

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

November 14, 2019

+ + + + +

The District of Columbia Board of Elections convened in Suite 750, 1015 Half Street, S.E., Washington, D.C., 20003, pursuant to notice at 10:30 a.m., Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair
MIKE GILL, Member

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director
ARLIN BUDOO, Facility Operations Manager
CECILY E. COLLIER-MONTGOMERY, Director of
the Office of Campaign Finance
WILLIAM SANFORD, General Counsel, Office
of Campaign Finance
TERRI D. STROUD, General Counsel

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1 P-R-O-C-E-E-D-I-N-G-S

2 (10:52 a.m.)

3 CHAIRMAN BENNETT: This is the
4 November meeting of the DC Board of Elections,
5 and we have a great agenda today, so we're going
6 to get through that. Let me introduce the folks
7 that are here. To my left is Alice Miller,
8 Executive Director of the Board of Elections. To
9 my immediate right, Michael Gill, Board member.
10 To his right is Ms. Terri Stroud, General
11 Counsel, and to her right is Cecily Montgomery,
12 Director of the Office of Campaign Finance.

13 Let me start out with the assertion,
14 to ascertain we have quorum, that we are one
15 Board member short. The normal Board is three
16 members, but we have two, myself and Michael
17 Gill, so we certainly have a quorum. At this
18 point, we're able to conduct official business.

19 Second is the adoption of the agenda
20 and the approval of the minutes. So I'll do that
21 all at once if you don't mind, Mr. Gill. So can
22 I get a motion to adopt today's agenda and to

1 approve the minutes from our October meeting.

2 MEMBER GILL: I make a motion to adopt
3 today's agenda and the approval of the minutes.

4 CHAIRMAN BENNETT: And it's been
5 properly moved. I second, so it's unanimous.
6 Those items are adopted and approved. Board
7 matters, do you have any Board matters, Mr. Gill?

8 MEMBER GILL: I do not.

9 CHAIRMAN BENNETT: The only Board
10 matters I have is there are nine orders that the
11 Board issued over the last month, and they are on
12 the website under Orders. So I won't go through
13 each one, but they're orders that were addressing
14 various matters, primarily fines and also
15 decisions that we've had as a Board the last
16 month, actually the last six weeks. But those
17 are on the website under orders that were issued.

18 The next item on the agenda are
19 identification of public matters. This
20 particular agenda item has been -- we've been
21 trying that for a few months. We're going to
22 leave it on today, but we may end up taking it

1 off and just handling all public matters at the
2 end of the agenda as we traditionally do.

3 But if there are any -- if anyone from
4 the public would like to identify any issues or
5 matters that they'd like the Board to address at
6 the end of the or at the -- when we talk about
7 public matters, please address, please identify
8 those now. Seeing no one with a hand raised or
9 approaching the mics, I'll say there are none.

10 So next on the agenda is the Office of
11 Campaign Finance report by Ms. Montgomery.

12 MS. COLLIER-MONTGOMERY: Yes. Good
13 morning. The first thing I would like to report
14 is that during the month of October --

15 MEMBER GILL: Cecily, did you turn
16 your microphone on? There you go.

17 MS. COLLIER-MONTGOMERY: During the
18 month of October, with our community outreach
19 program, and basically that is an effort that the
20 Office of Campaign Finance has undertaken to
21 increase our outreach to the public.

22 And in that regard, on October 12,

1 2019, Deloris Ramsey, who is our supervisory
2 training officer, attended an event with the
3 Petworth Community Advisory Neighborhood
4 Commission, ANC4D, at their fall festival, which
5 was located at 9th and Illinois Avenue Northwest.

6 And basically what we do during these
7 events is that we distribute information about
8 the Office of Campaign Finance and its mission,
9 and it also gives us an opportunity to distribute
10 information about the Fair Elections Program as
11 well.

12 In the Fair Elections Program Division
13 during the month of October, there were five new
14 candidates who registered in the program. On
15 October 9, 2019, the 15th candidate, Gaston 2020
16 registered as a candidate for the Ward 8 State
17 Board of Education.

18 On October 10, 2019, the 16th
19 candidate, Committee to Elect Stuart Anderson
20 2020 registered as a candidate for the member of
21 the council from Ward 8. On October 18, 2019,
22 the 17th candidate registered, Chandler for

1 Council as at-large member for the member of
2 council.

3 On October 18, 2019, the 18th
4 candidate registered, Holcomb for State Board of
5 Education as a member of the State Board of
6 Education from Ward 8. And on October 30, 2019,
7 the 19th candidate, Christopher Cole from Ward 8
8 registered as well as a candidate for member of
9 the council.

10 There are currently 21 candidates
11 under the Fair Elections Program, and the two
12 most recent candidates registered in early
13 November. We also, I would like to indicate to
14 the public, that we have a listing of all of the
15 registrations in the Fair Elections Program,
16 which is available at our website.

