

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
October 4, 2023**

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, October 4, 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 Members Karyn Greenfield and 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 (10:38 a.m.)

ASCERTAINMENT OF QUORUM

- Board Chair Thompson and Board Members Greenfield and 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 September 13, 2023.

BOARD MATTERS

- None

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

- On September 24, the Board met with Councilmember Anita Bonds to discuss 2024 election planning and election equipment purchases.
- **Precinct Mapping**
 - The Board is working with Gottlieb Simon 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.
- **ANC Vacancies**
 - There are 14 Advisory Neighborhood Commission (“ANC”) vacancies for the 2023/2025 term, all of which are in different stages of being fulfilled. 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 ANC vacancy that represents the DC Jail.

- **List Maintenance**
 - The first canvass mailer went to 305,402 registered voters who did not participate in the 2022 General Election.
 - 77,508 canvas mailers have been received back from the U.S. Postal Service.
 - A second canvass mailer has been sent to over 73,000 registered voters. The recipients will be moved to inactive status.
 - 65,628 voters have been identified as inactive and will be removed from the voter roll on October 11.

- **Foreign Delegations**
 - On September 21, the Board hosted delegations from Sri Lanka and Nepal and discussed the DC elections process and the administration of free and fair elections with them.

- **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 its 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. Phase one of testing for the non-citizens registration database and interface has started.
 - 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 a mail ballot processing machine.
 - The Board is reviewing all of the comments on the vote center and mail ballot drop box locations that were received by the October 2 deadline.

- **Voter Education and Outreach (VEOD)**
 - During September, 38 outreach events were conducted, including a voter registration drive at the Nationals Ball Park where 239 voters were registered.

- **Voter Registration Rolls**
 - In September, the Voter Services Division registered 1,853 new voters and processed 215 registration changes.
 - In total, 2,068 voter registration cards have been prepared for mailing.
 - 97 registered voters moved out of D.C.
 - 755 voters registered moved into D.C.
 - 193 voters canceled their D.C. registrations and registered with other jurisdictions.

- **Online Voter Registration**
 - 38,466 applications have been processed to date.

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

- **Proposed Rulemaking to Title 3 (Elections and Ethics) of the D.C. Municipal Regulations**
 - Proposed Rulemaking
 - Amend Chapters 1 and 3-20 of Title 3 of the D.C. Municipal Regulations to have them conform with district law, including the LRVR.
 - **BOARD ACTION:** Voted unanimously for the proposed rulemaking to be submitted to the D.C. Register for the October 13, 2023 publication.
- **Litigation Status**
 - **Public Interest Legal Foundation (“PILF”) v. Monica Evans (U.S. Dist. Ct. for D.C.)**
 - 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.
 - The DC Office of the Attorney General (OAG) is filing a response in reply to an opposition to a motion to dismiss filed on behalf of the Board.
 - **Stacia Hall, et al., v. D.C. Board of Elections (U.S. Dist. Ct. for D.C.)**
 - This case concerns the constitutionality of an act of the Council.
 - On June 7, the OAG filed a motion to dismiss on behalf of the Board.
 - On July 14, the plaintiff filed an opposition to the motion to dismiss.
 - The OAG filed a reply to the opposition on August 18.
 - The parties are waiting for the court’s opinion.
 - **District of Columbia Democratic Party, et al., v. Muriel Bowser, et al., (D.C. Superior Court)**
 - This matter was filed in D.C. Superior Court for the District of Columbia.
 - The suit was filed against the Board, the Mayor, and the District government.
 - Neither the OAG nor the Board have been served.
 - An initial hearing is scheduled for November 3.
 - **District of Columbia Democratic Party, et al., v. Muriel Bowser, et al., (D.C. Superior Court)**
 - This matter was filed in D.C. Superior Court for the District of Columbia.
 - On September 12, the OAG and the Board were served.
 - An initial hearing is scheduled for December 1.

