



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



February 19, 2016

The Honorable Kenyan R. McDuffie
Ward Five Member of the Council
Chair
Committee on the Judiciary
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Suite 506
Washington, D.C. 20004

Dear Councilmember McDuffie:

Please find enclosed the responses to your questions for the Board's Performance Oversight Hearing on Tuesday, February 23, 2016. Please contact me if you have any questions or concerns.

Best,

A handwritten signature in blue ink, appearing to read "Terri D. Stroud".

Terri D. Stroud
Acting Executive Director

General Questions

1. Please provide, as an attachment to your answers, a current organizational chart for the agency, including the number of vacant, frozen, and filled FTEs in each division or subdivision. Include the names and titles of all senior personnel. Also provide the date that the information was collected on the chart.

See General Questions 1 attachment.

- a. Please provide an explanation of the roles and responsibilities for each division and subdivision.

See General Questions 1a attachment.

- b. Please provide a narrative explanation of any changes made during the previous year.

The Board evaluated the needs of the agency based on FY 2015 election experiences and created an Americans with Disabilities Act (ADA) Coordinator position in response to those needs. That position was filled in May 2015. The ADA Coordinator’s duties are outlined in the response to Agency Operations Question 11c.

2. Please provide, as an attachment, a current Schedule A for the agency, which identifies all employees by title/position, current salaries, fringe benefits, and program. This Schedule A should also indicate if the positions are continuing/term/temporary/contract and whether they are vacant or frozen positions.

See General Questions 2 attachment.

- a. For each vacant position, please provide the status of the agency’s efforts to fill the position, as well as the position number, the title, the program number, the activity number, the grade, the salary, and the fringe associated with each position. Please also indicate whether the position must be filled to comply with Federal or local law.

The Board currently has 33 full-time employees (“FTEs”). Our temporary work force expands to include 30 or more employees referred to as “WAEs” – “While Actually Employed” - during each scheduled and unscheduled election event. Some vacant position funding is used to hire WAE employees who work under temporary appointments on an intermittent basis.

We currently have six vacancies, and their statuses are as indicated below:

<u>Position</u>	<u>Status</u>
Data Systems Manager	Vacancy occurred on Feb 2, 2016; this position will soon be posted and advertised.
Public Affairs Specialist (Public Information Officer)	An FTE is currently performing the functions of this position.
Warehouse Supervisor	A temporary employee is currently performing the functions of this position.
Election Services Assistant	Currently interviewing candidates for this position.
Election Registration Assistant	Currently interviewing candidates for this position.
Election Registration Assistant	Currently interviewing candidates for this position.

There are no positions that must be filled to comply with federal or local law.

- b. For each filled position, please provide the employee's length of service with the agency.

See General Questions 2b attachment.

3. Please list all employees detailed to or from your agency, if any. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.

There are no employees detailed either to or from the Board.

4. Please provide the Committee with:

- a. A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency expense in FY15 and FY16, to date;

NAME	MODEL/DEVICE	PHONE #
Terri D. Stroud	Droid Razr/iPad	(202) 631-5266
Berlinda Stanback	iPhone 5	(202) 441-1100
Alice P. Miller	iPhone 5/iPad	(202) 441-1101
Antoine Fagan	iPhone 6/iPad	(202) 441-1103
Karen Brooks	iPhone 5	(202) 441-1105
Shirley Jackson	iPhone 5	(202) 441-1107
Robert Hunter	Droid Razr	(202) 441-1108
Sylvia G. Adams	iPhone 6/iPad	(202) 441-1117
Arlin Budoo	iPhone 5/iPad	(202) 441-1118

Raymond Bryan	iPhone 5	(202) 441-1119
Margarita Mikhaylova	iPhone 5/iPad	(202) 579-6404
Tamara Robinson	iPhone 5	(202) 631-2390
Eric Olsen	iPhone 5	(202) 631-2683
Duan Jones	iPhone 5	(202) 834-6334
Terrica Jennings	iPhone 5	(202) 253-1741
Rudolph McGann	Droid Razr	(202) 631-5267
Karla Garcia	iPhone 5	(202) 631-3159

America's Choice National Shared Email/Data 400 Minute Plan / \$45.99 per month with each additional minute costing \$.25 (Government Shared Plan)

- b. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the agency's vehicles in FY15 and FY16, to date;

The Board currently has three leased vehicles: a 2013 Ford E-50 cargo van, a 2013 Dodge Caravan, and a 2006 Ford Express passenger van. The Board also owns a 2012 Mitsubishi box truck used for a variety of tasks, including delivery of election equipment and supplies, moving inventory between the Board's warehouse and outreach locations, and disposal of election materials. All vehicles are maintained at the warehouse, and are utilized only by warehouse employees who must routinely travel to and from designated voter registration agencies and voter outreach activities. These vehicles are not assigned to any one employee, and are used exclusively for government business.

- c. A list of employee bonuses or special award pay granted in FY15 and FY16, to date;

None.

- d. A list of travel expenses, arranged by employee for FY15 and FY16, to date, including the justification for travel; and

See General Questions 4d attachment.

- e. A list of the total overtime and workers' compensation payments paid in FY15 and FY16, to date, including the number of employees who received overtime and workers' compensation payments.

See General Questions 4e attachment for a complete list of overtime hours paid in FY 15. In FY 15, the overtime payment totaled \$420,836.59 for WAEs and FTEs. There were no workers' compensation payments made during these fiscal years. No overtime has been paid in FY 2016 to date.

5. With regard to the use of communication devices:

- a. What procedures are in place to track which individuals or units are assigned mobile devices (including, but not limited to, smartphones, laptops, and tablet computers)? Please include how the usage of these devices is controlled.

All mobile devices are inventoried and assigned to key employees by the Board's telecommunications representative and the Board's Chief Technology Officer (CTO). The Board currently utilizes Apple technology to lock, wipe, and locate any lost or stolen devices. The Board is currently working to enhance this function with the District's Office of the Chief Technology Officer (OCTO) through the implementation and deployment of a MDM (Mobile Device Management) solution, which will allow the Board's CTO to track, erase, and lock all types of mobile devices.

- b. How does your agency limit the costs associated with its mobile devices?

The Board operates all devices under a government shared plan for smart phones and tablets that includes built-in cellular services and, because the minutes roll over, employees cannot exceed their allotted minutes.

The 175 cell phones that are distributed to Precinct Captains at the time that Election Day supplies are distributed and to lead technical rovers at the onset of the early voting period are activated 30 days prior to each election, and are immediately deactivated after each election to minimize costs.

- c. For FY15 and FY16, to date, what was the total cost including, but not limited to, equipment and service plans for mobile communications and devices?

See General Questions 5c attachment.

- 6. Please provide a chart showing your agency's approved budget and actual spending, by division, for FY15 and FY16, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures.

See General Questions 6 attachment.

- 7. For FY15 and FY16, to date, please list all intra-District transfers to or from the agency.

See General Questions 7 attachment.

