

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY,  
JANUARY 12, 2022

+ + + + +

The District of Columbia Board of Elections convened via Video-teleconference, pursuant to notice, at 10:30 a.m. EST, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair  
MIKE GILL, Member  
KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Director  
TERRI STROUD, General Counsel  
CECILY COLLIER-MONTGOMERY, Office of

Campaign Finance  
WILLIAM SANFORD, General Counsel

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

2 (10:42 a.m.)

3 CHAIR THOMPSON: Good morning,  
4 everybody. Hello. My name is Gary Thompson. I  
5 am the new Chair of the Board of Elections, and  
6 I'm really, really pleased and excited to be  
7 here. It's now 10:42 a.m. on January 12th, and  
8 I'd like to call this meeting to order.

9 The meeting is being recorded here on  
10 Zoom, and I believe we also have a court reporter  
11 present. Is that right? Looks like it.

12 And, you know, especially welcome to  
13 all of you, the members of the public who are  
14 here for today's meeting.

15 I'll make a brief opening introductory  
16 statement, but first let me make sure we do have  
17 a quorum. Let me make sure first we have a  
18 quorum. If two other members of the Board could  
19 please introduce themselves and make sure we're  
20 all present.

21 Mike, you're unmuted. Mike Gill.

22 MEMBER GILL: It looks like Karyn is

1 on mute. So this is Mike Gill, and I am present  
2 through video.

3 CHAIR THOMPSON: All right. Karyn?  
4 Trying to unmute. She is here, we can see.

5 MEMBER GREENFIELD: Okay. Sorry. It  
6 wouldn't let me unmute myself. I'm here.

7 CHAIR THOMPSON: Okay. So we have --  
8 we're three for three. We have a full quorum. I  
9 think it has been several months with Mike Gill  
10 and Karyn Greenfield conducting these meetings.  
11 So, first, thank you so much for steering the  
12 Board along through the last several months. I  
13 think you've been taking turns cheering.

14 You know, in terms of my opening  
15 statement, I'll be brief, you know, and start by  
16 thanking Mayor Bowser for nominating me. A  
17 couple months ago, one day I was mowing my grass  
18 and I got a call from someone asking if I would  
19 be interested. And, you know, I was interested  
20 and I started to read, and the more I read and  
21 the more I got up to speed, the more I felt like  
22 I could make a contribution here.

1           I also want to thank the D.C. Council  
2 for their consent to the nomination, especially  
3 Charles Allen and his staff, through their  
4 Committee on the Judiciary that, you know, led  
5 the vetting and talked to me about the process.

6           So, you know, thank you to all of  
7 them, and especially thank you to Executive  
8 Director Monica Holman Evans and General Counsel  
9 Terri Stroud for welcoming me, getting me  
10 information, helping me get up to speed, and also  
11 to Alice Miller and Cecily Collier-Montgomery,  
12 and a whole lot of other people for taking some  
13 time to chat with me and help me make sure I knew  
14 what I was getting into. I think I do.

15           And, you know, in terms of the  
16 substance of what we do on the Board of  
17 Elections, you know, I'm really -- really, I'd  
18 like to contribute to the mission, and I like  
19 mission statements and I think we've got a good  
20 one, which is to enfranchise eligible residents,  
21 conduct elections, and ensure the integrity of  
22 the electoral process.

1                   And a whole lot of detail to that, a  
2 whole lot of laws and regulations, but I always  
3 try to keep in mind, you know, the broader  
4 mission. I've done a lot of reading about  
5 elections lately. There's a lot in the news,  
6 especially this week, about the election process  
7 all across the country.

8                   And it's interesting to read about,  
9 but what I've learned preparing for this and  
10 moving forward is, you know, in D.C., we've got  
11 an excellent set of values about our elections.  
12 I think what we share in common is -- and this is  
13 something that is my philosophy, is we want to  
14 register as many voters as possible.

15                   We want to engage in as much outreach  
16 as possible, fulfill the voter registration rolls  
17 with the highest percentage that we can obtain of  
18 eligible voters to get out and vote. And that  
19 starts all the way down at the high school level  
20 with pre-registration, you know, and through --  
21 anybody that moves to D.C. is welcome. We want  
22 them to register immediately. That's a fabulous

1 effort.

2 And then, once people are registered,  
3 we want to make it as easy as possible for  
4 everybody who is eligible to vote, and to do that  
5 through as many reasonable and practical means as  
6 possible, whether that includes in-person voting,  
7 early voting, absentee voting, mailed ballots.  
8 All of the above is my own philosophy, and I am  
9 pleased to see that's really where we are in D.C.

10 And, you know, thanks to the BOE's  
11 staff, led by Executive Director Monica Holman  
12 Evans, you know, we are at the forefront of  
13 election agencies around the country in that  
14 regard.

15 Our news is we support the vote, we  
16 cherish the vote, we expand the vote, and we want  
17 to keep the doors as wide open as possible for  
18 everyone to vote. And I think maybe today more  
19 than ever that stands in contrast with what's  
20 happening in other parts of the country.

21 But I'm not so concerned about right  
22 now -- I mean, what's happening in other parts of

1 the country and at the federal level will work  
2 itself out, but here in our city, you know, we  
3 are treating -- we are respecting the vote, and  
4 that's our mission.

5 You know, there's a lot of detail to  
6 that. There's quite a lot to work out at the  
7 forefront, the vanguard, which is where we are,  
8 on how we get through changes. There's a lot of  
9 changes.

10 You know, in my 30-something years in  
11 the District I've seen all of those changes. You  
12 know, once upon a time, you could only vote on  
13 one day, and you had to go there to your  
14 precinct, and only that precinct, and fill out a  
15 ballot by hand. So, you know, I've seen all of  
16 those changes in my adult life as a D.C. voter,  
17 and I'm really excited about where we are now.

18 And I'm really excited to dive in and  
19 talk about how we can continue to make the vote  
20 accessible to everybody through as many means as  
21 possible, physically through language barriers.  
22 Whatever the barriers are, we want to shatter the



1 barriers, eliminate the barriers, and keep the  
2 vote open.

3 So those are my introductory comments,  
4 just to kind of start to give people a sense of  
5 who I am and what is my philosophy.

6 I'm also a lawyer. I'm very driven by  
7 laws and regulations and very process-oriented.  
8 So I have a high degree of respect for our  
9 parameters as a Board, what the D.C. election  
10 laws and regulations tell us we can and can't do,  
11 or where we have discretion what is our process,  
12 including the adjudicatory functions.

13 I will always have a high degree of  
14 respect for that process, those procedures, and,  
15 you know, how we should conduct ourselves.

16 But with that introduction, I guess  
17 we'll dive in. And I guess my first sort of  
18 formal motion as a Board member, a very  
19 unexciting one, is to adopt the minutes from the  
20 last meeting. Always the first agenda item at  
21 any meeting.

22 MEMBER GILL: I'll second.

1                   CHAIR THOMPSON: Okay. And we've all  
2 received a copy of those minutes from the  
3 December 8th, 2021, meeting that cites what  
4 happened at the meeting and the Director's  
5 reports. I'm going to abstain I guess because I  
6 wasn't at the meeting, which is appropriate for  
7 me to do.

8                   But the motion having been made and  
9 seconded, all in favor of adopting those minutes?

10                   (Chorus of ayes.)

11                   CHAIR THOMPSON: Okay. That's two in  
12 favor and one abstention. The minutes passed.

13                   All right. Let see, so next -- before  
14 we get to Director's report, I think it's time  
15 for Board matters. So, I guess Board matters,  
16 here at the outset of the meeting, is, you know,  
17 an opportunity for Board members to comment on  
18 pending matters.

