

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

MARCH 6, 2024

+ + + + +

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

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Director
TERRI STROUD, General Counsel
CECILY COLLIER MONTGOMERY, Office of Campaign Finance
WILLIAM SANFORD, Office of Campaign Finance, General Counsel

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Adjournment

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

2 (10:33 a.m.)

3 CHAIR THOMPSON: Good morning,
4 everybody. Happy March. I saw my first cherry
5 blossom yesterday and realized it's spring. It's
6 a fabulous time of year for us in DC.

7 Thank you, everybody who has joined us
8 by Zoom. I see a lot of people out there.
9 Welcome to our regular board meeting for the
10 month of March. First thing we do is adopt our
11 agenda or I guess, first let me declare a quorum.
12 Karyn Greenfield is here, of course. Our other
13 Board member, JC Boggs, is on travel but two out
14 of three makes a quorum. So here we are.

15 And the first thing we do is adopt our
16 agenda which is distributed. We both had a
17 chance to look at it, so I move we adopt the
18 agenda. All right. All in favor?

19 MEMBER GREENFIELD: Aye.

20 CHAIR THOMPSON: The ayes have it.
21 Another quick housekeeping matter. Our minutes
22 from the last meeting have been distributed and

1 we've reviewed them. This time, I move that we
2 adopt those minutes.

3 MEMBER GREENFIELD: I second.

4 CHAIR THOMPSON: Okay. All in favor?

5 MEMBER GREENFIELD: Aye.

6 CHAIR THOMPSON: Okay. Turning then
7 to Board matters, I don't have anything in
8 particular to announce at the outset other than
9 to note that everything is continuing to go
10 extremely well here at the BOE and the OCF. Our
11 schedule is moving right along. I've always
12 talked about how these are hard dates, we can't
13 get extensions and push them back. It is moving
14 in real time now, with today, March 6, being the
15 last day for candidates to file nominating
16 petitions, petition supplements, declarations of
17 candidacy.

18 So it's a very busy day here. I'm
19 sure by the afternoon we'll have quite a lineup
20 of candidates out in our lobby waiting to file
21 their papers. And then soon enough, by Saturday,
22 those petitions will be posted for a 10-day

1 challenge period. And then our Board gets quite
2 busy. I think last -- two years ago, we heard
3 something like two dozen challenges. So we're
4 about to enter a pretty busy time for us as a
5 Board, hearing these challenges. And so that's
6 where we are in a large picture today. And with
7 that, I'll turn it over to our fabulous executive
8 director, Monica Evans.

9 MS EVANS: Good morning. The first
10 thing I would like to do, we have some new staff
11 members in the room. And so we have Brie and
12 Diana with our Voter Education and Outreach
13 Division. I think this is the first Board
14 meeting you're attending, so I just wanted to say
15 welcome and we're happy you're on board.

16 I will begin with my report for the
17 month of February, and there were several
18 engagements during the month. In February, I
19 participated in a local election officials' panel
20 entitled How Election Officials are Facing 2024.
21 The event, held at the National Press Club,
22 provided an opportunity for me to share plans for

1 the 2024 election cycle. The informative Q&A
2 panel was moderated by Madeleine May from CBS.

3 In February, I also attended the
4 Electronic Registration Information Center, or
5 ERIC's Winter Conference. We discussed eligible
6 but unregistered exceptions and the impact of
7 statistics from sending EBU mailers. During the
8 meeting, I was elected to serve on ERIC's finance
9 committee.

10 During the month of February, I also
11 attended the National Association of State
12 Election Directors Conference, or NASED
13 Conference. Many topics were covered, including
14 challenges with the US Postal Service and threats
15 that election offices around the country are
16 experiencing. We discussed security measures to
17 keep staff and election workers safe. We had
18 discussions around procurement for security and
19 communications exchanges. During the meeting, I
20 was elected to serve on the NASED executive board
21 as the Northeast Regional representative.

22 Precinct mapping. As required by our

1 regulations, the Board looked at our current
2 precinct boundaries to divide the District into
3 appropriate voting precincts based on our
4 election wards. Our plan to make precinct
5 boundaries synonymous with SMD boundaries was
6 sent to Councilmember Bonds for review on
7 November 7. We have had several meetings with
8 the Councilmember and her staff to explain
9 modifications based on the new requirements of
10 the Elections Modernization Amendment Act. We
11 are currently waiting for a Council hearing to be
12 scheduled. During the 2024 election cycle, we
13 plan to keep the current precinct assignments.

14 ANC vacancies. We currently have 13
15 ANC vacancies for the 2023-2025 term. These
16 positions are in different stages of being
17 filled. After candidate filing requirements are
18 met, an open vote of registered voters of the
19 affected SMD will be held during regularly
20 scheduled ANC meetings.

21 List maintenance. As previously
22 reported, our 2023 list maintenance process is

1 ongoing. In total, we removed 108,698
2 individuals from our voter registry in 2023. We
3 moved another 92,772 active voters to an inactive
4 status. We just processed another 2,400 mailers
5 that will allow us to move additional voters from
6 an active to an inactive status. We will
7 continue to move voters from an inactive to an
8 inactive status until we reach the 90-day
9 blackout window before the June primary. As of
10 March 4, we have 448,993 active voters.

