

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

MAY 1, 2019

+ + + + +

The District of Columbia Board of Elections convened a Regular Board Meeting in Room 280 North, 1015 Half Street, S.E., Washington, D.C., 20003, pursuant to notice, at 10:00 a.m., Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

- MICHAEL BENNETT, Chair
- MIKE GILL, Member
- DIONNA MARIA LEWIS, Member

BOARD OF ELECTIONS STAFF PRESENT:

- ALICE P. MILLER, Executive Director
- KENNETH MCGHIE, General Counsel
- CECILY COLLIER-MONTGOMERY, Director, Office of Campaign Finance
- WILLIAM O. SANFORD, General Counsel, Office of Campaign Finance
- RUDOLPH M. D. MCGANN, JR., Senior Staff Attorney

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CONTENTS

Meeting Called to Order ..... 3

Introduction of Board Members and Staff ..... 3

Adoption of Agenda ..... 4

Acceptance of Minutes as Amended from ..... 4  
 Wednesday, April 3, 2019 Board Meeting

Board Matters ..... 5

Executive Director's Report ..... 8  
 Alice P. Miller

Campaign Finance Report ..... 48  
 Cecily Collier-Montgomery

General Counsel's Report ..... 61  
 Kenneth J. McGhie

Public Affairs ..... 65  
 Michael Sindran

Public Comment ..... 92

Adjourn ..... 113

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

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

10:51 a.m.

CHAIR BENNETT: (presiding) Good morning.

(Those present respond "Good morning".)

Thank you so much for your patience, and thank you for -- we have a full room. I'm not so sure -- this doesn't happen all the time. So, it's a pleasure and a privilege to have you here.

For those who don't know, most of the persons that are in the room are a part of the voting system; i.e., working the polls on a regular basis. And we asked them to come this morning for a particular recognition purpose.

With that, I am going to open up the meeting.

My name is Michael Bennett.

Can you hear us okay, sir? Okay, great.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

To the far right is Ms. Cecily Montgomery, Director of the Office of Campaign Finance. To her left is Michael Gill, Board member. To his left, my right, is Mr. Ken McGhie, General Counsel, the Board of Elections. I'm Michael Bennett, as I said earlier. To my far left is Ms. Alice Miller, Executive Director of the Board of Elections. And to my left, Alice's right, is Ms. Dionna Lewis, Board member.

With that, the meeting is open, and I am going to, first, ask for adoption of the agenda. Can I have a motion from one of the Board members?

MEMBER LEWIS: So moved.

MEMBER GILL: Second.

CHAIR BENNETT: It's been properly moved and seconded. And so, the agenda is adopted unanimously.

Adoption of the minutes. I would point out that there is a correction to page -- what is that? -- page 5 of the minutes

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

from the last meeting. It improperly states that the Board rejected a petition regarding the Jack Evans recall petition. We did not reject. We actually took no action because of a lack of filing, a lack of proper filing with the Office of Campaign Finance. So, that will be corrected in the minutes. Thanks so much for pointing it out, Ms. Brizill.

And so, I would like to get a motion to accept the minutes with that correction.

MEMBER LEWIS: So moved as amended.

MEMBER GILL: I second it.

CHAIR BENNETT: It's been properly moved and seconded. And it is adopted unanimously.

The next item on the agenda is Board matters. The only thing that I have regarding the Board matters is we are going to switch the dates around. And it will be on our website shortly. But we're going to switch the dates around for our June meeting. Because we are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

doing this meeting on May 1st, and we have some conflicts in schedules with Board members for the first part of June, we're going to shift our June meeting actually to May 29th. That would be four weeks between now and our next meeting. We will actually hold our June meeting on May 29th. And we're also going to shift our July meeting to try to avoid July 4th as much as possible. That will be shifted to July 2nd. So, all that will be on the website, and just to kind of give you a heads-up on that.

I have no other matters. Mr. Gill, do you have anything?

MEMBER GILL: No, nothing.

CHAIR BENNETT: Ms. Lewis, do you have anything?

MEMBER LEWIS: No matters.

CHAIR BENNETT: Okay, great.

The other thing is that, with regard to the matter around petition for the recall of Jack Evans, it will be on the website today, to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

make sure we have proper notice. That special meeting, we are shooting to hold that on May 20th, so we have a full complement of the Board and have an opportunity to give that a fair and appropriate hearing to consider that. So, it will not be considered today at this meeting, for that and other reasons as well. But May 20th is the date that we are shooting for now, and that should be listed on the website as well very soon.

MR. SINDRAN: Mr. Chair? The time for that meeting May 20th?

CHAIR BENNETT: Mr. Sindran, I want to kind of get through this, but if you could save that until we have public matters, I'd appreciate that. But May 20th is the date that we're looking at, at 11:30.

MR. SINDRAN: Thank you.

CHAIR BENNETT: All right. This new technology is great.

(Laughter.)

I like that. Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

I rarely get a response from the people here. Can you all come back next time, too?

(Laughter.)

And you know when the July meeting is. So, if you just wander in, I won't be mad.

(Laughter.)

No. Thank you. It's like a minister in church, you know. But if I hear from you, then it's going to be a short meeting. You can tell I'm a Baptist, huh?

(Laughter.)

Anyway, on to the matters. The next item on the agenda is the Executive Director's report. Ms. Miller?

MS. MILLER: Thank you, Mr. Chairman.

As you see, the first item on our agenda is the recognition of our poll workers for their dedicated service to the Board. As you have pointed out, and as we have recognized them earlier this morning, we have a roomful of our

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



most dedicated poll workers that serve the Board during our election season, not only this past election season, but many of them have been here with us now, veteran workers. We are, indeed, grateful to have them working with us. We are very happy they were able to be here with us today, and we wanted to take a minute to formally recognize them, to thank them for their continued service.

None of our elections would work without them. And I tell them that during all of the trainings. We have 143 precincts and have a staff of 40 people. There is no way we could do elections without them.

Actually, the Board members wanted you all to know that. And so, they asked that we do this and to formally recognize you. And that is why we are doing it. So, I thank them to recognize that they wanted to thank you for your service to the District of Columbia voters.

With that, I'll turn it over to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Board members and ask you to put whatever on the record you would like.

CHAIR BENNETT: Ms. Lewis?

MEMBER LEWIS: Yes, I just want to say that I've been doing this for about three years now, and you all really are the unsung heroes, quite frankly. I go out on Election Day and I'm exhausted by the end of the day.

(Laughter.)

And I don't start anywhere near as early as you all do and I end a lot earlier than you all do as well.

So, I really just wanted to express my personal gratitude, and gratitude, of course, on behalf of the Board. You all are amazing. You're steadfast; you're diligent, and you're loyal. And that's so important. And you all are just as much a part of our family and our Board as we are. So, thank you all for your service.

(Applause.)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CHAIR BENNETT: Thank you.

Mr. Gill?

MEMBER GILL: Yes, as I said earlier, I'm sometimes frightened when I walk into the different precincts and ask, "How are things going?", knowing that, if there is a huge problem, I'm woefully inadequate to actually offer any assistance.

(Laughter.)

And just as Dionna -- I have been on the Board the same time as her -- I am just amazed, walking into the different precincts, talking to the poll workers and talking to voters. This is a really complicated, but important function in our society. And the D.C. Board of Elections has really been rockin' the last couple of years. I give part of that credit to our Executive Director and our Chairman, but most of that credit goes to you guys and all the work you do. So, thank you very much for making the Board of Elections look good and D.C. look

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

good.

(Applause.)

CHAIR BENNETT: Absolutely. One of the things that I said earlier, when we had a chance to talk, was how important and how, obviously, none of this would happen without you. And the way that you manage and deal with the voters of the District of Columbia in a calm and focused way, even when people get excited about things, I'm always impressed by that, because sometimes folks get really bent out of shape when they have to stand in line or there are other issues going on. And so, I compliment you on that.

And you guys may have heard me say this before and it may sound a little hokey, but I really believe it. I mean, voting is the tip of the spear of American democracy. I mean, that's what it's all about. That's what our country is all about. That's what we all enjoy as Americans, you know, and you guys are at the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

very tip of that spear.

If we don't focus on and if we don't make sure that the voting process works well for the citizens of this country, we don't have an America. And that's a big deal. I mean, as I said, it probably sounds a little hokey, but one of the reasons that I was willing to do this, and accepted this particular role, is I believe that so firmly. And that is something that every single person in this organization believes.

One of the things that I found just fascinating was how long people stay in this profession. You know, this is kind of a niche profession for a lot of folks. And I walked around, and somebody who was new had been doing this for like 10 years.

(Laughter.)

But that's because people have a passion about it and they believe about it. They believe in it, and I believe in it. It was important for all of us to have you here to tell

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

you that and to make sure that you continue to do the things that are necessary for the District of Columbia residents to participate and to really exercise their vote. That is the tip of the spear of American democracy. It just doesn't get any more basic than voting.

And it bothers me, I mean, one of the things that we don't have as a Board, as an agenda, is to get voting numbers up, percentages up. Well, that's our agenda as a Board. In fact, regardless of what the regs or law says, we're going to do everything we possibly can to make sure that as many people vote as we possibly can.

One of the things that disturbs me most is if I go to a precinct and I see people outside, but not inside voting. So, I'm there fussing to people about, "Why aren't you inside voting?" And you guys I know do the very same thing.

So, we have certificates for you. I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

wish we had had an opportunity to kind of hand them out personally, and I'd love to shake your hand and be able to do that. Maybe next time we'll do this in a way that allows us -- yes, come back next month and cheer when we talk.

(Laughter.)

Oh, boy, a little bribing, huh?

(Laughter.)

But we're going to do that and take those opportunities to get together and, also, to recognize and tell you how much we appreciate you. Because, you know, I think I can say we asked for more money for you.

(Applause.)

We haven't gotten it approved yet, however.

(Laughter.)

MS. MILLER: I can address it. One of the things that we did do during the budget process was we requested that the Council put more money in our budget to increase the poll

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

worker payments specifically for the Captains from \$250 to \$300. So, I am told, as of Monday, that that is a request that will go forward to the full Council.

(Applause.)

So, the Chairman of our oversight, Charles Allen, has signed off on it. It is now pending full Council approval. I don't have any reason to think that that will not happen. So, it will be before the full Council. The full budget process is not yet over. So, should that happen, when it happens, we'll get a \$50 increase.

