GOVERNMENT

OF

THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

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MONDAY

DECEMBER 2, 2024

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The District of Columbia Board of Elections convened via Video-Teleconference, pursuant to notice at 10:30 a.m. EST, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair KARYN GREENFIELD, Member J.C. BOGGS, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Director
TERRI D. STROUD, General Counsel
CECILY COLLIER-MONTGOMERY, Office of
Campaign Finance
WILLIAM SANFORD, Office of General Counsel
ALICE MILLER, Executive Director

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(10:34 a.m.)

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

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CHAIRMAN THOMPSON: Good morning,
everybody. Happy Monday after a fabulous
Thanksgiving break. I hope everybody had a
wonderful Thanksgiving and a good weekend. We're
all doing our best to get going here on Monday
morning and it's a cold one as well, so,
welcome. Thanks for joining us, everybody on
Zoom.

My name is Gary Thompson, the Chair of the DC Board of Elections. To my right is J.C. Boggs, fellow Board member. And also with us by Zoom is Karyn Greenfield, the third member of our Board.

We're all here. We have a quorum. We are open for business and the first we do is adopt our agenda. We've all had a chance to look at that and at this time I move that we adopt the agenda that's been distributed.

MEMBER BOGGS: Second.

CHAIR THOMPSON: All in favor.

(Chorus of ayes.)

CHAIR THOMPSON: Second, at this time,

I would move that we approve the minutes from our

last regular meeting, which was October 2nd.

We've all had a chance to review those, they look

good to me. So, I would move --

MEMBER BOGGS: Second.

CHAIR THOMPSON: All in favor.

(Chorus of ayes.)

adopted. Okay, well the main thing we're going to do today among some other matters, but the main thing is we're going to certify the election results from November 5th general election.

Before we go through those formalities, I just want to take a few minutes and say a whole lot of thank you's, not enough thank you's. I could be here and talk about every person at the BOE.

I want to start with our hundreds of election workers that took the time to train here at our BOE over the course of many months going

back to July, August, September, October. I want to thank our BOE staff, Rich Thompson and others, who took a lot of time to train those election workers. We simply could not conduct this election or any other election without those many, many workers. I have gotten to know dozens of them, many more than a hundred of them personally because I love to visit the voting centers.

This year, like the last couple of election cycles, I rode my bike to every single early voting center and, you know, I can see first-hand that a lot of our election workers are with us election after election after election.

In some cases, going back 10, 20, and even 30 years. A lot of really impressive people that really know what they're doing and, you know, when the moment comes on Election Day, they make things happen at the election centers from our site coordinators, who are usually quite experienced, down to our, you know, first time election workers from local colleges and even

high schools. It's just really, really an impressive group of people that are so important to this process.

Also, I want to thank everybody at our warehouse. These are the staff that do a lot of the physical work loading and unloading hundreds and hundreds of election machines, equipment, printers. It's really quite impressive when you think about how do you stage -- physically, how do you stage 75 voting centers to be up to speed and in operation on a single day, November 5th, and in 25 of those cases, for a couple of weeks, you know, beforehand for early voting.

It is no small task. That's a pretty incredible effort by our staff that work at the warehouse. And then, I don't know how many, hundreds of election workers, who spent their time at the warehouse as well, helping us count ballots, feed ballots. It's quite an operation over there that we conduct. So, a big thank you to everybody at the warehouse.

Next, our IT team is just incredible,

like Randy over here, who's running this meeting. But Randy, among many others, I mean, that's the critical -- that is one of the critical, if not the most critical, link in the election process to make sure that when everybody votes at all of these voting centers, that everything is working, everything is connected, you know, all of our technology is operable and safe and secure. And so once again, I'm proud to share that process worked incredibly well this election cycle. We had no major hiccups, no issues, no glitches, no problems.

It all went incredibly smoothly at all 75 election centers and also went very smoothly from the point of view of getting our results in and counted and in the manner in which we were able to release our election results on a very efficient basis that evening, November 5th, and each day thereafter we continued to count mail ballots that were coming in for that 10-day window and continually updating and releasing our election results as we went along.

Our Registrar, Marissa Corrente, and her staff has done incredible work throughout this cycle going back to shortly after the primary election when things started all over again for the general and, you know, candidates came in and registered.

The general election cycle is particularly busy for the registrar because it's the one that involves the election of hundreds of ANC candidates, so each one dutifully following the process of submitting, nominating forms and petitions, signatures that have to be counted and verified, et cetera. The registrar's office has done an incredible job throughout that process including the 20 or so challenges that we adjudicated a few months ago, very, very heavy burdens on the registrar's office, especially at that time, but all the way through Election Day itself, of course, you know.

The Board of Registration going back to, you know, all year long, so many hours and so many places registering so many voters to open

our doors to all qualified electors at hundreds of different locations across D.C. All the way up to Election Day itself, where we have same-day registration. It's an incredibly busy aspect of our work.

Our Restore the Vote effort at the DC prison, you know, incredible work there to make sure that those who are incarcerated can continue to vote as our law allows, and every other aspect of our operations.

It's just -- it's too much for me to mention everything and mention everybody by name, but it really is incredibly impressive. Our full time BOE staff I can see, you know, works so hard around the clock. I've worked in, I think, six different offices in my career, legal offices, I just have never seen a more dedicated group of professionals, who are skilled and efficient and who have that amazing ability to keep calm and carry on no matter what the situation is. So a heartfelt thanks to everybody.

