

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY
AUGUST 6, 2014

+ + + + +

The Regular Meeting of the District of Columbia Board of Elections convened at 441 4th Street, NW, Washington, D.C., at 10:30 a.m., Deborah Nichols, Chairperson presiding.

BEFORE:

DEBORAH NICHOLS, Chairperson
CLIFFORD TATUM, Executive Director
KENNETH MCGHIE, General Counsel
CECILY COLLIER-MONTGOMERY, Office of Campaign
Finance
DEVARIESTE CURRY, Member

T-A-B-L-E O-F C-O-N-T-E-N-T-S

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P-R-O-C-E-E-D-I-N-G-S

10:31 a.m.

CHAIR NICHOLS: Good morning. And welcome.

I hereby call to order the monthly meeting of the Board of Elections for the month of August 2014. It is Wednesday, August 6, 2014, and the time is 10:31 a.m.

We are meeting in Room 280 North, One Judiciary Square.

I'm Deborah K. Nichols, Chairman of the Board of Elections. With me this morning is Member Devarieste Curry. Also present are Mr. Clifford Tatum, Executive Director, Mr. Kenneth McGhie, General Counsel, and Ms. Cecily Collier-Montgomery, Director of Campaign Finance.

MS. COLLIER-MONTGOMERY: Good morning.

CHAIR NICHOLS: Without objection, the agenda for today's meeting is adopted.

Without objection and subject to

1 minor technical edits, the minutes of the July
2 2, 2014, regular meeting of the Board are
3 adopted.

4 Are there any Board matters that
5 any Members wish to raise in this public
6 meeting?

7 (No audible response.)

8 CHAIR NICHOLS: Hearing none, we
9 will move to the Executive Director's report.

10 Before Mr. Tatum proceeds, at this
11 meeting, the Board will certify Initiative No.
12 71, Legalization of Minimal Amounts of
13 Marijuana for Personal Use Act of 2014 for the
14 November 2014 General Election Ballots.

15 So with that, I will turn the
16 meeting over to Mr. Tatum.

17 MR. TATUM: Thank you, Madam
18 Chair.

19 As you just indicated to the
20 public, we are discussing the certification of
21 Initiative No. 71. And what I'd like to do is
22 state for the record the official action

1 that's been taken to date as well as to ask
2 the General Counsel to provide the legal
3 predicate for the qualification of the measure
4 to the ballot. And then I will discuss the
5 signature verification process and the results
6 of that process.

7 Madam Chair, as of today's date,
8 the formulation of the proper subject matter
9 for the Initiative was approved on March 25,
10 2014. On April 23, 2014, the petition was
11 issued. On April 25, 2014, the formulation of
12 the short title was conducted. And on July 7,
13 2014, the Petitioner submitted to the Board
14 their proposed petition. It included 3,338
15 pages and a total number of signatures of
16 56,238.

17 At this time, Madam Chair, I'd ask
18 the Counsel to describe the legal predicate
19 for the qualification of the measure.

20 MR. MCGHIE: Let me just read the
21 law into the record. And it's at 1001.16(i).
22 And it reads as follows:

1 "In order for any initiative or
2 referendum measure to qualify for the ballot
3 for consideration by the electors of the
4 District of Columbia, the proposer of such an
5 initiative or referendum measure shall secure
6 the ballot signatures of registered qualified
7 electors upon the initiative or referendum
8 measure equal in number to five percent of the
9 registered electors in the District of
10 Columbia, provided that the total signatures
11 submitted include five percent of the
12 registered electors in each of five or more of
13 the eight Wards. The number of registered
14 electors which is used for computing these
15 requirements shall be consistent with the
16 latest official count of registered electors
17 made by the Board 30 days prior to the initial
18 submission to the Board of the initiative or
19 referendum measure pursuant to Subsection A of
20 this Section."

21 MR. TATUM: Madam Chair, pursuant
22 to that legal predicate, the Petitioner

1 submitted to the Board the aforementioned
2 number of pages and signatures for
3 verification. Through the Board's process,
4 the Board determined that the required number
5 of signatures to place the initiative on the
6 ballot was 22,373 signatures city-wide. The
7 number of signatures that were determined to
8 be valid for the purposes of putting that
9 initiative on the ballot was 27,688. Thus the
10 Petition's pages themselves included the
11 required number of city-wide signatures for
12 inclusion on the ballot.

