GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

BOARD OF ELECTIONS

REGULAR BOARD MEETING

WEDNESDAY

FEBRUARY 1, 2023

The District of Columbia Board of Elections convened via Video/Teleconference, pursuant to notice at 10:30 a.m. EST, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

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

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Director
TERRI STROUD, General Counsel
CECILY COLLIER-MONTGOMERY, Office of Campaign Finance
WILLIAM SANFORD, General Counsel
C-O-N-T-E-N-T-S

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Adjournment
CHAIRMAN THOMPSON: All right. Well, good morning, everybody. Happy February. One month in already, just like that. We've got a lot of folks here in our boardroom at the Board of Elections and a number of people participating by Zoom.

Good morning, everyone. My name is Gary Thompson, the Chair of the Board of Elections. And all three board members are present, J.C. Boggs, Karyn Greenfield, so we have a quorum to proceed with business.

Not too heavy of an agenda today. The agenda's been distributed. We've all had a chance to look at it, and the first order of business is I would move that we adopt the agenda. Is there a second?

MEMBER BOGGS: Second.

CHAIRMAN THOMPSON: A second. All in favor of the agenda as posted and duly notified?

(Chorus of aye.)
CHAIRMAN THOMPSON: Aye. Second quick order of business is the minutes from our prior meeting of January 4 have been distributed. We've all had a chance to review them, and at this time, I would move that we adopt those minutes.

MEMBER GREENFIELD: Second.

CHAIRMAN THOMPSON: All in favor?

(Chorus of aye.)

CHAIRMAN THOMPSON: The motion carries. Okay, well, as you can see, to my right is our newest board member, J.C. Boggs. Welcome again to your now second meeting, a true veteran of the proceedings.

And J.C., of course, has taken this seat replacing Mike Gill, who's with us today, and our first order of business is to recognize Mike for his many years of amazing service on this board. I believe you were on the Board for seven years? Seven years, and -- oh, was here before major election cycles 2016, 2018, 2020, 2022.
That is a lot of work and a lot of activity through a lot of really important election cycles, and I mean, Mike, you've seen a lot of change during that arc. I mean, I guess when you started, maybe people were still voting with paper ballots? Like, folding them up and putting them in? I don't know, but it's two presidents ago, anyway. One president.

But no, I mean, it's amazing the changes that you've seen, obviously, in people on the Board and professionals at the Board of Elections, but just probably more change in the way that we vote in the last seven years than our country, our world, has seen in a very long time.

We've transitioned to a whole new approach to voting with, you know, more technology and now mailed ballots, and it's just been incredible for you to probably see all that.

And I don't even know how many issues you had to consider and rule upon. I've been here for just one year myself, and it was a pretty busy year with this election cycle. And
we tackled a lot of things, some things that were more publicly discussed, like the attorney general race, and Initiative 82, and the Elissa Silverman campaign finance issue, but I'm often explaining to people just how many matters we adjudicate.

All those petition challenges, and I lost count this year. Maybe 20 or 30 different petition challenges. And I've learned a lot about how much there is to do as a board member, how busy it is. There's a lot of reading to do to prepare, and it's a great deal of time and commitment to give.

And so, you know, multiply that by seven years, throw in the pandemic, and you know, really disrupting things for a couple of years there, and that's quite a tenure, quite an amazing body of service.

And, you know, in terms of Mike's style, I mean, I think everybody here knows and appreciates that Mike's, you know, fair, and, you know, comes out just with a lot of integrity.
Very straightforward, you know, very pragmatic, common sense. You know, what's the issue here, what does the issue turn on, and kind of gets right to the heart of the matter and considers it from a very fair and equitable point of view, and just always reaches the right decision without a lot of drama.

And I would describe Mike as a model board member for this Board or any other, you know, city board, you know, election agency, or any kind of board. It's really exemplary in terms of style and substance, Mike, how you've conducted yourself.

So, with that, we all want to recognize your service. I have a little presentation, but before I do that, I would ask anyone else up here who would like to make some remarks to please go ahead.