Now saying that to say this: obviously, your services are very important, but with more money comes more --

AUDIENCE MEMBER: Responsibility.

(Laughter.)

MS. MILLER: You said it, not me.

(Laughter.)

And more expectations in terms of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



performance, and all this sort of thing. But, anyway, I don't have any doubt that you all will perform in the stellar manner that you have continued to perform anyway. And my argument before the Council was that you deserve more for the work that you do.

So, as I said, the Chair of our Committee and the Committee has agreed to put that forward to the full Council. Hopefully, in the next election cycle, you will be getting that increase.

AUDIENCE MEMBER: Thank you.

MS. MILLER: Also, we are going to start doing a little bit of training sooner than later. And one of the things that we wanted to focus on was to make certain that the Captains and the Special Ballot Clerks, which I think are the two main positions with the precinct operation, are really, really, really up-to-speed with everything and are comfortable with everything, and are just on point with everything

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

that goes on on Election Day.

So, we're going to do some early training and we're going to start that this month, in fact. We're going to start the end of this month. We're going to do two trainings for our Precinct Captains and two trainings for our Special Ballot Clerks.

We have training scheduled beginning May 22nd and it will go through June 26. Shirley has the schedule. There will be some specific outreach to Captains to set that up. You will be paid. Don't worry about that.

(Laughter.)

She'll go through all the specifics with you about that. But I want to touch on some things that I think need to be emphasized, to get to the weeds of some things that I see sometimes get overlooked, to make sure that you are as tight on things as you can be, to address some of the problems that are continually coming up, continually being put before you, that you're

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

comfortable with it.

And then, we'll continue the training next year, but this is what I call continuing poll worker training. So, for me, it's called CPT. Okay? And that's how I placed it. That's how we're going to do it. Hopefully, all of you will be able to get this in between now and June, and then, we'll pick it up again in September. And then, we'll continue it next year as we get closer to the election in June. Okay?

And speaking of which, the election is set for, I think it will be set for June 2nd for the primary.

So, that's what we have with respect to --

CHAIR BENNETT: 2020.

MS. MILLER: 2020, yes.

(Laughter.)

Those are the specifics. Do Board members have anything else they want to add?

CHAIR BENNETT: Just on this one, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

want the record to reflect that the D.C. Board of Elections is officially in great appreciation for the hard work and the activities and support that our poll workers provide to the citizens of the District of Columbia. And we thank you. Please let the record reflect.

MS. MILLER: And we have one more thing for you. Turn your attention to the screen.

(Video played.)

(Applause.)

CHAIR BENNETT: And our Ms. Lewis had an idea we're going to try. And that is, we're going to try to do a big-picture selfie-type shot. And we're going to come out there and we're going to ask Alice to take a picture of the whole group. So, you don't have to move. We're going to try to take a picture of the whole group, put it on social media. See if it works. So, this is our millennial here who thinks it will work.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(Laughter.)

I did say no, but, then, she would call me old.

(Laughter.)

So, if you stay right there, we're going to pause the meeting for a second. We're going to take about two to three minutes to try to do a big picture.

(Whereupon, the foregoing matter went off the record at 11:11 a.m. for a group photograph and went back on the record at 11:10 a.m.)

CHAIR BENNETT: Okay. That was nice. At 11:19, we are reconvening.

Ms. Miller, do you want to continue with your next item?

MS. MILLER: Sure. Is Mr. Budoo in the room?

The next item on the agenda is the proposed establishment of new precinct. It would be Precinct 144. As you know, we now have 143 precincts. We are trying to establish a precinct

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

which would be Precinct 144.

Now the way this happens is that we would like amend the lines precinct-wise within the District of Columbia. We did have to send that over to the Council. And the Council approves whether or not these are the lines that are drawn, and they do it, in whole or in part, by resolution. This is just proposed. This is not final. It is proposed. The Council takes final action on it after we send the proposal over. I understand that you have a member of the public who --

MR. BUDOO: I'm not sure if he's here or not. Mr. Eckenwiler?

MS. MILLER: Okay. I think we have someone who may want to speak on it. But I will put on the record, first, what the proposal is, and then, we will have the members of the public who want to speak about what the proposed recommendation is with respect to this precinct.

Arlin?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MR. BUDOO: Okay. My name is Arlin Budoo, Facility Manager for the Board of Elections.

And I want to start out with, due to the large turnout in the 2018 General Election and the registered voters in Precinct No. 83 now over 9,000 the facility they used was the J.O. Wilson Elementary School, located at 660 K Street, Northeast, the Board was asked to establish an additional voting place for the rest of the voters living in the area known as NoMa.

Please note the areas to which I am referring have been part of a major revitalization of the NoMa area, where the population has more than doubled and continues to grow. The registered voters in Precinct No. 83, as of February 28, 2019, is 9,000, with approximately half on the west side of 3rd Street, as well as half on the east side of 3rd Street.

Therefore, I propose that we establish

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

a new Precinct 144 where I have identified a potential voting place site at the Hilton Garden Inn, which is located at 12225 1st Street, Northeast, within the new boundaries that I have drawn for your approval, which are as follows: as you can see, the syllabus where I wrote out the creation of the new boundary for Precinct 144, and I've also attached a map where the boundaries were redrawn, identifying the large populations that you can see in the large circle of black spots on the map, which is where the residents resided within Precinct 83 and who will reside, if the proposal is approved for the creation of Precinct 144.

And I also want to just introduce Mr. Mark Eckenwiler. He is the ANC Commissioner for 6C04. I have been transparent throughout the process with the ANCs, as well as Council Member Charles Allen, and asked for all feedback. And Mr. Eckenwiler was one of the residents who gave me feedback with regards to the redrawing of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



boundaries. And there's a slight portion that he would like for me to look into as we still continue with the proposed redrawing of the boundaries for Precinct 83.

So, I could let Mr. Eckenwiler speak now.

MR. ECKENWILER: Thank you.

Chairman Bennett, Members of the Board, Staff, Mark Eckenwiler, Vice Chair for ANC 6C and Commissioner for 6C04.

I have copies of a letter that I would like to hand up to the Board, if I may.

MEMBER LEWIS: Sure. Prior to doing that, could you please state your address for the record?

MR. ECKENWILER: Sure. I reside at 312 E, like Edward, Street, Northeast.

MEMBER LEWIS: Thank you.

MR. ECKENWILER: So, to begin, I want to commend Mr. Budoo for the excellent work that he's done on this. As he said, he's been very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

open and transparent, in regular contact with me and a number of my colleagues on the ANC6C, and I'm very appreciative of that.

Likewise, I fully supported the idea of dividing Precinct 83. We've had explosive population growth in the northern part of ANC6C and all that area. And 9,000 voters for one polling place really is too many.

That said, I do want to suggest a couple of ways in which I think this proposal can be tweaked in order to make it even better. So, if you'll look on the second page of my letter, you'll see that I have excerpt from the proposed map which simply runs straight up and down 3rd Street.

My recommendation would be to move square 752 -- that's the one outlined in pink at the very bottom of that map extract -- retain that in Precinct 83. I've actually talked to a number of residents who live on that square. The east half of that square is all rowhouses, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

those folks are perfectly happy to doing their vote at J.O. Wilson Elementary. It would be, I think, a significant inconvenience for them to travel all the way up to 1st and M, to that polling place.

Conversely, the area at the northern portion of this map, outlined in yellow, I would recommend that the Board move into Precinct 144. That would be a much more convenient -- pardon me. Folks residing in this area would find it much more convenient to vote at 1st and M, as opposed to having to walk east to J.O. Wilson.

Also, if we think about this in terms of equalizing the voter counts, there are slightly more voters in that yellow outlined area, the northern portion. I think it is about 59 or so different. And so, that would bring a little more equalization.

But the real point here -- and you have to know this area as ANC6C does -- is the northern half of that yellow outlined area there,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

where you see zero voters, because that's all industrial/institutional uses, or simply vacant land, there are three different approved planned unit developments. So, major mixed-use development projects at 301 Florida, 331 N Street, and 300 M Street, those are going to add literally hundreds of new residents on the upper stories of those ground-floor retail structures. And if they are counted in Precinct 144, that's going to bring 144 even closer up to being in alignment. To keep it in Precinct 83, that means you're going to get it even higher, about 5,000.

So, that concludes my testimony. I do want to emphasize I'm only testimony in my individual capacity today because, obviously, the ANC has not met since this proposal first came out. We will be meeting on May 8th, so a week from today, and I do intend to bring this before my colleagues to seek their concurrence.

I'm happy to answer any questions the Board may have.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CHAIR BENNETT: Yes, I have one. Looking at your yellow line, I'm just really trying to get in my head where it is. So, this is -- Gallaudet is off to --

MR. ECKENWILER: Gallaudet is to the east and is north. So, it's north of Florida Avenue, which is that diagonal line that you see there --

CHAIR BENNETT: Yes.

MR. ECKENWILER: -- which is the boundary for Ward 6 for ANC6C. So, those folks are all off in a wholly different precinct.

CHAIR BENNETT: Okay.

MR. BUDOO: Mr. Bennett, if you remember the Coliseum --

CHAIR BENNETT: Yes.

MR. BUDOO: -- it's right there. That's the area, like up north where he's talking about, like where there's planned new development coming. So, that's the area that he's talking about right there.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CHAIR BENNETT: Okay.

MR. BUDOO: Those residents within the block right there --

CHAIR BENNETT: Yes.

MR. BUDOO: -- and then, at this new construction that's possibly coming further down the line.

MR. ECKENWILER: That's exactly right. If you look, the head of the arrow that I've drawn there in moving that yellow area into 144 --

CHAIR BENNETT: Yes.

MR. ECKENWILER: -- the head of that arrow is directly on the former Coliseum, aka U Line.

MEMBER GILL: Michael remembers this Coliseum.

CHAIR BENNETT: Okay. Yes, I got it.

Part of your testimony talked about the convenience. So, exactly where would the polling place be?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MR. ECKENWILER: So, the new polling place for 144, you can look in the upper left of the map. You can see there are two big blobs --

CHAIR BENNETT: Yes.

MR. ECKENWILER: -- and there's a medium-sized black blobs there that's, well, just above both of them.

CHAIR BENNETT: Yes.

MR. ECKENWILER: That is, more or less, exactly where the Hilton Garden Inn is.

