

MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING

November 3, 2021

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, November 3, 2021, telephonically. Board Members Karyn Greenfield and Mike Gill were present. The Board's Executive Director, Monica Evans, the Board's General Counsel, Terri D. Stroud, the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, and the OCF's General Counsel, William Sanford were also present.

CALL TO ORDER (10:30 am)

ASCERTAINMENT OF QUORUM

- Board Members Greenfield and Gill constitute a two-member quorum to conduct business.

ADOPTION OF AGENDA/APPROVAL OF MINUTES

- **BOARD ACTION:** The Board unanimously adopted the amended agenda and minutes from the last meeting held on October 13, 2021.

BOARD MATTERS

- NONE

BOE EXECUTIVE DIRECTOR'S OCTOBER 2021 REPORT (EXECUTIVE DIRECTOR EVANS)

• General Information

- Staff training is ongoing for the new voter registration system, Voter Focus, which was launched on September 28, 2021.
- Testing for the DS200 voting equipment has been completed with assistance from the Office of the Chief Technology Officer (OCTO).
- The Board is 100% compliant with the mayor's order requiring all staff to be fully vaccinated or undergo weekly COVID testing.
- During the month of October, the Voter Education and Outreach Division (VEOD) participated in 14 formal outreach events during the month, including a voter registration drive held at Gallaudet University on October 27, 2021 which will take place annually going forward.
- The Data Services Division is continuing to reconcile and transfer records from the previous voter registration system, Integrity, to the new system, Voter Focus. During the month, 1,797 voter cards were processed.
- The development of online and training content for election workers is currently in the process and will be held in conjunction with the 4-hour in-person mandatory training.

BOE OGC OCTOBER 2021 REPORT (GENERAL COUNSEL STROUD)

- **Litigation Status**

- **Long v. D.C. Board of Elections**

- This matter was filed in D.C. Superior Court on July 2, 2021. This is a civil complaint seeking \$10,000 in damages for negligence and unjust enrichment. Mr. Long alleges that the Board issued him a check without informing him not to deposit it, then had payment of the check stopped, causing him to have a negative balance and a returned check fee.
- The Board is being represented in this matter by the OAG, which serves as counsel for the Office of Finance and Resource Management, the entity that managed the issuance of poll worker checks for the Board.
- There was an initial hearing on August 9, 2021. The matter was continued to October 12, 2021, and on that date the matter was continued again to December 14, 2021.

OCF OCTOBER 2021 REPORT (DIRECTOR COLLIER-MONTGOMERY)

The Fair Elections Program (FEP) and Traditional Campaign Finance Program (TCFP) revised fact sheets and information sheets are posted on the OCF Website.

Community Outreach

The OCF continues to focus its efforts on sharing information about the TCFP and FEP with residents across the city. During October 2021, the OCF did not participate in any Community Outreach.

- **Fair Elections Program Division (FEP) Report for October 2021**

- **Authorized Base Amount and Matching Payments**

- During the 2020 Election Cycle, the total sum of \$4,016,797.64 was disbursed from the Fair Elections Fund in Base Amount and Matching Payments to the 36 candidates certified in the FEP to participate in the June 2, 2020 Primary Election (“the Primary Election”), the June 16, 2020 Special Election (“the Special Election”), and the November 3, 2020 General Election (“the General Election”). The 2020 Election Cycle closed on November 3, 2020, and the 2020 Special Election Cycle closed on June 16, 2020.
- As of November 3, 2021, a total sum of \$385,215 has been authorized for disbursement from the Fair Elections Fund in Base Amount and Matching Payments to five candidates certified to participate in the FEP in the June 21, 2022 Primary Election (“the 2022 Primary Election”).
- There were five candidates certified as in the FEP for the 2022 Election Cycle:
 - Brianne Nadeau, Brianne for DC 2022, certified on October 25, 2021, for the office of Member of the Council from Ward 1
 - \$40,660.00 in Matching Payments was authorized for disbursement.

- Faith Gibson Hubbard, Friends of Faith Ward 5 2022, certified on October 25, 2021, for the office of Member of the Council from Ward 5
 - \$47,775.00 in Matching payments and \$20,000.00 for one half of the Base Amount payment were authorized for disbursement.
- Erin Palmer, Erin for DC, certified on October 25, 2021, for the office of Chairman of the Council
 - \$133,075.00 in Matching payments and \$20,000.00 for one half of the Base Amount payment were authorized for disbursement.
- Gordon Fletcher, Gordon Fletcher for Ward 5, certified on September 1, 2021
 - \$5,525.00 was additionally authorized for disbursement in Matching payments.
- Cheh 2022, certified on September 1, 2021
 - \$625.00 in additional Matching payments was authorized for disbursement.

- **Desk Reviews and Other Activities**

- 11 desk reviews of termination and amended Reports of Receipts & Expenditures (R&E reports).
- Five Requests for Additional Information (RFAI) letters were sent.

- **Remitted Funds**

- As of October 31, 2021, \$140,686.88 has been remitted for deposit in the Fair Elections Fund from the campaign operations of Participating Candidates who participated in the 2020 Primary Election, Special Election, and/or General Election.

