

# **PERFORMANCE OVERSIGHT REPORT**

## **Fiscal Year 2020-2021**

March 12, 2021

District of Columbia

Board of Elections

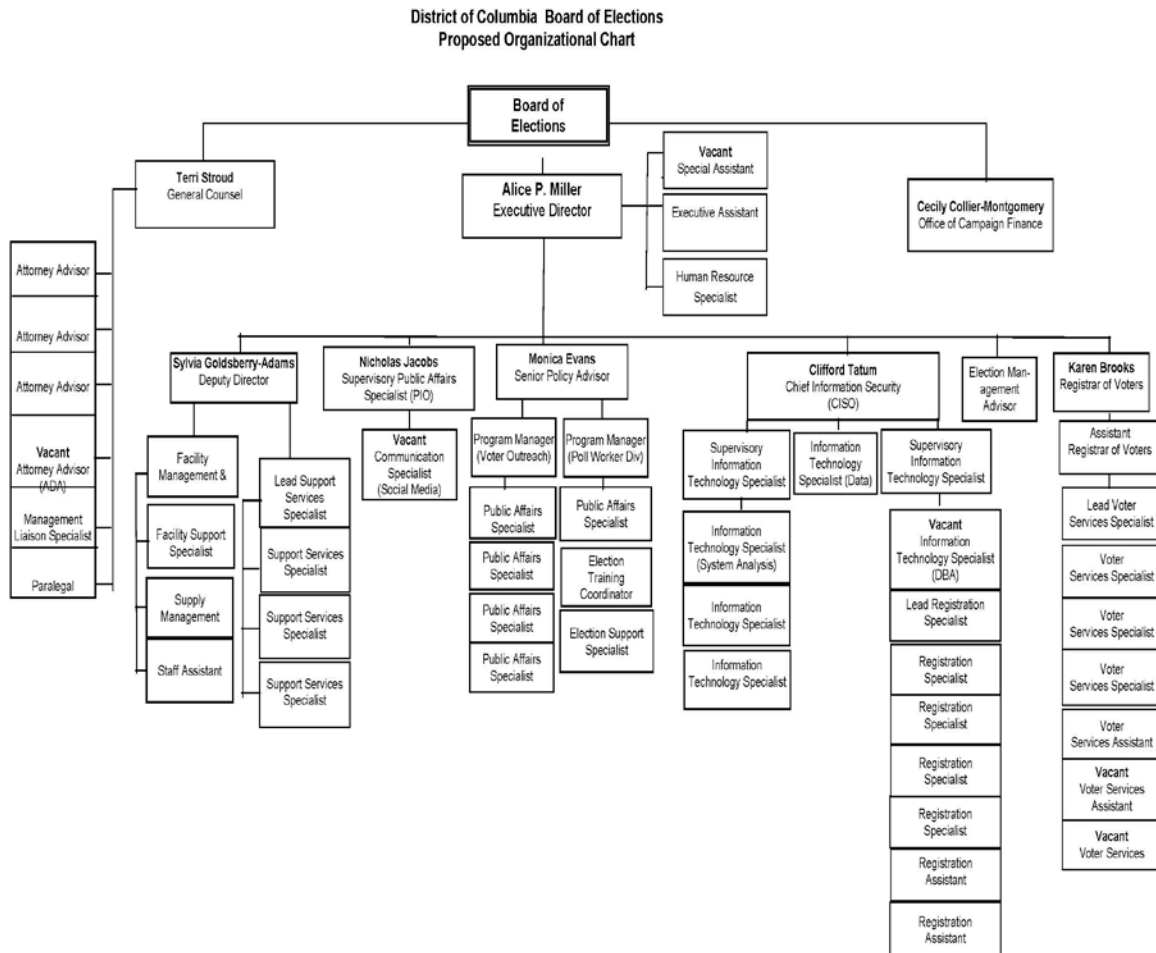
1015 Half Street, SE

Suite 750

Washington, DC 20003

## District of Columbia Board of Elections

1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date the information was collected on the chart.



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

#### **OFFICE OF THE EXECUTIVE DIRECTOR**

**BRIEF DESCRIPTION OF DUTIES:** Serves as the Board of Elections' primary management official in directing program operations and support activities. Provides high level leadership and guidance and direction to subordinate divisions in the areas of voter registration and services, and administration, IT and outreach and training. Develops and directs the organizational machinery and procedures necessary to ensure the effective and efficient administration and execution of the election statutes of the District of Columbia. Reviews all agency programs, plans and operations for adequacy and conformance with the policies of the Board. Assists the Board and the General Counsel in the review of legislative proposals and development of agency regulations affecting agency operations in the delivery of election services. Serves as the primary point of contact, on behalf of the Board, for other agencies, oversight committees, etc.

#### **OFFICE OF THE GENERAL COUNSEL**

**BRIEF DESCRIPTION OF DUTIES:** The Office of the General Counsel represents the Board in all judicial and administrative proceedings relating to elections, voter registration, and campaign finance; proposes and drafts regulations consistent with legislation; researches, reviews, analyzes, and interprets pertinent court decisions, District and federal laws, rules, and regulations, and other legal resources; ensures agency compliance with all relevant District and federal laws, including reporting requirements; discusses with public officials, candidates, attorneys, members of the public, and other interested parties legal questions involving the application of election laws, and gives guidance where appropriate; responds to Freedom of Information Act requests; and reviews all agency publications to ensure legal accuracy.

#### **VOTER SERVICES DIVISION**

**BRIEF DESCRIPTION OF DUTIES:** Supervises management and maintenance of the District's voter registry, including all aspects of voter qualification and document management. Also, development and maintenance of the National Voter Registration Act (NVRA) manuals to assist with training. Also responsible for various election-related functions such as ballot requests, post random audits, and recounts. This division also hosts brown bag training for candidates, processes all

initiative, referendum and recall petitions to determine sufficiency and oversees challenges associated with any petition filing.

The Voter Services Division is the first point of contact for most residents entering in the election process either by registering as a first-time voter, seeking ballot access, or interested in filing any citizen petition for presentation before the voters. This unit is a key source for voter information.

### **PUBLIC AFFAIRS & VOTER EDUCATION & OUTREACH DIVISION**

**BRIEF DESCRIPTION OF DUTIES:** The Public Affairs and Voter Education and Outreach Division (PA/VEOD) serves as the centralized resource for public information about the DC Board of Elections to the community through the news media, social media, agency website, and public events. The PA/VEOD is responsible for communication services, reputational management, branding, and facilitating interviews, briefings or press conference for members of the media. Additionally, this division coordinates and conducts a variety of engagement opportunities for the public, to include education on voter's rights and responsibilities, voting equipment demonstration, voter registration drives and recruitment of poll workers and ward coordinators. The goal of this office is to provide the most accurate and timely information to the public and to ensure that all eligible voters in the District are provided with accurate information and access to the Board's services with respect to outreach activities.

### **INFORMATION TECHNOLOGY DIVISION**

**BRIEF DESCRIPTION OF DUTIES:** The Information Technology Division (IT Division) provides both strategic IT vision and cost-effective technology solutions for accomplishing BOE's mission of enfranchising eligible residents, conducting elections and assuring the integrity of the electoral process.

The IT Division is responsible for continued development and maintenance of technology policies, network management, software upgrades, and website enhancements. It is the responsibility of this division to enhance the level of training necessary to maintain the highest level of competency. Further, the division works to ensure that IT staff is properly trained to achieve the optimal level of competency in managing the current and evolving business technology and election technological initiatives.

In addition, the IT division oversees mobile and online technology and provides accurate information to BOE stakeholders. The IT division continuously monitors and improves BOE's security posture by maintaining up-to-date security solutions for all information systems, collaborates with OCTO's Security Division and federal partners to remain abreast of Advanced Persistent Threats and other critical infrastructure possible vulnerabilities.

## **DATA SERVICES DIVISION**

**BRIEF DESCRIPTION OF DUTIES:** The Data Services division qualifies voter registration applications received from multiple sources such as the DMV (Automatic Voter Registration), Online, by mail, NVRA agencies, over the counter, public and charter schools, Department of Corrections, as well as libraries to determine an applicant's eligibility to register and vote. As part of the voter list maintenance of the voter roll, during an election off year, BOE also conducts a biennial voter maintenance canvass. This involves sending address confirmation cards to voters who did not vote in General elections, processing correspondence received, and routinely updating the voter roll. In addition to regular voter maintenance, this division processes voter ID cards, coordinates with the Electronic Registration Information Center (ERIC) with in state and cross state mailings, processes deceased verification mailings lists, provides polling place relocation notifications, sends cancellation notifications to other states, provides direct mail services to voters for registration applications, and processes absentee ballots for local, military, and overseas requests. The division handles vote by mail for military and overseas voters by processing absentee requests and voting transactions, including data entry for ballot mailing/tracking. It determines voter registration status for processing ballot measure petitions, special/challenged ballots, and candidate challenges. The division also maintains and manages voter history, master street indexes, the poll worker and voter roll database, and creates elections, assigns appropriate ballot styles, responds to data requests, and produces multiple reports required by the agency.

## **ELECTION WORKER RECRUITMENT & TRAINING DIVISION**

**BRIEF DESCRIPTION OF DUTIES:** The Election Worker Recruitment and Training Division (Election Worker Division) recruits DC residents from all eight wards within the District of Columbia to work during Early Voting and on Election Day. The Division identifies election workers on a continuing basis by recruiting workers at community events held throughout DC year-round. The goal and mission is to adequately staff vote centers, as well as 144 polling places by recruiting, training, and deploying 3,000 election workers for both the Primary and General Elections.

Another responsibility of the Election Worker Division is to effectively operate the agency's call center that is staffed with a seasonal workforce that begins operating a minimum of 3 months in advance of an election. Call center operators are responsible for contacting and scheduling over 3,000 election workers for a mandatory four-hour training class. The division identifies and trains instructors to conduct ten to twelve weeks of training for over 200 classes that are held Monday-Saturday prior to every election. The Election Worker Division ensures each election worker receives detailed hands-on instruction and training tailored to one of the four different roles that must be performed in each polling place on Election Day. The division also prepares a polling place operations manual that is given to each election worker.

During non-election years, the Division adjusts the election process based upon lessons learned, survey feedback, and evaluations of election workers. The Election Worker Division also conducts Continuing Poll Worker training for Precinct Captains, Special Ballot Clerks and Check-in Clerks. As part of the continuous improvement process, the Division implements new developments and best practices identified in the election community. They are also charged with maintaining ongoing communication with election workers to ensure their continued commitment to and interest with supporting the election process.

## **WAREHOUSE OPERATIONS & LOGISTICS DIVISION**

**BRIEF DESCRIPTION OF DUTIES:** The Warehouse Operations & Logistical Division is responsible for the maintenance of equipment and voting systems; for assisting with the programming, coding and testing of voting equipment; for conducting inventory of election materials for all polling sites; for property disposal efforts; for ballot distribution and security; for identifying and conducting site surveys to ensure adequacy, accessibility and availability of polling sites; for managing the agency's facilities and telecommunication needs; for coordinating Intra-District agency support; for procuring polling place supplies and equipment; for packing and assembly of election materials for distribution to polling places and for preserving archival election materials to ensure their reliability, integrity, and usability. The division is also responsible for delivering and processing all mail sent to and from BOE including voter identification cards; for providing voter outreach event logistics; and for operating and collecting ballots from drop boxes.

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

**RESPONSE:** There were no changes.

2. Please provide a current Schedule A for the agency which identifies each filled, vacant, unfunded, and funded position by program and activity, with the employee's name (if filled), title/position, salary, fringe benefits, and length of time with the agency (if filled). Please note the date the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.

**RESPONSE:** See Q2 (Schedule A) table, below.

Question 2												
Board of Elections (DL0)												
As of March 1, 2021												
No	Title	Name	Posn Nbr	Hire Date	Va c	Grade	Step	Salary	Fringe 15.3%	Prgm Code	Activity	Reg/Term
1	EXECUTIVE ASST	Johnson,Linda J	00020540	9/7/1993	F	12	10	\$ 97,375.00	\$ 14,898.38	1010	1010	Reg
2	Support Services Specialist	Fleming,Tarrod	00022022	4/2/2018	F	9	4	\$ 55,955.00	\$ 8,561.12	1010	1010	Reg
3	Managment Liaison Specialist	Garcia,Karla D	00042605	4/21/1997	F	12	10	\$ 97,375.00	\$ 14,898.38	1010	1010	Reg
4	Support Services Specialist	Featherstone Jr.,Michael	00075213	3/19/2018	F	9	4	\$ 55,955.00	\$ 8,561.12	1010	1010	Reg
5	Election Training Coordinator	NEWSOME Jr.,KEVIN A	00075214	4/2/2007	F	12	2	\$ 78,487.00	\$ 12,008.51	1010	1010	Reg
6	Lead Support Services Speciali	Hunter,Robert Thomas	00086208	11/10/1973	F	12	5	\$ 85,570.00	\$ 13,092.21	1010	1010	Reg
7	SUPPLY MANAGEMENT SPECIALIST	Baldwin,Stacey A	00037352	8/13/2001	F	12	1	\$ 76,126.00	\$ 11,647.28	1020	1020	Reg
8	IT Specialist	Legette,Randy	00008446	8/2/2010	F	12	9	\$ 95,014.00	\$ 14,537.14	1040	1040	Reg
9	Election Registration Speciali	Everett,Edward R	00017038	7/17/2000	F	9	7	\$ 60,851.00	\$ 9,310.20	1040	1040	Reg
10	Election Registration Assistan	Turner,Kelly Anne	00024001	6/2/2014	F	7	9	\$ 54,017.00	\$ 8,264.60	1040	1040	Reg
11	IT Specialist (DataMgmt)	Burrows,Stacy A.	00026173	6/8/2020	F	13	6	\$ 101,758.00	\$ 15,568.97	1040	1040	Reg
12	Supervisory IT Specialist	Fagan,Antoine	00071838	6/8/2009	F	15	0	\$ 150,468.50	\$ 23,021.68	1040	1040	Reg
13	Supervisory IT Specialist	Maeruf,Mohammed	00071839	7/5/2016	F	15	0	\$ 150,468.51	\$ 23,021.68	1040	1040	Reg
14	Chief Info. Security Officer	Tatum,Clifford D	00099691	12/17/2019	F	16	0	\$ 170,000.00	\$ 26,010.00	1040	1040	Reg
15	ATTORNEY ADVISOR	Prince,Clifton A.	00000588	3/1/2021	F	13	10	\$ 133,510.00	\$ 20,427.03	1060	1060	Reg
16	ATTORNEY ADVISOR	McGann Jr.,Rudolph M d	00001216	9/8/1998	F	13	10	\$ 133,510.00	\$ 20,427.03	1060	1060	Reg
17	GEN COUNSEL	Stroud,Terri D	00002061	10/16/1998	F	3	0	\$ 194,330.10	\$ 29,732.51	1060	1060	Reg
18	Paralegal Specialist	Erskine,Tonisha A.	00097125	1/6/2020	F	9	2	\$ 52,691.00	\$ 8,061.72	1060	1060	Reg
19	IT Spec. (Customer Support)	Williams,Antoinette Marie	00100072	5/13/2018	F	12	8	\$ 92,653.00	\$ 14,175.91	1060	1060	Reg
20	Public Affairs Specialist	Jackson,Shirley A	00009282	7/8/1996	F	13	9	\$ 110,191.00	\$ 16,859.22	1080	1080	Reg
21	Program Manager	Thompson II,Richard	00038706	6/11/2018	F	13	0	\$ 94,127.00	\$ 14,401.43	1080	1080	Reg
22	Supervisory Public Affairs Spc	Jacobs,Nicholas C.	00095359	9/13/2020	F	14	0	\$ 120,000.00	\$ 18,360.00	1080	1080	Reg
23	Public Affairs Specialist	Alexander,Melissa	00097297	9/2/2018	F	12	4	\$ 83,209.00	\$ 12,730.98	1080	1080	Reg
24	Public Affairs Specialist	McCann,Lenez Juadette	00099748	3/5/2018	F	13	5	\$ 98,947.00	\$ 15,138.89	1080	1080	Reg
25	Election Support Specialist	Offor,Chinyere Tamunotony	00010745	5/27/2018	F	11	7	\$ 73,383.00	\$ 11,227.60	1085	1085	Reg
26	Human Resources Specialist	Dease,Francine	00099347	10/14/2008	F	14	1	\$ 103,657.00	\$ 15,859.52	1085	1085	Reg
27	Executive Director	Miller,Alice P	00021388	1/3/2017	F	11	0	\$ 194,331.13	\$ 29,732.66	1090	1090	Reg
28	Election Management Advisor	McGhie,Kenneth J	00033693	2/21/2017	F	15	0	\$ 154,500.00	\$ 23,638.50	1090	1090	Reg
29	Lead Election Services Special	Green Wright,Millicent	00036665	4/18/2016	F	11	3	\$ 65,475.00	\$ 10,017.68	1090	1090	Reg
30	Program Manager	White,Ladawne L	00099751	4/18/2017	F	13	0	\$ 123,000.00	\$ 18,819.00	1090	1090	Reg
31	Election Registration Speciali	Reddick,Luvenia M	00025504	5/15/2000	F	9	8	\$ 62,483.00	\$ 9,559.90	4001	4001	Reg
32	Election Registration Assistan	McAbee,Terron	00033584	10/13/2015	F	7	5	\$ 48,145.00	\$ 7,366.19	4001	4001	Reg
33	Election Registration Speciali	Martinez,Marina R	00094829	12/8/2003	F	9	6	\$ 59,219.00	\$ 9,060.51	4001	4001	Reg
34	Election Registration Speciali	Gumbs,Syniaya	00094830	11/29/2015	F	9	6	\$ 59,219.00	\$ 9,060.51	4001	4001	Reg
35	REGISTRAR OF VOTERS	Brooks,Karen F	00016854	6/28/1982	F	14	0	\$ 113,233.69	\$ 17,324.75	4002	4002	Reg
36	Election Services Specialist	Steve,Denise A	00017317	7/6/1998	F	9	6	\$ 59,219.00	\$ 9,060.51	4002	4002	Reg
37	Election Services Specialist	Thompson,Myisha	00038652	5/12/2008	F	9	5	\$ 57,587.00	\$ 8,810.81	4002	4002	Reg
38	Support Services Specialist	Mattocks,Steven A	00036506	8/18/2003	F	11	4	\$ 67,452.00	\$ 10,320.16	4004	4004	Reg
39	Facility Management & Support	Jones,Duan	00037446	3/19/2007	F	13	4	\$ 96,136.00	\$ 14,708.81	4004	4004	Reg
40	Facility Management & Support	Budoo,Arlin Jerome	00043652	7/16/2001	F	13	4	\$ 96,136.00	\$ 14,708.81	4004	4004	Reg
41	ATTORNEY ADVISOR	Gilmore,Jack Sansom	00075227	3/1/2021	F	13	1	\$ 102,712.00	\$ 15,714.94	4004	4004	Reg
42	Election Services Specialist	Philson,Kenyatta D	00085684	4/2/2018	F	9	2	\$ 52,691.00	\$ 8,061.72	4004	4004	Reg
43	Senior Policy Advisor	Evans,Monica H	00090854	3/4/2019	F	15	0	\$ 167,586.00	\$ 25,640.66	4004	4004	Reg
44	Assistant Registrar of Voters	Smith,DeAnna	00091419	12/12/2016	F	13	5	\$ 98,947.00	\$ 15,138.89	4004	4004	Reg
45	Deputy Director	Goldsberry Adams,Sylvia	00091420	4/18/2017	F	16	0	\$ 173,679.63	\$ 26,572.98	4004	4004	Reg
46	Lead Election Registration Spe	Nabinett,Raynell D	00099750	9/5/1995	F	11	4	\$ 67,452.00	\$ 10,320.16	4004	4004	Reg
47	IT Specialist (DataMgmt)		00017053		V	13	0	\$ 87,703.00	\$ 13,418.56	1040	1040	Reg
48	Attorney Advisor		00094988		V	12	0	\$ 86,366.00	\$ 13,214.00	1060	1060	Reg
50	Communications Specialist		00100030		V	11	0	\$ 61,521.00	\$ 9,412.71	1080	1080	Reg
51	Special Assistant		00046577		V	8	0	\$ 125,447.00	\$ 19,193.39	1090	1090	Reg
52	Election Service Assistant		00022211		V	7	0	\$ 42,273.00	\$ 6,467.77	4001	4001	Reg
53	Election Service Assistant		00094828		V	7	0	\$ 42,273.00	\$ 6,467.77	4001	4001	Reg

3. Please list all employees detailed to or from your agency during FY20 and FY21, to date. 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.

**RESPONSE:** There are no employees detailed either to or from the BOE.

4. Please provide the Committee with:

- a. 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 collisions involving the agency's vehicles in FY20 and FY21, to date.

**RESPONSE:** BOE currently has three (3) leased vehicles: a 2018 Dodge Caravan; a 2018 Ford CG (Transit 350) van; and a 2007 Chevrolet Express passenger van. BOE also owns a 2012 Mitsubishi Duonic box truck. All the vehicles are used for a variety of tasks, including delivery of election equipment and supplies; to move inventory between BOE's warehouse and outreach locations; to identify and survey polling places; for the disposal of election materials and for travel to and from designated voter registration agencies, correctional facilities, and other public and private facilities. All vehicles are maintained at the warehouse and are utilized only by warehouse employees. These vehicles are not assigned to any one employee.

There were no accidents involving the agency's vehicle in FY 20 and 21, to date.

- b. A list of travel expenses, arranged by employee for FY20 and FY21, to date, including the justification for travel.

**RESPONSE:** Please see the tables, below.

**FY 2020 TRAVEL SUMMARY**

Name	Position	Date(s)	Event	Location	Expenses	Justification
Legette, Randy	IT Specialist	1/9/20 - 1/10/20	Joint Election Officials Liaison Committee (JEOLC) Conference - Registration Fee only	Washington, DC	\$579.00	Training
		2/12/20 -	The Election Center Special Workshop -	Greenville, SC	\$1,138.00	Training

		2/16/20	Registration Fee			
			The Election Center Special Workshop - Travel Expenses		\$ 1,405.21	
		9/21/20 - 9/24/20	Observation of Ballot Processing at K&H Election Services Mail House - Travel Expenses	Everett, WA	\$1,890.34	Training
McCann, Lenez	Public Affairs Specialist	10/12/19 - 10/16/19	The Election Center Seminar on Inclusion and Integrity II: Innovation, Investment and Critical Conversations - Registration Fee	Auburn, AL	\$ 100.00	Training
			The Election Center Seminar on Inclusion and Integrity II: Innovation, Investment and Critical Conversations - Travel Expenses		\$1,348.69	
		12/3/19 - 12/4/19	DC Court Services and Offender Supervision Agency (CSOSA) Outreach Event - Travel Expenses	Roanoke Rapids, NC	\$ 203.08	Voter Outreach Service
McGhie, Kenneth	Election Mgt Advisor	12/15/19 - 12/18/19	Council on Governmental Ethics Laws (COGEL) 2019 Conference - Registration Fee	Chicago, IL	\$1,300.00	Training

			Council on Governmental Ethics Laws (COGEL) 2019 Conference - Travel Expenses	Chicago, IL	\$ 1,271.66	Training
Stroud, Terri	General Counsel	10/13/19 - 10/16/19	The Election Center Seminar on Inclusion and Integrity II: Innovation, Investment and Critical Conversations - Registration Fee	Auburn, AL	\$100.00	Training
			The Election Center Seminar on Inclusion and Integrity II: Innovation, Investment and Critical Conversations - Travel Expenses		\$1,059.67	
Tatum, Clifford	Chief Information Security Officer	9/22/20 - 9/23/20	Observation of Ballot Processing at K&H Election Services - Travel Expenses	Everett, WA	\$1,269.32	Training
Thompson, Rich	Program Manager	2/13/20 - 2/16/20	The Election Center Special Workshop - Registration Fee	Greenville, SC	\$ 938.00	Training
			The Election Center Special Workshop - Travel Expenses		\$1,143.48	
White, LaDawne	Public Affairs Specialist	10/13/19 - 10/16/19	The Election Center Seminar on Inclusion and Integrity II: Innovation, Investment and Critical	Auburn, AL	\$ 100.00	Training

			Conversations - Registration Fee			
			The Election Center Seminar on Inclusion and Integrity II: Innovation, Investment and Critical Conversations - Travel Expenses		\$ 683.97	
		1/9/20 - 1/10/20	Joint Election Officials Liaison Committee (JEOLC) Conference - Registration Fee only	Washington, DC	\$ 579.00	Training
				TOTAL EXPENSES:	\$ 15,109.42	

#### FY 2021 TRAVEL SUMMARY

NAME	POSITION	DATE(s)	EVENT	EXPENSES	JUSTIFICATION
Evans, Monica	Senior Policy Advisor	2/1/21 - 2/5/21	2021 NASED Virtual Winter Conference - Registration Fee only	\$ 50.00	Training
Goldsberry- Adams, Sylvia	Deputy Director	2/1/21 - 2/5/21	2021 NASED Virtual Winter Conference - Registration Fee only	\$ 50.00	Training
Jacobs, Nicholas	Supervisory Public Affairs Specialist	2/1/21 - 2/5/21	2021 NASED Virtual Winter Conference - Registration Fee only	\$ 50.00	Training
Miller, Alice	Executive Director	1/14/21 - 1/15/21	Virtual Joint Election Officials Liaison Conference (JEOLC)	\$ 0.00	Training

		2/1/21 - 2/5/21	2021 NASED Virtual Winter Conference - Registration Fee only	\$ 50.00	Training
Stroud, Terri	General Counsel	2/1/21 - 2/5/21	2021 NASED Virtual Winter Conference - Registration Fee only	\$ 50.00	Training
Tatum, Clifford	Chief Information Security Officer	2/1/21 - 2/5/21	2021 NASED Virtual Winter Conference - Registration Fee only	\$ 50.00	Training

5. Please list all memoranda of understanding (“MOU”) entered into by the agency in FY20 and FY21, to date, as well as any MOU currently in force. For each, indicate the date into which the MOU was entered and the termination date.

Question 5 MOU					
FY2020					
Buyer	Seller	Purpose	FY2020 Budgeted Amount of	Entered Date of MOU	Termination Date of MOU
Board of Elections	Department of General Services	FY20 BOE Interior Renovation and Repair	\$ 8,950.00	10/1/2019	9/30/2020
Board of Elections	Department of General Services	Security Guard Services	\$ 306,507.18	10/1/2019	9/30/2020
Board of Elections	Office of Disability Rights	Sign Language Interpretation (SLI) Service	\$ 2,430.00	10/1/2019	9/30/2020
Board of Elections	DC Public Schools	Custodial and Security Services	\$ 31,674.00	10/1/2019	9/30/2020
FY2021					
Buyer	Seller	Purpose	FY2021 Budgeted Amount of	Entered Date of MOU	Termination Date of MOU
Board of Elections	Metropolitan Police Department	Ballot Box Escort Services	\$ 57,788.16	10/1/2020	9/30/2021
Board of Elections	Department of General Services	Security Guard Services	\$ 251,330.52	10/1/2020	9/30/2021
Board of Elections	Department of Public Works	Drivers to transport and deliver election results	\$ 12,336.00	11/3/2020	11/30/2020
Board of Elections	University of the District of Columbia	Utilizing the Van Ness Campus Sport Complex gymnasium as a vote center	\$ 32,000.00	10/25/2020	11/4/2020
Board of Elections	DC Public Schools	Custodial and Security Services	\$ 146,083.73	10/25/2020	11/4/2020

6. Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY20 and FY21, to date.

**BOE RESPONSE:** The BOE works and collaborates with state and local elections offices through its participation in national organizations including the Election Center, the National Association of State Election Directors (NASSED), and the National Association of Secretaries of State (NASS). BOE also interacts with the Election Assistance Commission (EAC), the Council of State Governments (COG), the Federal Voting Assistance Program (FVAP), the Department of Justice Voting Rights Division, and the National Association of County Clerks (NACO). BOE engages with state election officials in other states to determine best practices, and reviews election-related research and studies from other sources including the General Accounting Office (GAO) and the National Conference of State Legislatures, (NCSL) to name a few.

BOE is also a member of the Electronic Registration Information Center (ERIC), an interstate voter information exchange program in which participating jurisdictions upload anonymized voter registration, voter history, and Department of Motor Vehicles (DMV) data into a single database. Data-matching software compares the data and facilitates the issuance of list maintenance reports back to the member jurisdictions, allowing them to identify and take the appropriate action with respect to duplicate voter registrations, voters who are deceased, and voters who have moved within or outside of their jurisdictions. ERIC also allows BOE to identify individuals within the District of Columbia who are eligible to vote but are not registered.

BOE has a good working relationship with the DMV and Department of Corrections (DOC). Each agency performs its individual mandates and share a common component in voter registration. Since the enactment of the Restore the Vote legislation, BOE has formed relationships with the Bureau of Federal Prisons (BOP) in an effort to have their support in providing information for ballot access to incarcerated felons who are DC residents. More effort is being made by these agencies to coordinate voter registration services.

Further, the BOE collaborated with the Federal Voting Assistance Program, a division in the Department of Defense, to implement an online voter registration and absentee ballot request system for military and overseas citizens.

BOE spends considerable time and resources to ensure accessibility at all of its polling locations. BOE has collaborated with the Mayor's Office of Disability Rights, the Department of General Services (DGS), University Legal Services (ULS), the National Federation of the Blind, the National Disability Rights Network, the National Council on

Independent Living and other disability rights organizations to assist in surveying and addressing the accessibility concerns of individuals with disabilities as it relates to voting.

In addition, BOE continues to utilize the State and Territorial Exchange of Vital Events (“STEVE”) to identify and take appropriate action with respect to voters who are deceased.

7. For FY20 and FY21, to date, please list all intra-District transfers to or from the agency, and include a narrative description of the purpose of each transfer.

**RESPONSE:** Please see the table, below.

Question 7			
Intra-District Transfers			
FY2020			
From Agency	To Agency	Purpose	FY2020 Budgeted Amount of Transfer
Board of Elections	Department of General Services	For Security Service	\$ 306,507.18
Board of Elections	DC Public Schools	Custodial and Security Services	\$ 31,674.00
Board of Elections	Board of Elections	Office of Disability Rights	\$ 2,430.00
Board of Elections	Department of General Services	FY20 BOE Interior Renovation and Re	\$ 8,950.00
Board of Elections	DC Public Schools		
Board of Elections	DC Public Schools		
FY2021			
Buyer	Seller	Purpose	FY2021 Budgeted Amount of Transfer
Board of Elections	Metropolitan Police Department	Ballot Box Escort Services	\$ 57,788.16
Board of Elections	Department of General Services	Security Guard Services	\$ 251,330.52
Board of Elections	Department of Public Works	Drivers to transport and deliver election results	\$ 12,336.00
Board of Elections	University of the District of Columbi	Utilizing the Van Ness Campus Sport Complex gymnasium as a vote center	\$ 32,000.00
Board of Elections	DC Public Schools	Custodial and Security Services	\$ 146,083.73

8. For FY20 and FY21, 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:
  - a. The revenue source name and code;
  - b. The source of funding;
  - c. A description of the program that generates the funds;
  - d. The amount of funds generated by each source or program;
  - e. Expenditures of funds, including the purpose of each expenditure;
  - f. Whether expenditures from the fund are regulated by statute or policy, and if so, how; and
  - g. The current fund balance.

**RESPONSE:** The BOE did not maintain, use, or have available for use any special purpose revenue accounts during FY 20 or FY 21 to date.

9. For FY20 and FY21, to date, please list all purchase cards spending by the agency, the employee making each expenditure, and the general purpose of each expenditure.

**RESPONSE:** Please see the table, below.

## Question 9 Employee Purchase Card Spending

**FY20**

Cardholder Last Name	Cardholder First Name	Transaction Date	Post Date	Transaction Amount	Merchant Name	MCC Description	Merchant Type	Hierarchy Description
BALDWIN	STACEY	10/13/2019	10/14/2019	635.87	ADOBE CREATIVE CLOUD	COMPUTER SOFTWARE STORES	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	10/21/2019	10/22/2019	499.08	MSFT * E05009EY9A	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	10/25/2019	10/25/2019	2,013.00	PTI*PEAKTECH TELPAR	ELECTRONIC SALES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	11/05/2019	11/06/2019	68.75	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	11/05/2019	11/07/2019	462.49	ABC TECHNICAL SOLUTION	PROFESSIONAL SERVICES-NOT ELSEWHERE CLASSIFIED	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	11/14/2019	11/15/2019	190.08	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	11/14/2019	11/15/2019	20.78	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	11/14/2019	11/15/2019	240.57	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	11/15/2019	11/15/2019	105.00	PITNEY BOWES PI	STATIONERY-OFFICE SUPPLIES-PRINTING + WRITING PAP.	Office Equipment and Supplies	BOARD OF ELECTIONS
BALDWIN	STACEY	11/15/2019	11/15/2019	105.00	PITNEY BOWES PI	STATIONERY-OFFICE SUPPLIES-PRINTING + WRITING PAP.	Office Equipment and Supplies	BOARD OF ELECTIONS
BALDWIN	STACEY	11/15/2019	11/15/2019	105.00	PITNEY BOWES PI	STATIONERY-OFFICE SUPPLIES-PRINTING + WRITING PAP.	Office Equipment and Supplies	BOARD OF ELECTIONS
BALDWIN	STACEY	11/15/2019	11/18/2019	711.73	XEROX CORPORATION/RBO	OFFICE PHOTOGRAPHIC PHOTOCOPY + MICROFILM EQUIPMT.	Print and Duplicating Services	BOARD OF ELECTIONS
BALDWIN	STACEY	11/21/2019	11/22/2019	511.24	MSFT * E05009N9LA	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	12/12/2019	12/16/2019	2,752.16	PREMIER SUPPLIERS	DENTAL-LAB-MED-OPHTHALMIC HOSP EQUIP + SUPPLIES	Healthcare	BOARD OF ELECTIONS
BALDWIN	STACEY	12/17/2019	12/18/2019	3,773.81	NFF	COMPUTER NETWORK-INFORMATION SERVICES	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	12/20/2019	12/23/2019	1,132.08	FS *WINAUTO	COMPUTER SOFTWARE STORES	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	12/20/2019	12/23/2019	(64.08)	FS *WINAUTO	COMPUTER SOFTWARE STORES	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	12/21/2019	12/23/2019	497.91	MSFT * E05009VQZF	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS

BALDWIN	STACEY	01/06/2020	01/07/2020	1,251.23	ABC TECHNICAL SOLUTION	PROFESSIONAL SERVICES-NOT ELSEWHERE CLASSIFIED	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	01/08/2020	01/09/2020	2,646.55	U.S. OFFICE SOLUTIONS	OFFICE PHOTOGRAPHIC PHOTOCOPY + MICROFILM EQUIPMT.	Print and Duplicating Services	BOARD OF ELECTIONS
BALDWIN	STACEY	01/10/2020	01/13/2020	577.47	U.S. OFFICE SOLUTIONS	OFFICE PHOTOGRAPHIC PHOTOCOPY + MICROFILM EQUIPMT.	Print and Duplicating Services	BOARD OF ELECTIONS
BALDWIN	STACEY	01/21/2020	01/22/2020	514.15	MSFT * E0500A4A4O	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	02/19/2020	02/20/2020	142.56	MULTICULTURAL COMMUNIT	ORGANIZATIONS CHARITABLE AND SOCIAL SERVICES	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	02/19/2020	02/20/2020	774.99	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	02/19/2020	02/21/2020	577.60	INTAB LLC	DIRECT MARKETING-OTHER DIRECT MARKETERS-NOT ELSEW.	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	02/20/2020	02/20/2020	617.21	ULINE	DIRECT MARKETING-CATALOG MERCHANTS	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	02/21/2020	02/24/2020	503.45	MSFT * E0500ACQLE	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	03/11/2020	03/11/2020	(617.21)	ULINE	DIRECT MARKETING-CATALOG MERCHANTS	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	03/11/2020	03/11/2020	582.27	ULINE	DIRECT MARKETING-CATALOG MERCHANTS	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	03/16/2020	03/17/2020	243.00	4IMPRINT	DIRECT MARKETING-OTHER DIRECT MARKETERS-NOT ELSEW.	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	03/21/2020	03/23/2020	477.67	MSFT * E0500ALQWY	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	04/21/2020	04/21/2020	515.06	MSFT * E0500AULLM	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	05/04/2020	05/05/2020	1,151.99	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	05/04/2020	05/05/2020	2,712.50	AMAZON.COM*8T4WB78I3 A	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	05/05/2020	05/05/2020	1,073.75	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS

BALDWIN	STACEY	05/05/2020	05/06/2020	1,705.21	OVERHEAD DOOR CO OF WA	CONTRACTORS SPECIAL TRADE- NOT ELSEWHERE CLASSIFIED	Maintenance Repair Operation	BOARD OF ELECTIONS
BALDWIN	STACEY	05/11/2020	05/12/2020	925.00	FORMOST ADVANCED CRE	COMMERCIAL ART GRAPHICS PHOTOGRAPHY	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/13/2020	05/15/2020	2,520.00	SYDAR OF D.C., LLC	MISCELLANEOUS PUBLISHING AND PRINTING	Print and Duplicating Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/14/2020	05/15/2020	2,947.50	U.S. OFFICE SOLUTIONS	OFFICE PHOTOGRAPHIC PHOTOCOPY + MICROFILM EQUIPMT.	Print and Duplicating Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/18/2020	05/18/2020	1,902.93	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	05/18/2020	05/19/2020	1,999.80	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	05/18/2020	05/19/2020	139.99	OFFICE DEPOT #5910	DIRECT MARKETING- COMBINATION CATALOG-RETAIL MERCH.	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/18/2020	05/19/2020	48.49	OFFICE DEPOT #5910	DIRECT MARKETING- COMBINATION CATALOG-RETAIL MERCH.	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/19/2020	05/20/2020	434.66	OFFICE DEPOT #5910	DIRECT MARKETING- COMBINATION CATALOG-RETAIL MERCH.	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/19/2020	05/20/2020	83.99	OFFICE DEPOT #5910	DIRECT MARKETING- COMBINATION CATALOG-RETAIL MERCH.	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/20/2020	05/21/2020	1,412.50	ABC TECHNICAL SOLUTION	PROFESSIONAL SERVICES-NOT ELSEWHERE CLASSIFIED	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	05/21/2020	05/21/2020	677.09	PITNEY BOWES PI	STATIONERY- OFFICE SUPPLIES- PRINTING + WRITING PAP.	Office Equipment and Supplies	BOARD OF ELECTIONS
BALDWIN	STACEY	05/24/2020	05/25/2020	99.99	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	05/30/2020	06/01/2020	198.00	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	06/02/2020	06/03/2020	497.36	MSFT * E0500B3Y8X	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	06/11/2020	06/11/2020	768.23	PITNEY BOWES PI	STATIONERY- OFFICE SUPPLIES- PRINTING + WRITING PAP.	Office Equipment and Supplies	BOARD OF ELECTIONS
BALDWIN	STACEY	06/17/2020	06/18/2020	2,393.52	STANLEY CONVERGENT SEC	HARDWARE EQUIPMENT AND SUPPLIES	Maintenance Repair Operation	BOARD OF ELECTIONS
BALDWIN	STACEY	06/21/2020	06/22/2020	514.15	MSFT * E0500BDDU6	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS

BALDWIN	STACEY	06/27/2020	06/29/2020	2,883.16	FEDEX	COURIER SVC-AIR + GROUND FREIGHT FORWARDERS	Warehousing, Freight and Delivery	BOARD OF ELECTIONS
BALDWIN	STACEY	06/29/2020	06/30/2020	33.95	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	06/30/2020	07/01/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	07/01/2020	07/02/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	07/13/2020	07/14/2020	1,200.00	IN *GOTTA GO NOW LLC	CONTRACTORS SPECIAL TRADE-NOT ELSEWHERE CLASSIFIED	Maintenance Repair Operation	BOARD OF ELECTIONS
BALDWIN	STACEY	07/15/2020	07/15/2020	238.74	COMCAST	CABLE SATELLITE OTHER PAY TELEVISION RADIO SVCS	Utilities	BOARD OF ELECTIONS
BALDWIN	STACEY	07/17/2020	07/20/2020	119.42	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	07/20/2020	07/21/2020	150.45	IN *INCLUSION SOLUTION	COMMERCIAL EQUIPMENT NOT ELSEWHERE CLASSIFIED	Maintenance Repair Operation	BOARD OF ELECTIONS
BALDWIN	STACEY	07/20/2020	07/21/2020	70.80	IN *INCLUSION SOLUTION	COMMERCIAL EQUIPMENT NOT ELSEWHERE CLASSIFIED	Maintenance Repair Operation	BOARD OF ELECTIONS
BALDWIN	STACEY	07/21/2020	07/21/2020	498.60	MSFT * E0500BMX1R	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	07/21/2020	07/22/2020	151.55	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	07/27/2020	07/28/2020	25.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	07/29/2020	07/31/2020	3,281.20	ABC TECHNICAL SOLUTION	PROFESSIONAL SERVICES-NOT ELSEWHERE CLASSIFIED	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	07/29/2020	07/31/2020	966.72	ZENDESK, INC.	COMP PROGRAMING DATA PRCSNG INTGRTD SYS DSGN SRVS	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	07/30/2020	07/31/2020	230.00	MASCOT METROTUTTO	NONDURABLE GOODS (NOT ELSEWHERE CLASSIFIED)	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	07/30/2020	07/31/2020	111.00	MASCOT METROTUTTO	NONDURABLE GOODS (NOT ELSEWHERE CLASSIFIED)	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	07/30/2020	07/31/2020	4,990.00	URBAN ONE INC	ADVERTISING SERVICES	Media and Advertising Services	BOARD OF ELECTIONS

BALDWIN	STACEY	07/30/2020	08/03/2020	(54.72)	ZENDESK, INC.	COMP PROGRAMING DATA PRCSNG INTGRTD SYS DSGN SRVS	Professional Services	BOARD OF ELECTIONS
BALDWIN	STACEY	08/05/2020	08/06/2020	694.79	ZOOM.US 888-799-9666	TELECOM INCL PREPAID- RECURRING PHONE SVCS	Telecom	BOARD OF ELECTIONS
BALDWIN	STACEY	08/13/2020	08/14/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	08/21/2020	08/21/2020	464.45	MSFT * E0500BWUSB	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
BALDWIN	STACEY	08/29/2020	08/31/2020	40.01	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	08/31/2020	09/01/2020	198.64	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	08/31/2020	09/01/2020	84.87	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/01/2020	09/02/2020	1,979.97	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	09/01/2020	09/02/2020	670.60	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	09/01/2020	09/02/2020	377.49	AMZN MKTP US	BOOK STORES	Retail	BOARD OF ELECTIONS
BALDWIN	STACEY	09/02/2020	09/03/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/02/2020	09/03/2020	39.40	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/02/2020	09/03/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/02/2020	09/04/2020	2,750.00	SYDAR OF D.C., LLC	MISCELLANEOUS PUBLISHING AND PRINTING	Print and Duplicating Services	BOARD OF ELECTIONS
BALDWIN	STACEY	09/03/2020	09/03/2020	483.44	COMCAST	CABLE SATELLITE OTHER PAY TELEVISION RADIO SVCS	Utilities	BOARD OF ELECTIONS
BALDWIN	STACEY	09/08/2020	09/09/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/09/2020	09/10/2020	508.38	STAPLES DIRECT	STATIONERY- OFFICE SUPPLIES- PRINTING + WRITING PAP.	Office Equipment and Supplies	BOARD OF ELECTIONS
BALDWIN	STACEY	09/14/2020	09/15/2020	43.04	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/21/2020	09/21/2020	512.84	MSFT * E0500C6UBS	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS

BALDWIN	STACEY	09/21/2020	09/22/2020	39.40	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/24/2020	09/25/2020	30.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
BALDWIN	STACEY	09/29/2020	09/30/2020	32.73	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
GARCIA	KARLA	10/23/2019	10/24/2019	79.00	DC BAR	ORGANIZATIONS MEMBERSHIP-NOT ELSEWHERE CLASSIFIED	Other	BOARD OF ELECTIONS
GARCIA	KARLA	11/22/2019	11/25/2019	36.88	CC DC COURT EFILE-NIC	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
GARCIA	KARLA	11/27/2019	11/29/2019	145.00	SP * PROLAWCLE	SCHOOLS + EDUCATIONAL SVC.-NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GARCIA	KARLA	12/17/2019	12/18/2019	479.00	ELECTION CENTER	SCHOOLS + EDUCATIONAL SVC.-NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GARCIA	KARLA	12/19/2019	12/20/2019	150.00	ELECTION CENTER	SCHOOLS + EDUCATIONAL SVC.-NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GARCIA	KARLA	02/04/2020	02/05/2020	25.56	INDEED	DIRECT MARKETING-OTHER DIRECT MARKETERS-NOT ELSEW.	Professional Services	BOARD OF ELECTIONS
GARCIA	KARLA	02/21/2020	02/24/2020	519.83	LINKEDIN-516	DIRECT MARKETING-CONTINUITY-SUBSCRIPTION MERCHANTS	Professional Services	BOARD OF ELECTIONS
GARCIA	KARLA	03/01/2020	03/02/2020	201.41	INDEED	DIRECT MARKETING-OTHER DIRECT MARKETERS-NOT ELSEW.	Professional Services	BOARD OF ELECTIONS
GARCIA	KARLA	03/06/2020	03/09/2020	99.00	NATIONAL POSTAL FORUM	CONSULTING MANAGEMENT AND PUBLIC RELATIONS SVCS	Professional Services	BOARD OF ELECTIONS
GARCIA	KARLA	03/06/2020	03/09/2020	699.00	DC BAR	ORGANIZATIONS MEMBERSHIP-NOT ELSEWHERE CLASSIFIED	Other	BOARD OF ELECTIONS
GARCIA	KARLA	03/10/2020	03/10/2020	439.62	LINKEDIN 5388491504 LN	DIRECT MARKETING-CONTINUITY-SUBSCRIPTION MERCHANTS	Professional Services	BOARD OF ELECTIONS
GARCIA	KARLA	03/13/2020	03/16/2020	(0.79)	INDEED	DIRECT MARKETING-OTHER DIRECT MARKETERS-NOT ELSEW.	Professional Services	BOARD OF ELECTIONS

GOLDSBERRY ADAM	SYLVIA	12/06/2019	12/09/2019	150.00	ELECTION CENTER	SCHOOLS + EDUCATIONAL SVC- NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/12/2019	12/12/2019	231.64	COMCAST	CABLE SATELLITE OTHER PAY TELEVISION RADIO SVCS	Utilities	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/12/2019	12/13/2019	750.00	INT*IN *FB SECURITY GR	COMPUTERS COMPUTER PERIPHERAL EQUIPMENT SOFTWARE	Computer, Hardware, Software and Peripherals	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/12/2019	12/13/2019	479.00	ELECTION CENTER	SCHOOLS + EDUCATIONAL SVC- NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/13/2019	12/16/2019	150.00	ELECTION CENTER	SCHOOLS + EDUCATIONAL SVC- NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/18/2019	12/19/2019	55.77	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/18/2019	12/19/2019	25.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	12/30/2019	12/31/2019	579.00	ELECTION CENTER	SCHOOLS + EDUCATIONAL SVC- NOT ELSEWHERE CLASSIFIED	Education	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/05/2020	01/06/2020	31.04	FREECONFERENCE ALL.COM	BUSINESS SERVICES NOT ELSEWHERE CLASSIFIED	Professional Services	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/08/2020	01/09/2020	525.00	NASED	ASSOCIATIONS- CIVIC SOCIAL AND FRATERNAL	Other	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/08/2020	01/09/2020	525.00	NASED	ASSOCIATIONS- CIVIC SOCIAL AND FRATERNAL	Other	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/08/2020	01/09/2020	525.00	NASED	ASSOCIATIONS- CIVIC SOCIAL AND FRATERNAL	Other	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/12/2020	01/13/2020	231.83	COMCAST	CABLE SATELLITE OTHER PAY TELEVISION RADIO SVCS	Utilities	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/17/2020	01/20/2020	25.31	DC GOV'T PAYMENT	GOVERNMENT SERVICES-NOT ELSEWHERE CLASSIFIED	Government	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/17/2020	01/20/2020	625.00	NASED	ASSOCIATIONS- CIVIC SOCIAL AND FRATERNAL	Other	BOARD OF ELECTIONS
GOLDSBERRY ADAM	SYLVIA	01/17/2020	01/20/2020	625.00	NASED	ASSOCIATIONS- CIVIC SOCIAL AND FRATERNAL	Other	BOARD OF ELECTIONS

10. Please list all capital projects in the financial plan for the agency or under the agency's purview in FY20 and FY21, to date, and provide an update on each project, including the amount budgeted, actual dollars spent, and any remaining balances (please also include projects for the benefit of the agency that are in the budget of the Department of General Services or another agency). In addition, please provide:
- A narrative description of all capital projects begun, in progress, or concluded in FY19, FY20, and FY21, to date, including the amount budgeted, actual dollars spent, any remaining balances, and the work undertaken;
- RESPONSE:** In May 2017, the Council approved a reprogramming of \$3 million in capital funds for BOE to procure a new voter registration and elections management database system. On February 14, 2019, the contract was awarded to VR Systems, Inc. in Tallahassee, Florida. The total award was approximately \$2.1 million (Base period total price-\$845,279.00; Option Period One (1) total price - \$311,918.00 for Maintenance & Support); Option Period Two (2) \$306,084.00 for Maintenance & Support; Option Period Three (3) \$318,563.00 for Maintenance & Support; and Option Period Year Four (4) \$323,468.00 for Maintenance & Support. To date, the Board has spent \$633,958.00.
- An update on all capital projects planned for the four-year financial plan;
  - A description of whether the capital projects begun, in progress, or concluded in FY19, FY20, and FY21, to date, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact; and
  - A description and the fund balance for any existing allotments.
11. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY20 and FY21, to date. For each, include a description of the need and the amount of funding requested.

**RESPONSE:** Please see the table, below.

Question 11		
Budget Enhancement Request		
Fiscal Year 2020		
Date	Description	Amount Needed
10/1/2019	Poll Workers pay increase	\$60,000.00
10/1/2019	Establish Absentee Ballot Processing Center/Hire 10 Temporary/Seasonal Workers	\$100,000.00
10/1/2019	Proposed (2) New FTE (IT Specialist)	\$250,000.00

	Positions	
10/1/2019	Election Network Security	\$100,000.00
Fiscal Year 2021		
<b>Date</b>	<b>Description</b>	<b>Amount Needed</b>
10/1/2020	Expansion of Voter Education and Outreach Division	\$250,000.00
10/1/2020	Warehouse Space Renovations	\$ 80,000.00
10/1/2020	Hire 20+ FTEs Agency Growth	\$1,400,000.00
10/1/2020	Additional Office Space	\$675,000.09
10/1/2020	Continuing Poll Worker Training Program	\$ 80,000.00
10/1/2020	Increase Pay for Poll Workers	\$100,000.00
10/1/2020	On-line Poll Worker Training Program	\$ 75,000.00
10/1/2020	Election Network Security (COOP) Site	\$200,000.00
10/1/2020	Information Technology Modernization	\$250,000.00
10/1/2020	Additional Warehouse Space	\$350,000.00

12. Please list, in chronological order, each reprogramming in FY20 and FY21, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, or within the agency. Include known, anticipated reprogrammings, as well as the revised, final budget for your agency after the reprogrammings. For each reprogramming, list the date, amount, rationale, and reprogramming number.

**RESPONSE:** Please see the table, below.

Question 12			
Budget Reprogramming			
Fiscal Year 2020			
Date	Amount	Rationale	Reprogramming Number
7/31/2020	\$367,403	Reprogramming of Federal Grant Fund (HAVA20/20) in the Board of Elections to hire 25 additional FTEs	APDL0130
Fiscal Year 2021			
Date	Amount	Description	Reprogramming Number
None YTD			

13. Please list each grant or sub-grant **received by** your agency in FY20 and FY21, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.

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

**RESPONSE:** Please see the table, below.

Question 13					
Grant Funding					
Fiscal Year 2020					
Start/End Date	Amount	Amount Expended	Source	Purpose of Grant	13a. FTEs Grant Funded
10/01/2019 - 09/30/2020	\$ 3,149	\$ 3,149	2011 Help America Vote Act (HAVA)		
10/01/2019 - 09/30/2020	\$ 2,019,652	\$ 1,906,317	2018 Help America Vote Act (HAVA)	The HAVA 18 security grant award is to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements to the systems, equipment and processes used in federal elections.	
10/01/2019 - 09/30/2020	\$ 3,000,000	\$ 1,553,049	2020 Help America Vote Act (HAVA)	The HAVA 18/20 security grant award is to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements to the systems, equipment and processes used in federal elections.	
10/01/2019 - 09/30/2020	\$ 3,000,540	\$ 3,000,540	HAVA CARES	BOE received \$3 million in funding because of the passage of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. The new Help America Vote Act (HAVA) emergency funds were made available to states to prevent, prepare for, and respond to the coronavirus for the 2020 federal election cycle.	
Fiscal Year 2021					
Start/End Date	Amount	Amount Expended	Source	Purpose of Grant	13a. FTEs Grant Funded
10/01/2020 - 09/30/2021	\$ 1,451,064	\$ 91,375	2020 Help America Vote Act (HAVA)		
10/01/2020 - 09/30/2021	\$ 617,613	\$ 617,613	Center for Tech and Civic Life (CTCL)	The purpose of the Center for Tech and Civic Life grant fund is for the planning and operationalizing safe and secure elections. Funds could be expended on election administration needs pertaining to: Ballot drop boxes, Non-partisan voter education, Poll worker recruitment funds, hazard pay, and/or training expenses, Polling place rental and cleaning expenses for early voting or Election Day, Temporary staffing, Voting materials in languages other than english, Vote-by-mail/Absentee voting equipment or supplies, and Election administration equipment.	
10/01/2020 - 09/30/2021	\$ 811,835	\$ 811,835	The Center for Election Innovation & Research (CEIR)	The purpose of the grant is to provide voter education, information, and communication to ensure a safe, secure and informed November 2020 election, particularly in the face of challenges posed by the COVID-19 pandemic.	

14. Please list each grant or sub-grant **granted by** your agency in FY20 and FY21, to date. List the date, amount, source, and purpose of the grant or sub-grant granted.

**RESPONSE:** None.

15. Please list each contract, procurement, and lease entered into or extended and option years exercised by your agency during FY20 and FY21, to date. For each contract, procurement, or lease, please provide the following information, where applicable:

- a. The name of the party;

- b. The nature of the contract, procurement, or lease, including the end product or service;
- c. The dollar amount of the contract, procurement, or lease, including amount budgeted and amount actually spent;
- d. The term of the contract, procurement, or lease;
- e. Whether it was competitively bid;
- f. The name of the agency's contract monitor(s) and the results of any monitoring activity; and
- g. The funding source.

**RESPONSE:** Please see the listing, below.

<b>Purchase Orders</b>				
<b>FY20 PURCHASE ORDER PAYMENTS</b>				
<b>Vendor Name</b>	<b>Invoice Date</b>	<b>Ref Doc</b>	<b>Payment Date</b>	<b>Trans Amt</b>
ABC TECHNICAL SOLUTIONS INC	1/6/20	PO618276	1/14/2020	48,635.00
ABC TECHNICAL SOLUTIONS INC	9/22/20	PO627639	10/2/2020	21,746.30
<b>ABC TECHNICAL SOLUTIONS INC Total</b>				70,381.30
AVID SYSTEMS, LLC	5/18/20	PO624081	6/1/2020	16,537.50
<b>AVID SYSTEMS, LLC Total</b>				16,537.50
BAYNE LLC	4/6/20	PO618763	4/15/2020	39,512.00
BAYNE LLC	5/12/20	PO618763	5/19/2020	97,220.28
BAYNE LLC	5/13/20	PO618763	5/22/2020	42,267.50
BAYNE LLC	6/14/20	PO618763	7/6/2020	15,180.00
BAYNE LLC	6/18/20	PO618763	7/6/2020	16,995.00
BAYNE LLC	7/26/20	PO624923	8/24/2020	16,628.62
BAYNE LLC	8/16/20	PO618763	9/14/2020	4,045.50
BAYNE LLC	9/6/20	PO628034	9/21/2020	279,545.00
BAYNE LLC	9/14/20	PO628034	10/6/2020	213,000.00
BAYNE LLC	10/14/20	PO628034	10/21/2020	48,000.00
BAYNE LLC	10/14/20	PO628034	10/21/2020	129,580.00
<b>BAYNE LLC Total</b>				901,973.90
BRIAR PATCH SHREDDING AND R	9/2/20	PO616150	9/14/2020	4,727.50
<b>BRIAR PATCH SHREDDING AND R Total</b>				4,727.50
COMCAST SPOTLIGHT LLC	12/29/19	PO617252	2/18/2020	6,015.25
COMCAST SPOTLIGHT LLC	1/26/20	PO617252	2/18/2020	4,440.00
COMCAST SPOTLIGHT LLC	2/23/20	PO617252	7/29/2020	3,737.25
COMCAST SPOTLIGHT LLC	3/29/20	PO617252	7/29/2020	3,578.75
COMCAST SPOTLIGHT LLC	4/26/20	PO617252	7/29/2020	150.00
COMCAST SPOTLIGHT LLC	5/31/20	PO617252	7/29/2020	5,525.00
COMCAST SPOTLIGHT LLC	5/31/20	PO624208	7/29/2020	28,463.75
COMCAST SPOTLIGHT LLC	6/28/20	PO624208	9/2/2020	1,120.25

<b>COMCAST SPOTLIGHT LLC Total</b>				53,030.25
COMPUTER AID, INC	10/9/20	PO628926	10/16/2020	9,015.54
COMPUTER AID, INC	10/9/20	PO628948	10/16/2020	8,880.80
COMPUTER AID, INC	10/9/20	PO629347	10/16/2020	2,199.66
COMPUTER AID, INC	10/9/20	PO629558	10/16/2020	1,766.94
<b>COMPUTER AID, INC Total</b>				21,862.94
CORPORATE SYSTEMS RESOURC	4/8/20	PO623710	4/21/2020	9,440.00
<b>CORPORATE SYSTEMS RESOURC Total</b>				9,440.00
DATA NET SYSTEMS CORP	2/7/20	PO620544	2/21/2020	42,852.97
DATA NET SYSTEMS CORP	7/7/20	PO620544	7/17/2020	42,852.97
DATA NET SYSTEMS CORP	9/29/20	PO620544	10/8/2020	17,168.19
<b>DATA NET SYSTEMS CORP Total</b>				102,874.13
DEMOCRACY LIVE INC.	6/5/20	PO621463	6/16/2020	52,900.00
<b>DEMOCRACY LIVE INC. Total</b>				52,900.00
DUPONT COMPUTERS	10/9/20	PO629064	10/16/2020	24,325.00
<b>DUPONT COMPUTERS Total</b>				24,325.00
EASTERN LIFT TRUCK CO. INC.	2/20/20	PO619626	3/17/2020	80.00
EASTERN LIFT TRUCK CO. INC.	2/20/20	PO619626	3/17/2020	75.00
EASTERN LIFT TRUCK CO. INC.	2/20/20	PO619626	3/17/2020	100.00
EASTERN LIFT TRUCK CO. INC.	2/20/20	PO619626	3/17/2020	80.00
EASTERN LIFT TRUCK CO. INC.	2/20/20	PO619626	3/17/2020	80.00
EASTERN LIFT TRUCK CO. INC.	4/22/20	PO619626	5/4/2020	80.00
EASTERN LIFT TRUCK CO. INC.	4/22/20	PO619626	5/4/2020	75.00
EASTERN LIFT TRUCK CO. INC.	4/22/20	PO619626	5/4/2020	80.00
EASTERN LIFT TRUCK CO. INC.	4/23/20	PO619626	5/4/2020	100.00
EASTERN LIFT TRUCK CO. INC.	6/23/20	PO623439	7/6/2020	34,404.00
EASTERN LIFT TRUCK CO. INC.	7/29/20	PO619626	8/24/2020	80.00
EASTERN LIFT TRUCK CO. INC.	7/29/20	PO619626	8/24/2020	75.00
EASTERN LIFT TRUCK CO. INC.	7/29/20	PO619626	8/25/2020	100.00
EASTERN LIFT TRUCK CO. INC.	9/10/20	PO619626	9/21/2020	500.00
<b>EASTERN LIFT TRUCK CO. INC. Total</b>				35,909.00
ELECTION MGMT CONSULTING SVC	10/2/19	PO612171	10/10/2019	75,361.39
ELECTION MGMT CONSULTING SVC	11/20/19	PO612171	12/11/2019	7,752.25
ELECTION MGMT CONSULTING SVC	12/4/19	PO612171	12/13/2019	9,196.00
ELECTION MGMT CONSULTING SVC	1/10/20	PO612171	1/21/2020	7,477.25
ELECTION MGMT CONSULTING SVC	3/4/20	PO612171	3/20/2020	14,511.44
ELECTION MGMT CONSULTING SVC	4/1/20	PO612171	4/10/2020	7,255.72
ELECTION MGMT CONSULTING SVC	4/30/20	PO612171	5/11/2020	7,255.72
ELECTION MGMT CONSULTING SVC	6/1/20	PO612171	6/12/2020	7,255.72
ELECTION MGMT CONSULTING SVC	6/30/20	PO612171	7/17/2020	7,255.72
ELECTION MGMT CONSULTING SVC	8/3/20	PO612171	8/17/2020	7,255.72
ELECTION MGMT CONSULTING SVC	8/27/20	PO612171	9/11/2020	14,511.44
<b>ELECTION MGMT CONSULTING SVC Total</b>				165,088.37
ELECTION SYSTEMS & SOFTWARE IN	1/13/20	PO605307	1/22/2020	174,000.00

ELECTION SYSTEMS & SOFTWARE IN	1/14/20	PO608616	1/22/2020	32,788.00
ELECTION SYSTEMS & SOFTWARE IN	1/14/20	PO609138	1/22/2020	242,661.20
ELECTION SYSTEMS & SOFTWARE IN	1/16/20	PO609138	1/22/2020	22,588.80
ELECTION SYSTEMS & SOFTWARE IN	6/15/20	PO623329	7/6/2020	150,375.00
ELECTION SYSTEMS & SOFTWARE IN	6/15/20	PO623907	7/6/2020	109,865.48
ELECTION SYSTEMS & SOFTWARE IN	6/15/20	PO623907	7/6/2020	11,462.74
ELECTION SYSTEMS & SOFTWARE IN	6/15/20	PO623907	7/6/2020	2,838.05
ELECTION SYSTEMS & SOFTWARE IN	9/10/20	PO623907	9/21/2020	751.88
ELECTION SYSTEMS & SOFTWARE IN	9/10/20	PO623907	9/21/2020	34,270.44
ELECTION SYSTEMS & SOFTWARE IN	9/22/20	PO613018	10/6/2020	15,925.00
ELECTION SYSTEMS & SOFTWARE IN	9/22/20	PO620615	10/6/2020	15,300.00
ELECTION SYSTEMS & SOFTWARE IN	9/22/20	PO620615	10/6/2020	18,700.00
ELECTION SYSTEMS & SOFTWARE IN	9/22/20	PO620615	10/6/2020	9,350.00
ELECTION SYSTEMS & SOFTWARE IN	9/22/20	PO623907	10/6/2020	9,166.74
ELECTION SYSTEMS & SOFTWARE IN	9/22/20	PO623907	10/6/2020	982.93
ELECTION SYSTEMS & SOFTWARE IN	10/1/20	PO623907	10/7/2020	34,152.77
ELECTION SYSTEMS & SOFTWARE IN	10/6/20	PO629075	10/19/2020	908,837.50
ELECTION SYSTEMS & SOFTWARE IN	10/21/20	PO620615	10/27/2020	7,962.50
<b>ELECTION SYSTEMS &amp; SOFTWARE IN Total</b>				1,801,979.03
ELYSIUM LLC	5/12/20	PO624022	5/20/2020	19,083.40
<b>ELYSIUM LLC Total</b>				19,083.40
ENTERPRISE HOLDINGS, INC.	9/8/20	PO622281	9/21/2020	11,165.09
<b>ENTERPRISE HOLDINGS, INC. Total</b>				11,165.09
FORMOST ADVANCED CREATIONS LLC	4/30/20	PO621791	5/18/2020	20,815.00
FORMOST ADVANCED CREATIONS LLC	9/28/20	PO621791	10/7/2020	11,350.00
FORMOST ADVANCED CREATIONS LLC	9/28/20	PO621791	10/9/2020	9,464.00
<b>FORMOST ADVANCED CREATIONS LLC Total</b>				41,629.00
GOTTA GO NOW LLC	5/18/20	PO624277	6/8/2020	14,486.00
GOTTA GO NOW LLC	10/5/20	PO628029	10/19/2020	17,838.00
<b>GOTTA GO NOW LLC Total</b>				32,324.00
INCLUSION SOLUTIONS LLC	5/28/20	PO622748	6/15/2020	42,098.00
INCLUSION SOLUTIONS LLC	6/15/20	PO624590	7/6/2020	5,980.00
INCLUSION SOLUTIONS LLC	9/22/20	PO626981	10/5/2020	9,337.00
INCLUSION SOLUTIONS LLC	9/22/20	PO629933	10/5/2020	9,156.00
<b>INCLUSION SOLUTIONS LLC Total</b>				66,571.00
INTAB LLC	5/19/20	PO624270	6/2/2020	17,696.25
<b>INTAB LLC Total</b>				17,696.25
INTERCYCLE, LLC DBA RECYCLING	10/2/20	PO628062	10/7/2020	82,427.00
<b>INTERCYCLE, LLC DBA RECYCLING Total</b>				82,427.00
JOHN LINDBACK	12/5/19	PO617608	12/16/2019	4,074.00
JOHN LINDBACK	12/10/19	PO617608	12/30/2019	11,718.00
<b>JOHN LINDBACK Total</b>				15,792.00
K&H PRINTERS-LITHOGRAPHERS	10/2/20	PO627885	10/9/2020	633,658.25
<b>K&amp;H PRINTERS-LITHOGRAPHERS Total</b>				633,658.25