You know, a note of thanks and

personal gratitude to Terri Stroud and the entire legal staff. What we do here is very -- very legally heavy work. Every question we get has a note or regulatory provision that we have to know about or consult or interpret. You know, we can't anticipate the dozens or hundreds of questions and situations that arise in any one election, so we have to constantly be at the ready to field all that as different issues present themselves at our voting centers all the way, you know, through the challenges, not to mention the eight ongoing lawsuits that Terri Stroud will summarize momentarily. It's just an incredible amount of work that our legal team does.

And, you know, last, but not least, our leader, Monica Evans, is just an incredible Executive Director, well advised by Alice Miller who is here and many others along the way. You know, we just couldn't do this without our quarterback, our manager, our leader in all things.

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As a Board member, you know, we have our role here on the Board and we do these meetings and we adjudicate certain matters and we supervise, but largely we're in the role of observers. We're independent, we don't work full time for the BOE. You know, we come and go so --you know I'm a bit sort of a step removed from the every day, the heavy duty work of the BOE, so, you know, I have the pleasure of observing basically what's happening and I just am incredibly impressed with everyone and every group at the BOE. What we do is just fabulous, so.

You know, I don't know if I heard a whole lot of our political -- elected officials say it, but our BOE really gets an A-plus for this go round November and going back to the June 2024 primary. It's just been an incredibly successful election cycle for us from the point of view of what we do which is we make sure the process is fair and neutral and independent. We don't favor anybody. We administer our election

laws as they're written. We make sure they're administered fairly, competently, efficiently so that when game day comes, we're ready. We complete our job. We produce the results and it all just went incredibly well, so those are my overview comments.

Before we certify the results, I would also take a moment to mention our Office of Campaign Finance who's independent of us by a certain degree. But that incredible team is over in their group of offices every day doing some really important detailed work to make sure that every campaign, not just candidates, but voter initiatives as well and everything where candidates and groups of citizens have a role in favor of one vote or another vote, you know, that they comply with all of the incredibly important rules for campaign finance.

We had no major issues in that regard this year. Everything has gone incredibly well. Their work continues because now that's it over, there's an auditing process that goes on for

quite some time to make sure that every candidate files the reports they're supposed to file. The documents, the things they're supposed to document. You know, if there are issues or shortcomings in that regard, their team will carry on with that oversight and, if need be, the issuance of fines and other remedies.

So their -- they actually will sort of take the ball from here after we certify these election results and, you know, continue to run out the auditing process probably well into next year. So, a big thank you to OCF as well.

I guess a final thank you to my fellow Board members -- J.C. Boggs and Karyn Greenfield. We're at this on a pretty regular basis, so thank you to my fellow Board members. Before I turn it over to Director Evans, I would invite my fellow Board members to make any comment they'd like to make.

MEMBER BOGGS: Karyn?

MEMBER GREENFIELD: Yeah, no, I'm going to reiterate the thanks that you gave,

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Gary. I know when I went out to the various sites, I heard great things about the Board of Elections and the members. The training itself people gave me great comments about the training, but even the support they got and when they needed help or whatever from our Board of Elections employees, they spoke very highly of them. It seemed like a really good, smooth process, so I want to definitely thank them getting us through this election cycle and on this general election.

MEMBER BOGGS: Thanks, Karyn. I echo those comments and, Gary, yours. You went on at some length to make sure to thank everybody, so appreciate that. And you always explain things so well, you're a natural teacher, I'm going to start calling you professor.

I didn't bike around all the precincts, but got around to probably a dozen or 15 polling booths on Election Day and found the same thing that you and Karyn did with very talented, professional poll workers. Things

generally ran fairly smoothly.

Most had little to no lines although there were a few downtown that had long, long lines. Folks can these days go to different polling booths, they don't have to go the one that they're registered in and some people opted for that. Most, I think, just decided to stay and wait in line and cast their vote. But I think it went fairly smoothly. I didn't hear of any real big glitches Election Day so thanks to all the poll workers and people involved in this room and in the larger organization for making it successful. So, that's it for me, thanks.

CHAIR THOMPSON: All right, yeah,
thank you. And that reminded in terms of what do
we do going forward. We're going to continue to
do what we do, which is remain independent.

Independent of any political party. Independent
of any governmental body, that's our agency's
mission. We will continue to faithfully
administer the election laws whether they're the
same election laws as exist today or whether they

might be modified or changed going forward. We don't make the election laws, we don't propose them, we administer them. So, you know, we stand ready to change if we need to change with changing architectural -- legal architecture, but otherwise we're just going to do what we always do, is keep calm and carry on and, you know, keep doing our jobs.

So, you know, and we hope that our mayor and our counsel, our ANC commissioners and our citizens appreciate what we do. I often do hear that appreciation, but it's, you know, no small accomplishment what our agency does every day, so.

Okay. With that, it's time to certify our election results. So, I will turn things over to the Executive Director, Monica Evans.

MS. EVANS: Thank you, Chair. And as you mentioned, the first item of business is certification of the November 5, 2024 general election results. Due to an ongoing review, the ANC 6B04 contest will be certified later and all

write-in winners will be posted on our website after this meeting and they will be part of today's certification process.

In total, we had 328,871 votes that were counted. We had a 70.80 voter turnout in the District. All contest results, including the write-in results are, or will be, listed on the DC BOE website.

The following individuals received the highest number of votes, President of the United States, Kamala D. Harris. Delegate to U.S. House of Representatives, Eleanor Holmes Norton. At Large Member of the Council, Robert White. At Large Member of the Council, Christina D. Henderson. Member of the Council, Ward 2, Brooke Pinto. Member of the Council, Ward 4, Janeese Lewis George. Member of the Council, Ward 7, Wendell Felder.