17 There is a slider on the website at
18 the homepage, which details information about the
19 Fair Elections Program. And also, the public is
20 available -- is able to view the reports which
21 have been filed in the Fair Elections Program as
22 well.

1 And the last thing I would like to say
2 about the website, too, is that the fair
3 elections candidates have been merged and
4 incorporated into the registration disclosure
5 search, which is available at the website.

6 And also again, the reports can be
7 found at the search for financial reports, and
8 there is a link there so you can directly link to
9 the financial reports, which were filed in the
10 program.

11 During the month of October, 18
12 reports were filed in the Fair Elections Program,
13 and the listing of the reports and the committee
14 name is contained in our report, and the stats
15 will be posted at our website by close of
16 business today.

17 During the month of October, we also
18 directed the issuance of matching payments in the
19 program to our candidates as follows: John
20 Fanning for Ward 2, matching funds and basically
21 those were determined to be qualified as a result
22 of the verification of his amended July 31st

1 report. The Office of Campaign Finance approved
2 the issuance of the matching funds to the
3 candidate on October 9, 2019 in the amount of
4 \$750.

5 Jordan Grossman for Ward 2, matching
6 funds again were approved for issuance to the
7 candidate on October 9, 2019 as a result of the
8 amended July 31st report which she had filed, in
9 the amount of \$1,425.

10 With the Committee to Elect Janeese
11 Lewis George, again matching funds were directed
12 and approved for issuance to the candidate on
13 October 17, 2019 as a result of the October 10th
14 report. The payment amount was \$3,720.

15 Jordan Grossman for Ward 2, matching
16 funds were authorized for payment on October 17,
17 2019 as a result of the verification of his
18 October 10th report. The payment amount was
19 \$6,993.

20 Patrick Kennedy for Ward 2, matching
21 funds were approved for issuance to the candidate
22 on October 17, 2019 as a result of the

1 verification of his October 10th report. The
2 payment amount was \$5,210.

3 Kishan for DC 2020, matching funds
4 were approved for payment on October 17, 2019
5 again as a result of the verification of the
6 October 10th. The total payment amount was
7 \$4,361.

8 And I would just point out that as of
9 this date, there are still only five candidates
10 who have been certified as participating
11 candidates in the Fair Elections Program. The
12 Fair Elections Program Division also issued non-
13 status report for candidates who have indicated
14 their intent to seek certification in the Fair
15 Elections Program.

16 As far as outreach is concerned in the
17 program, on October 1, 2019, staff attended the
18 ANC 4A02 meeting, which was held at the 4th
19 District Community Room at 6001 Georgia Avenue
20 NW.

21 They also attended on October 8, 2019,
22 the ANC meeting for 2C01, which was held at the

1 John Wilson Building, 1350 Pennsylvania Avenue.
2 On October 10, 2019, they attended the meeting of
3 ANC 3B, which was held at Stoddert Elementary
4 School at 4001 Calvert Street NW.

5 In our Public Information and Records
6 Management Division, during the month of October,
7 there were several filing deadlines. The first
8 was for the Constituent Service Program, their
9 October 1st report and expenditures. There were
10 nine required filers. All nine timely filed, and
11 also all nine electronically filed their reports.

12 With our senator representative statehood
13 funds, the report was due on October 1st. The
14 report receipts of expenditures. There were
15 three required filers. All three timely filed,
16 and all three also electronically filed their
17 report.

18 With the Fair Elections Program, with
19 the principal campaign committees who have
20 registered with us, October 10th was the
21 mandatory filing date for the filing of the
22 report of receipts and expenditures in the

1 program.

2 There were 15 required filers. 13
3 timely filed. There were two late filers. There
4 were five extensions requested and granted.
5 There were two referrals made to the Office of
6 the General Counsel, and 15 -- the 13 including
7 the two late filers all electronically filed
8 their reports.

9 With our independent expenditure
10 committees and our political action committees,
11 again October 10th was the filing date for the
12 filing of the reports of receipts and
13 expenditures.

14 We had 59 required filers, 53 timely
15 filed, four late filed. There were no extensions
16 requested there. In terms of the failure to
17 file, there were two, and there were six
18 referrals to the Office of the General Counsel.
19 And we have 57 reports which were electronically
20 filed, and that would include the timely filers
21 as well as the late filers.

22 There were eight referrals to the

1 Office of the General Counsel for the failure to
2 timely file the October 10th report of receipts
3 and expenditures. With the Fair Elections
4 Committee, Dale for DC, Anthony Dale, Treasurer,
5 Rosenberg 2020, Nathaniel Moone, Treasurer, were
6 referred to the General Counsel's office.

7 With respect to the our Political
8 Action Committee, Gertrude Stein Democratic Club
9 Political Account, Earl Fowlkes, Treasurer, Ward
10 One Democrats, Daniel Orlaskey, Treasurer, Save
11 Our Votes, Sigute Melius, Treasurer, Seniors
12 United PAC, Violet Harris, Treasurer.

