GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

APRIL 5, 2023

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The District of Columbia Board of Elections convened via Zoom, pursuant to notice at 10:30 a.m. EDT, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair
J.C. BOGGS, Member
KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Director
TERRI STROUD, General Counsel
CECILY COLLIER-MONTGOMERY, Office of Campaign Finance
WILLIAM SANFORD, General Counsel
<table>
<thead>
<tr>
<th>Agenda Items</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Called to Order</td>
<td>3</td>
</tr>
<tr>
<td>Ascertainment of Quorum</td>
<td>3</td>
</tr>
<tr>
<td>Adoption of Minutes</td>
<td>4</td>
</tr>
<tr>
<td>Board Matters</td>
<td>4</td>
</tr>
<tr>
<td>Executive Director's Report</td>
<td>7</td>
</tr>
<tr>
<td>General Counsel's Report</td>
<td>13</td>
</tr>
<tr>
<td>Campaign Finance Report</td>
<td>22</td>
</tr>
<tr>
<td>Public Matters</td>
<td>27</td>
</tr>
<tr>
<td>Adjournment</td>
<td>45</td>
</tr>
</tbody>
</table>
CHAIRMAN THOMPSON: Thank you so much for joining us for our April Board of Elections meeting. Hold on one second.

(Pause.)

CHAIRMAN THOMPSON: All right, good morning. My name is Gary Thompson, the chair of the Board of Elections. We have a full house today. Everybody's here for, I think, the first time in a while.

We have a quorum, all three board members here, Karyn Greenfield, and Board Member J.C. Boggs are here. So we're three for three, as usual. Oh, and the court reporter's here. I see the word Court Reporter, so we're good, and we're also recording on Zoom as well.

It's a pretty light agenda. The agenda's been distributed to the board members and others. I would move that we adopt the agenda as distributed.

MEMBER GREENFIELD: So moved.
CHAIRMAN THOMPSON: All right, all in favor?

(Pause.)

CHAIRMAN THOMPSON: All right, our agenda's adopted. Quick housekeeping matter. Our minutes from the last meeting of March 7th have been distributed. We've had a chance to review them. I would move we adopt those minutes.

MEMBER GREENFIELD: Second.

CHAIRMAN THOMPSON: All in favor?

MEMBER GREENFIELD: Aye.

CHAIRMAN THOMPSON: Okay. Minutes are adopted.

Next, we have board matters. Nothing on the Agenda, but we've been talking over the last few meetings about bringing the public -- inviting the public back in to our monthly meetings, and we'd like to go ahead, I think, and proceed with that welcomed development in this post-pandemic environment.

Obviously for many years, the public
attended meetings, and it was the only way you could attend a BOE meeting was in person. What I'm, I guess, moving for at this time is that we resume having the public attend if they would like, live, or they would always have the option to attend by Zoom with a hybrid approach and would also be possible for board members or any directors as well to attend by Zoom.

So we'll all always have that option, including for purposes of establishing a board quorum if needed. And as for members of the public, we'll have to release some details on how to gain access to the building and get into this room.

It might take an extra 10 or 15 minutes in advance of the meeting to arrive and get through security, et cetera, but we'll come up with some pretty clear guidelines on how that all will work, and I believe have that in place in time for our main meeting on the first Wednesday in May. I guess that's in manner of a motion, any seconds or comments in that regard?
MEMBER BOGGS: (Audio interference) put Covid behind us. But also as a public board, we want to make it accessible, and I think they have that dual approach where you can come in person or visit us virtually online (simultaneous speaking.) Sorry about that.

CHAIRMAN THOMPSON: Okay, can I repeat all that? I think we got it okay, but I --

MEMBER BOGGS: I think we heard it (simultaneous speaking) the public (simultaneous speaking) but that was a comment in favor.

MEMBER GREENFIELD: No, I'm in agreement. I like the hybrid approach and having the public come back in. It's been a long while.

CHAIRMAN THOMPSON: All right for formality sake, all in favor?

(Chorus of ayes.)

CHAIRMAN THOMPSON: All right. Okay. Any other board matters before we proceed?

