MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING

October 7, 2026

The District of Columbia Board of Elections ("the Board" or "DCBOE") held its Regular Monthly Meeting on Wednesday, October 7, 2026 via Zoom and in the Board's Hearing Room located at 1015 Half Street, SE, Washington, D.C. 20003, Suite 750. Board Chair Gregory McCarthy and Board Members Karyn Greenfield and Mike Wakefield were present. The Board's Executive Director, Monica Holman Evans ("Director Evans"), General Counsel, Terri Stroud, Office of Campaign Finance ("OCF") Director, Cecily Collier-Montgomery, and OCF General Counsel, William SanFord, were also present.

I. CALL TO ORDER

Board Chair McCarthy reconvened the open public session at 10:33 a.m., following a closed executive session.

II. ASCERTAINMENT OF QUORUM

Board Chair McCarthy and Board Members Greenfield and Wakefield constituted a quorum.

III. ADOPTION OF AGENDA/APPROVAL OF MINUTES

BOARD ACTION: The Board unanimously adopted the agenda and minutes from the September Board Meeting.

IV. BOARD MATTERS

Board Chair McCarthy reported no Board matters.

V. EXECUTIVE DIRECTOR'S REPORT

A. General Matters

Director Evans presented the Executive Director's Report for September 2026.

VI. GENERAL COUNSEL'S REPORT (TERRI STROUD)

A. Requests for Hearing De Novo

1. In re Janeese for DC, OCF-FI-2026-007

The Board considered requests for hearings *de novo* concerning OCF's June 12, 2026 order imposing five fines for alleged impermissible coordination and campaign staff reimbursements. The proceedings included arguments concerning the timeliness of the campaign's request for review, the unions' request for party status, and the sufficiency

of the evidence supporting OCF's findings. The Board heard presentations from the parties and OCF and entered a closed executive session to consult with counsel and deliberate. Upon returning to open session, Board Member Greenfield moved to find that substantial evidence in the record did not establish violations of the Campaign Finance Act concerning impermissible coordination or reimbursements and to vacate the order. Board Member Wakefield seconded the motion.

BOARD ACTION: The Board unanimously voted to vacate OCF's June 12, 2026 order. Following the vote, counsel clarified that the remaining procedural and party-status issues were moot.

B. Application for Approval of a Party Name

General Counsel Stroud presented the application for approval of the name "Justice and Affinity Aligned Party," submitted by Khosbayar Curry. Staff reviewed the application and determined that the proposed name did not conflict with the applicable party-name requirements.

BOARD ACTION: The Board unanimously approved the application for the party name Justice and Affinity Aligned.

C. Rulemaking to Title 3 of the D.C. Municipal Regulations

General Counsel Stroud presented proposed amendments to Chapters 10, 11, 14, 15, 16, and 17 of Title 3 of the D.C. Municipal Regulations. The amendments address ballot-access petition challenges and clarify requirements for identifying signatures challenged based on circulator misconduct. The proposed rulemaking was intended for publication in the October 16, 2026 D.C. Register for a 30-day public comment period.

BOARD ACTION: The Board unanimously approved publication of the proposed rulemaking.

D. Initiative Matters

1. Proper Subject Hearing – "The DC Equal Homeownership Act"

Following further deliberation concerning the revised measure, the Board considered whether "The DC Equal Homeownership Act" presents a proper subject for initiative.

BOARD ACTION: Chair McCarthy and Board Member Greenfield voted to accept the measure as a proper subject for initiative. The measure will proceed through the initiative process.

2. Issuance of Petition in Support of Initiative Measure No. 88

Board Member Wakefield did not participate in this matter, consistent with his previously announced recusal. Joseph Sandler, counsel for proposer Salim Adofo, requested that the Board defer issuance of the petition for Initiative Measure No. 88,

the Rent Control and Housing Eligibility Adjustment Amendment Act of 2026, citing pending appellate litigation, election timing, and proposed changes to the petition form. General Counsel Stroud recommended deferral without fixing a particular future issuance date.

BOARD ACTION: Chair McCarthy and Board Member Greenfield voted to defer issuance of the petition until further action by the Board.