11 Our Communications and Outreach
12 Divisions are working to establish partnerships
13 with local universities to aid in maintaining the
14 accuracy of our voter roll. We have developed a
15 flyer that the Voter Education and Outreach
16 Division will use during their outreach events.

17 Voter registration rolls. In
18 February, we registered 1,414 new voters and
19 processed 1,492 registration changes. In total,
20 we prepared 2,906 voter registration cards to be
21 mailed. Additionally, 133 registered voters
22 moved out of DC, 322 voters canceled their

1 registrations and registered with other
2 jurisdictions, and 877 voters registered in DC
3 after canceling their registrations in other
4 states. In February, we also registered 39 non-
5 citizens to vote in local elections. Total non-
6 citizen registration is 74.

7 Online voter registration. We are
8 continuing to register voters using our website
9 portal. To date, we have processed over 43,458
10 applications using the portal. These include new
11 voter registrations and updates to existing
12 registrations.

13 Media and information requests. We
14 have developed a policy regarding media and
15 information requests that we receive. This is an
16 effort to provide transparency and convey the
17 process to the public. Essentially, we prefer
18 that public information requests and media
19 questions be submitted in writing. Requests are
20 most often answered in the order in which they
21 are received, and those with immediate deadlines
22 from official media publications may be

1 considered higher priority. Response time and
2 answers available for public release may vary
3 depending on competing deadlines, external and
4 internal factors, and readily available
5 information. Opinions or comments that require
6 information from DC BOE leadership may require
7 additional time.

8 In addition, inquiries may be
9 converted to the FOIA request as needed or as
10 determined by the FOIA officer and/or
11 communications director. The requester will be
12 notified if such need arises and FOIA deadlines
13 will apply. Also, please note the FOIA statute
14 does not require DC BOE to answer written
15 questions or to create and compile new records in
16 response to requests for written information. We
17 do strive to provide any existing records that
18 can be disclosed that could be considered
19 responsive to the questions within the time frame
20 that the statute mandates and our policy will be
21 posted on our website.

22 2024 election cycle planning. Our

1 draft primary and general election calendars for
2 the 2024 election cycle are posted on our
3 website. Our Vote Center and mail ballot drop
4 box locations are posted on our website as well.
5 The first day for candidate pickup was Friday,
6 January 12. The period to turn in nominating
7 petitions is from February 12 through March 6,
8 2024 and of course, that is today.

9 Local Resident Voting Rights Amendment
10 Act. VR Systems provided a database solution to
11 house non-citizens who register to vote in local
12 elections. We have deployed online registration
13 of non-citizens for local elections. However,
14 non-citizens may also register to vote in our
15 office at 1015 Half Street Southeast using a
16 paper registration form. The paper form has been
17 translated into Spanish, Vietnamese, Chinese,
18 Korean, Amharic and French, and I'm happy to
19 report that the translations for the online form
20 are now available on our website. We have
21 developed a flyer to assist with our outreach
22 efforts and we are exploring the logistics of a

1 town hall.

2 During the 2024 election cycle, all
3 registered DC voters will receive a mail-in
4 ballot. Voters may vote by mail, in person or by
5 depositing a ballot in a drop box. BOE will have
6 55 mail ballot drop boxes that will be placed
7 throughout the city. We will also operate 25
8 early vote centers and a total of 75 Election Day
9 vote centers. We are working with MPD to provide
10 security and the Department of Public Works to
11 place the mail ballot drop boxes around the city.

12 Accessibility. We are conducting an
13 accessibility survey of all 2024 vote centers
14 before the primary election to ensure they are
15 accessible. We have partnered with the
16 Disability Rights at University of Legal Services
17 and the Office of Disability Rights to conduct
18 surveys. As is our practice, we will also work
19 with DGS to ensure vote centers are structurally
20 accessible. Our accessibility coordinator has
21 started conducting these visits.

22 Election Worker Division. The

1 Election Worker Training Division revised the
2 Election Worker Handbook and the training
3 curriculum based on recently passed legislation.
4 During the 2024 election cycle, our goal is to
5 recruit and train between 2,000 and 2,500
6 election workers. We will deploy approximately
7 1,700 election workers to serve at vote centers.
8 Election worker training will begin next week on
9 Tuesday, March 12, and election workers are also
10 able to access an online training module to
11 complement the required in-person classes.

12 We are currently conducting calls from
13 our call center staff and they reported for duty
14 on February 26, so they have started scheduling
15 election workers for training classes.

16 Voter Education and Outreach. During
17 the month of February, the Voter Education and
18 Outreach Division conducted 21 outreach events on
19 behalf of the agency. Events included outreach
20 to the Department of Employment Services, George
21 Washington University and Rosedale Public
22 Library.

1 Electronic Registration Information
2 Center, or ERIC. We are still working with the
3 membership states and ERIC on the 2022 Voter
4 Participation Initiative to investigate the
5 possibility of double voting. Thus far, we have
6 engaged with 13 of the 14 states on the list
7 provided to us. We are waiting to hear back from
8 the State of Georgia. ERIC has requested that we
9 provide any updates regarding double voting in
10 2020 and 2022 to them by May.

11 Website status. DataNet successfully
12 completed a series of tasks in February. They
13 are currently meeting the specified requirements
14 and have made notable upgrades to the system,
15 which include updating the Kentico Contact
16 Management version to the latest version,
17 implementing the Ask the Director form,
18 implementing the Submit Feedback form, deploying
19 the Description form and confirmation email
20 feature, incorporating voter addresses into the
21 voter registration status search results screen,
22 and conducting a validation check on existing

1 email addresses that eliminates non-deliverable
2 addresses.