CHAIR BENNETT: Okay.

MR. ECKENWILER: That's 1st Street, Northeast, just north of M, like Mary, Northeast.

MR. BUDOO: It's right there by the Harris Teeter.

MR. ECKENWILER: Yes.

MR. BUDOO: By the Harris Teeter.

CHAIR BENNETT: Yes. Okay. And that would be the new polling place?

MR. BUDOO: That would be the new potential polling place, the Hilton Garden Inn,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

yes, sir.

CHAIR BENNETT: Okay. And the polling place for 83 --

MR. BUDOO: Will remain the same. It will be J.O. Wilson.

CHAIR BENNETT: Okay. So, can you point that out?

MR. ECKENWILER: It's not on this map, but it's at 7th Street immediately north of K.

CHAIR BENNETT: K. Got it. Okay. All right.

And, I'm sorry, Board Members, anybody else has any other questions?

MEMBER LEWIS: I don't have any questions.

MEMBER GILL: So, what's the process here? I mean, Arlin, I'd say this is one of the hardest jobs, and my bias is whatever Arlin says goes.

(Laughter.)

So, what's the process here?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



MS. MILLER: Right. So, we send the recommendation over to the Council. The Council makes the final determination on what the boundaries will be. They have to adopt/approve the boundaries. So, it's really not up to us. The law is pretty clear that the Council is subject to -- that we draw the lines subject to the approval by the Council, in whole or in part, by resolution. So, the Council has the final say.

CHAIR BENNETT: So, what do we send to the Council. Have we sent anything to the Council?

MS. MILLER: We haven't sent anything yet.

CHAIR BENNETT: Okay.

MS. MILLER: This is just the very first step. I did speak with them on Monday when I was over there. And quite honestly, they admitted this is the first time they have done this as well. They suggested we take the first

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

step here, and then, send it over to them. And then, they would move forward with it before the Council and present it before the full Council by resolution. So, this would be Precinct 144, as I said. This current Council has not adopted a new precinct under Council Member Allen.

CHAIR BENNETT: Yes. Mr. Budoo --

MS. BRIZILL: Mr. Chairman, can I ask a question about this process?

CHAIR BENNETT: Sure.

MS. BRIZILL: I would like to --

CHAIR BENNETT: Ms. Brizill, would you identify yourself, please?

MS. BRIZILL: My name is Dorothy Brizill. I'm Executive Director at DC Watch. Our address is 1327 Girard Street, Northwest.

I'd like to ask a question because this is the most recent example of the public's role in the process. And I don't know if I address it to the Chairman or to Ms. Miller. But when was the issue of creating a new precinct

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

first given birth and who did you inform and contact for input on this issue?

MS. MILLER: This is just a proposal.

MS. BRIZILL: I understand.

MS. MILLER: This is at the very beginning stages. It's just proposed.

MS. BRIZILL: I understand that, but that's not my question. My question is, who did you contact and discuss this matter with before today?

MS. MILLER: This has been discussed with the Council members, with --

MS. BRIZILL: With Council Member Allen?

MS. MILLER: Well, with -- Arlin, do you want to address that?

MR. BUDOO: It's been discussed with Council Member Allen and all of the affected ANCs within Precinct 83.

MS. BRIZILL: Okay. I have no doubt that that's the policy for, you know, procedure,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

but I'm not saying that that is the best or the right way to go.

I would consider this meeting as an opportunity, the first opportunity, for comment and review of the proposal, just as Mr. Eckenwiler has suggested moving certain blocks out and moving certain blocks into a new precinct.

I am troubled by -- and this goes to my bigger issue -- the agenda for today's Board meeting just appears on your website usually 24 hours in advance. On this particular matter, all it says is, "Proposed Establishment of Precinct for Precinct 144". So, even if you were trying to be a concerned and informed citizen, there's no way you could have known about this proposal -- okay? -- at all.

And I just question whether or not there is a lessening of public input into your processes because the public simply doesn't know. And I don't understand why, for example, it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

wasn't put in The D.C. Register that you were going to be discussing this. It's not on your website. Your website has minimal -- minimal -- information about the Board's agenda. And this has got to stop. This has really got to stop.

As I said, I only decided to speak because it's the most recent example of the problem. Now you're going to vote today to forward it on to the Council.

MS. MILLER: No, that's not what happens. This still has to go in The Register. This is just a discussion today as to whether or not this goes on. It would still have to be in The Register, and then, come back to this Board after it's gone in The Register to make it final. And then, it would go to the Council.

MS. BRIZILL: And then, at that point, this Board will take a formal vote?

MS. MILLER: That's correct.

MS. BRIZILL: Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MS. MILLER: So, that's what I'm saying. This is just a first step on the discussion. It would, then, go in The Register. It would, then -- for the 30-day period, review period.

MS. BRIZILL: Okay. This is just an editorial comment from me. Okay? I don't know at this point how many people are on the Board of Relations staff who have communications or a website, or whatever, public or community outreach in their title. Because, as you and I go back a ways, we remember when there was one person who had that position. I'm increasingly concerned about the information that should be on the website that's not on the website.

And why, again, using this as an example, if you were going to be discussing this, or it was coming up for a first consideration today, why do you put such cryptic non-informative information with regard to your agenda generally on the website?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Indeed, I went through your website. Alice, are you aware that there were certain pieces of information that were on the website that have been taken off? And I don't understand that, either.

MS. MILLER: Well, yes, I know what you're talking about. I don't know particulars specifically that was taken off.

MS. BRIZILL: Yes.

MS. MILLER: I'm saying, what is it that was taken off?

MS. BRIZILL: For example, you used to be able to go on the website and see past cases that had been decided by the Board of Elections or that had been litigated involving the Board of Elections. As you know, if you were involved in an issue before the Board, it's not only a matter of reading the Code and the regulations. You want to know how those Codes and regulations have been interpreted in the past, both by the Board and the court. That used to be readily available

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

on your website. Now the only thing you have up there are administrative orders, and you have them by number. So, you have to scroll through hundreds of them to find the particular topic you're looking for.

CHAIR BENNETT: Ms. Brizill, I apologize for cutting you off, but we are shifting to public matters now. I would like to stay focused on where we are with regard to this. I appreciate your comments regarding the information. I'm personally very comfortable that we are providing information. This is just the beginning of the process. Thank goodness that you're here to be able to hear.

We will be getting this information out to lots of -- to the public to be able to comment on it. The ANC has taken a look at this, been informed along the way, that is affected. They are providing comments now. We're just really at the beginning of this process.

So, I appreciate your concern and your

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



comment, but I would rather, if you're going to go into other matters not associated with this -- and I think we've heard your concern around it -- if you would hold off until the section of the agenda that we have public comments, so we can get through this.

MS. BRIZILL: I appreciate that I have veered off-track, but my point is that this is just the latest example of information that should be listed --

CHAIR BENNETT: Ms. Brizill, I understand your point.

MS. BRIZILL: -- as an agenda item.

CHAIR BENNETT: I understand your point, but I'm going to try to get back to the --

MS. BRIZILL: And not in cryptic fashion.

CHAIR BENNETT: Ms. Brizill, I understand your point.

MS. BRIZILL: Is it going to be corrected?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CHAIR BENNETT: Ms. Brizill, I understand your point. I don't think there's anything to correct, based on your comment at this point. So, if you want to hold that until the public comment section, I would really appreciate it. But we're going to get back to this matter. Thank you very much.

Mr. Eckenwiler, are there any additional comments that you have, sir?

MR. ECKENWILER: Thank you, Mr. Chairman. Yes, I just did want to allay if there are any concerns on the part of the Board about this. I communicated by email, not just the fact of this being under consideration, but I sent the constituents of mine who live within the southern portion of Precinct 83 the literal documents that Mr. Budoo has created. So, that map, the proposed polling site for Precinct 144. I did receive some limited feedback. Most people I think were not particularly troubled, by the way, if they actually read it.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

And I actually think that's a more effective means of getting word out. I'm one of those oddballs who does read The Register every Friday. I think most of my constituents probably do not, and they rely on us to do that dirty work.

CHAIR BENNETT: Sure.

MR. ECKENWILER: I'm not saying it shouldn't be in The Register. I think public notice through that formal mechanism is important. But, as a practical matter, how things get out to the public and really make them practically aware is, I think, through other mechanisms, through the ANC Commissioners.

CHAIR BENNETT: Okay.

MR. BUDOO: I just want to put on the record that it does go in The Register today. It will be submitted for The Register today of the proposed boundaries being redrawn.

But I do want to step back and take a look at what Mr. Eckenwiler did recommend --

CHAIR BENNETT: Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MR. BUDOO: -- just to let him -- you know, just to give that some thought and look at what his proposed changes were before we send it to the Council.

MS. MILLER: Right. Let me say that there is no rush on this. This is something for the next year, for 2020. This is just the very beginning of this process. It's something that we wanted to start. We don't even have to submit this today. If you want to pull this back and take a look at it, and get with Mr. Eckenwiler and discuss it, and then, you can bring it back next month and do another review of it. If the Board would like to do that, that's fine. We don't have to rush this. There's no reason to rush this at all. We've got plenty of time.

CHAIR BENNETT: Okay.

MR. ECKENWILER: And if I can, I think it might be useful for a couple of reasons. One, the full ANC has not yet weighed-in on this. I have discussed it with our Chairman, Karen Wirt,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

and she concurs in my views.

However, we have a vacancy right now in 6C06. So, that is this northern portion. Almost all of NoMa right now has no ANC member. Our Chairman is handling that for the time being. As you probably know, the petitions for that just became available on Monday. So, we're going go through that whole process. But, right now, the person who is most affected on 06 is an empty chair. So, it might be useful, being that that person is going to be a brand-new person, just to give a little more time, so that whoever does fill that seat can also offer his or her views.

CHAIR BENNETT: Great. Thank you.

So, unless other Board members have an objection, I'd recommend that you work with the ANC a little more --

MR. BUDOO: Yes, sir.

CHAIR BENNETT: -- make sure that they have an opportunity to give additional comments.

And then, I think what I'd like is to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

understand the ramifications of doing something different than you've already provided to us. If there are issues around, you know, access, if there are issues around distance, those kinds of things, so that we are real clear about that prior to getting it out.

And if there are other groups -- one thing that you indicated, Mr. Eckenwiler --

MR. ECKENWILER: Eckenwiler.

