

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Elections and Ethics
441 4th Street, N.W.
Washington, D.C. 20001

DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS
REGULAR BOARD MEETING

MICHAEL BENNETT, Board Chairman
MICHAEL D. GILL, Board Member
CECILY COLLIER-MONTGOMERY, Director
Office of Campaign Finance
DIONNA M. LEWIS, Board Member
KENNETH McGHIE, General Counsel
ALICE P. MILLER, Executive Director

10:52 a.m. to 11:28 a.m.
Wednesday, January 11, 2017

One Judiciary Square
441 4th Street, N.W., Room 280 North

OLENDER REPORTING, INC.
1100 Connecticut Avenue, N.W., #810, Washington D.C. 20036
Washington: (202) 898-1108 / Baltimore: (410) 752-3376
Toll Free: (888) 445-3376

Washington, D.C.

OLENDER REPORTING, INC.

1100 Connecticut Avenue, N.W., #810, Washington D.C. 20036

Washington: (202) 898-1108 / Baltimore: (410) 752-3376

Toll Free: (888) 445-3376

PRESENT:

Board of Elections and Ethics:
MICHAEL BENNETT, Board Chairman
DIONNA LEWIS, Board Member

Executive Director:
ALICE MILLER

General Counsel:
KENNETH J. MCGHIE

Office of Campaign Finance:
CECILY COLLIER-MONTGOMERY

C O N T E N T S

	PAGE
Adoption of Agenda	5
Adoption of Minutes	
Regular Board Meeting	
Wednesday, December 7, 2016.	6
Executive Director's Report.	7
General Counsel's Report	22
Campaign Finance Report	28
Other Matters.	
Adjournment.	38

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

2 CHAIRMAN BENNETT: Good morning. We
3 apologize for being so tardy.

4 (Discussion off the record)

5 CHAIRMAN BENNETT: Happy New Year.

6 MS. LEWIS: Happy New Year.

7 (Pause - background conversation)

8 CHAIRMAN BENNETT: Good morning, and
9 happy New Year to all. We are -- please let me
10 call the meeting to order. Let me introduce the
11 -- the head table here, so to speak.

12 To my far right, Cecily Montgomery, our
13 exec director of campaign finance. To her
14 immediate left is Mr. Michael Gill, board member.
15 To my immediate right is Ken McGhie, our general
16 counsel, Board of Elections. To my immediate
17 left, Dionna Lewis.

18 MS. LEWIS: Happy New Year.

19 CHAIRMAN BENNETT: Happy New Year to you.
20 Board member. And to her immediate left is Ms.
21 Alice Miller, executive director, Board of
22 Elections.

1 We want to start out -- first of all,
2 apologize for being a little bit tardy. We're
3 going to get this at 10:30 soon, and we're going
4 to do better at that. But thank you all for
5 coming.

6 The other thing I want to note is that
7 our normal meeting is scheduled for the first
8 Wednesday of the month. We delayed it this time,
9 primarily to let everybody get through the
10 holidays and make sure we had an opportunity to
11 have something meaningful in terms of this
12 particular meeting. So we'll -- next month it
13 will be the 10th, unless something comes in
14 (Laughs). The intent is to go back to our
15 regular schedule the first Wednesday of the
16 month.

17 I'd like to start out with item one on
18 the agenda, and that's the adoption of the
19 agenda. Can I get a motion on the adoption of
20 the agenda?

21 MS. LEWIS: Yes, I'd like to -- I'd like
22 to file a motion to adopt the agenda -- today's

1 agenda, January 11th, 2017.

