

GOVERNMENT OF THE
DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

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WEDNESDAY
MAY 7, 2014

The Board met in Suite 280 North, One
Judiciary Square, 441 4th Street, N.W.,
Washington, D.C., at 10:30 a.m., Deborah K.
Nichols, Chairman, presiding.

BOARD MEMBERS PRESENT:

DEBORAH K. NICHOLS, Chairman
STEPHEN I. DANZANSKY, Board Member

ALSO PRESENT:

CECILY COLLIER-MONTGOMERY, Director,

Office of Campaign Finance

KENNETH J. MCGHIE, ESQ., General Counsel

CLIFFORD D. TATUM, ESQ., Executive Director

WILLIAM SANFORD, ESQ., General Counsel,

Office of Campaign Finance

C O N T E N T

AGENDA ITEMS:

Adoption of Modified Agenda. 3

Adoption of Minutes. pending
Regular Board Meeting
Wednesday, April 23, 2014

Board Matters.none

General Counsel's Report
Kenneth J. McGhie

A. Initiative Proper Subject Matter
Determination.17

B. Approval of a Political party Name.20

C. Litigation Status22

5) Executive Director's Report23
(Special Election Update)

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6) Campaign Finance Report30

Cecily Collier-Montgomery

William Sanford (Legal Report).35

7) Identification of Public Matters.38

8) Adjournment

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P R O C E E D I N G S

(10:40 a.m.)

CHAIRPERSON NICHOLS: I hereby call to order the May 2014 regular meeting of the Board of Elections. It is Wednesday, May 7th, 2014.

The time is 10:40 a.m.

We are meeting in Room 280 North of One Judiciary Square.

I'm Deborah K. Nichols, chairman of the Board.

Present with me this morning is Mr. Stephen Danzansky, our board member. Also present on the dias are Mr. Ken McGhie, the board's general counsel; Ms. Cecily Collier-Montgomery, the board's director of Campaign Finance; and Mr. Clifford Tatum, the board's executive director.

I want, before we adopt the agenda, I want to make some changes to the agenda, the order of matters. We're going to move Item 3 down to where Item 8 is, that is, identification of Public Matters.

We're going to move the General

1 Counsel's Report to what would be Item 5, make it
2 Item 5.

3 So we'll go Adoption of Agenda,
4 Adoption of Minutes, Board Matters, General
5 Counsel's Report, Executive Director's Report,
6 and the Campaign Finance Director's Report. Then
7 identification of Public Matters, Other Matters,
8 and adjournment.

9 Having said all that, without
10 objection, the modified agenda for this morning's
11 meeting is adopted.

12 Are there any objections?

13 (No response)

14 CHAIRPERSON NICHOLS: All right.

15 The minutes of our meeting held on
16 April 23rd, 2014, was so recent, that we don't
17 have the transcript from that meeting. So rather
18 than adopt those minutes this morning, we will
19 move that to the June 2014 meeting, once we have
20 a transcript. At that time we will adopt them.

21 So are there any matters which board
22 members wish to raise in this public meeting.

1 MR. DANZANSKY: No, Madam Chair.

2 CHAIRPERSON NICHOLS: All right.

3 Hearing none, we will move to the General
4 Counsel's Report.

5 Mr. McGhie.

6 MR. MCGHIE: Yes. The first matter on
7 my agenda is a approval of a initiative as a
8 proper subject matter for the ballot in the
9 District of Columbia. The initiative is entitled
10 the Fair Minimum Wage Act of 2014. The proposer
11 is Reverend Dr. Edwin L. Jones, Sr.

12 Is he present?

13 AUDIENCE MEMBER: He's en route.

14 MR. MCGHIE: Is the counsel for the
15 initiative member present? Yes. Can you please
16 take a seat at the table.

17 CHAIRPERSON NICHOLS: Come forward.

18 Good morning.

19 MR. MCGHIE: And would you please--do
20 you have anybody else you'd like to bring to the
21 table?

22 Okay. Beginning with the counsel for

1 the measure, could you please identify yourself
2 for the record.

3 MR. SANDLER: Yes. My name is Joseph
4 Sandler, the law firm of Sandler Reiff, counsel
5 for the proponent and the committee.

6 MR. MCGHIE: Sir?

7 MR. MICHAEL: I'm DeMorris Michael. I
8 am the treasurer for the committee and executive
9 director of D.C. Working Families.