3 The DataNet team and BOE IT team are
4 working with OCTO to conduct a routine
5 environment scan. These scans are conducted
6 following any updates to the website.
7 Additionally, DataNet is collaborating with the
8 BOE Communications team to improve the homepage
9 layout of our website. And that concludes my
10 report.

11 CHAIR THOMPSON: All right, thank you
12 very much for that. It's a lot of impressive
13 work. I'm always impressed with the number on
14 moving voters to inactive status and then off the
15 rolls. It's over 200,000 individuals and that's
16 not an easy thing to do. There's a very careful
17 process for ensuring that you're making the
18 absolutely correct call in moving somebody to
19 inactive status and then off the rolls, requires
20 a lot of mailers and that sort of thing.
21 Obviously, what you don't want to do is
22 accidentally disenfranchise somebody who's an

1 active voter. And to my knowledge, there's not a
2 single incident of that happening. So nobody
3 ever gets credit when everything goes right. So
4 I just want to continue to applaud that
5 remarkable work over the year.

6 And that will matter in a lot of ways.
7 I think one way it's going to be reflected is
8 when we report election results, everybody's
9 always pretty focused on what's the percentage of
10 voter turnout? And so it's a percentage of what?
11 It's a percentage of the registered voters. So
12 it changes and it updates the denominator in a
13 way that I think we'll see play out in a couple
14 of different ways over the course of the next few
15 months.

16 I think I also heard over 50,000
17 people have been registered on the incoming side,
18 which is fabulous news. Our Voter Outreach Team
19 is, I think, exceptional, maybe the best in the
20 country. So welcome again to Brie and Diana for
21 joining the team. I love going to voter
22 registration drives, so please invite me. I

1 think it's so much fun to see people register to
2 vote, especially young people. So just a few
3 comments.

4 All right, so anything else before we
5 -- so we will now progress to the general
6 counsel's report from Terry Stroud.

7 MS. STROUD: Thank you and good
8 morning, everyone. The first item on my agenda
9 is a final rulemaking to Chapters 1, 4 through 5,
10 7 and 13 through 17 of the DC Municipal
11 Regulations. We published a Notice of Proposed
12 Rulemaking with respect to this rulemaking in the
13 DC Register on January 19, 2024 and the Board
14 received several comments from several
15 individuals concerning the rulemaking, which I
16 know the Board has read. So I wanted to see if
17 there was anything the Board wanted to discuss
18 with respect to this rulemaking in light of the
19 comments that we received. And we can make the
20 comments received available for the benefit of
21 the public. But I know that the Board has had
22 the opportunity to review them.

1 CHAIR THOMPSON: All right. Yeah.
2 Thank you very much. And thank you especially to
3 those who took the time to submit comments. It's
4 really helpful to hear from people.

5 As many know, we published this
6 proposed rulemaking more than 30 days ago in the
7 DC Register. We received public comment, I think
8 almost entirely with respect to a new proposed
9 Section 106 that has to do with something called
10 barring procedures.

11 So what I'm proposing, I guess, in the
12 form of a motion, is to go ahead and advance this
13 proposed rulemaking in all respects, except for
14 the new proposed Section 106, to another stage of
15 comment. I think it'll be republished in the DC
16 Register without the Section 106. So that will
17 allow the miscellaneous changes and improvements
18 to the existing sections to go forward as a final
19 rulemaking. And that's with respect to Section
20 102, which governs certain aspects of these
21 meetings, and then beyond that, improvements in
22 various other Chapters, 4, 5, 7, 13, 14, 15, and

1 16, 17. So I think those are all excellent
2 edits, improvements. So that's my motion in
3 terms of advancing almost all aspects of this
4 proposed rulemaking but for 106.

5 MS. STROUD: Mr. Chair, I just wanted
6 to clarify something. If we have to make
7 revisions to the rulemaking, it would have to go
8 forth as a proposed rulemaking. It would not be
9 the final rulemaking for this since there would
10 be a substantive change that would be made to the
11 rulemaking. And I think that pursuant to
12 submitting it as a proposed rulemaking that has a
13 substantive change to a version that was
14 previously published, it would be subject to a
15 shorter review period. So it would be sort of a
16 second Notice of Proposed Rulemaking.

17 CHAIR THOMPSON: Seven days.

18 MS. STROUD: Seven days. Seven days'
19 notice, as opposed to a 30-day --

20 MEMBER GREENFIELD: On the entire --

21 MS. STROUD: On what we would be
22 sending up. So we're sending up another proposed

1 version to omit a section, the Section 106 that
2 concern the barring procedures.

3 MEMBER GREENFIELD: So that would go
4 back through you, basically.

5 MS. STROUD: Exactly.

6 MEMBER GREENFIELD: Okay.

7 MS. STROUD: And so we're sending it
8 up as it was without that section, and it would
9 be a second Notice of Proposed Rulemaking that
10 would be published in the DC Register, subject to
11 a seven-day comment or review period, instead of
12 a 30-day review period, because it's a revision
13 of something that was already previously
14 published as a proposed rulemaking.