2 MR. GILL: Second.

3 CHAIRMAN BENNETT: All in favor?

4 GROUP: Aye.

5 CHAIRMAN BENNETT: It's unanimous. Okay,
6 adoption of the minutes from the last meeting on
7 Wednesday, December 7th.

8 MS. LEWIS: I'd like to make a motion to
9 adopt the last meeting minutes of Wednesday,
10 December 7th, 2016.

11 MR. GILL: Second.

12 CHAIRMAN BENNETT: All right. All in
13 favor?

14 MS. LEWIS: Aye.

15 CHAIRMAN BENNETT: Then it's unanimous.
16 The minutes from the December 7th, 2016 meeting
17 have been adopted.

18 In the board matters, I'll start with Ms.
19 Lewis?

20 MS. LEWIS: None for me.

21 CHAIRMAN BENNETT: Okay, Mr. Gill?

22 MR. GILL: None.

1 CHAIRMAN BENNETT: Okay. And I have none
2 at the moment. Any public matters from the last
3 meeting?

4 (No response heard)

5 CHAIRMAN BENNETT: Okay. None there.
6 So, let's go to the executive director's report.

7 MS. MILLER: Good morning, everyone.
8 Happy New Year.

9 I'm just going to briefly go through some
10 of where with respect to the follow up and --
11 from the election -- from the November election,
12 starting with the poll worker payments.

13 As I mentioned last time at our December
14 board meeting, the poll worker payments were sent
15 early December. We did do a supplemented payroll
16 and that was submitted in response to
17 undeliverable mail, wrong amounts or other issues
18 that may have occurred with the poll worker maybe
19 not having verification with a Social Security
20 number or their hours not being able to be
21 determined.

22 So at this point, I think we're confident

1 that all of the issues associated with poll
2 worker payments have been addressed for the
3 November election and all the checks either have
4 been received or should be received.

5 And the group that I'm referring to is
6 approximately 50 checks out of about 21, 2,200.

7 So --

8 CHAIRMAN BENNETT: Okay.

9 MS. MILLER: They were minor issues, but
10 it did require some follow up.

11 CHAIRMAN BENNETT: There were one or two
12 people that I think contacted me that I think
13 those were -- those were probably in that group
14 and were taken care of.

15 (Simultaneous discussion)

16 MS. MILLER: Probably in that group, as
17 well. We did --

18 CHAIRMAN BENNETT: I'm looking at Ms.
19 Celia cross-legged to make sure (Laughter) --
20 okay. Thank you.

21 MS. MILLER: The other thing I'd like to
22 mention is we have to do a canvas of voters; of

1 anyone who did not vote or confirm their address
2 through the November general election. This is
3 required by statute. The canvas has to begin in
4 January. So what we normally do is begin it in
5 January, literally January 30th, 31st --

6 CHAIRMAN BENNETT: Okay. (Laughter)

7 MS. MILLER: -- just to make certain that
8 we have all the information in place, that we're
9 still doing some input from voters that voted in
10 November. The canvas process -- it takes a few
11 months to complete. It's a bit regulated and
12 requires us to do a number of mailings for
13 individuals whose card is returned as
14 undeliverable.

15 We then have to do two cards with a
16 forwardable one. The first one is non-
17 forwardable, and asking individuals to confirm
18 their information -- their address and their
19 information as it relates to the expiration that
20 we have on one hand, so that we can keep our
21 voter registries as accurate as possible.

22 So we're going to start that process. As

1 I said, there are detailed steps in the law that
2 we will follow in order to comply with the
3 systematic process requirement of updating the
4 voter's information and we'll be doing that
5 starting the end of this month, asking voters to
6 confirm their information, if in fact, they did
7 not vote in November.

8 We have had debriefings with election
9 workers and captains. We also had an online
10 survey completed by 827 workers in the weeks
11 following election. We had four captains
12 debriefings which approximately 50 captains,
13 assistant captains and some of the clerks
14 attended between December 7th and December 15th.

15 From those debriefings in the survey, we
16 found that -- percentage wise, 75 percent of the
17 workers said that their presets had the right
18 number of workers all day, and 6 percent reported
19 too few workers. We had 81 percent of our
20 captains who were rated as excellent or very good
21 by the workers who worked with them, and 8
22 percent of the workers identifying captains as

1 poor or lacking knowledge and leadership skills.

2 The most common positive comments that we
3 received was that training has improved, and that
4 they liked the new voting equipment and the poll
5 pads, and that says a lot to the process, which
6 made it easier for everybody having equipment
7 that was user friendly, able to utilized by both
8 the voters and the poll workers. So that
9 assisted with making us have a much smoother
10 election than what we have had in the past.