19                   MEMBER GREENFIELD: Mr. Thompson, I'm  
20 sorry to interrupt, but we have the matter of the  
21 adoption of the agenda.

22                   CHAIR THOMPSON: Oh, I -- okay.

1       Excellent point. We've all received an agenda,  
2       pretty straightforward. Obviously, everything I  
3       just mentioned, including Board matters, and then  
4       reports from the Executive Director, the General  
5       Counsel, and Campaign Finance report, from  
6       Director Collier-Montgomery, and then public  
7       matters.

8                     I would move the agenda.

9                     MEMBER GREENFIELD: I second.

10                    CHAIR THOMPSON: All in favor?

11                    (Chorus of ayes.)

12                    CHAIR THOMPSON: And I'll just say  
13       that there is a segment after the -- after the  
14       Director's reports for public comment, and I want  
15       to say how important that is.

16                    I see there's a number of people here  
17       by Zoom. Thank you again for attending. We want  
18       to hear from you. We want public comment. It's  
19       highly valued. And, you know, I would love it if  
20       attendance at BOE meetings went up. We want more  
21       public participation, more public comment, and I  
22       promise that we'll -- you know, we'll always

1 listen and take that into account, and it will  
2 impact our thinking, our decisions, and any --  
3 subject to review the next agenda as well, if  
4 something comes up that, you know, is obvious  
5 that should be addressed at the Board level.

6 So with that, turning to Board  
7 matters, I -- it's my first meeting. I don't  
8 have any -- anything to add, so I guess I'll turn  
9 to Mike Gill for any comments he would like to  
10 make.

11 MEMBER GILL: Thanks, Gary, and  
12 welcome. You're -- we're excited to have you  
13 here. We're exciting to have a Chairman. We're  
14 excited to turn over the duties of running the  
15 minutes and everything else to you.

16 And I will just echo your comments.  
17 It is a really great staff. It's a great agency.  
18 Tremendous strides have been made over the last  
19 couple of years in all of the areas in terms of  
20 voter outreach and getting more folks, you know,  
21 the ability to register and to get out and vote.  
22 So really good news there.

1           So segueing -- and my Board matters  
2           is I want to make a comment for the minutes in  
3           terms of the mail voting. And Terri will get the  
4           nomenclature correct, but it's my understanding  
5           that through the Mayor's Contingency Fund we have  
6           received the funding that was requested last year  
7           in testimony for conducting mail voting.

8           My concern, for the record, is I think  
9           that this decision really should come from either  
10          public referendum initiative or through the  
11          Council and the Mayor and not through simply a  
12          request for funding that has been -- that has  
13          been basically accepted and granted by the  
14          Council and the Mayor.

15          I feel like it's on them as the  
16          elected officials to sort of weigh in on these  
17          changes. And so I don't like the way we've come  
18          to mail voting, but I want to separate -- I don't  
19          like the way we've come to it from the success we  
20          had. And it was very popular; it worked very,  
21          very well. The states that do this and have been  
22          doing it for a while have seen increases in voter

1 participation, which is all good, and I support  
2 all that.

3 I'm just concerned that we haven't had  
4 any sort of, you know, affirmative action from  
5 the Council and the Mayor to support what is  
6 going on in terms of mail voting. And I think  
7 that, in the end, we're going to wish we had  
8 that.

9 I know there is a bill that is making  
10 its way through the Council. I don't know if --  
11 I don't think it's necessary, but they obviously  
12 have proposed it. What I think is necessarily is  
13 the -- you know, some sort of public input that  
14 shows that we are expanding the system.

15 And so that's all I want to say for  
16 Board matters.

17 MEMBER GREENFIELD: Okay. First of  
18 all, welcome, Gary. Thank you. I think Mike and  
19 I were going to try to figure out how we could  
20 continue on when it was just the two of us. I  
21 also want to thank Mike for working with me as we  
22 tag teamed chairing the meetings and getting

1 everything done until we actually got a Chair and  
2 a third person, because this is a very small  
3 Board meeting.

4 I am very supportive of mail voting.  
5 It does make a lot of things easier, and  
6 especially not just for people who travel or move  
7 but also for seniors. And I think we do need to  
8 have some further discussions.

9 I'm not necessarily sure whether a  
10 bill or litigation -- not litigation --  
11 legislation is required. I want to make it clear  
12 that the Board does have the authority to do  
13 this, and we do want to make sure, though, that  
14 we're transparent and that we communicate out to  
15 everybody, to the public, and I think they've  
16 done it.

17 They've had some town halls, but we  
18 need to continue to do that, not just on mail  
19 voting but how we're going to run the election  
20 the next time. And I know the Board is putting  
21 together their plan and making sure everybody is  
22 aware.

1           The goal at the end of the day is what  
2           you've talked about, Gary, is to make it easy for  
3           everyone to vote however they decide or that they  
4           need to vote, but also making sure we maintain  
5           the integrity of our system overall and the trust  
6           in our system.

7           And I think the team did a very good  
8           job last year, especially in November where we  
9           had to -- we didn't have a lot of time to make  
10          some decisions on how we were going to do things,  
11          and it did end up working out very well.

12          So that's all I have to say.

13          MEMBER GILL: Looks like Gary has been  
14          muted.

15          MEMBER GREENFIELD: Oh.

16          MEMBER GILL: Someone muted him.

17          MEMBER GREENFIELD: Yeah.

18          MEMBER GILL: I guess I'll also -- for  
19          Board matters --

20          MEMBER GREENFIELD: There he is.

21          MEMBER GILL: -- I look forward to us  
22          doing this in person.



1                   MEMBER GREENFIELD: Yeah. Me, too.

2                   CHAIR THOMPSON: Thank you. I didn't  
3 realize once you mute you can't unmute yourself.  
4 That's a good rule with a lot of participants.  
5 Especially if we have a lot more in the future,  
6 it will be important.

7                   So, yeah, thank you. You know, we're  
8 still in the middle of a pandemic, obviously,  
9 and, you know, that was a fabulous development  
10 last fall for the mailed ballots to be issued.  
11 And there seems to be a strong sense of support  
12 for that to continue. In fact, as mentioned, the  
13 D.C. Council has a pending bill that would make  
14 that requirement, not just discretionary on the  
15 BOE's part but required going forward.

16                   And, you know, as always, we welcome  
17 D.C. Council guidance and direction. If that  
18 bill passes, among other measures in it, it makes  
19 the BOE's job easier because there is a clear,  
20 unmistakable set of directions from the Council  
21 about what we must do.

22                   In the meantime, in the realm of

1 discretion, it appears to me from my review that  
2 BOE has the discretion to proceed with mailed  
3 ballots, but, you know, we'll watch that  
4 legislation closely that I think Council Member  
5 Allen is sponsoring, see if it moves along.

6 But otherwise, if it doesn't move  
7 along, be prepared to put out amongst ourselves  
8 what is our discretion and how we -- how should  
9 we exercise it to achieve the broader mission  
10 that Karyn underscored.

11 Okay. Any other Board matters that,  
12 Mike or Karyn, you want to raise, or should we  
13 proceed with reports?

14 Okay. Yeah. Moving on, then, to the  
15 Executive Director's report from Director Holman  
16 Evans from the BOE. Please proceed.

17 MS. HOLMAN EVANS: Thank you, and good  
18 morning. Before I begin, I would like to  
19 officially welcome our new Board Chair, Gary  
20 Thompson. We are very excited you're on board.  
21 Looking forward to working with you.