10 MR. MCGHIE: Sorry. Give me your name
11 again.

12 MR. MICHAEL: DeMorris Michael.

13 MR. MCGHIE: Okay. As I indicated
14 earlier, we're here for a determination on
15 whether this is a proper subject for an
16 initiative, which is pursuant to D.C. Official
17 Code Section 1-1001.16.

18 This measure, which was entitled Fair
19 Minimum Wage Act, just briefly, I would recite
20 this summary statement, as submitted by the
21 proponent, was:

22 This initiative will increase the

1 District of Columbia minimum wage to a rate of
2 \$12.50 per hour, or two dollars above the federal
3 minimum wage, by 2017, and would increase the
4 minimum wage that employees have to pay,
5 employees who receive tips, to 70 percent of the
6 full minimum wage by 2021.

7 Starting in 2018, the minimum wage
8 would be adjusted each year to keep pace with any
9 increase in the cost of living. The increased
10 minimum wage levels would not apply to employees
11 of the District of Columbia government, or of
12 D.C. government.

13 CHAIRPERSON NICHOLS: Mr. General
14 Counsel, does the proposed--has the proposed
15 measure met the statutory clerical requirements
16 with respect to its filing of the verified
17 Statement of Contributions with the Office of
18 Campaign Finance?

19 MR. MCGHIE: Yes. The proposers of the
20 measures did properly file a Statement of
21 Organization with the Office of Campaign Finance
22 and they meet all the administrative filing

1 requirements.

2 CHAIRPERSON NICHOLS: Okay. Are there
3 any opponents to this measure, who are present,
4 that wish to provide any testimony?

5 (No response)

6 CHAIRPERSON NICHOLS: Okay. Hearing
7 none, we will ask for any comments from the
8 proponents of the measure.

9 MR. MICHAEL: I just want to talk
10 briefly about what the measure would do for the
11 folks in D.C.

12 Increasing the minimum wage to 12.50
13 per hour is a crucial step for ensuring that
14 D.C.'s lowest-paid workers can afford the basics,
15 and will set the District on par with proposed
16 minimum wage increases currently under
17 consideration in other states and districts
18 across the country.

19 While D.C. minimum wage is currently
20 scheduled to rise to 11.50 by 2016, this remains
21 insufficient relative to the District's rapidly-
22 rising cost of living. By several measures, at

1 12.50, the minimum wage will bring D.C.'s
2 lowest-paid workers more in line with the high
3 local costs of housing, food, and other basic
4 necessities.

5 For example, according to analysis
6 from MIT, a single adult living in D.C. needs to
7 earn at least \$13.67 in order to afford basic
8 essentials such as food, housing, and
9 transportation.

10 A single adult with one child would
11 need to earn nearly twice that rate, at \$26.35
12 per hour in order to afford these basics.

13 With respect to housing, in
14 particular, the cost of rent in D.C. currently
15 ranks as the second-most-expensive in the
16 country. A fair market rent for a two bedroom
17 rental apartment in D.C. is now \$1469 per month.
18 At this rate, a worker in D.C. must earn at least
19 \$28.23 per hour to afford a two bedroom
20 apartment, well over three times the current
21 minimum wage rate.

22 Given these significant costs, the

1 minimum wage at 12.50 remains a relative modest,
2 yet important standard, that will do more to help
3 D.C.'s lowest-paid workers afford the cost of
4 living in the District of Columbia.

5 Another reason we're promoting this
6 ballot measure is to address D.C.'s woeful low
7 minimum wage for tip workers. Right now, I don't
8 know if you know it, but it's currently \$2.77 per
9 hour, which is a pittance, which the City Council
10 didn't have the consensus to address last year.

11 Raising D.C.'s tip minimum wage
12 gradually to 70% percent of the full minimum
13 wage, the initiative will provide a much-needed
14 pay raise for low-wage tip workers, and will
15 ensure that the bulk of tip workers' wages are
16 paid directly by the employers rather than by
17 consumers.

18 Indeed, across the country, tip
19 workers fall under the federal poverty line at
20 over twice the rate of all other workers and
21 servers, at nearly three times the rate of other
22 workers.