- 8. For FY15 and FY16, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide: (1) the revenue source name and code; (2) the source of funding; (3) a description of the program that generates the funds; (4) the amount of funds generated by

each source or program; and (5) expenditures of funds, including the purpose of each expenditure.

The Board did not maintain, use, or have available for use any special purpose revenue accounts during FY15 or FY16 to date.

9. Please list each contract, procurement, lease, and grant awarded, entered into, extended, and option years exercised, by your agency during FY15 and FY16, to date. For each contract, please provide the following information, where applicable:
- a. The name of the contracting party;
 - b. The nature of the contract, including the end product or service;
 - c. The dollar amount of the contract, including budgeted amount and actually spent;
 - d. The term of the contract;
 - e. Whether the contract was competitively bid;
 - f. The name of the agency's contract monitor and the results of any monitoring activity; and
 - g. Funding source.

See General Questions 9 attachment.

10. For FY15 and FY16, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.

See General Questions 10 attachment. The purchases indicated in the summary provided in the attachment were made for office supplies; IT supplies & equipment; conference/Registration/training fees; election supplies; poll worker novelty items; computers, computer peripheral equipment/software; postage services; office furniture; advertising services; publishing & printing services; freight carriers/shipping charges; books, periodicals and newspapers; uniforms; hardware stores, and; repair shops and related services.

11. Please list all memoranda of understanding (MOU) entered into by your agency during FY15 and FY16, to date, as well as any memoranda of understanding currently in force. For each, indicate the date entered and the termination date.

See General Questions 11 attachment.

12. Please list the ways, other than memoranda of understanding, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY15 and FY16, to date.

See the Board's responses to General Questions 25c and Agency Operations 12.

13. Please describe any anticipated spending pressures for FY16. Include a description of the pressure, the estimated amount, and any proposed solutions.

There are no anticipated spending pressures for FY 16 at this time.

14. Please list all currently open capital projects, including an update on all capital projects under the agency's purview in FY15 and FY16, to date, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide:
- a. An update on all capital projects begun, in progress, or concluded in FY14, FY15, and FY16, to date, including the amount budgeted, actual dollars spent, and any remaining balances.
 - b. An update on all capital projects planned for FY16, FY17, FY18, FY19, FY20, and FY21.
 - c. Do the capital projects begun, in progress, or concluded in FY14, FY15, or FY16, to date, have an impact on the operating budget of the agency? If so, please provide an accounting of such impact.

Currently, the Board has no open or on-going capital projects.

15. Please provide a list of all budget enhancement requests (including, but not limited to, capital improvement needs), for FY15 and FY16, to date. For each, include a description of the need and the amount of funding requested.

See General Questions 15 attachment.

16. Please list, in chronological order, every reprogramming in FY15 and FY16, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. Include the revised, final budget for your agency after the reprogrammings for FY15 and FY16. For each reprogramming, list the date, the amount, the rationale, and the reprogramming number.

See General Questions 16 attachment.

17. Please list each grant or sub-grant received by your agency in FY15 and FY16, to date. List the date, amount, and purpose of the grant or sub-grant received.

While the Board did not receive any new grants or sub-grants in either FY 15 or FY 16 to date, the Board of Elections did establish budget authority with respect to the grants listed in the General Questions 17 attachment, which were received in the years indicated and carried over in FY 15 and FY 16, to date.

See General Questions 17 attachment.

18. How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans (if any) are in place to continue funding?

None.

19. Please list all pending lawsuits that name the agency as a party. Please identify which cases on the list are lawsuits that potentially expose the city to significant financial liability and/or will result in a change in agency practices, and the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.

The only case that the Board's Office of the General Counsel is currently litigating is *Wingo v. the District of Columbia Board of Elections*. This case does not potentially expose the city to any significant financial liability, and will not result in a change to the Board's practices.

20. Please provide the total number of administrative complaints or grievances that the agency received in FY15 and FY16, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received.

The Board heard 17 administrative complaints, grievances, or appeals in FY15 and FY16. Two were challenges to ballot access nominating petitions and were resolved pursuant to D.C. Code §1-1001.08(o)(1). The remaining 15 matters were appeals from fines issued by the Office of Campaign Finance, and were resolved pursuant to 3 DCMR § 3709.12. To the best of our knowledge, the Board only received one written complaint or grievance against the Board. The complaint involved a voter complaining that there was no notice given before an ANC vacancy was filled. The complainant appeared before the Board and the matter was resolved during the Public Comment period at a Regular Board meeting. There were no changes to agency policies or procedures as a result of complaints or grievances received.

21. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY15 and FY16, to date, along with the agency's compliance or non-compliance with any recommendations.

The Office of the DC Auditor ("ODCA") completed an audit of the Board's administration of the November 2014 General Election in February 2015. The Board responded to the ODCA report on December 3, 2015. Both the ODCA report and the Board's response thereto are attached for your review (General Questions 21a).

ODCA is currently conducting an audit of the Board's eligible voter file. The preliminary objective of the audit is to determine whether the eligible voter file is accurate and complies with relevant laws, rules, and regulations.

The Election Assistance Commission’s (“EAC”) Office of Inspector General completed an audit of the Board’s administration of the payments it received pursuant to the Help America Vote Act (“HAVA”) from April 23, 2003 through September 30, 2013 in March 2015. The corresponding report, which includes the Board’s response, is attached for your review (General Questions 21b attachment). The report was generally favorable, but seven minor areas of non-compliance were identified with recommendations. The Board has either completed the recommended corrective action, or is implementing the corrective action on an on-going basis.

22. Please provide a copy of the agency’s FY15 performance plan. Please explain which performance plan objectives were completed in FY15 and whether or not they were completed on time and within budget. If they were not, please provide an explanation.

The Board’s FY15 Performance Plan and its FY 2015 Performance Accountability Report are attached for your review (General Questions 22 attachment).

23. Please provide a copy of your agency’s FY16 performance plan as submitted to the Office of the City Administrator.

The Board is currently finalizing its FY16 performance plan. Once completed, a copy will be provided to the Committee.

24. Please provide the number of FOIA requests received for FY15 and FY16, to date. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, and the estimated number of hours spent responding to these requests.

	FY15	FY16
Number of FOIA Requests Received	18	10
Number Granted	7	5
Number Partially Granted	0	0
Number Denied	11 “denied” on grounds that the Board did not possess any records responsive to the request	5 “denied” on grounds that the Board did not possess any records responsive to the request
Number Pending	1	0
Average Response Time	All requests except for 3 were processed within the 15-day timeframe within which to respond to FOIA requests pursuant to 2-532(c) and our regulations	All requests except for 1 were processed within the 15-day timeframe within which to respond to FOIA requests pursuant to 2-532(c) and our regulations
Number of FTE’s	1, although other FTE’s are called upon to assist	1, although other FTE’s are called upon to assist

	with fulfilling requests	with fulfilling requests
Number of Hours Spent Responding	16	5

25. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared, or contracted for, during FY15 and FY16, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee.

