GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

REGULAR BOARD MEETING

TUESDAY
SEPTEMBER 6, 2022

The District of Columbia Board of Elections convened via Video/Teleconference, pursuant to notice at 11:04 a.m. EDT, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair
MIKE GILL, 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, Office of General Counsel
MARISSA CORRENTE, Registrar
C-O-N-T-E-N-T-S

Call to Order .................................. 3
Ascertainment of Quorum ........................ 3

Adoption of Agenda/Approval of Minutes
Regular Board Meeting -- Wednesday,
August 3, 2022 ................................. 3

Board Matters .................................. 4
General Counsel's Report -- Terri D. Stroud. . . . 5

Nominating Petition Challenge Hearings
Kathy Henderson v. Salvador Saucedo-Guzman,
Candidate for Advisory Neighborhood
Commissioner for Single Member District
5D05 .............................................. 9

Kathy Henderson v Carrie Dellesky, Candidate
for Advisory Neighborhood Commissioner
for Single Member District 5D06 ............... .24

Kathy Henderson v Rebecca Ryan, Candidate for
Advisory Neighborhood Commissioner for
Single Member District 5D01 ..................... .38

Kathy Henderson v Juan McCullum, Candidate for
Advisory Neighborhood Commissioner for
Single Member District 5D07 ...................... .47

Kathy Henderson v Sebrena Rhodes, Candidate for
Advisory Neighborhood Commissioner for
Single Member District 5D02. ..................... .55

Clayton Aristotle Rosenberg vs Edward Daniels,
Candidate for Advisory Neighborhood
Commissioner for Single Member District
8F04 ............................................ .57

Litigation Status .................................. .73

Executive Director's Report ........................ .78

Campaign Finance Report -- Cecily
Collier-Montgomery .............................. .81

Public Matters .................................. .91
Adjournment .................................... 111
(11:04 a.m.)

CHAIR THOMPSON: Thank you for being here, it's Tuesday, September 6th. I see that there's a court reporter present by Zoom, and this meeting is also being recorded. Hello, my name is Gary Thompson, I'm the chair of the Board of Elections, and with us today are Mike Gill, and Karen Greenfield. We have a quorum of all three board members, so we are proceeding with the meeting.

And the first order of business is to adopt our agenda, which has been distributed, and posted online for the public to review. I believe there's just a couple of changes to the agenda, and I'll let general counsel Terri Stroud speak to those.

MS. STROUD: Hi, good morning everyone. My name is Terri Stroud, I'm the general counsel for the Board of Elections as the chair indicated. We posted an agenda, but there have been some amendments to the agenda since it
was posted. Specifically we have two matters that will no longer appear on the agenda, and they are Kathy Henderson v. Luc Saint-Genies candidate board advisory neighborhood commissioner for single member district 5D01.

The candidate has submitted a withdrawal of candidacy form, and so is no longer a candidate in that contest. We also received this morning, a challenge withdrawal form from James Harnett with respect to the matter of James Harnett versus Sylvia M. Pinkney candidate board advisory neighborhood commissioner for single member district 5F07.

Additionally, I'm asking the board to withdraw from the agenda the final rule making with respect to a proposed rule making that the board had considered at a previous meeting, and so we will remove that from the agenda while we explore some matters that are related to that rule making, specifically the method by which voters who utilize the accessible remote ballot may return their voting accessible remote ballots
to the board.

And so we were going to make those amendments to the agenda. That would be our request.

CHAIR THOMPSON: All right, and clarification on the challenge by James Harnett against Sylvia Pickney, the challenger withdrew the challenge, correct?

MS. STROUD: The challenger, I'm sorry. The challenger withdrew the challenge to Ms. Pickney's nominated petition. And then the first matter, Kathy Henderson versus Luke Saint Genice, the candidate withdrew.

CHAIR THOMPSON: All right, with those three changes to the agenda, I would move that we adopt it. Is there a second?

MEMBER GILL: Second.

CHAIR THOMPSON: All right, all in favor?

MS. STROUD: Aye.

MEMBER GILL: Aye.

CHAIR THOMPSON: The agenda passes as
amended. Also quick housekeeping, our minutes from our last meeting, August 3rd, have been distributed, and we've all had a chance to review those, and I would move that we adopt those minutes.

MEMBER GILL: Second.

CHAIR THOMPSON: All in favor?

MS. STROUD: Aye.

MEMBER GILL: Aye.

CHAIR THOMPSON: All right, thank you.

So, that brings us to what are now six nominating petition challenge hearings, all with respect to advisory neighborhood commissioner candidates. I myself have mentioned this many times, I was an ANC commissioner for eight years, so I very much know what it's like to walk around, and get those signatures.

And I always remind people that being an ANC commissioner is a volunteer position, and we appreciate those who step forward to hold that office, or run for that office. That being said, there are certain requirements to get on the
ballot as an ANC commissioner, among those, the
collection of 25 valid signatures, and there are
regulations that speak to the details of that,
and that's what we'll go through today with
respect to these six challenges.

The first one on our agenda having
been removed, we'll turn to the second one listed
on the agenda, number two. Kathy Henderson
versus Nick Salvador Sauceda-Guzman, candidate
for ANC commissioner for single member district
5D05. And what we'll do today is give each, the
challenger, and then the candidate five minutes
each to speak.

But I think before we do that, do we
hear from registrar first?

MS. STROUD: Yes. So, what we're
going to do, is we're going to just ascertain
whether the parties are present. And then just
some housekeeping in terms of how we're going to
proceed today. We're going to have the parties
introduce themselves by stating their name, and
address for the record. The board will swear the
parties in, as they will be providing testimony
with respect to these matters.

We'll have a representative from the
Voter Services Division provide their report with
respect to the findings. If necessary we'll hear
from representatives of the Office of General
Counsel, because with respect to each of these
matters, pre-hearing conferences were conducted,
and we might have some conversation around issues
that were raised, or resolved during the pre-
hearing conferences with this matter.

And we'll have the hearings, we'll
hear from the parties with respect to each
matter. The board will not issue a ruling with
respect to each matter after each matter is
heard, rather, and you can correct me if I'm
wrong Mr. Chair, the board will have the entire
hearing, then they will vote to enter into
executive session to deliberate on each matter.

And then they will adjourn, and then
come back after the board has deliberated, and is
ready to issue a ruling on the record with
respect to each of the matters. I think that's all. So, I see that with respect to the first matter, which is again, Kathy Henderson versus Salvador Saucedo-Guzman, they are a candidate for advisory neighborhood commissioner for single member district 5D05.

I see that Ms. Henderson is here. And is Mr. Saucedo-Guzman?

MR. SAUCEDO-GUZMAN: I'm here, can you hear me?

CHAIR THOMPSON: Yes.

MS. STROUD: Yes, and we do see you.

Okay, so I can have the parties, beginning with the challenger, state their name, and address for the record?


MS. STROUD: And Mr. Saucedo-Guzman?

MR. SAUCEDO-GUZMAN: Yes, my name is Salvador Saucedo-Guzman. I live at 1210 Meigs Place, Apartment 3, Washington, D.C., 20002.

MS. STROUD: Okay, and now we would
hear from the registrar of voters, Ms. Marissa Corrente.

          MS. CORRENTE: Thank you Counsel Stroud, can everyone hear me okay?

          CHAIR THOMPSON: Yes.

          MS. CORRENTE: Okay, great. So, I'm going to be reading a memo that's dated August 30th, 2022. The subject is challenge to petitions submitted by Salvadaor Saucedas-Guzman, candidate for advisory neighborhood commissioner single member district 5D05 updated. On August 10th, 2022, Salvador Saucedas-Guzman submitted a nominating petition to appear on the ballot as a candidate in the November 8th, 2022 general election for the office of advisory neighborhood commissioner, or ANC, single member district, or SMD 5D05.

          The minimum requirement to obtain ballot access for this office is 25 signatures. The petition contained 36 signatures. The petition was posted for public inspection for ten days as required by law. The petition was
challenged on August 22nd, 2022 by Kathy Henderson, a registered voter in the District of Columbia.

Ms. Henderson filed challenges to 36 of the 36 signatures submitted enumerated by line, and page number on individual challenge sheets filed for each petition page. The signatures were challenged pursuant to Title III, D.C. Municipal Regulations 1607.1 of the board's regulations on the following grounds. The signer's voter registration was designating as inactive on the voter roll at the time the petition was signed.

The signer, according to the board's record is not registered to vote at the address listed on the petition at the time the petition was signed. The signature is not dated. The petition does not include the name of the signer where the signature is not sufficiently legible for identification. The signature is not made by the person whose signature it purports to be.

And the signer is not a registered
voter in the ward, or single member district from which the candidate seeks nomination at the time the petition is signed. My review of the challenges indicates that 15 of the 36 challenges are valid. Five are valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed. One is valid because the petition does not include the name of the signer where the signature is not sufficiently legible for identification.

Six are valid because the circulator of the petition failed to complete all required information in the circulator's affidavit. One is valid because the signature is not made by the person whose signature it purports to be, and two are valid because the signer is not a registered voter in the single member district from which the candidate seeks nomination at the time the petition was signed.

After receiving the first memo outlining my initial findings, Nick Sauceda-
Guzman timely submitted four voter registration forms to the board on August 30th, 2022. Two of the voter registration forms corrected address changes previously found as valid changes. This leaves the candidate's nominating petition with 23 signatures. Two signatures below the number required for ballot access.

MS. STROUD: Okay, so what we will do is we will hear first from Nick Saucedas-Guzman, and we will have each party will have five minutes to address, or respond to the registrar's report. And what I'd like to do is -- do you want to swear in the --

CHAIR THOMPSON: Go ahead.

MS. STROUD: Okay. So, we will be swearing in each party, and any individuals that are offered to provide testimony with respect to each matter. So, if both of you could indicate whether, or not, if you could say I do swear, or affirm to tell the truth, the whole truth, and nothing but the truth with respect to the information I am giving, and just respond, and
say I will?

    MR. SAUCEDA-GUZMAN:  I will, I do

swear, and affirm.

WHEREUPON,

    SALVADOR SAUCEDA-GUZMAN

was called for examination by the Board, having
been first duly sworn, assumed the witness stand,
was examined and testified as follows:

    MS. STROUD:  If we could hear you both
on the record?  Ms. Henderson, you're on mute.

    MS. HENDERSON:  I will.  Can you hear
me?

    MS. STROUD:  I don't think I heard
either.

    CHAIR THOMPSON:  I heard both of them,
so --

    MR. SAUCEDA-GUZMAN:  I do swear, and
affirm, I will.