22 At this point, I can just say buckle

1 up because I think we're in store for a very  
2 exciting election season. So, again, welcome.

3 I will begin with BOE operations and  
4 just note that due to the recent COVID surge we  
5 have had to modify our operating status. Until  
6 further notice, our offices are open by  
7 appointment only, and this will help us limit the  
8 number of people in our office at any given time.

9 Petition pickup begins January 28th,  
10 and in addition to scheduling an appointment,  
11 petitions will also be available online.  
12 Appointments can be made by calling our main  
13 number, (202) 727-2525.

14 As far as our Voter Focus voter  
15 registration system, we are still tweaking the  
16 new system and identifying enhancements. Even  
17 though Voter Focus is fully operational, the  
18 Integrity system is still functioning to allow us  
19 to conduct parallel testing and reviews to ensure  
20 Voter Focus is producing accurate data and  
21 reports.

22 We plan to maintain the Integrity

1 system through the end of March just to ensure  
2 that there are no glitches, but to date all  
3 testing has yielded correct information.

4 Voter outreach. During the month of  
5 December, the Voter Education and Outreach  
6 Division participated in many outreach events on  
7 behalf of the agency. Overall, we participated  
8 in 12 formal outreach events, and five of these  
9 events were held in Wards 7 and 8.

10 Vote registration. We are currently  
11 processing new registrations in Voter Focus and  
12 producing registration reports. In December, we  
13 registered 2,877 new voters and processed 3,392  
14 address changes. In total, we mailed 6,269 voter  
15 cards.

16 Election worker training. We are  
17 currently working with our vendor to develop  
18 content for our online training component for  
19 election workers. The vendor was onsite during  
20 the month of December. The online training will  
21 complement the mandatory four-hour in-person  
22 training class.

1           As previously mentioned, online  
2 training component will be available for any  
3 election worker as a refresher to the in-person  
4 training.

5           Elections Modernization Amendment Act  
6 of 2021. On January 6th, I testified at a  
7 hearing for the Elections Modernization Act. The  
8 legislation introduced by Council Member Allen is  
9 co-sponsored by a majority of the Council.

10           As quoted in the introductory letter  
11 to the legislation, and I do quote, "In 2020, the  
12 District navigated many unprecedented challenges  
13 created by the COVID-19 pandemic, including  
14 safely ensuring access to the polls.

15           "The Board of Elections, or Board,  
16 pivoted to offer innovative, hybrid, mail-in and  
17 in-person elections, which entailed sending  
18 voters mail-in ballots using ballot drop boxes  
19 and making in-person voting available during  
20 early voting and on election day at vote centers.  
21 Polling places opened to voters regardless of  
22 their residential precinct.

1                   "And due to these approaches, the  
2 District was able to hold safe and secure  
3 elections during the public health emergency.  
4 This legislation would make the most successful  
5 approaches from the 2020 election cycle  
6 permanent. Most importantly, the bill requires  
7 the Board to mail every voter a mail-in ballot  
8 with a postage-paid envelope and provide an  
9 alternative for voters with disabilities."

10                   As usual, we take no position on  
11 specific legislation. However, I did provide a  
12 commentary regarding the impact the legislation  
13 would have on the Board.

14                   As you can see, the Board's actions  
15 are aligned with what we have received from the  
16 Council and the public. We also held town hall  
17 meetings to ascertain the pleasure of voters, and  
18 we continue to move forward with complete  
19 transparency.

20                   And that concludes my report.

21                   CHAIR THOMPSON: All right. Thank you  
22 so much. Anybody have any questions from the

1 Board? Mike or Karyn?

2 Okay. General Counsel, Terri Stroud.

3 MS. STROUD: Good morning, everyone.

4 Good morning, Board members, fellow staff  
5 members, the public. And welcome, Chairman  
6 Thompson.

7 I just want to state for the record  
8 that, you know, we met with him initially when he  
9 came to visit our offices, and, you know, we  
10 thought that we were going to be informing Gary  
11 about our programs and stuff, and talk a little  
12 about the law.

13 And he came in with a binder with the  
14 statute and the regulations all tabbed, ready to  
15 go. So welcome, Gary, and I look forward to  
16 working with you. This is the infamous binder.

17 Okay. So the only item I have on my  
18 agenda is litigation status. The Board has three  
19 active cases. Long versus the D.C. Board of  
20 Elections. This matter was filed in D.C.  
21 Superior Court, and it's a civil complaint.

22 CHAIR THOMPSON: Terri, I think we

1 lost you.

2 MS. STROUD: Hello? Okay.

3 CHAIR THOMPSON: Now you're back.

4 MS. STROUD: I'll start -- I hope  
5 everyone heard the wonderful things I said about  
6 our Chair. No?

7 CHAIR THOMPSON: No.

8 MS. STROUD: Okay. Long v. Board, the  
9 matter was filed in D.C. Superior Court. The  
10 plaintiff claims negligence and unjust enrichment  
11 and alleges that the Board issued a check without  
12 informing him not to deposit it, then had payment  
13 of the check stopped, causing him to have a  
14 negative balance and a returned check fee.

15 The Office of Finance and Resource  
16 Management was responsible for the issuing of  
17 poll worker checks, and so the Board is being  
18 represented by the Office of the Attorney  
19 General, which represents OFRM.

20 The matter -- there was an initial  
21 hearing in the matter in August of 2021, and that  
22 matter has been continued to February of this



1 year.

2           The second matter is Henderson versus  
3 the Board. Kathy Henderson filed a recall  
4 petition against Seidel Moore, Advisory  
5 Neighborhood Commissioner for Single Member  
6 District 5D05. The petition was rejected  
7 pursuant to a Board order due to an insufficient  
8 number of signatures, and Ms. Henderson has  
9 appealed the matter to the D.C. Court of Appeals,  
10 and we are awaiting a briefing schedule in this  
11 matter.

12           The final matter is Public Interest  
13 Legal Foundation, or PILF, versus Monica Evans in  
14 her official capacity as the Executive Director  
15 of the Board. This matter was filed in the  
16 District's Federal District Court under the  
17 National Voter Registration Act.

18           The suit alleges that the Board's  
19 decision not to release requested documents  
20 violates the National Voter Registration Act's  
21 public records disclosure provision. The Board  
22 is being assisted by the Office of Attorney

1 General, and the responsive pleading, which we  
2 are jointly working on, is due on February 4th of  
3 this year.

4 And that concludes the litigation  
5 status and my report. I am happy to answer any  
6 questions the Board may have.

7 CHAIR THOMPSON: Okay. Hearing no  
8 questions, before we turn to Campaign Finance  
9 report, you know, I just want to say -- and I  
10 said this to Director Cecily Collier-Montgomery,  
11 you know, I read in great detail about the new  
12 federal elections program, and it's just so  
13 impressive how it is coming together. This is no  
14 small task.

15 You know, I know we've been through  
16 one election cycle with it, and we're now in our  
17 second election cycle. Everything I read, as  
18 kind of a newcomer to understanding the program,  
19 I thought all the materials were really clear.  
20 If I were a candidate, I think I would know  
21 exactly what to do to utilize the program.

22 I mean, obviously, candidates can

1 choose between traditional financing and the fair  
2 elections program, but the new publicly financed  
3 program is, you know, another one of those things  
4 that puts us in D.C. on, you know, the cutting  
5 edge of supporting elections.