KNOWINK LLC	11/19/19	PO610386	12/16/2019	176,000.00
KNOWINK LLC	5/18/20	PO621886	6/1/2020	81,000.00
<b>KNOWINK LLC Total</b>				257,000.00
MASCOT METROPOLITAN INC	6/1/20	PO621252	6/22/2020	24,275.00
<b>MASCOT METROPOLITAN INC Total</b>				24,275.00
MULTICULTURAL COMMUNITY SERVIC	4/1/20	PO621768	4/14/2020	1,581.75
MULTICULTURAL COMMUNITY SERVIC	4/17/20	PO621768	4/28/2020	3,823.20
MULTICULTURAL COMMUNITY SERVIC	5/7/20	PO621768	5/15/2020	111.00
MULTICULTURAL COMMUNITY SERVIC	6/9/20	PO621768	6/26/2020	3,356.10
<b>MULTICULTURAL COMMUNITY SERVIC Total</b>				8,872.05
MVS INC	9/30/20	PO627543	10/9/2020	8,824.10
<b>MVS INC Total</b>				8,824.10
NASH HOLDINGS LLC DBA/WP COMPA	6/2/20	PO624050	6/22/2020	32,160.00
NASH HOLDINGS LLC DBA/WP COMPA	7/6/20	PO624050	7/20/2020	2,010.00
NASH HOLDINGS LLC DBA/WP COMPA	7/16/20	PO624050	8/3/2020	5,430.00
<b>NASH HOLDINGS LLC DBA/WP COMPA Total</b>				39,600.00
NEAL R GROSS & CO INC	10/24/19	PO613027	11/7/2019	672.35
NEAL R GROSS & CO INC	12/10/19	PO613027	12/27/2019	565.00
NEAL R GROSS & CO INC	1/9/20	PO613027	1/21/2020	565.00
NEAL R GROSS & CO INC	1/9/20	PO613027	1/21/2020	711.90
NEAL R GROSS & CO INC	2/4/20	PO613027	2/18/2020	565.00
NEAL R GROSS & CO INC	3/4/20	PO613027	3/20/2020	689.30
NEAL R GROSS & CO INC	3/11/20	PO613027	3/27/2020	565.00
NEAL R GROSS & CO INC	3/27/20	PO613027	4/6/2020	565.00
NEAL R GROSS & CO INC	4/8/20	PO613027	4/21/2020	565.00
NEAL R GROSS & CO INC	4/15/20	PO613027	4/27/2020	853.15
NEAL R GROSS & CO INC	5/22/20	PO613027	6/5/2020	796.65
NEAL R GROSS & CO INC	6/11/20	PO613027	7/2/2020	565.00
NEAL R GROSS & CO INC	7/6/20	PO613027	7/24/2020	768.40
NEAL R GROSS & CO INC	7/15/20	PO613027	7/24/2020	845.00
NEAL R GROSS & CO INC	7/22/20	PO613027	7/31/2020	565.00
NEAL R GROSS & CO INC	7/31/20	PO613027	8/24/2020	565.00
NEAL R GROSS & CO INC	8/24/20	PO613027	9/11/2020	768.40
NEAL R GROSS & CO INC	9/18/20	PO613027	10/2/2020	694.95
NEAL R GROSS & CO INC	9/21/20	PO613027	10/2/2020	565.00
NEAL R GROSS & CO INC	9/24/20	PO613027	10/2/2020	1,593.30
<b>NEAL R GROSS &amp; CO INC Total</b>				14,043.40
PAXTON VAN LINES	8/10/20	PO624652	8/31/2020	34,173.76
<b>PAXTON VAN LINES Total</b>				34,173.76
PRINCE HALL FREEMASON AND EAST	6/4/20	PO622829	6/22/2020	19,575.00
<b>PRINCE HALL FREEMASON AND EAST Total</b>				19,575.00
RECOVERY POINT SYSTEMS I	11/6/19	PO613029	12/6/2019	187.70
RECOVERY POINT SYSTEMS I	12/6/19	PO613029	12/16/2019	187.70
RECOVERY POINT SYSTEMS I	1/8/20	PO613029	1/22/2020	187.70

RECOVERY POINT SYSTEMS I	2/5/20	PO613029	2/19/2020	212.03
RECOVERY POINT SYSTEMS I	3/5/20	PO613029	3/23/2020	187.70
RECOVERY POINT SYSTEMS I	4/3/20	PO613029	4/15/2020	187.70
RECOVERY POINT SYSTEMS I	5/5/20	PO613029	5/13/2020	187.70
RECOVERY POINT SYSTEMS I	6/4/20	PO613029	6/22/2020	187.70
RECOVERY POINT SYSTEMS I	7/6/20	PO613029	7/27/2020	187.70
RECOVERY POINT SYSTEMS I	8/4/20	PO613029	8/26/2020	187.70
RECOVERY POINT SYSTEMS I	9/4/20	PO613029	9/21/2020	187.70
RECOVERY POINT SYSTEMS I	10/1/20	PO613029	10/8/2020	187.70
<b>RECOVERY POINT SYSTEMS I Total</b>				2,276.73
RR DONNELLEY	7/15/20	PO623994	7/27/2020	9,777.15
RR DONNELLEY	9/2/20	PO622116	9/14/2020	9,947.84
<b>RR DONNELLEY Total</b>				19,724.99
RUNBECK ELECTION SERVICES INC	5/5/20	PO622515	5/19/2020	111,750.00
RUNBECK ELECTION SERVICES INC	8/20/20	PO625972	8/31/2020	246,425.00
<b>RUNBECK ELECTION SERVICES INC Total</b>				358,175.00
SKY, LLC DBA/US OFFICE SOLUTION	3/13/20	PO620012	3/27/2020	56,421.89
SKY, LLC DBA/US OFFICE SOLUTION	3/13/20	PO620012	3/27/2020	209.28
SKY, LLC DBA/US OFFICE SOLUTION	4/28/20	PO620012	5/1/2020	1,159.88
SKY, LLC DBA/US OFFICE SOLUTION	4/28/20	PO623292	5/1/2020	18,563.00
SKY, LLC DBA/US OFFICE SOLUTION	5/21/20	PO620013	6/5/2020	66,086.36
SKY, LLC DBA/US OFFICE SOLUTION	6/16/20	PO620012	7/2/2020	17,204.31
SKY, LLC DBA/US OFFICE SOLUTION	6/16/20	PO620013	7/2/2020	3,553.88
SKY, LLC DBA/US OFFICE SOLUTION	7/1/20	PO620013	7/17/2020	2,041.00
SKY, LLC DBA/US OFFICE SOLUTION	8/12/20	PO620013	9/11/2020	12,458.75
SKY, LLC DBA/US OFFICE SOLUTION	8/27/20	PO620013	9/11/2020	1,714.08
SKY, LLC DBA/US OFFICE SOLUTION	9/9/20	PO620013	9/18/2020	9,664.52
SKY, LLC DBA/US OFFICE SOLUTION	9/17/20	PO620013	10/2/2020	3,805.42
SKY, LLC DBA/US OFFICE SOLUTION	9/28/20	PO629343	10/13/2020	74,454.56
SKY, LLC DBA/US OFFICE SOLUTION	9/28/20	PO629790	10/8/2020	46,520.00
SKY, LLC DBA/US OFFICE SOLUTION	9/30/20	PO630136	10/13/2020	20,990.00
SKY, LLC DBA/US OFFICE SOLUTION	10/9/20	PO620013	10/20/2020	675.85
SKY, LLC DBA/US OFFICE SOLUTION	10/9/20	PO629343	10/20/2020	545.34
<b>SKY, LLC DBA/US OFFICE SOLUTION Total</b>				336,068.12
SYDAR OF DC LLC	4/21/20	PO621752	5/4/2020	53,174.00
SYDAR OF DC LLC	4/22/20	PO623530	5/4/2020	32,272.38
SYDAR OF DC LLC	5/1/20	PO621752	5/13/2020	5,500.00
SYDAR OF DC LLC	5/1/20	PO621752	5/13/2020	9,350.00
SYDAR OF DC LLC	5/6/20	PO621752	5/13/2020	5,720.00
SYDAR OF DC LLC	5/11/20	PO623530	5/18/2020	396.21
SYDAR OF DC LLC	5/12/20	PO621752	5/19/2020	12,276.00
SYDAR OF DC LLC	5/12/20	PO621752	5/20/2020	7,200.00
SYDAR OF DC LLC	5/12/20	PO623550	5/20/2020	26,075.00
SYDAR OF DC LLC	5/20/20	PO624723	6/2/2020	95,400.00

SYDAR OF DC LLC	5/27/20	PO624717	6/8/2020	51,175.00
SYDAR OF DC LLC	6/8/20	PO623530	6/16/2020	9,091.72
SYDAR OF DC LLC	6/8/20	PO623530	6/22/2020	13,029.92
SYDAR OF DC LLC	6/26/20	PO623530	7/6/2020	3,751.88
SYDAR OF DC LLC	8/6/20	PO623530	8/26/2020	8,004.32
SYDAR OF DC LLC	10/7/20	PO629287	10/19/2020	16,748.50
SYDAR OF DC LLC	10/11/20	PO629287	10/19/2020	3,970.00
SYDAR OF DC LLC	10/11/20	PO629287	10/19/2020	13,250.00
<b>SYDAR OF DC LLC Total</b>				366,384.93
THE GOODE COMPANIES, INC.	10/21/19	PO592301	11/15/2019	173.25
THE GOODE COMPANIES, INC.	12/27/19	PO592301	1/13/2020	173.25
THE GOODE COMPANIES, INC.	1/24/20	PO620122	2/3/2020	178.45
THE GOODE COMPANIES, INC.	2/13/20	PO620122	3/10/2020	173.25
THE GOODE COMPANIES, INC.	2/13/20	PO620122	3/10/2020	173.25
THE GOODE COMPANIES, INC.	2/13/20	PO620122	3/10/2020	173.25
THE GOODE COMPANIES, INC.	3/17/20	PO620122	3/30/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
THE GOODE COMPANIES, INC.	9/24/20	PO620122	10/5/2020	178.45
<b>THE GOODE COMPANIES, INC. Total</b>				2,472.30
THOMAS COMPUTER CORPORATION	5/26/20	PO623881	6/8/2020	15,750.00
<b>THOMAS COMPUTER CORPORATION Total</b>				15,750.00
TOUCAN PRINTING AND PROMO	10/1/20	PO630011	10/14/2020	88,955.00
<b>TOUCAN PRINTING AND PROMO Total</b>				88,955.00
UNITED STATES POSTAL SERVICE	1/22/20	YCDL0930	1/27/2020	250,000.00
<b>UNITED STATES POSTAL SERVICE Total</b>				250,000.00
VOTEM CORP	10/18/19	PO613021	10/31/2019	42,500.00
VOTEM CORP	3/24/20	PO613021	4/13/2020	42,500.00
<b>VOTEM CORP Total</b>				85,000.00
VR SYSTEMS, INC.	10/25/19	PO600256	11/25/2019	211,319.80
<b>VR SYSTEMS, INC. Total</b>				211,319.80
VRS COMPANY, INC.	5/4/20	PO623512	5/13/2020	97,324.00
VRS COMPANY, INC.	5/14/20	PO624601	5/22/2020	42,553.00
VRS COMPANY, INC.	6/2/20	PO624913	6/22/2020	6,829.00
VRS COMPANY, INC.	8/6/20	PO626983	8/26/2020	59,489.00
VRS COMPANY, INC.	9/9/20	PO628045	9/21/2020	39,904.00
VRS COMPANY, INC.	9/11/20	PO626984	9/21/2020	23,927.00
VRS COMPANY, INC.	9/18/20	PO626984	10/5/2020	22,427.00
VRS COMPANY, INC.	10/16/20	PO626984	10/26/2020	22,327.00
VRS COMPANY, INC.	10/19/20	PO626984	10/26/2020	22,427.00

<b>VRS COMPANY, INC. Total</b>				337,207.00
WASHINGTON OVERHEAD DOOR	11/7/19	PO613024	12/6/2019	3,881.22
WASHINGTON OVERHEAD DOOR	2/27/20	PO613024	3/19/2020	291.96
WASHINGTON OVERHEAD DOOR	3/10/20	PO613024	3/30/2020	263.96
WASHINGTON OVERHEAD DOOR	10/2/20	PO613024	10/9/2020	4,646.85
<b>WASHINGTON OVERHEAD DOOR Total</b>				9,083.99
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	748.53
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	118.17
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	767.43
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	715.55
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	727.35
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	118.17
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	754.25
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	118.17
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	118.17
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	118.17
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	737.22
XEROX CORPORATION	12/10/19	PO614926	12/30/2019	118.17
XEROX CORPORATION	1/24/20	PO614926	2/3/2020	118.17
XEROX CORPORATION	1/24/20	PO614926	2/3/2020	118.17
XEROX CORPORATION	1/24/20	PO614926	2/3/2020	118.17
XEROX CORPORATION	1/24/20	PO614926	2/3/2020	728.19
XEROX CORPORATION	1/24/20	PO614926	2/3/2020	724.48
XEROX CORPORATION	1/24/20	PO614926	2/3/2020	717.37
XEROX CORPORATION	3/18/20	PO614926	4/13/2020	754.13
XEROX CORPORATION	3/18/20	PO614926	4/13/2020	801.20
XEROX CORPORATION	3/18/20	PO614926	4/13/2020	760.74
XEROX CORPORATION	3/18/20	PO614926	4/13/2020	118.17
XEROX CORPORATION	3/18/20	PO614926	4/13/2020	118.17
XEROX CORPORATION	3/18/20	PO614926	4/13/2020	118.17
XEROX CORPORATION	4/1/20	PO614926	4/13/2020	798.39
XEROX CORPORATION	4/1/20	PO614926	4/13/2020	723.79
XEROX CORPORATION	4/1/20	PO614926	4/13/2020	118.17
XEROX CORPORATION	4/1/20	PO614926	4/13/2020	782.05
XEROX CORPORATION	4/1/20	PO614926	4/13/2020	118.17
XEROX CORPORATION	4/1/20	PO614926	4/13/2020	118.17
XEROX CORPORATION	4/24/20	PO614926	5/4/2020	1,351.48
XEROX CORPORATION	4/24/20	PO614926	5/4/2020	967.25
XEROX CORPORATION	4/24/20	PO614926	5/4/2020	118.17
XEROX CORPORATION	4/24/20	PO614926	5/4/2020	118.17
XEROX CORPORATION	4/24/20	PO614926	5/4/2020	997.08
XEROX CORPORATION	4/24/20	PO614926	5/4/2020	118.17
XEROX CORPORATION	5/29/20	PO614926	6/15/2020	1,027.97
XEROX CORPORATION	5/29/20	PO614926	6/15/2020	118.17

XEROX CORPORATION	5/29/20	PO614926	6/15/2020	1,129.52
XEROX CORPORATION	5/29/20	PO614926	6/15/2020	118.17
XEROX CORPORATION	5/29/20	PO614926	6/15/2020	118.17
XEROX CORPORATION	5/29/20	PO614926	6/15/2020	1,397.96
XEROX CORPORATION	6/29/20	PO614926	7/21/2020	1,213.36
XEROX CORPORATION	6/29/20	PO614926	7/21/2020	1,259.52
XEROX CORPORATION	6/29/20	PO614926	7/21/2020	118.17
XEROX CORPORATION	6/29/20	PO614926	7/21/2020	118.17
XEROX CORPORATION	6/29/20	PO614926	7/21/2020	995.83
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	118.17
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	755.98
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	118.17
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	1,537.30
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	1,011.28
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	118.17
XEROX CORPORATION	7/28/20	PO614926	8/3/2020	118.17
XEROX CORPORATION	9/1/20	PO614926	9/14/2020	792.22
XEROX CORPORATION	9/1/20	PO614926	9/14/2020	799.59
XEROX CORPORATION	9/1/20	PO614926	9/14/2020	118.17
XEROX CORPORATION	9/1/20	PO614926	9/14/2020	118.17
XEROX CORPORATION	9/1/20	PO614926	9/14/2020	1,132.23
XEROX CORPORATION	9/1/20	PO614926	9/14/2020	118.17
XEROX CORPORATION	9/25/20	PO614926	10/5/2020	1,752.02
XEROX CORPORATION	9/25/20	PO614926	10/5/2020	758.11
XEROX CORPORATION	9/25/20	PO614926	10/5/2020	118.17
XEROX CORPORATION	9/25/20	PO614926	10/5/2020	118.17
XEROX CORPORATION	9/25/20	PO614926	10/5/2020	1,583.19
XEROX CORPORATION	9/25/20	PO614926	10/5/2020	118.17
<b>XEROX CORPORATION Total</b>				35,602.17
<b>Grand Total</b>				<b>6,705,758.25</b>

Purchase Orders				
FY21 PURCHASE ORDER PAYMENTS				
Vendor Name	Invoice Date	Ref Doc	Payment Date	Trans Amt
ABC TECHNICAL SOLUTIONS INC	10/27/20	PO632645	11/3/2020	14,032.31
ABC TECHNICAL SOLUTIONS INC	11/6/20	PO632645	11/16/2020	4,528.66
ABC TECHNICAL SOLUTIONS INC	12/4/20	PO632645	12/15/2020	16,896.33
<b>ABC TECHNICAL SOLUTIONS INC Total</b>				35,457.30
AD BOX PROMO AGENCY, LLC	11/17/20	PO633272	11/27/2020	4,570.00
<b>AD BOX PROMO AGENCY, LLC Total</b>				4,570.00
BAYNE LLC	11/9/20	PO628034	11/30/2020	95,875.00
<b>BAYNE LLC Total</b>				95,875.00

BROWN NAFF PITTS OMNIMEDIA, IN	11/12/20	PO633400	11/23/2020	3,750.00
<b>BROWN NAFF PITTS OMNIMEDIA, IN Total</b>				3,750.00
COMCAST HOLDINGS CORPORATION	11/29/20	PO632871	12/15/2020	309.00
COMCAST HOLDINGS CORPORATION	11/29/20	PO632871	12/22/2020	10,556.50
COMCAST HOLDINGS CORPORATION	11/29/20	PO632871	12/22/2020	3,330.00
<b>COMCAST HOLDINGS CORPORATION Total</b>				14,195.50
COMPUTER AID, INC	11/2/20	PO631724	11/9/2020	6,848.28
COMPUTER AID, INC	11/30/20	PO631724	12/11/2020	9,035.93
COMPUTER AID, INC	11/2/20	PO631888	11/9/2020	2,626.50
COMPUTER AID, INC	11/30/20	PO631888	12/11/2020	1,400.80
COMPUTER AID, INC	11/30/20	PO631888	12/11/2020	4,027.30
COMPUTER AID, INC	11/2/20	PO631889	11/9/2020	4,198.32
COMPUTER AID, INC	11/30/20	PO631889	12/11/2020	3,580.92
COMPUTER AID, INC	11/30/20	PO632032	12/11/2020	10,943.40
COMPUTER AID, INC	11/30/20	PO632032	12/11/2020	9,008.48
COMPUTER AID, INC	12/28/20	PO632032	12/31/2020	2,537.60
COMPUTER AID, INC	12/28/20	PO632032	12/31/2020	7,105.28
COMPUTER AID, INC	11/30/20	PO632267	12/11/2020	2,521.44
<b>COMPUTER AID, INC Total</b>				63,834.25
EASTERN LIFT TRUCK CO. INC.	12/14/20	PO636688	1/13/2021	144.00
EASTERN LIFT TRUCK CO. INC.	12/14/20	PO636688	1/13/2021	144.00
EASTERN LIFT TRUCK CO. INC.	12/14/20	PO636688	1/13/2021	957.60
<b>EASTERN LIFT TRUCK CO. INC. Total</b>				1,245.60
ELECTION MGMT CONSULTING SVC	11/13/20	PO635001	11/23/2020	89,363.75
ELECTION MGMT CONSULTING SVC	12/7/20	PO635001	12/14/2020	16,212.91
<b>ELECTION MGMT CONSULTING SVC Total</b>				105,576.66
FEDERAL EXPRESS CORPORATION	10/20/20	PO633356	11/5/2020	861.99
FEDERAL EXPRESS CORPORATION	11/3/20	PO633356	12/14/2020	945.04
FEDERAL EXPRESS CORPORATION	11/10/20	PO633356	12/16/2020	802.40
FEDERAL EXPRESS CORPORATION	11/24/20	PO633356	12/21/2020	4.16
FEDERAL EXPRESS CORPORATION	11/27/20	PO633356	12/14/2020	197.66
<b>FEDERAL EXPRESS CORPORATION Total</b>				2,811.25
GOTTA GO NOW LLC	11/6/20	PO633497	11/17/2020	13,266.00
<b>GOTTA GO NOW LLC Total</b>				13,266.00
G-SIDA GENERAL SERVICES	11/16/20	PO634156	11/24/2020	61,220.00
<b>G-SIDA GENERAL SERVICES Total</b>				61,220.00
INCLUSION SOLUTIONS LLC	10/19/20	PO632658	10/26/2020	22,425.00
<b>INCLUSION SOLUTIONS LLC Total</b>				22,425.00
INTAB LLC	10/28/20	PO631890	11/4/2020	42,746.76
<b>INTAB LLC Total</b>				42,746.76
K&H PRINTERS-LITHOGRAPHERS	12/1/20	PO635856	12/14/2020	47,381.25
<b>K&amp;H PRINTERS-LITHOGRAPHERS Total</b>				47,381.25
MDE CITY PAPER HOLDINGS LLC	10/27/20	PO633658	11/3/2020	5,779.00
<b>MDE CITY PAPER HOLDINGS LLC Total</b>				5,779.00

NASH HOLDINGS LLC	11/4/20	PO632060	11/16/2020	2,100.00
NASH HOLDINGS LLC	11/4/20	PO632060	11/16/2020	2,100.00
NASH HOLDINGS LLC	11/4/20	PO632060	11/16/2020	2,100.00
NASH HOLDINGS LLC	11/4/20	PO632060	11/16/2020	2,100.00
NASH HOLDINGS LLC	11/4/20	PO632060	11/16/2020	2,100.00
NASH HOLDINGS LLC	11/4/20	PO632060	11/16/2020	2,100.00
<b>NASH HOLDINGS LLC Total</b>				12,600.00
NEAL R GROSS & CO INC	11/24/20	PO632447	12/11/2020	743.75
NEAL R GROSS & CO INC	12/31/20	PO632447	1/15/2021	743.75
<b>NEAL R GROSS &amp; CO INC Total</b>				1,487.50
OMNI SHOREHAM CORPORATION	10/17/20	PO632810	10/26/2020	80,000.00
<b>OMNI SHOREHAM CORPORATION Total</b>				80,000.00
OUTFRONT MEDIA INC.	11/18/20	PO632070	11/30/2020	29,385.00
<b>OUTFRONT MEDIA INC. Total</b>				29,385.00
PAXTON VAN LINES	12/23/20	PO633250	1/11/2021	112,468.48
<b>PAXTON VAN LINES Total</b>				112,468.48
PRINCE HALL FREEMASON AND EAST	11/6/20	PO633742	11/17/2020	19,575.00
<b>PRINCE HALL FREEMASON AND EAST Total</b>				19,575.00
RBK CONSTRUCTION AND DEVELOP	11/9/20	PO633246	11/17/2020	12,401.45
RBK CONSTRUCTION AND DEVELOP	11/30/20	PO633246	12/14/2020	19,401.00
<b>RBK CONSTRUCTION AND DEVELOP Total</b>				31,802.45
RECOVERY POINT SYSTEMS I	11/4/20	PO633220	11/13/2020	187.70
RECOVERY POINT SYSTEMS I	12/4/20	PO633220	12/15/2020	187.70
RECOVERY POINT SYSTEMS I	1/5/21	PO633220	1/14/2021	187.70
<b>RECOVERY POINT SYSTEMS I Total</b>				563.10
RUNBECK ELECTION SERVICES INC	11/6/20	PO625971	11/30/2020	622,429.20
RUNBECK ELECTION SERVICES INC	11/6/20	PO625971	11/30/2020	450.00
RUNBECK ELECTION SERVICES INC	11/6/20	PO625971	11/30/2020	450.00
RUNBECK ELECTION SERVICES INC	11/6/20	PO625971	11/30/2020	9,594.53
RUNBECK ELECTION SERVICES INC	11/6/20	PO625971	11/30/2020	1,558.00
RUNBECK ELECTION SERVICES INC	11/6/20	PO625971	11/30/2020	12,500.00
<b>RUNBECK ELECTION SERVICES INC Total</b>				646,981.73
SKY, LLC DBA/US OFFICE SOLUTION	10/15/20	PO632378	10/23/2020	6,828.99
SKY, LLC DBA/US OFFICE SOLUTION	10/21/20	PO632378	11/2/2020	5,209.60
SKY, LLC DBA/US OFFICE SOLUTION	10/22/20	PO632378	11/2/2020	21,544.57
SKY, LLC DBA/US OFFICE SOLUTION	10/26/20	PO632378	11/3/2020	1,361.60
SKY, LLC DBA/US OFFICE SOLUTION	10/29/20	PO632378	11/3/2020	2,024.90
SKY, LLC DBA/US OFFICE SOLUTION	11/4/20	PO632378	11/9/2020	2,286.76
SKY, LLC DBA/US OFFICE SOLUTION	11/24/20	PO632378	12/11/2020	824.40
<b>SKY, LLC DBA/US OFFICE SOLUTION Total</b>				40,080.82
SYDAR OF DC LLC	10/23/20	PO629287	11/24/2020	4,975.00
SYDAR OF DC LLC	10/23/20	PO629287	11/24/2020	19,875.00
SYDAR OF DC LLC	11/25/20	PO629287	12/7/2020	4,068.00
SYDAR OF DC LLC	10/27/20	PO632467	11/3/2020	1,625.00

SYDAR OF DC LLC	11/5/20	PO632467	11/10/2020	2,178.00
<b>SYDAR OF DC LLC Total</b>				32,721.00
THE WASHINGTON INFORMER	10/27/20	PO633332	11/3/2020	9,100.00
<b>THE WASHINGTON INFORMER Total</b>				9,100.00
TRANSPERFECT TRANSLATIONS, INC.	12/8/20	PO633732	12/14/2020	51,862.50
<b>TRANSPERFECT TRANSLATIONS, INC. Total</b>				51,862.50
UKRAINECTHLC NTNL SHRINE HOLY	11/13/20	PO633014	11/23/2020	1,500.00
<b>UKRAINECTHLC NTNL SHRINE HOLY Total</b>				1,500.00
WASHINGTON OVERHEAD DOOR	10/29/20	PO633318	11/4/2020	2,487.21
<b>WASHINGTON OVERHEAD DOOR Total</b>				2,487.21
WHUR-FM RADIO	11/4/20	PO633183	11/16/2020	6,300.00
WHUR-FM RADIO	12/8/20	PO633183	12/16/2020	3,700.00
<b>WHUR-FM RADIO Total</b>				10,000.00
<b>Grand Total</b>				<b>1,602,748.36</b>

16. Please list and describe all pending and closed lawsuits that name or named the agency as a party in FY20 and FY21, to date, and include an explanation about the issues involved in each case. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or could result in a change to agency practices, and describe the current status of the litigation.

**RESPONSE:** There are currently no pending lawsuits that name the agency as a party.

Closed cases:

1. **William V. Hunt v. D.C. Board of Elections** – Complaint regarding the counting of the write-in votes cast in the November 2018 General Election
2. **James Butler v. D.C. Board of Elections** - action for a writ in the nature of mandamus to compel the Board to accept the D.C. Term Limits Campaign Initiative as a proper subject
3. **Graham v. D.C. Board of Elections** - Board's appeal of a permanent injunction entered by the Superior Court that prohibited the Board from continuing to process Referendum 008 petition.
4. **Hammond v. D.C. Board of Elections** – Appeal from Board order finding incumbent Advisory Neighborhood Commissioners met residency requirements
5. **Marlin v. D.C. Board of Elections** - – Appeal from Board order finding incumbent Advisory Neighborhood Commissioners met residency requirements
6. **Hill v. D.C. Board of Elections** – Appeal of denial of ballot access
7. **Hill v. D.C. Board of Elections** – Appeal of denial of ballot access
8. **Brannum v. D.C. Board of Elections** – Appeal of Board's decision to place presidential candidate Bernie Sanders on the ballot

9. **Robinson v. D.C. Board of Elections** - Complaint for declarative relief alleging a violation of §2 of the Voting Rights Act as a result of the Board's selection of three voting centers in Ward 8

10. **La Riva v. D.C. Board of Elections** – Complaint for declaratory judgment and permanent injunctive relief alleging that certain provisions of the election statute are unconstitutional because they provide ballot access relief for candidates for all offices except independent and minor party presidential candidates

11. **Alliance Party, et al v. D.C. Board of Elections** - Complaint to preclude the Board from enforcing filing deadline for nominating petitions against independent and third-party candidates for the office of president because election statute initially provided ballot access relief for candidates for all offices except independent and minor party presidential candidates  
12. **Kathy Henderson v. D.C. Board of Elections** – Judicial review of election contest

17. Please list all judgments against and settlements executed by the agency or by the District on behalf of the agency, of any amount, in FY20 or FY21, to date, and provide the parties' names, the date on which the judgment was issued or settlement was executed, the amount of the judgment or settlement, and if related to litigation, the case name, docket number, and a brief description of the case. Include non-monetary costs such as back pay and leave restoration. If unrelated to litigation, please describe the underlying issue or reason for the judgment or settlement (e.g., excessive use of force, wrongful termination, sexual harassment). Please also describe any matters which are currently in settlement negotiations or for which a judgment is imminent.

**RESPONSE:** The Board of Elections did not enter into any settlements, and the District did not enter into any settlements on behalf of the agency in FY20 or FY21, to date.

18. Did the agency use outside counsel in FY21 and FY22, to date? If so, for what matter(s) and in what amount(s)?

**RESPONSE:** In FY21, the Office of the Attorney General (OAG) represented the Board in two matters involving ballot access for presidential candidates: *La Riva v. DC Board of Elections* and *Alliance Party v. DC Board of Elections*.

19. Please list the administrative complaints or grievances that the agency received in FY20 and FY21, 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. For any complaints or grievances that were resolved in FY20 or FY21, to date, describe the resolution.

**RESPONSE:** The agency did not receive any administrative complaints or grievances in FY20 and FY21, to date.

20. Please describe the agency's procedures for investigating allegations of sexual harassment, sexual misconduct, or discrimination committed by or against agency employees. List and describe any allegations relating to the agency or its employees in FY20 and FY21, to date, and whether and how those allegations were resolved (e.g. a

specific disciplinary action, such as re-training, employee transfer, suspension, or termination).

- a. Please also identify whether the agency became aware of any similar matters in FY20 or FY21, to date, through means other than an allegation, and if so, how the matter was resolved (e.g. sexual harassment was reported to the agency, but not by the victim).

**RESPONSE:** The Board of Elections investigates allegations of sexual harassment, sexual misconduct, or discrimination in compliance with all applicable District laws. The Board received no allegations of sexual harassment or other forms of sexual misconduct in FY20 and FY21, to date.

21. Please provide the Committee with a list of the total workers' compensation payments paid by the agency or on the agency's behalf in FY20 and FY21, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

**RESPONSE:** The agency did not pay any worker's compensation payments in FY20 and FY 21, to date.

22. 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 FY20 and FY21, to date.

**RESPONSE:** The Office of the DC Auditor has indicated that it will be conducting an audit of the Board's administration of the elections held during the 2020 election cycle.

23. Please describe any spending pressures the agency experienced in FY20 and any anticipated spending pressures for the remainder of FY21. Include a description of the pressure and the estimated amount. If the spending pressure was in FY20, describe how it was resolved, and if the spending pressure is in FY21, describe any proposed solutions.

Question 23			
Spending Pressures			
Fiscal Year 2020			
Date	Description	Amount	Resolution
1/15/2020	Special Election to fill Ward 2 Council seat vacancy	\$250,000.00	Requested additional funds to cover the cost of the Special Election
Fiscal Year 2021			
Date	Description	Amount	Resolution
12/30/2020	None	\$0.00	

24. Please provide a copy of the agency's FY20 performance plan. Please explain which performance plan objectives were completed in FY20 and whether they were completed on time and within budget. If they were not, please provide an explanation.

**RESPONSE:** Please see the report, below.

[https://oca.dc.gov/sites/default/files/dc/sites/oca/publication/attachments/BOE\\_FY20PAR.pdf](https://oca.dc.gov/sites/default/files/dc/sites/oca/publication/attachments/BOE_FY20PAR.pdf)

## Board of Elections FY2020

Agency Board of Elections

Agency Code DLO

Fiscal Year 2020

### Mission

The Board's mission is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process.

### Summary of Services

- The operation of the District's voter registration system
- Administration of the ballot access process for candidates and measures
- The delivery of comprehensive public, media, and voter information services
- Maintenance of technical systems to support voting and ballot tabulation
- The planning and implementation of each District of Columbia election
- The performance of legal counsel, rulemaking, and adjudication functions

## 2020 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
Successfully conducted all-mail election in the Ward Two Special Election	DCBOE was able to ascertain what equipment, programs, and procedures were in place and necessary to execute an all-mail ballot election.	Each voter in Ward Two received their ballot and was able to submit to BOE by mail or opt to vote in person at a Ward-based Vote Center.
The Board deployed Ballot on Demand at each Vote Center during the June 2020 Primary Election.	This accomplishment greatly increased voter convenience.	For the first time, voters were able to vote pre-printed ballots at any Vote Center in the District, regardless of their residence.
The Board processed over 92,000 absentee ballot requests and counted 81,696 ballots (or 88.8% of ballots) transmitted. Well over 60% of votes were cast by mail in the Primary Election. In previous elections, DCBOE had processed no more than 30,000 mail ballots. The Board accomplished this without a mail house vendor.	The processing of over 92,000 absentee ballot requests in-house was a tremendous logistical undertaking that required additional temporary staff and shifts working around the clock. We had to administer the program in-house because we were unable to procure a vetted mail house vendor in the time allotted.	The majority of voters who cast ballots in the June 2020 Primary Election did so by mail and were thus able to vote in as safe a manner as possible in a pandemic environment.

## 2020 Key Performance Indicators

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
1 - Increase the percentage of District of Columbia residents registered to vote. (1 Measure)												
Number of District of Columbia residents who are registered to vote each month	Annually	New in 2018	3144	3179	3000	Annual Measure	Annual Measure	Annual Measure	Annual Measure	3283	Met	
3 - Increase accessibility, public awareness, and knowledge of the electoral process (1 Measure)												
Percent of polling places that are operationally accessible in FY 2018 elections	Annually	New in 2018	100%	100%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	
4 - Leverage technology to improve the efficiency of Board operations (1 Measure)												
Number of voters who register or update their voter registration information electronically through the Board's mobile registration application	Annually	New in 2018	9461	15,703	12,000	Annual Measure	Annual Measure	Annual Measure	Annual Measure	24,500	Met	
5 - Recruit and train poll workers adequately to fulfill duties and provide excellent customer service to voters (5 Measures)												
Percent of polling places open on time on Election Day	Annually	New in 2018	94.3%	97.9%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	
Percent of voting equipment open on time on Election Day	Annually	New in 2018	84.3%	97.1%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
Percent of special ballots processed correctly in elections held in FY2018	Annually	New In 2018	97.4%	94.9%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	99.5%	Nearly Met	23 of 4988 special ballot envelopes were not signed by the voter, and in each such instance the Special Ballot Clerk did not catch the omission.
Percent of poll workers who complete and submit required post-election documentation in FY2018	Annually	New in 2018	95.7%	96.4%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	
Percent of precincts that successfully electronically transmit election results to Board headquarters on election night in FY2018	Annually	New in 2018	89.3%	93%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	0%	Unmet	Results were not transmitted from Vote Centers for the June 2020 Primary Election. Instead, media containing the election results were transported to DCBOE HQ and manually uploaded to produce election results reports.

#### 2020 Workload Measures

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 PAR
2 - Processing voter registration information received (6 Measures)							
Number of voter registration applications and updates submitted online	9461	13,361	3397	6971	25,360	12,924	48,652
Number of deceased voters removed from the voter registry	2585	4493	608	574	1835	1097	4114
Number of duplicate voters removed from the voter registry	2591	5933	472	227	627	697	2023
Number of non-resident voters removed from the voter registry	3657	13,559	2297	524	222	7968	11,011
Number of incarcerated voters removed from the voter registry	630	585	69	37	82	60	248
Number of voter registration records with legacy birth dates (12/31/1800) corrected	2191	79	242	8	15	20	285

#### 2020 Operations

Operations Header	Operations Title	Operations Description	Type of Operations
2 - Maintain an accurate and up-to-date voter registry. (1 Activity)			
VOTER SERVICES	Processing voter registration information received	Updating voter registry based upon information from voters and other sources	Daily Service
3 - Increase accessibility, public awareness, and knowledge of the electoral process (2 Activities)			
COMMUNICATION	Voter Education and Outreach Program	Enhancing the effectiveness and inclusiveness of our public messaging.	Key Project
ELECTION OPERATIONS	Feasibility Study	Exploring ways to enhance the election administration process while simultaneously implementing cost-saving measures	Key Project
4 - Leverage technology to improve the efficiency of Board operations (3 Activities)			
INFO TECH	Enhancement of IT Infrastructure	Undertaking comprehensive program to ensure the currency and security of our IT infrastructure so as to protect the security and integrity of voter registration and other data.	Key Project
INFO TECH	Records Conversion	Conservation of Space and Data	Key Project

Operations Header	Operations Title	Operations Description	Type of Operations
ELECTION OPERATIONS	Procurement	Procurement of equipment that will introduce efficiencies into the Board's election administration program	Key Project

#### 2020 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
Feasibility Study (3 Strategic Initiatives)				
Increase number of voting precincts to accommodate larger electorate	The Board plans to create additional precincts by splitting some of those that currently contain, or are projected to contain, significant numbers of registered voters, thereby providing for more effective and efficient service to voters on Election Day.	Complete	DCBOE added another precinct, #144, to address growth in precinct #83	
Increase Number of Early Voting Centers	The Board will increase the number of Early Voting Centers so that there are two in each of the District's eight wards.	Complete	N/A	
Post-Election Audit Feasibility Analysis	The Board will research the various types of post-election risk-limiting audit to determine whether that method of auditing will introduce efficiencies and other benefits into the Board's operations	0-24%	This study has been put on hold until FY 2021.	
Procurement (3 Strategic Initiatives)				
Procurement of Early Voting Equipment	The Board will implement a Ballot-on-Demand solution at each Early Voting Center (EVC) that will allow voters to cast pre-printed ballots at all EVCs, as opposed to solely at the One Judiciary Square EVC.	Complete	The Board deployed Ballot on Demand at each Vote Center during the June 2020 Primary Election.	
Automated Petition Processing	The Board will utilize petition management software that will streamline the petition verification process by providing automated counting and verification while providing full auditability.	50-74%	The Board has procured the software, but due to implementation issues, its full functionality has yet to be utilized. We expect to use it more fully in the next election cycle.	
Accessible Absentee Voting	The Board plans to provide a fully-accessible online absentee ballot marking system that will allow voters with visual impairments to vote in secrecy and mail their ballots to the Board.	Complete	The Board deployed OmniBallot, a fully-accessible online absentee ballot marking system, during the June 2020 Primary. Originally intended for use solely by voters with disabilities, DCBOE opened up the use of OmniBallot to voters who timely requested but did not receive absentee ballots.	

In FY20, the Board:

- Deployed Ballot on Demand at each Vote Center during the June 2020 Primary Election.
- Processed over 92,000 absentee ballot requests and counted \*81,696 ballots (or 88.8% of ballots) transmitted for the primary election. Well over 60% of votes were cast by mail. In previous elections, DCBOE had processed no more than 30,000 mail ballots. \* This total includes 75,929 Absentee, 2,484 Special, and 3,283 Curbside.
- Met all but two targets outlined in the 2020 Key Performance Indicators section of the FY20 Performance Plan with respect to all key performance indicators.
- Successfully conducted an all-mail election in the Ward Two Special Election.

25. Please provide a copy of your agency's FY21 performance plan as submitted to the Office of the City Administrator.

**RESPONSE:** FY21 Performance

Plan <https://oca.dc.gov/sites/default/files/dc/sites/oca/publication/attachments/BOE21.pdf>

Please see the report, below.

## Board of Elections FY2021

Agency Board of Elections

Agency Code DLO

Fiscal Year 2021

Mission

The Board's mission is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process.

### Strategic Objectives

Objective Number	Strategic Objective
1	Increase the percentage of District of Columbia residents registered to vote.
2	Maintain an accurate and up-to-date voter registry.
3	Increase accessibility, public awareness, and knowledge of the electoral process
4	Leverage technology to improve the efficiency of Board operations
5	Recruit and train poll workers adequately to fulfill duties and provide excellent customer service to voters

### Key Performance Indicators

Measure	Directionality	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Target
<b>1 - Increase the percentage of District of Columbia residents registered to vote. (1 Measure)</b>					
Number of District of Columbia residents who are registered to vote each month	Up is Better	3144	3179	3283	3000
<b>3 - Increase accessibility, public awareness, and knowledge of the electoral process (1 Measure)</b>					
Percent of polling places that are operationally accessible in FY 2018 elections	Up is Better	100%	100%	100%	100%
<b>4 - Leverage technology to improve the efficiency of Board operations (1 Measure)</b>					
Number of voters who register or update their voter registration information electronically through the Board's mobile registration application	Up is Better	9461	15,703	24,500	12,000
<b>5 - Recruit and train poll workers adequately to fulfill duties and provide excellent customer service to voters (5 Measures)</b>					
Percent of polling places open on time on Election Day	Up is Better	94.3%	97.9%	100%	100%
Percent of voting equipment open on time on Election Day	Up is Better	84.3%	97.1%	100%	100%
Percent of special ballots processed correctly in elections held in FY2018	Up is Better	97.4%	94.9%	99.5%	100%
Percent of poll workers who complete and submit required post-election documentation in FY2018	Up is Better	95.7%	96.4%	100%	100%
Percent of precincts that successfully electronically transmit election results to Board headquarters on election night in FY2018	Up is Better	89.3%	93%	0%	100%

### Operations

Operations Header	Operations Title	Operations Description	Type of Operations

Operations Header	Operations Title	Operations Description	Type of Operations
<b>2 - Maintain an accurate and up-to-date voter registry. (1 Activity)</b>			
VOTER SERVICES	Processing voter registration information received	Updating voter registry based upon information from voters and other sources	Daily Service
<b>3 - Increase accessibility, public awareness, and knowledge of the electoral process (2 Activities)</b>			
COMMUNICATION	Voter Education and Outreach Program	Enhancing the effectiveness and inclusiveness of our public messaging.	Key Project
ELECTION OPERATIONS	Feasibility Study	Exploring ways to enhance the election administration process while simultaneously implementing cost-saving measures	Key Project
<b>4 - Leverage technology to improve the efficiency of Board operations (3 Activities)</b>			
INFO TECH	Enhancement of IT Infrastructure	Undertaking comprehensive program to ensure the currency and security of our IT infrastructure so as to protect the security and integrity of voter registration and other data.	Key Project
INFO TECH	Records Conversion	Conservation of Space and Data	Key Project
ELECTION OPERATIONS	Procurement	Procurement of equipment that will introduce efficiencies into the Board's election administration program	Key Project

#### Workload Measures

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual
<b>2 - Processing voter registration information received (6 Measures)</b>			
Number of voter registration applications and updates submitted online	9461	13,361	48,652
Number of deceased voters removed from the voter registry	2585	4493	4114
Number of duplicate voters removed from the voter registry	2591	5933	2023
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Number of incarcerated voters removed from the voter registry	630	585	248
Number of voter registration records with legacy birth dates (12/31/1800) corrected	2191	79	285

#### Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
<b>Enhancement of IT Infrastructure (1 Strategic Initiative)</b>		
Polling Place Emergency Legislation	Due to the COVID-19 public health emergency, DCBOE must offer voters more options for how to vote safely, including safe and secure in-person voting. DCBOE will operate 80 voting locations, and it will deploy technology that enables maximum voter flexibility for how they cast their ballot.	11-30-2020
<b>Processing voter registration information received (1 Strategic Initiative)</b>		

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
Redistricting	Every 10 years following the federal decennial census, all District boundaries must be redrawn or revised to reflect changes in population. DCBOE will provide technical assistance to DC Council so it can complete redistricting by July 14, 2021.	07-30-2021
<b>Procurement (1 Strategic Initiative)</b>		
Plan the "New Normal" for Election Administration	The duration of the COVID-19 public health emergency's impact on election administration is unknown. DCBOE will work with DC elected leaders to establish DCBOE's service levels and steady state resources for elections in 2021 and beyond, for sustainable operations that are not reliant on exceptional federal grants. DCBOE will engage in rulemaking as necessary to reflect "new normal" procedures for election administration.	07-30-2021
<b>Voter Education and Outreach Program (3 Strategic initiatives)</b>		
Vote-By-Mail Emergency Universal Eligibility	Due to the COVID-19 public health emergency, DCBOE will mail every registered voter a ballot. DCBOE will seek to promote public awareness and knowledge of the electoral process such that a high percentage of ballots are returned by voters and counted.	11-30-2020
Restore the Vote Act Implementation	DCBOE is required to conduct and support outreach to incarcerated individuals in support of their right to vote. DCBOE will fully implement all requirements of the new law by the date required in the statute or March 2021 at the latest where no earlier date is specified.	03-31-2021
Wards 7 & 8 Ballots Counted	A variety of structural obstacles, including reliability of mail service, differences in access to transportation, and barriers to healthcare services may pose heightened obstacles to voting for Ward 7 & 8 residents during the COVID-19 public health emergency. DCBOE will mitigate these obstacles with targeted outreach and services to Wards 7 & 8.	11-27-2020

26. Please describe any regulations promulgated by the agency in FY20 or FY21, to date, and the status of each.

**RESPONSE:** Please see the table, below.

<b>Affected Chapters and Brief Summary of Rulemaking Action</b>	<b>Status</b>
<p>Chapters 42 and 43</p> <p>The amendments conform the Board's regulations with the Fair Elections Emergency Amendment Act of 2019</p>	<p>Emergency and proposed rulemaking 66 DCR 10595 (August 16, 2019)</p> <p>Notice of Final Rulemaking at 66 DCR 13373 (October 11, 2019); Rules codified on dcregs.dc.gov</p>
<p>Chapters 30, 37, 38 – 41 and 99</p> <p>The amendments conform the Board's regulations with the Campaign Finance Reform and Conflict of Interest Public Disclosure Amendment Act of 2011, as amended by the Fiscal Year 2020 Budget Support Act of 2019</p>	<p>Emergency and proposed rulemaking 66 DCR 13413 (October 11, 2019)</p> <p>Notice of Final Rulemaking at 66 DCR 15416 (November 22, 2019); Rules codified on dcregs.dc.gov</p>
<p>Chapters 10 and 11</p> <p>The amendments remove the prohibition against registered voters who are eligible to sign a particular initiative, referendum, or recall petition being signatories on petition sheets that they have circulated.</p>	<p>Emergency and proposed rulemaking 67 DCR 5155 (May 15, 2020)</p> <p>Notice of Final Rulemaking at 67 DCR 7896 (June 26, 2020; Rules codified on dcregs.dc.gov</p>

<p>Chapter 16</p> <p>The amendments place the Board's regulations into conformity with the Corona virus Omnibus Emergency Amendment Act of 2020, which altered the ballot access signature requirements for the November 3, 2020 General Election for local elected offices</p>	<p>Emergency and proposed rulemaking 67 DCR 6977 (June 5, 2020)</p> <p>Notice of Final Rulemaking at 67 DCR 10944 (September 11, 2020); Rules codified on dcregs.dc.gov</p>
<p>Chapter 5 and Chapter 7</p> <p>The amendments place the Board's regulations into conformity with the General Elections Preparation Emergency Amendment Act of 2020</p>	<p>Emergency and proposed rulemaking 67 DCR 10977 (September 11, 2020)</p> <p>Notice of Final Rulemaking at 67 DCR 14502 (December 11, 2020); Rules codified on dcregs.dc.gov</p>

27. Please provide the number of FOIA requests for FY20 and FY21, to date, that were submitted to your agency. 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, the estimated number of hours spent responding to these requests, and the cost of compliance.

**RESPONSE:** Please see the table, below.

Number of FOIA requests received from 10/1/19 to Present	255
Number of FOIA requests pending on January 9, 2021	3
Number of requests granted	193

Number of requests granted in part, denied in part	13
Number of requests denied in whole	5
Number of requests withdrawn	2
Number of requests referred to other public bodies	2
Other disposition	2
Average response time	4 Days
Estimated number of hours spent responding to FOIA requests	58
Estimated cost of compliance	\$3000

28. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or for which the agency contracted during FY20 and FY21, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

**RESPONSE:** Please see the reports, below.

29. Please list in descending order the top 25 overtime earners in your agency in FY20 and FY21, to date, if applicable. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned. Please describe the process the agency uses to determine which employees are granted overtime.

**RESPONSE:** Please see the listing, below.

EARNINGS DETAIL REPORT - Fiscal Year 2020						
	<b>Overtime - FT and WAE – TOP 25</b>					
<b>Pay Begin Dt :</b>	29-Sep-19					
<b>Pay End Dt :</b>	26-Sep-20					
<b>AGENCY :</b>	Board of Elections					
<b>EMPLOYEE ID</b>	<b>EMPLOYEE NAME</b>	<b>PAYGROUP</b>	<b>TITLE</b>	<b>GRADE</b>	<b>AMOUNT</b>	<b>PAY PLAN</b>
00023064	Mattocks, Steven A	G1N	Support Services Specialist	11	\$31,747.61	DS
00023994	Budoo, Arlin Jerome	G1N	Facility Management & Support	13	\$24,355.22	DS
00032482	Fleming, Tarrod	G1N	Support Services Specialist	9	\$23,401.11	DS
00035151	NEWSOME, Jr., KEVIN A.	G1N	Election Training Coordinator	12	\$20,736.85	DS
00089434	Gumbs,Syniaya	G1N	Election Registration Specialist	9	\$16,772.81	DS
00035134	Jones,Duan	G1N	Facility Management & Support	13	\$16,330.40	DS
00022107	Featherstone Jr.,Michael	G1N	Support Services Specialist	9	\$16,246.95	DS
00103251	Thompson II,Richard	G1N	Program Manager	13	\$15,909.23	DS
00083057	Knox,Terence J.	G1N	Election Worker	0	\$12,309.38	WS
00112397	Winchester,Jovan	G1N	IT Specialist (DataMgmt)	13	\$12,109.43	DS
00079762	Jordan,Bernard Michael	G1N	Election Worker	0	\$11,372.50	WS
0008310	Laso,Jose A	G1N	IT Specialist	13	\$11,098.56	DS
00095470	Smith,DeAnna	G1N	Assistant Registrar of Voters	13	\$10,886.13	DS
00102412	Philson,Kenyatta D	G1N	Election Services	9	\$10,591.19	DS

			Specialist				
00090237	McCoy,Rodney Tim	G1N	Election Worker	0	\$10,110.00	WS	
00032655	Vieira,Osvaldo	G1N	Election Worker	0	\$9,900.00	WS	
00032611	Mayes,David U	G1N	Support Services Specialist	9	\$9,599.04	DS	
00102391	Curry-Walker,Cedric Harvey	G1N	Election Worker	0	\$9,585.00	WS	
00025518	Jackson,Shirley A	G1N	Public Affairs Specialist	13	\$9,370.95	DS	
00024174	Martinez,Marina R	G1N	Election Registration Specialist	9	\$9,132.93	DS	
00093229	Harnett,Menelek	G1N	Election Worker	0	\$9,103.17	WS	
00070561	Turner,Kelly Anne	G1N	Election Registration Assistant	7	\$9,037.47	DS	
00102404	Brown,Jason Derek	G1N	Election Worker	0	\$8,970.00	WS	
00102030	McCann,Lenez Juadette	G1N	Public Affairs Specialist	13	\$8,886.23	DS	
00113505	Perry,Michael A.	G1N	Election Worker	0	\$8,745.00	WS	

EARNINGS DETAIL REPORT - Fiscal Year 2021						
	Overtime - FT and WAE - TOP 25					
Pay Begin Dt :	27-Sep-20					
Pay End Dt :	2-Jan-21					
AGENCY :	Board of Elections					
EMPLOYEE ID	EMPLOYEE NAME	PAYGROUP	TITLE	GRADE	AMOUNT	PAY PLAN
000351511	Newsome Jr, Kevin	G1N	Election Training Coordinator	12	\$15,948.03	DS
001095031	Mason,Monique J.	G1N	Election Service	7	\$15,444.23	DS

			Assistant			
000239941	Budoo,Arlin Jerome	G1N	Facility Management & Support	13	\$14,928.81	DS
000221071	Featherstone Jr.,Michael	G1N	Support Services Specialist	9	\$11,732.98	DS
000351341	Jones,Duan	G1N	Facility Management & Support	13	\$10,468.64	DS
000324821	Fleming,Tarrold	G1N	Support Services Specialist	9	\$10,391.24	DS
000932291	Harnett,Menelek	G1N	Election Worker	0	\$9,825.03	WS
000830571	Knox,Terence J.	G1N	Election Worker	0	\$9,628.13	WS
000894341	Gumbs,Syniaya	G1N	Election Registration Specialist	9	\$9,427.35	DS
000652111	Alexander,Yolanda A	G1N	Staff Assistant	9	\$8,889.30	DS
001032511	Thompson II,Richard	G1N	Program Manager	13	\$8,880.97	DS
000797621	Jordan,Bernard Michael	G1N	Election Worker	0	\$8,820.00	WS
001151021	Young,Thaxton	G1N	Election Worker	0	\$8,715.00	WS
001151851	Reed,Johnnie B.	G1N	Election Worker	0	\$8,482.50	WS
001135061	Belt,Issac R.	G1N	Election Worker	0	\$8,332.50	WS
001151871	Cunningham,Anthony L.	G1N	Election Worker	0	\$8,137.50	WS
000840001	Troxler,William Gordon	G1N	Election Worker	0	\$8,025.02	WS
000206221	Gilliam,Leonard	G1N	Election Worker	0	\$7,942.50	WS
000930701	Lewis,Duane Joseph	G1N	Election Worker	0	\$7,905.00	WS
001151881	Haynes III,Willie	G1N	Election Worker	0	\$7,860.00	WS
000255181	Jackson,Shirley A	G1N	Public Affairs Specialist	13	\$7,856.46	DS

000902371	McCoy,Rodney Tim	G1N	Election Worker	0	\$7,740.00	WS
000326551	Vieira,Osvaldo	G1N	Election Worker	0	\$7,740.00	WS
001052281	Baldwin,Samante Lee	G1N	Election Worker	0	\$7,702.50	WS
000326111	Mayes,David U	G1N	Support Services Specialist	9	\$7,672.19	DS

30. For FY20 and FY21, to date, please provide a list of employee bonuses or special pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

**RESPONSE:** There have been no employee bonuses/special pay awards granted by the Board of Elections in FY 20-21, to date.

31. For FY20 and FY21, to date, please list each employee separated from the agency with separation pay. State the amount and number of weeks of pay. Also, for each, state the reason for the separation.

**RESPONSE:** There was no separation/severance pay given to any employees.

32. Please provide the name of each employee who was or is on administrative leave in FY20 and FY21, to date. In addition, for each employee identified, please provide: (1) their position; (2) a brief description of the reason they were placed on leave; (3) the dates they were/are on administrative leave; (4) whether the leave was/is paid or unpaid; and (5) their current status.

**RESPONSE:** There were no employees on administrative leave in FY 20, and FY 21, to date.

33. Please provide each collective bargaining agreement that is currently in effect for agency employees. Include the bargaining unit and the duration of each agreement. Note if the agency is currently in bargaining and its anticipated completion.

**RESPONSE:** All BOE staff are Non-Union (XAA) employees and the Board is not under any collective bargaining agreement.

34. If there are any boards, commissions, or task forces associated with your agency, please provide a chart listing the names, number of years served, agency affiliation, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board, commission, or task force meeting in FY20 or FY21, to date, if

minutes were prepared. Please inform the Committee if the board, commission, or task force did not convene during any month.

**RESPONSE: Please see the chart, below.**

<b>Board Member</b>	<b>Confirmation Date</b>	<b>Term Expiration</b>	<b>Ward of Residence</b>	<b>Regular Board Meeting Attendance</b>
Michael Bennett	10/2/2018	7/7/2021	4	14/14
Michael Gill	12/5/2017	7/7/2020	4	13/14
Karyn Greenfield	1/7/2020	7/7/2022	4	10/11

No meetings were held in November 2019 and November 2020. See agendas and minutes since FY20 attached.

35. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with these requirements, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).

**RESPONSE: Please see the listing, below.**

#### **Election Administration and Voting Survey (EAVS)**

- Submitted to the Election Assistance Commission (EAC) and to the Mayor.
- Report due by February 1 of each odd-number year.
- Report is required under federal and District law. DC Official Code § 1-1001.05 (j).
- Currently in compliance; report submitted on February 1, 2021.

#### **After Action Report**

- Posted on Board's website.
- Report due within 90 days following a general election.
- Report is required under District law; DC Official Code § 1-1001.05 (k).  
A preliminary draft of the 2020 General Election After-Action Report was posted on the Board's website on February 1, 2021. An addendum to the report was posted on February 17<sup>th</sup> and on March 11, 2021.

#### **New Employee Salary and Residence Reports**

- Submitted to the Mayor and Council.
  - Report due annually, typically submitted in the Performance Oversight Hearing Responses.

- Report is required under District law. DC Official Code § 1-1001.05 (e)(1)(C) (“The Board shall submit to the Mayor and Council annual reports detailing the names of all new employees, their pay schedules, titles, and place of residence.”).
- Currently in compliance.

### **Manual Audit Report**

- Posted on Board’s website.
- Report due before certification of election results.
  - Report required under District law. DC Official Code § 1-1001.09a (j) (“The Board shall publish on its website and make available for public inspection a report of results of the manual audit before certification of the official election results.”).
- Currently in compliance; last report posted on November 30, 2020.

### **Voter Registration Activity Report**

- Published in the DC Register.
- Report is due monthly, on the 3<sup>rd</sup> Friday of each month.
  - Report is required under District law. DC Official Code § 1-1001.05 (a)(7) (The Board shall “[p]ublish in the District of Columbia Register on the 3rd Friday of every month, the total number of qualified electors registered to vote in the District as of the last day of the month preceding publication. Such notice shall be broken down by ward and political party affiliation, where applicable, and shall list the total number of new registrants, party changes, cancellations, changes of names, and/or addresses processed under each category.”).
  - Currently in compliance; the December statistics were published in the DC Register on January 15, 2021, and the January statistics will be published on February 19, 2021.

### **Freedom of Information Act Report**

- Submitted to the Mayor’s Office of Legal Counsel.
- Report is due after the close of each fiscal year.
- Report is required under District law. DC Official Code § 2-538 (a).
- Currently in compliance, the FY2020 report was timely submitted on December 18, 2020.

## **Annual Agency Accountability Report**

- Submitted to the Office of the City Administrator.
  - Report is due before January 15 of each year.
  - Report is required under District law. DC Official Code § 1-614.13.
  - Currently in compliance.
36. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.

**RESPONSE:** Please see Question #4(b) response.

Additionally, the BOE encourages and provides staff with opportunities to participate in DCHR's Center for Workforce Development program (PeopleSoft/Skillport) which provides training opportunities and skill development programs to increase an individual staff member's skills, software education and general customer service awareness.

37. Please describe any initiatives that the agency implemented in FY20 or FY21, to date, to improve the internal operations of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

**RESPONSE:** Please see the listing, below.

Ballot On Demand: For the first time since the implementation of Early Voting, all Early Voting centers offered the option of a paper ballot in addition to the Ballot Marking Device (BMD). BOE purchased equipment to accommodate "Ballot on Demand" (BOD) in every early voting site. This enhanced the early voting process for voters. In the past, traditional paper ballots were only available at One Judiciary Square (OJS) during Early Voting.

The equipment consists of portable printers and printer carts. Given the change from precinct-based polling place to vote center, it was necessary to supply each vote center with sufficient BOD's, since this was the only option for providing a paper ballot.

BallotTrax: The Board acquired the software services of BallotTrax, which allowed the Board to track ballots through the USPS from the Board's mail house vendor to the voter, and from the voter back to BOE. BallotTrax also provided notification to voters who registered with BallotTrax regarding the status of their ballot, and eventually provided status on the ballot as "returned/pending review". BOE was made aware of the confusion the terminology presented to voters, concerned that their ballots may not be counted if defined as "returned". (Ballots classified as "pending review" required signature verification through the voter registration system; most passed review.) The terminology

was modified to “received” for clarity, and once the signature was verified, the status was changed to “accepted” so voters could be assured that their mail ballots would be counted. The Board also maintained its existing website ballot tracker which provided updates to voters who returned their ballot through the drop box.

Accessible tablets for language interpretation: For the 2020 election cycle, the Board deployed tablets loaded with the LanguageLine InSight Video Interpreting application. The application allows Limited-English speakers and hearing-impaired individuals to be connected to video and audio interpreters.

Accessible Ballot: For the 2020 election cycle, the Board deployed OmniBallot, an electronic, fully accessible remote ballot (ARB) solution that allows voters with disabilities to access their personalized ballots through a link and mark them online. Procedurally, voters submit a request for an ARB. Upon the receipt of the request, DCBOE will confirm the voter’s information and send a link through which the voter may access their ballot. The voter then votes the ARB using the instructions provided, prints the ballot, and returns it either by mail, at a mail ballot drop box, or in person at an in-person voting location.

Mail Ballots: For the November General Election, the Board procured the services of K&H Mail House, a ballot printer with mail ballot services, to mail a ballot to every District of Columbia voter. Each ballot mailed by the service included an Intelligent Mail Barcode (IMB), which allowed the Board to track the ballot from the mail house to delivery to the voter. IMB also tracked the ballot return from the voter to the Board through the postal system. This system proved efficient.

#### Town hall Community Meetings

The DCBOE hosted and attended frequent meetings with members of the public. These town hall style meetings with the community and community leaders were a great way to exchange ideas. It also helped voters understand DCBOE’s legal requirements and helped DCBOE understand the real needs and desires of voters.

Mail Ballot Drop Boxes: The DCBOE provided 55 secure mail “drop boxes” for voters to drop off their voted ballots rather than rely on the USPS. The drop boxes were the most popular method that voters chose to return their voted ballots for this election. The mail ballot drop boxes were places throughout the District of Columbia, including at every library, except one, and were available to receive ballots 24 hours a day. Ballots were retrieved from the boxes twice a day, 7 days a week.

38. What are the agency’s top five priorities? Please explain how the agency expects to address these priorities in the remainder of FY21. How did the agency address its top priorities listed for this question last year?

**RESPONSE:** BOE's high-level priorities continue to be the successful administration of elections, achieved through comprehensive efforts to educate and inform voters about the election process, maintain a secure, accurate, and up-to-date voter registry, and administer efficient, inclusive, and accessible elections. To achieve that end, BOE strives to:

Intensify efforts to maintain an accurate and up-to-date voter registry through consistent use of data yielded from the Electronic Registration Information Center (ERIC); the State and Territorial Exchange of Vital Events (STEVE) database; the National Change of Address (NCOA) and Social Security databases.

Develop engaging and targeted voter education and outreach programs and materials that will educate all potential and existing voters - including the youth, senior citizens, people with disabilities, people with language access needs, returning citizens, incarcerated felons, underrepresented populations, *etc.* - not only about BOE programs and processes, but also about their rights 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. For example, we are exploring the feasibility of launching a web-based ballot access program similar to Cook County, Illinois' Running for Office Starter Kit (<https://www.cookcountyclerk.com/service/running-office-starter-kit>) here in the District.

Partner with federal and local agencies to enhance the security of all election systems.

Enhance the IT Division with high-level staff to assist with the Board's mission and maintain security of the infrastructure.

39. Please list each new program implemented by the agency during FY20 and FY21, to date. For each initiative, please provide:
- a. A description of the initiative;
  - b. The funding required to implement the initiative; and
  - c. Any documented results of the initiative.

**RESPONSE:** Please see the listing, below.

For the 2020 Election cycle, vote centers were used instead of precinct-based polling places through election day. With the procurement of Ballot on Demand (BOD) equipment and the continued use of the ballot marking devices, voters were able to vote by traditional paper ballot or electronic ballot. Funding cost associated with this initiative included the purchase of BOD equipment to adequately accommodate each vote center. Ahead of the general election, we purchased 90 BODs for \$648,450.

