get paid for our services, those of us who did not have staff to work on campaigns and advise us in how to proceed with them. With that in mind, I was pleased to hear that there were no more steps required and relying on the representation that staff made to me on that phone call, I submitted my petitions, both my email and by U.S. Mail immediately thereafter just before noon on July 15th.

Sometime later, BOE updated its publically posted list of ANC candidates for the November 2020 election to reflect that I had, quote, filed. It was with great shock that more than a month later, I heard from the Appeal Board
on August 17th at 10:00 p.m. via email, to receive a letter stating that BOE deemed me ineligible and recommended denying me ballot access because it did not have a signed document, which provided my name, my address, my contact information, and how to pronounce my name on file. All of that information had been provided to the Board previously.

So I promptly provided a signed copy of the form immediately upon being notified. I asked the Board to provide me with access for those reasons and for the following ones in particular. The global pandemic and processes have changed to reflect that. I have completed the requirements for the office in substance and in form. There is no prejudice to the Board, which has all of this information, nor is there any prejudice to the public or any other candidate as I am the only person who has been willing to step forward and volunteer to serve my community as ANC Commissioner during this pandemic.
I reasonably relied on Board staff to explain the required procedures, which had changed during this pandemic. Historically, Board staff provided all required paperwork to candidates who came in and said they wanted to run for ANC. Historically, Board staff walked through the submission that ANC candidates brought in to let us know if they appeared sufficient or if it appeared that something was missing. This year when things had changed, Board staff told me they were the same.

Instead of providing me the form or telling me it did not need to be notarized or needed to be completed, Board staff did not provide it. Instead of reviewing my submission and telling me that there was a missing form, Board staff told me that I didn't need to send anything else but the petition. Instead of looking at what I provided on July 15th and noting that there was a missing one-page document, which would tell you how to pronounce my name or if I preferred to be listed by a
different name on the ballot, Board staff waited
more than a more to respond to me to tell me they
deemed my application incomplete. And that it
was too late to change this technical error that
resulted from my filing incorrect guidance that I
received orally from Board staff.

If it was not a pandemic, the Board
staff would have provided me with this form when
I picked up the petitions, along with the other
required paperwork. But that's not what happened
because of the pandemic. We're all operating
under great challenges. Likewise, if there was
not a pandemic, the Board staff would have told
me to sign the form when I provided my petition.
But that's not what happened because again, it's
a pandemic and I submitted them by U.S. Mail and
email so the Board staff and others who I come in
contact would be safe.

These are different and complicated
times. I'm prepared to accept that staff is
operating under unusual circumstances that are
difficult. And that it reduced the excellent
level of service that's historically been provided. I recognize everyone is doing the best that they can under the circumstances. And I ask for the same compassion and understanding from you. Again, this is a volunteer position that I'm running for. I do this on top of my job. I do this on top of my family responsibilities, and at great personal sacrifice because I enjoy serving my community and I care deeply about helping others.

I'm the only person who's been willing to serve in this capacity for the last six years. And I'm the only person who's volunteered to put myself out there for the opportunity to do so again this year. I ask that you please do not unnecessarily and excessively burden my service by denying me ballot access. Given the circumstances and the facts as I have explained them to you, I believe it would be unjust and would serve no end.

Thank you for your time and consideration. I would be happy to answer any
questions that you have.

MS. STROUD: Thank you, Mr. Toomajian.

CHAIR BENNETT: No questions from me.

Thank you so much, sir.

MEMBER GILL: Hi. This is Mike Gill.

No questions from me. Thank you for your remarks. They were well articulated.

MEMBER GREENFIELD: Yes, this is Karyn Greenfield. I don't have any questions, but thank you. Thank you very much for that.

MR. TOOMAJIAN: Thank you.

MS. STROUD: Thank you, Mr. Toomajian.

I'm not sure if you heard. I know you were here for Ms. Botstein's hearing. But what will happen is that the Board will deliberate once we've heard all of the matters today. And they will vote on the record with respect to each matter. And then I will notify individuals as to the Board's outcome. So I think that that is it, unless anyone has any other questions or comments.

MR. TOOMAJIAN: May I just ask a
clarifying question?

MS. STROUD: Sure.

MR. TOOMAJIAN: Will the deliberations occur after another hearing or two that follow this one or are they part of a separate proceeding?

MR. TOOMAJIAN: They will occur at the end of the matters that are scheduled for today.

MR. TOOMAJIAN: May I ask what time you anticipate that would occur?

MS. STROUD: Well the last hearing is not scheduled to take place until 5 o'clock. And so it will be after that time.

MR. TOOMAJIAN: Okay, thank you. I appreciate your -- I'm sorry.

(Simultaneous speaking.)

CHAIR BENNETT: What we're going do is we're going to go in executive session and then vote on each one. And then Ms. Stroud will let you know who voted which way. And Ms. Stroud will provide an email to everybody letting them know the results.
MR. TOOMAJIAN: Terrific. Thank you very much. Thank you all for devoting your afternoon to serving the public.

CHAIR BENNETT: Thank you.

MS. STROUD: Thank you, Mr. Toomajian.

Ms. Amber Gove, are you present?

MS. GOVE: Yes.

MS. STROUD: Okay. Thank you, Ms. Gove. Ms. Gove was scheduled to appear at 3:00 p.m. But as she is in the room, Ms. Gove, would you like to proceed?

MS. GOVE: If Mr. Toomajian is finished. I was just coming to listen and hear what was going on with him, as well.

MS. STROUD: Yes, that hearing has concluded. He's still in the Zoom room. But since you are present, if you would like to proceed with your hearing today --

MS. GOVE: I actually need a couple minutes. My computer just froze. So let me dial back in, in a few minutes.

MS. STROUD: Okay.
MS. GOVE: Sorry about that. It'll just take a couple minutes to reboot.

MS. STROUD: No problem. Sure. Just let me know when you're ready.

MS. STROUD: All right. Thank you so much.

(Whereupon, the above-entitled matter went off the record at 2:22 p.m. and resumed at 2:28 p.m.)

MS. STROUD: Hi, Ms. Gove. Are you ready to proceed?

MS. GOVE: I am. Thank you so much, Ms. Stroud. Apologies for that.

MS. STROUD: Oh, no worries. No worries. You're not scheduled until 3:00. So thank you for allowing us to proceed ahead of schedule.

MS. GOVE: Sure. I hope that you can get everybody home a little earlier.

MS. STROUD: Yeah.

MS. GOVE: No problem.

CHAIR BENNETT: Hi, Ms. Gove. I'm
Michael Bennett, Chair of the Board. And Board Members Karyn Greenfield and Board Member Michael Gill are also here. Thanks for this Zoom opportunity for us to be on Zoom one more time. I'm sure you've probably been on there 10,000 times more than you want to be.