13 The next step was to determine
14 whether the five percent of that 27,688 were
15 derived from five of the eight Wards. And
16 based on our sampling, we determined that the
17 Petition met that five percent match in six of
18 the eight Wards, again with a total of 27,688.
19 Thus, the Petition met that step of the
20 process.

21 The next step of the process then
22 required the Board to submit to the Office of

1 Planning a request for the Office of Planning
2 to select 100 signatures for random sampling
3 to determine that the signatures from each of
4 those Wards were valid and met the threshold
5 as required by the Statute. And as a result
6 of that 100 signatures requested for sampling
7 by the Office of Planning, we determined that
8 the signatures did meet that percentage
9 verification.

10 Thus, the Petition as we have
11 reviewed it appears to meet the legal
12 predicate as well as meets the required number
13 of signatures city-wide as well as the
14 required number of signatures within five of
15 the eight Wards.

16 Thus, we propose to ask the Board
17 to certify the initiative for the ballot. And
18 I've asked that the Board consider the
19 following motion to do that.

20 Madam Chair, we need the Board to
21 certify Initiative No. 71, Legalization of
22 Minimal Amounts of Marijuana for Personal Use

1 Act of 2014 for the November 2014 General
2 Election ballot based on my report -- the
3 report of the Executive Director -- that it
4 does contain the sufficient number of valid
5 signatures needed to qualify for placement on
6 the November 2014 General Election ballot.

7 CHAIR NICHOLS: All right. Thank
8 you, Mr. Tatum.

9 We'll entertain a motion to that
10 effect.

11 MS. CURRY: Madam Chair, I move
12 that the Board certify for the November 2014
13 General Election ballot Initiative No. 71,
14 Legalization of Minimal Amounts of Marijuana
15 for Personal Use Act of 2014, based on the
16 Executive Director's report that the
17 initiative contains a sufficient number of
18 valid signatures needed to qualify for
19 placement on the November 2014 General
20 Election ballot.

21 CHAIR NICHOLS: Are there any
22 questions?

1 (No audible response.)

2 CHAIR NICHOLS: All right.

3 Hearing none, the motion is before us. All in
4 favor aye.

5 (A CHORUS OF AYES.)

6 CHAIR NICHOLS: All opposed?

7 (No audible response.)

8 CHAIR NICHOLS: Hearing none, the
9 motion is approved.

10 (APPLAUSE.)

11 CHAIR NICHOLS: The next item, Mr.
12 Tatum?

13 MR. TATUM: Madam Chair, the next
14 on my report is the November General Election
15 and update. And I just wanted to provide the
16 Board as well as the public with important
17 dates that everyone should be mindful of.

18 CHAIR NICHOLS: Okay.

19 MR. TATUM: Today, August 6 is the
20 last day for candidates to qualify for this
21 General Election ballot. These are any
22 candidates as well as ANC candidates. And

1 their office will close today at 5:00 p.m.

2 And any petitions that are received that are
3 submitted after that will not be eligible to
4 be considered for the ballot.

5 The challenge period for the
6 qualifying period will begin on August 9 which
7 is Saturday, and will end on August 18, 2014.
8 That's a period of ten days.

9 Shortly thereafter, as challenges
10 are filed, the General Counsel's Office will
11 conduct preliminary determinations on the
12 challenges, and any challenges that are not
13 resolved in the preliminary process will come
14 before the Board to be resolved.

15 The resolution period of time to
16 resolve any challenges runs from August 19
17 through September 8, 2014. Shortly
18 thereafter, the ballot lottery will occur on
19 September 12, 2014, which is when we finalize
20 the ballot. And that is also the last day for
21 any candidates to withdraw before their name
22 would actually appear on the ballot.

1 Staff will begin preparing the
2 preliminary set for preparing the ballot on
3 August 18 through August 25. The deadline for
4 distributing absentee ballots to our UOCAVA
5 voters is September 19. That's 45 days prior
6 to the election.