WHEREUPON,

    KATHY HENDERSON

was called for examination by the Board, having
been first duly sworn, assumed the witness stand,
was examined and testified as follows:

    MS. STROUD: Nick Saucedo-Guzman, if you could say something, so that I can determine whether, or not I can hear you?

    MR. SAUCEDA-GUZMAN: I think the world can hear us, just the board can't hear us. I can hear you guys, I'm sure Karyn Greenfield can hear you, I'll try to do a chat here.

    CHAIR THOMPSON: Yeah, it might be an issue with the audio at the board's office. Bear with us, apparently we can't hear, our audio is cut. People on Zoom can hear, but --

    MR. SAUCEDA-GUZMAN: It's fine, it's expected with the first part of today's hearing.

We can hear you all.

    CHAIR THOMPSON: Yeah.

    MS. CORRENTE: Terri, could you say something, maybe we can see if we can hear --

    MS. STROUD: Yeah, can you hear me?

    MS. CORRENTE: Yes. Okay, so Nick Saucedo-Guzman, and Ms. Henderson, if you could both indicate that you swear, or affirm that the
statement that you provide today will be the
truth, the whole truth, and nothing but the
truth?

MR. SAUCEDA-GUZMAN: I swear, and
affirm.

MS. CORRENTE: Ms. Henderson?

MS. HENDERSON: Again, I swear, and
affirm that I will tell the truth.

MS. CORRENTE: Okay, so we will hear
from you first, Nick Sauceda-Guzman, and you will
have five minutes.

MR. SAUCEDA-GUZMAN: Thank you. Good
morning everyone, my name is Salvador Sauceda-
Guzman. I am currently an ANC commissioner in
5D02, specifically in Northern Trinidad off the
Mount Olive area in Ward Five. I'm running to go
for the new single member district corresponding
to my neighborhood, 5D05. 5D02 is the current
one, 5D05 is the new one according to our census,
and redistricted lines.

This summer, I went out, just like as
requested, to collect signatures to get on the
ballot this year, specifically needed 25. Made
sure to get at least more than that, because I
know sometimes these issues do arise. And I did
double check my signatures to make sure that I
had enough valid residents that corresponded to
attain the 25 needed to be on the ballot.

I did fail, and make an error on my
very first circulator page by putting in the
wrong date at the bottom of the circulator page
on the affidavit. Instead of putting a seven, I
placed a two. And to that fact, I do agree with
all of the findings that the registrar did
determine in terms of the validity of my
signatures.

That that first circulator page was
technically knocked off the count for the 25
needed to get on the ballot. Based on that
slight error, I do have integrity, and do admit
that that was an error on my part. It wasn't an
error for any other reasons, it was just small
oversight. I do note that also on that same
circulator page, one of six, that I did also sign
it myself as a resident that's eligible to sign
their own petition, and I did date it correctly.

So, I hope the board is able to look
at that, and see that it was just small
oversight, it was a small error on my part to
include the wrong date at the bottom of the
circulator page. I live, and work with residents
in a neighborhood that's troubled, and entrenched
with a lot of issues. No one else besides myself
has decided to run as an ANC in this particular
part of Trinidad for the last two election cycles
because we know it's a difficult position, it's a
difficult job.

Not just because it's based on
volunteer work, and volunteer hours, but you have
to have passion, and heart to be able to really
care, and do something for these kind of
neighborhoods that are entrenched in heavy
issues. I do hope that the board sees that I
admit to my mistake by placing the wrong date on
that circulator page. And takes into account to
potentially waive that small clerical issues on
my part.

I know that we've had some other cases, such as Moore v. Butler, and Grant v. Douglas that have touched on similar issues of waiving an error on part of the circulator. I collected all the signatures, I was the circulator. I didn't have anyone else collect signatures for me. I collected all these signatures from residents.

And yes, this is just the issue that occurred here. If the board thinks about waiving this small issue on that first circulator page, that adds an additional five, or six signatures to the count, which would surpass the 25 needed to be on the ballot. I do also acknowledge that if the board is not able to waive this small error on my part, no one else's but mine, I am willing to do a write in candidacy.

And I'll go ahead, and proceed with the Board of Elections with what's needed to do that, and get -- and to continue to represent my community that way. I don't do this for any
other reasons, just doing it just to empower, and
strengthen the Trinidad community, the Mount
Olive community. We're in need of tons of help,
and I just can't sit back, and let an error like
this just put me down, just to not even think
about the position, and continue what so ever.

I'll continue, I'll do what's needed,
and I'll abide by what the board decides on this
issue. I have nothing additional to add to this,
but I thank you for everyone taking the time to -
- one, the registrar to review everything,
because I know it's not an easy job. But two,
just to sit here, and listen to me, and let me
talk, and speak on my behalf.

I know the challenger has made some
claims that I forged signatures, or stuff like
that. There's no basis on those claims, but I
understand everyone is entitled to their opinion,
and I'll respect those opinions, especially if
there's a democratic process to go forward, and
look at what's being challenged, and what's being
addressed. So, I want to thank everyone for
their time today, I'll be on standby, and wait for final decisions. But thank you so much for the time that you guys used on this matter today.

CHAIR THOMPSON: Thank you so much, much appreciated.

MS. STROUD: Okay, now we will hear from Ms. Henderson.

MS. HENDERSON: Can everyone hear me?

CHAIR THOMPSON: Yes.

MS. STROUD: Yes.

MS. HENDERSON: First, let me wish everyone a good morning. Thank you board members, for your service to the District of Columbia. I am Kathy Henderson, I have served multiple honorable terms as advisory neighborhood commissioner. I am award winning, effective advisory neighborhood commissioner. And while this position of ANC, Advisory Neighborhood Commission, it is without compensation, it is an honorable undertaking.

And it is the first elected position in the district Home Rule Charter to represent
the citizens, and all ANCs are the closest
elected officials, and representatives to the
people, the good people of the District of
Columbia. So, Title III, I think Section 1607.1,
it clearly outlines what the requirements are.
The board has reduced the requirements to 25
signatures.

I think that any person holding
themself out for this office should be able to
get 25 signatures, good signatures, especially
someone who's served before, and you should know
your neighbors, and you should now who is
registered to vote, and who isn't, even without
the list of voters. So, and also I want to say
there have been some historic challenges with the
previous registrar's decisions.

I'm glad that the board of elections
is moving forward to undertake the business of
the people in a manner that is fair, and
transparent, and reduces those previous
challenges. The fact that Mr. Guzman -- I don't
know him personally, selected 36 signatures, and
of those 36 signatures, the board actually found that 15 of the challenges are valid, I've been collecting signatures a long time.

I know what a good petition looks like, I have circulated petitions myself because I actually enjoy interacting with the people. And I would expect that on some level, everyone offering themselves as a candidate for every position should feel some modicum of satisfaction, and enjoy actually interacting with the people that they hope to serve.

So, I agree with the registrar's report in this matter, and I respectfully ask that you not waive any of the deficiencies that Mr. Guzman has admitted to today, and not set a precedent for future persons who wish to gain access to elected office, uncompensated, or not, without doing their due diligence.

So, this is not undertaken with any malice. This is undertaken on behalf of the citizens of the District of Columbia. I have represented the citizens passionately, honorably,
and I look forward to serving again with people
who do the same. I look forward to serving again
with individuals that do not vote for illegal
grants, or to do anything that undermines the
efficacy of the office of Advisory Neighborhood
Commission.

So, with that I rest, and I thank you
for the time to be heard on this matter this
morning.

CHAIR THOMPSON: Thank you so much.
Anything else on this matter?

MS. CORRENTE: Nope.

CHAIR THOMPSON: No, okay. We
appreciate you both appearing here today. We'll
later on take the matter under advisement in
executive session, and today we'll make our
determination. All right, moving on then to the
next matter up for today. Kathy Henderson versus
Carrie Dellesky, candidate for ANC for single
member district 5D06. Is Ms. Dellesky present?

MS. STROUD: Yes. So, we are now on
the record in the matter of Kathy Henderson
versus Carrie Dellesky, candidate for advisory
neighborhood commissioner for single member
district 5D06. Ms. Henderson, you can state
again your name, and address for the record, and
then we will ask the same of Ms. Dellesky.

MS. HENDERSON: Can everyone still
hear me?

CHAIR THOMPSON: Yes.

MS. STROUD: Yes.

MS. HENDERSON: Kathy Henderson, 1807
L Street Northeast, Washington, D.C., 20002.

MS. STROUD: And Ms. Dellesky?

MS. DELLESKY: Hi, can you hear me?

CHAIR THOMPSON: Yes.

MS. DELLESKY: Okay. My name is
Carrie Dellesky, I live at 1731 L Street
Northeast, 20002.

MS. STROUD: Okay, so what I will do
is I will have the candidates both respond I will
to the following statement. I swear, and affirm
that the testimony that I am going to provide
with respect to this matter is the truth, the
whole truth, and nothing but the truth.

    MS. DELLESKY: I will.

WHEREUPON,

    CARRIE DELLESKY

was called for examination by the Board, having been first duly sworn, assumed the witness stand, was examined and testified as follows:

    MS. STROUD: Ms. Henderson?

    MS. HENDERSON: I will.

    MS. STROUD: And we will now hear the report of the registrar of voters.

    MS. CORRENTE: Thank you Counsel Stroud. I'm going to read a memo dated August 29th, 2022. The subject is challenge to petition submitted by Carrie Dellesky, candidate for advisory neighborhood commissioner single member district 5D06. On August 10th, 2022, Carrie Dellesky submitted a nominating petition to appear on the ballot as a candidate in the November 8th, 2022 general election for the office of advisory neighborhood commissioner, or ANC, single member district, or SMD 5D06.
The minimum requirement to obtain ballot access for this office is 25 signatures. The petition contained 56 signatures. The petition was posted for public inspection for ten days as required by law. The petition was challenged on August 22nd, 2022 by Kathy Henderson, a registered voter in the District of Columbia. Ms. Henderson filed challenges to 50 of the 56 signatures submitted, enumerated by line, and page number on individual challenge sheets filed for each petition page.

The signatures were challenged pursuant to Title III, D.C. Municipal Regulations 1607.1 of the board's regulations on the following grounds. The signer, according to the board's records, is not registered on the petition at the time the petition was signed. The signature is not dated. The petition does not include the name of the signer where the signature is not sufficiently legible for identification.

The circulator of the petition sheet
was not a qualified petition circulator at the time the petition was signed. The signature is not made by the person whose signature it purports to be, and the signer is not a registered voter in the ward, or single member district from which the candidate seeks nomination at the time the petition is signed.

