

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

February 5, 2020

+ + + + +

The District of Columbia Board of Elections convened a Regular Board Meeting in Suite 750, 1015 Half Street, S.E., Washington, D.C., 20003, pursuant to notice at 10:30 a.m., Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair  
KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director  
TERRI D. STROUD, General Counsel

CECILY COLLIER-MONTGOMERY, Director of the  
Office of Campaign Finance

WILLIAM SANFORD, General Counsel of the  
Office of Campaign Finance

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

2 (10:38 a.m.)

3 CHAIRMAN BENNETT: Good morning. Boy,  
4 we have a nice, full house today. Thanks for  
5 coming. There may be one or two things on the  
6 agenda that sparks a couple of folks' interest, I  
7 see.

8 My name is Michael Bennett. We're  
9 going to call this meeting to order, at 10:40  
10 a.m. The D.C. Board of Elections, our February  
11 2020 Meeting, and we have a matter that we have  
12 to hold a hearing on today as well.

13 I also, I want to introduce the  
14 persons that are here. Do you hear us, okay,  
15 sir? Persons that are here, to my far-right, is  
16 Cecily Montgomery, Director of the Office of  
17 Campaign Finance.

18 MS. MONTGOMERY: Good morning.

19 (Off the record comments.)

20 CHAIRMAN BENNETT: You can't hear?

21 (Off the record comments.)

22 CHAIRMAN BENNETT: It's too loud?

1 (Off the record comments.)

2 CHAIRMAN BENNETT: It's going in and  
3 out, okay. Let me cut it on and off. Is it  
4 still going in and out, or is it okay, or how,  
5 how is things going?

6 (Off the record comments.)

7 CHAIRMAN BENNETT: Not good?

8 (Off the record comments.)

9 CHAIRMAN BENNETT: It's still going in  
10 and out?

11 (Off the record comments.)

12 CHAIRMAN BENNETT: I'll talk and then,  
13 see if it's still going in and out.

14 (Off the record comments.)

15 CHAIRMAN BENNETT: It's still going in  
16 and out, okay.

17 (Off the record comments.)

18 CHAIRMAN BENNETT: I'll start talking  
19 again. Is it still going in and out?

20 (Off the record comments.)

21 CHAIRMAN BENNETT: It is still -- wow,  
22 this must be -- it may be this mic.

1 (Off the record comments.)

2 CHAIRMAN BENNETT: It is? Let me see  
3 here.

4 (Off the record comments.)

5 CHAIRMAN BENNETT: If I use this one,  
6 does it -- is it going in and out?

7 (Off the record comments.)

8 CHAIRMAN BENNETT: Is that going in or  
9 out, or not, or is --

10 (Simultaneous speaking.)

11 CHAIRMAN BENNETT: Mr. Eidinge,  
12 you're -- you seem to be my guide, here, is it  
13 going in and out?

14 MR. EIDINGER: It is going in and out,  
15 but just project, so --

16 CHAIRMAN BENNETT: Just project  
17 better? Okay, thanks much. Speech, Co-Chair.

18 (Laughter.)

19 CHAIRMAN BENNETT: Okay.

20 (Off the record comments.)

21 CHAIRMAN BENNETT: What?

22 (Off the record comments.)

1                   CHAIRMAN BENNETT: All right.

2                   (Off the record comments.)

3                   CHAIRMAN BENNETT: If this is really  
4 bad, somebody, please, raise your hand, or  
5 something, which I'm sure I'll get that. To my  
6 far-right is Ms. Cecily Montgomery, who's  
7 Director of the Office of Campaign Finance.

8                   To her left is our new Board Member,  
9 Ms. Karyn Greenfield. Karyn, welcome. Karyn was  
10 confirmed and sworn in, just a short time ago.  
11 Many of you may know that we lost one Board  
12 Member, Mike Gill, who is the third Board Member,  
13 is not here, but having the two of us here gives  
14 us a quorum.

15                   So welcome, Karyn. And, maybe, may  
16 have an interest in her background, you can look  
17 on the Website and see that, I won't spend time  
18 today doing that, since we have such a heavy  
19 agenda.

20                   To my far, to my right, our General  
21 Counsel, Ms. Terri Stroud. Introduce myself,  
22 Michael Bennett, to my left is Alice Miller, who

1 is the Executive Director of the Board of  
2 Elections. What we'll do is start off with a,  
3 adopting the agenda and the --

4 (Off the record comments.)

5 CHAIRMAN BENNETT: Yes, I'm -- well,  
6 we're going to adopt the minutes from last  
7 meeting, because I'm going to amend the agenda, a  
8 little bit. Karyn, can I get a motion to adopt  
9 the minutes from last meeting?

10 MS. GREENFIELD: Yes, Mr. Chair, I  
11 move that we adopt the minutes from last meeting.

12 CHAIRMAN BENNETT: Thank you, it's  
13 been properly moved, I second that, and such it  
14 is unanimous acceptance of the minutes.

15 I'm going to, because we have -- and,  
16 I think, there are probably a number of people,  
17 who are interested in speaking, with regard to  
18 the initiative that we have to address today.

19 I'm going to switch things around and  
20 try and get through some of the items on the  
21 agenda, as quickly, as possible, so that, when we  
22 have the hearing on the initiative, we have time

1 to really focus on that and, and get as many  
2 voices, as we can.

3 I will have to limit the time that  
4 people speak, but we will try to get to, as much,  
5 as possible.

6 The other thing -- so I'm going to  
7 shift, when you look at the General Counsel  
8 Report, I'm going to shift the proper subject  
9 hearing, with regard to the initiative, to the  
10 bottom of the General Counsel Report.

11 And then, I'm going to shift up, if  
12 you will, the motion hearing, with regard to the  
13 motion to supplement the record, from Chris  
14 Otten, to a part of the General Counsel's Report,  
15 prior to the hearing.

16 Then, what I'll do is, after the  
17 hearing, though, I will allow for other public  
18 comment, depending on the timing, the public  
19 comment will, likely, be limited and it also may  
20 be required to submit their comments in writing.

21 Just trying to be most efficient and  
22 give the proper amount of time to the persons



1 that are here to address this particular  
2 initiative.

3 So with that, I'd like to get a  
4 motion, from our other Board Member, Ms.  
5 Greenfield, with regard to accepting the agenda,  
6 as amended.

7 MS. GREENFIELD: I move that we accept  
8 the agenda, as amended.

9 CHAIRMAN BENNETT: It's properly  
10 moved, I second, and it is accepted, as amended,  
11 unanimously. So Board matters. I don't have any  
12 Board matters, for today. And, Ms. Greenfield,  
13 do you have any matters for the Board to  
14 consider?

15 MS. GREENFIELD: No, I don't.

16 CHAIRMAN BENNETT: Great, thanks.  
17 Now, the report, from Ms. Montgomery, regarding  
18 the Office of Campaign Finance.

19 MS. MONTGOMERY: Yes, good morning.  
20 Before I address the activity of the visions in  
21 the Office of Campaign Finance, I would like to  
22 notify the public first that, with respect to the

1 Fair Elections Program, we have published a Fact  
2 Sheet, for Ward 2, for the June 16, 2020 Special  
3 Election, at our Website, on January 27th, 2020.

4 It can be found, at the Home Page,  
5 under Press Releases. Also, the OCF 2020  
6 Schedule of Training Seminars is also available,  
7 at our Website. We published that on January  
8 30th and it can be found, at our Home Page, under  
9 Advisories.

10 We, also, now published lists of the  
11 candidates, who are in the Fair Elections  
12 Program, at our Website, they will be updated  
13 monthly, and we published that on January 31st.  
14 It can be found, at our Home Page, under Press  
15 Releases and, also, at the FEP Slider.

16 We also included a list of the  
17 candidates who are registered in the traditional  
18 program as well, with a list of the candidates  
19 who are certified in the FEP Program and it  
20 includes the disbursements as of this day.

21 In the Fair Elections Programs  
22 Division, during the month of January, there were

1 two candidates who were certified as  
2 participating candidates in the Program, the  
3 first was Renee Bowser, the committee to elect  
4 Renee Bowser, Ward 4, Principal Campaign  
5 Committee was certified as participating  
6 candidate on January the 21st.

7 The second was Chander Jayaraman,  
8 Chander for Counsel, at large, Principal Campaign  
9 Committee. He was certified on January the 21st,  
10 2020.

11 The Fair Elections Division also  
12 issued two status reports to candidates seeking  
13 certification in the program who have not, yet,  
14 met the threshold requirements.

15 It also issued two notices of denials,  
16 deficiencies, to candidates seeking certification  
17 in the Program. During the month of January,  
18 they also authorized base amount and matching  
19 payments.

20 Patrick Kennedy for Ward 2, \$725 in  
21 matching payments was authorized on January the  
22 21st. Chander for Counsel at Large, \$87,515 in

1 matching payments, plus \$20,000 in base payment,  
2 for a total of \$107,515 was authorized on January  
3 21st.

4 The Committee to Elect Renee Bowser,  
5 \$36,975 in matching payments, plus \$20,000 in a  
6 base amount payment, for a total of \$56,975, on  
7 January the 21st, 2020.

8 As of January 31st, 2020, there are  
9 nine candidates who are certified in the Fair  
10 Elections Program as participating candidates,  
11 and again, because they are certified candidates,  
12 they are deemed eligible to receive matching  
13 payments for qualifying small dollar  
14 contributions and the payment of one-half the  
15 base amount.

16 During Fiscal Year 2020 to date, the  
17 total amount of public funds issued to  
18 participating candidates is \$367,615.05.

19 In the Fair Elections Division, they  
20 also conducted eight desk reviews. They issued  
21 four requests for additional information.

22 In our Public Information and Records

1 Management Division, during the month of January,  
2 there were several reporting deadlines. The  
3 first was for the Legal Defense Committees.

4 The second report of receipts and  
5 expenditures was due on January the 2nd, 2020,  
6 and the report was timely filed. With our  
7 Constituent Service Program, January the 1st was  
8 the deadline for the report of the receipts and  
9 expenditures and it was actually due on January  
10 the 2nd, due to the holiday, there are nine  
11 required filers and all nine timely filed.

12 With our Senator Representative  
13 Statehood Funds, again, January 1st was the  
14 deadline for the report of the receipts and  
15 expenditures, it actually fell on January the  
16 2nd, due to the holiday. There were three  
17 requiring filers and all three timely filed.

18 In our Fair Elections Program, with  
19 respect to our Principal Campaign Committee,  
20 January the 10th, 2020, was a filing deadline for  
21 the report of receipts and expenditures.

22 And, actually, it was an optional

1 report date for candidates seeking certification.  
2 Three candidates filed reports of receipts and  
3 expenditures on that date.

4 January 31st was the statutory  
5 deadline for the filing of reports and receipts  
6 and expenditures by our Principal Campaign  
7 Committees, our Political Action Committees,  
8 also, for the Fair Elections Program Principal  
9 Campaign Committees, our Independent Expenditure  
10 Committees, our Initiative Referendum Committees,  
11 and our Recall Committees.

12 I will be reporting during the month  
13 of February -- I'm sorry, at our March meeting,  
14 the total number of requiring filers for each of  
15 those filing groups, as well as the total number  
16 of timely filers. I do not have that date as of  
17 this date.

18 During the month of January, we also  
19 had new candidates and committees who registered.  
20 We had ten new candidates who registered in our  
21 Fair Elections Program, they are Charles Boston,  
22 Boston for State Board of Education at Large,

1 registered on January 3rd.

2 Fria More, Vote Fria More 2020, for  
3 Ward 8 City Council registered on January the  
4 13th. Jordan Grossman, Jordan Grossman for Ward  
5 2 Special Election, registered on January 13th.

6 Patrick Kennedy, Patrick Kennedy for  
7 Ward 2, Special, June 16, 2020, City Council,  
8 January 17th, 2020, John Fanning, Fanning for  
9 Ward 2 Special Election City Council, January the  
10 15th, 2020.

11 Mike Austin, Mike for Ward 8, Ward 8  
12 City Council, January 17th, 2020. Kishan Putta,  
13 Kishan Putta for Ward 2 Special Election 2020,  
14 January 21st, 2020.