- **Ongoing Post-Election Audits**

- Post-Election Audits - Primary Election
 - There are currently ten post-election audits of candidates and committees who participated in the Primary Election. The audits were initiated on June 19, 2020.
 - The names of the candidates and audit status are posted on the OCF website.
- Post-Election Audits - Special Election
 - There are four post-election audits of candidates and committees who participated in the Special Election. The audits were initiated on July 6, 2020.
 - The names of the candidates and audit status are posted on the OCF website.

- 9 timely filers
 - 3 extensions requested
 - 3 extensions granted
 - 9 electronically filed their report
 - 9 certified E-filings
- Referrals to the Office of General Counsel:
 - Seven committees were referred for failure to timely file the October 10, 2021 Report of Receipts and Expenditures.
 - PCCs
 - Urban Red Political Action Committee
 - Ward Seven Democrats
 - Capital Stonewall Democrats
 - Credit Union PAC
 - DC LP PAC
 - DC Black Democrats Caucus
 - D.C. Pol. Act. Candidate Election (PACE)
- New Candidates/Committees
 - Traditional Candidates
 - Michael Campbell (Mayor), registered October 1, 2021
 - FEP Candidates
 - Leniqua Dominique (Council, At-Large), registered October 1, 2021
 - Charles Allen (Council, Ward-6), registered October 12, 2021
 - Robert White (Mayor), registered October 13, 2021
 - Nate Fleming (Council, At-Large), registered October 20, 2021
 - Kenyan McDuffie (Attorney General), registered October 26, 2021
 - Initiative Committees
 - Elizabeth Davis Education Equity Pathway Policy Act of 2022, registered April 23, 2021
 - DC Committee to Build a Better Restaurant Industry, registered June 21, 2021
 - The Black Autonomy Movement, registered July 12, 2021
- Thirteen new candidates and treasurers have completed the mandatory OCF Entrance Conference Presentation for October 2021
 - Brianne Nadeau/Candidate for Council, Ward 1
 - Faith G. Hubbard/Candidate for Council, Ward 5
 - Brian McNamee/Treasurer, Friends of Faith for Ward 5 2022
 - Sharece Crawford/Candidate for Council, At-Large
 - Erin Palmer/Candidate for Council Chairperson
 - Rachel L. Wells/Treasurer, Leniqua Dominique for At-Large
 - Patrick M. Johnson/Treasurer, Re-Elect Charles Allen for Ward 6 2022

- Daniel Moskowitz/Treasurer, Robert for DC
 - Fred Hill/Candidate for Council, At-Large
 - Michael Campbell/Candidate for Mayor
 - Aaron B. Mitchell/Treasurer, Campbell for Mayor
 - Janice Vieira/Treasurer, Fred Hill 4 Council At-Large
 - Robert White/Candidate for Mayor
- **Reports Analysis and Audit Division (RAAD) – October 2021**
 - 52 desk reviews and other activities
 - 1 audit report was issued during October
 - Ward 6 Democrats
 - Ongoing Audits
 - Newly elected officials:
 - Brooke Pinto for Ward 2 – Preliminary Draft Audit Report issued August 25, 2021. The Committee provided its Response. The Response is under review by the Audit staff.
 - Jacque4DC At-Large SBOE – Hearing held on August 18, 2021 to reinforce request for additional records. The records requested were received on September 2, 2021, and the audit fieldwork will continue.
 - Candidates in the upcoming 2022 election and PACs:
 - Mendelson 2022 – The Preliminary Draft Statement of Findings was issued on September 24, 2021. The Committee provided its Response on October 24, 2021. The Response is under review by the Audit staff.
 - Ward 6 Democrats - The Audit Report was issued on October 19, 2021.
 - Two Audits - CSPs:
 - Mayor Bowser’s CSP – Audit Notification Letter issued on October 8, 2021. The audit records were received on October 25, 2021, and audit fieldwork is in progress.
 - Our Ward 5 CSP – Audit Notification Letter issued on October 8, 2021. The audit records have been received and the audit fieldwork is in progress.

OCF OCTOBER 2021 REPORT (GENERAL COUNSEL WILLIAM SANFORD)

- **Intake/Output Report**
 - 10 referrals for informal hearings were received
 - 10 informal hearings were conducted in which fines totaling \$12,000 were imposed.
 - \$1,200.00 Elect Prof. Alpha Bah
 - \$1,200.00 Kinlow Ward 8 Strong

- \$1,200.00 Friends of Courtney Snowden
- \$1,200.00 Comte. To Elect Jacque Patterson
- \$1,200.00 Toliver for Ward 4
- \$1200.00 Patterson for Ward 8
- \$1,200.00 Carter At-Large 2014
- \$1,200.00 Bonita Goode 2016
- \$1,200.00 Committee to Elect Claudia Barragan
- \$1,200.00 Jacque 4 DC

- **Open Investigations**

- NONE

- **Interpretative Opinions**

- NONE

- **Show Cause Proceedings**

- NONE

PUBLIC MATTERS

- NONE

ADJOURNMENT (10:54 a.m.)