6 And it's really exciting to see it  
7 unfold. It's exciting to see more candidates  
8 choose to utilize the funding and the logistics  
9 of exactly how that happens, what's your source  
10 money, what's your match money, what have you got  
11 to do to -- to harness, and I -- you know, it's  
12 not -- it's not simple, but it seems pretty  
13 straightforward, and it's really -- it really is  
14 remarkable how it's kind of -- it's almost  
15 quietly happening.

16 But, you know, I just wanted to  
17 emphasize what an achievement to watch this  
18 program take off down here in what's going to be  
19 a pretty busy year. So I wanted to start by  
20 paying my compliments to the whole campaign, you  
21 know, finance team that I know has been working  
22 so hard to put that together.

1                   So with that compliment, I guess we'll  
2                   turn to Cecily Collier-Montgomery for her report.

3                   MS. COLLIER-MONTGOMERY: Thank you.  
4                   Again, good morning, and also I would echo the  
5                   remarks of Terri Stroud as well as of Monica  
6                   Evans and welcome you to the Board of Elections,  
7                   Mr. Chairman, and the Office of Campaign Finance  
8                   looks forward to working with you.

9                   In the Office of Campaign Finance,  
10                  during the month of December 2021, I would report  
11                  that the office continues with its outreach  
12                  community program, that the office on  
13                  December 15th, 2021, accompanied the Board at the  
14                  23rd Annual Senior Holiday Celebration at the  
15                  Walter E. Washington Convention Center.

16                  The Board held a voter registration  
17                  event on that date, and gave, of course, the  
18                  Office of Campaign Finance the opportunity to  
19                  distribute information on the traditional  
20                  campaign finance program as well as on the fair  
21                  elections program.

22                  In our Fair Elections Program Division

1 during the month of December 2021, before I start  
2 again, I would indicate for members of the public  
3 that the 2020 election cycle was the first  
4 election cycle during which the fair elections  
5 program was fully implemented, that the total sum  
6 of \$4,016,797.64 was disbursed from the fair  
7 elections fund in base amount, and also in  
8 matching payment to the 36 candidates who were  
9 certified to participate in the program during  
10 the primary election in June 2021, the special  
11 election also held in June 2021, and in the  
12 November 3rd, 2020, general election.

13 As of this date, during the 2022  
14 election cycle, the total sum of \$5,279,142.05  
15 has been authorized for disbursement from the  
16 fund, again, base amount, and matching payment to  
17 the 12 candidates who have been certified to  
18 participate in the June 21st, 2022, primary  
19 election.

20 As of this date, during the month of  
21 December 2021, the agency certified three new  
22 candidates in the fair elections program and made

1 several payments from the program to candidates  
2 who were previously certified.

3 First, the agency certified on  
4 December 20th, 2021, Muriel Bowser, reelect  
5 Muriel Bowser our Mayor 2022, as a participating  
6 candidate in the fair elections program in the  
7 June 2022 primary election for the covered office  
8 of Mayor.

9 The sums of \$1,855,130 and matching  
10 payment, and 80,000 for the base amount, which  
11 was basically the amount to the first one-half of  
12 the authorized 160,000, which is provided for in  
13 the Fair Elections Act for contested offices of  
14 the Mayor with respect to the base amount payment  
15 for this covered office.

16 Also, second, Vincent Orange, Ward 5,  
17 the candidate was certified on December 21st,  
18 2021, and the fair elections program has  
19 participating candidate in the June 2022 primary  
20 election for the covered office of member of the  
21 Council for Ward 5, and the sums of \$47,110.30  
22 and matching payment, and 20,000 for the base

1 amount -- again, that equals the first one-half  
2 of the authorized 40,000 which is allowed for  
3 this office under the Fair Elections Act -- were  
4 authorized for disbursement.

5 The third candidate who was certified  
6 for the program was Bradley Thomas, Bradley  
7 Thomas for D.C. Council 2022. The candidate was  
8 certified on December 21st as a participating  
9 candidate in the June '22 primary election for  
10 the covered office of member of the Council at  
11 large, and the sums of \$75,945 and matching  
12 payments, and 20,000 for the base amount for this  
13 covered office were authorized for disbursement.

14 Again, the office also made several  
15 recommendations for disbursement of the public  
16 funds to candidates who were previously  
17 certified, and those payments are listed in our  
18 report, and the report will be posted at the OCS  
19 website before the close of business today.

20 Again, I would mention to the members  
21 of the public that as of December 31, 2021, the  
22 sum of \$140,686.88 has been remitted for deposit

1 in the fair elections fund from the campaign  
2 operations of candidates who participated in the  
3 2020 election cycle and in the June 2020 special  
4 election.

5 There are currently 34 post-election  
6 audits which are ongoing in the fair elections  
7 program, and those audits at this point are at  
8 varying stages, including the audit documentation  
9 has been received and the audit is in progress.  
10 The audit is complete, and the preliminary  
11 statement of findings has issued, an oral  
12 response was received and is under review by the  
13 audit manager, or there has been a failure a  
14 submit documentation and the matter has been  
15 referred to the Office of the General Counsel.

16 Again, with respect to the 34 audits,  
17 the status of the audits is listed in the report,  
18 and that will be available for members of the  
19 public at the close of business today. I would  
20 also indicate that with the primary election, the  
21 Fair Elections Program Division initiated  
22 14 audits of the candidates who participated in



1 that election.

2 With the June 16th, 2020, special  
3 election, the Fair Elections Program Division  
4 initiated four audits of the candidates who  
5 participated in that election. And with the  
6 November 3rd, 2021, general election, the fair  
7 elections programs initiated 20 audits of the  
8 candidates who participated in that program.

9 Also, in the fair elections program,  
10 during the month of December, the branch  
11 conducted 42 desk reviews of the December 10th  
12 reports of receipts and expenditures as well as  
13 amended reports of receipts and expenditures  
14 which were filed with the Office of Campaign  
15 Finance.

16 In our Public Information and Records  
17 Management Division, during the month of December  
18 2021, there were four filing dates. The first  
19 one, the filing deadline for legal defense  
20 committees -- and that was the 22nd report of  
21 receipts and expenditures, which was due on  
22 Wednesday, December 1st, 2021.

1                   There was one required filer, and the  
2                   filer timely filed.

3                   December 10th was the deadline for the  
4                   filing of the report of receipts and expenditures  
5                   by our principal campaign committee and also our  
6                   political action committees. There were 57  
7                   required filers; 54 timely filed. Two requested  
8                   extensions, which were granted, and three failed  
9                   to file.

10                   There were three referrals to the  
11                   Office of the General Counsel. With our  
12                   independent expenditure committee, December 10th  
13                   was the deadline for the filing of their report  
14                   of receipts and expenditures. There were three  
15                   requiring filers, and all timely filed.

16                   In our fair elections program, with  
17                   our principal campaign committee, December 10th  
18                   was the filing deadline for filing of their  
19                   report of receipts and expenditures. There were  
20                   25 required filers, and 25 timely filed. We also  
21                   had 16 requests for extension, and the requests  
22                   for extensions were granted.

1           Again, there were three referrals to  
2           the Office of the General Counsel for failure to  
3           file the December 10th report of receipts and  
4           expenditures. The first was of a principal  
5           campaign committee, Oye for U.S. Representative  
6           2022, Adeoye Owolewa Treasurer, with the  
7           political action committees.

8           There were two referrals: Capital  
9           Stonewall Democrats, Derrick Campbell, Treasurer;  
10          D.C. Libertarian Party, Ethan Bishop, Treasurer.