1 The data show that raising the tip
2 minimum wage is an effective approach to
3 boosting pay for tip workers, and the seven
4 states, across the country, that have set the tip
5 minimum at a 100 percent of full minimum wage,
6 tip workers are 25 percent less likely to fall
7 under the federal poverty line than states with
8 lower tip minimum wage levels.

9 This initiative would, again, would
10 raise the minimum wage at a pace of over six
11 years, to reach 70 percent of the full minimum
12 wage by 2021, when it will equal roughly \$9.50
13 per hour, again not that much when you consider
14 living in the District of Columbia.

15 Some examples of other places around
16 the country. By 2021, Seattle's minimum wage
17 will be \$15 per hour under the proposed agreement
18 by key labor and business stakeholders last week.
19 In 2016, California's tip minimum wage will be
20 \$10 per hour, and lawmakers are currently
21 considering a proposal that will raise that to
22 \$13 an hour by 2017.

1 San Francisco and San Jose have
2 already adopted tip minimum wages rates of \$10.71
3 percent--\$10.71 and 10.31, respectively. So you
4 can see, this is definitely in line with what's
5 going on across the country. Thanks so much for
6 your time.

7 CHAIRPERSON NICHOLS: Thank you. I
8 have one question, and I'll expose my lack of
9 knowledge, is can you just give me an example of
10 how your legislation would work for temp workers-
11 -tip workers.

12 MR. MICHAEL: Right.

13 CHAIRPERSON NICHOLS: Yes.

14 MR. MICHAEL: So currently, tip workers
15 get a pay check every two weeks that basically
16 says zero, no money, because they only get paid
17 \$2.77 an hour. The rest of their income is made
18 up by tips from people like you and I who come
19 in. Some people don't even know they're supposed
20 to tip.

21 CHAIRPERSON NICHOLS: Right.

22 MR. MICHAEL: But they don't make the

1 full minimum wage. So it's kind a difficult to
2 budget, not knowing what's coming in. I think
3 most of us here know, we get every two weeks or
4 every four weeks, fo we know how we can budget.
5 How much we have for transportation, how much we
6 have for food.

7 CHAIRPERSON NICHOLS: Right.

8 MR. MICHAEL: With tip workers, it's
9 simply not the case. It's very stressful to come
10 in, and knowing that I need to make X amount of
11 dollars by Saturday, how am I going to do it? and
12 hope that someone's benevolence actually makes--
13 closes that gap, which doesn't happen. If they
14 get the higher hourly rate, they would have to
15 rely much less on the generosity of folks like
16 us, and they can actually budget a lot more. And
17 it just trickles down. You know, I think kids
18 feel the stress that their parents feel when they
19 can't buy em the hotdog, or buy em the, you
20 know, the toy that they promised for getting A's
21 on their report card. Or whatever it is.

22 So I think that's the biggest benefit

1 of course.

2 CHAIRPERSON NICHOLS: So let's say--I
3 think you said the basic wage was 2.77 per hour.

4 MR. MICHAEL: Right.

5 CHAIRPERSON NICHOLS: And under your
6 provision, explain to me how this would benefit
7 them. Give me an example. You know, like if a
8 worker--how would it affect this 2.77 per hour,
9 and the difference between the--am I--I know--

10 MR. MICHAEL: How it goes up?

11 CHAIRPERSON NICHOLS: Yes; yes.

12 MR. MICHAEL: I don't have it in front
13 of me. I have a copy. But anyway, if it goes up,
14 it explains it in the statement--

15 (Simultaneous speaking)

16 CHAIRPERSON NICHOLS: Oh, per hour.
17 Yes. But even still, I think--yes, I understand.
18 I read the short statement, but I think an
19 example would help--

20 (Simultaneous speaking)

21 MR. MICHAEL: Oh, every two weeks you
22 actually get a pay check. That's probably the

1 biggest benefit of it.