MEMBER GREENFIELD: Yeah, sure. First of all Mike, just thank you for all your support in the midst of a pandemic and a major election that was going crazy across the entire country,
so -- and for which we had to suddenly change how
we were going to do things in a nanosecond.

But it's been great serving with you.
It's made the board stuff, you know, fun and
interesting, and I know there are a lot of tough
topics and issues we had to deal with, but I will
definitely miss you as our little team of three.
And so, you know, whatever you're going to do or
go, you know, good luck or whatever.

Check in on us every so often, but --
because I was really sorry to hear you were
leaving. And so, I know it's been seven years,
so it's probably time for you to decide it's time
to do something different. And so, I just --
yeah. Thank you.

And, oh -- and I actually learned
quite a bit from you. I used to like to hear
from you and when we would talk about decisions
and opinions and stuff, so I just want to thank
you for that.

And I want to say welcome to J.C.
because this is the first time we've met in
person. So, welcome.

MEMBER BOGGS: Thanks very much. I'm just going to add to the accolades, and Mike and I won't have a chance to serve together, but clearly I have big shoes to fill.

It's a challenge, but I've known Mike a long time, and he's an exceptional individual, and attorney, and public servant, so I applaud you too for your seven years here. I hope I can continue that a little bit. I know that everybody's going to say, you know, we miss Mike, and J.C.'s okay, we miss Mike, but, you know, thank you for all you do.

And, you know, I appreciate -- I wouldn't be here today, I think, without your support and encouragement, so thank you for that.

CHAIR THOMPSON: All right.

MS. EVANS: I'll keep it brief so we can move on to the business of the agenda, but I do want to say, Mike, you will be missed.

I stepped into this role in 2021, and I think the very first thing that happened, you
reached out to me and said you'd like to go to lunch. And it showed me that you cared, and you really wanted to start our working relationship off in a very positive way, and I think that's what you've brought to the Board.

You have been fair, you've been transparent, and you have brought a certain gravitas to the Board that will be missed. So, we'll miss working with you, but I'd like to think that I will still see you, and our paths will continue to cross.

MS. STROUD: Yes, I'm definitely going to continue harassing Mike, so.

We began our working relationship in 2016, when I was moving out of the Office of the General Counsel into the Acting Executive Director role, and so we were both sort of, like, in this new territory. And you made that transition, you along with Mike Bennett and Diana, Marie Lewis, made that transition very, very easy for me.

And I want to just, you know,
piggyback on all of the things that the Board
members and Monica have said about you. You've
been fair, you have had our back.

I'm thinking of, like, one council
hearing that we had in particular. We were, you
know, at the warehouse during the height of the
pandemic -- well, in the early stages of the
pandemic, around the June primary, and you came
out to the warehouse where we were sitting and
having this hearing on Zoom, of course.

And just -- the thing that stood out
to me most in that particular instance was the
way that you had our back. And we were always
letting the council know when things were not
going as perfectly as people sometimes assume
elections go who don't have any idea of what all
goes into it. You were there.

And in fact, at one point, you stood
behind, I think, Alice as she was speaking to
figuratively and literally say I have their back,
even though, you know, there wasn't a lot of
grace extended to the agency at that particular
time. But you, you know, were very adamant in
your defense of us, and so I'm very appreciative
of that.

And I'm going to continue to harass
you, like I said, so this is not goodbye. As
long as you don't leave D.C. and as long as you
continue to not root for Duke, then we will
continue to remain in contact.

And I will miss you very much, but
again, harassment will continue. Thank you,
Mike.

CHAIRMAN THOMPSON: Yeah, so, for
those on Zoom who can't see, we've got a -- oh,
going ahead Cecily.

(Simultaneous speaking.)

MS. COLLIER-MONTGOMERY: Oh, sorry.

Yeah. Mike, on behalf of the Office of Campaign
Finance, I would also like to thank you for your
support of the agency during your tenure as a
member of the Board of Elections, and in
particular for your support during the
implementation by the agency of the Fair
Elections Program and the 2020 inaugural debate.