CHAIR BENNETT: -- Eckenwiler, sorry.

MR. ECKENWILER: You're the only person who's ever gotten it wrong.

(Laughter.)

CHAIR BENNETT: If there are others that you think would want to weigh-in officially or through you, we would certainly like to have that as well. And the more data we can have relative to the impact on the voters, the better off we are. Because, at the end of the day, you probably heard me say earlier, this is really about trying to make sure it is convenient for

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

the voters to be able to cast their ballots. So, we'll look forward to that input.

MEMBER GILL: I do think getting to this issue, the public comment part of this issue is probably important. I'm going to ask you to come back. And my guess is over the next couple of years we're going to be doing this more often. So, whatever we do now, we'll have a precedent going forward.

MR. BUDOO: Yes, that's a good point.

MS. MILLER: And the other thing that we're concerned about is making the numbers as equal as possible for each precinct. And if you have information that there's going to be new construction coming up that may be residential, that would be very helpful as well.

MR. ECKENWILER: Sure. I can certainly get the Board further details on those three PUDs.

CHAIR BENNETT: Yes, that would be great.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Anything else, Mr. Budoo?

MR. BUDOO: No, sir.

CHAIR BENNETT: Thank you so much.

MR. BUDOO: Thank you.

MR. ECKENWILER: Thank you.

CHAIR BENNETT: Ms. Miller, next item.

MS. MILLER: Just briefly, the other item that I would just like to put on the record is that I did present testimony on April 29th before the Committee on the Judiciary and Public Safety regarding a proposal for moving the June primary to June 2nd, which is the first Tuesday in June, for presidential election years. A copy of my testimony is in your packet.

And also, with that testimony, we requested the Council consider a similar period to receive mail ballots from Election Day to seven days after the election, as long as the ballots were postmarked or otherwise indicated that it had been mailed by Election Day, so that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



we could have the ample time that we need for processing ballots.

Voters have up until seven days before the election to request a ballot. It takes a little bit of time to process that ballot. On our end, we sometimes do not get the ballot out until the second day or maybe as long as the third day after the request on that seventh day, which at times does not give them ample opportunity to get the ballot back to us by Election Day. So, as long as the ballot is postmarked by Election Day, if we get it back within seven days after the election, the request has been to ask the Council to make that modification in the law.

And that concludes my report.

CHAIR BENNETT: Great.

Any questions? Ms. Lewis?

MEMBER LEWIS: No, thank you.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: No.

CHAIR BENNETT: Great. Thank you.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

The next item on the agenda is the report from the Office of Campaign Finance.

MS. COLLIER-MONTGOMERY: Yes. Good morning.

CHAIR BENNETT: Ms. Montgomery?

MS. COLLIER-MONTGOMERY: The first thing I would like to report on is the activity in the Fair Elections Program Division of the Office of Campaign Finance.

On the record, I would report the first candidate registered to participate in this program on April the 8th, 2019, and that individual is Patrick Kennedy, who registered his committee, Patrick Kennedy for Ward 2, City Council, on April the 8th, 2019.

We also held a Public Finance Planning Committee meeting on April the 25th, 2019, to discuss the status of several projects in the Fair Elections Program Division.

We conducted training for our new members of the staff in the Fair Elections

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Program Division on April the 8th, 2019.

During the month of April, on April the 4th, we met with the Mayor concerning the status of the Fair Elections Program and where we were.

We also, in terms of the public outreach with the program, conducted a seminar with the D.C. Latino Caucus on April the 18th, 2019.

We also, with respect to our ANC outreach project, the FEP staff visited several ANCs during the month of April. On April the 8th, 2019, they presented at ANC6D. On April the 16th, 2019, they presented at ANC7F. On April the 24th, 2019, at ANC5A, and on April the 25th, 2019, at ANC8D.

We also, during the month of April, selected the Information Technology Specialist for the program on March the 28th, 2019, and he started his employment with the agency on April the 29th, 2019. His name is Mr. Paul Anwar, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

he is actually in the audience with the Fair Elections Program Manager, as well as other members of the Fair Elections Program Division.

On April the 30th, we viewed again certain modules with our Fair Elections Program e-filing system, in particular, the registration module, to view that and to determine whether there are any changes that needed to be made.

Also, we're looking still at our target date for the e-filing system to be available for members of the public for the July 31st, 2019 filing date, which is the first filing date for those who have registered in the program.

Also, I wanted to point out that, with respect to the proposed rulemaking that the Board adopted on April the 4th, and specifically, those were with Chapter 30, which is the Campaign Finance Operations Chapter; Chapter 34, Recordkeeping and Audits Chapter; Chapter 37, which basically addresses our investigative

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

process, and Chapter 99, Definitions; that those proposed regulations were published in The D.C. Register on April the 19th, 2019, and that there is a 30-day period when members of the public can submit comments to those regulations. And basically, the purpose of those regulations was to incorporate amendments which would include the Fair Elections Program.

We have several public service announcements which have started. One is on WTOP radio. And basically, the public service announcement addresses the new Fair Elections Program, so that members of the public can be made aware of the program. And also, we have a bulletin which is airing on D.C. TV cable network as well. And so, the PSA as well as the bulletin, they are in a rotation schedule with both of those media. Basically, I believe that with the WTOP radio PSA that that will run for the next six months. With D.C. TV cable, I believe that one will actually run up until the 2020 election

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

cycle ends.

In our Public Information and Records Management Division, there were two reporting dates during the month of April. The first was the April 1st, 2019, reporting date for the filing of a Report of Receipts and Expenditures in our Constituent Service Program. There are nine required filers, and all nine filers filed their reports timely. And also, of course, the reports were electronically filed.

April the 1st was also the deadline for the filing of the Report of Receipts and Expenditures for our Senator/Representative Statehood Funds. We have three required filers. All timely filed and they all electronically filed.

April the 10th was the filing deadline for the filing of the Reports of Receipts and Expenditures for our Political Action Committees and our Independent Expenditure Committees. We had 57 required filers. Fifty-three of those are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Political Action Committees and four are Independent Expenditure Committees. Fifty-four timely filed, and that breaks down to 51 of our PACs and three of our Independent Expenditure Committees.

With respect to referrals to the General Counsel for the initiation of the enforcement process, three committee were referred, two PACs and one Independent Expenditure Committee.

Specifically with respect to the Political Action Committees, the Professional Insurances Agents PAC, Virginia and D.C., Kevin P. Kower, Treasurer, and also, the What's Going on PAC, Charles Theis, Treasurer, were referred to the General Counsel's Office for failure to file the April 10th report. Also, with respect to the Independent Expenditure Committee, DC Choice, Daye Pope, Treasurer, was referred for failure to file the report.

During the month of April, again, with

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

respect to new candidates and committees who registered with the Office of Campaign Finance, Patrick Kennedy, Patrick Kennedy for Ward 2, City Council, registered on April the 8th, 2019. The Committee to Hold Jack Evans Accountable, which is a recall committee, registered on April the 12th, 2019.

We held entrance conferences during the month of April. The first was on April the 9th, 2019. There was one participant, and that participant was Gregory Steward, who is the Treasurer of the Urban Red Political Action Committee.

On April the 7th, 2019, there were two participants. The first was Patrick Kennedy, Candidate, Patrick Kennedy for Ward 2, and Mary Steznewsky, Treasurer, Patrick Kennedy for Ward 2.

In our Audit Branch for the month of April, the Audit Branch conducted 82 desk reviews of the reports which were filed by our Political

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



Action Committees, our Constituent Service Fund, as well as our Statehood Fund, and also, 13 reports of Political Campaign Committees as well of our Independent Expenditures Committees and of our Initiative Referendum Committees.

In the Audit Branch, we have several ongoing audits. With out full field audits, Sheika Reid for Ward 1, which was initiated on August the 29th, 2018, and that is of a principal campaign committee; DC Proud 2019 Inaugural Committee, which was initiated on April the 22nd, 2019, that is of an inaugural committee; Frazier O'Leary for Ward 4, which was initiated on March the 4th, 2019, that is of a newly-elected official of the School Board 2018 election; the Committee to Elect Zachary Parker 2018, which was initiated March the 5th, 2019, and that is a newly-elected official of the School Board as a result of the 2018 election; Emily for Education, initiated March 4th, 2019, again, that is of a newly-elected official to the School Board as a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

result of the 2018 election.

We have three periodic random audits which are ongoing. The first is the Ward 4 Constituent Service Fund. This is of the April the 1st, 2019, filing. The Ward 7 Constituent Service Fund, again, that is with respect to the April the 1st, 2019, filing. The Do Something Constituent Service Fund from Ward 8, and that is with the April the 1st, 2019, filing. With respect to those three audits, the audit records are due in the Division, were due on April the 29th, 2019.

We also issued four audits during the month of April, and those are available at our website for review. The first is the Economic and Protection Party. That was issued on April the 29th, 2019. The Ward 7 Democrats, which was issued on April the 29th, 2019; ABC of Metro Washington, D.C., PAC, which was issued on April the 2nd, 2019; Jessica Seller for School Board, State Board of Education, which was issued on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

April the 19th, 2019.

And the last thing I would like to put on the record is that there were several recommendations which were made by the Board to the Fair Elections Act in terms of proposals for legislative recommendations. And it is my understanding that what will be presented before the Council at the May 7th legislative session is an emergency piece which will address several of those recommendations. And as soon as I have more information, I will provide that to the public as well.

And I would ask Mr. Sanford to present the Report of the Office of the General Counsel for the agency.

CHAIR BENNETT: Thank you.

Mr. Sanford?

MR. SANFORD: Mr. Chairman and Distinguished Members, my name is William Sanford, General Counsel for the Office of Campaign Finance.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

During the month of April 2019, the Office of General Counsel received three referrals, completed 26 informal hearings, and issued 20 orders, which included the following:

Ten orders were issued for failure to timely file ANC Summary Financial Statements and which accounts for \$24,450 in fines that were imposed.

Ten orders were issued for failure to timely file reports against principal campaign committees, in which a total of \$17,750 in fines were imposed.

