GOVERNMENT OF THE DISTRICT OF COLUMBIA

BOARD OF ELECTIONS

REGULAR BOARD MEETING

WEDNESDAY

JULY 7, 2021

The District of Columbia Board of Elections convened via Videoconference, pursuant to notice at 10:00 a.m. EDT, 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, Office of Campaign Finance
WILLIAM SANFORD, General Counsel, Office of Campaign Finance
LINDA JOHNSON, Assistant to the Executive Director
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CHAIRMAN BENNETT: Good morning. My name's Michael Bennett, chair of the D.C. Board of Elections and I'd like to open the July meeting at 10:07 I think it is. We started at 10:05, started a little bit early. But first I want to make sure we have a quorum. Mr. Gill will be a little late, but we have I believe Ms. Greenfield here. Can I get your aye, Ms. Greenfield, for present?

MEMBER GREENFIELD: Yes, aye. I'm here.

CHAIRMAN BENNETT: Great, okay, so Ms. Greenfield is here. All we need is two so we have a quorum. With that I'd like to open the meeting and get a motion from you, Ms. Greenfield, to accept the agenda and also the minutes from the last Board meeting, June 2, 2021. Can I get a motion from you, Ms. Greenfield?

MEMBER GREENFIELD: Yes, I move that
we accept the agenda and the minutes from the
June 2021 Board meeting.

CHAIRMAN BENNETT: It's been properly
moved. I second. Voice vote, Ms. Greenfield,
aye?

MEMBER GREENFIELD: Aye.

CHAIRMAN BENNETT: And aye from me as
well. It's unanimous. The agenda for today and
the minutes from last meeting are accepted.

Do you have any Board matters, Ms.
Greenfield?

MEMBER GREENFIELD: No, I do not.

CHAIRMAN BENNETT: And I do not have
any Board matters to put on the record today.
Okay.

So next item on the agenda. We've
switched the agenda around a little bit because I
want to try and make sure that we get to the
initiative that -- for proper subject matter
hearing.

And what we'll do. I've got a script
here, but just so we have a heads up, what we'll
do is we will go through and hear from the
opponents and proponents of the initiative. And
make sure, and the Board will ask questions. And
then we'll make sure that we have all the data
that we need, and we will move on in the agenda
and move this to executive session, and then have
a written -- we'll vote to go into executive
session. Hopefully the vote will be yes. We'll
discuss this matter and have a decision out
hopefully, at least the expectation would be that
we'll have a decision out before the August
meeting. So that's how we will proceed on that.

So with that we'd like to move to Ms.
Stroud, our general counsel, and go through the
process on this initiative.

MS. STROUD: Good morning, everyone.
First of all, I'd like to check that Mr. Charles
Boston is present on the line.

MR. BOSTON: I'm here. I am.

MS. STROUD: Mr. Boston, how are you?
MR. BOSTON: Good morning. Yes, I'm
having an unbelievable morning, but I'm here.
MS. STROUD: Okay, thank you. So at this meeting the Board will conduct a proper subject hearing to determine whether the proposed initiative measure (Audio interference.) by Mr. Boston titled the "Elizabeth Davis Education Equity (EDEE) Pathway Policy Act of 2022" presents a proper subject of initiative in the District of Columbia.

And as -- we posted the notice in the D.C. Register on May 14. And in that notice we indicated that the Board has a somewhat limited role with respect to the initiative process.

Pursuant to our statute upon receipt of a proposed measure the Board has to refuse to accept the measure if it determines that the measure conflicts with or seeks to amend Title IV of the D.C. Home Rule Act, also known as the District charter, the measure conflicts with the U.S. Constitution, the measure has not been properly filed, the verified statement of contributions which consists of the measure committee statement of organization, and report
of receipts and expenditures was not timely filed, the measure would authorize discrimination in violation of the D.C. Human Rights Act, the measure would negate or limit a budgetary act of the D.C. Council, or the measure would impermissibly appropriate funds under applicable D.C. Court of Appeals rulings.

And so the Board in making the determination in this respect does not consider the merits or the cons if you will of the initiative measure. The Board is limited to considering whether or not the initiative measure can be accepted based on the criteria that I just went through. So that's the analysis that the Board uses, Mr. Chair, with respect to initiatives.