As you know, the Fair Elections Program was immensely successful, and we faced, during that time, many challenges as a result of the COVID-19 public health emergency. But again, thank you for your support. It was much appreciated.

CHAIRMAN THOMPSON: All right. With that, you get a glass plaque. It reads, presented to Michael D. Gill in recognition of your vision, dedication and commitment while serving as a member of the District of Columbia Board of Elections 2016-2022.

MR. GILL: Oh, okay. So, I will be very quick since there are people that actually tuned into this that were not for me, and I'll move on.

As you started speaking, my first thought was, gosh, this is all on Zoom. My mother should be watching this right now. If I had more time, I would have sent her a note.

So, first of all, thank you for those
kind words. This was a very quick seven years, in my mind. It did go quickly. I enjoyed it.

When I was first approached about doing this, and I thought, you know, there's a, you know, a sense of public service, and I wanted to do my part for the city. I do love the city, I've lived here 30 years, but part of me also thought, well, this will be easy.

How hard is the Board of Elections, right? I mean, you have an election. You have a winner, the loser shakes hand, the loser goes home. All good, you know? And then -- who would've known?

But yes, the pandemic, going from paper ballots, going from getting people to the right precincts and all the ballots had to line up with the precincts, all those technology changes we've made are wonderful. They didn't happen by accident. It took a lot of work behind the scenes for all this stuff to happen, so I will say I know how hard it is and how much work that goes into this because I was probably the
least busy of anyone for all these elections.

You guys made it super, super easy.

This was my D.C. civic service family. I really feel like, you know, this was an important thing for me to do, but I've enjoyed it, and we've had many, many good times. I really enjoy the discussions.

We've been around so long. We were there for Alice's brother's passing, our friend Rudy passed away, and Michael Stauter passed away, all in the service that I've been here.

People that I would have never known except for this position, and I'm a better person for having known them.

Got to see the entire city. You know, like most folks, you have your little neighborhood. I'm Ward 4, and, you know, I kind of stick to my area, but got to, you know, see the events that we did, the community events, the elections, the primaries. My daughter came with me a couple times to go visit all the various precincts around the city, which she very much
enjoyed.

So, all in all, it was a quick seven years, and I really appreciate the opportunity to serve. Thank you.

CHAIRMAN THOMPSON: All right. Thank you, everyone, for being here. Much appreciated.

Okay. Next on our agenda is, as most people may recall, that we considered an OCF order in the matter of, in re, Elissa for D.C. and Elissa Silverman.

We made our ruling in a board meeting. I think it was December 12. We ultimately issued our decision on January 6, and there's been a motion for reconsideration submitted by the Office of Campaign Finance general counsel.

And before I talk about that some more, General Counsel Stroud, I think you want to maybe review some of that history?

MS. STROUD: Yes. Thank you, Mr. Chair. So, again, the Board issued on January 6 the order in the matter that is subject to -- for the motion for reconsideration, and that order
memorialized the oral ruling that was rendered on December 12.

OCF filed a motion for reconsideration on January 20 pursuant to DC Regulation 3DCMR 429.1. The petitioners filed a response on January 27 pursuant to 3DCMR 429.3. And so, we scheduled it for today's hearing, and that's what the Board is taking up today.

CHAIRMAN THOMPSON: Oh, okay. Yes, and we have received all the briefing on this, and we're prepared to go ahead and rule on it.

I'm going to make a motion at this time to deny the motion for reconsideration. This will be followed by a written order as well, but in brief summary, OCF made essentially two arguments in their motion for reconsideration.

Number one, they argued that they did not have the burden of proof, but rather the burden of proof should have been placed on petitioners, Elissa for D.C..

And we examined that point and found that it's quite clear. To quote the language of
this regulation, quote, in all cases involving violations of the Campaign Finance Reform and Conflict of Interest Act, the Office of Campaign Finance has the burden of proving the violation with reliable probative and substantial evidence, unquote.