- Voting by Mail: Automatically mailing ballots to all registered voters was extremely popular and effective for most voters during the November 2020 election. The DCBOE should maintain some form of a mail ballot program for the majority of DC Voters. The cost for this initiative was \$700,000 for the services of the mail house, \$300,000 for postage, and the Agilis mail sorter, used to scan and separate voted mail ballots by ward, was \$246,425.
- Local Drop boxes for mailed ballots were also extremely popular with voters. Drop Boxes were used such that most mailed ballots were dropped off at Drop Box locations. The cost to purchase the mail ballot drop boxes was \$92,000.
- Online Ballot tracking systems can be extremely helpful to voters not voting in person to track their Ballot from submission to receipt. The ballot tracking systems used during the 2020 elections were generally effective, but not always timely. BOE will explore options for either improving current ballot tracking systems and/or consider other systems available in the market. The cost was \$10,000.
- “Election Week” vs “Election Day” is a concept that can become the cultural norm. Branding the period for voting as “Election Week” will shift the cultural norm to encourage early voting which will allow voters to avoid lines and crowds if a voter is voting in person and provides additional voter enfranchisement. It further creates administrative efficiencies in voter processing and vote counting. Messaging extensively to motivate voters to vote early is essential. This cost was absorbed in the communication budget.
- Use of “Super Vote Centers”: Super vote centers allowed for speedy processing of large voter turnout. Super Vote Centers at sports venues further involved the sports community in the voting process, which created even more interest in the community and encouraged voters to cast their ballots. The cost associated with this initiative was approximately \$100,000.

40. How does the agency measure programmatic success? Please discuss any changes to outcomes measurement in FY20 and FY21, to date.

**BOE RESPONSE:** Broadly speaking, BOE considers its programs to be successful when:

- All eligible individuals who wish to participate in the electoral process through registering and voting can do so simply, efficiently, and without barriers, and with confidence that their votes will be counted as they intended;
- The voter registry is as accurate and complete as possible;

- Individuals who wish to run for office are fully informed regarding how to achieve ballot access; and
- All stakeholders have confidence in the management of the process and the result.

As stated in the past, BOE gauges its growth and progress as the entity responsible for administering elections in the District of Columbia by the extent to which its programs conform to those recommendations outlined in the Presidential Commission on Election Administration (PCEA) Report that are suitable for the District. These recommendations include, among others, deployment of online voter registration, utilization of interstate data-sharing tools, and enhancing the accessibility of polling places.

BOE also uses its annual performance plan and performance accountability report as a vehicle to develop objectives and goals and to assess its performance against those measures.

41. What are the top metrics and KPIs regularly used by the agency to evaluate its operations? Please be specific about which data points are monitored by the agency.

**RESPONSE:** After each election held in the District since 2010, the Board has published an after-action report containing certain data and information concerning the 2020 General Election pursuant to D.C. Official Code Section 1-1001.05(K) and 3 DCMR Section 817.

A section of the after-action report is dedicated to the performance of polling place workers and other election officials. This section contains data on the following key performance indicators:

- Percent of Election Day polling places opened on time
- Percent of voting equipment opened on time
- Percent of polling places with voting data returned to headquarters by midnight on Election Night
- Percent of poll workers who properly returned ballots and other key elections materials (delivery confirmation forms, ballot accounting forms, captain's notebooks, etc.) to headquarters by midnight on Election Night

Additionally, the Board includes in its performance plans figures related to its ongoing list maintenance activities, which are undertaken to ensure an accurate voter registry. Specifically, the Board monitors the number of deceased, duplicate, and out-of-District movers it removes from the registry on a quarterly basis, as well as the number of legacy birthdates it corrects.

42. Please identify whether, and if so, in what way, the agency engaged The Lab @ DC in FY20 or FY21, to date.

**RESPONSE:** DCBOE has been in contact with The Lab @ DC. Plans are being made to meet to determine how collaboration between The Lab @ DC and DCBOE might be advantageous.

43. Please list the task forces and organizations of which the agency is a member.

**RESPONSE:** Staff of the agency belongs to The Election Center, The National Association of State Election Directors (NASED), Electronic Registration Information Center, Inc. (ERIC), the US Election Assistance Commission (EAC) Standards Board, the National Association of Secretaries of State (NASS) Elections Committee, the US Department of Homeland Security (DHS) Election Infrastructure Subsector 44 Coordinating Council and the Multi-State Information Sharing and Analysis Center (MS-ISAC).

44. Please explain the impact on your agency of any federal legislation passed during FY20 and FY21, to date, which significantly affected agency operations.

**RESPONSE:** The Board received \$3 million in funding because of the passage of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, which included \$400 million in new Help America Vote Act (HAVA) emergency funds that were made available to states to prevent, prepare for, and respond to the coronavirus for the 2020 federal election cycle.

45. Please describe any steps the agency took in FY20 and FY21, to date, to improve the transparency of agency operations, including any website upgrades or major revisions.

**RESPONSE:** BOE worked closely with the Board of Ethics and Government Accountability (BEGA) Office to ensure website transparency and compliance with the Open Government Act. With this, following a few suggestions and modifications, BOE received assurance that the website was in compliance with both the Open Government Act and accessibility requirements for the appropriate communities. BOE will continue to work with BEGA.

BOE also holds public meetings every month. At these meetings, the Board's Executive Director and General Counsel, along with the Director of the Office of Campaign Finance, present reports on agency activities and operations. BOE posts the notice for these meetings on its website no later than 48 hours in advance, a meeting agenda no later than 24 hours in advance, and meeting transcripts and minutes as soon after the meeting as possible.

BOE's website offers a great deal of information on the BOE's operations. Postings include election calendars, monthly voter registration statistics, candidate filings, administrative orders (organized by both date and subject), budget information, performance oversight reports, election after-action reports, and audit-related reports. BOE makes extensive use of its Twitter and Face Book accounts to keep the public apprised of its activities and respond to specific voter inquiries. BOE also responds to inquiries through the "Ask the Director" module of its website.

During the November 2020 General election (FY 20) cycle, BOE provided for interested parties, including the media, poll watchers, election observers, and members of the public, to observe election administration activities such as logic and accuracy testing, voting on Election Day and during early voting, the uploading of election results, recounts, and post-election audits. BOE also provided information on the location of the mail ballot drop boxes, vote centers, wait times at vote centers during early voting, and ballot tracking information.

BOE has an active Voter Education and Outreach Division (VEO Division). In advance of the November 2020 General (FY 20) election cycle, the VEO Division launched the Ward Outreach Coordinator program to ensure that essential information regarding both 2020 elections was disseminated throughout the city. BOE also published and mailed Voter's Guides and postcards regarding the elections to each District of Columbia household, and placed informational advertisements on buses and in Metro stations.

In conjunction with the VEO Division, BOE's Americans with Disabilities Act (ADA) Compliance Division hosted disability rights advocates and lawyers, senior citizens, voters with disabilities, and other interested groups at two voter access events designed to provide information regarding BOE's efforts to enhance the accessibility of its voting program for voters with disabilities.

46. 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.

**RESPONSE:** Please see the table, below.

<b>Databases</b>	<b>Information Tracked</b>	<b>Public Access</b>	<b>Age of System</b>	<b>Completed and Upcoming Upgrades</b>
Agilis	Mail Ballot sorting	No	½ year	no updates needed
BallotTrax	Mail ballot tracking for each voter who votes by mail	No	½ Year	This is Software as a Service (SaaS) provided by a vendor
Integrity (Voter Registration Database)	Registered voters, pertinent, registration data elements, and voter history.	No. Data maintained on the system is made available via web-services on a public facing website.	23 years	A new Voter Registration System has been selected to replace Integrity. The replacement was put on hold during the 2020 election cycle and is resuming implementation in calendar 2021.
ElectionWare (Election Management System Database)	Builds and manages elections and tabulates election results. Tracks ballots, candidates, offices, precincts, and elections media.	No	3 years	DCBOE and ES&S completed the upgrade of ElectionWare.
Vocem petition processor	Registered voter signatures and signatures captured on petition pages	No	1 year	This is Software as a Service (SaaS) provided by a vendor
eSign (Digital Petition)	Registered voters, petition data, and signatures of those voters who	The end users (circulator & Voter) can only view their specific	3 years	This is Software as a Service (SaaS) provided by a vendor.

	have signed the tablet.	information before signing a petition.		
VRS Registration Database	Registered voter information and voter history	Information maintained by the database will be made available to the public via web services	2 year	Ongoing Project – completion schedule TBD

47. Please provide a detailed description of any existing technology and new technology acquired in FY20 and FY21, to date, including the cost, where it is used, and what it does. Please describe the technology's projected lifespan and explain if there have there been any issues with implementation.

- a. For any elections technology purchased or leased in FY20 and FY21, please specifically provide the total cost for the purchase or lease and the source of the funds utilized (*e.g.* HAVA funds).

**RESPONSE: Please see the listing, below.**

Agilis – Mail Ballot Sorter

The Board acquired a mail ballot sorter to process over 80,000 mail-in ballot packets voted by DC registered voters. The Mail Ballot sorter allowed the staff to scan the signature on each returned ballot and compare that signature to the signature within the voter's profile. The Agilis sorter sorts ballots by ward, which expedites the ability to sort the ballots into precinct order for counting.

The Agilis allowed the board to capture data from the returned envelope and give the voter credit for voting. This credit for voting is what is eventually posted into the ballot tracker on the website which indicates to the voters that their ballot has been received.

## Ballot on Demand (BOD) – Ballot Printers

The Board acquired portable printers and printer carts in order to provide printed paper ballots from every precinct at any vote center. The BODs were able to generate a paper ballot upon the request of any voter.

## Epollbook

Electronic pollbooks used at vote centers to process voters and assign them the correct ballot.

## Ballot Marking Devices (BMDs)

Touch screen devices used at each vote center that allows a voter to vote their ballot.

## Vocem – Petition Software

The Board acquired a software solution to assist staff in verifying voter signatures on candidate petitions. The software is designed to allow staff to compare a voter's signature captured on a petition page to the voter's signature within the VR database.

## Esign

The Board acquired a software and tablet solution designed to allow candidates to capture a voter's signature during the petition circulation process.

## BallotTrax

The Board acquired the software services of BallotTrax which allowed the Board to track ballots through the United States Postal Service from mailing from the Board's mail house vendor to the Voter and from the voter through the postal service back to the Board of elections. The BallotTrax also provided notification to the voter regarding the status of their ballot and eventually listed that the ballot had been received and accepted.

The Board became aware of confusion from the voters as to what the meaning of returned ballot and received ballot meant. These are terms that have been consistently used by the Board over the course of many years and we did not foresee that the voters would become confused by these standard terms.

We revised the terms to provide more clarity to the voters regarding their ballot status.

The Board also maintained its existing website ballot tracker which provided updates to voters who returned their ballot through the Drop Box.

## Democracy Live

Software service that allowed the Board to send an electronic ballot to a disabled voter to print the ballot at home and return the ballot by email, facsimile and US mail.

## VIP

Software service that allows a voter to look up their precinct data through the google internet service.

## Agency-Specific Questions

48. Please discuss how the public health emergency related to COVID-19 affected agency operations during FY20 and FY21, to date.

The DC Board of Elections (DCBOE) team had to adjust and initiate new ways to meet the needs of DC Voters safely and maintain the overall integrity of the voting process. Each DCBOE team member recognized the criticality of insuring a successful 2020 election and risked their and their family's health and safety and reported to work to insure all went well. As the election season progressed, we all learned a lot about what worked and didn't work in this new environment. During this pandemic we have materially changed in almost every way to continue to meet our mission to provide the best opportunity for DC Voters to cast their ballots. Voting is the tip of the spear of American democracy and the DCBOE must continue to identify and implement new ways to enfranchise every DC Voter.

Among the challenges that DCBOE faced were: recruiting and training election workers, identifying polling locations, safely operating polling sites, maintaining social distancing in polling sites and in the work place, instituting telework successfully, communicating to voters, offering options for voting, working under stressful circumstances, and other high level unforeseen encounters associated with conducting the elections.

For the June Primary, to address these challenges, with less than 2 months before the election, DCBOE launched a campaign that strongly suggested that voters request a mail ballot. The mail ballot campaign was supported by a PR firm that instituted a "Vote Safe" design. Requests were accepted by mail - in applications, email, or online request. All requested ballots were responded to by DCBOE full time and temporary staff, hand stuffing and mailing the ballots to each voter with instructions and a prepaid-return ballot envelope. Given the short timeframe between the decision to invoke the mail ballot request campaign and its implementation, DCBOE was not able to have an Intelligent Mail Barcode for USPS in place, a tracker that communicated with the postal system, or an in house web portal designed that allowed voters to check the status of their return ballots.

DCBOE communicated regularly with members of the Public, elected officials, Party Members, Organizations, and others by holding “Town Hall” type sessions to address questions and respond to concerns related to the election. These sessions were helpful to both the attendees and to DCBOE.

As it relates to poll worker recruitment and training, the challenges related to these issues were multi-tiered. Many of the veteran workers were in the age population that was at risk to contract the virus and therefore opted out of volunteering. Training was conducted in a remote setting, due to the stay-at-home Order that was imposed by the Mayor. This provided for basic training but did not allow for the “hands-on” training with the voting equipment that is an important part of the process.

Many of the polling locations were not available for use due to the health emergency. DCBOE decided to operate vote centers instead of traditional polling precincts. Vote centers provided a place for all voters to vote, at any location without being limited to a specific precinct. All vote centers had to be properly equipped with adequate signage and PPE for voters and staff. Further, a traditional paper ballot option needed to be provided at each vote center for voters who did not want to vote on the electronic ballot marking device.

The staff charged with processing the mail ballots was relocated to the Board’s warehouse location to better accommodate social distancing and safety concerns. Other staff members were directed to telework. These changes required the acquisition of technology, equipment, and basic office supplies in order for the staff to perform all of their day to day responsibilities.

The June Primary resulted in long lines on Election Day; the previous days were uneventful, ongoing technology failures, and many frustrated voters due to unanswered request for mail ballots that were somehow lost in the email system. At the end of it, many lessons were learned, all of which were put in place as we moved toward the November General Election.

For the November General Election, it was clear that the focus needed to continue on conducting the election with the threat of the pandemic still looming in full force. There were obvious limitations that needed to be taken into consideration. With this in mind, DCBOE, changed courses from the Primary and began to design an all-mail ballot election. This began with the decision to procure the services of an experienced mail house to assist with this monumental task and mail all qualified voters a ballot.

In addition to securing the mail house, we procured 55 mail ballot drop boxes that were placed throughout the District, including at every public library except one, so that voters had an alternative to mailing their ballots or voting in person. The locations for the drop boxes were determined with input from Members of the Council, and a working group consisting of a group of members of the Public. DCBOE developed an initial list of locations and sent that list to each Ward and at-large Councilmember for feedback. Based upon all of the feedback received, the

locations for the mail drop boxes were finalized. Ballots were retrieved from the mail drop boxes twice a day. The drop boxes were extremely popular and used by the voters. More voters opted to use the drop boxes than any other means of voting for this election.

It was determined that not all voters would choose to vote their mail ballot, that some voters might not timely receive their ballots in the mail, and that allowances had to be made for same day registration. Therefore, Early Voting and Election Day options were still required.

The Primary Election Day vote wait times were analyzed, not only in the District of Columbia, but nationwide. It was determined that the voters could no longer be limited to voting at the traditional multi-purpose rooms, libraries, cafeterias, and centers that were the customary polling locations. While those venues are needed, larger-sized locations with the capacity to accommodate larger crowds were also needed. Keeping in mind the guidance of the CDC with respect to social distancing and the limitations on gatherings, the size of the locations was of particular concern when determining vote center locations.

The idea of Super Vote Centers became a reality. These venues provided the space needed to accommodate more than double the amount of equipment used in regular polling places, which would allow more voters to be processed in a shorter time span. This idea was being incorporated nationwide as well. We identified 6 locations to serve as Super Vote Centers. The partnership with these venues was incredible! The Washington Football Team also reached out to DCBOE to offer support and became a part of the partnership with the other local major sports teams backing, supporting and educating voters with the “Election Week” message.

In the District of Columbia for the November General Election, DCBOE operated 32 Early Vote Centers, including 6 Super Vote Centers, and 95 Election Day Vote Centers. Voters could vote at any location through Election Day. All vote centers were provided the necessary Personal Protective Equipment (PPE) which included face masks, hand sanitizers, Plexiglas, gloves, and 6 ft. social distancing signs. Reminder signs were also displayed at voting centers regarding the need for masks to enter. If a voter arrived without a mask, site coordinators were instructed to offer one to them. Every vote center was provided with an internal “drop box” for mail ballots. Signs directing voters to “Drop don’t Stop”, provided a quick alternative for those individuals just needing to drop off their voted ballot, thereby avoiding the line.

A massive communication plan was developed to inform voters of the mail ballots, drop boxes, early voting, super vote centers, election day operations, and more. The communications plan was administered by the PR firm and included radio, TV ads, print, digital ads, Public Service Announcements (PSA) multiple post card mailings, email notifications and other forms of continuous outreach to members of the public. The information provided in these communications was intended to inform voters of their options for voting, changes to the voting operations, expectations at vote centers during a pandemic and more. Working closely with the PR firm as the “Vote Safe DC” campaign continued to be communicated ahead of the November election, DC residents were made aware of election processes and procedures as

well as how to access any needed information. Further, as indicated herein, many meetings were held, where members of the public were constantly engaged and their concerns were addressed. There was also the use of robocalls and targeted text messages, door hangers and street signs providing election information to voters.

49. Please provide the amount of any Help America Vote Act (“HAVA”) funds expended in FY20 and FY21, to date, the purpose for the expenditures, the amount of any remaining funds, and the Board’s projected use for those remaining funds.

**RESPONSE: Please see the chart, below.**

Question 49				
Fiscal Year 2020				
Help America Vote Act				
Source	Funds Expended	Purpose for Expenditures	Projected Use	Complaints or Grievances
2011 Help America Vote Act (HAVA)	\$3,149			None
2018 Help America Vote Act (HAVA)	\$1,906,317	The HAVA 18 security grant award is to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements to the systems, equipment and processes used in federal elections.	For the purchase of Election Systems & Software (ES&S) accessible Express Vote Ballot Marking Devices/Precinct Scanners; additional voting equipment to increase the number of early voting centers across the District of Columbia.; for additional electronic poll pads; for ballot drop boxes; for election official training; for Communication/Continued Voter Education and Outreach Efforts; for the development of voter education and outreach materials that would educate all voters not only about BOE 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.	None
2020 Help America Vote Act (HAVA)	\$1,553,049	The HAVA 18/20 security grant award is to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements to the systems, equipment and processes used in federal elections.	For the purchase of Election Systems & Software (ES&S) accessible Express Vote Ballot Marking Devices/Precinct Scanners; additional voting equipment to increase the number of early voting centers across the District of Columbia.; for additional electronic poll pads; for ballot drop boxes; for election official training; for Communication/Continued Voter Education and Outreach Efforts; for the development of voter education and outreach materials that would educate all voters not only about BOE 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.	None
2020 Help America Vote Act (HAVA) CARES	\$3,000,540	The Board received \$3 million in funding because of the passage of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, which included \$400 million in new Help America Vote Act (HAVA) emergency funds that were made available to states to prevent, prepare for, and respond to the coronavirus for the 2020 federal election cycle.	DC used the money for voter education on vote by mail, which included an aggressive messaging campaign for voters and the hiring of a public relations firm to oversee the campaign. Items were purchased to support the increased number of mailed ballots. DC moved major operations to its warehouse to ensure social distancing. Funds were used for the recruitment of poll workers, expansion of vote centers, and the provision of PPE for poll workers and voters. DC used the funds to purchase and implement ballot tracking software, high speed scanners and letter opening equipment, interior mail drop boxes, and hardware and software associated with signature comparison of returned ballots. DC hired additional poll workers, technicians, security workers, and temporary staff.	None

Fiscal Year 2021				
Help America Vote Act				
Source	Funds Expended	Purpose for Expenditures	Projected Use	13a. Complaints or Grievances
2020 Help America Vote Act (HAVA)	\$91,375	Purchased election equipment, paid for annual maintenance fees for electronic poll pads, election staff election official training, election worker payments, Upgraded firmware, hardware, and election management systems; purchased new electronic poll pads.	BOE purchased and updated voting equipment, enhanced election operations, security, and safety for Early Voting and Election Day.	None
Center for Tech and Civic Life (CTCL)				
Source	Funds Expended	Purpose for Expenditures	Projected Use	13a. Complaints or Grievances
Center for Tech and Civic Life (CTCL)	\$617,613	The purpose of the Center for Tech and Civic Life grant fund is for the planning and operationalizing safe and secure elections. Funds could be expended on election administration needs pertaining to: Ballot drop boxes, Non-partisan voter education, Poll worker recruitment funds, hazard pay, and/or training expenses, Polling place rental and cleaning expenses for early voting or Election Day, Temporary staffing, Voting materials in languages other than English, Vote-by-mail/Absentee voting equipment or supplies, and Election administration equipment.	Fund election/poll worker payments from the November 2020 General Election.	None
The Center for Election Innovation & Research (CEIR)				
Source	Funds Expended	Purpose for Expenditures	Projected Use	13a. Complaints or Grievances
The Center for Election Innovation & Research (CEIR)	\$811,835	The purpose of the grant is to provide voter education, information, and communication to ensure a safe, secure and informed November 2020 election, particularly in the face of challenges posed by the COVID-19 pandemic.	Paid Media Communications for the November 2020 General Election.	None

Below is DL0 FY21 Available Balances

FY21 Grant Funds			
	FY21 Budget	FY21 Expenditures	Available Balance
HAVA18	\$158,656	\$0	\$158,656
HAVA20	\$1,451,064	\$541,602	\$909,462
CEIR	\$811,835	\$811,835	\$0
CTCL	\$617,613	\$617,613	\$0
<b>TOTAL</b>	<b>\$3,039,168</b>		<b>\$1,068,118</b>

Here is the breakdown on FY20 Grant Spending. The Grant Award Column represents the federal funds award during the program.

HAVA11 received a cumulative total of \$13,028,257 since the program inception.

FY20 Grant Funds			
	Grant Award	FY20 Expenditures	Comments
HAVA11	\$13,028,257	\$3,149	spending is complete
HAVA18	\$3,000,000	\$2,019,652	
HAVA20	\$3,000,000	\$1,553,049	
HAVA CARES	\$3,000,000	\$3,000,000	spending is complete
<b>TOTAL</b>	<b>\$22,028,257</b>	<b>\$6,576,389</b>	

- a. Please describe any HAVA complaints or grievances that the agency received in FY20 and FY21, to date. Were these complaints or grievances resolved, and if so, how?

**RESPONSE:** The Board received no HAVA complaints or grievances in FY 20 and FY21, to date.

50. Please provide an update on the procurement and implementation of a new voter registration system.

**RESPONSE:** In May 2017, the Council approved a reprogramming of \$3 million in capital funds for BOE to procure a new voter registration and elections management database system. On February 14, 2019, the contract was awarded to VR Systems, Inc. in Tallahassee, Florida. The total award was approximately \$2.1 million (Base period total price-\$845,279.00; Option Period One (1) total price - \$311,918.00 for Maintenance & Support); Option Period Two (2) \$306,084.00 for Maintenance & Support; Option Period Three (3) \$318,563.00 for Maintenance & Support; and Option Period Year Four (4) \$323,468.00 for Maintenance & Support. To date, the Board has spent \$633,958.00.

The Project was placed on hold during the 2020 election cycle. The Board and the Office of Contracts and Procurement has resumed its efforts to implement the new voter registration system acquired from VR Systems. Now that the election is behind us, the Board's user acceptance team is reviewing updated software changes implemented by the vendor to support Board operations. Customization is taking place with an anticipated go live date to be scheduled during the calendar year 2021.

51. How has the Electronic Registration Information Center enabled the Board to maintain accurate voter rolls? How did the Board use ERIC in FY20 and FY21, to date? How much did the Board pay in dues to ERIC during that period?

**RESPONSE:** The Board routinely provides data from the voter registry and the Department of Motor Vehicles to the Electronic Registration Information Center (ERIC), a data-sharing program that allows participating jurisdictions to identify voters who are deceased, or have moved within or outside of the jurisdiction, and to act on that information. ERIC also identifies individuals who have moved from one participating jurisdiction to another, enabling the jurisdictions to contact these individuals and address their voter registration status/inform them of their potential eligibility to register to vote.

There are currently 31 states, including the District of Columbia, participating in ERIC. The more jurisdictions that join ERIC, the greater the accuracy of each jurisdiction's voter registry, and the lower the cost of membership.

From (FY20) October 1, 2019 through September 30, 2020, the Board used ERIC to:

- ☐ eliminate 1,271 duplicate voter registration records
- ☐ remove 137 registered voters determined to be deceased
- ☐ remove 2,757 voters determined to have moved outside of the District; and
- ☐ update the addresses of 685 voters determined to have moved within the District.

From (FY21) October 1, 2020 to the present, the Board used ERIC to:

- ☐ eliminate 0 duplicate voter registration records
- ☐ remove 0 registered voters determined to be deceased
- ☐ remove 0 voters determined to have moved outside of the District; and
- ☐ update the addresses of 0 voters determined to have moved within the District.

The Board used ERIC data to identify eligible but unregistered voters in October 2020 leading into the November General election as referenced in question #54. The Board is prohibited from removing voters from the roll within 90 days of an election, so we did not request in state and out of state movers report from ERIC. Since completion of the November 2020 general election, the Board has focused on processing undeliverable mail-in ballots, USPS National Change of Address (NCOA) address updates reflecting in-state and out of state movers and on conducting the biennial canvass after each general election.

The Board has not requested a report from ERIC for the 1<sup>st</sup> quarter of calendar 2021, but anticipates doing so by the end of April 2021. With the April 2021 report, the Board will commence regularly scheduled ERIC updates in preparation for the 2022 election cycle.

How much did the Board pay in dues to ERIC during that period?

The Board paid \$16,285.00 in membership dues which covers the period July 1, 2020 through June 30, 2021.

52. Please describe the Board's voter registration activities during FY20 and FY21, to date.

- a. How, specifically, does the Board focus its registration efforts on areas of the District or particular populations (*e.g.*, students, young people, or residents in Wards 7 and 8) that have low registration rates?

**RESPONSE:** During August 2020, the Board's VEOD Division assembled voter registration kits for distribution to all District of Columbia Housing Authority (DCHA) locations. A total of 8,000 kits were assembled and delivered. Each kit consisted of a voter registration application, a letter from DCBOE with instructions on how to return the

application, information about the General Election, and a postage paid return envelope. Over 2,000 voter registration kits were distributed to DCHA properties located in Wards 7 and 8. Below is a table with the property names, and units for each location in Wards 7 and 8.

<b>DCHA Literature Drop Locations for Wards 7 &amp; 8</b>			
<b>Place</b>		<b>Units</b>	<b>WARD</b>
1	Benning Terrace/Marley Ridge	282	7
2	Elvans Road	20	8
3	Ft. DuPont Additions	12	7
4	Ft. DuPont Dwelling	88	7
5	Highland Addition	118	8
6	Highland Dwelling/Residential	208	8
7	Kenilworth Courts	190	7
8	Knox Hill/Villager	144	8
9	Lincoln Heights	404	7
10	Richardson Dwellings	190	7
11	Stoddert Terrace	278	7
12	Woodland Terrace	234	8
Total		2168	

- b. How many applications and changes of address were transmitted to the Board by voter registration agencies in FY20 and FY21, to date? Please list the number by agency.

<b>Agency Name</b>	<b>New Applications FY20</b>	<b>Changes of Address FY20</b>
Department of Motor Vehicles	14,799	10,504
Department of Human Services' (DHS) Economic Security Administration (ESA)	37	112
Department on Disability Services	40	4
Office on Aging	1	2
Department of Parks and Recreation	0	0

Department of Youth Rehabilitation Services	27	7
Department of Corrections	167	79
Department of Health (DOH)'s Special Supplemental Food Program for Women, Infants, and Children (WIC)	3	0
DC Public Schools and Charter	203	14
DC Public Library	153	54
<b>Agency Name</b>	<b>New Applications FY21</b>	<b>Changes of Address FY21</b>
Department of Motor Vehicles	3,970	4,025
Department of Human Services' (DHS) Economic Security Administration (ESA)	0	39
Department on Disability Services	4	8
Office on Aging	0	1
Department of Parks and Recreation	0	0
Department of Youth Rehabilitation Services	3	17
Department of Corrections	79	31
Department of Health (DOH)'s Special Supplemental Food Program for Women, Infants, and Children (WIC)	11	9
DC Public Schools and Charter	0	5
DC Public Library	55	31

- c. What measures is the Board taking to increase voter registration at designated voter application distribution agencies? Has the Board conducted a review of voter registration at these locations?

BOE conducted in-person and virtual training sessions for employees at voter application distribution agencies.

- d. How does the Board measure the success of its Ward Outreach Coordinators? Please describe the activities of these positions in FY20 and FY21, to date.

To help facilitate the Ward Coordinator Program, the Board recruits and hires a diverse group of individuals to serve as Ward Coordinators. In collaboration with Board staff, Ward Coordinators assist with staffing outreach events, registering voters, updating voter information, and facilitating the absentee voting process at nursing homes, assisted living facilities, rehabilitation centers, and hospitals.

Due to COVID-19, the Board implemented a modified program, known as the Senior Ballot Collection Program, to provide a convenient method for residents at nursing homes, rehabilitation centers, and senior residential buildings operated by the DC Housing Authority to return their completed absentee (mail-in) ballot. The Ward Coordinators were responsible for contacting facilities in Wards 1 through 8, and coordinating a convenient date/time to collect absentee (mail-in) ballots onsite. All Ward Coordinators received ballot collection boxes, secured with a padlock and labeled with the name of each facility, to ensure a safe and secure collection process.

The Board measured the success of the Ward Outreach Coordinators modified program based on the following factors:

- Number of visits scheduled
- Number of Absentee (mail-in) Ballots collected
- Number of follow-up visits or telephone calls

The Ward Coordinator program is a highly regarded and valued brand ambassador program among seniors across the District that promotes involvement and inclusion. Through this community outreach program, the Board continues to provide senior voters a convenient, safe, and positive voting experience.

53. Please provide voter registration data for all eligible voters by age and Ward, including:

- a. The percentage of eligible voters registered to vote;

AGE GROUP	WARD 1	WARD2	WARD 3	WARD 4	WARD 5	WARD 6	WARD 7	WARD 8	TOTAL
18-24	4805	3684	4453	4441	4942	4679	5949	6438	39391
25-34	24990	18678	13171	12785	19119	31486	14452	16401	151082
35-44	16042	10508	11006	14308	16454	22534	11891	12435	115178
45-54	7511	5570	9022	10349	9469	10923	9118	9442	71404
55-64	5979	5275	7982	9178	9191	8949	9991	9195	65740
65-74	4166	4349	7742	7605	7101	6162	6547	5332	49004
75-over	2678	3083	6363	6211	5281	3904	4518	2921	34959
Reg. as of 2/9/2021	66171	51147	59739	64877	71557	88637	62466	62164	526758

- b. The percentage of registered voters that voted in the 2020 primary and general elections, compared to the past three elections; and

AGE GROUP	WARD 1	WARD 2	WARD 3	WARD 4	WARD 5	WARD 6	WARD 7	WARD 8	TOTAL
18-24	2288	2028	2772	2763	2838	2940	3096	2938	21663
25-34	16079	11707	8359	7891	11281	20853	7313	7015	90498
35-44	9899	6463	7959	9987	10737	14958	7200	6450	73653
45-54	4967	3908	7395	7436	6282	7721	5911	5279	48899
55-64	4207	3924	6730	6860	6272	6437	6983	5774	47187
65-74	3003	3394	6798	6034	5294	4646	4884	3617	37670
75-over	1783	2269	5200	4612	3573	2822	3122	1933	25314
WARD - TOTAL	42226	33693	45213	45583	46277	60377	38509	33006	344884
Reg. as of 11/2/2020	65267	50193	59047	64226	70564	86867	61247	60479	517890
Turn out %	64.7 %	67.1 %	76.6%	70.9%	65.6%	69.5%	62.3 %	54.6%	67.0%

Election	Early Voters	Overall Turnout	% of Overall Turnout
9/14/10	21,163	137,586	15.4
11/2/10	13,415	135,846	9.9
4/3/12	6247	64,361	9.7
11/6/12	57,053	294,814	19.4
4/1/2014	14,755	99,394	14.8
11/4/14	26,660	177,377	15
6/14/16	19,153	100,423	19
11/8/16	101,077	312,575	32.3
6/19/18	14,492	89,513	16.2
11/6/18	52,512	231,700	22.7
6/2/20	12,689	114,890	11.0
11/3/20	80,959	346,491	23.4

- c. The percentage of registered voters in Ward 2 who voted in the 2020 special election for Ward 2 Councilmember.

Ward 2 Special Election 09/16/2020	Total Registrations: 47,727 Total Ballots- Turn out: 10,753 Percentage - Turn out: 22.53%
Election Day Turn out	87
Early Voting	81
Special (Provisional)	46
Mail-in Ballots	10,539

54. How many eligible residents who are currently not registered to vote are there in the District? Please describe by age and Ward, if this data is available.

**RESPONSE:** During the 2020 General Election, the Board identified 13,783 eligible but unregistered District residents. Currently, 931 out of 13,783 have registered to vote. At this time, age and ward data is not available.

55. Please list the top ten voting precincts by growth in the last five years.

**RESPONSE:** The ten top precincts by growth within the last five years are 1, 11, 17, 18, 19, 74, 81, 83, 89 and 131.

Precinct #	Precinct Name _ Polling place	Ward	
1	Walker-Jones Education Campus	6	
11	Guy Mason Recreation Center	3	
17	Metropolitan AME Church	2	
18	Kennedy Recreation Center	6	
19	Dunbar Senior High School	5	
74	Noyes Education Campus	5	
81	Miner Elementary School	6	
83	J.O. Wilson Elementary School	6	
89	Eastern Market	6	
131	Arthur Capper Community Center	6	

- a. In FY20 and FY21, to date, has the Board identified areas for new precincts?

The Board has noted continual growth in Ward 6 which could lead to the development of new precincts.

56. How many DCPS and public charter students and DYRS youth were registered to vote in FY20 and FY21, to date? How, specifically, does the Board work with the relevant agencies to ensure that these individuals are registered to vote?

**RESPONSE:** 251 new students and DYRS youth were registered to vote in FY20 and FY21. Prior to the health emergency, a total of 642 applications were received from high school students during in-person registration events. Of the 642 applications received, 160 were 'pre-registered' as age pending, because they were not yet 18 years old and, therefore, not included in the 251 registered students. These students will automatically be added to the voter roll when they reach the age of 18. The remaining applications received were either incomplete or duplicates and were not processed.

When it was no longer possible for BOE to conduct high school outreach events in person because of the health emergency, BOE held virtual student registration drives. Students were encouraged to complete Voter Registration Applications online. Although we are unable to confirm how many students registered after participating in these virtual drives, there were 370 individuals between the ages of 18 and 19 registered online during this timeframe.

The Board establishes partnerships with agencies to ensure students are registered to vote. As it pertains to schools, a letter is sent to principals to gain buy-in at the beginning of each school year. BOE has also established a relationship at the administrative level, with the DCPS Director of Social Studies. This helps ensure the approach for communicating voter registration information to DCPS students is performed in a consistent manner. Further, BOE has established relationships directly with high school students. In FY20, three of the high school registration drives were student-led. BOE plans to continue partnering with student government leaders to conduct more student-led drives in the future. In FY20, BOE reached out to the Chancellor's office in an effort to gain more support at the local school level. This is an endeavor that DCBOE will continue.

- a. Given the COVID-19 public health crisis, how did the Board conduct outreach to students?

**RESPONSE:** Generally, DCBOE has worked with a contact at the school to schedule voter registration drives in multiple settings such as Back to School events, Senior Class meetings, lunch periods, and in the classroom. Because the option for in-person outreach events was not possible, the Board emailed a form to request that BOE join classes virtually to educate age-appropriate students about registering to vote and information on the

election. The email included a voter registration form, a flyer stating that students 16 and older were eligible to pre-register or register to vote, and an Outreach Event Request form.

In addition to efforts to reach students in the traditional school setting, BOE worked with other agencies/organizations, such as Community of Hope, MIKVA Challenge, and the Department of Human Services.

The Board primarily conducted virtual student education/registration sessions as a means of outreach as a result of the public health crisis. When deemed safe, outreach to this population occurred during in-person activities (e.g., GoGo Vote).

57. How is the Board actively recruiting Student Election Workers?

a. How many Student Election Workers participated in the 2020 primary, special, and general elections?

**RESPONSE:** Due to the health emergency, the Board had no student participation in the 2020 June Primary or the Ward Two Special election. However, for the 2020 General Election, there were 27 students who worked on Election Day.

58. In the FY19 budget, the Committee funded an FTE for year-round voter outreach to students, returning citizens, and inmates. Please describe the staff member's activities in FY20 and FY21, to date, and note whether the staff member was assigned other unrelated duties.

**RESPONSE:** During FY 20 and FY21 to date, the full-time employee (FTE) funded to conduct year-round voter outreach to students and returning and incarcerated citizens has been heavily engaged in promoting education and voter registration for these populations. Relationships with schools and community partners in support of returning and incarcerated citizens continue to be established and cultivated. The enactment of the 'Restore the Vote' legislation added increased responsibilities to this position and created unforeseen challenges. Mainly, the need to garner positive working relationships with the Bureau of Prisons (BOP) in order to obtain needed information with respect to DC residents who were incarcerated in the federal prisons so that they could register and vote.

The Restore the Vote legislation resulted in a heavy lift for the BOP population and due to this, it was necessary to elicit the help of another BOE staff member to maintain support for the student, incarcerated, and returning citizen populations. Between the two employees the amount of effort well exceeded one FTE. In addition, we also reached out to staff at DOC to assist with getting ballots to the residents at the DC jail.

Among the highlights of the efforts of the FTE were:

Population	Outreach Activities
Incarcerated	<ul style="list-style-type: none"> <li>• Worked with the Department of Corrections (DOC) to conduct education and registration drives. Voter education/registration material was developed by BOE and placed on tablets by the DOC for use by citizens incarcerated in the DC Jail. The enactment of the ‘Restore the Vote’ legislation required DOC and BOE to now include citizens convicted of felony offenses in the population of citizens allowed to register and vote.</li> <li>• Established a relationship with and worked with the Federal Bureau of Prisons (BOP) to restore the right to vote for citizens incarcerated for felony offenses.</li> <li>• Continued to work with the Office of Human Rights (OHR) to ensure the rights of returning citizens. Joint education/registration sessions at the DC Jail were held in conjunction with OHR to educate the incarcerated citizens of their rights upon release.</li> <li>• Created posters that articulated the rights of incarcerated and returning citizens which were posted in the DC jail in strategic high traffic areas. This information was also electronically sent within the BOP.</li> <li>• Worked with Court Services and Offender Supervision Agency (CSOSA) to present at the quarterly CSOSA Community Resource Video Conference. The audience is DC residents incarcerated in federal prisons that are scheduled for release.</li> <li>• Continued to work with MORCA. MORCA attended and assisted with some BOE outreach events. Plans were made for joint MORCA/BOE jail visits, but none actually occurred as the DC Jail was closed to outsiders due to the health emergency.</li> <li>• Attended CSOSA Federal Bureau of Prisons (BOP) 2-day trip to visit DC residents incarcerated at federal prisons, who were scheduled for release.</li> </ul>
Returning Citizens	<ul style="list-style-type: none"> <li>• Developed a relationship with the Ready Center. Meeting was held between BOE and the Ready Center to strategize on how best to support the returning citizen population that frequents the Ready Center after release. Materials such as registration forms, PowerPoint presentation, posters, and the Voter’s Guide were provided to the Ready Center. A plan was developed to have</li> </ul>

	<p>BOE visit the Ready Center monthly to meet with Returning Citizens, but these meetings never took place due to the health emergency.</p> <ul style="list-style-type: none"> <li>• Supported multiple events hosted by Community Partners committed to the support of Returning Citizens. Examples include, but are not limited to: CSOSA sponsored Reentry Month ‘Empowering Women’ session for the Fairview Halfway House, National Reentry Network for Returning Citizens education session, Men’s Shelter registration drive, GoGo Vote registration drive. The events included an element of education, voter registration, and Election Worker recruitment for the 2020 elections.</li> <li>• Conducted teleconference voter registration sessions with the Returning Citizen community. Focus was on education, voter registration, and election worker recruitment.</li> <li>• Posters were placed at half-way houses to educate/remind returning citizens of their right to vote post incarceration, regardless of their offense.</li> </ul>
Students	<ul style="list-style-type: none"> <li>• Continued relationships with contacts at DCPS and DCPCS high schools.</li> <li>• Attended various school events to conduct education and voter registration (e.g., lunch periods, classrooms, Senior Class meetings).</li> <li>• Created content for and held virtual voter education, registration, and Student Election Worker recruitment drives when physical attendance was prohibited due to the health emergency.</li> <li>• Created a commercial for a National Election Center Conference featuring DC High School students.</li> <li>• Established a relationship with new DYRS contact and participated in multiple DYRS voter registration drives rotating between the DYRS H Street and MLK locations.</li> </ul>

59. Please describe the Board’s work with incarcerated individuals and returning citizens in FY20 and FY21, to date.

**RESPONSE:** Please see Question #58 response.

FY20 was a busy year for the Board as it related to incarcerated individuals and returning citizens, particularly with the enactment of ‘Restore the Vote’. The Board established

new contacts (new Ready Center Director and BOP) and continued to cultivate the existing relationship with the DOC.

In-person registration activities were held at the DOC until the jail was closed due to the health emergency. After this, BOE worked with the DOC to ensure voter registration materials were provided as well as the Voter Guide and absentee ballots. Tablets were used for the first time to disseminate information to the DC Jail population. DOC and BOP worked together to get ballots to and returned from voters within the DOC.

BOE worked with the BOP to get the number of DC residents housed throughout the BOP. The BOP provided information indicating DC residents were housed throughout 103 federal facilities. Based on this, BOE sent registration materials to the wardens of those facilities for dissemination. When registration applications were received, BOE either registered the individual or attempted to perfect incomplete applications. Ballots were sent to and received from the BOP via the USPS. In some unique and last-minute cases, FedEx had to be used to ensure the voter's rights. The BOP Re-Entry Affairs Coordinators were instrumental in the resolution of Voter Registration Application problems and getting last-minute ballots distributed and returned.

With respect to returning citizens, BOE met with the new Director and plans were put in place to make sure the Ready Center had the latest Voter Registration Application. BOE worked with the Ready Center staff to make sure they were educated on how to complete the Voter Registration Application. BOE posters and brochures were also left at the Ready Center. Additionally, BOE created and disseminated a PowerPoint presentation for the Ready Center. A monthly schedule for BOE to meet with Ready Center constituents (Returning Citizens) was planned. However, this plan was not implemented due to the health emergency. An electronic Voter Guide was also provided for posting on the Ready Center's website after the facility was closed due to the health emergency.

During the health emergency and in preparation for the General Election, teleconference voter registration sessions, between BOE and the returning citizen community, were conducted with the returning citizen population. These sessions focused on voter education, voter registration, and election worker recruitment.

- a. How many incarcerated individuals at the D.C. Jail were registered to vote in FY20 and FY21, to date? Of those who registered, how many voted in the primary, special, and general elections? How many incarcerated individuals at the D.C. Jail – regardless of the date of their registration – voted in the primary, special, and general elections?

In FY20, 167 individuals incarcerated at the DC Jail were registered, and in FY21 to date, 79 individuals have registered to vote. A total of 361 registration applications were received from the DOC in FY20 and an additional 151 in FY21 to date, but many were already registered, therefore having no need to re-register.

Six ballots were successfully voted during the Primary, 0 for the Special Election, and 333 for the General Election.

- b. How many incarcerated individuals in the Bureau of Prisons were registered to vote in FY20 and FY21, to date? Of those who registered, how many voted in the primary, special, and general elections? How many incarcerated individuals in the Bureau of Prisons – regardless of their registration – voted in the primary, special, and general elections?

The Restore the Vote legislation was not implemented for the BOP during the Primary and Special Election timeframes. 562 DC residents incarcerated across the BOP facilities were successfully registered to vote. Of these, 264 voted in the 2020 General Election.

In light of the COVID-19 public health crisis, how did the Board work with DOC and BOP to ensure that eligible incarcerated individuals could exercise their right to vote?

**RESPONSE:** During the preparations for the 2020 Primary Elections, the Board was very engaged with the DOC and similarly with the BOP for the General Election.

Since the DC Jail was closed to outside visitors, BOE had to rely heavily on the DOC to ensure registration information was disseminated. This necessitated more frequent communications between the two agencies. There were weekly scheduled meetings leading up to the elections and multiple ongoing unscheduled touchpoints. BOE relied heavily on the DOC contact to reach the DC Jail residents. Different methods were utilized to enfranchise the incarcerated citizens. Examples include:

Multiple unit visits (by the DOC contact) for the purpose of passing out voter registration applications

- Placement of flyers and posters in the housing units
- Placement of Absentee Ballot Request forms in the housing units
- Placement of Voter Guides within the housing units
- Use of the public announcement (PA) system to make election-related announcements
- Facilitation of the access to and the return of the absentee ballot.
- Use of tablets to communicate voter registration information prior to the General Election.

In preparation for the General Election, the implementation of Restore the Vote (RTV) for the BOP and the challenges associated with the health crisis, required extra effort and additional resources. BOE utilized the services of a DOC staff member on-site at BOE. This helped with the workload and synergy required for the RTV implementation in the COVID-19 environment.

60. How is the Board preparing to implement B23-0324, the Restore the Vote Amendment Act of 2020, which is projected to become law on May 24, 2021? Please also describe the Board's work to implement the emergency version of the legislation for the 2020 general election.

**RESPONSE:** See responses above. Learning of the emergency Restore the Vote legislation, the Board reached out to and established a primary contact with the BOP. This BOP contact proved extremely helpful in disseminating information to DC residents housed within the BOP. The Board plans to continue the relationship with that contact in the implementation of B23-0324, Restore the Vote. Based on the experience encountered from the pilot run with the general election, additional resources are needed to ensure successful implementation of this legislation going forward.

- a. What materials has the Board prepared to educate incarcerated residents and the community about the new law?

See responses to questions above. Also, the Board has created a poster explaining the change allowing citizens incarcerated for felony offenses to vote, a PowerPoint presentation that includes the Restore the Vote impact, and an instruction sheet that focuses on how to complete the Voter Registration Application, including the difference between the residential and mailing address for incarcerated citizens. Additional materials will be created for the FY 22 election cycle.

- b. What residency criteria are the Board using to determine incarcerated residents' eligibility to register to vote?

The Board uses the same residency criteria for incarcerated residents as it does for all other DC residents. In order for any individual to register to vote in DC, they must provide a DC residence address and swear or affirm that the information provided, including the residence address, is true and accurate. Like other DC voters, incarcerated residents must use a DC address as their residence address. For voters incarcerated in DC, that residence address may or may not be their non-correctional facility DC address. Incarcerated voters must also provide a mailing address, and that mailing address should be the address of the correctional facility at which they are located.

- c. How is the Board coordinating with DOC and BOP to implement the law?

See responses to questions above. Additionally, the Board plans to continue the existing relationships established with the DOC and BOP contacts in the implementation of the B23-0324 Restore the Vote law. Educational materials will be updated and made available to the DOC and BOP for dissemination to DC residents in the respective facilities. Voter registration events (virtual or

in-person when deemed safe) will be held. While registration events are virtual, the Board will provide materials and rely on staff at the DOC or BOP facilities to disseminate registration materials.

The Board does not anticipate any challenges with implementing the law within the DOC. Although the BOP contact has been more than willing to help within the confines of the law, there does exist a challenge in that the monthly request for information is not within the realm of what is legally possible as interpreted by the BOP. Per the BOP:

The Federal Bureau of Prisons is bound by the protection of individual privacy - disclosure of records to third parties, 28 C.F.R. 513.34, that states in part, "(a) Information that concerns an individual and is contained in a system of records maintained by the Bureau shall not be disclosed to any person, or to another agency except under the provisions of the Privacy Act, 5 U.S.C. 552a, the Freedom of Information Act, 5 U.S.C. 552, and Departmental regulations; and (b) Lists of Bureau inmates shall not be disclosed." Without a Routine Use Exception under the Privacy Act, the Bureau cannot disclose this information. The broadest exception relates to sharing data with law enforcement agencies. The DC Board of Elections is not a law enforcement agency. This presents a challenge for the Board as the monthly request for information cannot be met. Until this issue is resolved, the BOP contact has offered the support of Re-entry Affairs Coordinators across the BOP prisons. 'In support of reentry, the Community Reentry Affairs Branch is willing to facilitate, to the fullest extent possible, assistance in notifying DC residents of their right to register and to vote while incarcerated.' Although, the ideal scenario is for the Board to be able to reach out to incarcerated DC residents directly, until this problem of the Board having access to the required information is resolved, the Board will work with Re-entry Affairs Coordinators in communicating and disseminating information to DC residents within the BOP.

61. Please describe the Board's efforts to increase poll accessibility in FY20 and FY21, to date. How many polling places are structurally or operationally inaccessible?

All polling places used in the 2020 election cycle were operationally accessible. The following corrective actions were taken with respect to the voting locations listed below to ensure accessibility:

<b>Precinct #</b>	<b>Precinct Name</b>	<b>Corrective action for the 2020 elections cycle</b>
<b>4</b>	School Without Walls (Francis Stevens High School)	Installed temporary ramp
<b>8</b>	Palisades Recreation Center	New permanent ramp and ADA compliant front door

		installed
<b>45</b>	Metropolitan Police Department - Regional Operation Command (North)	DGS/DDOT installed a permanent ramp, the sidewalk was resurfaced, and the potholes covered
<b>81</b>	Miner Elementary School	Installed temporary ramp
<b>83</b>	J.O. Wilson Elementary School	Installed temporary ramp and the removed center bar at the side entrance. A permanent ramp was installed in 2016, but it does not comply with ADA standards.
<b>106</b>	Ridge Road Recreation Center	Installed temporary ramp
<b>120</b>	Malcolm X Elementary School	Installed temporary ramp at the back entrance closest to the accessible parking spaces. There was a permanent ramp installed prior to the 2020 General Election.
<b>121</b>	Ferebee-Hope Recreation Center	Removed the center bar from the main entrance

EV Ward 5

Dock 5@Union Market

Installed two temporary ramps for the main voter entrance to the voting area and the curb cut voter entrance.

- a. Who is the current attorney advisor responsible for overseeing the Board's ADA compliance?

The ADA Compliance position is currently vacant. The position description is being modified but will be posted soon.

- b. Who from the Board was coordinating ADA compliance during Early Voting and on General Election Day?

During early voting and on Election Day, ADA compliance was coordinated by Michelle Berry, a temporary employee who has supported the Board's ADA compliance program during each election cycle since 2016, with additional assistance from Arlin Budoo, the Board's facilities manager.

62. How many polling places for the 2020 primary and general elections were also MPD or other law enforcement agency buildings?

**RESPONSE:** There were no MPD or law enforcement agency buildings used as polling sites during the 2020 Primary Election. However, during the 2020 General Election, there was one MPD location, MPD Regional Command North at 801 Shepherd St NW, that was used as a Vote Center.

63. Please provide an update on the Ballot Access Modernization Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160).

- a. How many candidates used the technology in the 2020 primary and general elections?

**RESPONSE:** Ten candidates used the technology in the 2020 Primary and four candidates use the technology in the 2020 General election.

- b. How does the Board plan to encourage more candidates to utilize the program?

**RESPONSE:** Everyone picking up nominating petitions is encouraged to use eSign to collect and verify their nominating petitions. Training is provided on the iPad on a one-on-one basis at the time the petitions are picked up. Additional training on the iPad is available upon request. To encourage more candidates to utilize the program, the Board implemented a mobile application that could be downloaded by the user once credentials were created by BOE. This includes a secure link to BOE's network to download the mobile application and with the ability to print petitions.

The Board will emphasize to each candidate the ease of use of the new technology and explain how the eSign program will be more efficient and beneficial to the candidate and the candidate's petition team.

64. Please provide an update on Board's implementation of the Automatic Voter Registration Amendment Act, effective February 18, 2017 (D.C. Law 21-208). How many voters have been registered as a result of the law? How many voters who were registered as a result of the law have voted in subsequent elections? How many voters updated their addresses as a result of this law? Updated address.

**RESPONSE:** As a result of the law, 56,815 new voters were registered. The number of registered voters as the result of the law who voted in subsequent elections is 32,514 and 34,202 updated their addresses.

65. What measures did BOE take in preparation of the 2020 elections to secure the District's election infrastructure and voting equipment against potential cyber-attacks?

**RESPONSE:** See below.

- a. How does the agency utilize HSEMA's expertise and resources, particularly regarding cybersecurity?

The technology office frequently communicates with HSEMA, the Department of Homeland Security (DHS), the Office of the Chief Technology Officer of the District of Columbia (OCTO), and the Election Infrastructure – Infrastructure Sharing and Analysis Center (EI-ISAC), which shares information related to technology attacks on systems within the election industry. The Board reviews its security posture and communicates with its third-party vendors regarding services, security of the services, and back up and redundancy plans in case of any operational issues. The agency participates in DHS' Cyber Hygiene program and participates in tabletop exercises designed to promote security.

- b. How does BOE partner with federal entities to protect the integrity of our elections?

DCBOE receives regular cyber security threat notifications from the Center for Internet Security (CIS) and the Multi-State Information Sharing and Analysis Center (MS-ISAC). These entities monitor systems nationwide and share intelligence with all sectors of the United States Critical Infrastructure.

DCBOE receives regular cyber security notifications and updates from the CIS's EI- ISAC. The EI-ISAC focuses specifically on election related monitoring and communicates directly to Secretaries of State and State Election Directors. The EI-ISAC conducts security monitoring and offers free support and resources including forensic analyses and emergency response teams.

DCBOE has established Points of Contact with the DHS, DC Homeland Security Emergency Management Agency (DC HSEMA), OCTO, the Department of Justice (DOJ), and the FBI in preparation for coordinated responses to a cyber-threat or emergency incident.

- c. Has the Board applied for federal grants for cybersecurity initiatives or assistance?

Yes.

- d. What training, if any, are BOE staff given regarding cybersecurity?

DCBOE staff regularly participate in Election Cyber Security Training Exercises (Tabletop exercises) conducted by the Cybersecurity and Infrastructure Security Agency (CISA) of DHS, the OCTO Fusion Center operated by DC OCTO, and other Tabletops conducted by state and NGO entities. These exercises are simulated threat scenarios and are equivalent to train the trainer activities that helps identify best practices and procedures to incorporate into office training.

- e. Please describe any election security issues that arose in the 2020 elections.

The Board did not experience any election security issues with the 2020 elections. The Board encountered a technical issue with its mobile app for voter registration, but this did not amount to a security issue.

66. In the 2020 primary election, how many ballots were cast? Out of how many registered voters? Was this an increase or decrease from prior elections? By how much?

**RESPONSE:** Please see the tables, below.

Election	Registration	Overall Turnout	% overall turnout
6/14/2016	461,575	100,423	21.76
6/19/2018	479,723	89,513	18.66
6/2/2020	410,260	114,890	28.0

- a. How many voters voted early in-person, by vote center and by day? Was this an increase or decrease from prior elections? By how much?

Election	Early Voters	Overall Turnout	% of Overall Turnout
6/14/2016	19,153	100,423	19
6/19/2018	14,492	89,513	16.2
6/2/2020	12,689	114,890	11.0

## **PRIMARY ELECTION**

### **Ward 1 - Columbia Heights Community Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	55
Saturday, May 23	33
Sunday, May 24	17
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	49
Wednesday, May 27	40
Thursday, May 28	26
Friday, May 29	67
Saturday, May 30	49
Sunday, May 31	43
Monday, June 1	227
	<b>Total: 606</b>

### **Ward 1 - Prince Hall Center for the Performing Arts**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	22
Saturday, May 23	13
Sunday, May 24	10
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	17
Wednesday, May 27	21
Thursday, May 28	12
Friday, May 29	24
Saturday, May 30	21
Sunday, May 31	32
Monday, June 1	96
	<b>Total: 268</b>

### **Ward 2 - One Judiciary Square**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	48
Saturday, May 23	18
Sunday, May 24	16
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	34
Wednesday, May 27	27
Thursday, May 28	29
Friday, May 29	45
Saturday, May 30	27
Sunday, May 31	33
Monday, June 1	101
	<b>Total: 378</b>

**Ward 2 - Hardy Middle School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	25
Saturday, May 23	19
Sunday, May 24	12
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	19
Wednesday, May 27	19
Thursday, May 28	36
Friday, May 29	28
Saturday, May 30	46
Sunday, May 31	51
Monday, June 1	120
	<b>Total: 375</b>

**Ward 3 - Murch Elementary School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	35
Saturday, May 23	33
Sunday, May 24	18
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	30
Wednesday, May 27	52
Thursday, May 28	31
Friday, May 29	62
Saturday, May 30	47
Sunday, May 31	713
Monday, June 1	162
	<b>Total: 541</b>

**Ward 3 - Oyster Adams Bilingual School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	13
Saturday, May 23	12
Sunday, May 24	6
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	9
Wednesday, May 27	14
Thursday, May 28	14
Friday, May 29	35
Saturday, May 30	31
Sunday, May 31	16
Monday, June 1	98
	<b>Total: 248</b>

**Ward 4 - Ida B. Wells Middle School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	86
Saturday, May 23	61
Sunday, May 24	54
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	99
Wednesday, May 27	101
Thursday, May 28	79
Friday, May 29	131
Saturday, May 30	124
Sunday, May 31	90
Monday, June 1	323
	<b>Total: 1,148</b>

**Ward 4 - Emery Heights Community Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	115
Saturday, May 23	65
Sunday, May 24	62
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	121
Wednesday, May 27	146
Thursday, May 28	110
Friday, May 29	155
Saturday, May 30	145
Sunday, May 31	96
Monday, June 1	425
	<b>Total: 1,440</b>

**Ward 4 - Raymond Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	40
Saturday, May 23	28
Sunday, May 24	13
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	20
Wednesday, May 27	25
Thursday, May 28	29
Friday, May 29	53
Saturday, May 30	40
Sunday, May 31	56
Monday, June 1	159
	<b>Total: 463</b>

**Ward 5 - Turkey Thicket Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	111
Saturday, May 23	87
Sunday, May 24	64
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	149
Wednesday, May 27	148
Thursday, May 28	132
Friday, May 29	157
Saturday, May 30	132
Sunday, May 31	77
Monday, June 1	365
	<b>Total: 1,422</b>

**Ward 5 - McKinley Technology High School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	13
Saturday, May 23	10
Sunday, May 24	4
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	14
Wednesday, May 27	18
Thursday, May 28	19
Friday, May 29	29
Saturday, May 30	27
Sunday, May 31	31
Monday, June 1	109
	<b>Total: 274</b>

**Ward 6 - King Greenleaf Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	35
Saturday, May 23	22
Sunday, May 24	6
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	67
Wednesday, May 27	35
Thursday, May 28	27
Friday, May 29	40
Saturday, May 30	31
Sunday, May 31	32
Monday, June 1	114
	<b>Total: 409</b>

**Ward 6 - Sherwood Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	51
Saturday, May 23	43
Sunday, May 24	34
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	32
Wednesday, May 27	50
Thursday, May 28	44
Friday, May 29	53
Saturday, May 30	54
Sunday, May 31	50
Monday, June 1	216
	<b>Total: 627</b>

**Ward 6 - Kennedy Recreation center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	22
Saturday, May 23	31
Sunday, May 24	12
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	31
Wednesday, May 27	30
Thursday, May 28	22
Friday, May 29	25
Saturday, May 30	34
Sunday, May 31	34
Monday, June 1	110
	<b>Total: 351</b>

**Ward 7 - Deanwood Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	80
Saturday, May 23	34
Sunday, May 24	7
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	80
Wednesday, May 27	50
Thursday, May 28	65
Friday, May 29	67
Saturday, May 30	41
Sunday, May 31	25
Monday, June 1	209
	<b>Total: 658</b>

**Ward 7 - Benning Stoddert Community Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	56
Saturday, May 23	42
Sunday, May 24	31
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	39
Wednesday, May 27	40
Thursday, May 28	43
Friday, May 29	66
Saturday, May 30	39
Sunday, May 31	46
Monday, June 1	200
	<b>Total: 602</b>

**Ward 7 - Hillcrest Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	38
Saturday, May 23	25
Sunday, May 24	12
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	43
Wednesday, May 27	40
Thursday, May 28	41
Friday, May 29	36
Saturday, May 30	39
Sunday, May 31	30
Monday, June 1	98
	<b>Total: 402</b>

**Ward 8 - Malcolm X Elementary School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	296
Saturday, May 23	147
Sunday, May 24	65
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	187
Wednesday, May 27	125
Thursday, May 28	118
Friday, May 29	133
Saturday, May 30	143
Sunday, May 31	97
Monday, June 1	345
	<b>Total: 1,638</b>

**Ward 8 - Barry Farm Recreation Center**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	71
Saturday, May 23	23
Sunday, May 24	13
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	22
Wednesday, May 27	25
Thursday, May 28	22
Friday, May 29	38
Saturday, May 30	21
Sunday, May 31	18
Monday, June 1	66
	<b>Total: 319</b>

**Ward 8 - Anacostia High School**

<b>Date</b>	<b>Turnout</b>
Friday, May 22	57
Saturday, May 23	39
Sunday, May 24	27
Monday, May 25 (Memorial Day)	0
Tuesday, May 26	55
Wednesday, May 27	44
Thursday, May 28	45
Friday, May 29	59
Saturday, May 30	28
Sunday, May 31	22
Monday, June 1	144
	<b>Total: 520</b>

- b. How many voters utilized mail-in voting?

**RESPONSE:** The number of voters who utilized mail-in voting was 75,929. What percentage of voters used this method to vote? 66.08 %

- c. How many voters voted in-person on Election Day? Was this an increase or decrease from prior elections? By how much?

**RESPONSE:** See table below. The number of voters who voted in-person on election day was 20,505 and the percentage of in-person turnout for the Primary was 17.85 %.

Election	In-person	Overall Turnout	% overall turnout
6/14/2016	73,949	100,423	73.63
6/19/2018	70,025	89,513	78.0
6/02/2020	20,505	114,890	17.85

- d. How many special ballots were cast? How many special ballots were rejected, and what was the most common reason for rejection?

**RESPONSE:** The number of special ballots cast was 4,988 and rejected was 2,504. Many voters' ballots were rejected because they were not registered with a major political party.

67. In the 2020 primary election, how many election workers were deployed? How does this compare to the 2018 and 2016 primary elections?

**RESPONSE:** In the 2020 Primary, 531 election workers were deployed to the polling sites. In the 2018 Primary, 1,744 election workers were deployed and 1,978 were deployed in 2016.

68. In the 2020 special election for Ward 2 Councilmember, how many ballots were cast? Out of how many registered voters?

**RESPONSE:** Please see the table, below.

Ward 2 Special_2020 09/16/2020	Total Registration: 47,727 Total Ballots-Turn out: 10,753
Election Day Turn out	87
Early Voting	81
Special (Provisional)	46
Mail-in Ballots	10,539

69. In the 2020 general election, how many ballots were cast? Out of how many registered voters? Was this an increase or decrease from prior elections? By how much?

**RESPONSE:** Please see the tables, below.

Election	Registration	Overall Turnout	% overall turnout
11/8/2016	478,688	312,575	65.30
11/6/2018	500,511	231,700	46.29
11/3/2020	517,890	346,491	66.9

- a. How many voters voted early in-person, by early voting center and by day?  
Was this an increase or decrease from prior elections? By how much?

