

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING  
July 3, 2024**

The District of Columbia Board of Elections (“the Board” or “DCBOE”) held its Regular Monthly Meeting on Wednesday, July 3, 2024, via Zoom and in the Board’s Hearing Room, located at 1015 Half Street, SE, Washington, D.C. 20003, Suite 750. Board Chairman Gary Thompson and Board Member J.C. Boggs were present. The Board’s Executive Director, Monica Holman Evans (“Director Evans”), General Counsel, Terri Stroud, and Office of Campaign Finance (“OCF”) General Counsel, William SanFord, were also present.

**I. CALL TO ORDER**

The meeting was called to order at 10:32 a.m.

**II. ASCERTAINMENT OF QUORUM**

Board Chair Thompson and Board Member Boggs constituted a quorum.

**III. ADOPTION OF AGENDA/APPROVAL OF MINUTES**

**BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on June 12, 2024.

**IV. BOARD MATTERS**

Board Chair Thompson stated the DCBOE was in the midst of preparations for the general election, noting that nominating petitions for Advisory Neighborhood Commissioners were now available.

**V. DIRECTOR’S REPORT (DIRECTOR EVANS)**

**A. Certification of June 4, 2024 Primary Election Results**

Director Evans presented the June 4, 2024 Primary Election results as follows and as stated on the BOE website:

A total of 98,221 votes were cast, resulting in a voter turnout of 25.93%.

**Democratic Party Results:**

Presidential Preference: Joseph R. Biden Jr.

Delegate to the US House of Representatives: Eleanor Holmes Norton

At-Large Member of the Council: Robert White

Member of the Council Ward 2: Brooke Pinto

Member of the Council Ward 4: Janeese Lewis George

Member of the Council Ward 7: Wendell Felder

Member of the Council Ward 8: Trayon White Sr.  
United States Senator: Ankit Jain  
United States Representative: Oye Owolewa

**Republican Party Results:**

Delegate to the US House of Representatives: Myrtle Patricia Alexander  
Member of the Council Ward 8: Nate Derenge  
United States Representative: Ciprian Ivanof  
National Committeeman Citywide: Jose Cunningham  
National Committeewoman Citywide: Joanne W. Young  
Ward 7 Chairman: Michael Bekesha  
Ward 8 Chairman: Nate Derenge

**Statehood Green Party Results:**

Delegate to the US House of Representatives: Kymone Freeman  
At-Large Member of the Council: Darryl Moch

**Write-in Contest Winners:**

Statehood Green Candidate Presidential Nominee: Jill Stein  
Republican Candidate Member of the Council Ward 7: Noah Montgomery

**BOARD ACTION:** The Board unanimously certified the results of the June 4, 2024 Primary Election as presented by Director Evans and listed on the BOE website.

**B. Primary Election Data**

In the June 2024 primary election, 378,821 registered voters cast ballots; 25 early vote centers were utilized for early voting; 75 vote centers were utilized on Election Day; 27,534 individuals voted in person, representing 28.03% of ballots cast; 70,687 voters used mail-in ballots, representing 71.97% of ballots cast; BOE trained 1005 election work; and 41,841 mail ballots were returned as undeliverable. Board staff will follow up with these ballots to assist us with our list maintenance process. The data services team has been updating the voter registration database using information from the US Postal Service.

**C. Audit Results**

BOE conducted an audit on June 26, 2024. The full audit results are available on the Board's website. All election results were verified within the margins of error.

**D. General Matters**

In June, Director Evans attended the 2024 annual meeting for the Multi-State (MS) and

Elections Infrastructure (EI) Information Sharing and Analysis Center (ISAC).

### **E. Voter Registration Rolls**

In June, 1,534 new voters were registered, and 4,077 registration changes were processed. 3,181 voter registration cards were prepared for mailing. 47 registered voters moved out of DC, 19 voters canceled their DC registrations and registered with other jurisdictions, and 435 voters registered in DC after canceling their registrations in other states.

### **F. Online Voter Registration**

Online voter registration is continuing through the website portal. To date, 52,152 registrations, including new and updated registrations, have been processed using the portal.

### **G. Local Resident Voting Rights Amendment**

Noncitizen residents continue to register to vote using the database solution provided by VR Systems. They may also register at our office using paper registration forms.

In June, 55 noncitizen residents were registered to vote in local elections. To date, 585 noncitizen residents have been registered, 115 of whom voted in the June 2024 primary.

### **H. 2024 Election Planning**

The 2024 general election calendar is posted on our website. The 2024 election information landing page is currently active on the website.

The candidate qualification period for the 2024 general election opened for State Board of Education seats and for independent and minor party candidates on June 14. The qualifying period for ANC candidates opened on July 1. The qualifying deadline for all candidates to file nominating petitions is August 7 at 5 p.m.

