

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Joseph Bishop-Henchman,)	
Challenger)	Administrative
)	Order #26-035
)	
v.)	Re: Challenge to Nominating
)	Petition Submitted for
)	Calvin Gurley
Calvin Gurley,)	
Candidate.)	

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on April 17, 2026. It is a challenge to the nominating petition submitted by Calvin Gurley (“the Candidate”) to obtain ballot access in the June 16, 2026 Democratic Primary Election (“the Election”) for Chairman of the Council of the District of Columbia (“the Challenge”). Joseph Bishop Henchman (“the Challenger”) filed the challenge pursuant to D.C. Official Code § 1-1001.08(o)(1). Chairman Gary Thompson and Board member Karyn Greenfield presided over the hearing. All parties appeared *pro se*.

Background

On March 18, 2026, the Candidate submitted a nominating petition to appear on the ballot in the Election contest for the office of Chairman of the Council of the District of Columbia (“the Petition”). A candidate must collect at least 2,000 signatures from registered District of Columbia voters within their party to obtain ballot access in the Election. The Petition contained 2,539 signatures. Pursuant to Title 3, District of Columbia Municipal Regulations

(D.C.M.R.) § 1603.1, Marissa Corrente, the Board’s Registrar of Voters (“the Registrar”), accepted 2,539 signatures for review.

On March 21, 2026, the Petition was posted for public inspection for 10 days as required by law. On March 30, 2026, the Challenger, a registered voter in the District of Columbia, filed a challenge that asserted that 1,256 signatures in the Petition were not valid. Specifically, the Challenger challenged the signatures and affidavits pursuant to Title 3 D.C.M.R. §§ 1603 and 1607.1 of the Board’s regulations on the following grounds: the signer was not a registered voter in DC; 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; the signature is a duplicate of a valid signature; the signature is not dated; the petition does not contain the address of the signer; the signature does not contain the name of the signer and 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 was not personally witnessed by the circulator; and the signer is not registered to vote in the same party as the candidate at the time the petition was signed.

On March 31, 2026, the Office of General Counsel (“OGC”) notified the Candidate of the Challenge via the email address the Candidate provided in his Declaration of Candidacy (“the Declaration”). The Candidate contacted the Challenger via email to inquire about the Challenge on April 6, 2026. On Saturday, April 11, 2026, the Registrar of Voters notified the Candidate of her findings via the email address the Candidate provided in his Declaration of Candidacy.

Registrar’s Preliminary Determination

The Registrar’s review of the challenge found that 1,182 of the 1,256 signature challenges were valid. The Registrar found that 471 challenges were valid because the signer is not a

registered voter; that 358 challenges were valid because the signer was not registered to vote at the address listed on the petition at the time the petition was signed; that 75 challenges were valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; 55 were valid because the signature was a duplicate of a valid signature; 11 were valid because the signature was undated; eight were valid because the signature did not include the address of the signer; 27 were valid because neither the name of the signer nor the signature were sufficiently legible for identification; three were valid because the signature was not personally witnessed by the circulator (as evidenced by the predated circulator's affidavit); and 174 were valid because the signer was not registered to vote in the same party as the candidate at the time the petition was signed..

The Registrar accordingly determined the Petition contained 1,357 valid signatures, which is 643 signatures below the number required for ballot access.

April 14, 2026 Prehearing Conference

Pursuant to title 3 D.C.M.R. § 415.1, the OGC convened a prehearing conference with both parties on April 14, 2026. In her findings report issued prior to the prehearing conference, the Registrar outlined her determinations with respect to the validity of each signature challenged and provided a key code explaining the notations she used to indicate the basis for upholding or denying each challenge. The Registrar and OGC generally described the findings at the prehearing conference. OGC also explained the challenge process to the parties. OGC's recitation of that process restated the description of the challenge process OGC originally made in its March 31, 2026 email providing notice of the challenge to the Candidate. James Harnett, who appeared on behalf of the Challenger at the prehearing conference, stated that the Challenger agreed with the Registrar of Voters findings.

The Candidate offered three procedural objections at the prehearing conference. First, he argued that he did not receive the March 31, 2026 email OGC sent to the email address he provided in the Declaration. Second, he asserted it was unreasonable to expect a Candidate to receive correspondence from the Board on a Saturday and that the Board accordingly did not actually serve the Registrar's documents on him until Monday, April 13, 2026. Third, he appeared to argue that he understood that the cancellation of the prehearing conference in another challenge to his Petition also applied to the prehearing conference in this matter.

Regarding the findings themselves, the Candidate asserted that the Board must disregard the finding that 358 signatures did not qualify because the signer was not registered to vote at the address listed in the Petition. The Candidate appeared to contend that correcting the signatories' addresses required the Candidate, rather than the applicable voter, to update the signatories' address and that the requirement was inconsistent with law. The Candidate asserted that the Board must also disregard the findings that 471 signatures did not qualify because the voters were not registered and that 75 signatures did not qualify because the signers were inactive at the time the Petition was signed, arguing that signing the Petition and/or participating in jury duty service renders a signatory a registered D.C. voter. The Candidate further stated that he did not accept the remaining findings of the Registrar but did so without articulating the basis on which he was contesting the remaining findings.