My review of the challenges indicates that 7 of the 50 challenges were valid. Two were valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed. One is valid because the petition does not include the name of the signer, where the signature is not sufficiently legible for identification.

One is valid because the circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed. And three are valid because the signature was not made by the person whose signature it purports to be. This leaves the candidate's nominating petition with 49 signatures. 24 signatures above
the number required for ballot access.

    MS. STROUD: Okay, so what we will do
first, is we will hear from the challenger, Ms.
Henderson, and Ms. Henderson, you have five
minutes.

    MS. HENDERSON: Yes, can everyone
still hear me?

    MS. STROUD: Yes.

    MS. HENDERSON: So, while I appreciate
the work that the Board of Elections --

    MS. STROUD: And now we cannot hear
you.

    MS. HENDERSON: Can you hear me?

    MS. STROUD: No, we cannot, it's very
faint.

    MS. HENDERSON: If you can't hear me,
how were you able to respond when I asked you
could you hear me?

    MS. STROUD: I said it was very faint,
and now we can hear you better.

    MS. HENDERSON: Well I'm glad you
adjusted whatever you need to on your end,
because nothing has changed on mine. Can you
hear me?

MS. STROUD: Yes.

MS. HENDERSON: Going forward, I
believe that whatever work has been done to make
the Board of Elections fair, and equitable to all
is still a work in progress, and I don't agree
with the registrar's report in this matter.
Because the first thing that Ms. Dellesky did was
she -- first of all, she didn't decide that she
wanted to run.

Her deciding to run is a reactionary
response to my deciding to run. So, she doesn't
know the community, she doesn't know the
neighbors, and instead of actually getting out,
and collecting her own signatures with due
diligence, she contacted her team, including an
individual that lives in the Dakota Crossing
area, and areas that are outside of our immediate
area.

I mean Ms. Dellesky lives on my block,
and she doesn't even speak to me. The first time
I had the opportunity to meet her is when she apologized for feeling that I had problems with the fact that she lives on my block, and doesn't speak to me. So, why do you want to represent us if you don't even know who we are, or want to interact with us?

And I would ask that the board take a look at -- focus on the petition, the actual six page petition that Ms. Dellesky submitted, and since the board chairman was a commissioner, and has the experience with signatures, in that the handwriting should not look or appear uniform. You know that Ms. Dellesky and her agents simply wrote in signatures, and only in a few instances did they actually have the actual registered voter sign the petition.

With regard to page two, line seven, I didn't challenge Regina Heywood, because I know Ms. Heywood, I know that's her signature, and it actually comports with what's on file in the Registrar's Office. With regard to -- let's see, Mr. Katz. Mr. Katz refused to sign my petition -
MS. STROUD: Provide the page, and line for Mr. Katz?

MS. HENDERSON: Mr. Katz is on page two, line three. Now, when I asked Mr. Katz to sign my --

MS. STROUD: Okay, we cannot hear you now.

MS. HENDERSON: Why can't you hear me? Nothing has changed on my end.

MS. STROUD: We can hear you now. It's going in, and out, but we can hear you now.

MS. HENDERSON: Mr. Katz -- there's no reason for my testimony to be going in, and out, nothing has changed on my end, and I respectfully ask that you make sure that on your end the equipment is working appropriately so as not to interrupt my testimony. Mr. Katz refused to sign my petition because he said he didn't know if he was registered to vote at his new address, 1815 L Street Northeast, which is just a couple of doors down from mine.
He signed Ms. Dellesky's petition, and then he took the liberty of signing his partner's petition without her consent, or permission, which you can't do. And the signature is not valid, it doesn't even comport with what is on file with the Registrar's Office, and the registrar actually did correctly validate that challenge.

But if you go to page two, lines one, and two, you will see that the signature for Daria Yoko is actually the same as the signature with the pressure, the strokes for Ms. Dellesky. And Ms. Dellesky said during the pre-hearing that the reason for that is because there's been a change of gender. That's ridiculous. A change of gender would not change your handwriting, and it would not make Ms. Yoko's handwriting look like Ms. Dellesky's.

And also there's a continued problem, the house that Ms. Dellesky lives in was actually sold to her by her friends, Margaret, and Dylan Sweeney. Even though Margaret, and Dylan Sweeney...
no longer live in the house, are affiliated with the house, Margaret Sweeney continues to be carried forward on the voter's list.

Despite the fact that I've written in numerous times to have her removed as a voter from this single member district, and from this area. There are some problems, I think that the -- I don't think -- and even if the board decides to uphold this fraudulent petition, I think in doing so, the board, and the board of elections, they're doing the good citizens of the District of Columbia as a whole, and my neighbors, a real disservice.

And I oppose any effort to carry a farce forward. Again, I thank you for the opportunity to be heard on this matter.

MS. STROUD: Thank you. And now we'll hear from Ms. Dellesky.

MS. DELLESKY: Can you confirm that you can hear me?

MS. STROUD: Yes.

MS. DELLESKY: Okay, thank you. I'll
make a note at the top that I'm driving right
now, so I'll keep my message brief, but just out
of interest for personal safety. I collected
petitions in good faith based on the rules, and
regulations distributed by the board of elections
to all the candidates for ANC commissioner.

I did have valid volunteer petitioners
helping me, and I printed out the voter
registration lists that were made available to
all candidates for commissioner, so that we could
collect as many valid registered voter signatures
on the petitions as possible. I reviewed twice
over all of the petitions before submitting them,
and found that seven of the signatures appeared
that they could potentially be challenged.

But also found that 49 appeared that
they would be validated by the board. This was
reaffirmed by the registrar's report in review of
the challenge. So, I just wanted to attest that
I collected all the signatures, and the petitions
in good faith, and to the best of my abilities.
And just thank you to the board for your
consideration, and your patience in this matter.

CHAIR THOMPSON: Thank you so much.

MS. STROUD: Ms. Corrente, I understand that you had some comments you wanted to make in response to the statements of the parties?

MS. CORRENTE: Sure, I just didn't know if it's helpful to understand our process when it comes to signature verification. It's not just one person on the voter services team who are reviewing that. Whenever we get a challenge, one person kind of does the initial work on it, and then somebody comes behind them, and QCs it. So, there's multiple eyes making those determinations.

And I also wanted to flag, I'm not sure if this matters, but one of the lines that I believe Ms. Henderson was referencing, the Mr. Katz line looks like it's on sheet two, line three, and that doesn't appear to have been challenged originally, so that wasn't something that we reviewed. Just wanted to make that
known.

MS. STROUD: Thank you.

MS. HENDERSON: I think there's a
misunderstanding.

CHAIR THOMPSON: Just briefly please,
go ahead.

MS. HENDERSON: Yes, I didn't
challenge Mr. Katz' signature on page two, line
three. I challenged Mr. Katz actually signing
for his partner, Ms. Genco, which was upheld as a
valid challenge by the board. So, I just wanted
to make that very clear, so that no one
misunderstands what I actually said.

CHAIR THOMPSON: All right, thank you
so much. So, we'll move on then --

MS. HENDERSON: You're very welcome.

CHAIR THOMPSON: We'll move onto the
next matter, Kathy Henderson versus Juan
McCullum, candidate for ANC commissioner for
single member district 5D07. I know Ms.
Henderson's here, is Mr. McCullum here? You can
raise your hand, we're also still scrolling to
look for your name.

              MS. HENDERSON: I'm still here.

              CHAIR THOMPSON: Yeah.

              MS. STROUD: Mr. McCullum, are you present?

              CHAIR THOMPSON: There's a lot of phone numbers, a lot of people on by phone, and you may have to raise your hand, I think when you're on by phone, there should be a button that has to be unmuted. Star six mutes, and unmutes on the phone, thank you for that. So, if you're on the phone trying to get in, you just hit star six.

              MS. STROUD: So, we're going to try to make contact with Mr. McCullum, but in the interim, I think we should proceed with the next matter.

              CHAIR THOMPSON: Yeah, we'll come back to that, and move on with the next matter. Kathy Henderson versus Rebecca Ryan, candidate for ANC commissioner for SMD 5D01. And now if Ms. Ryan could -- I think I see her.
MS. RYAN: Hi, yes.

CHAIR THOMPSON: Hello.

MS. RYAN: Hello.

MS. STROUD: Yeah, so Ms. Ryan, we'll have you state your name, and address for the record. Ms. Henderson, I think you're fine, and we'll just swear you both in once you've given your name, and address for the record Ms. Ryan.

MS. RYAN: Great, Rebecca Ryan, 1270 Fort Street Northeast, Washington, D.C., 20002.

MS. STROUD: Okay, and if you could both respond, do you swear, or affirm that you will tell the truth, the whole truth, and nothing but the truth with respect to the testimony that you provide in this matter?

MS. HENDERSON: I will.

MS. RYAN: I will.

WHEREUPON,

REBECCA RYAN

was called for examination by the Board, having been first duly sworn, assumed the witness stand, was examined and testified as follows:
MS. STROUD: Okay, thank you. And so right now, we will hear from the registrar of voters with respect to her report, and findings on this matter.

MS. CORRENTÉ: Thank you Counselor Stroud. So, I'm going to read the memo that's dated August 29th, 2022, and the subject is challenge to petitions submitted by Rebecca Ryan, candidate for advisory neighborhood commissioner single member district 5D01. On August 10th, 2022, Rebecca Ryan submitted a nominating petition to appear on the ballot as a candidate in the November 8th, 2022 general election for the office of advisory neighborhood commissioner, or ANC single member district, or SMD, 5D01.

The minimum requirement to obtain ballot access for this office is 25 signatures. The petition contains 74 signatures. The petition was posted for public inspection for ten days as required by law. The petition was challenged on August 22nd, 2022 by Kathy Henderson, a registered voter in the District of
Ms. Henderson filed challenges to 75 of the 74 signatures submitted, enumerated by line, and page number on individual challenge sheets filed for each petition page. The signatures were challenged pursuant to Title III, D.C. Municipal Regulation 1607.1 of the board's regulations on the following grounds. The signer's voter registration was designated as inactive on the voter roll at the time the petition was signed.

The signer, according to the board's records, is not registered to vote at the address listed on the petition at the time the petition was signed. The signature is not dated. The petition does not include the name of the signer where the signature is not sufficiently legible for identification. The signature was not made by the person whose signature it purports to be.

And the signer is not a registered voter in the ward, or single member district from which the candidate seeks nomination at the time
the petition is signed. My review of the challenges indicates that 47 of the 75 challenges are valid. 19 are valid because the signer is not registered to vote. One is valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed.