11 There were comments on space constraints,
12 and we don't have a lot that we can do with that.
13 We just have to be able to identify polling
14 places that allow us to use the equipment and
15 have more room for the individuals that we need
16 to accommodate. And we'll be looking at that
17 this year to see how we can make some adjustments
18 to some of the spacing that we have our polling
19 places.

20 As for the captains, they did note that
21 additional poll pads would be helpful, and of
22 course that supports the cause. We do have 900

1 poll pads, so it would be great to have an
2 additional three or 400 hundred poll pads so that
3 we could add those into the loop, especially when
4 we're doing our general election, and it could go
5 -- the request is so that they be used
6 specifically for special ballots, so we could
7 have a lot of special ballots, and with same day
8 registrations, that's what we do intend -- I
9 mean, we do delegate on a number of.

10 And also, more ballot marking devices.
11 As you know, we had two in each preset. That's
12 the express vote. And it would be great to be
13 able to at least double that number as well, to
14 four, which would allow that process to again go
15 a lot more smoother than just individuals voting
16 on the paper.

17 People like the express vote. They like
18 the touch screen machines, but we only can
19 afford, at this point, to have two. That's why
20 we have two in each preset, so --

21 CHAIRMAN BENNETT: Is this something we
22 can make a budget request for at this point?

1 MS. MILLER: We can.

2 CHAIRMAN BENNETT: Okay.

3 MS. MILLER: (Laughter) And we should.
4 We do have -- the machines are under lease that
5 we were using. The lease will -- is good through
6 2018, so we're -- we now will be using those
7 machines. It would be good to have some more.

8 CHAIRMAN BENNETT: Mm-hmm.

9 MS. MILLER: Both the poll pads and the
10 touch screen machines. So looking ahead, we will
11 be working to respond to legislation that's been
12 adopted that requires the board to have in place
13 by October 1st automatic voter registration,
14 which we'll be working with Department of Motor
15 Vehicles with on, and a mobile app for petition
16 signature gathering.

17 That of course, has to do with scans, so
18 when they're collecting signatures they'll be
19 able to look on their -- on an app, which is a
20 mobile app, to determine whether or not a voter
21 is registered as they collect the signature,
22 which is a good thing, because it will cut down

1 on the challenges that the registrar currently
2 has to deal with, and hopefully, people will take
3 advantage of the app; just do a check as they
4 collect signatures to ensure that their
5 signatures are good before they submit it.

6 And we're also looking to update our
7 voter registration system, which as I have
8 indicated over the past month or so is now over
9 20 years old and has outlasted its usefulness.
10 And although we have been able to continue with
11 the system that we have by tweaking it and
12 modifying it to serve our needs, it's time for us
13 to look to more efficient technology.

14 I have made a request before the budget
15 review team. I met with them last week. We
16 indicated that there would be probably a need for
17 about \$2 million to get that system in place.
18 That did need to happen this year before the 2018
19 fiscal year kicks in so that we could get the
20 machine and have it implemented prior to the
21 Maryland primary election.

22 And also, we are now at the hinge of

1 providing the required information to the EAC,
2 Election Assistance Commission, as it relates to
3 the mandates of the election administration voter
4 survey, the survey. The data that we have to
5 submit to them by February 1st includes
6 information on registered voters, both active and
7 inactive, same day registrants, how many people
8 voted, national voter registration information.

9 In other words, how individuals
10 registered through the human services or DMV,
11 those NVRA agencies, the number of absentee
12 ballots counted, military and overseas ballots,
13 poll worker information, polling place operation.
14 It is just a litany of information that is
15 surveyed and it's mandated.

16 At the end of the day, the EAC produces a
17 report like this. We're lucky to have this
18 because we have people who have access to this
19 (Laughter). It produces a report like this that
20 encompasses all of the survey information
21 obtained from all jurisdictions. So this is what
22 we'll be working to do to get that done and

1 replace -- to meet the requirement - February 4th
2 requirement.