15 MEMBER GREENFIELD: Okay.

16 MS. STROUD: And so I guess the motion
17 should be to that effect.

18 CHAIR THOMPSON: Correct. All of
19 that, what I said, what she said.

20 MEMBER GREENFIELD: Okay.

21 CHAIR THOMPSON: Is there a second?

22 MEMBER GREENFIELD: Yeah, I second.

1 I agree. You can pull out one.

2 MS. STROUD: And just for purposes of
3 order, we'll do a roll call vote. So, Mr. Chair,
4 your vote?

5 CHAIR THOMPSON: Aye.

6 MS. STROUD: And --

7 MEMBER GREENFIELD: Aye.

8 MS. STROUD: Okay. Thank you, Ms.
9 Greenfield, your vote was aye as well.

10 CHAIR THOMPSON: And I did want to
11 comment a little further on that Section 106 so
12 that everybody understands. This has its genesis
13 some time ago, not with respect to any one person
14 in any way. In these times, there's been an
15 increase in passions and intensity around
16 elections. So we have received various messages,
17 voicemail messages, other types of communications
18 that are sometimes disturbing that raise
19 important safety concerns. So the concept behind
20 the drafting of that Section 106 has to do with
21 making sure our space, our physical space here is
22 safe, that our meetings are conducted in a civil

1 and respectful manner, and things along those
2 lines. There's also a number of these types of
3 new regulations around the country. So there's
4 sort of a state of the art in terms of procedures
5 like this. So in light of the comments, I
6 thought it best to take a break, revisit what
7 this section is about, maybe look at some
8 regulations from other states, think about the
9 wording of each of the subsections and iron it
10 out a bit, and then reintroduce it at a later
11 time.

12 So it's not being declined, it's
13 simply being tabled to be revisited after some
14 further study and thoughtfulness, including in
15 light of the thoughtful public comments, because
16 it's obviously important to strike the right
17 balance between safety, civility on the one hand
18 and free expression on the other, which is also
19 critically important. So we understand the
20 issues in the balancing of those things and just
21 want to take a little bit more time to revisit
22 the wording of the proposed procedures. So that

1 was the thinking in tabling it for today, which
2 we just did.

3 MS. STROUD: Okay.

4 CHAIR THOMPSON: Thank you.

5 MS. STROUD: Okay, so, pursuant to the
6 Board's motion, which carried, I will be
7 submitting a second Notice of Proposed Rulemaking
8 to the DC Register that will take the form of the
9 rulemaking that we published in the DC Register
10 on January 19, 2024, at 71 DCOR 9:13 (phonetic).
11 And the rulemaking will be similar to that
12 rulemaking in every respect except that Section
13 106, barring procedures, will be omitted. And
14 that will be published in the DC Register not
15 this coming Friday, but the Friday after next,
16 and it will be subject to a seven-day comment
17 period pursuant to the Office of the Secretary's
18 rules.

19 The next item on my agenda is a
20 proposed rulemaking to Chapter 7. The purpose of
21 these amendments is to implement the provisions
22 of the Leave to Vote Amendment Act. And it will

1 just clarify that the Board has the authority,
2 pursuant to -- one moment -- DC Official Code
3 Section 1-1001.18, to enforce the provisions of
4 the Leave to Vote Act through civil fines. And
5 so, basically, that is just to give teeth that
6 the Board has the authority to do to the Leave to
7 Vote Amendment Act in the event of violations of
8 that act, which allows individuals to vote in
9 elections in which they are eligible to vote in
10 DC or another jurisdiction in which they are
11 eligible to vote.

12 And so I ask that the Board allow,
13 through motion, for the submission of this
14 rulemaking to the DC Register for publication for
15 a 30-day review and comment period. And I'll
16 take a roll call vote with respect to that if
17 there's no discussion.

18 CHAIR THOMPSON: Yeah. So moved that
19 we publish the proposed rulemaking.

20 MEMBER GREENFIELD: Second.

21 MS. STROUD: Mr. Chair?

22 CHAIR THOMPSON: Chair votes aye.

1 MS. STROUD: Ms. Greenfield?

2 MEMBER GREENFIELD: Aye.

3 MS. STROUD: Okay, thank you. And so,
4 pursuant to that motion, I will submit this
5 proposed rulemaking concerning amendments to the
6 Title 3 of the DCMR that would implement the
7 provisions of the Leave to Vote Amendment Act to
8 the DC Register for a 30-day review period.

9 The next item on my agenda is
10 litigation status, and for each of the cases I
11 will provide not only the caption for the case,
12 including the party names, but also the court in
13 which the matter is being litigated for purposes
14 if any member of the public is interested in
15 doing research on the cases.

16 So the first item on my agenda with
17 respect to litigation status is Public Interest
18 Legal Foundation v. Monica Evans in Her Official
19 Capacity. That matter is in the US District
20 Court for the District of Columbia. This matter
21 was filed under the NVRA, the National Voter
22 Registration Act. The suit alleged that the

1 Board was out of compliance with the NVRA's
2 public records provision. On February 20, 2024,
3 the parties filed a joint proposed order to
4 settle the matter and it is expected that the
5 judge will adopt the order in due course.

6 The next matter is Stacia Hall v. the
7 Board of Elections. This is also in the US
8 District Court for the District of Columbia and
9 it is a challenge to the legality of the Local
10 Residents Voting Rights Act. There has been no
11 action on this matter. All of the pleadings have
12 been filed. We are simply awaiting a decision
13 from the court.

