

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

AUGUST 3, 2022

+ + + + +

The District of Columbia Board of  
Elections convened via Video-Teleconference,  
pursuant to notice at 10:00 a.m. EDT, 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  
WILLIAM SANFORD, General Counsel

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

2 (10:05 a.m.)

3 CHAIR THOMPSON: Well, good morning,  
4 everybody. I'm Gary Thompson, the Chair of the  
5 Board of Elections. It's August 3. We are in a  
6 different room today, in the training room.  
7 Welcome, everybody, for joining us, and we've got  
8 all three Board members present.

9 Mike Gill is here and also Karyn  
10 Greenfield is on by Zoom.

11 Karyn, do you want to acknowledge  
12 yourself for the record?

13 MEMBER GREENFIELD: Yep, I'm here.

14 CHAIR THOMPSON: All right. Well,  
15 that means we've got a quorum, three of us here.  
16 And just a few quick housekeeping items. Number  
17 one, our agenda has been publicly disseminated.  
18 The Board members have seen in it. And at this  
19 time, I would move that we adopt the agenda.

20 MEMBER GILL: Second.

21 CHAIR THOMPSON: There's a second.  
22 All in favor, say aye.

1 (A chorus of ayes.)

2 CHAIR THOMPSON: The agenda is  
3 adopted.

4 Next we've also all received a copy of  
5 the minutes from our July 15, 2022 meeting. We  
6 certified the results of the June 21 primary,  
7 among other things. We've all had a chance to  
8 read it, and at this point, I would move that we  
9 adopt the minutes.

10 MEMBER GILL: Second.

11 CHAIR THOMPSON: Second. All in  
12 favor?

13 (A chorus of ayes.)

14 CHAIR THOMPSON: Our minutes are  
15 adopted.

16 Next we've got Board matters. I just  
17 have a few quick words. Our June 21 primary is  
18 in the rearview window now, after a lot of  
19 success. We are working hard towards the  
20 November 8 general election.

21 Obviously, August 10, I believe, is  
22 the last day to pick up or drop -- and drop off

1 petitions. I know -- I remember that well, as  
2 the ANC commissioner for eight years, walking  
3 around, getting my signatures.

4 So best wishes to everybody out there,  
5 walking in their neighborhoods, gathering those  
6 signatures. With that, Mike, do you have  
7 comments?

8 MEMBER GILL: No comments.

9 MEMBER GREENFIELD: Karyn, anything  
10 from you?

11 MEMBER GREENFIELD: No, I don't have  
12 any.

13 CHAIR THOMPSON: Okay. With that,  
14 we'll turn to the Executive Director's report  
15 from Monica Holman Evans.

16 MS. EVANS: Good morning. Thank you.  
17 We'll begin with Voter Education and Outreach.  
18 During the month of July, the Voter Education and  
19 Outreach Division conducted 16 outreach events on  
20 behalf of the agency.

21 Events included partnerships with the  
22 Department of Aging and Community Living and

1 partnership with MPD's Beat the Streets. The  
2 final July event was a voter registration drive,  
3 in conjunction with the Federal City Alumnae  
4 Chapter of Delta Sigma Theta Sorority,  
5 Incorporated, and that was held at Ballou High  
6 School.

7 Voter registration rolls. In June, we  
8 registered 3,081 new voters and processed 4,911  
9 registration changes. In total, we prepared  
10 7,992 voter registration cards to be mailed.  
11 Among voter registration, we are continuing to  
12 register voters using our website portal.

13 To date, we have processed 14,675  
14 applications using the portal. These include new  
15 voter registration and updates to existing  
16 registrations. And as Gary mentioned, the  
17 primary is behind us, and we are now in the midst  
18 of planning for the general election.

19 And we did meet with election workers  
20 and vendors to get feedback from them on the  
21 primary election, and so we will make adjustments  
22 based on feedback and suggestions we've received.

1           The general election will be held on  
2           Tuesday, November 8. Petition pick-up for  
3           candidate registered as no party or independent  
4           began on June 17. Petition pick-up for ANCs  
5           began on July 20. The last day to file petitions  
6           is August 10.

7           The petition challenge period will run  
8           from August 13 through August 22. Again, we will  
9           mail a ballot to every registered voter for the  
10          general election, and target date to mail ballots  
11          is October 3.