12 are valid because the signer was not registered to vote at the address listed on the petition at the time the petition was signed. Three are valid because the petition does not include the name of the signer where the signature is not sufficiently legible for identification. And 12 are valid because the signer is not a registered voter in the single member district from which the candidate seeks nomination at the time the petition was signed.

This leaves the candidate's nominating petition with 27 signatures, two signatures above the number required for ballot access.

MS. STROUD: Okay, so thank you Ms. Corrente, we will hear from Ms. Henderson, and
then the candidate.

MS. HENDERSON: Yes, good morning again, can everyone still hear me?

MS. STROUD: Yes.

MS. HENDERSON: Okay. I do not agree with the registrar's initial findings in full.
The fact that 47 of the 70 plus challenges are valid indicates that there is a problem. I would simply ask respectfully that I not be interrupted, someone who is controlling the audio in this platform muted me. I didn't mute myself.

CHAIR THOMPSON: We can hear you now, please go ahead.

MS. HENDERSON: Again, I ask that my time be restored. The fact that out of 70 plus signatures that the register found 47 defective is telling. This candidate did not circulate the petitions in accordance with the rules, and did not do her due diligence. And on their face, all of the signatures look fraudulent, I direct your attention to page one, line two, and three.

Despite the fact that these are two
different addresses, both the handwriting, and
the signatures look exactly the same. If you go
throughout the petition, the signatures for the
majority of the persons that are supposed to be
signers look the same. I mean this is
outrageous. And even though she is left with 27,
it's 27 defective signatures, and I would draw
this board's attention to the former case of
former Mayor Anthony Williams.

The board did not rule that each, and
every signature on the petition was fraudulent.
The board ruled that because of overwhelming
fraud, the entire petition would be thrown out,
because of the overwhelming preponderance of
fraud, and I think that's the case that should be
applied here. I thank you for the opportunity to
be heard, and certainly if the board goes forward
with approving this fraudulent petition, it'll be
a disservice to the voters to have this person
placed on the ballot.

MS. STROUD: Ms. Ryan?

MS. RYAN: First, I just want to thank
the Board of Elections, and the registrar for
their clear communication, and information.
We're fortunate to have these agencies supporting
the election process. I'm running to serve as
the advisory neighborhood commissioner for ANC
5D01 so I can advocate for my community. To be
considered on the November ballot, I went through
the process of collecting signatures from my
neighbors.

I went out on three separate days in
August to multiple locations within my single
member district to collect these signatures. I
will read the signatures using the list of
registered voters provided by the Board of
Elections, and confirm I exceeded the minimum
signatures required. This was confirmed by the
registrar's review, which stated I exceeded the
minimum valid 25 signatures to be on the ballot
in November.

These are the signatures of
individuals that live, and work in D.C. that I
collected by engaging, conversing, and learning
from my community members. I did not, and I
would not forge any signatures. I look forward
to the board's decision, and the opportunity to
be considered to represent my community as the
advisory neighborhood commissioner of 5D01.
Thank you so much for all of your time.

MS. STROUD: Thank you Ms. Ryan, and
I just wanted to mention in light of the fact
that the Williams case was mentioned, that was a
case in which there was evidence with respect to
forgeries. There was evidence of forgeries, and
there was another case as well concerning the
petitions submitted in support of the initiative
video lottery terminal, where just an examination
of the petition indicated that signature
mismatches were rampant.

In this instance, the majority of the
signatures that were disqualified had to do with
the state of a voter's registration. Signers not
being registered voters, signers not residing in
the same jurisdiction as the candidate signers,
being registered at different addresses in the
same jurisdiction where changes of address were not timely filed, if filed at all.

So, just wanted to note for the record, the import of Williams, and video monitoring terminal, and cases like that where there was indication of the kind of forgeries that rendered the whole entire petition untrustworthy in terms of circulator affidavits.

I just wanted to say that with respect to the case that was raised. Ms. Corrente, did you have anything that you wanted to say?

CHAIR THOMPSON: Thank you so much for that. Should we go back to Juan McCullum?

MS. STROUD: Yes. So, we'll now move on to the previous --

MS. HENDERSON: Actually we need to -- we're not finished with the Ryan matter.

CHAIR THOMPSON: Well, we've heard from you Ms. Henderson, we've heard from Ms. Ryan, and the registrar --

MS. HENDERSON: Well, I'd like to respond to the comments made by Ms. Stroud. I'll
be briefly.

CHAIR THOMPSON: I don't want to cut anybody off, why don't you take a minute please, and give us your thoughts.

MS. HENDERSON: I need less than a minute. I just asked the board to take a look at Rebecca Ryan's signatures. Again, focus on page one, signature lines one, and two, and look at Ms. Ryan's signature on the circulating pages. Particularly page two, where it shows clearly that the signatures were made by the same person. That person is Ms. Ryan.

So, if the board goes forward with approving this tainted petition, again, it's a disservice to our entire process. And thank you for that opportunity to be heard.

CHAIR THOMPSON: All right, thank you so much. We'll conclude that matter, and ask if Juan McCullum is in a position now to identify himself.

MR. McCULLUM: Good morning, this is Juan McCullum, let me first apologize, I've had
some technical difficulties this morning, so I
had to step outside to be able to get onto the
call. But I do appreciate you all for giving me
the opportunity to get caught up here as it
relates to the technology issue.

CHAIR THOMPSON: No problem, we've had
some technology issues ourselves, so we
understand. Thank you for being here, so we'll
proceed with Kathy Henderson versus Juan
McCullum, a candidate for ANC commissioner for
SMD 5D07. Counsel Stroud, go ahead.

MS. STROUD: Yes, and if you could
state your name, and address for the record, and
then I'll swear both parties in.

MR. McCULLUM: This is Juan McCullum,
I reside at 789 19th Street Northeast, that's
here in D.C., 20002, that's in 5D07.

MS. STROUD: Okay, thank you. And if
both parties could swear, or affirm that the
statements they will provide in connection with
this matter will be the truth, the whole truth,
and nothing but the truth?
MR. McCULLUM: I do.

WHEREUPON,

JUAN MCCULLUM

was called for examination by the Board, having
been first duly sworn, assumed the witness stand,
was examined and testified as follows:

MS. HENDERSON: I will.

MS. STROUD: So, we will hear from the
registrar of voters, Ms. Corrente, and then the
parties will have the opportunity to respond.

MS. CORRENTE: Thank you. So, I'm
going to read a memo that's dated August 29th,
2022. The subject is challenge to petition
submitted by Juan McCullum, candidate for
advisory neighborhood commissioner single member
district 5D07. On August 10th, 2022, Juan
McCullum submitted a nominating petition to
appear on the ballot as a candidate in the
November 8th, 2022 general election for the
office of advisory neighborhood commissioner, or
ANC single member district, or SMD 5D07.

The minimum requirement to obtain
ballot access for this office is 25 signatures.

The petition contained 30 signatures. The petition was posted for public inspection for ten days as required by law. The petition was challenged on August 22nd, 2022 by Kathy Henderson, a registered voter in the District of Columbia. Ms. Henderson filed challenges to 26 of the 30 signatures submitted enumerated by line, and page number on individual challenge sheets filed for each petition page.

The signatures were challenged pursuant to Title III D.C. Municipal Regulation 1607.1 of the board's regulations on the following grounds. The signer's voter registration was designated as inactive on the voter role at the time the petition was signed. The signer, according to the board's records, is not registered to vote at the address listed on the petition at the time the petition was signed.

The signature is not dated. The petition does not include the name of the signer where the signature is not sufficiently legible
for identification. The circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed. The signature was not made by the person whose signature it purports to be.

And the signer is not a registered voter in the ward, or single member district from which the candidate seeks nomination at the time the petition was signed. My review of the challenges indicates that 1 of the 26 challenges is valid because the signature is not dated. This leaves the candidate's nominating petition with 29 signatures, 4 signatures above the number required for ballot access.

MS. STROUD: Okay, thank you. And so we will hear from the challenger, Ms. Henderson, and then the candidate, Mr. McCullum.

MS. HENDERSON: Again, thank you, Kathy Henderson here. Again, I do not accept the registrar's report in this matter, because just looking at Mr. McCullum's petitions on their face, they appear to be uniformly written in one
person's handwriting. Even the first signature
on page one, line one, Angel Alamonte. It says
Angel Amonte, and the signature doesn't even
comport with what's on file.

But Mr. Alamonte is a registered
voter, I know who he is. The other signatures
that I did not challenge is because I know these
individuals, I know that this is their signature,
and their signatures comport with what's on file.
So, again, these petitions clearly were written
in the same hand with the same pressure.
And the board of elections is giving
Mr. McCullum the benefit of the doubt when in
fact the condition of his petitions do not
demonstrate that he is deserving of the benefit
of the doubt. So, I will rest in this matter.

CHAIR THOMPSON: Mr. McCullum?
MR. McCULLUM: Yes sir. Let me first
say good morning again, and thank you all for
having me. I would just like to be brief in
stating that I do agree with the registrar with
regards to the signatures being valid. I did
walk my community, I asked, and knocked on doors, and asked for signatures. As for Ms. Henderson's challenge, I'm not really sure where she's coming from with this.

But I can say that today, I walked, and I secured these signatures from my neighbors in 5D07. Since the challenge has been raised, and before the pre-hearing conference, and after the pre-hearing conference, I have gone back to some of my neighbors to make them aware of this challenge, and all of them have stated that this is bogus, and this is without merit. So, I just want to say to you all today that I did walk, I did knock.

I picked up the sheet the day before it was due, and I walked the neighborhood to get all of the signatures, and I turned it in the following day. I checked all of the signatures up against the email copy that I received from the Board of Elections with regards to those who were registered to vote in the district. And so, that's why I did not -- there was no need for me
to turn in multiple sheets, because as I got
signatures, I also cross checked it with the
voter record that I had received from the Board
of Elections.

So, I will say for a final time that
I did walk, I did meet my residents, and
neighbors there, and these signatures are valid.

CHAIR THOMPSON: All right, thank you
so much, we appreciate that. Anything else from
the registrar, or anybody?

MS. STROUD: No.

CHAIR THOMPSON: All right, in that
case, thank you so much, we conclude that matter,
and move on to Kathy Henderson versus Sebrena
Rhodes, this is still on the agenda, right?

MS. STROUD: It is still on the
agenda, but I understand that Ms. Henderson would
like to make a statement with respect to this
challenge.