(Pause.)

CHAIRMAN THOMPSON: Hearing none, we'll turn to the executive director's report
from Monica Holman Evans.

MS. EVANS: Thank you, and good morning. The Board had its budget oversight hearing with the Council on Tuesday, March 28th. Our answers to the pre-hearing questions were submitted on Friday, March 24.

This was our first budget hearing under the Committee on Executive Administration and Labor with Chairperson Anita Bonds. We largely discussed the need for resources to become compliant with the Elections Modernization Amendment Act and the Local Resident Voting Rights Amendment Act.

We specifically discussed the need for staff, equipment and software upgrades. We are appreciative of the constructive testimony that was provided during the hearing, and we have followed up with the Councilmember's office, and we're gathering the information she requested during the hearing.

ANC vacancies. We have 11 ANC vacancies for the 2023-2025 term. These
positions are in different stages of being filled. After candidate filing requirements are met, an open vote of registered voters of the affected SMD (phonetic) are held during regularly scheduled ANC meetings.

As far as our 2023 next steps and off-election year planning, we did have VR systems on site during the week of March 13. We discussed native (phonetic) enhancements to Voter Focus. They provided training. And specifically, we discussed the need to address system upgrades due to the recently passed legislation.

We're looking at returned and undelivered ballots from the November general election and are placing them into categories. Ballot information is being categorized and entered into Voter Focus. We are processing the 87,921 ballots returned as undeliverable, and these ballots have all been scanned into our voter registration database.

We are in the process of manually updating the in-state and out-of-state addresses.
To date, we have processed over 10,000 ballots. The next step is to send final notices. We have also processed the records of 566 D.C. voters.

We are reviewing the requirements of the Elections Modernization Amendment Act, or EMA, and the Local Resident Voting Rights Amendment Act, or LRVR, to ensure we become compliant. We have met with vendors, and we are requesting funding as needed.

We are also in the process of revising our brochures, and we met with our vendor to discuss website improvements, and we do have a rubric to move forward with some changes.

Additionally, we're updating the election worker training manual, developing the 2024 voter education and outreach plan, and assessing our plan for vote center and mail ballot drop box locations.

We've recently joined a cross-state data workgroup to explore ways to share voter history to address cross-state voter fraud. Even though we are a member of ERIC, the Electronic
Registration Information Center, many states are not members. Our participation with this workgroup will allow us to cast a wider net by engaging with more states.

Voter education outreach. During the month of March, the voter education outreach division conducted seven outreach events on behalf of the Agency. Events included voter registration drives at various schools and at the Department on Aging and Community Living.

In March, we also registered 2,196 new voters and processed 2,962 registration changes. In total, we prepared 5,158 voter registration cards to be mailed. Additionally, 38 registered voters moved out of D.C., 12 voters canceled their registration and registered with other jurisdictions, and 574 voters registered in D.C. after canceling their registrations in other jurisdictions.

We are continuing to register voters using our website portal. To date, we have processed over 34,611 applications using the
portal. These include new voter registrations
and updates to existing registrations.

And that concludes my report. Thank
you, Mr. Chair.

CHAIRMAN THOMPSON: I have a question.
I read in the news about certain states, I think,
exiting the ERIC system.

I don't really understand their
thinking, but it struck me as very relevant to
our jurisdiction in that we're a particularly
transient jurisdiction, and I think probably more
than any state, have a need to communicate with
other jurisdictions to ensure that citizens are
registered to vote in only one place.

And you just mentioned, in lieu of
ERIC, a workgroup with other states, and I'm just
curious, what is that and will that entail?

MS. EVANS: Yes. It's a new
workgroup. We are actually trying to address the
fact that some member states have exited ERIC,
but we want to ensure that we're still getting
that rich data, and we have a method of
communicating with states who have either left ERIC or were never members of ERIC.

So it is our goal to engage in efforts in addition to ERIC so that we're getting the information we need to keep our voter rolls current and accurate, but then also to address the possibility of cross-state voter fraud.

CHAIRMAN THOMPSON: All right, well that's good to hear. I know that this year in particular, we're focused on addressing our voter roll.