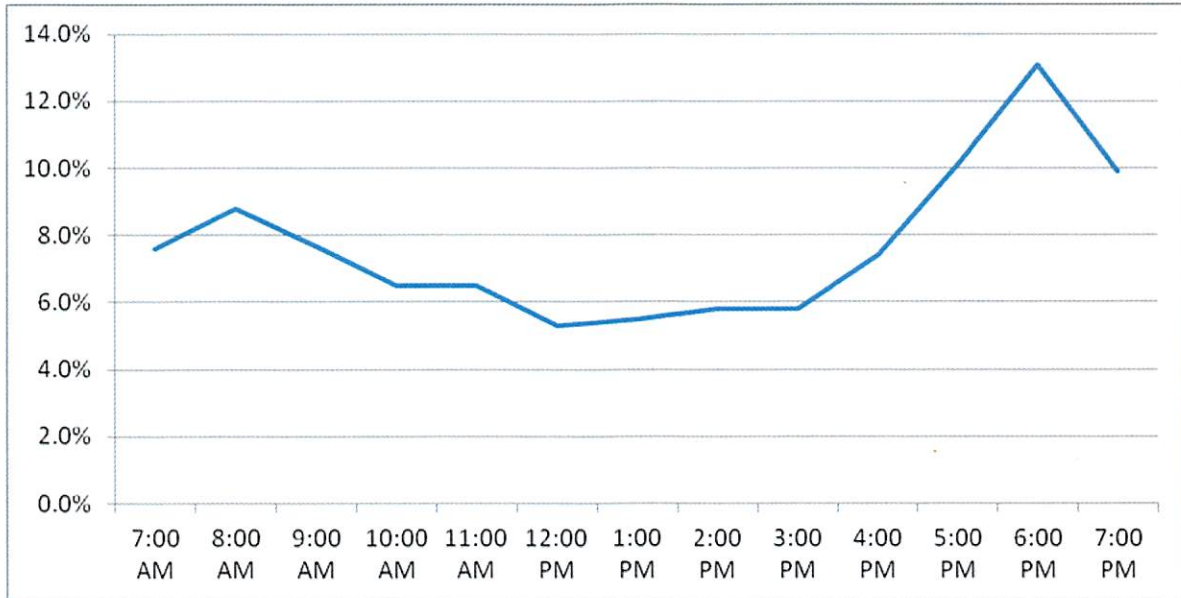
25a. During the November 4, 2014 General Election, the Board deployed five data collection teams to five of the District’s busiest polling places¹ to observe, evaluate, and report on the election process, including the amount of time it took for voters to check in, receive their ballot, and vote. Each data collection team consisted of three workers, and each reported on the total amount of time a voter spends in the precinct (including wait time at various stations).

The data team’s review indicated that the polling places were busiest during the early morning and evening hours. Specifically, on Election Day the hours from 7:00am to 9:00am were busy, and the busiest period was from approximately 5:00pm until 8:00pm. During the last three hours of Election Day, roughly one third of all voters appeared at the polling place to cast their ballots.

The table below, “DC Voting Patterns – Percentage of Voters by Hour” shows the voting pattern by time of day at a typical District polling place. The peaks and troughs vary slightly by precinct and Ward, but most polling places follow this basic pattern on Election Day.

DC Voting Patterns – Percentage of Voters by Hour

¹ These polling places were selected based on: 1) their projected voter turnouts; 2) their geographic diversity; 3) their internet connectivity (to report results back to the Board); and 4) their relatively large space (to avoid interfering with the administration of the election).



Working from this experience, Board staff members developed the Erase the Line project, which seeks to partner with other jurisdictions to gather more data and information that will assist with reducing wait times at the polls, obtaining valuable input regarding optimizing polling place operations, and ultimately improving the voter experience.

The Board entered the Erase the Line project in the Knight Foundation News Challenge, and in July 2015, Erase the Line was selected to receive funding from the Knight Foundation’s Prototype Fund, which provides grants to entities to help them take early-stage information ideas from concept to demo over a six-month period. Erase the Line has also garnered the attention of the Massachusetts Institute of Technology (MIT) and PEW Research Center/Charitable Trusts.

See: <http://knightfoundation.org/grants/201551042/>.

25b. The Board prepared and submitted a November 2014 General Election After-Action Report, and an April 2015 Special Election After-Action Report. Copies are attached (General Questions 25b attachment).

25c. The Board routinely cooperates with PEW Charitable Trusts in updating information regarding registration options, voting accessibility, and any other election-related questions. The following reports have been prepared by PEW in FY 2015/16 using information submitted by the Board:

<http://www.pewtrusts.org/en/multimedia/data-visualizations/2014/elections-performance-index>

<http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/05/online-voter-registration>

25d. The Board contributed information for a recent Lawyers Committee for Civil Rights report on online voter registration. See:

<https://lawyerscommittee.org/2016/01/online-voter-registration-access-for-all/>

Personnel

1. Please separately list each employee whose salary was \$100,000 or more in FY15 and FY16, to date. Provide the name, position number, position title, program number, activity number, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.

See Personnel 1 attachment.

The employees on this list received neither overtime nor bonus pay in FY 15 or 16 to date.

2. Please list in descending order the top 25 overtime earners in your agency in FY15 and FY16, to date. For each, state the employee's name, position number, position title, program number, activity number, salary, fringe, and the aggregate amount of overtime pay earned.

See Personnel 2 attachment.

3. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement.

There are no collective bargaining units at the Board.

4. Does the agency conduct annual performance evaluations of all its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?

The Board conducts annual performance evaluations of all its employees in accordance with the District of Columbia Personnel Manual. The evaluation of the performance of line employees is conducted by the Division Managers for the employees who are assigned to their respective divisions. The Director evaluates the performance of the Board's managers. The Board's managers, as well as supervisors serving within a division, are responsible for the evaluation of the employees who serve under their direct supervision. All employees are evaluated following the close of the performance plan period, which begins on October 1st and ends on September 30th of each year. The performance evaluation process includes a review of each employee's job description, performance of each employee, and a series of evaluations to ensure the employee is meeting or exceeding employment expectations. There is always an end-of-the-year conversation with each employee regarding performance.

Agency Operations

1. What are your top five priorities for the agency? Please provide a detailed explanation for how the agency expects to achieve or work toward these priorities in FY16.

The Board's over-arching priority is the successful administration of not only the 2016 election cycle, but of all election events, both scheduled and unscheduled, going forward. To achieve that end, we will:

- **Review the Board's organizational structure to identify and implement changes that would offer better support for achieving our mission.²**
 - **Continue and intensify our efforts to maintain an accurate and up-to-date voter registry.**
 - **Ensure that the Board's voter registration and election administration programs are fully accessible to voters and potential voters with disabilities.**
 - **Develop engaging and targeted voter education and outreach materials that will educate all voters and potential voters not only about the Board's programs and processes, but also about their roles and responsibilities in the electoral process, and how they can contribute to the successful administration of elections.**
 - **Leverage technology to improve all aspects of voter registration and election administration.**
2. Please list each new program implemented by the agency during FY15 and FY16, to date. For each initiative please provide:
 - a. A description of the initiative;
 - b. The funding required to implement to the initiative; and
 - c. Any documented results of the initiative.
 - **In FY 2015, the Board launched its online voter registration system, known as the Digital Voter Service System. Now, a voter who has a current and**

² The Board's mission is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process. This mission, mandated by federal and local statutes, is executed through:

- Operation of the District's voter registration system;
- By administration of the ballot access process for candidates and measures;
- Through delivery of comprehensive public, media, and voter information services;
- By maintenance of technical systems to support voting and ballot tabulation;
- Through the planning and implementation of each District of Columbia election, and;
- Through the performance of legal counsel, rulemaking, and adjudication functions.

valid Department of Motor Vehicles (DMV)-issued identification (ID) number and a signature on file at the DMV may submit a new voter registration application or update his or her existing voter registration record electronically via the Board's website, without having to print the application, sign it, and return it to the Board of Elections either by mail, email, or in person.