CHAIRMAN BENNETT: Okay. So, the next thing on the way we walk through this is (Audio interference.) asking the general counsel (Audio interference.) of the proposed measure has met statutory clerical requirements with respect to its filing.
MS. STROUD: Yes. The proposer submitted the initiative in the proper form. It was accompanied by or contained the proposer's name and information, including a statement that they were a registered qualified elector in the District. They submitted five typewritten copies of the full text of the measure, a summary statement, a short title, and they also submitted a copy of the verified statement of contributions. So it was properly filed.

CHAIRMAN BENNETT: Great, thank you.

Next on the script list anyway is if there are any opponents that are present I need you to identify yourself now and be recognized to present. If there are any matters that you have that would indicate that this initiative is not a proper subject for an initiative.

MS. STROUD: Yes. So recently the counsel -- and this is by way of record -- enacted legislation affecting the initiative process. And pursuant to this legislation the Board is required to solicit from the Office of
the Attorney General for the District of Columbia and from the Office of the General Counsel for the D.C. Council advisory opinions regarding the propriety of the initiative measure.

And so pursuant to the statute we requested the opinions and they were provided. And we received (Audio interference.) from the Office of the General Counsel for the Council which indicates that the measure proposed and appropriately appropriates funds.

And this opinion was also shared by the Office of the Attorney General. Both opinions which we will submit for the record and which we did provide to the opponent indicate that (Audio interference.) appropriates funds because it requires new expenditures on the new pathway program that it creates.

Both entities were under the opinion that there is language in the initiative that is mandatory as opposed to precatory language that requires certain actions which require expenditures such that it causes the initiative
to fail because of the appropriating funds
criteria that the initiative measures must meet.
So those were the only opinions that we received
that were opposed to the initiative.

CHAIRMAN BENNETT: Okay. Did we
receive any opinions that were supportive beyond
the proponent?

MS. STROUD: No, we did not.

CHAIRMAN BENNETT: So, at this point
what I will do is ask the proponent. In general
we give three minutes. But anyway, before I do
that, do we have any other opponents that are on
the line that would like to make presentations?
Okay.

At this point we'll ask --

MS. STROUD: And just for the record,
Chairman Bennett, we asked in the notice where we
published the initiative in May for individuals
and organizations who had opinions one way or the
other with respect to the initiative measure to
submit them by this past Friday and none were
received.
CHAIRMAN BENNETT: Okay, great. So at this (Audio interference.) I'd like to allow the proponent to present whatever they'd like to do, so at this point in support of the initiative as presented.

And in general we allow for three minutes. And I'm still going to ask you to stick to that, but since we don't have any others I'll be a little bit liberal if there are things you feel like you have to get out.

So if you could keep your comments within a reasonable time frame we'd certainly appreciate it, but we want you to get a chance to have your full voice heard. If you could identify yourself with your name, address, and any other -- any identifying position with regard to this initiative.

MR. BOSTON: All right. Okay, good morning. My name is Charles Boston. I'm a parent. I have a kid. Taxpayer in the District of Columbia.

I want to start with a quote by one of
the students --

CHAIRMAN BENNETT: Could you give your address? Sir, I'm sorry, if you could give your address that would be great.

MR. BOSTON: I'm sorry. Can you hear me?

CHAIRMAN BENNETT: I can hear you, but I need your address as well for the record.


CHAIRMAN BENNETT: Great. Thank you.

MR. BOSTON: Thank you. Again, I want to start with a quote by Alex O'Sullivan. He is based in Washington, D.C. He's the co-chair of the Student Advisory Committee that's made up by the State Board of Education.

"Given a majority of students want to be well-informed citizens, and be able to maneuver through their early years of adulthood, the Student Advisory Committee finds it imperative that schools and OSSE reconsider the
standards required for graduation.

"If the whole goal of going to school is to develop our abilities to be active and successful individuals why is it that some students graduate having their thirst for tangible knowledge unquenched."

Again, that was listed in the 2019-2020 Student Advisory Committees' report that was submitted to the Council, the Deputy Mayor of Education, the Chancellor, as well as the Mayor.

As it pertains to the attorney general and the general counsel's case law it's irrelevant to our initiative for the following reasons.

Their reliance on Hennessey is mistaken because that case deals with creating a new trust fund, an explicit added allocation of money that does not have any implication on this initiative.

