

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY,
OCTOBER 7, 2015

+ + + + +

The District of Columbia Board of Elections convened a Regular Board Meeting in Room 280 North, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 10:30 a.m., Stephen I. Danzansky, Acting Chairman, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

STEPHEN I. DANZANSKY, Acting Chairman

BOARD OF ELECTIONS STAFF PRESENT:

CLIFFORD D. TATUM, Executive Director
KENNETH MCGHIE, ESQ., General Counsel

OFFICE OF CAMPAIGN FINANCE STAFF PRESENT:

CECILY COLLIER-MONTGOMERY, Director
WILLIAM SANFORD, ESQ., General Counsel

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

2 (10:40 a.m.)

3 ACTING CHAIR DANZANSKY: Good morning.

4 My name is Stephen Danzansky, and I will be
5 serving today as the Acting Chairman of the Board
6 of Elections.

7 My colleague, our Chairman, Deborah
8 Nichols, could not be here today, and in the
9 absence of a quorum, therefore, there will be no
10 official business conducted at this meeting. So
11 today's meeting will only be for the receipt of
12 reports by Board senior staff, and of course, to
13 record any public matters that might be raised
14 today.

15 Let me now introduce our senior staff,
16 to my left is our Executive Director Clifford
17 Tatum, to my immediate right is our General
18 Counsel Kenneth J. McGhie, and to my far right is
19 our Director of Campaign Finance, Cecily Collier-
20 Montgomery.

21 MS. COLLIER-MONTGOMERY: Good morning.

22 ACTING CHAIR DANZANSKY: Today's date

1 is Wednesday, October 7, 2015, and the time is
2 10:41. We move to the first item on the agenda.

3 We have published a public agenda, and
4 even though this is an unofficial meeting, the
5 public certainly may use this as a guide to the
6 reports that will be submitted today.

7 So there will be no official adoption
8 of an agenda this morning and the same with
9 minutes, which is the second item, because there
10 is no quorum, and this is -- no official business
11 can be done, there will be no adoption of the
12 Board's minutes.

13 That will take place at the November
14 4 meeting of the Board, when the minutes of
15 September 2, which was the prior meeting, will be
16 officially adopted. So that will happen on the
17 4th.

18 The third item on the agenda is Board
19 matters, and I have -- as the sole surviving
20 Board Member, have no particular business to
21 raise at this time. So we'll turn now to the
22 Executive Director's Report. Mr. Tatum.

1 MR. TATUM: Thank you, sir. On my
2 report for today, I have general matters, and
3 there are a number of items I'd like to put on
4 the record and bring to the Board's attention.

5 The Board of Elections participated in
6 National Voter Registration Day, which was
7 September the 22nd, 2015. Our office conducted
8 voter registration drives at six locations
9 throughout the city, and those locations were the
10 Duke Ellington School of the Arts, Gallaudet
11 University.

12 We participated with the League of
13 Women Voters at the Safeway at the Alabama Avenue
14 in Southeast D.C. We conducted a drive here at
15 One Judiciary Square. We also conducted a drive
16 at the National Collegiate Prep High School and
17 at the University of D.C. Community College on
18 North Capitol Avenue.

19 We participated in the activities for
20 the -- over the course of the full day. We
21 collected 221 voter registration applications and
22 31 poll worker applications. So all in all, it

1 was a successful day.

2 WHUR provided on-air coverage at the
3 University of D.C. Community College from 12:00
4 to 1:00, and that was good. We had an
5 opportunity to say a couple -- share a couple
6 words with the public on air. And of course we
7 partnered with the League of Women Voters, that's
8 always a good thing for us. So that concludes
9 the matter on the National Voter Registration.

10 We wanted to give the Board an update
11 on our canvass activities. As of September 30,
12 2015, the Board has taken -- staff has updated
13 46,897 records as a result of the 2015 canvass.
14 Which means we have either changed addresses,
15 made voters inactive, or removed voters from the
16 roll as a result of being deceased or moved out
17 of state, as a result of the canvas. Those cards
18 are continuously coming in, so there's continuous
19 activity on the canvass throughout the year --
20 throughout the remainder of the calendar year.