MS. GOVE: Yeah, I have a little Zoom fatigue these days.

CHAIR BENNETT: Yeah. But Ms. Stroud is going to conduct the process. This is very informal, so please, you know, relax and just give us the information as it comes. And we will -- after all of the matters have been heard today, we're going to go into executive session and we'll all vote on the different ones. And Ms. Stroud will send out an email later on and give you the results of the hearing.

MS. GOVE: Okay, I really appreciate it. And thanks so much as, yes, we're all going through this together.

So again, good afternoon. And I hope all of you are safe and well. My name is Amber
Gove and for the last three years, I've served as a volunteer Commissioner for ANC 6A04. And Chair of ANC 6A since 2019. Contributing countless hours and I'm not quite sure how many 311 tickets to improving my neighborhood. I'm honored to serve and to have the opportunity to serve my community in this regard.

Life for me, as for all of you has been quite a bit more complicated over the last five months. My family is extremely fortunate that we have two employed adults able to work from home. But managing childcare, supervising virtual school, and trying to keep everyone safe and healthy is a huge undertaking. As many of you are well aware and as wonderful as our spouses can be, this burden disproportionately falls on women. Two of my fellow female commissioners opted not to run again due to childcare responsibilities, which I fear may be an unfortunate trend.

I'm also part of the sandwich generation, simultaneously caring for children
and my nearly 70-year-old mother who moved to DC last year from San Diego of all things, to be closer to us. And essentially to help with the grand kids. A proposition that became much more difficult after March.

The Board of Elections has a huge and historic undertaking ahead of it. And like many fundamental systems such as our electric and water utilities, people really only pay attention when things go wrong. So thank you for your service, for ensuring a safe and secure election process for all of us.

I especially appreciate the efforts of the DC Counsel and the Board of Elections in seeking to improve the ballot access process. It was extremely helpful to be able to submit forms via email. I was able to request my petitions forms, safely obtain more than twice the required signatures from my neighbors, and successfully submit them on July 30th.

Your staff helpfully confirmed receipt and even asked me to correct the page numbering.
that I had left off. In normal times, the Board of Election staff would review all of our forms at submission and let us know if we were missing anything, particularly those of us who like to turn things in a little early. The review and reply regarding my petition sheet reassured me that everything was in place and I had been successful in the process.

When I received the email notification on Monday evening, I was surprised and dismayed and obviously emotionally upset to learn that it was recommended that I not be listed on the ballot. I searched through my emails on a similarly named form to the one that I was being asked for or told that I hadn't submitted, only to learn that it was not the correct form. I printed the correct form and sent it as quickly as I could.

I was extremely distressed and lost a lot of sleep that night. Owing to these circumstances, I respectfully request that the Board reconsider their recommendation. And
instead provide me with ballot access. I know
this may not be in line with the normal course of
action, but nothing is normal these days.

In addition, I ask to be provided with
ballot access for the following reasons. One,
the pandemic requires additional, much needed
flexibility, which the Board has shown in several
of its revised processes and procedures. Please
consider this additional request for flexibility.
Two, I've completed the key portions of the
nominating and petition process, exceeding
requirements, and demonstrated the support of my
constituents, and ensuring timely submission.
Three, the information provided on the missing
Declaration of Candidacy form was previously
provided to the Board.

Four, I reasonably relied on Board
staff to assist me with the required procedures
as they had in the past. When I called in early
July to review the process, the staff member I
spoke with described only the petition request
forms and the petition forms themselves. All of
which I successfully submitted on July 30th. Instead of notifying me of a missing form, which in normal times would have happened when I submitted the forms in-person, I was notified two weeks after the deadline of submission of the form of the recommendation to exclude me from the ballot. And as I read the guidelines, it was supposed to actually be three days after failure to submit.

Five, it appears that I'm not alone in failing to submit this form. I know of at least two other cases in my neighborhood, including my co-chair who are in the same situation. We are volunteers trying our best to support our neighbors. Please allow us the chance to continue to serve by allowing us fair ballot access.

Lastly, point six, we're in a global pandemic and we're all operating under conditions of stress and anxiety, which lead to less than perfect results. I understand that staff with DC Board of Elections are overextended and therefore
may not have been able to provide the same level of review and service to prospective candidates as they could have previously. But in that case, I would ask that you extend the same courtesy to me. I'm literally doing all I can to make this work. And like many of you, I'm coming up short nearly every day.

I would ask for some grace and compassion to allow my name to be on the ballot as it would have been had I had the chance to have the additional support and review by your office. Sorry for the tears. It's all just a little much these days.

MS. STROUD: Thank you, Ms. Gove. We really appreciate your testimony and your appearance here today. And yeah, thank you so much for your presence and thank you for your service under what are really trying circumstances for all of us. Does the staff from the Voters Services Division have any comments to add? Any questions? No?

CHAIR BENNETT: Ms. Gove and thank you
for going early. Do any of the Board Members have any questions? I don't have any questions. Board Member Greenfield, any questions for Ms. Gove?

MEMBER GREENFIELD: No, I don't have any questions. And thank you very much for your service.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: No, I do not have any questions. Thank you very much.

CHAIR BENNETT: Okay. And again, thank you for your service. Thank you for going early. It's very helpful. And thank you for your service in all capacities. We really appreciate it.

MS. GOVE: Thanks for your time. You all have a big job ahead of you, so I wish you luck in that.

CHAIR BENNETT: Thanks so much.

MS. STROUD: Thank you.

MS. GOVE: Okay. Take care, be well.

CHAIR BENNETT: All right, you too.
MS. STROUD: You too, bye-bye.

MS. GOVE: Bye-bye.

(Whereupon, the above-entitled matter went off the record at 2:38 p.m. and resumed at 2:41 p.m.)


MS. MOORE: There we go. Hi, how are you?

MS. STROUD: There we go. How are you?

MS. MOORE: I'm well.

MS. STROUD: Okay.

CHAIR BENNETT: Hi, Ms. Moore. This is Michael Bennett. I'm Chair of the Board.

MS. MOORE: I'm sorry --

CHAIR BENNETT: Can you hear me?

MS. MOORE: I can hear you now.

CHAIR BENNETT: Okay. This is Michael Bennett. I'm Chair of the Board. And also on the line is Board Member Greenfield. Also Board Member Michael Gill. Thank you for participating
in this hearing today. This is relatively informal. So we're here to hear from you relative to your position. And Ms. Stroud will conduct the matter. And then we're going to go into executive session after we hear all of them. And then this afternoon, right after we -- once we finish up, we'll take a vote. And Ms. Stroud will release those results later on this evening.

MS. MOORE: Okay.

CHAIR BENNETT: Okay. All right, thanks so much. Ms. Stroud?