MS. HENDERSON: Yes, thank you for the
time allotted for this matter. Given the
interest of evaluating -- I have some concerns
about Ms. Rhodes, and the manner in which she
circulated her petitions, and the validity of
some of those signatures. But Ms. Rhodes did
offer some information that I think speaks
favorably towards her character during the pre-
hearing conference.

And I've given that weight, and great
weight in this matter, and I am accordingly
withdrawing my challenge at this time. I just
haven't had the time to actually submit the form,
but I would like to withdraw my challenge, and
let the record reflect that accordingly.

MS. STROUD: Okay, thank you Ms.
Henderson, and so will you represent that you
will submit the challenge withdraw form today, or
as soon as you are able to, so that we can close
out this matter, and have the documentation filed
on record?

MS. HENDERSON: It would be my goal
today, but I do commit to submitting the form as
soon as I am able to.

MS. STROUD: Okay, thank you. And so
with that we will await your withdrawal. But we
do take note of the fact, or the board takes note
of the fact that you have indicated that you
would like to withdraw this matter, your
challenge in this matter. Okay, thank you.

CHAIR THOMPSON: All right, thank you
so much for that. Moving on to the last
challenge hearing today. Clayton Aristotle
Rosenberg versus Edward Daniels, candidate for
ANC commissioner for single member district 8F04.
We have to find the two parties, Mr. Rosenberg,
and Mr. Daniels.

MR. ROSENBERG: Mr. Rosenberg is here.

MR. DANIELS: And Edward Daniels here.

CHAIR THOMPSON: Thank you so much.

MS. STROUD: good morning, and I'm
going to first have Mr. Rosenberg state his name,
and address for the record, then we will turn to
the candidate Mr. Daniels for the same. And then
I will swear both parties in, we'll hear from the
registrar of voters, and then we'll hear from the
parties. So, Mr. Rosenberg

MS. STROUD: Okay, and Mr. Daniels?

MR. DANIELS: Good morning, Edward Daniels. I reside at 1111 New Jersey Avenue Southeast Unit 720, Washington, D.C., 20003.

MS. STROUD: Okay, thank you. And do you -- I'll have you both respond to the following question. Do you swear, or affirm that the testimony you will provide with respect to this matter is the truth, the whole truth, and nothing but the truth?

MR. DANIELS: I will.

WHEREUPON,

EDWARD DANIELS was called for examination by the Board, having been first duly sworn, assumed the witness stand, was examined and testified as follows:

MR. ROSENBERG: I will as well.

WHEREUPON,
CLAYTON ARISTOTLE ROSENBERG

was called for examination by the Board, having
been first duly sworn, assumed the witness stand,
was examined and testified as follows:

MS. STROUD: Thank you. Ms. Corrente?

MS. CORRENTE: Thank you. I'm going
to read a memo that's dated September 1st, 2022.
The subject is challenge to petition submitted by
Edward Lee Daniels Junior, candidate for advisory
neighborhood commissioner single member district
8F04 updated. On August 10th, 2022, Edward Lee
Daniels Junior submitted a nominating petition to
appear on the ballot as a candidate in the
November 8th, 2022 general election for the
office of advisory neighborhood commissioner, or
ANC single member district, or SMD 8F04.

The minimum requirement to obtain
ballot access for this office is 25 signatures.
The petition contained 26 signatures. The
petition was posted for public inspection for ten
days as required by law. The petition was
challenged on August 22nd, 2022 by Clayton
Aristotle Rosenberg, a registered voter in the District of Columbia. Mr. Rosenberg filed challenges to 4 of the 26 signatures submitted.

Enumerated by line, and page number on individual challenge sheets filed for each petition page. The signatures were challenged pursuant to Title III D.C. Municipal Regulation 1607.1 of the board's regulations on the following grounds. The signer, according to the board's records is not registered to vote at the address listed on the petition at the time the petition was signed. The signature is a duplicate of a valid signature.

The signature is not dated. The petition does not include the address of the signer, and the petition does not include the name of the signer where the signature is not sufficiently legible for identification. My review of the challenges indicates that three of the four challenges are valid. Two are valid because the signer is not registered to vote at the address listed on the petition at the time
the petition was signed.

And one is valid because the petition does not include the name of the signer where the signature is not sufficiently legible for identification. After receiving the first memo outlining my initial filings, Mr. Daniels timely submitted one voter registration form to the board on September 1st, 2022. The voter registration form corrected an address change previously found as a valid signature.

This leaves the candidates nominating petition with 24 signatures. One signature below the number required for ballot access.

MS. STROUD: Okay, thank you Ms. Corrente. So, what we'll do with respect to this instance, where the candidate was found to be short one signature, we will hear from the candidate first, and then we will hear from the challenger.

MR. DANIELS: Thank you Mr. Chair, and members of the board, thank you so much for your service to our community. Again, my name is
Edward Daniels, I'm the current chair of ANC 6D, representing the district's largest ANC, which includes the residents of Navy Yard, Buzzard Point, Southwest D.C., and the Wharf. For the past four years I've served as a single member district representative of 6D07, representing over 10,000 residents here in the Navy Yard neighborhood.

On August 10th, 2022, I submitted my nominating petition for candidacy to the Board of Elections. On August 22nd, 2022, five minutes prior to the ten day challenge deadline to challenge this publicly posted petition, Clayton Rosenberg decided to file a challenge to four of the 26 signatures of the petition that I submitted. During a pre-hearing on September 2nd, 2022, the registrar of the Board of Elections presented her findings to both Mr. Rosenberg, and myself.

Which included a change of address form that I submitted before the September 1st, 2022 deadline, concluding that two of the four
signatures were valid. This left one remaining signature to be answered, and cured, which would fulfill the 25 signature requirement for ballot access as an ANC candidate. Mr. Rosenberg is currently challenging the signature appearing on line number six, on page three of three sheets submitted in my nominating petition pursuant to Title III DCMR Section 1607.1 of the board's regulations on five grounds.

The grounds of the challenge on this one signature is that the signer, according to the board's records, is not registered to vote at the address listed on the petition at the time the petition was signed. The signature is a duplicate of a valid signature, the signature is not dated. The petition does not include the address of the signer, and the petition does not include the name of the signer where the signature is not sufficiently legible for identification.

The signer of this line of my petition is Eva Havus, a long term registered voter of the
district living at 1025 First Street Southeast, Washington, D.C., 20003, which is listed in the board's records as an active voter. I humbly ask that these five challenges to this one signature be dismissed by the board based on the following evidentiary responses to each of these challenges.

Ms. Havus is a registered voter currently listed in the board's records currently living at 1025 First Street Southeast, Washington, D.C., 20003. The signature of Ms. Havus is not a duplicate to any signature that's been submitted on my nominating petition. The signature is clearly dated.

Ms. Havus wrote ditto marks in the address field when she signed the petition alongside five of her neighbors during the morning of July 29th, 2022 as part of a candidate meet, and greet event that was held at her building, noting that she too lives at the same address as the person signing above, and before her.
Ms. Havus is aware of this petition challenge, and is currently away from the district on vacation. Should the board not accept my attestation today that she is the registered voter who signed this line on July 29th, 2022, and resides at 1025 First Street Southeast, I humbly ask for a continuance of this case if available, until Ms. Havus returns on Thursday, September 8th, 2022.

At this time, the board will be able to receive a signed declaration statement, affidavit, or request an in person testimony from Ms. Havus if required. Finally, the petition includes the signer's name, Eva Havus, and her signature. The response to each of these challenges that I am presenting to the board today were presented to Mr. Rosenberg during our pre-hearing on September 2nd, 2022.

Yet he still chose to proceed with the petition challenge protest. I mentioned at the beginning of this statement that I am a two term commissioner, and chair of the city's largest,
and busiest ANC, including Navy Yard, Buzzard Point, Southwest D.C., and the Wharf. I mention this, because I take this position very seriously, a position that has become a full time job for me due to the growth of ANC 6D, a full time job, in addition to the small business that I also run.

I welcome, and applaud any resident who wishes to step up to the challenge, and responsibilities of leading their community. However, I find it fair to the residents whom they wish to represent that such a challenge present itself in the form of an actual campaign, a platform, and the discussion of ideas, community concerns, and policies.

Rather than a desperate attempt to remove an opponent's name from a ballot as a starting point. Again, I ask that the board dismiss Mr. Rosenberg's challenge on each of the five grounds that he has presented based on the evidence that I have offered in this response, and I thank you for your time.
MS. STROUD: Okay, Mr. Rosenberg?

MR. ROSENBERG: Yes, good afternoon, and thank you all for having me. Sorry about my camera, we all are having technical difficulties as of now, but I'm glad you all can hear me. Basically I want to thank the registrar, and I do agree with them. Being that Edward Daniels is ineligible to run based upon the 25 signatures needed.

Out of the four that I challenged, he did submit one with a change of address. However, the other three were valid, and the incident as he just mentioned, Eva Havus, you cannot see her name, there was nothing in the address line, and also the signature wasn't even valid. Therefore, that deems that whole line ineligible. And as someone who was currently the chair of the ANC, you would think he would know better.

I think for someone to submit only 26 signatures, it shows just the arrogance in how much -- I think we all do our due diligence. We
actually have the only race within the city that
has four ANC commissioners vying for the
position. So, therefore I did my due diligence,
I waited, I made sure I checked my signatures, I
made sure they were valid signatures.

And therefore, from that standpoint,
I would assume for someone that's submitting 26
signatures, that they did the same thing,
especially being in the position of chair. This
shows negligence on his part, and I think that if
we go, and we look at the name on sheet three of
eight, of Eva, you can definitely see that there
was no -- you cannot read the signature, you
cannot read the name, there was no address.

So, therefore, I didn't see no ditto,
anything like that. And that's why I do agree
with the registrar. He is ineligible, I don't
think that it should be a time to where we push
this for an additional hearing. He had the same
amount of time as every other candidate, and it
just doesn't seem right to me that this person is
now on vacation all of a sudden due to the fact
that this challenge was made.

I think it’s tough, I think Edward Daniels is a good person, however rules are rules, fairness is the number one thing that we must look at, and he did not do his due diligence as the chair, so therefore he is ineligible to be a part of this election come November.

MS. STROUD: Thank you Mr. Rosenberg.

MS. CORRENTE: So, when we sent out the original memo, Mr. Daniels did flag the signature, and so we did look it up once we had a name that we could more clearly read. There do appear to be ditto marks on the page, which we missed. We didn't -- people kind of make marks on these petitions, and so we didn't catch that as a ditto initially.