Unless of course, this cannot be applied in our reasoning, in our written ruling.

And the second grounds for the motion for reconsideration was basically a reargument of -- somewhat of a new argument with respect to the three reasons that were provided by the Silverman Campaign as to why they conducted the polling in question, arguing that you're really sort of shifting more to the communications that were made once that polling took place and getting away from the polling itself as a per se violation.

We went back and looked at the record in the transcript of our argument, and it was quite clear that the argument has been made that it was a per se violation just to conduct the
polling, and we declined that argument previously. We decline it now, and for other reasons that I guess we'll make clear in our written order. That's why I'm moving to deny the motion for reconsideration.

With that, I'd ask for a second and any other comments from the Board members.

MEMBER GREENFIELD: I second the motion. I would agree from the reading of the motion and Ms. Silverman's response, but also from our transcripts on the record.

With respect to the burden of proof, that's correct. It's firmly on the OCF.

And with respect to the second argument which they made, we'd asked several questions, you did and Mike Gill did, regarding what were they, you know, ruling on, and it was the polls. It was not the conversations later. In fact, that was asked, so I agree with the motion.

MEMBER BOGGS: Before I call the vote, any comment?
MEMBER BOGGS: Yeah. Yeah, sure.

Thank you. I did have an opportunity to review the January 6 motion -- I'm sorry, order, which I thought was very well written and analyzed and thoughtful, and also reviewed the petitioner's and respondent's motions today.

I think I may be coming in, like I said, in the ninth inning, after the ninth inning, so I think I'm just going to abstain today. They've done a lot of work before I came along to the Board on this issue.

I think it's interesting, and again, I reviewed it. I appreciate everybody's hard work here, but given the history of the matter and my newness here, I'm going to abstain.

MEMBER GREENFIELD: Can I just, one -- I need to make a clarity. I have said I agreed with the motion, but I agree with the denial.

CHAIRMAN THOMPSON: Yes. All right. So, all in favor of the motion to deny the motion for reconsideration, say aye.

(Chorus of aye.)
CHAIRMAN THOMPSON: Okay, so it's two to zero with one abstention. The motion for reconsideration is denied, and that, I believe, concludes our business with this matter.

MS. STROUD: Yes, and the written order, we'll issue shortly.

CHAIRMAN THOMPSON: Ah, okay. Yeah, I just -- I want to add on the record that our next regular board meeting is not Wednesday, March 1st. It's Wednesday, March -- is that a Wednesday?

MS. STROUD: Tuesday, March 7.

CHAIRMAN THOMPSON: Tuesday, March 7.

MS. STROUD: And that is in light of the fact that both the Board of Elections and the Office of Campaign Finance have their performance oversight hearings on Wednesday, March 1st.

And so, therefore, there's a need to change the date of the March board meeting from the first Wednesday of the month, when it's normally held, to Tuesday March 7th.

CHAIRMAN THOMPSON: Okay. With that,
I think it's now on the agenda the executive director's report. Monica?

MS. EVANS: And good morning. We are currently in the process of finalizing our 2022 Election Administration and Voting Survey, or EAVS, submission to the Election Assistance Commission, and so, those responses will be uploaded to the portal later today.

The Election Assistance Commission has also opened a submission period for its 2022 Clearinghouse Awards. The submission period is open from January 17th through February 28th, 2023.

The seven categories are outstanding use of HAVA grants and elections modernization, outstanding election official state association program or local office programming, improving accessibility for voters with disabilities, outstanding innovations and elections, best practices in recruiting, retaining, and training poll workers, creative and original I Voted sticker, and outstanding innovation in election
cybersecurity and technology.

We have posted 24 ANC vacancies for the 2023-2025 term. Twenty three were posted in the DC Register on January 6, and one was posted in the DC Register on January 20. After candidate filing requirements are met, an open vote of registered voters of the affected SMDs will be held during regularly scheduled ANC meetings.