Member of the Council, Ward 8, Trayon White, Sr. United States Senator, Ankit Jane. United States Representative, Oye Owolewa. At Large Member of the State Board of Education, Jacque

1 Member of the State Board of 2 Education, Ward 2, Alister Chang. Member of the 3 State Board of Education, Ward 4, T. Michelle 4 Colson. Member of the State Board of Education, 5 Ward 7, Eboni-Rose Thompson. Member of the State 6 Board of Education, Ward 8, LaJoy Johnson-Law. 7 Initiative Measure 83 was approved. Mr. 8 Chair, I ask for a vote to certify the complete 9 November 5, 2024 general election results as 10 listed on our website. 11 CHAIR THOMPSON: Thank you, the Chair so moves that our Board certify the results that 12 13 Director Evans just recited. 14 MS. STROUD: And if there is a second, 15 once the second has been made, we will take a 16 roll call vote with respect to the certification 17 of the election results. 18 MEMBER BOGGS: I'll make a second. 19 CHAIR THOMPSON: For the roll call, 20 the Chair votes aye. 21 MS. STROUD: Okay, the Chair has voted 22 ave. Mr. Boggs?

MEMBER BOGGS: I vote aye.

2 MS. STROUD: Ms. Greenfield?

MEMBER GREENFIELD: Vote aye.

MS. STROUD: With that, the Board has officially certified the election results of the November 5th, 2024 general election as outlined by the Executive Director.

MS. EVANS: Thank you.

CHAIR THOMPSON: Can I just take a moment and ask the General Counsel to summarize the challenge process if anyone wishes to challenge these results?

MS. STROUD: Yes, pursuant to D.C.

Official Code Section 1-1001.11, within seven
days after the certification of the election
results, which is today, with respect to all
contests with the exception of the contest for
Advisory Neighborhood Commissioner for single
member district CB04, which will be certified at
a later time, individuals may -- candidates may
seek recounts of judicial elections -- of
elections within seven days from today. And any

1	voter who participated in the voted in the
2	election may petition the D.C. Court of Appeals
3	to review the election within seven days from
4	today. So, today is December 2nd, which means
5	that Monday, December 9th, is the last day for
6	qualified individuals to request either a recount
7	of a particular contest or judicial review of a
8	contest or the election.
9	CHAIR THOMPSON: And for the recount,
10	I think in the ANC races, if it's within a
11	certain margin, then the challenger doesn't have
12	to pay costs or something like that?
13	MS. STROUD: That is correct.
14	CHAIR THOMPSON: Is it half a percent
15	or?
16	MS. STROUD: It is, I believe, 10
17	votes
18	CHAIR THOMPSON: 10 votes?
19	MS. STROUD: I will confirm that in
20	the regulation.
21	CHAIR THOMPSON: Some margin, either
22	10 votes or half a percent, but if it's within
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that range and I think we have a couple of ANC contests that are in that range, the losing candidate or, I guess, anybody else can seek a recount.

MS. STROUD: Yes, it is 10 votes, but let me just pull up the regulation so I can read it for the record.

CHAIR THOMPSON: Okay.

MS. STROUD: So, there is no automatic recount with respect to ANC contests, but the 10 votes comes in with respect to the -- whether or not money is required for paying.

CHAIR THOMPSON: And in that case,
when there's a recount, does that mean a hand
recount? For example, there's a lot of
undervotes sometimes in SMDs and so I think what
happens is we inspect the physical ballot (audio
interference) from undervotes and otherwise I
think it's a --

MS. STROUD: The recounts are actually generally run through the machines. They run through the same equipment that they were counted

1 So, in the case of Advisory Neighborhood Commissioners, the petitioner shall not be 2 3 required to make a deposit for, or pay the cost 4 of any recount in any election where the 5 difference between the number of votes received by the petitioner and the number of votes 6 7 received by the person certified as having been 8 elected to that office is less than 10 votes in 9 the case of an Advisory Neighborhood Commission 10 single member district contest. And -- one 11 Yes, recount officials rerun the 12 official ballots through a tabulator. 13 CHAIR THOMPSON: Okay. 14 The audit is conducted by MS. STROUD: 15 hand. 16 CHAIR THOMPSON: Oh, okay. 17 MS. STROUD: Yes. 18 CHAIR THOMPSON: All right. Okay, 19 well, we're available, you know, to answer 20 questions if anybody out there has, you know, 21 specific questions about the challenge or a 22 recount or audit process, you know, just let us

know and we'll drill down on the details because

I know there's a lot of interest on a number of

ANC races, especially, that were quite close.

In my own ANC, we had five of our seven seats were -- there were elections between two or more candidates, so, which has not happened in our ANC before. Usually you have to, you know, (audio interference) to be on the ANC. That's what happened to me four times.

But thank you to our ANC commissioners. Thank you to everybody who ran for those ANC seats. It's really at the grassroots level the heart and soul of our democracy here in D.C. A lot of people put a lot of energy and work into running for those ANC positions because they care very much about, you know, their own neighborhoods. That's kind of one of the hidden gems about D.C. that not a lot of other people know about, that, you know, we do have this level of very local democracy here that's incredibly important to our civic life here in D.C. So thank you to everybody in that

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regard and we'll, you know, help make sure anything that was close gets recounted and in the manner in which it's brought to our attention.

Okay, I think that's moving on to swearing in?

MS. EVANS: Yes, and before I provide general election matters, our Board Chair will now swear in the presidential electors. Mr. Thompson will swear in Addison Rose, Russel Breckenridge and Darrel Wiggins.

