



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20001-2745



**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**March 5, 2014**

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, March 5, 2014 in the Board’s Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. The Board’s Chairman, Deborah K. Nichols, was present, as was Member Stephen I. Danzansky. Also present on the dais were Tamara Robinson, the Board’s Public Information Officer sitting in for the Board’s Executive Director Clifford Tatum, Kenneth McGhie, the Board’s General Counsel, and Cecily Collier-Montgomery, the Director of the Office of Campaign Finance (“OCF”).

Chairman Nichols called the meeting to order at 10:33 a.m.

The meeting agenda was approved and adopted.

The minutes of the last meeting (February 5, 2014) were approved and adopted.

There were no Board matters presented.

**Ms. Octavia Wells** attempted to raise a public matter concerning endorsement of a lawsuit she filed pertaining to compensation of the District’s Shadow Representative and Senators; however, Chairman Nichols explained such endorsements are not within the Board’s jurisdiction.

**Ms. Robinson** submitted the Executive Director’s report in his absence. The Board’s mobile app, DC BOE Vote, launched successfully on Wednesday, February 26, 2014. The app is available for download at [votefordc.com](http://votefordc.com), and allows the user to register to vote and request absentee ballots.

Logic and accuracy testing on all voting equipment has been completed, and no issues were reported.

2,300 absentee ballots were mailed to residents on Friday, February 28, 2014.

Poll worker training is proceeding without issues other than rescheduling classes that were postponed due to the closing of D.C. government because of the inclement weather.

Early voting advertisements began on Monday, March 3, 2014, and Metro bus and station print ads have been placed on several bus routes and in nine Metro stations across the District. Television PSAs began airing on Comcast Spotlight, and more PSAs will air on D.C.T.V., which is the District’s public access channel, next week. Radio PSAs are scheduled to air starting March 17<sup>th</sup> on WHUR, and there will be subsequent airings on several other radio stations on March 31<sup>st</sup> and April 1<sup>st</sup>.

Voter guides are scheduled to be mailed to every registered voter's household on March 11<sup>th</sup>, and the Board's outreach specialist, Ms. Kathy Fairley, is scheduled to visit 21 nursing homes to deliver absentee ballots to senior citizens in those facilities.

Voter registration statistics as of February 28, 2014: 446,194 registered voters; 337,980 registered Democrat; 27,213 registered Republican; 3,613 D.C. registered Statehood Green; 231 registered Libertarian; 1,025 registered in other minor parties; 76,132 registered with no party affiliation.

**Mrs. Collier-Montgomery** reported on the following items initiated or ongoing in the month of February 2014 at the Office of Campaign Finance (OCF):

- **February 26, 2014, OCF started site visits to campaign offices of candidates and principal campaign committees participating in the election cycle.**
  - On February 26<sup>th</sup>, staff from the Office of the General Counsel and Audit Division visited the offices of Muriel Bowser for Mayor and Jack Evans for Mayor.
- **Status of pending legislation.**
  - Campaign Finance Reform and Transparency Act of 2013 Bill 20-0249 was signed by the Mayor on Friday December 27, 2013 and transmitted to Congress for the congressional review period, and it is scheduled to become law on March 6, 2014.
    - As a result of the new legislation, electronic filing will be mandatory for candidates and committees with an exception waiver for good cause shown.
    - There will be a separate required filing schedule for reporting of bundled contributions in excess of \$10,000 as opposed to individual contributions.
    - Civil penalties will change due to new authority to impose penalties against candidates and anyone responsible for filing committee reports as opposed to only penalizing the political committee.
    - The provisions of the law would not be effective until January 15, 2015 or later depending on the appropriation of funds necessary to implement the Act.
- **January 31, 2014 filing deadline for Reports of Receipts and Expenditures.**
  - **Principal Campaign Committees (PCCs) & Political Action Committees (PACs)** 137 required filers (76 PCCs, 61 PACs); 119 timely filers; 2 extensions were granted; 2 late filers; 13 failures to file; 15 referrals to the Office of the General Counsel.
- **9 candidates and committees registered to participate in the 2014 election cycle:** *Sian Ofaolain*, Ward 6 Democratic State Committee, 2/3/14; *Martin Moultron*, U.S. Representative, 2/3/14; *Dyana Forester*, Ward 1 Democratic State Committee, 2/5/14; *Bryan Weaver*, Ward 1 City Council, 2/10/14; *Victoria Gordon*, Mayor, 2/10/14; *Bryan Hart*, At-Large City Council, 2/10/14; *Glenda Richmond*, U.S. Senator, 2/14/14; *Silvia Martinez* At-Large Democratic State Committee, 2/24/14; and *Mario Cristaldo*, At-Large Democratic State Committee, 2/24/14. Entrance conferences will be scheduled for the newly-registered candidates.
- **Referrals to the General Counsel's office for failure to timely file the January 31, 2014 reports for PCCs are as follows:** Committee to Re-elect Senator Strauss, Treasurer Richard Blanco; Carol Schwartz 2008, Treasurer Juliette Smith; Friend of Tarek Stevens, Treasurer Tarek Stevens; Committee to Elect Villareal V.J. Johnson, Treasurer Timothy Lewis; Committee to Elect Ronald Moten for Ward & City Council, Treasurer Ronald Moten; Committee to Elect Trayon White, Treasurer Trayon White; Committee to Elect