As far as 2023, our next steps and off election year planning, we have now met with all of our vendors regarding the 2022 general election. The new meetings included KNOWiNK, ESNS, Runbeck VR Systems, KNH, and BallotTrax.

We are exploring areas of improvement and assessing the need for new equipment. We are also looking to make enhancements to existing equipment and software.

In March, we will begin this maintenance activities to update our voter registration database. Returned or undelivered ballots are being entered into voter focus as the
first step in this process, and return ballots are still coming in from USPS.

We will also take steps to fully implement new legislation ahead of the 2024 election cycle. Specifically, we will take actions to become compliant with the Elections Modernization Amendment Act, which is expected to become effective in May, and the Local Resident Voting Rights Amendment Act of 2022. Once enacted, we will have to engage in comprehensive education and outreach campaigns and develop an election data portal and data visualization dashboard.

We have also done meetings regarding the Automatic Voter Registration Amendment Act. This legislation will become effective for the 2026 election cycle, however we are scheduling meetings with other jurisdictions that have similar legislation already in place.

And of course, now that we are required to open vote centers and send mail ballots for all elections including ANC special
elections, we will need to procure a mail house
for each election and expand our ballot on-demand
voting, and we are going through that procurement
process and reviewing those steps now.

Finally, we're in the process of
revising brochures and looking at website
improvements.

As far as other administrative matters
for voter education outreach, during the month of
January, the Voter Education and Outreach
Division conducted four outreach events on behalf
of the agency. Events included voter
registration drives at Mary Center, the
Department of Aging and Community Living, Thrive
DC, and Central Union Mission.

In January, we registered 2,439 new
voters and processed 5,050 registration changes.
In total, we prepared 7,489 voter registration
cards to be mailed.

Additionally, 43 registered voters
moved out of D.C., 28 voters canceled their
registrations and registered with other
jurisdictions, and 528 voters registered in D.C. canceled their registrations in other states.

We are continuing to register voters using our website portal. Today, we have processed over 33,270 applications using the portal, and these include new voter registrations and updates to existing registrations.

And that concludes my report. Thank you.

CHAIRMAN THOMPSON: Thank you. Terri?

MS. STROUD: Good morning again, everyone. I'm presenting now the litigation status for the Board.

The first matter is the Public Interest Legal Foundation v. Monica Evans in her official capacity as Executive Director of the Board of Elections. That matter is in the U.S. District Court for the District of Columbia. This suit alleges that the Board is out of compliance with the public records provision of the National Voter Registration Act.

PILF requested certain records from
the Board having to do with the deceased residents, and that request was denied due to the requested records not being subject to public disclosure because of provisions in federal law.

The Office of the Attorney General has filed a motion to dismiss on February 3rd of 2022, and the plaintiff filed a response on February 17th, and the OAG filed a reply on March 17th.

On May 23rd, PILF sought to introduce supplemental authorities.

On July 22nd and August 1st of 2022, PILF filed motions for leave to file a surreply to include the supplemental authority on the record. Those motions were denied and orders issued on July 29th and August 2nd, 2022 respectively.

In late September 2022, the U.S. District Court judge assigned to the case was appointed to the D.C. Circuit, and so that case requires reassignment, and that's why there's a delay in the matter.
The next matter is Williams v. District of Columbia. That matter is in the D.C. Superior Court. On September 2, 2022, the plaintiff filed a complaint against the District regarding the Board's publication of certified election results on its website instead of in the DC Register.

The plaintiff's prayer for relief includes new elections and the nullification of certain actions of past administrations, particularly mayoral decisions regarding zoning and property disposition.

The OAG filed a motion to dismiss on November 8th, 2022 and that motion was granted on December 3rd, 2022, and so that matter is now closed.

The next matter is Dorothy Douglas v. the DC Board of Elections. That case is in the D.C. Court of Appeals. On December 7th of 2022, Dorothy Douglas, a candidate who lost her bid to serve as the advisor neighborhood commissioner for Single Member District 7C07, filed a pro se
petition in the D.C. Court of Appeals seeking to de-certify the election results in that race.