13 With our independent expenditure
14 committees, two were referred, DC Choice, Daye
15 Pope, Treasurer, Save Our Votes, an independent
16 expenditure committee, Gaylan Hagler, Treasurer.

17 We had seven new candidates and
18 committees who registered during the month of
19 October. They are the DC Libertarian Party on
20 October 1, 2019, Darrell Gaston, Gaston 2020,
21 State Board of Education Ward 8 on October 9,
22 2019, Stuart Anderson, Committee to Elect Stuart

1 Anderson 2020, City Council Ward 8, October 10,
2 2019, Chandler Jayaraman, Chandler for Council,
3 City Council At-Large, October 18, 2019, Tyrell
4 Holcomb, Holcomb for State Board of Education,
5 State Board of Education Ward 7, October 22,
6 2019, Richard Campbell, Richard Campbell Ward 8
7 City Council, October 29th, Christopher Cole,
8 Christopher Cole for Ward 8, City Council Ward 8,
9 October 30th.

10 We held two entrance conferences
11 during the month of October. The first was on
12 October 9, 2019. There were three participants,
13 Michael Talley, Treasurer Ward 5 Democrat's
14 Committees, Ethan Bishop, Treasurer of DC,
15 Libertarian Party, Ylin Zhang, Candidate, Ylin
16 Zhang for Ward 2.

17 We also held an entrance conference on
18 October 23, 2019. There were six participants,
19 Edward Ertel, Treasurer of Chandler for Council,
20 Dawn Slonnezer, Assistant Treasurer, Chandler for
21 Council, Chandler Jayaraman, Candidate, Chandler
22 for Council, William A. Martin, Jr., Treasurer of

1 Food Service, Political Action Committee, Stuart
2 Anderson, Candidate Committee to Elect Stuart
3 Anderson, Regina Summers, Treasurer of Committee
4 to Elect Stuart Anderson.

5 In our Reports, Analysis and Audit
6 Division for the month of October, the Audit
7 Branch conducted 88 desk reviews of financial
8 reports which had been filed with the Agency.
9 There are also ongoing auditing in our Audit
10 Branch, and they include two full field audits.

11 The first one is the Committee to
12 Elect Zachary Parker 2018, and that was initiated
13 March 5, 2019, Analysts for Education, which was
14 initiated March 4, 2019, and those full field
15 audits are of newly elected officials to office
16 as a result of their election following the
17 November 2018 general election.

18 With our periodic random audits, the
19 following are ongoing, Re-Elect Brandon Todd
20 2020, which was initiated September 4, 2019, DC
21 Democratic State Committee, which was initiated
22 September 10, 2019, Phil's Fund Constituent

1 Service Fund, which was initiated on November 7,
2 2019, the Ward 3 Constituent Service Fund, which
3 was initiated on October 7, 2019 and Evans
4 Constituent Service Fund, which was initiated on
5 October 25, 2019.

6 We did issue an audit report during
7 the month of October, and that was of the
8 Gertrude Stein Political Action Committee. And
9 that report was issued on October 24, 2019.

10 Again, all our final audit reports are
11 available at the website for review by the public
12 as well as all of the financial reports which
13 have been filed with the Agency are available for
14 review by the public as well.

15 That completes my report. I would ask
16 that the General Counsel present the report on
17 behalf of the Office of the General Counsel --

18 CHAIRMAN BENNETT: Great. Thank you.

19 MS. COLLIER-MONTGOMERY: -- William
20 Sanford.

21 CHAIRMAN BENNETT: Thank you. Mr.
22 Sanford?

1 MR. SANFORD: Good morning, Mr. Chair.
2 I'm William Sanford, General Counsel for the
3 Office of Campaign Finance. During the month of
4 October 2019, the Office of the General Counsel
5 received eight referrals from the --

6 CHAIRMAN BENNETT: Hold on one second.
7 Are you able to get that, the report? You're
8 okay? I'm sorry, Mr. Sanford.

9 MR. SANFORD: During the month of
10 October 2019, the Office of General Counsel
11 received eight referrals from the Public
12 Information Records Management Division for
13 failure to timely file October 10's (phonetic)
14 reports.

15 The Office of the General Counsel
16 completed six hearings and issued six orders,
17 which included the following. Three orders were
18 issued for failure to timely file reports in
19 which no fines were imposed, and three orders
20 were issued in which notices of hearings and
21 statements of violations were vacated.

22 During the month of October 2019, the

1 Office of the General Counsel collected \$100 in
2 fines from Gayle Carley in accordance with an
3 installment agreement the office had reached with
4 Ms. Carley.

5 During the month of October 2019, the
6 Office of the General Counsel retained one open
7 investigation, which was initiated on September
8 5, 2019 pursuant to a complaint filed by Advisory
9 Neighborhood Commissioner Edward Hanlon against
10 his following fellow commissioners: Daniel
11 Warwick, Aaron Landry, Randy Downs, Mathew
12 Sampson, Mike Silverstein and Kari Cunningham.