E. Litigation Status

1. James Douglass v. D.C. Board of Elections (D.C. Superior Court)

This matter challenges the Board's determination that Initiative Measure No. 88, the "Rent Control and Housing Eligibility Adjustment Amendment Act of 2026," met proper subject requirements and the Board's adoption of the measure's formulations. At a September 16, 2026 hearing on the parties' dispositive motions, the Court ruled in favor of the Board on both the proper subject and formulation issues.

2. James Douglass, et al. v. D.C. Board of Elections (D.C. Court of Appeals)

On September 18, 2026, Mr. Douglass appealed the Superior Court order described above. The Court has not issued a briefing order.

3. Stacia Hall, et al. v. D.C. Board of Elections (U.S. District Court for D.C.)

This is a remand following the D.C. Circuit's June 2025 reversal of a district court denial of a challenge to legislation allowing non-citizens to vote in local elections. Dispositive motions are pending, and the Board is awaiting the Court's decision.

4. U.S. Department of Justice v. Monica Evans, et al. (U.S. Court of Appeals for the D.C. Circuit)

This is an appeal from the District Court's decision denying the Department of Justice access to personally identifying information contained in the Board's voter registration data. The District Court concluded that the U.S. Attorney General is not authorized to compel the Board to produce its voter registration list. The appeal was noted on August 19, 2026, and the Court directed that dispositive motions be filed by October 5, 2026.

5. John Guggenmos v. D.C. Board of Elections (D.C. Court of Appeals)

This is an appeal from a Superior Court order affirming the Board's decisions concerning Initiative Measure No. 87, the D.C. Living Wage Amendment for All Act of 2026. On September 21, 2026, the Court referred the matter for mediation. No further action on the mediation has occurred.

6. **Talib Muhammad v. D.C. Board of Elections (D.C. Court of Appeals)**

   This matter concerns an emergency appeal docketed September 13, 2026 from a Superior Court order denying Mr. Muhammad's request for injunctive relief directing the Board to accept his general election nominating petition. On September 16, Mr. Muhammad moved for an injunction pending appeal. The Board opposed that motion and moved to dismiss on September 21. Mr. Muhammad opposed dismissal on September 22, and the Board filed its reply on September 25.

7. **Jason Christopher Long v. D.C. Board of Elections (D.C. Court of Appeals)**

   This is an appeal from a Superior Court order rejecting Mr. Long's claim for $10,000 in damages arising from an overdraft fee allegedly caused by a stop payment on a $500 check issued for his service as an election worker. The Court has not issued a briefing order.

8. **Calvin Gurley v. D.C. Board of Elections (D.C. Court of Appeals)**

   On September 3, 2026, Mr. Gurley appealed the Board's first order denying him ballot access following a challenge to his nominating petition. On September 8, the Board filed the agency record, a motion to expedite, and a motion for summary affirmance. On September 9, the Court consolidated that appeal with a second appeal from the Board's separate order denying him ballot access. On September 10, the Board filed the record and a dispositive motion in the second matter. That same day, the Court granted summary affirmance in the first appeal, denied the second appeal as moot, and issued its mandate. The matter is closed.

VII. CAMPAIGN FINANCE REPORT (PRESENTED BY DIRECTOR COLLIER-MONTGOMERY)

A. Director Collier-Montgomery presented the Office of Campaign Finance (OCF) report for September. The full report will be posted on the OCF website (www.ocf.dc.gov). The report of OCF's Office of the General Counsel was also submitted for the record.

VIII. PUBLIC COMMENT

The discussion in the public matters portion of the meeting can be found on pages 171 - 174 of the transcript.

IX. CLOSED/EXECUTIVE SESSION AND ADJOURNMENT

During the meeting, the Board voted to enter closed executive session to consult with counsel and deliberate on a quasi-judicial matter. Following public comment, the Board voted to enter closed executive session for legal consultation, quasi-judicial deliberation, and training and development of members and staff. Board Member Wakefield did not participate in the latter vote.

The public meeting adjourned at 2:20 p.m.