

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Paul Trantham,)	
Challenger)	Administrative
)	Order #16-011
)	
v.)	Re: Nominating Petition
)	Challenge for the Office
)	Advisory Neighborhood
Betty Scippio,)	Commissioner Single Member
Candidate.)	District 8B05

MEMORANDUM OPINION AND ORDER

INTRODUCTION

This matter came before the District of Columbia Board of Elections (“the Board”) on September 8, 2016. It is a challenge to the nominating petition of Betty Scippio (“Ms. Scippio”) for the office of Advisory Neighborhood Commissioner, Single Member District 8B05 filed by Paul Trantham (“Mr. Trantham”) pursuant to D.C. Code § 1-1001.08 (o)(1) (2001 Ed.). Neither party appeared for the hearing. Accordingly, the hearing proceeded ex-parte pursuant to Title 3 of the District of Columbia Municipal Regulations (“DCMR”) §403.4. Chairman Michael Bennett and Board members Dionna Lewis and Michael Gill presided over the hearing.

BACKGROUND

On July 20, 2016, Betty Scippio submitted a nominating petition to appear on the ballot as a candidate in the November 8, 2016 General Election contest for the office of Advisory Neighborhood Commissioner (ANC) for Single Member District (SMD) 8B05. That petition was posted for public inspection for 10 days, as required by law, and challenged on August 22, 2016 by Paul Trantham, a registered voter in the District of Columbia. Ms. Scippio submitted a

total of fifty-five (55) signatures. The minimum number of signatures required for ballot access for this office is twenty-five (25) signatures of District voters who are duly registered in the same SMD as the candidate. Pursuant to Title 3 D.C.M.R. § 1603.7, the Board accepted 50 signatures for review.

Challenger Paul Trantham filed challenges to a total of thirty-five (35) signatures, enumerated by line and page number on individual “challenge sheets” filed for each petition page. Petition signatures were challenged pursuant to 3 D.C.M.R. §1607.1 of the Board’s regulations on the following grounds: the signer’s voter registration was designated as inactive on the voter roll at the time the petition was signed; the signer, according to the Board’s records, is not registered to vote at the address listed on the petition at the time the petition was signed, provided that an address on a petition which is different than the address which appears on the Board’s records shall be deemed valid if the signer’s current address is within boundary from which the candidate seeks nomination, and the signer files a change of address form with the Board during the first 10 days following the date on which a challenge to the nominating petition is filed; the signature is a duplicate of a valid signature; the signature is not dated; the petition does not include the name of the signer where the signature is not sufficiently legible for identification; the circulator of the petition failed to complete all required information in the circulator’s affidavit; the signature is not made by the person whose signature it purports to be, and the signer is not a registered voter in the ward or Single-Member District from which the candidate seeks nomination at the time the petition was signed. The Registrar’s review of the challenges indicates that a total of 15 of the 35 challenges are valid. This leaves the candidate’s nominating petition with 35 signatures, 10 signatures over the number required for ballot access.

DISCUSSION

The United States Supreme Court has long recognized that states and localities have a responsibility to protect the integrity and reliability of the election process, and has generally accorded them latitude in establishing rules and procedures toward that end. “[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order is to accompany the democratic process.” Buckley v. American Constitutional Law Foundation, Inc., 525 U.S. 182, 187 (1999). Accordingly, the District of Columbia has established a nominating petition process that require prospective candidates to demonstrate a modicum of support from a specific number of qualified electors as a condition precedent for ballot access.

CONCLUSION

Ms. Scippio secured 35 valid signatures, which is 10 signatures above the 25 signatures required for ballot access. It is hereby:

ORDERED that candidate Betty Scippio is granted ballot access for the office of Advisory Neighborhood Commissioner, Single Member District 8B05.

September 12, 2016
Date



D. Michael Bennett
Chairman,
Board of Elections