11          With respect to new candidates and  
12          committees who have registered to participate in  
13          the 2022 election cycle, as of this time -- as of  
14          this date rather -- there are 13 candidates and  
15          committees who have registered in the judicial  
16          program to participate in the 2022 election  
17          cycle. Newly registered during the month of  
18          December is Lori Furstenberg for the Office of  
19          Mayor, who registered on December 3rd, 2021.

20          In our fair elections program, there  
21          are currently 28 candidates who have registered  
22          seeking to participate in the program. During

1 the month of December, there were six newly  
2 registered candidates as follows: Sabel Harris  
3 for Council, Ward 1, who registered on  
4 December 2nd; Guiseppe Niosi, who registered for  
5 Council at large on December 2nd; Andrew Davis,  
6 who registered for the Office of Mayor on  
7 December 3rd; Gary Johnson registered on  
8 December 8th for Council, Ward 5; Brian Schwalb,  
9 who registered on December 13th for the office of  
10 Attorney General; Ambrose Lane, who registered on  
11 December 16th for the office of Council at large.

12 We currently have three initiative  
13 committees who are -- which are registered with  
14 the office, but there were no new registrations  
15 during the month of December.

16 Also, during the month of December,  
17 the office reports that 14 candidates registered  
18 -- 14 candidates and treasurers who are newly  
19 registered have completed the OCS entrance  
20 conference presentation for the month of  
21 December.

22 And the names of those candidates and

1       treasurers, again, are listed in our report, and  
2       the report will be made available before the  
3       close of business on today's date.

4                 In our Reports Analysis and Audit  
5       Division -- and that is the traditional campaign  
6       finance program -- during the month of December,  
7       the Audit Branch conducted 58 desk reviews of  
8       reports of receipts and expenditures which have  
9       been filed with the agency.

10                There were no audits which were issued  
11       during the month of December. There are three  
12       ongoing audits in the traditional Audit Branch.  
13       Two are on new -- newly elected officials, and  
14       these are full field audits. The first is Brooke  
15       Pinto for Ward 2, and with that particular full  
16       field audit the audit report is being prepared.

17                And, in fact, the audit report was  
18       issued on January 5th, 2022. The audit report  
19       was a full compliance audit. And with respect to  
20       that audit, it is available at our website for  
21       review by members of the public. The second is  
22       Jacque for D.C. at large, State Board of

1 Education. With respect to that field audit, the  
2 preliminary draft audit report was issued on  
3 November 30th, 2021, and the committee's response  
4 was due on December 30th, 2021.

5 With our constituent service program,  
6 there is an ongoing periodic random audit of the  
7 October 1st, 2021, report of receipts and  
8 expenditures, which was filed by Mayor Bowser's  
9 constituent service program.

10 With respect to the audit, the  
11 preliminary draft statement of findings was  
12 issued on November 29th, 2021. The committee  
13 responded to the report on December 14th. A  
14 partial response was received, and documentation  
15 is still necessary.

16 Again, I indicated to members of the  
17 public that the activity report of the Office of  
18 Campaign Finance will be posted at our website  
19 before the close of business today, and the final  
20 audit report is available at the website for  
21 viewing as well.

22 And also, the certifications of any

1 candidates who have been certified into the fair  
2 elections program are available for review, as  
3 well as any financial report. The images of  
4 those reports are available at the website for  
5 public review as well.

6 At this time, I would ask the General  
7 Counsel, William Sanford, to provide the report  
8 of the Office of the General Counsel -- of the  
9 Office of Campaign Finance to -- for the record.

10 MR. SANFORD: Good morning,  
11 Mr. Chairman, and a warm campaign finance welcome  
12 to the Board of Elections.

13 And good morning, distinguished Board  
14 Members Gill and Greenfield.

15 My name is William Sanford, General  
16 Counsel for the Office of Campaign Finance.

17 During the month of December, the  
18 Public Information and Records Management  
19 Division referred three committees to the Office  
20 of the General Counsel for failing to timely file  
21 December 10th, 2021, reports of receipts and  
22 expenditures.

1           The committees referred included the  
2 following: Oye for U.S. Representative,  
3 principal campaign committee, Adeoye Owolewa,  
4 Treasurer; Capital Stonewall Democrats, Political  
5 Action Committee, Detrick Campbell, Treasurer;  
6 and D.C. Libertarian Party, Political Action  
7 Committee, Ethan Bishop, Treasurer.

8           During the month of December 2021, the  
9 Office of the General Counsel did not impose or  
10 collect any fines. During the month of December  
11 2021, there were no open investigations, and  
12 during the month of December 2021 there were no  
13 requests for interpretable opinions and no show  
14 cause proceedings were conducted.

15           The contents of my report will be  
16 published at the Office of Campaign Finance  
17 website by the close of business today, and that  
18 should conclude my report.

19           MS. COLLIER-MONTGOMERY: And that  
20 should conclude the report of the Office of  
21 Campaign Finance.

22           CHAIR THOMPSON: All right. Well,



1 thank you very much. There's a lot of detail in  
2 there, a lot of excellent staff members at OCF  
3 who are making all of this happen.

4 One thing that is very heartening to  
5 me is, if I understand it, everybody that  
6 utilized this program in the 2020 cycle is  
7 subject to audit, and that's taking place or has  
8 taken place, and funds get remitted if they're  
9 not used. I think it's sort of a "use it or lose  
10 it" system. Everything has to tick and tie.

11 This is public money, so our money is  
12 being returned as well to replenish the program  
13 for future use. So that sort of back-end work is  
14 really important as well, so it's much  
15 appreciated.

16 I don't have any questions. Karyn or  
17 Mike, anything?

18 MEMBER GILL: I don't have any  
19 questions. Great reports.

20 MEMBER GREENFIELD: Yeah. Great  
21 reports. I don't have any questions.

22 CHAIR THOMPSON: Okay. Well, with

1 that, we'll turn to the public for comment. Is  
2 that what we do next? Just checking in with  
3 Ms. Stroud or others.

4 MS. STROUD: That's correct. Public  
5 matters.

6 CHAIR THOMPSON: All right. And so  
7 thank you for bearing with us, everybody. Some  
8 introductory remarks from me and other things.  
9 You know, we're more than an hour into the  
10 meeting, so we really appreciate you sticking  
11 around.

12 And with that, I assume the process is  
13 people raise a hand, and someone allows them to  
14 speak, and so forth?

15 UNKNOWN BOE EMPLOYEE: Chairman, they  
16 can either unmute themselves or right-click on  
17 their names and raise their hand.

18 MS. BRIZILL: This is Dorothy Brizill,  
19 and I would like to raise a public matter.

20 CHAIR THOMPSON: Okay. Ms. Brizill,  
21 welcome so much to our meeting. And generally we  
22 have a three-minute limit. I mean, I'm not going

1 to run a clock or anything, but if you could, you  
2 know, sort of generally be aware of that. Please  
3 proceed. Thank you so much.

4 MS. BRIZILL: My name is Dorothy  
5 Brizill. I'm the Executive Director of D.C.  
6 Watch. I have a question as well as a request.

7 My question goes to comments Mr. Gill  
8 made earlier in the meeting in which he  
9 specifically states he doesn't like the way we  
10 have come to mail voting. I would like Mr. Gill,  
11 during the course of this meeting, to clarify  
12 what he means exactly. Is it that he believes  
13 that the Board should look to the Council to  
14 enact specific legislation approving mail  
15 balloting? Because mail balloting has been on  
16 the books in the District of Columbia for a long  
17 time.

18 But I wasn't clear what he was  
19 concerned about or what his objections are. And  
20 so I would like a clarification on that, if  
21 possible, as well as I have a question, another  
22 question.