So, I can say that when we looked up the voter, Ms. Havus, she is registered in the building, she is registered at a different apartment than the one that's listed right above, and the signature is a match for her signature, just to clarify some of the statements that were
made.

CHAIR THOMPSON: So, the core issue is by using ditto marks, she's repeating the address above as to the street address, but the apartment itself is a different apartment.

MR. DANIELS: Mr. Chair, can I respond to that please?

CHAIR THOMPSON: Yeah, please, go ahead.

MR. DANIELS: Thank you, so yes, we're speaking of one signature here. She listed ditto marks to say that she lives in the building. When I went to this meet, and greet, if you look at actually the petition from the Board of Elections, the sample itself doesn't include apartment numbers, the sample includes the building address, and that's also part of the regulations of the board when listing where you are registered.

It includes building address, not an apartment. So, Ms. Havus wrote down ditto marks, because I guess she was number four in the line
of residents signing the petition that day, as
she's speaking to me about community concerns as
well. So, she signed this, and listed ditto
marks to say that hey, I also live in this
building. So, yes, the apartment unit will be
different, but she is a registered voter at the
address here, 1025 First Street Southeast.

MR. ROSENBERG: Can I respond as well?

CHAIR THOMPSON: Yeah.

MR. ROSENBERG: Thank you. So, as we
look on that same sheet, when he said that people
wasn't -- basically not putting their apartment
numbers, you can see one of the challenges that I
did challenge on line two of sheet three, you see
an apartment number. And then even on the other
challenges, you see people putt their apartment
number, and if this was a collective event that
he said he put on, where it was a meet, and
greet, I would assume that even if they're
signing, ditto doesn't count.

Just like you mentioned, ditto means
that we live in the same apartment, apartment
building. Why not just put the entire address, write it out? There's no address written out, you cannot even read the first name. Even though he had to correct it, you cannot even read the first name. Even if you look on my challenge petition, it didn't make sense.

That's one of the reasons that I did challenge that. And therefore, I challenge four, he submitted one, and then three are still eligible, and valid. So, therefore it still puts him below that mark. And I just look at it as he's the ANC commissioner chair, and he did not do his due diligence, he should have checked that, and it fell below the threshold of making the ballot.

CHAIR THOMPSON: Thank you so much to both of you, I think we understand the issue pretty well. We'll take it under advisement when we go into executive session, and release our determination later with respect to this matter, and the other ones we've heard today. And I think that concludes all the challenges we have
today.

MS. STROUD: Yes Mr. Chair, that does conclude all the challenges.

CHAIR THOMPSON: So, once again, thank you to everybody for being here. We all appreciate, I deeply appreciate those who volunteer to be on the ANC. I know the requirements of gathering these signatures are not easy, and I also very much respect the challenger's right to challenge petitions, the statute allows for that. And so we'll do our job momentarily, and rule on with the various challenges that have been made.

But once again, thank you so much to everybody. With that we'll move on, what was a rule making matter is off the agenda, we're going to move on to a litigation status report from general counsel Terri Stroud.

MS. STROUD: Thank you Mr. Chair. So, we have six matters in the litigation status. The first is Jason Christopher Long versus the D.C. Board of Elections. This matter was filed
in D.C. Superior Court on July 2nd, 2021, it's a civil complaint seeking 10000 dollars in damages for negligence, and unjust enrichment.

The allegation is that the board issued Mr. Long, who served as a poll worker in a previous election, a check without informing him not to deposit it. Then had payment of the check stopped, causing him to have a negative balance, and returned check fee. There was a hearing on the matter on August 12th. Mr. Long was supposed to have completed service of process by that time.

He did not serve process at that time, and he did not appear at the August 12th status hearing. And Judge Dayson of the D.C. Superior Court dismissed the case without prejudice. The next matter is Henderson versus the D.C. Board of Elections. This was in collection with a recall petition filed against Sydelle Moore, advisory neighborhood commissioner for single member district 5D05.

That petition was rejected due to an
insufficient number of signatures, and the matter was appealed to the D.C. Court of Appeals. All of the briefing in this matter has been submitted with the last pleading being filed on August 9th, and we are awaiting an order, or ruling from the court. The next matter is Public Interest Legal Foundation versus Monica Evans in her official capacity as the executive director for the Board of Elections.

This was filed in U.S. District Court under the National Voter Registration Act. The suit alleges that the board is out of compliance with the NPRA's public records provision. PILF requested records, and that request was denied due to the records not being subject to public disclosure. The matter has been briefed, and we are awaiting a decision from the court in this matter.

There is a consolidated matter involving Initiative 82, Valerie Graham versus the D.C. Board of Elections, and it is a consolidated case. This has to do with the
board's acceptance of the petition submitted in support of Initiative 82 for ballot access for the November general election. The matter was fully briefed as of August, and there was oral argument on August 24th.

On August 31st, the court issued an order granting the board's motions for summary affirmance of the board's order in the grant challenge appeal, where the board granted access based on its findings that it met the ward, and distribution requirements for ballot access. And of the superior court order, which had denied Mandamus relief.

The petitioner, Valerie Graham, and the other appellants have filed a request for a petition for a hearing en banc, that they filed their papers on September 2nd, and the board is due to file a response to that request today. And so we will be filing that, and we will be awaiting the court's decision with respect to the entire matter.

CHAIR THOMPSON: Which would have to
be issued by what date? Without interrupting you.

MS. STROUD: So, we need to have all matters settled with respect to ballot access for the November general election by September 18th, which is when we will send the materials to our mail house vendor so that the ballots can be printed. The ballot lottery I believe is Friday the 16th, and so that's when we would want to have an opinion with respect to not only the initiative 82 matter, but any matters that arise out of any nominating petition challenge hearings that we're having today, and Friday.

And then finally, we have Calvin Gurley versus the D.C. Board of Elections, which was filed in D.C. Superior Court on July 12th. Calvin Gurley filed a complaint challenging several provisions of the election statute that pertain to signature requirements for independent, and minor party candidates. Dates for elections, dates that nominating petitions becomes available, and
signature validity requirements. On August 9th, 2022, this case was dismissed for failure to state a claim. And so that is the litigation status, that concludes my report.

CHAIR THOMPSON: All right, thank you so much. Moving onto the executive director's report from Monica Holman Evans.

MS. EVANS: Thank you Mr. Chair. Good afternoon, I will begin with voter education, and outreach. During the month of August the Voter Education and Outreach Division conducted 31 outreach events on behalf of the agency. Events included a partnership with GW Votes, and George Washington University, and a back to school community fair with Gateway D.C.

We also participated at the professional development training with D.C. public school teachers. Voter registration rolls, in August we registered 2540 new voters, and processed 1990 registration changes. In total we prepared 4530 voter registration cards to be mailed. Online voter registration. We are
continuing to register voters using our website portal.

To date we have processed 15693 applications using the portal. These include new voter registrations, and updates to existing registrations. Redistricting, the process of moving voters affected by redistricting has been finalized in our database. Consistent with the information we received from the council, we now have 345 single member districts, or SMDs.

Approximately 300000 residents will receive postcards that reflect a new SMD assignment. General election planning. Again, the general election will be held on Tuesday, November 8th, the last day to file petitions was August 10th, and the petition challenge period was August 13th, through August 22nd. As evidenced in today's proceedings, we are currently conducting hearings to resolve petition challenges.

Our next postcard mailer will go to eligible, but unregistered D.C. residents, and
they will be encouraged to register, and vote. We will mail a ballot to every registered voter for the general election, and the target date to mail ballots is October 3rd. Most mail ballot drop boxes will remain in place until after the November election. And based on feedback, and comments we received during the comment period, there are a few that will be moved based upon where they were for the primary election.

And so again, after receiving comments on the placement of drop boxes, and vote centers through August 19th, we've now finalized the list of early vote centers, election day vote centers, and mail ballot drop boxes. And these locations are posted on the BOE website. We are finalizing our communications plan for the general election. Again, we will engage in print, radio, and television advertising.

We will produce postcard mailers, a voter guide, door hangars, and yard signs. We will also advertise in local newspapers. We began election worker training on August 15th.
Our goal is to train between 2000, and 2500 election workers for the general election, and to date we have trained 560 election works. And Mr. Chair, that concludes my report.

CHAIR THOMPSON: All right, thank you so much. Some of the election workers are being trained as we speak, I think right next door. So, we appreciate everybody who continues to volunteer, or are new to volunteering to be an election worker. So, I guess with that, campaign finance report from Cecily Collier-Montgomery.

MS. COLLIER-MONTGOMERY: Yes, good afternoon.

CHAIR THOMPSON: Good afternoon.

MS. COLLIER-MONTGOMERY: For the record, the full report of the activity of the Office of Campaign Finance for the month of August 2022 will be posted on 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 funding report. First, the 2022 election cycle debate.
The Office of Campaign Finance will conduct debates on September the 19th, 2022, and September the 21st, 2022.

And the contested races for the offices of mayor, and at large member of the council. These offices are scheduled for election on November the 8th, 2022 general election in the District of Columbia. All candidates certified to participate in the Fair Election Program who are contesting in the election must participate in the debate. Any candidates in the traditional campaign finance program that qualify for ballot access will be required to participate.

Where there is no other eligible participating candidate or willing, non-participating candidate, the mandatory debate requirements are waived. To date in the November the 8th, 2022 general election, there is one participating candidate who is seeking the office of mayor of the District of Columbia, and five certified participating candidates seeking the
office of at large member of the council. Additionally for the Campaign Finance Program, there are two candidates for the office of mayor, and two candidates for at large number member of the council who have qualified for ballot access. The OCF will update information at the website and also at the OCF debates website, www.dcd.debates.com, as it become available concerning the times, dates, the participants, and the registration process for the public to attend virtually, and participate in the debate. That demonstrates the continued efforts to ensure the safety of our residents as they step onto the debate and the virtual platform. And also I will mention for the record that we are currently advertising the debates in several local newspapers, the Washington Informer, The Hill -- we've also notified the candidates of the debates, and the debate stage is in official insight on September the 3rd. (Audio interference) program with respect to authorized base amount for matching
payment as of the 2022 election cycle, a total of $6,740.93 has been authorized for disbursement of the fair election fund to afford the candidates who have been certified in the program to participate in the June 21st, '22 primary elections.

There were 31 candidates entered to participate in the November the 8th, 2022 general election non-candidates. During the month of August 2022, the OCF authorized 20000 disbursements from the fund for participating candidates and certified seven new candidates into the program. They are Robert Henderson, the committee to elect Robert Henderson, certified on August 17th, 2022.