Hennessey in the counsel's argument and the attorney general's argument again reinforces this mistaken idea that uplifting
critical knowledge in the form of vocational
training or blended learning, infrastructure
development, or agriculture, allied health, other
vocational trades is mutually exclusive from
traditional credit, and thus necessarily detracts
from the core curriculum.

So to use funds in accordance with
this initiative rather than in the discretion of
the Council to meet governmental needs.

Again, in relying on Jones the
attorney general and the general counsel for the
District of Columbia misunderstands the objective
of this initiative.

In the case with Jones the court held
that the initiative power could not be used to
authorize an increase in the level of benefits.
Again, this is explicitly about allocating
increased or separated funds. That is nowhere in
this initiative.

Let me start by saying some of the
arguments that were also listed in some of the
case law, D.C. used to have the requirement of
vocational training. So I don't know if the
attorney general and the general counsel didn't
really review the requirements for graduation,
but it used to be a requirement.

And ideally -- students have been
asking for this, parents have been asking for
this, and to be honest the country needs this.
Let me just give you some (Audio interference.)
real quick about what's occurring with students
in the District of Columbia.

Out of every 100 students who are in
the ninth grade cohort, 31 of them will not
complete high school in 4 years. Thirty will
graduate high school in four years but not enroll
in post-secondary education. Twenty-five will
enroll in post-secondary education but not
complete. Fourteen will complete. So my
question is what happens to the 86.

We have an escalation of crime,
vviolence, poverty. All of this has been created
from policies that perpetuate those cycles. This
initiative ideally blends and restores back the
dignity of learning. It doesn't require the
schools to do anything that they don't currently
do, it just requires them to do it a little bit
differently, and it also allows taxpayers to have
a little say or involvement there.

The schools already have college and
career fairs, they just exclude professional
trades. The District of Columbia has the Board
of Industrial Trades. It shouldn't be any
difficulty in obtaining welders, carpenters, HVAC
technicians, plumbers, all of which this city
rely on, all of which this world relies on to
maintain its function of life, and yet they
exclude those trades. They exclude those
professions.

And again, all students are not going
to college. So essentially this initiative looks
to address the failures of vocational education.

Number one, they should have never
been separated. Vocational education was
actually used as a weapon many, many decades ago
where a lot of Black and Brown students were
shifted to vocational education, and a lot of --
most White students were -- their curriculum was
strictly academic.

And so that's kind of why in the
nineties you saw a fading away of the vocational
education because often a lot of Black and Brown
students were miseducated, or academically
deprived.

And so once you had No Child Left
Behind come up and you had these requirements for
testing, they knew that a lot of the -- because
of things that occur outside of the school, but
they knew that because a lot of the Black and
Brown students were under -- two or three grades
under, that they would have issues meeting those
testing requirements.

CHAIRMAN BENNETT: Pardon me for
interrupting. We'll have a question for you.
But we've kind of gone a little bit longer. If
you could kind of wrap it up and focus on the
things that you want.

And also too, if you have the comments
that you have written down it would be great for us to have a copy of those as well. I don't want to lose anything that's significant. So, and pardon me for interrupting you. And so continue.

MR. BOSTON: No problem, and I'll email them to you. Let me just say this. When I submitted this initiative my objective was very clear, and it was to help close the achievement gap, increase high school graduation rates, and change the trajectory for the lion's share of District students.

In 2021 it's unconscionable, unacceptable, and unnecessary that we have students dropping out of high school simply because the curriculum is not relevant, or that we even have students graduating, yet they're not prepared for independent life with or without college.

In the wake of COVID-19 crisis, racial injustice unrest, District students, parents, teachers, and taxpayers deserve pathways in preparing students for the 21st century.
Vocational training does that, and it can be blended with traditional academics. As there are many reasons why vocational and technical education programs are important to students' outcomes.

Two of the greatest are in the ability to reduce the school to prison pipeline, and students' learning skills that increase their ability to change their reality.

Giving voters this opportunity to restore quality vocational and technical programs to all students, all students, will provide experiences far more important than those typically associated with general academics.

Courses like carpentry where students use their hands to build confidence, strength in character, and problem-solving capabilities, useful in all careers and in every educational experience.

Furthermore, working with various materials in a creative manner assists students in connecting the relevance of their subject
material with their daily lives.