During the month of April 2019, the Office of the General Counsel imposed a total of \$42,200 in fines, and the Office imposed fines against the following respondents:

A fine of \$2,950 was imposed against Mary Cuthbert. A fine of \$700 was imposed against Charlene Exum. A fine of \$2,850 was imposed against Regina Pixley. A fine of \$2,850 was imposed against DeJuan George. A fine of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

\$2,950 was imposed against Joseph Johnson. A fine of \$2,950 was imposed against Alvin Judd. A fine of \$400 was imposed against Anthony Muhammad. A fine of \$2,950 was imposed against Kendall Simmons. A fine of \$2,950 was imposed against Jewell Stroman, and a fine of \$2,950 was imposed against Takiya Tate. Those individuals were all ANC candidates.

A fine of \$1,750 was imposed against Melik for At-Large Council. A fine of \$1,750 was imposed against Dustin Canter for D.C. Mayor. A fine of \$1,750 was imposed against Justin Green At-Large. A fine of \$1,750 was imposed against Holmes for DC. A fine of \$1,750 was imposed against Nate Brown Mr. Ward 6. A fine of \$1,750 was imposed against the Committee to Elect Professor Alpha Bah. A fine of \$1,800 was imposed against the Committee to Elect Anne Wilcox. A fine of \$1,800 was imposed against Lannette Woodruff for School Board. A fine of \$1,800 was imposed against the Committee to Elect

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Jacque Patterson 2016. And a fine of \$1,800 was imposed against Patterson for Ward 8.

During the month of April 2019, the Office of the General Counsel collected a total of \$3,500 in fines; collected \$1,500 in fines from Jeffrey Thompson, which is part of a monthly installment payment, pursuant to an agreement between the Office of the General Counsel and Mr. Thompson.

And it collected a \$2,000 fine from Council Member Brandon Todd. As the Board members may recall, the Office of the General Counsel issued an order in which the Office decided to impose a reduced fine against Council Member Brandon Todd for inappropriately using government resources for campaign purposes, on the condition that the Council Member would attend ethics training at the Board of Ethics and Government Accountability. And I am pleased to state that the Council Member did attend the ethics training on April 1st. In fact, he took

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

his entire staff through that training on that date. And as a result, he lived up to his agreement and the reduced fine was imposed, which he paid. And so, this matter is officially closed.

During the month of April 2019, the Office of the General Counsel did not have any active open investigations. There were no requests for opinions and no show cause proceedings were conducted during that month.

And that should conclude my report.

CHAIR BENNETT: Thank you, Mr. Sanford.

Any other matters, Ms. Collier-Montgomery?

MS. COLLIER-MONTGOMERY: That concludes it.

CHAIR BENNETT: Okay. Any questions, Mr. Gill?

MEMBER GILL: No questions.

CHAIR BENNETT: Ms. Lewis?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MEMBER LEWIS: No, thank you.

CHAIR BENNETT: Thank you.

Mr. McGhie?

MR. MCGHIE: Okay. The only thing I have on my agenda is a litigation status update. We have two new cases that appeared since the last Board meeting.

William Hunt v. the D.C. Board of Elections. This is a strange matter that came to us and it's regarding the November election. Mr. Hunt was under the impression that we were not going to count the write-in votes from the election, and he was running as a candidate for Mayor. So, with that impression, he filed a complaint in federal court a month before the November election to require us to count the write-in votes.

That complaint got rerouted some kind of a way where at some point it went to Bankruptcy Court, and then, he served the Office of the Attorney General, which, of course, didn't know

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



exactly what to do with it. And so, we never got a hold of the complaint until just recently, like in April, April 15th.

But, in any case, we did count the write-in votes, like we are required to do. He ran for Mayor. And so, Bowser had over 175,000 ballots. So, there wasn't any reason for us to even look at the write-in votes. There were only about 9,000 write-in votes.

So, in any case, this should be mooted-out. We filed a Motion to Dismiss on Wednesday, and we're just waiting for the Court to respond to our Motion to Dismiss.

CHAIR BENNETT: Okay. That is convoluted. Okay. Thank you.

MR. MCGHIE: So, the new matter is James Butler v. the D.C. Board of Elections. You may be familiar with that one. That one was the proposer of the term limits submission. And so, he filed a complaint in Superior Court for a Writ of Mandamus to compel the Board to accept the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

initiative, the D.C. Term Limits Initiative. That matter was filed on April 15th. The Board will be entering its appearance today and file a Motion for Summary Judgment later this week. The initial scheduling conference for this matter is set for July 19th.

CHAIR BENNETT: Okay.

MR. MCGHIE: The Graham case is a case that the Board is well familiar with. That dealt with Referendum 008. We're in the Court of Appeals on the issue of notice and standing. The Court of Appeals consolidated the appeals of the Interveners and the Board. And we're just still waiting for the Court's briefing schedule.

CHAIR BENNETT: Okay.

MR. MCGHIE: And that would conclude my litigation status update.

CHAIR BENNETT: Okay. Just to add to what I stated earlier, the matter regarding the Jack Evans recall petition will have a separate special meeting. The date will go on the website

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

today, and it will be on May 20th. I believe we have --

AUDIENCE MEMBER: Twentieth or 21st?

CHAIR BENNETT: Twentieth. Yes, May 20th, and it will be at 11:30, but it will appear on the website. The reason for that one is we didn't think we would have sufficient -- we wanted to focus on it. And then, two, we wanted to make sure we had a full complement of the Board at the hearing and, also, be able to get proper notice out to the public. So, that's the date that all those things come together nicely. And there will be an opportunity to have witnesses and for a protest march. So, we wanted to give this matter full attention.

Any questions from Ms. Lewis or Mr. Gill regarding the General Counsel's report? Questions?

MEMBER LEWIS: No, thank you.

CHAIR BENNETT: Okay. Next on the agenda is public matters. So, what I would like

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

to do is to deal with on the phone first, and I think, Mr. Sindran, are you still on the phone?

MR. SINDRAN: I'm still on the phone, Mr. Chair. Thank you.

CHAIR BENNETT: Okay. I'd like to go to our electronic, any electronic public comments, and then, we will go to the persons that are physically here.

So, Mr. Sindran, if you have anything, or if there is anybody else on the line, certainly please speak up. I know you're obviously there, Mr. Sindran.

MR. SINDRAN: Thank you, Mr. Chair.

The new technology, very, very accommodating. I can hear you very, very well, and it's definitely a step in the right direction, I believe.

CHAIR BENNETT: Great. And you can be heard well as well.

Can you identify yourself for the record, Mr. Sindran?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MR. SINDRAN: Sure, Mr. Chair.

In any event, Michael Sindran, disabled veteran who served our country more than most.

And before it slips my mind, Ms. Jennings, she deserves a raise.

(Laughter.)

And, Mr. Chair, you know, you know I don't give compliments lightly.

(Laughter.)

CHAIR BENNETT: I won't comment on that, Mr. Sindran.

MR. SINDRAN: No comment necessary. You'll neither confirm nor deny, right?

CHAIR BENNETT: Absolutely.

MR. SINDRAN: Ms. Jennings, hands-down, is ADA accommodating, compliant. She knows the nightmare of dealing with WMATA and others, and she goes above and beyond the call of duty. She just follows the law, and that's all we/I ask, and for the most part, other entity/agencies

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

don't.

But not to belabor the point, the Jack  
Evans --

CHAIR BENNETT: Mr. Sindran, before  
you go on, can you identify yourself for the  
record, please, sir, with address, please?

MR. SINDRAN: I thought I did.  
Michael Sindran, disabled veteran, served our  
country more than most. Do you want me to spell  
my name, Mr. Chair?

CHAIR BENNETT: No, I just need you  
to give the address, sir.

MR. SINDRAN: Address? Sure. 6645  
Georgia Avenue, Northwest, Washington, D.C., Ward  
4.

CHAIR BENNETT: Thank you.

MR. SINDRAN: You're welcome.

Jack Evans, you indicate May 20th, and  
I didn't mean to interrupt, because, initially,  
no time was listed, but now I understand it's  
11:30 a.m. I'll be able to weigh-in and observe

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

or listen minimally by phone, yes?

CHAIR BENNETT: Yes, sir.

MR. SINDRAN: Great. And that's something crucial and critical. The Council has covered for their own. I would say outright Evans needs to go. He should have been terminated. A little slap on the wrist, "Don't do it again, Jack." To take D.C. Events, and whatnot, from him is just not going to cut it. And the good Chair Mendelson covers for his buddy, you know, and the beat goes on.

The meeting before last, people came forward on terms limits and just indicated outright, you know, we're sick and tired of being sick and tired.

With regard to term limits, we weighed-in on that issue, Mr. Chair, in 1992. I listened carefully and intently to your presentation on democracy, and you're right on point. And as a disabled veteran, a lot of blood has been shed for the precious right to vote, due

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

process without interference. But, clearly, it's a slap in the face; it's communism when we the people vote and the motley crew at the Council says, well, we don't care what the voters say; we're going to do our thing. And they did it with term limits.

The Butler Mandamus should not be necessary. We've already voted on it. Evans should be gone a long time ago. That's the reason why we have that issue with Evans, right, 21 years, or whatever it is, and counting. He doesn't want term limits, and he got his buddy Mendelson and everybody else to say, okay, we'll go along with it.

And sidebar two, the public trust, you pointed out, Mr. Chair, in democracy, that's the cornerstone, the dominant, if not predominant, precious cornerstone. So, if the Council is divvying up their time with Mary Cheh teaching at GW and Evans, a lawyer, and Catania was a lawyer or not. No, how are we getting full attention?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



We're not.

The point is that outside employment should not happen for the Council. For the Chair, by law, it's intact, but for the rest of the motley crew it's not.

So, I would like for you all to take under advisement, by ballot, initiative, or rulemaking in-house, no outside employment. It's time to flex the muscle.

Like you say, again, Mr. Chair, and I listened very, very carefully about democracy. That was a pointed on-point presentation. And so, to protect and ensure democracy, not to let the benevolent motley crew overturn not only on term limits, but Initiative 77.

We voted on that, and that neutralizes what you do, what the Board does, because you go to great pains to make certain the law is followed for initiatives, ballot referendums, et cetera. Okay, we vote on it. We approve it, and then, the Council says, we don't like it and we can do

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

our thing. And that's what they've been doing for the recall and now for Initiative 77.

Last, but not least, Mr. McGhie, if I understand you correctly, the Butler Mandamus is unpacked in Superior Court. You're going to file a Summary Judgment Motion. Well, we know summary judgment is inappropriate when there are genuine issues of material fact in dispute; to wit, we've already voted on it. Okay? So, that's an issue. Does the Council carry the day or do the voters carry day? And I hope you include that in your motion because we the people, as far as the Constitution reads -- and to my understanding, it's still intact; correct me, Mr. Chair, if it's not -- that we the people are still the sovereign body.