1                   MEMBER GILL: So I'll be quick. My  
2 concerns are that -- not that we require Council  
3 legislation, but that there ought to be some  
4 input. We've now come to a decision, and we're  
5 moving forward with mail balloting, but there has  
6 been no public announcement on that. I think  
7 people are going to have a lot of questions about  
8 that.

9                   And the way that we've achieved it is  
10 through a contingency fund through the Mayor. In  
11 the last election, there was legislation that  
12 referenced mail balloting for 2020. Again, I'm  
13 not arguing whether we need it or not. I trust  
14 that we have the authority to make this decision.

15                   What I'm concerned about is that the  
16 decisions being made -- and there is not a larger  
17 sort of public hearing -- the Council and the  
18 Mayor are a better place to have those types of  
19 discussions and hearings as to whether we should  
20 move to mail balloting in this capacity.

21                   I know balloting works. In the  
22 jurisdictions that run it, the voting numbers

1 have gone up. All good stuff. But all those  
2 jurisdictions came to that system through a  
3 legislative effort or through a public  
4 referendum. That's my concern.

5 MS. BRIZILL: Thank you. Mr. Gill's  
6 response to me leads me to the broader issue  
7 which I want to raise with the Board and hope I  
8 can get the Board to take some action. And  
9 Mr. Gill's major objection apparently is that  
10 there has been no public announcement regarding  
11 mail voting, and he believes that there should be  
12 a broader community discussion on the issue.

13 I would ask, since we're under new  
14 leadership at the Board, that at a future meeting  
15 there be a more detailed discussion and  
16 information provided to voters regarding the  
17 upcoming elections in 2022.

18 Despite some of the comments to date,  
19 there were serious, serious problems regarding  
20 the management and the conduct of the elections  
21 in 2022. I appreciate that -- or 2021.

22 I appreciate that the Executive

1 Director has made a very brief, though cryptic,  
2 report on where certain things stand. But, for  
3 example, we need a more detailed report of where  
4 things stand regarding the recruitment and  
5 training of poll workers as well as additional  
6 staff, especially since a number of the poll  
7 workers we had last year, and in the past, will  
8 not be returning because of the problem with  
9 their non-payment last year.

10 We need information about logistical  
11 issues. Are there going to be early vote centers?  
12 Where? How many? Are there going to be mail-in  
13 ballots? Where are they going to be sent out?

14 Contracts. Has the Board issued  
15 contracts for a press or public information  
16 consultant? In the past, the Board has finalized  
17 its contract for a public information officer as  
18 late as two -- two months before an election.  
19 What are going to be the hours of operation for  
20 the elections in the Office of Campaign Finance?

21 Essentially, both offices are  
22 essentially closed down right now. On occasion,

1 there has only been one person in the office.  
2 What happens if someone needs to file papers or  
3 get information sheets?

4 What has the Board decided on a  
5 communications strategy, how to reach out to  
6 voters for the '22 election? Again, another  
7 point of disaster in 2021.

8 Has there been a discussion with OCTO  
9 regarding cybersecurity issues?

10 Finally, what is the status of the new  
11 so-called BOE Act? Over the past three years, we  
12 have had two iterations of an act for the Board  
13 of Elections. Both have failed miserably.  
14 Failed voters miserably.

15 And, finally, a full report on what  
16 the current status is of the Board's new computer  
17 system. Is it just focused on voter  
18 registration? Is it fully operational? You are  
19 running the old system alongside the new system.

20 I would like -- Mr. Chairman, you  
21 speak about getting the public to attend and  
22 participate more widely in your Board meeting.

1 They would if they knew that coming to the  
2 meetings they could get real information, they  
3 could ask real questions and get answers.

4 The upcoming elections should not be  
5 a repeat of the problems we had in 2021. To some  
6 extent, that can be averted as people feel as  
7 though they are informed, that their opinions are  
8 solicited and not pushed aside.

9 I ask that in a future meeting of the  
10 Board that the Executive Director and the General  
11 Counsel give a full, detailed report on where  
12 things stand as regards these many issues, as  
13 regards the planning for the 2022 elections.

14 Thank you.

15 MS. HOLMAN EVANS: Yes. Thank you,  
16 Ms. Brizill, and I just wanted to respond  
17 briefly. I absolutely agree with your request  
18 for transparency and information. We have  
19 actually discussed providing that information  
20 with a detailed plan for the 2022 election cycle.  
21 And I have taken note of the items that you  
22 mentioned, and so it is absolutely our intent to



1 provide information and be transparent.

2 Thank you.

3 MS. BRIZILL: Can I ask a question?

4 How do you intend to provide that information?

5 Will you provide it at a Board meeting? Because

6 I will tell you --

7 MS. HOLMAN EVANS: Yes.

8 MS. BRIZILL: -- in the past -- in the

9 past, whenever I've asked a question of your

10 public information officer, the first response I

11 get is, "Why do you want to know that?" And

12 "File a FOIA." This is information that should

13 not be subject to a FOIA request.

14 MS. HOLMAN EVANS: Yes, Ms. Brizill.

15 I answered your question, and, yes, we will

16 provide it at a future Board meeting. So it will

17 be on the record.

18 CHAIR THOMPSON: All right. Well,

19 thank you so much, Ms. Brizill. Those are all

20 excellent questions. There's a lot of detail, of

21 course, in answering all of them. I've taken

22 notes of everything you just asked. I share some

1 of those questions.

2 At the same time, I know that BOE  
3 staff is very, very much engaged in working out  
4 all the details of the logistics of the upcoming  
5 election, early voting, but, yes, to the extent  
6 it's not out there already -- and I think a lot  
7 of it is -- you know, more information, you know,  
8 will be disseminated.

9 It's January 12th. The clock is  
10 running. We're going to blink and it will be  
11 June. But over the next couple of months  
12 especially a lot of those details I trust will be  
13 worked out, and with more information relayed in  
14 February and in other meetings.

15 And I share your question, so I just  
16 want to assure you that, you know, we will --  
17 "we," the staff, will -- are attending to those  
18 issues and will continue to do so. And we'll  
19 talk -- as a Board, we'll talk about what in the  
20 next Board meeting or two, you know, how much  
21 time to take. We could take hours. We could  
22 take a whole day. You know, what should be out

1 there in terms of agenda for the next series of  
2 meetings? So we thank you.

3 With that, I guess other members of  
4 the public want to unmute and make a comment?

5 MS. HOLMAN EVANS: Yes. And just as  
6 a reminder for members of the public, if you  
7 would please state your name and address for the  
8 record before you speak.

9 Thank you.

10 MR. SCHILLER: Hello. My name is  
11 Nikolas Schiller. Address is 2448 Massachusetts  
12 Avenue, Northwest, Washington, D.C.

13 I'm currently serving as the field  
14 director for the D.C. Committee to Build a Better  
15 Restaurant Industry. We are the political  
16 campaign that has been working with Ballot  
17 Initiative 82.

18 I am asking questions today concerning  
19 the inconsistency of the voter rolls. On  
20 November 17th, I emailed the Board of Elections  
21 seeking a voter roll file in XLS format in order  
22 to create watch sheets for my petition

1       circulators. I have hired 100 -- and trained 150  
2       petition circulators to help put Initiative 82 on  
3       the ballot.

4               I waited two weeks to get a response,  
5       and on December 2nd, I was provided a voter file  
6       which contains only 427,965 voters, which is a  
7       reduction of 91,947 registered voters. That's --  
8       18 percent of the voter roll was removed.

