

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
November 8, 2023**

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, November 8, 2023 via Zoom and in the Board’s Hearing Room, located at 1015 Half Street, SE, Washington, D.C. 20003, Suite 750. Board Chairman Gary Thompson and Board Member J.C. Boggs were present. The Board’s Executive Director Monica Holman Evans (“Director Evans”), General Counsel, Terri Stroud, the Director of the Office of Campaign Finance (“OCF”), Cecily Collier-Montgomery, and OCF General Counsel, William SanFord, were also present.

CALL TO ORDER (10:30 a.m.)

ASCERTAINMENT OF QUORUM

- Board Chair Thompson and Board Member Boggs constituted a quorum.

ADOPTION OF AGENDA/APPROVAL OF MINUTES

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on October 4, 2023.

BOARD MATTERS

- None

DCBOE EXECUTIVE DIRECTOR’S OCTOBER 2023 REPORT (EXECUTIVE DIRECTOR EVANS)

- **Election Center Certified Elections/Registration Administrator (CERA) Program Graduates**
 - On October 2, the Board recognized five recent BOE staff members who graduated from the CERA program, the nation's first professional certification program for election and voter registration professionals. The 2023 graduates were Melissa Alexander, Duan Jones, Randy Legette, Richard Thompson, and LaDawne White.
- **Data Breach**
 - On October 5, BOE became aware that a hacking group known as RansomVC claimed to have breached BOE's records and accessed 600,000 lines of US voter data, including DC voter records. While no internal BOE databases, networks, or servers were directly compromised, BOE is still investigating this matter. BOE is working with DataNet Systems to contact all registered voters.
- **DC Council Roundtable**
 - At a public roundtable on 2024 Election Planning held by the District of Columbia Council’s Committee on Executive Administration and Labor (CEAL)(chaired by Councilmember Anita Bonds) on October 31, BOE provided information regarding

the data breach, the investigation, and next steps. BOE also updated information that was provided during a June 2023 roundtable on 2024 election planning.

○ **Precinct Mapping**

- The Board is working to review current precinct boundaries to divide the District into appropriate voting precincts based on election wards.
- Files have been sent to the Office of Chief Technology Officer (“OCTO”) to verify Single Member Districts (“SMDs”) and precinct alignment.
- Precinct mapping plans have been sent to Councilmember Bonds for review.

○ **ANC Vacancies**

- There are 14 Advisory Neighborhood Commission (“ANC”) vacancies for the 2023/2025 term, all of which are in different stages of being filled. After candidate filing requirements are met, an open vote of registered voters within the SMD will be held during regularly scheduled ANC meetings.
- The Board is working with the Department of Corrections (“DOC”) to fill the vacancy in SMD 7F08, which represents the DC Jail.
- The petition and challenge process for the 7F08 vacancy has ended, and the ANC will conduct the Special Election to fill the vacancy in December.

○ **List Maintenance**

- The Board’s 2023 list maintenance process is still actively underway.
- A nonforwardable mailer was sent to registered voters who did not vote in the 2022 general election. Based on the data received, we mailed a forwardable postcard to certain of those voters. We also mailed the forwardable postcard to voters whose ballots were returned to the Board as undeliverable in 2022.
- To date, 65,544 voters have been removed from our voter rolls, and an additional 37,962 inactive voters will be removed from our voter rolls before December 31.
- 73,522 voters have been moved to inactive status. An additional 20,000 voters will be moved to inactive status once the Board mails a second batch of forwardable mailers.

○ **2023 Next Steps/Off-Election Year Planning**

- Draft calendars for the 2024 Primary and General elections are now posted on the Board’s website.
- The Elections Modernization Amendment Act (“EMA”) requirements and the Local Resident Voting Rights Amendment Act (“LRVR”) are being implemented to ensure the Board’s compliance.
- The Board has met with the voter registration vendor, VR Systems, regarding the data visualization interface that the EMA requires for the Board’s website and the creation of a database solution to house non-citizens who register to vote in local elections.
- The timeline to implement the database to register non-citizens for local elections includes the delivery of initial software updates to BOE; BOE software review, updates, and feedback; revision of software based on feedback; and the training of BOE staff.