2 CHAIRPERSON NICHOLS: Okay. So it
3 would be like 12.50 for--it would be 12.50 per
4 hour instead of--

5 MR. MICHAEL: No, no, no, no, no.

6 CHAIRPERSON NICHOLS: See, that's what
7 I'm not--

8 MR. MICHAEL: Gotcha. Okay. So--

9 CHAIRPERSON NICHOLS: And I want you
10 to be able to explain that to people when you
11 circulate your petition.

12 Mr. MICHAEL: Right; right.

13 CHAIRPERSON NICHOLS: Okay.

14 MR. MICHAEL: So currently--like
15 currently, they make \$2.77 per hour.

16 CHAIRPERSON NICHOLS: Okay.

17 MR. MICHAEL: So each year we have a
18 proposed minimum wage. Of that minimum wage, the
19 tip worker will make a certain percentage of that
20 minimum wage--

21 CHAIRPERSON NICHOLS: Okay.

22 MR. MICHAEL: --depending on the year.

1 So once they get to 12.50, by 2021--in 2021,
2 they'll make 70 percent of 12.50. And as the
3 current minimum wage is indexed, as that goes
4 up, then they'll get 70 percent of whatever the
5 index, the amount is. So if it's \$13 an hour, a
6 tip worker will get 70 percent of \$13 an hour,
7 which is--

8 CHAIRPERSON NICHOLS: I see. Okay.

9 MR. MICHAEL: Yeah. Which will be
10 9.10, I guess.

11 CHAIRPERSON NICHOLS: Okay. And then
12 they could make up the rest and exceed through
13 any tips that they earn.

14 MR. MICHAEL: Right; exactly.

15 CHAIRPERSON NICHOLS: So that--yes.
16 That's where I want to go.

17 MR. MICHAEL: Yes.

18 CHAIRPERSON NICHOLS: Okay. Thank you.
19 Are there any other questions from
20 members of the Board?

21 MR. DANZANSKY: And I'm gathering the
22 intents of the determination we need to make on

1 proper subject matter. This does not apply to
2 District or Federal--

3 MR. MICHAEL: Correct.

4 MR. DANZANSKY: --Government; is that
5 correct?

6 MR. MICHAEL: Right.

7 MR. DANZANSKY: And household
8 employees? Is that--

9 MR. MICHAEL : Did we address --

10 CHAIRPERSON NICHOLS: I think it is--I
11 think so.

12 MR. SANDLER : They are covered under
13 D.C.'s current minimum wage.

14 MR. DANZANSKY : I'm sorry?

15 MR. SANDLER : They are covered under
16 D.C.'s current minimum wage .

17 CHAIRPERSON NICHOLS: All right. Are
18 there any more questions?

19 MR. MCGHIE: I just wanted to include
20 that, on the record, that we did submit--we did
21 receive an opinion from the Office of the
22 Attorney General, indicating that in their

1 opinion, that this was a proper subject for the
2 initiative, meaning that it did not violate the
3 District of Columbia Human Rights Act, the Home
4 Rule Act, the--it was not unconstitutional, it
5 did not violate the appropriations provision, did
6 not negate our Limited Budget Act, and as I
7 indicated earlier, they did properly file their
8 paperwork with the Office of Campaign Finance.

9 MR. DANZANSKY: They did recommend
10 some technical changes. Did you see those?

11 MR. SANDLER: I saw those; yes.

12 CHAIRPERSON NICHOLS: All right. The
13 Board will meet in session to deliberate the Fair
14 Minimum Wage Act of 2014, and whether it is a
15 proper subject of initiative, and we'll inform
16 the proposer of the Board's decision, in writing,
17 as soon as possible.

18 There being no other questions, are
19 there any other comments that you would like to
20 offer?

21 MR. SANDLER: I think just we
22 obviously concur with the conclusion of the

1 attorney general that it's a proper subject for
2 initiative. It doesn't require any allocation
3 revenue, doesn't create any entitlement, only
4 applies to private employers, not District
5 employers, in our view, and everything we've
6 looked at indicates the extent it has an effect
7 on tax revenue, would increase that by increasing
8 the wage being subject to payroll tax, and the
9 income tax. So we respectfully request that the
10 Board find this--

11 CHAIRPERSON NICHOLS: Thank you, Mr.
12 Sandler and Mr. Michael.

13 MR. MCGHIE: Thank you. Just
14 procedurally, if the Board does find this to be a
15 proper subject for initiative, the Board will be
16 meeting again in short order to formulate, in
17 short time, a summary statement for the
18 initiative.

19 MR. SANDLER: We appreciate that very
20 much. Thank you.

21 CHAIRPERSON NICHOLS: Thank you. Thank
22 you.

1 MR. MCGHIE: Okay. The next matter on
2 the agenda is Approval of a Political Party Name.
3 The party name is the D.C. Workers Family.