7 The Board projects to mail out the
8 Voter Guide to all residents within the
9 District the first week of October which would
10 be approximately two weeks before early voting
11 begins.

12 October 6 is the 30-day deadline
13 to register by mail. And in-person absentee
14 voting will begin at One Judiciary Square on
15 October 20, 2014. And early voting satellite
16 locations will open up on October 25 and will
17 remain open through November 1 except for
18 excluding Sundays.

19 Madam Chair, that concludes my
20 November election updates.

21 The final item on my report is the
22 general matters.

1 We'd like to point out to the
2 public that September 23, 2014 is National
3 Voter Registration Day. The National
4 Association of State Election Directors has
5 passed a resolution. They're asking all state
6 election directors to actively participate in
7 National Voter Registration Day. So we, as we
8 have in the past, will have National Voter
9 Registration Day activities with our NVR
10 agencies within the District. And more than
11 likely, we'll cooperate with some of the local
12 jurisdictions on some of the outreach
13 activities.

14 And the final item is ERIC update
15 -- the Electronic Record Information Center.
16 The Board submitted its voter registration
17 data to ERIC for an analysis and comparison to
18 other states. And within the next week or
19 two, we'll download the first report from ERIC
20 which will indicate to us the number of
21 eligible and unregistered voters in the
22 District. And that is based on people at the

1 age of 17 and older who have a DMV driver's
2 license that has not registered with the
3 District of Columbia to register to vote. So
4 we will reach out to those folks pointing out
5 to them that they have the ability, they are
6 eligible and we will encourage them to
7 register to vote.

8 And then subsequently, they'll be
9 other reports that we'll use to continue
10 maintenance.

11 Madam Chair, that's all I have.

12 CHAIR NICHOLS: Thank you, Mr.
13 Tatum.

14 Are there any questions for Mr.
15 Tatum?

16 MS. CURRY: I have a question. I
17 don't know if it should be directed to Mr.
18 Tatum or General Counsel, whoever can chime
19 in.

20 The Board had given some
21 consideration in the past to some steps it
22 might be able to take and we'd take them to

1 encourage voting. I applaud and appreciate
2 the effort to increase voter registration.
3 But as we know from the recent election here
4 and across the country, it's not really just
5 the voter registration. It's just the apathy
6 and people not voting. That's the main issue.
7 People are not voting.

8 So we had at one point talked
9 about perhaps joining forces with some
10 nonprofit organizations that do voter
11 education and the importance of voting.
12 That's the real issue. To me, people are just
13 not voting. And there are many issues that
14 the citizens ought to be weighing in on.

15 So legally, what can we do? We
16 talked about those things but I don't think we
17 moved forward with any of those collaborative
18 efforts.

19 MR. TATUM: Ms. Curry -- Member
20 Curry, one of the things as a result of that
21 conversation that we did do was we set up more
22 voter outreach activities in the form of signs

1 on buses, in the forms --

2 MS. CURRY: Right, right. I
3 understand that that the Board has
4 independently. But I think where I'm going
5 with this is that the collaborative effort to
6 have others help get the message out.

7 Because we have -- and I think the
8 Board itself certainly has made an effort to
9 get the message out. But sometimes people
10 listen to other messengers more. We're viewed
11 as the government.

12 MR. TATUM: I can't say that we've
13 officially entered into any partnerships with
14 any of those organizations, but we participate
15 with the League of Women Voters. We
16 participate with the Returning Citizens
17 Organization. They often invite us to their
18 activities. And Madam Chair, as well as
19 myself, have participated with the League at
20 a number of their outreach activities. Tamara
21 as well as Cathy have participated in other
22 outreach activities.

1 But as you pointed out, at the end
2 of the day, the onus is truly on the
3 candidates and the campaigns that are running
4 these elections to drive out the vote -- the
5 voter turnout.

6 And as we're seeing nationwide,
7 there appears to be some apathy among voters
8 nationwide that the turnouts have not been
9 what we had hoped to be. We saw that in June
10 with the primaries in Virginia as well as in
11 Maryland that their numbers weren't nearly as
12 close to what they had hoped them to be.