12          Most mail ballot drop boxes will  
13          remain in place until after the November  
14          election, when we have developed a proposed list  
15          of early vote center, election day vote center,  
16          and mail ballot drop box locations for the  
17          general election.

18          These proposed locations are posted on  
19          the Board of Elections website. We are also  
20          messaging this, using all social media platforms.  
21          We are requesting comments by Friday, August 19.

22          We will begin election worker training

1 on August 15. Our goal is to train between 2,000  
2 and 2,500 election workers for the general  
3 election.

4 CHAIR THOMPSON: Thanks very much. No  
5 questions here.

6 General Counsel Terri Stroud?

7 MS. STROUD: Thank you. Good morning,  
8 everyone. The only item on my agenda is  
9 litigation status. The first matter is Jason  
10 Christopher Long v. the D.C. Board of Elections.  
11 This matter was filed in D.C. Superior Court in  
12 2021, and it is a civil complaint seeking  
13 damages.

14 Mr. Long was a poll worker, and he  
15 claims negligence and unjust enrichment allegedly  
16 for issuing him a check without informing him not  
17 to deposit it, and then had payment of the check  
18 stopped, causing him to have a negative balance  
19 and a returned check fee.

20 The Board is represented in this  
21 matter by the Office of the Attorney General,  
22 which served as counsel for the Office of Finance

1 and Resource Management, which was the agency  
2 that handled the issuance of poll worker checks  
3 for the Board.

4 Mr. Long has until August 12 to  
5 complete service in this matter. This case has  
6 been prolonged due to ineffective service of  
7 process, but Mr. Long has until August 12 to  
8 complete service, and in the absence of that, the  
9 case will likely be dismissed.

10 The next matter is Henderson v. D.C.  
11 Board of Elections. Ms. Henderson filed a recall  
12 petition against Sydelle Moore, Advisory  
13 Neighborhood Commissioner for Single-Member  
14 District 5D05.

15 That petition was rejected due to an  
16 insufficient number of signatures, and Ms.  
17 Henderson appealed the matter to the D.C. Court  
18 of Appeals. All briefing in this matter will be  
19 completed by August 22.

20 The next matter is Public Interest  
21 Legal Foundation v. Monica Evans, in her official  
22 capacity as the Executive Director of the Board

1 of Elections. This matter is at the U.S.  
2 District Court for the District of Columbia.

3 It was filed under the National Voter  
4 Registration Act. The suit alleges that the  
5 Board is out of compliance with the NVRA's public  
6 records provision. PILF requested records from  
7 the Board, which were denied due to the records  
8 not being subject to public disclosure. The  
9 pleadings in this matter have all been filed, and  
10 there is no status update.

11 The next two matters, and one that  
12 will follow, another matter, involve Initiative  
13 82. The first matter is Valerie Graham v. the  
14 D.C. Board of Elections.

15 This was a challenge of the petition  
16 for review of the Board's June 1 order denying  
17 the challenge to Initiative Measure No. 82. As  
18 of August 1, all pleadings have been filed in  
19 accordance with the court's June 22 order. The  
20 reply by Graham is due on August 8.

21 The next matter is Valerie Graham v.  
22 the D.C. Board of Elections, and this was filed

1 in the D.C. Superior Court. As I indicated in  
2 the last meeting, the court issued an order on  
3 July 15 dismissing counts 1 through 5 of that  
4 complaint.

5 And on July 27, the remaining count  
6 was -- which regarded a request for records under  
7 the Freedom of Information Act, was voluntarily  
8 dismissed. That was the only count that was not  
9 previously dismissed by the court's order.

10 It was dismissed without prejudice,  
11 for the purpose of obtaining appeal of the entire  
12 matter in the D.C. Court of Appeals, which leads  
13 me to the next case, which was an appeal from the  
14 D.C. Superior Court's decision, and that is --  
15 that is Valerie Graham vs. the Board II, which is  
16 also the D.C. Court of Appeals.

17 On July 15, the plaintiff filed a  
18 joint notice of appeal of the Superior Court's  
19 July 13 order dismissing their claims.