Election	In-Person	Overall Turnout	% overall turnout
11/8/2016	101,077	312,575	32.34
11/6/2018	52,512	231,700	22.66
11/3/2020	80,959	346,491	23.36

### **GENERAL ELECTION**

#### **Ward 1 - Columbia Heights Community Center**

Date	Turnout
Tuesday, October 27	1,022
Wednesday, October 28	870
Thursday, October 29	466
Friday, October 30	654
Saturday, October 31	275
Sunday, November 1	218
Monday, November 2	575
	<b>Total: 4,080</b>

#### **Ward 1 - Prince Hall Center**

Date	Turnout
Tuesday, October 27	366
Wednesday, October 28	396
Thursday, October 29	201
Friday, October 30	288
Saturday, October 31	131
Sunday, November 1	92
Monday, November 2	278
	<b>Total: 1,752</b>

#### **Ward 1 - Marie Reed Elementary School**

Date	Turnout
Tuesday, October 27	756
Wednesday, October 28	683
Thursday, October 29	349
Friday, October 30	538
Saturday, October 31	213
Sunday, November 1	219
Monday, November 2	431
	<b>Total: 3,189</b>

**Ward 2 - Hardy Middle School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	392
Wednesday, October 28	357
Thursday, October 29	246
Friday, October 30	301
Saturday, October 31	145
Sunday, November 1	97
Monday, November 2	69
	<b>Total: 1,607</b>

**Ward 2 - Capitol One Sports Arena (Super Center)**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	986
Wednesday, October 28	698
Thursday, October 29	329
Friday, October 30	516
Saturday, October 31	236
Sunday, November 1	219
Monday, November 2	397
	<b>Total: 3,381</b>

**Ward 2 - School Without Wall @Francis Stevens**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	475
Wednesday, October 28	414
Thursday, October 29	217
Friday, October 30	327
Saturday, October 31	182
Sunday, November 1	138
Monday, November 2	281
	<b>Total: 2,034</b>

**Ward 3 - Omni Shoreham Hotel (Super Center)**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	491
Wednesday, October 28	398
Thursday, October 29	219
Friday, October 30	261
Saturday, October 31	105
Sunday, November 1	112
Monday, November 2	189
	<b>Total: 1,775</b>

**Ward 3 - University of the District of Columbia (Super Center)**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	438
Wednesday, October 28	330
Thursday, October 29	147
Friday, October 30	269
Saturday, October 31	145
Sunday, November 1	93
Monday, November 2	167
	<b>Total: 1,589</b>

**Ward 3 - Murch Elementary School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	622
Wednesday, October 28	553
Thursday, October 29	302
Friday, October 30	372
Saturday, October 31	178
Sunday, November 1	154
Monday, November 2	234
	<b>Total: 2,415</b>

**Ward 3 - Horace Mann Elementary School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	614
Wednesday, October 28	555
Thursday, October 29	332
Friday, October 30	407
Saturday, October 31	153
Sunday, November 1	127
Monday, November 2	272
	<b>Total: 2,460</b>

**Ward 4 - Ida B. Wells Middle School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	658
Wednesday, October 28	505
Thursday, October 29	285
Friday, October 30	384
Saturday, October 31	201
Sunday, November 1	111
Monday, November 2	342
	<b>Total: 2,486</b>

**Ward 4 - Emery Heights Community Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	859
Wednesday, October 28	652
Thursday, October 29	353
Friday, October 30	482
Saturday, October 31	223
Sunday, November 1	188
Monday, November 2	567
	<b>Total: 3,324</b>

**Ward 4 - Lafayette Elementary School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	446
Wednesday, October 28	343
Thursday, October 29	208
Friday, October 30	233
Saturday, October 31	116
Sunday, November 1	83
Monday, November 2	168
	<b>Total: 1,597</b>

**Ward 4 - Raymond Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	531
Wednesday, October 28	440
Thursday, October 29	262
Friday, October 30	385
Saturday, October 31	158
Sunday, November 1	127
Monday, November 2	389
	<b>Total: 2,292</b>

**Ward 4 - Shepherd Elementary School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	440
Wednesday, October 28	300
Thursday, October 29	147
Friday, October 30	186
Saturday, October 31	89
Sunday, November 1	61
Monday, November 2	122
	<b>Total: 1,345</b>

**Ward 5 - Turkey Thicket Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	1382
Wednesday, October 28	1287
Thursday, October 29	808
Friday, October 30	918
Saturday, October 31	406
Sunday, November 1	276
Monday, November 2	784
	<b>Total: 5,861</b>

**Ward 5 - Dock 5 @Union Market (Super Center)**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	800
Wednesday, October 28	617
Thursday, October 29	340
Friday, October 30	524
Saturday, October 31	257
Sunday, November 1	193
Monday, November 2	369
	<b>Total: 3,100</b>

**Ward 5 - McKinley Technology High School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	436
Wednesday, October 28	386
Thursday, October 29	237
Friday, October 30	289
Saturday, October 31	140
Sunday, November 1	86
Monday, November 2	359
	<b>Total: 1,933</b>

**Ward 5 - Trinidad Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	464
Wednesday, October 28	313
Thursday, October 29	177
Friday, October 30	257
Saturday, October 31	108
Sunday, November 1	68
Monday, November 2	312
	<b>Total: 1,699</b>

**Ward 6 - Washington Nationals Park (Super Center)**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	1,552
Wednesday, October 28	1,380
Thursday, October 29	636
Friday, October 30	1,123
Saturday, October 31	533
Sunday, November 1	373
Monday, November 2	871
	<b>Total: 6,468</b>

**Ward 6 - Sherwood Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	850
Wednesday, October 28	922
Thursday, October 29	49
Friday, October 30	1,099
Saturday, October 31	244
Sunday, November 1	224
Monday, November 2	574
	<b>Total: 3,962</b>

**Ward 6 - Kennedy Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	552
Wednesday, October 28	463
Thursday, October 29	239
Friday, October 30	360
Saturday, October 31	187
Sunday, November 1	117
Monday, November 2	336
	<b>Total: 2,254</b>

**Ward 6 - Walker-Jones Education Campus**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	300
Wednesday, October 28	171
Thursday, October 29	109
Friday, October 30	174
Saturday, October 31	85
Sunday, November 1	60
Monday, November 2	202
	<b>Total: 1,101</b>

**Ward 7 - Deanwood Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	909
Wednesday, October 28	634
Thursday, October 29	347
Friday, October 30	488
Saturday, October 31	231
Sunday, November 1	141
Monday, November 2	652
	<b>Total: 3,402</b>

**Ward 7 - Benning Stoddert Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	736
Wednesday, October 28	531
Thursday, October 29	329
Friday, October 30	414
Saturday, October 31	191
Sunday, November 1	124
Monday, November 2	509
	<b>Total: 2,834</b>

**Ward 7 - Hillcrest Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	519
Wednesday, October 28	371
Thursday, October 29	200
Friday, October 30	237
Saturday, October 31	118
Sunday, November 1	57
Monday, November 2	279
	<b>Total: 1,781</b>

**Ward 7 - Ridge Road Community Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	531
Wednesday, October 28	326
Thursday, October 29	206
Friday, October 30	255
Saturday, October 31	114
Sunday, November 1	71
Monday, November 2	364
	<b>Total: 1,867</b>

**Ward 8 - Malcolm X Opportunity Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	722
Wednesday, October 28	608
Thursday, October 29	251
Friday, October 30	440
Saturday, October 31	225
Sunday, November 1	116
Monday, November 2	694
	<b>Total: 3,056</b>

**Ward 8 - Ferebee-Hope Recreation Center**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	213
Wednesday, October 28	123
Thursday, October 29	51
Friday, October 30	123
Saturday, October 31	56
Sunday, November 1	36
Monday, November 2	155
	<b>Total: 757</b>

**Ward 8 - Anacostia Senior High-School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	505
Wednesday, October 28	321
Thursday, October 29	221
Friday, October 30	300
Saturday, October 31	131
Sunday, November 1	84
Monday, November 2	395
	<b>Total: 1,957</b>

**Ward 8 - Ballou Senior High School**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	545
Wednesday, October 28	388
Thursday, October 29	222
Friday, October 30	326
Saturday, October 31	167
Sunday, November 1	82
Monday, November 2	535
	<b>Total: 2,265</b>

**Ward 8 - Entertainment and Sports Arena (Super Center)**

<b>Date</b>	<b>Turnout</b>
Tuesday, October 27	451
Wednesday, October 28	275
Thursday, October 29	136
Friday, October 30	179
Saturday, October 31	83
Sunday, November 1	38
Monday, November 2	174
	<b>Total: 1,336</b>

- b. How many voters utilized mail-in voting? What percentage of voters used this method to vote?

**RESPONSE:** The number of voters who utilized mail-in voting was 234,758. Total mail-in percentage turnout was 67.75 %.

- c. How many voters voted in-person on Election Day? Was this an increase or decrease from prior elections? By how much?

<b>Election</b>	<b>In-Person</b>	<b>Overall Turnout</b>	<b>% overall turnout</b>
11/8/2016	186,326	312,575	59.61
11/6/2018	166,589	231,700	71.9
11/3/2020	29,036	346,491	8.38

- d. How many special ballots were cast? How many special ballots were rejected, and what was the most common reason for rejection?

**RESPONSE:** The number of special ballots cast was 3,035. The number of special ballots rejected was 1,297. The most common reasons for rejection were that the voter failed to provide proof of residency and that the person had already voted early.

70. In the 2020 general election, how many election workers were deployed? How does this compare to the 2018 and 2016 general elections?

**RESPONSE:** In the 2020 General Election 4,956 election workers were deployed. In the 2018 General Election, there were 2,295 election workers deployed on Election Day and 2,163 election workers deployed in 2016.

- a. How many of the election workers were District government employees deployed by the Executive?

DC Government employees assisted at the vote centers and served as Line Monitors during Early Voting through Election Day. These employees were directed to report to a Lead Line Monitor, assigned by the Executive. They did not report to BOE staff. BOE does not have information on the number of employees deployed by the Executive to assist with monitoring the lines at the vote centers.

- b. Are all election worker payment issues now resolved by OCFO?

No. There are still a few outstanding payment issues that are being resolved by the Office of Finance and Resource Management (OFRM). A weekly report is sent to OFRM with a list of poll workers requesting either a supplemental check or a stop payment/reissue check. The lists have dwindled down over the past few weeks.

71. Please describe the Board's experience with the automatic mail-in ballot model used in the 2020 general election. Please describe any problems that occurred, as well as how the Board could remedy the problem if the model was used in the future.

See generally response to Question 48.

Although the Board had a positive experience with the automatic mail-in ballot model, there were some problems which postal service delivery with we worked with the post office to rectify.

72. Please describe the Board's experience using ballot drop boxes in the 2020 elections. What was the total cost for the drop boxes, and were they purchased or leased?

**RESPONSE:** As evidenced by the feedback received by the public, the mail ballot drop boxes were a huge success. Of the 346,491 ballots cast in the general election, 160,221, or 46 %, were deposited in mail ballot drop boxes.

The Board purchased 55 drop boxes at a total cost of \$92,000.00.

73. What steps did the Board take to increase access to voting for senior voters in the District?

- c. How many small ballot drop boxes were placed in senior housing facilities? In nursing facilities? In assisted living facilities? Please provide a list.

**RESPONSE:** Please see below.

#### Modified Ward Coordinator Program for Election Cycle 2020

During the 2020 General Election cycle, the outbreak of the COVID-19 virus in the District of Columbia required an alternative approach in conducting the DCBOE Ward Coordinator program. Through the Ward Coordinator program, DCBOE partners with nursing homes, convalescent homes, and senior assisted living facilities across the District to facilitate the

absentee voting process. Ward Coordinators are temporary employees hired to assist Voter Education and Outreach Division (VEOD) with this program. They contact participating facility administrators to schedule a day to visit each facility to register residents to vote, update registrations, and assist voters with completing requests for absentee mail-in ballots. After DCBOE processes the applications, the Ward Coordinators conduct second visits to deliver the requested mail-in (absentee) ballots, collect completed ballots, and assist residents as needed.

#### Modified Primary Election

During each election cycle, DCBOE staff and Ward Coordinators visit approximately 25-27 nursing facilities as part of the Ward Coordinator Program. For the 2020 Primary Election, twenty-five (25) nursing facilities participated in the program. Prior to the Primary Election, DCBOE staff and Ward Coordinators contacted each facility to provide information about the modified process and to facilitate online meetings, presentations, and webinars. DCBOE staff provided a detailed explanation of the application process and timelines via email to a point of contact at each facility. DCBOE also offered each facility pre-printed Absentee Mail-in Ballot Request Forms (ABRF) for eligible voters and blank applications for new residents. Out of the twenty-five (25) partnering facilities, ten (10) requested pre-printed and/or blank applications to register their residents. Each facility was responsible in returning all documents to BOE before all applicable deadlines.

The following is a list of the locations that received materials:

Ward	Facility Name
6	Bridge Point Hospital Capitol Hill
8	Bridge Point Hospital National Harbor
7	Deanwood Rehabilitation and Wellness Center
3	Forest Hills of DC - Inclusive Senior Living
3	Grand Oaks Assisted Living Residence (Sibley Memorial Hospital)
3	Lisner Louise Dickson - Hurt Home
5	Little Sister of the Poor Jeanne Jugan Residence
8	Transitions Healthcare Capitol City LLC
6	Unique Residential Care Center
5	Washington DC Veterans Affairs Medical Center

#### Modified General Election

For the General Election, DCBOE made changes to the ABRF process which enabled VEOD staff to modify the Ward Coordinator program to accommodate as many senior living facilities as possible. Absentee Mail-in Ballots were mailed to all eligible voters in the District. Initially, BOE leadership consider leaving absentee ballot drop-boxes at each location overnight for several weeks. Ultimately, Board leadership decided against leaving the ballot drop-boxes at any

of the locations due to a lack of safeguard protocols to ensure the integrity and security of the ballot return process. Therefore, DCBOE staff and Ward Coordinators were tasked with taking ballot drop-boxes to the facilities and remaining onsite for a designated collection time. DCBOE staff and Ward Coordinators were responsible for scheduling specific days to collect absentee mail-in ballots from each location. There were a total of eight-nine (89) locations identified as senior living buildings throughout the District. A total of fifty-seven (57) locations chose to participate in the Senior Ballot Collection Program. The remaining thirty-two (32) buildings either declined the Board’s services or failed to respond to the Board’s emails or telephone calls.

The following chart lists the names of the locations VEOD staff and the Ward Coordinators visited along with the number of ballots that were collected at each location. The number of ballots collected range from a low of 0 to a high of 88. The names highlighted in pink are the locations that normally participate in the Ward Coordinator Program. The names highlighted in Yellow (DC Housing Authority locations) and blue (independent senior living locations) were newly added this year as part of the modified process. DCBOE collected a total of 1,191 ballots.

List of Senior Living Facilities Participating in the Modified Senior Ballot Collection Process			
Location		Ward	Ballots Collected
1	The Marigold Assisted Living	1	40
2	Stoddard Baptist Nursing Home	1	35
3	The Residences at Thomas Circle Senior Living	2	38
4	Saint Mary's Court Housing Development	2	0
5	Inspire Rehabilitation and Health Center	2	27
6	Grand Oaks Assisted Living Residence (Sibley Memorial Hospital)	3	21
7	Chevy Chase House - Meridian Senior Living	3	17
8	Forest Hills of DC - Inclusive Senior Living	3	31
9	Sunrise on Connecticut Senior Living	3	0
10	Ingleside at Rock Creek	4	74
11	Knollwood Life Plan Community	4	51

12	Little Sister of the Poor Jeanne Jugan Residence	5	32
13	Washington DC Veterans Affairs Medical Center	5	24
14	North Capitol at Plymouth	5	10
15	Stoddard Baptist Global Care	5	55
16	Carroll Manor Nursing and Rehabilitation	5	75
17	BridgePoint Hospital Capitol Hill	6	19
18	Unique Residential Care Center	6	67
19	Deanwood Rehabilitation and Wellness Center	7	49
20	Capitol City Rehab and Healthcare (Transitions)	8	88
21	BridgePoint Hospital National Harbor	8	56
22	Serenity Rehabilitation and Health Center	8	87
23	Ontario Road	1	3
24	Ledroit Park	1	0
25	Harvard Towers	1	2
26	Garfield Senior	1	0
27	James Apartments	2	3
28	Claridge Towers	2	1
29	Horizon House	2	18
30	Regency House	3	5
31	Colorado Apartments	4	3
32	Fort Lincoln	5	4
33	Greenleaf Senior	6	0
34	Potomac Gardens Sr	6	1
35	Carroll Apartments	6	2
36	Judiciary House	6	0
37	Sibley Plaza Apartments	6	3
38	Knox Hill	8	1
39	Wah Luck House	1	17
40	Paul L. Dunbar	1	9
41	Samuel Kelsey Apartments	1	0
42	Johnson Towers or Bahr Towers	4	26
43	Capitol Commons	4	0
44	Victory Square	5	17

45	Wesley House	5	5
46	Edgewood Commons The View	5	8
47	Ft. Lincoln Senior Building	5	19
48	Capitol Hill Towers	6	23
49	Allen House	7	35
50	Lotus Square	7	0
51	Robert L. Walls Senior Center	7	0
52	Dupont Park Adventist Apts	8	2
53	Saint Paul Senior Living	8	5
54	Robert L. Walker House	8	6
55	S.O.M.E. Kuehner House	8	2
56	Roundtree Residences	8	43
57	The Overlook at Oxon Run	8	32

The following table aggregates the total number of ballots collected and the number of buildings that were visited by Ward.

Senior Ballots Collected by Ward			
Ward	Ballots Collected	Locations Visited	
1	106	9	
2	87	6	
3	74	5	
4	154	5	
5	249	10	
6	115	8	
7	84	4	
8	322	10	
	1191	57	Totals

74. Please describe the Board's experience with opening Vote Centers instead of traditional voting precincts during the 2020 elections.

**RESPONSE:** Based on feedback from the public gathered mostly via social media, Vote Centers (and Super Vote Centers) were a success with voters appreciating the ease of being able to vote at any location as opposed to the voter's specific precinct.

a. How did the Board determine the location of the Vote Centers?

In 2020, BOE determined that the voters could no longer be limited to voting at the traditional multi-purpose rooms, libraries, cafeterias, and centers that were the customary polling locations. While those venues were needed, larger sized locations with the capacity to accommodate larger crowds were also needed. Keeping in mind the guidance of the CDC with respect to social distancing and the limitation on gatherings, the size of the locations was of particular concern when determining vote center locations.

Many factors were considered in identifying locations, including geographic and demographic constraints that could present barriers to voting in particular locations or near sensitive populations. To ensure these considerations were accounted for, the following parameters were established:

- At least 1-3 Vote Centers in each Ward.
- Adequate space to accommodate voters and the voting equipment
- Can process Same Day Registrations at all vote centers.
- Large enough space for voters to practice social distancing.

BOE identified and assessed dozens of potential vote center sites to ensure that vote centers were distributed across DC in a manner that provided greater access and convenience to all voters. DC sought to make voting a convenient experience and increase voter engagement by placing vote centers where people regularly gather, such as transit hubs, employment centers, community and cultural centers and shopping and entertainment attractions. With this goal in mind, some of the factors that needed to be considered included:

- Voter convenience
- The site should be large enough to organize a smooth flow of voters through the electoral process with ample space for each voter to undertake each part of the process.
- Adequate size to accommodate the voting equipment including "print on demand" equipment.
- Technology – with electronic voting equipment including electronic poll books, when a voter casts a ballot in one location, it is recorded at all locations via networked computers.
- Vote centers must have a secure electronic connection to prevent an elector from voting more than once.

- Proximity to public transportation
- Proximity to communities with historically low voter turnout
- Proximity to low income communities
- Accessibility and centrally located
- Access to free parking
- Time and distance a voter must travel to reach a location
- Traffic patterns near vote centers

The vote center selection was also guided by community input. BOE solicited input from election working groups, Council members, community groups, advisory committees, ODR and others to determine the most appropriate locations. Based upon the feedback received and the Board's selection criteria, the final list of Vote Center locations was established.

- b. How did the Board ensure the Vote Center locations were physically accessible?

The Board identified vote centers that were ADA compliant with modern upgrades that would allow for easy ingress and egress. Those sites that did not meet full ADA standards were identified and slight modifications were made to ensure full ADA compliance. Those sites were provided with adaptive equipment, door stoppers, mats, signage, and a Voter Assistance Clerk dedicated to assist persons with disabilities.

75. How did the Board alter its voter outreach and education strategies in light of the COVID-19 public health crisis?

- a. What outreach and education did the Board conduct on changes to the balloting systems in advance of the 2020 elections?

**RESPONSE:** The BOE undertook an aggressive (and successful) public outreach campaign designed to educate voters on the different ways to cast their ballot: by mail/Drop Box, voting during the early voting period, or on Election Day. The numbers speak for themselves with an overwhelming majority of voters casting ballots by mail and Drop Box.

Below, you will find the Board's media plan for the 2020 General Election.

#### General Election Media Overview

Media re-cap:

##### **TV advertising**

- DC BOE produced two 30-second TV ads.
- The first utilized graphics to inform DC voters of the different ways to register and cast a ballot in DC.
- The second took a more active and engaging approach, using prominent public figures such as Virginia Ali (Ben's Chili Bowl) and Jason Wright of the Washington Football Team, to deliver the same message and encourage voting by mail.
- The ads ran on all local TV affiliates – WRC-4, FOX-5 DC, WJLA-7, and WUSA-9, as well as some national cable shows during high viewership events such as the Presidential and Vice-Presidential debates.
- Combined, the ads aired over 5,000 times, so that individual viewers saw the ads multiple times to reinforce the message.

##### **Radio advertising**

- BOE also utilized radio advertising to further amplify the TV ad message.
- The ads played multiple times a day for a total of 1,800 airings.
- Specifically, the ads played on Weather & Traffic radio, the I Heart Radio, WAMU, Radio One, WKYS, WHUR, WPGC, WBIG, WASH, WAMU, WTOP, and others.

##### **Media inquiries and interview**

- The BOE Chair and staff assisted with and provided interviews for over 300 TV, radio, and newspaper stories.
- These stories focused on providing voters with information about voter registration, and then after the registration deadline, shifted to providing information about mailed ballots, Drop Boxes, Super Vote Centers, etc.

- Media outlets we worked with included all local TV stations, as well as CNN, NBC, and CBS national, The Washington Post, City Paper, DCist, The Afro-American, El Tiempo, the Washington Blade, WAMU, WHUR, WTOP, PRAISE, WKYS, and WPGC.

#### **Metro Transit Advertising**

- Four different ads were in rotation using Metro's LiveBoard" advertising.
- BOE targeted stations in Wards 5, 6, 7, and 8.

#### **Online advertising**

- We initiated a targeted ad buy utilizing the TV ads mentioned above. These ads would appear in ad breaks during streamed programming.
- We reached approximately 300,000 District residents.

#### **Robocalls and Targeted Text Messages**

- As Early Voting started, we produced and distributed robocalls.
- Using four different messages targeted to individual Wards, we were able to reach 400,000 registered voters.
- BOE also sent our targeted text messages to the mobile phones of registered voters, promoting the same early voting message.
- The text messages were sent to 200,000 District residents.

#### **Print advertising**

- BOE developed and placed print advertising echoing the same core message of having a voting plan – how to return a mailed ballot or utilizing Vote Centers during Early Voting or on Election Day – in the Washington Business Journal, City Paper, the Washington Informer and Afro-American, the Georgetown, El Pregonero, El Tiempo, the Washington Blade, Hill Rag, East of the River, and Mid-City DC.
- Placements were in the print editions of these publications as well as key placements on their respective Web sites.

#### **Yard signs and door hangers**

- Yard signs and door hangers were distributed to residents and were placed on major thoroughfares across the City.

As a result of the pandemic, BOE created webinars for the Nursing Home and Long-term care facility operators that focused on the changes to the voting process in the District of Columbia.

#### **Nursing Home and Long-term Care Webinars**

Due to the pandemic, DCBOE decided to mail all eligible voters a mail-in (absentee) ballot without requiring residents to complete and submit an Absentee Ballot Request Application in advance of the November 3, 2020 General Election. VEOD held several webinars specifically for facility administrators and staff to explain the expanded Mail-in

(Absentee) Ballot initiative, the process of completing Voter Registration Applications, Signature Attestations Forms, key election dates and deadlines, and other issues pertaining to the Fall General Election. By contacting each facility early in the Election season, nursing homes, convalescent homes and senior assisted living facilities personnel had ample time to assist those residents interested in voting in the 2020 General Election.

The following table lists the days, times, and attendance for all of the webinars held specifically for facility care personnel.

2020 Webinars for Facility Care Personnel		
Date	Time	Attendees
Wednesday, July 22, 2020	10:30 am	15
Wednesday, July 22, 2020	2:30 pm	5
Thursday, October 2, 2020	11:30 am	107

76. Please describe the Accessible Remote Ballot option that District voters had for the primary and general elections.

The Accessible Remote Ballot (ARB), or OmniBallot, is an electronic, fully accessible remote ballot solution offered by Democracy Live that allows voters with disabilities to access their personalized ballots through a link and mark them online. Procedurally, voters submit a request for an ARB. Upon the receipt of the request, DCBOE will confirm the voter's information and send a link through which the voter may access their ballot. The voter then votes the ARB using the instructions provided, prints the ballot, and returns it either by mail, at a mail ballot drop box, or in person at an in-person voting location.

a. What outreach and education did the Board conduct on this option?

We posted the information about the ARB on our website, discussed it in several of our Voter Education and Outreach sessions, provided information to potential users via the American Association of Retired Persons (AARP). In addition, the Office of Disability Rights promoted ARB on its listserv, and the Washington Ear, a closed-circuit radio reading service for people who are blind or visually impaired, promoted it as well.

b. How many District voters requested this option? How many completed and submitted a ballot using this option?

For the primary election, 1,107 voters requested this option, and 1,019 voters cast ARBs. During the primary election, the Board provided access to the ARB not only to voters with disabilities, but also to voters who did not receive the ballots they requested due to Board error.

For the general election, six individuals requested ARBs, and 4 voters cast them.

Of those, how many were incarcerated residents?

None.

- c. How many District voters requested an accommodation other than an Accessible Remote Ballot for the primary and general elections? Of those, how many were incarcerated residents? What were the accommodations requested? Did BOE grant the requests?

No accommodations other than the ARB were requested for the 2020 election cycle.

- 77. Does the Board plan to create and release a new mobile application in advance of the 2022 elections? If so, how is the Board ensuring that the application is fully accessible to people with disabilities?

**RESPONSE:** Yes, the Board is actively discussing a potential mobile app solution with OCTO. At a minimum, OCTO will be able to assist with the enhancement of the web portal to accept a signature from a desktop as well as from a mobile device through website mobile optimization.

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**October 2, 2019**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, October 2, 2019 in the Board's Hearing Room, located in Suite 750, 1015 Half Street, SE, Washington, D.C. 20003. Board Chairman Michael Bennett and Board Member Michael Gill were present. Also present on the dais were the Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the General Counsel of the Office of Campaign Finance (OCF), William O. Sanford, who was standing in for OCF Director Cecily Collier-Montgomery.

**CALL TO ORDER (10:55 a.m.)**

**ASCERTAINMENT OF QUORUM**

- Board Member Michael Gill and Board Chairman Michael Bennett constitute a two-member quorum until the Council moves forward with the Mayor's previous nomination or the Mayor makes a new nomination.

**ADOPTION OF AGENDA/APPROVAL OF BOARD MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on September 5, 2019.

**BOARD MATTERS**

- **ORDERS AND ISSUANCES:** None
- Member Gill asked General Counsel Stroud for clarification regarding the two recall efforts concerning Councilman Jack Evans that are currently circulating. Specifically, he asked if the two petitions could be combined so as to achieve ballot access if neither petition met the minimum signature requirement for ballot access, either because of not meeting the requirement initially or failing to meet it after the challenge period and/or verification process.

General Counsel Stroud advised that the two recall petitions represent unique efforts that could not be combined in order to meet the minimum signature requirement in the event that both individually failed to get the requisite number of signatures.

- The Board and staff recognized former Board Member Dionna Maria Lewis for her service to the Board.
  - Chairman Bennett noted that Ms. Lewis had served with distinction, brilliance, and commitment, that she is one of the young bright minds in our community, and that her input was invaluable to the Board when difficult issues arose.

- Member Gill noted his appreciation for Ms. Lewis' legal mind and her commitment to and passion for the city, and stated that it was a pleasure to have had her as a colleague and an honor to call her friend.
- Executive Director Miller stated that she has known Ms. Lewis since she was a rising collegiate at the University of Virginia, and that, having been a witness to all she has accomplished since then, she is not at all surprised by Ms. Lewis' onward/upward mobility.
- General Counsel Stroud stated that Ms. Lewis was a model for attorneys of any age, and that it was an honor to have met and worked with her.
- OCF General Counsel Sanford concluded by stating that Ms. Lewis is a great attorney, a great legal mind, and was a fantastic Board Member with whom it has been an honor and a privilege to work.
- Ms. Lewis said that she appreciated the familial relationships and collegial relationships that she enjoyed, and will continue to enjoy, while serving on the Board. She further stated that it was an honor to have had the privilege to see the hard work that the Members and the Board's staff do every day to ensure that voters are enfranchised.

## **IDENTIFICATION OF PUBLIC MATTERS**

- **Dorothy Brizill**
  - Requested an update on the Board's preparations for the 2020 election cycle, particularly with respect to election security and federal funding
  - Requested information regarding the status of any settled lawsuits against OCF
  - Requested clarification on OCF's recent hire of an attorney in the Fair Elections Program (FEP)
  - Inquired as to Kenneth McGhie's current position and pay grade
- **Michael Sindram**
  - Requested clarification regarding the Board's ability to ensure that the two Evans recall efforts are not duplicative

## **OCF SEPTEMBER 2019 REPORT (GENERAL COUNSEL SANFORD)**

- **Fair Elections Program (FEP)**
  - New Registrants:
    - Committee to Elect Taurus Phillips, September 11
    - Yilin Zhang from Ward 2, September 12
    - Markus for DC Council At-Large, September 13
    - Boston for State Board of Education, September 14
  - New Certifications:
    - John Fanning, 163 contributions totaling \$6,390
    - Janeese Lewis George, 307 contributions totaling \$12,290

- **Community Outreach**
  - On September 3, OCF attended the ANC 4A02 meeting at the Metropolitan Police Department.
  - On September 4, OCF attended the ANC 3D meeting at Wesley Theological Seminary.
  - On September 14, OCF participated in a forum for DC Women in Politics at the Greater Washington Urban League Building.
- **Public Information and Records Management (PIRM)**
  - New candidates and committees who registered during the month of September:
    - Veda Rasheed for Ward 7 registered on September 9
    - Taurus Phillips, Committee to Elect Taurus Phillips, City Council, Ward 8, registered as an FEP candidate on September 11
    - Yilin Zhang, Yilin Zhang for Ward 2, City Council, registered as an FEP candidate on September 12
    - Markus Batchelor, Markus for DC City Council At-Large, registered as an FEP candidate on September 13
    - Charles Boston for the State Board of Education for Ward 7 registered as an FEP candidate on September 19
    - D.C. Legal Defense Committee for Jack Evans registered on September 23
  - Entrance conferences for new candidates and committees were held on the following dates with the participants indicated:
    - September 11, 2019:
      - Taurus Phillips, Candidate for Ward 8 Council
    - September 25, 2019:
      - Charles Boston, Candidate for State Board of Education
      - Robert Lee, Candidate for City Council Ward 2
      - Leola Jenkins, Treasurer, D.C. Political Action Candidate Election
      - Robert White, Friends of Robert White, Candidate for At-Large Council
      - Veda Rasheed, Candidate for Ward 7
      - Sean Watson, Treasurer, Veda Rasheed for Ward 7
      - Donald Dinan, Treasurer for D.C. Legal Defense Committee for Jack Evans
- **Reports Analysis and Audit Division (RAAD)**
  - Reviewed reports from five political action committees (PACs)
  - Reviewed and amended 16 reports from principal campaign committees (PCCs)
  - Issued 19 audit letters or requests for additional information
  - Resolved nine cases
  - Referred five cases to the OCF Office of the General Counsel
  - Terminated 15 cases
  - Conducted three in-house training seminars
  - Conducted two full field audits:
    - The Committee to Elect Zachary Parker 2018, initiated on March 5
    - Emily for Education, initiated on March 4

- There are three ongoing periodic random audits:
  - Reelect Brandon Todd 2020 PCC, initiated September 4
  - Gertrude Stein PAC, initiated September 10
  - D.C. Democratic State Committee PAC, initiated September 10
- **OCF Office of the General Counsel (OCF OGC)**
  - There were five referrals from RAAD
  - There were 11 informal hearings and 11 orders issued:
    - One order for failure to timely file an ANC Summary Financial Report
    - Six orders for failure to timely file the FEP \$500 exemption confirmations; no fines were imposed
    - Two orders denying Motions for Reconsideration
    - Two orders in which a total of \$3,300 in fines were issued for failure to timely file reports:
      - \$2,300 against the Karen for the Ward 7 State Board of Education.
      - \$1,000 against DC Bike Life Campaign.
  - \$1,550 in fines were collected:
    - \$1,500 from Jeffrey Thompson; this was the final installment payment concluding his obligation to pay \$80,000
    - \$50 from the Economic Protection PAC
  - OCF conducted one full investigation into a complaint filed by ANC Commissioner Edward Hanlon on September 5 alleging that the following ANC Commissioners used the government ANC Twitter account to promote the candidacy of a candidate for Ward 2, City Council:
    - Daniel Warwick, SMD 2B02
    - Aaron Landry, SMD 2B04
    - Randy Downs, SMD 2B05
    - Matthew Sampson, SMD 2B01
    - Mike Silverstein, SMD 2B06
    - Kari Cunningham, SMD 2B07
  - There were no requests for opinions.
  - There were no show cause proceedings.

## **EXECUTIVE DIRECTOR'S SEPTEMBER 2019 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Proposed polling place relocations/Final approval of creation of precinct (Mr. Arlin Budoo)**
  - Precinct No. 14 had been relocated from St. Thomas Episcopal Church to the M.A.A. Carriage House meeting space due to construction. We propose relocating back to the multipurpose room at St. Thomas (1517 18th Street, NW). The building is accessible with slight modifications. There is no push-button door to enter the facility, but that can be addressed through poll worker training.
  - Precinct No. 27 must be relocated from Eaton Elementary School due to renovations. We propose relocating to the multipurpose room at Cleveland Park Library (3310 Connecticut Avenue, NW). The facility is accessible.

- Precinct No. 40. Bancroft Elementary School. We propose relocating back to the gymnasium at Bancroft Elementary School (1755 Newton Street, NW), now that scheduled renovations are complete. The site is accessible with some slight paving modifications at the entrance.
  - Precinct No. 54 must be relocated from West Education Campus due to construction. We propose relocating to the church hall at St. Luke's Baptist Church (1415 Gallatin Street, NW). It is accessible with a few modifications.
  - Precinct No. 57 must be relocated from the Hattie Holmes Senior Wellness Center due to construction. We propose relocating to the gymnasium at Washington Latin Public Charter School (5200 Second Street, NW). It is accessible with slight modifications. The double door entrance requires temporary removal of the center bar for accessible access.
  - Precinct No. 89 had been combined with Precinct No. 88 at Eastern Market because no location in the latter precinct meets the Board's polling place requirements. We propose relocating Precinct No. 89 to the fellowship hall at Capitol Hill United Methodist Church (421 Seward Square, SE).
    - Chairman Bennett noted the need for additional equipment and resources for Precinct No. 89, as well as the need for messaging to inform the affected voters of the new site. Ms. Miller noted that all voters affected by each of the relocations will be informed of the new sites.
  - Precinct No. 99 had been combined with Precinct No. 98 at Smothers Elementary School due to reconstruction after the 2011 earthquake. We propose relocating back to the fellowship hall at Ward Memorial AME Church (241 42nd Street, NE).
  - The new proposed Precinct 144, which was submitted for the Board's review at the August 7 Board meeting, has approval from ANC Commissioners. Thus, Board staff requests that the Board take final action to create the new precinct.
    - **BOARD ACTION** All proposed polling place relocations and the creation of Precinct No. 144 were approved unanimously.
- **National Voter Registration Act (NVRA) Training Manual**
    - Twelve District government agencies are designated as Voter Registration Agencies (VRAs). This means that they are required to offer voter registration services as part of their core duties. The Board developed a training manual to instruct staff at these VRAs on how to comply with District and federal law as they carry out their responsibilities under the NVRA.
  - **Continuing Poll Worker Training (CPT)**
    - Stipends were distributed to poll workers who attended the two CPT sessions for Precinct Captains and Special Ballot Clerks.
      - The first session had 251 participants and the second had 276 participants.
      - Each participant received a stipend of \$80 per session attended.
    - CPT sessions for Check-in Clerks began on October 1, and training sessions will be held twice daily for this position for the next two weeks.

- **Voter Education and Outreach Division (VEOD)**
  - In the month of September, VEOD staff coordinated and attended 37 events, including 19 events during National Voter Registration Week, which was the last week in September. VEOD events are designed to identify and register eligible voters, recruit poll workers, and provide targeted outreach to underrepresented populations including returning citizens, incarcerated eligible voters, and high school students.
- **Voter Registration System Training**
  - Staff training on the Board's new voter registration system began this past Monday.

#### **BOE OGC SEPTEMBER 2019 REPORT (GENERAL COUNSEL STROUD)**

- **OCF PETITIONS FOR ENFORCEMENT (Senior Staff Attorney Rudolph McGann)**
  - **Justin Greene At-Large**, (OCF Docket #17C-027) was fined \$1650 for failure to file the October 10, 2017 Report of Receipts and Expenditures (R & E Report).
  - **Justin Greene At-Large**, (OCF Docket #18C-002) was fined \$1400 for failure to file the January 31, 2018 R & E Report.
  - **Toliver for Ward 4**, (OCF Docket #18C-003) was fined \$2150 for failure to file the February 16, 2018 R & E Report.
  - **Committee to Elect Khalid Pitts**, (OCF Docket #18C-005) was fined \$2150 for failure to file the February 16, 2018 R & E Report.
  - **Patterson for Ward 8**, (OCF Docket #18C-007) was fined \$2150 for failure to file the February 16, 2018 R & E Report.
  - **Justin Greene At-Large**, (OCF Docket #18C-018) was fined \$1,000 for failure to file the May 10, 2018 R & E Report.
  - **MMC Foundation**, (OCF Docket #18C-021) was fined \$500 for failure to file the March 10, 2018 R & E Report. Mr. Manley is now in compliance with his filings, and he attended a scheduled pre-hearing conference on July 11, 2019, but noted that he could only afford payments of around \$5 a month.
  - **MMC Foundation**, (OCF Docket #18C-001) was fined \$1050 for failure to file the January 31, 2018 R & E Report. The Respondent has filed his report and is in compliance with the statute. He offered to pay \$5 a month for a \$ \$1,050 fine.
    - **BOARD ACTION:** The Board moved that the OGC could proceed with filing the petitions in the D.C. Superior Court.
- **LITIGATION STATUS**
  - General Counsel Stroud noted for the record that there are no current cases involving OCF, and that the Board's OGC handles such litigation on behalf of OCF.
  - **William Hunt v. the D.C. Board of Elections.** This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election. Mr. Hunt was a

Mayoral write-in candidate in that election, and he filed a complaint asking the court to require the Board to count the write-in votes cast in the Mayoral contest.

The Board filed a Motion to Dismiss on April 24, 2019. Mr. Hunt has filed various motions, including several motions to amend his complaint and several motions to extend the time to respond to the Board's Motion to Dismiss, all of which the Board has responded to. At this point, we are awaiting the Court's decision.

- **James Butler v. the D.C. Board of Elections.** This is an action to compel the Board to accept the DC Term Limits Campaign Initiative and treat it as a proper subject. Dispositive motions are due on November 21, 2019, at which time both parties will file cross-motions for summary judgment.
- **Graham v. the D.C. Board of Elections.** This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 008. Briefing in this matter is complete, and the D.C. Court of Appeals has ordered that the case be scheduled for consideration before its Merit Division as soon as the calendar permits.
- **Phillip Hammond v. the D.C. Board of Elections.** This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04. On September 6, the D.C. Court of Appeals consolidated this case with **Robin Marlin v. the D.C. Board of Elections** (an appeal of Board Order 19-33, which upheld the resolution issued by ANC 7B which found no vacancy in the office of ANC Commissioner for ANC SMD 7B05), and directed the Board to file the designations of record in these matters on or before September 30. The Board complied on September 30.
- **Robin Marlin v. the D.C. Board of Elections.**  
(See **Phillip Hammond v. the D.C. Board of Elections.**)
- **RULEMAKING**
  - Final Rulemaking
    - To amend Title 3 DCMR Chapter 42, "The Fair Elections Program," and Chapter 43, "The Verification Process" (Regulations in Support of the Fair Elections Amendment Act of 2019)
  - Emergency and Proposed Rulemaking
    - To amend Title 3 DCMR Chapter 30, "Campaign Finance Operations: Committees, Candidates, Constituent Service Programs, Statehood Funds," Chapter 37, "Investigations and Hearings," Chapter 38, "Legal Defense Committees," Chapter 39, "Campaign Finance Operations: Inaugural Committees," Chapter 40, "Campaign Finance Operations:

Transition Committees,” Chapter 41, “Campaign Finance Operations: Exploratory Committees,” and Chapter 99, “Definitions.” (Regulations in Support of the Campaign Finance Reform Act)

- OCF General Counsel Sanford explained the need for and impact of the two rulemakings and, in response to questions from Ms. Brizill, General Counsel Stroud briefly explained the process for combined emergency and proposed rulemaking.

**BOARD ACTION:** The Board unanimously moved to approve both rulemakings and have them sent to the D.C. Register for publication.

## **PUBLIC MATTERS**

- **Michael Sindram**

- Asked if there was a mechanism for merging the two recall petitions so that the objectives of the recall could be achieved.
  - Board Member Gill offered that he would rather keep the rules as they are and encourage people that have the same objective to join forces before they put together two separate petitions.

- **Dorothy Brizill**

- In response to Ms. Brizill’s request for information concerning the Board’s preparations for the 2020 election cycle as they pertained to election security:
  - Chairman Bennett offered to share the Board’s letter to Councilmember Mary Cheh which addressed those issues.
  - Executive Director Miller further explained that all District voters use paper ballots on which voters mark their ballots using either pens or ballot marking devices.
  - Member Gill clarified that the fact that the results from the DS200s are modemed to Board headquarters on Election Night does not mean that the District’s voting equipment is connected to the internet.
- In response to Ms. Brizill’s inquiry as to whether the Board received federal funding, Executive Director Miller stated that the Board received a \$3 million grant from the Election Assistance Commission (EAC) in Fiscal Year 2018 for election administration that will be used in the four areas indicated by the Board to the EAC: cybersecurity, voting equipment, voter registration, and communication.
- In response to Ms. Brizill’s inquiry regarding Kenneth McGhie’s current position and salary, Executive Director Miller replied that Mr. McGhie currently holds the title of Election Management Advisor, and General Counsel Stroud stated that the salaries of all government employees can be found on the Public Employee Salary Information listing on the D.C. Human Resources agency website, a listing that is referenced on all District government agency websites.
  - Member Gill objected to members of the public being permitted to air grievances about Board personnel matters during Board meetings.

- In response to Ms. Brizill's inquiry as to the name of the "new attorney who was hired in [OCF] to oversee the [FEP]," OCF General Counsel SanFord stated that no new attorney had been hired by OCF to oversee the FEP.
- In response to Ms. Brizill's inquiry regarding "the status of the lawsuit that was just completed regarding [OCF] and the charge that was upheld in Superior Court regarding discrimination against an employee by the [OCF Director]," OCF General Counsel SanFord responded that he was not aware of the matter and that OCF had not been served with that information.

**Adjournment** (12:31 p.m.)

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING  
December 5, 2019**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Thursday, December 5, 2019 in the Board's Hearing Room, located in Suite 750, 1015 Half Street, SE, Washington, D.C. 20003. Board Chairman Michael Bennett and Board Member Michael Gill were present. Also present on the dais were the Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery.

**CALL TO ORDER (10:53 a.m.)**

**ASCERTAINMENT OF QUORUM**

- Board Member Michael Gill and Board Chairman Michael Bennett constitute a two-member quorum to conduct business.

**ADOPTION OF AGENDA/APPROVAL OF BOARD MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on November 14, 2019.

**BOARD MATTERS**

- No Board matters.

**IDENTIFICATION OF PUBLIC MATTERS**

- Moved by Chairman Bennett to the end of the agenda.

**OCF NOVEMBER 2019 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- **Fair Elections Program (FEP)**
  - New Registrants:
    - Committee to Elect Renee Bowser, Ward 4, November 7.
    - Friends of Christina Henderson, Council Member at Large, November 8.
    - Lance Reid 2020, Ward 8, State Board of Education, November 14.
  - There is a listing of all FEP registrants on the OCF website. There currently are 22 candidates registered in the FEP and 9 candidates registered to participate in the traditional program.
  - Issuance of Matching Payments:
    - John Fanning, \$4,200, issued November 5.
    - Jordan Grossman, \$572.55, issued November 5.
    - Patrick Kennedy, \$2,505, issued November 15.
    - Green for Ward 7, \$20,000 base payment and \$25,065 matching payment, issued November 22.

- FEP issued four status reports for candidates who have indicated an attempt to seek certification in the program, but who have to date not met the threshold requirements.
- FEP Outreach
  - On November 20, 2019, the FEP staff appeared at a meeting of the D.C. Federation of Civic Associations.
- FEP Statistics
  - In Fiscal Year 2019, five candidates were FEP-certified, and FEP authorized the issuance of matching payments and one-half of base payments totaling \$368,615.00.
  - To date in Fiscal Year 2020, there are six candidates who are certified in the program, and FEP has issued a total of \$73,901.55.
- Interpretive Opinions
  - On November 21, FEP issued an interpretative opinion concerning the eligibility of candidates who have unresolved fines and penalties in the OCF.
- **Public Information and Records Management (PIRM)**
  - Filings in the month of November:
    - November 1 Reports of Receipts and Expenditures (R&E) due for newly-registered Legal Defense Committee
      - 1 filer, filed timely
    - One referral to the OCF OGC
    - Six new Candidates and Committees registered with OCF in November:
      - Dr. Pauline Reid, Let's Reid 2020, Ward 8 State Board of Education, November 5;
      - Renee Bowser, Committee to elect Renee Bowser, Ward 4 City Council, November 6;
      - Christina Henderson, Friends of Christina Henderson, At Large City Council, November 8;
      - Eric Rogers, Committee to Elect Eric Rogers, At Large City Council, November 14;
      - Vincent Gray, Vincent Gray 2020, Ward 7 City Council, November 14;
      - Paul Strauss, Paul Strauss Committee for U.S. Shadow Senator, November 26.
  - Entrance conferences for new candidates and committees were held on November 7 & November 20 with 11 participants whose names will be posted at the OCF website by close of business today.
- **Reports Analysis and Audit Division (RAAD)**
  - Conducted 11 desk reviews of financial reports.
  - One referral to the OCF OGC
  - Two ongoing full field audits:
    - The Committee to Elect Zachary Parker 2018, initiated on March 5.
    - Emily for Education, initiated on March 4.

- Two ongoing periodic random audits:
    - Re-elect Brandon Todd 2020 PCC, initiated September 4;
    - Phil's Fund Constituent Service Fund, initiated November 11.
  - Three audits issued during November:
    - D.C. Democratic State Committee PAC, issued November 15;
    - Ward 3 Constituent Service Fund, issued November 22;
    - Evans Constituent Service Fund, issued November 22.
  - RAAD issued the audit report of the Gertrude Stein PAC on October 24.
- **OCF Office of the General Counsel (OCF OGC)**
    - Received two referrals
    - Completed eight informal hearings
    - Issued eight orders:
      - Six orders for failure to timely file R&E reports; no fines were imposed.
      - Two orders that vacated notices of hearings, and statements of violations.
    - During the month of November 2019, OCF OGC collected a total of \$7,450 in fines.
      - \$7,150, McDuffie 2018 PCC;
      - \$200, Renee Bowser for Ward 4 Council Committee;
      - \$100, Gayle Carley for Ward 5 PCC.
    - OCF retained one open investigation into a complaint filed by ANC Commissioner Edward Hanlon on September 5 alleging that the following ANC Commissioners used the government ANC Twitter account to promote the candidacy of a candidate for Ward 2, City Council:
      - Daniel Warwick, SMD 2B02
      - Aaron Landry, SMD 2B04
      - Randy Downs, SMD 2B05
      - Matthew Sampson, SMD 2B01
      - Mike Silverstein, SMD 2B06
      - Kari Cunningham, SMD 2B07
    - OGC issued 2 interpretive opinions:
      - **Opinion Number 2019-02**—Requested by Erik Jackson, program manager of FEP. The issue was whether applicants for the FEP with unresolved fines were eligible for certification. The determination based upon the law was that those applicants who had unresolved fines and penalties could not achieve certification until those fines and penalties are resolved.
      - **Opinion Number 2019-033**—Requested by Mark Rodeffer, Chair of the Sierra Club. The issue was whether the Sierra Club could sponsor one or more forums with candidates for public office in the District of Columbia. Based upon the information provided, they were free to host those forums.
    - There were no show cause proceedings.

## **EXECUTIVE DIRECTOR'S NOVEMBER 2019 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Polling Place Relocations (Mr. Arlin Budoo)**

- **Proposed**

- Precinct No. 105, Benning Park Recreation Center will be unavailable due to extensive renovations for the upcoming 2020 presidential primary election. We propose relocating to St. John's Baptist Church located at 5228 Call Place S.E.

- **Final Approval**

- Precinct No. 14, St. Thomas Episcopal Church relocated to the M.A.A. Carriage House meeting space due to construction to the church. We propose relocating back to the church, located at 1517 18th Street, Northwest using the multipurpose room.
    - Precinct No. 54, West Education Campus is undergoing construction. We propose relocating to St. Luke's Baptist Church, located at 1415 Gallatin Street, Northwest using the fellowship hall. It is accessible with a few modifications.
      - **BOARD ACTION:** The proposed relocation of precinct 105 was approved unanimously, and notice will be published in the D.C. Register for a 30-day comment period. The proposed relocation of precincts 14 and 54 were approved as final.

- **Certification of Petition Verification Results for Recall measure of Jack Evans, Ward 2 Member of the Council District of Columbia**

- The Board conducted its verification process and determined that the petition did not contain a sufficient number of verified voters for the measure to achieve ballot access.
  - Executive Director Alice Miller recommended that the Board reject the petition because it does not contain the minimum requirement of valid registered voters' signatures from Ward Two; it contained 3,385 valid signatures - 1064 below the minimum requirement of 4,949.
    - Board Member Gill made a motion to accept the Executive Director's recommendation.
  - Recall proposer Adam Eidinger stated that he believed that there are significantly less registered voters in Ward Two than the 49 thousand plus indicated on the Board's voter rolls, so the petition should not have been required to contain 4,949 valid signatures to be deemed numerically sufficient for ballot access. He asked the Board not to certify the petition's insufficiency at this time, but to allow him to present more evidence that the minimum signature requirement for the petition was too high.
  - Mr. Eidinger also indicated that he should have been allowed the opportunity to cure address mismatch issues as is the case with nominating petitions.
    - Board Member Gill expressed his viewpoint that, while the concerns raised regarding the petition circulation process may be valid, it would be unfair to all parties involved to depart from the rules and process at this

juncture, particularly in light of the fact that the proposer was aware of the numerical requirement at the onset of the process.

- **BOARD ACTION:** The Board unanimously approved the Executive Director's recommendation to reject the recall petition as numerically insufficient.
- Ms. Miller acknowledged the staff who worked tirelessly on this verification process during the Thanksgiving Holiday.
- **Voter Education and Outreach Division (VEOD)**
  - In the month of November, VEOD staff participated in ten outreach events
- **Voter Registration List Maintenance**
  - Board processed 7,297 updates and new registrations.
  - Board mailed 64 letters to individuals who remained registered on the rolls with an 1800 date of birth. In response, 52 individuals provided their correct dates of birth. The Board received information that the remaining 12 individuals were deceased.
- **Voter Registration System Update**
  - Staff is still conducting user acceptance testing to verify compliance of features with the RFP with respect to functionality and readiness.

#### **BOE OGC NOVEMBER 2019 REPORT (GENERAL COUNSEL STROUD)**

- **Litigation Status**
  - **William Hunt v. the D.C. Board of Elections.** This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election. Mr. Hunt was a Mayoral write-in candidate in that election, and he filed a complaint asking the court to require the Board to count the write-in votes cast in the Mayoral contest.  
  
Briefing in the case is complete and we are awaiting the court's order on the Board's motion to dismiss.
  - **James Butler v. the D.C. Board of Elections.** This is an action to compel the Board to accept the DC Term Limits Campaign Initiative and treat it as a proper subject. A conference for this matter took place on July 19. Dispositive cross-motions for summary judgment were due on November 21, 2019, at which time the Board filed its motion for summary judgment, but Mr. Butler did not.
  - **Graham v. the D.C. Board of Elections.** This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 8. Briefing in the case is complete, and the Court of Appeals has ordered the case be scheduled for oral argument as soon as the calendar permits.

- **Phillip Hammond v. the D.C. Board of Elections.** This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04. On September 6th, the Court of Appeals consolidated this case with **Robin Marlin v. the D.C. Board of Elections** (see below). On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18th, and the Board's response would be due on December 18th in both of these matters. The Appellants have not filed their briefs, and have been ordered by the Court to do so by no later than December 16.
- **Robin Marlin v. the D.C. Board of Elections.** This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
- **Review of Notice of Intent to Recall ANC Villareal Johnson, ANC SMD 7B05**
  - Filed by Ms. Donna M. Robinson on November 13.
  - Commissioner Johnson timely filed a response on November 21.
  - The proposer has 60 days to circulate the petition and must file it no later than 5:00 pm on February 3, 2020.
  - The petition must include signatures of 10% of the registered voters pursuant to the official count of registered voters in the SMD issued 30 or more days prior to submission of the petition.
  - The most recent count indicates that the petition would require 161 signatures.
  - Ms. Robinson adopted the petition.
    - **BOARD ACTION:** The motion to accept the recall petition as written was unanimous.

## **PUBLIC MATTERS**

- **Michael Sindram**
  - Raised the rejection of the recall petition of Councilmember Evans. He expressed a desire to get the recall effort back on track.
- **Dorothy Brizill**
  - Sought clarification of Board Member Gill's comments during the discussion on the certification of the Jack Evans recall petition. She asserted that the Board's role is to implement and uphold existing election and campaign finance law, and not to make election law policy.
    - Mr. Gill thanked Ms. Brizill for her comments and assured her that his comments regarding the petition circulation process were only his personal viewpoints.
- **Nikolas Schiller**
  - Served as the Director of the Committee to Hold Jack Evans Accountable.
  - Stated that the Board is open to lawsuits from the disability community due to there being no forms for an affidavit of attestation for petition signers with disabilities. Any person unable to sign a petition cannot file a form granting a third party power to act on their behalf.

- The Board's ADA Coordinator, Ms. Terrica Jennings, stated that there is an all-purpose affidavit of assistant form on the website, and that the Board is in the process of reviewing all forms on the website to make them more accessible.
  - Stated that the voter rolls for students at Georgetown and George Washington Universities are woefully inadequate. He asserted that he has a list of 1,122 "ghost voters" that cannot be found by any campaign. These voters, according to Mr. Schiller are all former students who have since graduated and moved out of the area but are still on the voter roll, which inflates the voter roll and thus the number required to meet the 10% threshold.
- **John Capozzi**
  - Attested that as a circulator he documented how many registered voters no longer live at the largest building in the ward, 450 Massachusetts Avenue NW.
  - Contends that the number of signatures submitted on the Evans recall petition would constitute 10% of voters in the ward absent this excess of registered voters who no longer live there.
  - Mr. Gill encouraged Mr. Capozzi to follow up with a written response so the Board.
- **Kristin Furnish**
  - Stated that she knocked on numerous doors as a petition circulator only to find the residences were AirBnB addresses where the owner no longer lived on the premises.
- **Robin Diener**
  - Served as Treasurer for the recall effort, and sought clarification of Mr. Gill's comments regarding FEP funds going to circulators. He wanted to assure Mr. Gill that no money went to circulators.
  - Mr. Gill clarified that he was not referring to this recall effort when making his comments.
  - Commended the staff of the Board for their exquisite performance in processing the recall effort.
- **Eleanor Ory**
  - Expressed concern regarding the accuracy of the voter roll. She believes that her signature was challenged and fears mistakes happened in verification due to mismatched addresses on the voter roll.
  - Requested that the Board include information about the petitioning process in all voter outreach.
- **Adrian Salsgiver**
  - Asserted that the recall committee did collect signatures from 10% of the voters in the ward.
- **Chris Otten**
  - Questioned the Board's standard for reviewing signatures, stating that, with respect to illegibility, signatories could possibly not write as clearly as possible outside in the cold on a clipboard as they could at a desk.
  - Took umbrage to being accused of forgery on some of his petitions.
  - Stated that many deceased spouses were still on the voter roll.

- **Allen Roth**
  - Expressed concern for the amount of resident turnover in English-basement style apartments. He asserted the number of duly registered voters is lower because former residents no longer live at their registered addresses.
- **Debby Hanrahan**
  - She believes the problem is an inflated voter roll.
  - Updating the voting rolls is a very important function of the Board.
- Chairman Bennett acknowledged that maintenance of the voter roll is a front-burner issue for the Board, and indicated that the Board's newly-acquired voter registration system will provide an additional opportunity to do a better job of maintaining the voter roll.
- Chairman Bennett announced the proponents of the recall have a verbal order that was issued by the Board, and that the written order with the memorandum supporting the decision and the order will be issued on or before December 18.

**Adjournment (12:55 p.m.)**

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**January 8, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, January 8, 2020 in the Board's Hearing Room, located in Suite 750, 1015 Half Street, SE, Washington, D.C. 20003. Board Chairman Michael Bennett and Board Member Michael Gill were present. Also present on the dais were the Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery.

**CALL TO ORDER (10:36 a.m.)**

**ASCERTAINMENT OF QUORUM**

- Board Chairman Michael Bennett and Board Member Michael Gill constitute a two-member quorum to conduct business.

**ADOPTION OF AGENDA/APPROVAL OF BOARD MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on December 5, 2019.

**BOARD MATTERS**

- The D.C. Council confirmed Ms. Karyn Greenfield to the Board, and we will have a full complement of Board members for the next meeting.

**OCF DECEMBER 2019 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- **Fair Elections Program (FEP)**
  - New Registrants:
    - Committee to Elect Jeanne Lewis for City Council, At large Council Member, registered 12/15/19
    - Committee to Elect Mario Cristaldo, At large Council Member registered 12/23/19
  - There is a listing of all FEP registrants on the OCF website. There currently are 24 candidates registered in the FEP and 11 candidates registered to participate in the traditional program.
  - Issuance of Matching Payments:
    - Jordan Grossman, \$16,429.00, issued December 12
    - Jordan Grossman, \$10,075.00, issued December 23
    - Patrick Kennedy, \$2,505, issued December 12
    - Janeese Lewis George, \$39,375.50, issued December 12
    - Kishan For DC 2020, \$13,555.00, issued December 12
    - John Fanning for Ward 2, \$2,775.00, issued December 12
    - Yilin Zhang for Ward 2, \$26,040.00, issued December 31

- Yilin Zhang for Ward 2, base payment, \$20,000.00, issued December 31
  - Yilin Zhang for Ward 2 Principal Campaign Committee (PCC) was certified as a participating candidate in the Fair Elections Program on December 31, 2019.
  - Three Candidates seek certification in the FEP that have not met the thresholds to date:
    - Committee to Elect Renee Bowser
    - Kelvin Brown for DC Council Ward 7
    - Daniel Hernandez for Ward 2
  - FEP Outreach
    - No outreach in previous month.
  - FEP Statistics
    - Eighteen desk reviews were conducted in December. Three Requests for Additional Information letters were issued in the month of December.
    - To date in Fiscal Year 2020, there are seven candidates who are certified in the program, and FEP has issued a total of \$202,401.05.
  - FEP Referrals
    - Green for Ward 7 Principal Campaign Committee was referred to the Office of the General Counsel (OCF OGC) for action in connection with denial of contributions on December 19, 2019.
- **Public Information and Records Management (PIRM)**
  - Filings in the month of December:
    - December 1 Reports of Receipts and Expenditures (R&E) due for newly-registered Legal Defense Committee
      - 1 filer, filed timely
    - December 10 R&E Reports for PCCs and Political Action Committees (PACs)
      - 60 filers (7 PCCs & 53 PACs)
      - 53 timely filed (6 PCCs & 47 PACs)
      - 1 late filer (PCC)
      - 2 extensions requested and granted (2 PCCs)
      - 6 failures to file (6 PACs)
      - 7 referrals (1 PCC & 6 PACs)
    - December 10 R&E Reports for FEP PCCs
      - 11 filers
      - 10 timely filed
      - 1 late filer
      - 1 referral
    - December 10 R&E Reports for Independent Expenditure Committees (IECs)
      - 6 filers
      - 5 timely filed
      - 1 failure to file
      - 1 referral

- Nine Referrals to OCF OGC
  - FEPs
    - Green for Ward 7, Ajoke Williams, Treasurer
  - PCCs
    - Vote Jennings, Robin Salas, Treasurer
  - PACs
    - D.C. Pol. Act Candidate Election (PACE) Leola Jenkin, Treasurer
    - Ward One Democrats, Dr. E. Gail Anderson Holness, Treasurer
    - Ward Two Democrats Brandon Frye, Treasurer
    - Credit Union PAC of Washington, DC Rory Murray, Treasurer
    - Greater Washington DC Ins. & Fin Adv. PAC, Matthew Grace, Treasurer
    - Hotel Org. To Elect Leaders, Beverly Wright, Treasurer
  - IECs
    - DC Choice, Daye Pope, Chairperson
- Four new Candidates and Committees registered with OCF in December:
  - Jeanne' Lewis/Committee to Elect Jeanne' Lewis for City Council (At-Large, City Council) 12/15/2019
  - Mario Cristaldo/Committee to Elect Mario Cristaldo (At-Large, City Council) 12/23/2019
  - Franklin Garcia/Franklin for DC 2020 (At-Large, City Council) 12/27/2019
  - Campaign to Decriminalize Nature DC (Initiative Committee) 12/27/2019
- Entrance conference for new candidates and committees was held on December 4, 2019 with 4 participants:
  - Yuh Wen Ling, Treasurer, Friends of Christina Henderson
  - Chuck Thies, Treasurer, Vince Gray 2020
  - Taylor Berlin, Treasurer, Paul Strauss Committee
  - Paul Strauss, Candidate, Paul Strauss Committee
- **Reports Analysis and Audit Division (RAAD)**
  - Conducted 66 desk reviews of financial reports
  - One ongoing full field audit:
    - The Committee to Elect Zachary Parker 2018, initiated on 3/5/2019
  - One ongoing periodic random audit:
    - Re-elect Brandon Todd 2020 PCC, initiated 9/4/2019
  - Two audits issued during November:
    - Emily for Education (Full Field Audit), issued 12/13/2019
    - Phil's Fund Constituent Service Fund (Periodic Random Audit), issued 12/13/2019
- **OCF Office of the General Counsel (OCF OGC)**
  - Received 9 referrals: 1 PCC, 6 PACs, 1 IEC, 1 FEP
  - Issued one order 12/17/2019 OCF FI 2019-001:
    - A fine of \$4,000.00 imposed against Advisory Neighborhood Commissioners Daniel Warwick, Aaron Landry, Randy Downs, Mathew

Sampson Mike Silverstein and Kari Cunningham collectively subject to a reduction to \$1,000.00 if the commissioners complete ethics training with BEGA within 60 days or a schedule prescribed by BEGA.

- OGC has 1 pending interpretive opinion:
  - **Opinion Number 2019-04**—Requested by Jordan Grossman. The issue concerns campaign expenditures related to attendance at local events. This matter is still pending.
- There were no show cause proceedings.

## **EXECUTIVE DIRECTOR'S DECEMBER 2019 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Certification of Ward 2 Council Member Vacancy**

- Received notice on January 7, 2020 from Councilmember Jack Evans indicating his intent to resign his position effective 1/17/2020.
  - The Board must conduct a vacancy election within 174 days of the resignation, and the Board has scheduled the contest for June 16, 2020.
  - Director Miller presented a timeline of events:
    - 1/7 Board received notice of resignation
    - 1/8 Board will certify the vacancy during today's Board meeting
    - 6/16 The Board will conduct the special election
    - FEP & OCF registration cycle for candidates begins today
    - 1/15 The Board will make nominating petitions available for candidates
    - 3/18 The deadline to file nominating petitions with the Board
    - 3/21-3/30 The nominating petition challenge period
    - 4/10 Mandatory filing due for FEP-registered candidates
      - For those seeking to register in FEP, the threshold requirements are at least 150 qualified small dollar contributions from residents of the District which in the aggregate total \$5,000.00 or more with an individual contribution limit of \$50.00.
  - **BOARD ACTION:** The Board voted unanimously to certify the vacancy for Ward 2 Council member, and to set the date for the vacancy election for June 16, 2020.

- **Polling Place Relocations (Mr. Arlin Budoo)**

- **Final Approval**
  - Precinct No. 105, Benning Park Recreation Center, will be unavailable for the upcoming 2020 presidential primary election due to extensive renovations. We propose relocating to St. John's Baptist Church located at 5228 Call Place S.E.
    - **BOARD ACTION:** The final relocation of precinct 105 was approved unanimously, and notice will be published in the D.C. Register. This approval is conditioned on a verification of ADA

accessibility by Ms. Terrica Jennings, the Board's ADA Coordinator.

- On December 3, 2019, the Council formally adopted and established a new voting precinct in the District of Columbia that shall be designated as Precinct 144.

- **Voter Education and Outreach Division (VEOD)**

- In the month of December, VEOD staff participated in 9 outreach events listed on the Board's website.

- **June 2, 2020 Primary Election**

- 1/10 Nominating Petitions available
- 3/4 Deadline for submission of petitions
- There is no indication from DCPS regarding school closures for the Primary Election.

## **BOE OGC DECEMBER 2019 REPORT (GENERAL COUNSEL STROUD)**

- Ms. Stroud introduced the OGC's new paralegal, Ms. Tonisha Erskine

- **Litigation Status**

- **William Hunt v. the D.C. Board of Elections.** This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election. Mr. Hunt was a Mayoral write-in candidate in that election, and he filed a complaint asking the court to require the Board to count the write-in votes cast in the Mayoral contest.

Briefing in the case is complete and we are awaiting the court's order on the Board's motion to dismiss.

- **James Butler v. the D.C. Board of Elections.** This is an action to compel the Board to accept the DC Term Limits Campaign Initiative and treat it as a proper subject. A conference for this matter took place on July 19. Dispositive cross-motions for summary judgment were due on November 21, 2019, at which time the Board filed its motion for summary judgment, but Mr. Butler did not.
- **Graham v. the D.C. Board of Elections.** This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 8. Briefing in the case is complete, and the Court of Appeals has ordered the case be scheduled for oral argument as soon as the calendar permits.
- **Phillip Hammond v. the D.C. Board of Elections.** This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04. On September 6th, the Court of Appeals consolidated this case with **Robin**

**Marlin v. the D.C. Board of Elections** (see below). On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18th, and the Board's response would be due on December 18th in both of these matters. The Appellants filed their briefs on December 16, but they did not file an appendix. On January 3, the Court ordered the petitioners to file an appendix within 15 days, and we await their filing.