- The Board will acquire additional equipment to assist with mail ballot processing. Funding received in the FY 2024 budget will go towards the purchase of mail ballot processing machines.
 - The comment period for the proposed Vote Center and Mail Ballot Drop Box locations closed on October 2. The Board is in the process of reviewing comments received.
 - BOE plans to have 55 Mail Ballot Drop Boxes placed throughout the city, 25 Early Vote Centers, and a total of 75 Election Day Centers.
- **Accessibility**
- The Board is currently partnering with Disability Rights at University Legal Services and the Office of Disability Rights to conduct an accessibility survey of all prospective Vote Centers ahead of the 2024 Primary Election to ensure that the Vote Centers remain accessible.
 - The Board is partnering with the DC Department of General Services (“DGS”) to ensure that Vote Centers are structurally accessible, and we will also ensure that election workers are aware of the Americans with Disabilities Act (“ADA”) guidelines and other important information about accessibility.
- **Election Worker Division**
- The Election Worker Training Division is revising the Election Worker Handbook and the training curriculum based on recently-passed legislation.
 - During the 2024 Election Cycle, the Board's goal is to recruit and train between 2,000 and 2,500 election workers, deploying approximately 1,700 election workers to serve at Vote Centers.
 - Election worker training will begin on March 12, 2024, and will take place six to seven days a week for ten weeks. Election workers can also access online training modules to complement the required in-person classes.
 - Training classes will be provided for Registration Clerks, Ballot Clerks, Voter Assistance Clerks, Site Coordinators, and Area Representatives.
- **Voter Education and Outreach (VEOD)**
- During October 2023, VEOD conducted 19 outreach events, including participating at the 2023 Disability Tech Summit at the Convention Center, and the Naturalization Ceremony held at the United States District Court on October 10.
- **Voter Registration Rolls**
- In October, the Voter Services Division registered 2,071 new voters and processed 17,008 registration changes.
 - In total, 19,079 voter registration cards were prepared for mailing.
 - 2,697 registered voters moved out of DC.
 - 1,045 voters registered in DC. after canceling their registration in other jurisdictions.
 - 492 voters canceled their DC. registrations and registered with other jurisdictions.

- **Online Voter Registration**
 - 39,294 applications have been processed to date.

DCBOE GENERAL COUNSEL’S OCTOBER 2023 REPORT (GENERAL COUNSEL STROUD)

- **New Staff Attorneys**
 - The OGC hired two new staff attorneys, Jorge Quintana and LaKetha Walker, who started on October 23.
- **Litigation Status**
 - **Public Interest Legal Foundation (“PILF”) v. Monica Evans**
 - This matter was filed in the US District Court for the District of Columbia under the National Voter Registration Act (“NVRA”).
 - The suit alleges that the Board is out of compliance with the NVRA’s public records provision.
 - A hearing is scheduled for December 4 regarding the OAG’s pending motion to dismiss.
 - **Stacia Hall, et al., v. D.C. Board of Elections (U.S. Dist. Ct. for DC)**
 - This is a challenge to the Local Residents Voting Rights Act.
 - All pleadings have been filed in this matter, and we are awaiting the court’s ruling.
 - **District of Columbia Democratic Party, et al., v. Muriel Bowser, et al. (DC Superior Court)**
 - This is a challenge to Initiative Measure No. 83.
 - An initial hearing was scheduled for November 6, but the plaintiff withdrew the complaint prior to the hearing.
 - **District of Columbia Democratic Party, et al., v. Muriel Bowser, et al. (DC Superior Court)**
 - This is a challenge to Initiative Measure No. 83.
 - On October 3, defendants filed a joint motion to dismiss.
 - On November 4, the plaintiffs filed their opposition.
 - The defendants reply is due November 13.
 - An initial hearing is scheduled for December 1.

OCF OCTOBER 2023 REPORT (DIRECTOR COLLIER-MONTGOMERY)

- **Community Outreach**
 - On October 18, information on OCF’s Traditional and Fair Elections Programs was presented at Mt. Pleasant Neighborhood Library.
- **Fair Elections Program (FEP) Division Report for October**

