

## II. D.C. OFFICIAL CODE §1-1001.05(K)/ 3 DCMR § 817 DATA

### A. Ballot Data

1. Total number of votes cast and counted, broken down by type of ballot, including the number of spoiled and special ballots that were not counted:

- a. Total Number of Ballots Cast: **312,575**
- b. Total Number of Ballots Cast on Election Day: **186,326**
- c. Total Number of Ballots Cast during Early Voting: **101,077**
- d. Total Number of Absentee Ballots: **20,781**

**Table 1. Votes Cast and Counted by Type - Comparison to Past General Elections**

Election	Absentee Voters	% of Overall Turnout	Election Day Voters	% of Overall Turnout	Early Voters	% of Overall Turnout	Overall Turnout	Total Registered Voters	Turnout Percentage
11/6/12	11,588	3.93	191,166	64.84	57,053	19.35	294,814	483,775	60.94
11/4/14	5,989	3.38	125,807	70.9	26,660	15.03	177,377	461,325	38.45
11/8/16	20,781	6.6	186,326	59.6	101,077	32.3	312,575	478,688	65.2

- e. Total Number of Provisional Ballots Counted: **1,990**
- f. Total Number of Provisional Ballots Rejected: **1,457**
- g. Total Number of Curbside Ballots: **2,401**
- h. Total Number of Spoiled Ballots: **2,793**

### B. Registration Activity Data

1. The Number of Persons Registered:
  - a. More than 30 days preceding the election, broken down by party, ward, and precinct: **460,064 (See Attachment #1)**
  - b. Between 30 days preceding the election and Election Day:
    - i. October 11, 2016 through October 21, 2016: **4,800**
    - ii. October 22, 2016 through November 4, 2016 (Early Voting): **1,295**

c. On Election Day: **10,359**

**C. Election Worker Data**

1. The number of polling place officials by precinct, broken down by position title: **(See Attachment #2)**
2. Number of Student Election Workers on Election Day: **130**
3. A synopsis of any issues identified in Precinct Captain or Area Representative logs:

These issues were cited most frequently by Precinct Captains and Area Representatives:

- Voters who came to polling places with their voter registration cards could not be located in the Poll Pads (Poll Pads are electronic pollbooks used to check voters in, update existing voter registration information, and add new or potential voters);
- Insufficient number of Poll Pads available to process special ballot voters;
- Insufficient number of ExpressVote touchscreen ballot marking devices to accommodate voters' expressed preference to vote using these devices rather than by marking ballots with pens;
- Certain voting locations were too small to accommodate voter volume or were otherwise not conducive to an efficient voting program; and
- Election workers experienced difficulties recalling their position-associated tasks on Election Day morning due to length of time between training and Election Day.

4. Performance Measurement Data of Polling Place Officials: **(See Attachment #3)**

**D. Election Night Reporting Data**

1. Copies of Any Unofficial Summary Reports Generated by BOE on Election Night: **(See Attachment #4)**

## **E. A Description of Irregularities Experienced on Election Day**

### **1. Incorrect Ballot Distribution**

On Election Day, the Board received reports that election workers at a few precincts were not issuing the correct ballot style to voters. The specific concern was that voters who resided in one Advisory Neighborhood Commission (ANC) Single-Member Districts (SMD) were given ballots that corresponded to another SMD serviced at the same polling place. In response to each such report, the Board contacted the Precinct Captain at the precinct involved and instructed him or her to ensure that each voter received the appropriate ballot.

Despite the fact that poll workers are specifically trained on the proper issuance of ballots, incorrect ANC ballot distribution continues to be a problem in general elections. This is attributable to election workers having to manage several unique ballot styles within a single precinct due to the presence of ANC SMD contests on the ballot. (For example, Precinct #71 has four different ballots styles: SMDs 5C01, 5C02, 5C04, and 5C07.) In addition, voters often do not recognize that they have received an incorrect ballot and cast it, at which point it is too late to correct the matter. The Board will continue to explore ways to address this issue.

### **2. Registered Voters not Found in Poll Pads**

The Board also received reports that voters who appeared at polling places to vote could not be located in the Poll Pads, despite having both registered well in advance of the General Election and received voter registration cards. The Board's investigation into this matter revealed that the voters affected had submitted voter registration applications through either the Board's web portal or its mobile application, ABVote. A logic error in Integrity, the Board's voter registration system, caused these records to be viewed as duplicate registrations. Accordingly, these records were not included in the supplemental file of new registrations and uploaded into the Poll Pads prior to the election as they should have been.

All voters affected by this error were able to same day register and vote a regular ballot using their voter registration cards as identification.

## **F. Recommendations for Improving the Vote Tabulation Process**

On February 20, 2016, the District of Columbia awarded a sole-source contract for the leasing of a new voting system and related equipment to Election Systems & Software, Inc. (ES&S). The system and equipment included 190 DS200 precinct-based optical scan tabulators equipped with wireless modem technology, 400 ExpressVote touchscreen ballot marking devices, one DS850 central tabulator (used to tabulate absentee, provisional, and curbside ballots), and ElectionWare Election Management System software. With the new equipment, voters can choose between marking their ballots with pens or using the ExpressVote.

The election night vote tabulation process has improved significantly due to the Board's acquisition of the new voting equipment. The improvement in the vote tabulation process is primarily attributable to two factors. First, the Board's new voting system employs a "blended"



system of voting and tabulation, with the optical scan method as the basis of the system. This means that, regardless of whether a voter marks his or her ballot with a pen or uses the ExpressVote touchscreen ballot marking device, all ballots (except for absentee, special/provisional, and curbside ballots) are tabulated on the DS200. Therefore, the Board is now able to retrieve results from one unit of voting equipment rather than two, as it had to do in past elections. Second, each DS200 is equipped with a modem that facilitates the wireless transmission of election results from each precinct to the Board's headquarters on election night after the closing of the polls. On the night of the General Election, the results from all but 10 precincts were successfully transmitted to the Board via the DS200's wireless modem.<sup>1</sup>

As the Election Night Summary Results Reports indicate:

- Results from 81 of 143 precincts were received by 8:30 p.m.
- Results from 32 additional precincts were received by 9:00 p.m. (113 precincts total)
- Results from 10 additional precincts were received by 9:30 p.m. (123 precincts total)
- Results from two additional precincts were received by 10:00 p.m. (125 precincts total)
- Results from 10 additional precincts were received by 10:32 p.m. (135 precincts total)
- Results from five additional precincts were received by 11:03 p.m. (140 precincts total)
- Results from the three remaining precincts were received by 12:09 a.m. (143 precincts total)

Results from 125 precincts (87% of all precincts) were received within two hours after the polls closed on Election Day. The majority of the remaining precincts could not produce results until after that time because they were still processing voters who were in line at 8:00 p.m. (and thus entitled to cast a ballot), and could not "close out" their machines and produce results until the last voter had voted.

## **G. OTHER RELEVANT INFORMATION**

### **1. Election Workers and Support Network**

In light of anticipated turnout for the General Election, the Board set a staffing goal of 1,995 election workers to ensure adequate and timely customer service across the city's 143 voting precincts. This goal took into account data the Board reviewed from past elections, including the number of workers who complete training but drop out either before or after being assigned to polling places, as well as the number of workers who fail their training classes.