15 Katherine Vernice, Katherine for Ward  
16 2 Special City Council, January 24th, 2020.  
17 Daniel Platt, Daniel Platt 2020, Ward 8 City  
18 Council.

19 We, currently, have a total of 35  
20 candidates who are registered in the Fair  
21 Elections Program. In our Traditional Campaign  
22 Finance Program, we had 18 new candidates'

1 committees, who registered in the month of  
2 January.

3 Oye Owoleya, Oye for U.S.  
4 Representative, January the 3rd. Yaida Ford,  
5 Elect Yaida Ford Ward 8 City Council, January  
6 10th.

7 Ivan Cloyd, Ivan Cloyd for U.S.  
8 Representative, January 10th. Pete Ross  
9 Candidate U.S. Representative, January 10th.  
10 Tyrone Carmichael, Candidate at Large City  
11 Council, January 13th.

12 Ashley Carter MacLeay, Ashley for D.C.  
13 Republican National Committee Woman, January the  
14 14th. Marcus Goodwin, Goodwin for D.C. 2020 at  
15 Large City Council, January 15th.

16 Rebecca Morris, Rebecca Morris  
17 Committee of Ward 7 City Council, January the  
18 16th. Jeronda Hilton, Jeronda Hilton 22 Ward 8  
19 City Council, January 16th.

20 Michael McHugh, Candidate Ward 1,  
21 Chairman D.C. Republican Party, January the 17th.  
22 Jose Cunningham, Jose 2020, Republican National



1 Committee, January 17th.

2 Marlena Edwards, Edwards for Ward 4  
3 2020, Ward 4 City Council, January 21st. Dalton  
4 Patterson, Dalton Patterson 2020 Campaign, U.S.  
5 Representative, January 21st.

6 Nelson Jackson, Campaign to Elect  
7 Nelson Jackson to Ward 8 City Council, January  
8 23rd. LaJoy Johnson Law, LaJoy Johnson Law State  
9 Board of Education, January 27th.

10 Yilin Zhang, Yilin Zhang for Ward 2  
11 Special Election, January 28th. Nathan Derenge,  
12 Nate for Ward 8 City Council, January 29th.  
13 Marya Pickering, Marya D.C. 2020 at Large, City  
14 Council, January 29th.

15 We, again, have a total of 23  
16 candidates who are registered in our Traditional  
17 Campaign Finance Program.

18 We also conducted entrance  
19 conferences, mandatory entrance conferences,  
20 during the month of January. We conducted two on  
21 January the 15th, 2020, there were 14  
22 participants.

1                   And, on January 29th, 2020, there were  
2                   23 participants. The names of the participants  
3                   are included in my staff's report and will be  
4                   posted at the OCF Website by the end of the day.

5                   In our Audit Branch, our Reports  
6                   Analysis and Audit Division, during the month of  
7                   January, the Audit Branch conducted 40 desk  
8                   reviews of the reports of receipts and  
9                   expenditures that have been filed with the  
10                  Agency.

11                  With respect to our full field audits,  
12                  we have one ongoing audit and that, actually, is  
13                  a periodic random audit and it is of a candidate  
14                  in the upcoming 2020 election.

15                  The Re-Elect Brandon Todd 2020 that  
16                  was initiated on September the 4th, 2019, and  
17                  that is of the July 31st, 2019 filing of the  
18                  reports of receipts and expenditures.

19                  We issued one audit during the month  
20                  of January and that was the -- and this was of,  
21                  of a -- this was a full-field audit of a newly  
22                  elected public official and this audit was of the

1 Committee to Elect Zachary Parker of 2018.

2 The audit was issued on January the  
3 22nd, 2020. Again, he is a newly elected member  
4 of the State Board of Education and that was a  
5 non-compliance audit and the audit is available  
6 at our website for review by members of the  
7 public.

8 And I would ask our General Counsel,  
9 William Sanford, to give the report for the  
10 Office of the General Council.

11 CHAIRMAN BENNETT: How was that -- was  
12 it still in and out, still bad? Am I, speaking  
13 now, it's still, a bit, pretty bad?

14 (Off the record comments.)

15 CHAIRMAN BENNETT: It is? Oh wow.  
16 Okay. It's the mic, apparently. And, yes, let  
17 me see if I can --

18 (Off the record comments.)

19 CHAIRMAN BENNETT: Is this any better?  
20 I'm really concerned about this.

21 (Off the record comments.)

22 CHAIRMAN BENNETT: Is it still the

1 same? Worse?

2 (Off the record comments.)

3 CHAIRMAN BENNETT: We'll just try to  
4 project and do the best we can. Sorry about  
5 that, my apologies. We're working on it. Mr.  
6 Sanford.

7 MR. SANFORD: Good morning, Mr.  
8 Chairman. And a warm welcome to our new Board  
9 Member, Ms. Greenfield. My name is William  
10 Sanford, I am the General Counsel for the Office  
11 of Campaign Finance.

12 During the month of January 2020, the  
13 Office of the General Counsel received two  
14 referrals from the Reports Analysis and Audit  
15 Division, completed one informal hearing and  
16 issued two orders, which included the following.

17 One order was issued for failure to  
18 timely file a Report of Receipt and Expenditures,  
19 in which a fine of \$1,900 was initially imposed,  
20 but that fine was subsequently reduced to a  
21 \$1,000 fine, pursuant to a motion for  
22 reconsideration.

1           And one order was issued, resulting in  
2           a non-compliant order, in which a fine of \$5,000  
3           was imposed. During the month of January 2020,  
4           the Office of General Counsel imposed initially  
5           \$6,900 in fines and reduced the fines to \$6,000.

6           The fines were imposed against the  
7           following respondents. Initially, a fine of  
8           \$1,900 was imposed against Trayon White, for  
9           failing to timely file a Report of Receipt and  
10          Expenditures. That fine was reduced to \$1,000,  
11          pursuant to a motion of reconsideration.

12          In addition, a fine of \$5,000 was  
13          imposed against former Council Candidate Sheika  
14          Reid and her Treasurer, Anthony Miller, for  
15          unresolved issues resulting from a non-compliance  
16          audit.

17          During the month of January 2020, the  
18          Office of Campaign Finance Office of the General  
19          Counsel collected a total of \$1,250 in fines from  
20          the following respondents.

21          A fine of \$1,000 was paid by Council  
22          Member Trayon White. A fine of \$100 was paid, by

1 former Candidate Gayle Carley for Ward 5, and a  
2 fine of \$150 was paid by Franklin for D.C. 2018.

3 During the month of January 2020, the  
4 Office of the General Counsel issued one  
5 interpretive opinion that request was submitted  
6 on the 13th of December, the issue was campaign  
7 expenditures related to attendance at local  
8 events and the opinion was issued on January  
9 10th.

10 During the month of January 2020,  
11 there were no new open, no new investigations  
12 open, and during the month of January 2020 there  
13 were no show cause proceedings conducted. And  
14 that should conclude my report.

15 CHAIRMAN BENNETT: Thank you, Mr.  
16 Sanford. Ms. Montgomery?

17 MS. MONTGOMERY: Yes, I just wanted to  
18 add because I don't think I pointed out to the  
19 members of the public that -- with respect to our  
20 lists that will be published at the website of  
21 the registered candidates in both our Fair  
22 Elections Program as well as in the Traditional

1 Campaign Finance Program. We will update those  
2 monthly.

3 CHAIRMAN BENNETT: Okay.

4 MR. SANFORD: And I would just --

5 MS. MONTGOMERY: And that --

6 MR. SANFORD: I would just add that  
7 the -- a copy of the interpretive opinion that I  
8 mentioned is also available at the Office of  
9 Campaign Finance website.

10 CHAIRMAN BENNETT: Great. Thank you.  
11 Any questions, Ms. Greenfield?

12 MS. GREENFIELD: No, none.

13 CHAIRMAN BENNETT: Okay. And I don't  
14 have any. I do want to point out one thing. Let  
15 me, let me -- I'm really concerned about this  
16 technology issue here. Can you cut the mics off  
17 and then, see if you guys can hear?

18 What I'm really concerned about is  
19 making sure that our reporter can hear and take  
20 things down, because that's the official record  
21 of the meeting and, and the -- that we have to  
22 pull up every, like, every month.

1                   If we cut the mics off, can you hear,  
2 still, or will you be able to get the transcript,  
3 or not?

4                   COURT REPORTER: I, I will be, but  
5 it's --

6                   CHAIRMAN BENNETT: It's going to be a  
7 challenge?

8                   COURT REPORTER: Do you see these  
9 things?

10                  CHAIRMAN BENNETT: Yes.

11                  COURT REPORTER: These are my personal  
12 mics, which I can hear, but it's just a matter of  
13 speaking close to them.

14                  CHAIRMAN BENNETT: Okay.

15                  COURT REPORTER: So like, they won't  
16 be able to hear somebody talking from the  
17 audience.

18                  CHAIRMAN BENNETT: Right.

19                  COURT REPORTER: But they'll be able  
20 to -- like, I have one on that desk, they'll be  
21 able to hear somebody sitting right there.

22                               (Off the record comments.)



1 CHAIRMAN BENNETT: What did you say?

2 (Off the record comments.)

3 PARTICIPANT: I think it was just your  
4 mic.

5 COURT REPORTER: No, it's not.

6 (Off the record comments.)

7 PARTICIPANT: Her microphone's fine.  
8 When she was speaking it was fine. It's just  
9 that one, right there, it's making some sort of  
10 interference.

11 CHAIRMAN BENNETT: Could you hear from  
12 Ms. Montgomery?

13 COURT REPORTER: I could hear her, it  
14 had a -- it had the same problem yours did.

15 CHAIRMAN BENNETT: It's still in and  
16 out? Okay.

17 COURT REPORTER: It's like an  
18 interference.

19 CHAIRMAN BENNETT: My apologies,  
20 folks.

21 (Off the record comments.)

22 CHAIRMAN BENNETT: But I think it's

1 important we try and make sure the sound is  
2 working clear. Okay. Well, that said, can you  
3 guys hear me okay, when I speak up?

4 PARTICIPANT: Yes, just bring the mic  
5 closer to you.

6 (Off the record comments.)

7 CHAIRMAN BENNETT: Say again?

8 PARTICIPANT: If you could, bring the  
9 mic close --

10 CHAIRMAN BENNETT: I couldn't hear you  
11 --

12 MS. STROUD: If you could, bring the  
13 mic as close as you can to your --

14 CHAIRMAN BENNETT: Yes, this one? Do  
15 you think, is that helpful?

16 (Off the record comments.)

17 CHAIRMAN BENNETT: Is this helping  
18 anybody? Everybody going out? This is better?

19 (Off the record comments.)

20 CHAIRMAN BENNETT: It's better?

21 (Simultaneous speaking.)

22 CHAIRMAN BENNETT: Okay. Great. I

1 will try that.

2 (Simultaneous speaking.)

3 CHAIRMAN BENNETT: Thank you, so much.

4 Can you come back next month?

5 (Off the record comments.)

6 (Laughter.)

7 CHAIRMAN BENNETT: All right.

8 MR. SINDRAM: Much better, Mr. Chair.

9 CHAIRMAN BENNETT: Thank you. Hey,  
10 thank you, Mr. Sindram.

11 (Off the record comments.)

12 CHAIRMAN BENNETT: You are valuable.

13 Next on the agenda is -- well, let me make one  
14 other point too, now that we've kind of gotten  
15 through some of our technology issues, is that --  
16 and I should've said it during the Board Matters.

17 But there is a combined calendar and  
18 it's going to get more and more combined, better  
19 and better, a combined calendar, both the Office  
20 of Campaign Finance and the Board of Elections,  
21 on both websites.

22 And so one of the things that we have

1 found over time was that it was sometimes  
2 confusing to candidates when they had one  
3 calendar for the Office of Campaign Finance and  
4 another for the Board of Elections.

5 There is such an integrated process  
6 here that we want to try and, at minimum, give  
7 people a combined calendar. So you will find  
8 that combined calendar on both websites.

9 And, as -- and we're getting better  
10 and better at that. It's not complete right now,  
11 but it will be, over the course of time. So I  
12 wanted to point that out as something I feel  
13 really good about that we're doing.