MS. STROUD: So Ms. Moore, we're here to -- the Board is here to hear your appeal on the Executive Director's adverse preliminary determination of eligibility for you to appear on the ballot as a candidate for the Office of Advisory Neighborhood Commissioner in Single Member District 5D03. Yes, so you're here to present your case as to why you should be granted ballot access despite not having timely filed your Declaration of Candidacy.

MS. MOORE: That's correct.
MS. STROUD: Okay. So if you could just state to the Board why they should allow you ballot access despite not having completely fulfilled the ballot access requirements.

MS. MOORE: Okay (audio interference) -- meeting once a month. So when I was asked to become a part of -- because I've been very active in the Neighborhood Advisory Commission -- when I am attending the meetings, I'm very active and engaged in the meeting. So it was brought to my attention, they was like well we have some vacancies on the Board and we want you to join. So as a new candidate and even through the COVID-19 pandemic guidelines, I note that (audio interference) to initiate your process of candidacy. Right?

When I first reached out as a website candidate at dcboa.org, I let them know that I was a new candidate, starting this process off new. There was no mentorship. There was no nothing. I'm pretty much reading the website and walking through the process myself. So I got the
instructions and the guidelines from whomever
because every time that they responded, it was a
different response person.

Any time that I asked a question, they
would respond, but it wasn't in a timely manner.
It would be a day or two. And if it was the same
day, it was later in the afternoon. I asked them
-- I have email receipts that I've asked them
over and over again, please confirm receipt of my
emails. Please let me know if I submitted the
correct documentation. Please let me know if
there's any additional information that you need.
The last email documentation was July 23rd when I
submitted my petition. In that email I frankly
said (audio interference) additional
documentation or instructions that's needed.

I feel like someone at the Department
of Board of Elections should have said okay, you
need this additional form. Because I wouldn't
have known I needed that form as a new candidate.
I've never done this before. You have the
information on the website, you do. The
information is there, but it doesn't give you
step by step instructions, this is what you do
first. This is what you include when you submit
your information, this is what you do.

Now from July 21st -- It's now August
21st, we've had 30 days. During the challenge
period, I did not get the rejection letter that I
was rejected on the ballot until I challenged
another male candidate that same day. That
morning, I sent my challenge petition paperwork
on what was it -- the 17th -- my rejection notice
that night. It felt to me like I was being
singled out because I challenged the petition.
Because if I had missing documentation, why did
it take you three weeks to respond that I had
missing documentation? Because I've been
forthcoming through the entire process that this
is something new to me.

MS. STROUD: Okay. Thank you, Ms.
Moore.

MS. MOORE: You're welcome. Does the
Voters Services Division have any comments?
MEMBER GILL: I don't have any questions.

CHAIR BENNETT: Member Greenfield, do you have any questions?

MEMBER GILL: Are you asking for questions from Board Members?

CHAIR BENNETT: Yeah, I was. I was asking Ms. Greenfield if she had any. Mike, you said you did not.

MEMBER GREENFIELD: No, I don't have any.

CHAIR BENNETT: Okay, all right.

MS. STROUD: Ms. Smith from the Voter Services Division has comments.

MS. SMITH: Hi, Ms. Moore. This is Ms. Smith from the Voter Services Division from the Board of Elections. I just wanted to again thank you for your service. And since this is the first time that you are running for an ANC office, I just wanted to mention --

MS. MOORE: I can't hear you. Give me one second.
MS. SMITH: Sure.

MS. MOORE: Can you hear me? I'm sorry. I'm in a really bad -- I'm taking my daughter back to school today, so I'm like in and out. I'm sorry. Can you hear me?

MS. SMITH: Yes. Yes, I can hear you.

MS. MOORE: Can you guys hear me?

Okay, okay. I'm ready.

MS. SMITH: Yes. I just wanted -- just to mention again, thank you for your service. And since this is the first time that you are running for one of the ANC positions, I just wanted to mention that on the website, there was a list of tips for filing your nominating petitions. And those tips was a step by step process and the information and the documentation needed to file your petitions. And the Declaration of Candidacy was also listed as one of those forms that was needed to file your petitions.

MS. MOORE: Okay.

MS. SMITH: Thank you.
MS. MOORE: I understand if I missed that question when the (audio interference) was submitted. My question is for the Board of Elections since I know you all represent (audio interference) I may or may not have missed that document. When I submitted my documentation on July 21st, could it have been a courtesy just to let me know you're missing something. And I say that because when I sent the petition to challenge Mr. Butler's candidacy, you guys immediately sent me an email that day saying you're missing documentation. So if I was missing documentation for a challenge on the position, why wasn't I missing -- why didn't I get the same respect and regard of the missing documentation I had for candidacy?

MS. STROUD: Thank you. Yes, Ms. Moore.

MS. MOORE: (Audio interference.)

MS. STROUD: I'm sorry, you just --

But yes -- I understand, like the service has kind of been unstable on both ends today. But
yeah, the Board Members have heard your statement
and they will take all of that into
consideration. And as the Chair explained
earlier, what we will do is we'll hear all the
matters that are scheduled for today. And we
will -- The Board Members will go into executive
session to deliberate. And then they will come
back onto the record to indicate their rulings
with respect to each of the matters. And I will
notify you in the event that you do not stay on
the line for this, what the Board's determination
has been with respect to your appeal.

    MS. MOORE: Okay.

    MS. STROUD: Okay? Thank you so much
and safe travels. And congratulations on getting
your daughter off to school.

    MS. MOORE: Thank you. She's a Junior
this year, so we have one more to go.

    MS. STROUD: One more to go. That's
awesome.

    MS. MOORE: All right, thank you guys
for --- All right, bye.
MS. STROUD: Be safe.

(Whereupon, the above-entitled matter went off the record at 2:50 p.m. and resumed at 3:13 p.m.)

MS. STROUD: Hi, Ms. Miller. For some reason, I can't hear you. You're on mute, but --
Still can't hear you, Ms. Miller.

MEMBER GILL: Hey, Terri. This is Mike Gill. Can you hear me?

MS. STROUD: Yes.

MEMBER GILL: Okay. Well --

MS. STROUD: Let me see if there's --
Okay, I think she went out and is going to come back in again.

MS. MILLER: Can you hear me?

MS. STROUD: Yes.

MS. MILLER: I'm sorry. I'm using my husband's computer now. I'm so sorry. I don't know what --

MS. STROUD: Oh, no worries.

MS. MILLER: Okay.

MS. STROUD: No worries at all. We
can hear you perfectly fine. And may I say that where you are looks very beautiful.

MS. MILLER: That may be part of the problem. I'm in Colorado.

MS. STROUD: Okay.

MS. MILLER: Yeah, apologies. It is beautiful.

MS. STROUD: No worries.

MS. MILLER: Thank you for taking the time today. I'm very thankful.