The Board exceeded its staffing goal by nine percent, deploying 2,163 workers on Election Day. In all, 2,606 workers completed training. Of these, 97 failed their training classes, 132 dropped out before voting began, and 233 were "no-shows" on Election Day.

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<sup>1</sup> The results from the remaining ten precincts were uploaded using USB Backup Memory Devices which are stored within each DS200 and contain results data. All USB Backup Memory Devices are returned to BOE headquarters on election night in accordance with established BOE practice.

**Table 2. Election Worker Positions**

<b>Position</b>	<b>Number per Precinct</b>	<b>Total</b>	<b>Position Description</b>
Precinct Captain	1	140 (Three precincts were combined)	Manage/lead precinct
Assistant Precinct Captain	1	35	Assist with opening/closing voting equipment
Check-in Clerk	2-9	643	Check voters in and direct to appropriate clerk
Special Ballot Clerk	1-4	325	Handle all voters whose eligibility to vote a regular ballot is in question
Ballot Clerk	2-7	581	Ensure voters are given the correct ballots
Voter Assistant Clerk	2-6	439	Assist curbside voters and voters with disabilities
	8-24	2163	

While most precincts yield a far greater number of election worker applicants than are needed to adequately staff their local polling place, residents in 35 precincts – located predominantly in Wards 1, 2, and 3 – have historically shown low interest in serving as election workers. Research conducted by the Board indicates that there is a high correlation between the proximity of a worker's residence to the polling place at which he or she is to serve and that worker showing up to work on Election Day. This phenomenon highlights the importance of a geographically diverse applicant base. In order to diversify the election worker pool in 2016, the Board launched online recruitment messages focused on community and civic participation. These messages were targeted primarily at the 35 precincts noted above using the e-mail addresses of registered voters in those locations. Overall, this effort yielded 1,323 potential workers: 841 during the 2016 Primary Election and 482 during the 2016 General Election.

Board efforts to recruit election workers under the age of 40, who have long been underrepresented, were also successful; of the 2,042 election workers for whom the Board has age data, 670 – nearly 1 in 3 – were under the age of 40. The average election worker age for the General Election was 49.8 years, which is down from 61 years in 2012.

**Table 3. Election Worker Age Breakdown**

<b>Election Worker Age Range</b>	<b>Number of Election Workers</b>
Under 18 years old	86
18 to 25	151
26 to 40	433
41 to 60	690
61 to 70	495
71 years old and over	187



Election workers were supported on Election Day by a multi-tiered network of trained individuals and election professionals that consisted of the following components:

- **Area Representatives.** The Board deployed 30 area representatives to provide roving supply support and assistance to polling places on Election Day. Each area representative supported four to six polling places. Area representatives also assisted in setting up polling places the day prior to Election Day.
- **Information Technology (IT) Rovers.** Twenty-six (26) IT Rovers provided support to three to five polling places each, ensuring that the election technology was opened and closed properly and on time. IT Rovers were responsible for repairing and replacing equipment as needed, and otherwise assisted with troubleshooting technical or connectivity issues that precinct-based tech-certified election workers (see below) either could not solve or had insufficient time to solve.
- **Precinct-based tech-certified election workers.** Ninety-six (96) election workers at 84 precincts received additional training to serve as precinct-based technicians. They assisted Precinct Captains with opening and closing the voting equipment and troubleshooting basic problems as needed.
- **Americans with Disabilities Act (ADA) Compliance Assistants.** The Board deployed 50 ADA Compliance Assistants throughout the city on Election Day. Each was assigned four to five polling places to visit throughout Election Day in order to identify and address any correctable issues that presented barriers to voting for senior citizens and people with disabilities. ADA Compliance Assistants were tasked with several duties, including: completing a precinct operational accessibility survey; posting directional signage along routes to the polling place's accessible entrance and the voting area itself; propping doors open where possible; assisting election workers with assigning accessible parking spaces where possible; placing the accessible entrance bells at the appropriate places; and ensuring that auxiliary aids, including magnifying glasses, Language Access kits, and headphones, were available and prominently displayed so that voters were aware of their availability.
- **Foreign Language and American Sign Language (ASL) Interpreters.** Sixty-five (65) Spanish, Mandarin, Vietnamese, Amharic, and ASL interpreters were deployed to 51 polling places to enable limited English proficient (LEP) voters and voters with auditory disabilities to participate meaningfully in the electoral process.
- **Election Help Desk.** The Board operated a 20-person Help Desk (Call Center) to field calls from Precinct Captains regarding supplies, technical issues, voter questions, and election worker personnel issues. The Help Desk contacted tech rovers and area representatives when an issue could not be resolved over the phone. The Help Desk staff included members of the election worker training team, temporary election workers, technical experts from the BOE's equipment vendors, and election staff.

## **2. Facilities**

The Board operated 143 precincts at 140 polling places on Election Day (three polling places housed two precincts each). The Board collaborated with the Department of General Services (DGS) and the Department of Transportation (DDOT) to ensure that polling places were both structurally and operationally accessible for the General Election. DGS provided a team of facility managers, building managers, and engineers to correct structural issues at government buildings that serve as polling places. Modifications included installing automatic door openers, temporarily removing narrow doors, and removing center poles that were obstructing narrow doorways. All told, DGS fulfilled over 90% of the 240 service requests the Board made in connection with the General Election. DDOT made permanent fixes to streets and sidewalks at government buildings that serve as polling places.

Between the Primary Election and the General Election, the Board relocated the following ten precincts:

### **Ward 1:**

Precinct 22: New location: Ellington at Meyer School, 2501 11th Street, NW  
Old Location: Ellington at Garnet-Patterson School, 2001 10th Street, NW  
Reason for relocation: Inadequate space in original voting location

Precinct 24: New location: Mary's Center, 2355 Ontario Road, NW  
Old Location: Marie Reed Elementary School, 2201 18th Street, NW  
Reason for relocation: Previous site closed for renovations

Precinct 40: New location: Mount Pleasant Neighborhood Library, 3160 16th Street, NW  
Old location: Bancroft Elementary School, 1755 Newton Street, NW  
Reason for relocation: Previous site closed for renovations

Precinct 42: New location: Raymond Recreation Center, 3725 10th Street, NW  
Old location: Mt. Rona Baptist Church, 3431 13th Street, NW  
Reason for relocation: Accessibility concerns

### **Ward 2:**

Precinct 14: New location: Carriage House Meeting Space (MAA), 1781 Church Street, NW  
Old location: St. Thomas Episcopal Parish, 1772 Church Street, NW  
Reason for relocation: Previous site closed for renovations

### **Ward 3:**

Precinct 33: New location: St. Paul's Lutheran Church, 4900 Connecticut Avenue, NW  
Old location: Murch Elementary School, 4810 36th Street, NW  
Reason for relocation: Previous site closed for renovations

**Ward 4:**

Precinct 51: New location: Lafayette Elementary School, 5701 Broad Branch Road, NW  
Old location: St. John's College High School, 2607 Military Road, NW  
Reason for relocation: Renovations completed at Lafayette, which was the original location

**Ward 6:**

Precinct 85: New location: Northeast Neighborhood Library, 330 7th Street, NE  
Old location: BridgePoint Hospital Capitol Hill, 700 Constitution Avenue, NE  
Reason for relocation: Accessibility concerns