14 Next thing on the agenda is the  
15 Executive Director Report. Ms. Miller.

16 MS. MILLER: Thank you, Mr. Chair.  
17 Good morning. I'll start off talking about the  
18 candidate petition process for the June 2nd  
19 primary, which is well underway.

20 We have 57 candidates who have picked  
21 up petitions for the June 2nd election. Filing  
22 deadline for that, for those nominating

1 petitions, is 5:00 p.m., on Wednesday, March 4th,  
2 and that list is available on the Board's  
3 website. We update that list daily.

4 For the Ward 2 Special Election that's  
5 scheduled for June 16th, seven candidates have  
6 picked up petitions. The deadline for the  
7 nominating petitions to be brought for that  
8 election is March 18th, at 5:00 p.m., and, again,  
9 the list of candidates is posted on our website  
10 and that also is updated daily.

11 With respect to the cost for the  
12 Special Election, the Mayor has funded the cost  
13 for our operation, which will be \$220,000. That  
14 amount was placed into our budget last week, so  
15 we are prepared to move forward with that  
16 operation.

17 We've also received a notification of  
18 grant funding from the Election Assistance  
19 Commission. That's the federal agency that  
20 operates through the federal government over  
21 elections.

22 And we have received notification for

1       \$3 million dollars to be used in accordance with  
2       Section 101 of HAVA, with a focus on security and  
3       cyber infrastructure. The city has to make a  
4       match of 20 percent in order for us to qualify  
5       for that funding, which is \$600,000.

6               For the month of January, the staff  
7       participated in 14 outreach events. All of those  
8       events are listed on our website -- a light just  
9       went off.

10              (Off the record comments.)

11              MS. MILLER: Are listed on our  
12       website, includes --

13              (Off the record comments.)

14              MS. MILLER: -- naturalization  
15       ceremony, election worker recruitment events,  
16       student events at Ballou High School, and the  
17       National Re-Entry Network for Returning Citizens  
18       for voter registration education events. All of  
19       those events are, also, listed on our website.

20              We have a robust outreach for poll  
21       worker recruitment. It's well underway. We have  
22       people out here today, so if anyone's interested

1 in serving, as a poll worker, don't leave without  
2 signing up. We'd love to have you. We need you.  
3 And if you have a friend of a friend, feel free  
4 to get them in here also.

5 Our training for poll workers will  
6 start in March and we will be training straight  
7 through the early voting process and through the  
8 June 2nd election.

9 We're working to have 16 early voting  
10 sites. Right now we have 15, we're looking for a  
11 second location in Ward 2. The challenge remains  
12 to try to find a location there we continue to do  
13 so.

14 But, again, if you all have any  
15 suggestions or ideas, we're open to them. We  
16 need to have a place that can accommodate us for  
17 early voting for ten consecutive days, and will  
18 allow us to be there and, basically, take charge  
19 of that location during that time period, both in  
20 May and during October through the November time  
21 frame.

22 I just want to put one additional

1 thing on the record, Mr. Chairman, and that is  
2 I'd like to proudly mention that the Board was  
3 notified by the Vice Chair of the Election  
4 Assistance Commission of their selection for the  
5 Clearies Award for accessibility.

6 The 2019 Clearinghouse Clearie Award  
7 for improving accessibility for voters with  
8 disabilities and for the Board's overall  
9 commitment to accessibility.

10 This highlights the D.C. Board as an  
11 exemplary model that can serve as an example to  
12 other officials and jurisdictions. The Clearie  
13 Awards recognizes the innovative efforts of  
14 election officials across America.

15 Entries are judged based on the  
16 initiative's creation of positive results,  
17 innovations, sustainability, outreach efforts,  
18 cost effectiveness, and reputability.

19 The award is given for exceptional  
20 work to improve accessibility during the election  
21 cycle. An independent panel of judges was  
22 convened to review the nationwide submissions for



1 the award and to vote for the final selection.

2 The Chairman of the EAC, Christy  
3 McCormick, announced the award to recognize the  
4 Board as outstanding -- is the winner for this  
5 year, for performance and best practices in the  
6 area of accessibility.

7 So with that in mind, I just want to  
8 take a minute and recognize both Terrica Jennings  
9 and Arlin Budoo for the work they do to both  
10 identify and locate a presence with a vision  
11 towards accessibility at all times.

12 So Arlin's in the front. Terrica, I  
13 don't see you. But would you both please stand,  
14 because I think you deserve recognition for this  
15 award and it is a nationwide award and we are  
16 very grateful and thankful to you.

17 (Applause.)

18 MS. MILLER: And that concludes my  
19 report.

20 CHAIRMAN BENNETT: Thank you. Just to  
21 add to that -- man, this is really a challenge.

22 (Off the record comments.)

1                   CHAIRMAN BENNETT: Just to add to  
2 that, we spend a lot of time -- Jesus. Help me.

3                   (Laughter.)

4                   CHAIRMAN BENNETT: We spend a lot of  
5 time focused on accessibility. And I'm sure, all  
6 of you, here, are voters --

7                   (Off the record comments.)

8                   MS. MILLER: Is somebody patching in?  
9 Because, we think that's what it is.

10                  (Off the record comments.)

11                  CHAIRMAN BENNETT: Well, I'm going to  
12 -- I'm just saying this, while I -- just to help  
13 me conserve time. But we spend a lot of time  
14 focusing on accessibility to voting, and that's a  
15 big deal in the District and it should be a big  
16 deal around the country, and I'm sure it is.

17                  But we spend a lot of time focused on  
18 that and we make sure that folks who have  
19 disability in any kind of way, or various  
20 challenges, have the opportunity to vote.

21                  So Mr. Budoo and Ms. Jennings have  
22 just done an incredible job making sure that our

1 priorities are, in fact, met when it comes to  
2 accessibility and this award is evidence of that.

3 So again, thank you, to both of you,  
4 for a job well done in this process. So next on  
5 the agenda -- boy, I'm almost afraid to cut this  
6 mic on again. Next on the agenda -- hey, it's  
7 better.

8 (Off the record comments.)

9 CHAIRMAN BENNETT: Thank you. Boy, a  
10 thumbs up. Hey, a thumbs up from the back.

11 (Laughter.)

12 CHAIRMAN BENNETT: I don't know, I got  
13 to make sure I know what's going on. We are now  
14 at the point of having our General Counsel  
15 Report. And, I think what we are, what you're  
16 probably going to do is have Mr. Otten --

17 MS. STROUD: Yes, Mr. Otten, so --

18 CHAIRMAN BENNETT: Otten, I'm sorry.

19 (Simultaneous speaking.)

20 MS. STROUD: Yes.

21 CHAIRMAN BENNETT: And then we'll do  
22 the other items.

1 MS. STROUD: Mr. Chris Otten, if  
2 you're present, would you please come forward?  
3 And if Mr. Dinan is present, if he could come  
4 forward, as well?

5 (Off the record comments.)

6 MS. STROUD: And you both have  
7 submitted pleadings, and so if you would like to  
8 summarize your case for the record, you may do  
9 so, or if you want to, I guess, Mr. Otten, if you  
10 wanted to speak first --

11 MR. OTTEN: Right now?

12 MS. STROUD: -- about your motion?

13 (Simultaneous speaking.)

14 MR. OTTEN: Okay. And first, I thank  
15 you. My name is Chris Otten, I'm a 20-year  
16 resident in the District of Columbia. I just  
17 wanted to make sure that the Board has copies of  
18 the two motions I submitted, the initial motion  
19 and then the reply in response to --

20 CHAIRMAN BENNETT: Yes, I'm good.

21 MR. OTTEN: Okay. So in summary --

22 CHAIRMAN BENNETT: I think that mic is

1 creating a feedback. I think that's part of the  
2 problem.

3 (Off the record comments.)

4 MR. OTTEN: Is that better?

5 CHAIRMAN BENNETT: Yes. Okay.

6 MR. OTTEN: In summary, there was a  
7 recall effort against Jack Evans that this Board  
8 took up, back in November, when the petitions  
9 were submitted.

10 Mr. Dinan represented Jack Evans,  
11 former Council Member, for two hired-in  
12 investigative firms that spent hundreds of hours,  
13 according to his words, reviewing our petitions.

14 One of these petitions, Petition Sheet  
15 Number 43, which is the one I submitted, along  
16 with 600 other petition sheets, was deemed to  
17 potentially have forged signatures and was  
18 inherently corrupt, quote-unquote, and to be  
19 tossed out as fraudulent.

20 These are all terms on the public  
21 record, with my name attached to it, submitted by  
22 Mr. Dinan as an allegation against my person and

1 my reputation.

2           These eight signatures are all,  
3 largely, from one block in Georgetown. I  
4 personally went up and down that block, with a  
5 witness, and got those signatures as a volunteer  
6 with a Recall Jack Evans campaign.

7           Unfortunately, the Board did not, in  
8 their decision to deny the recall as not meeting  
9 the threshold, petition signatures required, it  
10 did not put its work product on the record, it  
11 was just a matrix of aggregate numbers of  
12 signatures accepted, those denied.

13           So the record currently has only Mr.  
14 Dinan's allegation that my petition signatures  
15 were forged and fraudulent. That means if my  
16 grandchildren ever go to the public record, they  
17 will see that their grandfather was a fraud.

18           So my motion was to clarify the  
19 record, correct the record. To do that, I had to  
20 file a FOIA request to get petition signature --  
21 Petition Sheet 43 and, as it was reviewed by the  
22 Board and the Board staff found that those

1 signatures were not fraudulent and verified them  
2 and counted them.

3 Unfortunately that is not on the  
4 record. So all my motion simply does is seek to  
5 put on the record that these signatures were  
6 indeed considered verified and valid and to clear  
7 my name.

8 MS. STROUD: Mr. Dinan.

9 MR. DINAN: First of all, Donald  
10 Dinan, for the record. Mr. Chairman, Board  
11 Members, we have submitted a response to Mr.  
12 Otten's motion and we would stand by the  
13 statements in that response.

14 MS. STROUD: And, I'm sorry, Mr.  
15 Otten, I neglected to have you state your name  
16 and address, for the record, and if you could do  
17 so, now?

18 MR. OTTEN: Sure. My name is  
19 Christopher Otten, O-T-T-E-N, and I live at 2203  
20 Champlain Street, Northwest, Unit 303,  
21 Washington, D.C. 20009.

22 Also in attendance is the Director of

1 the campaign itself, Adam Eiding, who is  
2 willing to testify in support of the motions and  
3 to show that, indeed, I had brought those in to  
4 the campaign office the day I received those  
5 signatures from real people in Ward 2.

6 MS. STROUD: Okay. So with respect to  
7 this matter, we received your motion and we  
8 received Mr. Dinan's response and your reply.  
9 Our regulations -- and I'm just going to inform  
10 you of the law regarding your motion.

11 The record for this matter is closed  
12 with the issuance of the Order, Order Number  
13 19-043, which was issued on December 18th, 2019,  
14 and so once the record closed, there was no  
15 basis, there's no basis on which to reopen it.

16 And that would be only be an avenue  
17 that the parties can pursue. But I want to let  
18 you know for the record that although the Order  
19 was issued on December 18th, the Order did not  
20 list any of the individuals challenged or mention  
21 any names, so the Order, which is the document  
22 that was issued, makes no mention of the



1       specifics of your challenge.

2                   But the record does include, not only  
3       the recall petition, it includes the challenge,  
4       it includes the work of the Registrar of Voters  
5       and the Order, so the record is not as limited as  
6       simply the Order, it includes all of the  
7       documents that I've mentioned.

8                   And so the information that you want  
9       to include on the record is, in fact, in the  
10      record and is available for -- and as you were  
11      able to receive it, you or any member of the  
12      public that is going to come and look for the  
13      record in this matter would be privy to the  
14      information that includes the work of the  
15      Registrar of Voters, the findings, which you  
16      correctly state, indicate that those signatures  
17      were not forgeries.

18                  So the -- I would recommend to the  
19      Board that the motion be dismissed because you --  
20      the record is closed and there's no basis upon  
21      which to open it. And again that avenue would  
22      only be available to the parties.

1           But you have had the opportunity today  
2 to make your case and you correctly indicate what  
3 the Registrar's findings were with respect to  
4 your motion. But the information that you would,  
5 in fact, have sought to include in the record is  
6 in fact already there.