21 We'd like to bring to the Board's
22 attention that the Fiscal Year 2016 officially

1 began on October the 1st, so all expenditures
2 moving forward will be cached against the 2016
3 budget.

4 We were appropriated \$7,390,254 from
5 the Mayor and the Council and of that \$7 million,
6 \$2,846,600 is allotted for the June 2016 primary
7 elections. So all expenditures that are being
8 made now are coming from the 2016 allocated
9 budget -- appropriated budget, and we are moving
10 fast in to expenditures for the 2016 primary
11 election.

12 ACTING CHAIR DANZANSKY: Okay.

13 MR. TATUM: Last but not least, we
14 have finalized our online signature exchange
15 program, which means voters can now register
16 online and not have to print the form and mail
17 the form to us. If they have a DMV-issued
18 identification report, we'll pull the signature
19 over from DMV and finalize the process.

20 We're updating our website and
21 anticipate that website page being available on
22 this Friday, October the 9th.

1 ACTING CHAIR DANZANSKY: Great.

2 MR. TATUM: And all voters with a DMV-
3 issued ID will finalize their application by
4 simply completing the data online.

5 Folks with the last four digits of
6 their Social Security number will still have to
7 print the form and mail it into us, but we've
8 made that clear on the website as well and we'll
9 do some publications associated to this -- to the
10 new online process.

11 ACTING CHAIR DANZANSKY: Great.

12 MR. TATUM: That's all I have.

13 ACTING CHAIR DANZANSKY: Great. Okay.
14 Thank you. Thank you, Mr. Tatum. Mr. McGhie.

15 MR. MCGHIE: Okay. The only thing I
16 have on my agenda is a litigation status update.
17 We have only one matter pending in court right
18 now, and that is Harry Wingo versus the D.C.
19 Board of Elections.

20 As I mentioned at the last Board
21 meeting, this was a matter brought by Mr. Wingo
22 to challenge the formulation of the short title

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1 and summary statement of the initiative dealing
2 with the minimum wage, and the Board filed a
3 consent motion to expedite the proceedings, which
4 was granted on September 2nd.

5 So now under that expedited procedure,
6 the Board will be filing its motion for summary
7 judgment on this Friday, October 9th, and the
8 Plaintiffs -- let's see, opposition and cross-
9 motion by the Plaintiffs is due on October 26,
10 and a reply by the Board of Elections and the
11 Intervenors is due on November 9th. The final
12 reply is November 16th, and then the hearing is
13 set for November 19th.

14 ACTING CHAIR DANZANSKY: November 19th.

15 MR. MCGHIE: Yes.

16 ACTING CHAIR DANZANSKY: Okay. Do we
17 have a judge?

18 MR. MCGHIE: The judge is Maurice A.
19 Ross.

20 ACTING CHAIR DANZANSKY: Ross.

21 MR. MCGHIE: Ross.

22 ACTING CHAIR DANZANSKY: Okay. Thank

1 you.

2 MR. MCGHIE: And that would conclude my
3 litigation status update.

4 ACTING CHAIR DANZANSKY: Thank you, Mr.
5 McGhie. Campaign Finance?

6 MS. COLLIER-MONTGOMERY: Yes. During
7 the month of September, the first thing I would
8 report was that there were no statutory filing
9 dates. We did have new candidates and committees
10 who registered to participate in the 2016
11 election cycle.

12 David Grosso, Grosso At-Large 2016
13 (At-Large City Council), registered on September
14 the 15th, 2015. Yvette Alexander, Re-Elect
15 Yvette Alexander 2016 (Ward 7 City Council),
16 registered on September the 24th, 2015. Brandon
17 Todd, Re-Elect Brandon Todd (Ward 4 City
18 Council), registered on September the 28th, 2015.

19 We conduct entrance conferences in
20 September. We conducted the conferences on
21 September the 3rd, 2015. The participants were
22 David Oberting, candidate treasurer,

1 Oberting2016. Erika Wadlington, treasurer,
2 Committee for Fair Employment Laws.

3 Also on September the 25th, 2015,
4 entrance conferences were conducted and the
5 participants were Yvette Alexander, candidate,
6 Re-Elect Yvette Alexander 2016; Michael J.
7 Fortunato, treasurer, Grosso At-Large 2016; David
8 Grosso, candidate, Grosso At-Large 2016.