4 Mr. DeMorris Michael, and Mr. Blanton.

5 MR. BLANTON: Yes. How are you? Good
6 morning.

7 CHAIRPERSON NICHOLS: Good morning.
8 All right. Mr. General Counsel, has this
9 application met all of the requirements of the
10 law?

11 MR. MCGHIE: Yes. The Applicants are
12 both registered, qualified electors in the
13 District of Columbia. I verify their status, and
14 based on their voter registration numbers that
15 was used in the applications, both the proposers
16 of this name have properly filed their paperwork
17 with the Office of Campaign Finance, and the only
18 requirement at this time is for the Board to make
19 a determination based on D.C. Municipal Code
20 Regulation 1501, on whether or not the proposed
21 name would be misleading. Confus--would tend to
22 confuse or mislead the public.

1 CHAIRPERSON NICHOLS: In your
2 research, have you found any other political
3 parties that we have approved, that have a
4 similar name, or is this misleading?

5 MR. MCGHIE: In the opinion of the
6 Office of the General Counsel, this name would
7 not be misleading. There are only three other
8 names, party names in the District of Columbia
9 that have the word "worker" in it. That would be
10 the Socialist Workers' Party, the Workers' Party
11 ,and the Workers' World Party. There is no name
12 in the District of Columbia that uses the word
13 "families."

14 CHAIRPERSON NICHOLS: All right. Then
15 I will entertain a motion to approve the
16 political party name, D.C. Working Families, it
17 having met all of the legal requirements
18 established in D.C. law.

19 MR. DANZANSKY: Just--

20 CHAIRPERSON NICHOLS: Do you have a
21 question? I'm sorry.

22 MR. DANZANSKY: Just to confirm,

1 counsel, the application does meet all the
2 requirements of the regulation?

3 MR. MCGHIE: Yes, it does.

4 MR. DANZANSKY: Okay.

5 I move, Madam Chair, that we approve
6 of the political party name, D.C. Working
7 Families, as a political party, and it's not
8 being confusing or misleading to the public.

9 CHAIRPERSON NICHOLS: All in favor.

10 [Chorus of ayes]

11 CHAIRPERSON NICHOLS: All opposed?

12 Ayes have it.

13 MR. MICHAEL: Thank you very much.

14 CHAIRPERSON NICHOLS: Thank you. All
15 right.

16 MR. MCGHIE: And the last matter on my
17 agenda is a Litigation Status update, and the
18 first one is the Libertarian Party. As the Board
19 recalls, this is--this involves a challenge to
20 the constitutionality of the circulators'
21 requirement, which has really been mooted out.
22 The only issue that still remains is the question

1 of attorney fees, and that's still pending. So
2 nothing has changed since we last reported it
3 last month, and there's really been no change in
4 the second matter as well, Zuckerberg v. the D.C.
5 Board of Elections.

6 It is scheduled to be heard in the
7 Court of Appeals, and I have the date. Was it
8 May? May 29th. So it's scheduled to be heard May
9 29th in Court of Appeals.

10 CHAIRPERSON NICHOLS: All right. Is
11 that it, Mr. McGhie?

12 MR. MCGHIE: Yes. That would conclude
13 my report.

14 CHAIRPERSON NICHOLS: Thank you. Are
15 there any questions of Mr. McGhie?

16 (No response)

17 CHAIRPERSON NICHOLS: Hearing no, we
18 will move on to the Executive Director's Report.

19 Mr. Tatum.

20 MR. TATUM: Madam Chair, I have two
21 items on my report for today. The first is a July
22 15, 2014 special election update. As indicated,

1 the July 15th special election for Ward 8 state
2 school board is proceeding forward. The
3 candidates. There's four candidates who--five
4 candidates who submitted the petitions to the
5 office. There's two challenge hearings. The
6 preliminary hearing's today, that will finalize
7 the challenge process, which would then allow us
8 to confirm the names of those candidates for the
9 ballot.

10 Within Ward 8, there are 17 polling
11 locations that we will open. We are evaluating
12 Ward 8 for an early voting center. One center
13 would be open in Ward 8, assuming that we can
14 find a location that is suitable, that allows for
15 access to Metro, and for the seven days of early
16 voting. In-person absentee will take place at One
17 Judiciary Square, in our offices, at Suite 250
18 North, starting on June 30th through July 12, and
19 early voting would run from July 5 through July
20 12.

