

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Joe Bishop-Henchman,)	
Challenger)	Administrative
)	Order #24-024
)	
v.)	Re: Challenge to Nominating
)	Petition Submitted for
)	Advisory Neighborhood Commissioner
Shekita McBroom,)	Single Member District 8E03
Candidate.)	

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on September 6, 2024. It is a challenge to the nominating petition submitted by Shekita McBroom (“the Candidate”) to run for the office of Advisory Neighborhood Commissioner (“ANC”) for Single-Member District (“SMD”) 8E03 in the November 5, 2024, General Election (“the General Election”). The challenge was filed by Joe Bishop-Henchman (“the Challenger”), a registered voter in the District of Columbia, pursuant to D.C. Official Code § 1-1001.08 (o)(1). Chairman Gary Thompson and Board members Karyn Greenfield and J.C. Boggs presided over the hearing. Ms. McBroom did not appear, and Mr. Bishop-Henchman appeared *pro se*.

Background

On August 7, 2024, the Candidate submitted a nominating petition to appear on the ballot as a candidate in the General Election contest for the office of ANC in SMD 8E03 (“the Petition”). The minimum number of signatures required to obtain ballot access for this office is twenty-five (25) signatures of District of Columbia voters who are duly registered in the same Single-Member District as the candidate. The Petition contained twenty-seven (27) signatures. Pursuant to Title 3

District of Columbia Municipal Regulations (D.C.M.R.) § 1603.1, Marissa Corrente, the Board of Elections' Registrar of Voters ("the Registrar"), accepted all twenty-seven (27) signatures for review.

On August 10, 2024, the Petition was posted for public inspection for ten (10) days as required by law. On August 17, 2024, the Challenger filed a challenge to a total of eight (8) Petition signatures ("the Challenge"). Specifically, the signatures and affidavits were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not a registered voter in the District of Columbia, the signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed, the signature is not dated, and the signer is not registered to vote in the same SMD from which the Candidate seeks nomination at the time the petition is signed.

Registrar's Preliminary Determination

The Registrar's review of the challenge indicated that seven (7) of the eight (8) signature challenges were valid: one (1) challenge was valid because the signer is not registered to vote, three (3) challenges were valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed, one (1) challenge was valid because the signature is not dated, and two (2) challenges were valid because the signer is not a registered voter in the electoral jurisdiction from which the candidate seeks nomination at the time the petition was signed.

This left the Candidate's nominating petition with twenty (20) presumptively valid signatures, which is five (5) signatures below the number required for ballot access.

September 3, 2024 Pre-hearing Conference

Pursuant to title 3 D.C.M.R. § 415.1, the Office of the General Counsel (“OGC”) convened a pre-hearing conference with both parties on August 28, 2024. In her findings report issued prior to the pre-hearing conference, the Registrar outlined her determinations with respect to the validity of each signature challenged and provided a key code explaining the notations she used to indicate the basis for upholding or denying each challenge.

The Candidate did not appear at the pre-hearing conference despite being duly notified. During an earlier pre-hearing conference for a challenge brought by a different individual, the Candidate accepted the findings of the Registrar and indicated her decision to withdraw her petition. She expressed her intent to run as a write-in candidate for the same position, noting that she had successfully done so in the past. As the Candidate did not file a candidate withdrawal form, the case was set for a Board hearing on September 6, 2024. Both parties were duly notified of the hearing.

September 6, 2024 Board Hearing

The Registrar was present at the hearing and presented her findings. The Candidate did not appear.¹ The Challenger attended and agreed with the Registrar’s findings.

Discussion

The minimum number of signatures required to obtain ballot access for this office is twenty-five (25) signatures of District voters who are duly registered in the same SMD as the candidate. The Petition contained twenty (20) presumptively valid signatures, falling five (5) short of the required number. The Board upholds the finding of the Registrar that the petition contains

¹ On September 5, 2024, the Candidate notified Board staff that she had been involved in an accident. She again indicated her intention to submit her candidate withdrawal form, but this form was not submitted prior to the Board hearing.

twenty (20) presumptively valid signatures. Given that the Candidate did not produce any evidence to contest the Registrar’s findings concerning the invalidated signatures, we find that the Candidate does not have sufficient signatures for ballot access.

Conclusion

As a result of the Challenge, the Board finds that the Petition contains twenty (20) valid signatures – five (5) signatures below the number required for ballot access. It is hereby:

ORDERED that Shekita McBroom shall be **DENIED** ballot access in the contest for the office of Advisory Neighborhood Commissioner for Single-Member District 8E03 in the 2024 General Election, and that her name shall not appear on the ballot.

The Board issues this written order today, which is consistent with our oral ruling rendered on September 6, 2024.

Date: September 7, 2024



Gary Thompson
Chairman
Board of Elections