- **Robin Marlin v. the D.C. Board of Elections.** This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.

## **PUBLIC MATTERS**

- **Michael Sindram**
  - Mr. Sindram asked the OCF General Counsel, Mr. SanFord for clarification regarding the fines issued in the matter of OCF FI 2019-001 against the six ANC Commissioners.

**Adjournment** (11:13 a.m.)

**MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**  
**February 5, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, February 5, 2020 in the Board's Hearing Room, located in Suite 750, 1015 Half Street, SE, Washington, D.C. 20003. Board Chairman Michael Bennett and Board Member Karyn Greenfield were present. Also present on the dais were the Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery.

**CALL TO ORDER (10:40 a.m.)**

**ASCERTAINMENT OF QUORUM**

- Board Chairman Michael Bennett and Board Member Karyn Greenfield constitute a two-member quorum to conduct business.

**ADOPTION OF AGENDA/APPROVAL OF BOARD MINUTES**

- **BOARD ACTION:** The Board unanimously adopted minutes from the last meeting held on January 8, 2020 and the agenda as amended.

**BOARD MATTERS**

- No Board matters.

**OCF JANUARY 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- **OCF Website Published Notices**
  - The Ward 2 Fact Sheet for the June 16, 2020 Special Election was published on January 27.
  - The OCF 2020 Schedule of Training Seminars was published on January 30.
  - The lists of candidates in the Fair Elections Program and the Traditional Program were published on January 31, and will be updated monthly.
- **Fair Elections Program (FEP)**
  - New Certified Participants:
    - The Committee to Elect Renee Bowser, Ward 4, Principal Campaign Committee (PCC), certified January 21
    - Chander for Counsel, At-Large, PCC, certified January 21
  - Issued two status reports to candidates seeking certification in the FEP who have not met the threshold requirements
  - Issued two notices of denial to candidates seeking certification in the FEP
  - Issuance of Matching & Base Payments:
    - Patrick Kennedy, \$725 in matching payments, issued January 21

- Chander for Counsel At-Large, \$87,515 in matching payments and \$20,000 base payment totaling \$107,515, issued January 21
- The Committee to Elect Renee Bowser, \$36,975 in matching payments and \$20,000 base payment totaling \$56,975, issued January 21
- As of January 31, 2020, there are nine candidates certified as participating candidates in the FEP.
- During Fiscal Year 2020 to date, FEP has issued \$367,615.05 of public funds to participating candidates.
- FEP Statistics
  - Eight desk reviews were conducted in January. Four Requests for Additional Information (RFAI) letters were issued.

● **Public Information and Records Management (PIRM)**

- Filings in the month of January:
  - January 2 Reports of Receipts and Expenditures (R&E Reports) due for newly-registered Legal Defense Committee
    - 1 filer, filed timely
  - January 1 R&E Reports for Constituent Service Programs
    - 9 filers, all filed timely
  - January 1 R&E Reports for Senator & Representative Statehood Funds
    - 3 filers, all filed timely
  - January 10 optional R&E Reports for FEP PCCs
    - 3 filers timely filed
  - January 31 R&E Reports for PCCs and Political Action Committees (PACs), FEP PCCs, Independent Expenditure Committees, Initiative, Referendum, and Recall Committees
    - Those statistics will be reported during the March meeting
- Newly registered FEP Candidate and Committees (10):
  - Charles Boston, Boston for State Board of Education At-Large, registered 1/3
  - Fria More, Vote Fria More 2020, for Ward 8 City Council, registered 1/13
  - Jordan Grossman, Jordan Grossman for Ward 2 Special Election, registered 1/13
  - Patrick Kennedy, Patrick Kennedy for Ward 2 Special Election, registered 1/17
  - John Fanning, Fanning for Ward 2 Special Election, registered 1/15
  - Mike Austin, Mike for Ward 8, Ward 8 City Council, registered 1/17
  - Kishan Putta, Kishan Putta for Ward 2 Special Election, registered 1/21
  - Katherine Vernice, Katherine for Ward 2 Special Election, registered 1/24
  - Katherine Vernice, Katherine for Ward 2 City Council, registered 1/24
  - Daniel Platt, Daniel Platt 2020, Ward 8 City Council, registered 1/29
- 35 candidates are registered in the FEP.
- Newly registered Traditional Program Candidates and Committees (18):
  - Oye Owoleya/Oye 4 U.S. Representative 1/3
  - Yaida Ford/Elect Yaida Ford (Ward-8, City Council) 1/10
  - Ivan Cloyd/Ivan Cloyd for US Representative 1/10

- Pete Ross (Candidate, US Representative) 1/10
  - Tyrone Carmichael (Candidate, At-Large City Council) 1/13
  - Ashley Carter MacLeay/Ashley for DC (Republican National Committeewoman) 1/14
  - Marcus Goodwin/Goodwin for DC 2020 (At-Large, City Council) 1/15
  - Rebecca Morris/Rebecca Morris Committee of Ward 7 (City Council) 1/16
  - Jeronda Hilton/Jeronda Hilton 2020 (Ward-8, City Council) 1/16
  - Michael McHugh (Candidate, Ward 1 Chairman, DC Republican Party) 1/17
  - Jose Cunningham/Jose' 2020 (Republican National Committeeman) 1/17
  - Marlena Edwards/Edwards for Ward 4 2020 (Ward-4, City Council) 1/21
  - Dalton Patterson/Dalton Patterson 2020 Campaign (US Representative) 1/21
  - Nelson Jackson/Campaign to Elect Nelson Jackson Ward 8 City Council 1/23
  - LaJoy Johnson Law/LaJoy Johnson Law SBOE 1/27
  - Yilin Zhang/Yilin Zhang for Ward 2 Special Election 1/28
  - Nathan Derenge/Nate Ward 8 (City Council) 1/29
  - Marya Pickering/Marya DC 2020 (At-Large, City Council) 1/29
  - 23 total candidates registered in the Traditional Campaign Finance Program
  - Held 2 mandatory entrance conferences for new candidates in January:
    - 1/15: 14 participants
    - 1/29: 23 participants
    - The names of the participants will be posted at the OCF website.
- **Reports Analysis and Audit Division (RAAD)**
    - Conducted 40 desk reviews of R&E Reports
    - One ongoing periodic random audit:
      - Re-elect Brandon Todd 2020 PCC, initiated 9/4/2019 regarding 7/31/19 R&E Report
    - One audit issued during January:
      - Committee to Elect Zachary Parker of 2018 (Full Field Audit), issued 1/22/2020
  - **OCF Office of the General Counsel (OCF OGC)**
    - Received two referrals from RAAD, completed one informal hearing, and issued the following two orders:
      - Trayon White, failure to timely file a R&E Report. A fine of \$1,900 was initially imposed, but that fine was subsequently reduced to a \$1,000 fine, pursuant to a motion for reconsideration.
      - Sheika Reid, Former Council Candidate, and her Treasurer, Anthony Miller. A fine of \$5,000 was imposed for unresolved issues resulting from a non-compliance audit.
    - OGC fines collected:

- \$1,000 from Council Member Trayon White
- \$100 from former Candidate Gayle Carley for Ward 5
- \$150 from Franklin for D.C. 2018
- OGC issued an interpretive opinion on 1/10:
  - **Opinion Number 2019-04**—Requested by Jordan Grossman. The issue is campaign expenditures related to attendance at local events.
- There were no show cause proceedings.

## **EXECUTIVE DIRECTOR'S JANUARY 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Candidate petition process for the June 2<sup>nd</sup> Primary Election**
  - 57 candidates picked up petitions for the June 2nd election.
  - The filing deadline for those nominating petitions, is 5:00 p.m., Wednesday, March 4.
- **Candidate petition process for the June 16<sup>th</sup> Ward 2 Special Election**
  - Seven candidates have picked up petitions.
  - The filing deadline for those nominating petitions, is 5:00 p.m., Wednesday, March 18.
  - The cost for Special Election, \$220,000, was placed into the Board's budget last week.
- **Grant funding from Election Assistance Commission (EAC)**
  - The EAC is the federal agency that administers Help America Vote Act (HAVA) funds, and we have received notification of a \$3 million dollar grant to be used in accordance with Section 101 of HAVA, with a focus on security and cyber infrastructure. The city has to make a match of 20% in order for us to qualify for that funding, which is \$600,000.
- **Voter Outreach**
  - Staff participated in 14 events during January.
  - We have a robust outreach for poll worker recruitment that is well underway. If you are interested or know someone that is, please sign up.
- **Poll Worker Training**
  - Begins in March and will continue through the June 2<sup>nd</sup> primary.
- **Early Voting sites**
  - We have 15 sites, and we're looking for a second location in Ward 2.
  - The Board is open to any suggestions for an additional location.
- **EAC Clearies Award for accessibility**
  - The Board was selected by the EAC as the recipient of the 2019 Clearinghouse Award for improving accessibility for voters with disabilities and for the Board's overall commitment to accessibility.

- Entries are judged based on the creation of positive results, innovations, sustainability, outreach efforts, cost effectiveness, and reputability.
- I just want to take a minute and recognize both Terrica Jennings and Arlin Budoo for the work they do.
- **Chairman Bennett:** Mr. Budoo and Ms. Jennings have just done an incredible job making sure that our priorities are met when it comes to accessibility and this award is evidence of that.

## **BOE OGC JANUARY 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Mr. Chris Otten's Motion to Amend the Record in the Matter of the Challenge to the Petition Submitted in Support of Effort to Recall Jack Evans (the Petition)**
  - As part of his overall challenge to the Petition, Counsel for Mr. Evans, Donald Dinan, Esq., challenged petition sheet 43, which had been circulated by Mr. Otten, on the grounds that the sheet potentially had forged signatures.
  - Through his motion, Mr. Otten asked that the record be amended to reflect that the Registrar of Voters concluded that the signatures on petition sheet 43 had not been forged so as to remove the aspersion cast upon him because of the challenge.
  - Mr. Dinan submitted a response to Mr. Otten's motion and stands by the statements in that response.
  - General Counsel Stroud noted that the record in the matter closed with the issuance of Order Number 19-043, which was issued on December 18, 2019, and that there was no basis upon which to reopen it. She also noted that the record already includes the Registrar's findings with respect to each signature, including those on petition sheet 43, and that the record is available for review by members of the public. General Counsel Stroud recommended that the motion be dismissed because the record is closed and cannot be reopened.
  - **Chairman Bennett:** The fact that your submission was not fraudulent will be forever on the record of this meeting today and also a part of the record of the Board that anyone can research and have access to.
    - **BOARD ACTION:** Mr. Otten's motion was denied, but the record of this day and this meeting reflects that, in fact, Mr. Otten's signatures that he submitted on petition sheet 43 were, in fact, not fraudulent and the Board found that they were not fraudulent.
  - Mr. Dinan noted that the challenge was made in good faith.
- **Litigation Status**
  - **William Hunt v. the D.C. Board of Elections.** This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election. Mr. Hunt was a Mayoral write-in candidate in that election, and he filed a complaint asking the court to require the Board to count the write-in votes cast in the Mayoral contest.

Briefing in the case is complete and we are awaiting the court's order on the Board's motion to dismiss.

- **James Butler v. the D.C. Board of Elections.** This is an action to compel the Board to accept the DC Term Limits Campaign Initiative and treat it as a proper subject. A conference for this matter took place on July 19. Dispositive cross-motions for summary judgment were due on November 21, 2019, at which time the Board filed its motion for summary judgment, but Mr. Butler did not.
- **Graham v. the D.C. Board of Elections.** This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 8. Briefing in the case is complete, and the Court of Appeals has ordered the case be scheduled for oral argument as soon as the calendar permits.
- **Phillip Hammond v. the D.C. Board of Elections.** This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04. On September 6th, the Court of Appeals consolidated this case with **Robin Marlin v. the D.C. Board of Elections** (see below). On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18th, and the Board's response would be due on December 18th in both of these matters. The Appellants filed their briefs on December 16, but they did not file an appendix. On January 22nd, the Appellants filed a motion for an extension of time to file the appendix to their brief. On January 28th, the Board filed an opposition to that motion and we are waiting for a ruling in that matter.
- **Robin Marlin v. the D.C. Board of Elections.** This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
- **Proper Subject Matter Consideration: Entheogenic Plant and Fungus Policy Act of 2020 (EPFPA)**
  - The verified statement of contributions was filed with the Office of Campaign Finance on December 20, 2019.
  - The initiative was filed in the proper form.
  - Joseph Sandler, Esq. Counsel for the Proposer, Ms. Lavasani, and the Ballot Committee testified:
    - The initiative is consistent with Title 4 of the Home Rule Act.
    - It is a new policy that can only be imposed on the Department externally by an act of the Council, and in that regard it is legislative in nature.
    - It clearly does not appropriate funds, or negate or limit a Budget Act of the Council and that changing and enforcing a priority does not reduce or redirect resources spent.
    - The initiative is consistent with the Harris Amendment to the federal continuing Appropriations Act in that it does not seek to reduce or change the penalties for these Schedule I substances.

- The following individuals testified regarding the efficacy of Entheogenic Plants and Fungi:
  - Melissa Lavasani (the proposer)
  - Mathew Fogg, Law Enforcement Action Partnership Network
  - Jesse Gould, an Army Ranger veteran, with three combat deployments to Afghanistan (the Heroic Hearts Project)
  - Wyly Gray, Veterans of War
  - Daniel Carcillo, former professional NHL hockey player
  - Evan Park
  - Jamila Hogan
    - **BOARD ACTION:** EPFPA was found to be a proper subject, in part because the Board determined that it was legislative and not administrative in nature.
    - The Board will have another meeting, prior to the 20th day, prior to February 25th, to actually issue a formal written order accepting the Initiative.
- General Counsel Stroud: The Board will have a public meeting at which we will prepare the formulations - a short title, summary statement, and legislative text - for the initiative measure. It will then be published in the D.C. Register which will start a ten-day challenge process.

## **PUBLIC MATTERS**

- **John Capozzi**
  - Wanted to make sure that the Board is taking action related to reviewing the rolls of the voters in Ward 2.
    - He asked to pass along to Executive Director Miller information about the mail services for George Washington University and Georgetown University so that the Board can work directly with those universities to get those students who have registered here in the District, but are no longer residing here, off the rolls.
    - Chairman Bennett: We certainly will focus on that, and not just with respect to Ward 2.
- **Michael Sindram**
  - Mr. Sindram appreciates Ms. Jennings keeping him informed about Board meetings. He'd like to receive a hard copy of the interpretive opinion that Mr. Sanford referred to, and a copy of the accepted EPFPA Initiative.

**Adjournment** (12:32 p.m.)

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**March 12, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Thursday, March 12, 2020 in the Board's Hearing Room, located in Suite 750, 1015 Half Street, SE, Washington, D.C. 20003. Board Chairman Michael Bennett and Board Member Michael Gill were present. Also present on the dais were the Board's Executive Director, Alice Miller, the General Counsel of the Office of Campaign Finance (OCF), William SanFord, and the Board's General Counsel, Terri D. Stroud.

### **CALL TO ORDER (11:55 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Michael Bennett and Board Member Michael Gill constitute a two-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on February 5, 2020.

### **BOARD MATTERS**

- No Board Matters

### **OCF MARCH 2020 REPORT (GENERAL COUNSEL SANFORD)**

- Fiscal Year Performance
  - OCF provided testimony on the Fiscal Year '19 performance report before the D.C. Council Committee on Judiciary and Public Safety on February 5, 2020.
- **OCF Website Published Notices**
  - The Ward 2 Fact Sheet for the June 16, 2020 Special Election was published on January 27.
  - The OCF 2020 Schedule of Training Seminars was published on January 30.
  - The lists of candidates in the Fair Elections Program was published on January 31.
  - The list of candidates in the Fair Elections Program and the Traditional Campaign Finance Program was published on March 9.
- **Fair Elections Program (FEP)**
  - Community Outreach
    - On February 5, staff attended ANC 8A community meeting.
    - On February 12, staff attended ANC 4C community meeting.
    - On February 18, staff attended ANC 3F community meeting.
    - On February 19, staff attended ANC 2A community meeting.

- On February 20, staff attended ANC 7B community meeting.
  - In February, a total of 43 candidates were registered in the FEP. There was one withdrawal, leaving a total of 42 candidates.
  - In February, three new candidates registered:
    - Nate Brown 2020, At-Large Council Member, registered on February 4, 2020.
    - Will 19 Merrifield, D.C. At-Large Council Member, registered on February 12, 2020.
    - Monica Palacio, City Council At-Large, registered on February 12, 2020.
  - New Certified Participants:
    - Friends of Christina Henderson, Council Member At-Large, certified on February 14, 2020.
    - Markus for DC, Council Member At-Large, certified on the 21st of February 2020.
    - Jordan Grossman was certified for the Ward 2 Special Election on February 18, 2020.
    - Kishan Putta was certified for the Ward 2 Special Election on February 25, 2020.
  - OCF distributed \$450,888.05 in various amounts and matching payments in February.
    - Specifics regarding the individual distributions are posted at the OCF website
- **FEP Statistics**
  - 38 desk reviews were conducted in February.
    - Issued 23 requests for additional information
    - Issued two referrals to the Office of General Counsel (OCF OGC).
  - The June 16, 2020 Special Election includes six candidates registered in the FEP; two of them are certified as participating candidates.
  - The November 3, 2020 General Election includes 17 candidates registered in the FEP; three of them are certified as participating candidates.
  - As of February 29, 2020, a total sum of \$1,193,812.70 has been distributed or disbursed in various amounts and matching payments to 15 candidates.
- **Public Information and Records Management (PIRM)**
  - January filings:
    - The principal campaign committees (PCCs) and political action committees (PACs) were required to file their reports on January 31 totaled 134 recorded filers:
      - 117 timely filed
      - 17 were referred to the OCF OGC for failure to timely file.
    - Under the FEP, a total of 38 recorded filers were required to file their reports on January 31:
      - 28 timely filed

- 10 failed to timely file their reports and were referred to the OCF OGC.
  - Three independent expenditure committees (IECs) were required to file their reports on January 31:
    - All three timely filed electronically.
  - Seven initiative/referendum committees were required to file their reports on January 31:
    - Four timely filed.
    - Three were referred to the OCF OGC for failure to timely file.
- New Candidates under the FEP (5):
  - Jack Evans 2020, Ward 2 City Council.
  - Trayon White, Re-elect Trayon White 2020, Ward 8 City Council.
  - Nate Brown, Nate Brown 2020 At-Large City Council.
  - Will Merrifield, Will Merrifield, D.C. At-large City Council.
  - Monica Palacio, City Council At-Large.
- New registrants under the Traditional Program (9):
  - Dorothy Douglas, candidate for U.S. Senate.
  - Milton Hardy, candidate for Ward 7 Chairman of D.C. Republican Party.
  - Travis Korson, candidate for Ward 6, Chairman of the D.C. Republican Party.
  - Asar Mustafa, candidate At-Large City Council.
  - Donald Green, candidate U.S. Representative.
  - Brook Pinto, Brook Pinto for Ward 2 City Council.
  - Brook Pinto, Brook Pinto for Ward 2 City Council special election.
  - Eleanor Ory, Committee to Elect Ory for Senate.
  - Frederick Hill, Fred Hill for Ward 8 City Council.
- Two new Initiative Committees were registered in February:
  - Community Health and Safety Campaign
  - U.S. Citizens Recovery Initiative Alliance Incorporated
- Two entrance conferences were conducted by the OCF in February:
  - February 12: 9 participants.
  - February 26: 11 participants.
- **Reports Analysis and Audit Division (RAAD)**
  - Conducted 40 desk reviews
  - Issued 23 audit letters
  - Two referrals to the OCF OGC.
  - Two ongoing Full Field Audits.
    - DC Legal Defense Fund for Jack Evans.
      - Issued an audit notification letter on February 18, 2020

- Random periodic audits:
  - Re-elect Brandon Todd 2020 campaign, initiated on September 4, 2019
  - Friends of Robert White, initiated on February 10, 2020
  - Veda for Ward 7, initiated on February 10, 2020
  - Richard Campbell, Ward 8 City Council, initiated on February 10, 2020
  - Committee to Elect Rogers for Council initiated on February 10, 2020
- Periodic random audit of PACs based upon the January 31 audit were issued to (5):
  - Verizon Communications Inc.
  - Good Government Club PAC
  - DC Libertarian Party
  - Firefighter's Committee on Political Activities
  - Greater Washington Board of Trade.
    - Audit notification letters were issued on February 10, 2020.
- **OCF Office of the General Counsel (OCF OGC)**
  - Received 34 referrals from 22 hearings and issued 22 orders including:
    - Issued 4 orders for failure to timely file reports in which the fines were suspended.
    - Issued 17 orders for failure to timely file for which a total of \$28,150 in fines were imposed.
    - Issued 1 order vacating a referral.
  - OCF OGC Imposed Fines:
    - In February 2020, the OCF OGC imposed a total of \$28,150 in fines against the following respondents:
      - Friends of Courtney Snowden, \$2,250 fine was imposed.
      - Carter At-Large, a fine of \$1,850 was imposed.
      - Melik At-Large, a fine of \$1,850 was imposed.
      - Justin Green At-Large, a fine of \$1,850 was imposed.
      - Lannette Woodruff, School Board, a fine of \$250 was imposed.
      - Committee to Elect Natalie Williams, a fine of \$1,850 was imposed.
      - Seniors United PAC, a fine of \$450 was imposed.
      - Money Supply Increase, a fine of \$1,800 was imposed.
      - D.C. Recovery Act, a fine of \$1,800 was imposed.
      - D.C. Choice, a fine of \$2,000 was imposed.
      - Holmes for D.C., a fine of \$1,900 was imposed.
      - Committee to Elect Professor Alpha Bah, a fine of \$1,900 was imposed.
      - Toliver for Ward 8, a fine of \$1,900 was imposed.
      - Committee to Elect Shawn Patterson, a fine of \$1,900 was imposed.
      - Committee to Elect Khalid Pitts, a fine of \$1,900 was imposed.
      - Dustin Canter for DC Mayor, a fine of \$1,900 was imposed.

- Nate Brown for Ward 8, a fine of \$1,000 was imposed.
- OCF OGC fines collected:
  - \$100 fine from Gayle Carley for Ward 5
- OCF OGC Request for Investigation
  - One Request for Investigation was received on February 3.
    - Complainant: The Committee to Hold Jack Evans Accountable, Adam Eiding, Chairman
    - Respondent: DC Legal Defense Committee for Jack Evans
    - Allegation: unlawful use of legal defense committee
    - Referred to RAAD
- No requests for interpretative opinions
- No show cause proceedings were conducted.

## **EXECUTIVE DIRECTOR'S MARCH 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Proposed Polling Place Relocations (Mr. Arlin Budoo):**
  - Precinct No. 29
    - The Washington Hebrew Congregation, 3935 Macomb Street, NW, (Fellowship Hall) will be unavailable for the upcoming 2020 presidential primary election due to scheduled renovations until 2021. We propose relocating to Second District Police Station, 3320 Idaho Avenue, NW (Community Room).
  - Precinct No. 58:
    - Ward 6 Council Member, Charles Allen, voiced concern over the use of The Fourth District Police Station, 6001 Georgia Avenue, NW (Community Room) and police stations generally as polling places. We propose relocating to Emery Heights Recreation Center, 5701 Georgia Avenue, NW (Gymnasium).
- **Final Approval of Polling Place Relocations (Mr. Arlin Budoo):**
  - Precinct No. 89:
    - The precinct is currently sharing space with Precinct Number 88 at Eastern Market, 225 7th Street, SE (North Hall). We propose relocating to Capitol Hill United Methodist Church, 421 Seward Square, SE (Fellowship Hall). The facility's panic push door renders the site inaccessible, but Mr. Budoo is in negotiations with the site to have the panic push button removed from the door.

- Precinct No. 105:
    - Benning Park Recreation Center will be unavailable for the upcoming 2020 presidential primary election due to extensive renovations. We propose relocating to St. John's Baptist Church, 5228 Call Place S.E.
- **Proposed Polling Place Location for Newly Created Precinct 144 (Mr. Arlin Budoo):**
  - The newly-formed Precinct 144 was approved by the Council after an emergency resolution was submitted. Hilton Garden Inn was the approved site, but upper management there has denied use of the site. We propose relocating the new precinct to Mt. Airy Baptist Church, 110 North Capitol Street, NW (Fellowship Hall).
- **BOARD ACTION:** All proposed polling relocations (two final and three proposed) were approved unanimously.
- **Voter Registration Cards**
  - Old card templates contained a sentence that indicated that the primary election is held on the third Tuesday in June, when the new date for primary elections is the 1<sup>st</sup> Tuesday in June.
  - The 2020 primary will be conducted on June 2.
  - New templates and cards concerning the 2020 election cycle are going out now, and they have the correct information.
- **Ballot Access for the June 2 Primary Election**
  - The deadline for filing nominating petitions for the June primary was March 4.
  - The list of preliminarily qualified candidates is on the Board's website.
  - The challenge period closed on Monday, March 16.
  - The Board was open every day including the weekends during the challenge period.
- **Ballot Access for the June 16 Special Election**
  - The deadline for filing nominating petitions was March 18.
- **Voter Education and Outreach Division (VEOD)**
  - In the month of February, VEOD staff participated in 30 outreach events, which are listed on the Board's website.
- **Grant funding from the Election Assistance Commission (EAC)**
  - A \$3 million grant has been entered into the system. The city has to make a match of 20% - or \$600,000 - in order for us to qualify for that funding.
  - The money is available for use.

- The General Counsel was the keynote speaker for the Government Accountability Office's Black History Month event on February 26.
  - The topic of her speech was voting rights in the District of Columbia and the influence of Frederick Douglass.

## **BOE OGC MARCH 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Issuance of Petitions for the “Entheogenic Plant and Fungus Policy Act of 2020”**
  - Ms. Lavasani made a formal request that the Board of Elections delay the issuance of the petition for at least one month until we see how COVID-19 affects the city.
    - **BOARD ACTION:** The Board moved to postpone the issuance of the petition for the Entheogenic Plant and Fungus Policy Act of 2020; the matter will be revisited at the April 1 Board Meeting.
  - Decriminalize Nature DC (Adam Eiding - Treasurer) sent a letter on March 3 to the DC Council and the Mayor expressing concerns about paper petitioning, which they allege opens itself up to fraud. They suggest that the exploring online petition signing, which would decrease the chances of signature fraud because a verification letter would be sent out after user ID is created. In addition, it would allow a public list of petition signatures to be posted.
- **Emergency and Proposed Rulemaking to Amend Title 3 DCMR Chapter 7 (Regulations Concerning the Deadline for Receipt of Absentee Ballots; Elimination of Writing Requirement for Requests for Polling Place Reassignment; Clarification Regarding Use of Cameras in Voting and Counting Locations)**
  - Receipt of electronically transmitted voting ballots submitted by military and overseas voters is 8:00 p.m. on election day.
  - Deadline for receipt of mailed voting ballots is the seventh day after election day, and mailed ballots must have been sent on or before election day.
  - Cameras may be used in voting and counting locations as long as they do not disrupt or interfere with the election administration process during early voting, on election day, and during vote tabulation.
  - These amendments should in place prior to the June primary election.
    - **BOARD ACTION:** The Board unanimously moved to adopt the rulemaking and publish it in the D.C. Register.

- **Litigation Status**
  - **William Hunt v. D.C. Board of Elections**
    - This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election. Mr. Hunt was a Mayoral write-in candidate in that election, and he filed a complaint asking the court to require the Board to count the write-in votes cast in the Mayoral contest. The Board filed a Motion to Dismiss on Wednesday, April 24, 2019. The court granted the Board's Motion to Dismiss on March 10th.
  - **James Butler v. D.C. Board of Elections**
    - This is an action to compel the Board to accept the DC Term Limits Campaign Initiative and treat it as a proper subject. A conference for this matter took place on July 19. Dispositive cross motions for summary judgment were due on November 21, 2019, at which time the Board filed its motion for summary judgment, but Mr. Butler did not. The court granted the Board's Motion to Dismiss on January 15. The court docket wasn't updated to reflect judgment and the court never sent the Board a copy. But judgment was entered on January 15, 2020. Ms. Stroud acknowledged senior staff attorney Rudolph McGann for his work in both of those cases.
  - **Graham v. D.C. Board of Elections**
    - This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 8. Briefing in the case is complete. All pleadings in this matter have been filed, and a date for oral argument has been set for April 21, 2020.
  - **Hammond v. D.C. Board of Elections**
    - This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04. On September 6th, the Court of Appeals consolidated this case with **Robin Marlin v. the D.C. Board of Elections** (see below). On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019 and the Board to file its response on December 18 in both of these matters. The Appellants filed their briefs on December 16, but they did not file their appendices until March 4. The Board's response is due on April 5.

## **PUBLIC MATTERS**

- **Michael Sindram**

- Asked about the date of the primary election
- Expressed that paper ballots serves a useful purpose.
- Questioned signature changeability under a digital system.
- Expressed concern that Entheogenic Plant and Fungus Policy Act of 2020 opened a Pandora's Box for other psychoactive drugs which are dangerous in his view, and stated that there needs to be a more detailed fine print included saying that it needs to be clearly overseen by a healthcare provider.

**Adjournment (1:07 p.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**April 1, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, April 1, 2020 telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, and the Board's General Counsel, Terri D. Stroud, were also present.

### **CALL TO ORDER (10:31 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett, and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on March 12, 2020.

### **BOARD MATTERS**

- Consistent with Mayor Muriel Bowser's stay-at-home order, the Board and OCF are only operating with essential personnel working on-site and other staff members working remotely.
- The Board held a press conference with Mayor Bowser, Council Chairman Phil Mendelson, and Councilmember Charles Allen to detail the Board's plan for the election.
  - The plan includes using Vote Centers and advertising the use of absentee voting.
  - Executive Director Miller will provide further details during her report.

### **OCF APRIL 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- **OCF is operating under modified status due to the public health emergency**
  - All services are provided remotely via email and/or telephonically.
  - The telephone number is 202-671-0547, and the public can speak directly with Mr. Wesley Williams, the Public Affairs Manager.
  - Candidates seeking to register can contact the office for instructions.
  - OCF is requesting that candidates and treasurers familiarize themselves with the training tutorials and brochures on OCF's website because in-person training is infeasible.
- **Candidate and Committee Filing Deadlines for the Traditional Campaign Finance Program (TCFP)**
  - Tuesday, May 26, 2020 – Eight-day Pre-primary Report of Receipts and Expenditures (R & E Report).
  - Wednesday, June 10, 2020 - Primary and Special Election R & E Report.

- **OCF Website Published Notices**
  - Updated list of the registered candidates in the Traditional Campaign Finance Program (TCFP) and the Fair Election Program (FEP)
- **Fair Elections Program (FEP)**
  - FEP Report Due Dates are on April 10, 2020 and May 11, 2020
  - The next optional filing deadline for FEP candidates is Thursday, April 30
  - The FEP contract for development of Phase Two of the electronic filing system was awarded on March 13, 2020
  - 43 candidates are registered in the FEP as of this date.
    - 16 certified as participating candidates in the primary and general elections
    - 3 certified as participating candidates in the special election
  - Ed Lazere for DC Council At-Large registered on March 17 as a general election candidate
  - Five certifications in March:
    - Primary Election:
      - Kelvin Brown for DC Council Ward 7, certified March 16, 2020
      - Re-elect Trayon White 2020, certified March 16, 2020
      - Evans for DC 2020, certified March 19, 2020
    - General Election:
      - Will Merrifield for DC, certified March 19, 2020
    - Special Election:
      - Patrick Kennedy for Ward 2, certified March 19, 2020
  - OCF issued nine status reports to candidates seeking certification in the FEP who have not met the threshold requirements
  - OCF issued five Notices of Denial/Deficiencies for FEP
  - OCF distributed \$776,427.50 in various amounts and matching payments during March
    - Specifics regarding individual distributions are posted at the OCF website
- **Traditional Campaign Finance Program (TCFP)**
  - 23 registered candidates in primary election
  - Three registered candidates in general election
  - Two registered candidates in special election
  - 17 candidates registered and claimed the \$500 exemption
- **FEP Statistics**
  - 55 R & E Reports were reviewed
    - Nine requests for additional information were issued
  - As of March 24, a total sum of \$1,349,690 has been disbursed in base amounts and matching payments to 19 candidates certified in the FEP
- **Public Information and Records Management (PIRM)**
  - February/March Filings:

- February 28, 2020 Fourth R & E Report
  - Legal defense committees:
    - One required filer; that filer filed timely and electronically
- March 10th R & E Report
  - Principal campaign committees (PCCs) and Political action committees (PACs):
    - 72 required filers
    - 53 filed timely and electronically
    - Two requests for extension were granted
    - Nine referrals to the Office of General Counsel (OCF OGC) for failure to timely file
  - FEP PCCs:
    - 38 required filers
    - 34 filed timely and electronically
    - Two committees filed termination reports
    - Four referrals to the OCF OGC for failure to timely file
    - Two requests for extension, which were granted
  - Independent Expenditure Committees:
    - Three required filers; those filers filed timely and electronically
- **New Registered Candidates and Committees in March**
  - FEP (1)
    - Ed Lazere for DC Council At-Large, registered March 17
  - TFCP (7)
    - Christopher Hawthorne, Christopher Hawthorne for Ward 8 City Council, registered March 2
    - Joyce Robinson-Paul, candidate for U.S. Representative, registered March 3
    - Charles Boston, candidate for State Board of Education in Ward 7, registered March 11
    - Karl Racine, Karl Racine 2022, Attorney General, registered March 12
    - Robert Sinners, candidate DC Republican Committee Ward 2, registered March 18
    - Mindi Walker, candidate DC Republican Committee Ward 8, registered March 19
    - Peter Bolton, Peter Bolton for Ward 2 City Council, registered March 27
- **Referrals to the OCF OGC**
  - 13, relating to failure to timely file the March 10<sup>th</sup> R & E Reports
    - The names of those committees are posted on the OCF website

- **Reports Analysis and Audit Division (RAAD)**
  - Conducted 78 desk reviews
  - Issued 8 requests for additional information
  - Referred 2 cases to the OCF OGC
  - One Ongoing Full Field Audit:
    - DC Legal Defense Fund for Jack Evans
      - The field work commenced upon receipt of additional documents requested March 11, 2020
  - Five Periodic Random Audits (Candidates):
    - Re-elect Brandon Todd 2020 campaign, initiated September 4, 2019
      - Audit complete and under review
    - Friends of Robert White
      - Audit records received March 16
    - Veda for Ward 7, initiated March 2
    - Richard Campbell, Ward 8 City Council
      - Audit complete and under review
    - Committee to Elect Rogers for Council, initiated March 2
  - Four Periodic Random Audits (PACs January 31 Filings):
    - Verizon Communications Inc. Good Government Club PAC, initiated March 2
    - DC Libertarian Party, initiated March 2
    - Firefighter's Committee on Political Activities, initiated March 2
    - Greater Washington Board of Trade
      - Audit is complete and is under review

## **EXECUTIVE DIRECTOR'S APRIL 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Executive Director Miller acknowledged Board staff for their hard work during the public health emergency.**
- **Absentee Mail-In Ballot**
  - Voters can request a ballot for any reason
  - When an absentee ballot request is received, it will be processed, and the ballots will be mailed on a rolling basis to the individuals' requested destinations
  - If a ballot is not received once requested or is damaged or lost, a replacement ballot can be requested, and the Board will send it to the voter
  - Ballots are anticipated to be received from the printer between April 20 and April 25
- **Methods of Obtaining a Ballot**
  - BOE website – print, fill-out, sign, and mail-in application
  - Mobile app – sign without printing
  - Voter Guide – contains two applications, along with a postage prepaid envelope to return it; goes out the first week of May

- At BOE office or any of 20 voting centers, which will operate each day from May 22 through – June 2 (except Memorial Day) from 8:30am to 7pm.
- **Primary Election Vote Center Locations**
  - Ward 1- Two locations
    - Columbia Heights Community Center
    - Prince Hall Center for the Performing Arts
  - Ward 2 – Two Locations
    - One Judiciary Square
    - Hardy Middle School
  - Ward 3 – Two Locations
    - Murch Elementary School
    - Oyster Bilingual School
  - Ward 4 – Three Locations
    - Coolidge High School
    - Emery Heights Community Center
    - Raymond Recreation Center
  - Ward 5 – Two Locations
    - Turkey Thicket Recreation Center
    - McKinley Tech High School
  - Ward 6 – Three Locations
    - King Greenleaf Recreation Center
    - Sherwood Recreation Center
    - Kennedy Recreation Center
  - Ward 7 – Three Locations
    - Deanwood Recreation Center
    - Benning Stoddert Community Center
    - Hillcrest Recreation Center
  - Ward 8 – Three Locations
    - Malcolm X Opportunity Center
    - Barry Farms Recreation Center
    - Anacostia High School
- **Ward 2 Special Election Vote Center Locations (June 12<sup>th</sup> – June 16<sup>th</sup>)**
  - One Judiciary Square
  - Hardy Middle School

#### **BOE OGC APRIL 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Litigation Status**
  - **Graham v. D.C. Board of Elections**
    - This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 8.

- All pleadings in this matter have been filed and a date for oral argument had been set for April 21, 2020. However, due to the public health emergency, all oral arguments in the DC Court of Appeals have been either cancelled or postponed. The Court will decide this matter without oral argument on the pleadings.
- **Hammond v. D.C. Board of Elections**
  - This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04. On September 6th, the Court of Appeals consolidated this case with **Robin Marlin v. the D.C. Board of Elections** (see below). On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18th, and the Board to file its response on December 18th in both of these matters. The Appellants filed their briefs on December 16, and their appendix on March 4th.
  - BOE will respond electronically by April 5th.
- **Marlin v. D.C. Board of Elections**
  - This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.

## **PUBLIC MATTERS**

- **Dorothy Brizill**
  - Asked Executive Director Miller to identify additional staff added to BOE and steps taken to fill vacancies now and in the future.
    - No new staff has been hired since the Board's Council hearing on February 12th.
  - Asked if BOE Executive Director decided to contract out IT services.
    - IT services are not being contracted out at this point.
    - No qualified applicants applied for the IT position the Board advertised.
    - Cyber-security issues are being addressed in conjunction with partners on the federal level and in-house staff.
- **Sandra Seegars**
  - Asked if a handwriting expert could be contracted out for 30 days during nominating petition challenge period.
    - Expert will not be contracted out.
  - Computer systems used by the public during challenge period are missing voter signatures. Would like systems to be updated and to allow for public access.
- **Robert Brannum**
  - Complained about the Board's handling of the challenge he filed to Bernie Sanders' petition filed in support of his candidacy in the Democratic presidential preference primary election

- Alleges that his challenge, which was filed on grounds that Sanders is not a Democrat, was handled differently than other ballot access petition challenges, specifically the one filed by Tori Whitney Fernandez against Eleanor Holmes Norton
- General Counsel Stroud distinguished Mr. Brannum's challenge from the others by noting that the latter involved challenges to nominating petitions, while Mr. Brannum's did not. (Mr. Sanders filed a ballot access fee in accordance with the Democratic Party's plan for presidential nominee ballot access.)
- **Michael Sindram**
  - Complained of having trouble getting through to the meeting's public call-in number.
  - Requested that the Board send a letter on his behalf to Chief Judge Anna Blackburne-Rigsby so that he could access the DC Courts of Appeals for research purposes. Chairman Bennett declined this offer.
- **Michelle Whittaker**
  - Asked when the public would be informed of the voting centers in their wards, and what was being done to ensure the public has access to vote.
    - The locations were announced earlier during Executive Director Miller's report, a list will be published on the Board's website, and there will be a continuous media blitz between now and the June 2<sup>nd</sup> and June 16<sup>th</sup> elections.
    - All of the voting centers are accessible, voters may receive and utilize assistance with their absentee ballots, and individuals with disabilities will be able to access the voting centers or curbside voting.
- **Fred Hill**
  - Questioned why he received a letter congratulating him on achieving ballot access before the challenge period ended.

## NOMINATING PETITION CHALLENGES

- **Tori Fernandez Whitney vs. Eleanor Holmes Norton**
  - The Registrar read her report on the challenge into the record, which included the procedural history of the challenge, and her preliminary determination that the petition had the requisite number of signatures for ballot access (2,000 needed, 2,912 collected, 2,796 valid signatures post-challenge).
  - Mrs. Fernandez Whitney alleged the Registrar did not adequately review her challenge and submitted evidence in support of that assertion. She claimed that eliminating the petitions she deemed tainted would reduce Norton's valid signature count to only 526 signatures.
  - Norton claimed that the challenge was repetitive and that the Board had previously ruled that the challenged signatures were genuine.

○ **Sandra Seegars v. Frederick Hill**

- The Registrar read her report on the challenge into the record, which included the procedural history of the challenge, and her preliminary determination that the petition did not have the requisite number of signatures for ballot access (250 needed, 283 collected, 167 valid signatures post-challenge).
- Mr. Hill objected to the Board's process, claiming that he received a congratulatory letter dated March 9 after the challenge period ended, that he was not afforded due process from the BOE because he received the Registrar's preliminary determination on the 10<sup>th</sup> day, and that the Board's voter registry is incomplete and doesn't have accurate signatures. He also requested additional time to cure signatures in light of the public health emergency.
- In response, the Board stated that Mr. Hill received notice of the challenge and the Registrar's preliminary determination on March 16, the day after the pre-hearing conference on March 26, which was initially to be in person, but was instead conducted by teleconference in light of the public health emergency. The Board and Ms. Seegars also noted that even if Mr. Hill cured all signatures capable of curing, he still would not have enough signatures to obtain ballot access.

○ **Absalom Jordan v. Frederick Hill**

- Conducted ex parte as Absalom Jordan was not present.
- The Registrar read her report on the challenge into the record, which included the procedural history of the challenge, and her preliminary determination that the petition did not have the requisite number of signatures for ballot access (250 needed, 283 collected, 240 valid signatures post-challenge).
- Mr. Hill alleged that he was not afforded due process, that the Board's voter registry was not accurate, and that the Mayor's solicitation ban left no way to cure his petition.

○ **Morgan Finkelstein v. Daniel Hernandez**

- The Registrar read her report on the challenge into the record, which included the procedural history of the challenge, and her preliminary determination that the petition had the requisite number of signatures for ballot access (250 needed, 303 collected, 250 valid signatures post-challenge).
- Ms. Finkelstein stated that a petition sheet with 20 signatures was not posted and created an unfair process where the public was not able to weigh in on those signatures. She stated that many errors were committed by the Board and Mr. Hernandez, who submitted a petition on which over 15% of the signatures were invalid.

- Mr. Hernandez noted that the Board reviewed the signatures on the petition sheet that wasn't posted and found that 17 of the 20 signatures on that petition sheet were valid.
- **Amos Cheeseboro v. Susana Baranano**
  - Adeoye Ibrahim Yakugu Owolewa represented Amos Cheeseboro, who was not present, and James Bubar represented Susana Baranano.
  - The Registrar read her report on the challenge into the record, which included the procedural history of the challenge, and her preliminary determination that the petition did not have the requisite number of signatures for ballot access (2,000 needed, 2,109 collected, 1,833 valid signatures post-challenge).
  - Mr. Bubar disputed the Registrar's findings, asserting that 205 of the challenges upheld were wrongly decided. He also requested additional time to cure signatures (citing a DC Superior Court Order that the Board noted was inapplicable to the instant matter), and challenged the invalidation of signatures on the grounds that the signer was an inactive voter. He also challenged Mr. Owolewa's eligibility to be a candidate in the contest because the Registrar had invalidated Mr. Owolewa's signature on Ms. Baranano's petition on the ground that he was not a registered voter in the District of Columbia.
  - Mr. Owolewa stated that the address he provided on his candidacy forms is reflected on his driver's license and registration.

## **EXECUTIVE SESSION**

### **RESUMPTION OF PUBLIC MEETING**

- **Board Actions**
  - **Accepted written report from OCF OGC**
  - **Ruling on nominating petition challenges**
    - **Tori Fernandez Whitney vs. Eleanor Holmes Norton**
      - Challenge Denied
    - **Sandra Seegars v. Frederick Hill**
      - Challenge Upheld
    - **Absalom Jordan v. Frederick Hill**
      - Challenge Upheld
    - **Morgan Finkelstein v. Daniel Hernandez**
      - Challenge Denied
    - **Amos Cheeseboro v. Susana Baranano**
      - Challenge Upheld

### **ADJOURNMENT (1:38 p.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**May 6, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting telephonically on Wednesday, May 6, 2020. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Director of the Office of Campaign Finance (OCF), Cecily Collier Montgomery, and the Board's General Counsel, Terri D. Stroud, were also present.

### **CALL TO ORDER (10:06 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett, and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on April 1, 2020.

### **BOARD MATTERS**

- Vote centers have been created and the program recommending that DC voters request ballots is going well; residents are making requests and ballots are going out.

### **OCF MAY 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- OCF is continuing to operate under modified status due to the public health emergency until May 15, 2020.
- **Fair Elections Program (FEP)**
  - 44 committees are currently registered in the FEP; 38 of them are active.
  - The following six committees will be notified of their failure to meet qualifications for certification during the qualifying period which ended on March 4 for the June 2 Primary Election, and on March 18 for the June 16 Ward 2 Special Election:
    - Nate Brown 2020
    - Danielle Platt for Ward 8
    - Katherine for Ward 2
    - Vote Fria Moore 2020
    - Rosenberg 2020
    - Daniel Hernandez for Ward 2
  - There were two certifications in April:
    - Ed Lazere for DC Council At-Large was certified for the November General Election on April 30, 2020

- Fanning for Ward 2 was certified for the June Special Election on April 15, 2020
    - FEP issued five status reports to candidates seeking certification in the FEP who have not met the threshold requirements.
  - **FEP Statistics**
    - As of April 30, 2020, a total sum of \$2,163,078.05 has been disbursed in base amounts and matching payments to 21 candidates certified in the FEP
      - The Committee to Elect Janeese Lewis George has received the maximum allowable cap for matching payments of \$241,055 for qualified small dollar contributions for the covered office of Ward Member of the Council during the 2020 election cycle, and has also received a base payment of \$40,000.
    - During April 2020, a total sum of \$313,387.90 was distributed in base payments and matching payments to the following FEP candidates:
      - 4/15/2020 Fanning for Ward 2 Special Election
        - \$20,000 in base amount
        - \$34,396 in matching payments
      - 4/15/2020 to Kishan for DC 2020
        - \$4,925 in matching payments
      - 4/15/2020 Jordan Grossman for Ward 2 Special Election
        - \$1,033.65 in matching payments
      - 4/15/2020 Kishan Putta for Ward 2 Special Election 2020
        - \$6,900 in matching payments
      - 4/15/2020 for Chander for Council
        - \$6,550 in matching payments
      - 4/15/2020 Friends of Christina Henderson
        - \$725 in matching payments
      - 4/15/2020 John Fanning for Ward 2
        - \$1,250 in matching payments
      - 4/15/2020 Patrick Kennedy for Ward 2 Special June 16, 2020
        - \$4,000 in matching payments
      - 4/30/2020 Ed Lazere for DC Council At-Large
        - \$ 20,000 in base amount
        - \$185,691 in matching payments
      - 4/30/2020 Janeese Lewis George
        - \$75 and \$13,893.60 in matching payments
    - Second half base amount payments of \$20,000 were made on the dates indicated to the following three candidates who achieved ballot access in the June Primary Election:
      - 4/13/2020 John Fanning for Ward 2
      - 4/13/2020 Kishan for DC 2020
      - 4/13/2020 Patrick Kennedy for Ward 2

- The FEP conducted 52 desk reviews of Reports of Receipts & Expenditures (R&E Reports) filed on the March 30, 2020 optional deadline and the April 10, 2020 mandatory filing deadline, and issued nine requests for additional information as a result of the desk reviews
- FEP attended two hearings held by the OCF Office of the General Counsel (OCF OGC) on April 29 for delinquent FEP filings:
  - Marcus Batchelor for DC
  - John Fanning for Ward 2
- **Candidates Certified in FEP**
  - 11 candidates certified in the June 2<sup>nd</sup> Primary Election
  - 4 candidates certified in the June 16<sup>th</sup> Special Election
  - 6 candidates certified in the November 3<sup>rd</sup> General Election
- **Information Published on OCF Website**
  - Updated list of the registered candidates in the Traditional Campaign Finance Program (TCFP) and the FEP
  - Election Fund Payouts
  - Audit Reports issued in April
- **Public Information and Records Management (PIRM)**
  - April Filings:
    - Constituent Service Program April 1 R&E Report
      - 9 required filers
      - All timely filed and electronically filed
    - Senator/Representative Statehood Fund Program April 1 R&E Report
      - 3 required filers
      - All timely filed and electronically filed
    - Legal Defense Committees April 1 R&E Report
      - One required filer
      - Filed timely and electronically
    - FEP April 10 R&E Report
      - 39 required filers
      - 33 filed timely and electronically
      - 3 requests for extension were granted
      - 6 failures to file
    - Optional April 30 R&E Report
      - One FEP committee filed
- **New Registered Candidates and Committees in April**
  - TCFP (3):
    - Peter Bolton, Peter Bolton for Ward 2 City Council, registered March 27
    - Ann Wilcox, candidate At-Large City Counsel, registered April 5
    - Rick Murphy, Friends of Rick Murphy, Ward 2 City Counsel, registered April 20

- Initiative Committee (1):
  - Vocational Technical Education Graduation Pathway Policy Act of 2020, registered April 30
- **Reports Analysis and Audit Division (RAAD)**
  - Conducted 34 reviews for R & E Reports filed in TCFP
    - Resolved 6 reviews
    - Issued 8 requests for additional information
  - Conducting three Periodic Random Audits of Candidates:
    - Friends of Robert White, audit records received March 16
    - Veda for Ward 7, initiated March 2
    - Committee to Elect Rogers for Council, initiated March 2
  - Conducting three Periodic Random Audits of Political Action Committees (PAC) January 31 Filings:
    - Verizon Communications Inc. Good Government Club PAC, initiated March 2
    - DC Libertarian Party, initiated March 2
    - Firefighter's Committee on Political Activity, initiated March 2
  - Four Audit Reports issued in April:
    - Re-elect Brandon Todd 2020 campaign, compliance audit issued April 6
    - DC Legal Defense Fund, preliminary audit draft report issued April 27
    - Richard Campbell Ward 8 City Counsel, compliance audit issued April 30
    - Greater Washington Board of Trade, periodic audit issued April 30
- **OCF OGC**
  - Received one referral from the PIRM division
  - Issued one order in a matter in which there was voluntary compliance prior to the issuance of the OCF order
  - Issued 27 hearing notices, including 3 first notices and 24 second notices
  - Conducted two hearings in the following matters, both of which were continued for completion at a later date:
    - Fanning for Ward 2
    - Marcus Batchelor for DC
  - Maintains one open investigation:
    - Complaint filed by the Committee to Hold Jack Evans Accountable, received February 3, 2020 against the DC Legal Defense Committee for Jack Evans alleging that the committee engaged in unlawful use of a legal defense committee
    - The matter was referred to RAAD, which completed a preliminary draft of that audit. The draft is not available to the public, but the final version will be.

## **EXECUTIVE DIRECTOR'S MAY 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- Executive Director Miller acknowledged Board staff for their hard work during the public health emergency.
  - We have received 34,000 requests for absentee ballots, and we have mailed out 22,000 ballots, including 500 military and overseas ballots
- Voter Guides have been mailed out to party-affiliated registered voters, and each one included two absentee ballot request forms and a postage prepaid envelope
- We sent emails to 236,000 voters with emails on file that outlined the steps for requesting a mail-in ballot
- Phone Bank is operating at full force, including sending out applications and responding to election questions.
- Postcards with the dates and hours of operation for Vote Centers and deadlines for mail-in ballot requests will be sent to registered voters starting on May 12 or May 13
- May 26 is the deadline for the receipt of absentee ballot requests
- Board staff has conducted an average of four informational Webinars and Zoom meetings per week with Advisory Neighborhood Commissions (ANCs), political organizations, elected officials, candidates, civic organizations, and other entities; these meetings will continue through the end of May.
- Virtual public community meetings are held every Thursday at 10:20 am; sign-up email is [Info@votesafedc.com](mailto:Info@votesafedc.com).
- Staff participated in live on-air interviews and press conferences, including the Mayor's daily brief update
- DC Cable began running ads in mid-March
- 2.9 million digital ads have been running since late April for the Vote Safe DC campaign
- RadioOne and I-Heart Radio ads started last week
- TV and Newspaper ads start this week; TV ads will run through all Comcast supported stations
- **Poll Worker Training:**
  - 492 workers have been trained to serve at the 20 Vote Centers.
  - The trainings, which ended April 29, took place virtually in accordance with the Mayor's social distancing orders
- Logic & accuracy testing has been completed for all Vote Center voting equipment.
  - There will be 200 machines in operation, 10 at each vote center
  - All voting equipment has been programmed with information for all 144 precincts
- Ballot on demand printers will be available at all Vote Centers for voters who elect not to mark their ballots using the ExpressVote ballot marking device equipment.
- Poll Pads will be uploaded with the most recent voter registration information once the registration deadline occurs.
- Executive Director Miller acknowledged city staff for their hard work assisting the BOE with sanitization of equipment and Vote Centers.
- A double-wide trailer lavatory was obtained for warehouse workers to accommodate increased personnel and extended work hours

- The Outreach Division will provide absentee ballot request forms to nursing and senior resident facility voters that are preloaded with the voters' registration information to facilitate their ability to request their ballots
- BOE is still working with federal partners such as the FBI, the CDC, and the USPS (Mr. Ron Stroman) to ensure safety, security, and a smooth mail balloting process, with regular meetings discussing election processing, and security.

**Board Member Gill** noted that Republican voters have questioned why they are not able to cast write-in votes in certain contests. Executive Director Miller responded that the Republican party plan submitted to the BOE provided that write-in votes could not be cast in party office contests where there was a ballot access candidate.

#### **BOE OGC MAY 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Issuance of Petition for Initiative Measure No. 81, the "Entheogenic Plant and Fungus Policy Act of 2020"**
  - General Counsel Stroud provided procedural background concerning the measure, which was submitted by Melissa Lavasani:
    - The measure was approved as a proper subject of initiative on February 5.
    - DCBOE formulated the ballot language for the measure on February 18.
    - The formulations were published in the DC Register on February 28 for a 10-day review period where any voter could challenge the BOE formulation in DC Superior Court.
    - The formulations were deemed approved on March 9, 2020 due to the absence of any challenges.
  - **BOARD ACTION:** The Board unanimously adopted the petition, and Ms. Lavasani accepted it as her own after modifications to the font size.
  - Ms. Lavasani was advised of the signature requirements, that the 180-day petition circulation period ended on Monday, November 2, 2020, at 5:00 p.m., and that the deadline by which the petition must be received in order to be placed on the November 3, 2020 General Election ballot was Monday, July 6, 2020 at 5:00 p.m.
- **Emergency and Proposed Rulemaking**
  - **BOE:** Amend Title 3 DCMR Chapters 10 and 11 to remove prohibition against registered voters who are eligible to sign a particular initiative, referendum, or recall petition being signatories on petition sheets that they circulate
  - **OCF:** Amend Title 3 DCMR Chapters 30 and 38-42 to place the Board's regulations into conformity with the Campaign Finance Reform and Conflict of Interest Public Disclosure Amendment Act of 2011, as amended by the COVID-19 Response Supplemental Emergency Amendment Act of 2020:
    - Changing training for candidates and treasurers affiliated with these committees from in person to on-line, reflecting social distancing.

- Changing the time period in which the director of OCF is required to direct the office of the Chief Financial Officer to make disbursements to the following categories of candidates:
      - Candidates that have achieved certification to receive the first base payment under the FEP
      - Candidates who have achieved ballot access under the FEP to receive the second base payment
      - Candidates who are certified to receive matching funds based on small dollar contributions by DC residents.
    - **BOARD ACTION:** The Board unanimously approved a motion to approve both emergency regulatory changes.
  - **Litigation Status**
    - **William v. Hunt. D.C. Board of Elections**
      - This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election.
      - The Board filed a Motion to Dismiss on Wednesday, April 24, 2019
      - The court granted the Board's Motion to Dismiss on March 10, 2020.
      - Mr. Hunt appealed on April 22.
      - The Board is awaiting a scheduling order from the Court of Appeals.
    - **Graham v. D.C. Board of Elections**
      - This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on Referendum 8.
      - All pleadings in this matter have been filed and a date for oral argument had been set for April 21, 2020. However, due to the public health emergency, all oral arguments in the DC Court of Appeals have been either cancelled or postponed. Accordingly, the Court will decide this matter without oral argument on the pleadings.
    - **Hammond v. D.C. Board of Elections**
      - This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04.
        - On September 6th, the Court of Appeals consolidated this case with **Robin Marlin v. the D.C. Board of Elections** (see below).
        - On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2020, and the Board to file its response on December 18.
        - The Appellants filed their briefs on December 16, and their appendix on March 4.

- BOE filed its response electronically on April 5.
  - We are awaiting the Court's decision.
- **Robin Marlin v. the D.C. Board of Elections**
  - This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
- **Hill v. D.C. Board of Elections (Sandra Seegars Challenge)**
- **Hill v. D.C. Board of Elections (Absalom Jordan Challenge)**
  - These matters, which were consolidated, are appeals from two Board orders which denied Mr. Hill ballot access due to successful nominating petition challenges filed by Ms. Seegars and Mr. Jordan.
  - The petitions for appeal were filed in the DC Court of Appeals on April 9.
  - The Board filed motions to expedite and consolidate the cases and motions for summary affirmance on April 10.
  - All motions were granted on April 10.
  - Mr. Hill filed a motion for reconsideration on April 12.
  - The motion for reconsideration was denied on April 13.
- **Brannum v. D.C. Board of Elections**
  - This is an appeal from Board action listing Bernie Sanders as a candidate in the Democratic Presidential Preference Primary on the grounds that Mr. Sanders is not a Democrat.
  - The matter was filed in DC Court of Appeals on April 1.
  - The Board filed a motion to dismiss on April 8.
  - The motion was granted on April 10.
- **Proper Subject Hearing, the “United States Adjustment and Recovery Act for the District of Columbia” (USARADC)**
  - Proponents of the USARADC filed the measure, which seeks to enforce repayments of unpaid wages or denied benefits for DC residents who are living descendants of the Trans-Atlantic Slave Trade in the United States of America, on February 24.
  - According to its terms, the USARADC defines a group of actors who are responsible for the payment for specified injuries, and precludes payments for injury by DC residents or the District government.
  - General Counsel Stroud outlined the criteria the Board is limited to considering when it conducts proper subject analyses, explaining that the Board must refuse to accept a proposed initiative measure if it determines that the measure:
    - Conflicts with the District Charter
    - Conflicts with the US Constitution
    - Was not properly filed

- Was not accompanied by a timely filed Verified Statement of Contributions
- Authorizes discrimination in violation of the DC Human Rights Act
- Limits or negates a budgetary act of the DC Council
- Appropriates funds
- The following individuals testified regarding the USARADC:
  - John Cheeks (proposer)
  - James Shabazz (Organized Vendors for Economic Corporation (OVEC))
  - William H. Jordan
  - Reginald Black (Rahlowtisity)
  - Dr. Etienne
  - Francelle Neal
  - Mark Anthony Johnson
  - Minster Frederick Norman
  - Reverend Cynthia Ashley
  - Raynelle Hall
  - Virgil Young (True Business Intelligence Corporation)
  - Michael Sindram
- General Counsel Stroud provided the OGC's Opinion on the USARADC:
  - The measure would authorize discrimination in violation of the District's Human Rights Act, as beneficiaries are determined by DNA testing.
  - The measure would negate or limit a budgetary act of the Council because it includes unfunded mandates that would interfere with an established budget act by requiring additional unforeseen expenditures for DNA testing requirements and adjudication for determining beneficiaries' qualifications.
  - The measure attempts to legislate outside of the District contrary to D.C. Official Code 1-206.02(a)3 by directing foreign corporations and nations to compensate District residents for the Trans-Atlantic Slave Trade.
  - The measure would violate the First Amendment by imposing financial sanctions for wearing certain garments, displaying certain bumper stickers, and displaying certain names on statues on private land.
  - The measure would appropriate funds in that it would require additional expenditures for new and existing programs and allocate funding for new programs, including legal representation in civil cases, body cameras worn to enforce speech censorship, and the establishment of a new office to bestow beneficiaries with recovery funds extracted from private industry.
- **BORAD ACTION:** The Board voted to enter into executive session to deliberate on the after the Public Matters section of the meeting.

## **PUBLIC MATTERS**

- **Dorothy Brizill**
  - Asked how the Board would implement the provisions of the Coronavirus Omnibus Emergency Act of 2020 that allow petition sheets for the November General Election to be distributed to petition circulators, circulated, and returned to the Board electronically. Her specific concern was about the quality of the signatures on the petition sheets.
    - The Board agreed to look into seeing if petition gatherers could be required to retain original sheets for purposes of ensuring the integrity of the signatures.
  - Asked why the USARADC was not listed on the Board's website or published in the DC Register.
    - The USARADC was published in the DC Register on April 17.
- **John Cheeks**
  - Asserted that the OGC misread the USARADC because he is not asking the District to pay for any DNA testing on any person. Instead, each person is responsible for their own DNA test.
  - Asserted that the USARADC is not asking the District to use any of their offices, but that this is a private concern with a public matter to vote on.
    - Board stated that it would take note of the issues raised.
- **Dr. Etienne**
  - Asked Board to determine why DC Attorney General Karl Racine had not issued an opinion on the USARADC, and asked the Board to request that Racine issue a written opinion
    - Board stated that it would ask for an OAG opinion in this matter.
- **Michael Sindram**
  - Stated that audit report in Jack Evans matter should be released as soon as possible in light of the upcoming election
  - Asked why Ed Lazere's name is not on the ballot in the At-large Council contest in light of him receiving public funds
  - Stated that the mailbox rule should apply to returned absentee ballots
  - Asked about write-in candidates on Republican party ballot
  - Stated that Initiative #81 is putting a chilling effect on MPD duties, and that the Board needs to review it closely
  - Requested that the Board reach out to the DC courts on his behalf and request that he be allowed to have unfettered access to retrieve records
  - Requested hard copy of the transcripts of the Board's 2020 monthly meetings
  - Cited continuing problems with his ability to participate by phone in Board meetings

**ADJOURNMENT (12:24 p.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**June 17, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, June 17, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the General Counsel of the Office of Campaign Finance (OCF), William Sanford, were also present.

### **CALL TO ORDER (10:30 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett, and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on May 6.