13 Commissioner Hanlon alleged that his
14 fellow commissioners allowed the inappropriate
15 use of a government Twitter account to support
16 the candidacy of Patrick Kennedy, a candidate of
17 Ward 2.

18 During the month of 2019, the Office
19 of the General Counsel did not receive any
20 request for interpretive opinions, nor were there
21 any show cause proceedings conducted. And that
22 should conclude my report.

1 CHAIRMAN BENNETT: Okay. Ms.
2 Montgomery -- does that indicate any questions,
3 Mr. Gill?

4 MEMBER GILL: No questions. Thank
5 you.

6 CHAIRMAN BENNETT: Ms. Montgomery,
7 does that conclude -- I have no questions.

8 MS. COLLIER-MONTGOMERY: Okay.

9 CHAIRMAN BENNETT: Does that conclude
10 your report?

11 MS. COLLIER-MONTGOMERY: The last
12 thing I would like to add just for informational
13 purposes is that we kind of 28 candidates who are
14 registered to participate in the 2020 election
15 cycle, and 21 of those are registered in the Fair
16 Elections Program --

17 CHAIRMAN BENNETT: Great.

18 MS. COLLIER-MONTGOMERY: -- and seven
19 in the traditional program.

20 CHAIRMAN BENNETT: And the website
21 breaks down which ward people have registered
22 under, whether it's for mayor or for general.

1 Correct?

2 MS. COLLIER-MONTGOMERY: Yes. At our
3 website, you can, basically through the
4 registration disclosure feature, you can pull up
5 a list of active candidates. And the active
6 candidates list will tell you the office they are
7 running for, their party affiliation and also
8 indicate to you whether they are candidates in
9 the primary or whether they are seeking election
10 in the general election.

11 CHAIRMAN BENNETT: And I think I know
12 the answer to this next question or point is that
13 the system is up so that people are able to
14 download information for the Fair Elections
15 Program just like they would for the traditional
16 program. Is that correct?

17 MS. COLLIER-MONTGOMERY: No.

18 CHAIRMAN BENNETT: Okay.

19 MS. COLLIER-MONTGOMERY: With the Fair
20 Elections Program, at this time online you can
21 view the financial reports of the candidates.
22 You can also, at the slider for the Fair

1 Elections Program, you can view the registration
2 disclosures of the candidates.

3 Basically, we have at this point
4 initiated a requisition for the second phase of
5 the Fair Elections E-Filing System, E-Filing and
6 Disclosure System, and the second phase will
7 focus on the public reports as well as other
8 administrative reports.

9 And the public reports will include
10 all of the search features that are currently
11 available for the public for use in the
12 traditional program. So once that is completed
13 and up and running, members of the public would
14 be able to search the contributions and the
15 expenditures of the Fair Elections Program as
16 well as download the information, the data from
17 the reports that have been filed as well.

18 CHAIRMAN BENNETT: But the public
19 still can get that information by contacting us
20 directly to receive that information because it
21 is available, and we do gather it.

22 MS. COLLIER-MONTGOMERY: Right,

1 because the real imaging -- as soon as the
2 reports are submitted online, the image of the
3 report appears in real time. So they can
4 actually review the reports, the financial
5 reports of the candidates who have filed, in
6 their entirety.

7 CHAIRMAN BENNETT: Great. Do you have
8 the approximate time the e-system should be up
9 that will allow the public search feature?

10 MS. COLLIER-MONTGOMERY: Well, we just
11 initiated the requisition.

12 CHAIRMAN BENNETT: Okay.

13 MS. COLLIER-MONTGOMERY: So it's in
14 the procurement process.

15 CHAIRMAN BENNETT: Okay. But I would
16 hope that as soon as that process has been
17 completed and contract has been awarded that
18 whoever the vendor is will immediately start to
19 develop those.

20 CHAIRMAN BENNETT: Okay. Maybe we can
21 report on that in the December -- I'm not asking
22 for a date now, but maybe we'll report on that in

1 the December or January meeting?

2 MS. COLLIER-MONTGOMERY: Oh yeah. I
3 definitely will provide you with an update of the
4 status --

5 CHAIRMAN BENNETT: Great.

6 MS. COLLIER-MONTGOMERY: -- at each
7 Board meeting.

8 CHAIRMAN BENNETT: Excellent. I
9 mentioned to you, Ms. Montgomery, and also Mr.
10 Jackson and Mr. Sanford a few weeks ago how we
11 talked about this, but we have come just
12 incredibly -- I want to put on the record, we
13 have come a long way.

14 You guys have come a long way in the
15 last six months or so, and it's been a lot of
16 work and effort to put together the Fair
17 Elections Program and the processes and ability
18 to manage the data and the people. And getting
19 things out on time has just been phenomenal.