Natalie Williams, Treasurer Natalie Williams, Patterson for Ward 8, Treasurer Timothy Lewis, Committee to Elect Sekou Biddle At-Large, Treasurer Bandele McQueen; Biddle 2012, Treasurer William Broan; Christian Carter for Mayor 2014, Treasurer Noah Harmony Shoatz; Sewell for Mayor 2014, Treasurer Otis Sution; and Vote Valentine 2014, Treasurer Justine Flemmings.

- **Referrals to the General Counsel’s office for failure to timely file the January 31, 2014 reports for PACs are as follows:** People for a Strong Society, Treasurer Ben Foshager; and Washington D.C. Association of Realtors, Treasurer Edward Krauze.
- **Referrals to the General Counsel’s office for failure to file the Statement of Organization which included bank information for PCCs is as follows:** Kathy Henderson for Councilmember 2014, Treasurer Kathy Henderson.
- The Audit branch conducted 127 reviews of Reports of Receipts and Expenditures filed with OCF.
- **Full Field Investigative Audits**
  - Gray for Mayor.
  - Bonds for Council.
- **Periodic Random Audits of Political Action Committees (“PAC’s”) Continuing Committees, Political Campaign Committees and New Candidates Committees: Five (5)**
  - Caribbean-American Political Action Committee.
  - Brianne for D.C.
  - Reta Jo Lewis for Mayor.
  - Bowser for Mayor.
  - Cheh 2014.
- **Report of the Office of the OCF General Counsel (Reported by William SanFord)**
  - **Referrals** – 16 referrals from the Public Information and Records Management Division, and 1 referral from the Reports Analysis and Audit Division (“RAAD”).
  - **Orders Issued** – 9 including 5 Failure to Timely File orders in which a total of \$3,450 in fines were imposed; 1 Failure to Timely File order in which no fine was imposed; 1 Failure to Timely Respond order in which a fine of \$1,150 was imposed; and 2 Failure to Respond to a Request for Additional Information orders in which no fines were imposed.
  - **Fines Collected** –OCF collected \$500 in fines from the Committee to Elect Perry Red.
  - **Outstanding Fines Referred for Enforcement.** The Office of the General Counsel referred five petitions for enforcement to the Office of the General Counsel for the Board with outstanding fines totaling \$40,750. Kwame for Chair, \$45,000; Frank Sewell for Mayor, \$1,700; Friends of Tarek Stevens, \$1,800; Nestor for Mayor, \$1,100; and Tim Clair for ANC Commissioner, \$150.
  - **Open Investigations/Inquiries: Four (4)**
    - OCF FI 2011-103
    - OCF FI 2011-104
    - OCF FI 2013-013
    - OCF FI 2013-014
  - One request for an interpretive opinion was submitted 2/10/14 by Lloyd Jordan, Esq. of Motley Waller LLP law firm pertaining to contributions by labor organizations, and that opinion is pending.

**Mr. McGhie** reported on the status of the two cases the Board is currently litigating.

The first case, *Libertarian Party v. the Board*, is still pending because of unresolved issues about attorneys' fees which may be litigated.

The second case, *Zukerberg v. the Board*, was initiated by the filing of a complaint for declaratory and injunctive relief to prohibit the Board from removing the Attorney General contest from the 2014 ballot. The Superior Court granted the Attorney General's Motion to Dismiss on February 26, 2014.

**Ms. Octavia Wells** asked to be considered as the voice for the Board's Get Out the Vote ads. Ms. Robinson surmised that the ad spokesperson would have to be a Board employee, and Ms. Wells asked for confirmation.

There being no further business before the Board, the meeting adjourned at 10:53 a.m.