7           CHAIRMAN BENNETT: And one thing we  
8 want to make sure -- I'm afraid to cut this thing  
9 on. One of the things I want -- and I want to  
10 thank you for your motion, your concerns -- this  
11 is ridiculous.

12           Your concerns are valid. I get it.  
13 And I think Ms. Greenfield and the Board gets it,  
14 as well. Unfortunately, the law doesn't allow us  
15 to open that record, to make sure that that  
16 information is there, although it is still there,  
17 if you look hard enough.

18           But I did want you to be able to come  
19 here today to put it on the record, because we  
20 are, as a Board, and our Administration, was very  
21 clear that the signatures that you gathered were  
22 not deemed fraudulent, regardless of the

1 challenge.

2 And they have the right to actually  
3 challenge that, but the reality is is that our  
4 review said that they were not fraudulent, which  
5 means you did not submit, nor were you a part of  
6 the gathering of any fraudulent signatures.

7 So I'm going to continue to talk about  
8 this to make sure that the record is very clear  
9 as to your submission and the allegations  
10 relative to a fraud, with regard to your  
11 signatures, they were not -- that allegation was  
12 not accepted nor substantiated.

13 And so for today and for the minutes  
14 of this meeting, the fact that your submission  
15 was not fraudulent will be forever on the record  
16 of this meeting today and also a part of the  
17 record of the Board that anyone can research and  
18 have access to.

19 So I'm going to make a motion that  
20 your motion, itself, be denied, but that we make  
21 a part of the record of this day and this meeting  
22 that, in fact, your signatures that you submitted

1 were, in fact, not fraudulent and the Board found  
2 that they were not fraudulent.

3 So is there any -- do you have any  
4 other comments, Mr. Dinan?

5 MR. DINAN: The only comment that I  
6 would make is that, in reviewing the challenge  
7 and I'm referring to it as Sheet 43, it said that  
8 the signatures appeared to be in the same hand  
9 and thus were challenged after that on that  
10 basis.

11 And we would submit that a review of  
12 that sheet shows that at least the name of the  
13 signers, the date, and the Ward appear to be  
14 written in the same hand, and, as we said in the  
15 challenge -- and we said appeared, I want to make  
16 that clear.

17 CHAIRMAN BENNETT: Sure.

18 MR. DINAN: Was made in good faith and  
19 based on --

20 CHAIRMAN BENNETT: Okay.

21 MR. DINAN: -- evidence.

22 (Off the record comments.)

1                   CHAIRMAN BENNETT: We appreciate that.  
2                   The Registrar did not agree with that, that  
3                   statement. Mr. Otten, do you have any other  
4                   comments, before I make a motion that Ms.  
5                   Greenfield and I can vote on?

6                   MR. OTTEN: Yes, just to clarify, for  
7                   the record, I believe the rules state that  
8                   petition circulators can help petition signers  
9                   actually fill out the address, the ward, the  
10                  date, but the signature has to be by the person  
11                  signing it --

12                  CHAIRMAN BENNETT: Yes that's --

13                  MR. OTTEN: -- and that's what  
14                  happened in this case.

15                  (Simultaneous speaking.)

16                  CHAIRMAN BENNETT: That's -- thank  
17                  you.

18                  MR. OTTEN: Yes, okay.

19                  CHAIRMAN BENNETT: I'm going to make  
20                  a motion that we, while we've gotten on the  
21                  record the fact that Mr. Otten, his petition was  
22                  not fraudulent, then but we -- well, with regard

1 to his motion, we have to deny the motion on the  
2 official record of that matter.

3 So I make a motion that we deny his  
4 motion and Ms. Greenfield, can I get a second on  
5 that?

6 MS. GREENFIELD: I second it.

7 CHAIRMAN BENNETT: Okay, so this  
8 motion was properly moved and seconded, and it's  
9 unanimous. So, Mr. Otten, thank you for coming.  
10 Mr. Dinan, thank you for coming, and I -- I hope  
11 that this is sufficient from your perspective to  
12 correct the record.

13 MR. OTTEN: Did you say that you were  
14 going to support a motion to make sure the record  
15 is corrected?

16 CHAIRMAN BENNETT: Well, the record is  
17 closed, so I can't open up the official record of  
18 the --

19 (Off the record comments.)

20 CHAIRMAN BENNETT: -- of the  
21 challenge, but what I am saying to you is that  
22 today we have created a record that supports your

1 position and that also makes public the finding  
2 of the Registrar relative to your signatures.

3 MR. OTTEN: Okay, well, I guess I just  
4 want to clarify, will today's record be assumed  
5 into the record of the case?

6 CHAIRMAN BENNETT: It will be a part  
7 of -- look, it won't be assumed into the record,  
8 but it will be, you know, able to be gathered and  
9 pulled by anyone. Okay?

10 MR. OTTEN: All right.

11 CHAIRMAN BENNETT: All right, thank  
12 you.

13 (Off the record comments.)

14 CHAIRMAN BENNETT: Okay. So the  
15 cameraman messes up. Oh man.

16 (Laughter.)

17 MR. OTTEN: Thank you.

18 CHAIRMAN BENNETT: Thank you.

19 MS. STROUD: The next item on my  
20 agenda is the litigation status, the first case  
21 in litigation status is Hunt v. Miller. This was  
22 a complaint, which Mr. Hunt requested that the

1 Board provide an itemized accounting of the  
2 write-in votes passed in the mayoral contest for  
3 the 2018 general election, which the Board was  
4 not required to do.

5 Briefing in that case is complete and  
6 we are waiting the court's order on the Board's  
7 motion to dismiss.

8 The next case is Butler v. Board. In  
9 this matter, Mr. Butler filed an action for a  
10 writ of in the nature of mandamus to compel the  
11 Board to accept the D.C. term limits campaign  
12 initiative of proper subject.

13 The Board filed a cross-motion for  
14 summary judgment on November 21st and the  
15 Plaintiff was to have filed a cross-motion on  
16 that date, as well, but he did not. We're  
17 waiting a decision on the dispositive motions  
18 filed. One has not currently been issued yet.

19 The next case is Graham v. Board.  
20 This matter involves the Board's appeal of a  
21 permanent injunction and to advise Superior  
22 Court, which prohibits the Board from receiving



1 any action on the Referendum 8 Petition.

2 The briefing in this case is complete  
3 and the D.C. Court of Appeals has ordered that  
4 the case be scheduled for oral argument as soon  
5 as the calendar permits.

6 In the case of Hammond v. Board, this  
7 is a matter that was filed in the D.C. Court of  
8 Appeals and is an appeal of a Board Order  
9 upholding the resolution of ANC 7B that found no  
10 vacancy in SMD 7B04.

11 This matter is consolidated with a  
12 similar one, which is Robin Marlin v. the Board.  
13 The most recent update to this case since our  
14 last meeting is that, on January 22nd, the  
15 Appellants filed a motion for an extension of  
16 time to file the appendix to their brief.

17 On January 28th, the Board filed an  
18 opposition to that motion and we are waiting for  
19 a ruling in that matter. And that concludes my  
20 litigation status.

21 CHAIRMAN BENNETT: Okay. All right,  
22 we -- so let me kind of give you a reminder in

1 terms of how we're going to proceed. We are  
2 going to -- I'm going to ask the General Counsel  
3 to frame the matter with regard to the initiative  
4 and then we're going to ask for proponents of the  
5 initiative, and then we're going to ask for  
6 opponents of the initiative.

7 MS. STROUD: Opponents first.

8 CHAIRMAN BENNETT: Opponents first,  
9 I'm sorry.

10 (Off the record comments.)

11 CHAIRMAN BENNETT: Opponents first?

12 MS. STROUD: Yes, we're going to have  
13 them come up, but --

14 CHAIRMAN BENNETT: All right.

15 (Off the record comments.)

16 CHAIRMAN BENNETT: Okay. So we'll ask  
17 for opponents first, and then proponents. And  
18 then we'll kind of wrap up with that. But, how  
19 many people will want to testify in general with  
20 regard -- can I just see a show of hands -- in  
21 general, I'm going to have to give some limit.  
22 It's not that many.

1 MS. STROUD: Okay.

2 CHAIRMAN BENNETT: Okay, so what we're  
3 going to do is we're going to limit the testimony  
4 to three minutes, okay? And so I ask you to be  
5 succinct and focused.

6 The other thing that I think -- most  
7 of you may or may not know, but most of you  
8 probably know is that our -- what we have to make  
9 a decision on is whether or not it's a proper  
10 subject matter for an initiative.

11 I am happy to hear, if you want to  
12 take up your time doing that, telling us how  
13 important it is and, I think that probably you,  
14 many of you will want to do that, but at the end  
15 of the day, the merits of the initiative is not  
16 our decision to make.

17 The merits will be addressed, you  
18 know, if indeed it meets the requirements to be  
19 an initiative on the ballot, then the merits of  
20 it will be addressed by the voters and not by us.

21 But if you want to spend your time  
22 doing that, that's okay and I'm okay with that.

1 So -- and at the end of the meeting, we're going  
2 to have public matters.

3 We will probably end up having public  
4 matters that are not regarding this initiative,  
5 to be submitted in writing, or very, very  
6 limited, and I'm kind of saying that for Mr.  
7 Sindram's benefit on the phone. But we'll kind  
8 of see where we are. So, Ms. Stroud?

9 MS. STROUD: Okay, so I just want to  
10 give you some background on the initiative  
11 process of the District of Columbia. The  
12 initiative process allows members of the public  
13 voters to propose laws for consideration by  
14 voters at an election.

15 So it allows the people to step into  
16 the seat of the Council with respect to proposing  
17 laws. And the Board of Elections is the  
18 gatekeeper for the initiative process, meaning  
19 that when we receive initiative measures, the  
20 Board has to review them to determine whether or  
21 not they present a proper subject for initiative.  
22 And the Board is limited to criteria which are

1 outlined on the screens that you see on either  
2 side of the room.

3 And so the Board, under District law,  
4 specifically Section -- D.C. Official Code  
5 Section 1-1001.16, which contains the legislation  
6 involving the initiative and referendum process.

7 So that law indicates that the Board  
8 must reject any proposed initiative measure, if  
9 it is contrary to the terms of the Home Rule Act,  
10 if it seeks the Home Rule Act.

11 If it would unlawfully appropriate  
12 funds in a manner that the District's courts have  
13 outlined, if it would violate the U.S.  
14 Constitution, if it is not in compliance with the  
15 Office of Campaign Finance filing requirements,  
16 if it is not in the proper legislative form.

17 If it would unlawfully discriminate,  
18 or violate the D.C. Human Rights Act, if it would  
19 negate, or limit, a current and existing Budget  
20 Act of the Council.

21 And so if it runs afoul of any one of  
22 these criteria, then the measure does not present

1 a proper subject. If it meets all of these  
2 criteria and does not violate the proper subject  
3 laws, then the Board is required to accept the  
4 initiative.

5 And so that -- again, the Board is  
6 limited to, in its analysis and determination, as  
7 to whether or not an initiative would present a  
8 proper subject, these are the criteria that the  
9 Board must analyze.

10 It does not look at whether the  
11 measure would be a good idea or a bad idea, it  
12 does not review the measures, as Chairman Bennett  
13 indicated.

14 The merits of the measure are left for  
15 the public to decide, voting in an election, on  
16 the initiative. And so that is the purpose of  
17 today's hearing.

18 So the Board received the Entheogenic  
19 Plant and Fungus Policy Act of 2020 on December  
20 20th. It was published in the D.C. Register, in  
21 accordance with D.C. law, on January 24th.

22 And we indicated the criteria that the

1 Board had to use to review the matter and  
2 indicated that members of the public could come  
3 in and weigh in on the proper subject analysis.

4 And so at this point, if we could have  
5 the proponent of the proposed measure come  
6 forward?

7 CHAIRMAN BENNETT: We have to  
8 determine -- please, go ahead and have a seat.

9 (Off the record comments.)

10 CHAIRMAN BENNETT: First, first  
11 question is whether or not the opponents of the  
12 proposed measure have met the statutory clerical  
13 requirement with regard to filing?

14 MS. STROUD: Yes. So I'll state for  
15 the record that the verified statement of  
16 contributions was filed with the Office of  
17 Campaign Finance on December 20th, 2019.

