



DISTRICT OF COLUMBIA
BOARD OF ELECTIONS
WASHINGTON, D.C. 20001-2745



MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
January 11, 2017

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, January 11, 2017 in the Board’s Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001. The Board’s Chairman, Michael Bennett, was present, as were Board Members Dionna Lewis and Michael Gill. Also present on the dais were Kenneth McGhie, the Board’s General Counsel, Cecily Collier-Montgomery, the Director of the Office of Campaign Finance (“OCF”), and Alice Miller, the Board’s Executive Director.

Chairman Bennett called the meeting to order at 10:42 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meeting on December 7, 2016 were moved for approval and adopted without objection.

Ms. Miller gave the Executive Director’s report.

- Poll worker payments were sent in early December, and the Board did do a supplemented payroll that was submitted in response to undeliverable mail, wrong amounts or other issues that may have occurred. At this point, all payments have either been received or should be received shortly.
- The Board must now conduct a canvas of voters who did not vote or confirm their address through the November General Election. This is required by statute and must begin in January. The canvas process takes a few months to complete. It’s a bit regulated and requires a number of mailings for individuals whose cards are returned as undeliverable.
- Poll workers’ debriefings are completed and 75% of the workers said that their precincts had the right number of workers all day while 6% reported too few workers. 81% of captains were rated as excellent or very good by the workers who worked with them, and 8% of the workers identified captains as poor or lacking knowledge and leadership skills.
- The Captains noted additional poll pads and ballot marking machines would be helpful. The Board should look into acquiring by way of budget requests at least 400 more poll pads and doubling the capacity of ballot marking machines to at least four per precinct as opposed to just two.
- The Board will be working to respond to legislation that’s been adopted that requires the Board to have in place by October 1st automatic voter registration, which we’ll be working with Department of Motor Vehicles with on, and a mobile app for petition signature gathering.
- The Board needs to update the 20-year old voting registration system at a price of approximately 2 million dollars.

- The Election Assistance Commission voter survey is nearing completion for the February 1st submission, and the data submitted includes: how individuals registered by way of human services or DMV, or other NVRA agencies; the number of absentee ballots counted; military and overseas ballots; poll worker information; and polling place operation.
- The Board did have one recount last month: ANC-1C-08 on December 8th. The party requesting the recount was present, and the recount resulted in no change in the outcome.
- Deanna Smith was introduced as the new assistant registrar.

Mr. McGhie presented the General Counsel's report.

Mr. McGhie introduced proposed rulemaking to amend Chapter 5, Voting Registration. Change the definition of incarceration for the purposes of voting to exclude halfway houses from the definition to enable those who are on parole to vote under such circumstances. Secondly, proof of residence by Board policy has been satisfied with submission electronic proof of bills, and that will now be memorialized by regulation. Mr. McGhie clarified that such electronic bills can be no older than 90 days.

BOARD ACTION: The Board unanimously approved the proposed regulations.

Mr. McGhie presented litigation status for the Board. The pending matters are two petitions for review of election results filed by Ameer Flippin, a write-in candidate for president, and Veronica Raglin, a candidate for ANC7-D01. Both petitions were dismissed by the Court of Appeals.

Ms. Collier Montgomery announced the statistics for OCF as follows:

- On December the 24th, 2016, the Council enacted D.C. Act 21-504, the Campaign Finance Reform and Transparency Emergency Amendment Act of 2016. The act will expire on March the 24th, 2017, but at the time that the council introduced the emergency legislation, it also introduced a permanent piece.
 - During a non-election year or an odd numbered year, political action committees as well as independent expenditure committees will have four report dates as opposed to the existing two under the former law, which would have been January 31st and July 31st. The new report dates will also include April the 10th and October the 10th.
 - Political action committees now have a contribution limitation of \$5,000.
- December 10th filing deadline for the filing of the reports of receipts and expenditures for principal campaign committees and political action committees who participated in the 2016 election cycle. 83 required filers; 72 timely filed; 1 extension granted; 10 failures to file:
 - PCCs: Drew for D.C., Kimberly Higginbotham, treasurer; Committee to Elect John Patterson 2016, Lamont Carroll, treasurer; Vote Carter 2016, Nicole Kerr, treasurer; Friends of Tony Donaldson, Robert Donaldson, treasurer; Lynnette Woodruff for School Board, Lamont Carroll, treasurer; Re-Elect LaRuby May, Monica Ray, treasurer; Tierra Jolly for Ward 8 on the School Board of Education, Emily Harold, treasurer; and Holmes for Ward 8, Steven Shea, treasurer.
 - PACs: D.C. Chamber of Commerce, Andrew J. Klein, treasurer; and Better Leadership, Richard Tappan, treasurer.

- On December 6th, OCF held two mandatory entrance conferences: Edward Cross, treasurer, D.C. Association of Realtors, that's an independent expenditure committee (IEC); and Manley M. Collins, candidate for mayor.
- OCF Audit Branch conducted 68 desk reviews and candidates for the Office of Advisory Neighborhood Commission member are required to file summary financial reports with OCF 60 days after the board certified the election result. The deadline in January 17, 2017, and the audit branch has desk reviewed 59 of the ANC reports that were submitted early.
- OCF has ongoing periodic audits of the following committees: Re-Elect Vincent Orange 2016; and Brandon Todd for Ward 4.

Ms. Collier Montgomery presented the General Counsel Report

- The Office of the General Counsel received 10 referrals and conducted 6 informal hearings in which \$1,450 in fines were imposed against the Bachner Committee 2016.
- Currently, OCF has \$26,850 in outstanding fines, and those cases have been filed before the Board of Elections in the form of petitions for enforcement of OCF orders.
- The Office of the General Counsel maintained a total of 4 open investigations and no new investigations were opened.

Chairman Bennett noted the work needed to be done in anticipation of elections in 2018 and offered anything that the Board can do as to support the process, please let us know so that we can ensure that we have a smooth election and processes going forward.

There being no further business before the Board, the meeting adjourned at 11:25 a.m.