3 And we did have one recount that we did
4 last month, and that was ANC-1C-L8. We did that
5 on December 8th. There were nine votes
6 difference. The party requesting the recount was
7 present, as well as with a few observers, not the
8 winner of the ANC. But I'm happy to report that
9 the recount resulted in no change in either
10 outcome or result, so the votes were still the
11 same.

12 And just one last thing for me. I want
13 to introduce Deanna Smith (phonetic). Deanna's
14 sitting back there next to Karen and Treka
15 (phonetic). She's in the middle. Deanna comes
16 to us after approximately five years at the SEC,
17 12 years at the EAC, having a lot of election
18 experience on the federal level, and she'll be
19 working as our assistant registrar assisting care
20 and trying to learn all that she can learn with
21 respect D.C.'s process, although she knows a lot
22 on the federal level. So we're happy to have her

1 and --

2 CHAIRMAN BENNETT: Welcome.

3 MS. MILLER: -- as a member of the board.

4 MS. SMITH: Thank you.

5 (Simultaneous discussion)

6 CHAIRMAN BENNETT: And thank you for your
7 willing (sic) to serve.

8 MS. MILLER: And that concludes my
9 report. This is Dionna and that's Deanna.

10 MS. LEWIS: Yeah (Laughter).

11 MS. MILLER: That concludes our report.

12 CHAIRMAN BENNETT: Okay. All right. The
13 only thing that I think that I'd like to at least
14 -- maybe not a question, but comment on, in
15 several of the polling places that I attended,
16 that I visited, and some of it had to do with
17 probably timing, but there were some places that
18 seemed to have excess equipment, and other places
19 -- I don't mean excess in the sense that they had
20 too much but they weren't being used that
21 heavily, and other places that seemed to -- you
22 know, as you pointed out, had people waiting,

1 because it was not enough equipment.

2 So one of the things we may want to is
3 just to you know, kind of ask around to see who
4 felt like primarily, that they had too much.

5 MS. MILLER: Yes.

6 CHAIRMAN BENNETT: Or that they didn't
7 really need the amount that they had.

8 MS. MILLER: Right.

9 CHAIRMAN BENNETT: And I remember the
10 particular one. And maybe it's -- but just kind
11 of do a double check may be better.

12 (Simultaneous discussion)

13 MS. MILLER: I think that may be true
14 with some of the polling pads --

15 CHAIRMAN BENNETT: Yeah.

16 MS. MILLER: Where they may be pads that
17 were maybe not being used, but for the actual --

18 CHAIRMAN BENNETT: It was the pads that I
19 noticed.

20 MS. MILLER: Yeah, the actual touch
21 screen machines are two --

22 CHAIRMAN BENNETT: Yeah.

1 MS. MILLER: Two of those in each preset,
2 and one -- one --

3 CHAIRMAN BENNETT: Of the readers?

4 MS. MILLER: One reader.

5 CHAIRMAN BENNETT: Yeah.

6 MS. MILLER: Yes.

7 CHAIRMAN BENNETT: Okay.

8 MS. MILLER: So we need to examine that
9 and make sure we have a good balance.

10 CHAIRMAN BENNETT: Yeah. But I think
11 also, too, particularly as soon as possible that
12 we have an opportunity to determine what new
13 technology need or either upgrade the terms of
14 software. We need to make that known to --

15 MS. MILLER: Yes.

16 CHAIRMAN BENNETT: -- to the executive
17 office of the mayor as well as the council, so we
18 can ensure that we have the appropriate -- I
19 mean, we're a relatively small agency, but with a
20 huge responsibility. So we need to make sure
21 that they're aware of the things that we need in
22 order to continue to function as smoothly as we

1 have.

2 MS. MILLER: Yes.

3 CHAIRMAN BENNETT: Great. Thank you.

4 MS. LEWIS: For the express vote
5 machines, I know you were saying -- or touch
6 screen machines, I know you were saying that
7 right now it's only in the budget that we can
8 really afford to per precinct. How soon and how
9 feasible is it that we can make the request? And
10 what's the likelihood that we can get this done,
11 you know, maybe within the next fiscal year?