Precinct 91: New location: Friendship PCS Chamberlain Campus, 1345 Potomac Avenue, SE  
Old location: Watkins Elementary School, 420 12th Street, SE  
Reason for relocation: Previous site closed for renovations

Precinct 106: New location: Ridge Road Recreation Center, 830 Ridge Road, SE  
Old location: Davis Elementary School, 4430 H Street, SE  
Reason for relocation: Accessibility concerns

In addition to relocating four precincts for accessibility reasons, the Board had 12 temporary ramps installed at the following polling places on Election Day to make them more accessible for people with disabilities:

- Precinct #4: School Without Walls (Francis Stevens High School);
- Precinct #23: Rita Bright Community Center;
- Precinct #37: Banneker Community Recreation Center;
- Precinct #45: Metropolitan Police Department - Regional Operation Command (North);
- Precinct #60: Nativity Youth Center;
- Precinct #67: Bunker Hill Elementary School;
- Precinct #81: Miner Elementary School;
- Precinct #83: J.O. Wilson Elementary School;
- Precinct #92: Zion Baptist Church – Eastland;
- Precinct #106: Ridge Road Recreation Center;
- Precinct #120: Malcolm X Elementary School; and



- Precinct #133: Orr Elementary School.

### **3. Election Equipment**

On Election Day, each of the 140 polling places was equipped with one DS200 and two ExpressVotes. Eight hundred and forty-one (841) Poll Pads were distributed among the polling places based upon anticipated turnout. (For Poll Pad distribution by precinct, see Attachment #5.)

### **4. Voter Education and Outreach**

Prior to the June 14, 2016 Primary Election, the Board implemented the Ward Outreach Coordinator Program (WOC Program). The WOC Program was established to assist the Voter Outreach Division with conducting voter registration drives, recruiting election workers, and educating District of Columbia residents about all aspects of the voting process, including the new voting equipment and the Primary Date Alteration Act of 2014 (the PDAA).

Twenty-five (25) Ward Outreach Coordinators worked in support of the General Election; each was assigned to conduct voter registration and education and outreach activities in a particular ward. Between the Primary Election and the General Election, Ward Outreach Coordinators conducted or participated in a total of 159 outreach activities for the Election. They registered voters, distributed informational brochures, and/or demonstrated the new voting equipment at Advisory Neighborhood Commission meetings, civic association meetings, naturalization ceremonies, and community fairs. They administered absentee voting at nursing homes/senior living facilities, and at District of Columbia correctional facilities. They provided voter registration applications and information to students at District of Columbia Public Schools (DCPS), District of Columbia Public Charter High Schools (DCPCHS), and 10 private schools.

As a result of the Ward Outreach Coordinators' efforts prior to the General Election:

- **673** students in the District of Columbia were registered to vote;
- **261** students submitted applications to serve as Student Election Workers, and **130** students served in that capacity on Election Day;
- **539** new citizens registered to vote at naturalization ceremonies;
- **1487** residents at nursing homes/senior living facilities voted absentee at their respective facilities; and
- **141** individuals incarcerated for misdemeanors voted absentee at their respective facilities.

The Board published a Voter's Guide, which was organized in an easy-to-follow Question and Answer format. The Voter's Guide, which was mailed to each District of Columbia household, included information on the candidates and measures that would appear on the ballot, the new election technology, voter registration and absentee voting information and applications,

polling place relocations, and other helpful information. The Board also mailed to each District of Columbia household a postcard informing voters of contests on the ballot, the locations, dates, and hours of operation for the Early Voting Centers, and the hours of operation for polling places on Election Day.

The Board maximized use of its website and its Twitter and Facebook accounts to provide followers with comprehensive information about the Board's activities and important dates and deadlines, as well as to address individual voters' specific concerns.

## **5. Accessibility**

In addition to addressing structural and operational accessibility issues at polling places for the General Election (see "Facilities" section above), the Board's ADA Compliance Division:

- Deployed 50 ADA Compliance Assistants throughout the city to visit polling places and identify and address correctable operational accessibility issues that presented barriers to voting for people with disabilities;
- Trained early voting staff and Voter Assistance Clerks (VACs) extensively regarding Title II of the ADA, compliance, awareness, and disability etiquette;
- Revamped election worker training to include practical application and simulated training exercises involving people with various disabilities;
- Updated the ADA section of the Polling Place Operations Manual to include instructions on how to properly set up voting equipment and place accessible route signs and directions;
- Created several new signs to make it easier for senior citizens, people with disabilities, and LEP voters to navigate our polling sites;
- Created a Frequently Asked Questions (FAQ) document with information on reasonable accommodations, voter access, accessible polling sites, ballot transfer requests, etc. for senior citizens, people with disabilities, and LEP voters.
- Deployed 52 Spanish, five Mandarin, one Vietnamese, one Amharic, and six American Sign Language (ASL) interpreters to 51 polling places;
- Prepared and distributed 250 Spanish and Mandarin Language Access kits that contained translated election-related materials (ballots, forms, voter access signs, ExpressVote screenshots, etc.) to accommodate LEP voters;
- Redesigned Election Day voter access signs to make them multi-language;

- Conducted outreach events designed to inform senior citizens, people with disabilities, and LEP voters about the Board's accessible voting technology, language access services, and other accommodations available to voters on Election Day; and
- Hosted disability rights advocates and lawyers, senior citizens, voters with disabilities, and other interested groups and individuals at an onsite voter access forum.

## 6. Early Voting

The Board operated nine Early Voting Centers during the General Election – one in each ward, with the exception of Ward 6, which had two. Early voting commenced on the second Saturday before Election Day (October 22, 2016) and concluded on Friday, November 4, 2016. There were 13 days of early voting in all, including Sundays.

A total of 318 election workers worked 2,456 early voting shifts; this was the largest number of early voting shifts to date, in support of the largest early voting turnout to date. Of the 312,575 voters who cast ballots in the Election, 101,077 – nearly 1 in 3 – did so during early voting. The Early Voting Centers were generally staffed by 12-20 workers at any given time based on the day of the week and traffic at the site.

The location, dates and hours of operation, voting equipment deployment numbers, and daily and total turnout for each Early Voting Center for the General Election were as follows:

**Saturday, October 22, 2016 — Friday, November 4, 2016 (8:30 a.m. to 7:00 p.m.)**

**Ward 2:** One Judiciary Square, 441 4th Street, NW  
Equipment Deployed: 10 ExpressVotes; 4 DS200s; 8 Poll Pads

Date	Turnout
Saturday, October 22	2,542
Sunday, October 23	1,294
Monday, October 24	1,823
Tuesday, October 25	1,737
Wednesday, October 26	1,660
Thursday, October 27	1,371
Friday, October 28	1,713
Saturday, October 29	1,184
Sunday, October 30	928
Monday, October 31	1,380
Tuesday, November 1	1,618
Wednesday, November 2	1,972
Thursday, November 3	2,490
Friday, November 4	3,384
	Total: 25,096



**Friday, October 28, 2016 — Friday, November 4, 2016 (8:30 a.m. to 7:00 p.m.)**

**Ward 1:** Columbia Heights Community Center, 1480 Girard Street, NW  
Equipment Deployed: 12 ExpressVotes; 3 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	1,420
Saturday, October 29	1,782
Sunday, October 30	1,638
Monday, October 31	1,312
Tuesday, November 1	1,377
Wednesday, November 2	1,661
Thursday, November 3	2,045
Friday, November 4	2,636
	Total: 13,871