This Elizabeth Davis Education Equity Pathway Policy Act of 2022 will assist students in communicating and understanding ideas non-verbally through sketches and technical drawings, will enhance the skills of spatial visualization required for geometry, trigonometry, and algebra, thereby helping students to prepare for careers in engineering, science, architecture, and healthcare.

It will provide students with take-home physical evidence of the mastery of their skills. It will instill a pride of accomplishment and self-esteem. It will give students the opportunity to execute precise work, and produce useful product, and become self-assessors using measuring tools and squares, et cetera, then to sit there and assessing the quality of their work.

It trains the eye and the hand to see accurately, and to feel the sense of beauty and things that they form. It encapsulates the
habits of attention, perseverance, and patience. It offers opportunity for students to go where their heart demands by selecting designs and projects and passions that motivate them, not only as tradesmen but also as people.

It provides the opportunity for students to overcome setbacks that occur when working with real objects or dealing with the stressors of life.

It will provide relevancy of other subject matter in their lives. We know the trauma that most students in the District of Columbia deal with. Thereby it's proven that vocational education has actually prepared students for better college outcomes and preparing them for a lifetime of learning.

It provides non-academic and blended academic areas for the demonstration of skills in the pursuit of excellence. It provides non-contrived opportunities for engagement in multiple intelligences.

It provides an opportunity to engage
physically and actively in learning experiences. It provides an opportunity for engagement and success even for those disinclined for academic involvement.

It helps students gain confidence as real world problem solvers. It helps students gain confidence in tool use, learning safety considerations required for career, lifetime and general home maintenance and lifelong hobbies.

It will offer an appreciation for the value inherent in physical labor. Isn't that one of the issues we have, students not wanting to work? It will instill the ability to work and contribute with others.

It connects students to thousands of years of human creativity, creative endeavor. It provides a much-needed break from the oppressive classroom routine. It helps students to better understand the sources and processes of technological change.

(Simultaneous speaking)

MR. BOSTON: And lastly, and lastly,
it affords students classes they would enjoy
because they would be doing by learning, and that
is what this initiative seeks to accomplish.

It will not cost the District or the
school one cent because it doesn't require them
to do anything outside of what they currently do.
It requires them to do things differently.

CHAIRMAN BENNETT: Thank you, Mr. Boston. One, let me acknowledge your passion,
and I applaud you for your interest and your
commitment to the young people in our city. I
have children that were raised here, and attended
public school here, and I have grandchildren, at
least one in this process so thank you for your
care and concern.

I also want to -- before I ask for
questions I also want to just make sure it's real
clear for the record that while the substance of
the initiative is really important, our decision
is not on the substance but on the -- whether the
initiative meets the criteria to be on the
ballot. And so we'll have to make our decision
accordingly.

We also want to make sure that there's dialogue with our general counsel's office to support being real clear that the proponent understands what those criteria are.

With that I'll ask Ms. Greenfield if she has any questions for Mr. Boston.

MEMBER GREENFIELD: No, I don't have any questions.

CHAIRMAN BENNETT: Okay. I have a couple.

MR. BOSTON: Thank you. It will be a lot of questions. Go ahead, I'm sorry.

CHAIRMAN BENNETT: Any questions? I think Mike Gill just came on. Mr. Gill? Board Member Gill? We're trying to find here. Okay. Anyway, while we're trying to find Mike Gill I have a couple of questions.

Mr. Boston, are all of your stats relative to student success or in making it through, are all of those based on DCPS students, or were the non-public schools included in your
stats? And does it include the charter schools as well?

MR. BOSTON: It does not include the non-public schools which obviously are students that have disabilities and so forth and so on. But yes, it does include the charter schools. And that's what's alarming. It does include the numbers as it pertains to graduation from high school as well as completing college, and they are very alarming.

CHAIRMAN BENNETT: Okay. Mr. Gill, did we find you? I don't see. Okay. I think, Ms. Stroud, we're over to you with your recommendation, recommendations to the Board.

MS. STROUD: For the record, although the general counsel for the Council and the Office of the Attorney General are required to provide us with advisory opinions they are just that and we are not bound to adhere to their opinions.

We do conduct our own independent analysis of the initiative, and we do agree, the
Office of the General Counsel does agree that there is language in the proposed initiative that would require expenditures of funds, specifically funds for creating and implementing the new pathway for education to graduation.