- **Planned deployment of Americans with Disabilities Act (ADA) Assistants on Election Day (See response to Agency Operations 11)(The cost is approximately \$12,600).**
- **Planned deployment of Ward-based Outreach Coordinators to conduct voter registration drives, recruit election workers, and educate District residents about all aspects of the election administration process. (24 Ward Coordinators will be employed during the 2016 election cycle at a rate of \$25 per hour).**

Documented results of these initiatives will be provided once available.

3. **Please explain the impact on your agency of any legislation passed at the federal level during FY15 and FY16, to date, which significantly affected agency operations. If regulations are the shared responsibility of multiple agencies, please note.**

To the best of the Board's knowledge, there was no federal legislation passed during this time period that would significantly affect agency operations.

4. **Please list all regulations for which the agency is responsible for oversight or implementation. Please list by chapter and subject heading, including the date of the most recent revision.**

The Board is responsible for the following regulations under the DCMR (by chapter and section), including the date of their most recent revision.

CHAPTER 1: ORGANIZATION OF THE BOARD OF ELECTIONS AND ETHICS

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 2: POLITICAL AND ETHICAL CONDUCT OF BOARD MEMBERS AND EMPLOYEES

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 3: ADVISORY OPINIONS OF THE BOARD

Last revised: 62 D.C. Reg. 14744 (Nov.13, 2015).

CHAPTER 4: HEARINGS

Last revised: 56 D.C. Reg. 4738 (June, 19, 2009).

CHAPTER 5: VOTER REGISTRATION

Last revised: 62 D.C. Reg.14744 (Nov. 13, 2015).

CHAPTER 6: ELIGIBILITY OF CANDIDATES

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 7: ELECTION PROCEDURES

Last revised: 62 D.C. Reg. 14744 (Nov.13, 2015).

CHAPTER 8: TABULATION AND CERTIFICATION OF ELECTION RESULTS

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 9: FILLING VACANCIES

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 10: INITIATIVE AND REFERENDUM

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 11: RECALL OF ELECTED OFFICIALS

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015)

CHAPTER 12: BALLOTS

Last revised: 61 D.C. Reg. 10573 (Oct. 10, 2014)

CHAPTER 13: FILLING VACANT SEATS ON ADVISORY NEIGHBORHOOD COMMISSIONS

Last revised: 61 D.C. Reg. 625 (Jan. 24, 2014).

CHAPTER 14: CANDIDATES: POLITICAL PARTY PRIMARIES FOR PRESIDENTIAL PREFERENCE AND CONVENTION DELEGATES

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 15: CANDIDATES: ELECTORS OF PRESIDENT AND VICE PRESIDENT

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 16: CANDIDATES: DELEGATE U.S. HOUSE OF REPRESENTATIVES, MAYOR, CHAIRMAN, AND MEMBERS OF THE COUNCIL OF DISTRICT OF COLUMBIA, U.S. SENATOR, U.S. REPRESENTATIVE, MEMBERS OF THE BOARD OF EDUCATION, AND ADVISORY NEIGHBORHOOD COMMISSIONERS

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 17: CANDIDATES: MEMBERS AND OFFICIALS OF LOCAL COMMITTEES OF POLITICAL PARTIES AND NATIONAL COMMITTEE PERSONS

Last revised: 62 D.C. Reg. 14744 (Nov. 13, 2015).

CHAPTER 18: CHARTER AMENDING PROCEDURES

Last revised: 59 D.C. Reg. 8526 (July 20, 2012).

CHAPTER 19: THE ADVISORY REFERENDUM PROCESS

Last revised: 40 D.C. Reg. 7083 (Oct. 8, 1993).

CHAPTER 20: FREEDOM OF INFORMATION

Last revised: 61 D.C. Reg. 625 (Jan. 24, 2014).

5. Please identify any statutory or regulatory impediments to your agency's operations, including any outstanding legislative requirements of the agency (e.g. implementation of rulemakings).

The Board has concerns about its ability to effectively administer the provisions of the Primary Date Alteration Amendment Act (PDAA) that would: 1) establish that the primary would be held in September beginning in 2018; 2) require the Board to process special ballots by the day after Election Day, and; 3) require voters who seek to file Election Day changes of address to do so at their old precincts in order for their ballots to count instead of at the precinct serving their new address.

September Primary Election

In 2009, Congress passed the Military and Overseas Voter Empowerment (MOVE) Act, which requires states and the District to transmit validly-requested absentee ballots to voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) no later than 45 days before a federal election, when the request has been received by that date. In light of this requirement, the Council of the District of Columbia adopted the "Sense of the Council Primary Election Timing Resolution of 2010," acknowledging that the District needed to enact legislation to move its primary election for federal offices to a date no later than the first Tuesday of the first full week of August, beginning in 2012. Thereafter, legislation was enacted that moved the District's primary elections to April. However, under the PDAA, the primary for the Delegate to the U.S. House of Representatives will be held in September beginning in 2018.

A September primary election may hinder our ability to meet the 45-day ballot transmission requirement. Based on the nominating petition challenge period, as well as any possible appeals, we foresee a possibility that ballots may be required to be sent to UOCAVA voters prior to a final determination of which candidates and measures are eligible to appear on the ballot. Taking into consideration logistical preparations such as building an election in election systems software, designing, proofing, translating, publishing in newspapers, and printing a ballot, this date will likely cause the Board to fail to comply with the 45-day ballot transmission requirement at some point in the future.

Processing of Special Ballots

In recent years, the Board has had to process upwards of 35,000 special ballot following an election. Provisions of the PDAA that will allow same day registrants who provide proof of residence to vote a regular ballot and prohibit out-of-precinct voting will reduce these numbers to some extent, but the Board anticipates that special ballots will still number in the tens of thousands. Although we will begin to process special ballots once early voting begins, the majority of ballots, including special ballots, are cast on Election Day, and there will still be same day registrants who will not provide proper proof of residence when they appear to vote, and voters who will vote outside of their proper precincts. Therefore, there will still be a good amount of special ballots that will need to be processed, and they will now have to be processed under very serious time constraints. Taking into account the amount of time it takes to process just one special ballot (anywhere from five to 30 minutes), and the fact that Board employees – permanent and temporary - already work around the clock on Election Day, the requirement that we process all special ballots by the day after Election Day is extremely problematic.