13 But we will continue to identify
14 avenues to encourage people to vote.

15 MS. CURRY: Well, let me just ask
16 a more direct question.

17 Are we prohibited from getting the
18 word out to houses of worship, be they
19 churches, mosques, synagogues or whatever?
20 Because people listen a lot more about the
21 importance of issues again sometimes depending
22 on who the messenger is. Not telling anybody

1 who to vote for, what issue to vote for, but
2 that this is an important civic obligation and
3 you're sleeping or sitting on really your
4 responsibility in one sense.

5 MR. TATUM: Mr. McGhie, I don't
6 know if you can come in here.

7 When you say are we legally
8 prohibited, so if we -- which is part of what
9 we do. We utilize a number of churches within
10 the community as polling places. We try to
11 make it known to everyone that they have the
12 ability to vote.

13 Now have we partnered with any
14 particular churches or gone to any particular
15 congregations? I don't know the answer to
16 that.

17 MS. CURRY: Okay. Well, we're
18 going to look into it

19 MR. TATUM: I know there have been
20 in certain activities -- certain outreach
21 activities. But to what level they've been at
22 churches and those types of activities, I'm

1 unable to say. But we can certainly look into
2 that.

3 MS. CURRY: Okay.

4 CHAIR NICHOLS: All right. We
5 will move onto our General Counsel's report.
6 Mr. McGhie?

7 MR. MCGHIE: Okay. The first
8 thing I have on my agenda is the adoption of
9 an original petition form for an Initiative
10 and Measure entitled, No Worker Shall Make
11 Less Than the Minimum Wage Act.

12 And can I ask that the proposers
13 of the measure please take a seat at the
14 table?

15 CHAIR NICHOLS: Good morning. How
16 are you this morning?

17 MR. MCGHIE: And have you had an
18 opportunity to look at the initiative or the
19 petition form?

20 MR. NUDELMAN: No, we have not.

21 MR. MCGHIE: And I'd ask that your
22 registered voters would take a seat at the

1 front desk as well.

2 CHAIR NICHOLS: At the table.

3 MR. MCGHIE: At the table.

4 MR. NUDELMAN: Can we have a
5 couple minutes just to review it?

6 CHAIR NICHOLS: Sure.

7 MS. CURRY: Well, we switched
8 places.

9 MR. BURKON: So the only issue is
10 a small one. Is the address that's listed --

11 CHAIR NICHOLS: Stop. Just a
12 moment.

13 MR. BURKON: I'm sorry.

14 CHAIR NICHOLS:

15 Could you identify yourself for
16 the record?

17 MR. BURKON: Sure. I'm sorry. I
18 apologize for that.

19 CHAIR NICHOLS: Then we can move
20 on here.

21 MR. BURKON: I'm Jonathan Burkon.
22 My colleague, Dan Nudelman. We're attorneys

1 for One Fair Wage. Stephanie Roth here is the
2 treasurer.

3 The address listed under One Fair
4 Wage was the old address. And I believe it's
5 been amended with the Campaign Finance Office
6 for the new address.

7 MR. MCGHIE: Do you have what
8 you're referring to?

9 MR. BURKON: On top.

10 CHAIR NICHOLS: Ms. Brooks, can
11 you provide Members with copies of this
12 petition form so that we can also see it?

13 All right. Okay. Can we --

14 MR. MCGHIE: Okay. D.C. Code
15 Section 1-1001.16 requires that once the Board
16 has approved the short title, the summary
17 statement that they publish it in the D.C.
18 Register for a ten-day challenge period. It
19 was published in the Register, and the
20 challenge period expired. So the language is
21 now deemed approved.

22 And so now the parties are

1 required at a public meeting to adopt the
2 petition form which has been provided to you
3 at this time.

4 So with the exception of the
5 correction of the address, do you adopt the
6 petition form?

7 MR. BURKON: Yes.

8 MR. MCGHIE: Okay. So we would
9 need to entertain a motion for the Board to
10 approve the adoption of the initiative
11 petition form for Initiative Measure No. 73.

12 MS. CURRY: Madam Chair, I move
13 that the Board adopt the initiative petition
14 for Initiative Measure No. 73.

15 CHAIR NICHOLS: Petition form?

16 MS. CURRY: Petition form. I'm
17 sorry.

18 CHAIR NICHOLS: That's okay.

19 The motion is before us. All in
20 favor say aye.

21 (A CHORUS OF AYES.)