**Ward 3:** Chevy Chase Community Center, 5601 Connecticut Avenue, NW  
Equipment Deployed: 12 ExpressVotes; 3 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	1,863
Saturday, October 29	1,974
Sunday, October 30	1,729
Monday, October 31	1,504
Tuesday, November 1	1,443
Wednesday, November 2	1,524
Thursday, November 3	1,795
Friday, November 4	2,447
	Total: 14,279

**Ward 4:** Takoma Community Center, 300 Van Buren Street, NW  
Equipment Deployed: 10 ExpressVotes; 2 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	1,233
Saturday, October 29	1,131
Sunday, October 30	797
Monday, October 31	954
Tuesday, November 1	904
Wednesday, November 2	946
Thursday, November 3	1,193
Friday, November 4	1,512
	Total: 8,670

**Ward 5:** Turkey Thicket Recreation Center, 1100 Michigan Avenue, NE  
Equipment Deployed: 12 ExpressVotes; 3 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	1,598
Saturday, October 29	1,574
Sunday, October 30	904
Monday, October 31	1,256
Tuesday, November 1	1,218
Wednesday, November 2	1,332
Thursday, November 3	1,647
Friday, November 4	2,289
	Total: 11,818

**Ward 6:** Sherwood Recreation Center, 640 10th Street, NE  
Equipment Deployed: 10 ExpressVotes; 2 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	786
Saturday, October 29	1,065
Sunday, October 30	920
Monday, October 31	650
Tuesday, November 1	707
Wednesday, November 2	877
Thursday, November 3	1,062
Friday, November 4	1,651
	Total: 7,718

**Ward 6:** King Greenleaf Recreation Center, 201 N Street, SW  
Equipment Deployed: 10 ExpressVotes; 2 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	625
Saturday, October 29	621
Sunday, October 30	412
Monday, October 31	444
Tuesday, November 1	407
Wednesday, November 2	473
Thursday, November 3	625
Friday, November 4	1,776
	Total: 5,383

**Ward 7:** Benning (Dorothy I. Height) Library, 3935 Benning Road, NE  
Equipment Deployed: 10 ExpressVotes; 2 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	1,054
Saturday, October 29	824
Sunday, October 30	526
Monday, October 31	964
Tuesday, November 1	912
Wednesday, November 2	1,064
Thursday, November 3	1,300
Friday, November 4	1,464
	Total: 8,108

**Ward 8:** Malcolm X Elementary School, 1351 Alabama Avenue, SE  
Equipment Deployed: 10 ExpressVotes; 2 DS200s; 6 Poll Pads

Date	Turnout
Friday, October 28	838
Saturday, October 29	564
Sunday, October 30	260
Monday, October 31	526
Tuesday, November 1	588
Wednesday, November 2	714
Thursday, November 3	1,052
Friday, November 4	1,592
	Total: 6,134

## 7. Absentee Voting

The Board sent 21,362 absentee ballots to civilian voters, and 4,158 absentee ballots to voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). In addition, the Board received 997 Federal Write-in Absentee Ballots (FWABs) from UOCAVA voters.

Of the 21,362 civilian absentee ballots transmitted:

- 16,592 were returned and counted;
- 33 were returned and rejected (no voter signature (25); voter deceased (3); first-time voter without proper identification (5))
- 679 were returned as undeliverable;
- 3 were spoiled; and
- 4,055 were neither returned by the voter nor returned as undeliverable.

Of the 4,158 UOCAVA ballots transmitted:

- 3,259 were returned and counted;
- 110 were rejected;
- 53 were returned as undeliverable; and



- 736 were neither returned by the voter nor returned as undeliverable.

Of the 997 FWABs received from UOCAVA voters:

- 930 were counted; and
- 67 were rejected because they were received after the ballot receipt deadline.

In all, the Board counted 20,781 absentee ballots.

**Table 4. Absentee Ballots – Comparison to Past General Elections**

Election	Absentee Ballots Transmitted by Board (Civilian/UOCAVA)	Absentee Ballots Returned/ Counted	Absentee Ballot Return Rate	Returned Absentee Ballot Acceptance Rate
11/6/12	17,362 (14,378/2,984)	13,121/11,588	75.6%	88.3%
11/4/14	8,535 (7,705/830)	6,367/5,989	74.5%	94.1%
11/8/16	25,520 (21,362/4,158)	20,991 <sup>2</sup> /20,781 <sup>3</sup>	78.3%	99.3%

## 8. Special Ballots

A total of 3,447 special ballots were cast in the General Election. Of these:

- 1,990 were counted in full;
- 725 were rejected because the voter voted out-of-precinct;
- 277 were rejected because the voter was either a same day registrant or a first-time voter who registered to vote by mail and failed to provide sufficient identification;
- 353 were rejected because the special ballot envelope was materially incomplete; and
- 65 were rejected because the voter had already cast an absentee ballot or voted early.

**Table 5. Special Ballots – Comparison to Past General Elections**

Election	Special Ballots Cast	Special Ballots Accepted	Special Ballot Acceptance Rate
11/6/12	38,636	33,894	91.6%
11/4/14	18,921	17,726	93.7%
11/8/16	3,447	1,990	57.7%

The significant decrease in the number of special ballots cast is primarily attributable to same day registrants being able to vote regular ballots, rather than special ballots, upon presenting proper proof of residence.

<sup>2</sup> This number includes the 997 FWABs that were received.

<sup>3</sup> This number includes the 930 FWABs that were counted.

## 9. Post-Election Feedback

After the 2016 General Election, the Board's Election Worker Division prepared and sent an online survey to a random sample of 9,844 Election Day voters who had email addresses on file with the Board to solicit feedback on their voting experience. Voters were asked questions about their voting habits, the customer service they received, the location of their polling place, their wait time, and any problems they encountered. More than 950 voters responded to the survey. Most respondents voted in the morning, and over 70% of them used a pen to mark their ballots (as opposed to using the ExpressVote touchscreen ballot marking device).

According to the survey responses, voters spent significantly less time waiting to check in to vote during the 2016 General Election than they did in the 2012 General Election.<sup>4</sup> Over a third of Election Day voters did not have to wait at all to check in. Overall, 77% of voters waited 30 minutes or less to check in and 78% of voters waited five minutes or less to receive their ballot. Only 9% of voters categorized their wait as "very long." (The most notable lines were often at the ExpressVote touchscreen ballot marking devices and the Special Ballot station, where equipment limitations slowed the ability to process voters more quickly.)

Voters responded very positively to questions regarding customer service. Over 90% of voters reported being "very satisfied" or "satisfied" with friendliness, helpfulness, and clarity of instructions from election workers. Speed of service scored slightly lower, with an 83% satisfaction rating. When asked about their overall voting experience, 65% of voters rated it as "very satisfying," 23% said "satisfying," and 12% reported that they were either "somewhat dissatisfied" or "very dissatisfied."

Eighty-seven percent (87%) of voters reported feeling that they had adequate privacy while voting on Election Day. Five percent (5%) reported having problems checking in (mostly due to their names not being found in the Poll Pads), and six percent reported problems with getting their ballots.

