

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
December 7, 2016**

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, December 7, 2016 in the Board’s Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001. The Board’s Chairman, Michael Bennett, was present, as was Board Member Dionna Lewis. Also present on the dais were Kenneth McGhie, the Board’s General Counsel, Cecily Collier-Montgomery, the Director of the Office of Campaign Finance (“OCF”), and Alice Miller, the Board’s Executive Director.

Chairman Bennett called the meeting to order at 10:35 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meeting on November 18, 2016 were moved for approval and adopted without objection.

Chairman Bennett reiterated his commendations to Board staff for the successful administration of the Presidential General Election.

Ms. Miller gave the Executive Director’s report.

- The Board has mailed approximately 2,100 Election Day payments. A total of \$470,110 for our 300 early voter workers. The Board has also mailed out approximately \$650,000 in stipends for poll workers and Election Day Technical Support and Auxiliary Staff.
- The Board has begun debriefings with some of the vendors who supported the election—including our election equipment vendors—to ensure voting processes remain reliable for future elections.
- Poll workers’ debriefings start today and entail dialoging with them to determine what worked well in terms of election administration.
- Exit surveys reveal that 72% of voters opted to use paper ballots, but that could be due to the lower number (2) of optical scan machines in each precinct.
- 35% of voters responding with no wait time at check-in for voting while 13% reported wait times in excess of an hour, which was typical at precincts near colleges and universities. After check-in, 50% of voters responded with no wait time while a little more than 1% reported that it took longer than 45 minutes to receive their ballot after check-in.
- Board member Lewis suggested that long lines she witnessed at a number of precincts could be addressed with an additional ballot clerk obviating the need for voters to get on another line if they have to vote by provisional ballot.

Mr. McGhie presented the General Counsel's report.

Mr. McGhie introduced Mr. Sanford and Mr. McGann to present petition for enforcement of OCF orders: 15A-01 Darryl Gaston, \$500; 15A-016 Christy Love Davis, \$2,000; 15A-023 Kimberly Worthy, \$2,000; 15A-024 Charles Wilson, \$2,000; 15A-025, Ricky Williams, \$2,000; 15A-039, Camille DeLoya, \$2,000; 15C-080, Carter-at-Large 2014, \$1,800; 16C-023, Carter-at-17 Large, \$1,750; 16C-030, Elect Christopher Hawthorne, for Ward 8, \$1,750; and 16P-007 The Gertrude Stein Democratic Pack, \$1,300.

BOARD ACTION: The Board unanimously approved the enforcement petitions.

Mr. McGhie presented litigation status for the Board. The only pending matter is a petition for review of election results filed by Ameer Flippin, a write-in candidate for president.

Mr. McGhie introduced Ms. Renee Christensen, a new hire in the General Counsel's office who was a former employee that has returned to fill her former role as the Board's HAVA Compliance Officer.

Ms. Collier Montgomery announced the statistics for OCF as follows:

- Four principle campaign committees were referred to PIRM Division for failure to file the 8 day pre-general election report. They were: Cheeks for Council 2016, John Cheeks, treasurer; Marcus for Ward 8, August Slater treasurer; Backner Committee 2016, Kerry Backner, treasurer, Shakira Hemphill for Ward 8, Tim Louis, treasurer.
- PACs referred include: Gertrude Stein Democratic Political Action Committee, Jessica Pierce, treasurer; Economic and Protection Party, Margaret Smith, treasurer; the Caribbean American Political Action Committee, Ray Lane, treasurer; 1199 SEIU PAC, George Gresham, treasurer., the Washington, D.C. Association of Military's PAC, Edward Cross, treasurer; Service Employees International Union, Maryland/D.C.'s State Council's, Merrill Culska treasurer, Better Leadership D.C., Richard Tappan, treasurer.
- New candidates and committees who registered during November were Manley and Collins, MMC Foundation for Mayor, November 14th; and U.S. Citizens Recovery Initiative for D.C., November 18th. Entrance conferences have been scheduled for the candidates and the treasurers of these committees for December 16th 2016.
- OCF Audit Branch conducted 84 desk reviews and issued 18 requests for additional information while resolving 20 cases and referring 4 matters to the Office of the General Counsel.
- OCF has ongoing periodic audits of the following committees: Re-Elect Vincent Orange 2016; and Brandon Todd for Ward 4.
- The Audit Branch issued 4 audit reports: Mary Cheh Ward 3 Constituent Service Fund, November 3rd; Evans Constituent Service Fund November 8th; Carter for D.C. November 17th; and LaRuby B. May Constituent Service Fund November 30th.

Mr. William Sanford presented the General Counsel Report

- The Office of the General Counsel received 15 referrals and conducted 40 informal hearings in which no fines were imposed; and received 16 complaints regarding insufficient disclaimer information on campaign literature—9 of which were resolved and 7 remain under review.
- The Office of Campaign Finance collected \$600 in outstanding fines.

- The Office of the General Counsel maintained a total of 4 open investigations and no new investigations were opened.

Mr. Michael Sindram reiterated his complaint regarding Council Member Brandon Todd regarding when there was a single member district election, ANC, going on, Todd's staffers had campaign sites in 4D where the public meeting was held.

Mr. Sindram again formally requests a written response from OCF regarding his letter sent July 9, 2016. According to Mr. Sanford, Mr. Sindram has been provided a response on the 8th of July, which he wrote over it and re-submitted the same question that OCF has already responded to. OCF advised him that they did not have jurisdiction over the matters that he is concerned with and is not the proper forum for him to seek redress in this letter that was provided him on the 8th of July. For the record, Mr. Sindram, will not receive a hearing at the Office of Campaign Finance on these matters because OCF does not have jurisdiction over these matters.

Mr. Sindram raised a number of concerns regarding Council Members' owing him money from their constituent service funds to include: Councilwoman LaRuby May purchased from her constituent service fund veteran craft kits initially paying \$25, leaving a balance due and owed of \$163. Council Chairman Mendelson purchased from his constituent service fund shoes that has a balance due and owed of \$125. Councilman Vincent Orange purchased from his constituent service fund a Chase debit card that has a balance due and owed of \$500. Councilwoman Cheh engaged her office to offset sum certain of \$820 paid under her oversight that has yet to be reimbursed. Councilwoman Alexander had Diane Tolliver purchase from her constituent service fund that has a balance due and owed of \$145.

Chairman Bennett reminded Mr. Sindram that some of his concerns are not under the jurisdiction of this agency; however, the matters that come under the Board's purview will be responded to accordingly.

Mr. Sindram also inquired about a hearing with respect to a grant rescission in ANC 4A. Board Staff Attorney Mr. McGann explained the context of the grant rescission. Mr. Sindram is complaining about someone else's grant who lived in that particular single member district. He wanted to be the beneficiary of what services the grant was going to provide to the community—namely, a digital tuner for his television from the grant recipient. The ANC realized that the services were duplicative of services rendered by the Office of Aging, they accordingly rescinded the grant. The board made a determination that Mr. Sindram doesn't have standing to stand in the shoes of a grant recipient who has no interest in pursuing the matter. Chairman Bennett explained to Mr. Sindram that he does not have legal standing to pursue the matter, and that the Board has previously informed him of this fact, and the Board will not entertain another rehearing of this matter.

There being no further business before the Board, the meeting adjourned at 11:36 a.m.