22 CHAIR NICHOLS: All opposed nay?

1 (No audible response.)

2 CHAIR NICHOLS: Hearing no
3 opposition, this motion is approved.

4 MR. MCGHIE: Okay. The Registrar
5 of Voters has prepared a memorandum outlining
6 the signature requirement for Initiative
7 Measure No. 73 and is prepared to give a
8 report at this time.

9 PARTICIPANT: As you're aware, the
10 Petition Committee support of Initiative
11 Measure No. 73, No Worker Shall Make Less Than
12 the Minimum Wage Act, must obtain the
13 signatures of five percent of voters
14 registered in the District of Columbia
15 provided that this total includes five percent
16 of registered voters in each of five or more
17 Wards.

18 Pursuant to D.C. Official Code
19 Section 1-204.102, this number is based on the
20 latest official count of registered voters by
21 the Board of Elections which was issued 30 or
22 more days prior to the submission of

1 signatures. While the requirement cannot yet
2 be determined, I have calculated the
3 information of the proponent and opponent what
4 the requirement would be if the most recent
5 voter registration figures published by the
6 Board were used. And I used the June 30
7 figures.

8 Proponents and opponents are
9 advised to check with the Board on a monthly
10 basis as new statistics are issued to get up-
11 to-date estimates of the requirement.

12 In addition to the 180-day period
13 -- the circulating period -- petitions
14 pursuant to D.C. Official Code 1-
15 1001.116(j)(1) expires on Monday, February 2,
16 2015 at 5:55 p.m.

17 MR. MCGHIE: Okay. Do you have
18 any questions at this time?

19 MR. BURKON: Just a logistical
20 question.

21 So will the address be corrected
22 on the -- okay. And then we can pick that up

1 from your office. Excellent.

2 MR. MCGHIE: Yes. And start
3 circulating it.

4 MR. BURKON: Excellent.

5 CHAIR NICHOLS: Thank you so much.

6 MR. BURKON: Thank you.
7 Appreciate it.

8 CHAIR NICHOLS: All right.

9 All right. Mr. McGhie, the next
10 item?

11 MR. MCGHIE: Yes. The next item
12 on my agenda is Emergency and Proposed
13 Rulemaking to the 3 DCMR Section 1202 which is
14 entitled, Order of Contests and Questions.
15 This emergency and proposed rulemaking would
16 determine the order of contests and questions
17 on the primary, general and special election
18 ballot. And it would simply put the position
19 of Attorney General added to the list of
20 contests.

21 CHAIR NICHOLS: All right. So
22 we'll entertain a motion to approve the

1 Emergency and Proposed Rulemaking to amend 3
2 DCMR Section 1202, Order of Contests and
3 Questions for Publication in the D.C.
4 Register.

5 MS. CURRY: Madam Chair, so moved.

6 CHAIR NICHOLS: All in favor?

7 (A CHORUS OF AYES.)

8 CHAIR NICHOLS: All opposed?

9 (No audible response.)

10 CHAIR NICHOLS: Hearing none, the
11 motion is approved.

12 MR. MCGHIE: Okay. The last thing
13 on my agenda is a litigation status update.
14 There's two cases pending in court. The Board
15 is familiar with both of them --

16 Zukerburg v. the D.C. Board of
17 Elections and McMillan v. the D.C Board of
18 Elections.

19 Zukerburg is a matter which is in
20 court for delaying the Attorney General
21 election. It has been resolved by the Court
22 of Appeals.

1 The only issue that is pending
2 right now, it was sent back to Superior Court
3 for motions. The Plaintiff was seeking an
4 order from the Court directing them to place
5 the matter on the November election. And the
6 Defendant, instead of having an order
7 directing them to put them on the November
8 election filed a motion to dismiss as moot.
9 And the party did not want to have it
10 dismissed as moot. So the Court directed them
11 to file responsive pleadings. And a status
12 hearing was set for July 25, but that was
13 continued. And it was continued without a
14 date.

