

FY 2023 PERFORMANCE REVIEW AND FY 2024 TO DATE
STATEMENT OF MONICA H. EVANS
EXECUTIVE DIRECTOR, THE DISTRICT OF COLUMBIA BOARD OF ELECTIONS
February 7, 2024

Good morning, Chairperson Bonds and members of the Committee on Executive Administration and Labor. My name is Monica Evans, and I am the Executive Director of the DC Board of Elections or BOE. With me today are the Chairman of the Board, Gary Thompson and Terri Stroud, the BOE's General Counsel.

On behalf of the BOE, thank you for the opportunity to appear before this oversight committee to discuss our agency's performance in Fiscal Years 2023 and 2024 to date.

As you know, the Board of Elections is a Charter Independent Agency comprised of a three-member Board with a small staff that carries out the agency's mission. The mission of the Board is to enfranchise eligible residents, conduct elections, and ensure the integrity of the electoral process.

The fundamental criteria governing the Board's program operations are that: 1) election programs are legally mandated; and 2) these programs are all subject to fixed statutory deadlines. Thus, these programs must be sufficiently financed to meet time constraints imposed by the electoral process. The inability to fund any of the Board's programs has the potential to undermine the integrity and efficiency of the overall electoral process.

The operating budget for BOE for FY23 was approximately \$12.1 million supporting a staff of 60 full time employees through local funding. The FY24 approved budget is \$14.8 million and supports 64 full time employees.

FY 2023 ELECTION OVERVIEW AND SUMMARY

During FY23 and FY24 to date, the Board conducted one election: the November 2022 General Election.

November 8, 2022 General Election

For the November 2022 General Election, we had 504,815 registered voters. We opened 25 Early Vote Centers and 90 Election Day Vote Centers. 74,976 individuals voted in person (36.4%) and 130,761 voters used the mail-in ballot (63.5%). Of the 504,815 ballots mailed, approximately 80,000 mail ballots were returned as undeliverable.

General Election Communications

For the General Election, we mailed a Voter Guide, two informational postcards, and a postcard to eligible but unregistered residents. We utilized television, radio, and print advertising. Between October 4 and November 8, we ran 1,265 television ads and

239,402 streaming TV and video ads. We utilized 25 Metro live boards and advertised in 19 bus shelters. Additionally, 833 radio spots aired across five different radio stations. We had advertisements in multiple newspapers and distributed 1,500 yard signs and 5,000 door hangers.

Partnerships and Support

We rely on our partners for success. As has historically been the case, BOE received support from the Department of General Services (DGS), the Office of Disability Rights (ODR), the Department of Public Works (DPW), the local and federal Departments of Homeland Security, the Department of Transportation (DDOT), the Office of Contracting and Procurement (OCP), the Office of the Chief Technology Officer (OCTO), Metropolitan Police Department (MPD), DC Parks and Recreation (DCPR), DC Public Schools, (DCPS), the Department of Motor Vehicles (DMV), and our other government agencies. We continue to remain grateful to these agencies for their years of ongoing support of elections operations.

Election Workers

During the 2022 Election Cycle, BOE's Election Worker Division implemented a comprehensive training program that included various effective components such as hands-on activities with the voting equipment and Poll Pads, detailed instructions on properly processing various categories of special ballot voters, proper distribution of paper ballots, instructions on expedient but accurate voter check-in, and instructions on how to process curbside voters and voters with special needs.

We also implemented an online training module to complement the required in-person training classes. The online training component allows election workers to view the online training classes at any time and they serve as a great refresher opportunity. The online training is fully accessible to those with disabilities. We received positive feedback from election workers regarding the suite of online training courses.

The Election Worker Division was successful and trained over 2,000 election workers for the General Election

Help America Vote Act (HAVA) Funding

During 2023, BOE received a total of \$1 million in federal grant HAVA funding. HAVA funds typically cover temporary election worker payments, Poll Pad maintenance and license fees, communications costs, voter registration system enhancements, physical security improvements, cybersecurity enhancements, and equipment. We do not expect to receive any HAVA funding in 2024.

The District of Columbia is required to provide a 20% state match for funding received.

Technology Enhancements

During the 2022 Election Cycle, BOE began utilizing VOCEM and curbside printers. VOCEM is petition management software that is used to streamline the petition process by using page, signature, and address recognition in conjunction with our voter registration database to monitor, track, and verify petitions. The curbside printers are mobile printers that are used for printing voter check-in receipts to provide a printed ballot for curbside voters. This streamlined the wait times for curbside voters and made curbside voting more efficient.

FY 2024 OVERVIEW TO DATE

Data Breach

Also, during this fiscal year, an October 2023 breach of our website host produced many concerns, but no interference with our operations. These concerns are largely behind us now. To review, on October 5, 2023, BOE became aware that a hacking group known as RansomVC claimed to have breached our website host and accessed 600,000 lines of US voter data stored there, including DC voter records. Experts have never confirmed exactly what data was obtained, if any.