12 MS. MILLER: Yeah. So we're at the
13 budget cycle now. We actually have budget
14 hearings beginning -- well, performance oversight
15 hearings are in February, budget hearings in
16 April. We will put those requests through them.

17 What it will require is, I don't know, an
18 extension on the contract with the ability to
19 obtain some more equipment on the existing
20 contract. So I don't think we have to go through
21 another contractor procurement process, because
22 we've done that, and that took longer than it

1 should have, I want to say about 18 months the
2 last time.

3 So we can do it. We just have to get the
4 money and get the approval from the council and
5 the budget team to have the money to do that --

6 MS. LEWIS: Okay.

7 MS. MILLER: -- and to lease additional
8 equipment. We're not purchasing.

9 MS. LEWIS: Okay.

10 MS. MILLER: We are under lease agreement
11 with that equipment.

12 MS. LEWIS: Okay.

13 MS. MILLER: Poll pads, we have
14 purchased.

15 MS. LEWIS: Okay.

16 MS. MILLER: So the 900 were -- like I
17 said, it would be great to have an additional
18 three or 4pp.

19 MS. LEWIS: Yeah.

20 MS. MILLER: For the next election cycle.

21 CHAIRMAN BENNETT: All right, thank you.

22 Mr. McGhie?

1 MR. MCGHIE: Yes. Okay, the first thing
2 on my agenda is proposed rulemaking to amend
3 Chapter 5, Building Registration. That's really
4 two parts. The first part deals with the desk
5 position of incarceration. Our election law
6 states that you will be ineligible to vote if you
7 are a felon incarcerate -- if you're incarcerated
8 on a felony in the District of Columbia.

9 And it became an issue during the general
10 election when some electors, I would say, that
11 were in a halfway house are not being allowed to
12 vote. So I got a call from Congresswoman Eleanor
13 Holmes-Norton, and she was advocating and want --
14 and questioning why these people were not being
15 allowed to vote.

16 And I was kind of surprised myself, why
17 they weren't being allowed to vote, because my
18 definition of incarcerated is somebody that's in
19 the jail or a prison or a penitentiary. And so
20 we let them know that these people should be
21 allowed to vote. I cannot see any reason why
22 that if someone's in the halfway house and

1 they're moving around during the day, why they
2 can't go to a polling place and vote or whatever.

3 So we decided that -- well, after we told
4 Ms. Norton that these people should vote, we
5 decided we'd promulgate regulations also that
6 define what we mean by incarceration for voting
7 purposes. So the first piece of the regulation
8 that I'm asking that the board adopt and propose
9 deals with the definition of incarceration, and
10 so that halfway houses would not be included in
11 that definition.

12 The second part of the regulation deals
13 with proof of residence. So for a same day
14 registrants, they're allowed to show proof --
15 proof of residence --

16 (Discussion off the record)

17 MR. MCGHIE: They're allowed to show
18 proof of residence, and what we've been doing in
19 policy is allowing people that show bills or
20 utility bills or phone bills electronically,
21 because they have them -- they pull up on their
22 phone to accept that. But that's just been our

1 policy, so we decided okay, we need to put this
2 in our regulation as well, so that no one will
3 question the fact that it's in our regulations
4 that we are also accepting electronic versions of
5 your utility bills.

6 CHAIRMAN BENNETT: Okay.

7 MR. MCGHIE: So that's the two, I guess,
8 areas of the regulations that I'm asking that the
9 board adopt as proposed. One deals with the
10 definition of incarceration and the other one
11 allows for electronic documents to be accepted as
12 a proof of residence.

13 CHAIRMAN BENNETT: Do you have any
14 questions for him Mr. Gill?

15 MR. GILL: No, sir.

16 CHAIRMAN BENNETT: Ms. Lewis?

17 MS. LEWIS: I do.

18 CHAIRMAN BENNETT: Okay.

19 MS. LEWIS: Just give me one second.

20 (Pause)

21 MS. LEWIS: So in terms of proof of
22 residency, is there a time frame for like the

1 utility bills, for example? So what if an
2 individual is in a halfway house for like six
3 months, and you know, maybe they lose their lease
4 in the process, or you know, maybe they have some
5 sort of disconnection or interruption of service
6 reflected on the utility bill, failure of payment
7 or so forth? Is there some timeframe for the --
8 for I guess, the validity of the proof?