15 CHAIR NICHOLS: Okay.

16 MR. MCGHIE: And the next matter
17 is McMillan versus the Board. That concerns
18 an individual who filed a slate The Rent is
19 Too Damn High. The Board filed a motion to
20 dismiss for lack of standing. He's not a
21 resident of the District of Columbia. He
22 filed opposition papers. And now, we're at

1 the stage where our office is going to file a
2 reply, and our reply will be filed on Friday,
3 August 11.

4 And that would conclude my
5 litigation status update.

6 CHAIR NICHOLS: Thank you, Mr.
7 McGhie.

8 We will now hear the report of our
9 Campaign Finance Director, Ms. Collier-
10 Montgomery.

11 MS. COLLIER-MONTGOMERY: Yes.
12 Good morning.

13 During the month of July, the
14 Office of Campaign Finance with respect to the
15 July 15, 2014 Special Election for Ward 8
16 State Board Member of Education visited on
17 July 9 and July 11 the Malcolm X Elementary
18 School Early Voting Center.

19 Two of my auditors, as well as two
20 of the members of the Office of the General
21 Counsel visited the early voting centers. And
22 also on election day, ten of the election

1 precincts located in the Ward were also
2 visited by two members of the Audit Branch as
3 well as two members of the Office of General
4 Accounting. There were no significant issues
5 which were encountered by the staff.

6 The purpose of the site visits has
7 been to give the Office of Campaign Finance
8 the opportunity to be proactive and also to be
9 on site and for the purpose of observing any
10 issues with respect to the Campaign Finance
11 laws, in particular, with respect to campaign
12 literature.

13 Also, during the month of July,
14 July 1, 2014, was the deadline for the filing
15 of the report of receipts and expenditures by
16 our constituent service program. We have 12
17 required filers. All 12 timely filed, and all
18 12 electronically filed their reports of
19 receipts and expenditures.

20 July 1, 2014 was also the deadline
21 for the filing of the reports of receipts and
22 expenditures by our Senator Representative

1 Statehood Fund. We have two required filers.
2 Two timely filed, and also they electronically
3 filed their reports.

4 July 7, 2014 was the deadline for
5 the filing of the Eight-Day Pre-Special
6 Election Report by those candidates and
7 principal campaign committees as well as
8 political action committees who were
9 participating in the State Board of Education
10 Ward 8 election. We had two required filers,
11 and those were principal campaign committees.
12 Both of the committees timely filed and also
13 both electronically filed.

14 July 31, 2014 was the deadline for
15 the reports of receipts and expenditures by
16 our continuing committees. There were 34
17 required filers -- 24 principal campaign
18 committees and 10 political action committees.
19 At this time, we're still determining the
20 number of timely filers as well as those who
21 failed to file.

22 With our initiatives, referendums

1 and recalls, July 10, 2014 was the date for
2 the filing of the second report of receipts
3 and expenditures. We have four required
4 filers. Two timely filed and two extensions
5 were requested and granted. The two who
6 timely filed did in fact electronically file.

7 With referrals to the General
8 Counsel for failure to file the statement of
9 candidacy, we had two referrals -- Frank E.
10 Sewell as well as David O. Leacraft -- for the
11 failure to timely file the statement of
12 organization, Re-elect Mark Jones 2014, Mark
13 Jones, Treasurer.

14 With respect to new candidates and
15 committees who registered to participate in
16 the 2014 election cycle during July 2014, Mark
17 Naydan registered Mark Naydan for School
18 Board, Ward 6, on July 1, 2014; Janai Reed for
19 the Office of Attorney General, July 1, 2014;
20 Kris Hammond, Hammond for Chairman, City
21 Counsel registered on July 2, 2014; Edward
22 Smith submitted for Attorney General, Attorney

1 General registered on July 3, 2014; George
2 Jackson, City Council, Ward 5, registered on
3 July 9; Lateefah Williams, Lateefah Williams
4 for Attorney General registered on July 15; W.
5 Philip Thomas for Thomas for Ward 3, State
6 Board of Education, registered on July 15;
7 Karl Racine, Karl Racine for Attorney General,
8 registered on July 15; Thomas Brennan, School
9 Board Ward 6, registered on July 16; Lorie
10 Masters, Lorie Masters for Attorney General,
11 registered on July 21.