MS. STROUD: No worries.

CHAIR BENNETT: Thank you. Hi, Ms. Miller. This is Michael Bennett. I'm Chair of the Board.

MS. MILLER: Hi, Mr. Bennett.

CHAIR BENNETT: Joining us is -- Hi. Joining us is Board Member Michael Gill and also Board Member Karyn Greenfield. And we're here to hear your appeal of the decision that the Executive Director made with regard to your ballot access. These are relative informal.

Sorry for the Zoom, but I guess that's what
everybody -- that's the way of the world these days.

MS. MILLER: Well that makes it convenient. I didn't have to fly home from Colorado.

CHAIR BENNETT: There you go. There you go. There you go. That's a good way to look at it.

MS. MILLER: So thank you.

CHAIR BENNETT: So thank you. Like I said, this is relatively informal. Ms. Stroud is going to conduct it. After we -- Thank you for joining us early by the way. I know you're scheduled for about 30 minutes and we're running ahead.

MS. MILLER: Good, good.

CHAIR BENNETT: So thank you for that. So the way this is going to work is Ms. Stroud will kind of direct us through it. If anybody has any questions at the end of your statements, we'll ask those. We're going to go to the next person -- We have a series of hearings today and
Monday or Tuesday. We'll go to the next person.
And then at the end of the day, those that we
finish today, we'll go into executive session and
make the decisions by vote. And Ms. Stroud will
send out an email later on today letting you know
what the vote was and the decision on your
particular appeal. So with that, I'll turn it
over to Ms. Stroud. And I'm sure you'll be
talking in two seconds.

MS. STROUD: So my Chair sort of
usurped my spiel. And so we're here to hear your
appeal from the Executive Director's
determination -- adverse preliminary
determination regarding your attempt to gain
ballot access in the ANC SMD 2E07 contest. So if
you could just, you know, tell the Board --
explain to the Board why you should be granted
ballot access despite not having timely filed
your Declaration of Candidacy. And the floor is
yours.

MS. MILLER: Well thank you very much
for your time. I think I'm going to fall on my
own sword and not make any excuses and fully
admit that I did not submit the Declaration of
Candidacy in time. This is the second time
running for ANC. And the first time it seemed
more straightforward to me. I think I'm more of
a kind of an in-person, person, being a little
bit older. And it's easier to walk down to DC
BOE, fill in the forms you need to, speak with
someone, pick up the papers, return the papers.
It all felt slightly easier for me. And
procedurally, I understood it and was able to
kind of wrap my mind around what I needed to do.

I did not set out intentionally to not
follow procedure. I would never do that. I
really am a rule follower. And so I do feel like
if this were not a pandemic and I were able to
kind of do things in-person, absolutely the
intent would be to follow all the rules and to do
it in a timely manner. I did do that with my
petition. I took it out early. I returned it
eyearly. I submitted double the signatures because
I wanted to kind of dot my I's and cross my T's.
And I would have done the same thing with the Declaration of Candidacy. I certainly would have taken it out. I would have returned it early to make sure everything had been done according to the rule of the law. And in this case, I did not do that.

I really would -- while I do believe I could win as a write-in candidate and that's, you know, what I guess I would be facing if you don't agree to put my name on the ballot. I do believe the intent was there. And there's no one else that's filed papers or expressed interest in this seat. And if this were a contested seat, I guess I would feel a little bit differently or my presentation to you would be a little bit harder to make, I think. But in this case, there is nobody else running in the seat. And having my name in the ballot, I think would just make it easier for my constituents.

I hope I apologized. I should have. Because I've now had to have all of you spend your time listening to this excuse. And I
apologize because I do know what that is. But if
this whole world weren't so crazy and everything
weren't so virtual and confusing, I do believe my
intent was there to file everything on time. So
there's what I have to say. And I will end it
again with I'm really sorry. And I hope you will
take the extreme circumstances into measure and
allow my name to be put on the ballot.

CHAIR BENNETT: Thank you, Ms. Miller.
Are there any questions, Mr. Gill?

MEMBER GILL: No. Thank you for your
presentation. I don't have any questions.

CHAIR BENNETT: Any questions, Ms.
Greenfield?

MEMBER GREENFIELD: No, I don't have
any questions.

CHAIR BENNETT: Do we have anything
from the Registrar?

(No audible response.)

CHAIR BENNETT: Okay, while part of
your -- part of your written response cannot be a
part of our decision making process regarding
ballot access or not. I want to one, just say my
thoughts, and for me, prayers are with you with
regard to your family situation. I certainly
understand that.

MS. MILLER: My head is not where it
should be, so thank you for that.

CHAIR BENNETT: I have been through
that. But let me be clear, that cannot enter
into our decision making process. But I can't
help but connect.

MS. MILLER: I appreciate that.

CHAIR BENNETT: My thoughts are with
you on that for sure. And thank you so much for
taking the time today for sure.

MS. MILLER: Thank you. Thank you.

On a side note, I want to say how much I have --
I don't want to use the word enjoyed, that's not
the word, but how much respect I have for Alice
Miller, who is responsive, helped me a lot during
the primaries. I know you all have so much going
on, trying to get --

CHAIR BENNETT: No, not really.
MS. MILLER: Believe me -- so whenever you call, we'll have to deal with this. But she was really great right before the primary. Helped get ballots out to people. And so I know since you're kind of her bosses, I just want to say big cheers -- three cheers for Alice.

MS. STROUD: Awe, thank you.

CHAIR BENNETT: Thank you.

MS. MILLER: Okay. Good luck with everything.

MS. STROUD: And we're recording this, so I will make sure that she sees it --

MS. MILLER: Okay, good.

MS. STROUD: -- so she will know.

MS. MILLER: Okay, good.

MS. STROUD: Thank you, Ms. Miller.

So the Board Members after we've heard all the presentations today, will go into executive session and deliberate. And they will then come back onto the record to vote. And if you want to stay on, you can. But I will email you today with respect to the Board's decision.
MS. MILLER: That sounds good. Thank you, Ms. Stroud.

MS. STROUD: Okay? Thank you, Ms. Miller. And enjoy your time in Colorado.

MS. MILLER: Thank you, I will.

(Whereupon, the above-entitled matter went off the record at 3:25 p.m. and resumed at 3:30 p.m.)

MS. ABUBAKER: Hello, everyone.

MS. STROUD: Hi, I-Ra. How are you?

MS. ABUBAKER: I'm doing well. How are you?

MS. STROUD: I'm good. Mr. Chair?

CHAIR BENNETT: Hi --

MS. STROUD: Yes. Ms. I-Ra Abubaker.

CHAIR BENNETT: Hi, Ms. Abubaker.

This is Michael Bennett. I'm Chair of the Board of Elections. And joining us on this call to hear your appeal is Karyn Greenfield, Board Member and also Michael Gill, Board Member.

