



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



MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
February 1, 2018

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday January 10, 2018 in the Board’s Hearing Room, located in Suite 750, 1015 Half Street, S.E., Washington, D.C. 20003. The Board’s Chairman Michael Bennett was present, and Board Members Michael Gill and Dionna Lewis were also in attendance. Also present on the dais were Kenneth McGhie, the Board’s General Counsel; Cecily Collier-Montgomery, the Director of OCF; and Alice Miller, the Board’s Executive Director.

Chairman Bennett called the meeting to order at 10:39 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meeting on Wednesday, January 10, 2018 were moved for approval and adopted without objection with a correction of the address of the Board’s office in the opening paragraph.

Mr. McGhie presented the General Counsel’s report.

- Mr. McGhie gave a litigation status report: the only matter in court is *Paul Cohn v. the D.C. Board of Elections*. That was an appeal by Mr. Cohn to the Board’s September 19th order rejecting his challenge to the initial petition, which was Initiative Number 77, which dealt with the minimum wage. The D.C. Court of Appeals has affirmed the Board’s motion for summary affirmance. Mr. Cohn, who represents the Board of Trade, filed a motion for reconsideration. The Court of Appeals denied their motion for reconsideration on January 12th and ordered that the mandate be issued. The Board is prepared to go forward with continuing to process the initiative by doing the random sample.

Ms. Miller gave the Executive Director’s report.

- The Board conducted an open house of its new facilities on January 17th and January 19th. Board Staff served as tour guides and briefly walked members of the public around to each of the divisions of the Board’s offices.
- Nominating petitions for candidates participating in the June 19th primary began picking up their nominating petitions on Friday, January 26th.
 - Candidates who pick up nominating petitions are offered the choice of the e-sign, electronic, digital petitioning process, as well as the paper process. Presently, four candidates are circulating via the e-sign process.
- Update on the voter registration system: the request for solicitation went out on January 11th by the Office of Contracting and Procurement. On January 23rd the OCP conducted a pre-proposal conference with some of the potential vendors who had some specific questions about this initial solicitation, and indicated they would have to put those

questions up on the website, and the Board would have to respond and make answers available to all of the vendors. We don't have a deadline yet based on the fact that we just got those questions.

- The Board did receive performance oversight questions in December from the Chairman of the Judiciary, Charles Allen, and we did submit the responses to those questions on January 17th.
- The Board met with the budget review team in the Mayor's office and the City Administrator's office on January 5th to discuss our FY spending pressure and the FY19 budget development.
 - The City Administrator's office has directed and identified money for the funding for the remainder of this fiscal year. And in fact, that funding has been placed in the Agency's budget as of Monday.

Ms. Collier-Montgomery gave the Director of Campaign Finance report:

- The training calendar for calendar year 2018 has been posted at the website of the Office of Campaign Finance.
 - New to the calendar this year, we have four sessions devoted to business contributions to reinforce the requirements for the acceptance or the receipt of contributions from business entities.
 - Several sessions will focus solely on the reporting requirements of candidates for the Office of Advisory Neighborhood Commission member.
 - The training schedule to begin on February 8th is posted at OCF's website.
- OCF also submitted performance responses to Chairman Charles Allen, of the committee on the Judiciary and Public Safety, of the Council on January 17th.
- There were two reporting deadlines during the month of January:
 - January 1, 2018. Report of the Receipts and Expenditures by the Constituent Service Programs and Statehood Fund Programs. The report actually was due on January 2, 2018. Constituent Service Program all nine filers timely filed. Statehood Fund Programs all three filers timely filed.
 - January 31, 2018. Reports of Receipts of Expenditures by Principal Campaign Committee and Political Action Committees. Those stats will be provided at our next meeting. Those are not available as of this date.
- During the month of January, we had new candidates and committees who registered with the Agency.
 - Michael C. Woods. Michael Christian Woods for DC Mayor registered on January 7th; Ed Lazere, Ed Lazere for DC Chair, Chairman of the City Council, registered on January 24th; Ernest Johnson, Committee to Elect Ernest Johnson for the Office of Mayor, registered on January 25th; and Omekongo Dabinga, Dabinga for DC At-Large City Council, registered on January 26th.
- One entrance conference during the month of January on the 17th. The participants were Elissa Silverman, candidate, Elissa 2018; Bob Price, treasurer, Elissa 2018; and Paul H. Hammond Jr., treasurer, DC Government Industry Association Political Action Committee
- During the month of January, the audit branch conducted 18 desk reviews of past Constituent Service Programs, as well as the Statehood Fund Program, and also

conducted 27 desk reviews of Principal Campaign Committees, which was included in amended reports as well. They issued 12 new requests for additional information.

- There is one which is outstanding periodic random audit, Brianne for DC 2018, which was initiated on September 27, 2017.
- A periodic random audit of a Political Action Committee initiated on 9/12/17 with the Metropolitan Political Action Committee.
- A periodic random audit was initiated of the Ward 4 Constituent Service Fund on October 30, 2017.
- **Mr. SanFord gave the General Counsel's report.**
 - The Office of the General Counsel received five referrals from the Reports Analysis and Audit Division of the Office of Campaign Finance.
 - The Office of the General Counsel conducted two informal hearings, issued two orders, which included the following:
 - One order was issued for failure to timely file a report, in which a fine of \$2,650 was imposed. An order was issued for accepting excessive contributions, in which a fine of \$5,000 was imposed.
 - The Office of the General Counsel also issued three orders that concluded full investigations.
 - The Office of the General Counsel imposed a total of \$91,650 in fines, which includes the following:
 - A fine of \$80,000 was imposed against Jeffrey Thompson by consent agreement reached between OCF and Mr. Thompson for involvement in activity involving illegal campaign contributions.
 - A fine of \$2,000 was imposed against Lee Calhoun, and a fine of \$2,000 was imposed against Stanley Straughter for involvement in illegal campaign contributions.
 - A fine of \$5,000 was imposed against the Committee for Karl Racine for Attorney General for receiving excessive contributions.
 - A fine of \$2,650 was imposed against the Toliver for Ward 4 Principal Campaign Committee for failure to file reports.
 - the Office of the General Counsel collected a total of \$54,650 in fines, which includes the following:
 - \$51,500 were paid by Jeffrey Thompson. A fine of \$200 was paid by Andrew Franklin. And a fine of \$2,950 was paid by the DC Chamber of Commerce.
 - The Office of Campaign Finance arrived at a settlement and consent agreement with Jeffrey Thompson to pay a total of \$80,000 in fines and to refrain from engaging in political activity during the 2018 election cycle.
 - Stanley Straughter and Lee Calhoun cases, OCF imposed \$2,000 fines against both for campaign contribution violations in exchange for their commitment to refrain from engaging in political activity in the District of Columbia.

Mr. Michael Sindram raised public matters:

- Mr. Sindram asked for clarification of the fine assessed to the D.C. Chamber of Commerce.

There being no further business before the Board, the meeting adjourned at 11:04 a.m.