CHAIR THOMPSON: While we are promoting those three to a panel, I think just about everybody knows this, but just in case you don't, the Electoral College, you know, is made up of electors. And they're the ones that ultimately cast the votes, obviously in accordance with the vote by citizens, with respect to the number of Electoral College votes that each state or, in this case, D.C., is assigned.

By constitutional amendment we are assigned three Electoral College votes. I think

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in 1964 was the first time we had the privilege here in D.C. of voting for president, where we are by amendment allowed no more than the lowest amount allocated to any state, so there are a number of states out there that also only have three Electoral College votes based on their population. We have a population equal to or larger than a couple of states, so we have three Electoral College votes.

And we have three electors who are with us now, Addison Rose, Russel Breckenridge, and Darrel Wiggins. I just want to -- let me just call on each of you to quickly identify yourselves, state your full name and your address for the record. So, I'll start with Addison Rose. If you could tell us your full name and your address.

MS. ROSE: Hello, my name is Addison Rose and my address is 3604 Austin Street, Southeast, Washington, D.C.

CHAIR THOMPSON: Okay, Mr.

Breckenridge.

MR. BRECKENRIDGE: Good morning, everybody. Russel Thomas Breckenridge. My address is 3802 Kansas Avenue, Northwest, Washington, D.C. 20011.

MR. WIGGINS: Good morning, this is Darrel Wiggins. My address is 3605 Quesada Street, Northwest, Washington, D.C. 20015.

CHAIR THOMPSON: Okay, and at this time, I would ask you to stand if you can and raise your right hand. You're just going to repeat after me.

(Electors sworn.)

CHAIR THOMPSON: Thank you very much to all three of you for being electors and for taking that oath. We have a longer release that we're signing where we recognize you as the electors and that you are qualified electors, that you're certified, et cetera, so we'll be signing that today and issuing it in writing. And then you guys take it from here.

1 MR. BRECKENRIDGE: Thank you. 2 MS. ROSE: Thank you. 3 MR. WIGGINS: Thank you so much. 4 CHAIR THOMPSON: Thank you. 5 MS. EVANS: Yes, thank you to our I will now continue with general 6 electors. 7 election and administrative matters. 8 So, the first order of business, of 9 course, is always a staff thank you. 10 really just want to sincerely thank all BOE 11 staff, temporary workers and election workers. 12 This has been a particularly challenging general 13 election. We had a record number of voter 14 registrations, voter updates and also we had the 15 implementation of new legislation. 16 However, I can say that staff members 17 showed up and did an extraordinary job. Everyone 18 worked long hours and we got it done. And I just 19 want to really express my sincere appreciation, 20 not just for staff, but all of our partner 21 agencies in ensuring that this was a successful

election.

We had 464,502 registered voters. 25 early vote centers were utilized for early voting. Early voting was conducted from October 28th through November 3rd. 72,914 voters voted during the early voting period. 75 vote centers were utilized on election day. 155,310 individuals voted in person and that was 47.23 percent. 173,561 voters used the mail in ballot or 52.77 percent. Approximately 36,000 mailed ballots were returned as undeliverable, half of these need address changes and we will follow up with these ballots to assist us in our list maintenance process.

We processed 1,015 special ballots of which 93 counted. Finally, we conducted an audit on November 22nd and 25th. The audit results are on our website.

As far as general election communications, in addition to mailing a voter guide, two informational postcards and a postcard to eligible, but unregistered, residents, we utilized television, radio and print advertising.

During the general election cycle, we utilized streaming TV, video ads, MetroLive boards and bus shelters to share information about the election.

Additionally, we aired radio spots and placed advertisements in several local We also distributed yard signs and newspapers. We are still debriefing with our palm cards. vendors regarding what worked well and what we can improve with future elections. During the off election season, we will look at equipment replacement and acquisition. During the off election cycle, we will also engage in list maintenance to update our voter registration database. We will remove deceased voters and update addresses for individuals who have moved. We will also verify the residential addresses of voters who did not participate in the general election. We will mail approximately 135,000 canvas postcards during the first quarter of 2025.

As far as administrative matters,

Executive Director engagements. During the month

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of October, DC BOE participated in a table top exercise hosted by the Emergency Preparedness Council of DC HSEMA. The purpose was to address scenarios and prepare for potential crisis management on election day.

All District of Columbia agencies were invited to attend and we covered topics such as communications, vulnerability, incident management and continuity of operations.

Voter registration rolls. In October, we registered 7,152 new voters and processed 10,176 registration changes. In total, we prepared 17,328 voter registration cards to be mailed. Additionally, 1,360 registered voters moved out of D.C., 1,013 canceled their D.C. registrations and registered with other jurisdictions and 5,776 voters registered in D.C. after canceling their registrations in other states.

In November, we registered 11,817 new voters and processed 3,154 registration changes.

In total, we prepared 14,971 voter registration

cards to be mailed. Additionally, 88 registered voters moved out of D.C., 363 voters canceled their registrations and registered with other jurisdictions and 699 voters registered in D.C. after canceling their registrations in other states.

We are continuing to register voters using our website portal. To date, we have processed over 95,000 applications using the portal. These include new voter registrations and updates to existing registrations.

Local Resident Voting Rights Amendment Act. In October, we registered 73 non-citizens to vote in local elections. In November, we registered 137 non-citizens to vote in local elections. Total non-citizen registration is 981.

Restore the Vote legislation. We conducted three days of early voting at the central detention and correctional treatment facilities. Approximately 400 residents voted in person, many of whom took advantage of same day

registration. Additionally, 13 residents served as election workers at these facilities. D.C. residents within the Federal Bureau of Prisons were afforded the opportunity to register and vote by mail.