That language which happens to have been highlighted by both of the advisory opinions is that the proposed initiative would require each principal or his or her faculty designee to do certain things which would require an expenditure.

Specifically there would have to be a process established or processes established for various things. One for a parent to request student evaluation and participation in the pathway, establish a process to verify the student's progress and completion of the alternative options, and to meet with parent of students who has a GPA that falls below a certain point.

And the one that was the most indicative of an appropriation of funds would be
the requirement to establish mandatory middle
school alternative option introductory classes
and learning experiences for grades 6 through 8.
So that's the language that our office identified
as well that would indicate that there would be
the requirement of an expenditure of funds in
violation of the law governing initiatives.

So, based on our analysis it would be
our recommendation, or the Office of the General
Counsel's recommendation that the proposed
measure does not present a proper subject of
initiative.

CHAIRMAN BENNETT: How long has Mr.
Boston had -- hold on, Mr. Boston.

MR. BOSTON: Yes, sir.

MS. STROUD: He received them

yesterday, all three.

CHAIRMAN BENNETT: Yesterday.

MS. STROUD: Yes.

CHAIRMAN BENNETT: Okay. Well, what
I think we'd like to do is to give Mr. Boston an
opportunity to address those opinions. And so
what I'd like to do is to leave the record open for some period of time to allow Mr. Boston, so that you don't have to try and address those on the fly today.

We'll leave the record open for another 30 days.

MS. STROUD: Sure.

CHAIRMAN BENNETT: Is that sufficient, Mr. Boston, to give you an opportunity to address those opinions in writing?

MR. BOSTON: Yes, sir. Yes, sir, that would be sufficient.

CHAIRMAN BENNETT: So, let me -- I don't think I need a vote, but I'll ask for a vote from the other Board members if we can agree to leave the record open for another 30 days to give Mr. Boston an opportunity to respond and address the matters noted by the two legal opinions that we have and also the opinion of our general. Ms. Greenfield, can I get a motion?

MEMBER GREENFIELD: Yes. Oh, you want me to move? I move that we leave the record open
an additional 30 days to give Mr. Boston time to respond to the opinions.

CHAIRMAN BENNETT: And Mr. Gill?

Okay, it's been properly moved. I second. Ms. Greenfield, can I get a vote from you?

MEMBER GREENFIELD: Aye.

CHAIRMAN BENNETT: It's aye as well so it's unanimous. Mr. Boston, you have 30 days from today. We'll leave the record open to provide any additional information to address those opinions.

I also encourage you to open up some dialogue with our general counsel and her office relative to that over the next 30 days if indeed there is any issue regarding clarity of those opinions. And so with that I will -- it will be due Friday, August 6, Mr. Boston. The record will be open until Friday, August 6.

And then what we'll do after that, once we receive your additional information addressing those matters that the legal opinions have addressed we will bring the matter back up.
So, what we'll do is we will bring the matter up at our next meeting, or address it anyway after your -- the time frame has closed for the record to remain open, and then we'll move forward accordingly.

But again, I encourage you to enter into dialogue with our general counsel's office if you have any questions with regards to clarity. Okay?

MR. BOSTON: Okay. I will.

CHAIRMAN BENNETT: Okay, great.

Thanks, Mr. Boston. I think that covers that matter. Ms. Stroud, do you have any other matters?

MS. STROUD: I have no other items on my agenda.

CHAIRMAN BENNETT: Okay, thank you.

We'll move to the next item on the agenda, and that is the Office of Campaign Finance. Ms. Montgomery. Good morning.

MS. COLLIER-MONTGOMERY: The OCF line staff will return to the office full-time for
their scheduled weekly tour of duty on July 12, 2021.

Also, on June 17, 2021 the Office of Campaign Finance presented testimony on the proposed OCF Fiscal Year 2022 budget. The budget proposes the total sum of $19,964,671 and basically $3,999,000 of that is for the personal services budget, and for the 38 full-time equivalents who are the positions which are assigned to the Office of Campaign Finance, and $15,966,000 is for the non-personal services budget. And that includes the approximately $15 million I believe it's four hundred and some thousand which is allocated for the Fair Elections Fund for the 2022 cycle, specifically the Fiscal Year '21 activity that -- '22 activity that we anticipate.