12 We also conducted entrance
13 conferences for our new candidates and
14 committees on July 22, 2014. Those persons
15 who attended were Justin Mark, Committee for
16 AG; Art Slater, Friends of Courtney; Cleve
17 Mesidor, Friends of Courtney; Justin Myers,
18 Hammond for Chairman; Mark Naydan, Mark Naydan
19 for School Board; Lateefah Williams, Lateefah
20 Williams for Attorney General.

21 In our Audit Branch, the Reports
22 Analysis and Audit Division, the Audit Branch

1 conducted 79 desk reviews of reports which
2 were filed during the month of July. In terms
3 of our ongoing audits with full-field audits,
4 Gray for Mayor is ongoing. With our periodic
5 random audits, our candidates who are
6 registered for the upcoming election 2014, we
7 have several: Bowser for Mayor; Wells for
8 Mayor; Evans for Mayor; Charles Allen for Ward
9 6; Catania for Mayor; Vincent Orange for
10 Mayor.

11 With our audit reports during the
12 month of July, there were none issued.

13 I would ask the General Counsel to
14 approach and to provide the legal report for
15 the Office of Campaign Finance.

16 MR. SANFORD: Good morning, Madam
17 Chairman and distinguished Board Members.
18 I'm William Sanford General Counsel for the
19 Office of Campaign Finance.

20 During the month of July 2014, the
21 Office of the General Counsel received 21
22 referrals. Three of the referrals were from

1 the Public Information and Records Management
2 Division. And 18 referrals were from the
3 Reports Analysis and Audit Division.

4 The Office of the General Counsel
5 issued 15 orders which included the following:
6 nine orders for failure to timely file in
7 which no fines were imposed; four orders for
8 failure to timely file in which \$5,350 in
9 fines were imposed; one order regarding
10 failure to timely respond to a request for
11 additional information in which a fine of
12 \$2,000 was imposed; and one order regarding
13 failure to timely respond to a request for
14 additional information in which no fine was
15 imposed.

16 The fines imposed were imposed
17 against the following committees: Winnifred
18 Carson-Smith for DNC in the amount of \$850 for
19 failure to timely file a report of receipts
20 and expenditures on June 10; Beverly Wheeler
21 for Ward 1 in which a fine of \$1,500 was
22 imposed for failure to file a June 10 report

1 of receipts and expenditures; Frank Sewell for
2 Mayor, a fine of \$1,500 for failure to timely
3 file a June 10, 2014 report of receipts and
4 expenditures; Valentine-at-Large, \$1,500 for
5 which a fine was imposed for failing to file
6 a June 10, 2014 report of receipts and
7 expenditures; and finally, Winnifred Carson-
8 Smith for DNC, a \$2,000 fine was imposed for
9 failure to timely respond to a request for
10 additional information.

11 During the month of July, the
12 Office of the General Counsel initiated two
13 new investigations which include the
14 following: OCF full investigation 2014-001.
15 It was internally generated. The Respondent
16 in this matter was Calvin Robinson, and the
17 infraction is campaign contribution
18 violations. That matter is pending. And the
19 second investigation initiated is OCF full
20 investigation 2014-002. It was internally
21 generated. The Respondent in this matter is
22 Jeff Smith. The infraction is campaign

1 contribution violations. And that matter is
2 also pending.

3 And that brings the number of open
4 investigations before the Office of the
5 General Counsel to seven.

6 During the month of July, there
7 were no show-cause proceedings and no requests
8 for interpreted opinions.

9 And that should complete my
10 report.

11 CHAIR NICHOLS: Thank you, Mr.
12 Sanford.

13 Is that all, Ms. Collier-
14 Montgomery?

15 MS. COLLIER-MONTGOMERY:
16 Thank you.

17 CHAIR NICHOLS: All right. Are
18 there any public matters to be raised before
19 the Board this morning?

20 (No audible response.)

21 CHAIR NICHOLS: All right.

22 Hearing none, and there being no

1 further business before us, this meeting is
2 adjourned. The time is 11:09 a.m.

3 (Whereupon, at 11:09 a.m., the
4 hearing was adjourned.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Regular Board Meeting

Before: DC Board of Elections

Date: 08-06-14

Place: Washington, DC

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