21 CHAIRPERSON NICHOLS: Give me those--
22 I'm sorry. I see. July 30 through the--

1 MR. TATUM: June 30.

2 CHAIRPERSON NICHOLS: June 30.

3 MR. TATUM: Through July 12. And early
4 voting, July 5 through July 12.

5 The ballot for this particular
6 election is projected to be created, finalized on
7 May the 23rd. That is the same day as the ballot
8 lottery in which the candidates draw to determine
9 what place their name will appear on the ballot.

10 After which we will conduct L&A on the
11 650, the absentee readers, and then be prepared
12 to mail absentee ballots to UOCAVA voters as of
13 May 30th.

14 We have established truck routes for
15 delivery to the polling places. Six truck routes
16 are being proposed, which would be two, roughly
17 three polling--three stops per truck. We're
18 proposing eight technical rovers to serve the 17
19 precincts, which would be two precincts per tech
20 rover, and eight area reps, which would be two
21 precincts per area rep, with one area rep
22 receiving at least three.

1 We are scheduled to begin repair work
2 to our election network, tabulation network, May-
3 -I have here May the 19, but we believe we can
4 get the technicians from ES&S in the week of May
5 12 through the 15th, and I'll finalize that today
6 with our CTO, so that any network issues that we
7 experience would be addressed and prepared to
8 conduct the July 17--15 election without
9 incident.

10 We've also projected--proposed a
11 community outreach plan, which includes
12 advertising for Ward 8 at the Metro stops, the
13 Anacostia and Congress Heights Metro stops, which
14 are the two Metro stops in Ward 8.

15 And we are also proposing the bus
16 route plan, as we've used in the past, which
17 would be election signs on the back of buses
18 traveling throughout Ward 8, specifically.

19 We contacted the Washington Informer
20 to run ads for this election in June 26 and July
21 10 issues, and we are also proposing the yard
22 signs that we placed within the wards, that

1 indicates there's a special election taking place
2 within the ward, as well as it would indicate
3 their normal voting center.

4 There's also generally a mailer that
5 is mailed out to every voter in the ward. It
6 indicates there's a special election. So we will
7 have additional conversations about whether there
8 should be more than one mailer sent out to those
9 ward residents.

10 And as we continue planning for this
11 election, there may be additional methods of
12 outreach that we'd like to propose to take place,
13 to get, to assist with the driving vote turnout
14 in Ward 8.

15 We hope to have additional discussions
16 as it relates to the planning of the election
17 with you all in short manner.

18 The second item is General Matters. As
19 you recall., we finalized the April 1 primary
20 election. We certified. We're going through the
21 post-election assessments now. We had a very
22 abbreviated evaluation with the captains and the

1 tech rovers, in order to participate in the April
2 29 roundtable. But we'll continue our efforts,
3 now, to reach out to all of the captains that
4 show up on election day, to try to get feedback
5 from as many of those as possible.

6 We have with us today, Ms. Natalia
7 Iurash, from the country of Moldova. She's here
8 in the States with the American Council as an
9 elections fellow, and she's working with our
10 office through the end of May, the middle of
11 June, and she works in elections training as well
12 as campaign finance. So at some point, she'll
13 spend some time with Campaign Finance, reviewing
14 their processes, and she's asked a number of
15 questions, and indicated there's a number of
16 similarities between our processes and what they
17 go through in Moldova. So it's a good exchange of
18 information.

19 CHAIRPERSON NICHOLS: Welcome.

20 MS. IURASH: Thank you.

21 CHAIRPERSON NICHOLS: Welcome.

22 MR. DANZANSKY: Just speaking for

1 myself, and hopefully the Board, we not only
2 welcome you, but we would offer any support we
3 can possibly give you and your country. I know
4 these are trying times with what's going on in
5 the Ukraine, and so on and so forth, and
6 elections are critical to the democratic process,
7 and the freedom, and we just want you to know
8 that we will open our doors to you, whatever
9 information is helpful to you, and to the
10 citizens of your country. We would love to help,
11 now when you're here, and long distance too. May
12 I speak?

13 CHAIRPERSON NICHOLS: Oh, absolutely.
14 I agree with those comments, and any help that
15 you can provide us would be appreciated also, and
16 any suggestions. You know, we would appreciate
17 that too.