### **BOARD MATTERS**

- No Board Matters

### **OCF MAY 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

- Received three Fair Elections Program (FEP) referrals from the Public Information Records Management (PIRM) Division
- Completed nine hearings and issued nine orders including:
  - Three orders in which no fines were imposed
  - Six orders which imposed a total of \$12,155 in fines
- Fines Imposed:
  - SEIU International Union, \$375
  - Ward 2 Democrats, \$2,350
  - Ivan Clyde for U.S. Representative, \$2,350
  - SEIU Local 500 Union, \$2,350
  - Seniors United PAC, \$2,350
  - Ward 2 Democrats, \$2,350
- Open Investigations:
  - Complainant: The Committee to Hold Jack Evans Accountable Adam Eidinger, Chairman, received February 3
    - Respondent: DC Legal Defense Committee for Jack Evans
    - Allegations: Unlawful use of a Legal Defense Committee

- Status: Referred to the Reports Audit and Analysis Division (RAAD)
- Complainant: Jennie Malloy, received May 19
  - Respondent: Karl Racine for Attorney General 2018 Principal Campaign Committee
  - Allegations: Inappropriate use of campaign funds
  - Status: Pending
- Complainant: Jennie Malloy, received May 19
  - Respondent: Ed Lazere for DC Principal Campaign Committee
  - Allegations: Inappropriate use of Fair Election funds
  - Status: Pending
- Complainant: Chuck Thies, received May 28
  - Respondent: Anthony Lorenzo Green, candidate for Ward Seven Council
  - Allegations: Inappropriate use of a government resource
  - Status: Pending

#### **OCF MAY 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- Search feature made available at the OCF Website providing public access to the Matching and Base Amount payments authorized for disbursement by OCF in the Fair Elections Program (FEP) by candidate, and overall FEP disbursement totals, as well as registration information for each FEP candidate, including date of registration; certification status; and history of financial reports filed, with link to report image, and public funds payouts.
- OCF continues to operate under modified status; services are being provided remotely by email and telephone 202-671-0547.
  - All candidate and committee reports will continue to be received online at the OCF website on the required deadline.
  - Candidates can contact OCF for instructions on the registration process.
- Fair Elections Program Division (FEP)
  - Forty-four (44) committees registered in the FEP, and thirty-eight (38) of the committees are active.
  - On May 26 and June 1, seven (7) committees were notified of their failure to meet the qualifications for certification into the FEP during the qualifying periods, which ended on March 4 for the June 2 Primary Election and on March 18 for the June 16 Ward 2 Special Election
    - Committee to elect Stuart Anderson 2020
    - Nate Brown 2020
    - Danielle Platt for Ward 8
    - Katherine for Ward 2
    - Vote Fria Moore 2020
    - Rosenberg 2020
    - Daniel Hernandez for Ward 2

- Status Reports Issued
  - Eleven (11) Status Reports were issued to candidates seeking certification in the FEP who have not met the threshold requirements.
- Authorized Base Amount and Matching Payments
  - As of May 31, the total sum of \$2,492,531.35 has been disbursed in Base Amount and Matching Payments, between the twenty-two (22) candidates certified under the FEP.
  - During May 2020, the total sum of \$124,288.03 was distributed in matching funds to FEP candidates posted on the OFC website.
- Desk Reviews and Other Activities
  - 52 Desk Reviews of filed Reports of Receipts and Expenditures (R & E Reports) were conducted in May 2020
  - 16 Requests for Additional Information (RAFI) letters were issued
- Referral to the Office of the General Counsel (OCF OGC)
  - Committee to Elect Renee Bowser was referred on May 19 for questions about the committee's R&E report
- OCF OGC Hearings
  - One hearing was held on Elect Renee Bowser 2020 Committee on May 14 regarding response to the RAFI
- Candidate Information by Election
  - 11 Candidates were certified as participating candidates in the June 2 Primary Election
  - Four Candidates were certified as participating candidates in the June 16 Special Election
  - 18 Candidates registered in the FEP Program for the November 3 General Election
    - Six candidates have been certified as participating candidates.
- **Public Information and Records Management Division (PIRM)**
  - 8-Day pre-primary R & E Report for FEP Principal Campaign Committees (PCCs), due May 26
    - 18 required filers
    - 14 timely filers
    - Two late filers
    - Two requests for extensions, which were granted
    - Two failures to file
    - Four committees referred to OCF OGC

- 8-Day pre-primary R & E Report for Traditional Program PCCs, due May 26
  - 21 required filers
  - 16 timely filers
  - Two late filers
  - Three failures to file
  - Five committees referred to the OCF OGC
- Fifth R & E Report for Legal Defense Committees, due May 1
  - One required filer
  - Report was timely filed
- May 10<sup>th</sup> R & E Report for FEP PCCs, due May 11
  - 32 required filers
  - 29 timely filers
  - Two late filers
  - Two requests for extensions, which were granted
  - One failure to file
  - Three committees referred to the OCF OGC
- \$500 Exemption Report, due May 22, 2020
  - 13 required filers
  - Thirteen 13 filed
- New Candidates and Committees in May
  - Traditional Campaign Finance Candidates (TCFP)
    - Perry Redd for Ward 4 City Council, registered May 24
    - Michelangelo Scruggs, Committee to Elect Dr. Mich, DC Council At-Large, registered May 18
  - Independent Expenditure Committee (1)
    - Common Sense for DC, registered May 30
- Referrals to the OGC
  - Three referrals in May 2020 for failure to file the May 10<sup>th</sup> R & E Report
- OCF conducted virtual trainings online required under the Campaign Finance Act during May 2020
  - 14 candidates and treasurers participated
- **REPORTS ANALYSIS AND AUDIT DIVISION (RAAD)**
  - Conducted 33 desk reviews of traditional reports filed with OCF by Political Action Committees (PACs), PCCs, and Constituent Service Program (CSPs)
    - Ongoing Audits:

- Three Periodic Random Audits –Candidates in the Upcoming 2020 Election – January 31<sup>st</sup> filing
  - Friends of Robert White – audit records received March 16
  - Veda for Ward 7- initiated March 2
  - Committee to Elect Rogers for Council – initiated March 2
- Three Periodic Random Audits – PACs - January 31<sup>st</sup> filing
  - Verizon Communications Inc. Good Gov't Club PAC- initiated on March 2
  - DC Libertarian Party – initiated on March 2
  - Firefighters Committee on Political Activities – initiated on March 2
- Three Periodic Random Audits – CSPs - April 1 Report
  - Mayor Browser's CSP
  - Our Ward 5 CSP
  - Ward 4 CSP
    - Audit notification letters were issued on May 20
- One full field audit is ongoing
  - Jack Evans Legal Defense Fund
    - Response to the preliminary draft of the audit report was received on May 27

- No final audit reports were issued during May 2020

## **EXECUTIVE DIRECTOR'S MAY 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Certification of the June 2 Primary Election results**
  - 114,890 votes cast
  - 28% voter turnout
  - Party breakdown is listed on the DC BOE website
    - Received Highest Number of Votes (DEMOCRAT)
      - Presidential preference, Joseph R. Biden
      - Delegate to US House of Representatives, Eleanor Holmes Norton
      - At-Large Member of the Council Robert White
      - Member of the Council Ward 2, Brooke Pinto
      - Member of the Council Ward 4, Janeese Lewis George
      - Member of the Council Ward 7, Vincent C. Gray
      - Member of the Council Ward 8, Trayon "Ward 8" White
      - United States Senator Paul Strauss
      - United States Representative, OYE "TAXFREEDC" OWOLEWA
    - Received Highest Number of Votes (REPUBLICAN)
      - Presidential Preference, Donald J. Trump

- At-Large Member of the Council, Marya Pickering
- Member of the Council Ward 2, Katherine Venice
- Member of the Council Ward 8, Nate “Ward 8” Derenge
- United States Senator, Cornelia Wise
- National Committeewoman, Ashley Carter Macleay
- Chair of the DC Republican Committee Ward 2, Robert A. Sinners
- Chair of the DC Republican Committee Ward 6, Travis Korson
- Chair of the DC Republican Committee Ward 7, Milton Hardy
- Chair of the DC Republican Committee Ward 8, Mindi Walker
  
- Received Highest Number of Votes (LIBERTARIAN)
  - United States Representative, Ford Fisher
  - At-Large Member of the Council, Joe Bishop-Henchman
  - Chair of the Libertarian Party of the District of Columbia, Joe Bishop-Henchman
  
- Received Highest Number of Votes (STATEHOOD GREEN)
  - Presidential Preference (Write-In), Howie Hawkins
  - Delegate to US House of Representatives, Natale Lino Stracuzzi
  - At-Large Member of the Council, Ann C. Wilcox
  - Member of the Council Ward 4, Perry Redd
  - United States Senator, Eleanor Ory (Echo)
  - United States Representative, Joyce (Chestnut) Robinson-Paul
  
- **BOARD ACTION:** The Board unanimously approved motion to certify the June 2 Primary Election results
  
- Other Matters
  - Approximately 92,000 ballot requests were fulfilled for the June primary
  - 20 vote centers utilized for June primary
  - 735 radio ads played across 17 stations
  - 5.4 million digital ads were served to DC residents
  - 21 print ads across 7 outlets
  - 27 community meetings held
  - Several commercial ads played on television
  - Confusion was acknowledged regarding the Vote for DC app
    - BOE is working to terminate relationship with the app vendor
    - Ballot tracking was not functioning properly
    - The application absentee request malfunctioning caused issues in processing
  - BOE is currently working to improve processes for upcoming elections
  - Board member Gill noted that waiting 3-4 hours in line was unacceptable, and that the Board will work to improve on the aspects of the absentee process that went awry during the Primary Election.

## **BOE OGC MAY 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Rulemaking**

- Emergency and Proposed Rulemaking – Amend Title 3 DCMR Chapter 7 (Establish the deadline for the receipt of absentee ballots)
  - Last day for BOE to receive mailed absentee ballots is the 10<sup>th</sup> day after the election due to recent updates in the election code
  - Proposed rulemaking would place BOE regulations in conformance with new legislation
- Final Rulemaking - Amend Title 3 DCMR Chapters 10 and 11 (Removal of prohibition against registered voters who are eligible to sign a particular initiative, referendum, or recall petition being signatories on petition sheets that they circulate)
  - This is final rulemaking via the emergency & proposed rulemaking that was published in the DC Registrar on May 15.
  - No comments were received, and no substantive changes were made.
- **BOARD ACTION:** The Board unanimously approved the emergency and proposed rulemaking for publication in the June 26 DC Register, and final rulemaking for publication in the DC Register on same date.

- **Litigation Status**

- **William v. Hunt. D.C. Board of Elections**
  - This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018 General Election.
  - The Board filed a Motion to Dismiss on Wednesday, April 24, 2019
  - The court granted the Board's Motion to Dismiss on March 10.
  - Mr. Hunt appealed on April 22
  - The Board is awaiting a scheduling order from the Court of Appeals
- **Graham v. D.C. Board of Elections**
  - This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on the Referendum 8 petition.
  - All pleadings in this matter have been filed and a date for oral argument had been set for April 21. However, due to the public health emergency, all oral arguments in the DC Court of Appeals have been either cancelled or postponed.
  - The Court will decide this matter without oral argument on the pleadings.

- **Hammond v. D.C. Board of Elections**
  - This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04.
  - On September 6, 2019, the Court of Appeals consolidated this case with *Robin Marlin v. the D.C. Board of Elections* (see below).
  - On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019, and the Board to file its response on December 18, 2019 in both of these matters. The Appellants filed their briefs on December 16, 2019 and their appendix on March 4.
  - We are waiting for the court to decide the merits of this matter on the pleadings.
- **Robin Marlin v. the D.C. Board of Elections**
  - This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
- **Robinson v. the D.C. Board of Elections (DC Superior Court)**
  - Complaint for declarative relief filed on May 18 alleging that the Board's placement of three Ward 8 vote centers and its alleged failure to conduct targeted outreach for Ward 8 residents constituted a violation of section 2 of the Voting Rights Act.
  - On May 21, the BOE filed a motion for summary judgement and motion to dismiss for lack of jurisdiction on the grounds that Voting Rights Act violations are within the jurisdiction of the US District Court for DC.
  - On May 22, the court granted BOE motion to dismiss.
- **Robinson v. the D.C. Board of Elections (U.S. District Court)**
  - Plaintiff filed a complaint and motion for preliminary injunction on May 21.
  - Plaintiffs filed motion for temporary restraining order, which was denied on May 28.
  - On June 10, BOE filed answer to original complaint.
  - We are currently awaiting further scheduling instructions from Court.

## **PUBLIC MATTERS**

- Michael Sindram
  - Expressed gratitude that curbside voting went smoothly for him

- Nicholas Schiller
  - Inquired about the voter registration statistics. The Executive Director explained that the voter registration statistics for the June 2Primary did not include independent voters.
- Adav Noti (Campaign Legal Center)
  - Wanted to know when the public notice for the Town Hall meeting scheduled for after the Board meeting was posted.
  - The General Counsel responded that the notice was posted on the Board's website on June 13.

**ADJOURNMENT (11:30 a.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**July 8, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting telephonically on Wednesday, July 8, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, were also present.

### **CALL TO ORDER (10:33 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett, and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on June 17, 2020.

### **BOARD MATTERS**

- The Board is appreciative of all the work done addressing community issues and concerns since the last Board meeting in preparation for the November election.

### **OCF JUNE 2020 REPORT (DIRECTOR CECILY COLLIER-MONTGOMERY)**

- OCF continues to operate under a modified status; services are being provided remotely via email and telephone (202-671-0547).
  - All candidate and committee reports will continue to be received online at the OCF website on the required deadlines.
  - Candidates may also contact the office for instructions concerning the registration process.
- **Fair Elections Program Division (FEP)**
  - Authorized Base Amount and Matching Payments
    - As of June 30, \$2,583,924 has been disbursed in Base Amount and Matching Payments to 22 candidates certified in the FEP to participate in the June 2, 2020 Primary Election (the Primary Election), the June 16, 2020 Special Election (the Special Election), and the November 3, 2020 General Election (the General Election).
    - 21 candidates are currently registered for the General Election, and six of these candidates are certified as participating candidates.
    - 11 of 12 candidates certified as participating candidates in the Primary Election achieved ballot access. Nine of the 11 candidates were defeated, and will not continue to the General Election.

- Four candidates certified as participating candidates in the Special Election were defeated in the election.
  - During June 2020, \$96,067.65 was distributed in actual payments to the 18 FEP candidates listed in the stats on the OCF website.
  - As of June 23, 2020, the Ed Lazere for DC Council At-Large Principal Campaign Committee (PCC) has reached and received the maximum allowable cap of \$308,639 for matching payments for qualified small-dollar contributions for participating candidates for the public office of at-large Member of the Council during the 2020 election cycle.
    - Even though the candidate has reached the maximum allowable cap for matching payments, he is still allowed to continue collecting qualified small-dollar contributions, and a small-dollar contribution from non-residents of the District of Columbia.
- Desk Reviews and Other Activities
    - 59 desk reviews of Reports of Receipts and Expenditures (R & E Reports) were conducted in June 2020.
    - 14 Requests for Additional Information (RFAIs) were sent.
  - Status Reports Issued
    - Eight status reports were issued to candidates seeking certification in the FEP who have not met the threshold requirements.
  - On June 3, recommendations and orders denying certification as a participating candidate in the FEP were issued to the following candidates:
    - Fria Moore, Vote Fria Moore 2020 PCC
    - Danielle Platt, Danielle Platt for Ward 8 PCC
    - Daniel Hernandez, Daniel Hernandez for Ward 2 PCC
    - Clayton Aristotle Rosenberg, Rosenberg 2020 PCC
  - On June 18, 2020, FEP forwarded to the OCF Office of the General Counsel (OCF OGC) recommendations to remit funds by a participating candidate in the FEP in the Primary Election for the following PCCs:
    - Kelvin Brown for D.C. Council, Ward 7
    - Green for Ward 7
    - Evans 2020
    - Yilin for Ward 2
    - Patrick Kennedy for Ward 2
    - Mike for Ward 8
    - Kishan for D.C. 2020
    - Jordan Grossman for Ward 2
    - John Fanning for Ward 2
    - Elect Renee Bowser
      - ✓ To remit funds is consistent with Fair Elections Act (FEA) requirements, which require unsuccessful candidates in the

primary election to remit any remaining funds in their campaign account to OCF within 60 days of the conduct of the election. It also requires the donation of any equipment valued at \$50 or more, purchased with campaign funds, to an organized charity or non-profit.

- On June 19, the FEP issued a notice of the initiation of full-field audits to the following PCCs that participated in the Primary Election:
  - Kelvin Brown for D.C. Council, Ward 7
  - Green for Ward 7
  - Evans 2020
  - Yilin for Ward 2
  - Patrick Kennedy for Ward 2
  - Mike for Ward 8
  - Kishan for D.C. 2020
  - Jordan Grossman for Ward 2
  - John Fanning for Ward 2
  - Elect Renee Bowser
    - ✓ OCF policies, rules, and statutes state that, at the end of the election cycle for candidates who participated, the agency will conduct full-fields audits of those campaign operations that received public funds.
- On June 30, the FEP forwarded to the OCF OGC recommendations for the remission of funds by participating candidates who participated in the Special Election for the following candidates:
  - Kishan Putta, Kishan Putta for Ward 2 Special Election 2020
  - John Fanning, John Fanning for Ward 2 Special Election 2020
  - Jordan Grossman, Jordan Grossman for Ward 2 Special Election
  - Patrick Kennedy, Patrick Kennedy for Ward 2 Special Election
    - ✓ The FEA requires that unsuccessful participating candidates in the Special Election remit campaign account remaining funds to the OCF within 60 days of the election, and donate any equipment purchased with campaign funds to a non-profit.
- **Public Information and Records Management Division (PIRM)**
  - R&E Report for FEP Principal Campaign Committees (PCCs), due June 10
    - 32 required filers
    - 28 timely filers (all filed electronically)
    - Two requests for extensions, which were granted
    - Four failures to file
    - Two committees referred to OGC

- R&E Report for PCCs & Political Action Committees (PAC), due June 10
  - 69 required filers
  - 59 timely filers
  - Two late filers
  - Two requests for extensions, which were granted
  - Eight failures to file
  - Ten committees referred to OGC
- Seventh R&E Report for Legal Defense Committees, due June 1
  - One required filer
- R&E for Independent Expenditure Committees, due June 10
  - Three required filers
- Nine new Candidates and Committees in June
  - Six Traditional Campaign Finance Candidates (TCFP):
    - Jacque Patterson, Jacque for D.C. At-Large State Board of Education, registered June 12
    - Nelson Jackson, Independent Campaign for Nelson Jackson, Ward 8 City Council, registered June 14
    - Alexander Padro, Committee to Elect Alex Padro At-large City Council, registered June 17
    - Le'Troy Murphy, At-large State Board of Education, registered June 22
    - Frederick Hill, Fred for Ward 8, Ward 8 City Council, registered June 24
    - Cornelia Weiss, U.S. Senate, registered June 25
  - Three FEP Candidates
    - Frazier O'Leary, Frazier for Ward 4 State Board of Education, registered June 17
    - Martin Fernandez, Martin for Ward 2 City Council, registered June 17
    - Vincent Orange, Vincent Orange 2020 At-Large City Council, registered June 22
- Referrals to OCF OGC
  - There were 12 referrals to the OCF OGC for failure to file the June 10 R & E Report; the details of such referrals will be listed in the stats on the OCF website.
- Six candidates & treasurers completed the OCF mandatory entrance conference presentation:
  - Hugh Broadus, Treasurer, D.C. for Democracy

- Milton Hardy, Candidate, Ward 7 D.C. Republican Committee
  - Daniel Moskowitz, Treasurer, Karl Racine 2022
  - Karl Racine 2020, Karl Racine, Candidate, Attorney General
  - Perry Redd, Candidate, Ward 4 City Council
  - Fred Hill, Candidate, Fred Hill Ward 8
- **REPORTS ANALYSIS AND AUDIT DIVISION (RAAD)**
    - 95 desk reviews of R & E Reports were conducted
    - 26 RFAs were issued
    - Ongoing Audits
      - Full Field Audit
        - Jack Evans Legal Defense Fund – Response to the Preliminary Draft Audit Report, received on May 27
    - Periodic Random Audits – Candidates in the Upcoming 2020 Election – January 31 filing
      - Friends of Robert White, audit records received March 16
      - Veda for Ward 7, initiated March 2
      - Committee to Elect Rogers for Council, initiated March 2
    - Periodic Random Audits – PACs - January 31 filing
      - Verizon Communications Inc. Good Gov’t Club PAC-initiated March 2
      - DC Libertarian Party – initiated March 2
      - Firefighters Committee on Political Activities – initiated March 2
    - Periodic Random Audits – Constituent Service Programs (CSPs), due April 1
      - Mayor Browser’s CSP, initiated June 30
      - Our Ward 5 CSP, initiated July 1
      - Ward 4 CSP, extension was granted until July 30
  - No final audit reports were issued during June 2020
- **OFFICE OF THE GENERAL COUNSEL**
  - OFC received 22 referrals.
  - One informal hearing was conducted, which resulted in the imposition of a \$550 fine against the DC Chamber of Commerce for failure to timely file.
  - On June 30, an order was issued requiring former candidate Renee Bowser’s PCC to remit all remaining FEP funds and donate equipment purchased by the committee valued at \$50 or more to a non-profit pursuant to the FEA.
  - Open Investigations:
    - Complainant: The Committee to Hold Jack Evans Accountable, Adam Eidinger, Chairman, received February 3

- Respondent: DC Legal Defense Committee for Jack Evans
- Allegations: Unlawful use of a Legal Defense Committee
- Status: Referred to RAAD; will be referred back to the OGC.
  
- Complainant: Jennie Malloy, received May 19
  - Respondent: Karl Racine for Attorney General 2018 Principal Campaign Committee
  - Allegations: Inappropriate use of campaign funds
  - Status: Pending
  
- Complainant: Jennie Malloy, received May 19
  - Respondent: Ed Lazere for DC Principal Campaign Committee
  - Allegations: Inappropriate use of FEP funds
  - Status: Pending
  
- Complainant: Chuck Thies, received May 28
  - Respondent: Anthony Lorenzo Green, candidate for Ward Seven Council
  - Allegations: Inappropriate use of a government resource
  - Status: Pending
  
- Complainant: Laura Wolfe, received June 12
  - Respondent: Brooke Pinto
  - Allegations: Failure to report excessive contributions
  - Status: Pending
- No request for Interpretative Opinions were received in June 2020.
- No show cause proceedings were conducted in June 2020.

#### **EXECUTIVE DIRECTOR'S JUNE 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- BOE is currently working towards needs associated with the General Election.
  - We are focusing on establishing possibly ten Super Vote Centers that would allow for a larger capacity of voters for processing.
    - Reached out to Events DC for location assistance
      - ✓ The Convention Center is unavailable because it is currently operating as a treatment site related to COVID-19
      - ✓ The DC Armory is unavailable because it is presently in use by the National Guard
- A minimum of 40 Vote Centers and Super Vote Centers will be utilized for the November Election.
- We are working to identify a mail house vendor that will send a ballot to every voter for the General Election with updated barcode tracking information for incoming and outgoing mail.

- Postcards will be sent in advance of the General Election allowing voters to update mailing information as to where they would like ballot sent.
- We have procured additional equipment needed for the General Election, including 90 ballot-on-demand printers and a larger-capacity mail ballot sorter
- BOE staff is still working remotely, with current operations allowing for no more than 17 staff members on site under the current modified plan.
- BOE's Office of the Registrar is allowing registered voters, via appointment, to come in and fill out their candidate nominating petitions and go through the petition process if they are unable to do so remotely.
- We are currently having outreach meetings with community members, ANCs, members of various parties, and advocates to solicit their suggestions for the General Election.
- We are working to recruit around 4,000 poll workers for the November election.
  - Poll worker training is scheduled to start in early August; people interested in serving as poll workers can contact the BOE office at 202-727-2525, or online at [www.dcboe.org](http://www.dcboe.org)

## **BOE OGC JUNE 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Litigation Status**
  - **William v. Hunt. v. D.C. Board of Elections**
    - This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 2018 General Election.
    - The Board filed a motion to dismiss on Wednesday, April 24, 2019.
    - The Court granted the Board's motion on March 10.
    - Mr. Hunt appealed to the D.C. Court of Appeals on April 16, which was beyond the 30-day period for appeals specified in the federal rules.
    - The court gave Mr. Hunt until May 22 to show cause why the case should not be dismissed as untimely; the deadline was subsequently extended to July 1.
    - On June 25, Mr. Hunt filed a brief with the courts, but failed to address why the appeal should not be dismissed.
    - We are awaiting the court's decision in this matter.
  - **Graham v. D.C. Board of Elections**
    - This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018 prohibiting the Board from taking any action on the Referendum 008 petition.
    - All pleadings in this matter have been filed. A date for oral argument had been set for April 21, but due to the public health emergency, all oral arguments in the DC Court of Appeals have been either cancelled or postponed.
    - The court will decide this matter without oral argument on the pleadings.

- **Hammond v. D.C. Board of Elections**
  - This is an appeal of Board Order 19-32, which upheld the resolution issued by ANC 7B that found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04.
  - On September 6, 2019, the DC Court of Appeals consolidated this case with *Robin Marlin v. the D.C. Board of Elections* (see below).
  - On October 9, 2019, the court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019, and the Board to file its response on December 18, 2019. The Appellants filed their briefs on December 16, 2019, and their appendix on March 4.
  - We are awaiting the court's decision in this matter.
- **Robin Marlin v. the D.C. Board of Elections**
  - This is an appeal of Board Order 19-33, which upheld the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
- **Carnecia Robinson v. the D.C. Board of Elections**
  - This matter, which was filed on May 21 in D.C.'s federal district court, stemmed from a complaint for declarative relief alleging that the Board's placement of the three Ward 8 Vote Centers and its alleged failure to conduct targeted outreach for Ward 8 residents constituted a violation of section 2 of the Voting Rights Act.
  - On June 30, the parties filed a joint motion to dismiss with prejudice; the motion was granted same day.

## **PUBLIC MATTERS**

- Dorothy Brizill
  - Inquired as to the status of the BOE office reopening.
    - The Executive Director responded that the DC government is in Phase Two of the Mayor's program for reopening, which requires a slow phasing back into normal capacity. We are currently at 50% capacity, so that no more than 17 employees are allowed on site at a time to accommodate proper social distancing.
  - Inquired as to the status of BOE investigation into the issues that arose with the Primary Election and the status of complaints that were filed in connection with the Primary Election.
    - General Counsel Stroud responded that no formal complaints were filed, and that the Board has responded to concerns raised by voters regarding the Primary Election. Ms. Stroud also indicated that the Board would issue an after-action report for the Primary Election by August 31.
- Cherita Whiting
  - Expressed frustration with BOE's lack of response regarding her problems reported at the Ida B. Wells Vote Center during the Primary Election.

- The Board's Senior Policy Advisor, Monica Evans, said that she provided a response to Ms. Whiting based upon the information the Board had at the time that it was able to confirm.
- Michael Sindram
  - Inquired about when there would be a resolution regarding the complaint against Karl Racine which alleged inappropriate use of campaign funds.
    - OCF General Counsel SanFord responded that the investigation regarding Mr. Racine must be completed on or before August 18.
  - Expressed disappointment that the DC Armory is unavailable for use as a Vote Center for the General Election.

**ADJOURNMENT (11:38 a.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**August 5, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, August 5, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, and the General Counsel for OCF, William Sanford, were also present.

### **CALL TO ORDER (10:38 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett, and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the agenda and minutes from the last meeting held on July 8, 2020.

### **BOARD MATTERS**

- No Board Matters

### **OCF JULY 2020 REPORT (DIRECTOR CECILY COLLIER-MONTGOMERY)**

- OCF continues to operate under a modified status; services are provided remotely via email and telephone (202-671-0547).
  - All candidate and committee reports will continue to be received online at the OCF website on the required deadlines.
  - Candidates may also contact the office for instructions concerning the registration process.
- Under the Fair Elections Act (FEA), OCF has the responsibility to conduct at least one debate in each contested citywide race. The debate process requires all certified participating candidates in the Fair Elections Program (FEP) to participate in the debate. Additionally, any candidates in the traditional campaign finance program (TCFP) who has qualified for ballot access may participate in the debate.
- The debate will be scheduled before the beginning of the in-person early voting period.
- There are currently two city-wide elections with the potential for debate:
  - Members of the Council elected at-large
    - Eight certified candidates in the FEP required to participate in debate
    - 13 candidates have registered in the TCFP
  - At-Large Member of the State Board of Education
    - Two FEP candidates seeking certification
    - Four candidates are registered in the TCFP

- The OCF is currently in the process of soliciting a public relations firm for assistance with the development of the debate process, along with publicity campaigns that will provide the public with information surrounding the debate. The debates would be held in a virtual format.
- **FEP Division**
  - Authorized Base Amount and Matching Payments
    - As of July 31, 2020, the total sum of \$2,864,679.35 has been disbursed in Base Amount and Matching Payments to 27 candidates certified in the FEP to participate in the June 2, 2020 Primary Election (the Primary Election), the June 16, 2020 Special Election (the Special Election), and the November 3, 2020 General Election (the General Election).
      - The figure represents the total amount of public funds that has been disbursed since the implementation of the FEP.
    - 29 candidates are currently registered for the General Election, and 11 of these candidates are certified as participating candidates.
    - 12 candidates were certified as participating candidates in the Primary Election, and ten of the 11 candidates who achieved ballot access were defeated and will not continue to participate in the General Election.
    - Four candidates certified as participating candidates in the Special Election were defeated.
    - During July 2020, the total sum of \$298,755.35 was distributed in Base and Matching Payments to the following FEP participating candidates:
      - Chander for Council on July 1, 2020
        - \$375 in matching payments
      - Committee to Elect Jeanné Lewis on July 1, 2020
        - \$20,000 in base amount
        - \$65,330 in matching payments
      - Franklin Garcia for DC 2020 on July 7, 2020
        - \$20,000 in base amount
        - \$67,785 in matching payments
      - Monica Palacio for City Council on July 7, 2020
        - \$20,000 in base amount
        - \$66,205 in matching payments
        - \$4,250 in matching payments
      - Friends of Christina Henderson on July 17, 2020
        - \$16,810.35 in matching payments
      - Chander Jayaraman on July 17, 2020
        - \$500 in matching payments
      - Frazier for Ward 4 on July 28, 2020
        - \$6,700 in matching payments
      - Elect Karen for 7 SBOE 2020 on July 28, 2020
        - \$5,800 in matching payments
        - \$5,000 in matching payments
  - FEP Certifications

- The following five candidates were certified as participating candidates for the General Election:
  - Jeanné L. Lewis, Committee to Elect Jeanné Lewis for City Council, certified on July 1
  - Franklin Garcia, Franklin for DC 2020, certified on July 7
  - Monica Palacio, Monica Palacio for City Council, certified on July 7
  - Frazier Lewis O’Leary, Frazier for Ward 4, certified on July 28
  - Karen L. Williams, Karen for 7 SBOE 2020, certified on July 28
- August 5 was the deadline for meeting threshold requirements for participation in the FEP for the General Election.
- Desk Reviews and Other Activities
  - 31 desk reviews of Reports of Receipts and Expenditures (R&E Reports) were conducted in July 2020.
  - 16 Requests for Additional Information (RFAIs) were sent.
- Status Reports Issued
  - Ten status reports were issued to candidates seeking certification in the FEP who have not met the threshold requirements
- On July 6, 2020, the FEP issued Post Election Cycle Audit Letters to the following Principal Campaign Committees (PCCs) who organized in support of participating candidates in the June 16, 2020 Special Election:
  - Fanning for Ward 2 Special Election
  - Jordan Grossman for Ward 2 Special Election
  - Patrick Kennedy for Ward 2 Special Election
  - Kishan for Ward 2 Special Election 2020
- **Public Information and Records Management Division (PIRM)**
  - Filing in July 2020:
    - July 1st Report of Receipts and Expenditures (R&E Reports) due for Constituent Service Programs
      - Nine required filers
      - Nine timely filers
      - Two requests for extension, which were granted
      - All candidates electronically filed their report
    - July 1st R&E Reports due for Senator/Representative Statehood Funds
      - Three required filers
      - Three timely filers
      - All candidates electronically filed their report
    - July 10<sup>th</sup> Optional R&E Reports for FEP PCCs

- Nine timely filers
- All candidates electronically filed their report
- July 31<sup>st</sup> R&E Reports for PCCs & Political Action Committees (PAC)
  - 52 required filers
  - 26 timely filers
  - All candidates electronically filed their report
    - OCF currently reviewing number of filers who will be referred to the OGC for failure to file R&E Reports
- July 31<sup>st</sup> R&E Reports for the Legal Defense Committee
  - One required filer
  - One timely filer
  - Candidate electronically filed their report
- July 31<sup>st</sup> R&E Reports for Independent Expenditure Committees (IECs)
  - Seven required filers
  - Three timely filers
  - Three candidates electronically filed their report
- July 31<sup>st</sup> R&E Reports for Initiative/Referendum Committees
  - Nine required filers
  - Five timely filers
  - Five candidates electronically filed their report
    - OCF currently reviewing number of filers who will be referred to the OGC for failure to file R&E Reports
- 14 new candidates and committees registered with the OCF in July:
  - Four TCFP Candidates:
    - A'Shia Howard, At-Large City Council, registered July 10
    - Kathy Henderson, Committee to Elect Kathy Henderson At-Large, City Council, registered July 21
    - Fria Moore, Ward 8 City Council, registered July 22
    - Chris Martin, Chris Martin for SBOE, At-Large State Board of Education, registered July 24
  - Eight FEP Candidates:
    - Keith Silver, Keith Silver for DC, At-Large City Council, registered July 7
    - Patricia Stamper, Friends of Patricia Stamper, Ward 7 State Board of Education, registered July 8, withdrew July 27
    - Dontrell Smith, Committee to Elect Dontrell Smith, Ward 7 State Board of Education, registered July 9
    - Ryan Washington, Washington for Ward 8 DC, Ward 8 State Board of Education, registered July 9

- Mysiki Valentine, The Committee to Elect Mysiki Valentine, At-Large State Board of Education, registered July 13
- Eboni Rose Thompson, Committee to elect Eboni Rose Thompson for DC SBOE Ward 7, Ward 7 State Board of Education, registered July 17
- Randy Downs, Randy Downs for Ward 2, Ward 2 City Council, registered July 21
- Allister Chang, Friends of Allister Change, Ward 2 State Board of Education, registered July 31
- Two Initiative Committees
  - Modern-Day Cannabis Justice Reform, registered July 8, terminated July 14
  - The New Modern-Day Cannabis Justice Reform Act of 2020, registered July 31
- 19 candidates & treasurers completed the OCF mandatory entrance conference presentation:
  - Martin Fernandez, Candidate, Ward 2 City Council
  - Frazier O'Leary, Jr., Candidate, Ward 4 State Board of Education
  - Frazier O'Leary, IV, Treasurer, Frazier for Ward 4
  - Alexander Padro, Candidate, At-Large City Council
  - Michangelo Scruggs, Candidate, At-Large City Council
  - Pleasant P. Mann, Treasurer, Committee to Elect Alex Padro
  - Jeremiah D. West, Treasurer, Committee to Elect Dr. Mich DC Councilmember at Large
  - John Cheeks, Treasurer, U.S. Citizens Recovery Initiative Alliance Inc. (Initiative Committee)
  - Vincent Orange, Candidate, At-Large City Council
  - Paul Orange, Treasurer, Vincent Orange 2020
  - Cornelia Weiss, Candidate, U.S. Senate
  - Le'Troy Murphy, Candidate, At-Large State Board of Education
  - Sarah Palenik, Treasurer, Martin for Ward 2
  - Charmain Davis, Treasurer, 9 for Gurley
  - Keith Silver, Candidate, At-Large City Council
  - Juanita Shelton, Treasurer, The New Modern-Day Cannabis Justice Reform Act of 2020
  - Dontrell Smith, Candidate, Ward 7 State Board of Education
  - Andrea Smith, Treasurer, Committee to Elect Dontrell Smith
  - A'Shia Howard, Candidate, At-Large City Council
- **Reports Analysis and Audit Division (RAAD)**
  - 46 desk reviews of R&E reports were conducted
  - Ten RFAs were issued
  - Ongoing Audits
    - Full Field Audit:

- Jack Evans Legal Defense Fund –The Final Audit Report has been completed.
- Periodic Random Audits –Candidates in the Upcoming 2020 Election – January 31st filing
  - Friends of Robert White, audit records received March 16
  - Veda for Ward 7, initiated March 2
  - Committee to Elect Rogers for Council - initiated March 2
- Periodic Random Audits – PACs - January 31st filing
  - Verizon Communications Inc. Good Gov't Club PAC-initiated March 2
  - DC Libertarian Party – initiated March 2
  - Firefighters Committee on Political Activities – initiated March 2
- Periodic Random Audits – Constituent Service Programs (CSPs), due April 1
  - Ward 4 CSP, extension was granted until July 3. Additional request for records on July 29
- Audits Issued during July 2020
  - Our Ward 5 Constituent Service Program –issued July 29
  - Mayor Bowser's Constituent Service Program –issued June 30
- Final audit reports issued are posted on the OCF website

#### **OCF JULY 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

- The OGC did not receive any referrals in July 2020.
- OGC completed six informal hearings and issued six orders, including:
  - One order issued imposing a \$150 fine against the Committee to elect Perry Redd
  - Five orders issued that did not impose fines (telephonic interference)
- The OGC issued four orders requiring PCCs of former FEP candidates in the Primary Election to remit all remaining FEP funds and donate equipment purchased by the committee valued at \$50 or more to a non-profit pursuant to the FEA:
  - Mike for Ward 8, Michael Austin, candidate
  - Kelvin Brown for D.C. Council Ward 7
  - Evans 2020, Jack Evans candidate
  - John Fanning for Ward 2
  - Green for Ward 7, Anthony Lorenzo Green, candidate
  - Jordan Grossman for Ward 2
  - Patrick Kennedy for Ward 2

- Kishan for DC 2020, Kishan Putta, candidate
  - Yilin Zhang for Ward 2
- The OGC issued four orders requiring PCC of former FEP candidates in the Special Election to remit all remaining FEP funds and donate equipment purchased by the committee valued at \$50 or more to a non-profit pursuant to the FEA:
  - Patrick Kennedy for Ward 2 Special Election
  - Jordan Grossman for Ward 2 Special Election
  - Kishan Putta for Ward 2 Special Election
  - John Fanning for Ward 2 Special Election
- Open Investigations:
  - Complainant: The Committee to Hold Jack Evans Accountable Adam Eidinger, Chairman,
    - Received February 3
    - Respondent: DC Legal Defense Committee for Jack Evans
    - Allegations: Unlawful use of a Legal Defense Committee
    - Status: Referred to RAAD and is completed.
  - Complainant: Jennie Malloy,
    - Received May 19
    - Respondent: Karl Racine for Attorney General 2018
    - Allegations: Inappropriate use of campaign funds
    - Status: Pending
  - Complainant: Jennie Malloy,
    - Received May 19
    - Respondent: Ed Lazere for DC Principal Campaign Committee
    - Allegations: Inappropriate use of FEP Funds
    - Status: Pending
  - Complainant: Chuck Thies,
    - Received May 28
    - Respondent: Anthony Lorenzo Green, PCC
    - Allegations: Inappropriate use of a government resource
    - Status: Pending
  - Complainant: Laura Wolfe,
    - Received June 12
    - Respondent: Brooke Pinto
    - Allegations: Failure to report excessive contributions
    - Status: Pending
- No requests for Interpretative Opinions were received in July 2020
- No show cause proceedings were conducted in July 2020

- **BOARD ACTION:** Requested that OCF post on their website the status of all debates prior to September 2020 board meeting.

#### **EXECUTIVE DIRECTOR'S JULY 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **Proposed Certification of Petition Signatures for Initiative Measure No. 81 “Entheogenic Plant and Fungus Policy Act of 2020”**
  - The petition meets the statutory requirements for certification of the ballot.
  - Verification Process:
    - Verified the circulator was a DC resident, or resident of another jurisdiction who was properly registered as a petition circulator.
    - The address of each petition signer was verified and checked against the BOE voter registration system to ensure petitioner was a registered voter.
    - All verified signatures were compiled by the registration system to determine if petition contained sufficient numbers of registered voters to proceed to the signature verification stage.
    - The total numbers of verified signatures determined to have met the minimum signature requirement are placed in random sample and drawn for comparison to the original voter registration file.
      - Random samples come from the Office of Planning.
    - Signature requirements were met in Wards 1, 2, 4, 5, 6, rejected in Ward 3, and no decisions in Wards 7 and 8.
    - 24,835 signatures were needed to qualify the measure for ballot.
    - 25,477 signatures were submitted and verified.
      - **BOARD ACTION:** The Board unanimously moved to approve the motion for certification of Measure No. 81 – “Entheogen Plant and Fungus Policy Act of 2020”
- **General Matters**
  - BOE is currently working to finalize needs for the General Election, including providing/mailling voter guides to all households, and tracking wait times at polling locations.
  - Mail house ballot delivery will be handled by K&H Election Services who will oversee the mailing and tracking of all outgoing and incoming ballots.
  - Ballots are expected to arrive to voters during the first week of October.
  - Postcards will be sent to all active voters starting Friday, August 7 informing voters they will receive a ballot by mail, with notice to update any voter registration information with the BOE if necessary.
  - BOE is working to obtain 40-50 mail drop boxes placed in secured locations throughout DC for voters to drop off ballots.
  - Poll worker training started Tuesday, August 4, 2020, and will last through the first week of October, with 2,500 new applicants scheduled for training.
    - Around 2,000 poll worker are still needed for the General Election.
  - Currently finalizing polling locations
    - DC Council requires the BOE to operate 80 polling places on election day.
      - 16 locations will be utilized as early vote centers

- 74 locations will be utilized on election day, including 1 location at the DC Jail and 1 location at the Central Treatment Facility (CTF).
- BOE is still working to locate large venues that can accommodate and process a large number of voters on election day.
  - Capitol One Sports Arena offered for all 8 days.
- The deadline for direct access candidates and ANCs to file ballot access documents is Wednesday, August 5 at 5:00 p.m.
- **Voter Outreach**
  - Outreach has hosted several events throughout the city, with 10-11 events during the first week of July.
    - All events are posted on the BOE website.
  - On Saturday, August 8, a drive-through voter registration event will be hosted at St. Thomas More Catholic School in S.E.
  - On August 12, from 11 a.m.-1 p.m. the BOE will hold a virtual poll worker open-house.
    - Additional virtual open-houses will take place throughout August and in September.

## **BOE OGC JULY 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Litigation Status**
  - **William v. Hunt. D.C. Board of Elections**
    - This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 2018 General Election.
    - The Board filed a motion to dismiss on Wednesday, April 24, 2019.
    - The Court granted the Board's motion on March 10.
    - Mr. Hunt appealed to the D.C. Court of Appeals on April 16, beyond the 30-day period under federal rules for appealing.
    - The Court gave Mr. Hunt until May 22, to show cause why the case should not be dismissed as untimely; the deadline was extended to July 1.
    - On June 25, Mr. Hunt filed a brief with the courts but failed to address why the appeal should not be dismissed.
    - The Board is currently awaiting the court's decision.
  - **Graham v. D.C. Board of Elections**
    - This matter involves the Board's appeal of a permanent injunction that was entered by the D.C. Superior Court on December 12, 2018, prohibiting the Board from taking any action on the Referendum 8 petition.
    - On August 4, the Board's appeal was dismissed.
  - **Hammond v. D.C. Board of Elections**
    - This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B, which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04.

- On September 6, 2019, the Court of Appeals consolidated this case with *Robin Marlin v. the D.C. Board of Elections* (see below).
  - On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019, and the Board to file its response on December 18, 2019, in both matters. The Appellants filed their briefs on December 16, 2019, and their appendix on March 4.
  - The Board is waiting for the court to decide the merits of this matter.
- **Robin Marlin v. the D.C. Board of Elections**
    - This is an appeal of Board Order 19-33, which upheld the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
  - **La Riva v. D.C. Board of Elections**
    - This case was filed in the federal district court for DC on July 17, and is a complaint for declaratory judgement and permanent injunctive relief alleging that certain provisions of the election statute are unconstitutional because they provide ballot access relief for candidates for all offices except for President.
    - Specifically, requirements for ballot access would warrant to 250 signatures for all at-large offices, fewer for single-member district offices, with the requirement for President remaining at 1 percent of District voters for the Office of President.
    - This case is being handled by the Office of Attorney General because it is a challenge to the election statute.
    - Legislation is currently pending that would lower the signature requirements for the office of President to 250, which is the same for at-large elected offices.
- **Public Hearing**
    - **Aaron Landry and Daniel Warwick v. D.C. Office of Campaign Finance**
      - OCF Order #2019-001, found that Petitioners violated DC Official Code §1-1163.36(a) and 3 DCRM 3301.1(a), when ANC 2B Twitter account, retweeted a tweet from ANC 2B Commissioner Aaron Landry’s personal Twitter account that:
        - contained a statement that read, “I love the 17th Street Festival” and a photograph that showed activity taking place during the 17th Street Festival, including Patrick Kennedy campaigning; and
        - tagged Patrick Kennedy such that the tag, if it were clicked, led to Patrick Kennedy’s Twitter page which indicated that he was “[r]unning for Ward 2 D.C. Council in 2020[.]”

- DC Official Code §1-1163.36(a) states in part, “No resources of the District of Columbia government, including the expenditure of funds, the personal services of employees during their hours of work, and non-personal services, including supplies, materials, equipment, office space, facilities, and telephones and other utilities, shall be used to support or oppose any candidate for public office, whether partisan or nonpartisan, or to support or oppose any initiative, referendum, or recall measure, including a charter amendment referendum conducted under § 1-203.03.”
- 3 DCMR 3301.1(a) states, “No District of Columbia government resource shall be used in support or oppose a candidate for elected office, whether partisan or nonpartisan.”

- **Procedural History**

- On September 2, 2019, Mr. Edward Hanlon filed a complaint against ANC 2B, alleging that it violated DC Official Code §1-1163.36(a) and 3 DCRM 3301.1(a), when it retweeted the aforementioned tweet. (Exhibit 1).
- On September 6, 2019, the OCF informed the affected ANC 2B commissioners that an investigation into the complaint has been begun and indicated that they could provide the responses they deemed appropriate. (Exhibit 3)
- On September 6, 2019, Mr. Warwick contacted DC Board of Ethics and Government Accountability (BEGA) Office of Government Ethics (OGE) Attorney Sonya King regarding the ANC 2B postings. On September 9, 2019, Ms. King informed Mr. Warwick that the OGE would not take action regarding the posting, but provided OGE’s advisory opinion regarding social media and the Districts code of conduct, and suggested Mr. Warwick share the opinion with anyone with access to the ANC 2B Twitter account. (Exhibit 4)
- On September 11, 2019, Mr. Warwick filed a response to the complaint which stated that:
  - The postings conformed with the BEGA OGE opinion
  - Sharing information about the neighborhood, including retweeting other individuals, elected or otherwise, is a normal and legal practice and is common across District government-run accounts.
  - The retweet was done with the sole intent of sharing the same sentiment about the 17th Street Festival, as the commission has formally supported the 17th Street Festival numerous times over the years.
  - Anyone who retweets content that is clearly about the 17th Street Festival doesn’t automatically imply endorsement or the electioneering of anyone specific contained in the content in the tweet.

- The wording of the tags in the retweeted tweet which the complaint alleges imply endorsement are simply based on how Twitter displays the names of accounts which are tagged in photos.
  - In the cases decided by OCF regarding use of governmental resources violations, each prohibited activity was based on an explicit disallowed behavior; the activity here is not explicitly disallowed.
  - BEGA's inaction in this matter supports a finding that the activity is not disallowed. (Exhibit 5)
- On October 4, 2019, Mr. Landry filed a response to the complaint that stated that:
    - The ANC 2B twitter account was not used to support or oppose a candidate for elected office.
    - The two tweets in the complaint were about the 17th Street Festival and contained content clearly about the 17th Street Festival.
    - An end user who views the postings is required to engage in a series of manual intentional decisions and actions in order to access campaign-related content which is completely unrelated and not directly connected to the government resource. Therefore, it cannot be claimed that the ANC 2B twitter account supports or opposes the content that is obtained by the end user only after manually going through a series of links through third party content disconnected from that government resource. (Exhibit 7)
  - On November 21, 2019, the OCF conducted an interview of Aaron Landry regarding the complaint.
  - On December 17, 2019, OCF issued order No. 2019-001, which sustained the allegation that ANC 2B allowed a Twitter page to be used for campaign-related activity. The order:
    - Concluded that the inclusion of the Patrick Kennedy tag, which, when clicked, led to Patrick Kennedy's Twitter page which indicated that he was "[r]unning for Ward 2 D.C. Council in 2020", rendered the retweet offensive as a violation of the pertinent provisions
    - Cited the following language in the BEGA OGE opinion in support of a finding that the retweet constituted prohibited political activity: "[L]inking to a partisan political group's social media account in a post is political activity because it demonstrates support for the group as does posting the picture of a

partisan political candidate or a political cartoon. And the same is true for linking to or sharing a link to a partisan political group's website or an article advocating for or against a partisan political candidate.”

- Although the account did not directly link to Kennedy’s page, Mr. Landry’s posting included a link to Kennedy’s photo and his political activity, which can be construed as using a government resource to support a political campaign.
- The fact that merely clicking on Kennedy’s name immediately produces his photograph and information regarding his candidacy for Ward 2 Councilmember creates the appearance of an impropriety.
- Therefore, no matter how slight the impact, a government resource was used in a manner that could be beneficial to a candidate for political office in DC.
- Noted that it did not matter that there was no intent to promote Kennedy’s campaign, because the prohibition on the use of government resources for political purposes does not require the intent to violate that provision of the statute
- Imposed a fine of \$4,000 against the named commissioners, which would be reduced to \$1,000 if the Petitioners attended Ethics Training at BEGA within 60 days of the order.

- On December 22, 2019, Commissioners Landry and Warwick each filed a motion for reconsideration of the OCF order.
- On March 2, 2020, OCF denied both motions for reconsideration.
- On March 17, 2020, Commissioners Landry and Warwick timely filed a request for a hearing de novo with the Board.
- On April 22nd and May 11th, the Board's OGC held prehearing conferences regarding this matter. As an outcome of the prehearing conference, the commissioners conceded that ANC 2B's Twitter account for (telephonic interference) commissioners were absolved pursuant to the representations made by Commissioners Landry and Warwick.
- On April 23, 2020, the OCF sent a message to all named 2B commissioners, and managers, informing them that they were absolved of the prohibited activities cited in the order pursuant to representations made by Commissioners Landry and Warwick.

- **Petitioners Testimony**
  - **Daniel Warwick**

- Prior to ANC 2B Twitter account being closed as a result of the order, it was used to interact with members of the public regarding commission business and the neighborhood.
- Believing the order is incorrect, ANC 2B seeks to go back interacting with members of the public and constituents just as other DC Government agencies.
- No case law or precedent suggests the retweet or tweet are in violation, and no guidance provided by OCF suggests the retweet or tweet would be impermissible.
- The closest guidance regarding retweets is found in BEGA's 2017 social media guidance letter on page 9 which states, "The social media recommendation or endorsements usually take the form of a 'like,' 'thumbs up,' or a phrase 'Employee endorses skill.' Social media recommendations or endorsements, however, usually do not include narratives. Accordingly, there would be no violation of the Code of Conduct during most social media recommendations or endorsements."

▪ **Aaron Landry**

- If the OCF utilized the same method that was used in this case with other examples that were provided to them or examined the broader body of District Twitter and social media accounts, it would have found that a significant portion of DC Government agencies, including OCF's and the BOE's own social media accounts, are also in "violation" when they're actually in compliance. Examples include tweets about the Comprehensive Plan, a rally at a school, mail-in voting, and registering seniors to vote:
  - October 15, 2019, the Office of Planning retweeted a tweet from Patrick Kennedy sharing that his amendment to the Comprehensive Plan he offered was being recommended for adoption.
  - On October 18, 2019, the State Board of Education retweeted a tweet from Markus Batchelor showing photos of a rally he attended at Anacostia Senior High School.
  - On May 28, 2020, the BOE retweeted a tweet from my personal account showing a photo of my Special Election ballot.
  - August 2, 2020, the BOE retweeted a tweet from Pete R. Hasmentori about registering seniors to vote.
- When the ANC 2B retweeted about the 17th Street Festival, it was not to support or oppose any candidate but about the 17th Street Festival.

- **The following individual(s) testified regarding Aaron Landry and Daniel Warwick v. D.C. Office of Campaign Finance**
  - **Peter Sacco - Executive Director of ANC 2B**
    - Handled all postings, as well as any retweets from the ANC 2B Twitter account.
    - Tweeted and retweeted several tweets in support of the 17th Street Festival, including tweets that included commissioners, then Council Member Jack Evans, a representative from the Mayor's Office, and others. Also retweeted a tweet from Aaron Landry which stated, "I love the 17th Street Festival".
    - Was never contacted by anyone from the OCF regarding the complaint.
  - **Gottlieb Simon - Executive Director of the Office of Advisory Neighborhood Commissions**
    - Oversees office operations and provides technical, administrative, and financial reporting assistance and oversight to the Advisory Neighborhood Commissions.
    - If the order is upheld, the conclusion is for me to advise commissioners to delete the accounts and refrain from establishing new accounts. There would be a considerable liability in their continued operation.
    - Aware of three commissions that have deleted their Twitter account.
  - **Edward Hanlon – ANC Commissioner 2B09**
    - Filed the original complaint on September 2, 2020, with the OGC against ANC 2B.
    - The ANC Twitter account is a government resource that belongs to ANC 2B. The Policy and Procedures Manual makes clear that it's supposed to be used for commission business only.
    - There was concern among ANC 2B members that the Twitter account was being used to promote Patrick Kennedy's candidacy.
    - The photo in question showed a picture of Patrick Kennedy campaigning in front of his campaign election booth with his campaign sign behind him, "Patrick Kennedy for Ward 2" during the 17th Street Festival.
  - **Kerry Beddard**
    - Believes all candidates should have been promoted, not just Mr. Kennedy, and Mr. Kennedy's posting or the posting made on his behalf should be removed.
- **OCF – (GENERAL COUNSEL WILLIAM SANFORD)**

- Whether or not the commissioners from ANC 2B are allowed to retweet any tweet is not the issue.
- The (telephonic interference) and link to Mr. Kennedy's Twitter page which identifies him as a candidate for Ward 2 City Council.
- Of all the eight candidates that ran for the Ward 2 City Council seat, only Patrick Kennedy is prominently featured; only his Twitter page was linked to the ANC 2B Twitter account.
- Mr. Landry and Warwick, are entitled to support Mr. Kennedy's campaign, but they do not have a right to use government resources to facilitate the candidate or candidates of their choices.
- The commissioners received notice of an investigation being initiated from OCF, but instead of contacting OCF, they went to BEGA.
- BEGA did not have jurisdiction, so they took no action.

## **PUBLIC MATTERS**

- Dorothy Brizill
  - Inquired why the BOE and OCF continued to be closed, and why the BOE was operating out of the office warehouse.
  - Asked about status of BOE working with PR firm to handle community contact and outreach.
  - Made inquiries regarding the name of the mail order firm handling absentee ballots and the amount of contract.
- Michael Sindram
  - Asked for updates about the periodic random audit of the Ward 4 Constituent Service Program and clarification of the Verizon Communications, Inc. random audit.

**ADJOURNMENT (12:50 p.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**September 2, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, September 2, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice P. Miller, the Board's General Counsel, Terri D. Stroud, the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, and the General Counsel of OCF, William Sanford, were also present.

### **CALL TO ORDER (10:00 a.m.)**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett, and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES BOARD ACTION:**

- **BOARD ACTION:** The Board unanimously adopted the amended agenda and the minutes from the last meeting held on August 5, 2020.

### **BOARD MATTERS**

- The appeal from the OCF Order 2019 on Landry and Warren, is delayed getting out and will be released as soon as possible.

### **OCF AUGUST 2020 REPORT (DIRECTOR CECILY COLLIER-MONTGOMERY)**

- OCF continues to operate under a modified status; services are provided remotely via email and telephone (202-671-0547).
  - All candidate and committee reports will continue to be received online at the OCF website on the required deadlines. Candidates may contact the office for instructions concerning the registration process.
- On August 27, 2020, the OCF website posted a Notice of Debates.
  - Debates will be conducted during the week of September 28, 2020 in the contested city-wide races in the November 3, 2020 General Election (the General Election) for the Office of At-Large Member of the Council, and potentially for the Office of At-Large Member of the State Board of Education. All candidates certified in the Fair Elections Program (FEP) must participate in the Debates, and all candidates in the Traditional Campaign Finance Program (TCFP) will be invited to participate.
- Under the Fair Elections Act, OCF is required to conduct at least one debate in each contested citywide race.
- Currently contested citywide elections include:

- At-Large Member of the City Council
  - 10 FEP candidates
  - 13 TCFP candidates
- At-Large Member for the State Board of Education
  - 1 FEP candidate
  - 4 TCFP candidates
- **Fair Elections Program Division (FEP)**
  - Authorized Base Amount and Matching Payments
    - As of August 28, 2020, the total sum of \$3,283,278.00 has been disbursed in Base Amount and Matching Payments during Fiscal Years 2019 and 2020 to 32 candidates certified in the FEP to participate in the June 2, 2020 Primary Election (the Primary Election), the June 16, 2020 Special Election (the Special Election), and the General Election.
    - The current balance in the Elections Fund allocated for the 2020 Election Cycle is \$790,435.13.
    - 31 candidates are currently registered in the FEP for the General Election, and
      - 16 candidates are certified as participating candidates.
      - 11 candidates were certified as participating candidates in the Primary Election.
      - 10 candidates were defeated and will not continue to participate in the General Election.
      - 4 candidates certified as participating candidates in the Special Election were defeated.
    - During August 2020, the total sum of \$584,593.65 was distributed in 34 Authorized Base and Matching Payments. All candidates and disbursements information can be found on the OFC website.
  - August 2020 FEP Certifications
    - The following five candidates were certified in August as participating candidates for the General Election:
      - Martin for Ward 2, certified on August 26
      - Vincent Orange, certified on August 26
      - Randy Downs for Ward 2, certified on August 26
      - Committee to Elect Dontrell Smith, certified on August 26

- Washington for Ward 8 DC, certified on August 26
- August Desk Reviews and Other Activities
  - 39 desk reviews of the mandatory August 10, 2020, amended Reports of Receipts and Expenditure (R&E Reports)
  - 14 Requests for Additional Information (RFAs) were sent.
  - 6 status reports were issued to candidates seeking certification in the FEP who have not met the threshold requirements
- **Public Information and Records Management Division (PIRM)**
  - July 2020 Filing of R&E Reports (updated from August Meeting):
    - R&E Reports for Principal Campaign Committees (PCCs) & Political Action Committees (PACs), due July 31
      - 54 required filers
      - 38 timely filers (all filed electronically)
      - 1 request for extension, which was granted
      - 15 failures to file
      - 15 failures to file referred to the OGC
    - R&E Reports for Initiative/Referendum Committees, due July 31
      - 10 required filers
      - 5 timely filers (all filed electronically)
      - 5 failures to file
      - 5 failures to file referred to the OGC
  - August 2020 Filing of R&E Reports:
    - R&E Reports for PCCs & PACs, due August 10
      - 78 required filers
      - 71 timely filers
      - 3 late filers
      - 3 request for extension, which were granted
      - 4 failures to file
      - 7 referrals to the OGC
      - 74 electronically filed their report
    - R&E Reports for Independent Expenditure Committees (IECs), due August 10
      - 3 required filers

- 3 timely filers (all filed electronically)
- R&E Reports for FEP PCCs, due August 10
  - 45 required filers
  - 36 timely filed
  - 2 late filers
  - 5 requests for extension, which were granted
  - 5 failures to file
  - 7 referrals to the OGC
  - 38 candidates electronically filed their report
- Optional R&E Reports for FEP PCCs, due August 31
  - 7 timely filed (all filed electronically)
- 5 new Candidates and Committees in August
  - Five TCFP Candidates:
    - Claudia Barragan, Committee to Elect Claudia Barragan for City Council At-Large, registered August 1
    - Ravi Perry, The Committee to Elect Ravi Perry to the D.C. State Board of Education At-Large, registered August 3
    - Sohaer Syed, U.S. Representative, registered August 4
    - Christopher Etesse, Chris Edu Tech Ward 2, August 5
    - Sarah Mehrotra, Committee to Elect Sarah Mehrotra, Ward 2 State Board of Education, registered August 10
- 14 Referrals to the OCG for failure to timely file the August 10 R&E Reports
  - 3 TCFP Committees
  - 7 FEP Committees
  - 4 PACs
  - All committee names will be posted on the OCF website.
- 20 Referrals to the OCG for Failure to Timely File the July 31 R&E Reports
  - 14 PCCs
  - 1 PACS
  - 4 Initiative Committees
  - 1 Referendum Committee
  - All committee names will be posted on the OCF website.

- 20 candidates & treasurers completed the mandatory OCF entrance conference presentation during August 2020:
  - All candidates and treasures names will be listed in the September report posted on the OCF website.
- **Reports Analysis and Audit Division (RAAD)**
  - 114 desk reviews of reports filed
  - Ongoing Audits
    - Full Field Audit
      - Jack Evans Legal Defense Fund – Final Audit Report, issued on August 3
    - Periodic Random Audits – Candidates in the Upcoming 2020 Election – January 31st filing
      - Friends of Robert White, audit records received March 16
      - Veda for Ward 7, initiated March 2
      - Committee to Elect Rogers for Council, initiated March 2
    - Periodic Random Audits – PACs - January 31 filing
      - Verizon Communications Inc. Good Gov't Club PAC, initiated March 2
      - D.C. Libertarian Party, initiated March 2
      - Firefighters Committee on Political Activities, initiated March 2
    - Periodic Random Audits – Constituent Service Programs (CSP), April 1, 2020 Report
      - Ward 4 CSP, extension was granted until July 3. Additional request for records on July 29. Due to unexpected circumstances, Audit staff sent another request on August 25.
  - Audits Issued
    - Legal Defense Fund for Jack Evans – Issued August 3
      - Available on OCF website.
      - The audit was issued as a compliance audit, and was referred to the OGC for the resolution of a complaint that was received on February 3, from the Committee to hold Jack Evans Accountable.
      - The OCF GC requested the audit branch to conduct an investigative audit of the financial operations of the fund.

## **OCF AUGUST 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

- Intake/Output Report
  - The OGC received 36 referrals.
    - 34 referrals came from PIRM, including:
      - 20 referrals for failure to timely file the July 31 report.
      - 14 referrals for failure to file the August 10 report.
    - 2 referrals from RAAD for failure to respond to requests for additional information.
  - 19 informal hearings were completed, 12 orders were issued, and no fines were imposed.
  - OGC did not impose any fines or collect any fines during August 2020.
- Open Investigations:
  - Complainant: The Committee to Hold Jack Evans Accountable Adam Eiding, Chairman, received February 3
    - Respondent: D.C. Legal Defense Committee for Jack Evans
    - Allegations: Unlawful use of a Legal Defense Committee
    - Status: Final audit issued on August 3. Investigation completed and order was issued on August 31.
  - Complainant: Jennie Malloy, received May 19
    - Respondent: Karl Racine for Attorney General 2018 Principal Campaign Committee
    - Allegations: Inappropriate use of campaign funds
    - Status: Investigation completed and the order is pending
  - Complainant: Jennie Malloy, received May 19
    - Respondent: Ed Lazere for D.C. Principal Campaign Committee
    - Allegations: Inappropriate use of FEP funds
    - Status: Investigation was completed on August 14, and the order was issued on August 28.
  - Complainant: Chuck Thies, received May 28
    - Respondent: Anthony Lorenzo Green, candidate for Ward Seven Council
    - Allegations: Inappropriate use of a government resource
    - Status: The investigation is completed and the order is pending.

- Complainant: Laura Wolfe, received June 12
  - Respondent: Brooke Pinto
  - Allegations: Failure to report excessive contributions
  - Status: The investigation is completed and order is pending.
- No requests for Interpretative Opinions were received in August 2020.
- No show cause proceedings were conducted in August 2020.

## **EXECUTIVE DIRECTOR'S AUGUST 2020 REPORT (EXECUTIVE DIRECTOR ALICE MILLER)**

### **• General Matters**

- The November general election is 65 days away as of today, September 2.
- 55 mail drop boxes placed around D.C. and will be available October 5th through 8:00 p.m. on November 3rd, election night.
  - The drop boxes have very slim slots for voters to deposit their ballots.
  - Ballots will be retrieved by BOE staff twice a day through Election Day.
- As of September 1, 2020, the BOE has trained 1,327 poll workers; 2,500 students waiting to be trained; and 3,000 additional now being processed for training through October.
- 2,000 veteran poll workers are also willing to work the General Election.
- The BOE is receiving an average of 200 applications a day from individuals interested as serving as poll workers.
- Poll worker training will continue through the second week of October.
- Ballots are scheduled to arrive to voters during the second week of October.
- 16 early vote centers will be used for the General Election including:
  - Union Market by Gallaudet
  - Capitol One Arena
  - Nationals Stadium
  - The University of the District of Columbia
- 74 additional locations will be used as Election Day vote centers.
- Voters can vote anywhere through Election Day, including at the early vote centers.
- D.C. Jail will no longer serve as a vote center.
  - The jail is in the midst of handling COVID-19.
  - In the future, the jail wants to be in a medical stay-in-place status and will only operate and be available for their residents.
  - Ballots will be made available to residents through the absentee ballot process.

- On August 20, the BOE identified 107 federal prisons that house D.C. residents. The BOE mailed 2,400 applications for mail ballots to those in the federal prisons and asked the wardens to provide to D.C. residents their applications for registration.
  - The BOE requested for those applications to be returned to the Board's office by September 20, which will allow the BOE to get the applications processed by the October 13 deadline for registration.
- The BOE Outreach Division has participated in 22 outreach programs.

## **BOE OGC AUGUST 2020 REPORT (GENERAL COUNSEL TERRI STROUD)**

### **• Litigation Status**

- **William v. Hunt. D.C. Board of Elections**
  - This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 2018 General Election.
  - The Board filed a motion to dismiss on Wednesday, April 24, 2019.
  - The Court granted the Board's motion on March 10.
  - Mr. Hunt appealed to the D.C. Court of Appeals on April 16, beyond the 30-day period for appeals under federal rules.
  - The Court gave Mr. Hunt until May 22, to show cause why the case should not be dismissed as untimely; the deadline was extended to July 1.
  - On June 25, Mr. Hunt filed a brief with the courts but failed to address why the appeal should not be dismissed.
  - The Board is currently awaiting the court's decision.
- **Hammond v. D.C. Board of Elections and Robin Marlin v. the D.C. Board of Elections**
  - These matters are appeals of Board Orders 19-32 and 19-33 upholding the resolution issued by ANC 7B, which found no vacancy in the office of Advisory Neighborhood Commissioner for Advisory Neighborhood Commission (ANC) Single Member Districts (SMDs) 7B04 and 7B05.
  - On September 6, 2019, the Court of Appeals consolidated these cases.
  - On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019, and the Board to file its response on December 18, 2019, in both matters. The Appellants filed their briefs on December 16, 2019, and their appendix on March 4.
  - Waiting for the Court's decision in both matters.
- **La Riva v. D.C. Board of Elections**

- This case was filed in the D.C.'s federal district court on July 17, and is a complaint for declaratory judgement and permanent injunctive relief alleging that certain provisions of the election statute are unconstitutional because they provide ballot access relief for candidates for all offices.
- Specifically, requirements for ballot access would warrant to 250 signatures for all at-large offices, and less for single-member district offices, with the requirement for president remaining at one percent of District voters for the Office of President.
- This case is being handled by the Office of Attorney General because it is a challenge to the election statute.
- The case was dismissed as a result of the passage of the General Election Preparations Emergency Amendment Act of 2020, which lowered the signature requirement for the office of president to 250 signatures, the same as for at-large elected offices.