The parties were unable to resolve the matter. The case was accordingly set for a Board hearing on April 17, 2026. The Candidate and Challenger were duly notified of the hearing.

April 17, 2026 Board Hearing

The Registrar was present at the hearing and presented her findings. The Challenger was present and urged that the Board accept the findings of the Registrar and deny ballot access. The

Challenger also confirmed that he received an April 6, 2026 email from the Candidate, the content of which makes clear that the Candidate had actual notice of the challenge on that date. The Candidate did not appear at the hearing.¹

The OGC representative recounted the Candidate’s procedural arguments from the prehearing conference to the Board. He additionally notified the Board of the substantive arguments the Candidate made at the prehearing conference. *See supra*, pg. 4.

Having considered the Candidate’s procedural objections, the Board concludes they lack merit. First, the OGC representative served the Candidate the March 31, 2026 notice of the Challenge and the Registrar’s findings via the email address in the Declaration. In the Declaration, Mr. Gurley swore or affirmed that he “understand[s] that by providing my email address, I am consenting to the electronic receipt of any official Board communications regarding my candidacy or ballot access generally at the address provided.” The OGC representative and the Registrar sent their respective correspondence to the email address at which the Candidate consented to receive official Board communications. Thus, the Board satisfied the notice obligation it owes the Candidate. Second, when the Candidate inquired regarding the impact of the cancellation of the other challenge to his Petition on this Challenge, the OGC representative informed him that the other matter’s cancellation did not apply to any other pending challenge to his Petition. Specifically, in an email again sent to the email address provided on the Declaration, the OGC stated that “[t]he Board has completed processing Mr. Abrams’ challenge to your nominating petition. To the extent there are other challenges to your nominating petition, this notice does not

¹ The Candidate appeared at the Board’s office the morning of April 17, 2026. OGC informed the Candidate the Board’s hearing in this matter, like the prehearing conference, would occur remotely and that he accordingly could not appear at the hearing in-person. The Candidate informed OGC he intended to return to his home to participate in the call and later sent his phone number in an email. OGC responded by providing the Candidate the link to participate in the hearing remotely, which it had previously provided to the Candidate on April 14, 2026.

apply to them.” For these reasons, the procedural objections the Candidate raised did not prejudice his candidacy or his participation in the proceedings before the Board.

The Candidate’s substantive objections to the Registrar’s findings are similarly unpersuasive. The Board’s process for updating addresses of signatories to a Petition does not entail *a Candidate* altering signatories’ addresses but instead requires the applicable signatory to update his or her address. Indeed, as the March 31, 2026 email to the Candidate indicates, “*the signer,*” not the candidate, “files a change of address form with the Board.” This notification language tracks the statutorily-required process. *See* D.C. Official Code §1-1001.08(o)(3)(B). (“For the purpose of verifying a signature on any petition filed pursuant to this section, the Board shall first determine if the address on the petition is the same as the address shown on the signer’s voter registration record. If the address is different than the address which appears on the signer’s registration record, the address shall be deemed valid if ... [t] *he signer* files a change of address form with the Board by no later than 5:00 p.m. on the 10th day after the day the candidate receives notice of the challenge.”) (emphasis added). Thus, the Board sustains the Registrar’s finding of 358 valid challenges because the signer was not registered to vote at the address listed on the petition at the time the petition was signed.

The Board likewise sustains the Registrar’s findings regarding 471 unregistered voters and 75 inactive voters. Service as a juror and signing a candidate’s nominating petition are commendable civic acts. However, they do not satisfy the requirements an individual must meet to become a registered voter in the District of Columbia. *See* D.C. Official Code §-1001.07.²

² . The Superior Court of the District of Columbia selects jurors from a combined list that includes voter registration, DMV records (driver's licenses/ID cards), tax records, and public assistance lists.

Finally, the Candidate did not provide any factual support or argument at the prehearing conference to support a challenge to the remaining findings in the Registrar's report.³

Discussion

A candidate for the office of Chairman of the Council of the District of Columbia in the Election needs to submit at least 2000 signatures from voters registered in his or her political party to obtain ballot access. The Petition contained a total of 2,539 valid signatures. The Challenger filed challenges to 1,256 signatures. The Registrar found that 1,182 of those challenges were valid. The Board upholds the finding of the Registrar that the Petition contains only 1,357 presumptively valid signatures. We accordingly cannot find that there are sufficient signatures for ballot access.

Conclusion

As a result of this challenge, the Board finds that the Petition contains 1,357 valid signatures – 643 signatures below the number required for ballot access. It is hereby:

ORDERED that challenge to the nominating petition submitted by Calvin Gurley in support of his candidacy for the office of Chairman of the Council of the District of Columbia in the Election is hereby **UPHELD**.

The Board issues this written order today, which memorializes its oral ruling rendered on April 17, 2026.

Date: April 18, 2026



Gary Thompson
Chairman
Board of Elections

³ OGC received an email from the Candidate at 8:29 am on April 17, 2026 which restated many of the contentions the Candidate made at the prehearing conference. To the extent the email contains additional arguments, the Board has concluded they lack merit. Moreover, to the extent the Candidate articulated additional arguments, they are not properly before the Board as the Candidate failed to preserve them at the prehearing conference.