Election Day Changes of Address

Before the PDAA was enacted, a voter could file an Election Day change of address and vote a special ballot at the precinct serving his or her new address. (The voter could also vote a final regular ballot at his or her old precinct and submit a change of address thereafter.)

Under the PDAA, in order to vote a regular ballot, a registered voter who is filing an Election Day change of address must now vote at the precinct that serves the address listed on the Board's records instead of the precinct that serves his or her current residence address. In other words, a voter who is filing an Election Day change of address must vote at the precinct that serves the address from which he or she has moved in order to have the ballot counted. This requirement forces voters to vote in local elections that do not impact them, and in polling places that are likely no longer convenient to them. Voters would be best served by being able to change their address and vote at the precinct serving their new addresses.

6. Please identify all electronic databases maintained by your agency, including the following:
 - a. A detailed description of the information tracked within each system;
 - b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and
 - c. Whether the public can be granted access to all or part of each system.

Database	Information Tracked	Public Access	Age of System	Completed and Upcoming Upgrades
Integrity (Voter	Registered	The public can	At least 20 years	The Document

Registration Database)	voters, pertinent, registration data elements, and voter history.	access certain portions of Integrity to obtain publicly available voter registration data elements, polling place location, etc.	old.	Loader feature was upgraded from a Windows 95 platform to function with the Windows 7 operating system; this enhancement allowed the Board to increase performance in scanning and attaching applications and other necessary documents to voter files. Further enhancements allowed all registration forms to be scanned into the Document Management System (DMS) to either create or update voter records.
Unity (Election Management System Database)	Builds elections and tabulates election results. Tracks ballots, candidates, offices, and elections.	No	Approximately 6 years old.	The Board is in the process of upgrading from Unity to the latest version, ElectionWare.
EasyVote (Pollworker Database)	Contact information and performance history for poll workers.	This is not a public system as it contains personal information, social security numbers, and performance notes the Board uses for election worker staffing decisions.	New.	N/A.

7. Please provide a detailed description about any new technology acquired in FY15 and FY16, to date, including the cost, where it is used, and what it does. Please explain if there have there been any issues with implementation.

Technology	Cost	Where Used	Function
Ergotron Charging Carts	\$39,818.30	Board's warehouse	Provides integrated technology that will charge each tablet, and provide cooling and synchronization capabilities for updating all tablets housed behind durable steel locked doors for security.
Two file servers with Virtualization Operating Systems (OS)	\$29,377.02	The 1 st server is located in the Board's server room; the 2 nd is at the Board's warehouse.	The 1 st server is used to provide a fault tolerant and load-balancing environment to prevent server crash or overload due to hardware or software failures; the 2 nd to establish a server environment for staff in order to share files and other resources in an efficient manner and to create a testing off site environment for HQ and warehouse related projects.
Website Redesign	\$20,083.55	Internet	The website will be enhanced so as to comply with Section 508 and the ADA, and to provide a more independent platform for Board staff to manage content and data without 3 rd party assistance.
E-Mail Server Upgrade	\$14,625.00	DCBOE	Upgrades email server from Microsoft Exchange 2007 to 2013, which allows for greater compatibility with other email systems.
SAN (Storage Area Network) Extender Module	\$5,993.45	Located at the Board's offices.	The module was added to our existing storage solution in order to add additional storage, and create dynamic pools of storage based on growth demands and future planning.
10 Apple iPad Air Wi-Fi only device	\$4,979.90	Located at the Board's offices under security.	These devices were, and will continue to be used in-house with custom applications, such as our mobile voter registration

			application (Vote4DC); was also used to demo new e-pollbook technology to poll workers during training for the April 2015 Special Election.
UPS (Uninterrupted power supply)	\$3,069.59	Located in Board's server room	Used to maintain adequate power for our servers and enterprise switch in the event of a power failure.
Cisco Wi-Fi Access Points.	\$2,106.76	Located in the Board's server room, and at the Board's warehouse.	Provides a secure wireless environment to use with internal resources, including laptops, e-pollbooks, and other Wi-Fi enabled devices.
KVM Switch/Monitor/Keyboard system	\$1652.53	Located in Board's server room.	Purchased to facilitate navigation between multiple virtual and physical servers.

See also the Board's response to Agency Operations 20.

8. Please describe how the Board currently uses social media to fulfill its mission.

The Board uses social media to engage with voters, the press, and other interested parties. Social media is a tool most prominently used in our outreach and information efforts on Election Day and during the roll-up to Election Day. At that time, we post important updates, answer questions, provide solutions, and give updates as to availability of voting results, voter turnout, precinct reporting, and much more.

During FY 15 and 16, our Twitter followers increased from about 3500 to over 4100. We also requested "authentication" from Twitter, which allows us to show that we are a verified agency, as well as other benefits, such as analytics on our tweets. Data is attached.

On the whole, the Board has found that immediate, positive, and personable engagement with Twitter users results in a resolution of the problem 100% of the time, as well as showing a public record of responsiveness, care, and follow-through.

- a. How many times did the agency "tweet" in FY15 and FY16, to date?

The Board has tweeted 487 times in FY15 and FY16, to date.

9. Has the Board revisited the idea of live broadcasting its meetings? If not, please explain the challenges preventing the Board from doing so. Has the agency worked with OCTO to resolve any challenges?

The Board is planning to purchase and deploy the Cisco Video Collaboration and Conferencing Solution from DC-NET. This solution will allow the Board to record and stream live Board and public meetings.

10. Has the agency removed all references to the “Board of Elections *and Ethics*”?

The Board has removed all references to the Board of Elections *and Ethics* in its regulations and on its forms. However, the Board is still referred to as the Board of Elections and Ethics in the District of Columbia Code. We are scrubbing our website to ensure the removal of all references to the Board by its old title, and we have purchased the domain name www.dcboe.org, which had been previously unavailable, so that we can change our website url from www.dcboee.org. We will also be moving our e-mail addresses to @dcboe.org from @dcboee.org.

11. Please describe all initiatives to make voter registration more accessible during FY15 and FY16, to date.

The Board hosted two voter registration outreach events at Gallaudet University: one for Gallaudet students, and the other for high school students who attend classes on Gallaudet’s campus. American Sign Language (ASL) translators were available at both events.

The Board is currently redesigning our website so that it is ADA and Section 508 compliant. Because the site will integrate with our voter registration module, this will benefit our voters with disabilities. In addition, we are currently performing final testing on a version of our mobile voter registration application that will be ADA-accessible on iOS and Android platforms.

Is the Board compliant with the ADA?