20 On July 25, the court issued an order  
21 directing appellants to show cause why the appeal  
22 should not be dismissed as taken from a non-

1 final, non-appealable order, in light of the fact  
2 that at that junction there was still the one  
3 remaining claim, that FOIA claim.

4 The order also ordered the appellants  
5 to provide their position as to whether this  
6 appeal should be consolidated with the other  
7 Initiative 82 matter that was in the D.C. Court  
8 of Appeals.

9 And the respondents were to file their  
10 responses by August 1. As of August 1, all  
11 pleadings have been filed.

12 This morning, the D.C. Court of  
13 Appeals issued an order consolidating the two  
14 matters, setting a briefing schedule by which all  
15 pleadings must be filed by August 19, and  
16 indicating that oral argument will be held the  
17 week of August 22, on a date to be settled upon  
18 by the parties.

19 And the final matter is Calvin Gurley  
20 v. the D.C. Board of Elections, which is in D.C.  
21 Superior Court. Mr. Gurley, on July 12, filed a  
22 complaint challenging several provisions of the

1 Elections Statute that pertains to signature  
2 requirements for independent and minor party  
3 candidates, dates for elections, dates nominating  
4 petitions become available, and signature  
5 validity requirements.

6 As the complaint challenges provisions  
7 in the Elections Statute, this matter is being  
8 handled by the Office of the Attorney General,  
9 and the answer is due in this matter on  
10 September 12.

11 And that concludes litigation  
12 status -- my litigation status report, and my  
13 Director report in its entirety.

14 CHAIR THOMPSON: All right. Thanks.  
15 Just a quick logistical question. Depending on  
16 how the Court of Appeals rules on I-82, which  
17 would affect what goes on the general election  
18 ballot possibly, what's the date by which one  
19 would finalize that ballot?

20 MS. STROUD: So --

21 CHAIR THOMPSON: Like printing it and  
22 mailing it, overseeing it, et cetera?

1 MS. STROUD: September 16 is the  
2 ballot lottery, and September 17, that -- so  
3 that -- on Saturday, the proofed ballots until  
4 that -- it's done, so that we can send them to  
5 our mail house, so that they can be printed out  
6 and mailed to voters.

7 CHAIR THOMPSON: Okay.

8 MS. STROUD: And so we indicated this  
9 in our pleading. And so the court, in  
10 acknowledgment of this, indicated that that is  
11 why argument will be heard no later than the week  
12 of August 22, and there will be no extensions.

13 And so they are very cognizant of the  
14 fact that we have to get this resolved ahead of  
15 time, so that we should be resolved in terms of  
16 this matter by September 16, which is the date of  
17 the ballot launch.

18 CHAIR THOMPSON: Yes. That's what I  
19 was guessing. The Court of Appeals has been  
20 great, keeping to an expedited schedule when they  
21 have to, for the purpose of elections. So --

22 MS. STROUD: Yes. And just for, you

1 know, the benefit of the public, the Executive  
2 Director mentioned when the challenge period  
3 ended, and based on the statute, the dates where  
4 we would -- by which we would have to resolve all  
5 the petition challenges would be September 12,  
6 which would allow us time to go to court with any  
7 matters that needed to be resolved ahead of the  
8 September 16 deadline.

9 CHAIR THOMPSON: Okay. All right.  
10 Anything else?

11 MS. STROUD: No. I'm good.

12 CHAIR THOMPSON: Okay. Turning then  
13 to campaign finance report, Director Collier  
14 Montgomery is on vacation, I think, and so  
15 General Counsel William Sanford is going to  
16 present the report.

17 MR. SANFORD: I am William Sanford,  
18 sitting in for Director Cecily Collier. The  
19 Director's report in its entirety will be  
20 published at the Office of Campaign Finance by  
21 close of business today.

22 But what I'm reporting is summaries of

1 the activities in the four divisions during the  
2 month of July 2022. First off, the Office of  
3 Campaign Finance joined District agencies that  
4 are participating, which were the police  
5 departments, Beat the Streets program, and eight  
6 community outreach events during the month of  
7 July 2022.

8 I should like to recognize training  
9 coordinator Dolores Ramsey and staff members  
10 April Williams and Natasha Alexander for  
11 representing the agency at those events.