9 (Simultaneous discussion)

10 MR. MCGHIE: Yeah, well, we're asking for
11 a current bill and nothing later than 90 days.

12 MS. LEWIS: 90 days. Okay.

13 CHAIRMAN BENNETT: Okay?

14 MS. LEWIS: Mm-hmm.

15 CHAIRMAN BENNETT: Any other questions?

16 (No response heard)

17 CHAIRMAN BENNETT: All right. Can I get
18 a motion to approve the rulemaking?

19 MS. LEWIS: I'd like to make a motion to
20 approve the -- this proposed rulemaking as
21 proposed.

22 MR. GILL: Second.

1 CHAIRMAN BENNETT: All in favor?

2 GROUP: Aye.

3 CHAIRMAN BENNETT: Unanimous approval.

4 Okay. Mr. McGhie, next item?

5 MR. MCGHIE: All right. The next item is
6 a litigation status update. And it's two matters
7 that are -- well, they were pending in court.
8 Ameer Flippin versus the D.C. Court of Elections.
9 You may be familiar with this person, because
10 last month, my -- I had indicated that his case
11 had been thrown out.

12 He had sued us because he wanted to be on
13 the presidential ballot, but he didn't want to
14 give us the name of his electors; took us to the
15 Court of Appeals, filed papers about his claim,
16 and the Court of Appeals threw it out. So then
17 he decided he'd file on us again. This time he
18 filed for a recount of the election results and a
19 review of the certified election results.

20 He wanted a recount, but he didn't want
21 to pay for a recount. So he went to court. We
22 filed a motion to dismiss on him for his petition

1 for review and for the recount. Court of Appeals
2 affirmed that decision and notified us yesterday
3 that they had threw this matter out.

4 CHAIRMAN BENNETT: Okay.

5 MR. MCGHIE: The other one is Veronica
6 Raglin versus the Board, and this was an ANC
7 candidate and for ANC7-D01. She took exception
8 with the fact that when we posted the ANC
9 election results unofficially, there was just a
10 two vote difference. But then when we certified
11 it would have been a nine vote difference.

12 She didn't know why there was a
13 discrepancy between the unofficial results on
14 election night and the certified results. So she
15 thought that something strange had happened. But
16 she filed something in court. We responded by
17 just basically saying well, we hadn't counted the
18 special and the absentee ballots yet at that
19 time, and that's why there was the vote
20 difference. The Court of Appeals agreed with us
21 and they threw that matter out --

22 CHAIRMAN BENNETT: Okay.

1 MR. MCGHIE: -- and notified us yesterday
2 that that was -- our motion of summary affirm --
3 this was affirmed yesterday.

4 CHAIRMAN BENNETT: All right.

5 MR. MCGHIE: So both matters have been
6 dismissed.

7 CHAIRMAN BENNETT: Mm-hmm. Okay.
8 Anybody --

9 MR. MCGHIE: No, I have nothing further.

10 CHAIRMAN BENNETT: Mr. Gill? Any
11 questions for the general counselor?

12 (Simultaneous discussion)

13 MR. GILL: No.

14 CHAIRMAN BENNETT: Ms. Lewis, any
15 questions?

16 MS. LEWIS: No questions.

17 CHAIRMAN BENNETT: Okay, great. Thank
18 you. Next, campaign finance. Ms. Montgomery.

19 MS. COLLIER-MONTGOMERY: Yes, good
20 morning. The first thing I would like to report
21 is that on December the 24th, 2016, the council
22 enacted D.C. Act 21-504, the Campaign Finance

1 Reform and Transparency Emergency Amendment Act
2 of 2016. The act will expire on March the 24th,
3 2017, but at the time that the council introduced
4 the emergency legislation, it also introduced a
5 permanent piece.