The Board is making every effort to fully comply with the ADA. In May 2015, we hired an ADA Coordinator whose duties are outlined below in 11(c). Using the Department of Justice (DOJ) approved ADA compliance checklist for polling places, the ADA Coordinator and the Board’s facilities manager surveyed all 143 precincts used during the past election cycle to assess their accessibility and determine whether any relocations were necessary for accessibility-related reasons. The following factors were considered at each precinct:

- **The availability of permanent accessible parking or the ability to designate parking;**
- **The availability of an accessible entrance for disabled voters/stairs free route;**

- **The availability of ADA compliant ramp/handrails;**
- **An accessible path to the precinct free of obstructions;**
- **Permanent doorbells for locked/ heavy accessible doors/entrances;**
- **An accessible path to post signage leading disabled voters to the polling area;**
- **Whether the elevators were equipped with Braille, audible floor indicators, and ADA required turning space.**

Based upon the survey, the ADA Coordinator recommended four precincts for relocation due to structural inaccessibility issues, and the Board will be taking action to relocate these precincts next month. With respect to precincts that were cited by University Legal Services (ULS) and the Office of the D.C. Auditor due to issues with operational inaccessibility (such as missing signs in the past), the Board is taking steps to ensure that those issues are greatly minimized. Specifically, we will be deploying ADA Compliance Assistants to monitor polling places on Election Day and resolve any accessibility-related issues that they observe or are called on to respond to.

In addition, the Board is procuring new ADA-compliant voting equipment for our disabled and senior voters via a leasing agreement. Voters with disabilities will be able to cast ballots independently using a ballot marking device that complies with accessibility standards set forth in the ADA and the Help America Vote Act of 2002. The Board also purchased new long range doorbells and ADA-compliant signage for use in this election cycle.

- a. **How is the Board partnering with ULS to ensure that polling places are accessible for the 2016 primary election?**

While there is no formal partnership between the Board and ULS, the lines of communication are open, and we have been in regular contact with Kristina J. Majewski, a ULS staff attorney. During the ADA Coordinator's most recent communication with her, Ms. Majewski asserted that ULS's major concern was Precinct 13 (Our Lady Queen of the Americas), and we are taking steps to relocate that precinct. The ADA Coordinator will provide ULS with a list of precincts that will be utilized for the 2016 election cycle once that list is finalized. The Board seeks to provide an accessible voting experience for voters in need of services in that regard, and welcomes input and assistance from ULS and other similar organizations to accomplish this end.

- b. **How many polling sites still have accessibility issues?**

As previously indicated, the Board's ADA Coordinator recommended four precincts for relocation due to structural inaccessibility issues. With respect to precincts that were cited by ULS and the Office of the D.C. Auditor due to issues with operational inaccessibility (such as misplaced signs, improperly placed door bells, *etc.*) in the past), the Board is taking steps to ensure that those issues are greatly minimized.

Specifically, we will be deploying ADA Compliance Assistants to monitor polling places on Election Day and resolve any accessibility-related issues that they observe or are called on to respond to.

c. Describe in detail the work of the new disability access FTE.

The ADA Coordinator is responsible for coordinating the Board's efforts to comply with Title II and investigating any complaints that the entity has violated Title II. Specific tasks include:

- **Planning and coordinating the agency's overall compliance effort.**
- **Developing and implementing ADA grievance procedures.**
- **Coordinating self-evaluations and transition plans for the Board.**
- **Working with community leaders, individuals with disabilities, and other stakeholders to achieve ADA compliance.**
- **Interpreting and applying federal and District laws regarding equal access for people with disabilities.**
- **Monitoring and ensuring the Board's compliance with District and federal disability laws.**
- **Developing and implementing an ADA plan to accommodate voters with disabilities.**
- **Developing and maintaining relationships with local disability advocacy groups and the local disability community.**
- **Monitoring and improving the physical, electronic, and programmatic access to polling locations and Board headquarters.**
- **Recommending a budget for improving accommodation and staff training.**
- **Receiving, processing, and responding to accommodation requests.**
- **Ensuring that publications, notices, and meetings are accommodating to the disabled community.**
- **Monitoring and ensuring the Board's compliance with the Language Access Act.**
- **Performing continuing review of existing facilities to ensure compliance with ADA requirements.**
- **Maintaining a current database of all polling sites that includes, but is not limited to, accessibility requirements, geographic location, voting booth requirements, etc.**
- **Developing a checklist and tool kit for poll workers when opening and closing voting sites, so they comply with ADA requirements.**

12. How has the Electronic Registration Information Center (ERIC) enabled the Board to maintain accurate voter rolls?

ERIC is an interstate voter information exchange program wherein participating jurisdictions upload their anonymized voter registration, voter history, and Department of Motor Vehicles ("DMV") data into a single database. Data-matching software compares the data, and reports back to the jurisdictions, allowing us to identify voters who are deceased, or have moved within or outside of the jurisdiction, and to take action on that information.

To illustrate, we received a report from ERIC that provided the names of individuals who appeared to be registered both in the District and another jurisdiction. Based on this report, we sent a mailing to 13,651 voters on January 19, 2016 asking them to provide us with updated information regarding their addresses within 30 days so that we could update our records accordingly. To date, we have received approximately 6,000 responses back from individuals who have confirmed that they do, in fact, reside outside of the District, and we have updated our records accordingly.

Another program that we participate in, the State and Territorial Exchange of Vital Events (“STEVE”), allows us to electronically exchange comprehensive death information with other jurisdictions, and efficiently receive information about the deaths of District registered voters that occur outside of the District.

- a. What is the leading cause of inaccurate voter rolls?

Voters are responsible for providing the Board with accurate voter registration information. Voters who move either intra-District or out of the District and do not update their voter registrations with the Board are the leading cause of inaccurate voter rolls.

13. Please describe what efforts the Board has undertaken to increase:

- a. Bus accessibility to the polls;
- b. Curb-side voting; and
- c. Voter registration for public school students.

When selecting polling places, the Board takes into account several factors, including voter convenience and ease of access. Research has shown that the physical location of a polling place affects voter turnout, so we make a special effort to select polling places that are accessible by voters using public transportation, including buses.

The Board offers curbside voting at every polling place on Election Day, and we work with the Department of Public Works’ Parking Enforcement Division in an effort to relax parking restrictions at polling places where the curbside voting area is impacted by rush hour traffic.

In 2015, the Board implemented a pilot program aimed at registering high school students and recruiting them as Youth Election Workers. More than 50 students from Ward 8 participated. The Board’s Poll Worker Division trained the students on all aspects of the Election Day process. Students were then assigned to precincts in their neighborhoods. Those who reported for duty on Election Day were paid a small stipend, earned community services credits, or both. They also received Certificates of Appreciation signed by the Executive Director.

Given the positive response from students, voters, and fellow election workers, DCBOE aims to expand the Youth Election Worker program to all eight (8) wards in 2016. Through a partnership with DCPS Social Studies Director Scott Abbott, the Board will conduct workshops at teacher development days and contribute short articles to Mr. Abbott’s weekly social studies newsletter. During these workshops, teachers will be trained on the voter registration process. Youth election workers will also be trained on this process and will be encouraged to act as voter registration “ambassadors” for their classmates.

14. How has the agency partnered with the Department of Motor Vehicles (DMV) during FY15 and FY16, to date?

Our partnership with the DMV continues to thrive. As of September 2015, the Board now imports signatures from the DMV, along with the other edited electronic registration data (full name, residence address, date of birth, DMV-issued identification number, social security number, citizenship status, and party affiliation status) that we had begun importing from the DMV into Integrity in January of 2010. This capability has enabled the Board to launch the District’s online voter registration system, otherwise known as the Digital Voter Service System.