○ **Alliance Party, et al v. D.C. Board of Elections**

- This matter was held in the District's Federal District Court involving the signature requirements for the office of president.
- The complaint seeks to preclude the Board from enforcing the August 5, deadlines to file nominating petitions against independent and third-party candidates for the office of president, because although the signature requirement was lower, that did not occur until after the August 5 deadline had passed.
- The plaintiffs seek the court to accept the petition with the requisite number of signatures if it is filed by noon on Tuesday, September 8.
- This matter is being handled by the District's Office of the Attorney General.
- A status conference on this matter is scheduled to take place by the end of this week.

● **Rulemaking**

- Final Rulemaking
  - Amend Title 3 DCMR Chapter 7 (establish the deadline for the receipt of absentee ballots)
    - A notice of emergency and proposed rulemaking was published in the D.C. Register on June 26, at 67 DCR 7922
  - Amend Title 3 DCMR Chapter 16 (signature requirements that were lowered for the 2020 General Election)
    - A notice of emergency proposed rulemaking was published in the D.C. Register on June 5, at 67 DCR 6977-6978

- Emergency Rulemaking
  - Amend Title 3 DCMR Chapters 5 and 7 (place the chapters into conformity with the General Elections Preparation Emergency Amendment Act of 2020)
    - Establish that requests for absentee ballots must be received by the 15th day before the election in light of United States Postal Service delays, and clarify that cameras may be used in voting and counting locations as long as they do not interfere with the election administration process.
- Request the Board that the BOE be allowed to submit the final and emergency proposed rulemaking, to the D.C. Register, and become effective once published in both instances.
  - **BOARD ACTION:** Unanimously approved motion to accept the emergency and rulemaking recommendations proposed by the General Counsel.

## PUBLIC MATTERS

- Dorothy Brizill
  - Asked for update about the BOE contracting a public relations (PR) firm for the General Election.
  - Asked why the Office of Contracting and Procurement (OCP) amended the contract and extended the value when there were a lot of issues raised regarding the performance of the contractor for the June.
  - Asked about the status of other outstanding BOE contracts, including the ballot boxes.
  - Asked about open positions with BOE and the status of filing them.
    - **BOARD RESPONSE:** They was a bidding process and at the end of the bidding process OCP reviewed the various proposals and determined that Bayne, LLC had the best proposal for this time period. The award went to Bayne who had done previous PR work. OCP made the award to Bayne, amended the contract, extended the term, and increased the value.
    - The contracts for ballot boxes and the mail house have been awarded.
    - The position for public information officer (PIO) and press officer are currently being advertised for. There is a large contract that the Office of the Chief Technology Officer (OCTO) has called Pipeline that provides IT support services. Through Pipeline, BOE is in the process of bringing additional IT support on through the OCTO contract.

- The Board is currently speaking with candidates as it relates to the two vacancies in the area of the General Counsel.
- Adam Eidinger
  - Following up on request for copies of the Initiative 81 petitions that were submitted by the Campaign to Decriminalize Nature.
    - **BOARD RESPONSE:** The BOE will send copies of the petition out within two weeks or sooner.
- Michael Sindram
  - Asked about status of the order following August hearing involving the ANC Dupont Circle.
  - Requested a BOE staff member send him a hard copy of the order when it is finalized.
    - **BOARD RESPONSE:** The Board is working to get the order out.

#### **NOMINATING PETITION CHALLENGE HEARINGS**

- **Cheryl Moore v. Anthony Muhammad, Advisory Neighborhood Commission (ANC) Single Member District (SMD) 8E02**
  - Registrar of Voter Preliminary Determination Report
    - On July 16, 2020, Anthony Muhammad submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner for SMD 8E02.
    - The minimum requirement to obtain ballot access for this office is ten signatures of District voters duly registered in the same SMD as the candidate.
    - The petition contained 20 signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17, by Cheryl Moore, a registered voter in the District of Columbia. Ms. Moore filed challenges to 12 of the 19 signatures submitted.
    - Voter Services' review of the challenges indicates that four of the 12 challenges are valid.
      - Two are valid because the signers are not registered to vote at the address listed on the petition.
      - Two are valid because the signers are not registered.
    - This leaves the candidate's nominating petition with 15 signatures, five signatures over the number required for ballot access.
  - **BOE General Counsel Terri Stroud Recommendation**
    - Recommends that Mr. Muhammad be granted ballot access in the contest for Advisory Neighborhood Commissioner in SMD 8E02.

➤ **BOARD ACTION:** Unanimously approved motion to grant ballot access for Anthony Muhammad.

• **Cheryl Moore v. Bruce Jones, SMD 8E02**

- Registrar of Voter Preliminary Determination Report
  - On July 15, 2020, Bruce Jones submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner for SMD 8E02. The minimum requirement to obtain ballot access for the office is ten signatures of District voters who are duly registered in the same SMD as the candidate.
  - The petition contained ten signatures and was posted for public inspection for ten days as required by law.
  - The petition was challenged on August 17 by Cheryl Moore, a registered voter in the District of Columbia. The petition contained 20 signatures. Ms. Moore filed challenges to three of the ten signatures submitted and enumerated by line and page number.
  - Voter Services' review of the challenges indicates that zero of the three challenges are valid.
  - This leaves the candidate's nominating petition at ten signatures, the number required for valid access.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends that Mr. Jones be granted ballot access in the contest for Advisory Neighborhood Commissioner in Single Member District 8E02 as he has met the minimum number required for ballot access.

➤ **BOARD ACTION:** Unanimously approved motion to grant ballot access for Bruce Jones.

• **Michael Eichler v. Mary Sutherland, SMD 6E01**

- Registrar of Voter Preliminary Determination Report
  - On July 30, 2020, Mary J. Sutherland submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner for SMD 6E01. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as the candidate. The petition contained ten signatures and was posted for public inspection for ten days as required by law.
  - The petition was challenged on August 14 by Michael Eichler, a registered voter in the District of Columbia. Mr. Eichler filed challenges to two of the ten signatures submitted.
  - The Board's review of the challenges indicate that two challenges are valid.
    - One of the challenges is valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed.
    - One is valid because the signer is an inactive voter.
  - This leaves the candidate's nominating petition with eight signatures, two signatures below the number required for ballot access.

The registrar of voters received two change of address forms from Mary J. Sutherland on Monday, August 24, 2020. After validating the two change of address forms, Candidate Mary J. Sutherland was credited with one signature that had initially been determined to be invalid. One challenge is valid because the signer was deemed inactive.

- This leaves the candidate's nominating petition with nine signatures, one signature below the number required for ballot access.
- Response from Parties
  - Mary Sutherland
    - Disagrees with the Board's findings regarding the address of Mr. Eugene Brisbon. During that time in question his address was at 1705 Eighth Street, Apt. 204. The building address is correct, but the apartment number, 204, was incorrect, although it was written by Mr. Brisbon.
    - Was told that Mr. Brisbon was an inactive voter because he had last voted in 2016. He was on the roll list in 2018. 2020 will be the fourth year since he voted. The fiscal year ends at the end of September. He should still be active because he filed on August 24 with the current address, before the fiscal year ended.
  - Michael Eichler
    - Raises the question of why Mr. Brisbon is moved from an active voter to an inactive voter. It has not been four years since the General Election in 2016. It is possible that he voted in the Primary Election in 2016 and then failed to vote in the General Election. That would make him two years inactive, because according to the conversation during the pre-hearing conference, there was no voter record for him voting in 2018.
    - Ms. Sutherland had the tools to research whether her ten signatures were valid. She could find additional signatures in case one was invalid. She did not perform that action to ensure that she was submitting ten valid signatures.
- BOE General Counsel Stroud
  - It is not simply a matter of not voting that causes inactivity. It is a matter of not responding to a particular notice within a certain timeframe. After becoming inactive, one is removed after then not voting in the next two federal elections.
- Office of the Registrar
  - Going back to 2016, Mr. Brisbon did vote in the last few elections. He did not vote in the 2016 General Election. There was no activity with any type of responses to him to verify his address and to verify his voting activity.
- BOE Attorney Terrica Jennings
  - During the pre-hearing conference, the signature was checked, and Mr. Brisbon had not voted since 2016. In addition, several notices had gone to the address he had listed on file. It was written in his handwriting on

- his voter registration application, and he had not corresponded with the Board over several years. So he was deemed inactive.
  - The address that the Board had on file was the exact same address that was listed on his voter registration application, which is also written in his handwriting, so there was no error on the Board's part.
- **BOE General Counsel Stroud Recommendation**
  - Recommends Mary Sutherland be denied ballot access for not having met the requisite signature requirements
  - **BOARD ACTION:**
    - Unanimously approved motion to deny ballot access for Mary Sutherland.
- **Kathy Henderson v. Sebreana Rhodes, SMD 5D01**
  - Registrar of Voter Preliminary Determination Report
    - On July 27, 2020, Sebreana Rhodes submitted a nominating petition to appear on ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner for SMD 5D01. The minimum requirement to obtain ballot access for this office is ten signatures from District voters who are duly registered in the same SMD as candidate. The petition contained 20 signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17 by Kathy Henderson, a registered voter in the District of Columbia. Ms. Henderson challenged 16 of the 20 signatures.
    - Voter Services' review of the challenges indicate that seven of the 16 challenges are valid:
      - Two are valid because the signers were not registered to vote at the address listed on petition at the time the petition was signed.
      - Two are valid because the signers were not registered.
      - One is valid because the petition does not include the name of the signer where the signature is sufficiently legible.
      - One is valid because the signature is not dated.
      - One is valid because the signer's voter registration was designated as inactive at the time the petition was signed.
    - This leaves the candidate's nominating petition with 13 signatures, three signatures over the number required for ballot access.
  - Response from Parties
    - Kathy Henderson
      - Reasserts challenge to Ms. Rhode's petition beginning with page 2, numbers 3, 4, and 7.
        - Regarding number 3, Carl Johnson, the date was incomplete. It appears Ms. Rhodes filled in the partial date when she turned in the petition, because all of the signatures after that reflect the previous date.
        - Regarding number 4, Ted Brown, the date was incomplete which Ms. Rhodes appeared to have filled in when she

- turned in her petitions on the 24th, but she didn't put the full date. The signature on file for Mr. Brown does not match.
    - With regard to number 7, Ms. Satiya Price, the challenge is on the basis of the wrong address. The BOE rule is accurate, that she is registered. The BOE did not provide the information that she's registered at that address, and Ms. Rhodes did not present an address change form for that particular voter.
  - Sebrena Rhodes
    - The issues that Ms. Henderson just discussed were not brought up at the September 1, 2020 preliminary hearing. Ms. Henderson received the email of signatures to match with what was on the petition.
  - Registrar of Voters
    - Contests that Ms. Henderson did not mention the issue with the dates in the September 1 pre-hearing conference. The signature on page 2, line 3, was not one of the signatures that Ms. Henderson wanted a second copy of yesterday.
    - Line 4, Mr. Kenneth Brown on Central Place, was sent to Ms. Henderson on September 1, and the registrar of voters deemed that the signature on the petition matches the signature on file.
  - **BOE General Counsel Stroud Recommendation**
    - Recommends that Ms. Rhodes be granted ballot access in the contest for Advisory Neighborhood Commissioner in Single Member District 5D01 in light of the fact that she has 13 signatures and the testimony regarding the signatures. For the record, it is okay for the candidate to fill in the date. If that's what happened, that would not be a reason to invalidate the signature.
      - **BOARD ACTION:** Unanimously approved motion to grant ballot access for Sebrena Rhodes.
- **Kathy Henderson v. Bernice Blacknell, SMD 5D04**
  - Registrar of Voter Preliminary Determination Report
    - On July 20, 2020, Bernice Blacknell submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner, SMD 5D04. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as candidate. The petition contained 20 signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17 by Kathy Henderson, a registered voter in the District of Columbia. Ms. Henderson filed challenges of 14 of the 20 signatures.
    - Voter Services' review of the challenges indicates that 9 of the 14 challenges are valid:

- Five are valid because the signers were not registered to vote at the address listed on the petition at the time the petition was signed.
      - Two are valid because the signers were not registered.
      - Two were valid because the circulator failed to complete all required information in the circulator's affidavit.
    - This leaves the candidate's nominating petition with 12 signatures, two signatures over the number required for ballot access.
  - Response from Parties
    - Kathy Henderson
      - Reasserts challenge to Margaret Presson, page 1, line 4, that came up in the pre-hearing. On the face of the petition, the signature purporting to be Margaret Presson's says that the address is 807 21st Street NE. Ms. Presson's address is actually 809 21st Street NE, which is also reflected in the BOE records, and the signatures do not match.
      - Reasserts challenge to signatures for Ruth M. Hall and Douglas Hall, page 2, signatures 1 and 2. The signatures appear to be written by the same person. According to the BOE records, Ruth M. Hall was deleted and not registered. The signatures were written by the same person, but one of these persons is registered, and that's Mr. Hall, leaving the other signature invalid.
      - Asserts 43 percent of Ms. Blacknell's signatures are not valid. They're not valid through a simple error, but because the petition was carelessly circulated to people who are not registered, and there's no evidence that these people believe they were registered. This creates an image of fraud. Precedent is that when there is an overwhelming appearance of fraud, the Board has thrown out a petition.
  - Registrar of Voters
    - With regards to the couple, one person probably printed both names on the petition. But these are the signatures on file.
    - Ms. Hall is a registered voter. Her name is Ruth Mayo Hall and the Board's office was able to locate her.
  - **BOE General Counsel Terri Stroud Recommendation**
    - Recommends that Ms. Blacknell be granted ballot access in the contest for Advisory Neighborhood Commissioner in Single Member District 5D04.
      - **BOARD ACTION:** Unanimously approved motion to grant ballot access for Bernice Blacknell.
- **Trupti Patel v. John George, SMD 2A03**
    - Registrar of Voter Preliminary Determination Report
      - On July 29, 2020, John George submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner, SMD 2A03. The minimum

- requirement to obtain ballot access for this office is ten signatures of District residents who are duly registered in the same SMD as the candidate. The petition contained 20 signatures and was posted for public inspection for ten days as required by law.
- The petition was challenged on August 17 2020 by Ms. Trupti Patel, a registered voter in the District of Columbia. Ms. Patel filed challenges to 17 of the 20 signatures submitted.
  - Voter Services' review of the challenges indicate that 4 of the 17 challenges are valid because the signatures are pre-dated.
  - This leaves the candidate's nominating petition with 16 signatures, six signatures over the number required for ballot access.
- John George
    - Agrees with the BOE findings.
    - The petition circulator is on the call if the Board would like to talk directly with the circulator.
  - Trupti Patel
    - Mr. George's petitions, page 1 and page 2, at the bottom where it says the circulator's affidavit to be completed by the person, the printed area does not match at all compared to the page two. On page 1, the handwriting matches actually to the person that is listed on line number 7. Ms. Patel challenged every single signature on that petition and the other one on page 2, because she believes that the circulator who signed did not actually indeed circulate the petition.
  - Circulator, Susan Lampton
    - The signature Ms. Patel is referring to is the signature of circulators' (self) husband.
    - Ms. Lampton personally circulated the petition to all the neighbors and personally saw everyone who signed the petition. A mistake was on the dates, and it was agreed those should be knocked off.
  - **BOE General Counsel Terri Stroud Recommendation**
    - Recommends that Mr. George be granted ballot access in the contest for Advisory Neighborhood Commissioner in Single Member District 2A06.
      - **BOARD ACTION:** Unanimously approved motion to grant ballot access for John George.
- **Matt Buechner v. Lisa Cox, SMD 3F07**
    - Registrar of Voter Preliminary Determination Report
      - On July 20, 2020, Lisa Cox submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner SMD 3F07. The minimum requirement to obtain ballot access is ten signatures of duly registered voters in the same SMD as the candidate. The petition contained ten signatures and was posted for public inspection for ten days as required by law.

- The petition was challenged on August 17 by Matt Buechner, a registered voter in the District of Columbia. Mr. Buechner filed challenges to ten of the ten signatures submitted.
- Voter Services' review of the challenges indicate that zero of the ten challenges are valid. This leaves the candidate's nominating petition with ten signatures, the number required for ballot access
- Response from Parties
  - Matt Buechner
    - Ms. Cox's actions, pertaining to the signature by Ms. Sarah Appleton on line 5 of the nominating petition, violates the rules and guidelines set forth by the BOE. The circulator affidavit requires the circulator to personally witness the signing of each signature. We know that Ms. Cox falsely signed this affidavit.
    - In an email to me signed August 20, 2020, Ms. Cox admits that she did not personally witness the signature but rather Ms. Cox emailed the form to her, she filled it out with her name, address, and the electronic signature, scanned it, and mailed it back. Ms. Cox goes further to say, technically, you are right. Ms. Cox did not physically witness her sign. Ms. Cox goes on to discuss the new world in which we live related to the COVID-19 pandemic and social distancing.
    - The BOE already accounted for the pandemic with the reduction of required signatures from twenty-five to ten to be listed on the ballot in November. This exact issue was addressed in guidance from the Office of ANC Executive Director Gottfried Simon on July 29 via email to candidates. Mr. Simon noted that the petition circulator must physically see the signature occur in order to be valid. He even goes so far to suggest videoconferencing and recommends that a distant petition signer acts as their own circulator, an option that is outlined in many petition circulator instructions. Ms. Cox did neither of these.
    - In Ms. Cox's email and in the September 1 pre-conference hearing, she asserted that her virtual correspondence with Ms. Appleton meets the spirit of the issue to ensure that signatures are not forged.
    - By Ms. Cox's own admission, the signature of Ms. Appleton does not meet the requirements of a valid signature for a nominating petition. Mr. Buechner asks that this body follow the rules and processes set forth for valid access and that the signature of Sarah Appleton be deemed non-compliant and ineligible to be counted for Ms. Cox's ten required signatures.
  - Lisa Cox
    - Admits to not personally witnessing Sarah sign the petition. Sarah went into quarantine because of COVID, but she wanted to sign the petition. So Ms. Cox emailed it to her and she signed it right away, scanned it, and sent it right back.

- The spirit of the law of witnessing, which is to ensure that the person who's signing it is indeed the person they purport to be and that it's not forged, and this exchange with Sarah is, in effect, doing that. It is me witnessing her that she is actually the person signing it.
  - Yesterday Sarah appeared at the pre-hearing with the signature in question to also testify why she wasn't able to see me in person.
  - Ms. Cox requests that we follow the spirit of the rule, and says that she did actually comply with that spirit.
- Kate Munoz, BOE staff attorney
  - Ms. Appleton appeared at our pre-hearing meeting yesterday, and the parties agreed to stipulate the fact that she appeared, that she testified that she received Ms. Cox's petition electronically, she signed the petition, and transmitted it back to Ms. Cox via email.
  - As to the question of the applicable rules, in the written record for the Board is a copy of the District of Columbia Municipal Regulations at 1607, validity of signatures. At 1607.1(i), it says in part, the marks that a person signing the petition makes shall not be counted as valid signatures unless the persons witnessing the mark shall attach to the petition affidavits that they explained the contents of the petition to the signatories and witnessed their remarks.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends that the signature be invalidated pursuant to 1602.3, which indicates that you have to personally witness the signing of each signature on a petition sheet. The statutory counterpart to the regulation can be found at 1-1001.08(b)(3), which indicates that the circulator has to attest that they have personally circulated the petition, personally witnessed each person sign the petition. In light of the fact that that did not happen in this instance, recommends that that signature be invalidated, which would leave Ms. Cox with nine signatures on the petition.
- **BOARD ACTION:** Unanimously approved motion to deny ballot access for Lisa Cox.
- **Detrick Campbell v. Jamaal Burton, SMD 2C02**
  - Mr. Burton and Mr. Campbell were provided written notice via email immediately after their prehearing conference by BOE Attorney Terrica Jennings as well as speaking with her. The BOE paralegal, Tonisha Erskine, spoke to Mr. Burton specifically concerning the hearing, because there was concern about whether or not he would be withdrawing from the State Board position, which he had said he would have.
  - During our hearing on September 1, Mr. Burton had to abruptly leave, because he said he had other matters he had to deal with. Attorney Jennings asked him if he wanted to address the State Board issue. He stated that he would come back at 3:30. He did not return. The challenger returned at 3:30, and the prehearing conference proceeded without Mr. Burton. Mr. Burton has not followed up since then, but he did receive notice of the hearing from the BOE

attorney and paralegal, and it was discussed with him when he showed up briefly for the hearing yesterday around 3:15.

- Title 3 DCMR 403.4 provides that if any person or party waives the right to be present at the hearing or fails to appear, the Board may proceed ex parte unless the Board extends the time of the hearing or unless it's required by statute.
- It is recommended that the Board proceed ex parte in light of the notice that was given, and requested that the Board entertain a motion to proceed in the absence of the candidate.

➤ **BOARD ACTION:** Unanimous approve motion to proceed ex parte.

- Registrar of Voter Preliminary Determination Report

- On August 5, 2020, Jamaal Burton submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner SMD 2C02. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as the candidate. The petition contained ten signatures and was posted for public inspection for ten days as required by law.
- The petition was challenged on August 17, 2020, by Detrick Campbell, a registered voter in the District of Columbia. Mr. Campbell filed challenges to all ten signatures.
- Voter Services' review of the challenges indicates that one of the ten challenges is valid.
  - One is valid because the challenge is not dated and the candidate address on the petition form is an inadvertent error by the Board of Elections.
- This leaves the candidate's nominating petition with nine signatures, one signature below the number required for ballot access.

- **BOE General Counsel Terri Stroud Recommendation**

- Recommends that the Board not allow Mr. Burton ballot access, because he has not met the signature requirements to retain ballot access for the Single Member District 2C02 contest.

➤ **BOARD ACTION:** Unanimously approved motion to deny ballot access for Jamaal Burton.

- **Victoria Clark v. Rhonda Edwards-Hines, SMD 8C06**

- Registrar of Voter Preliminary Determination Report

- On August 5, 2020, Rhonda Edwards-Hines submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner SMD 8C06. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as

- candidate. The petition contained 20 signatures. The petition was posted for public inspection for ten days as required by law.
- The petition was challenged on August 17 by Victoria Clark, a registered voter in the District of Columbia. Ms. Clark filed challenges to 15 of the 20 signatures submitted. Additionally, the challenger alleges that the candidate does not reside at the address as indicated on her declaration of candidacy at the suggestion of the challenger that the property no longer exists.
  - Voter Services' review of the challenges indicate that 14 of the 15 challenges are valid:
    - 14 are valid because the information from the District Master Address Repository indicates that the residential address listed on their voter registration record has a status of retired, which means that the building at the address has been demolished and/or that the address is no longer in existence.
  - This leaves the candidate's nominating petition with six signatures, four signatures below the number required for ballot access.
- Response from Parties
- Rhonda Edward-Hines
    - When Ms. Edward-Hines came to pick up my package on July 2, she was given a nomination petition circulation guide, and it stated in 1(a) that the signer must be a duly registered voter according to the Board records at the time the petition is signed. She received a printout of all the registered voters in that SMD, and every single one of these signers are listed in the printout.
    - When Ms. Edward-Hines received notice of being challenged, she called on the 18th of August at 12:14 and spoke to Ms. Kate Munoz. She asked about the signer's petition and stated that they were in the printout that she was provided by BOE. She told me that is just one part.
    - Ms. Edward-Hines also called the BOE to talk to someone where she picked up her petitions. It was indicated that she did not have to worry about anything, that she would have ten days after the hearing to make corrections. She wanted to come and pick up the voter registrations, so that her signers could do their current signature voter registration.
    - On August 26<sup>th</sup>, Ms. Edward-Hines called the BOE because on the 18<sup>th</sup>, she called to make an appointment because her understanding is that you couldn't do walk-ins, you have to make an appointment. So on the 26th, she called again and was given the same explanation.
  - General Counsel Response

- If Ms. Hines had provided signatures of individuals who were registered in her Single Member District, and they moved within the Single Member District and had not updated their address, within ten days after the challenge to such signatures had been filed, she would have been able to collect change of address forms for them. However, in this case these individuals are not registered at the address, because the address is not an existing address.
  - This is not a circumstance under which she would be able to cure these signatures. The curing provision is with respect to instances where the signer is registered at a different address in the same jurisdiction. It might well be the case that there are people who lived at these addresses which no longer exist still live within the SMD.
- Victoria Clark
  - Whether or not there is a cure process available, Karen Brooks' email of August 28, 2020, set out a deadline of August 31, 2020. Ms. Clark maintains her challenges to each of the individual signatures.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends that Ms. Rhonda Edwards-Hines not be granted ballot access, because she has not met the signature requirements to retain ballot access for the Single Member District 8C06 contest.
  - **BOARD ACTION:** Unanimously approved motion to deny ballot access for Ms. Edwards-Hines.
- **Barbara J. Clark v. Ira Lovelace, SMD 8A02**
  - In light of the fact that neither party is present, it is recommended that the Board proceed ex parte.
  - Mr. Lovelace and Ms. Clark both received notice that Mr. Lovelace did not, at the time, meet ballot access requirements. Mr. Lovelace said he was new to the process and wanted to go before the Board to perhaps see if he could get that extra signature to meet the valid access requirement.
  - Both parties received notice for the hearing today along with a withdrawal form that Mr. Lovelace requested, because he said at the time he was not sure if he would move forward. BOE has not received a response from either party.
  - **BOARD ACTION:** Unanimously approve motion to proceed with this matter ex parte.
  - Registrar of Voter Preliminary Determination
    - On July 20, 2020, Ira Lovelace submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner SMD 8A02. The minimum requirement to obtain ballot access for this office is ten signatures of

District voters who are duly registered in the same SMD as candidate. The petition contained 20 signatures and was posted for public inspection for ten days as required by law.

- The petition was challenged on August 17 by Barbara Clark, a registered voter in the District of Columbia. Ms. Clark filed challenges to 13 of the 20 signatures submitted.
- Additionally, the challenger alleges that the candidate does not reside in the Single Member District as indicated on the declaration of candidacy.
- Voter Services' review of the challenges indicate that 11 of the 13 challenges are valid:
  - Five of the challenges are valid because the signers were not registered to vote at the address listed on the petition at the time the petition was signed.
  - One is valid because the signer was not registered at the time the petition was signed.
  - Two are valid because the petition does not include the address of the signers.
  - Three are valid because the signers were not a registered voter in the SMD from which the candidate seeks nomination at the time the petition was signed.
- This leaves the candidate's nominating petition with nine signatures, one signatures below the number required for ballot access.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends that Mr. Lovelace be denied ballot access, because he has not met the signature requirements to attain ballot access for the Advisory Neighborhood Commissioner in Single Member District 8A02.
    - **BOARD ACTION:** Unanimously approved motion to deny ballot access for Ira Lovelace.

• **Robin Hammond Marlin v. Nicole Smith-McDermott, SMD 7B04**

- The BOE provided both parties with notice of this hearing, and BOE attorney Kate Munoz, has been attempting to contact the candidate, Ms. Smith-McDermott in particular, to let her know this would be on the agenda.
- During the pre-hearing conference held on August 28th, Ms. Smith-McDermott indicated during the conference that she intended to withdraw.
- BOE has not received her signed formal withdrawal of her candidacy.
- In light of the fact that notice was given pursuant to 3 DCMR 403.3 and neither party is present, it is recommended that the Board proceed ex parte.
  - **BOARD ACTION:** Unanimously approve motion to proceed ex parte.
- Registrar of Voter Preliminary Determination Report
  - On August 5, 2020, Nicole Smith-McDermott submitted a nomination petition to appear on the ballot as a candidate in the General Election for

the office of Advisory Neighborhood Commissioner SMD 7B04. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as candidate. The petition contained ten signatures. The petition was posted for public inspection for ten days as required by law.

- The petition was challenged on August 15 by Robin Hammond Marlin, a registered voter of the District of Columbia. Ms. Hammond Marlin filed challenges to five of the ten signatures submitted.
- Voter Services' review of the challenges indicates that two of the five challenges are valid:
  - Two of the challenges are valid because the signers were not registered to vote at the address listed on the petition at the time the petition was signed.
- This leaves the candidate's nominating petition with eight signatures, two signatures below the number required for ballot access.

○ Response from Parties

- Hammond Marlin
  - During the pre-conference hearing of which Nicole was present, additional concerns were raised with two other signatures.
  - Would like for those two signatures that were discussed during the pre-conference hearing to be part of this record and then be addressed by Ms. Brooks.

○ **BOE General Counsel Terri Stroud Recommendation**

- Recommends that the Board deny ballot access to Nicole Smith-McDermott, candidate for Advisory Neighborhood Commissioner in Single Member District 7B05.
  - **BOARD ACTION:** Unanimously approved motion to deny ballot access for Nicole Smith-McDermott.

• **Robin McKinney v. Isaac Smith, SMD 8A06**

- BOE attorney Kate Munoz contacted both challenger, Ms. McKinney, and candidate, Isaac Smith, via email to inform them that they are on the agenda for today's meeting.
- Notice was also provided notice in writing three days after the challenge was filed of this matter, that included a date for both for the pre-hearing meeting and for this public hearing.
- In light of the fact that notice was given pursuant to 3 DCMR 403.3 and neither party is present, it is recommended that the Board proceed ex parte.
  - **BOARD ACTION:** Unanimously decided to proceed to ex parte.
- Registrar of Voter Preliminary Determination Report
  - On July 28, 2020, Isaac Smith submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner SMD 8A06.

- The minimum requirement to obtain ballot access for this office is ten signatures of duly registered voters in the District of Columbia and the same SMD as the candidate. The petition contained 30 signatures and was posted for public inspection for ten days as required by law.
- The petition was challenged on August 17 by Robin McKinney, a registered voter in the District of Columbia. Ms. McKinney filed challenges to 28 of the 30 signatures submitted.
- Voter Services' review of the challenges indicates that eight of the 28 challenges are valid:
  - Three of the challenges are valid because the signature is not dated.
  - One is valid because the petition does not include the address of the signer.
  - One is valid because the petition does not include the name of the signer where the signature is not sufficiently legible.
  - One is valid because the signer was not registered at the time the petition was signed.
  - One is valid because the signer's voter registration was designated as inactive on the voter rolls at the time the petition was signed.
  - One is valid because the signature is not made by the person whose signature it purports to be.
- This leaves the candidate's nominating petition with 22 signatures, 12 signatures over the number required for ballot access.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends that Mr. Smith be granted ballot access in the contest for Advisory Neighborhood Commissioner in Single Member District 8A06.
    - **BOARD ACTION:** Unanimously approved motion to grant ballot access for Isaac Smith.
- **Latoya Moore v. James Q. Butler, SMD 5D03**
  - Registrar of Voter Preliminary Determination Report
    - On July 17, 2020, James Q. Butler submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Advisory Neighborhood Commissioner SMD 5D03. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as candidate. The petition contained 35 signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17 by Latoya Moore, who is a registered voter in the District of Columbia. Ms. Moore filed challenges to 31 of the 35 signatures submitted.
    - Voter Services' review of the challenge indicates that 25 of the 31 challenges are valid:
      - 13 are valid because the signatures are predated.

- Six are valid because the signers were not registered to vote at the address listed on the petition at the time the petition was signed.
    - Six were valid because the signers are not registered.
  - This leaves the candidate's nominating petition with ten signatures, the number required for ballot access.
  - The registrar of voters timely received information from Ms. Moore indicating that there were discrepancies in the registrar's report. After additional review of the challenge, the registrar of voters determined that one signature that was initially determined to be valid were, in fact, invalid.
  - Therefore, Mr. Butler was not credited with one signature.
  - This leaves the candidate's nominating petition with nine signatures, one signature below the number required for ballot access.
- Response from Parties
  - James Q. Butler
    - Due to a typo in his email address, he did not receive notice that a challenge was taking place. This meant that he did not have adequate time to cure defects.
    - One of individual in controversy with signature validation, was the same address but different apartment number.
    - A technical error was made by pre-dating petitions prior to receiving the signature.
  - BOE Attorney Kate Munoz
    - The BOE initially used an incorrect address to send Mr. Butler the challenge documents. Three days later, BOE staff used the correct address to provide Mr. Butler with its initial preliminary determination, that in that version had found that Mr. Butler had ten valid signatures for ballot access.
    - Ms. Moore, flagged discrepancies for the registrar, but that correspondence was not provided to Mr. Butler.
    - Subsequent to that, the registrar sent out a revised preliminary determination which concluded that Mr. Butler had nine valid signatures.
  - Latoya Moore
    - The circulator affidavit error cannot be remedied under D.C. law, so the additional time being requested by Mr. Butler would not be reasonable. Circulator affidavits errors are not curable defects and 21 of the errors were circulator affidavit errors.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends that the Board exercise its discretion to waive the formal error with respect to the dates and grant Mr. Moore ballot access as he would have the requisite number of signatures to attain ballot access.
  - **BOARD ACTION:** Unanimously approved motion to grant ballot access for James Butler.

- **Carlene Reid v. Ryan Washington, Ward 8 Member, SBOE**
  - BOE attorney Terrica Jennings provided notice of the hearing via correspondence three days after the challenge was filed to both parties in this matter.
  - In light of the fact that notice was given pursuant to 3 DCMR 403.3 and neither party is present, it is recommended that the Board proceed ex parte.
    - **BOARD ACTION:** Unanimously decided to proceed ex parte.
  - Registrar of Voter Preliminary Determination Report
    - On August 4th, 2020, Ryan Washington submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Ward 8 Member of the State Board of Education. The minimum requirement to obtain ballot access for this office is 50 signatures of District voters who are duly registered in the same Ward as candidate. The petition contained 83 signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17th, by Carlene Reid, a registered voter in the District of Columbia. Ms. Reid filed challenges to 46 of the 83 signatures submitted.
    - Voter Services' review of the challenges indicate that 35 of the 46 challenges are valid:
      - Nine are valid because the signer was not registered to vote at the address listed on the petition at the time the petition was signed.
      - Two are valid because the petition does not include the address of the signer.
      - Two are valid because the signers were not registered at the time the petition was signed.
      - Eleven are valid because the signature is not dated.
      - One is valid because the signer is not a registered voter in the Ward or SMD from which the candidate seeks nomination at the time the petition was signed.
      - Ten are valid because the circulator of the petition failed to complete all required information in the circulator's affidavit.
    - This leaves the candidate's nominating petition with 48 signatures, two signatures below the number required for ballot access.
    - The registrar of voters timely received information from Mr. Washington indicating that there were discrepancies in the registrar's report. After additional review of the challenge, the registrar of voters determined that two signatures that had initially been determined to be invalid were, in fact, valid. Therefore, Mr. Washington was credited with two additional signatures leaving the candidate's nominating petition with 50 signatures, the number required for ballot access.
    - The registrar of voters timely received one change of address from Mr. Ryan Washington on Monday, August 31st, 2020. This form was

- accepted. Accordingly, candidate Washington was credited with one signature that had initially be determined to be invalid.
  - This leaves the candidate's nominating petition with 51 signatures, one signature over the number required for ballot access.
- **BOE General Counsel Terri Stroud Recommendation**
  - Recommends the Board grant Ryan Washington access in the contest for member of the State Board of Education for Ward 8.
  - **BOARD ACTION:** Unanimously approved motion to grant ballot access for Ryan Washington.
- **Jeannina Williams v. Stephen Slaughter, SMD 8E07**
  - The BOE provided both Mr. Slaughter and Ms. Williams with notice of the hearing date in correspondence on August 20 and at a pre-hearing conference date on August 28. There have been subsequent attempts to confirm that they are on the agenda at this hearing.
  - In light of the fact that notice was given pursuant to 3 DCMR 403.3 and neither party is present, it is recommended that the Board proceed ex parte.
    - **BOARD ACTION:** Unanimously decide to proceed ex parte.
  - Registrar of Voter Preliminary Determination Report
    - On August 5th, 2020, Stephen Slaughter submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of ANC for SMD 8E07. The minimum requirement to obtain ballot access for this office is ten signatures of District voters who are duly registered in the same SMD as candidate. The petition contained ten signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17 by Jeannina Williams, a registered voter in the District of Columbia. Ms. Williams filed challenges of 12 of the 13 signatures submitted.
    - Voter Services' review of the challenges indicate that one of the 12 challenges is valid:
      - One of the challenges is valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed.
    - This leaves the candidate's nominating petition with 12 signatures, two signatures over the number required for ballot access.
  - Response from Parties
    - Stephen Slaughter agrees with the findings.
  - **BOE General Counsel Terri Stroud Recommendation**
    - Recommends that Mr. Slaughter be granted ballot access in the contest for Advisory Neighborhood Commissioner in Single Member District 8E07.
    - **BOARD ACTION:** Unanimously approved motion to grant ballot access for Stephen Slaughter.

- **Jillian Wolons v. Brandon Frye, Ward 2 Member, SBOE**
  - The BOE provided notice to the parties of this public hearing date in correspondence sent to them on August 20, 2020.
  - Registrar of Voter Preliminary Determination Report
    - On August 5th, 2020, Brandon Frye submitted a nominating petition to appear on the ballot as a candidate in the General Election for the office of Board Team Member of the State Board of Education. The minimum requirement to obtain ballot access for this office is 50 signatures of District voters who are duly registered in the same Ward as the candidate. The petition contained 55 signatures and was posted for public inspection for ten days as required by law.
    - The petition was challenged on August 17 by Jillian Wolons, a registered voter in the District of Columbia. Ms. Wolons filed challenges to 38 of the 55 submitted.
    - Voter Services' review of the challenges indicate that all 38 of the 38 challenges are valid:
      - Two are valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed.
      - Four are valid because the signers are not registered at the time the petition was signed.
      - Twenty-five are valid because the signature was pre-dated.
      - Five are valid because the circulator of the petition failed to complete all required information in the circulator's affidavit.
      - Two are valid because the signer is not a registered voter in the Ward or SMD from which the candidate seeks nomination at the time the petition was signed.
    - This leaves the candidate's nominating petition with 17 signatures, 33 signatures below the number required for ballot access.
  - **BOE General Counsel Terri Stroud Recommendation**
    - Recommends that Mr. Frye be denied ballot access in the contest for member of the State Board of Education for Ward 2.
- **BOARD ACTION:** Unanimously approved motion to deny ballot access for Brandon Frye.

**Proper Subject Matter Hearing: The New Modern Day Criminal Justice Cannabis Reform Act of 2020**

- The only thing the Board is considering is whether or not the measure presents a proper subject for initiative under the following criteria:
  - Does the measure conflict with or seek to amend Title IV of the DC Home Rule Act, otherwise known as the District Charter?
  - Does the measure conflict with the U.S. Constitution?
  - Has the measure been properly filed?

- Has the verified statement of contribution, which consists of the measure committee statement of organization and report of receipts and expenditures, been timely filed?
  - Does the measure authorize discrimination and violation of the DC Human Rights Act?
  - Would the measure negate or limit a budgetary act of the DC Council, or would the measure impermissibly appropriate funds under applicable DC Court of Appeals rules?
- The measure was brought to the Board on July 14, 2020 and published in the D.C. Register on July 31, 2020.
- The initiative was submitted in the proper form.
- The Office of the Attorney General found in its opinion that the measure was not a proper subject of initiative stating in part:
  - The measure was an impermissible law appropriating funds because it impermissibly interferes with the process of allocating revenue among agency activities. It would forbid law enforcement agencies from allocating revenues toward certain purposes such as investigations involving cannabis and cannabis oil. It would also require the District Government to spend funds immediately towards new purposes and programs, like the retraining of canines, the return of seized property, and the creation of a new execution board. In each of these respects, the measure would impermissibly interfere with the management of the financial affairs of the District.
- Proponents of the measure
  - Dawn Lee-Carty, Executive Director of the Modern Day Cannabis Justice Reform
    - The initiative contains four different measures in which there are no plans to use the appropriations of the District's money for the initiative to be effective.
    - A plan has been devised such that the Modern Day Cannabis Justice Reform can use own cannabis taxpaying money to benefit the District's client.
    - The Office of the Attorney General's position regarding the initiative was outlined in the July 2019 letter to the FDA with concerns about:
      - Mislabeling of medical cannabis products that were sold at a dispensary.
      - Product safety
      - Mislabeling leading to potential harm
    - Explained how cannabis helped her daughter treat seizures and the dangers of unregulated cannabis.
  - Neill Franklin, Retired major with the Maryland State Police, and Executive Director for the Law Enforcement Action Partnership
    - Imperative that work is diligently done to improve policy community relations including ending stop and frisks relative to cannabis.

- The Modern Day Justice Cannabis Reform Act is necessary for improving public safety.
- Kyla Hill, Deputy Director of Modern Day Cannabis Justice Reform
  - In 2019, over 83 percent of arrest were people of color.
  - Cannabis prohibition puts a target on minorities and puts citizens at risk when marijuana is used as probable cause.
  - As long as cannabis is prohibited by law, it creates a challenge for banking because financial institutions do not allow people to bank.
  - The Modern Day Cannabis Justice Reform has run into challengers trying to bank as a nonprofit organization for having the word cannabis in our name.
- Sebastian Medina-Tayac, Director of Impact at Eaton Workshop
  - It is a great historical injustice to criminalize and police communities of color on plant counts while access to this life-saving herbal medicine is being controlled and restricted.
- Stacey Lewis
  - Explained how cannabis helped cope with personal issues.
- Brennan Woodson
  - Explained how cannabis helped cope with personal issues.
- Michael Vidal, Virginia resident
  - Support initiative so the public can safely use marijuana either medically or recreationally.
- Lorraine Brandy
  - Explained how cannabis has helped her cope with body ailments.
- Jemilat Cherry
  - Explained how cannabis has helped her cope with body ailments.
- Tamon Thomas
  - Explained how cannabis has helped him cope with personal issues.
- Cecilia Porrata
  - Although marijuana is decriminalized it is still illegal and the public are still penalized for possession.
- Rayson Jacobs
  - Explained how marijuana effected life through adulthood, which would not have been the case if it was legalized.
- Jay Patrick
  - The District could save time and resources if marijuana was legalized and direct resources to other organizations or programs within the District.
- Hani Ahmed, Owner of Black Egyptian DC
  - Talked about being arrested for possession of marijuana although he consumes it for medical purposes.
- **Office of the General Counsel Recommendation**
  - The initiative is not a proper subject initiative.

- Under the terms of Title IV of the District of Columbia Home Rule Act, a measure is improper if it is not consistent with the Constitution, the Home Rule Act for any nationally applicable federal law because the initiative power is no broader than the Council's own authority.
  - Due to Congressional interference, the District of Columbia cannot enact any regulatory framework for the sale or taxation of marijuana.
  - The D.C. Council cannot enact legislation that exceeds its own authority.
  - The initiative is improper because it includes provisions such as, any resources currently in use for the purposes of investigating and proposing cannabis and CBD shall instantly be diverted towards violent crimes and murders as well as dogs who were previously trained to detect cannabis will be retrained to detect explosives, weapons of mass destruction and firearms so as to protect our schools, malls, mass gatherings from foreign and domestic terrorism.
  - The initiative that every cannabis user will agree to donate or volunteer the equivalent of four percent of their revenue to the community intrudes upon the discretion of the Council to allocate District government resources in the budget process.
  - The D.C. Council has previously explained in *Hessey v. Board of Elections and Ethics*, the power of the purse, which Congress has delegated to the District government, remains with the elected officials of the District government and is not subject to control by electorates to initiatives.
  - Even if the measure raises new revenues, under the current District laws the proposed initiative is still an improper subject initiative.
- Board is keeping the record open on the petition until the end of day Friday. The Board will wait until all the record is in and then set a hearing for a public vote.

**ADJOURNMENT (4:02 p.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**October 7, 2020**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, October 7, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, and the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, were also present.

### **CALL TO ORDER 10:03 am**

### **ASCERTAINMENT OF QUORUM**

- Board Members Gill and Greenfield constituted a two-member quorum to conduct business.
  - Board Chairman Bennett arrived later in the meeting.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the amended agenda and minutes from the last meeting held on September 2, 2020.

### **BOARD MATTERS**

- Board member Gill requested that Ms. Miller discuss during her report the Board's staffing preparedness for the election, and safeguards to prevent fraud in light of the Board sending ballots to all registered voters for this election.
- Board member Greenfield thanked BOE staff for their hard work preparing for the election.

### **OCF SEPTEMBER 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

- OCF continues to operate under a modified status; services are provided remotely via email and telephone (202-671-0547).
  - All candidate and committee reports will continue to be received online at the OCF website on the required deadlines. Candidates may contact the office for instructions concerning the registration process.
- On September 29 and 30, 2020, OCF hosted the Virtual 2020 DC Inaugural Debates under the Fair Election Program (FEP) for the November 3, 2020 General Election contests for At-Large Member of the State Board of Education and At-Large Member of the Council of the District of Columbia.
  - All candidates certified in the FEP were required to participate, and all candidates who achieved ballot access in the Traditional Campaign Finance Program (TCFP) were invited to participate.

- On September 29, the At-Large Member of the State Board of Education Candidate Debate was moderated by Washington Post Reporter for Education, Perry Stein, and a total of 6 candidates participated.
  - Debate 1 – September 29, 2020, 4:30 PM – 6:00 PM (6 Participants)
- On September 29 and 30, the debates for At-Large Member of the Council were moderated by Washington Post Reporter, Fenit Nirappil, and a total of 18 candidates participated.
  - Debate 1 – September 29, 2020, 7:30 PM – 9:00 PM (5 Participants)
  - Debate 2 – September 30, 2020, 5:00 PM – 6:30 PM (7 Participants)
  - Debate 3 – September 30, 2020, 8:00 PM – 9:30 PM (6 Participants)
- The debates were advertised on metro bus exteriors on various routes throughout the DC area, 15 area radio stations, and digital ads on the internet.
- Videos of the 2020 Debates are available at the OCF 2020 DC Debates Website, [www.2020dcdebates.com](http://www.2020dcdebates.com), for viewing, and will remain online through the November 3, 2020 General Election.

- **Fair Elections Program Division (FEP)**

- Authorized Base Amount and Matching Payments
  - During September 2020, the total sum of \$72,752 was authorized for distribution in Base and Matching Payments to the following FEP participating candidates:

Date	Description (Candidates)	Base Amount	Matching Payments
09/10/20	James for Ward 2 SBOE		\$600
09/10/20	Lex Reid 2020		\$400
09/11/20	Committee to Elect Mysiki Valentine	\$10,000	\$21,877
09/11/20	Franklin Garcia for DC 2020		\$1,375
09/11/20	Franklin Garcia for DC 2020		\$1,150
09/16/20	Randy Downs Ward 2		\$15,650
09/28/20	Friends of Christina Henderson		\$20,100
09/29/20	Committee to Elect Dontrell Smith		\$600

- As of September 30, the total sum of \$3,612,451.00 has been disbursed in Base Amount and Matching Payments to 35 candidates certified in the FEP to participate in the June 2, 2020 Primary Election, the June 16, 2020 Special Election, and the November 3, 2020 General Election.
- There are currently 20 candidates certified as “participating candidates” in the FEP for the November 3, 2020 General Election, and 11 candidates were certified as participating candidates in the June 2, 2020 Primary Election. 10 candidates were defeated and will not continue to participate in the General Election, and 4 candidates certified as participating candidates in the June 16, 2020 Special Election were defeated.

- **September 2020 FEP Certifications**
  - The three following candidates were certified as participating candidates for the November 3, 2020 General Election:
    - Committee to Elect Mysiki Valentine, certified on 9/11/2020
    - Eboni Rose Thompson for DC SBOE Ward 7, certified on 9/11/2020
    - Committee to Elect Friends of Allister Chang, certified on 9/11/2020
- **September Desk Reviews and Other Activities**
  - 29 desk reviews of the Optional August 31-- September 30 reports, and amended R&E Reports were conducted.
  - 10 requests for additional information (RFAI) letters were sent.
- **Ongoing Audits**
  - Post-Election Audits 2020 Primary Election
    - Notices of Full Field Audits were issued on June 19, 2020 to the following candidates:
      - Kelvin Brown for DC Council Ward 7 – No Audit documentation received as of September 4, 2020. Referred to the Office of the General Counsel (OGC). Hearing on failure to file documents scheduled for October 8, 2020.
      - Green for Ward 7 – Audit documentation received on August 6, 2020. Audit in progress.
      - Evans 2020 – Audit documentation received on July 31, 2020. Audit in progress.
      - Yilin for Ward 2 – Audit documentation received on August 29, 2020. Audit in progress.
      - Patrick Kennedy for Ward 2 – Extension approved until October 12, 2020 for submission of documents.
      - Mike for Ward 8 - Audit documentation received on August 14, 2020. Audit in progress.
      - Kishan for DC 2020 – Audit documentation received on August 6, 2020. Audit in progress.
      - Jordan Grossman for Ward 2 – Audit documentation received on August 5, 2020. Audit in progress.
      - John Fanning for Ward 2 – Extension approved until October 12, 2020 for submission of documents.
      - Elect Renee Bowser – Audit documentation received on September 24, 2020. Audit in progress. Referred to the OGC for failure to timely file documents. Hearing scheduled for October 8, 2020.

- **Post-Election Audits 2020 Special Election:**
    - Notices of Full Field Audits were issued on July 6, 2020, to the following candidates:
      - Kishan Putta, Kishan Putta for Ward 2 Special Election 2020 – Extension approved until October 12, 2020 for submission of documents.
      - John Fanning, John Fanning for Ward 2 Special Election 2020 – Extension approved until October 12, 2020 for submission of documents.
      - Jordan Grossman, Grossman for Ward 2 Special Election – Audit documentation filed on August 14, 2020. Audit in progress.
      - Patrick Kennedy, Patrick Kennedy for Ward 2 Special Election - Extension approved until October 12, 2020 for the submission of documents.
- **Public Information and Records Management Division (PIRM)**
  - September 2020 Filing of R&E Reports:
    - Legal Defense Committee – Ninth R&E Report was due September 1, 2020
      - 1 required filers
      - 1 timely filers
      - 1 electronically filed their report
      - 1 certified E-filing
    - Initiative/Referendum Committees – Second R&E Report was due September 10, 2020.
      - 1 required filers
      - 1 timely filers
      - 1 electronically filed their report
      - 1 certified E-filing
    - FEP PCCs – September 30, 2020, Optional R&E Report for Certified Candidates
      - 10 timely filed
      - 10 electronically filed their report
      - 10 certified E-filing
  - Registration of new candidates/committees in September 2020
    - Exploratory Committee
      - Butler Mayoral Exploratory Committee, registered on 9/21/2020
  - 2 candidates & treasurers have completed the OCF entrance conference presentation during September 2020:
    - Sarah Mehrotra/Candidate & Treasurer, Committee to Elect Sarah Shanti Mehrotra (Ward 2 SBOE)

- Kathy Henderson/Candidate & Treasurer, Committee to Elect Kathy Henderson (At-Large, City Council)
- **Reports Analysis and Audit Division (RAAD)**
  - 36 desk reviews of reports filed in the TCFP during September 2020
  - Ongoing Audits for September 2020
    - Periodic Random Audits – Candidates in the Upcoming 2020 Election – January 31 filing
      - Friends of Robert White, audit records received March 16, 2020. Audit fieldwork to continue as of October 5, 2020.
      - Veda for Ward 7, initiated March 2, 2020. Audit fieldwork to continue as of October 5, 2020.
      - Committee to Elect Rogers for Council - initiated March 2, 2020. Audit fieldwork to continue as of October 5, 2020.
    - Periodic Random Audits – PACs - January 31 filing
      - Verizon Communications Inc. Good Gov't Club PAC-initiated March 2, 2020. Audit fieldwork to continue as of October 5, 2020.
      - DC Libertarian Party – initiated March 2, 2020. Audit fieldwork to continue as of October 5, 2020.
      - Firefighters Committee on Political Activities – initiated March 2, 2020. Audit fieldwork to continue as of October 5, 2020.
  - Audits Issued
    - Ward 4 Constituent Service Program – Compliance Audit issued 09/22/20

## **OCF OGC SEPTEMBER 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

- **Intake/Output Report**
  - 5 referrals were received by the OGC and 6 informal hearings were conducted.
  - 6 orders were issued with no fines imposed or collected.
- **Open Investigations:**
  - Complainant: Jennie Malloy
    - Date received: May 19, 2020
    - Respondent: Karl Racine for Attorney General 2018
    - Allegations: Inappropriate use of campaign funds
    - Status: Investigation completed and the order is pending
  - Complainant: Chuck Thies
    - Date received: May 28, 2020
    - Respondent: Anthony Lorenzo Green, PCC
    - Allegations: Inappropriate use of a government resource
    - Status: The investigation is completed and the order is pending.

- Complainant: Laura Wolfe
  - Date received: June 12, 2020
  - Respondent: Brooke Pinto
  - Allegations: Failure to report excessive contributions
  - Status: The investigation is completed and the order was issued on September 25, 2020 dismissing the complaint due to insufficient evidence to support the allegations.
- **Interpretative Opinions**
  - NONE
- **No Show Cause Proceedings**
  - NONE

**BOE EXECUTIVE DIRECTOR'S SEPTEMBER 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- **General Matters**
  - Thanked DC residents, especially younger residents for helping BOE exceed goal of needed election workers for November general election.
    - There are over 3,000 applicants still in queue, waiting to be contacted for training and vote center placement at one of the 95 locations.
    - The 3,000 applicants in queue is in response to the BOE receiving more applicants than intended.
    - Applicants have been informed the BOE will reach out if and when they are needed.
  - As of October 6, 2020, the BOE has trained 3,081 election workers, and 655 election workers are still scheduled to attend upcoming training classes.
  - An estimated 2,159 workers are needed. The BOE has currently trained 922 more workers than expected, and when the 655 remaining workers are trained, the BOE will have a total overage of at least 1500 poll workers.
  - The final poll worker training class will take place on Saturday, October 24, 2020, for the following positions: site coordinators, registration clerks, ballot clerks, and voter assistant clerks.
  - Since August 1, 2020, the BOE has conducted 45 registration clerk classes with nine classes remaining, 53 ballot clerk classes with nine classes remaining, 47 voter assistant classes with seven more scheduled, and 3 site coordinator classes with nine more scheduled.
  - The BOE will hold 6 precinct technician classes with 95 technicians scheduled to be at each of the 95 vote centers.
  - Election day assignment letters were mailed out by the USPS on Friday, October 2 to 90% of the workers assigned to one of the 95 vote centers.
  - Registration clerk schedules are currently being filled for vacancies in Wards 7 & 8. The agency has the workers needed to fulfill the vacancies.

- Early voting assignment letters are currently being finalized, and should be ready to be e-mailed before October 4.
- There will be 32 early vote sites, 95 election day sites, and six super vote centers, with the new addition of the Entertainment Sports Arena in Southeast.
- Curbside voting will not take place at super vote centers but will take place at the 89 remaining voting sites.
- As of October 6, all 55 mail drop boxes were available for residents to deposit their ballots. Drop boxes will be available 24 hours a day including Election Day and will close at 8:00 pm on Tuesday, November 3.
  - The BOE website has listed an interactive map that will allow voters to locate the closest drop boxes and vote centers based on their address.
- The mail house in Washington state has mailed 463,422 ballots to registered voters on September 25. The ballots were delivered to USPS in DC on September 27, then the USPS delivered ballots to voters on September 28.
  - 18,031 ballots have been returned as undeliverable:
    - 6,610 residents have address changes/or moved since July/August when the BOE performed the last national change of address update in the registry.
    - 8,422 residents are out-of-state movers, which the BOE has no information on.
    - 2,461 residents have no forwarding address.
    - 534 returned ballots have a stamp that says “temporarily away, return to sender.”
    - 4 ballots have come back from deceased voters.
- Ballots will continue to go out on a rolling basis through the middle of October. The BOE asks for residents to continue to monitor their mailboxes. If a ballot is received that does not belong to the voter or anyone in the voter’s household, please mark as “return to sender” and mail back or drop off at any ballot drop box in the city.
- As of Tuesday, October 6, the USPS has returned 7,674 ballots, and 7,861 ballots have been retrieved from the ballot drop boxes.
- BallotTrax is currently operating for voters to track their ballots returned to BOE via the USPS or the drop boxes.
- Restore the Vote
  - BOE has mailed 2,400 registration applications to 107 federal prisons for eligible DC citizens in compliance with the recently enacted legislation to restore the vote for incarcerated citizens. 352 DC residents incarcerated within federal prisons have successfully completed the voter application process.
  - With respect to DC Jail, BOE has received 42 ballots.
- On September 16 and September 25, postcards were sent to registered voters and households; E-flyers were sent to all ANC’s for distribution, with additional flyers

going out on October 14; 500 yard signs will be delivered for posting to individual yards scheduled on October 8; 100,000 door hangers will be delivered on October 9 and October 13 with an additional 100,000 hangers; E-flyers will go out to all registered voters with emails on file with the BOE on October 15; additional yard signs will be delivered between October 19 and 20; 400,000 additional door hangers for delivery on October 25; and Voter Guides have been mailed to registered voters in the District.

- Members of the Board and staff have participated in a number of webinars with local and national federal partners. BOE Director Miller served on a panel sponsored by Harvard with election officials and others in crisis management; Director Miller served as a panelist discussing the protection of votes with experts in election fraud issues from the U.S. Attorney's Office, FBI, and the Public Corruption and Civil Rights Section from the US Attorney's Office in DC.
- On October 20, the BOE General Counsel and Executive Director, along with the US Attorney's Office, the Black Prosecutors of the US Attorney Office, and the National Bar Association Young Lawyers' Section will host an event titled Navigating the 2020 Election: What You Need to Know to Protect Your Vote.

- **Outreach**

- BOE's last outreach event will take place on Tuesday, October 13 (the last day non-in-person for voter registration) from 10am to 2pm at Entertainment & Sports Arena.

## **BOE OGC SEPTEMBER 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Litigation Status**

- **William v. Hunt. D.C. Board of Elections**

- This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018, general election.
- The Board filed a motion to dismiss on Wednesday, April 24, 2019.
- The Court granted the Board's motion on March 10, 2020.
- Mr. Hunt appealed to the D.C. Court of Appeals on April 16, 2020, beyond the 30-day period under federal rules for appealing.
- The Court gave Mr. Hunt until May 22, 2020, to show cause why the case should not be dismissed as untimely; the deadline was extended to July 1, 2020.
- On June 25, 2020, Mr. Hunt filed a brief with the courts but failed to address why the appeal should not be dismissed as a matter of law.
- The Board is currently awaiting the Court's decision.

- **Hammond v. D.C. Board of Elections**
  - This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04.
  - On September 6, 2019, the Court of Appeals consolidated this case *with Robin Marlin v. the D.C. Board of Elections*, an appeal from Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
  - On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019, and the Board to file its response on December 18, 2019, in both matters. The Appellants filed their briefs on December 16, 2019, and their appendix on March 4, 2020.
  - The Board filed a response on April 5, 2020, via electronic case file (ECF).
  - Waiting for the Court's decision in both matters.
- **Alliance Party, et al v. D.C. Board of Elections** (BOE represented by the Attorney General for the District of Columbia)
  - This matter was held in the District's Federal District Court involving the signature requirements for the office of President.
  - The complaint seeks to preclude the Board from enforcing the August 5, 2020, deadlines to file nominating petitions against independent and third-party candidates for the office of president, because although the signature requirement was lower, that did not occur until after the August 5 deadline had passed.
  - The plaintiffs seek the court to accept the petition with the requisite number of signatures if it is filed by noon on Tuesday, September 8.
  - On September 3, the Court held a hearing on the plaintiff's request for a temporary restraining order; the Court denied the request.
  - The plaintiffs are still litigating case on the merits.
  - The Office of Attorney General filed an answer and motion to dismiss on September 23.
  - The matter is still pending.
- **Kathy Henderson v. D.C. Board of Elections**
  - This matter involves an appeal by Kathy Henderson from a Board order granting ballot access to Bernice Blacknell, a candidate in the contest for ANC SMD 5D04.
  - The Board filed a motion for summary affirmance in the DC Court of Appeals on September 9.
  - On September 11, the Court granted the Board's motion.

- **Rulemaking**

- Final Rulemaking

- Amend Title 3 DCMR Chapters 5 and 7 to place the chapters into conformity with the General Elections Preparation Emergency Amendment Act of 2020.
      - Would clarify that cameras may be used in voting and counting locations as long as they do not disrupt or interfere with the election administration process, and to establish that requests for absentee ballots must be received by the 15<sup>th</sup> day before Election day.
      - Notice of the proposed rulemaking was published in the DC Register on September 11<sup>th</sup>, at 67 DCR 010977. No written comments on the proposed rules was received during the public comment period, and no substantive changes have been made to the regulations as proposed.

- Emergency and Proposed rule making

- Pursuant to this rulemaking, 3 DCMR Chapter 7 would be amended to be placed into conformity with the Election Worker Residency Requirement Waiver Emergency Amendment Act of 2020, which provides that District government employees who are not District residents or qualified electors may serve as polling place officials.
    - Request Motion from Board to adopt the final and emergency and proposed rulemaking.
      - **BOARD ACTION:** Unanimously approved Motion to adopt the final and emergency and proposed rulemaking recommendations by the General Counsel.

## **PUBLIC MATTERS**

- Michael Sindram

- Asked for dates of early voting, and if there will be curbside voting in Ward 4 at Emery Recreation center.
    - **Executive Director's Response:**
      - Emery Recreation Center will have curbside voting
      - Early voting starts October 27 with hours 8:30am to 7pm
      - Election Day voting is on November 3 from 7am to 8pm.

**ADJOURNMENT (11:24 a.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**December 2, 2020**

The District of Columbia Board of Elections (The Board) held its Regular Monthly Meeting on Wednesday, December 2, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, the Director of the Office of Campaign Finance (OCF), Cecily Collier-Montgomery, and the General Counsel of the OCF, William SanFord, were also present.

### **CALL TO ORDER 11:14 am**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the amended agenda and minutes from the last meeting held on October 7, 2020.

### **BOE EXECUTIVE DIRECTOR'S NOVEMBER 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- The November election had a voter turnout of 66.9 percent of eligible voters.
  - Approximately 30,000 voters citywide cast ballots on Election Day.
- Ballots were overwhelmingly cast by both return mail and by the use of the 55 mail ballot drop boxes located through the District.
- Between October 27 and November 2, 32 early vote centers were used, and on November 3, 95 centers were utilized.
- There were 60,349 ballots returned by mail; 160,221 ballots returned by drop box; and 82,586 ballots received at early vote centers.
- Super vote centers allowed quicker voter processing, access to more voting equipment, and more election workers to service them.
- The Board thanks all the volunteers that served as election workers for their commendable service during the November election.
- Due to residents willing to volunteer, the Board exceeded the goal of needed volunteers and received over 3,000 applications.

### **Certification of the November 3, 2020 Presidential General Election Results**

- On November 23 and 24, the Board conducted the mandated manual audit of one randomly selected precinct per Ward, two Ward-based contests, and one citywide contest.
  - Results were made available to the public by press release on November 30.

- There are several write-ins that the Board needs to certify for ANC positions, and there is one contest within the ANC that is a tie.
- Presidential Election Results
  - Joseph R. Biden and Kamala Harris - 317,323 votes
- Delegate to the U.S. House of Representatives
  - Eleanor Holmes-Norton - 281,831 votes
- At-large member of the Council
  - Robert White - 139,208 votes
  - Christina Henderson - 79,189 votes
- United States Senator
  - Paul Strauss - 251,991 votes
- United States Representative
  - Oye Owolewa - 240,553 votes
- At-large member of the State Board of Education
  - Jacque Patterson - 83,782
- Initiative 81 contest
  - Voted yes to approve - 214,885 votes

### **Certification of Write-Ins for Advisory Neighborhood Commission Results**

These individuals timely and properly filed Declarations of Candidacy, and the Board now needs to certify them as winners.

- Jason W. Clark, 1A12
- Yannik Omictin, 2A01
- Donna Barbisch, 2A04
- Evelyn Hudson, 2A05
- Adam Friend, 2A07
- Hannah Untereiner, 2D02
- Matias Burdman, 2E08
- Peter Gosselin, 3G06
- Eric Smith, 4D05
- Edward Ryder, 6B07
- Pranav Nanda, 6C04
- Andrew Bossi, 6D01
- Jared Weiss, 6D02
- Wendall Felder, 7D07
- Whitney Weston, 7F03
- Shirley Thompson-Wright, 7F06
- Khadijah Watson, 8B01
- Paul Trantham, 8B02
- Rhonda Edwards-Hines, 8C06
- Ellen Armstead, 8D05
- The contest of ANC7B03 resulted in a tie vote between Lindsey Botts and Wenterly Wood-Peacock.

- Lindsey Botts was declared the winner by random lot selection.
- Board Member Greenfield moved that the Board certify the candidates that received the highest number of votes, as reflected by the Executive Director, as the winners of their respective contests.
  - **BOARD ACTION:** The Board unanimously approved a motion to certify the winners of the November 3 General Election as the winners.

### **Swearing-In of the Electors**

- The Board certified the oath for the presidential electors so they can move forward with their duties.
  - Meedie Bardonille
  - Barbara Helmick
  - Jacqueline W. Thompson-Echavarria
- The election has been certified, electors have been sworn in, and the Board will forward information to the Mayor and to the Secretary of the District of Columbia, who will inform the electors as to their next responsibility, where and when they will cast their votes, and how the process will move forward.
- Any candidate in a contest who would like to file for a recount of the results with the registrar of voters has seven days from today to do so.
  - Anyone filing and requesting a recount will have to pay for the staff time conducting the recount if the vote difference is more than 10%.
  - The seventh day expires on December 9, and the Board will conduct any requested recount, on Friday, December 11 and 12, if needed.