18 The initiative was filed in the proper  
19 form. It came with an affidavit containing the  
20 proposer's name, telephone number, residence  
21 address, and a statement that they are a  
22 registered elector in the District.

1                   It did come with five printed  
2                   attachments and copies of the full text of the  
3                   measure. There was a summary statement of no  
4                   more than 100 words. It contained a short title  
5                   of the measure.

6                   And so we'll go into the proper  
7                   subject analysis, once -- well, first of all, are  
8                   there any opponents present that would like to  
9                   speak against the initiative measure, the  
10                  proposed measure?

11                  (No audible response.)

12                  CHAIRMAN BENNETT: Okay, wow. That's  
13                  different.

14                  (Off the record comments.)

15                  MS. STROUD: And so I am going to read  
16                  the names of the individuals who have submitted  
17                  comments in favor of the proposed measure.  
18                  Melissa Lavasani, who's present. Is Larry Norris  
19                  present?

20                  (No audible response.)

21                  MS. STROUD: Marcus Capone?

22                  (No audible response.)



1 MS. STROUD: Queen Adesuyi?

2 (No audible response.)

3 MS. STROUD: Major Neal Franklin?

4 (No audible response.)

5 MR. FOGG: I'm here, I'm here for

6 Neal. Matthew Fogg, here.

7 MS. STROUD: Oh, so you're here, on

8 behalf of Mr. Franklin?

9 MR. FOGG: Yes.

10 MS. STROUD: Okay. Matthew Fogg is

11 your name?

12 MR. FOGG: That is my name.

13 MS. STROUD: Okay. Jesse Gould?

14 MR. GOULD: Present.

15 MS. STROUD: Okay. Wyly Gray?

16 MR. GRAY: Here.

17 MS. STROUD: Okay. Daniel Carcillo?

18 MR. CARCILLO: Here.

19 MS. STROUD: Mikhail Kogan?

20 (No audible response.)

21 MS. STROUD: And Evan Park?

22 MR. PARK: Here.

1 MS. STROUD: Okay. Okay, so first, we  
2 will hear -- oh, Mr. Chair.

3 CHAIRMAN BENNETT: Oh. If you could  
4 identify yourself and your name and address and  
5 where you're from and -- and just for the record.

6 MR. SANDLER: Thank you. Thank you,  
7 Mr. Chair, and Members of the Board. My name is  
8 Joseph Sandler, I'm Counsel for the Proposer, Ms.  
9 Lavasani and the Ballot Committee.

10 Just briefly, with respect to the  
11 proper subject matter analysis, three quick  
12 points. We would respectfully submit that the  
13 proposed initiative is consistent with Title 4 of  
14 the Home Rule Act. In particular, it enacts --  
15 it is legislative in nature, even though it's --  
16 it enacts a law that would set an unfortunate  
17 priority for the Metropolitan Police Department.

18 Because it is a new policy that can  
19 only be imposed from the Department, externally,  
20 by an act of the Council and that regard is  
21 legislative in nature. It's not directing the  
22 Department to make any decision within an

1 existing statutory framework.

2           Secondly, it clearly does not  
3 appropriate funds, or negate, or limit, a Budget  
4 Act of the Council and that changing and  
5 enforcing a priority does not reduce or redirect  
6 resources spent either on criminal enforcement  
7 generally by the MPD, or enforcement of the  
8 District's drug laws, just as Initiative 71,  
9 which actually legalized personal use of small  
10 amounts of marijuana may have resulted in less  
11 enforcement movement -- inherently less  
12 enforcement activity, but didn't in itself  
13 redirect resources or appropriate or affect any  
14 actual Budget Act of the Council, and was in fact  
15 found by this Board to be a proper subject for  
16 initiative and, of course, was adopted by the  
17 voters.

18           And finally we would note that the  
19 initiative is consistent with the so-called  
20 Harris amendment to the federal continuing --  
21 continuing the Appropriations Act in that it does  
22 not seek to reduce, or change the penalties for

1 these Schedule 1 substances that the -- that  
2 would be the subject of a lower enforcement  
3 priority, and consequently it's consistent with  
4 the federal laws and the, you know, the U.S.  
5 Constitution.

6 With that, I will turn it over to the,  
7 if it's okay with the Board, the Proposer, Ms.  
8 Lavasani.

9 MS. LAVASANI: Okay. Good morning, my  
10 name is Melissa Lavasani. Do you need my  
11 address?

12 MS. STROUD: Yes, please.

13 MS. LAVASANI: It's 901 Ninth Street,  
14 Northeast, Washington, D.C. 20002. I am a Ward 6  
15 resident and I am the proposer of the Entheogenic  
16 Plant and Fungus Policy Act of 2020.

17 I thank you for having us here today.  
18 I hope my testimony will be interesting,  
19 educational, and enlightening. I was born in  
20 Washington, D.C., to two Iranian immigrants.

21 Growing up in Minneapolis, Minnesota,  
22 my parents were role models for hard work and

1 resiliency. I graduated with a degree in  
2 Economics from McAllister College, where I had a  
3 successful tennis career for all four years.

4 I have since acquired two Master's  
5 degrees in Management and Public Policy. I moved  
6 back to D.C. in 2004. While my earl --, my 20s  
7 and my early 30s were challenging and  
8 informative, I was quickly checking  
9 accomplishments off my list.

10 By 2017, I was married to my -- a man  
11 I consider my best friend and I was pregnant with  
12 our second child. A couple of months into  
13 pregnancy, I developed a severe case of sciatica,  
14 which is pain that runs down your body from your  
15 spine.

16 The chronic pain began to wear on my  
17 mental health. Alarmed after -- alarmed, after  
18 casually being offered an anti-depressant, during  
19 a routine prenatal checkup, I did some research  
20 on these drugs.

21 I knew the numbness I felt was  
22 depression and I needed to take care of it

1 immediately. However, the doctor's assurance  
2 that it was safe for me and the baby did not  
3 convince me that antidepressants were my  
4 solution.

5 My research showed me the medical  
6 community still does not have a complete  
7 understanding of depression's effects on the  
8 brain. As it manifests differently with each  
9 person, diagnosing the correct pharmaceutical is  
10 a dangerous game of trial and error.

11 Additionally, each of these drugs has  
12 a laundry list of negative side effects, as well  
13 as alarming rates in relapse once off. After  
14 this extensive research and experiencing a loss  
15 of a friend who took his own life, through this  
16 struggle I decided not to take them.

17 There were too many changes going on  
18 in my life and I was going through inevitable  
19 identity crisis a woman goes through, when she's  
20 changing her family and growing.

21 After that point in -- my life  
22 spiraled out of control. My depression became

1 severe with symptoms of anxiety, paranoia,  
2 recurrent panic attacks, delusions, insomnia,  
3 self-harm, and suicidal thoughts.

4 I was on a never-ending spiral of  
5 toxic thought patterns, of shame, self-hate,  
6 worthlessness, which were all deeply ingrained in  
7 my brain.

8 I tried talk therapy numerous times,  
9 but I failed at seeing lasting results. I was  
10 failing at every level, as a mother, as a wife,  
11 as a sister, and as a colleague.

12 After listening to a podcast that  
13 featured Paul Stamets, who's an American  
14 mycologist, I listened to a discussion about the  
15 amazing health benefits, with the science that  
16 backs it, about micro-dosing psilocybin  
17 mushrooms. I decided to micro-dose psilocybin to  
18 treat my depression.

19 After two weeks of logging my dose and  
20 tracking my emotions carefully, I quite literally  
21 feel my brain re-routing its thoughts.  
22 Everything had changed and I was almost

1 completely symptom free.

2           The results were there; however, I was  
3 taking probably the biggest risk of my life. I  
4 was in possession of a Schedule 1 drug. I was  
5 breaking the law and putting my family at risk.

6           The entire experience was conflicting.  
7 I was healing myself, however, I was terrified of  
8 getting caught and losing everything I had.  
9 After micro-dosing, a friend suggested I see an  
10 Ayahuasca Shaman for continued healing.

11           Again, in desperation, I participated  
12 in a few ceremonies and the results were  
13 profound. Since this time, my life has  
14 transformed completely.

15           I feel like myself again. I am calmer  
16 and more compassionate and I feel empowered to  
17 take on any challenge that's in front of me. I'm  
18 completely engaged in my life and connected with  
19 my family again.

20           It's hard to believe there was ever a  
21 time that I did not want to see this day.  
22           Entheogenic plants and fungi empowered me to take



1 control and make the necessary changes in my  
2 life.

3 Our current system for treating  
4 disease is not working. Depression's elusiveness  
5 is both unfortunate and worrisome as it ranks as  
6 the leading cause of disability worldwide.

7 Entheogenic plants and fungi offer us  
8 a new solution to very troubling problems and the  
9 research surrounding these naturally occurring,  
10 non-addictive, non-toxic substances is extremely  
11 promising.

12 Johns Hopkins Center for Psychedelic  
13 and Consciousness Research has published over 60  
14 studies in support of the amazing benefits of  
15 psilocybin.

16 Some of the issues they are looking at  
17 are addiction, smoking sensation, depression, and  
18 existential distress caused by terminal illness.  
19 They are expanding their studies to include  
20 opioid addiction, Alzheimer disease, PTSD, Lyme  
21 disease, and anorexia.

22 If entheogenic plants and fungus

1       become the lowest level law enforcement priority  
2       in the District of Columbia, people can properly  
3       and safely heal themselves without fear of legal  
4       repercussions.

5                       This is a personal freedom issue.  
6       This is a healthcare issue. This is a social  
7       justice issue. This is a trauma interrupting  
8       life changing society shifting issue and we need  
9       to act now. I am reconciling time lost with my  
10      son while I was battling depression, with whom I  
11      am here today.

12                      Kufikiri Imara, a member of the  
13      Decriminalize Nature Oakland Campaign, said  
14      recently, One person's journey of healing helps a  
15      family heal. A family's healing helps a  
16      community heal. A community's healing helps a  
17      city heal. This is our opportunity to heal D.C.  
18      and we need to take it. Thank you.

19                      (Applause.)

20                      CHAIRMAN BENNETT: Thank you. Thank  
21      you, Ms. Lavasani.

22                      MS. LAVASANI: Thank you.

1                   CHAIRMAN BENNETT:  And we allowed you  
2                   to go over a few minutes, but we wanted to make  
3                   sure we heard your story.

4                   MS. LAVASANI:  I appreciate that,  
5                   thank you.

6                   CHAIRMAN BENNETT:  Thank you so much.

7                   MR. SANDLER:  Thank you.

8                   (Off the record comments.)

9                   CHAIRMAN BENNETT:  Any other --

10                  MS. STROUD:  So next I guess -- we'll  
11                  go in order, we will have Matthew Fogg, who is  
12                  representing Major Neal Franklin next.

13                  CHAIRMAN BENNETT:  Okay.

14                  MS. STROUD:  And, when everyone comes  
15                  up, if you could just state your name and  
16                  address, for the record, and then, we'll just  
17                  hear your testimony.  And we will, we have a  
18                  timer up here and we'll allow you three minutes.

19                  CHAIRMAN BENNETT:  Yes.

20                  MS. STROUD:  You have three minutes.

21                  (Off the record comments.)

22                  MR. FOGG:  Good morning, my name is

1 Matthew Fogg and I am a resident of Maryland and,  
2 actually, but I'm here for -- on behalf of the  
3 law enforcement -- Law Enforcement Action  
4 Partnership Network.

5 It's a 501C non-profit police  
6 organization of prosecutors, judges, and other  
7 law enforcement places working to improve the  
8 criminal justice system.

9 We believe that including the  
10 Entheogenic Plant and Fungus Policy Act on the  
11 District of Columbia ballot is, this November,  
12 would advance that cause and we ask you to allow  
13 it to appear on the ballot.

14 Prior to retiring as the Chief Deputy  
15 United States Marshal with 30 years of service in  
16 the Washington, D.C. area, I supervised a U.S.  
17 drug enforcement interdiction and nationwide  
18 fugitive dragnet task force.

19 I learned firsthand how much more  
20 destructive to a person's life being prosecuted  
21 for a drug crime can be than using the same drug  
22 ever was.