Election Worker Division. The
Election Worker Division experienced increased
interest from individuals who wanted to be
election workers. The initial goal was to train
2,000 election workers over a 10-week period. We
exceeded our goal by training 2,254 election
workers during an eight-week period. In total,
2,152 adult election workers and 102 student
election workers attended training classes. We
deployed 1,369 election workers during early
voting, 1,053 election workers on Election Day
and 60 student election workers volunteered on
Election Day.

Additionally, 10 organizations volunteered to adopt one of the 75 vote centers on Election Day. This was a partnership with our Voter Education and Outreach Division.

Voter Education and Outreach. During the month of October, the Voter Education and Outreach Division conducted 58 outreach events on behalf of the agency. The events included visits to the Richard Wright Public Charter School and the George Washington University Hospital. We also attended the Southwest Waterfront AARP Chapter Fall Luncheon.

We engaged in five events during

November. November events included attending the

naturalization ceremony at the U.S, District

Courts. And Mr. Chair, that concludes my report.

CHAIR THOMPSON: Very well. Again, thank you for your leadership. Oh, my mic wasn't on. And thank you for that and thank you for your leadership. Okay, onto the General Counsel's report from Terri Stroud.

MS. STROUD: Thank you, Mr. Chair.

The only item on my agenda is litigation status.

There are eight cases that I'll be discussing.

The first is Stacia Hall, et al. v. DC Board of Elections, which is in the U.S. Court of

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Appeals for the D.C. Circuit. This is an appeal from the U.S. District Court's denial of a challenge to legislation allowing non-citizens to vote in local elections.

The solicitor -- this appeal was filed on April 16th of this year. The Solicitor

General for the District filed a Notice of Cross

Appeal and the cases have been consolidated.

Hall's brief and appendix were filed on August

22nd, 2024 after being granted a 30-day

extension. The Solicitor General filed its

initial cross appeal and brief on -- initial

brief and cross appeal brief on November 20th,

2024. Hall's reply/cross appeal response and the

Solicitor General's cross appeal reply are due

and forthcoming.

The second matter is Charles Wilson v.

Muriel Bowser in the D.C. Court of Appeals. The

Board is also a defendant in this matter. This

is an appeal from a decision by the D.C. Superior

Court that denied the appellant's challenge to

Initiative Measure Number 83 for the reason that

it was untimely filed. Oral argument was held in this matter on October 23rd. After the oral argument, the Board filed a motion for leave to file a supplemental brief to address new issues raised by the panel during oral arguments, that had not previously been briefed, and the appellant filed an opposition thereto.

On November 13th, 2024, the Court granted the Board's motion and ordered that the clerk file the supplemental brief and that the appellant file any reply to that brief by November 27th. The appellant filed a reply on November 26th.

The third matter is Dr. Shiva

Ayyadurai v. Merrick Garland, et al., including
the Board. That is in the U.S. Court of Appeals
for the D.C. Circuit. This was an appeal from
the U.S. District Court order rejecting plaintiff
appellant's complaint for a declaration that he
is eligible to serve as president,
notwithstanding the constitutional natural born
citizens clause or alternatively, that this

qualification matter presents a non-justiciable political issue for the voters.

On October 28th of this year, the Court granted the appellee's motion for summary affirmance finding that the District Court correctly dismissed appellant's case for lack of standing. The deadline for seeking rehearing has passed.

The fourth matter is Long v. The DC

Board of Elections which is in the D.C. Superior

Court. This is the resubmission of a matter

previously dismissed without prejudice. The

plaintiff seeks 10,000 dollars in damages based

on a claim concerning an overdraft cost to his

bank account when a stop payment was imposed on a

500 dollar check issued for his service as an

election worker.

On October 25th of this year, a status conference took place where the Court established a deadline of November 25th for filing motions for summary judgment and scheduled a status hearing for February 21st of next year.

On behalf of the Board, the OAG,
Office of the Attorney General, filed a motion
for summary judgment on November 25th.

The next matter is John Page v. Monica Evans. This is in a U.S. Court of Appeals for the D.C. Circuit. This was an appeal from the US District Court order dismissing the appellant's complaint that Donald Trump should be denied access to the ballot in the November 5th, 2024 general election.

The appellant's position was that the recent Supreme Court decision in Trump v.

Anderson does not apply to D.C. because that decision pertains to the rights of states under the 14th Amendment and D.C. is not a state.

On October 29th, the Court granted the appellee's motion for summary affirmance and denied the appellant's motion for summary reversal finding that the District Court correctly ruled that the appellant asserted only a generally available grievance and therefore lacks standing to challenge former President

Trump's eligibility to appear on the D.C. ballot. The deadline for seeking rehearing has passed.

The sixth matter is Deirdre Brown v.

The Board, that's in the D.C. Court of Appeals.

It involves the review of the Board's

certification of Initiative Measure Number 83.

On September 12th of this year, the Court issued a briefing order where it ordered the petitioner's brief be filed in 40 days and the Board's brief to be filed 30 days thereafter. On October 24th, the petitioner filed a motion for an extension of time in which to file her brief and filed the brief on October 29th.

On November 5th, Dorothy Brizill filed a motion to appear as amicus in the matter. On November 18th, the Court denied that motion, stating that Ms. Brizill had not demonstrated why her participation in this matter would be helpful to the Court. On November 29th, 2024, the Board filed its initial brief.