### **I. 2024 Voting Options**

All registered DC voters will receive a mail-in ballot for the general election. Voters may vote by mail-in ballot, in person, or by depositing a ballot in a drop box. BOE will have 55 mail-ballot drop boxes placed throughout the city. The Board will operate 25 early vote centers and 75 election-day vote centers.

### **J. Election Worker Division**

In June, the election worker division conducted three debriefing sessions with site coordinators and solicited feedback from the primary election. The division has also begun recruiting election workers for the November general election. Election worker training will start on August 13.

### **K. Voter Education and Outreach (VEOD)**

In June, VEOD conducted 14 outreach events on behalf of the agency. Events included the Pilgrim Baptist Church Juneteenth Celebration, the Taste of the DMV Festival, and the DC Volunteer Lawyers Project legal clinic.

### **L. Initiative Measure No. 83.**

On July 1, 2024, a petition for Initiative Measure No. 83, “Ranked Choice Voting and Open the Primary Elections to Independent Voters Act of 2024,” was submitted to BOE in a timely manner. Within three days after receiving the petition, BOE will prepare an initial count of the signatures submitted. If the initial count indicates that the petition contains on its face the minimum number of signatures required and meets other preliminary requirements, BOE will accept the petition and begin its own 30-day verification process, and post the petition for a 10-day challenge period during which any registered DC voter may challenge the validity of signatures contained in the petition.

## **VI. GENERAL COUNSEL’S REPORT (TERRI STROUD)**

### **A. Proper Subject Matter Determination Hearing for Proposed Initiative Measure, “DC Cash Payment Reparations Act.”**

General Counsel Stroud presented the background on the processing of the measure, which was received on April 26, 2024. Advisory opinions provided by the DC Office of the Attorney General (“OAG”) and the DC Council’s General Counsel (“CGC”) as to whether the Proposed Initiative met proper subject requirements concluded that the measure did present a proper subject. General Counsel Stroud indicated that the Board’s Office of General Counsel (“OGC”) concluded that the measure did not present a proper subject and thus recommended that the Board reject the measure.

**BOARD ACTION:** Unanimously accepted the General Counsel’s recommendation and rejected the proposed initiative on the grounds that it did not present a proper subject.

### **B. Referral Hearings**

1. **In re Barbara Duncan** – General Counsel Stroud requested that this matter be removed from the agenda, as Ms. Duncan is working with her attorney and DCBOE to resolve this matter. The matter can be set on the agenda for the next regular DCBOE meeting, where we will proceed with a full hearing or a hearing based upon a stipulation.

**BOARD ACTION:** Chairman Thompson accepted the recommendation and deferred the matter to the next regularly scheduled meeting.

2. **In re Ashish Kanswal** – The Office of the General Counsel presented details on the investigation of forged signatures on petition sheets circulated by Mr.

Kanswal. The General Counsel recommended referring the matter for potential criminal prosecution by the Attorney General for D.C. and/or the U.S. Attorney's Office.

**BOARD ACTION:** The Board unanimously agreed to refer the matter for potential criminal prosecution.

### **C. Litigation Status**

#### **1. Stacia Hall, et al., v. D.C. Board of Elections (U.S. Court of Appeals for the D.C. Circuit)**

This case concerns an appeal from the DC Superior Court's denial of the appellant's challenge to legislation allowing non-citizens to vote in local elections. The appeal was filed on April 16. The Solicitor General for DC filed a Notice of Cross-Appeal, and the cases were consolidated. Hall's brief is due August 22, and its reply is due on September 23, with Hall's reply due October 15.

#### **2. District of Columbia Democratic Party, et al., v. Muriel Bowser, et al. (D.C. Court of Appeals)**

This case concerns an appeal from the D.C. Superior Court's denial of the appellant's challenge to Initiative Measure No. 83 for being untimely filed. The appellant's initial brief has been filed, and the appellee's unopposed motion for an extension to July 22 to file initial briefs has been granted.

#### **3. Dr. Shiva Ayyadurai v. Merrick Garland, et al. (U.S. Court of Appeals for the D.C. Circuit)**

This is an appeal from the dismissal of a complaint filed in the U.S. District Court where the plaintiff/appellant sought a declaration that he is able to serve as President of the United States notwithstanding the "natural born citizens clause" or alternatively that the qualification is a non-justiciable political issue to be determined by the voters. On May 15, the court ordered the appellant to file his docketing statement and other initial submissions by June 14 and also ordered dispositive motions be filed by July 1. The briefs have been filed.

#### **4. Jason Christopher Long v. D.C. Board of Elections (D.C. Superior Court)**

This matter is the refiling of a complaint that was dismissed without prejudice. The complaint sought \$10,000 in damages based on claims concerning an overdraft cost to his bank account when a stop payment was imposed on a check that he was issued for his service as an election worker. The plaintiff has requested mediation, and the mediation proceeding scheduled for June 25 has been rescheduled for August 1.