1                   We know, we all know that an arrest or  
2                   incarceration record limits a person's job and  
3                   housing opportunities, the eligibility for  
4                   student and home loans, voting rights, access to  
5                   public benefits, and the list goes on and on.

6                   Our current system fails to  
7                   acknowledge the religious and medicinal uses of  
8                   many non-addictive plant medicines that have been  
9                   used for thousands of years, by indigenous  
10                  cultures and by present day communities.

11                  Generations of anecdotal evidence and  
12                  current clinical research with leading  
13                  universities, including Johns Hopkins, New York  
14                  University, UCLA, point to therapeutic uses of  
15                  psychedelic drugs and treatment, complex mental  
16                  health issues, such as post-traumatic stress  
17                  disorders, treatment-resistant depression, and  
18                  addiction.

19                  Drugs are classified arbitrarily and  
20                  not based on science. Many prescription drugs  
21                  are not regulated enough, while plant medicines  
22                  are controlled by illegal markets that can make

1 their use more dangerous.

2 In a time of rapid opioid overdoses,  
3 police and veteran suicides, caused by PTSD, and  
4 an unaddressed mental health crisis in the  
5 country, no one should go to jail for using a  
6 natural medicine to try to heal themselves.

7 Many psychologists refer to this  
8 process as self-medication. For all these  
9 reasons, the law enforcement action partnership  
10 supports decriminalization of natural  
11 psychedelics -- or natural psychedelics in the  
12 District of Columbia.

13 On behalf of Major Neal Franklin, Lead  
14 Executive Director, myself, Dr. Matthew Fogg,  
15 Chief Deputy U.S. Marshal, retired, as a lead  
16 speaker, thank you very much.

17 CHAIRMAN BENNETT: Thank you, sir.  
18 Got any questions, Ms. Greenfield?

19 MS. GREENFIELD: No, I don't have any.

20 CHAIRMAN BENNETT: Okay, I don't have  
21 any. Thank you, sir, I appreciate it.

22 MR. FOGG: All right, you're welcome.

1 Thank you.

2 (Applause.)

3 MS. STROUD: Mr. Jesse Gould.

4 MR. GOULD: Good morning.

5 CHAIRMAN BENNETT: Good morning.

6 MR. GOULD: Jesse Gould, address 285  
7 St. Nicholas Avenue, New York, New York 10027. I  
8 realize that this might not affect your immediate  
9 decision today, but I traveled here so I'll just  
10 go over some of my statements.

11 CHAIRMAN BENNETT: We appreciate it.

12 MR. GOULD: I'm an Army Ranger  
13 veteran, with three combat deployments to  
14 Afghanistan. Nearly three years ago, I had to  
15 travel to another country to receive life-saving  
16 mental health therapy that was not offered and it  
17 came in the form of a psychedelic plant.

18 This therapy saved my life and it  
19 saved many other veteran's lives. I'm writing  
20 you today, as both a military veteran and as a  
21 U.S. citizen, and I respectfully request you  
22 support this initiative.

1           As a veteran, I represent the voice of  
2 a community that's suffering through an  
3 unprecedented mental health crisis. As a  
4 civilian, I bring this simple request to  
5 re-examine certain mods that are now outdated and  
6 prevented the emergence of effective treatment  
7 options.

8           The prospect of decriminalization may  
9 seem daunting on the surface, but entheogen  
10 plants saved my life and may others. I would  
11 have been skeptical as well had I not come to  
12 discover my misconceptions were not supported by  
13 facts.

14           My primary concern around the subject  
15 comes from a view that this is mainly to increase  
16 use, abuse, and social and health concerns. And  
17 to this point, I want to go over some of the  
18 overall public health benefits.

19           My foundation, which is also a  
20 501(c)(3), Heroic Hearts Project, is dedicated to  
21 the healing veteran mental trauma through  
22 psychedelic-based therapy.



1                   These veterans reached out to us,  
2                   after having explored the full spectrum of  
3                   therapies offered through the Department of  
4                   Veteran Affairs.

5                   This includes prolonged exposure  
6                   therapy, talk therapy, EMDR, and every  
7                   combination of medications that you can imagine.  
8                   I did not die in a morgue, but I was dying back  
9                   home. It's just one particular poignant message  
10                  that I've gotten as I've forged through this  
11                  foundation.

12                  Each veteran in our program served  
13                  this country under the principles of duty and  
14                  honor and each one of these veterans came to my  
15                  foundation, out of desperation. These men and  
16                  women were all seeking to regain their lives.

17                  Psychedelic and plant-based therapies  
18                  saved these lives. I can fill this entire letter  
19                  with stories of veterans who have been saved by  
20                  this sort of therapy.

21                  Like Rudy the Green Beret, who, for  
22                  the first time, felt real joy spending a Sunday

1 morning making pancakes with his ten-year old  
2 son.

3 Or Army Ranger Anthony, who emerged  
4 from his darkest point to finally realize that  
5 his life had value. Every day veterans are  
6 turning towards these vilified substances and  
7 finding hope that they haven't felt in years.

8 Among the veteran population, as has  
9 been discussed, rates of post-traumatic stress  
10 disorder, depression, suicide have soared. Since  
11 the start of the global war on terrorism, more  
12 veterans have died as a result of suicide than in  
13 combat by more than a factor of 20.

14 Veterans are also four times more  
15 likely to have suffered from opioid addiction as  
16 a direct result of negligence in pain management  
17 programs.

18 Despite over \$80 billion of funding,  
19 the Department of Veteran Affairs have not been  
20 able to find any real solutions to this epidemic.

21 They've already, others will discuss  
22 the values and the facts that many of these

1 substances are already going through research  
2 protocols and being declared breakthrough  
3 therapies, which shows that we need to  
4 re-evaluate our drug policy and how we view these  
5 substances.

6 CHAIRMAN BENNETT: Mr. Gould, I'm  
7 sorry to stop you. It looks like you're just  
8 about finished, but you've hit the time, and --

9 MR. GOULD: Okay.

10 CHAIRMAN BENNETT: -- I want to be  
11 careful. But, number one, thank you for your  
12 service.

13 MR. GOULD: Of course.

14 CHAIRMAN BENNETT: It is, it's an  
15 honor to have you in here and all the things that  
16 you've done and been through, for all of us,  
17 here, let me say thank you.

18 MR. GOULD: I appreciate that.

19 CHAIRMAN BENNETT: Secondly, I want to  
20 know, if you have any other, any questions, Ms.  
21 Greenfield?

22 MS. GREENFIELD: No, I don't have any

1 questions.

2 CHAIRMAN BENNETT: Okay. So thank you  
3 for your service and my apologies for cutting you  
4 off, it looked like you were pretty close to done  
5 and, thank you, for your testimony.

6 MR. GOULD: Thank you for listening.

7 (Applause.)

8 MS. STROUD: Mr. Wyly Gray.

9 MR. GRAY: Can you hear me all right?

10 CHAIRMAN BENNETT: Yes.

11 MS. GREENFIELD: Yes.

12 MR. GRAY: Awesome. My name is Wyly  
13 Gray, I live at 7389 Roxbury Avenue, Manassas,  
14 and I'm here representing veterans as well with a  
15 non-profit called Veterans of War.

16 Veterans of War, on behalf of veterans  
17 nationwide searching for effective approaches  
18 towards meaningful healing, respectfully requests  
19 your support of the Initiative to Decriminalize  
20 Entheogenic Plants and Fungi.

21 According to the VA, there are  
22 currently 18.6 million U.S. veterans living and

1 of that population, our nation loses 20 per day  
2 to suicide.

3 You unpack that, that's 7,300 of our  
4 brothers and sisters in arms that we lose  
5 annually. We lose more veterans per year to a  
6 preventable outcome than we have lost in more  
7 than 18 years in active war.

8 Veterans are a community in a  
9 desperate need of access to immediate and  
10 effective solutions. Having enlisted in the  
11 Marines from June of 2000 until my honorable  
12 discharge as a Staff Sergeant in December of  
13 2008, I, like many, deployed multiple times in  
14 support of our recent wars in Iraq and  
15 Afghanistan.

16 Also, like many, I had to learn to  
17 cope upon my return, with daily ailments, such as  
18 insomnia, tinnitus, a hyperactive fight or flight  
19 disorder, rage, depression, and many, many more.

20 Like others, I tried everything, from  
21 VA-sponsored medication, guided therapy,  
22 adventure therapy, equine therapy, anything I

1 could get my hands on, to try to get better, but  
2 nothing seemed to work.

3 While these approaches certainly  
4 changed my relationship to the trauma that I  
5 experienced, they simply seemed to act as a  
6 band-aid. When I was alone I remained suicidal.

7 It wasn't until I experienced the  
8 connection offered through plant medicine that I  
9 found any measure of true healing. I can sleep  
10 again thanks to my work with entheogenic plants.

11 In my desperation, a desperation  
12 echoed loudly in the veteran community to find  
13 healing, I was forced to travel to Peru, a  
14 country where ancient medicines are not only  
15 legal, but they're venerated by their society as  
16 well.

17 Veterans should not be forced to  
18 undertake a dangerous mission into the Amazonian  
19 jungle in order to find access to critical  
20 life-saving medicine. I came home and dedicated  
21 my life to ensuring that those that are suffering  
22 can find appropriate tools to recover.

1           The mission of Veterans of War to save  
2 veterans' lives would be much easier to  
3 accomplish if entheogenic plants and fungi are  
4 decriminalized, as it would serve to send a very  
5 powerful message nationwide that our Government  
6 is committed to leading the way to solve  
7 America's veteran health, mental health crisis.

8           Entheogenic plants and fungi offer the  
9 ability to reprogram trauma, repair damaged  
10 neurotransmitters and even stimulate the birth of  
11 new neurons within the brain.

12           They merit further study as well as  
13 application to target audiences, such as those  
14 suffering from PTSD. As clinical trials have  
15 shown again and again, entheogenic plants and  
16 fungi are both safe and effective means by which  
17 to combat trauma.

18           Veterans of War have seen firsthand  
19 the healing potential of these ancient medicines  
20 and advocate strongly for their  
21 decriminalization, on behalf of a nation of  
22 veterans suffering from the aftereffects of war

1 that are simply trying to return home.

2 This is bigger than the failed war on  
3 drugs. Lives are at stake. Veterans of War  
4 humbly ask for your support in promoting the  
5 return to commonsense legislation, by  
6 decriminalizing our access to natural medicines.

7 On behalf of our nation's veterans, we  
8 thank you for your time and earnest attention.

9 (Applause.)

10 CHAIRMAN BENNETT: Thank you, Mr.  
11 Gray? Yes, thank you, Mr. Gray. Ms. -- hold on.  
12 Ms. Greenfield, do you have any questions?

13 MS. GREENFIELD: No, I don't. And  
14 thank you for your service.

15 CHAIRMAN BENNETT: Thank you. Thank  
16 you for your service.

17 MS. STROUD: Next we have Daniel  
18 Carcillo, Carcillo.

19 MR. CARCILLO: All right. Good  
20 morning.

21 CHAIRMAN BENNETT: Good morning.

22 MR. CARCILLO: Thank you, for



1 listening. Daniel Carcillo, 13236 West Chicago  
2 Bloomington Trail, Homer Glen, Illinois 60491.

3 CHAIRMAN BENNETT: And elevator bleep.

4 MR. CARCILLO: Yes. Yes. So again,  
5 my name is Daniel Carcillo, I'm a husband and  
6 proud father of three, traumatic brain injury,  
7 mental health and brain advocate, former  
8 professional NHL hockey player, two-time Stanley  
9 Cup champion and founder of Chapter 5, a  
10 charitable organization. It's cutting out.

11 CHAIRMAN BENNETT: Yes, I'm sorry.

12 MR. CARCILLO: It's all good.

13 CHAIRMAN BENNETT: We can hear you  
14 fine.

15 MR. CARCILLO: Okay, good.

16 (Off the record comments.)

17 MR. CARCILLO: A charitable  
18 organization that helps athletes transition into  
19 life, after the game. As a Decriminalized Nature  
20 Natural Advisory Council Member, I'm respectfully  
21 requesting your support of the initiative to  
22 decriminalize entheogenic plants and fungi.