20 So one, I'm very proud and I also
21 compliment all of you, the leadership and the
22 staff, for making sure that this program is

1 successful and would be a great support to the
2 city, so my compliments.

3 We still have a ways to go, still got
4 things to get down, but the progress has just
5 been nothing short of phenomenal, so compliments
6 to you, Ms. Montgomery, to Mr. Sanford, to Mr.
7 Jackson and the entire staff.

8 I tried to at least connect and touch
9 and shake everybody's hand and I couldn't over
10 the last few weeks. But well done. This is
11 something that we all were -- I was, and I think
12 the council was really concerned about.

13 I had no concern that it would get
14 done. I just knew how much had to get done. And
15 it's come along really, really, really well, so
16 compliments to all in that regard, very, very,
17 very proud of that.

18 MS. COLLIER-MONTGOMERY: Thank you.

19 CHAIRMAN BENNETT: You're welcome.

20 Mr. Gill?

21 MEMBER GILL: No, I agree with
22 everything you said and how not only has it come

1 a long way but very successfully. And I also
2 agree that Michael was very, very worried.

3 CHAIRMAN BENNETT: I have not had one
4 single complaint to come to me from any of the
5 candidates, not one, and that's really unusual,
6 not that it wouldn't have been valid had it come,
7 but the fact that you guys put together this very
8 active -- the program is actually a lot more
9 active than even we anticipated relative to the
10 number of people that have signed up for the
11 program, so just kudos all the way around. I
12 want to make sure that everybody -- that we put
13 that on the record as well.

14 So thank you, Ms. Montgomery for your
15 report. Next on the agenda is Ms. Miller.

16 MS. MILLER: Good morning. Thank you.
17 First item on my agenda is I'm going to ask Mr.
18 Budoo to come forward for some proposed polling
19 place relocations update. We do have one
20 resubmission that we need to deal with. There
21 was a typo that went up to the Register for last
22 month's relocations, and so we're going to do

1 that again and then resend it up to the Register
2 for the appropriate address.

3 MR. BUDOO: Good morning. My name is
4 Arlin Budoo, Facility Operations Manager for the
5 Board of Elections. I want to start with asking
6 the Board to approve the relocations that were
7 submitted at the last Board's hearing.

8 So I'll start with Ward 1, Precinct
9 Number 40. We'll be moving from Mount Pleasant
10 Neighborhood Library to Bancroft Elementary
11 School, located at 1755 Newton Street NW. We'll
12 be using the gymnasium.

13 The next one that was submitted is
14 Ward 3, Precinct Number 27, Eaton Elementary
15 School. We'll be relocating to Cleveland Park
16 Library, 3310 Connecticut Avenue NW. We'll be
17 using the multipurpose room there.

18 The next one is Ward 4, Precinct
19 Number 57, Hattie Holmes Senior Wellness Center.
20 We'll be relocating to the Washington Latin
21 Public Charter School, located at 5200 Second
22 Street NW, and we will be using the gymnasium.

1 The next one is Ward 6, Precinct
2 Number 89, Eastern Market. We'll be relocating
3 to -- oh, I'm sorry. I want to push that one,
4 Precinct Number 89, until January actually
5 because there is construction going on.

6 Me and Terrica -- Ms. Jennings, went
7 out and surveyed the area, so we want to just
8 make sure that all of the construction that's
9 been going on will be up to our standards as far
10 as for the voters with accessibility issues to be
11 able to go into that location.

12 CHAIRMAN BENNETT: Let me make sure
13 I'm clear on which one you're referring to.

14 MR. BUDOO: Precinct Number 89.

15 CHAIRMAN BENNETT: And that's Eastern
16 Market?

17 MR. BUDOO: Yeah, that's the Eastern
18 Market one. We were relocating to the Capital
19 Hill United Methodist Church.

20 CHAIRMAN BENNETT: Right.

21 MR. BUDOO: There is construction
22 going on, but I wasn't sure --

1 CHAIRMAN BENNETT: At the church?

2 MR. BUDOO: Right, at the church.

3 CHAIRMAN BENNETT: Okay.

4 MR. BUDOO: But I was assured the
5 construction would be completed by June, but me
6 and Ms. Jennings went out. And we just want to
7 wait just to see the status, give it some time, a
8 couple months, so we'll know that everything's
9 being done correctly. So I'll hold off on that
10 until January.

11 CHAIRMAN BENNETT: That's Ward 6?

12 MR. BUDOO: That's Ward 6. Yes, sir.
13 Okay.

14 CHAIRMAN BENNETT: I had to make sure
15 it wasn't 2.

16 MR. BUDOO: Right. And the next one,
17 and the last one, is Ward 7, which is Precinct
18 Number 99, Smothers Elementary School. And we'll
19 be relocating to Ward Memorial AME Church,
20 located at 241 42nd Street NE, and we'll be using
21 the fellowship hall.