14 The next matter is District of
15 Columbia Democratic Party v. Muriel Bowser and
16 the Board. This is a challenge to Initiative
17 Measure No. 83, in which the board is a co-
18 defendant. All pleadings have been filed in this
19 matter. The initial hearing, which had been set
20 for December 1, 2023 and was continued to
21 February 23, 2024, has been further continued to
22 March 29, 2024.

1 The next item is Dr. Shiva Ayyadurai
2 v. Merrick Garland and the Board. This matter is
3 in the US District Court for the District of
4 Columbia. The plaintiff here seeks a declaration
5 that he's eligible to serve as president
6 notwithstanding the constitutional natural-born-
7 citizen clause or alternatively, that this
8 qualification matter presents a non-justiciable
9 political issue for voters. Last month, I
10 reported that the defendant, Garland, was due to
11 file a motion to dismiss. On February 20th, that
12 motion to dismiss was filed and on February 21,
13 2024, the US District Court judge ordered that
14 the plaintiff respond to the pending motion to
15 dismiss by March 22nd, 2024.

16 And the final litigation matter is
17 Long v. the DC Board of Elections, which is in
18 the DC Superior Court. This is a resubmission of
19 a matter previously dismissed without prejudice.
20 Mr. Long seeks \$10,000 in damages based on a
21 claim concerning an overdraft cost to his bank
22 account when a stop payment was imposed on a \$500

1 check for his service as an election worker. An
2 initial hearing was held on February 2nd. At
3 that time, the plaintiff declined to proceed
4 before a magistrate judge, so the case was
5 referred to an associate judge and a scheduling
6 conference was set for March 1st. At that
7 scheduling conference, it was established that
8 the Office of the Attorney General would file a
9 motion to dismiss by March 8th. The plaintiff
10 will respond by March 22nd and any reply would be
11 due by March 29th. In the absence of a
12 resolution, the next scheduling conference will
13 be held on May 31st.

14 That concludes the litigation status
15 and my overall report.

16 CHAIR THOMPSON: Just a quick
17 question. In the case of the DC Democratic Party
18 v. Bowser, on March 29th, is that just a status
19 hearing or is that also a motion to dismiss
20 hearing?

21 MS. STROUD: I think it's a motion to
22 dismiss hearing.

1 CHAIR THOMPSON: Okay, with that,
2 campaign finance report from Director Collier-
3 Montgomery.

4 MS. COLLIER-MONTGOMERY: Morning. For
5 the record, the full report of the activity of
6 the Office of Campaign Finance for the month of
7 February will be posted at our website
8 www.ocf.dc.gov before the close of business
9 today. But I will, however, at this time
10 highlight a few items of interest for members of
11 the public.

12 In our Fair Elections Program
13 Division, during the month of February, I would
14 report that with respect to the 2024 election
15 cycle, as of this date, there are 13 certified
16 participating candidates in the Fair Elections
17 Program, and the Office of Campaign Finance has
18 authorized the disbursement of the total sum of
19 \$1,582,578.95 from the Fair Elections fund and
20 base amount and matching payments to the
21 certified candidates. I would point out for the
22 record that today, March 6th, is the deadline for

1 individuals to qualify to participate in the Fair
2 Elections Program.

3 Also, we anticipate that during the
4 latter part of the month of April that we will
5 conduct a debate in the contested citywide race
6 for the office of at-large candidates for a
7 member of the Council. As of this date, we have
8 certified two candidates in the Fair Elections
9 Program to participate in the primary election,
10 and there are two candidates who are registered
11 in the traditional program as well. And as you
12 know, with the Fair Elections Act, candidates who
13 are certified to participate in contested
14 citywide races are required to participate in
15 debates, assuming that these candidates who have
16 been certified also qualify for ballot access.
17 And with those candidates who are in the
18 traditional program, they will be invited to
19 participate if they, in fact, qualify for ballot
20 access as well.

21 During the month of February, we
22 certified four additional candidates in the Fair

1 Elections Program for the 2024 election cycle,
2 and we made disbursements to participating
3 candidates as follows.

4 First, the Elect Eboni-Rose Thompson
5 2024 Principal Campaign Committee, matching
6 payments in the amount of \$10,464 were authorized
7 for disbursement on January the 29th.

8 The Re-elect Brooke Pinto 2024
9 Principal Campaign Committee, matching payments
10 in the amount of \$3,535 were authorized for
11 disbursement on February 5th.

12 The Veda for Ward 7 Principal
13 Campaign Committee, matching payments in the
14 amount of \$1,985 were authorized for disbursement
15 on February 5, 2024.

16 The Re-elect Janeese Lewis George
17 Principal Campaign Committee, matching payments
18 in the amount of \$4,593 were authorized for
19 disbursement on February 5th.

20 The Friends of Christina Henderson
21 2024 Principal Campaign Committee, matching
22 payments in the amount of \$1,620 were authorized

1 for disbursement on February 6th.

2 The Wendell for Ward 7 Council Member
3 Committee PCC, matching payments in the amount of
4 \$2,625 were authorized for disbursement on
5 February 6th.

6 The Ebony Payne for Ward 7 2024 PCC,
7 matching payments in the amount of \$36,425 were
8 authorized for disbursement on February 7th.