There's obviously a process ahead of us in the calendar to move individuals who are no longer active into inactive status, and I think that probably has a lot to do with identifying people who have moved on elsewhere, registered elsewhere, so that by the end of the year, we'll hopefully have some pretty significant numbers moving off of our official voter registration list.

MS. EVANS: Absolutely.

CHAIRMAN THOMPSON: All right. Any
questions from anybody?

(Pause.)

CHAIRMAN THOMPSON: Okay. Moving on then to the General Counsel's report from Terri Stroud.

MS. STROUD: Thank you, Mr. Chair.

The only item on my agenda is litigation status. We have six active cases, currently. The first is Public Interest Legal Foundation v. Monica Evans in her official capacity as the executive director of the board. That's in the U.S. District Court for D.C.

This was filed under the National Voter Registration Act, and the suit alleges that the Board is out of compliance with the NVRA's public record provision. PILF had requested records from the Board pertinent to ERIC, and that request was denied due to the requested records not being subjected to public disclosure.

The Board is being represented by the OAG in this matter. All pleadings have been
filed. In September of 2022, the U.S. District Court, Florence Pan, to whom the case was assigned, was appointed to the D.C. Circuit, and the case has been reassigned to Judge Reyes.

The next four matters have to do with enforcement of orders originating in the Office of Campaign Finance having to do with failure to file particular reports' receipts and expenditures. The first is the D.C. Board of Elections v. Marlena Edwards, and all four of these cases are in the Superior Court for the District of Columbia.

This matter was filed in the D.C. Superior Court on February 15th at a March 20th show cause hearing. Judge Mitchell-Rankin granted the Board's requested and entered a judgment of $1,650 against Ms. Edwards.

The next matter is D.C. Board of Elections v. Courtney Snowden. This was filed on February 15th at a March 21st show cause hearing. Judge Mitchell-Rankin granted the Board's requested and entered a judgment of $1,650
against Ms. Snowden.

The next matter is D.C. Board of Elections v. Lamont Harrell. This was also filed on February 15th. A March 17th 2023 show cause hearing before Senior Judge Dixon (phonetic) was continued to April 4th to allow the Board to pursue service of process on Mr. Harrell.

We sent mail to him at his last known address, but that was returned by the U.S. Postal Service. On April 4th, the Court continued this matter to July 5th to allow another chance for service.

The next matter is D.C. Board of Elections v. Jacque Patterson. This was filed in D.C. Superior Court on January 25th. The case has been set for an initial status hearing before Judge Dayson on April 28th.

And the final matter is Stacia Hall v. The D.C. Board of Elections. On March 14th, plaintiffs filed a challenge to the Local Resident Voting Rights Amendment Act on the ground that the constitution precludes non-
citizens from voting.

An initial status hearing is scheduled before Judge Puig-Lugo on June 23rd. As this is a challenge to the validity of a provision of the District's election statute, the Board is being represented by the Office of the Attorney General in this matter.

And that concludes the litigation status and my report.

CHAIRMAN THOMPSON: All right, thank you so much.

All right, and now we'll turn to Cecily Collier-Montgomery for the Office of Campaign Finance.

MS. COLLIER-MONTGOMERY: For the month of March 2023 will be posted at the OCF website, www.ocf.dc.gov, before the close of business today. I will, however, at this time highlight a few items of interest for the public from the report.

First, in the Fair Elections Program Division, the Office of Campaign Finance as of
this date has authorized a total sum of
$13,557,106.70 for disbursement from the Fair
Elections Fund and base amount and matching
payments to the 42 candidates who were certified
in the program to participate in the 2022
election cycle. The 2022 election cycle closed
on November the 8th, 2022.

For the 2024 election cycle during the
month of March '23, the OCF certified the
candidate, Salim Adofo, on March the 21st, 2023,
as the participating candidate in the Fair
Elections Program in the June 25th 2024 primary
election for the covered office of member the
council from Ward 8.