15. Please detail the procedures used to process petitions and provisional ballots. What jurisdictional analysis has the Board conducted to ensure that the District uses the most effective processes?

Petition Challenge Process

Signatures on candidate nominating petitions are presumed valid unless challenged, but the Board is required to verify the registration of each signer of an initiative, referendum, and recall petition within the 30-day period after such petitions are submitted. All petitions are posted for a 10-day challenge period, and the process thereafter is as follows:

- **A registered qualified elector in the appropriate electoral jurisdiction challenges signatures on a petition, alleging one or more of the following defects:**
 - **The signer is not a registered voter in the District;**
 - **The signer’s voter registration was designated as inactive on the voter roll at the time the petition was signed;**
 - **The signer, according to the Board’s records, is not registered to vote at the address listed on the petition at the time the petition was signed; provided that an address on a petition which is different than the address which appears on the Board’s records shall be deemed valid if the signer’s current address is within boundary from which the candidate seeks nomination, and the signer files a change of address form with the Board during the first 10 days following the date on which a challenge to the nominating petition is filed.**

- **The signature is a duplicate of a valid signature;**
 - **The signature is not dated;**
 - **The petition does not include the printed or typed address of the signer;**
 - **The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification;**
 - **The circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed;**
 - **The circulator of the petition failed to complete all required information in the circulator's affidavit;**
 - **The signature is not made by the person whose signature it purports to be, provided that registered voters who are unable to sign their names may make their marks in the space for signature. (These marks shall not be counted as valid signatures unless the persons witnessing the marks shall attach to the petition affidavits that they explained the contents of the petitions to the signatories and witnessed their marks);**
 - **(On a nominating petition) The signer is not a registered voter in the ward or Single-Member District from which the candidate seeks nomination at the time the petition was signed;**
 - **(On a nominating petition) On a petition to nominate a candidate in a primary election, the signer is not registered to vote in the same party as the candidate at the time the petition is signed;**
 - **(On an initiative, referendum, or recall petition)The signer was also the circulator of the same petition sheet where the signature appears; or**
 - **(On an initiative, referendum, or recall petition)The signature was obtained on a petition sheet that was submitted on behalf of a previously filed initiative or referendum petition that was rejected or found to be numerically insufficient.**
- **Board staff and the challenger review each petition sheet, calculating the total number of petition signatures and challenges filed to ensure: 1) agreement as to the numbers, and; 2) that the challenge contains a sufficient number of challenges to place the candidate/measure below the minimum number required for ballot access. If the challenge does not contain a sufficient number of challenges, it will not be accepted.**
 - **If the challenge is accepted, each challenged signature is reviewed twice (by two different individuals), and marked with the appropriate determination code, and the challenged candidate/proposer of measure is notified of the challenge.**
 - **The petition reviewers present their findings to the Registrar of Voters, who prepares a report for the Office of the General Counsel that outlines the findings regarding the number of valid and invalid challenges, and the preliminary determination as to whether the petition contains the requisite number of signatures for ballot access.**

- **The Office of the General Counsel conducts a pre-hearing conference concerning the challenge, at which the time the Registrar presents the findings report. At this time, the candidate/proposer of measure may either withdraw the candidacy/measure or proceed despite an adverse determination, or the challenger may withdraw the challenge or proceed despite an adverse determination.**
- **If the challenge is unresolved, a Board hearing is scheduled to resolve the challenge.**
- **A party adversely affected by the challenge may appeal the Board's decision to the D.C. Court of Appeals for a decision that is final and not appealable.**

With respect to initiative, referendum, and recall petitions, the Board has to determine whether the petition contains the requisite number of valid signatures, in terms of percentage and ward distribution requirements, to be certified for ballot access. The steps for this process are as follows:

- **The Board verifies the registration of each petition signer and determines the number of signatures of verified registrants; these signatures will comprise the universe of signatures from which a random sample will be drawn for purposes of verifying the signatures' authenticity. Only signatures that would be valid if challenged can be included in the random sample universe.**
- **Signatures are ascribed to the appropriate ward.**
- **If the number of signatures in the random sample universe does not meet or exceed the established requirements for the appropriate electoral jurisdiction, it is rejected as numerically insufficient; if the number meets or exceeds the established requirements, the signatures are provided to the Data Management Division which will determine, using statistical sampling to determine whether the total number of authentic signatures equals or exceeds the District-wide and/or ward signature requirements with ninety-five percent (95%) confidence. If so, the Board shall certify the petition as numerically sufficient for ballot access; if not, the petition is rejected as numerically insufficient.**

Procedure for Processing Special Ballots

District law mandates that a voter is entitled to vote a provisional ballot if he or she:

- **claims that his or her name has been erroneously omitted from, or incorrectly printed in, the pollbook, or alleges that his or her name or address is incorrectly printed on the poll book;**
- **is voting outside of his or her assigned precinct, *i.e.*, the precinct identified for that voter in the Board's records;**
- **is marked as absentee voter in the pollbook;**
- **is marked as "ID required" in the pollbook, but does not present ID at the time of voting;**

- in a primary election, claims a different party affiliation status than the one indicated in the Board's records;
- in a general election, claims a different ANC/SMD than the one indicated in the Board's records;
- is marked as having already checked in to vote;
- is subjected to a successful Election Day challenge to his or her eligibility to vote in the election;
- is casting a ballot during a time when the statutory poll-closing time has been extended pursuant to a federal or District of Columbia court order, or any other order, or;
- is filing an Election Day change of address at a precinct that does not serve the address listed on the Board's records and does not provide proper proof of residence.

Once the voter votes a special ballot, he or she places it inside of a secrecy envelope, which is then placed inside of a special ballot envelope, the front of which contains pertinent information that the voter has provided, which enables the Board to determine whether the voter is eligible to cast a ballot in the election at issue.

Once the Board retrieves special ballots from the voting locations, Board staff members sort them by precinct and basis for casting the special ballot, and review each special ballot envelope to ensure that all information required for processing is provided. Each special ballot is assigned a record number that is used to identify the special ballot throughout the sorting and counting process. The process for determining the proper disposition of a special ballot can take anywhere from five to 30 minutes per special ballot envelope.

Next, Board staff enters voter information from all special ballot envelopes into Integrity, the Board's voter registration database, updating the voter histories of existing voters and creating new voter records for same day registrants. Once a voter's data is entered into and verified in the database, a determination is made as to whether his or her ballot will be accepted or rejected.

If a special ballot is accepted, the secrecy envelope in which it is contained is removed from its special ballot envelope, and the special ballot envelope is scanned into the database as part of the voter record. Once all secrecy envelopes have been removed, the secrecy envelopes are opened. This ensures that the special ballot voter's right to a secret ballot is maintained. After the secrecy envelopes are opened, the special ballots are tabulated.