9 The Wendell for Ward 7 Council Member
10 Committee PCC, matching payments in the amount of
11 \$29,500 were authorized for disbursement on
12 February the 12th.

13 The Friends of Christina Henderson
14 2024 PCC, matching payments in the amount of \$100
15 were authorized for disbursement on February
16 12th.

17 Rodney Grant, the Rodney Red Grant for
18 City Council Principal Campaign Committee. The
19 candidate, Rodney Grant, was certified on
20 February 15th to participate in the Fair
21 Elections Program in the June 4, 2024 primary
22 election. Matching payments in the amount of

1 \$76,493.35 and the first half of the base amount
2 payment in the amount of \$20,000 were authorized
3 for disbursement to the committee.

4 Paul Johnson, the Committee to Elect
5 Paul Johnson 2024 Principal Campaign Committee.
6 The candidate, Paul Johnson, was certified on
7 February 16th to participate in the Fair
8 Elections Program and the June 4, 2024 primary
9 election. Matching payments in the amount of
10 \$28,775 and the first half of the base amount in
11 the amount of \$20,000 were authorized for
12 disbursement.

13 Lisa Gore, the Friends of Lisa Gore
14 2024 Principal Campaign Committee. The
15 candidate, Lisa Gore, was certified on February
16 23rd to participate in the Fair Elections Program
17 in the June 4, 2024 primary election. Matching
18 payments in the amount of \$34,540 and the first
19 half of the base amount in the amount of \$20,000
20 were authorized for disbursement.

21 The Elect Ebony Rose Thompson 2024
22 Principal Campaign Committee, matching payments

1 in the amount of \$36,600 were authorized for
2 disbursement on February 23rd, 2024.

3 The Friends of Salim Adofo Principal
4 Campaign Committee, matching payments in the
5 amount of \$21,030 were authorized for
6 disbursement on February 23rd.

7 The Re-elect Robert White 2024 PCC,
8 matching payments in the amount of \$115,485 were
9 authorized for disbursement on February 23rd.

10 Kelvin Brown, The Kelvin Brown for DC
11 Council Ward 7 2024 PCC. The candidate, Kelvin
12 Brown, was certified on February 7th to
13 participate in the Fair Elections Program and the
14 June 4, 2024 primary election. Matching payments
15 in the amount of \$50,275 and the first half of
16 the base amount payment were authorized for
17 disbursement.

18 The FEP also during the month of
19 February conducted 47 desk reviews of reports of
20 receipts and expenditures which had been filed
21 with the agency and issued 18 requests for
22 additional information as a result of the desk

1 reviews. It also conducted three candidate
2 treasurer consultations during the month as well.
3 There was no change in the amount of remitted
4 funds which the agency has received for deposit
5 in the Fair Election Fund with respect to the
6 candidates who participated in the 2022 election
7 cycle.

8 With ongoing post-election field
9 audits in the division, for the 2020 election
10 cycle, the agency initiated 34 full field audits
11 of the campaign operations of the candidates who
12 were certified to participate in the program
13 during the 2020 election cycle. There are
14 currently 10 post-election audits which were
15 ongoing during the month of February. The
16 division completed the final compliance audit
17 report on February 23rd of the Kelvin Brown for
18 DC Council Ward 7 Campaign Committee and again, I
19 would indicate that there was a compliance audit
20 report. As of this date, for the record, the
21 division has issued a total of 24 final audit
22 reports of the audits which were initiated for

1 the 2020 election cycle.

2 With respect to the 2022 post-election
3 full field audits, there has been no change in
4 the status of the audits during the month of
5 February 2024, but I would point out that to
6 date, the FEP has issued a total of 20
7 preliminary statements of audit findings and 15
8 final audit reports for the 2022 election cycle.
9 All the final audit reports are available at the
10 OCF website for review by the public.

11 In our Public Information and Records
12 Management Division for the month of February,
13 there were no filing dates for the receipt of
14 reports of receipts and expenditures during the
15 month of February. However, we did have new
16 candidates and committees who registered with the
17 agency in the traditional program. There are
18 currently a total of 24 candidates who are
19 registered to participate in the June 2024
20 primary election and there were five new
21 registrations for the month of February 2024.
22 Henry Walker registered on February the 28th for

1 the Office of Council Member from Ward 8 in the
2 primary election. On February 23rd, Ciprian
3 Ivanof registered for the Office of US Shadow
4 Representative in the primary election. And on
5 February 9th, for the Office of US Shadow Senator
6 in the primary election, Antoine Kirby registered
7 and so did Robert Branham (phonetic). For the
8 Office of Republican National Committeeman for
9 the primary election, Isaac Smith registered on
10 February 3, 2024.

11 In the Fair Elections Program, there
12 are currently 22 candidates who are registered to
13 participate in the program during the 2024
14 election cycle, including the following one new
15 candidate registration for the month of February
16 2024, and that would be the candidate Kevin Rapp,
17 who registered on February 13th for the Office of
18 Member of the Council At-Large in the general
19 election.

20 There were also four new committee
21 registrations during the month of February, 2024.
22 The first was No Recall in Ward 6, the treasurer

1 is Marcella Hilt. The committee registered on
2 February 6th. Neighbors United for Ward 6,
3 Patrick Johnson is the treasurer. The committee
4 registered on February the 15th. The Committee to
5 Recall Brianne Nadeau, the treasurer is Elliot
6 Howe and the committee registered on February the
7 20th. Ward 1 Residents for Brianne. The
8 treasurer is Kathryn B. Tilley and the
9 registration date is February 23rd. There are
10 also seven candidates and treasurers in the
11 traditional program who completed our mandatory
12 training conference during the month of February
13 and their names will be listed at the website in
14 the report.

