

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

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| Joe Bishop-Henchman, |) | |
| Challenger |) | Administrative |
| |) | Order #26-029 |
| |) | |
| v. |) | Re: Challenge to Nominating |
| |) | Petition Submitted for |
| |) | Mayor (Democratic Primary) |
| Kathy Henderson, |) | |
| Candidate. |) | |

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on April 17, 2026. It is a challenge to the nominating petition submitted by Kathy Henderson (“the Candidate”) to run for the office of Mayor of the District of Columbia in the June 16, 2026 Primary Election (“the Primary Election”). The challenge (“the Challenge”) was filed by Joe Bishop-Henchman (“the Challenger”), a registered voter in the District of Columbia, pursuant to D.C. Official Code § 1-1001.08 (o)(1). Chairman Gary Thompson and Board member Karyn Greenfield presided over the hearing. All parties appeared *pro se*.

Background

On March 18, 2026, the Candidate submitted a nominating petition to appear on the ballot as a candidate in the Primary Election contest for the nomination for the office of Mayor of the District of Columbia (“the Petition”). The minimum number of signatures required to obtain ballot access for this office is 2,000 signatures of District of Columbia voters who are duly registered in the same party as the candidate. The Petition contained 2,125 signatures. Pursuant to Title 3,

District of Columbia Municipal Regulations (D.C.M.R.) § 1603.1, Marissa Corrente, the Board's Registrar of Voters ("the Registrar"), accepted 2,125 signatures for review.

On March 21, 2026, the Petition was posted for public inspection for 10 days as required by law. On March 29, 2026, the Petition was challenged by Joe Bishop-Henchman, a registered voter in the District of Columbia.

The Challenger filed challenges to a total of 880 signatures. Specifically, the signatures and affidavits were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not a registered voter in the District of Columbia; the signer is not registered to vote at the address listed on the petition at the time the petition was signed; the signature is a duplicate; the signature is not dated; the petition does not include the address of the signer; the petition does not include the name of the signer and the signature is not sufficiently legible for identification; and the signer is not registered to vote in the same party as the candidate at the time the petition is signed. *See* 3 D.C.M.R. §§ 1603, 1607.1.

Registrar's Preliminary Determination

The Registrar's review of the challenge indicated that a total of 749 of the 880 signature challenges were valid. The Registrar found the following challenges to be valid: 286 challenges were valid because the signer is not registered to vote; 232 challenges were valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed; 53 challenges were valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; three challenges were valid because the signature is a duplicate of a valid signature; one challenge was valid because the signature is not dated; 15 challenges were valid because the petition does not include the address of the signer; 53 challenges were valid because neither the name of the signer nor the signature are sufficiently legible for

identification; and 106 challenges were valid because the signer is not registered to vote in the same party as the candidate at the time the petition is signed.

Accordingly, the Registrar preliminarily determined the Petition contained 1,376 presumptively valid signatures, which is 624 signatures below the number required for ballot access.

April 13, 2026 Pre-Hearing Conference

Pursuant to title 3 D.C.M.R. § 415.1, the Office of the General Counsel convened a pre-hearing conference with both parties on April 13, 2026. In her findings report issued prior to the pre-hearing conference, the Registrar outlined her determinations with respect to the validity of each signature challenged and provided a key code explaining the notations she used to indicate the basis for upholding or denying each challenge.

The Candidate disputed the Registrar's determinations as to certain individual challenged signatures and provided examples of ten signers whom the Candidate asserted were registered District voters and properly signed the Petition. The Candidate further raised concerns alleging that the challenge was not brought in good faith. The Candidate also stated an intent to raise at hearing an argument that the late January 2026 weather event and related closures impeded petition circulation, and that the Board should consider whether any relief is available as a result, as was done during the COVID-19 Pandemic.

The Challenger stated that the Registrar's findings report was thorough and that, even crediting the additional signatures referenced by the Candidate during the conference, the Petition would remain significantly below the 2,000-signature requirement. The Challenger also denied any improper coordination or use of non-public resources in the face of a claim alleging such activity by the Candidate.

As the parties were not able to resolve the matter, the case was set for a Board hearing on April 17, 2026. The Candidate and Challenger were duly notified of the hearing.