The Agency authorized for a
disbursement to the candidate the sums of
$56,244.40 and matching payment and $20,000 for
the base amount payment, which is the first one-
half of the authorized $40,000 statutory amount
that is prescribed for this covered office.

I would also mention that the
candidate did meet the minimum requirements for
certification for this covered office and
basically for the office of ward member of the
council, the candidate must obtain at least
(audio interference) qualify small dollar
contributions from residents of the District of
Columbia from at least 150 small dollar
contributors with an aggregate total of $5,000 or
more.

The desk reviews (phonetic) in the
fair elections program, the fair elections
division conducted 46 desk reviews of the January
31st 2023 reports of receipts and expenditures,
which should have been filed with the Office, and
also issued ten requests for additional
information based on the reviews of those
financial reports.

We've remitted funds as of March 2023.
The total sum of $686,433.82 has been remitted
for deposit in the fair elections fund from the
campaign operations of candidates who were
certified to participate in the 2022 election
cycle.
And for members of the public, I would also indicate that Fair Elections Act requires candidates who are certified to participate in election cycle to return surplus funds at the end of the cycle.

With the post-election full field audits in the fair election division, there are currently 18 post-election audits for the 2022 election cycle, which are ongoing at various stages in the audit process. The audits and the status of each are listed in the OCF report.

I would also indicate that the FEP has completed a total of 16 final audit reports for the 2020 election cycle, which are posted at the website and are available for review by the public.

The FEP also issued 42 post-election audit letters on March 13th, 2023, and March 24th, 2023, to the candidates who were certified to participate in the June 2022 primary election and the November 2022 general election.

Our public information and records
management division for month of March 2023, there was one due date for the filing of reports of receipts and expenditures, and that was the March 31st, 2023, final due date for filing of the ANC summary financial statement by the candidates for advisory neighborhood commission member who participated in the November 2022 general election. The realtime images of the reports that were filed are available again at our website for review by the public.

For the 2024 election cycle during the month of March 2023, there were no new candidates or committees who registered to participate in either the traditional campaign finance program or the fair elections program.

The PIRM division also referred 28 committees to the Office of the General Counsel on March the 3rd, 2023, for the initiation of enforcement action for the failure to file the January 31st, 2023, report of receipts and expenditures. The list of the committees referred is included in our full report, which
will again be posted before the close of business today.

In our traditional campaign finance program for the audits of financial reports, our reports analysis and audit division during the month of March, the traditional program conducted 60 desk reviews of receipts and expenditures, which have been filed during the month of January and issued two requests for additional information as a result of the desk reviews.

There are ongoing audits in the traditional campaign finance program. First, there are four full field audits before the audit branch, which were initiated in February 2023 of the campaign operations of the candidates who were newly elected to office during the 2022 general election and also of any other committees which were active during the 2022 election cycle, which the audit manager selected for audit.

The full field audits are being conducted of the following campaign operations. First, Mendelson for Chairman 2022, Kenyan

The audit branch is also in the process of conducting periodic audits of the January 31st 2023 financial report, which were filed by political action committees. There are two ongoing reports. The first is the D.C. Engineers PAC.

The second is the D.C. for Democracy PAC. And that completes the report for the Office of the Director. I would ask the General Counsel, William Sanford, to now give the report for the Office of the General Counsel for the Office of Campaign Finance.

MR. SANFORD: Thank you, Director.

Good morning, Mr. Chairman and distinguished board members, Greenfield and Boggs. I am William Sandord, General Counsel for the Office of Campaign Finance.

The Office of Campaign Finance appeared before the District of Columbia Council Committee on executive administration and labor
(phonetic) during an oversight hearing on the budget and provided testimony regarding the fiscal year 2024 budget on March 28th, 2023. Our primary concern during that hearing is to secure sufficient financing for the fair elections program during the 2024 election cycle during fiscal year 2024.

During the month of March 2023, the Office of the General Council received 30 referrals, completed 18 informal hearings which included the following.

Eight orders were issued in which a total of $10,750 were fines was imposed. Seven orders were issued in which no fines were imposed. And three orders in which the notice of hearings and status of violations were vacated or issued.