15 In our traditional audit program for
16 the Campaign Finance Office, the Reports,
17 Analysis and Audit Division, during the month of
18 February, the traditional audit program conducted
19 desk reviews of 83 reports of receipts and
20 expenditures and issued five requests for
21 additional information based on the desk reviews
22 which were conducted. The traditional program

1 also issued one audit and that is in the Ward 5
2 Council Office Constituent Service Fund. That
3 was a compliance audit report meaning that the
4 committee complied with all of the outstanding
5 reporting requirements or findings of the
6 preliminary desk review -- desk audit and of the
7 final audit. The audit report was issued on
8 February 12th and the audit report was of the
9 October 1, 2023 Financial Report which had been
10 filed by the Constituent Services Program. The
11 audit report will be available at our website for
12 review by members of the public.

13 There are ongoing audits in the
14 traditional program as well. There is the full
15 field audit of a newly elected official and that
16 is the Kenyan McDuffie 2022 Principal Campaign
17 Committee. And as of this date, the full field
18 audit is complete and the final audit report is
19 being drafted.

20 We also have a full field audit of the
21 Inaugural Committee and that is of the DC Proud
22 Inaugural Committee and with that particular

1 audit, the full field audit has been completed
2 and the preliminary draft audit report was issued
3 on February the 26, 2023, and the Audit Division
4 is waiting for the response of the committee. We
5 also have one periodic random audit which is
6 ongoing at this point, and that is of a
7 Constituent Service Program of the October 1,
8 2023 report, and that is the Citizens Outreach
9 Fund and that program was referred to the Office
10 of the General Counsel for failure to submit the
11 documentation required for the conduct of the
12 audit.

13 And that completes my report. But I
14 would ask the General Counsel, William Sanford,
15 for the Office of Campaign Finance, to submit the
16 report on behalf of the Office of the General
17 Counsel.

18 CHAIR THOMPSON: And thank you to
19 everybody at OCF for working so hard on all of
20 those important matters. Hello.

21 MR. SANFORD: Good morning, Mr.
22 Chairman and distinguished Board Member

1 Greenfield. I'm William Sanford, General Counsel
2 for the Office of Campaign Finance. During the
3 month of February, 2024, as the director has
4 indicated, there were no required filing dates,
5 but the Office of the General Counsel completed
6 seven informal hearings and issued seven orders
7 which included the following. One order to
8 vacate was issued. Two orders in which a total
9 of \$200 in fines was imposed and four orders in
10 which no fines were imposed were issued.

11 During the month of February 2024, the
12 Office of the General Counsel imposed fines
13 against the following respondents. A fine of
14 \$100 was imposed against Elaine Alston, former
15 ANC candidate. And a fine of \$100 was imposed
16 against LaToya Huff (phonetic), a former Advisory
17 Neighborhood Commission candidate. During the
18 month of February 2024, the Office of the General
19 Counsel did not receive any payments for fines.

20 During the month of February 2024, in
21 the Office of the General Counsel, there were
22 three open investigations being conducted. They

1 include the following. Docket Number OCF FY2023-
2 003. The complainant was Edward Hanlon. The case
3 was docketed on the 13th of November, 2023. The
4 respondent was Brooke Pinto for Ward 2 for the
5 Ward 2 Principal Campaign Committee and the
6 allegation was use of government resources for
7 campaign-related purposes. The order in this
8 matter was issued on March 1, 2024.

9 The second matter is Docket Number OCF
10 FY2023-004 docketed on December 29, 2023.
11 Complainant again was Edward Hanlon. The
12 respondent was Committee to Elect Brooke Pinto
13 2024. The allegation again is the use of
14 government resources for campaign-related
15 purposes. That matter remains pending.

16 And the final matter before the Office
17 of the General Counsel, Docket Number FY2023-005,
18 docketed on the 29th of December 2023. The
19 complainant again was Edward Hanlon. The
20 respondent was the Committee to Elect Brooke
21 Pinto. The allegation, again, was the use of
22 government resources for campaign-related

1 purposes. That matter remains pending.

2 During the month of February 2024,
3 there were no requests for interpretive opinions
4 received by the Office of the General Counsel.
5 No show cause proceedings were conducted.

6 And that should conclude my report.
7 The contents of this report will be published at
8 the Office of Campaign Finance website by the
9 close of business on today's date, the 6th of
10 March, 2024.

11 CHAIR THOMPSON: Thank you very much.
12 Appreciate it.

13 MR. SANFORD: Thank you.

14 CHAIR THOMPSON: All right. Thank you
15 once again. Okay. With that, we'll turn to
16 public comment from our DC residents. We ask
17 folks to limit their comments to three minutes
18 and to include in your comments any questions you
19 have, all in one comment period. If people would
20 like, they can also send written comments to the
21 email communications@dcboe.org.

22 So with that, we'll turn to our DC

1 residents and ask them to raise a hand for any
2 comments. And I see Adam Eidinge r has his hand,
3 so. Hello, Mr. Eidinge r.