April 17, 2026 Board Hearing

The Registrar was present at the hearing and presented her findings. During the Board hearing, the Candidate argued that the Registrar erroneously invalidated certain signatures challenged on the grounds that the signer was not registered to vote in the District of Columbia, that the signer was not registered to vote at the address listed on the Petition at the time the Petition was signed, and that certain signers identified by the Candidate were in fact registered District voters who were properly registered as members of the Candidate's party and thus properly signed the Petition. The Candidate reiterated concerns raised at the pre-hearing conference regarding whether the challenge was brought in good faith and whether it overlapped with challenges raised in another matter involving the Candidate. The Candidate also argued that petition circulation was impeded by an unprecedented weather event and related closures, and asked the Board to consider whether any relief is available under the election laws and regulations, including by analogy to relief that was made available during the COVID-19 Pandemic.

The Challenger urged the Board to accept the findings of the Registrar and deny the Candidate ballot access. The Challenger argued that the Registrar's review was thorough and that, even if the Board credited the additional signatures the Candidate had referenced during the pre-hearing conference, the Petition would remain significantly below the 2,000-signature requirement.

Discussion

The minimum number of signatures required to obtain ballot access for the office of Mayor in the June 16, 2026 Primary Election is 2,000 signatures of District voters who are duly registered

and registered with the Democratic Party. *See* D.C. Official Code § 1-1001.08; *see also* 3 D.C.M.R. §§ 1603, 1607.1.

Here, the Petition contained 2,125 signatures. The Challenger filed challenges to 880 signatures, and the Registrar determined that 749 of those challenges were valid. The Board upholds the Registrar's preliminary determination that the Petition contains 1,376 presumptively valid signatures, which is 624 signatures below the minimum required.

At the pre-hearing conference and at the April 17, 2026 hearing, the Candidate disputed certain of the Registrar's invalidations and asserted that specific signers were registered District voters, properly registered as members of the Candidate's party, and properly signed the Petition, despite what was reflected in the Board's records. The Candidate also raised concerns about the Challenger's good faith and argued that petition circulation was impeded by the January 2026 weather event and related closures.

The Board has considered the Candidate's arguments, but finds that they do not rebut the Registrar's determinations in a manner sufficient to establish that the Petition meets the 2,000-signature requirement. Even assuming *arguendo* that a limited number of the disputed signatures should be counted as valid, the Registrar's findings show that the Petition remains substantially short of the required threshold. On this record, the Candidate has not produced sufficient evidence to overcome the Registrar's determinations for enough signatures to reach the minimum number required for ballot access.

As noted above, the 2,000-signature threshold is a statutory requirement that applies to all candidates in the Primary Election. Unlike the circumstances surrounding the ballot access process for the 2020 Election, there are no enactments currently in place – such as the Coronavirus Support Emergency Amendment Act of 2020 and the Coronavirus Support Congressional Review

Emergency Amendment Act of 2020¹ - that expressly authorize a temporary deviation from the applicable statutory requirements concerning the minimum number of signatures required for ballot access. *See* District of Columbia Board of Elections, Memorandum Opinion and Order, *Harnett v. Sloan*, Order #26-027 (Apr. 13, 2026). In the absence of such authorization, the Board cannot waive the requirement that the Petition must contain at least 2,000 presumptively valid signatures.

The Candidate also asserted that the challenge was brought in bad faith and involved unlawful collaboration or fraud, including a conclusory allegation that a former Board employee assisted in drafting the challenge. These assertions were not supported by any testimony, documents, or other competent evidence in the record before the Board in this proceeding. On the record presented, the Board cannot credit unsupported allegations as a basis to disregard the Registrar's determinations or to treat otherwise invalid signatures as valid.

Accordingly, on the record before the Board, the Candidate did not produce evidence sufficient to rebut the Registrar's determinations as to invalidity such that the Petition would meet the 2,000-signature minimum requirement.

Conclusion

As a result of this challenge, the Board finds that the Petition contains 1,376 valid signatures – 624 signatures below the number required for ballot access. It is hereby:

ORDERED that challenge to the nominating petition of Kathy Henderson for the office of Mayor in the Primary Election is hereby **UPHELD**.

¹ *See* D.C. Act 23-326, May 27, 2020, 67 DCR 7045 and D.C. Act 23-328, June 8, 2020, 67 DCR 7598, respectively.

The Board issues this written order today, which memorializes its oral ruling rendered on April 17, 2026.

Date: April 18, 2026



Gary Thompson
Chairman
Board of Elections