The Multi-State Information Sharing and Analysis Center (MS-ISAC) assessed the situation and issued a report identifying certain vulnerabilities with DataNet's practices. Specifically, DataNet Systems failed to deploy security updates and the latest patches and failed to conduct routine vulnerability scans. DataNet has now remedied this situation. BOE also conducted a thorough review of all of its IT infrastructure following this incident. None of BOE's servers, networks or databases were breached or compromised.

DCBOE worked with MS-ISAC and other federal partners to determine whether any DC voter information was purchased on the so-called "dark web." It remains unclear if any voter information was actually sold to anyone, with the malicious actor (Ransom VC) being an unreliable source of any such information.

BOE has worked with MS-ISAC's Cyber Incident Response Team to resolve any identified vulnerabilities and to implement their security recommendations. BOE's website has been updated with appropriate security patches. In addition, BOE worked directly with OCTO to identify security risks before relaunching BOE's website. BOE will engage in annual penetration testing of all our network systems and databases in an effort to combat and proactively identify any future vulnerabilities. Even though our systems are safe, and we have deployed the necessary security practices, there is no such thing as absolute security. As OCTO wisely stated, bad actors are always developing new schemes and devising ways to create vulnerabilities. Even the FBI has been the subject of a data breach. Therefore, we must be diligent to identify new risks to our systems and data.

2024 Primary Election Preparation

The 2024 fiscal year began with preparations for the 2024 Election Cycle. The Primary Election will be held on June 4, 2024. We plan to open 25 Vote Centers for Early Voting and 75 Vote Centers will be open on Primary Election Day. Early Voting will be available from May 26 – June 2, 2024 with Vote Centers closed on May 27 for the observance of Memorial Day. We will mail a ballot to every registered voter and we will place 55 Mail Ballot Drop boxes across the District of Columbia.

Election Workers

Everyone knows election workers are critical to the success of each election. The various election worker positions require careful attention to detail. During the 2024 Election Cycle, our goal is to recruit and train between 2,000 and 2,500 election workers. We will deploy approximately 1,700 election workers to serve at Vote Centers.

Election worker training will begin on Tuesday, March 12, 2024. Election workers are also able to access an online training module to complement the required in-person classes.

Communications

Our website has been updated to provide information that is clearer and easier to find. We will produce print media, digital media, and engage in radio and television advertising. We will distribute a Voter Guide, brochures, and door hangers. We will also use yard signs to convey key information.

Online Voter Registration

Our online voter registration portal went live on January 27, 2022 and can be accessed from our website. Those registering to vote using the portal may register and sign using a smart phone, a touch screen device, a computer mouse, or they can upload their signature. Users just need an Internet connection with the device they choose to use. To date, we have successfully registered over 42,000 voters using the portal.

Redistricting/Voting Precincts

Over the last several months, the Board of Elections (BOE) has conducted a comprehensive review of precincts in the District of Columbia.

Given that precincts no longer serve a necessary purpose, we strongly recommend that the Council repeal D.C. Official Code § 1-1001.05(a)(8), which provides that “[e]very 5 years, [the Board shall] divide the District into appropriate voting precincts, each of which shall contain at least 350 registered persons; and draw precinct lines within election wards created by the Council, subject to the approval of the Council, in whole or in part, by resolution.” This would significantly streamline administrative processes.

In addressing the public interest, we acknowledge the desire for more granular election results that would provide voters with detailed information about voting patterns and outcomes. To

meet this need, we introduced the concept of the Single Member District (SMD) view of election results. This approach allows us to present election results on a granular level, supplementing the traditional ward and districtwide results. This shift offers a more detailed and insightful perspective for voters, campaigns, and other stakeholders, allowing them to better understand voting patterns and election outcomes.

With 345 SMDs in place of 144 precincts, we will have more than twice as much data. This data can be leveraged to discern relationships within our electoral landscape, offering a more detailed and nuanced understanding of the voting information patterns. In addition to these benefits, it is important to note that we possess census data that aligns seamlessly with SMDs, offering more detailed information than available with traditional precincts.

Stakeholders and interested individuals will still have access to all historical data. Additionally, we will still be able to provide voting data based upon different geographical configurations. It is vital for the precinct realignment to be implemented immediately to allow BOE to program equipment and make system changes ahead of the June Primary.

Voter Registration Rolls/List Maintenance

We encourage voters to review and update their voter registration information regularly. We conduct list maintenance after every general election. This process allows us to move voters from an active to an inactive status.

Our 2023 list maintenance process is still underway. A non-forwardable and a second forwardable postcard were sent to voters who did not vote in the November 2022 General Election. The forwardable postcard was also mailed to voters who had a ballot returned as undeliverable in 2022. We are still receiving responses to our postcard mailers. Prior to December, we removed 65,544 voters from our voter rolls. In December, an additional 37,962 inactive voters were removed as a result of our list maintenance process. Based on reports we received regarding deceased voters, we removed 5,192 voters in December. In total, we removed 108,698 individuals from our voter registry in 2023. We moved another 92,772 active voters to an inactive status.