If a special ballot is rejected, it is subjected to a second review by a different staff member. If the second review indicates that rejection is warranted, the special ballot remains in its envelope and is held pending any appeal, after which it is archived.

Under current District law, the Board must provide to each interested special ballot voter information regarding the Board's preliminary decision to count or reject his or her ballot, and the reason for each decision, by the day after Election Day. A voter whose special ballot has been preliminarily rejected may contest that determination in a hearing before the Board that is held no later than two days after Election Day. The Board must make a final decision regarding appealed special ballots by no later than three days after Election Day. Adverse decisions may be appealed to Superior Court, and decisions rendered in that forum are final and not appealable. Any special ballots that were initially rejected, but ultimately determined to be acceptable will be tabulated.

- a. What type of elections equipment or technology would assist the Board to rapidly and efficiently process petitions and provisional ballots?

I recently testified favorably regarding the Ballot Access Modernization Amendment Act of 2015, which would require the Board to implement a mobile application petition pilot program that would allow for the use of mobile devices as a means of collecting signatures needed for ballot access.

The implementation of a mobile application petition program would have a beneficial impact on the District's petition processes. Signatures on candidate nominating petitions are presumed valid unless challenged. Because the mobile application would interface with the Board's voter registration database, allowing circulators to confirm that a potential signer is, in fact, registered and eligible to sign a particular petition, there would be less potential for the appearance of fraudulent or otherwise invalid signatures, and greater confidence that signatures submitted on behalf of a candidate are legitimate. The Board verifies the registration of each signer of an initiative, referendum, and recall petition within the 30-day period after such petitions are submitted. Presently, the verification of the registration status of each signer is a manual time-consuming and tedious process, and would be greatly improved by an automated process which would allow for the verification of petition signers' registration and eligibility largely on the front-end.

An effective e-pollbook solution would assist with the processing of special ballots, because it would allow for voters' records to be searched in multiple ways: by name, by address, by date of birth, etc. Thus, a poll worker who is unable to locate a voter by one means could use another search method to verify whether a voter is in the database and/or whether he or she is in the correct precinct. It would also enable the poll workers to direct voters who are at the wrong precinct to the correct precinct where they will be able to vote a regular, or live, ballot.

One of the most effective ways to reduce the number of special ballots cast is to maintain an accurate voter registry, and the Board's participation in ERIC, its mobile voter registration application, vote4DC, its web-based online voter registration system, and dedicated staff who are working diligently to eliminate

duplicates and typographical errors in our registry are helping the Board to do exactly that.

Technology aside, since 2012, the Board has rigorously analyzed mistakes made by voters and election workers in completing special ballot envelopes with an eye towards reducing these errors and thereby expediting the verification process. This effort has paid off; from 2012 to 2014, the number of voter and election worker errors on special ballot envelopes was reduced by 38%.

16. How times has a registered voter challenged another voter's status as a qualified elector in the past four years? How many times was the challenge appealed to a hearing board or the Superior Court?

In the past four years, registered voters have filed a total of 17 challenges claiming that another voter is not qualified to vote in the District. All but one of the challenges was resolved by the Register of Voters; the remaining challenge was appealed to and resolved by the Board. No matters were appealed to the Superior Court.

17. Will the Board continue to hold hearings on proposed precinct boundary changes?

The Board intends to revisit changes to precinct boundaries after the 2016 election cycle.

18. Please indicate the final cost associated with administering the November 4th General Election. Please provide the Board's initial budget for the November 4th General Election.

See Agency Operations 18 attachment.

19. What arrangements, if any, has the agency made with the Department of General Services (DGS) to co-locate with the Office of Campaign Finance (OCF)?

While the Board intended to resume discussions with DGS regarding co-locating with OCF after the 2014 election cycle, the discussions were not scheduled due to the need to administer a special election in 2015. To date, the Board has not made any arrangements with DGS to co-locate with OCF, but we will revisit this subject after the 2016 election cycle.

20. Please discuss the Board's election's technology.

- a. Please provide the names of the voting equipment the Board seeks to purchase;

The Board is planning to upgrade its equipment through its current vendor, ES&S. For the June 14, 2016 Primary Election, we plan to lease 190 DS200 Precinct Scanners at a cost of \$1,320.00 per unit for the base year of the leasing agreement (these will replace the M100s), 400 ExpressVote Ballot Marking Devices (“BMDs”) at a cost of \$1,060.00 per unit for the base year of the leasing agreement (these items, which are designed to provide an accessible voting experience to voters with disabilities, will replace the iVotronic touchscreen devices), and one DS850 High Speed Digital Image Scanner (this will replace the DS650 model) at a cost of \$29,230.00 for the base year.

- b. Whether the Board intends to purchase new e-pollbooks;

The Board intends to purchase 600 new e-pollbooks at an anticipated cost of \$1500 per unit.

- c. Whether these e-pollbooks include technology permitting the books to interact between different polling places; and

The e-pollbooks will be capable of networking so as to allow for communication between all e-pollbooks used during the early voting period, which will prevent multiple voting. On Election Day, e-pollbooks within a particular precinct will be able to communicate with one another. All e-pollbooks, regardless of voting mode, will communicate with a central server, which will provide information on the operating status of each e-pollbook, as well as voter activity and turnout.

- d. Please list estimates for each piece of technology.

- 21. How many DCPS and public charter students and DYRS youth were registered to vote in FY15 and FY16, to date?

One hundred and sixty-nine (169) DCPS and public charter students and DYRS youth were registered to vote in FY15 and FY16.

- 22. How did the agency conduct outreach to high school students and DYRS youth in FY15 and FY16, to date?

The Board directly contacted principals and Social Studies teachers, asking them for permission to conduct voter registration drives and recruit youth election workers. While some were open to the prospect and allowed us to register students during lunch periods, others did not respond after several attempts. We hope that with encouragement from Mr. Abbott and DCPS administration (see response to Question 13 above), more principals and teachers will allow us to conduct registration in the future.

While the Board was not in direct contact with DYRS in FY15, in FY 2016 and going forward, the Board will conduct outreach and voter registration activities at all DYRS facilities that house individuals who are eligible to vote.

During the April 28, 2015 Special Election, we visited several classes at the Sasha Bruce House to register voters, recruit youth election workers, and discuss the election administration process. We also plan to conduct outreach and registration activities at the D.C. Youth Services Center (Juvenile Detention Center).

23. How did the agency conduct outreach to college students in FY15 and FY16, to date?

As with public high schools, the Board directly contacted faculty at area colleges and universities. Many allowed us to conduct voter workshops and equipment demonstrations during class time. We also conducted voter registration drives during National Voter Registration Day. We plan to continue this process in FY2016 and beyond.

24. Please provide voter registration data for all registered voters by race or ethnicity, gender, age, and Ward. Also provide all totals in percentages of eligible voters.

The Board does not collect data on registered voters by race or ethnicity, and the provision of gender information is optional.

See Agency Operations 24 attachment.

25. Please provide voting data for the November 2014 and April 2015 elections by race or ethnicity, gender, age, and Ward. Also provide all totals in percentages of total registered voters.

See Agency Operations 25 attachment.