22 And the two that I'm resubmitting, I

1 put the correct address on the record, but when I
2 submitted it to the DC Register, there was a
3 typo, so I want to resubmit to the DC Register
4 for the public comment. And I would like to have
5 those approved at next month's Board hearing.

6 And those locations are Precinct
7 Number 14, which is the MAA Carriage House
8 meeting space, and we'll be relocating to the St.
9 Thomas Episcopal Church Parish. And the next one
10 is in Ward 4, Precinct Number 54, West Education
11 Campus, and we are looking to relocate to St.
12 Luke Baptist Church, 1415 Galveston Street NW,
13 the church hall.

14 I do want to make a note that ULS did
15 visit those sites and ULS does have an issue with
16 Precinct Number 54. Ms. Jennings, she agrees
17 with ULS's recommendations. I do want to put on
18 the record that in that area it's mostly
19 residential homes.

20 The only public building that is there
21 is the West Elementary School, which is now going
22 under construction. So there are no other public

1 buildings, and most of the churches there are old
2 churches where there's no -- the fellowship hall
3 or their large open space is not accessible at
4 all.

5 This was one of the locations where
6 with some modifications we would try to bring
7 this as close to possible as being accessible for
8 residents who may have an issue.

9 CHAIRMAN BENNETT: So is there a plan
10 to do additional things that support the concerns
11 of the --

12 MR. BUDOO: Yes, sir.

13 CHAIRMAN BENNETT: Okay.

14 MR. BUDOO: Ms. Jennings has already
15 spoken with -- well, I'm not sure if she's spoken
16 with them, but we took pictures yesterday to send
17 to the contract who normally goes and lets down
18 the ramps and things like that. There is a
19 slight upheaval in the walkway once they're
20 actually entering into the facility.

21 CHAIRMAN BENNETT: Generally speaking,
22 you don't expect the church is going to have an

1 issue with us doing that for that one day?

2 MR. BUDOO: No, sir. And I also want
3 to put on the record, I did notify all of the
4 affected ANC commissioners for their precinct,
5 and they did approve. And they were actually
6 happy that we were relocating to the church.

7 They sent it out on a listserv for the
8 neighborhood residents, and all of the
9 neighborhood residents have actually approved. I
10 did receive some emails approving that relocation
11 to the church.

12 CHAIRMAN BENNETT: Okay. All right.
13 And the last thing was even though you're going
14 to bring it to us next time, you're going to go
15 ahead and put the other two items where you --

16 MR. BUDOO: Yes, I'm going to resubmit
17 them to the Register today.

18 CHAIRMAN BENNETT: Today, okay.

19 MR. BUDOO: Yes, sir.

20 CHAIRMAN BENNETT: And so when we
21 approve them next time, they will already have
22 been in the register?

1 MR. BUDOO: Yes.

2 CHAIRMAN BENNETT: Okay. Great. Do
3 you have any questions, Mr. Gill?

4 MEMBER GILL: No.

5 MR. BUDOO: And I can also, for the
6 record, we'll also be sending out the
7 notification cards this week for the ones that
8 you would approve today for the relocations as
9 well.

10 CHAIRMAN BENNETT: Okay.

11 MEMBER GILL: Do we have to today
12 approve it?

13 MS. MILLER: Yes. You'll approve
14 everything except 14 and 54, which has to be
15 resubmitted.

16 MEMBER GILL: Yes.

17 MS. MILLER: So the other ones that he
18 put on the record will be resubmitted -- the
19 other ones that he put on the record first are
20 the ones to take a motion on. We'll hold off on
21 Precincts 14 and 54 until December.

22 CHAIRMAN BENNETT: Yes. Can I get a

1 motion, Mr. Gill?

2 MEMBER GILL: Motion to accept the
3 relocation proposals.

4 CHAIRMAN BENNETT: Second. And it's
5 unanimous, so those are accepted and approved.
6 Okay.

7 MR. BUDOO: Thank you.

8 CHAIRMAN BENNETT: Thank you.

9 MS. MILLER: And that's -- I think
10 what we were referring to is a temporary ramp
11 that needs to go to that precinct for the church.

12 MR. BUDOO: Yes.

13 MS. MILLER: And so we'll try to do
14 that and have that in place for the election so
15 that it will address the accessibility issue.

16 CHAIRMAN BENNETT: Okay. All right.

17 MS. MILLER: So we --

18 MEMBER GILL: As long as we're
19 throwing out compliments, my time on the Board
20 I've come to understand how hard it is to do your
21 job, and you always manage to pull this off. And
22 there's always somebody who is going to find some

1 kind of complaint. But the amount of work and
2 research that goes into these polling sites is
3 pretty amazing, so I appreciate it.

4 MR. BUDOO: Thank you.

5 MS. MILLER: Thank you.

6 CHAIRMAN BENNETT: Good job.

7 MS. MILLER: Poll worker training, I
8 think you all remember that we were doing some
9 continuing poll worker training during this off
10 election year. We have completed all of that.
11 Payments have been processed for that second
12 round of training.