Voters found their polling places easily, with 98% reporting no issues in reaching their voting destination. Twenty-two percent (22%) of voters felt the room in which voting was conducted was too small to accommodate the volume of voters.

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<sup>4</sup> Findings regarding decreased wait times were borne out by preliminary findings of the Survey on the Performance of American Elections (SPAEE), which reported that District of Columbia voters waited 40% less in the 2016 General Election than they did in the 2012 General Election.



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20001-2745



**FY 2016 PERFORMANCE ACCOUNTABILITY REPORT**

**MISSION**

The Board of Elections, a Charter independent agency, is comprised of a three-member Board along with a small, dedicated staff that carries out the agency's mission. The mission of the Board is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process as mandated by both federal and local laws.

**SUMMARY OF SERVICES**

The Board achieves its mission through the execution of the following services and programs: voter registration services; voting system technologies; voter information services, including public and media outreach and candidate services; information technology and information services systems that support voting, ballot tabulation, and electronic mapping of election district boundaries; the planning and implementation of District of Columbia elections; and through the aid of legal counsel, rulemaking, and adjudication functions.

**PERFORMANCE PLAN DIVISIONS**

The Board of elections operates through the following 3 programs:

- Board of Supervisors
- Election Operations
- Agency Management

**OBJECTIVE 1.0: Improve the agency's election operations by using new technologies and procedures to successfully complete the election cycle.**

**INITIATIVE 1.1: Upgrade voting systems**

The Board successfully implemented new voting equipment in FY 2016 with the leasing and roll-out of updated touch screen and optical scanning machines from Election Systems & Software.

**INITIATIVE 1.2: Electronic Pollbooks**

The Board successfully implemented electronic poll books in FY 2016 with the purchase and roll-out of electronic pollbooks from KNOWiNK.

**INITIATIVE 1.3: Increase our voter outreach**

The Board recorded 198 voter outreach events during FY 2016, a dramatic increase over the previous average of events during election years. The new voting equipment was demonstrated at the outreach events providing an opportunity for voters to preview their voting experience.



**OBJECTIVE 2.0: Deliver successful polling place operations on Election Day and during the early voting period.**

**INITIATIVE 2.1: Revise poll worker training documents**

Board staff updated and created a comprehensive poll worker manual and other training materials that were developed for accuracy and readability ("plain language"). The manual included picture diagrams and flowcharts that were specific to Election Day operations.

**INITIATIVE 2.2: Revise Americans with Disabilities Act (ADA) training for Election Workers**

Board staff undertook a focused effort to train and provide substantive materials dedicated to servicing voters with disabilities. The training included appropriate "people first" language and improved voter access signage for Early Voting and Election Day.

**OBJECTIVE 3.0: Continued participation in multi-state voter registration list maintenance efforts.**

**INITIATIVE 3.1:** BOE worked closely with other participating states in the Electronic Registration Information Center (ERIC) to help maintain an accurate voter roll by eliminating duplicate and invalid registrations as well as identifying and updating the roll to accurately reflect voters who have moved within and outside of the District of Columbia. The Board also coordinated with State and Territorial Exchange of Vital Events (STEVE) to identify and appropriately remove deceased voters.

**INITIATIVE 3.2:** BOE worked with local National Voter Registration Act (NVRA) government agencies, such as the Department of Motor Vehicles (DMV), and Department of Human Services (DHS) to provide an opportunity for District of Columbia residents to register to vote or update their voter registration information.

**OBJECTIVE 4.0: Successful conduct of the June 14, 2016 Primary Election including ballot access and expedient election results.**

**INITIATIVE 4.1:** BOE issued 46 nominating petitions to candidates for circulation and processed 35 candidate petitions that were filed for ballot access for the June 14, 2016 Primary Election. Candidates were processed for local and federal election contests, including nominations for President of the United States.

**INITIATIVE 4.2:** BOE operated nine Early Voting sites for two weeks prior to Election Day, and 143 precincts were open on Election Day. The Early Voting sites and Election Day precincts were staffed with 1,700 poll workers, 30 ADA Compliance Assistants, and 30 precinct technicians. All election support personnel were properly trained on operating the new voting equipment and implementing new legally required initiatives prior to Early Voting and Election Day.

**INITIATIVE 4.3:** BOE released 100% of the election results less than two hours after the close of the polls on election night. 128 of 143 precincts returned results within 28 minutes of the polls closing.

### AGENCY WORKLOAD MEASURES

Measure	Fiscal Year 2016 (June 14, 2016 Primary Election)
Total ballots cast and counted	100,423
Number of absentee ballots requested by deadline	9,142
Number of special ballots processed	3540 (442 counted/3098 rejected)
Number of voter registration applications received (new and updates)	44,193
Number of registration applications received online (new and updates)	10,661
Number of voters made inactive on rolls	10,191
Number of voters removed from rolls	2,702
Number of voter education, registration, election worker recruitment, or equipment demonstration events requested	67

### KEY PERFORMANCE INDICATORS

Measure	Fiscal Year 2016 (June 14, 2016 Primary Election)
Percent of Election Day polling places opened at 7 AM	98%
Percent of voting equipment open at 7 AM	94%
Percent of polling places with voting data returned to headquarters by midnight on Election Night	100%
Number of early voting centers opened	9
Number of trained workers in the field on Election Day	1,760
Number of voter education, registration, election worker recruitment, or equipment demonstration events attended	198
Number of candidate or circulator training events scheduled	26
Number of absentee voting events for special populations conducted	22

# QUESTION 24

Employees \$100,000+

## DC BOARD OF ELECTIONS - EMPLOYEES WITH SALARIES \$100,000+ - Fiscal Year 2016

Agency Code	EmplID	Name	Job Code	Position	Job Title	Grade	Step	Step Date	Comp Rate	Occ Series	Sal Plan
DL	00002079	Kenneth Mcghie	003592	00002061	GEN COUNSEL	03	0	10/4/2015	\$167,835.20	0905	0001
DL	00000608	Terri Stroud	003946	00021388	EXECUTIVE DIR	10	0	12/13/2015	\$146,448.00	0946	0001
DL	00018126	Antoine Fagan	551153	00071838	Supvy Info Tech Spec	16	0	10/4/2015	\$138,977.90	2210	0086
DL	00031261	Mohammed Maeruf	552162	00071839	Supervisory IT Specialist	15	0		\$135,000.00	2210	0086
DL	00016565	Sylvia Goldsberry Adams	008377	00016442	ELECTIONS OPERATIONS MANAGER	15	0		\$130,861.71	0301	0086
DL	00021545	Alice Miller	555177	00033693	Election Management Advisor	14	10	12/28/2015	\$119,811.00	0301	0087
DL	00001243	Rudolph Mcgann	550452	00001216	ATTORNEY ADVISOR	13	9	9/21/2014	\$108,559.00	0905	0001
DL	00007375	Karen Brooks	001846	00016854	REGISTRAR OF VOTERS	14	0		\$101,593.01	0301	0086