Ms. Douglas alleged that she lost votes as a result of voters in S7D7C07 being given the wrong ballot, specifically the ballot for Single Member District 7D03.

On December 22nd, the court ordered that Ms. Douglas's petition be filed, expedited the case, and set filing deadlines. On January 9th, 2023 the Board filed the agency record.

On January 11, Ms. Douglas filed a motion for summary reversal, and she filed an amendment to that motion on January 13th, 2023 to clarify that she was also challenging the results of the 7D03 contest.

On January 20th, the Board filed an opposition to Ms. Douglas's motion and a cross motion for summary affirmance, and so we are awaiting ruling in that matter.

And there is another matter in the D.C. Superior Court, Paterson, the Board of Elections v. Paterson, and this is results from
the filing of a petition for enforcement of an OCF order stemming from the failure to file a specific report of receipts and expenditures.

And so, at the Board's last meeting, the Board authorized -- three members of the Board authorized the Board of Elections to go to Superior Court to enforce the order, so that matter is also currently in the D.C. Superior Court.

And other matters will be filed in that court as well, having to do with other petitions for enforcement that the Board authorized the Office of the General Counsel for the Board to seek enforcement for.

And that concludes the litigation status report and my overall report.

CHAIRMAN THOMPSON: All right, we have no questions. Director Collier-Montgomery from the Office of Campaign Finance?

MS. COLLIER-MONTGOMERY: For the record, the full report of the activity of the Office of Campaign Finance for the month of
January 2023 will be posted at the OCF website, www.ocf.dc.gov, before the close of business today. However, I will highlight a few items of interest for the public from the report at this time.

In the Fair Elections Program Division during the month of January 2023, as of this date the Office of Campaign Finance has authorized the total sum of $12,356,756.90 for disbursement from the Fair Elections Fund in base amount and matching payment to the 42 candidates who were certified in the program to participate in the November 2022 general election and the June 2022 primary election.

The 2022 election cycle closed on November the 8th, 2022. During the month of January 2023, the OCF authorized specifically for disbursements from the Fair Elections Fund to participating candidates, again, who are certified in the 2022 election cycle, and those disbursements are listed in our report.

With desk reviews and other
activities, the Fair Elections Division conducted
eight desk reviews of the December 10th, 2022
reports and amended reports of receipts and
expenditures, which have been filed with the
agency, and issued six requests for additional
information that is based on the reviews.

As of January 31, 2023, the total sum
of $691,818.64 has been remitted for depositing
the Fair Elections Fund from the campaign
operation for candidates who were certified to
participate in the 2022 election cycle.

There are currently 25 post-election
audits which are ongoing before Fair Elections
program at various stages in the audit process.
The audits and the status of each are also listed
in our report.

For the record, the FEP did issue two
audit reports during the month of January 2023,
and those were compliance audits. The audits
were issued on January the 26th and Patrick
Kennedy for Ward 2, and in Patrick Kennedy for
Ward 2 Special, June 16th, 2020. The reports are
available for review by the public at our website.

In our Public Information and Records Management Division, there were three due dates for the following reports and expenditures during the month of January 2023.

The first was January the first activity report for the Constituent Services and the Statehood Fund Program.

The second was the January 31st report of receipts and expenditures by our traditional campaign finance principal campaign committees and candidates, political action committees, our FEP candidate committees, our independent expenditure committees, initiative referendum and recall committees, and the normal committee.

And also January the 30th, 2023 was the filing deadline for the filing of the ANC summary financial statement by the candidates for ANC member. The real-time images of all of the reports, which were filed with the agency, are available at the OCF website for review by the
public.

With respect to new candidates and committees who registered with the agency for the 2024 election cycle, there was one new candidate registration for the month of January 2023 in the traditional Campaign Finance Program. And for the Office of City Counsel, Ward A, Roman Branch registered on January the 23, 2023. There was no new committee registrations for the month of January.