13 This was for one session for
14 approximately 356 workers who were trained for
15 the 2020 election during the month of October.
16 So we conducted two classes, two sessions for two
17 weeks for our check-in clerks. These classes
18 were just to focus on those things that we find
19 they have problems with, zero in on them in the
20 off election year to give them some opportunity
21 to ask questions in a way that there's not
22 stress. And we can really focus and deal with

1 it.

2 So we've gone through all of our poll
3 workers, captains, special valid clerks, check-in
4 clerks, and those are the main ones that we
5 needed to focus some attention on. But I can
6 tell you that the poll workers were really happy
7 to have an opportunity to do this.

8 Not having to do anything with any pay
9 of course, but we have issued those checks.
10 They're being processed, and so that's done for
11 now. And then we will also do, as always, our
12 focused poll worker training for the 2020
13 election next year.

14 Outreach, we participated in 14
15 outreach events during the month of October.
16 Among those were attendance at Ballou High School
17 Homecoming for students, DC Office of Youth
18 Programs, and the Disability and Diversity Expo
19 at UDC.

20 As you know, we go to these events to
21 identify and register voters, recruit poll
22 workers and provide information to returning

1 citizens that are incarcerated eligible voters
2 with an outreach focus. All of the events that
3 we did in October are posted on the website under
4 our events calendar.

5 List maintenance, we mailed 2,788 ERIC
6 letters for cross state match to determine
7 eligibility of those voters who remain on our
8 rolls. As you know, these are voters who are
9 identified through our matching process with the
10 24 other participating states as possibly being
11 registered in or having moved to another
12 jurisdiction.

13 We also mailed 833 letters to
14 individuals who remain registered on the rolls
15 with an 1800 date of birth requesting them to
16 once again --

17 CHAIRMAN BENNETT: How many were
18 there?

19 MS. MILLER: We're up to 833, and
20 that's down from 3,363 as of 2016, so --

21 CHAIRMAN BENNETT: That's moving along
22 pretty good.

1 MS. MILLER: Yeah.

2 CHAIRMAN BENNETT: Voters that are
3 over 200 years old.

4 MS. MILLER: Yes, still voting. So
5 we'll continue to do outreach for them. We
6 continue to request those voters to update their
7 information and provide us with an accurate and
8 correct date of birth.

9 Staff, our voter registration system,
10 our new implementation and the staff training for
11 each division has been completed on that new
12 system. We're still ironing out some of the
13 system challenges and motions as it relates to
14 our needs.

15 We now started user acceptance
16 testing, and this will allow us to test and
17 examine the requirements specified in the RFP and
18 its functionality and readiness.

19 With respect to the recall, as you all
20 know, there were two recall petitions filed. The
21 recalled petition --

22 CHAIRMAN BENNETT: Recalled for?

1 MS. MILLER: For Council Member Jack
2 Evans, I'm sorry.

3 CHAIRMAN BENNETT: Ward 2?

4 MS. MILLER: Ward 2. One, which was
5 filed by Carrie Kemp, was withdrawn on November
6 12th. The other recall petition is still out.
7 The due date to file that petition is Monday,
8 November 18th at 5:00 p.m.

9 We gave testimony before the Committee
10 on the judiciary and public safety on two
11 proposed pieces of legislation. The first was
12 Restore the Vote Amendment Act. The purpose of
13 that legislation would provide the right to vote
14 to incarcerated felons.

15 Currently, only residents incarcerated
16 for a misdemeanor are entitled to vote. This
17 legislation would expand that right to all D.C.
18 residents who are incarcerated, even for a
19 felony.

20 The other proposed legislation was
21 Vote By Mail Amendment Act of 2019. And that
22 would require the Board to mail ballots to all

1 registered voters for all elections. And I have
2 placed a copy of my testimony on both pieces of
3 legislation in your packets. And that concludes
4 my report.

5 CHAIRMAN BENNETT: Mr. Gill, do you
6 have any questions for Ms. Miller?

7 MEMBER GILL: No questions.

8 CHAIRMAN BENNETT: Okay. I have none.
9 Thank you, Ms. Miller. And the voter
10 registration system rolls on.

11 MS. MILLER: Yes.

12 CHAIRMAN BENNETT: All right, the
13 development of it. General Counsel, Ms. Terri
14 Stroud.

15 MS. STROUD: Good morning everyone.
16 I have two items on my agenda, litigation status
17 and rule making. For litigation status, the
18 Board has five active cases. The first is
19 William Hunt versus the Board.

20 This matter was filed in the U.S.
21 District Court for D.C. in October of 2018, and
22 it's a complaint in which Mr. Hunt requested that

1 the Board provide an itemized accounting of all
2 of the write-in votes cast in the November 2018
3 general election mayoral contest. Briefing in
4 that case is complete and we are awaiting the
5 court's order on the Board's motion to dismiss.