6 What the legislation will provide for is
7 two changes in the campaign finance laws, and the
8 first one is that during a non-election year or
9 an odd numbered year, political action committees
10 as well as independent expenditure committees
11 will have four report dates as opposed to the
12 existing two under the former law, which would
13 have been January 31st as well as July 31st. The
14 new report dates will be April the 10th as well
15 as October the 10th.

16 The second change is that during an
17 election year, the political action committees
18 have a contribution limitation of \$5,000, meaning
19 that they can not -- that no individual or person
20 as defined under the campaign finance laws may
21 make more than -- a contribution of more than
22 \$5,000 to a political action committee, nor may

1 the committee receive more than \$5,000.

2 Well, under the emergency legislation,
3 political action committees will also be
4 prohibited during a non-election year or an odd
5 numbered year from receiving more than \$5,000.
6 Prior to the change in the law during the non-
7 election year or the odd numbered year, there was
8 no limitation on the amounts of contributions
9 that political action committees could receive.

10 Second, during the month of December,
11 2016, there was one report date, and that was the
12 December the 10th filing deadline for the filing
13 of the reports of receipts and expenditures for
14 active -- our principal campaign committees as
15 well as political action committees who
16 participated in the 2016 election cycle.

17 We had 83 required filers, 72 timely
18 filed and also, they electronically filed. We
19 had one extension request which was granted. We
20 had 10 failures to file, and those failures to
21 file were referred to the Office of the General
22 Counsel for the initiation of the enforcement

1 process.

2 The referral to the general counsel
3 consisted of principal campaign committees,
4 namely Drew for D.C., Kimberly Higginbotham,
5 treasurer, Committee to Elect John Patterson
6 2016, Lamont Carroll, treasurer, Vote Carter
7 2016, Nicole Kerr, treasurer, Friends of Tony
8 Donaldson, Robert Donaldson, treasurer, Lynnette
9 Woodruff for School Board, Lamont Carroll,
10 treasurer, Re-Elect LaRuby May, Monica Ray,
11 treasurer, Tierra Jolly for Ward 8 on the School
12 Board of Education, Emily Harold, treasurer,
13 Holmes for Ward 8, Steven Shea, treasurer.

14 There were two political action
15 committees who were referred to the general
16 counsel. One was the D.C. Chamber of Commerce,
17 Andrew J. Klein, treasurer, and Better
18 Leadership, Richard Tappan, treasurer.

19 We also held two mandatory entrance
20 conferences during the month of December, and the
21 conferences were held on December the 6th. The
22 participants were Edward Cross, treasurer, D.C.

1 Association of Realtors, IEC, and that's an
2 independent expenditure committee, Manley M.
3 Collins, candidate for mayor.

4 In our audit division during the month of
5 December, the audit division desk reviewed 68
6 reports of political action committees as well as
7 one amended report of a constituent service
8 program, and the reports of principal campaign
9 committees. Also, under our regulations, the
10 candidates for the Office of Advisory
11 Neighborhood Commission member are required to
12 file summary financial reports with us 60 days
13 after the board certified the election result.

14 So the report deadline is, I believe,
15 January the 17th. But in any event, our
16 candidates have started filing reports with the
17 Office of Campaign Finance, and so the audit
18 branch has, at this point, desk reviewed 59 of
19 the reports which have been filed by our advisory
20 neighborhood commission member candidates.

21 With our ongoing audits, we have two.
22 One is the full field audit of a newly elected

1 official, and that's Brandon Todd for Ward 4.
2 The second is a periodic random audit of the
3 candidates who participated in the 2016 election
4 cycle, and that is the Re-Elect Vincent Orange
5 2016 principal campaign committee, and the field
6 audit was -- or the random audit was of the
7 January 31st, 2016 and the March, 20 -- 10/2016
8 R&E reports. There were no audit reports issued
9 during the month of December.

10 In the absence of the general counsel for
11 the Office of Campaign Finance, William Sanford,
12 I will now give the report of the general
13 counsel.