OCF SEPTEMBER 2023 REPORT (DIRECTOR COLLIER-MONTGOMERY)

- **Office of the Director**
 - The 2022 Post-Election Cycle Report was published on the OCF Website on September 1 as required by D.C. law.
 - The data presented in this Report is based on information reported in the Reports of Receipts and Expenditures (“R&E Reports”) filed from the start of the candidate campaigns referenced through December 31, 2022.

- **Community Outreach**
 - During July and August, 12 Beat the Streets (BTS) Community Outreach Events organized by the DC Metropolitan Police Department were conducted in Wards 3 through 8.

- **Fair Elections Program (FEP) Division**
 - A total sum of \$12,358,606.95 has been 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 2022 Primary Election and in the November 2022 General Election.
 - For the 2024 election cycle, there are two certified participating candidates in the FEP program and three registered candidates to date.
 - There were no certifications or disbursements from the FEP fund in September, nor were there any new candidates certified in September.
 - **Desk Reviews and Other Activities**
 - 39 desk reviews were conducted of initial and amended R&E Reports.
 - 21 Requests for Additional Information (“RFAI”) letters were sent.
 - **Remitted Funds**
 - As of September 27, the total sum of \$803,207.20 has been remitted back to the FEP fund from campaign operations of candidates who were certified to participate in the 2022 election cycle.
 - **2020 Post-Election Full Field Audits**
 - There were 34 full field audits.
 - 11 of these audits are ongoing.
 - 23 Final Audit Reports have been issued.
 - The details of these audits are listed on the OCF website.
 - **2022 Post-Election Full Field Audits**
 - 42 post-election audits letters were issued.
 - 17 Preliminary Statements of Audit Findings have been issued.
 - Ten Final Audit Reports have been issued to date, including five that were issued in September 2023.
 - The details of these audits are listed on the OCF website.

- **Public Information and Records Management Division (PIRM)**
 - There were no R & E Reports due in September 2023.

- The DC Proud 2023 Inaugural Committee filed their termination R & E Report on September 8.
- **New Candidate/Committees**
 - Traditional Program Candidates
 - Seven total, including one new for the 2024 Primary Election.
 - FEP Candidates
 - Five total, including one new for the 2024 Primary Election.
 - Committees
 - No new committees registered during September 2023.
- **Reports Analysis and Audit Division (RAAD)**
 - 11 desk reviews were conducted during September 2023.
 - One RFAI letter was sent.
 - **Audits Issued**
 - None
 - **Ongoing Audits**
 - Full Field Audits - Newly Elected Officials
 - Kenyan McDuffie 2020.
 - Audit still in progress.
 - July 31, 2023 Political Action Committees (PACs)
 - DC Latino Caucus PAC.
 - Statement of Findings was issued on September 27.
 - DC Young Democrats.
 - Audit fieldwork is complete.
 - Citizens for Empowerment.
 - Committee bank account was closed September 9.
 - DC Proud Inaugural Committee
 - Audit pre-work has started.
- **Office of the General Counsel (OGC)**
 - **Intake/Output Report**
 - OGC received one referral.
 - Seven informal hearings were held and seven orders were issued, including four orders to vacate and three orders in which a total of \$6,050 in fines was imposed.
 - **Imposed Fines:**
 - The DC Principal Campaign Committee - \$2,750
 - Randy Downs for Ward, 2 Principal Campaign Committee - \$550
 - Mónica Palacio for City Council - \$2,750
 - **Fines Collected**
 - A total sum of \$2,425 was collected from:
 - The Committee to elect Karim D. Marshall - \$1,050
 - Committee to elect Lovie K. Perry - \$500
 - Rodney Grant for Mayor, principal Campaign Committee - \$825

- Dascha Cleckley, ANC - \$50
- **Open Investigations**
 - NONE
- **Interpretative Opinions**
 - NONE
- **Show Cause Proceedings**
 - NONE

PUBLIC MATTERS

- The discussion in the public matters portion of the meeting can be found on pages 24 – 36 of the transcript for this hearing.

ADJOURNMENT (11:10 p.m.)