The next matter, number seven, is Calvin Gurley v. The Board of Elections. This was

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filed in D.C. Superior Court. On November 18th, 2024, Mr. Gurley filed a complaint challenging Initiative Measure Number 83 on various grounds. The defendant's answers will be due following the filing of proof of service. An initial status hearing has been set for February 21st, 2025.

The final matter is Young-Bey v. DC Board of Elections, that's in the D.C. Court of Appeals. On November 18th of this year, an inmate at the DC Department of Corrections filed a pro se action in the D.C. Court of Appeals in which he sought to challenge the outcome of the 2024 general election.

On November 27th, 2024, the Court sua sponte ordered the petitioner to show cause in 20 days why his action should not be dismissed because the Board has not yet certified the election result. That concludes the litigation status and my report.

CHAIR THOMPSON: Okay, thanks very much. Nothing else from the BOE? We'll turn then to the Campaign Finance Report from Director

Cecily Collier-Montgomery.

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MS. COLLIER-MONTGOMERY: Good morning. For the record, the full report of the Office of Campaign Finance will be posted at our website before the close of business today. The website address is www.ocf.dc.gov. I will, however, at this time point out a few matters of interest for the Public Fund Report.

First, the 2024 election site visits. The Office of Campaign Finance conducted on site visits to 19 of the 25 early vote centers from October the 28th, 2024 through November the 3rd, 2024, and to 41 of the 75 vote centers on November the 8th, 2024, general election day, to provide guidance where necessary concerning the application of the campaign finance laws.

The OCF teams observed in general during this period that campaign disclaimers were appropriately placed in literature and posters and that campaign workers and activity appeared to adhere to the electioneer marker restrictions. Finally, the OCF team did not observe and were

not alerted to any conflict of interest activities or any complaints involving campaign related activities on Election Day and during their observation at the early vote centers.

In the Fair Elections Program during the months of October and November 2024, for the 2024 election cycle, as of this date, there were 20 certified participating candidates in the Fair Elections Program. And the Office of Campaign Finance authorized the disbursement of the total sum of 2,830,041 dollars and 15 cents from the Fair Elections Fund and base amount and also matching payments. Also, the Fair Elections Division, during the months of October and November, authorized 12 disbursements from the Fair Elections Fund to FEP participating candidates. There were no new certifications of candidates in the program during this time frame. The list of disbursements to whom the disbursements were made is contained in our report and, again, will be available at our website.

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During the month of October and also during the month of November, the FEP Division conducted 42 desk reviews of the October the 10th, 2024, and the October the 31st, 2024 reports and amended reports of receipts and expenditures. And as a result of these reviews, the division issued 10 requests for additional information letters. With the ongoing postelection full field audits, for the 2020 election cycle, there are currently seven ongoing postelection audits for the 2020 election cycle before the Fair Elections Division in various The division has issued a total of 27 stages. final audit reports of the 34 full field audits which were initiated for the 2020 cycle.

With respect to the 2022 election cycle, the Office of Campaign Finance issued 42 post-election audit letters for the June 2022 primary election and the November 2022 general election to candidates who were certified to participate in the Fair Elections Program.

During the month of October, the Fair Elections

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Division issued two final audit reports.

The first was to the Friends of Lisa Gore Principal Campaign Committee and that report was issued on October the 11th, 2024. And the second was the Brianne for DC Principal Campaign Committee post-election audit report and that was issued on October the 30th, 2024. And both of the reports are available at the website for review by members of the public.

And I would also mention, for the record, that as a result of the certification probably beginning in December or January, more than likely January 2025, the Fair Elections

Division will begin to issue letters of the initiation of audits, post-election audits, for the 2024 election cycle to all of those candidates who were certified to participate in the program.

With our Public Information and Records Management Division during the months of October and November 2024, there were three dates for the filing of reports of receipts and

expenditures by committees and programs. The first was the October the 1st Activity Report by the Constituent Service Program and the Statehood's Fund Program. The October the 10th Report of Receipts and Expenditures, which was filed by political action committees and principal campaign committees and the Eight-Day Pre-General Report of Receipts and Expenditures Report. The real time images of the reports are available at the website for public review.

And again, I would point out that with respect to the reports of receipts and expenditures that were filed during these time frames, the division referred 46 matters for reporting violations to the Office of the General Counsel. The names of the committees, the candidates and the treasurers are listed in the report which will be filed at our website.

For the failure to timely file the October 1st Report of Receipts and Expenditures, there was one referral. For the failure to file the October the 10th Report, there were 23

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referrals and for the failure to timely file the Eight-Day Pre-General Report of Receipts and Expenditures, there were 22 referrals.

In our Reports, Analyses and Audit
Division, which is our traditional Campaign
Finance Program, the Audit Division conducted 133
desk reviews of reports which were filed with the
agency and issued 25 requests for additional
information as a result of the reports which were
reviewed.

The audit branch also issued three compliance audits which are available at our website for review, and the final audits were issued for first, the DC Political Action Committee. The audit report was issued on October the 3rd, 2024. The Credit Union Political Action Committee of Washington, D.C., the audit report was issued on October the 11th, 2024. And for the McDuffie Constituent Service Program, the audit report was issued on October the 24th, 2024.

And I would now ask the General

Counsel, William SanFord, to provide the report for the Office of the General Counsel for the agency.

CHAIR THOMPSON: Hello, Mr. SanFord.

MR. SANFORD: Good morning, Mr.

Chairman and distinguished Board members. I'm William SanFord, General Counsel for the Office of Campaign Finance.

During the month of October 2024, the Office of the General Counsel received 24 referrals, completed seven informal hearings and issued seven orders which included the following.