During the month of March 2023, the Office of the General Counsel imposed fines against the following respondents. Fine of $2,450 was imposed against Butler Tamiah (phonetic) Principle Campaign Committee. A fine
of $650 was imposed against Oye, U.S. Representative.

A fine of $350 was imposed against Citizens for Safer D.C. A fine of $1,475 was imposed against Better Leadership D.C. A fine of $3,450 was imposed against the Ward 7 democrat. A fine of $500 was imposed against Food Service Political Action Committee.

A fine of $1,025 was imposed against the Committee to Elect Karim Marshall. And a fine of $850 was imposed against Friends of Best (phonetic) Principle Campaign Committee.

During the month of March 2023, the Office of Campaign Finance collected a total of $3,025 from the following respondent committees. A fine of $500 was paid by Food Service Political Action Committee.

A fine of $1,025 was paid by the Committee to Elect Karim Marshall. A fine of $650 was paid by Oye, a U.S. representative. And finally a fine of $850 was paid by Friends of Best Principal Campaign Committee.
During the month of March 2023, the Office of the General Counsel issued orders in the final two open investigations. They are as follows.

OCF Docket 2022-009 in the matter of Respondent Tricia Duncan and Benjamin Bregman. The allegation was receipt of illegal in-kind contributions. The order was issued on the 16th of March 2023 dismissing the complaint.

The second matter was OCF Docket 2022-0012, complaint filed by Eric Goulet. The respondent was Elissa Silverman and the Elissa Silverman for D.C. Principal Campaign Committee. The allegation was a violation of the fair elections act on making an illegal contribution to another principal campaign committee. That order was issued on March 23rd, 2023. And the complaint was dismissed.

During the month of March 2023, there were no request (audio interference) opinion and no show cause proceedings were conducted.

The contents of this report will be
published at the OCF website later on on today's
date, April 5th, 2023. And that should conclude
my report.

CHAIRMAN THOMPSON: Thank you so much.
Quick question. The March 16th dismissal of the
Duncan Bregman complaint and the March 23rd
dismissal of the Goulet complaint, what is their
timeline for appeal if they would like to do
that? Or has it passed?

MR. SANFORD: Well, the complainants
are not parties, so they do not have a right to
appeal.

CHAIRMAN THOMPSON: Okay. There's no
appellate clock --

MR. SANFORD: There is no appellate
route for the complainants in matters that were
submitted.

CHAIRMAN THOMPSON: All right, thanks.

MR. SANFORD: Unlike in the initial
case with Silverman who was a party, and she had
a right to appeal.

CHAIRMAN THOMPSON: Okay. All right,
thank you so much.

MR. SANFORD: Sure.

CHAIRMAN THOMPSON: All right, that concludes our reports. We'll turn now to comment from the public. It looks like we've got 22 people joining us by Zoom. Thank you again for joining us. We'll hear from anybody who would like to speak. Let's start with D.C. residents. Anyone who's a personal resident of D.C., just raise your Zoom hand, if you will, and we'll unmute you.

MS. BRIZILL: Chairman --

CHAIRMAN THOMPSON: And then we'll turn to --

(Simultaneous speaking)

MS. BRIZILL: -- my name is Dorothy Brizill. I would like to make a public comment.

CHAIRMAN THOMPSON: Ms. Brizill, we can hear your voice very faintly, just barely. Let me see if you -- I don't know if you can make an adjustment on your end?

MS. BRIZILL: I just got notice that
your host unmuted me. Can you hear me better now?

CHAIRMAN THOMPSON: Yes, we can hear you a little bit better. And I wanted to start with D.C. local residents. Can you give us your address?

MS. BRIZILL: 1327 Girard Street Northwest.

CHAIRMAN THOMPSON: Okay. So, why don't you go ahead and make your comment. We try to keep things to three minutes, but there's not a strict clock here. But why don't you go ahead and make your comment, and when you're done, we'll address whatever it is.

MS. BRIZILL: I would like to bring to the Board's attention, and I indeed I seek your assistance regarding securing information that is requested from the Board of Elections, namely its public information officer.