With respect to our outreach program there were no events which were scheduled during the month of June. However, the office does remain available to appear on the agenda of the Advisory Neighborhood Commission member meetings.
that are held throughout the city.

In the Fair Elections Program Division during the month of June as of this day. Again, the Office of Campaign Finance has authorized for distribution during the 2020 election cycle, and also the 2020 special election cycle, the total sum of $4,016,797.64 to the 36 candidates who were certified in the program to participate in the elections which were conducted during the 2020 election cycle, including both the general election on November 3 and the primary election as well as the June 16, 2020 special election.


During the month of June 2021 there were no disbursements which were authorized from the Fair Elections Fund for candidates who have registered seeking to participate in the Fair Elections Program during the 2022 election cycle.

With respect to desk reviews and other activities in the Fair Election Program, the Fair
Election Program conducted four desk reviews of termination and amended reports of receipts and expenditures which were filed, and also issued four requests for additional information pertaining to the content of those reports.

As of June 30, 2021 total funds of $136,996.85 have been remitted for deposit in the Fair Elections Fund again from the campaign operations of those candidates who participated in elections during the 2020 election cycle as well as in the special election.

With respect to ongoing post-election full-field audits there are currently 34 audits being conducted by the Fair Elections Program of the campaign operations of the candidates who participated in the Fair Elections Program during the 2020 election cycle, and also during the special election as well.

During the month of June the Fair Elections Program issued seven preliminary statements of findings in seven of the ongoing audits. The status of all of the audits is
reported in our stats, and our stats will be available on our website at the close of business today.

In our Public Information and Records Management Division during the month of June there was one report date, and that was for the filing of the 16th Report of Receipts and Expenditures by Legal Defense Committee, and that report was due on June 1, 2021. The recorder filed a timely file and electronically filed the report.

During the month of June we also had new candidates and committees who registered with the agency. I would also indicate that with the list of new candidates and committees that this will be a running list for the 2022 election cycle of the registrations, and the 2021 registrations in June are highlighted.

So, during the month of June in the traditional program we currently have five candidates, and we did have one candidate who registered on June 24, 2011, and that was James
Butler, Butler for Mayor 2022. In the Fair Elections Program we currently have two candidates, and one candidate registered on June 17, 2021, and that's Mary Cheh, Cheh 2022, Council for Ward 3.

With respect to our initiative committees we currently have two new initiative committees that have registered, and the latest one registered on June 21, 2021, and that was the D.C. Committee to Build a Better Restaurant Industry.

We also have candidates and treasurers who completed the mandatory entrance conference presentation during June 2021. The first was Phil Mendelson, Candidate, Mendelson for Chairman. Claude Daley, Treasurer, Karl Racine 2022. Charles Boston, Treasurer, Elizabeth Davis Education Equity Pathway Policy Act of 2022 Initiative Committee. Cynthia Harris, Treasurer, Credit Union PAC of Washington, D.C.

Then our Reports Analysis and Audit Division, and that is our traditional audit
program. During the month of June the audit branch conducted one desk review. The audit branch also issued two audits which are published at our website during the month of June.

The first was the Committee to Elect Alex Padro, and that was issued on June 15, 2021. The second was Phil's Fund for Citizen Service and that was issued on June 11, 2021. And both of those audits are compliance audits.

In the audit branch there are currently -- with respect to ongoing audits there are two full-field audits which are pending of newly elected officials as a result of the 2021 election.

The first one is Brooke Pinto for Ward 2, and at this time the audit field work is in progress. With Jacques for D.C. At-Large, State Board of Education. With respect to this one the audit field work is pending the submission of additional documents by the committee.

For our PACs and continuing committees from the 2020 election with respect to the
January 31, 2021 report there were two ongoing
(Audio interference.)

The first is Oye for U.S. Representative. The preliminary statement
findings which was issued resulting in the audit
branch basically issuing a second preliminary
draft statement of finding. And that was issued
on June 17, '21. And so at this point they're
awaiting a response from the committee to that
second statement of finding.

Again, the Committee to Elect Alex
Padro, that audit was completed and the audit
report was issued on June 15, 2021.

With our constituent service program
the periodic random audits were conducted of the
April 1, 2021 report. Again, the Phil's Fund for
Citizen report, that audit was complete and the
audit report was issued on June 11, 2021.