- **Authorized Base Amounts and Matching Payments**
 - A total sum of \$12,358,606.95 was authorized for disbursement from the FEP Fund in base amounts and matching payments to the 42 candidates certified in the FEP to participate in the June 21, 2022 Primary Election and in the November 8, 2022 General Election.
- **Candidates Certified in the FEP for The 2024 Election Cycle and Disbursements Made During the Month of October 2023 to Participating Candidates**
 - There are two certified participating candidates in the FEP program for the 2024 election cycle.
 - There were no new candidate certifications or authorized disbursements in October.
- **Desk Reviews and Other Activities**
 - 19 desk reviews were conducted of Initial and Amended Reports of Receipts and Expenditures (R & E Reports”).
 - 11 Request for Additional Information (“RFAI”) letters were sent.
- **Candidate/Treasurer Consultations**
 - Markus for One Ward 8
 - Committee to Re-Elect Janeese Lewis George
 - Veda for Ward 7 2024
 - Rodney “Red” Grant for City Council
- **Remitted Funds**
 - As of October 31, the total sum of \$803,207.20 has been remitted back to the FEP fund from candidates who were certified to participate in the 2022 election cycle.
- **2020 Ongoing Post-Election Full Field Audits**
 - 11 audits are currently ongoing.
 - 23 Final Audit Reports have been issued.
 - The details of these audits are listed on the OCF website.
- **2022 Ongoing Post-Election Full Field Audits**
 - 42 Post-election Audits Letters have been issued.
 - To date, 19 Preliminary Statement of Audit Findings have been issued.
 - To date, 12 Final Audit Reports have been issued.
 - The details of these audits are listed on the OCF website.
- **Public Information and Records Management Division (PIRM)**
 - R & E Reports were due for the committees/persons listed below on the dates indicated:
 - Constituent Services Programs (October 1 (due October 2))
 - Senator/Representative Statehood Funds (October 1 (due October 2))
 - Political Action Committees (PACs) (October 10)
 - Independent Expenditure Committees (October 10)
 - Fair Elections Candidate Committee (October 10)

- **New Candidate/Committees**
 - Traditional Program Candidates
 - Seven total; 0 new for 2024 Primary Election
 - Four candidates and treasurers completed the OCF Entrance Conference (listed below):
 - Kevin Rapp/Candidate, Council At-Large
 - Janeese Lewis George
 - Markus Batchelor
 - Christina Henderson
 - FEP Candidates
 - Nine total; four new for 2024 Primary Election (listed below)
 - Kevin Rapp, Candidate/Treasurer, Council At-Large
 - Janet Hailes, Treasurer, Committee to Re-Elect Janeese Lewis George
 - Markus Batchelor
 - Johnathan Hill, Treasurer, Markus for One Ward 8
- **Referrals to the OGC**
 - Four (Failure to Timely File the October 10 R & E Report)
- **Reports Analysis and Audit Division (RAAD) Program**
 - Desk Reviews and Other Activities
 - 64 desk reviews were conducted during October 2023.
 - Eight RFAI letters were sent.
 - Final Audit Reports Issued
 - DC Latino Caucus
 - DC Young Democrats
 - Ongoing Audits (The details of these audits are posted on the OCF website)
 - Full Field Audit - Newly Elected Officials
 - Kenyan McDuffie 2022
 - Random Periodic Audit - PAC (July 31, 2023 R & E Report)
 - Citizens for Empowerment
 - Full Field Audit – Inaugural Committee
 - DC Proud

OCF OCTOBER 2023 GENERAL COUNSEL REPORT (GENERAL COUNSEL WILLIAM SANFORD)

- OCF welcomes two new staff attorneys, Nereida Gonzales and Tina Ball
- **Intake/Output Report**
 - OGC received four referrals from PIRM
 - OGC completed 21 informal hearings and issued ten orders, including:
 - **Two orders** to vacate notices of hearings or prior orders
 - **Three orders** imposing a total of \$950 in fines
 - Thaddeus James ANC, \$50

- Friends of Best, \$850
 - Robin McKinney ANC \$50
- **Five orders** imposing no fines
- **Fines Collected**
 - Total sum of \$600 was collected from:
 - McKinney ANC, \$50
 - Thaddeus James ANC, \$50
 - Zachary Parker, \$500
- **Petitions for Enforcement**
 - James for Ward 2 SBOE
 - Urban Red PAC
 - Markus for DC
 - Kishan for DC 2020
 - Citizens for Bill Lewis 2020
 - Vote Fria Moore 2020
 - Ed Lazare for DC Council At-Large
 - John Fanning Ward 2 Special Election
- **Open Investigations**
 - Complainant: Edward Hanlon, Respondent: Committee to Re-Elect Brooke Pinto 2024 (Docketed October 23)
 - Allegation: Use of Government Resources for Campaign Related Purposes
- **Interpretative Opinions**
 - NONE
- **Show Cause Proceedings**
 - NONE

PUBLIC MATTERS

- The discussion in the public matters portion of the meeting can be found within the transcript for this hearing starting at page 33.

ADJOURNMENT (11:27 p.m.)