4 MR. EIDINGER: Hi. Good morning,
5 everyone. I'd like to thank the Board for your
6 continued work. I know you're going through a
7 really busy period. And I'm currently the
8 Secretary for Initiative 83, and we're in the
9 field collecting signatures. We have sent a
10 question through our attorney to the Board
11 regarding fillable PDFs. It would seem that
12 under existing DC law, we should be able to
13 collect signatures with a PDF that is hosted on
14 our website where the person signs the fillable
15 PDF, and then we print it out. And we are
16 anxiously awaiting a reply from the Board about
17 whether this would be legal, whether this would
18 be accepted. And that's basically my public
19 comment.

20 CHAIR THOMPSON: All right. Thank you
21 so much.

22 MS. STROUD: I did get that question

1 at 9:13 a.m. this morning, and so we will
2 respond.

3 MR. EIDINGER: Thank you.

4 CHAIR THOMPSON: Seems like an
5 important question. We'll figure it out. All
6 right. And Nik Schiller.

7 MR. SCHILLER: Hello. Can you hear me
8 okay?

9 CHAIR THOMPSON: Sure can.

10 MR. SCHILLER: All right, so I'm
11 giving my public comment today because I know you
12 guys are about to start dealing with a lot of
13 signatures from candidates. And as someone who
14 has been out in the field collecting signatures
15 from DC voters, I just want to flag something
16 that I think is going to be a problem for the
17 Board in the next weeks to the next months, is
18 that as someone who has spoken here many times
19 about the voter roll being super inflated,
20 sometimes the pendulum swings the opposite
21 direction. And what I've experienced in the last
22 couple of weeks of collecting signatures from

1 voters are a lot of voters who are signing the
2 petition but are not on the voter roll anymore.
3 And because I receive the voter roll once a
4 month, I can go back in time and look at the June
5 voter roll before the reductions were made for
6 the list maintenance. And those voters are on the
7 voter roll in June. They voted in sometimes 2022,
8 sometimes 2020. Sometimes the addresses have
9 changed. And I've even found an instance where
10 there's a currently elected ANC commissioner who
11 has been removed from the voter roll.

12 So what I've personally had to do is
13 send a letter to the voter to say, hey,
14 unfortunately, your signature on the Initiative
15 83 petition will not count. We need you to re-
16 update your voter registration and then be able
17 to sign the petition again.

18 But there's going to be a concern that
19 I have for the candidates who, there's a cure
20 process, and the concern that I have for that
21 cure process is the person who has signed the
22 petition was made inactive. And so they're not

1 able to cure that voter because they'd been
2 removed from the voter rolls when in reality that
3 voter might have voted the last election cycle.

4 And I see this as a larger issue
5 where, because we have the vote centers now and
6 you can vote anywhere in DC. Before, you had to
7 be only able to vote at your precinct and now you
8 can vote anywhere. So people show up to vote and
9 probably because their mail ballot was mailed to
10 their old address, but they're still voting, but
11 now they're being removed potentially from the
12 voter roll, even though they did show up to vote,
13 but their voting address was incorrect.

14 So concern number one is that there's
15 going to be a lot of challenges for the
16 candidates because the people that signed the
17 petition thought they were registered to vote,
18 but they actually aren't. Number two is the idea
19 that when someone shows up to vote at a vote
20 center that they can change their voter
21 registration on the spot. I don't know if this
22 is allowed or not, but when you sign your name,

1 the Board of Elections matches that signature.
2 They can ask the voter, are you still registered
3 to vote at this address? And if the voter says
4 no, I have moved, then they can update their
5 voter registration right there on the spot when
6 they're ready to vote.

7 So it's going to be a concern because
8 there's a lot of people, I mean, about five
9 percent of the signatures that I've collected are
10 from voters who were on the voter roll last year
11 and that are not on the voter roll. And we don't
12 really have any way to fix this because they are
13 not active so we have to get them to re-register
14 to vote. So thank you so much for your time and
15 your service to the District and I hope that this
16 doesn't become too big of a headache for you
17 later on.

18 CHAIR THOMPSON: Well, thank you. I
19 appreciate you explaining that to us. It's
20 certainly something we're going to have to take a
21 hard look at when petitions are submitted, I'm
22 sure. And I'll just defer to general counsel for

1 any other comment at this time.

2 MS. STROUD: Thank you. (Audio
3 interference) I know you've had conversations
4 with our staff, both data services and Office of
5 the General Counsel, about issues that you're
6 finding. So this is something that we can work
7 through.

8 I know a question that you had
9 previously was if someone signed a petition and
10 they were active when they signed it, would that
11 count as valid? And it would, as long as they
12 were not inactive at the time of signing, that is
13 considered a valid signature. But we have your
14 comments, and we will work through this.

15 MR. SCHILLER: All right. Thank you.

16 CHAIR THOMPSON: All right. It's good
17 to hear that answer right away. That's good.
18 Okay, well, not seeing any other hands raised I
19 will, at this time, move to adjourn.

20 MEMBER GREENFIELD: Second.

21 CHAIR THOMPSON: All in favor of
22 adjournment? Aye. Thank you, everybody. Really

1 appreciate your time today. We'll see you next
2 month.

3 (Whereupon, the above-entitled matter
4 went off the record at 11:28 a.m.)

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In the matter of: Board Meeting

Before: DC BOE

Date: 03-06-24

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