QUESTION 24

Employees \$100,000+

DC BOARD OF ELECTIONS - EMPLOYEES WITH SALARIES \$100,000+ - Fiscal Year 2017

Agency Code	EmplID	Name	Job Code	Position	Job Title	Grade	Step	Step Date	Comp Rate	Occ Series	Sal Plan
DL	0002079	Kenneth McGhie	003592	00002061	GEN COUNSEL	03	0	10/2/2016	\$179,583.66	0905	0001
DL	00021545	Alice Miller	003946	00021388	EXECUTIVE DIR	10	0	10/2/2016	\$172,870.26	0946	0001
DL	00016565	Sylvia Goldsberry Adams	554502	00091420	Deputy Director	16	0		\$150,000.00	0301	0086
DL	00018126	Antoine Fagan	551153	00071838	Supvy Info Tech Spec	16	0	10/2/2016	\$143,147.24	2210	0086
DL	00093097	Karen Lynn-Dyson	552480	00046577	Special Assistant	08	0		\$139,050.00	0301	0001
DL	00031261	Mohammed Maeruf	552162	00071839	Supervisory IT Specialist	15	0	10/2/2016	\$139,050.00	2210	0086
DL	00000608	Terri Stroud	554602	00090854	Policy Advisor	14	0		\$123,405.33	0301	0087
DL	00001243	Rudolph Mcgann	550452	00001216	ATTORNEY ADVISOR	13	10	9/18/2016	\$123,335.00	0905	0001
DL	00007375	Karen Brooks	001846	00016854	REGISTRAR OF VOTERS	14	0		\$104,640.80	0301	0086

**QUESTION 25**

Pay Begin Dt : 18-Sep-16  
 Pay End Dt : 16-Sep-17  
 AGENCY : DL

**FISCAL YEAR 2017 EARNINGS SUMMARY REPORT -  
 OVERTIME - 25 Top Earners**  
 DC Board of Elections

	EMPLOYEE ID	EMPLOYEE NAME	PAY GROUP	TITLE	GRADE	OVERTIME	PAY_PLAN
1	00023994	Budoo Arlin Jerome	G1N	Facility Management & Support	12	\$15,967.46	DS
2	00080969	Bryan Raymond Whitfield	G1N	IT Specialist	12	\$15,883.81	DS
3	00035134	Jones Duan	G1N	Facility Management & Support	12	\$15,796.39	DS
4	00024784	Hunter Robert Thomas	G1N	Facility Operations Specialist	11	\$14,672.60	DS
5	00062474	Olsen Eric	G1N	Election Training Coordinator	12	\$13,765.11	DS
6	00035151	NEWSOME Jr. KEVIN A	G1N	Election Services Specialist	9	\$11,531.99	DS
7	00062417	Legette Randy	G1N	IT Specialist	12	\$11,433.84	DS
8	00023064	Mattocks Steven A	G1N	Support Services Specialist	9	\$11,405.41	DS
9	00027237	Baldwin Stacey A	G1N	Staff Assistant	9	11,395.29	DS
10	00022174	Ford Aaron L	G1N	Support Services Specialist	9	\$10,024.14	DS
11	00085812	Jennings Terrica Racquel	G1N	American Disability Act Coordi	11	\$9,796.16	DS
12	00035152	HAGANS MONICA M	G1N	Election Services Specialist	9	\$9,700.71	DS
13	00090237	McCoy Rodney Tim	G1N	SUPPLY CLERK	1	\$9,532.50	WS
14	00034998	DeBose Jason M.	G1N	SUPPLY CLERK	1	\$9,495.00	WS
15	00083057	Knox Terence J.	G1N	ELECTION TECHNICIAN	1	\$9,427.50	WS
16	00032655	Vieira Osvaldo	G1N	ELECTION TECHNICIAN	1	\$9,405.00	WS
17	00032611	Mayes David U	G1N	ELECTION TECHNICIAN	1	\$9,367.50	WS
18	00037559	Key Dante Rasha	G1N	ELECTION TECHNICIAN	1	\$9,307.50	WS
19	00028920	Mason Subrinnia D	G1N	VOTER REGISTRATION CLERK	0	\$9,131.25	WS
20	00024162	Garcia Karla D	G1N	Managment Liaison Specialist	12	\$8,820.48	DS
21	00022107	Featherstone Jr. Michael	G1N	SUPPLY CLERK	0	\$8,760.00	WS
22	00021560	Peterson Lawann M	G1N	VOTER REGISTRATION CLERK	0	\$8,355.00	WS
23	00032482	Fleming Tarrod	G1N	SUPPLY CLERK	1	\$8,160.00	WS
24	0001870	Allende Brian	G1N	POLLWORKER TRAINER	1	\$7,950.00	WS
25	00079762	Jordan Bernard Michael	G1N	SUPPLY CLERK	1	\$7,830.00	WS

QUESTION 25

Pay Begin Dt : 20-Sep-15

Pay End Dt : 17-Sep-16

AGENCY : DL

FISCAL YEAR 2016 EARNINGS SUMMARY REPORT -

OVERTIME - 25 Top Earners

DC Board of Elections

	EMPLOYEE ID	EMPLOYEE NAME	PAY GROUP	TITLE	GRADE	AMOUNT	PAY_PLAN
1	00024784	Hunter Robert Thomas	G1N	Facility Operations Specialist	11	\$23,485.36	DS
2	00062474	Olsen Eric	G1N	Election Training Coordinator	12	\$22,035.94	DS
3	00023994	Budoo Arlin Jerome	G1N	Support Services Specialist	11	\$19,784.56	DS
4	00023064	Mattocks Steven A	G1N	Support Services Specialist	7	\$15,423.56	DS
5	00035134	Jones Duan	G1N	Facility Support Manager	11	\$15,210.12	DS
6	00080969	Bryan Raymond Whitfield	G1N	IT Specialist	12	\$14,634.09	DS
7	00035151	NEWSOME Jr. KEVIN A	G1N	Election Services Specialist	9	\$12,414.97	DS
8	00027237	Baldwin Stacey A	G1N	Staff Assistant	9	\$12,357.51	DS
9	00022107	Featherstone Jr. Michael	G1N	SUPPLY CLERK	0	\$12,330.00	WS
10	00062417	Legette Randy	G1N	IT Specialist	12	\$12,042.07	DS
11	00022174	Ford Aaron L	G1N	Support Services Specialist	7	\$11,523.53	DS
12	00079762	Jordan Bernard Michael	G1N	SUPPLY CLERK	1	\$10,050.00	WS
13	00085812	Jennings Terrica Racquel	G1N	American Disability Act Coordi	11	\$9,887.28	DS
14	00032482	Fleming Tarrod	G1N	SUPPLY CLERK	1	\$9,840.00	WS
15	00070156	Turkes Jr. Michael	G1N	SUPPLY CLERK	1	\$9,630.00	WS
16	00034998	DeBose Jason M.	G1N	SUPPLY CLERK	1	\$9,540.00	WS
17	00090237	McCoy Rodney Tim	G1N	SUPPLY CLERK	1	\$9,510.00	WS
18	00083057	Knox Terence J.	G1N	ELECTION TECHNICIAN	1	\$9,397.50	WS
19	00028920	Mason Subrinnia D	G1N	VOTER REGISTRATION CLERK	0	\$9,056.25	WS
20	00037559	Key Dante Rasha	G1N	ELECTION TECHNICIAN	1	\$9,045.00	WS
21	00032611	Mayes David U	G1N	ELECTION TECHNICIAN	1	\$9,045.00	WS
22	00032655	Vieira Osvaldo	G1N	ELECTION TECHNICIAN	1	\$8,970.00	WS
23	00034981	Nickens James Earl	G1N	SUPPLY CLERK	1	\$8,460.00	WS
24	00083058	Bird Lester Byron	G1N	ELECTION TECHNICIAN	1	\$7,627.50	WS
25	00021366	Hamilton Joseph C	G1N	SUPPLY CLERK	1	\$6,360.00	WS





DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20001-2745



**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**October 7, 2015**

The District of Columbia Board of Elections ("the Board") held its Regular Monthly Meeting on Wednesday, October 7, 2015 in the Board's Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. The Board member, Stephen I. Danzansky, was present serving as the Acting Chair. Also present on the dais were Kenneth McGhie, the Board's General Counsel, Cecily Collier-Montgomery, the Director of the Office of Campaign Finance ("OCF"), and Clifford Tatum, the Board's Executive Director.