And as you pointed out in your beginning litany presentation on democracy, we the people carry the day. And at the end of the day when all is said and done, we have the final say. But others believe, the Council believes

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

otherwise. And on that beat, so that's where you come in and make certain democracy remains on track.

If there's any questions, I'd be delighted to -- oh, let me just make sure, too, that I heard correctly. The June meeting will not be held in June. It will be held May 29th at 10:30, correct?

CHAIR BENNETT: That's correct, yes. That will be on the website as well.

MR. SINDRAN: Okay. Well, when you say "website," you've got to remember I'm challenged --

CHAIR BENNETT: Yes, you're right. You're right, yes. But that would be on the website.

MR. SINDRAN: And then, the other issue --

CHAIR BENNETT: No, I'm sorry, that's the date. I'm sorry. I apologize for that, for that slip in response.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Yes, sir?

MR. SINDRAN: That's okay. So, again, the June meeting will be held May 29th, 10:30. And then, if I understand you correctly, the July meeting -- you said you wanted to distance it from July 4th -- will be July 2nd at 10:30, correct?

CHAIR BENNETT: That's correct.

MR. SINDRAN: Okay.

CHAIR BENNETT: We will confirm that at the June meeting that's actually in May.

MR. SINDRAN: You're confusing me, Mr. Chair. But, anyway, I'm with you.

If there's any queries, I'd be delighted to field them at this time.

CHAIR BENNETT: Okay. Ms. Lewis?

MEMBER LEWIS: No, questions. Thank you.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: No.

CHAIR BENNETT: All right. Thank

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

you.

Thank you, Mr. Sindran.

MR. SINDRAN: Sure. Thank you for your work.

CHAIR BENNETT: Thank you, sir.

Any other public matters from the persons here?

Can you come forward?

MS. HANRAHAN: My name is Debby Hanrahan. I'm in Ward 2. And I just wanted some clarification --

CHAIR BENNETT: Can you give us your address, please?

MS. HANRAHAN: Oh, sorry. 1505 Q Street, Northwest.

CHAIR BENNETT: Thank you.

MS. HANRAHAN: I'm seeking clarification on the recall petition for Jack Evans. The meeting for a hearing is scheduled on the 20th of this month at 11:30 in the morning?

CHAIR BENNETT: The technical term,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

it's just considered a special meeting. I mean, it will function like a hearing, but we call it a special meeting.

MS. HANRAHAN: Okay. What outcome can we expect from that meeting, if anything, other than just exchange of information?

CHAIR BENNETT: Well, what we'd like to do, what I try to do is, in those matters, particularly something like that, is to hear the various positions and sides. And then, generally right after that, we'll convene, and then, issue a decision with regard to that.

MS. HANRAHAN: So, on the 21st, it is possible that this Board of Elections will take a position on whether the recall of Jack Evans can go forward? And if that is the case, when will you issue the petitions?

CHAIR BENNETT: We hope to actually be able to come up with a decision on that day after we conclude the matter, and then, actually have the procedures to issue, to allow those to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

go forth at that time.

MS. HANRAHAN: On the 21st?

CHAIR BENNETT: On the 20th.

MS. HANRAHAN: On the 20th. I'm  
sorry.

CHAIR BENNETT: Yes.

MS. HANRAHAN: On the 20th, we could  
hope to actually have our template to use to  
gather signatures for the recall?

CHAIR BENNETT: I'll look at Mr.  
McGhie, but the answer is yes.

MR. MCGHIE: Yes, let me just clarify  
what's going on on the 20th. The first initial  
matter is that there was a challenge to the  
proposer's residency, on whether or not he was a  
resident of the Ward. So, that's the first  
matter that has to get resolved. If that gets  
resolved in the favor of the proposer, then I  
believe it's the intention of the Board to issue  
the recall petition at that time.

MS. HANRAHAN: So, in other words,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

it's a very narrow scope then? It's, does this proposer live in Ward 2? If he proves --

CHAIR BENNETT: No, no, no, no. No, we intend to hear the whole matter.

MS. HANRAHAN: The whole matter?

CHAIR BENNETT: Yes. The last time we heard you, but we didn't know at the time, at least I didn't know at the time, that you had not properly filed with the Office of Campaign Finance. And you are part of that committee, as I recall, is that correct?

MS. HANRAHAN: Yes, sir.

CHAIR BENNETT: When I say "you are," I want to make sure that's very proper.

MS. HANRAHAN: Yes.

CHAIR BENNETT: So, we never really got to -- the reality is we officially really never heard the matter associated with the petition because there was not a proper filing. So, at this point, assuming there is a proper filing, which it seems like there is, on May 20th

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



we'll just hear the whole matter.

And I think what Mr. McGhie is referring to, in April when you were here and you heard the matter, there was a lot of issue around the residency of the proponent. And so, we want to make sure that you're aware that, obviously, that's something that we need to get cleared up at that --

MS. HANRAHAN: May I ask --

CHAIR BENNETT: Yes.

MS. HANRAHAN: -- just a practical question? If Mr. Evans' lawyer continues to raise yet another issue, yet another issue, yet another issue, we could go on with these hearings forever. I'm asking for some kind of containment about what issues are before us.

For instance, just this last moment, you said -- Mr. McGhie said one thing. Then, you amplified it. Now can it be amplified again and, if so, will we be made aware of that, so we can respond to it? See, this is taking on a life of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

its own. It's beginning -- I've never seen so much trouble getting something through this Board of Elections. This is just a simple recall petition. I mean, after all, you're supposed to fight this thing out at the ballot box. You're not supposed to fight it out before you guys. I mean, we're being all used by a very highly-paid lawyer who's apparently in even in the country right now, and we're conveniencing him by not having the hearing today, is that correct?

CHAIR BENNETT: No, that's not correct, ma'am. Let me be very clear. At the last time, the reason that we did not address and deal with the matter was because the proponent did not file properly. And so, we can't hear a matter unless the filing takes place properly. So, we didn't move it forward. We didn't move it forward because it hadn't been filed properly. I mean, it's just that simple.

MS. HANRAHAN: And why are we meeting today?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CHAIR BENNETT: Well, because we don't have enough right now, like you just filed properly recently, along with the fact that I want to make sure that we have proper notice. This is a matter that really should have proper public notice. We want to make sure that it's in The Register. This is a special meeting. It's not an emergency meeting. And so, we want to make sure that there is, at least I want to make sure and the Board wants to make sure that we have proper notice.

We don't want to let this go on forever, but that's why I said to you that the expectation is that we will conclude this matter just after --

MS. HANRAHAN: On the 20th?

CHAIR BENNETT: -- just after. Unless something strange happens, the intent is to conclude this matter on the 20th.

MS. HANRAHAN: On the 20th?

CHAIR BENNETT: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MS. HANRAHAN: You realize, of course, that it advantages the opponent of this recall to do exactly what they're doing, which is to play everybody for time. And we seem to be doing that. And I want to know if there is some parameter you can set, because, otherwise, we could go on with this past election.

And I think it's a very clever thing and it probably hasn't come up before. But I think it is a very real issue before this Board of Elections and Ethics, that they are being played to keep us away from getting our approval.

CHAIR BENNETT: I appreciate your position. And I think Ms. Lewis has something she wanted to say. But I appreciate your position. We don't feel like we're being played --

MS. HANRAHAN: Okay.

CHAIR BENNETT: -- for the record. And our intent is to resolve this matter as soon as possible. We're not trying to give anybody

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

an advantage. That is not our role.

MS. HANRAHAN: Right.

CHAIR BENNETT: And so, we want to try to be fair to all parties.

MS. HANRAHAN: Right. I appreciate that, and that has been my experience with this Board of Elections and Ethics. You probably don't recognize me, but I have been, as an old lady, I have worked with probably every single one of you on various initiatives.

But I would say that it's past strange that we're not on the agenda today. There was no reason given. You have given me more of a reason than anybody.

I'm taking it somewhat skeptically because I'm not a fool; Jack Evans is a very powerful man in this city. We are not powerful. And he usually gets his way. As the guy said who called in, this is a very important initiative, a very important initiative. And if we can't even get our petitions, it's another example of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

how this city has wandered away --

CHAIR BENNETT: Well, let me remind you that you didn't file properly last time. And also, let me remind you that we don't report to the Council, nor do we report to the Mayor. And our focus is to try and be fair to all parties.

MS. HANRAHAN: Okay.

CHAIR BENNETT: And part of that is to make sure that everybody, including the full public -- and my guess is we're going to hear something about that in a minute -- but to make sure that everybody in the public is aware and that everybody has notice relative to this matter.

Just so you know --

MS. HANRAHAN: Yes.

CHAIR BENNETT: -- and this is kind of going beyond -- I also wanted to make sure that each member of this Board was able to be here and to personally hear this matter as well, because it is so important to this city. We have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

the capability to hear matters electronically, but this is one that I, as the Chair, decided that everybody has to physically be here.

MS. HANRAHAN: Right.

CHAIR BENNETT: And so, we're trying to make sure -- and I've thought about this, so I don't mean to be aggressive with you, but --

MS. HANRAHAN: No, it's quite all right.

CHAIR BENNETT: -- I want to make sure that it's real clear that this is not -- we are not responding to some power play by anybody. We are trying to make sure that this matter is heard fairly and properly.

MS. HANRAHAN: But it's equally important that you not be in the middle of a power play by a lawyer who was hired. I have never brought a lawyer to this Board of Elections before to propose some kind of action. That lawyer has taken over the process, and a 27-page memo is not the usual matter that develops in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

this.

Look, this is beyond my pay grade, but I will hold you to your promise that this will be a fair hearing/special meeting, whatever you want to call it, on the 20th.

CHAIR BENNETT: And that promise is not just to you, but that promise is to every citizen of the District of Columbia. We will function that way and we have done so, and will continue to do so.

MS. HANRAHAN: We'll see.

MR. MCGHIE: May I say something?

CHAIR BENNETT: Yes.

MR. SINDRAN: Mr. Chair?

MR. MCGHIE: Ms. Hanrahan --

MS. HANRAHAN: Yes, sir?