Over the past two, three months, there's been a performance hearing and there's been a budget hearing before the Council. Issues
have arisen. I have followed up with details, emails requesting information, and I have been denied information at every turn, okay.

Let me give you an example. At the performance and budget hearing, the Board of Elections testified that it needed certain budget enhancements, okay. In the written testimony, the only thing that referenced those budget enhancements were 15 additional FTEs. I followed up with an email to Nick Jacobs asking would 15 FTEs do.

The only other reference in the testimony was three FTEs needed at the vote mail processing center at the warehouse, which we know only would be operative during election season.

Moreover, during the performance and budget hearing, issues were raised regarding the conditions at the warehouse and the number of staff working at the warehouse. An allusion was made to problems regarding lack of toilet facilities.

I followed up with an email to Mr.
Jacobs, and he has refused to indicate what the problems are at the warehouse. I am asking that question because if you are processing thousands and thousands of mail-in ballots, does the Board at this time prior to the 2024 election need to find another location, a vacant school building, a vacant D.C. government facility to process those ballots?

Moreover, in the performance hearing and budget hearing, the Board of Elections indicated it was going to revamp its website and improve security with the elections system.

In emails to Mr. Jacobs, he has refused to indicate what the revamp would be, whether or not it's going to be done in-house, whether or not it's going to be contracted, whether or not the BOE has the staff.

My final concern has to do with the maintenance and cleaning of the voter rolls. I have asked specific information as regard what that process would be. I know that you are mandated by law to begin the process by the month
of March.

I specifically wanted, and other people want to know, why and when you are going to begin that process, especially since you have had so many mailed in ballots that have been returned as either not deliverable or not returned at all.

I was surprised to review records on the Federal Election Assistance Commission website that indicated that the D.C. Board of Elections had applied to use $75,000 out of a million-dollar grant to engage a credit reporting agency to assist in cleaning up the voter roll.

Now, it is universally known that credit reporting agencies, the information on the system, is marginally, marginally accurate at best. Why would the D.C. Board of Elections engage a credit reporting agency to do this important work?

The bottom line, I would like specific answers to my multiple requests to the PIO and the executive director of the Board of Elections.
to these questions.

But moreover, the Board, the Board itself, has to assume responsibility for the fact that the staff at the Board of Elections will not respond to emails, will not provide information, and this is contrary to D.C. law, specifically mandated in D.C. law.

MS. EVANS: Thank you, Ms. Brizill. I can address some of the matters that you raised. The information you requested, excuse me, regarding our enhancement request and warehouse conditions, all of that is included in our official response to the D.C. Council, and our response is posted on the website.

All of the details of the enhancements, that is the same information we provided to the Office on Budget and Performance Management, and the exact same information we provided to the Council, and it articulates all of the positions and the enhancements and warehouse conditions.

As far as revamping the website, we
are still exploring options, and so we do not
have a definitive answer as far as whether we
will have to contract out with the changes to the
website. As soon as those decisions have been
made, they will be shared.

As far as maintenance of our voter
rolls, we've actually provided a portion on our
website that is specifically devoted to
maintenance of voter rolls, and so that
information is being updated as we have updates
to provide to the public.

And finally with the credit reporting
agency, Orange County in California has been
engaged and has a working relationship with a
credit reporting agency to assist in the clean-up
and maintenance of voter rolls. It has proven to
be a very successful tactic.

It is by no means the only tactic we
will use to ensure our voter rolls are updated
and maintained, but we are trying to cast the
widest net we can to ensure we getting
information timely, particularly because all
states are not member states of ERIC. Thank you.

CHAIRMAN THOMPSON: All right, yes.

Thank you, Director Evans. Thank you so much
(simultaneous speaking) for your comment --

MS. BRIZILL: Mr. Chairman --

CHAIRMAN THOMPSON: Hold on, please.

Thank you so much for your comment. It's not really the Board's job to micromanage emails or email requests or responses, but I have seen an enormous amount of effort expended by BOE staff, including the PIO, responding to your request.