12 In the Fair Elections Program  
13 Division, as of today's date, during the 2022  
14 election cycle, the total sum of \$11,325,138.65,  
15 as has been authorized for disbursement from the  
16 Fair Elections Fund in base amounts and matching  
17 payments to 33 candidates previously certified  
18 with Fair Elections Program to participate in  
19 June 21, 2022 primary election and the November  
20 8, 2022 general election.

21 During the month of July 2022, there  
22 were no new candidates citywide in the Fair

1 Elections Program for this election cycle. In  
2 the Public Information Records Division, there  
3 were six required filings for Constituent  
4 Services Program that were due on July 1, 2022,  
5 and six reports were timely filed.

6 There were three required filings  
7 regarding senator, representative, and statehood  
8 funds that were also due on July 1, and three  
9 reports were timely filed. There were two Fair  
10 Election optional reports due on July 10, and two  
11 reports were timely filed.

12 The statutory date for this filing is  
13 actually July 10, but it fell on a Sunday, so the  
14 reports were actually due on July 11, the next  
15 business day. There were two initiative  
16 committee reports due on July 11 and two reports  
17 were timely filed.

18 There were a total of 63 committee  
19 reports due on August 1. Here again, the  
20 statutory date is July 31, but it fell on a  
21 Sunday, so the filing date became August 1. But  
22 the number of timely filers has not yet been

1 determined.

2 This report -- these reports were  
3 required for principal campaign committees,  
4 political action committees, independent  
5 expenditure committees, initiative or referendum  
6 committees, recall committees, and Fair Election  
7 committees.

8 During the month of July, a total of  
9 six new candidates registered with the Office of  
10 Campaign Finance, and seven candidates completed  
11 mandatory entrance conferences.

12 And the Reports Analysis and Audit  
13 Division conducted 31 desk reviews during the  
14 month of July.

15 Five committees were approved for  
16 termination. And the Audit Division referred two  
17 cases to the Office of the General Counsel. And  
18 finally, in the Audit Division, the Audit  
19 Division issued one noncompliance order to Fred  
20 Hale [phonetic], counsel at large, Principal  
21 Campaign Committee, on July 11, 2022.

22 General Counsel Division, the Office

1 of the General Counsel, during the month of July  
2 2022, received two referrals, completed  
3 14 hearings, issued 14 orders, in which a total  
4 of \$30,600 of fines were attached.

5 In the month of July 2022, no new  
6 investigations were initiated by the Office of  
7 the General Counsel. There were no requests for  
8 [audio garbled], and no show-cause proceedings  
9 were done.

10 The contents of the Director's report  
11 and Office of the General Counsel's report will  
12 be published at the OCF website today, August 3,  
13 2022.

14 CHAIR THOMPSON: All right. Thank you  
15 very much. I have a quick question about  
16 campaign signs. I noticed in the neighborhoods  
17 there's still a lot of signs up of people who did  
18 not prevail in the primary.

19 And they're supposed to be down by  
20 now? Is that --

21 MR. SANFORD: The Office of Public  
22 Works enforces that.

1 CHAIR THOMPSON: That's DPR -- oh,  
2 DPW.

3 MR. SANFORD: And generally, if we  
4 receive a complaint, we try to --

5 MEMBER GILL: Do you have addresses to  
6 file a complaint here and get it --

7 CHAIR THOMPSON: And the other  
8 question is, somebody told me you're not supposed  
9 to put signs in the median of any roads, like the  
10 middle of 16th Street or middle of Military Road.  
11 Is that --

12 MS. STROUD: I would have to check  
13 that see whether or not that is the case, but  
14 again --

15 CHAIR THOMPSON: Right. It's another  
16 DPW question. This person asked, is self-help  
17 okay? Can they -- now that the primary is over  
18 and they know someone lost in the primary, is it  
19 okay for a citizen to --

20 MEMBER GILL: To --

21 CHAIR THOMPSON: -- take down a sign  
22 on a telephone pole in front of their house, for

1 example, but they're afraid to take it down,  
2 because they're not supposed to touch campaign  
3 signs. Is that --

4 MS. STROUD: There is a deadline after  
5 which individuals may remove signs. You can't do  
6 it within a certain time frame, but if you do it  
7 after that time frame, you would be okay.