As we anticipate the candidates in the November the 8th general election for the public office of member of the State Board of Education Ward 5. Michael Williams for Ward 1, the candidates were certified on August 17th, 2022, and the (audio interference) general election for the purpose of the member of the State Board of
Education Ward One.

The candidate (audio interference)

August the 17th, 2022 as a participating
candidate in the program in the November the 8th
general election for the covered office of member
of the State Board of Education in Ward 3.

(Audio interference) council member at large in
the November general election for the covered
office of member of council at large. Brandon
Bell (phonetic) for State Board of education was
certified on August 17th as a participating
candidate.

(Audio interference) member of the
State Board of Education Ward Six, Joshua David
Rollins together with Raleigh from Ward Six was
certified on August 7, 2022 as a participating
candidate in the November general election for
the covered office of member of the State Board
of Education Ward Six, and last but not least,
Nina O'Neill on May 11, 2022 was certified on
August the 17th as a participating candidate in
the November general election for the covered
office of member of the State Board of Education
Ward Five.

The fair election (audio interference) reports that were filed during the month, and issued 20000 requests for additional information letters. (Audio interference) election cycle decision (audio interference) but I would note for the record that during the month of August, the division reported (audio interference) July the 19th, 2022 (audio interference) for Ward Two.

In our Public Information and Records Management Division, I would indicate that there were two filing days for the filing of the reports received and considered by our Committee. 2022, and the October 10th report, which (audio interference) 2022. With new candidates and committee registration in the 2022 election cycle, there were two new candidates registered in our traditional program.

One, the first was office of the council at large, the general election (audio interference) on August 31st. And for the office
of the State Board of Education Ward Three,
general election (audio interference) August the 5th, 2022. In the fair election program we had two new candidates who registered during the month of August. The first was for the office of the State Board of Education Ward Three. So, that was Michael Hareshign on August 3rd, 2022.

And for the office of the State Board of Education Ward Six, Brandon Desmond registered on August the 2nd, 2022. Also during the month of August (audio interference). We also have referrals to the Office of the General Counsel for twenty-five committees referred to the general counsel (audio interference) general counsel, the August 10th report of receipts and expenditures.

In our report (audio interference) for additional program support (audio interference) have issued twenty-five requests for additional information. There is one ongoing audit on the panel for the upcoming 2022 election, and that is a periodic revisiting of the March 10th, 2022
report. And the audited (audio interference) that completes my report. But I would ask that the general counsel will complete the report for the Office of the General Counsel

And again, I do indicate on the record that the detailed report will be posted at the office's website before the close of the meeting today.

CHAIR THOMPSON: All right, thank you very much.

MR. SANFORD: Good afternoon Mr. Chairman, and distinguished board members Gill, and Greenfield. My name is William Sanford, general counsel for the Office of Campaign Finance. During the month of August 2022, the Office of the general counsel received 43 referrals, which included 24 failure to timely file reports of receipts, and expenditures on July 31st, 2022.

And additionally, the Office received 19 failure to timely file August 10th, 2022 reports of receipts, and expenditures. During
the month of August 2022, the Office of the General Counsel completed 11 informal hearings, issued 11 orders, which included the following. Eight orders in which a total of 9225 dollars in fines was imposed, and three orders in which no fines were imposed.

During the month of August 2022, the Office of the General Counsel received a payment of 200 dollars, and one fine which had been imposed against Monica Nemeth (phonetic) for ward three, a former candidate for the D.C. council in that ward. During the month of August 2022, the Office of the General Counsel had three open investigations, which included the following.

Complaint was filed by Zachary Sawyer on June 9th, 2022, and the respondent was the principal campaign of Brian for D.C., and the allegation was coordination with an independent expenditure committee. That investigation remains pending. The second investigation, a complaint was filed by Kareem Marshall on August 23rd, 2022 against the Alissa for D.C. Principal
Campaign Committee, and the allegation was improper coordination, and unreported in kind contributions.

That is still pending. The final complaint, the final investigation was filed by Troy Kravitz (phonetic). It was docketed on August 5th, 2022, and the respondent was the Eric Ally for Ward Three Principal Campaign Committee. The allegation was coordination with an independent expenditure committee, and that investigation remains pending.

During the month of August 2022, there were no requests for interpretive opinions, and no show cause proceedings were conducted. And that should conclude my report. The contents of the report will be posted at the Office of Campaign finance website by close of business on today's date, September 6th, 2022.

CHAIR THOMPSON: All right, thank you very much. Okay, appreciate that. So, with that, I think I'll go ahead, and move that we go into executive session to -- public, you're
right, sorry. Yeah, normally during our regular meetings we do have public matters. So, the floor is open for anybody out there who would like to comment on anything from this meeting, or anything else.

We always appreciate hearing from members of the public. We would ask when you speak, to please limit yourself to three minutes, shorter if you can, but so at this time, the floor is open, and you can raise your hand with the Zoom function, or otherwise --

MS. BRIZILL: Mr. Chairman?

CHAIR THOMPSON: Okay, yeah, I heard from Ms. Brizill first, so let's start with Dorothy Brizill, why don't you go ahead please?

MS. BRIZILL: Mr. Chairman, I'll be brief. I have three issues I'd like to raise with the board, and one of them has to do, what is the status of the app that the Board of Elections was supposed to have developed, and testified to working with Optrel (phonetic) to develop prior to the last election? What is the
general status of that?

MS. EVANS: Good afternoon Ms. Brizill. During an earlier testimony, we indicated that Optrel was not available to assist with the development of an app, so we have developed a web solution that is on our website, that gives you complete functionality that actually can be used on any mobile device, any device that has internet access.

And right now that is working pretty well. And as I reported earlier in my report, we have processed 16,693 voters using that app solution.

MS. BRIZILL: So, I assumed -- have you abandoned the idea of an app, and are just going to go with the portal that you have on the Board of Elections website?

MS. EVANS: We are exploring that, and continuing to test to see how well it functions, and if it does continue to provide all of the functionality that we have, so we are still weighing our options on that Ms. Brizill.
MS. BRIZILL: The clock is running on my time, so I apologize, but I have to cut you off. Can I get from both Ms. Evans, and Ms. Montgomery, the number of vacancies you currently have, especially in senior positions, both at the Board of Elections, and the Office of Campaign Finance?

MS. EVANS: I don't have that information at my fingertips. I know that our chief information security officer recently left. We do have someone acting in that capacity, that is the only senior position that comes to mind right now. But I can have our PIO follow up with you with a complete answer.

MS. BRIZILL: What about the position of registrar of voters, have you filled that position?

MS. EVANS: Yes, ma'am, that position has been filled by Marissa Corrente, who has been reporting for the registrar.

MS. BRIZILL: Ms. Montgomery, can you answer that same question? How many senior
positions are vacant at the Office of Campaign Finance?

MS. COLLIER-MONTGOMERY: Yes. Good morning, Ms. Brizill.

MS. BRIZILL: Can you move your microphone so you can be heard?

MS. COLLIER-MONTGOMERY: Yes, I'm sorry. Okay, in the Office of Campaign Finance, we have one senior position which is vacant, and that is the position of the administrative officer. And I have revised that position, who is now a chief of operations, that's also a salaried officer, and that position is currently in the recruitment process, and it should be posted this week.

MS. BRIZILL: Ms. Montgomery, you're going to have to repeat that again, you cannot be heard on that microphone. I don't know if your microphone is bad, but even when you were giving your report, we could barely understand what you were saying.

MS. COLLIER-MONTGOMERY: Okay, again
MS. BRIZILL: Now you've turned the volume up, okay, thank you.

MS. COLLIER-MONTGOMERY: Ms. Brizill, I currently have one senior management position which is vacant. That is the position of the administrative officer, and with that position I have reclassified the position. The position is now a chief operations and policy officer position. And that position is in the recruitment process, and it should be posted this week. And that is the only senior position I have which is vacant.

MS. BRIZILL: Both for Ms. Montgomery, and for Ms. Evans, when you say you have these vacancies, where are you posting them, and what process are you using to fill those positions? Because prior to today's meeting, I went on the website of the D.C. Department of Human Resources, and you have no vacancies posted for either subdivision of the Board of Elections. So, how are you going to go about recruiting
qualified candidates to fill the positions?

CHAIR THOMPSON: Before they answer,
is that your third, and final question Ms. Brizill?

MS. BRIZILL: Yes, that is my final question, and my most important one.

CHAIR THOMPSON: Thank you so much,
I'll let them answer it, and we'll move on to Ms. Henderson. Go ahead.

MS. EVANS: Yes, Ms. Brizill, for our position of registrar, we did a national search,
which included posting that position on the Election Center website, and also the National Association of State Election Directors. And Ms. Corrente did apply for that position, and so again, that was a national search. We have not posted the position for a chief information security officer yet, because we are very close to the election.

So, we have someone filling in in a temporary capacity, and that position will be posted after the election. We have realized that
it is very hard to recruit individuals with
election experience this close to a general
election, because candidates aren't likely to
leave their post, and leave an election office
with so little time before general, so that one
will be posted after the general election. And
that --

MS. BRIZILL: But Clifford Tatum
(phonetic) decided to leave to go to Texas. So,
that's not a standard practice.

MS. EVANS: That's not a standard
practice. I just said that that's something that
we considered here, and we note that it's very
hard to recruit a highly desirable candidate with
it being so close to the election. We're not
saying that that is an absolute rule of thumb.

MS. BRIZILL: So, does Stacy Burrows
(phonetic) have IT security experience going into
the November election?

CHAIR THOMPSON: Hold on Ms. Brizill,

thank you so much. It's not a deposition, or a
cross examination, I think your questions have
been answered, and --

MS. BRIZILL: I haven't gotten an answer from Ms. Montgomery, and moreover Mr. Chairman, this is the only opportunity we have to try to get some answers, and some information from the Board of Elections. So, I mean to say if you can restrict it to three minutes asking a question, and answering a question speaks to your willingness to be open, and transparent regarding the Board of Elections.

CHAIR THOMPSON: Appreciate that, so let me turn it --

MS. BRIZILL: So, can you answer my question in terms of how you're going to fill your vacant position since you claim you only have one, and I believe there are others?

CHAIR THOMPSON: Go ahead Ms. Collier-Montgomery.

MS. COLLIER-MONTGOMERY: Okay, so Ms. Brizill, with the vacant positions at the Office of Campaign Finance, those are announced at the website of the Department of Human Resources.
And we also post our vacancies at our website, and also through our social media platforms.