## **5. John Page v. Monica Evans (U.S. Dist. Ct. for D.C.)**

On March 8, the Plaintiff filed a complaint to prevent Donald Trump from appearing on the 2024 general election ballot. The complaint alleges that the recent Supreme Court decision in *Trump v. Anderson* does not apply to DC because that decision pertains to states' rights under the 14th Amendment, and DC is not a state. The OAG filed a motion to dismiss on April 5, and the plaintiffs replied on April 23. The OAG sought and was granted leave to file a Surreply to the Plaintiff's filing, which the Court accepted on May 2. On May 20, the plaintiff filed motions to admit the Colorado decision in *Trump v. Anderson*, and the U.S. House of Representatives report on the January 6 events. The dispositive motion is pending.

## **VII. CAMPAIGN FINANCE REPORT (PRESENTED BY WILLIAM SANFORD ON BEHALF OF DIRECTOR CECILY COLLIER-MONTGOMERY)**

### **A. Office of the Director**

On June 11, OCF participated in a community outreach event sponsored by the Frances on the Hill organization, in conjunction with the Mayor's Office on Latino Affairs.

On June 14, OCF participated in Metropolitan Police Department and Department of Parks and Recreation's Late Night community outreach event.

On June 18, OCF held an Information Session in partnership with DC Public Library at the Shaw (Watha T. Daniel) Library Branch. OCF also presented virtually for ANC SMD 8F04 on this date.

On June 27, OCF presented virtually for ANC SMD 8D06.

On June 28, OCF participated in a Wellness Fair and community outreach event held at Zion Baptist Church.

### **B. Fair Elections Program ("FEP") Division**

#### **1. Authorized Base Amount**

##### **a) 2024 Election Cycle**

There are 17 certified participating candidates in the FEP. OCF has authorized the disbursement of the total sum of \$2,512,253 from the FEP fund in base amount and matching payments.

#### **2. Desk Reviews and Other Activities**

There were 57 desk reviews of Reports of Receipts and Expenditures (R & E Reports"), and 14 Requests for Additional Information ("RFAI") letters were issued.

## **C. Public Information and Records Management Division (PIRM)**

### **1. R&E Reports**

There was one required filing date for R&E Reports: June 10. For the traditional campaign finance program, there were 22 required filers, and 14 timely filers. One extension was granted, and seven failures to file were referred to the OCF OGC.

For Political Action Committees, there were 43 required filers, and 38 timely filers. Eight failures to file were referred to the OCF OGC.

For Independent Expenditure Committees, there were 11 required filers, and 11 timely filers.

For the FEP, there were 22 required filers and 10 timely filers. Six extensions were granted and six referrals were made to the OCF OGC.

## **D. Reports Analysis and Audit Division (RAAD)**

### **1. Desk Reviews and Other Activities**

a) 34 desk reviews of R&E Reports were conducted and 24 RFAI letters were sent.

### **2. Audits**

#### **a) Audits Issued**

- i. The compliance audit report for the DC Proud Inaugural Committee was issued on June 14, 2024.
- ii. The compliance audit report for the Committee to Elect Roscoe Grant Jr., Ward 7 was issued on June 27, 2024.

## **E. OCF OFFICE OF THE GENERAL COUNSEL REPORT (WILLIAM SANFORD)**

### **1. Monthly Intake/Output Report**

In June, the OGC received 21 referrals, completed nine informal hearings, and issued nine orders, including four orders without fines and five orders imposing a total of \$13,000 in fines. These included a \$4,000 fine against the Economic & Protection Party, a \$4,000 fine against the Ward 5 Democrats, a \$4,000 fine against the Our Friend Brandon Douglas Committee, a \$500 fine against the Ward 4 Democrats, and a \$500 fine against the Citizens for a Safer DC Committee. One fine of \$175 was collected from the D.C. Insurance and Financial Advisors Pact.

### **2. Open Investigations**

a) In OCF-FI-2023-003, docketed May 16, Complainant Gail J. Sonnemann alleges that the Veda for Ward 7 Committee accepted excessive contributions. The matter is pending.

b) In OCF-FI-2023-004, docketed June 18, Complainant Tommy Wells, Chair, Neighbors United for Ward alleges that The Committee to Recall Charles Allen, the DC Neighborhood Alliance, and the DC Republican Party made improper expenditures and illegal coordination. The matter is pending.

### **3. Interpretive Opinions**

OCF Opinion No. 2024-02, issued on June 13, concluded that the D.C. Police Union is not required to register as either a Political Action Committee or an Independent Expenditure Committee.

### **4. Show Cause Proceedings**

None occurred during June 2024.

## **VIII. PUBLIC COMMENT**

The discussion in the public matters portion of the meeting can be found on pages 47-51 of the transcript.

## **IX. ADJOURNMENT**

The meeting was adjourned at 11:39 a.m.