And it's my observation that their responses have been timely and thorough, notwithstanding the regular request for information and more information, much of which is public, and has been transparent and explained on the record at board meetings and otherwise made available at Council Oversight meetings, et cetera.

Although it's not really my role, I am 100 percent fully satisfied that every request you've made has been addressed in a timely and
thorough manner, and I want to thank the PIO and the BOE staff generally for all their efforts in that regard.

And then regarding the issues that you've ticked off, we've heard a lot about all these issues over these many months. I've learned a lot, and I know for a fact that there's been great transparency and discussion about, for example, the warehouse which came up in the Council Oversight hearing and budget hearing, improving to the website, and especially regarding voter roll maintenance.

There's been longstanding discussions on that in our monthly meetings and at Council Oversight hearings, and it's quite clear what's happening from this very transparent process.

There's a process that will take place throughout this year to send notices out to voters on the list whose ballots were returned, et cetera, so that in due course after another postcard goes out, there will be a moment later this year where thousands, if not tens of
thousands of voters are moved from the active to the inactive list.

That in turn will reduce the active voter roll, which plays a role in establishing the denominator for voter initiatives and a lot of other things for statistics that are important. But just by way of personal observation, I recently attended a voter registration drive. It was a high school.

I really like voter registrations. It's a lot of fun to see young people especially registered to vote for the first time, and it's very meaningful, and it's very important from my observation that our citizens are registered to vote. So they have the opportunity to vote if they so choose.

And voting, of course, is not a use-it-or-lose-it right. You don't have to vote, even though you're registered. You don't have to vote in one cycle or two cycles or three cycles. We welcome all of our residents on the voter registration list.
And, you know, we aren't trying --

it's not our goal to reduce the number of people
on the registration list. We put a lot of effort
and resource into registering voters. That said,
we're a transient town. We really can't be
compared to states like Oregon or Washington State.

We have our own very unique circumstance with a lot of people coming and
going. Maybe some of those kids will soon be off
to college and never actually vote here, who
knows. But we balance that out with a process to
reduce our voter rolls, move people on to the
inactive list.

Even if somebody's on the inactive list, it's not obviously fatal to their right to vote. It would be very easy to them to recapture their active registration, or if need be we have same-day registration as well.

So nobody would be disenfranchised, but all that said, yes, we're obviously focused on the issue of addressing the accuracy of the
voter rolls both internally from all the
information we have here in D.C. and externally
through the ERIC system and otherwise, and
there's a lot of focus on that.

It's been the subject of great
discussion with Councilmember Bonds and others.
There's been a lot of information released on
that in our reports that have been made public.
It's something we're obviously addressing.

It's something that's very clearly
spelled out in our regulations as well in terms
of a process that's being followed. And a lot of
work is going into it this year.

And once again, I would like to thank
the BOE staff who are hard at work on that issue
and will be especially for the rest of this year
in advance of the next election cycle. And in
terms of the information about that process as
this is happening, it's all public.

It's been made public, and the
information requests that I've seen have been
addressed and will continue to be addressed in a
timely and thorough manner as it has been from
everything that I've seen. I just wanted to say
it out on the record as well.

And with that, turn to any other
public comment that might be out there at this
time.

MR. AMENE: And if I may, Chairman.

This is Abel Amene. I am a resident of D.C. at
506 Longfellow Street. I just wanted to talk
about a few things. I am myself a non-citizen.
I'm not registered to vote, and I cannot register
to vote until full implementation of the Local
Residents Voting Rights Act. I'm here to just
encourage continued work on this.

I was heartened to hear the comments
earlier by Director Evans, and I also have
knowledge of the last item mentioned by the
general counsel as well. But I just wanted to
continue to encourage implementation of this law
and so we can get to the point where we can start
to register non-citizens as soon as possible.

I know that's still quite a bit away,
but the sooner we can do that, the sooner we can register folks in time for the elections. I also wanted to point out that I believe the Council has given authority to start using the D.C.'s healthcare finance databases as a source of voter registration, and I wanted to encourage use of that.

Specifically, there's one program under there called the D.C. Health Alliance, which is entirely made up of non-citizens. I just wanted to, not to be the ideas guy, but to really acknowledge that particular database. I think there was discussion of sending mailers.