One order was issued in which no fine was imposed and six orders were issued in which a total of 1,972 dollars and 50 cents in fines was imposed. During the month of October 2024, the Office of the General Counsel imposed fines against the following respondents: A fine of 310 dollars was imposed against the Committee to Elect Paul Johnson. A fine of 127 dollars and 50 cents was imposed against the Committee to Elect Paul Johnson. A fine of 150 dollars was imposed

against Patricia Eguino for DC Council. Another fine of 252 dollars and 50 cents was also imposed against Patricia Eguino for DC Council and a fine of 200 dollars was imposed against Patricia Eguino for DC Council. Finally, a fine of 132 dollars and 52 cents was imposed against Nate Fleming, Ward 7.

During the month of October 2024, the Office of the General Counsel carried one open investigation. That investigation was OCF docket number FI2024004, the complainant was Tommy Wells, chair of the Neighbors United for Ward 6 and the respondents were the Committee to Recall Charles Allen, the DC Neighborhood Alliance and the DC Republican Party. The allegation was improper expenditures and illegal coordination. During the month of October that investigation had been completed, but the order was pending.

During the month of October 2024, there were no requests for interpretive opinions and no show cause proceedings were conducted.

During the month of November 2024, the

Office of the General Counsel received 25 referrals, completed nine informal hearings and issued nine orders which include the following. Eight orders were issued in which no fines were imposed and two orders were issued in which a total of 2,862 dollars and 50 cents in fines was imposed.

During the month of November 2024, the Office of the General Counsel imposed fines against the following respondents: A fine of 2,700 dollars was imposed against the Principal Campaign Committee of Randy Downs for Ward 2 and a fine of 162 dollars and 50 cents was imposed against the Committee to Elect Eboni-Rose Thompson State Board of Education.

During the month of October -
November, excuse me, the Office of the General

Counsel, the Office of Campaign Finance received

a payment of 1,606 dollars and 27 cents from the

Vincent Orange 2020 Principal Campaign Committee.

During the month of November, the
Office of the General Counsel issued orders in

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OCFI 2024 and orders were issued to the following three respondents: The Committee to Recall Charles Allen, the DC Neighborhood Alliance and the DC Republican Party. In all three cases, reduced fines of 200 dollars were imposed against the respondents.

During the month of November 2024, there were no requests for interpretative opinions and during the month of November 2024, there was one show cause proceeding conducted. The respondent in that show cause proceeding was Friends of Zachary Parker and Zachary Parker was a candidate for the D.C. Council in Ward 5. The docket numbers 2024F034 and the issue during the show cause proceeding was Mr. Parker and the principal campaign committee's failure to comply with the repayment agreement it had reached with the Office of Campaign Finance. And the final disposition was that the parties accepted a revised repayment agreement.

The contents of the report I just presented will be posted at the Office of

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Campaign Finance website by close of business today on today's date, the 2nd of December 2024 and that should conclude my report.

CHAIR THOMPSON: Thank you. Anything else? All right, thank you once again to the Office of Campaign Finance. Okay, we're going to move on with some public comment to conclude our meeting here today. If folks could start raising their Zoom hands. And I see Nikolas Schiller has raised his, so we'll promote Mr. Schiller.

MR. SCHILLER: Can you hear me okay?

CHAIR THOMPSON: Yep, we can hear you.

MR. SCHILLER: All right, I just want to say congratulations to the whole DC Board of Elections for running an amazing election. I do have a couple of things I'd just like to bring up.

First, I want to say 36,000 undeliverable ballots is a huge reduction and that's really good news compared to a few election cycles back that it was over 80,000 so I want everyone at the Board of Elections to pat

themselves on the back for that amazing reduction.

I want to say that the yard signs that the Board of Elections placed around the District of Columbia were highly effective. There were so many all across the District and I thought they were -- it was just impressive to see so many around.

Now, a couple of things I'd like to bring up. The total for the certification was 328,871. However, if you go to the bottom of the front page of the Board of Elections' website, you have the totals for U.S. Postal Service drop box, in person and early vote. And if you add up all those totals, you get 326,570. There's a discrepancy of 643 in person voting ballots and 1,658 drop box and USPS ballots, so as this is being certified, it's important that we, you know, have these numbers dialed in because there is somewhere in there there's some missing ballots that probably were rejected for a lack of signature or something like that, but it's

important that these get added.

Number two, I would like to request for the next election cycle that the Board of Elections update its voter roll based on their turn in, based on the USPS early vote and drop box. For example, the Initiative 83 campaign sent out mailers to voters, all the way up until nearly Election Day, but those mailers are going to voters who have already voted. And the voters are getting notification that their ballots have been received, so there is technology that's there in place right now that tells the voter, your ballot has been received.

And I would really encourage the Board of Elections to offer campaigns updated voter registration totals so they're not wasting hundreds of thousands of dollars mailing voters election information who have already voted.

Number four, I worked on outside of the Walter T. Daniels poll site and the Shaw Library. And I got there, you know, very early and I was wondering if in the future, we can list

the total number of, like, how many vote tallying machines are going to be available at each vote center. What ended up happening was the line stretched for all the way around the library and when I was talking to voters as they left, they were waiting upwards of an hour. And when I went in to check the hourly vote total, what I found was that there were just too many people at the vote location and it could've been a situation where the first floor of the library could have been utilized instead of the basement and voters would have been able to be processed faster.

I really appreciate the election day wait times that are on the website, but it might be useful to include the information to voters how many things are there. That's all I have today. I really appreciate everyone's time and conducting a wonderful election. Thank you so much.