In our traditional audit program for the Office of Campaign Finance, the traditional audit program conducted 117 desk reviews of reports of receipts and expenditures which were filed during the month of January and issued for a request for additional information as a result of the desk reviews.

There are no ongoing full field audits or periodic audits in the traditional audit branch. However, the traditional audit branch will issue audit notification letters in February 2023 for the initiation of full field audits of
the campaign operations of the candidates who
were newly elected during the November 2022
general election and any other committees active
during the 2020 election cycle, which might be
selected for audit by the audit manager. And the
pre-audit field work is in progress.

And I would also mention for the
record that the Office also is in the process of
preparing and compiling the information which
will be required for the post-election reports
updating the 2020 election cycle, which will be
due in August of 2023, as well as preparing
brochures for the 2024 election cycle.

And that concludes my report, but I
would ask the General Counsel to give the report
on behalf of the Office of the General Counsel.

CHAIRMAN THOMPSON: Let's see. All
right, there he is.

MR. SANFORD: Hello. Good morning.
This is William Sanford. Good morning, Mr.
Chairman, and distinguished board members.

First off, I'd like to thank now
former Board Member Mike Gill for his distinguished service on the Board of Elections during the last seven years, and extend all the compliments for that service, and wish him all the best.

During the month of January 2023, the Office of the General Counsel received one referral from the Reports Analysis and Audit Division and issued eight orders after informal hearings, which included the following.

Six letters were issued, in which a total of $13,850 in fines were imposed, and two orders of settlement were issued, in which cases were settled for $850 in one case and $975 in the second case.

During the month of January 2023, the Office of the General Counsel imposed fines against the following respondents.

A fine of $2,000 was imposed against the Capital Stonewall Democrats. A fine of $2,250 was imposed against Ken Laurel, Ward 8 Strong. A fine of $3,000 was imposed against
Rodney Jones for Ward 2, Principal Campaign Committee. A fine of $2,950 was imposed against James, Ward 2, State Board of Education. A fine of $1,000 was imposed against the committee to elect Renee Bowser, and a fine of $2,650 was imposed against the Capital Stonewall Democrats.

These fines were imposed for the failure to timely file reports of receipts and expenditures.

During the month of January 2023, the Office of the General Counsel collected a total of $1,150 in fines, which included the following.

The fine of $850 was paid by the D.C. Republican Party after a settlement agreement in which the original fine of $1,700 was reduced. The fine of $125 was paid by the Kenworth Ward 8 Principal Campaign Committee, and the fine of $950 was paid by the Citizens for Empowerment after the original fine of $1,950 was reduced.

During the month of January 2023, there were no new investigations open, no requests for interpretive opinions were received,
and no show cause proceedings were conducted.

That should conclude my report. The content of this report will be published at the Office of Campaign Finance website later on on today's date, February 1st, 2023.

CHAIRMAN THOMPSON: All right, thank you very much, Mr. Sanford.

MS. COLLIER-MONTGOMERY: And that concludes my report.

CHAIRMAN THOMPSON: Okay. All right, yeah. That concludes our Board matters and reports, and at this time we'll move on to any comment by our D.C. residents who are here or who are on by Zoom.

In that regard, I just wanted to mention we're still working on making it possible for the public to attend our meetings in person.

It's especially nice today to have some of our BOE staff here. I went to an ANC meeting recently, it was in-person, it really changed the dynamic of the meeting. So, I'm a proponent of returning to a mix, obviously, of in
person and Zoom.

And we're trying to keep up with what D.C. and the federal government are doing in that regard with respect to public meetings and taking into account any spacing requirements or things of that nature, but possibly, by the next meeting or the April meeting, we'll invite members of the public to come here in person and pass the mic around. I guess that's what used to happen, or come to the table.

So, anyway, so here we are on Zoom still. And so, with that, I would ask for anybody out there to raise a Zoom hand, and we'll call on your for comment and ask you to limit your comments to three minutes.

MS. BRIZILL: Mr. Chairman? This is Dorothy Brizill.