I would highly encourage sending mailers to every single person on that list since the entire list is known to be non-citizens. And, yes, generally just encourage implementation of this law as soon as possible, and with the highest speeds. Specifically, to update the methods of registering as soon as funding becomes available so that we can start registering folks.

I've reached out to the director and
offered -- we have quite a few organizations that are focused on immigrants, and we're happy to connect you with those, and I'm very heartened to get a response and to -- hopeful that you'll use us as a resource. There are many organizations that are connected to non-citizens that could be a resource for you. Thank you for that.

MS. EVANS: Yes, and thank you for your comments and also for your efforts to assist us with this as we move forward.

CHAIRMAN THOMPSON: Yes, I also wanted to say thank you, Mr. Amene. It's much appreciated. You know, obviously, our board, our staff implements the law as its been passed, and that's what we're doing. I noticed that, as an aside, there's a lawsuit by Ms. Stacia Hall that General Counsel Stroud mentioned brought before the D.C. Superior Court.

And at some point, that court and probably the D.C. Court of Appeals will opine on the propriety of the D.C. Local Resident Voting Rights act. But our assumption is that unless
and until a court says otherwise, it's law, and we're following it and we're implementing it.

On the implementation side, I heard at the council budget hearing some questions about whether the act is adequately funded. From what I heard, the proposed budget anyway, is reducing our budget at the same that we're being asked to do more under both the Modernization Act as well as the D.C. Local Resident Voting Rights Act.

But I heard Councilmember Bonds very positively address that issue, and I assume that in due course the funding will be put in place to ensure that we have all the financial resources we need to implement the D.C. Local Resident Voting Rights Act, and we will with all the staff and resources that hopefully will be made available to us.

There's obviously a lot to do and a plan for it during the rest of the year, and you're right, when that moment comes, registration is going to be a vital threshold step to bring new voters into the system. So I
want you to know we're committed to it. I just wanted to give you my comments. Any other detail or anything else you want to add?

    MS. EVANS: No, thank you for that summary.

    CHAIRMAN THOMPSON: All right. Anybody else out there?

    MS. McCLURE: Yes, this is Nicole. I live at 1345 South Capitol Street. I just have a question, actually. I'm going to circle back to the cross-state workgroup, it's very interesting that you're going to be joining that.

    My questions to that are how big is that workgroup, how many states are involved, what states are involved? Do you guys have golden metrics? Are you looking to create like another version of ERIC so you have two systems running at the same time? And what do you expect the expectation is on the voter rolls, on cleaning it up?

    MS. EVANS: Thank you. Currently, there are 26 states and the District of Columbia
participating in the workgroup. We've actually only had one meeting, and we really discussed the goal. And the goal is to make sure we have a mechanism to share data, particularly with those states who are not ERIC member states.

Nothing has been finalized as far as how that will work. It's likely this will not be a membership organization such as ERIC where you are working primarily with technology individuals in this space to see what secure mechanisms we can use to share data across states so that we are confident that we are addressing individuals who attempt to vote in multiple jurisdictions.

At this point, I think the focus is going to be on cross-state voting and the potentials of fraudulent voting, but we do plan to eventually look at using the cross group to address list maintenance efforts as well.

But as far as the individual states, I don't have all 26 before me, but I can absolutely follow up with you if you're interested in the states that are participating
in the workgroup. Some of them are current ERIC members, some of them are former ERIC members, and some of them were never ERIC members.

CHAIRMAN THOMPSON: All right, thank you so much for your comment. All right, good questions today. Anybody else? Any other comment from the public?

(Pause.)

CHAIRMAN THOMPSON: All right, well, hearing none and hearing no other business before us, so at this time I move that we adjourn.

All in favor?

(Chorus of ayes.)

CHAIRMAN THOMPSON: Thank you.

(Whereupon, the above-entitled matter went off the record at 11:22 a.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Board Meeting

Before: DC BOE

Date: 04-05-23

Place: teleconference

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

[Signature]

Court Reporter