



the Office of General Counsel (“OGC”) launched an investigation into the 2024 GE ballots cast in the name of Jenefer Ellingston.

On November 14, 2025, OGC sent Ms. Ellingston notice that there would be a prehearing conference before that office on December 5, 2025. The notice was sent to available email and residential addresses for Ms. Ellingston. The email did not bounce back and the hard copy notices were not returned by the U.S. Postal Service. Ms. Ellingston did not appear at the December 5, 2025 prehearing conference. Ms. Ellingston was then sent notice that, on June 3, 2026, the Board would hear the General Counsel’s recommendation as to enforcement action that the Board should take against her.

At the June 3 hearing, the OGC attorney assigned to the case explained that Ms. Ellingston had been flagged by ERIC as a possible double voter in the 2024 General Election and she noted for the record that the Poll Pad signature associated with the in-person ballot issued in Ms. Ellingston’s name was decipherable as “Jenefer Ellingston” and that the signature associated with the 2024 GE Maryland mail ballot was also decipherable as “Jenefer Ellingston” and that the signatures, despite being produced on different media, had similarities. Upon the request of the OGC attorney, the Board accepted the signature evidence into the record.

Ms. Ellingston did not appear at the hearing. Based on the record presented, the General Counsel recommended that the matter be referred to the OAG for further investigation and possible prosecution, provided however that her office would delay referral to give Ms. Ellingston an opportunity to seek reconsideration.<sup>2</sup> The Board Chair made a motion to accept the General Counsel’s recommendation. The motion was duly seconded and passed unanimously.

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<sup>2</sup> 3 D.C.M.R. 429 sets forth the Board’s rules for seeking reconsideration of an order. Under those rules, reconsideration must be sought by motion within ten days of the order. If that deadline is missed, a party seeking reconsideration would have to ask for leave to file a motion for reconsideration.

## Discussion

D.C. Official Code § 1–1001.18(a) provides that the Board’s General Counsel may recommend to the Board enforcement action for violations of any election law.<sup>3</sup> The election laws include D.C. Official Code §1-1001.09(g)(1), which provides that no person shall vote twice in an election. In addition, D.C. Official Code §1-1001.14(a) provides that it is a criminal offense to vote or attempt to vote and make false representations as to the person’s qualifications for voting. Voting qualifications include that a person cannot claim voting residence or the right to vote in another state. *See* D.C. Official Code §1-1001.02(2)(C). Finally, D.C. election laws also provide that it is a crime to fraudulently cast a ballot. *See* D.C. Official Code § 1–1001.14(a-1)(1)(D).<sup>4</sup>

The record before us contains sufficient evidence that Ms. Ellingston voted twice in the 2024 General Election in violation of various election laws. That said, the capacity of the Board’s OGC to investigate such violations is limited. Notwithstanding the efforts to contact Ms. Ellingston, OGC has been unable to complete its investigation. The statutory power of the Board to refer matters to the OAG suggests that the law is intended to allow the Board to rely on OAG’s investigatory resources in ferreting out election fraud. Unless Ms. Ellingston cooperates with us in resolving this matter, we have little choice other than to refer her for criminal investigation. Before we take that serious step, however, we agree, as suggested by the General Counsel, that the act of referral be delayed until Ms. Ellingston has had an opportunity to seek reconsideration of this order.

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<sup>3</sup> *See also* D.C. Official Code § 1–1001.05(a)(16) (authorizing the Board to “[p]erform such other duties as are imposed upon it by this subchapter”).

<sup>4</sup> *See*, in addition to the federal prohibition on double voting cited at footnote 1 *supra*, 52 U.S. Code § 10307(c) (prohibiting knowingly or willfully giving false residency information for the purpose of establishing eligibility to register or vote in elections to fill federal offices). As noted above, federal law prohibits double voting in a federal election.

**Conclusion**

For the reasons indicated above, it is hereby:

**ORDERED** that the recommendation of the General Counsel is **ACCEPTED**, and the Board's Office of General Counsel is directed to refer Jenefer Ellingston to the D.C. Office of Attorney General for further investigation and possible prosecution, subject to the lapse of sufficient time for the filing of any accepted motion for reconsideration.

The Board issues this written order today, which is consistent with its oral ruling rendered on June 3, 2026.

Date: June 4, 2026



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Gary Thompson  
Chairman  
Board of Elections