MR. MCGHIE: -- I just wanted to address one issue, because, for one, I do recognize you. You've been an advocate for many years and we have a good rapport.

But, to your question about whether or

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



not the attorney can raise new matters, no, he cannot. He filed his complaint. He only raised one issue. That one issue was to the residency. And so, he will be precluded from raising any new issues at the hearing.

MS. HANRAHAN: Very important.

Mr. Chairman, is that your understanding as well?

CHAIR BENNETT: Yes.

MS. HANRAHAN: I mean, you are the vote. I mean, what the lawyer says is one thing, and hopefully, we'll pay attention to him. But you are the Chairperson.

CHAIR BENNETT: Yes, but, that said, we'll also open it up to other public persons, witnesses. You may have a witness or you may have somebody that's involved and they bring another issue that we hadn't heard before. But, yes, the focus is the issue that the opponent has provided.

MS. HANRAHAN: And since we are taking

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

such caution to make sure that everybody is notified, will there be a list of witnesses, so we can understand who will be testifying against our efforts?

CHAIR BENNETT: Yes, we will ask you to submit a list as well as the --

MS. HANRAHAN: Yes, sir, we're just --

CHAIR BENNETT: Like I said, everybody has an opportunity, ma'am. So, I'm not sure --

MS. HANRAHAN: Right. Okay, but this is taking on a much bigger persona than just plain -- anyway, thank you for your time.

CHAIR BENNETT: Thank you.

MEMBER LEWIS: I do just want to make a few comments as I'm listening to you.

MS. HANRAHAN: Yes, ma'am.

MEMBER LEWIS: Thanks so much for your concern. Thanks so much for your advocacy. I think, as a Board, I speak for all of us when I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

say we truly appreciate engaged residents like you and voters like you who are very much concerned about issues of public concern.

But there are a couple of things I did just want to address. One, I just wanted to make it very clear that, as Board members, we have no idea who's lawyer is on vacation, which petitioner is on vacation, or respondent is on vacation. We're not really privy to those kind of details. So, I do want to assure you that we're not trying to convenience anyone's schedules, but our own, to ensure that we can be here physically, as Mr. Chairman already indicated, to make sure that we can actually hear this matter. Those are the only schedules we are concerned about.

Secondly, I also wanted to assure you that no one on this Board is intimidated by a highly-paid lawyer. We're actually all lawyers, quite frankly.

(Laughter.)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Every single Board member on this Board is, ironically -- it's not a requirement -- but we all are lawyers. And so, the fact that there is some highly-paid lawyer or a low-paid lawyer doesn't really move us at all.

And so, again, I just want to echo the sentiments by Mr. Chairman that we are certainly very, very, and assuredly very, very concerned about equity and equitableness, and to make sure that both parties get fair due process and procedural due process here.

And so, the meeting that we're going to have on May 20th, that is to ensure that not only the parties who are participants are going to get fair, equitable due process, but also the public members who are engaged as well, who are concerned citizens, and voters as well, are given the opportunity to have proper notice.

And because of the procedural issue that happened where it wasn't properly filed initially, we couldn't move the process forward.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

And so, you all had an opportunity for a redo, so to speak. And now, we're going to move forward and we're going to make sure that we're not rushing anything, to anyone's benefit or detriment.

So, I just wanted to assure you of those things. I think Mr. Chairman made several great points, and I just wanted to echo those.

MS. HANRAHAN: Right. No, heard and appreciated. And I want to say again, are we going to have witnesses for those who want to oppose this recall, who will sign up with you, and they will appear at the hearing? And if so, the Chairman will let us know that these people are going to be here?

MEMBER LEWIS: So, one thing -- and I know I'm not the Chairman or the Chairperson -- but one thing I just want you to know.

MS. HANRAHAN: Yes.

MEMBER LEWIS: This happens if you go

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

to testify before the D.C. Council. Of course, we request witnesses in advance, but if there are people who show up on the day of, that we have no prior notice of or knowledge of, they can and will be able to testify.

So, I'll have the General Counsel speak --

MS. HANRAHAN: So, this could be a very big group of people that Jack Evans rounds up, and we could all spend the whole day listening to their presentations?

CHAIR BENNETT: No, we are going to limit the amount of time that is available. The special meeting is scheduled for 11:30 to 1:30.

MS. HANRAHAN: And residency is one issue that we're going to take up and there may be other issues, as you say, that may present themselves.

CHAIR BENNETT: I haven't actually looked at -- I mean, residency may be the only issue. But if you have a person in the public

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

that comes up with something that we hadn't heard before, yes, we would --

MS. HANRAHAN: I really did think this was just trying to get a petition through the Board. Actually, this is turning into a trial of somebody. I mean, really. That said, that's enough. I mean, you guys get my point. Thank you.

CHAIR BENNETT: Okay.

MR. SINDRAN: Mr. Chair, the Board's indulgence very briefly, please?

CHAIR BENNETT: Yes, we have some others waiting to speak, but go ahead.

MR. SINDRAN: Again, Ms. Brizill is on tap.

Thank you.

And I want to concur with the young lady that spoke. It clearly appears to be a dilatory tactic on Mr. Evans' part, plain and simple.

But, moreover, with regard to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

proponent's residency, that's a non sequitur. Evans represents the entirety of the city on Finance, on his committees, plain and simple. So, the proponent's residence should be a non-issue. That's a hyper-technical item that's being brought up to blow us people out of the water because we are getting the okey-doke, we the people, and we are being played.

And, you know, Mr. Chair, meeting-in and meeting-out, I've asked about the Evans' matter, and I was told it's on hold; it's this; it's that. Now it's time to bring Mr. Evans to justice and hold him accountable.

If I did what he did, if you did what you do, Ms. Lewis, the rest of you guys, you would be put in prison. Why should Mr. Evans be treated any differently?

Thank you, Mr. Chair.

CHAIR BENNETT: Thank you.

Any other public comments?

Ms. Brizill?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



MS. BRIZILL: Yes. My name is Dorothy Brizill. I am Executive Director of DC Watch. Our address is 1327 Girard Street, Northwest.

I'd like --

CHAIR BENNETT: Can you move the microphone close to you?

MS. BRIZILL: I'd like to raise with the Board a matter that has been troubling to me for some time. And I've actually had conversations with the D.C. Board of Ethics and Government Accountability about it.

And that is, No. 1, first and foremost, the website and the fact that basic information that should be available to the general public is not there or, if it is there, you have to play 20 minutes of hunt and peck to find it.

And the second thing is information that used to be on the website until recently is no longer there. Now let me give you an example

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

of what I'm talking about.

You keep referring to a change in meeting dates for the next meeting and a special meeting of the Board, and you say it will be posted on your website. I challenge you, Mr. Chairman, to go on the Board's website and find where you post notice of the meetings. It is not where it should be under "Community and Outreach". It's not under "News". It's under a section, "About Us," mainly about the Board.

And And there have been cases where it has been posted, the agenda has been posted and notice of the meeting has been posted the day of the meeting. This is not getting better. This is getting worse.

And as I alluded to earlier, I remember when the Board had one person who was in charge of community outreach or public outreach, or the PIO Officer, and they seemed to be able to do their job.

I have looked on the performance

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

documents that the Board of Elections submitted to the Council, and I count at least three individuals who are on the payroll of the Board that have "public affairs" in their title.

I will follow up with Ms. Miller to find out exactly who is supposed to be doing public affairs or community outreach and, more importantly, who is responsible for the website.

On the second issue of the Board's conduct, I will be very straight with you. I have had conversations with the Open Government Office of the Board of Government, BEGA, about the manner in which decisions are made and the public is excluded from knowing the deliberative process of the Board.

My initial reading after informal inquiry is that you are not compliance with D.C. law. I didn't know how best to proceed with this. So, I think what I will do is I will send a formal letter to BEGA, with a copy to you and to Mr. McGhie, and we will take it from there.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Because, as I said, my own saving grace is the fact there is a recording being made of these meetings, and I'll leave it there.

I would like to ask one question, and it has to do with the upcoming special meeting you're going to have. I have been contacted by some individuals on both sides of the recall effort to get some clarification about the recall process. And my first thing was to refer them to the Code and regulations as regards to what the law is as regards recall.

But I also indicated that, if there were any past cases, they needed to review them. And as attorneys, you know that it's one thing to look at the literal reading of the law, but it is also very important to look and see how the laws and the regulations have been interpreted.

And that's why it was very important in the past when past decisions by either the Board and/or Superior Court and/or the Court of Appeals on Board of Elections matters were posted

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

on the website. Those postings are gone, and I don't know why and I don't know when they disappeared.

I recall about a year and a half ago something came up and I had to look on your website to find a case, and I was able to find it. But now, they're not there, and I don't know why they're not there. And I was wondering if Mr. McGhie could enlighten me as regards to why they've been taken down.

MR. MCGHIE: I don't know if they've been taken down. I haven't looked on the website for any cases.

MS. BRIZILL: The only thing that you have on your website under the section "About Us" is you have administrative orders. The only thing you have are administrative orders of the Board of Elections and you have them by number. So, you go back by number. And in many instances, the title of the administrative order is not helpful in terms of a person knowing what

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

the matter is. So, in a particular matter, like yesterday I went through 20-something cases, administrative orders, and I still wasn't able to find what I was looking for.

But, as regards litigation that the Board of Elections has been involved in, whether or not it was at Superior Court or the Court of Appeals, all those cases have been swept off your website.

MR. MCGHIE: Okay. I will look at the website myself and see if the cases have been removed and see if that can be put back onto the website.

MS. BRIZILL: Okay. The other troubling thing is that you would normally think that, if it's not easily found as a title on the home page, that one could do the search function. When you use the search box, they don't come up, either.

MR. MCGHIE: Okay. It's been a while since I've been on the website and looked for a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

case, but I will go and look for the cases and see if they can be put back on.

MS. BRIZILL: Ms. Miller, can you tell me who's in charge or responsible for the website?

MS. MILLER: It's my understanding that the cases may still be there. I'm going to have Ms. Cole get with you or work and try to figure out what it is you're looking for. We can try to figure out if it can be found. Rachel Cole.

MS. BRIZILL: Who is responsible --

MS. MILLER: Rachel Cole.

MS. BRIZILL: Who's responsible on a regular basis for the website?

MS. MILLER: Well, Rachel is our IT Department, if you're looking on the website.