I won't steer too much in Ms. Stroud's dialogue here. But the way this will work -- I
guess I'm going to do it. The way this will work is we will hear from you. This is relatively informal, so you know, please feel comfortable. And you know, share as you wish. We are going to hear your appeal. We may have a few questions at the end.

And then after we hear everybody that's on the schedule today -- Thank you for coming in early by the way to do this -- But once we get everybody that's on the schedule for today, we'll go into executive session. The Board will vote on whether to grant the appeal or not. And Ms. Stroud will put an email out later on this evening or late this afternoon that will tell you how we voted and what the outcome is. So you won't have a long time to wait. So thank you so much for appearing today. I'll turn it to Ms. Stroud.

MS. STROUD: Thank you so much. So yes, we're here -- the Board is here to hear your appeal into the Executive Director's -- your appeal from the Executive Director's adverse
preliminary determination regarding your attempt
to gain ballot access in the contest for Advisory
Neighborhood Commissioner in Single Member
District 4B05. And so, the Executive Director
determined that you did not timely file your
Declaration of Candidacy. And so if you could
just make a statement as to why you should be
granted ballot access despite not having done
that.

MS. ABUBAKER: Yes. So again, good
evening to everybody. Thank you for the rundown
of how this will go. So I want to run for 4B05
just because I grew up in this community my whole
life. I went to school here. My folks are from
here. And I really want to make sure that young
people's voices are being heard when it comes to
talking about why I bring issues in our
community.

I've been able to serve young people
in D.C. working through various non-profits here.
One Critical Exposure, also Public Allies which
is under AmeriCorps. And through that, it was
like rent community initiative projects. And I really wanted to just make sure that people in our community, particularly the folks who have been here for a long time -- voices are actually being heard when it comes to these vibrant issues. And I recently found out that a lot of young people in our community don't even know what an ANC is and the role of an ANC. And so I want to make sure people are informed, so that their wills are being heard.

MS. STROUD: What are the circumstances that made it so you did not timely file your Declaration of Candidacy?

MS. ABUBAKER: Yes, so this was a bit of a personal matter. So I wasn't able to -- I wasn't able to file the form because my godmother -- So I recently found out my godmother was diagnosed with cancer. So I've been supporting her with that. And I asked my brother to support me in actually putting the form in and he actually forgot. He turned in everything but that form. But I mean I was supporting my
Ms. Strood: Okay. Have you filed the Declaration of Candidacy with the Board to date?

Ms. Abubaker: Yes.

Ms. Strood: Okay. So right now -- Ms. Smith is from the Voter's Services Division. I just want to confirm that your document was filed with the Board.

Ms. Smith: Yes.

Ms. Strood: Okay, do you have any questions, Mr. Chair?

Chair Bennett: No, I don't have any questions. Thank you for your -- actually for being willing to be a part in the service. So I don't have any questions. Mr. Gill, do you have any questions?

Member Gill: No. Terri asked my question, so I'm good.

Chair Bennett: Ms. Greenfield, do you have any questions?

Member Greenfield: Can I just ask,
when did you file your package, your petitions
and everything -- just what that date was?

MS. ABUBAKER: I believe it was August 3rd.

MEMBER GREENFIELD: Okay. I don't have anything else.

CHAIR BENNETT: And the deadline was August 5th, so the only thing that was late was the Declaration of Candidacy.

MEMBER GREENFIELD: Okay.

CHAIR BENNETT: Okay. Do you have any --

MS. STROUD: Does anyone have any questions -- anybody from Voter Services have any statements? Okay. Thank you, Ms. Abubaker. The Board Members, at the end of hearing all of the matters today, will deliberate. And they will come back on the record to vote on each matter. And you don't have to stay on the call now. And I will notify you later on today whether or not the Board has decided to grant you ballot access. And thank you for joining us early. We are far
ahead of schedule. So thank you for joining us. And so we will get back to you later on today. Thank you so much.

MS. ABUBAKER: Thank you, everyone. I look forward to hearing from you.

(Whereupon, the above-entitled matter went off the record at 3:36 p.m. and resumed at 3:59 p.m.)

MR. ADAMS: Good afternoon.

MS. STROUD: Hi, Mr. Adams. We are waiting for the Chair of the Board to step back into the office and we will be right with you.

MR. ADAMS: Okay, great. Thank you.

MS. STROUD: You're welcome.

CHAIR BENNETT: Mr. Adams?

MR. ADAMS: Yes?

CHAIR BENNETT: All right. This is Michael Bennett. I'm Chair of the Board. And thank you for your time today. And with us today are Karyn Greenfield, Board Member and also Michael Gill, Board Member. You've already talked to Ms. Stroud. And we also have a couple
persons from our Registrar's office as well. I
won't bother to name the names.

But the way this will happen, this is
relatively informal, so please be comfortable and
share as you will.

MR. ADAMS: Okay.

CHAIR BENNETT: We'll hear your
comments appealing the Director's decision
relative to your ballot access. And afterwards -
- after we hear everybody today, we're going to
go into executive session, deliberate, vote on
the various persons we have heard today. And
then Ms. Stroud will put an email out later on
this evening and let you know how everybody voted
and the final determination. So with that, Ms.
Stroud will conduct this. And so I'll turn it
over to her and we will hear from you, Mr. Adams.

Thanks so much. Sorry for this being Zoom and
all that. But I'm sure you can certainly
understand and probably are Zoomed out by now
like the rest of us, but we'll keep going.

MR. ADAMS: Not a problem. Thank you
for taking the time out of you all's busy
schedule. I appreciate it.

MS. STROUD: Thank you, Mr. Adams. So
we're here for the Board to hear your appeal from
the Executive Director's preliminary adverse
determination regarding your attempt to gain
ballot access in the Advisory Neighborhood
Commission 7B01 SMD contest. And what we're here
for is for you to explain to the Board why you
should be granted ballot access despite not
having timely filed the Declaration of Candidacy
for the Office of ANC Commissioner on 7B01. And
so the floor is yours, Mr. Adams.

MR. ADAMS: Thank you, thank you. And
once again, good afternoon to everyone. And
again, I thank you all for taking time out of
your busy schedule to support my hearing and my
appeal. Can you guys hear me okay?

MS. STROUD: Very well.

MR. ADAMS: Excellent, excellent.

Well you know, I pretty much in my letter noted
that I had completed all of the documents that I
was aware of and submitted them. However, this was -- And I know that ignorance is not a good defense, but this is new to me, this arena. And I inadvertently failed to submit one document, which of course was the Declaration of Candidacy for the office.