9 In our Audit Branch -- during the
10 month of September, the Audit Branch conducted 80
11 desk reviews of reports that had been filed with
12 the agency of political action committees, as
13 well as of principal campaign committees, and of
14 one initiative committee.

15 Tue Audit Branch referred four cases
16 to the Office of the General Counsel where there
17 were requests for additional information
18 addressed to the various filers, which were
19 either not responded to, or for which the
20 information provided did not comply with the
21 auditors' requests. The Audit Branch also
22 participated in four of the entrance conferences

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1 and the in-house training.

2 With respect to ongoing audits, our
3 full field audits are as follows, of the
4 investigative audits, we have Gray For Mayor.
5 With the inaugural committees 2015, we have D.C.
6 Proud inaugural committee. With respect to our
7 newly-elected officials for 2014 and 2015, we
8 have LaRuby May 2015, Brandon Todd for Ward 4,
9 Brianne for D.C., Charles Allen for Ward 6.

10 With respect to our periodic random
11 audits, the ongoing audits are: one, the
12 candidates registered for the 2015 election
13 cycle, and that is of the January 31st, 2015
14 filing, Barry for Council. With our continuing
15 committees -- and this is with the January 31st,
16 2015 filing -- Morgan for D.C.

17 With respect to political action
18 committees and continuing committees, the July
19 31st, 2015 filing: Eric Jones 2014, Fresh PAC,
20 and the Libertarian Party of D.C.

21 We also issued an audit report during
22 the month of September and that Holness for D.C.,

1 which was issued on September the 21st, 2015, and
2 that audit report is available at our website for
3 members of the public to review.

4 And now I would ask the General
5 Counsel to provide the report for the Office of
6 the General Counsel.

7 ACTING CHAIR DANZANSKY: Good morning,
8 Mr. Sanford.

9 MR. SANFORD: Good morning,
10 distinguished Board Member Danzansky. I'm
11 William Sanford, General Counsel for the Office
12 of Campaign Finance.

13 During the month of September 2015,
14 the Office of the General Counsel received four
15 referrals from the Reports Analysis and Audit
16 Division.

17 The Office of the General Counsel
18 completed nine informal hearings and issued 15
19 orders, which included the following: six orders
20 were issued for failure to timely file reports
21 and fines were imposed that totaled \$7,750; seven
22 orders were issued for failure to timely file

1 reports in which no fines were imposed; and two
2 orders were issued that have vacated -- to vacate
3 previous orders based upon the payment
4 performance.

5 The Office of the General Counsel
6 imposed fines against the following respondents:
7 D.C. Latino Caucus PAC, \$300; Gertrude Stein
8 Democratic PAC, \$1,400; Youth Action PAC, \$1,400;
9 Bell for Ward 8 Council, \$1,550; Whitaker for
10 Ward 4, \$1,550; Trayon White for Ward 8 2015,
11 \$1,550.

12 The Office of the General Counsel
13 collected a total of \$325 in fines from the
14 following respondents: \$100 from D.C. Working
15 Families; \$100 from Campaign Committee for
16 Working Families; and \$125 from Ward 6 Democrats.

17 During the month of September, the
18 Office of the General Counsel maintained a total
19 of seven open investigations from prior months
20 and no new investigations were opened.

21 During the month of September 2015,
22 there were no requests for interpretive opinions

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1 and no show cause proceedings were conducted, and
2 that should complete my report.

3 ACTING CHAIR DANZANSKY: All right.
4 Thank you very much, Mr. Sanford.

5 All right. Now we turn to the next
6 item on the agenda, which is public matters. Does
7 any member of the public wish to come forward and
8 state for the record a public matter? As I said,
9 this is not an official meeting, but your
10 concerns will be recorded.

11 (No audible response.)

12 ACTING CHAIR DANZANSKY: Hearing none,
13 this unofficial meeting of the Board of Elections
14 is hereby concluded. Thank you.

15 (Whereupon, the above-entitled meeting
16 was adjourned at 10:53 a.m.)

17

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This is to certify that the foregoing transcript

In the matter of: Regular Board Meeting

Before: District of Columbia Board of Elections

Date: 10-07-15

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.

Neal R. Gross

Court Reporter

NEAL R. GROSS

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