1                   I'm 34 years young, retired, with two  
2 horizontal tears in both ankles, general PCO on  
3 my right knee, ACL, reconstructive surgery on my  
4 left knee, arthritis in both knees, I had an  
5 arthroscopic hip surgery, my abdomen stapled back  
6 to my pelvis, no labor in my left shoulder, lost  
7 three teeth, and I've broken my nose two times,  
8 and sustained seven documented concussions.

9                   I was fully prepared and equipped to  
10 live a life with arthritis, broken bones, muscle  
11 tears, surgeries, dentist visits, and  
12 uncomfortable pain that comes along with the life  
13 of playing professional sports that cannot kill  
14 me, but almost killed me, with post-concussive  
15 symptoms, derived from seven documented  
16 concussions and thousands of sub-concussive hits  
17 to the body and to the head, as well as, the  
18 mental health complications, derived from the  
19 sexual, physical, emotional, and verbal abuse I  
20 was forced to deal with, as a minor, in junior  
21 hockey.

22                   Eight months ago, I made a plan to end

1 my own life, because I thought I had exhausted  
2 all treatment options, for my emotional trauma  
3 and post-concussive syndrome.

4 I spent thousands, hundreds of  
5 thousands of dollars, in search for the right  
6 care and began to feel as if I was a burden to  
7 those around me, who were watching me suffer with  
8 daily symptoms, like head pressure and false  
9 control issues, light sensitivity, memory loss,  
10 insomnia, anxiety, depression, and suicidal  
11 ideation.

12 The number one cause of death  
13 following a traumatic brain injury is suicide.  
14 My life was saved by a former teammate, who  
15 introduced me to a traditional mushroom ceremony,  
16 to which, the FDA has recently granted two  
17 organizations special breakthrough designation.

18 Clinical trials, at universities like  
19 Johns Hopkins, NYU, Imperial College of London,  
20 have been shown to treat anxiety, depression, and  
21 addiction, with alarmingly successful results.

22 During a traditional mushroom

1 ceremony, I was able to get to the root cause of  
2 my emotional and physical trauma and process  
3 difficult emotions and events in hours, rather  
4 than years.

5 The mushrooms gave me a chance to  
6 forgive myself, break destructive thought  
7 patterns and my guide taught me how to integrate  
8 the lessons from ceremony into my everyday life.

9 It has allowed me to make a deeper  
10 connection in my relationships with my wife,  
11 parents, and brothers, to be a more patient,  
12 understanding and loving father with my children,  
13 come to terms with my fear of the unknown and  
14 with death.

15 It helped me to change my  
16 self-narrative from negatively motivating myself  
17 to positive reinforcement and has given me the  
18 opportunity to realize that I am worthy of love,  
19 love myself and, in turn, loving everyone around  
20 me.

21 And I think I'm out of time, so I'll  
22 stop there and I appreciate you listening.

1 CHAIRMAN BENNETT: Thank you, Mr.  
2 Carcillo. It's Carcillo, is that correct?

3 (Applause.)

4 MR. CARCILLO: Yes, Carcillo.

5 CHAIRMAN BENNETT: Do you have any  
6 questions, Ms. Greenfield?

7 MS. GREENFIELD: No, I don't have any  
8 questions.

9 CHAIRMAN BENNETT: Thank you for your  
10 taking the time to come to provide us with the  
11 information.

12 MR. CARCILLO: You're welcome.

13 CHAIRMAN BENNETT: Thank you so much.

14 MS. STROUD: And all written and  
15 submitted testimony is included in the record.

16 MR. CARCILLO: Okay. Thank you.

17 MS. STROUD: Thank you.

18 CHAIRMAN BENNETT: Next.

19 MS. STROUD: Finally, we have Mr. Evan  
20 Park.

21 COURT REPORTER: Can I turn off the  
22 microphones, because it's providing feedback and

1 when you disconnected the cameraman, you  
2 disconnected me.

3 CHAIRMAN BENNETT: Okay, so what  
4 should we do?

5 COURT REPORTER: Can I just turn off  
6 --

7 PARTICIPANT: Yes.

8 COURT REPORTER: -- I have a personal  
9 microphone, I'm just going to turn off the, this  
10 that's on this table.

11 CHAIRMAN BENNETT: Okay.

12 COURT REPORTER: Is that okay?

13 CHAIRMAN BENNETT: That's fine, yes.

14 COURT REPORTER: Okay.

15 CHAIRMAN BENNETT: That may mean that  
16 you guys may not hear him, as well, and I  
17 apologize for that.

18 MR. PARK: I'm happy to stand up, if  
19 that's easier for everyone.

20 CHAIRMAN BENNETT: If you want to  
21 speak loud that's, that's great. Well, sitting  
22 down is actually best.

1 (Simultaneous speaking.)

2 (Off the record comments.)

3 MR. PARK: Stay here?

4 CHAIRMAN BENNETT: Yes, I mean, like,  
5 you need to stand, now, because you got to hear

6 --

7 (Off the record comments.)

8 (Simultaneous speaking.)

9 MR. PARK: Okay. I'm a trial  
10 attorney, so I'm used to speaking loud, so I'll  
11 try to do that.

12 CHAIRMAN BENNETT: Okay. All right.

13 (Laughter.)

14 CHAIRMAN BENNETT: And maybe it'll  
15 bounce off this wall and get back there, so.

16 MR. PARK: Okay, that -- so it's  
17 encouragement to even speak louder, to make sure  
18 that happens.

19 CHAIRMAN BENNETT: There you go. All  
20 right. Thank you.

21 MR. PARK: To the ladies and gentlemen  
22 of the D.C. Board of Elections and to the members

1 of the public, thank you for allowing me the  
2 opportunity to share a few points.

3 My name is Evan Park. My address is  
4 11302 Silver Drive, in Kensington, Maryland. And  
5 we're here to have an honest dialog today about  
6 entheogens and this battle initiative. And what  
7 a meeting so far. Really, it's been completely  
8 inspiring for me.

9 We hope that you approve this  
10 initiative and allow the democratic process to  
11 unfold in the District on this historic measure.

12 Responsible adults should have the  
13 right to develop healing relationships with plant  
14 medicines, free from the threat of criminal  
15 prosecution.

16 The drug war has been a war on people,  
17 the brunt of which has been felt by people of  
18 color. It has also been a war on information.  
19 Over the last 50 years, it's been incredibly  
20 difficult for people to come forward and say,  
21 like we heard today, to say yes, I've been helped  
22 by plant medicine.



1                   The laws have been too tight. The  
2 stigmas have been too great. The threat of  
3 prosecution too tremendous, and so has been the  
4 suffering of our people.

5                   I'm a current member of the D.C.  
6 Criminal Justice Act Panel, proud member. Each  
7 day, I see the effects of unresolved mental  
8 health and substance abuse issues on the  
9 District's most vulnerable residents, who I  
10 represent in criminal matters, over at the D.C.  
11 Superior Court.

12                   I love my clients. I want what's best  
13 for them. I see them involved in the system that  
14 struggles to facilitate their healing. In  
15 speaking out in support of this initiative, I'm  
16 fighting for their rights to develop healing  
17 relationships with nature's medicines.

18                   And, as I look at these eight points  
19 on the wall, and I look at the resolution, I  
20 don't see any issue here. I think it, I think it  
21 succeeds and satisfies these requirements.

22                   I've seen people heal, by developing

1 relationships with entheogens. I need look no  
2 further than my own life. Entheogens played a  
3 critical role in getting me on the path to  
4 recovery from alcoholism and substance abuse in  
5 the 1990s. I speak about that publicly,  
6 including at D.C. Bar Association events.

7 They also helped me overcome serious  
8 mental health issues that remained, even after  
9 many years in 12-step recovery, extensive  
10 therapy, and intermittent use of pharmaceuticals.

11 I learned about one of the entheogens  
12 covered by the initiative, Ayahuasca, from vets  
13 who had gone public about their healing  
14 experiences. Thank God for that. Thank God for  
15 that.

16 They went overseas and they served and  
17 they continue to serve, with their honesty, when  
18 they came back. When my trauma and PTSD popped  
19 up, I was desperate enough to try something new,  
20 Ayahuasca.

21 And I participated in several lawful  
22 ceremonies, protected under State and Federal

1 Religious Freedom Restoration Acts and, over the  
2 course of these ceremonies, I healed early  
3 childhood wounds, released oceans of grief and  
4 healed from some very, very traumatic events.

5 Because of plant medicines, I am now  
6 trauma and PTSD free. Thank you for allowing me  
7 to speak and for your service to the District.

8 CHAIRMAN BENNETT: All right, thank  
9 you.

10 (Applause.)

11 CHAIRMAN BENNETT: Thank you so much.  
12 Our -- and, and thanks, for that -- in fact, all  
13 the testimony has been incredibly revealing on a  
14 personal basis.

15 And that takes a lot for persons to  
16 come in a public forum and do that, so I  
17 congratulate you all for your, for your passion  
18 and your willingness to open up, in such a way,  
19 publicly, so thank you all for that. Ms. Stroud,  
20 what do we have remaining?

21 MS. STROUD: Well we have, also -- are  
22 there any more individuals who would like to

1 offer brief comments, one or two individuals? I  
2 know that there are some people that indicated  
3 that they would want to present, but did not  
4 present written testimony, so I think we have  
5 time for one or two three-minute -- is there  
6 anyone else?

7 CHAIRMAN BENNETT: Anybody else?

8 (No audible response.)

9 CHAIRMAN BENNETT: If not, then -- I'm  
10 sorry. I had a hand raise. Yes. Yes, ma'am.

11 MS. HOGAN: You want me to come up?

12 CHAIRMAN BENNETT: Yes, please.

13 MS. STROUD: Sure.

14 CHAIRMAN BENNETT: Is there anybody  
15 else after her? Because I want to move the  
16 process along, because you guys have been here  
17 for a long time and we want to try and get you  
18 out as soon as possible.

19 (No audible response.)

20 CHAIRMAN BENNETT: Is there anybody  
21 else after her, this young lady?

22 (No audible response.)

1                   CHAIRMAN BENNETT:   Okay, great.

2                   Ma'am, if you could identify yourself and your  
3                   address, would be great.

4                   MS. HOGAN:   My name is Jamila Hogan.  
5                   I live at 1714 Douglas Street, Northeast, D.C.

6                   CHAIRMAN BENNETT:   Okay.

7                   MS. HOGAN:   Am I being heard all right?

8                   CHAIRMAN BENNETT:   Yes I think so,  
9                   please, maybe, just project a little bit.

10                  MS. HOGAN:   I just wanted to share  
11                  that it's very exciting to be here.   What a time  
12                  to be alive, to see all of these different things  
13                  that the earth has given us finally be  
14                  decriminalized and accessible to all for the  
15                  healing benefits.

16                  One of the -- one things that I wanted  
17                  to get on the record, as you said, that this  
18                  isn't about moral, or right or wrong, or whether  
19                  you agree with it or not, this is about the  
20                  legalities and it's important to note that we  
21                  have to stop arresting people for possessing  
22                  plants.

1           Slavery was never ended, it was just  
2 amended. And we see now that it's being used as  
3 an instrument to arrest people that would've been  
4 enslaved back in 1865.

5           So hopefully, with this measure now  
6 being on the ballot, we'll be able to move past  
7 many of the stigmas that have surrounded the use  
8 of this plant and many other plants and the  
9 people who find healing from possessing it.  
10 That's it.

11           CHAIRMAN BENNETT: Thank you. I think

12 --

13 (Applause.)

14           CHAIRMAN BENNETT: -- what I'd like to  
15 do and, and those of you -- I think there are a  
16 few of you who have been kind of been a part of  
17 this process before.

18           I would like to try and give you  
19 information, or decisions, as soon as possible,  
20 all right? And so what I'd like to do today is  
21 to -- is to get a motion, from Ms. Greenfield for  
22 us to go into Executive Session.

1           Give us about ten minutes to try and  
2 discuss this, to see whether or not I can give  
3 you a verbal decision today, since you all are  
4 here, versus waiting on something in writing.

5           And so that's what we're going to try  
6 to do. And so we're going to -- if I can, get a  
7 motion from Ms. Greenfield?

8           MS. GREENFIELD: Yes. Mr. Chair, I  
9 move that we move into an Executive Session, to  
10 deliberate on this initiative.

