

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

In the Matter of)	Administrative
Felicia Brown)	Order #26-011
)	

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on March 4, 2026. It concerns a recommendation by the Board’s General Counsel that the Board take civil enforcement action against Felicia Brown for her voting twice in the same election. Chairman Gary Thompson and Board member Karyn Greenfield presided over the hearing. The Board’s General Counsel, Terri Stroud, was also present.

Background

As a result of a Voter Participation Project report issued by the Election Registration Information Center (“ERIC report”), the Board’s Office of General Counsel (“OGC”) became aware of evidence that ballots were cast in the name of Felicia Brown in the D.C. 2024 General Election (“GE”) and in the 2024 GE in Maryland.¹ In light of the ERIC report findings, OGC investigated whether Ms. Brown violated in the 2024 GE laws related to double voting.

OGC sent Ms. Brown notice of a pre-hearing conference in the matter. Ms. Brown appeared on January 15, 2026 at the pre-hearing conference and cooperated fully in the investigation. Ms. Brown did not contest the fact that she voted in-person in Maryland on October 28, 2024 and that

¹Those elections covered the U.S. Presidential race. Such evidence of voting twice presented the prospect of, *inter alia*, violations of 52 (“Voting and Elections”) U.S. Code § 10307 (“Prohibited Acts”).

on November 2, 2024 she cast a D.C. 2024 mail ballot. She explained that she moving from Maryland to the District at the time of the 2024 General Election and was confused as to her ability to vote in the two jurisdictions. She stated that she did not intend to violate laws against double voting in the 2024 GE or otherwise commit voter fraud. She advised that she would be cancelling her registration in Maryland. Following the pre-hearing conference, Ms. Brown entered into an agreement with the General Counsel whereby she stipulated to the evidence that she double voted.

Ms. Brown was duly notified that her case would be presented during the Board's regular monthly meeting in March 2026. At that March 4, 2026 meeting, the General Counsel stated the facts of the case. The General Counsel explained that Ms. Brown cooperated fully in the investigation and did not contest the evidence against her and that she had canceled her voter registration in Maryland. While Ms. Brown was aware of the presentation of her case to the Board and that the Board could proceed in her absence, she was not present. With this presentation of the case and the evidence, the General Counsel made a recommendation that a civil fine of \$150.00 be imposed on Ms. Brown for her voting twice in the 2024 GE.

After hearing from the General Counsel, the Board Chair made a motion that a civil fine of \$150.00 be imposed on Ms. Brown for her voting twice in an election. The motion was duly seconded and passed unanimously.

Discussion

The Board's enforcement powers with respect to criminal election law matters include referral to the U.S. Department of Justice and/or to the Attorney General for the District of Columbia. *See* D.C. Code § 1-1001.18(a)-(b). Voting twice in the same election can trigger

prosecution for violating a number of election laws.² Generally, however, criminal liability requires a high level of proof of knowing and intentional conduct.

The Board can also impose civil penalties for voter misconduct of up to \$2,000 for each offense. *See* D.C. Code § 1–1001.18 (b) (“Any person who violates any provision of this subchapter may be assessed a civil penalty for each violation of not more than \$2,000 by the Board pursuant to subsection (d) of this section.”).³ We may impose civil fines where the misconduct is unintentional.⁴

It is undisputed that Ms. Brown voted twice in the 2024 GE. The record before us, however, is insufficient to support a finding that Ms. Brown voted twice knowingly and intentionally.

The arguable lack of criminal liability does not, however, relieve Ms. Brown of civil fine liability. Although there is insufficient evidence to support a finding of knowing and intentional misconduct such that criminal referral would be inappropriate, the fact remains that Ms. Brown voted in-person in Maryland and then, in D.C., cast a mail ballot that contained an oath affirming

²*See* 52 U.S. Code § 10307(e) (prohibiting double voting) and D.C. Official Code §1-1001.09(g)(1) (providing that no person shall vote twice in an election) and D.C. Official Code §1-1001.14(a) (penalties for violating D.C. Official Code §1-1001.09(g)(1)). *See also*, with respect to the oath voters take at the time of voting whereby they affirm that they satisfy the qualifications for being a registered voter, including residency requirements, D.C. Code § 1–1001.14(a) (criminalizing “make any false representations as to the person’s qualifications for . . . voting”) and § 1–1001.14(a-1)(1)(D) (criminalizing fraudulently cast a ballot) and 52 U.S. Code § 10307(c) (prohibiting knowingly or willfully giving false residency information for the purpose of establishing eligibility to register or vote in elections to fill federal offices).

³ The statute provides that the Board may take enforcement action upon the recommendation of the General Counsel.

⁴*See e.g. Drake et al. v. The Citizens Committee for the D.C. Lottery Terminal Initiative of 2024, et al.*, BOE No. 05-002 at pp. 4, 40 and 42 (issued 07/29/2005) (imposed \$622,880 in civil fines under the predecessor of D.C. Official Code § 1–1001.18(b) for unintentional yet grossly negligent and negligent conduct); *In the Matter of Ballots Cast in the Name of Hannah Brown*, BOE No. 23-015 (issued 12/15/2023) (indicating that a voter might be strictly liable for civil penalties for double voting, but declining to impose that standard where the voter was told that her first ballot had been lost); *In the Matter of Ballots Cast in the Name of Barbara Duncan*, BOE No. 24-017 at p. 6 (issued 8/2/2024) (same, citing *Brown*); *In the Matter of Kersey Manliclic*, BOE No. 24-010 (issued 6/12/2024) (imposing civil fine for unintentional conduct).

that she would not vote elsewhere in the election. Even accepting Ms. Brown's explanation, a civil fine is warranted. In light of the circumstances, we agree with the General Counsel's recommendation of a \$150.00 fine.

Conclusion

For the reasons indicated above, it is hereby:

ORDERED that the recommendation of the General Counsel is **ACCEPTED**, and that Ms. Brown is directed to pay a civil fine of \$150.00 by no later than April 30, 2026.⁵

Date: March 5, 2026



Gary Thompson
Chairman
Board of Elections

⁵Payment must be made by check or money order made out to the "D.C. Treasurer." It may be mailed to the attention of the General Counsel at the Board's offices (1015 Half Street, Suite 750, S.E., Washington, D.C. 20003) or hand delivered at that address.

8. Ms. Brown has provided proof that she canceled her voter registration in Maryland.
9. Ms. Brown has been advised of the maximum penalty for double voting under federal and D.C. laws.
10. The General Counsel will limit her recommendation to imposition of a civil fine of \$150 on Ms. Brown for voting in the 2024 Presidential General Election in Maryland and D.C., provided she may amend her recommendation should Ms. Brown seek to contest the facts.
11. The General Counsel will not oppose allocution by Ms. Brown before the Board, provided she may rebut factual claims made by Ms. Brown during her allocution.
12. Ms. Brown acknowledges the Board is not bound by the General Counsel's recommendation and may disregard it, including by ordering referral for criminal prosecution.
13. Ms. Brown was informed she could seek legal representation. She voluntarily waived that right and chose to proceed *pro se*.
14. With the exception of the stipulations herein, no promises or offers have been made to Ms. Brown in return for her agreement.
15. Ms. Brown has entered this agreement knowingly and voluntarily. To the extent the facts herein might incriminate Ms. Brown, she waives her right against self-incrimination.

Signed:



Terri Stroud
General Counsel
D.C. Board of Elections

Signed:



Felicia Brown

Dated: 4March2026