9               I waited a week and emailed the Board  
10       of Elections, and I was provided a voter file  
11       from December 1st, which contained 484,427  
12       registered voters, a reduction of 38,729.

13               Now, I bring these numbers up because,  
14       as a ballot initiative campaign, we are required  
15       to submit five percent of the registered voters'  
16       signatures and five percent of the registered  
17       voters in five of the eight wards. Based on  
18       these numbers that I was provided, we can stop  
19       circulating petitions right now. We have well  
20       over the amount.

21               However, there is concern that the  
22       voter numbers that were publicly stated on the

1 Board of Elections website and published in the  
2 D.C. Register are completely different than the  
3 numbers that have been provided to the campaign.

4 So I am asking, why is there voter  
5 roll inconsistencies? Why are there inactive  
6 voters still on the border rolls?

7 Now, I bring up the concern of  
8 inactive voters. For example, 1900 F Street,  
9 Northwest, is a freshman dorm at The George  
10 Washington University, and it's been closed since  
11 of May of 2020. However, we are required to  
12 collect signatures from these registered voters,  
13 even though none of them live there.

14 And there are voters at universities  
15 across the District of Columbia who have -- are  
16 unable to be reached by the campaign. And one of  
17 those voters registered to vote in 1998, who is a  
18 friend of mine. I contacted the Colorado Board  
19 of Elections, and he is still on the voter roll  
20 that was provided in a different copy to the  
21 campaign.

22 But these two files that I was

1 provided -- and I'm going to post them into the  
2 chat for you to see -- these are the links in  
3 there that were provided to me by the Board of  
4 Elections.

5 This person is not in these two files  
6 that I was provided. However, he was in a file  
7 that was provided to the campaign by -- to a  
8 different person on November 17th. So he is an  
9 inactive voter, even though he has never voted in  
10 D.C. He has been on the roll for 20 years. He  
11 is removed from these, which is great news, but  
12 the voter file that we were given by -- to a  
13 different member of the campaign on the 17th of  
14 November, he is still listed in there.

15 And there is a concern of thousands of  
16 what I call ghost voters, which are on the voter  
17 rolls but are not able to be reached.

18 (Audio interference.)

19 MR. SCHILLER: Sorry. I believe  
20 Mr. Fitzgerald is trying to bomb this meeting.

21 CHAIR THOMPSON: Yeah. Sorry about  
22 that.

1                   MR. SCHILLER: It's okay. So my main  
2 concern is, when are we going to be able to get  
3 the up-to-date voter numbers? Have inactive  
4 voters been removed now?

5                   The D.C. Code says that ballot  
6 initiative campaigns are not required to use  
7 those inactive voters when it comes to the actual  
8 five percent count. So if there have been 91,000  
9 or 38,000 voters removed, that would be very  
10 important for the campaign because we can stop  
11 our circulation of petitions now.

12                   The petitions are due Tuesday,  
13 February 22nd. We have until April 8th to turn  
14 them in. But in order to get on the primary  
15 ballot, we need to turn them in on what I call  
16 Super Tuesday, Tuesday, the 22nd of February.

17                   So I just would like to get to the  
18 bottom of this information in order to really  
19 help this campaign. And also, as it was stated  
20 earlier, that the campaigns are going to be  
21 seeking their petitions on the 28th of January,  
22 and they are going to have to collect signatures

1 from registered voters. So it's important that  
2 the voter roll is up to date. It's an even year.  
3 Under the current law, they are required to  
4 update the voter rolls on odd-numbered years, and  
5 citizens are not able to remove known inactive  
6 voters from the voter rolls.

7 So it's real important that we get to  
8 the bottom of this. And I really thank you for  
9 your time, and I would like to welcome  
10 Mr. Thompson to the Board.

11 CHAIR THOMPSON: Thank you so much.  
12 I really appreciate your question, and I deeply  
13 appreciate your effort. The voter initiative and  
14 referendum process is -- it's a part of our  
15 laws, and it's meant for the voters to take  
16 initiative to propose legislation, as you've done  
17 through your initiative.

18 And, you know, I've read about the  
19 process. I've read the details. It seems  
20 straightforward, but I really appreciate that,  
21 you know, what you're going through should be  
22 easy. I didn't really think about that, that it's



1 five percent of what? Your denominator can't be  
2 in constant motion, and so I really appreciate  
3 your need to sort of get this -- get to know with  
4 certainty if you've got your five percent,  
5 because if somebody challenges your petition, you  
6 know, you've got to clear that hurdle.

7 So, and I'm interested in the answer  
8 to your question. It's probably not easy because  
9 voter rolls are also in flux, but I just wanted  
10 to say thank you for the initiative and the  
11 effort. And I hope to engage in some outreach  
12 and spur on citizens to take up, you know,  
13 themselves, take up -- take up other initiatives  
14 that might be of interest to them.

15 And if you're a member of the public  
16 and you've got an idea for legislation, you know,  
17 it's not -- it's not easy, but it should be -- it  
18 should be a series of steps that, you know, are  
19 relatively easy to implement and follow and  
20 gather signatures to get something on the ballot.

21 So thank you. And I guess the  
22 question itself I will defer to the BOE.

1 MS. HOLMAN EVANS: Yes. Thank you,  
2 Mr. Schiller. Definitely appreciate your  
3 comments and also understand your frustration.  
4 There is a process for removing voters, and it's  
5 not a process that we created, but we do have to  
6 adhere to the steps that are part of that  
7 process.

8 I can't speak to the information you  
9 received on the exact dates. I would have to do  
10 a little research to see exactly what you got  
11 when, and to what extent that includes inactive  
12 versus active voters. But I would be happy to  
13 follow up on this matter just to get some  
14 resolution, but I can assure you that this is a  
15 top priority of the Board, particularly as we  
16 move to mailing ballots to everyone.

17 We have started a very active  
18 information campaign to have individuals review  
19 and correct voter registration, to the extent  
20 that they can, and we've also been sending  
21 mailers. And I know that there has been an issue  
22 with those mailers being returned to Board of

1 Elections with the correct information that will  
2 allow us to take steps to remove people from  
3 voter rolls.

4           However, you know, we do understand  
5 that this is a serious problem, and we do take it  
6 seriously. Appreciate your comments, and I  
7 personally would be happy to listen to any  
8 additional feedback, or if you'd like to just  
9 articulate your experience in more detail, so  
10 that we can capture that and make sure that we  
11 are addressing all of your concerns as we move to  
12 resolution.

13           MR. SCHILLER: If you'd like me to  
14 follow up? So the main concerns right now is,  
15 first off, with petition circulation, we have a  
16 big problem where people are writing down their  
17 old -- or their new address.

18           And this is an ongoing problem that  
19 I've dealt with with thousands of registered  
20 voters, where they -- when we check the voter  
21 registration information, we'll find that they  
22 are a unique voter in the system. There is only

1 person with that one name, and we see that their  
2 address is a mismatch.

3 Under current rules and regulations,  
4 as long as the signature of the voter is signed  
5 on the petition, then the proper information can  
6 be entered by the circulator. So we have the  
7 circulator correct that person's address, because  
8 oftentimes people move within the District of  
9 Columbia and they are registered to vote. So  
10 they are a qualified elector under the terms of  
11 the law. So one big issue is just that people  
12 move and their information is not up to date.

13 We also, when we are making watch  
14 sheets, we end up sometimes with a house that has  
15 five or six registered voters at that house. We  
16 knock on the door, and one person lives there,  
17 and the five people that are registered to vote  
18 there have all moved.