### **General Matters**

- The election worker training and recruitment division trained 3712 election workers over 12 weeks that began on August 4 and ended on October 20.
  - About 1553 more workers were trained than needed as site coordinators, registration clerks, ballot clerks, voter assistance clerks, and area representatives.
  - The division conducted 58 registration classes, 33 ballot clerk classes, 54 voter assistance classes, and 12 site coordinator classes.
- During early voting, there were 2120 election workers assigned to the 32 early vote centers throughout the week, with alternative morning and afternoon work shifts.
- There were 2150 election workers that managed the vote centers all day on Election Day.
- There were 55 mail ballot drop boxes that were available to voters to deposit their ballots between October 5 and November 3, and an interactive map that allowed voters to locate both the closest drop boxes and the vote centers for them to vote based on their address or location.
  - Drop boxes were placed at every public library except Lamond-Riggs due to construction, making it easy for voters to know where to go to drop off their mail ballots.

- Ballot tracker on the Board's website allowed voters to track their ballots from the point of deposit through USPS or the mail drop boxes through receipt by the Board.
- The voter education and outreach division collected 1191 ballots from 57 senior buildings and facilities from October 27 through November 2.
- Staff and Board Members participated in a number of ANC meetings, civic association meetings, and other types of general meetings to ensure the November election processes would be as seamless as possible.
- There were over 200 media inquiries and interviews with the Board Chair and staff from outlets including The Washington Post and all local T.V. stations.
- The Board ran two 30-second ads produced for television in 2700 airings on local T.V. stations and cable.
- Online advertising was targeted and reached about 300,000 District residents with T.V. ads and transit advertising.
- Four different digital live broadcast ads were placed inside Metro stations, mostly in Wards 6, 7, and 8.
- Radio ads played multiple times daily, totaling over 1800 airings on Weather and Traffic Radio, iHeartRadio, WAMU Radio, and Radio One.
- Four different robocall messages were recorded, targeting approximately 400,000 registered voters.
- Text messages went out to 200,000 District residents, and there were 11 print ads, including weekly e-blasts to the Washington Business Journal, The City Paper, Washington Informer, Afro-American, Georgetown, El Tempo, Washington Play, HillRag, East of the River, and the Met City D.C.
- Over 10,000 yard signs were distributed to residents and posted on major roads, and about 20,000 door hangers were distributed.
- Four informational post cards were mailed to every registered voter informing them of how, when, and where to vote.
  - One post card was sent to eligible but unregistered voters, and it informed them of their opportunities to register and cast their ballot.

## **OCF OCTOBER/NOVEMBER 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

The OCF continues to operate under a modified status. All services are being provided remotely via email and telephone (202-671-0547). All candidate and committee reports will continue to be received online at the OCF website on the required deadlines. Candidates may also contact the office for instructions concerning the registration process.

- **Fair Elections Program Division (FEP)**
  - Authorized Base Amount and Matching Payments
    - As of October 31, 2020, the total sum of \$3,932,063.90 has been disbursed in Base Amount and Matching Payments to the 36 candidates certified in the FEP to

participate in the June 2, 2020 Primary Election, the June 16, 2020 Special Election, and the November 3, 2020 General Election.

- There are currently 20 candidates certified as “participating candidates” in the FEP for the General Election; 12 candidates certified as participating candidates in the Primary Election, and 4 candidates certified as participating candidates in the Special Election.
- During October 2020, the total sum of \$404,246.90 was authorized in 49 transactions for the disbursement of base and matching payments to FEP participating candidates.
  - The information, which includes the name of the candidate, payment made, and the date of payment, is included in the report of the Office of Campaign Finance, which will be posted on the OCF website.

○ **October Desk Reviews and Other Activities**

- 78 desk reviews of the reports filed
- 24 request for additional information (RFAI) letters were sent.
- 5 status reports denied matching payments to certified participating candidates who reached the cap on the distributions for matching payments.

○ **October Ongoing Audits**

- There are currently 14 ongoing audits, and 10 of those audits are post-election audits of candidates and committees who participated in the Primary Election, and those were initiated on June 19, 2020:
  - Kelvin Brown for DC Council Ward 7 – Partial Audit documentation received on October 31, 2020. Audit in progress.
  - Green for Ward 7 – Audit documentation received on August 6, 2020. Audit in progress.
  - Evans 2020 – Audit documentation received on July 31, 2020. Audit in progress.
  - Yilin for Ward 2 – Audit documentation received on August 29, 2020. Audit in progress.
  - Patrick Kennedy for Ward 2 – Extension approved until October 12, 2020. Documentation not yet received.
  - Mike for Ward 8 - Audit documentation received on August 14, 2020. Audit in progress.
  - Kishan for DC 2020 – Audit documentation received on August 6, 2020. Audit in progress.
  - Jordan Grossman for Ward 2 – Audit documentation received on August 5, 2020. Audit in progress.
  - John Fanning for Ward 2 – Extension approved until October 12, 2020. Documentation not yet received.
  - Elect Renee Bowser – Audit documentation received on September 24, 2020, Audit in progress.
- There are four post-election audits of candidates and committees who participated in the Special Election, and those audits were initiated on July 6, 2020.

- Kishan Putta, Kishan Putta for Ward 2 Special Election 2020 – Extension approved until October 12, 2020. Documentation not yet received.
- John Fanning, John Fanning for Ward 2 Special Election 2020 – Extension approved until October 12, 2020. Documentation not yet received.
- Jordan Grossman, Jordan Grossman for Ward 2 Special Election – Audit documentation filed on August 14, 2020. Audit in progress.
- Patrick Kennedy, Patrick Kennedy for Ward 2 Special June 16, 2020 - Extension approved until October 12, 2020. Documentation not yet received.

- **Public Information and Records Management Division (PIRM) – October 2020**

- October 2020 Filing of R&E Reports:
  - Constituent Service Program - October 1st Report of Receipts & Expenditures (R&E Report)
    - 9 required filers
    - 9 timely filers
    - 2 request for extension
    - 2 extension granted
    - 9 electronically filed their report
    - 9 certified E-filing
  - Senator/Representative Statehood Funds - October 1 R & E Report
    - 3 required filers
    - 3 timely filers
    - 3 electronically filed their report
    - 3 certified E-filing
  - Legal Defense Committee – Tenth R & E Report due October 1
    - 1 required filers
    - 1 timely filers
    - 1 electronically filed their report
    - 1 certified E-filing
  - Political Campaign Committees (PCCs) & Political Action Committees (PACs) – R&E Report due October 10
    - 79 required filers
    - 72 timely filers
    - 1 late filers
    - 3 request for extensions
    - 3 extensions granted
    - 6 Failure to file
    - 7 referrals to OGC
    - 73 electronically filed their report
    - 73 certified E-filing

- FEP PCCs – R&E Report due October 10
  - 44 required filers
  - 36 timely filers
  - 3 request for extensions
  - 3 extensions granted
  - 8 Failure to file
  - 8 referrals to OGC
  - 36 electronically filed their report
  - 36 certified E-filing
  
- Independent Expenditure Committees – R&E Report due October 10
  - 4 required filers
  - 3 timely filers
  - 1 late filers
  - 1 referral to OGC
  - 4 electronically filed their report
  - 4 certified E-filing
  
- PCCs & PACs – Eight Day Pre-General R&E Report due October 26<sup>t</sup>
  - 71 required filers
  - 56 timely filers
  - 1 late filers
  - 3 request for extensions
  - 3 extensions granted
  - 14 Failure to file
  - 15 referrals to OGC
  - 57 electronically filed their report
  - 57 certified E-filing
  
- FEP PCCs – Eight Day Pre-General R&E Report due October 26
  - 26 required filers
  - 19 timely filers
  - 2 request for extensions
  - 2 extensions granted
  - 7 Failure to file
  - 7 referrals to OGC
  - 19 electronically filed their report
  - 19 certified E-filing
  
- Independent Expenditure Committees (IECs) – Eight Day Pre-General R&E Report due October 26
  - 4 required filers
  - 3 timely filers
  - 1 late filers
  - 1 referral to OGC
  - 4 electronically filed their report
  - 4 certified E-filing

- Registration of new candidates/committees in October 2020
  - Traditional Campaign Finance Program Candidates
    - Citizens to Elect Bill Lewis, registered on 10/28/2020
- 3 candidates & treasurers have completed the OCF Entrance Conference Presentation for October 2020:
  - Tanika Washington/Treasurer, 2020 Elect Dorothy Douglas for At Large SBOE
  - Christopher Etesse/Candidate, Chris Edu Tech Ward 2
  - Stephen Gilfus, Treasurer, Chris Edu Tech Ward 2
- There were 16 committee referrals to the OGC for failure to file October 10<sup>th</sup> R & E Report
  - PCCs
    - Ivan Cloyd for US Representative
    - Edwards for Ward 4 2020
    - The Committee to Elect Perry Redd
    - Ashley for DC
    - Fred 4 Ward 8
    - Elect Yaida Ford
  - FEP
    - Patrick Kennedy for Ward 2
    - Markus for DC
    - Vote Fria Moore
    - Committee to Elect Stuart Anderson
    - Patrick Kennedy for Ward 2 Special Election
    - Keith Silver for DC
    - Friends of Patricia Stamper
    - Washington for Ward 8 DC
  - PACs
    - Seniors United Political Action Committee
    - Ward 4 Democrats
  - IECs
    - Common Sense for DC
- There were 23 committee referrals to the OGC for failure to file October 8<sup>th</sup> Pre General Elections R&E Report
  - PCCs
    - Nate Ward 8
    - Fred 4 Ward 8
    - The Committee to Elect Perry Redd
    - Peter Bolton for Ward 2
    - Committee to Elect Chris Edu Tech Ward 2
    - 2020 Elect Dorothy Douglas for At-Large SBOE

- FEP
  - Committee to Elect Janeese Lewis George Christopher
  - Cole for Ward 8
  - Committee to Elect Mario Cristaldo
  - Washington for Ward 8 DC
  - Committee to Elect Dontrell Smith
  - Keith Silver for DC
  - The Committee to Elect Mysiki Valentine
- PACs
  - Seniors United Political Action Committee
  - Better Leadership
  - Credit Union PAC of Washington, D.C.
  - Citizens for Empowerment
  - ABC of Metro Washington D.C. PAC
  - D.C. Dental PAC
  - Gertrude Stein Democratic Club Pol Acct.
  - D.C. Pol. Act. Candidate Election (PACE)
  - Service Employees Intl Union MD/DC State Council
- IECs
  - Common Sense for DC
- **Reports Analysis and Audit Division (RAAD) – October**
  - 131 desk reviews of reports filed during October 2020
  - 39 request for additional information (RFAI) letters sent
  - 28 matters were resolved by the audit branch
  - One matter was referred to the OGC for enforcement
  - Nine ongoing Audits from September 2020
  - Periodic Random Audits – Candidates in the Upcoming 2020 Election – January 31 filing
    - Friends of Robert White – The Preliminary Draft Statement of Findings was under review.
    - Veda for Ward 7- The Preliminary Draft Statement of Findings was under review.
    - Committee to Elect Rogers for Council - Audit fieldwork to continue 10/05/20. The audit fieldwork is partially complete.
  - Periodic Random Audits – PACs - January 31st filing
    - Verizon Communications Inc. Good Gov't Club PAC- The Audit Report is under review.
    - DC Libertarian Party – The Audit Report was issued on October 8, 2020.
    - Firefighters Committee on Political Activities – The Preliminary Draft Statement of Findings was issued on November 2, 2020.
  - Periodic Random Audits – Constituent Services (CS) – October 1st filing
    - Citizens Outreach Fund – The Audit Report was issued on October 30, 2020.
    - Do Something Constituents Fund – The Preliminary Draft Statement of Findings was under review.

- Ward 7 Constituent Services Fund – The Audit Report was under review.
- Audits Issued
  - DC Libertarian Party PAC – issued October 30, 2020
  - Citizens Outreach Fund – issued October 30, 2020
  - Ward 7 CS Fund – issued November 12, 2020.
  - Verizon Communications Inc. Good Gov’t Club PAC – issued November 13, 2020.
- On November 23, 2020 – The OCF attended the virtual introductory meeting of the DC Auditor who will be conducting a financial audit of the Fair Elections Program, as required by D.C. Official Code § 1-1163.32j(b). The Report will also evaluate the extent to which the FEP and the candidates met the requirements of the Fair Elections Act, and will make recommendations to improve the Program.

## **OCF OCTOBER/NOVEMBER 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

### **• Intake/Output Report**

- 17 referrals were received by the OCF OGC
- 13 informal hearings were completed
- 13 orders were issued
- Eight orders were issued in which no fines imposed
- Five orders were issued in which fines totaling \$8500 to the following:
  - Urban Red PAC \$2,050.00
  - Money Supply Initiative \$2,050.00
  - DC Recovery Act \$2,050.00
  - US Citizens Recovery Init. \$2,050.00
  - Dump Trump \$300.00
- 16 petitions for enforcement was sent to the BOE OGC

### **• Open Investigations:**

- Complainant: Jenny Malloy
  - Date received: May 19, 2020
  - Respondent: Karl Racine for Attorney General 2018
  - Allegation: Inappropriate use of campaign funds
  - Status: Investigation completed Order issued October 26, 2020
- Complainant: Chuck Thies
  - Date received: May 28, 2020
  - Respondent: Anthony Lorenzo Green, PCC
  - Allegation: Inappropriate use of a government resource
  - Status: The investigation is completed and the order is pending.

### **• Interpretative Opinions**

- NONE

- **No Show Cause Proceedings**
  - NONE

## **OCF NOVEMBER 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

- **Intake/Output Report**
  - 24 referrals were received by the OGC
  - 13 informal hearings were completed
  - 13 orders were issued
    - One order issued in which no fines were imposed
    - 12 orders issued in which fines totaling \$13,600 were imposed against the following
      - Committee to Elect Stewart Anderson fined \$500
      - Elect Stewart Anderson fined \$300
      - Callie for State Board of Education fined \$1800
      - Toliver for Ward 4 fined \$1800
      - Reid for Ward 1 2018 fined \$300
      - Vote Fria Moore 2020 fined \$250
      - Committee to Elect Alpha Bah fined \$1800
      - D.C. Choice fined \$1850
      - Ivan Cloyd for U.S. Representative fined \$1400
      - Trayon White fined Ward 8 \$400
      - Edwards for Ward 4 fined \$1400
      - Ivan Cloyd, U.S. Representative fined \$1800
  - 3 petitions for enforcement was sent to the BOE OGC
- **Open Investigations:**
  - Complainant: Chuck Thies
    - Date received: May 28, 2020
    - Respondent: Anthony Lorenzo Green, PCC
    - Allegations: Inappropriate use of a government resource
    - Status: The investigation is completed and the order was issued on November 30, 2020.

- **Interpretative Opinions**
  - NONE

- **No Show Cause Proceedings**
  - NONE

## **BOE OGC OCTOBER/NOVEMBER 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Rulemaking**
  - Final Rulemaking

- Amend Title 3 DCMR Chapters 5 and 7 to place the chapters into conformity with the General Elections Preparation Emergency Amendment Act of 2020.
  - Would clarify that cameras may be used in voting and counting locations as long as they do not disrupt or interfere with the election administration process, and to establish that requests for absentee ballots must be received by the 15th day before Election Day.
  - Notice of the proposed rulemaking was published in the DC Register on September 11, at 67 DCR 010977. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed.
  - Request Motion from Board to approve rulemaking to be published in the D.C. Register, upon which they will become effective immediately.
    - **BOARD ACTION:** Unanimously approved Motion for final rule making to be published in the DC Register

- **Litigation Status**

- **William v. Hunt. D.C. Board of Elections**

- This matter was filed in US District Court on October 18, 2018 and is a complaint regarding the counting of write-in votes cast in the November 6, 2018, general election.
- Mr. Hunt requested that the Board count the write-in votes cast in the mayoral contest. The Board was not obligated to do so because the number of write-in votes cast was not sufficient to elect a write-in candidate.
- The Board filed a motion to dismiss on Wednesday, April 24, 2019.
- The Court granted the Board's motion on March 10, 2020.
- Mr. Hunt appealed to the D.C. Court of Appeals on April 16, 2020, beyond the 30-day period under federal rules for appealing.
- Mr. Hunt's appeal was dismissed as untimely on September 29, 2020.
- The matter is no longer being litigated and is final.

- **Hammond v. D.C. Board of Elections**

- This is an appeal of Board Order 19-32, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B04.
- On September 6, 2019, the Court of Appeals consolidated this case with *Robin Marlin v. the D.C. Board of Elections* (see below)
- On October 9, 2019, the Court issued a briefing schedule ordering the Appellants to file the appendix and their brief on November 18, 2019, and the Board to file its response on December 18, 2019, in both matters. The Appellants filed their briefs on December 16, 2019, and their appendix on March 4, 2020.
- The Board filed a response on April 5, 2020 via electronic case file (ECF).
- Waiting for the Court's decision in both matters.

- **Robin Marlin v. D.C. Board of Elections**
  - This is an appeal of Board Order 19-33, upholding the resolution issued by ANC 7B which found no vacancy in the office of Advisory Neighborhood Commissioner for ANC SMD 7B05.
- **Alliance Party, et al v. D.C. Board of Elections**
  - This matter, which was held in the District's Federal District Court, involves the signature requirement for the office of US President.
  - The complaint seeks to preclude the Board from enforcing the August 5, 2020 deadline to file nominating petitions against independent and third-party candidates for the Office of President, because although the signature requirement was lowered for several citywide offices and ward offices through the passage of the General Election Preparation Emergency Amendment Act of 2020, that did not occur until after the August 5th deadline for ballot access had passed.
  - The plaintiffs sought to have the Board accept the petition with the requisite number of signatures if it was filed by noon on Tuesday, September 8.
  - On September 3, the Court held a hearing on the plaintiff's request for a temporary restraining order, in which the Court denied the request.
  - This matter is being handled by the District's Office of the Attorney General who filed a motion to dismiss on September 23.
  - The matter is still pending.

## **BOARD MATTERS**

- Board Chair Bennett thanked the OCF staff for the incredible work done during the election process and for meeting the needs of candidates since the FEP was new.
- Board Chair Bennett thanked the BOE staff for the administration of the election, and discussed comments from voters about how easy the voting process was for them, and from the former deputy Postmaster General, Ron Stroman.
- The Board received one of only two A's issued by the Brookings Institute after they conducted a study about the mail process for every jurisdiction in the United States.
- Board Chair Bennett thanked Board Members Gill and Greenfield for being incredibly engaged and supportive in the process over the course of the last six months.
- The Board thanked all media for the incredible support for ensuring the Board's mission was met.
- The Board thanked senior staff Alice Miller and Terri Stroud for working late hours with a limited number of staff.

- Board Member Gill thanked Board Chairman Bennett for protecting the independence of the Board over the course of the election.

## **BOARD ORDERS**

- **Aaron Landry and Daniel Warwick v. The Office of Campaign Finance**
  - This is a request for a hearing de novo regarding the OCF's decision and OCF order 2019-001.
  - This matter came before the Board pursuant to Title 3, DCMR 3709.11, in August.
  - The OCF found that ANC Commissioners Warwick and Landry and several other ANC 2B commission members, violated D.C. Official Code 1-1163.36(a) and 3 DCMR 3301.1(a) by using the ANC Twitter page for campaign-related activity.
  - In September 2019, a complaint was filed by Edward Hanlon against the ANC 2B commissioners alleging they misused the ANC 2B Twitter account to promote the candidacy of Patrick Kennedy.
  - Mr. Hanlon alleged Commissioners Warwick and Landry violated the aforementioned statutes by allowing the Twitter account to re-tweet a tweet from Commissioner Landry's personal Twitter account.
  - The account contained a statement that read, "I love the 17th Street festival", and a photograph that showed activity taking place during the 17th Street festival, including Patrick Kennedy campaigning, and tagged Patrick Kennedy, such that the tag, if it were clicked, led to Patrick Kennedy's Twitter page, which indicated that he was running for Ward 2 ANC council in 2020.
  - In executive session, the Board deliberated the question of whether or not there was a violation of the relevant statutes and regulations when ANC 2B allowed the re-tweet to be posted from that private account.
    - **BOARD ACTION:** Two to one vote that there was a violation when ANC 2B allowed a re-tweet to be posted from a private account.
- **New Modern-Day Criminal Justice Cannabis Reform Act of 2020**
  - On September 2, the Board held a proper subject matter hearing regarding the initiative.
    - Initiative is the process by which the electors of the District of Columbia may propose laws, except laws appropriating funds and present such laws directly to the voters of the District of Columbia for their approval or disapproval.
  - On July 14, 2020, the initiative was submitted in the proper form, and was supported by a timely filed verified statement of contributions with the OCF.
  - The initiative seeks to: 1) terminate all investigations and prosecutions regarding cannabis as it applies to recreational use, legal cultivation, sales and consumption; 2) make unlawful search, seizure, arrest of person, or vehicle pertaining to cannabis; 3) prohibit arrests, searches, seizures of citizen's property based on reasonable suspicion, probable cause indicating the presence of cannabis; 4) retroactively apply to persons currently arrested, previously convicted for possession, sale, purchase of cannabis be expunged, and; 4) create an execution board that will propose these amendments in existing law and rules for the execution of this initiative.

- The Office of the Attorney General (OAG) submitted a written opinion to the Board on the propriety of the initiative which concluded that the initiative does not present a proper subject for initiative because it is an impermissible law appropriating funds.
- At a special board meeting the Board heard testimony from the proposer, Ms. Dawn Lee-Cary and numerous other witnesses, all of whom support the initiative, but their testimony did not address the question of whether the measure presents a proper subject. The Board also heard a summary of the OAG opinion as well as the recommendation from the OGC that the initiative be rejected on the ground that it does not present a proper subject because it amounts to a law appropriating funds. The OAG opinion was the only statement or testimony received in opposition to the initiative.
- The matter has been deliberated by the Board, which can only consider whether an initiative is a proper subject under the terms specified in the District Charter and the Election statute. Specifically, a proposed measure must:
  - Comply with the terms of Title IV of the District of Columbia Home Rule Act
  - Have been accompanied by a verified statement of contributions
  - Be submitted in the proper form
  - Not authorize or have the effect of authorizing discrimination prohibited under the Human Rights Act
  - Not negate or limit a budgetary act of the council of the District of Columbia
    - **BOARD ACTION:** Unanimous vote that the initiative is not a proper subject for ballot access.
- The initiative, the New Modern-Day Criminal Justice Cannabis Reform Act of 2020 is therefore not accepted, pursuant to D.C. Official Code 1-1001.16(B)(2) and the full opinion will be posted on the BOE elections website.

## PUBLIC MATTERS

- Dorothy Brizill
  - Raised concerns about citizens and observers not being allowed into the audit conducted by the BOE on November 23 and 24 due to the public health emergency, although D.C. Code §1001.09a(f) states “the audit shall be conducted in public view so that members of the public are able to verify that votes are correctly classified and tallied.”
  - Feels the law was violated because, although the Board made observation of the audit available online for citizens and observers by placing cameras in both audit rooms to view in real time, viewers could not see what was being done, could not see ballots, and there was no audio.
  - Raised additional concerns about the Board limiting the view of the public and press who were invited to view the calibration and preparation of the voting machines on September 14, and denying access to see and observe the tabulation of the votes on November 3.

- **BOARD RESPONSE:** The Board focused on being in compliance with CDC recommendations relative to social distancing due to the pandemic, while following the rules regarding the observation and tabulation of votes. Since the Board provided cameras to view the audit process, there was no violation of the law.
- Gary Griffith
  - Asked the Board to repeat the winner for ANC 2A01
- Ms. Gaal
  - Asked who was declared the winner between Lindsey Botts and Walter Peacock, and the district they represented.

**ADJOURNMENT (1:07 p.m.)**

## **MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING**

**January 6, 2021**

The District of Columbia Board of Elections (the Board) held its Regular Monthly Meeting on Wednesday, January 6, 2020, telephonically. Board Chairman Michael Bennett, Board Member Michael Gill, and Board Member Karyn Greenfield were present. The Board's Executive Director, Alice Miller, the Board's General Counsel, Terri D. Stroud, the Director of the Office of Campaign Finance (OCF) Cecily Collier-Montgomery and the OCF's General Counsel, William SanFord, were also present.

### **CALL TO ORDER 10: 37 am**

### **ASCERTAINMENT OF QUORUM**

- Board Chairman Bennett and Board Members Gill and Greenfield constitute a three-member quorum to conduct business.

### **ADOPTION OF AGENDA/APPROVAL OF MINUTES**

- **BOARD ACTION:** The Board unanimously adopted the amended agenda and minutes from the last meeting held on December 2, 2020.

### **BOARD MATTERS**

- The Board Chairman acknowledged the state of Georgia's election administration for their successful runoff election in light of record-breaking voter turnout.

### **OCF DECEMBER 2020 REPORT (DIRECTOR COLLIER-MONTGOMERY)**

The OCF continues to operate under a modified status. All services are being provided remotely via email and telephone (202-671-0547). All candidate and committee reports will continue to be received online at the OCF website on the required deadlines. Candidates may also contact the office for instructions concerning the registration process.

- **Fair Elections Program Division (FEP)**

- Authorized Base Amount and Matching Payments
  - As of December 31, 2020, the total sum of \$6,009,449.90 has been disbursed in Base Amount and Matching Payments to the 36 candidates certified in the FEP to participate in the June 2, 2020 Primary Election ("the Primary Election"), the June 16, 2020 Special Election ("the Special Election"), and the November 3, 2020 General Election ("the General Election").
  - During December 2020, the total sum of \$8,105.00 was distributed in matching payments to FEP participating candidates:
    - Friends of Allister Chang on 12/16/20, \$400
    - Christina Henderson on 12/17/20, \$1,780
    - Washington Ward 8 on 12/17/20, \$550
    - Elect Jeanne Lewis on 12/17/20, \$5,050

- Reelect Trayon White 2020 on 12/17/20, \$325
- There were 20 candidates certified as “participating candidates” in the FEP for the General Election; 12 candidates certified as “participating candidates” in the Primary Election; and 4 candidates certified as “participating candidates” in the Special Election.
- The following FEP candidates were elected to public office in the General Election and certified as winners by the BOE on December 2, 2020:
  - Christina D. Henderson, At-Large Member of the Council
  - Janeese Lewis George, Ward Four Member of the Council
  - Trayon White, Ward Eight Member of the Council
  - Allister Chang, Ward Two Member of the State Board of Education
  - Frazier O’Leary, Ward Four Member of the State Board of Education
  - Eboni-Rose Thompson, Ward Seven Member of the State Board of Education
  - Carlene D. Reid, Ward Eight Member of the State Board of Education
- **December Desk Reviews and Other Activities**
  - 42 desk reviews of the mandatory December 10, 2020 and amended Reports of Receipts & Expenditures (R&E Reports)
  - 9 Request for Additional Information (RFAI) letters were sent.
  - 20 recommendations for remission of funds was forwarded to the OGC on December 2, 2020:
    - The names of the 20 candidates who participated in the General Election will be posted on the OCF website.
- **December Ongoing Audits**
  - Post-Election Audits - Primary Election
    - There are currently ten post-election audits of candidates and committees who participated in the Primary Election of the Campaign Operations of those candidates who did not proceed to the General Election. The audits were initiated on June 19, 2020.
    - The names of the candidates and audit status are posted on the OCF website.
  - Post-Election Audits - Special Election
    - There are four post-election audits of candidates and committees who participated in the Special Election. Those audits were initiated on July 6, 2020.
    - The names of the candidates and audit status are posted on the OCF website.
- **Public Information and Records Management Division (PIRM) – December 2020**
  - December Filing of R&E Reports:
    - Legal Defense Committee (LDC) – 12<sup>th</sup> R&E Report due December 1<sup>st</sup>
      - 1 required filer
      - 1 timely filer
      - 1 electronically filed their report

- 1 certified E-filing
- Principal Campaign Committees (PCCs) & Political Action Committees (PACs) – R&E Report due December 10<sup>th</sup>
  - 78 required filers
  - 67 timely filers
  - 3 late filers
  - 2 request for extensions
  - 2 extensions granted
  - 7 Failure to file
  - 10 referrals to OGC
  - 70 electronically filed their report
  - 70 certified E-filing
- FEP PCCs – R&E Report due December 10<sup>th</sup>
  - 42 required filers
  - 30 timely filers
  - 2 late filers
  - 8 request for extensions
  - 8 extensions granted
  - 9 Failure to file
  - 11 referrals to OGC
  - 30 electronically filed their report
  - 30 certified E-filing
- Independent Expenditure Committees – R&E Report due December 10<sup>th</sup>
  - 3 required filers
  - 2 timely filers
  - 1 late filers
  - 1 referral to OGC
  - 3 electronically filed their report
  - 3 certified E-filing
- Registration of new candidates/committees in December 2020
  - PACs
    - DC Black Democratic Caucus, registered on 12/18/2020
  - Recall Committee
    - Mayor Muriel Bowser Recall Committee, registered on 12/24/2020
- Candidates & Treasurers who have completed the OCF Entrance Conference Presentation for December 2020:
  - Dawn Crawford/Treasurer, The Committee to Elect Mysiki Valentine
  - Lauryn King/Treasurer, Let's Reid 2020

- 21 referrals to the OGC for failure to file the December 10<sup>th</sup> R&E Report
  - The names of the committees and treasurers are posted on the OCF website.
- **Reports Analysis and Audit Division (RAAD) – December 2020**
  - 95 desk reviews of R&E Reports filed during December
    - 51 reports filed from PACs
    - 37 reports filed from PCCs
  - 22 RFAI letters sent
  - 16 matters were resolved by the audit branch
  - 3 matters were referred to the OGC for enforcement
  - December 2020 Audits Issued
    - Periodic Random Audits – Candidates in the 2020 Election – January 31st filing
      - Friends of Robert White – issued December 17, 2020
      - Veda for Ward 7 – issued December 4, 2020
      - Committee to Elect Rogers for Council – issued December 17, 2020
    - Periodic Random Audits – PACs — January 31st filing
      - Firefighters Committee on Political Activities– issued December 4, 2020
    - Periodic Random Audits – Constituent Service Programs (CSPs) - October 1, 2020 filing
      - Do Something Constituents Fund — issued December 4, 2020

## **OCF DECEMBER 2020 REPORT (GENERAL COUNSEL WILLIAM SANFORD)**

- **Intake/Output Report**
  - 23 referrals were received by the OGC
  - 20 informal hearings were completed
  - 20 orders were issued
    - 12 orders issued in which no fines were imposed
    - 7 orders issued in which fines totaling \$12,200 were imposed
    - 1 order issued which vacated a Notice of Hearing and Statement of Violations.
  - Fines totaling \$12,200 were imposed against the following:
    - Vote Fria Moore 2020, \$1,800.00
    - DC Dental PAC, \$1,600.00
    - Fred for Ward 8, \$1,800.00
    - Ivan Floyd for US Rep., \$1,800.00
    - Committee to Elect Perry Redd, \$1,800.00
    - Seniors United PAC, \$1,600.00

- Edwards for Ward 4, \$1,800.00

- **Open Investigations:**
  - NONE
- **Interpretative Opinions**
  - NONE
- **No Show Cause Proceedings**
  - NONE

### **BOE EXECUTIVE DIRECTOR'S DECEMBER 2020 REPORT (EXECUTIVE DIRECTOR MILLER)**

- On December 2, 2020, the BOE certified the General Election, and certification results were sent to the Secretary for the District of Columbia and Mayor Bowser.
- On December 14, 2020, the certification results were sent from the BOE to the President of the Senate and Congress, which completed the Board's General Election certification process by mid-December.
- Poll Worker Payments
  - Poll worker checks were mailed out in early December.
  - 5,057 checks have been mailed to workers using information on file with the BOE, which is forwarded to the Office of Finance and Resources Management (OFRM), which processes payments.
  - Checks were processed on December 4<sup>th</sup>, 11<sup>th</sup>, and 17<sup>th</sup>.
  - On December 21<sup>st</sup>, the BOE was notified by the OFRM there was a processing error with some election worker payments.
  - There were 337 election workers who were overpaid, and 339 workers who were underpaid.
  - BOE staff contacted workers who were issued incorrect checks, notifying them of the issue and that the OFRM was working to correct payments.
  - Stop payments were placed on checks issued to overpaid workers, and 339 supplemental checks were issued to underpaid workers.
  - The OFRM has taken responsibility for mix-ups regarding payments.
  - Batches of new checks were issued on December 11<sup>th</sup>.
  - OFRM notified the BOE that as of January 4<sup>th</sup>, all checks have been reissued.
  - The BOE finds it unacceptable that election workers had to encounter any challenges regarding their payments.
  - The Board thanked Executive Director Miller and Board staff for advocating and serving as a resource for the election workers as OFRM works to address the problems caused by its processing errors.
- The Council recently passed legislation granting incarcerated felons the right to vote

- The Board issued 513 ballots to federal prisoners and received 248 back for processing.
- Locally, the Board sent 401 ballots to voters incarcerated for felonies in DC, and received 333 back for processing.
- There were 57 participating senior buildings the BOE worked with for seniors to receive their ballots in-person.
  - 1,200 ballots were hand collected over a one-week period by BOE staff and Ward Coordinators.
- The BOE received 828 student applications to work with the election worker division during the General Election, and to assist with poll worker's processes.

## **BOE OGC DECEMBER 2020 REPORT (GENERAL COUNSEL STROUD)**

- **Issuance and Formal Adoption of a Petition to Samuel Troper for the Proposed Recall of Muriel Bowser, Mayor of the District of Columbia**
  - Pursuant to DC Code 1-1001.17(e), the Board must approve a recall petition form before it can be circulated. The Board is required to prepare and provide to the proponent an original petition form at a public meeting, which the proponent must formally adopt as their own.
  - Adoption of the petition starts the 180-day period during which the proponent must collect signatures in support of the petition for the measure to be placed on the ballot.
  - Current law states that a recall petition must be circulated in-person.
  - During the 2020 election cycle, legislation was in place that allowed for electronic circulation of initiative, referendum, and nominating petitions, but such legislation was not in place for recall petitions.
  - BOE staff notified the Council as to the status of the law so that it could take action with respect to the law if they so choose
  - The Proponent was not aware that the law does not pertain to recall petitions and requested a delayed issuance of the petition and adoption until communication has been made with the Council to learn their intention to adopt a law for recall petitions or not.
  - Precedent is in place for delay of the BOE issuance of a form, as in the matter of Initiative 81 (Entheogenic Plants and Fungus Measure 2020).
    - **BOARD ACTION:** Unanimously approved Motion for a delayed issuance of the recall petition per the General Counsel's recommendation.
- **Litigation Status**
  - **Hammond et al. v. D.C. Board of Elections**
  - **Robin Marlin v. the D.C. Board of Elections**
    - This consolidate matter is comprised of appeals of Board Orders 19-32 and 19-33, which upheld the resolutions issued by ANC 7B that found that no vacancies existed in the offices of Advisory Neighborhood Commissioner for ANC SMDs 7B04 and 7B05.
    - The matter has been fully briefed, and we are awaiting the Court's decision.

- **Alliance Party, et al v. D.C. Board of Elections**
  - This matter involves a complaint that sought to preclude the Board from enforcing the August 5, 2020 deadline to file nominating petitions against independent and third-party candidates for the Office of President.
  - The Board was represented by the Office of the Attorney General (OAG).
  - On November 5, 2020, the OAG filed a motion to dismiss, and that motion was granted on December 7, 2020.
- **Henderson v. D.C. Board of Elections**
  - The petitioner seeks review by the D.C. Court of Appeals regarding the outcome of the ANC SMD 5D05 contest.
  - This matter was filed on December 9, 2020.
  - On December 15, 2020, the Board filed a motion to dismiss for failure to state a claim upon which relief can be granted.
  - On December 22, 2020, the motion was held in abeyance by the Court due to petitioner's failure to pay petitioner's filing fee, or alternatively to file a motion *in forma pauperis*.
  - On December 23, 2020, Ms. Henderson filed an opposition to the Board's motion, and on December 29, 2020, she filed a motion *in forma pauperis*.
  - The Board is currently awaiting the Court's decision.

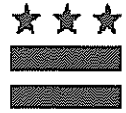
#### **PUBLIC MATTERS**

- NONE

**ADJOURNMENT (11:22 am)**



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**

**Regular Board Meeting**  
**Wednesday, October 2, 2019, 10:30 am**  
**1015 Half Street, SE Suite 750**

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## **AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Thursday, September 5, 2019  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Identification of Public Matters
- 6) Campaign Finance Report – Cecily Collier-Montgomery
- 7) Executive Director's Report – Alice P. Miller
  - A. Proposed Polling Place Relocations:
    - a. Precinct 14: FROM: M.A.A. Carriage House Meeting Space  
TO: St. Thomas Episcopal Church Parish
    - b. Precinct 27: FROM: Eaton Elementary School  
TO: Cleveland Park Library
    - c. Precinct 40: FROM: Mt. Pleasant Neighborhood Library  
TO: Bancroft Elementary School
    - d. Precinct 54: FROM: West Education Campus  
TO: St. Luke Baptist Church
    - e. Precinct 57: FROM: Hattie Holmes Senior Wellness Center  
TO: Washington Latin Public Charter School
    - f. Precinct 89: FROM: Eastern Market  
TO: Capitol Hill United Methodist Church
    - g. Precinct 99: FROM: Smothers Elementary School  
TO: Ward Memorial AME Church

- B. Creation of Precinct No. 144
- C. General Matters

8) General Counsel's Report – Terri D. Stroud

A. Petitions for Enforcement

B. Litigation Status

1. William V. Hunt v. D.C. Board of Elections
2. James Butler v. D.C. Board of Elections
3. Graham v. D.C. Board of Elections
4. Hammond v. D.C. Board of Elections
5. Marlin v. D.C. Board of Elections

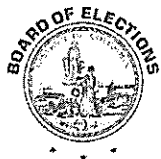
C. Rulemaking

1. Final Rulemaking to Amend Title 3 DCMR Chapter 42, "The Fair Elections Program", and Chapter 43, "The Verification Process" (Regulations in Support of the Fair Elections Amendment Act of 2019)

2. Emergency and Proposed Rulemaking to Amend Title 3 DCMR Chapter 30, "Campaign Finance Operations: Committees, Candidates, Constituent Service Programs, Statehood Funds," Chapter 37, "Investigations and Hearings," Chapter 38, "Legal Defense Committees," Chapter 39, "Campaign Finance Operations: Inaugural Committees," Chapter 40, "Campaign Finance Operations: Transition Committees," Chapter 41, "Campaign Finance Operations: Exploratory Committees," and Chapter 99, "Definitions." (Regulations in Support of the Campaign Finance Reform Act)

9) Public Matters

10) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**

**Regular Board Meeting**  
**Thursday, November 14, 2019, 10:30 am**  
**1015 Half Street, SE Suite 750**

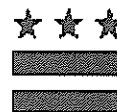
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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, October 2, 2019  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Identification of Public Matters
- 6) Campaign Finance Report – Cecily Collier-Montgomery
- 7) Executive Director's Report – Alice P. Miller
  - A. Proposed Polling Place Relocation Update: Re-Submission of Precinct 14 and Precinct 54 to the D.C. Register for Public Review and Comments
  - B. General Matters
- 8) General Counsel's Report – Terri D. Stroud
  - A. Litigation Status
    1. William V. Hunt v. D.C. Board of Elections
    2. James Butler v. D.C. Board of Elections
    3. Graham v. D.C. Board of Elections
    4. Hammond v. D.C. Board of Elections
    5. Marlin v. D.C. Board of Elections
  - B. Rulemaking
    1. Final Rulemaking to Amend Title 3 DCMR Chapter 30, "Campaign Finance Operations: Committees, Candidates, Constituent Service Programs, Statehood Funds," Chapter 37, "Investigations and Hearings," Chapter 38, "Legal Defense Committees," Chapter 39, "Campaign Finance Operations: Inaugural Committees," Chapter 40, "Campaign Finance Operations: Transition Committees," Chapter 41, "Campaign Finance Operations: Exploratory Committees," and Chapter 99, "Definitions." (Regulations in Support of the Campaign Finance Reform Act)
- 9) Public Matters
- 10) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



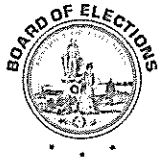
**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**

**Regular Board Meeting**  
**Thursday, December 5, 2019, 10:30 am**  
**1015 Half Street, SE Suite 750**

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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Thursday, November 14, 2019  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. Final Approval of Polling Place Relocations for Precinct No. 14 and Precinct No. 54
  - B. Proposed Polling Place Relocation
    1. Precinct 105: FROM: Benning Park Recreation Center  
5100 Southern Avenue, SE  
TO: St. John Baptist Church  
5228 Call Place, SE
  - C. Certification of Petition Verification Results for the Recall Measure of Jack Evans, Ward 2  
Member of the Council of the District of Columbia
  - D. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Litigation Status
    - 1 William V. Hunt v. D.C. Board of Elections
    2. James Butler v. D.C. Board of Elections
    3. Graham v. D.C. Board of Elections
    4. Hammond v. D.C. Board of Elections
    5. Marlin v. D.C. Board of Elections
  - B. Review of Notice of Intention to Recall Advisory Neighborhood Commissioner Villareal Johnson (Single Member District 7B05), filed by Donna M. Robinson/Issuance and Adoption of Original Petition Form, if Applicable
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



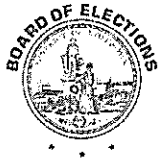
**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**

**Special Board Meeting**  
**Monday, December 16, 2019 10:00 AM**  
**1015 Half Street, SE Suite 750**

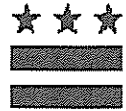
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**AGENDA**

- A) Consideration of the Results of the Challenge to the Recall Measure of Jack Evans, Ward 2 Member of the Council
- B) Other Matters



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



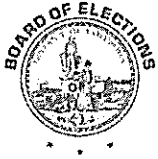
**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**

**Regular Board Meeting**  
**Wednesday, January 8, 2020, 10:30 am**  
**1015 Half Street, SE Suite 750**

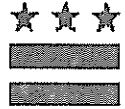
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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Thursday, December 5, 2019  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. Certification of Vacancy in the Office of Ward 2 Member of the Council of the District of Columbia
  - B. Final Polling Place Relocation
    1. Precinct 105: FROM: Benning Park Recreation Center  
5100 Southern Avenue, SE  
TO: St. John Baptist Church  
5228 Call Place, SE
  - C. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Litigation Status
    - 1 William V. Hunt v. D.C. Board of Elections
    2. James Butler v. D.C. Board of Elections
    3. Graham v. D.C. Board of Elections
    4. Hammond v. D.C. Board of Elections
    5. Marlin v. D.C. Board of Elections
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Wednesday, February 5, 2020, 10:30 am**  
**1015 Half Street, SE Suite 750**

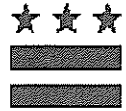
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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, January 8, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Proper Subject Hearing, "Entheogenic Plant and Fungus Policy Act of 2020"
  - B. Litigation Status
    - 1 William V. Hunt v. D.C. Board of Elections
    2. James Butler v. D.C. Board of Elections
    3. Graham v. D.C. Board of Elections
    4. Hammond v. D.C. Board of Elections
    5. Marlin v. D.C. Board of Elections
- 8) Public Matters
  - A. Chris Otten – Motion to Supplement Record
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Special Board Meeting**  
**Tuesday, February 18, 2020, 11:30 am**  
**1015 Half Street, SE Suite 750**

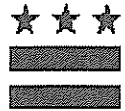
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**AGENDA**

- 1) Formulation of Short Title and Summary Statement – “Entheogenic Plant and Fungus Policy Act of 2020”



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Thursday, March 12, 2020, 11:30 am**  
**1015 Half Street, SE Suite 750**

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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, February 5, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. Final Approval of Polling Place Relocations:
    1. Precinct 89: FROM: Eastern Market  
225 7<sup>th</sup> Street, SE (North Hall)  
TO: Capitol Hill United Methodist Church  
421 Seward Square, SE (Fellowship Hall)
    2. Precinct 105: FROM: Benning Park Recreation Center  
5100 Southern Avenue, SE (Multi-purpose Room)  
TO: St. John Baptist Church  
5228 Call Place, SE (Fellowship Hall)
  - B. Proposed Polling Place Relocations:
    1. Precinct 29: FROM: Washington Hebrew Congregation  
3935 Macomb Street, NW (Fellowship Hall)  
TO: Second District Police Station  
3320 Idaho Avenue, NW (Community Room)
    2. Precinct 58: FROM: Fourth District Police Station  
6001 Georgia Avenue, NW (Community Room)  
TO: Emery Heights Recreation Center  
5701 Georgia Avenue, NW (Gymnasium)
  - C. Proposed Polling Place Location for Newly Created Precinct 144:
    1. Mt. Airy Baptist Church, 110 North Capitol Street, NW (Fellowship Hall)
  - D. General Matters

7) General Counsel's Report – Terri D. Stroud

A. Issuance of Petitions for the “Entheogenic Plant and Fungus Policy Act of 2020”

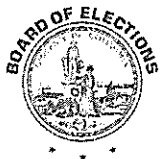
B. Emergency and Proposed Rulemaking to Amend Title 3 DCMR Chapter 7 (Regulations Concerning the Deadline for Receipt of Absentee Ballots; Elimination of Writing Requirement for Request for Polling Place Reassignment; Clarification Regarding Use of Cameras in Voting and Counting Locations)

C. Litigation Status

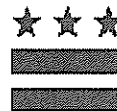
1. William V. Hunt v. D.C. Board of Elections
2. James Butler v. D.C. Board of Elections
3. Graham v. D.C. Board of Elections
4. Hammond v. D.C. Board of Elections
5. Marlin v. D.C. Board of Elections

8) Public Matters

9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



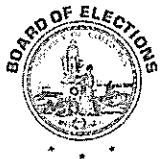
**D. MICHAEL BENNETT, CHAIRMAN**  
**KARYN GREENFIELD, MEMBER**

**Special Board Meeting**  
**Wednesday, March 25, 2020, 11:00 a.m.**  
**1015 Half Street, SE Suite 750**

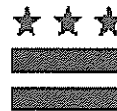
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**AGENDA**

- 1) Challenge to the Nominating Petition submitted by Eleanor Holmes Norton in support of her candidacy for the Office of Delegate to the U.S. House of Representatives, filed by Tori Whitney



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Wednesday, April 1, 2020 10:30 am**  
**1015 Half Street, SE Suite 750**

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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Thursday, March 12, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Litigation Status
    1. Graham v. D.C. Board of Elections
    2. Hammond v. D.C. Board of Elections
    3. Marlin v. D.C. Board of Elections
  - B. Nominating Petition Challenges
    1. Amos Cheeseboro v. Susana Baranano
    2. Tori Fernandez Whitney v. Eleanor Holmes Norton
    3. Sandra Seegars v. Frederick Hill
    4. Absalom Jordan v. Frederick Hill
    5. Morgan Finkelstein v. Daniel Hernandez
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Wednesday, May 6, 2020, 10:00 am**  
**1015 Half Street, SE Suite 750**

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**AGENDA**

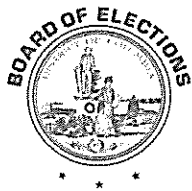
- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, April 1, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Issuance of Petition for Initiative Measure No. 81, the "Entheogenic Plant and Fungus Policy Act of 2020"
  - B. Emergency and Proposed Rulemaking
    1. Amend Title 3 DCMR Chapters 10 and 11 (Removal of prohibition against registered voters who are eligible to sign a particular initiative, referendum, or recall petition being signatories on petition sheets that they circulate)
    2. Amend Title 3 DCMR Chapters 30 and 38-42 (Place the Board's regulations into conformity with the Campaign Finance Reform and Conflict of Interest Public Disclosure Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124, 59 DCR 1862 (March 9, 2012)); as amended by the COVID-19 Response Supplemental Emergency Amendment Act of 2020, effective April 10, 2020 (D.C. Act 23-286, 67 DCR 16).
  - C. Litigation Status
    1. William v. Hunt v. D.C. Board of Elections
    2. Graham v. D.C. Board of Elections
    3. Hammond v. D.C. Board of Elections
    4. Marlin v. D.C. Board of Elections

5. Hill v. D.C. Board of Elections (Seegars Challenge)
6. Hill v. D.C. Board of Elections (Jordan Challenge)
7. Brannum v. D.C. Board of Elections

D. Proper Subject Hearing, the “United States Adjustment and Recovery Act for the District of Columbia”

8) Public Matters

9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**PUBLIC NOTICE**

The Board of Elections hereby provides notice that an emergency special meeting will be held on Thursday, May 28, 2020 at 9:00 a.m. The meeting will be held electronically. Members of the public can access the meeting by using the following information:

Toll-free number: 1-650-479-3208

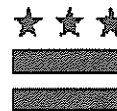
Access Code: 474 816 726

The Agenda for the emergency special meeting is as follows:

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda
- 4) Emergency and Proposed Rulemaking – Amend Title 3 DCMR Chapter 16  
(Amendment to ballot access signature requirements for November 3, 2020  
General Election)
- 5) Proper Subject Hearing, the “United States Adjustment and Recovery Act for the  
District of Columbia” (cont.)
- 6) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Wednesday, June 17, 2020, 10:30 am**  
**1015 Half Street, SE Suite 750**

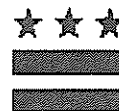
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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, May 5, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. Certification of the June 2, 2020 Primary Election Results
  - B. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Rulemaking
    1. Emergency and Proposed Rulemaking – Amend Title 3 DCMR Chapter 7 (Establish the deadline for the receipt of absentee ballots)
    2. Final Rulemaking - Amend Title 3 DCMR Chapters 10 and 11 (Removal of prohibition against registered voters who are eligible to sign a particular initiative, referendum, or recall petition being signatories on petition sheets that they circulate)
  - B. Litigation Status
    1. William V. Hunt v. D.C. Board of Elections
    2. Graham v. D.C. Board of Elections
    3. Hammond v. D.C. Board of Elections
    4. Marlin v. D.C. Board of Elections
    5. Robinson v. D.C. Board of Elections
- 8) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Special Board Meeting**  
**Saturday, June 27, 2020, 9:00 am**  
**1015 Half Street, SE - Suite 750**

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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Recertification of the Ward 2 Primary for Member of the Council DC Statehood Green Party
- 4) Certification of the Results of the June 16, 2020 Special Election to Fill the Vacancy in the Office of Ward Two Member of the Council
- 5) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



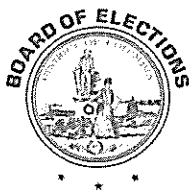
**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Wednesday, July 8, 2020, 10:30 am**  
**1015 Half Street, SE Suite 750**

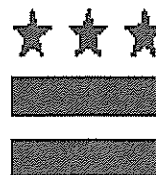
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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, June 17, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Litigation Status
    1. William V. Hunt v. D.C. Board of Elections
    2. Graham v. D.C. Board of Elections
    3. Hammond v. D.C. Board of Elections
    4. Marlin v. D.C. Board of Elections
    5. Robinson v. D.C. Board of Elections (U.S. District Court)
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that there will be a special meeting on Friday, July 17, 2020 at 1:00 pm.

In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

Toll-free number: 1-650-479-3208

Access Code: 474 816 726

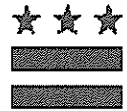
The agenda for the meeting is as follows:

**AGENDA**

- I. Call to Order
- II. Ascertainment of Quorum
- III. Adoption of the Agenda
- IV. Board Matters
  - A. Administration of the November 3, 2020 General Election
    1. Vote-by-Mail
    2. Vote Centers
- V. Public Comment
- VI. Executive Session (non-public) to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body pursuant to D.C. Official Code § 2-575(b)(4)(A).
- VII. Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



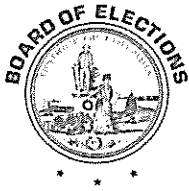
**D. MICHAEL BENNETT, CHAIRMAN**  
**MICHAEL D. GILL, MEMBER**  
**KARYN GREENFIELD, MEMBER**

**Regular Board Meeting**  
**Wednesday, August 5, 2020, 10:30 am**  
**1015 Half Street, SE Suite 750**

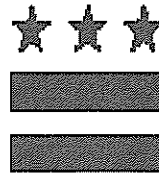
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**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, July 8, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller
  - A. Proposed Certification of Petition Signatures for Initiative Measure No. 81 –  
"Entheogenic Plant and Fungus Policy Act of 2020"
  - B. General Matters
- 7) General Counsel's Report – Terri D. Stroud
  - A. Litigation Status
    1. William V. Hunt v. D.C. Board of Elections
    2. Graham v. D.C. Board of Elections
    3. Hammond v. D.C. Board of Elections
    4. Marlin v. D.C. Board of Elections
  - B. Public Hearing, "Aaron Landry and Daniel Warwick v. D.C. Office of Campaign Finance"
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that it will hold a Special Board Meeting on Friday, August 21, 2020 at 1:00 p.m.

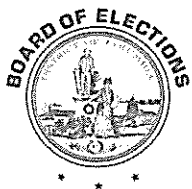
In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

<https://zoom.us/j/95032176811?pwd=bzByc0RUS3gyTTVTcUV3MjkvZlhaUT09>

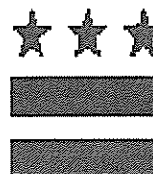
The agenda for the meeting is as follows:

**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Hearings on Appeals from Adverse Preliminary Determinations of Eligibility for Ballot Access
- 4) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that it will hold a Special Board Meeting on Monday, August 24, 2020 at 12:00 p.m.

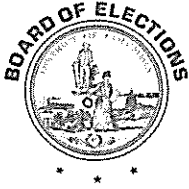
In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

<https://zoom.us/j/96160844072?pwd=SUVid2hNQlZxVG5WTmV1bkN2RGZIUT09>

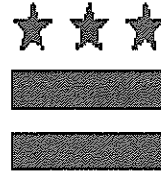
The agenda for the meeting is as follows:

**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Hearings on Appeals from Adverse Preliminary Determinations of Eligibility for Ballot Access
  - a. Stacy Beck
  - b. Maria Barry
  - c. Addison Sarter
- 4) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that it will hold a Special Board Meeting on Monday, August 31, 2020 at 10:00 a.m.

In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

<https://dcnet.webex.com/meet/afagan>

Join by phone

1-650-479-3208 Call-in number (US/Canada)

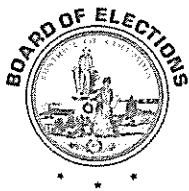
+1-202-860-2110 United States Toll (Washington D.C.)

Access code: 474 816 726

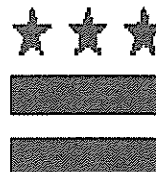
The agenda for the meeting is as follows:

**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Nominating Petition Challenge Hearings
  - a. Tiffany Brown v. David Brooks II, candidate for Advisory Neighborhood Commissioner, Single Member District 7B02
  - b. Lorraine Stanislaus v. Regina Pixley, candidate for Advisory Neighborhood Commissioner, Single Member District 8C04
- 4) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that the next Regular Board Meeting is scheduled for Wednesday, September 2, 2020 at 10:00 a.m. In light of the continuing public health crisis, the Board will meet remotely.

Members of the public can access the meeting by using the following information:

<https://dcnet.webex.com/meet/afagan>

Join by phone

1-650-479-3208 Call-in number (US/Canada)

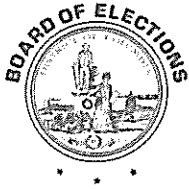
+1-202-860-2110 United States Toll (Washington D.C.)

Access code: 474 816 726

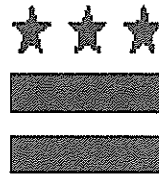
The agenda for the meeting is as follows:

**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, August 5, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller  
A. General Matters
- 7) General Counsel's Report – Terri D. Stroud  
A. Litigation Status
  1. William v. Hunt v. D.C. Board of Elections
  2. Hammond v. D.C. Board of Elections
  3. Marlin v. D.C. Board of Elections
  4. La Riva v. D.C. Board of Elections
  5. Alliance Party, et al v. D.C. Board of Elections  
B. Rulemaking
  1. Final Rulemaking
    - a. Amend Title 3 DCMR Chapter 7 (Establish the deadline for the



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



receipt of absentee ballots)

b. Amend Title 3 DCMR Chapter 16 (Amendment to ballot access signature requirements for November 3, 2020 General Election)

2. Emergency Rulemaking

a. Amend Title 3 DCMR Chapters 5 and 7 (Place chapters into conformity with the General Elections Preparation Emergency Amendment Act of 2020, clarify that cameras may be used in voting and counting locations as long as they do not disrupt or interfere with the election administration process, establish that requests for absentee ballots must be received by the 15<sup>th</sup> day before Election Day

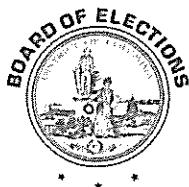
C. Nominating Petition Challenge Hearings

1. Patricia Carmon v. Ellen Armstead, ANC/ SMD 8D05
2. Absalom Jordan v. Ellen Armstead, ANC/SMD 8D05
3. Cheryl Moore v. Anthony Muhammad, ANC/ SMD 8E02
4. Cheryl Moore v. Bruce Jones, ANC/ SMD 8E02
5. Michael Eichler v. Mary Sutherland, ANC/SMD 6E01
6. Kathy Henderson v. Cameron Brown, ANC/SMD 5D02
7. Kathy Henderson v. Stephen Cobb, ANC/SMD 5D07
8. Kathy Henderson v. Sebrina Rhodes, 5D01
9. Kathy Henderson v. Bernice Blacknell, 5D04
10. John George v. Trupti Patel, ANC/SMD 2A03
11. Matt Buechner v. Lisa Cox, ANC/ SMD 3F07
12. Detrick Campbell v. Jamaal Burton, ANC/ SMD 2C02
13. Victoria Clark v. Rhonda Edwards-Hines, ANC/ SMD 8C06
14. Barbara J. Clark v. Ira Lovelace, ANC/ SMD 8A02
15. Robin Hammond Marlin v. Nicole Smith-McDermott, ANC/ SMD 7B04
16. Robin McKinney v. Isaac Smith, ANC/ SMD 8A06
17. Latoya Moore v. James Q. Butler, ANC/ SMD 5D03
18. Carlene Reid v. Ryan Washington, Ward 8 Member, SBOE
19. Jeannina Williams v. Stephen Slaughter, ANC/ SMD 8E07
20. Jillian Wolons v. Brandon Frye, Ward 2 Member, SBOE

D. Proper Subject Matter Hearing, "The New Modern Day Criminal Justice Cannabis Reform Act of 2020"

8) Public Matters

9) Adjournment



DISTRICT OF COLUMBIA

## BOARD OF ELECTIONS

WASHINGTON, D.C. 20003-4733



### NOTICE OF PUBLIC MEETING

The District of Columbia Board of Elections announces that the next Regular Board Meeting is scheduled for Wednesday, October 7, 2020 at 10:30 a.m. In light of the continuing public health crisis, the Board will meet remotely.

Members of the public can access the meeting by using the following information:

<https://dcnet.webex.com/meet/afagan>

Join by phone

1-650-479-3208 Call-in number (US/Canada)

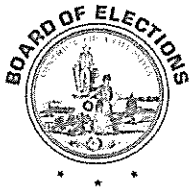
+1-202-860-2110 United States Toll (Washington D.C.)

Access code: 474 816 726

The agenda for the meeting is as follows:

#### AGENDA

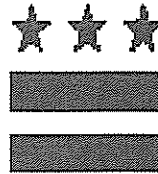
- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, September 2, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller  
A. General Matters
- 7) General Counsel's Report – Terri D. Stroud  
A. Litigation Status
  1. William v. Hunt v. D.C. Board of Elections
  2. Hammond v. D.C. Board of Elections
  3. Marlin v. D.C. Board of Elections
  4. Alliance Party, et al v. D.C. Board of Elections



DISTRICT OF COLUMBIA

# BOARD OF ELECTIONS

WASHINGTON, D.C. 20003-4733



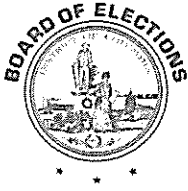
## B. Rulemaking

### 1. Emergency and Proposed Rulemaking

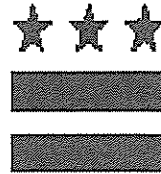
a. Amend Title 3 DCMR Chapter 7 (Place chapter into conformity with the Election Worker Residency Requirement Waiver Emergency Amendment Act of 2020, which provides that District government employees who are not District residents or qualified electors may serve as polling place officials)

8) Public Matters

9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that the next Regular Board Meeting is scheduled for Wednesday, December 2, 2020 at 11:00 a.m. In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

<https://dcnet.webex.com/meet/afagan>

Join by phone

1-650-479-3208 Call-in number (US/Canada)

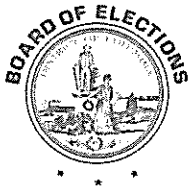
+1-202-860-2110 United States Toll (Washington D.C.)

Access code: 474 816 726

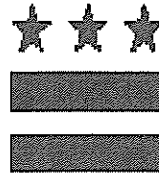
The agenda for the meeting is as follows:

**AGENDA**

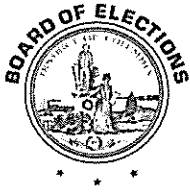
- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, October 7, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
  - A. Issuance of Board Opinions
- 5) Executive Director's Report – Alice P. Miller
  - A. Certification of the November 3, 2020 Presidential General Election Results
  - B. Swearing-In of the Electors
  - C. General Matters
- 6) General Counsel's Report – Terri D. Stroud
  - A. Final Rulemaking – Amend Chapters 5 and 7 to place them into conformity with the General Elections Preparation Emergency Amendment Act of 2020, clarify that cameras may be used in voting and counting locations as long as they do not disrupt or interfere with the election administration process, and establish that requests for absentee ballots must be received by the 15<sup>th</sup> day before Election Day.
  - B. Litigation Status
    1. William V. Hunt v. D.C. Board of Elections
    2. Graham v. D.C. Board of Elections
    3. Hammond v. D.C. Board of Elections
    4. Marlin v. D.C. Board of Elections
    5. Alliance Party v. D.C. Board of Elections



DISTRICT OF COLUMBIA  
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WASHINGTON, D.C. 20003-4733



- 7) Campaign Finance Report – Cecily Collier-Montgomery
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that the next Regular Board Meeting is scheduled for Wednesday, January 6, 2021 at 10:30 a.m. In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

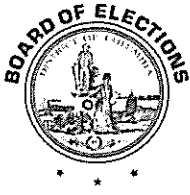
<https://dcnet.webex.com/meet/afagan>

Join by phone  
1-650-479-3208 Call-in number (US/Canada)  
+1-202-860-2110 United States Toll (Washington D.C.)  
Access code: 474 816 726

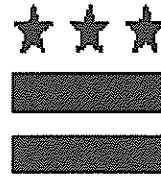
The agenda for the meeting is as follows:

**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, December 2, 2020  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Executive Director's Report – Alice P. Miller  
A. General Matters
- 6) General Counsel's Report – Terri D. Stroud  
A. Issuance and Formal Adoption of a Petition to Samuel Troper for the  
Proposed Recall of Muriel Bowser, Mayor of the District of Columbia  
  
B. Litigation Status
  1. Phillip Hammond v. D.C. Board of Elections
  2. Marlin v. D.C. Board of Elections
  3. Alliance Party v. D.C. Board of Elections
  4. Kathy Henderson v. D.C. Board of Elections
- 7) Campaign Finance Report – Cecily Collier-Montgomery
- 8) Public Matters
- 9) Adjournment



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



**NOTICE OF PUBLIC MEETING**

The District of Columbia Board of Elections announces that the next Regular Board Meeting is scheduled for Wednesday, February 3, 2021 at 10:00 a.m. In light of the continuing public health crisis, the Board will meet remotely. Members of the public can access the meeting by using the following information:

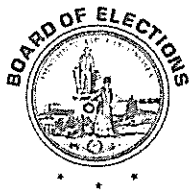
<https://dcnet.webex.com/meet/afagan>

Join by phone  
1-650-479-3208 Call-in number (US/Canada)  
+1-202-860-2110 United States Toll (Washington D.C.)  
Access code: 474 816 726

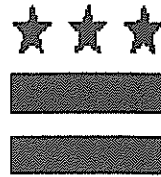
The agenda for the meeting is as follows:

**AGENDA**

- 1) Call to Order
- 2) Ascertainment of Quorum
- 3) Adoption of Agenda/Approval of Minutes  
Regular Board Meeting – Wednesday, January 6, 2021  
(Transcripts are available for review in the Office of the General Counsel)
- 4) Board Matters
- 5) Campaign Finance Report – Cecily Collier-Montgomery
- 6) Executive Director's Report – Alice P. Miller  
A. General Matters
- 7) General Counsel's Report – Terri D. Stroud  
A. Final Rulemaking
  1. Amend Title 3 DCMR Chapters 30 and 38-42 (Place the Board's regulations into conformity with the Campaign Finance Reform and Conflict of Interest Public Disclosure Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124, 59 DCR 1862 (March 9, 2012)); as amended by the COVID-19 Response Supplemental Emergency Amendment Act of 2020, effective April 10, 2020 (D.C. Act 23-286, 67 DCR 16).
- B. Litigation Status
  1. Phillip Hammond v. D.C. Board of Elections



DISTRICT OF COLUMBIA  
**BOARD OF ELECTIONS**  
WASHINGTON, D.C. 20003-4733



2. Marlin v. D.C. Board of Elections
3. Kathy Henderson v. D.C. Board of Elections

8) Public Matters

9) Adjournment