CHAIR THOMPSON: All right, so thank you so much. Ms. Henderson, I know you've been waiting, and you had an additional comment to make.

MS. HENDERSON: Yes, and thank you Mr. Chairman. Just very briefly, I could barely hear Ms. Monica Holman Evans report, and I'd like to request an email copy of that report. My email address is on file, and I'd like to object to the closing of the record for comments on the voter location centers that closed on August 19th. My community, my entire community has effectively been excluded from participating in the voting process.

Brown Educational Campus, where a lot of my neighbors vote, was closed. On election day, many of my neighbors reached out to me asking me where they should go, and practically no one, I suspect, had an opportunity to weigh in on the proposed vote centers by August 19th. How
are you communicating with the public? Because people in my community don't know where to vote, what to do.

And I think that's evidenced by the participation, or lack of participation During the last election, which was on June 21st. So, I object to that. This process needs to be transparent. And I will share this. One of my neighbors, Mr. William Duvall, he went over to Gale Rosedale Recreation Center on Gale Street. He didn't know that that was simply a drop box location.

So, he was told you can't vote here, come back in November, which is unresponsive, inappropriate, and it forecloses on his effective ability to participate in the voting process. What's the point of having voter outreach, and voter registration drives if you actually have a process that excludes large swathes of the public from meaningfully participating, and voting in a convenient location within their neighborhood?

MS. EVANS: Thank you Ms. Henderson,
and I can tell you that we didn't put it on the
record in our July, and August board meetings,
that we were accepting comments. And the
proposed vote center locations, and ballot drop
box locations have been posted on our websites
since July. In addition to that, we have used
social media platforms to get information out.

We have also reached out to the
chancellor, and provided that information to the
chancellor, and also members of the council, and
others who have expressed interest as far as
making sure we get the proposed locations out.
And that was done before any final decision was
made. But thank you, appreciate you.

MS. HENDERSON: What about the voters?
What about the seniors who don't have access to
all those new channels of communication that
you're talking about? This is a community of
seniors. A lot of seniors don't have cell phones
that allow them Zoom access. They don't have
access to computers because they don't have
computers.
They are retired, they are learned people who have retired, but they still want to vote. So, you didn't address any appropriate channels to these large swathes of voters who are effectively excluded. So, if they're not attending your board meetings, then how would they know about the -- I think I'm probably the only person in my entire community that knew about the August 19th deadline.

And I didn't get formal comments in because I was busy dealing with the challenge process, and other matters. But this is unacceptable. We need to be transparent, and we need to encourage people to vote, and to allow people to vote. And the people who want to vote, they should not be forced to go looking for information buried on your website, looking for information buried anywhere.

It should be immediately accessible, and the people have a right to vote in locations that are convenient in their community. You have three members of the Board of Elections who
actually live in this community, yet that doesn't seem to be beneficial to us in any way. Why are we not allowed to vote in a way that facilitates walking to our voting location to cast our votes? This is unfair, it's undemocratic, and it needs to be addressed.

MS. EVANS: Thank you. And we have worked with senior groups, and advocates to ensure that we received input about the locations, and I can provide that information to you, I just don't have it with me, but we did do that as well. But I do appreciate your passionate plea, thank you.

CHAIR THOMPSON: All right, thank you so much. Any other members of the public out there? I don't see any hands raised. Okay, thank you so much. Can you just look at page two to make sure nobody was -- okay, all right, with that we're going to go into executive session. And I'll just state for the record, that we're going to move that we go into executive session.

One of the reasons that's set forth in
the statute, which is D.C. Code 1-275B1, namely
to deliberate upon a decision in an adjudication
action, or proceeding by a public body exercising
quasi-judicial functions, namely our three member
board, who will now go into executive session to
discuss, and make determinations with regard to
the five matters that were presented earlier.

I don't know how long it's going to
take us, I'm going to guess somewhere between 15,
and 30 minutes. So, we'll come back on the
record at 1:30, or thereabouts if anybody would
like to stay on. And we're going to close this,
but if you dial back in at 1:30, we'll go back on
the public record, and state our determinations.
So, I would so move that we proceed to go into
executive session.

MEMBER GREENFIELD: Second.
CHAIR THOMPSON: All in favor?
MEMBER GREENFIELD: Aye.
MS. STROUD: Aye.
CHAIR THOMPSON: Thank you so much
everybody, we're going to end this meeting, and
then maybe see some of you again at about 1:30.

(Whereupon, the above-entitled matter went off the record at 1:01 p.m. and resumed at 1:32 p.m.)

CHAIR THOMPSON: All right, first order of business is to move to go back into the public meeting. Is there a second?

MEMBER GREENFIELD: I second.

MEMBER GILL: Aye.

MEMBER GREENFIELD: Aye.

CHAIR THOMPSON: All right, welcome back everybody, thanks for sticking with us. We've had a chance to discuss these matters, and at this time I'll make a series of motions one matter at a time. In the matter of Kathy Henderson versus Salvador Sauceda-Guzman, my motion is that we accept the candidate's petitions, and decline the challenge made by Ms. Henderson, specifically with respect to the date issue, the mistake that was made.

That's something that's waivable by precedent, and we would so waive that date
mistake, accept the correction, and allow the
candidacy, is there a second?

MEMBER GREENFIELD: I second.

CHAIR THOMPSON: All in favor?

MEMBER GILL: Aye.

MEMBER GREENFIELD: Aye.

CHAIR THOMPSON: Motion carries. Next

is the matter of Kathy Henderson versus Carrie
Dellesky, the motion there is to accept the
recommendation of the registrar, that the
candidate has sufficient number of signatures,
and may proceed onto the ballot. Is there a
second?

MEMBER GREENFIELD: Second.

CHAIR THOMPSON: All in favor?

MEMBER GREENFIELD: Aye.

MEMBER GILL: Aye.

CHAIR THOMPSON: Three nothing. Next

is Kathy Henderson versus Juan McCullum. The
motion is to again, accept the recommendation of
the registrar, specifically that the candidate
has a sufficient number of signatures to qualify
for the ballot. Is there a second?

    MEMBER GREENFIELD: Second.

    CHAIR THOMPSON: All in favor?

    MEMBER GREENFIELD: Aye.

    MEMBER GILL: Aye.

    CHAIR THOMPSON: Three to zero. Next is the matter of Kathy Henderson versus Rebecca Ryan, same motion, to accept the recommendation of the registrar, specifically that the candidate has a sufficient number of signatures to qualify for the ballot. Is there a second?

    MEMBER GREENFIELD: Second.

    CHAIR THOMPSON: All in favor?

    MEMBER GILL: Aye.

    MEMBER GREENFIELD: Aye.

    CHAIR THOMPSON: And finally, in the matter of Clayton Aristotle Rosenberg versus Edward Daniels, the motion is to accept the candidate Mr. Daniels onto the ballot, and this specifically hinges on one signature that was challenged, it's the one that used the ditto mark. And my reasoning in that regard is to
interpret the ditto mark as incorporating the building address above.

But obviously in my mind, the person who signed it, Ms. Havus, did not intend to incorporate the apartment above. And interpreting it as referring to the building address, it is sufficient to be accepted as a valid signature, which would make 25 of 25 signatures. So, the motion is to decline the challenge, and accept the candidate for the ballot.

MEMBER GREENFIELD: Second.

CHAIR THOMPSON: All in favor?

MEMBER GREENFIELD: Aye.

CHAIR THOMPSON: Opposed?

MEMBER GILL: Opposed.

CHAIR THOMPSON: Three to one.

Anybody want to make any remarks in that regard?

Any board members?

MEMBER GILL: So, the ditto marks, ditto is ditto, everything incorporated. And if you accept that everything is incorporated, then
it's an invalid signature.

MEMBER GREENFIELD: And I'm in agreement with you Gary, I think the ditto meant the building, not intending to be the actual apartment number. All the signatures are there, her signature is there, and her name is there. And so I'm in agreement that we waive the error, if we think there is an error with the apartment number.

CHAIR THOMPSON: Thank you. I guess the lesson learned from this, and so many others is you can never get enough signatures, and you can never be careful enough. Someone uses a ditto mark, you might want to ask them to redo it, because there's different ways to interpret that, and so on with so many other details. It's not easy, I know, having done it many times.

But thank you to the challengers for bringing these issues to our attention. We certainly heard your concerns, and we certainly respect your views that this is important to get these details right for the sake of the integrity
of this process. So, we appreciate that.

Anything else before we --

MS. STROUD: Yes, I will say that

written orders for each of these matters that the
board ruled on today will issue shortly. But
today begins the three day time frame within
which the orders must be appealed to the D.C.
Court of Appeals, because the orders, the board
did issue rulings orally from the dais today, and
so today would mark the beginning of the three
day period during which any appeals would need to
be filed with the D.C. Court of Appeals.

CHAIR THOMPSON: And we'll be back on

Friday to hear additional challenges.

MS. STROUD: And we'll be back on

Friday to hear additional challenges. We will
publish notice of -- I think the agenda -- the
notice has been posted of the meeting, but we
have to finalize the agenda, and that won't be
determined until after we conduct the pre-hearing
conferences for those matters which will be

conducted tomorrow.
CHAIR THOMPSON: All right, so we will be back on Friday. But in the meantime, I would move that we adjourn this meeting.

MEMBER GILL: Second.

CHAIR THOMPSON: All in favor?

MEMBER GREENFIELD: Aye.

MEMBER GILL: Aye.

CHAIR THOMPSON: Thank you everybody.

(Whereupon, the above-entitled matter went off the record at 1:38 p.m.)
v 2:7,9,11,12,14 4:3

vaccines 93:4 95:16
95:20 99:1
vacant 94:1,9 95:6,13
98:15,20
vacation 65:3 68:22
Valerie 75:20 76:14
valid 7:2 12:5,8,12,15
12:17 13:4 17:5 23:2
28:9,10,12,16,19 33:5
35:7,11 37:11 42:3,3
42:4,8,11,14 43:8
45:18 52:11 53:22
55:7 60:13,20 61:2
61:10 63:1,15 67:12
67:16 68:5 72:10
108:8
validate 33:7
validated 35:17
validity 17:13 56:2 78:1
various 73:12
vendor 77:7
verification 36:9
versus 4:11 5:12 7:9
9:3 24:18 25:1 37:18
38:20 49:9 55:14 57:9
73:21 74:17 75:7,20
77:15 105:16 106:8
106:19 107:7,17
video 46:14 47:4
Video/Teleconference
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In the matter of: Board Meeting

Before: Board of Elections

Date: 09-06-22

Place: Videoconference

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Court Reporter

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