With Evans Constituent Services Fund,
with respect to that audit the documentation that
the audit branch needed was received on June 24,
2021, and is under review. And that completes my
report, but I would ask that the general counsel William SanFord provide the report for the Office of the General Counsel for the Office of Campaign Finance.

CHAIRMAN BENNETT: Thank you, Ms. Montgomery. Mr. SanFord?

MR. SANFORD: Good morning, Mr. Chairman, and Distinguished Board Member Greenfield. This is William SanFord, general counsel for the Office of the Campaign Finance.

During the month of June 2021 the Office of the General Counsel did not receive any referral. The office, however, did issue three orders in response to motions for reconsideration.

Two of the motions were denied, and the remaining motion was partially granted, resulting in a reduction in the original fine of $1,150 to a fine of $575.

During the month of June 2021 the Office of the General Counsel imposed fines that totaled $2,075 which included the following. A
A fine of $500 was affirmed against the Dorothy Douglas, At-Large, State Board of Education Principal Campaign Committee when the motion for reconsideration was denied.

A fine of $1,000 was affirmed against the Patrick Kennedy for Ward 2 Special Election Principal Campaign Committee when the motion for reconsideration was denied.

And a fine of $1,150 was reduced to $575 against the Committee to Elect Chris Edu when the motion was partially granted.

During the month of June 2021 the Office of the General Counsel did not collect any payments for fines. During the month of June 2021 there were no requests for alternative opinions, there were no open investigations, and no show cause proceedings were conducted. And that should conclude my report.

CHAIRMAN BENNETT: Thank you, Mr. SanFord. Ms. Montgomery, is there anything else?

MS. COLLIER-MONTGOMERY: No, I had no further.
CHAIRMAN BENNETT: Okay. Any questions from the Board? Ms. Greenfield?

MEMBER GREENFIELD: No, no. Good report.

CHAIRMAN BENNETT: Mr. Gill, if you're there, any questions? Okay. Must not be there yet. I do have just one question, Ms. Montgomery, and that's with regards to the Fair Elections Program.

It seems like we're starting to pick up and get at least a few people that are interested. What's the time frame when we should expect to see the bulk of the applications come in for that program? Assuming that there is more interest which it seems like that there probably will be.

Are we looking at -- I'm just trying to remember the time frame for the statute. Is that winter? Anyway, I'll let you answer.

MS. COLLIER-MONTGOMERY: Okay. So with the Fair Elections Program the candidates who wanted to sit, who could sit, have to meet
the threshold requirements. And basically, they have to be submitted during what is referred to under the statute as the qualifying period. And the qualifying period begins the first day of the election cycle.

And for the 2022 election cycle the first day was actually the day after the last election for these particular offices. I believe that would have been in November of 2018. And the qualifying period ends on the last day that the candidates who participate in the primary election file, the deadline for them to file their nominating petition. I believe that's sometime in March of 2022.

And then for the candidates who are interested in participating in the November 2022 election the last day of the qualifying period is the last day for them to file nominating petitions to qualify for that election, and I believe that is sometime in -- is it August of 2022.

So basically those are the qualifying
periods. And so candidates who are interested in this program must file their threshold requirements before the deadline for each of the qualifying periods.

CHAIRMAN BENNETT: Okay. So they actually could file now --

MS. COLLIER-MONTGOMERY: Yes.

CHAIRMAN BENNETT: -- which some have, actually. But we would expect to see -- I'm just, this is all new. So my guess is we would expect to see the closer we get to the end of the first of 2022 is probably the activity is going to start picking up in that area.

MS. COLLIER-MONTGOMERY: Yes.

CHAIRMAN BENNETT: Okay.

MS. COLLIER-MONTGOMERY: Yes, based on our experience with the 2020 election cycle, you know, there was a lot of activity which had been generated at this point with that particular election. But I think that had a lot to do with what was going on in Ward 2.

CHAIRMAN BENNETT: Yes. Okay. All
right. Great. Thanks. Appreciate that. I'm just anticipating this being a really active program going forward, so put our strap on and hold on. Okay. If there are no questions, no additional questions, thank you, Ms. Montgomery.

We'll move to item 7 which is the executive director's report, Ms. Alice Miller.