18 All right. Thank you.

19 MR. TATUM: Madam Chair, that
20 concludes my report.

21 CHAIRPERSON NICHOLS: Thank you, Mr.
22 Tatum. We will now move to the Campaign Finance

1 Report. Ms. Collier-Montgomery.

2 MS. COLLIER-MONTGOMERY: Yes. Good
3 morning

4 During the month of April, we had one
5 filing deadline, and that was the April the 1st,
6 2014 filing deadline for the filing of reports of
7 receipts and expenditures by our constituent
8 service programs, as well as by our
9 senator/representative statehood funds.

10 With our constituent service programs,
11 we had 12 required filers. We had 11 timely
12 filers. We had one extension request, and one
13 extension, and the extension was granted.

14 We did not have any late filers,
15 failures to file, or referrals to the General
16 Counsel's Office.

17 The total number of electronic filings
18 was twelve, and all of the programs certified
19 their e-filings.

20 With our senator/representative
21 statehood fund program, we had two required
22 filers, one timely filed, one requested an

1 extension which was granted, two electronically
2 filed, and we had one who certified their e-
3 filing.

4 During the month of April, we had
5 referrals to the Office of the General Counsel.
6 The first was for the failure to file, timely
7 file the July 31st, 2013, and the January 31st
8 report of receipts and expenditures. The referral
9 was made on April the 8th, 2014.

10 The principal campaign committee was
11 Gray for Mayor, Betty Brown, Treasurer.

12 We also had referrals of the failure
13 to timely file the eight day report for receipts
14 and expenditures, and that was the eight day
15 report prior to the primary election.

16 The referrals were made on April the
17 1st, 2014. The referrals were Christian Carter
18 for Mayor 2014, the treasurer was Christian
19 Carter.

20 Victoria Gordon for Mayor, treasurer,
21 Victoria Gordon.

22 Carlos Allen for Mayor, treasurer,

1 Carlos Allen.

2 Nestor for May 2014, treasurer,

3 Terrance Jordan.

4 Martin Sterbal for U.S. Senate,

5 treasurer, Martin Sterbal.

6 Sewell for Mayor 2014, treasurer, Otis

7 Sution.

8 New Dawn, treasurer, Anthony Mohammad.

9 Friends of Calvin Gurley 2014,

10 treasurer, Charmaine Davis.

11 Carson-Smith for DNC, treasurer,

12 Winifred Carson-Smith.

13 New candidates and committees

14 registered for the 2014 election cycle during the

15 month of April.

16 Darrell Gaston/Gaston 2014, School

17 Board, Ward 8, registered on April the 2nd.

18 Khalid Pitts/Committee to Elect Khalid

19 Pitts 2014, At-Large, City Council, registered on

20 April the 2nd.

21 Derrell Simpson/Simpson for School

22 Board, School Board, Ward 8, registered on April

1 the 7th.

2 Tierra Jolly/Tierra Jolly for School
3 Board, Ward 8, registered on April the 18th.

4 Scott Simpson/Scott Simpson for Ward
5 One Schools, registered on April the 21st.

6 The entrance conference will be
7 scheduled for those candidates in May 2014.

8 The entrance conference participants
9 on April the 24th, and these were from our
10 committees who registered during the month of
11 March, was held on April the 14th.

12 The participants were:

13 Ron Bonfilio, Elect Cheeks for
14 Chairman.

15 Lena A. Brown, Wendell for DC Council.

16 John Cheeks, Elect Cheeks for
17 Chairman.

18 Samantha Hicks, Brian Hart for DC.

19 Diane Lewis, Committee to Elect Khalid
20 Pitts 2014.

21 Rodney Streeter, Simpson for School
22 Board.

1 Che Washington, Wendell for DC
2 Council.

3 Ben Young, Catania for Mayor.

4 And also three of the candidates--two
5 of the candidates. I'm sorry. Two of the
6 candidates who registered in April. The other
7 ten, this particular entrance conference.

8 From our Audit Branch, our Audit
9 Branch, during the month of April, conducted 89
10 desk reviews of reports of receipts and
11 expenditures which were filed in the Agency.