6 The second case is Butler versus the
7 Board. This is a case in which Mr. Butler --
8 it's an action for a writ in the nature of
9 mandamus to compel the Board to accept the D.C.
10 term limits campaign initiative as a proffer
11 subject. Dispositive motions in this matter are
12 due on November 21st at which time both parties
13 intend to file cross motions for summary
14 judgment.

15 Graham v. the Board, it's a matter
16 which involves the Board's appeal of a permanent
17 injunction entered by the Superior Court in
18 December of 2018 which prohibits the Board from
19 taking any action on Referendum 8.

20 The petition was submitted in that, in
21 support of that referendum. Briefing in this
22 case is complete, and the D.C. Court of Appeals

1 has ordered that the case be scheduled for oral
2 argument as soon as the calendar permits.

3 The next two cases, Phillip Hammond
4 versus the Board and Robin Marlin versus the
5 Board, these matters were -- which have been
6 consolidated, were filed --

7 CHAIRMAN BENNETT: Can I just stop you
8 for a second?

9 MS. STROUD: Sure.

10 CHAIRMAN BENNETT: Can you go back to
11 the other matter?

12 MS. STROUD: Yes.

13 CHAIRMAN BENNETT: Can we get a
14 briefing on that, a relatively detailed briefing
15 on that at the next Board meeting or even before?

16 Reason being is that while the matter
17 in and of itself is going to have very little
18 consequences in terms of the action that it
19 stopped, it would be really good for us to have a
20 good understanding of the rationale, particularly
21 since it was all around meetings and know this
22 and know that kind of stuff so that we can be

1 very clear and sure.

2 And as we schedule and hold meetings
3 for various matters and hearings, we are
4 consistent with that particular ruling. So --

5 MS. STROUD: Absolutely.

6 CHAIRMAN BENNETT: -- I think that's
7 a pretty important case for us at this point.

8 MS. STROUD: Will do.

9 CHAIRMAN BENNETT: Thanks.

10 MS. STROUD: So Hammond and Marlin
11 were cases that involved appeals of the Board
12 orders upholding resolutions issued by Advisory
13 Neighborhood Commission 7B. Both cases, no
14 vacancies were found in single member districts
15 7B04 and 7B05, contrary to the wishes of the
16 Complainants in those matters.

17 The cases were consolidated, and on
18 October 9th of last -- October 9th, the Court
19 issued a briefing schedule. And the Appellants
20 are scheduled to file the appendix of their brief
21 on November 18th, and the Board's response would
22 be due on December 18th in both of those matters.

1 So that's the litigation status.

2 And the final matter on my agenda is
3 a rule making, which originates in the Office of
4 Campaign Finance. This rule making would amend
5 Chapters 30, 37 through 41 and 99 of Title III of
6 the DCMR. These amendments place the Board's
7 regulations into conformity with existing
8 campaign finance laws.

9 A Notice of Emergency of Proposed Rule
10 Making was published in the D.C. Register on
11 October 11, 2019. The Board did not receive any
12 comments during the public comment period, and no
13 substantive changes have been made to the
14 regulations as they were proposed during the last
15 meeting.

16 So I'm asking the Board to move to
17 adopt these rules as final so that they can be
18 submitted to the D.C. Register at which point
19 they will become effective.

20 And as they were on the agenda for
21 last -- at the last Board meeting during which
22 Mr. Sanford gave a detailed explanation of the

1 rule making, I don't think there's any need to go
2 further into the substance of the rules. But I
3 just ask that the Board issue the motion
4 requested.

5 CHAIRMAN BENNETT: I don't have any
6 additional questions on that. I do remember the
7 discussion last time.

8 MEMBER GILL: I don't have any
9 questions. Motion to approve as final.

10 CHAIRMAN BENNETT: Motion is proper
11 and seconded, and so you have unanimous. It is
12 approved. Thank you.

13 MS. STROUD: And that concludes my
14 report.

15 CHAIRMAN BENNETT: Great. Any
16 questions on the report, Mr. Gill?

17 MEMBER GILL: No.

18 CHAIRMAN BENNETT: Okay. Thank you so
19 much. This is a point in time for public
20 matters. Do we have any person from the public
21 that has any matters for the Board today? Just
22 for the record, going forward, we are going to

1 set a time limit for persons to speak on public
2 matters.

3 Just for the record, it got a little
4 hairy last month, and part of it is I'll take
5 responsibility for not putting some limits around
6 the time associated with public matters. So
7 going forward, we are going to have time limits
8 with regard to addressing public matters.

9 And we will probably also do more
10 responses, just taking requests for information
11 or to answer questions and taking the time to
12 answer those questions in writing versus trying
13 to respond, sometimes incompletely, in this
14 forum. So with that, thank you so much, and the
15 meeting is adjourned.

16 (Whereupon, the above-entitled matter
17 went off the record at 11:36 a.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Regular Board Meeting

Before: DC Board of Elections

Date: 11-14-19

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

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