I'm happy to report that we did have a good momentum. I've had some great pillars in the community who actually approached me and asked if I would consider serving in a capacity as Advisory Neighborhood Commission. Our current commissioner will not be running. So our incumbent will not be running for another term. There is another candidate that is open to serving as well. And I guess at the end of the day, I just want to do what we can to make sure that our community has a selection of candidates to choose from since the incumbent of course is not serving.

Again, my apologies to you guys. I definitely respect the elections process and I do apologize for that misstep. But I'm just asking
if you guys would give consideration if you will -- or this body would give consideration to offer me an opportunity now that I have everything submitted, to have my name placed on the ballot. And at the end of the day, I thank you all in advance for your consideration. And truly, truly appreciate having the opportunity to come before you this afternoon to ask your consideration. So thank you.

MS. STROUD: Thank you. Do the Board Members have any questions for Mr. Adams?

CHAIR BENNETT: No, I don't have any questions. Thanks so much, Mr. Adams.

MR. ADAMS: You're welcome.

MS. STROUD: Mr. Gill?

MEMBER GREENFIELD: No, I don't have any questions.

MS. STROUD: Okay. Any comments from the Voter Services Division?

MEMBER GILL: No questions from me.

Thanks.

MS. STROUD: Okay. Thanks, Michael.
Okay. Mr. Adams, so as Mr. Bennett explained, the Board is going to hear all of the matters that are scheduled for today. And then they will vote to go into executive session to deliberate. At the end of which they will come back on the record to vote with respect to each matter. And if you're not on the call at that point, I will email you to notify you of the Board's determination.

MR. ADAMS: Okay, thank you. So should I just stay on the call or how does that work?

MS. STROUD: You are perfectly welcome to. The next hearing is not scheduled until 5:00 p.m., but I am making an effort to have that occur earlier. So you are free to stay on the line.

MR. ADAMS: Okay. I do have another call. I'm actually teleworking, which is why I'm not really showing my picture because I'm home. So forgive me.
MS. STROUD: Okay. Understood, understood.

MR. ADAMS: I'm not too comfortable. But you know, I do appreciate that. Can I call back in, in about 15 minutes? Would that be okay?

MS. STROUD: Sure, sure. The link will still be accessible.

MR. ADAMS: Okay, great.

CHAIR BENNETT: Mr. Adams, we're going to go into executive session to discuss them all. After we finish with them all, you're more than welcome to be a part of anything that you'd like. But also during executive session, we're going to go off of Zoom and then come back with a decision. But Ms. Stroud will put it out by email anyway. But it's your call. I just wanted to make sure you knew.

MR. ADAMS: Okay. Okay. Well I'll just look to the email because I am still working, so I do appreciate that. Once again, thank you all for allowing me to come before the
Board and I truly appreciate having the
opportunity. So thank you, all. Thank you.

MS. STROUD: Thank you, Mr. Adams.


(Whereupon, the above-entitled matter
went off the record at 4:06 p.m. and resumed at
4:53 p.m.)

MS. STROUD: Hi, Ms. Hibbs. How are
you? Are you on mute?

MS. HIBBS: Can you hear me now?

MS. STROUD: Yes, thank you.

CHAIR BENNETT: Okay, thank you. Hi,
Ms. Hibbs. This is Michael Bennett. I'm the
Chair of the Board of Elections. Thank you for
your appeal and your time this afternoon. With
us here is Board Member Karyn Greenfield and also
Board Member Michael Gill. We are, you know,
this is obviously with Zoom and all that. But
this is a very -- pretty informal hearing. We'll
hear your appeal and your position. And we
certainly are happy to do that.

Afterwards, Ms. Stroud will -- I'm
going to give it to her in a second -- But
afterwards, we're going into executive session
and deliberate on all the matters we've heard
today. And vote and have decisions. And so she
will -- And then we'll come back out of executive
session. But she will be contacting you by email
later on this evening, giving you the results and
the vote tally of the three Board Members. So
with that, I will turn it over to Ms. Stroud.
Thank you for -- I think you have moved your time
around and able to see us early, so thank you for
that. And I'll turn it over to Ms. Stroud now to
kind of follow through with the process.

MS. STROUD: Hi, Ms. Hibbs. How are
you?

MS. HIBBS: Doing well. How are you?

MS. STROUD: Good, good. So I think
the Chair explained it all. The Board is here to
hear your appeal from the Executive Director's
adverse preliminary determination regarding your
eligibility to appear on the ballot as a
candidate for the Office of Advisory Neighborhood
Commissioner in ANC Single Member District 6E04.

And we have your written material for the record and it will be entered into the record for this hearing. But you have the opportunity now to orally explain to the Board why you should be granted access to the ballot despite the late filling of the Declaration of Candidacy. And so the floor is yours.

        MS. HIBBS: Okay. Thank you, Ms. Stroud. I appreciate the opportunity to appear and provide my appeal in a verbal manner. So thank you. So I think that I'll just go through what I wrote simply and clearly as requested. So I submitted my paperwork for Advisory Neighborhood Commissioner for single member district 6E04 on Wednesday, August 5 at 1:38 p.m. Eastern Time.

        I had attempted to schedule an appointment on Monday, August 3rd around 9:00 a.m. I called the office to try to get an appointment for that day. I'm an essential employee who has to go into the office, so I
found the opportunity for going in-person to be quite limited. But as a first time candidate had preferred to do it that way to make sure that I had everything buttoned up and everything was okay. I don't have a scanner at the house, so I have to borrow a neighbor's.

So I was informed that on Monday, August 3rd that there were no appointments available for that Monday, that they were all booked up. She offered me Tuesday, August 4th, the BOE staff member. And there was a hurricane forecasted, so I asked for a time on Wednesday, August 5th and was offered an appointment in the afternoon and I booked that.

After I submitted my petition following that phone call on Wednesday, August 5th, I had a fever and COVID-like symptoms and made the determination that submitting the paperwork electronically was in the best interest of everyone. At 4:58 p.m. I received a notification from the BOE that they received my email with the nominating petitions and a
remind me to submit the Declaration of Candidacy.
I responded 16 minutes later at 5:14 p.m. Eastern
Time with a Declaration of Candidacy. I thought
I had already filled it out, but they're -- I'll
go into the details of that later on.

So I think the first point that I make
in my -- the written appeal that I submitted was
the notification to the candidate. And so
expecting that the review of the specifics of the
paperwork at least would be done within three
business days following that deadline -- the
Declaration of Candidacy being one of them, but
the other paperwork listed in the requirements
would also be reviewed. I assumed everything was
fine given that after three days, I did not hear
anything by mail, email immediately following
that time period until the past Monday.

So as I noted, I've made campaign
decisions. I've raised funds. I've spent
significant funds. I've signed contracts for
campaign material based on the thought that --
although I now know that, that letter was -- the
Declaration of Candidacy was 14 minutes late, I assumed that there was no problem based on the fact that I was not notified. And so, I think that is that point.