**Acting Chair Danzansky** called the meeting to order at 10:40 a.m.

The meeting agenda was presented for the benefit of the public to use as a guide to the reports submitted.

The minutes of the last two regular meetings on August 5, 2015 and September 2, 2015 will be adopted at the Board's November 2015 regular meeting as there is no quorum of Board members at today's regular meeting.

**Mr. Tatum** reported the Board participated in National Voter Registration Day on September 22, 2015 at six locations. The Board participated in conjunction with the League of Women Voters and collected 221 voter registration applications and 31 poll worker applications.

**Mr. Tatum** updated the Board with respect to canvass activities. As of September 30, 2015, the Board has updated 46,897 voter records by updating addresses, classifying voters as inactive, or removing voters from the rolls as a result of being deceased or moving out of the jurisdiction.

**Mr. Tatum** announced the 2016 fiscal year began officially on October 1, 2015, and the Board was appropriated \$7,390,254 by the Mayor and Council, and \$2,846,600 is allocated for the June 2016 primary elections.

**Mr. Tatum** announced the finalization of the Board's online signature exchange program meaning voters can register online and not print and mail the form provided they have a DMV-issued identification report so that the Board can electronically transfer the prospective voter's signature. The Board's website is being updated with this feature and should be available for use on October 9, 2015.

**Mr. McGhie** presented the litigation status of cases involving the Board:

*Wingo v. D.C. Board of Elections* involves a challenge to the Board's formulation of the short title and summary statement for Initiative 76, the District of Columbia Minimum Wage Act. A complaint was filed on August 21, 2015. The Board entered its appearance and answer on August 27, 2015. The proposer filed a consent intervenor motion that was granted on August 28, 2015. The Court issued a briefing schedule on September 2. The Board will file a summary judgment motion on Friday October 9, the Plaintiff's opposition is due October 26, the Board's

reply is due November 9, and the Plaintiff's final reply is due November 19. The presiding judge is Hon. Maurice A. Ross.

**Ms. Collier-Montgomery** announced the statistics for OCF as follows:

- Committees registered to participate in the 2015-2016 election cycle during September include the following: David Grosso, David Grosso At-Large 2016 registered on September 15, 2015; Yvette Alexander, Re-Elect Yvette Alexander 2016 registered on September 24, 2015; and Brandon Todd, Re-Elect Brandon Todd registered of September 28, 2015.
- OCF held two entrance conferences on September 3, 2015 and September 25, 2015, and the participants were as follows: David Oberting, Oberting 2016, candidate and treasurer David Oberting on September 3, 2015. Yvette Alexander, candidate, Re-Elect Yvette 2016; and Michael Fortunato, treasurer, Grosso At-Large 2016, and David Grosso, candidate on September 25, 2015.
- OCF Audit Branch conducted 80 desk reviews and the full field audit of Gray for Mayor is ongoing.
- The full field audit of the D.C. Proud Inaugural Committee is ongoing.
- The ongoing full field audits of newly elected officials are as follows: LaRuby May 2015; Brandon Todd for Ward 4; Brianne for D.C.; and Charles Allen for Ward 6.
- The Periodic random audit of the continuing committee Morgan for D.C. is ongoing.
- Periodic ongoing random audits of PACs include the following: Eric Jones 2014; Fresh PAC; and the Libertarian Party of D.C.
- OCF issued an audit report: Holness for D.C. issued September 21, 2015. This audit report is available at OCF's website for review by members of the public.

**Mr. Sanford** presented the statistics from the Office of the General Counsel of OCF.

- The General Counsel received 4 cases from the Reports Analysis and Audit Division.
- The Office completed 9 informal hearings and issued 15 orders including the following: 6 orders for failure to timely file reports in which fines totaling \$7,750 were imposed; 7 failure to timely file reports in which no fines were imposed; and 2 orders were vacated based upon payment performance.
- During the month of September 2015, OCF imposed fines against the following respondents: D.C. Latino PAC, \$300; Gertrude Stein Democratic PAC, \$1,400; Youth Action PAC, \$1,400; Bell for Ward 8 Council, \$1,550; and Whitaker for Ward 4, \$1,550; Trayon White for Ward 8 2015, \$1,550.
- OCF collected \$325 dollars in fines from the following respondents: \$100 from D.C. Working Families; \$100 from Campaign Committee for Working Families; and \$125 from Ward 6 Democrats..
- The OGC carried a total of seven open investigations and no new investigations were opened during the month.

There being no further business before the Board, the meeting adjourned at 10:53 a.m.





DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20001-2745



**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**November 4, 2015**

The District of Columbia Board of Elections ("the Board") held its Regular Monthly Meeting on Wednesday, November 4, 2015 in the Board's Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. The Board's Chairman, Deborah K. Nichols, was present, as was Board Member Stephen Danzansky. Also present on the dais were Kenneth McGhie, the Board's General Counsel, Cecily Collier-Montgomery, the Director of the Office of Campaign Finance ("OCF"), and Clifford Tatum, the Board's Executive Director.

**Chairman Nichols** called the meeting to order at 10:39 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meetings on August 5, 2015 September 2, 2015 and October 7, 2015 were moved for approval and adopted without objection.

**Mr. Tatum** reported an update on canvass cards. After the November 2014 General Election, the Board sent canvass cards to approximately 280,000 voters that did not participate in the election to ascertain their voting status. 46,899 cards have been returned thus far: 40,293 were undeliverable; 1,901 were voters who have moved within the District of Columbia; 2,327 were voters who have moved outside the District of Columbia; 269 were deceased voters; 21 were returned with name changes; and 875 were returned with no changes. Canvass is continuing on an ongoing basis.

**Mr. Tatum** reported on the status of filed recall petitions. 1) ANC 5E02 Commissioner Christy Davis— petition was submitted with 136 signatures with only 91 valid signatures failing to qualify for consideration. 2) ANC 5D03 Commissioner Adam Roberts—petition was submitted with 33 signatures and rejected out of hand for an insufficient number of signatures filed.

**Chairman Nichols** inquired of the General Counsel how long an individual would have to wait in order to re-file another recall petition in the event their initial submission was rejected.

**Mr. McGhie** presented the initiative "Public Accountability Safety Standards Act of 2016 for the District of Columbia" for a proper subject hearing. Mr. McGhie summarized an opinion given by the office of the Attorney General with respect to the measure. The Attorney General opined: "if the Measure were to become law, it would violate the U.S. Constitution and the District of Columbia Home Rule Act (HRA). Thus the measure is not a proper subject of Initiative." Mr. McGhie then introduced Staff Attorney Rudolph McGann to present the opinion of the General Counsel's Office.