14 During the month of December, the general
15 counsel's office conducted 10 informal hearings
16 of -- I'm sorry -- 10 informal hearings were
17 again, referred to the Office of the General
18 Counsel for the failure to file financial
19 reports. And basically, again, those were the
20 principal campaign committees as well as
21 political action committees who failed to file
22 the December 10 report of receipts and

1 expenditures.

2 The general counsel conducted and
3 completed six informal hearings, and he also
4 issued six orders of the director. And in one
5 case, a fine was imposed in the amount of \$1,450
6 against the Bachner Committee 2016.

7 In terms of outstanding fines, we
8 currently have \$26,850 in outstanding fines which
9 have been Imposed by the Office of Campaign
10 Finance, and that represents basically 16 cases,
11 and those cases have been filed before the Board
12 of Elections in the form of petitions for
13 enforcement of our orders. Basically, those are
14 the cases in which the fines have not been paid.

15 With respect to our open investigations,
16 we currently have four. The first one is OCF
17 full investigation number 2013-013. This is a
18 case that was internally generated in the Office
19 of Campaign Finance in June of 2013. The
20 respondent is Nate Calhoun. The infraction
21 involves campaign contribution violation. It is
22 pending.

1 The second is OCF full investigation
2 number 2013-014. Again, this was an internally
3 generated complaint by the Office of Campaign
4 Finance in June of 2013. The result --
5 respondent is Stanley Sauder (phonetic). The
6 infraction is campaign contribution violation.
7 The investigation is pending.

8 The third is OCF full investigation 2013-
9 015, again the complainant. In this case, this
10 was an internally generated matter by the Office
11 of Campaign Finance in March of 2014. The
12 respondent is Jeffrey Thompson. The infraction
13 involves campaign contribution violations. The
14 investigation is pending.

15 The last is OCF full investigation number
16 2014-001. The complainant -- again, this was an
17 internally generated matter by the Agency in July
18 of 2014. The respondent is Kelvin Robinson. The
19 infraction involves campaign contribution
20 violation and it is pending.

21 We have no interpretative opinions
22 pending, nor do we have any show cause

1 proceedings pending before the Agency. And that
2 concludes my report.

3 CHAIRMAN BENNETT: Thank you, Ms.
4 Montgomery. Ms. Lewis, any questions?

5 MS. LEWIS: I don't have any questions.

6 CHAIRMAN BENNETT: Mr. Gill?

7 MR. GILL: No questions.

8 CHAIRMAN BENNETT: No questions from me.
9 Thank you, Ms. Montgomery.

10 MS. COLLIER-MONTGOMERY: You're welcome.

11 CHAIRMAN BENNETT: Next item on the
12 agenda are any public questions regarding the
13 reports that were heard today.

14 (No response heard)

15 CHAIRMAN BENNETT: None being noted, I'd
16 like to at least one add other thing and then
17 adjourn the meeting. And that is that it's 2017,
18 and we have another election in 2018. I
19 understand, and I've been trying to make it very
20 clear to others in the city that elections don't
21 just happen in two weeks, or the work doesn't
22 just happen two weeks or a month before the

1 election occurs.

2 I understand that while we're in a little
3 bit of a lull period, there's still lots of work
4 for us to do to prepare for 2018, and it is a
5 very, very important year for us in the city.
6 Many of our major offices are determined in
7 midterm what many call a non-presidential year
8 election.

9 So we are anxious to continue the great
10 work that we've done, and I applaud you for the
11 past, but also recognize we've got a pretty tough
12 couple of years ahead of us, really, 18 months or
13 so, to get ready for the next election. So,
14 applause for the previous time, but also you
15 know, heads down, moving forward.

16 So thank you, and anything that we can do
17 as a board to support the process, please let us
18 know so that we can ensure that we have you know,
19 smooth election and processes going forward. I
20 often have to explain to people that the work of
21 the Board of Elections is not just right around
22 the election time, but it's all during the year.

1 So, please continue it, and we look forward to
2 the work.

3 And so with that, the meeting is
4 adjourned, but I'd like for you to just take one
5 more second -- and this is off the record.

6 [Whereupon, at 11:25 p.m., the Regular
7 Board Meeting was adjourned.]

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23