

MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
March 4, 2015

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, March 4, 2015 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, Deborah K. Nichols, was present, as was Board Member Stephen Danzansky. 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 Clifford Tatum, the Board’s Executive Director.

Chairman Nichols called the meeting to order at 10:35 a.m.

The meeting agenda was approved and adopted without objection.

The minutes of the last regular meeting (February 4, 2015) were moved for approval and adopted without objection.

Mr. Tatum introduced Mr. Budoo, Support Services Specialist for the Board, to present proposed polling place relocations.

Mr. Budoo indicated he received notification on February 27 that Precinct 115, the 7th District Police Station, will be unavailable for the Ward 8 Special Election. He proposed combining the precinct with Precinct 134, Allen AME Church, located immediately across the street.

BOARD ACTION: The Board adopted a motion to publish in the D.C. Register the proposed relocation of Precinct 115 for the Special Election without objection.

Mr. Tatum announced the Board’s preparation for the April 28, 2015 Special Election is underway and proceeding according to schedule. The ballot lottery, which is the mechanism by which the Board places candidates’ names in order on the ballot, is scheduled for March 6, 2015. Absentee ballots will be sent by Friday, March 13, 2015. The Board will be conducting a pilot program demonstrating new e-poll books and voting systems.

Mr. McGhie presented a proposed initiative entitled: “Initiative Measure No. 75, Character Development and Citizenship Education Initiative of 2014” for the Board’s approval of the final petition form. The Proposer, Dr. Edwin Powell, was present to adopt the proposed nominating petition in its final form. The Registrar of Voters, Ms. Brooks, provided an estimation of signatures needed for ballot access and informed Dr. Powell that the deadline for circulation is August 31, 2015.

BOARD ACTION: The Board adopted the proposed petition form.

Mr. McGhie presented final rulemaking to amend 3 DCMR Chapters 30, 34, and 36-41, which are Campaign Finance Regulations intended to fully implement the Campaign Finance Reform and Transparency Act of 2013. The legislation as implemented by the regulations requires mandatory training for all political committees; mandatory electronic filing of all reports; more detailed reports of contributions by business entities; and civil penalties for campaign finance violations will be imposed personally on those filing reports. The 30 day comment period expired, and no comments were received.

BOARD ACTION: The Board adopted the regulations as final and will publish them in the D.C. Register.

Mr. McGhie presented the litigation status of cases involving the Board:

Sewell v. the Board Mr. Sewell filed a complaint for harassment in the Superior Court with respect to OCF campaign finance violations assessed against him and their efforts to collect those fines, and the Board filed a motion to dismiss which is currently pending. The Court scheduled a status hearing for February 6, 2015.

McMillan v. the Board concerns the Board disallowing the slate name, “The Rent is too Damn High” from appearing on the Primary Election ballot. The Board OGC filed a motion to dismiss for lack of standing because the Plaintiff does not reside in the District, and is not a registered voter. The matter was dismissed in the Board’s favor on December 9, 2014. Mr. McMillan filed an appeal and the Court ordered the Appellant to file his statement of the case by March 26, and dispositive motions are due on April 10.

Ms. Collier-Montgomery announced that the provisions of the Campaign Finance Reform and Transparency Amendment Act of 2013 became effective on January 31, 2015, and the first affected reports are due March 10. Candidates and Treasurers who registered after January 31 are required to undergo mandatory training. Electronic filing of all reports is also mandatory starting with the March 1 reports of principal campaigns and committees in the 2015 election cycle.

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

- January 31st deadline for R&E reports from principal campaign committees (PCC) and political action committees (PAC). 122 PCCs and 60 PACs; 145 timely filers; 5 extensions granted; 3 late filers; 33 failures to file (27 PCC & 6 PACs); 36 committees were referred to the General Counsel for initiation of the enforcement process.
- February 3rd deadline for summary financial statements for ANC candidates. 383 required filers; 307 timely filed; 76 failures to file.
- OCF registered 1 new committee on February 4th; Genora Reed for Ward 8 Member of the City Council; however, she did not qualify for the ballot.
- OCF Audit Branch conducted 154 desk audits and the full field audit of Gray for Mayor is ongoing. The ongoing periodic random audits are: Friends of Courtney R. Snowden, Ruth for Schools, and Brian Hart for D.C. The periodic random audits of the Continuing Committees are: Firefighters Committees on Political Activities, The Republican Committee for the District of Columbia, Morgan for District of Columbia, and Committee to Elect Eugene Puryear. The periodic random audits for the Office of

Attorney General are: Lori masters for Attorney General and Smitty for Attorney General.

- OCF issued two audits: Evans for Mayor, issued on February 24, 2015; and Biddle 2012 issued on February 18, 2015. The reports are available for review by the public at OCF's Web site.

Mr. Sanford presented the statistics from the Office of the General Counsel of OCF.

- The General Counsel received 5 referrals from the Reports Analysis Audit Division, and 37 from the Public Information and Records Management Division.
- The Office conducted 15 informal hearings and issued 15 orders including the following: 8 orders for failure to timely file reports in which no fines were imposed. 1 order for failure to timely respond to a request for additional information, in which no fine was imposed. 6 orders for failure to timely file reports in which a total of \$12,000 in fines was imposed.

There being no further business before the Board, the meeting adjourned at 11:01 a.m.