CHAIRMAN THOMPSON: Okay, I hear Ms. Brizill. Let me make -- hold on, we're working on the volume.

MEMBER BOGGS: Is she unmuted?

CHAIRMAN THOMPSON: Okay. Ms.
Brizill, you're unmuted. We hear you very faintly, but maybe you've got a mic issue there?

MS. BRIZILL: I don't know if I have a mic issue, but I will turn my mic up in volume. I will try to do the best I can.

I had a question for Ms. Evans. When she spoke, she mentioned a report had been submitted to the Election Assistance Commission. Could she detail what is in that report again because the volume wasn't very good to hear her?

And will that report and copies of such reports be posted on the Board of Elections website? In the past, prior to this particular Board, such reports that were submitted, especially when it involved financing from the federal government, were posted.

Can Ms. Evans indicate again what is in that report, when it was submitted, and will it be posted on the Board of Elections website?

MS. EVANS: Thank you, Ms. Brizill. The report has not been submitted. It will be submitted today, and the information is submitted
from all jurisdictions around voting for the 2022
general election, and EAC actually produces that
report based on information they receive from all
of the jurisdictions.

And you'll have information regarding
types of voting, registration numbers, voting
rates, and that report is usually available
sometime in the summer, so I am thinking mid to
late summer of 2023 that will be posted on our
website.

I believe our EAVS reports, which are
the reports that I'm referencing, are posted on
our website, but they are also posted on the EAC
website. Thank you.

MS. BRIZILL: Mr. Chairman, the reason
why I'm asking, in a few weeks the Board of
Elections will have its performance hearing
before the counsel.

Such information as that that has been
submitted by Ms. Evans to the EAC is important in
terms of people evaluating not only the funds
received from the federal government, but how
those funds were spent and any issues that
might've been flagged in the report.

So, I can understand why EAC might not
be releasing its full report until the middle of
the summer, but there is no reason that would
preclude the Board of Elections from releasing
what it has submitted itself to EAC, and I am
specifically asking the Board to mandate that
that happen.

MS. EVANS: Yes, Ms. Brizill. The
information that is submitted is uploaded into a
portal, and it is essentially information that is
currently available.

It's really data-driven, and so the
questions that are asked are questions such as
the number of registered voters, how many voters
voted by mail and voted in person, voted on
Election Day. So, that is the purpose of that
report, and then the EAC compiles it and issues a
report in aggregate.

So, that information is not something
that we keep from the public. That information
is already available. We're just compiling it for submission to EAC, so that is the information that's currently on our website.

MS. BRIZILL: In your conversations with EAC over the past year, in preparation for last year's election, you indicated that you were seeking funds and that you would be using it for a particular purpose.

Is that included in the report that you have subsequently submitted, what you have spent and how much you have spent in pursuant to what you had requested?

MS. EVANS: Well, the EAVS report does not address funding at all.

CHAIRMAN THOMPSON: All right. Well, thank you, Ms. Brizill. I will look at the information myself, and I hope to attend the March 1st performance oversight hearing. I attended last year, and I'm certainly eager to participate, to the extent, I can in our oversight process.

And all that information in summary of
last year's elections is public, and we'll be
glad to discuss it with the council.

Any other public commenters out there?
Looking for raised hands on Zoom. Well, if
you're on by phone, I think you can just unmute
yourself.

(No audible response.)

CHAIRMAN THOMPSON: All right, going
once. Going twice.

That concludes public comment. I
think our business today is complete, so with
that, I would move that we adjourn.

MEMBER GREENFIELD: Second.

CHAIRMAN THOMPSON: Second over here.

All in favor?

(Chorus of aye.)

CHAIRMAN THOMPSON: All right, thank
you so much.

(Whereupon, the above-entitled matter
went off the record at 11:19 a.m.)


CERTIFICATE

This is to certify that the foregoing transcript
in the matter of: Board Meeting

Before: DC BOE

Date: 02-01-23

Place: teleconference

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

[Signature]
Court Reporter