11          CHAIRMAN BENNETT: It's been properly  
12 moved. I second that, that motion, so we have a  
13 unanimous decision to go into Executive Session.  
14 So if indeed we are not able to come up with a  
15 decision that we can issue today, verbally, we'll  
16 come back relatively quickly.

17          I'm going to try come back relatively  
18 quickly anyway. Let's -- so if you can give us  
19 about ten minutes, or maybe at the most 15, but  
20 hopefully around ten, ten minutes, we'll come  
21 back and, and give you a verbal decision. Okay?  
22 Thanks.

1 (Off the record comments.)

2 CHAIRMAN BENNETT: So the meeting, the  
3 meeting is on hold, until we come back.

4 (Off the record comments.)

5 CHAIRMAN BENNETT: So please stay if  
6 you like, if you like.

7 (Whereupon, the foregoing matter went  
8 off the record at 12:03 p.m. and resumed at  
9 12:23 p.m.)

10 CHAIRMAN BENNETT: I'd like to call  
11 the meeting back to order. This is the February  
12 Meeting of the D.C. Board of Elections. We were  
13 in hearing to consider the Initiative of Proper  
14 Subject Matter.

15 (Off the record comments.)

16 CHAIRMAN BENNETT: I mean, to vote to  
17 resume the meeting --

18 (Off the record comments.)

19 CHAIRMAN BENNETT: -- please, General  
20 Counsel. Can I get a motion to resume the  
21 meeting from Member Greenfield?

22 MS. GREENFIELD: I move to resume the



1 meeting.

2 CHAIRMAN BENNETT: I second. We both  
3 have a unanimous decision to resume the meeting.  
4 So we are in the hearing regarding the Initiative  
5 for, and I have to apologize, I'm not really good  
6 at pronouncing this word, I mean, it's  
7 Entheogenic Plant --

8 MS. STROUD: Entheogenic.

9 CHAIRMAN BENNETT: -- Entheogenic  
10 Plant and Fungus Policy Act of 2020. The real  
11 challenge -- one, let me thank everybody for  
12 their testimony today.

13 As I said earlier, the personal  
14 testimonies are quite compelling. Although we  
15 aren't in a position to make a decision on the  
16 merits of the Initiative, one way or the other,  
17 but it takes a lot, I think, for people,  
18 personally, to reveal so much about themselves,  
19 in the effort to do something they believe is, is  
20 good for the community, so I thank you for that.

21 Secondly, the real issue that we had  
22 to focus on and discuss is whether or not this

1 initiative represents legislation, which is what  
2 is proper, or whether or not it is administrative  
3 in nature, relative to the cause.

4 We had lots of discussion on that back  
5 and forth and quite honestly, it's really a close  
6 call as to what as to whether or not the  
7 Initiative is administrative, or legislative.

8 And that's -- but that's our  
9 requirement. We have the requirement to make  
10 that decision and come out with a decision,  
11 today, and so we have one for you. The written  
12 decision will be within 20 days of --

13 MS. STROUD: Yes.

14 CHAIRMAN BENNETT: -- today?

15 MS. STROUD: Yes, yes.

16 CHAIRMAN BENNETT: But the -- but we  
17 wanted to give you a verbal decision today, since  
18 all persons were here. And so can I get a motion  
19 from Ms. Greenfield with regard to the  
20 Initiative?

21 MS. GREENFIELD: Yes, you can. Mr.  
22 Chair, I move that the Board accept the proposed

1 initiative measure titled Entheogenic Plant and  
2 Fungus Policy Act of 2020, as it presents a  
3 proper subject initiative.

4 CHAIRMAN BENNETT: That motion has  
5 been --

6 (Applause.)

7 CHAIRMAN BENNETT: That motion has been  
8 properly moved. I second that motion. I now call  
9 for a vote. Ms. Greenfield, can you vote?

10 MS. GREENFIELD: I vote yes.

11 CHAIRMAN BENNETT: And the second vote  
12 is from me, Michael Bennett, Chair, I vote yes.  
13 So the Initiative is approved to go forward. It  
14 is a very -- it was a really, really close call  
15 and while we are not permitted, nor is it  
16 appropriate to make decisions on the merits, it  
17 is very compelling when people are willing to  
18 reveal themselves the way you guys have today, so  
19 thank you for that.

20 And we will, we will have another  
21 meeting, prior to the 20th day, prior to the  
22 25th, to actually issue the Initiative, so -- or

1 --

2 MS. STROUD: Yes.

3 CHAIRMAN BENNETT: -- to issue the  
4 order in the Initiative, so Ms. Stroud will --

5 MS. STROUD: Executive Board will --

6 CHAIRMAN BENNETT: -- will give you --

7 MS. STROUD: -- issue --

8 CHAIRMAN BENNETT: -- some of the  
9 procedures on that.

10 (Simultaneous speaking.)

11 MS. STROUD: Sorry, Mr. Chair.

12 CHAIRMAN BENNETT: No, please.

13 MS. STROUD: We will issue the order  
14 forthwith and we -- the measure has been accepted  
15 and within 20 days after we -- the Board, issue  
16 its order, or today, we will have a public  
17 meeting at which we will prepare the formulation.

18 It's a short title summary statement  
19 legislative text for the initiative measure. And  
20 then it will be published in the D.C. Register,  
21 which sets off the challenge process and, you  
22 know, we'll go forward from there.

1                   But if anyone has any questions, they  
2                   can feel free to contact the Office of the  
3                   General Counsel and we'll respond to any  
4                   questions you have about next steps.

5                   CHAIRMAN BENNETT: Okay.

6                   (Applause.)

7                   CHAIRMAN BENNETT: Well done. All the  
8                   best. And we are going to -- if you want to  
9                   leave, you can, but we only have -- there's one  
10                  more thing left in our agenda and that, I  
11                  believe, is --

12                  (Off the record comments.)

13                  CHAIRMAN BENNETT: -- public matters.  
14                  And is there anybody has anything else they'd  
15                  like to bring before the Board today? Yes, sir.

16                  (Off the record comments.)

17                  MR. CAPOZZI: Hello, John Capozzi,  
18                  3612 Austin Street, Southeast, D.C. And, in the  
19                  spirit of the Chairman, I want to be brief. In  
20                  following up on the, the November Challenge,  
21                  related to Ward 2, Ward 2 --

22                  PARTICIPANT: Rudy.

1 MR. CAPOZZI: -- Challenge to Jack  
2 Evans --

3 CHAIRMAN BENNETT: Is that is that  
4 messing you up?

5 PARTICIPANT: He doesn't want it off.

6 CHAIRMAN BENNETT: It is? Can you cut  
7 it off please, sir? That's okay, Rudy, you're  
8 good.

9 MR. CAPOZZI: I want to make sure that  
10 we have action related to reviewing the rolls of  
11 the voters in Ward 2. It's clear that there are  
12 thousands and thousands of voters on the rolls in  
13 Ward 2 that are not actually residing in Ward 2  
14 at this time.

15 And so they should be put in inactive  
16 status, which I think would help during the  
17 election in June and then the special election,  
18 in -- also in June.

19 CHAIRMAN BENNETT: Right.

20 MR. CAPOZZI: So what I did was I got  
21 the information for the mail and its mail  
22 services, for GW and Georgetown University, I

1 want to pass that along to Director Miller.

2 I would like them to be contacted and  
3 then you work directly with those universities,  
4 to get those students who have registered here in  
5 the District, but have -- are no longer residing  
6 here off the rolls as a start to cleaning up  
7 these rolls for Ward 2. Thank you.

8 CHAIRMAN BENNETT: Your concerns are  
9 certainly valid, and I recall those from the  
10 hearings associated -- the meetings associated  
11 with Jack Evans and stuff.

12 We certainly will, you know, focus on  
13 that, and not just with Ward 2 but with others.  
14 But I understand, he has particular issue with  
15 regard to Ward 2 around students, so thank you  
16 for that.

17 MR. CAPOZZI: Yes. Let me give you  
18 this, and I appreciate your time.

19 CHAIRMAN BENNETT: Okay, thank you.  
20 Any other public matters?

21 MR. SINDRAM: Mr. Chair?

22 CHAIRMAN BENNETT: Yes, sir.

1 Mr. Sindram.

2 MR. SINDRAM: Thank you, sir. Thank  
3 you. I was beginning to think you didn't like me  
4 anymore. The first should be last, the last  
5 should be first. Where's Mr. Bennett?

6 CHAIRMAN BENNETT: I'm right here.  
7 Please, Mr. Sindram.

8 MR. SINDRAM: I mean, I mean, your  
9 copy --

10 CHAIRMAN BENNETT: Oh, Gill.

11 MR. SINDRAM: -- of --

12 PARTICIPANT: Mr. Gill.

13 (Simultaneous speaking.)

14 MR. SINDRAM: Yes, yes.

15 CHAIRMAN BENNETT: Oh, Mr. Gill, he's  
16 absent today, sir.

17 MR. SINDRAM: Oh, okay. All right.  
18 Real, real quickly. Hats off to a yeoman's job  
19 by -- her name --

20 CHAIRMAN BENNETT: Mr. Sindram, could  
21 you identify yourself, quickly, for the record?

22 MR. SINDRAM: Absolutely. Michael



1 Sindram, disabled veteran, served our country  
2 more than most. I want to give, again, to a job  
3 well done, above and beyond the call of duty.  
4 Who's the AD Coordinator? Help me, here.

5 (Off the record comments.)

6 MS. STROUD: Terrica Jennings.

7 MR. SINDRAM: Terrica Jennings, there  
8 we go. Appreciate, you know, keeping me in the  
9 loop and my group. If you would, Mr. Chair, and  
10 Ms. Jennings, I'd like to receive a hard copy of  
11 the interpretive opinion that Mr. Sanford  
12 referred to.

13 And I would also like to receive a  
14 hard copy of the recent initiative that you guys  
15 indicate is appropriate, if you could send me  
16 those two items? I'll give my address, I'll give  
17 it to you, now, your choice, but I would  
18 appreciate that.

19 (Off the record comments.)

20 CHAIRMAN BENNETT: Okay. If you could  
21 -- and, you know, I don't think you identified  
22 yourself with regard to the address for the

1 forms, to send them to you. Give us your  
2 address, at least, that'll be on record by the  
3 end of the day.

4 MR. SINDRAM: Absolutely.

5 (Simultaneous speaking.)

6 MR. SINDRAM: Michael Sindram, disabled  
7 veteran, served our country more than most, 6645  
8 Georgia Avenue, Northwest, Apartment 306, that's  
9 in Washington, D.C. 20012.

10 And I did want to conclude with, it is  
11 the veteran, the veteran, not preacher, who's  
12 given us freedom of religion. It is the veteran,  
13 not reporter, who's given us freedom of the  
14 press.

15 It is the veteran, not public, who's  
16 given us freedom of speech. It is the veteran,  
17 not campus organizer, who has given us the  
18 freedom to assemble.

19 It is the veteran, not lawyer, who's  
20 given us the right to a fair trial. It is the  
21 veteran, not politician, who's given us the right  
22 to vote.

1                   It's the veteran who salutes the flag  
2                   and serves under the flag. God bless America and  
3                   our troops. Thank you, Mr. Chair.

4                   CHAIRMAN BENNETT: Thank you, Mr.  
5                   Sindram.

6                   (Off the record comments.)

7                   CHAIRMAN BENNETT: I don't think there  
8                   are any other public matters, so -- and I don't,  
9                   I don't see a hand, okay. Thank you so much, the  
10                  meeting is adjourned.

11                  MS. STROUD: A motion to adjourn.

12                  CHAIRMAN BENNETT: Oh, I need a motion  
13                  to adjourn. I'm fucked. Ms. Greenfield.

14                  (Laughter.)

15                  MS. GREENFIELD: Mr. Chair, I move  
16                  that we adjourn the meeting.

17                  CHAIRMAN BENNETT: It's seconded and  
18                  I vote, both, yes, so it's unanimous, this  
19                  meeting is adjourned. Thank you.

20                  (Whereupon, the meeting in the above-  
21                  entitled matter was concluded at 12:32 p.m.)

22

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In the matter of: Board Meeting

Before: DC BOE

Date: 02-05-20

Place: Washington, DC

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



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Court Reporter

**NEAL R. GROSS**

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