

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

In Re:	Administrative Hearing No. 26-026
“Jack Evans Complaint”	Nominating Petition Challenge

**ORDER DENYING REQUEST TO INVALIDATE PETITION CHALLENGE AND
REFERRING CAMPAIGN FINANCE ALLEGATIONS TO THE OFFICE OF
CAMPAIGN FINANCE**

I. BACKGROUND

Jack Evans (“Candidate”) is a candidate for Chairman of the Council of the District of Columbia (“the Council”) in the June 16, 2026 Democratic Primary Election. On March 18, 2026, the Candidate filed a nominating petition (“the Petition”) in support of his candidacy with the Board of Elections (“the Board”). Pursuant to D.C. Official Code § 1-1001.08(o)(1) and 3 DCMR 1606, the Board posted the Petitions for a 10-day challenge period.

On March 30, 2026, Eric Rogers (“Challenger”), a registered qualified elector, timely filed a challenge to the Petition (“the Challenge”) with the Board, specifying alleged defects in the Petition.

On April 2, 2026, the Candidate submitted a written request to the Board (“the Request”) asking the Board to: 1) find that the Challenge was prepared through the unlawful use of government resources in violation of D.C. Official Code § 1-1163.36¹; 2) identify all individuals involved in that alleged conduct; 3) invalidate and dismiss the Challenge in its entirety; and 4) grant any additional relief necessary to protect the integrity of the ballot access process.

For the reasons set forth below, the Board denies the Request and orders that the Challenge proceed to adjudication on the merits. The Board further refers the Candidate’s campaign finance allegations to the Office of Campaign Finance (“OCF”).

II. THE BOARD’S AUTHORITY IN PETITION CHALLENGE PROCEEDINGS

The Board’s authority to review nominating petition challenges is derived from D.C. Official Code § 1-1001.08(o). Under this provision, any qualified registered elector may challenge the validity of a nominating petition by filing a written statement with the Board that specifies concisely the alleged defects in the petition. Under 3 DCMR § 1606.2,

¹ The Candidate alleges that Council Chairman Phil Mendelson used his Council office and government equipment to print approximately 440 pages of petition challenge documents.

the Board shall adjudicate the validity of each properly filed challenge in accordance with the procedures prescribed in Chapter 4 of this title. A challenge to the validity of the signatures on the petition is properly filed if:

- (a) It cites the alleged signature or circulator requirement defects, as set forth in the signature validity rules of this chapter, by line and page;
- (b) It is signed and submitted in-person at the Board's office by a qualified elector by no later than 5:00 p.m. on the 10th day of the challenge period;
- (c) It alleges the minimum number of signature defects which, if valid, would render the prospective candidate ineligible for ballot access; and
- (d) It appears on its face to be based on a good faith review of each signature and circulator affidavit. An absence of good faith may be determined where the Board's preliminary review of the challenge indicates that the defect(s) alleged for a substantial number of signatures and/or circulator affidavits could not reasonably be found to apply to such signatures and/or circulator affidavits.

Upon receiving a properly filed challenge, the Board is required to receive evidence in support of and in opposition to the challenge to determine the validity of the challenged nominating petition not more than 20 days after the challenge has been filed.

III. THE CHALLENGE WAS PROPERLY FILED AND MUST BE ADJUDICATED

The Challenge was properly filed under 3 DCMR § 1606.2. Mr. Rogers is a properly registered qualified elector who timely filed a written, signed challenge with the Board that specifies concisely the alleged defects in the petition, alleges enough signature defects to render the Petition insufficient for ballot access, and appears on its face to have been submitted in good faith.

The Candidate does not contest that the Challenge satisfies these requirements. Rather, the Request rests entirely on alleged conduct extrinsic to the Challenge itself – specifically, the manner in which the Challenge materials were prepared and printed. As there is no basis in the law that authorizes the Board to invalidate a properly filed challenge based upon alleged unlawful conduct in the preparation or printing of the challenge documents, the Board is required to adjudicate the Challenge on the merits.

IV. THE ALLEGED CAMPAIGN FINANCE VIOLATIONS ARE WITHIN THE JURISDICTION OF THE OFFICE OF CAMPAIGN FINANCE

The Request is premised on D.C. Official Code § 1-1163.36, which prohibits the use of District to support or oppose any candidate for public office. Enforcement authority over that provision lies with the Office of Campaign Finance (“OCF”), which is vested with the authority to receive complaints, investigate, and impose penalties for violations of the District's campaign finance

laws. Because this complaint does not fall within the Board's election law jurisdiction, there is no entitlement to an adjudicatory hearing under the Board's Title 1, Chapter 10 authorities.

The Board expresses no view on the merits of the allegations outlined in the Request. Pursuant to 3 DCMR § 409.3, the Candidate's allegations regarding the alleged misuse of District government resources are hereby referred to OCF for such investigation and action as OCF deems appropriate.

For the reasons indicated, it is hereby ORDERED that:

- 1) the Request to invalidate the Challenge is denied;
- 2) the Challenge shall proceed to adjudication on the merits; and
- 3) the Candidate's allegations regarding the alleged misuse of District government resources in violation of D.C. Official Code § 1-1163.36 are hereby referred to OCF for such investigation and action as OCF deems appropriate.

The Board issues this order in accordance with 3 DCMR §§ 400.6² and 419.1(d).³



Dated: April 8, 2026

Gary Thompson
Chair
Board of Elections

² 3 DCMR § 400.6 provides that “[t]he Board has the discretion to hear any case brought before it under the District of Columbia Election Act or the Campaign Finance Act of 2011 by a one-member panel, pursuant to D.C. Official Code § 1-1001.05(g) (2016 Repl.)”

³ 3 DCMR § 419.1(d) provides that “[t]he Chairperson shall have the authority to ... [d]ispose of procedural requests or similar matters[.]”