19 The biggest problem I would say -- one  
20 of the biggest problems is -- of the universities  
21 in the District Columbia, they have centralized  
22 mail systems. So a letter will not be rejected

1 and sent back to the voter -- to the Board of  
2 Elections because, for example, The George  
3 Washington University's mail system will take all  
4 of the mail, and they will just toss aside the  
5 stuff that's not valid.

6 So what you end up with are thousands  
7 of ghost voters, which are registered to vote at  
8 dorms in a previous election cycle, but not one  
9 of those voters actually lives there.

10 And I believe they should still be  
11 registered voters. The process, I believe,  
12 that's in the D.C. Code is that after two  
13 election cycles -- federal election cycles, then  
14 they are supposed to be made inactive. In my  
15 personal experience, I have seen people last  
16 there over 20 years and still be active within  
17 the voter rolls.

18 So the biggest problem is just making  
19 sure that the voter rolls are kept up to date as  
20 much as possible. And the numbers that I  
21 provided here were provided to me, and it makes  
22 it more difficult because we have to get five

1 percent of the registered voters in five of the  
2 eight wards.

3           If we just got five percent of the  
4 registered voters in those five wards, that  
5 yields about 16,000 registered voters. We have  
6 to collect, based on the -- let's say we run off  
7 the November 31st (sic), which is about 23,000  
8 registered voters. That's about 26,000 valid  
9 signatures from registered voters in the District  
10 of Columbia spread out over five of the eight  
11 wards at least.

12           The variance for the amount -- for  
13 example, the November 5th number -- 91,000  
14 registered voters, that's all of Ward 6. Ward 6  
15 is 90,000 registered voters. So we have one  
16 entire ward of the District of Columbia -- I  
17 mean, it's spread out all around. We have an  
18 entire ward of the District of Columbia that has  
19 like vanished.

20           And I understand that you're  
21 transitioning to different databases, but it's  
22 super important that voters or campaigns

1 specifically are able to access the most up-to-  
2 date data. I don't believe the Board of Elections  
3 is going to be removing any new voters in this  
4 election cycle because the Code says that it's  
5 supposed to be done during an odd numbered year.

6 But we could -- if we went off of the  
7 December 1st voter roll data, we would be done,  
8 and we could stop the circulation. I pay people  
9 to collect valid signatures. It's provided --  
10 it's allowed under the law, and it's a way a lot  
11 of campaigns operate throughout the United States  
12 and the District of Columbia.

13 But we are required to turn in that  
14 five percent based on the voter rolls published  
15 by the Board of Elections 30 days prior to the  
16 submission of the petitions. So there is quite a  
17 bit of uncertainty in which -- how much father do  
18 we have to go? And this hurts the campaign  
19 because we potentially would be spending  
20 thousands of dollars on labor costs for something  
21 that is already done.

22 And so if we're unable to be provided

1 the most up-to-date voter roll once a month, then  
2 it makes everything a lot more difficult. And I  
3 appreciate everyone's time, and I won't use any  
4 more of it.

5 Thank you so much.

6 MS. HOLMAN EVANS: Yes, thank you.  
7 And we will follow up with you, and we can sit  
8 down with the registrar and just make sure we  
9 have properly captured your concerns. And we can  
10 provide just our steps as far as addressing this  
11 issue during a future Board meeting.

12 CHAIR THOMPSON: Yes. Thank you.  
13 Once again, thank you so much. Really important  
14 questions, and now I'm doubly motivated to  
15 understand the process better myself and try to  
16 put myself in your shoes and figure out how this  
17 could be -- maybe can be easier, for your sake  
18 and for the sake of future initiatives.

19 Okay. Next, anybody else out in the  
20 public like to make a comment? Okay. It looks  
21 like we've got about half a dozen members of the  
22 public remaining. Just give it another half a



1 minute in case someone is having a hard time  
2 unmuting or something.

3 Okay. Well, yeah. Obviously, as I --  
4 as I reacted to those two public comments,  
5 they're really helpful, and, you know, they get  
6 my brain going as well on wanting to learn and  
7 research some of these issues.

8 So I promise we'll follow up. Or if  
9 we don't follow up publicly or directly, trust  
10 that we're -- we are following up, me, the BOE,  
11 et cetera. So --

12 MS. STROUD: Chairman Thompson, I'm  
13 sorry to interrupt, but if I could just say one  
14 thing in response to Mr. Schiller.

15 The Council has talked about, you  
16 know, the sort of moving target date with respect  
17 to the count that is used prior to the -- to  
18 determine what the count of voters that would get  
19 you to the percentage you need to get on the  
20 ballot.

21 And one issue is that that language  
22 that specifies that you have to use the count

1 that is 30 days prior to the submission of the  
2 signatures is in the Home Rule Act, which is not  
3 a simple act of, you know, Council legislation.  
4 That has to be brought before the voters, so  
5 that's one thing, one issue, with respect to the  
6 moving target. So I just wanted to highlight  
7 that.

8 But, you know, we will follow up with  
9 respect to Mr. Schiller's concerns.

10 CHAIR THOMPSON: That's a really good  
11 point. Yeah. Once you go back to 1-204 in the  
12 Code and get into the Home Rule Act, it's  
13 immutable without voter -- without actual voter  
14 change, referendum change, charter amendment.  
15 I'll take a close look at that, too.

16 Okay. Well, hearing no other comments  
17 from the public, before we adjourn, do we have a  
18 meeting date set for February?

19 MS. STROUD: The first Wednesday in  
20 February. So that's currently the date of the  
21 Board meeting, unless of course the Board members  
22 wish to change it. But, you know, we typically

1 have meetings the first Wednesday of the month,  
2 and so that's when it's scheduled for.

3 CHAIR THOMPSON: Okay. So that's  
4 February 2nd, Groundhog Day, 10:30 -- 10:30 a.m.?  
5 That's always the start time?

6 MS. STROUD: Typically. But, again,  
7 subject to change.

8 CHAIR THOMPSON: Sure, sure. Yeah.  
9 Or special meetings in between as needed. But  
10 just so everybody knows, our next meeting is  
11 February 2nd, Wednesday, 10:30 a.m. Put it on  
12 your calendar. There will be an agenda at some  
13 point that will be circulated, and minutes of  
14 this meeting will be circulated.

15 Before we adjourn, I don't have any  
16 further comments. Board Members Greenfield or  
17 Gill, or any of the directors, any final comments  
18 before we adjourn?

19 MEMBER GREENFIELD: No, I don't have  
20 any.

21 CHAIR THOMPSON: Okay. And Mike looks  
22 like he's engaged in an important discussion.

1                   So with that, I would move that we  
2 adjourn.

3                   MEMBER GREENFIELD: I second.

4                   CHAIR THOMPSON: Okay. All in favor  
5 of adjourning?

6                   (Chorus of ayes.)

7                   CHAIR THOMPSON: Two to zero, one  
8 abstention it looks like.

9                   So, thank you so much, everybody, for  
10 welcoming me. I was nervous about this. I  
11 overprepared, as a lawyer does sometimes. So I'm  
12 glad to get through it, and I'm excited to carry  
13 forward.

14                   And special thanks to the directors  
15 and general counsels for being here and making  
16 their reports. And thank you to members of the  
17 public who hung with us this long. Look forward  
18 to seeing everybody again soon.

19                   So with that, our meeting is  
20 adjourned.

21                   (Whereupon, the above-entitled matter  
22 went off the record at 11:56 a.m.)

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In the matter of: Board Meeting

Before: DC BOE

Date: 01-12-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



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Court Reporter

**NEAL R. GROSS**

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