12 With respect to ongoing audits, the
13 full field audits are: Gray for Mayor. The
14 Periodic Random Audits are Caribbean-American
15 PAC; DC Freedom PAC. The Periodic Random Audits
16 of candidates registered for the upcoming
17 election, 2014, are: Reta Jo Lewis for Mayor;
18 Bowser for Mayor; Wells for Mayor; Evans for
19 Mayor.

20 The Periodic Random Audits of the
21 constituent service programs of the April 1st,
22 2014 filings: Vincent Orange Constituent Service

1 Fund; Ward 8 Constituent Service Fund; Council
2 Member Bowser Constituent Service Fund.

3 There were no audit reports which were
4 issued during the month of April, and that
5 concludes my report.

6 I would ask the General Counsel to
7 please give the Legal Report for the Agency.

8 MR. SANDLER: Good morning, Madam
9 Chairman, and distinguished Board Member
10 Danzansky. My name is William Sanford, general
11 counsel for the Office of Campaign Finance.

12 During the month of April 2014, the
13 Office of the General Counsel received 14
14 referrals. Ten of the referrals came from the
15 Public Information and Records Management
16 Division, and four of the referrals were from the
17 Report, Audit and Analysis Division.

18 The Office of the General Counsel
19 conducted eight informal hearings and issued 23
20 orders, that included the following.

21 Thirteen failure to timely file orders
22 in which no fines were imposed.

1 Four failures to timely file orders,
2 in which \$3,500 in fines were imposed.

3 Five requests for additional
4 information orders in which no fines were
5 imposed.

6 And one request for additional
7 information order in which a fine of \$1,650 was
8 imposed.

9 The Office of General Counsel imposed
10 a total of \$5,150 in fines during the month of
11 April. No petitions for enforcement were
12 referred to the Board of Elections, Office of the
13 General Counsel.

14 However, there remains \$49,750 in
15 outstanding fines, and all of these matters have
16 been referred to the Office of the General
17 Counsel for the Board of Elections, for petitions
18 for enforcement.

19 During the month of April, the Office
20 of the General Counsel carried five open
21 investigations. They include the following.
22 Sulaimon Brown, which was opened on March 15,

1 2011. Gray for Mayor, March 15, 2011. Lee
2 Calhoun, internally generated on June 24, 2013.
3 Stanley Straughter, internally generated on June
4 24, 2013. And Jeffrey Thompson, which was
5 internally generated on March 28, 2014.

6 All of these matters remain open
7 because they are connected to an ongoing criminal
8 investigation.

9 During the month of April, there were
10 no requests for interpretative opinions, and no
11 show cause proceedings were conducted.

12 That should conclude my report.

13 CHAIRPERSON NICHOLS: Thank you, Mr.
14 Sanford.

15 Are there any questions of Ms.
16 Collier-Montgomery or Mr. Sanford?

17 MR. DANZANSKY: Just one question. Can
18 you help clarify for me, and the record, the--Mr.
19 Thompson has already pleaded; correct? When will
20 those files be open and will we be able to do--go
21 ahead with our pro--

22 MR. SANFORD: We have been in

1 communication with Mr. Thompson's attorneys, who
2 are with the law firm of Williams and Connolly,
3 and they have indicated that they would make him
4 available when the criminal matter is concluded,
5 and they would cooperate with our investigation
6 subsequent to the conclusion of the criminal--

7 MR. DANZANSKY: It's--

8 (Simultaneous speaking)

9 MR. SANFORD: --that he's engaged in.

10 MR. DANZANSKY: --not complete, as you
11 understand it, or--

12 MR. SANFORD: It is not complete,
13 because apparently he's cooperating with the
14 prosecution in the case.

15 MR. DANZANSKY: Okay. Okay. Thank you.

16 MR. SANFORD: You're welcome.

17 CHAIRPERSON NICHOLS: Thank you, Mr.
18 Sanford. Thank you, Ms. Collier-Montgomery.

19 Are there any Public Matters to be
20 brought before the Board this morning?

21 (No response)

22 CHAIRPERSON NICHOLS: Seeing none, all

1 right, there being no further business before us,
2 without objection, this meeting is adjourned. The
3 time is 11:16 a.m. It is still Wednesday, May
4 7th, 2014.

5 [Whereupon, at 11:16 a.m., the regular
6 meeting of the Board of Elections was concluded.]

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In the matter of: Regular Board Meeting

Before: DC Board of Elections

Date: 05-07-14

Place: Washington, DC

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