**Mr. McGann** noted that the PASS Act presents an improper subject for initiative because it violates the U.S. Constitution and the Home Rule Act, and it improperly appropriates funds by



establishing an unfunded program that cannot function as intended without forcing the Council to appropriate for an unknown expense.

**Mr. John Cheeks**, the proponent of the measure, came forward and asserted that the District of Columbia has a drug epidemic inside its government that must be fixed and corrected. He went on to assert that the proposed measure does not violate the HRA or any constitutional rights. Mr. Cheeks also claimed the federal government would be responsible for any and all costs associated with the program. Mr. Cheeks requested a continuance to respond to the comments submitted by the Attorney General.

**Chairman Nichols** granted a continuance until close of business on Friday, November 6, 2015 to file a response.

**Mr. McGhie** presented final rulemaking to amend chapter 1-3, 5-11, and 14-17 to bring the rules in conformity with the Voter Registration Access and Modernization Amendment Act of 2014, which became effective of February 26, 2015. The Presidential Primary and local elections will be moved to the second Tuesday in June; and thereafter will be the first Tuesday in September.

**BOARD ACTION:** The Board approved the proposed regulations as final to be published in the D.C. Register.

**Mr. McGhie** presented the litigation status of cases involving the Board:

*Wingo v. D.C. Board of Elections* involves a challenge to the Board's formulation of the short title and summary statement for Initiative 76, the District of Columbia Minimum Wage Act. The Board filed a summary judgment motion on Friday October 9, the Plaintiff's opposition was filed October 26, the Board's reply is due November 9, and the Plaintiff's final reply is due November 23.

**Ms. Collier-Montgomery** announced the statistics for OCF as follows:

- October 1 was the filing deadline for R&E reports of the Constituent Services Programs: 13 required filers; all filed timely.
- October 1 was the filing deadline for R&E reports of Statehood Fund Programs: 3 required filers; all filed timely.
- October 10 was the filing deadline for R&E reports of PACs and PCCs: 67 required filers; 56 timely filed; 11 failures to file. PCCs referred for failure to file include: Bell for Ward 8; Whittaker for Ward 4; Barry for Council; Tolliver for Ward 4; Abraham for Ward 8; Anderson for Ward 4 Council; and Trayon White for Ward 8. PACs referred for failure to file include: Gertrude Stein; Youth Action PAC; D.C. Republican Committee; and D.C. Chamber of Commerce.
- Committees registered to participate in the 2015-2016 election cycle during October include the following: Ed Furtillo for Council 2016 Ward 7 registered October 8; Residents for Robert White At-Large Exploratory Committee registered October 19.
- OCF held three entrance conferences on October 8, 2015 there were 5 participants October 19, 2015 there were 7 participants, and October 29, 2015 there was 1 participant. The names of the participants will be posted at the OCF website for review.

- OCF Audit Branch conducted 117 desk reviews and the full field audit of Gray for Mayor is ongoing.
- The full field audit of the D.C. Proud Inaugural Committee is ongoing.
- The ongoing full field audits of newly elected officials are as follows: LaRuby May 2015; Brandon Todd for Ward 4; Brianne for D.C.; and Charles Allen for Ward 6.
- The Periodic random audits of the continuing committees Barry for Council, and Morgan vs. D.C. are ongoing.
- Periodic ongoing random audits of PACs include the following: Eric Jones 2014; Fresh PAC; and the Libertarian Party of D.C.

**Mr. Sanford** presented the statistics from the Office of the General Counsel of OCF.

- The General Counsel received 4 cases from the Reports Analysis and Audit Division.
- The Office completed 2 informal hearings and issued 11 orders including the following: 1 orders for failure to timely file a report in which fines totaling \$1, were imposed; 7 failure to timely file reports in which no fines were imposed; and 1 orders for failure to file additional requested information in which no fine was imposed; 2 orders affirming prior orders were issued were vacated based upon payment performance.
- During the month of October 2015, OCF imposed fines against the following respondents: the Barry for Council Committee, \$1,500.
- OCF collected \$355 dollars in fines from the following respondents: \$200 from Committee to re-elect Marck Jones; \$155 Ward 6 Democrats.
- The OGC carried a total of seven open investigations and no new investigations were opened during the month.

**Chairman Nichols** put on the record that Mr. Trayon White paid all of his fees incurred on his behalf in connection to his recount effort.

**Ms. Dorothy Brizill** raised five issues with the Board: The Board's website needs to be maintained and periodically reviewed. No indication of the Board's response to the auditor's report issued earlier this year. Chairman Nichols responded that the Board is preparing a response that will be provided as soon as it is available. The Executive Director position is available, but as this is a personnel matter, the Board is not inclined to discuss the matter. To date, Mr. Tatum has not indicated his final date of service nor submitted a letter of resignation notwithstanding the Board press release indicating he is resigning. Ms. Brizill wants to know what the preparations for the 2015 election cycle and where the Board stands procuring new machines. To date the council has not given funds for the acquisition of new machines. Ms. Brizill asked the General Counsel to change the regulations with respect to the handling of complaints because she feels uniformed regarding the status of investigations.

There being no further business before the Board, the meeting adjourned at 11:25 a.m.





DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20001-2745



**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**December 2, 2015**

The District of Columbia Board of Elections ("the Board") held its Regular Monthly Meeting on Wednesday, December 2, 2015 in the Board's Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. The Board's Chairman, Deborah K. Nichols, was present, as was Board Member Stephen Danzansky. Also present on the dais were Kenneth McGhie, the Board's General Counsel, Cecily Collier-Montgomery, the Director of the Office of Campaign Finance ("OCF"), and Clifford Tatum, the Board's Executive Director.

**Chairman Nichols** called the meeting to order at 10:36 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meeting on November 4, 2015 were moved for approval and adopted without objection.

**Mr. Tatum** presented the calendar for the 2016 Board meetings for approval and adoption.

**BOARD ACTION:** The calendar for 2016 Board meetings was approved without objection.

**Mr. Tatum** reported on the status of the Board's response to the D.C. Auditor's observations of the 2014 general election. The report is finalized, and it will be forwarded to the Auditor. Chairman Nichols requested the report be sent as soon as possible—if not today, tomorrow at the latest.

**Mr. Tatum** reported that the Council will hold a hearing on Board preparedness for the upcoming election cycle, and confirmation hearings for newly nominated Board members on December 16, 2015.

**Mr. Tatum** reported that the Board's conversion to a Voice Over Internet Protocol telephone system is complete, and he acknowledged the work of the Board's CTO Shawn Fagan seeing this project to fruition. The Board has also completed the build-out of office space for voter services and data services personnel. The Board has also completed updating the online voter registration system wherein the Board can transfer signatures of new applicants from DMV databases. The Board has published an RFP for a new e-poll book acquisition, and responses are due December 16.

**Mr. Tatum** updated the Board on the report of voter registration status. As of the end of November, there are a total of 433,183 registered voters in the District of Columbia.

**Mr. McGhie** presented the litigation status of cases involving the Board:

*Wingo v. D.C. Board of Elections* involves a challenge to the Board's formulation of the short title and summary statement for Initiative 76, the District of Columbia Minimum Wage Act. The