8 MEMBER GILL: Or file a petition --

9 CHAIR THOMPSON: Right. Probably now  
10 it's okay.

11 MEMBER GILL: So it's okay to go out  
12 and just --

13 CHAIR THOMPSON: But now that the  
14 primary's over, it's probably okay for someone to  
15 go to their street corner and take down a sign.

16 MS. STROUD: Yes. And I mean, I think  
17 that there might be a question as to whether or  
18 not, if the individual whose signs or is  
19 subject -- or the subject of the removal is a  
20 candidate going forward for the general election,  
21 it might not be --

22 CHAIR THOMPSON: Right.

1 MS. STROUD: -- within -- it might not  
2 be okay to do those, but that's --

3 CHAIR THOMPSON: Right.

4 MS. STROUD: If anybody had a  
5 question --

6 CHAIR THOMPSON: Yeah. Because we're  
7 in the general election, you're allowed to keep  
8 your sign up.

9 MS. STROUD: I suspect that that would  
10 be the case, because the events which they're  
11 campaigning for is not over for you.

12 CHAIR THOMPSON: Right. Okay. All  
13 right. Before we turn to any public comment,  
14 anything else from anybody?

15 (No response.)

16 CHAIR THOMPSON: Okay. I see --

17 MEMBER GILL: I'll just make the  
18 statement, because it drives me crazy too,  
19 signs -- it's the random corners. It's not the  
20 main intersections, forever and ever. And so I  
21 was going to wait and comment, but it's  
22 officially 30 days.

1           So DPW should be aware that these are  
2 all illegally placed here and there, so --

3           MS. STROUD: And there's a record of  
4 this proceeding, and I'm sure they will have  
5 access to it, that there has been that concern  
6 raised. Yeah.

7           CHAIR THOMPSON: All right. Well,  
8 it's August in D.C.; a lot of people on vacation.  
9 That's a good thing. I don't think we have too  
10 many participants today, but the floor is open  
11 for public comment.

12           If anybody could raise their hand, or  
13 if you're on by phone, just unmute yourself and  
14 let us know you'd like to speak.

15           (No response.)

16           CHAIR THOMPSON: Pull up the  
17 participant screen on the bottom, so we can see  
18 it. Yeah. So there's about -- it says, 17  
19 participants. I don't see any hands going up,  
20 and I know people sometimes need a moment to  
21 figure out their technology, so we'll give it a  
22 minute before we call it.

1 (Pause.)

2 CHAIR THOMPSON: All right. Well, for  
3 those who are here and listening, thank you so  
4 much. We will be back on Wednesday, September --  
5 whatever is next -- first Wednesday in September.

6 MEMBER GILL: Seventh.

7 CHAIR THOMPSON: Seventh?

8 MEMBER GILL: Seventh.

9 CHAIR THOMPSON: Unless we have to  
10 have a special meeting before then, because right  
11 now, we have nothing.

12 MS. STROUD: Well, we don't have  
13 anything right now, but the challenge here is --

14 CHAIR THOMPSON: Okay.

15 MS. STROUD: -- depending on when  
16 challenges are filed --

17 CHAIR THOMPSON: Right.

18 MS. STROUD: -- we may have some that  
19 need to be resolved by the 6th.

20 CHAIR THOMPSON: Yeah. Okay.

21 MS. STROUD: Maybe -- yeah.

22 CHAIR THOMPSON: All right. So we may

1 have a special meeting before the 7th to deal  
2 with petition challenges. Otherwise we'll see  
3 everybody on the 7th. And for those of you out  
4 there walking your dogs, trying to get  
5 signatures, good luck, and thank you so much.

6 With that, I would move we adjourn.

7 MEMBER GILL: Second.

8 CHAIR THOMPSON: Second. All in favor  
9 of adjournment?

10 (A chorus of ayes.)

11 CHAIR THOMPSON: There's at least two  
12 votes.

13 MEMBER GREENFIELD: Aye.

14 CHAIR THOMPSON: So we are adjourned.

15 (Whereupon, at 10:29 a.m., the meeting  
16 was adjourned.)

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This is to certify that the foregoing transcript

In the matter of: Board Meeting

Before: DCBOE

Date: 08-03-22

Place: teleconference

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



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Court Reporter

**NEAL R. GROSS**

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