I also noted that DC Municipal Regulation 601.5 states that the deadline should be the same day as filing the nominating petition. And so I noted that I did make the same day despite it being at 5:14 p.m. Sorry, there is a fly in front of my face.

The third point that I make is just the inconsistent and unclear instruction. I attached an attachment to my Letter of Appeal, so I hope that, that's there. That was a copy and paste of what was on the website, the BOE's website, that outlines the various steps for submitting all of the paperwork and getting your name on the 2020 ANC ballot. I note that the Forms to File section says that the declaration does not have to be filed before August 5th.

I also note that there is a distinction that's said in that first section
under Forms to File -- it makes a differentiation between the Statement of Candidacy versus the declaration. And what has been pointed out to me is that there's -- later on down at the bottom of the page, says that the deadline for the Statement of Candidacy -- no, declaration -- the Declaration of Candidacy is due at the deadline that was listed, 5:00 p.m. on Wednesday, August 5th. But that it does not also make a differentiation at that point between that one and the Statement of Candidacy -- the confusion between those two forms in the instructions that were outlined on the BOE's website.

I also note that I submitted the nominating petitions, which have confirmed what I needed to submit when I talked to someone on the phone on that Monday, August 3rd. They said that you can submit the nominating petitions by email. I did that. I did that well within the time period -- the deadline, which was 5:00 p.m. I submitted them at 1:38 p.m. Eastern Time.

And then at two minutes before what I
now know is the deadline -- the 5:00 p.m. deadline, which I thought was just for the nominating petition, they did mention that I needed to submit the Declaration of Candidacy. And that form, I responded 16 minutes later, 14 minutes after the 5:00 p.m. deadline. But I make the point that it did take three hours and 20 minutes to respond. And had I been able to go in-person as I had wanted to without complications of COVID, which I go into in the last one, that I would have immediately learned that I had not submitted the form that is at issue here.

So the final point being COVID-19 complication. I'll again make the point that it's just difficult for essential employees to be able to get the time periods that have been offered, the 10:00 a.m. to 2 o'clock p.m. Eastern Time, middle of the day, to be able to go do that. And then there was severe weather on Tuesday, August 4th. And then ending up having the COVID-like symptoms, as well as a fever.
Making the determination that based on those factors, that it would be best to submit the paperwork electronically to keep everyone safe at the end of the day was really to my own detriment -- potentially to my detriment in this particular instance given that had I been in-person, it could have been adjudicated right on the spot.

So with that, that is a verbal overview of my appeal and I ask the BOE to overturn the adverse determination of my eligibility. Thank you.

MS. STROUD: Thank you, Ms. Hibbs. Do the Board Members have any questions for Ms. Hibbs?

CHAIR BENNETT: No, I don't have any questions. Thanks so much for your time though and your explanation. It was well presented. Thank you. Mr. Gill, any comments? Any questions?

MEMBER GILL: No questions, thanks -- Thank you for sending the written appeal also.
CHAIR BENNETT: Ms. Greenfield?

MEMBER GREENFIELD: No, no questions.

Thank you.

CHAIR BENNETT: Okay. Ms. Hibbs, we're going to -- I'm going to call for -- do we have any comments from the Registrar? Okay. Ms. Stroud, if you don't mind, I'm going to call for a vote from the Board to go into executive session. So can I get a motion to deliberate on the --

MEMBER GILL: Do you want to explain to Ms. Hibbs what's going on here? I think --

CHAIR BENNETT: Oh, I'm sorry. My apologies. Yeah, my apologies, Ms. Hibbs. We're going to take a vote, go into executive session.

You're the last of the persons that we're hearing an appeal from today. And we're going to go -- We're going to take a vote to go into executive session to deliberate on all the appeals we've heard today, including yours. We will take a vote on all the appeals, including yours.

MS. STROUD: We'll return to the
record and they'll take the vote.

CHAIR BENNETT: Yes. Once we return to the record, we'll take the vote. And we will -- if you're on, then that's fine. If you're not, that's okay. Ms. Stroud will put out an email after we are done that will inform all the persons that are appealing the adverse decision what the vote was and the disposition of their appeal. So that's what we're going to do right now. Okay, do you have any questions? I don't want to ignore your situation or your appeal. Do you have any questions at this point?

MS. HIBBS: No questions. Thank you for the information.

CHAIR BENNETT: Okay, great. Can I get a motion from Ms. Greenfield for the Board to go into executive session?

MEMBER GREENFIELD: Yes. I move that we go -- the Board go into executive session.

CHAIR BENNETT: Can I get a second from Mr. Gill?

MEMBER GILL: Second.
CHAIR BENNETT: It's been properly moved and seconded. All in favor of going into executive session, Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: And aye as well. So this meeting is suspended and we'll go into executive session to deliberate. We'll call back -- We'll connect on a separate line, Ms. Greenfield and Mr. Gill --

MEMBER GREENFIELD: Okay.

CHAIR BENNETT: -- in about two minutes. And we'll return probably by -- Let's see, it's 5:05. We'll return at the latest at 5:30, but we're going to try to return as early as 5:20. Okay? All right, thank you.

(Whereupon, the above-entitled matter went off the record at 5:06 p.m. and resumed at 5:24 p.m.)

CHAIR BENNETT: We've been off the record and deliberated on the various appeals
we've had regarding ballot access for various ANC Commissioner elections. And so now I'd like to -- We're going to go through a take a voice vote on each of the -- on each of the persons. And so I'd like to get a motion regarding Rob Hudson from Ms. Greenfield. Do you have the language, Ms. Greenfield for the motion on Mr. Robb Hudson's appeal?

MS. STROUD: So if you decide that the error with respect to the failure to timely file the Declaration of Candidacy -- if you decide that, that error should be waive, you would say, I move that we waive the error with respect to the failure to timely file the Declaration of Candidacy and grant ballot access to the candidate.

MEMBER GREENFIELD: Okay.

MS. STROUD: And if that's not -- if that is not your decision, you'd say, I move that we do not waive the error and deny ballot access to the candidate.

MEMBER GREENFIELD: Okay. I move that
we waive the error --

MEMBER GILL: That's a mouthful.

MEMBER GREENFIELD: I know. Let's see how much I remember. I move that we --

CHAIR BENNETT: With respect to Robb Hudson?

MEMBER GREENFIELD: With respect to Robb Hudson, and grant access to the ballot.

CHAIR BENNETT: Okay. It's been properly moved.

MEMBER GILL: Second.

CHAIR BENNETT: Mr. Gill gives second.

And let's take a voice vote. Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: And aye for me, so it's unanimous. Robb Hudson now has ballot access.

With respect to Merritt Drucker, Mr. Gill, can you give me a motion?