MS. BRIZILL: Well, Rachel is fairly new. So, who did it before? This had to --

MS. MILLER: It's over this year.

MS. BRIZILL: How long has Rachel been

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

here?

MS. MILLER: Over a year.

So, I am going to have her work with you. We had our website redesigned last year. So, maybe that's why some of it is not where it used to be or maybe --

MS. BRIZILL: It's not there. It's not there.

MS. MILLER: I'm understanding that it is. Let me have her work with you to try to help figure out if what you're looking for is really there, but maybe not where it was. That may be a better way to try to figure out if it's there. And if it's not and it needs to be there, we'll get it there.

MEMBER LEWIS: I guess I have a question, Ms. Brizill. When you say "cases," what are you talking about exactly? Are you looking for a complaint or petitions or something else out of the administrative orders?

MS. BRIZILL: There have been matters

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



that have come to this Board and to the Office of Campaign Finance over the years that have resulted in litigation. In some instances, the Board was sued. In some instances, someone sued the Board. Okay?

And those decisions, whether by Superior Court or Court of Appeals, in many instances are groundbreaking decisions because in some instances the Court advised the Board that how they were interpreting the rules and regulations were in error. In one instance that I'm aware of, the Board instructed -- the Court instructed the Board to rewrite the Board because it was not constitutionally sufficient.

MEMBER LEWIS: So, you're asking specifically for case decisions from either Superior Court or Court of Appeals? And you're saying those were previously on the website and you can no longer locate those? Okay.

MS. BRIZILL: Okay. Let me give you an example. This recent issue has come up about

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

an issue, and what have you, this decision raised in the term limits thing, or what have you. I would like to be able to go back and see the exact date when the decision was made by the Board to allow the initial, the first term limits initiative to go on the ballot. Okay?

The way you have your administrative orders set up, they're just by numbers and by dates. So, I have to know in advance the date and the order number. Before, the administrative orders were in categories. So, you had administrative orders regarding recall, administrative orders regarding initiatives, and then, administrative orders regarding campaign finance, and what have you. But now, you have to scroll through hundreds and hundreds of administrative orders that go back years. So, now only are they not there, but the useful manner in which they were put up on the website is not there.

And as you know, it is critical,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

especially for recall people, for whoever, to be able to go and see how the Board has interpreted a particular rule or regulation.

CHAIR BENNETT: We would recognize -- go ahead and identify yourself.

MS. COLE: So, I'm Rachel Cole. I'm the Information Officer for the Board.

Can you hear me?

CHAIR BENNETT: Can you pull it a little closer?

MS. COLE: Sorry. It's my first time up here.

Ms. Brizill, I'm hearing you and I'm just looking at how things are organized on our site under the administrative orders. And I think what you're asking is whether things -- and I don't know if they were in the past because, when I started last March, this site was already in place. But, if it's possible, I can ask our DataNet administrators to try and create a function where we can sort by subject.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

Would that facilitate -- because I know everything is up there by order number and it is identified by subject, so you can see like, for example, the first one up there is challenges to that measure, petitions, recalls. So, would it be more convenient if there was an ability to sort by that?

MS. BRIZILL: You know, I'm all for change, but sometimes change is not the best thing. And I don't understand why the change was made. Not only was the change made in terms of how you post the administrative orders, but, then, someone -- someone; this has not happened by IT or someone else -- someone here had to have made the decision we're not going to post legal decisions in which the Board was a party. So, do you know where those are?

MS. COLE: My understanding from all of the members of the Office of General Counsel is that nothing has changed in terms of the substance of what's on the website. It's all

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

there.

MS. MILLER: And if the General Counsel has information on that, can you all please address Ms. Brizill's question? Because we don't know. So, if you all can answer her, that would be helpful.

MS. BRIZILL: Let me ask you a question.

MS. MILLER: Yes.

MS. BRIZILL: As Executive Director of the Board of Elections, if you --

MS. MILLER: I don't confer with General Counsel's Office.

MS. BRIZILL: No, no, no, no, no. Could I ask my question?

MS. MILLER: Sure.

MS. BRIZILL: If a decision was made to redesign the website, would you have had to approve that redesign?

MS. MILLER: I didn't look at the General Counsel's --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MS. BRIZILL: No, no.

MS. MILLER: I was not told that the General Counsel -- the General Counsel approves their own portion of that redesign.

MS. BRIZILL: So, you would have had to approve the redesign of the website where you had to literally do a hunt and peck to find whether or not there's a meeting of the Board and what that agenda is. Do you know where on your website you find that? Because I've asked three people this morning, could they show me on the website where the meeting notice for the Board of Elections is? And they couldn't find it. They said, "You know what we do? We call." That's not the way it's supposed to be. That's not the way the open meetings law provides.

MS. MILLER: Okay.

MS. COLE: It is actually on the home page under "Upcoming Events". It says, "Regular Board Meeting".

MS. BRIZILL: Now it is --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MS. COLE: No, it's consistently been there.

CHAIR BENNETT: Ms. Brizill, is there anything else?

Mr. McGann, would you -- because I don't think we're going to -- this is kind of getting beyond what the meeting's purpose is. So, if we could just kind of close out what your view is on that?

And, Ms. Brizill, we're happy to try here and respond according to your issues with our website.

Mr. McGann?

MR. MCGANN: Yes. Good morning. Rudolph McGann, Staff Attorney with the Board of Elections.

Ms. Brizill, the case in the past was that all administrative orders were listed by number as well. There was no search function with respect to looking at administrative orders in the past. Now that could probably be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

incorporated, but, logistically, that would mean that we wouldn't be able to use PDFs or we would have to retype them in PDF form and save them from a Word document, so that you could actually access the text in the document, so that you could search by text.

Now, with respect to the cases, litigation matters, we have had briefly cases in the past that were high-profile cases, such as the ones that you were involved in with respect to the Mayor and having the order from the Court with respect to the Mayor in that case. But, typically, we didn't have litigation on the website.

MS. BRIZILL: Let me just say this, and there's some people in the room who have known me a very long time and know my husband. I am a recordkeeper. And to substantiate what I'm saying, and to show that your recollection of the website is not right, I drove my husband to a friend's because I print out everything. And I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



will print out pages of the Board of Elections' website pages in which, even for administrative orders, there used to be categories. Okay? And then, you would list the order under this, and you would be able to tell what cases, what administrative orders pertained to what subject matter. Okay.

With regard to cases, there are historical cases. The funny thing is there hasn't been that many cases really, then, from the Superior Court or the Court of Appeals. But they were on the website. And so, don't give the impression that they were only the famous cases because some of the cases I was involved in I can't find on the website. And they were readily there, and I don't --

MR. MCGANN: Ms. Brizill, Ms. Brizill, if I may?

MS. BRIZILL: Uh-hum.

MR. MCGANN: Exactly, the cases that you were involved with, the cases with like video

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

lottery terminal slots, the Anthony Williams case, those are the cases that were published on the website because of the public interest in the outcomes of those cases. But, generally, litigation was never posted on the website. You may have gotten an order of a popular case that had garnered popular interest. As I have said, I can name three off the bat, the video lottery terminal, both instances of that, as well as the case of the Mayor Anthony Williams. But other cases beyond that --

MS. BRIZILL: Mr. Chairman, Mr. Chairman --

MR. MCGANN: I'm just wanting to finish. But other cases beyond that, Ms. Brizill, with all due respect, were never put on the website.

MS. BRIZILL: I have no reason to fabricate something like this.

MR. MCGANN: And I --

MS. BRIZILL: Moreover, let me try to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

impress upon you how important this is. As I said, you have a special meeting set, scheduled to consider recall. I think it would be useful for parties involved, interested parties, what have you, to see what recall issues have come to the Board before, and if, in fact, they have been decided and an order issued or they have gone to court and a decision issued. Okay?

You cannot readily do that. Okay? I'm not saying that, if I go through 100 or more administrative orders, I won't find something. But it used to be able -- it used to be user-friendly.

Let me end by saying this: one of the most contentious issues in D.C., and, indeed, something that I think might eventually tear the city apart, are issues regarding zoning. Okay? Yes, the Board of Zoning issues orders and has a comprehensive plan. Yes, the Office of Planning can tell you what the zoning regs say, and DCRA can issue you a permit based upon those.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

But there are exceptions and variances that you can get as a homeowner to the stated letter of the law in zoning. The only way you know the wiggle room you might have is by knowing what past decisions have been made by the Board of Zoning and the Zoning Commission.

And you say, well, how do I know that? Well, everyone will tell you, you need to know the cases. There was a case in Northeast, a case here, and there are certain cases, yes, that are very famous, and what have you.

And then, you find out, yes, it's in the archives of the Zoning Office. You can go and review their records and 500-some-odd cases. But there is one law firm in D.C. -- there's one law firm in D.C. -- that has a copy of every single decision the Zoning Administrator has made, every single decision the Zoning Commission has made. Okay?

That puts citizens and community groups at tremendous disadvantage because we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

don't know what the latitude is in the zoning regs. I use that to apply to the Elections Board. Yes, there are a few of us, Debby and myself, who have been around a while and will say, "Well, I seem to recall this," and what have you. But it was very useful to be able to go and say, "This is the case." If the full case is not up there, you can go to the Court of Appeals because you have the case number. I cannot stress how important this is.

Thank you.

CHAIR BENNETT: Thank you.

Any other public matters?

(No response.)

We'll look to have you guys work through that matter.

Any other public matters?

(No response.)

That's it. The meeting is -- yes, ma'am?

MS. MILLER: Just one more today.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

CHAIR BENNETT: Okay. Yes.

MS. MILLER: I did want to put on the record that we, unfortunately, lost another member of our staff on Easter Sunday. Bulinda Steinbeck, who began working with us in 2008 died of cancer. She just actually recently formally retired in January of 2019. She struggled with cancer for the past five years. She worked with the Procurement, a division of the agency. We were able to get her to do just about anything that we needed to do. She was a very hard worker. Her funeral services will held on Friday, and I'm sure many members of the staff will be in attendance at her funeral. I just wanted to put that on the record.

And condolences from all of us to her family as well.

CHAIR BENNETT: Certainly, condolences to the entire staff who knew her and worked with her, and also to her family.

So, thank you very much.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

This meeting is hereby adjourned.

(Whereupon, at 12:52 p.m., the meeting  
was adjourned.)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701