MS. MILLER: Good morning. Thank you, Mr. Chairman. As you know the Board presented its FY2022 budget testimony at the oversight hearing on June 17 before the Committee on the Judiciary and Public Safety.

On Wednesday, June 30, the committee held a hearing on the budget and issued the FY budget report that included the recommendations on BOE's budget. The highlights of that represent the following.

At that hearing the committee discussed and voted on the following. That budget supports 60 full-time employees. The Board currently has 50 full-time employees that are supported by the current 2021 budget. The
increase in staff represents employees that would support the Council's enactment of Restore the Vote Act for incarcerated citizens, and creates automatic voter registration at the Department of Corrections for incarcerated District residents, which funding is provided by the Council's FY2022 budget report.

And the temporary employees are currently in place in the voter registration -- Voter Education and Outreach Division, our Voter Registration Division, as well as staff that is in place in our logistical operation.

The Council's budget report further supports IT infrastructure upgrades at BOE by providing the agency with $203,000 in one-time funding and approves $1.3 million for a new mobile app for voters. The total budget that they discussed on June 30 represents an increase of 27.5 percent from 9.551 in 2021 to 12 -- this is $12.184 million. So hopefully that will go through with the full Council voting whenever they take that on.
During June the Voter Education Outreach Division participated in five events, a Beat the Street event on June 16 in Ward 8, So Others May Eat on June 17 in Ward 5, a Beat the Street event June 23 in Ward 7, high school voter registration event, June 26, Ward 7, Beat the Street event, June 30 in Ward 8. And these are voter representation and election worker recruitment events.

As I spoke on last month the agency did conduct the ANC 7 special election to fill the vacancy in the ANC. The election was conducted within the Department of Corrections. And that election was supported by the Board although the Board did not actually do the election. The staff within the Department of Corrections did that election.

The Board supported the election by providing the ballots and the voting materials needed to successfully conduct the elections for the registered voters within DOC. Staff was not allowed inside DOC, but the ballots were hand
delivered and picked up by Board staff at the end of the election. Ballots were also tabulated by the Board staff on the date of the election which was June 15.

There were a total of 140 voters that cast ballots at the Department of Corrections, and there was also an election that the Board did operate within the ANC outside of DOC at Park Kennedy Residential. I think they're condominiums.

Every candidate on that ballot was an incarcerated resident of Department of Corrections which was significant and did receive a bit of media coverage. For each location the election was held from 3:30 to 7:30. There was a total of 141 ballots cast, so 140 of those came from DOC and 1 came from Park Kennedy.

The winner was Joel Caston. Mr. Caston is currently serving out his sentence at DOC. He was sworn in by Judge Milton Lee. Council Members Charles Allen and Vince Gray were in attendance and provided congratulatory
speeches at the swearing-in ceremony which also
got a bit of media coverage and a bit different
as well. But anyway. Yes, we'll move on.

I did want to put on the record that
the Board received an award from the Election
Assistance Commission for best practices in
election administration for most creative and
original I Voted sticker for the image that we
have for the superimposed image of Frederick
Douglass which we passed out for 2020, for voters
when they voted. And that concludes my report.

CHAIRMAN BENNETT: Okay. Ms.

Greenfield has had to log off. Oh, she was still
there for a second. I see her moving to log off.

Do you have any questions, Ms. Greenfield?

MEMBER GREENFIELD: No, I don't, and

yes, I have got to go. Thank you.

CHAIRMAN BENNETT: Thanks. And I
don't have any questions either. Thank you, Ms.

Miller. And if Mr. Gill is on the line I'll ask

him. Okay.

So with that we will move to the
second to last item on the agenda and that's
public matters. Do we have any public matters?
If you would either raise your hand. I think
everybody is unmuted, so all you have to do is
unmute yourself. I believe. Is that correct,
Randy? Yes. Raise your hand or unmute yourself.

I don't see any hands raised on the
Board and I don't have anybody unmute themselves
so that is it. I am going to take a unanimous
vote, one person to adjourn the meeting. And we
will end the meeting as hereby adjourned. Thank
you so much.

(Whereupon, the above-entitled matter
went off the record at 10:59 a.m.)
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C E R T I F I C A T E

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In the matter of: Board Meeting

Before: DC BOE

Date: 07-07-21

Place: teleconference

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

[Signature]
Court Reporter