MS. EVANS: Yes and thank you, Mr. Schiller. Definitely appreciate your comments.

I will say that in the report, the 328,871 votes

that were referenced were, of course, those that were counted. We did receive some that we were unable to cure and we received some that were double votes and so they did not count twice. So the raw numbers on the website were just mail in ballots we received per se, but making that distinction is important and thank you for that.

And then also, appreciate your other comments and observations. As I always say, we're always trying to make improvements. We're always looking at ways we can streamline the process and make things easier for voters in the District of Columbia. And so thank you for those other observations as well. Thank you.

CHAIR THOMPSON: Yes, thank you, Mr. Schiller. Your constructive comments are always appreciated. And we'll take them to heart and we've got a whole year ahead of us, 2025, to think about ways to improve everything, especially the voter experience with respect to some of those lines at places like Shaw and MLK Library.

So we've, you know, taken note of a lot of those kinds of things and, you know, we obviously have a process now for our voter rolls to identify additional inactive voters, so maybe we can get that undeliverable number down even more, but thank you for noting the decrease, 36,000 is still a lot so, you know, that's one of the many things we'll do in 2025 to continue to improve everything. So, appreciate your comments.

I am not seeing any other hands raised for public comment. Let me just make sure. Hold on a second. There it is. I'm not sure how to say it Trupti, hello, and you are unmuted, I think.

MS. PATEL: Good evening, Chairperson.

Yes, I hope you can hear me. Can you hear me?

CHAIR THOMPSON: We sure can. Thank

you.

MS. PATEL: Sure. The reason why I decided to raise my hand, and I know this is not going to be something that can be addressed

necessarily right this second, but I wanted to flag two really important things for you. So I'm actually the Chairperson of ANC 2A.

And the first issue I had is that I had two ANC commissioners, or three actually, who pretty much never appeared at any of their meetings. There was no way to compel them to resign at all and it became a very frustrating process to get things done. And then on top of that, we would think, like, okay, could get a brand new slot of people to come in, and now I have two incoming ANC commissioners, one of which that race was actually selected for the random audit. One candidate, or one incoming ANC commissioner, has been very vocal on social media about making derogatory comments about Vice President Harris, has stated that COVID is not And the other individual is nicknamed the real. Smut King of D.C.

The reason why I'm flagging this is these two particular candidates took advantage of a loophole that exists currently in D.C. law.

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They didn't have to register before elections took place and so they were able to literally write just their own names in and then come to Board of Elections right after.

And the reason why I'm flagging this as a very big problem is when I filed to run for office, I had to meet the threshold of gathering 25 signatures. And so, if people are going to not go through the scrutiny of running for an actual position, this is actually a really big problem for our democratic process.

And I want to make it very clear I had no problem with people having differing political views, people who have paid for their crimes by serving in the incarceration system, but I do strongly believe that, you know, residents have the right to know. If you're going to run to represent somebody that should be something that's a requirement.

So thank you for letting me have that floor for a few minutes, but I am going to be testifying in the oversight hearings and flagging

this as a major issue. Thank you.

CHAIR THOMPSON: Oh, yeah, could you just let us know your name and address?

MS. PATEL: Certainly, my name is Trupti Patel and my address is 950 25th Street, Northwest, Washington, D.C. 20037.

CHAIR THOMPSON: All right, yeah,
thank you, Ms. Patel. As a former ANC chair
myself, I can only advise you that if it's a
matter concerning a commissioner's conduct or
attendance that's probably something that falls
within your own internal processes, your bylaws.
You probably have procedures that allow you to
censor or even remove somebody. I would leave
that to you and your fellow commissioners to, you
know, think about how you run your commission.

And then with respect to the process of running for ANC including possibility of becoming a commissioner by way of a write-in campaign, you know, some of what you said probably has to do more with the laws as they're written by our D.C. Council, so you seem to be

addressing things that probably could only be changed at the level of the D.C. Council, it's not something we can change. The way the laws are written currently, as I understand them, do allow for write-ins. And I, you know, appreciate your thought that there's maybe an element of circumvention there with the process that commissioners like you and so many others carefully observe. I'll think about that.

And there is, I think, somebody that's right in the OANC now that might want to weigh in on that, but that's probably something above our level as an administrative agency to change. So when you testify maybe think about addressing the Council with respect to some potential changes that you referenced.

MS. STROUD: Yeah, and I will say this, for the record, Mr. Chair, that the statute allows for individuals to affirm their write-in candidacy post-election. For the primary, you can do that up to three days after and then for the general, up to seven days after, so that is

1 in the statute that you don't have to declare 2 your candidacy as a write-in before the election. Okay. I'm not seeing 3 CHAIR THOMPSON: 4 any other hands raised. I'd like to, you know, 5 wish everybody all the best. I hope everybody 6 has a good month, a good holiday season coming 7 Stay warm, stay healthy. And we will 8 reconvene, I think, in early January for our 9 regular meeting. Usually it's the first 10 Wednesday of the month barring some change. All 11 right, Wednesday, January 8th, is probably our 12 next meeting. 13 Not hearing any other comments, I'd 14 move that we adjourn. There's a second. All in 15 favor of adjournment? 16 (Chorus of ayes.) 17 Thanks, everybody. CHAIR THOMPSON: 18 (Whereupon, the above-entitled matter 19 went off the record at 11:47 a.m.) 20 21 22

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This is to certify that the foregoing transcript

In the matter of: Board Meeting

Before: DC BOE

Date: 12-02-25

Place: teleconference

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

Court Reporter

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