MEMBER GILL: Aye. Oh, I'm sorry. I
make a motion to waive the Executive Director's
determination that there was an error and that we
grant him ballot access.

CHAIR BENNETT: Second, Ms. Greenfield?

MEMBER GREENFIELD: Second.

MS. STROUD: For short hand, I think you can either say I move that we deny ballot access or grant ballot access.

MEMBER GREENFIELD: Okay.

(Simultaneous speaking.)

CHAIR BENNETT: It's been properly moved and seconded that Merritt Drucker be granted ballot access. Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill, your vote?

MEMBER GILL: Aye.

CHAIR BENNETT: It is unanimous. I vote aye as well.

Jeri Epstein -- Ms. Greenfield, can you give me a motion?

MEMBER GREENFIELD: Yes. I move that
we grant ballot access to Jeri Epstein.

    CHAIR BENNETT:  Mr. Gill?

    MEMBER GILL:  Second.

    CHAIR BENNETT:  It's been properly moved and seconded.  And voice vote, Ms. Greenfield?

    MEMBER GREENFIELD:  Aye.

    CHAIR BENNETT:  Mr. Gill?

    MEMBER GILL:  Aye.

    CHAIR BENNETT:  Aye for me as well. It's unanimous. Jeri Epstein is granted ballot access.

    With respect to Clara Botstein -- Can I get a motion, Botstein? Can I get a motion, Mr. Gill? With regard to ballot access?

    MEMBER GILL:  With regard to ballot access, the name again?

    CHAIR BENNETT:  Clara Botstein.

    MEMBER GILL:  Clara Botstein, I waive that we grant ballot access -- I mean I motion that we waive the error and grant ballot access.

    CHAIR BENNETT:  Great.  Ms.
Greenfield?

MEMBER GREENFIELD: I second.

CHAIR BENNETT: It's been properly moved and seconded. Can I get a voice vote on Clara Botstein in terms of ballot access, Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: And it's aye for me as well, so it's unanimous.

With regard to Phil Toomajian and ballot access, can I get a motion relative to whether you wish to grant or deny Mr. Phil Toomajian ballot access. Ms. Greenfield?

MEMBER GREENFIELD: I move that we grant ballot access to Mr. Phil Toomajian.

CHAIR BENNETT: Mr. Gill, can I get a second?

MEMBER GILL: Second.

CHAIR BENNETT: It's been properly moved and seconded. Voice vote, Ms. Greenfield?
MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Aye as well, so it's unanimous. Okay, I'll come back here.

For Latoya Moore, it's been -- Can I get a motion with regard to ballot access for Latoya Moore? I will add though that with respect to Ms. Moore, if you are interested in providing her ballot access, it should be with the proviso that she actually sign the petition -- the Declaration of Candidacy prior to her having ballot access. Can I get a motion, Ms. Greenfield, with regard to Latoya Moore?

MEMBER GREENFIELD: Yes, I move that we grant Latoya Moore ballot access provided that she sign the declaration with signature or digital signature.

CHAIR BENNETT: Okay. Mr. Gill, can I get a second?

MEMBER GILL: Second.

CHAIR BENNETT: It's been properly
moved and seconded that Latoya Moore be granted ballot access provided that she provides an actual signature for the declaration by Monday, close of business. Ms. Stroud will be in contact with her. Can I get a voice vote, Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: And it's aye for me as well, so it's unanimous.

With respect to Amber Gove, can I get a motion with regard to whether or not we should provide her with ballot access, Ms. Greenfield?

MEMBER GREENFIELD: I move that we grant ballot access to Amber Gove.

CHAIR BENNETT: Okay. It's been properly moved. Can I get a second?

MEMBER GILL: Second.

CHAIR BENNETT: Properly moved and seconded. Voice vote, Mr. Gill?

MEMBER GILL: Aye.
CHAIR BENNETT: Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: And aye for me as well with regard to Amber Gove and ballot access is granted.

With respect to Elizabeth Miller, Mr. Gill can you give me a motion as to whether or not we should grant Ms. Miller ballot access?

MEMBER GILL: I move that we grant Ms. Miller ballot access.

MEMBER GREENFIELD: I second.

CHAIR BENNETT: It's been properly moved and seconded that we grant Elizabeth Miller ballot access. Can I get a voice vote, Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Aye for me as well. It's unanimous. Ms. Elizabeth Miller is granted ballot access.

John Adams -- Can I get a motion from
Mr. Gill with regard to John Adams and granting him ballot access?

MEMBER GILL: I move that we grant ballot access to John Adams.

CHAIR BENNETT: It's been properly moved. Can I get a second?

MEMBER GREENFIELD: I second it.

CHAIR BENNETT: It's been properly moved and seconded. Can I get a voice vote, Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: And aye for me as well, unanimous. John Adams is granted ballot access.

With respect to I-Ra Abubaker, can I get a motion with regard to granting her ballot access or not? Mr. Gill?

MEMBER GILL: I move that we grant ballot access --

CHAIR BENNETT: I-Ra Abubaker.
MEMBER GILL: -- I-Ra Abubaker.

CHAIR BENNETT: Okay. Can I get a second from Ms. Greenfield?

MEMBER GREENFIELD: I second.

CHAIR BENNETT: It's been properly moved and seconded. Voice vote, Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: It's unanimous. I vote aye as well. Ms. Abubaker is granted -- I-Ra Abubaker's appeal is granted for ballot access.

Jordan Hibbs -- Mr. Gill, can you give me the final motion of whether or not Jordan Hibbs should be granted ballot access?

MEMBER GILL: I move that we grant ballot access to Ms. Jordan Hibbs.

CHAIR BENNETT: Ms. Greenfield, can I get a second?

MEMBER GREENFIELD: I second.

CHAIR BENNETT: It's been properly
moved and seconded. Voice vote, Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: It's aye for me as well, so it's a unanimous decision. Jordan Hibbs is granted ballot access.

There are no more matters before the Board today. Mr. Gill, do you have any matters before I ask for a motion to close?

MEMBER GILL: None for me. Thank you, Mr. Chairman.

CHAIR BENNETT: Ms. Greenfield, do you have any matters we need to deal with before I ask for a close?

MEMBER GREENFIELD: No, I don't. Thank you.

CHAIR BENNETT: Okay. It is -- Can I get a motion that we adjourn this special meeting of the DC Board of Elections, Mr. Gill?

MEMBER GILL: I move that we adjourn this special meeting of the DC Board of
Elections.

CHAIR BENNETT: Can I get a second?

MEMBER GREENFIELD: I second.

CHAIR BENNETT: And I third, so it's unanimous. The meeting is now adjourned. Thank you so much.

(Whereupon, the above-entitled matter was concluded at 5:33 p.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Special Board Meeting

Before: DCBOE

Date: 08-21-20

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

__________________________
Court Reporter

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