ERIC (Electronic Registration Information Center)

The Electronic Registration Information Center (ERIC) is a non-profit organization with the mission of assisting states to improve the accuracy of America's voter rolls and increase access to voter registration for all eligible citizens. ERIC is governed and managed by states that choose to join and was formed in 2012.

Participation in the Electronic Registration Information Center (ERIC) improves the integrity of voter rolls and promotes voter confidence in the electoral process. Member states agree to a number of policy guidelines and technical protocols designed to facilitate organizational operations, maximize the accuracy and inclusivity of voter lists, and maintain the privacy and security of data.

ERIC provides value by identifying out-of-date records found by comparing voter registration data between states, to motor vehicle licensing agency data, and to the Social Security Administration master death index list.

DC has been a member of ERIC since 2014. Per the Member Agreement, States must be able to procure a full voter roll as well as records from the state licensing/identification agency (the Department of Motor Vehicles in DC) for all residents with active records—not just registered voters. States must have the capacity to upload both their voter list and their licensing/identification records every 60 days. Our compliance relies on information from the Department of Motor Vehicles (DMV) and they have been consistently assisting us.

Operations Center

As I reported last year, the facility that we use for counting and tabulating ballots is inadequate. The facility has operational problems that need to be fixed to provide staff and temporary workers with an adequate working environment. We partnered with the Department of General Services (DGS) to address these concerns and review various options. We have identified new space that should be available for us to occupy by March 1, 2024. The new space will allow us to have an adequate operations facility to count and tabulate ballots. The new space will be more conducive for the public to observe our processes.

Local Resident Voting Rights Amendment Act

As a result of the Local Resident Voting Rights Amendment Act, qualified non-citizen residents may vote in local elections. BOE has been preparing informational materials and working with stakeholders to fully implement the legislation. We have modified our systems to accommodate non-citizen voters. VR Systems provided a database solution to house non-citizens who register to vote in local elections. We have deployed an online registration platform for non-citizens. Non-citizens may also register to vote using a paper registration form.

Accessibility

We are conducting an accessibility survey of all 2024 Vote Centers before the Primary Election to ensure they are accessible. We have partnered with Disability Rights at University Legal Services and the Office of Disability Rights to conduct surveys. As is our practice, we will also work with DGS to ensure Vote Centers are structurally accessible, implementing such modifications as installing automatic door openers, temporarily removing narrow doors, providing temporary ramps, and eliminating center poles that obstruct narrow doorways.

The Board will make OmniBallot, an accessible remote ballot delivery platform available for the District's voters with disabilities and military and overseas voters. This platform will include electronic ballot return functionality. In order to effectively promote the availability of OmniBallot, the Board will collaborate with various District government agencies, disability advocacy organizations, community organizations, and other stakeholders. Our ADA Coordinator, Voter Education and Outreach, and Communications Divisions will play a key role in this partnership. We are dedicated to enhancing our messaging strategy by incorporating feedback from stakeholders, with

the ultimate aim of ensuring that voters are not only informed about the availability of OmniBallot, but also equipped with the knowledge to make the most of its features.

BOE Staffing

BOE has six staff vacancies, which is not surprising with a staff of 60. The vacancies are Communications Specialist, Information Technology Specialist, Lead Mail Ballot Specialist, Mail Ballot Specialist, Program Manager, and Public Affairs Specialist. Offers have been made to the Communications Specialist and the Public Affairs Specialist. We are conducting interviews for the other positions.

Threats

I would also like to address threats to the integrity of our work. In recent weeks, we have received several racially charged voicemail messages and we have seen escalating expressions of hostility directed at staff. We are working with our local and federal partners to address these matters. During any election cycle, it is critically important to keep staff and election workers safe. Therefore, we are thankful that the Council is supporting us by examining legislation to protect election workers.

I must also address the numerous instances of reckless and false allegations leveraged against BOE. Misleading statements and efforts to malign our staff and agency are a distraction from the important work we do. Allegations are made without any supporting evidence, nonetheless, we have been required to launch investigations and prepare responses to address such statements. Constructive criticism is appreciated, and it helps us to improve our operations. However, I ask that we work collaboratively to discourage unfounded attacks on our agency.

Conclusion

As always, BOE provides competent and professional service to all DC residents. BOE will continue to seize every opportunity to review, modify, and adjust processes and procedures wherever possible, so that techniques can be improved with each election. The funding for BOE needs to be properly adjusted so that the quality of services can be delivered with the appropriate staff, technology, and resources needed to do so. We are rightfully held to a high standard when it comes to administering elections. However, new initiatives and new legislation need to be adequately funded.

As you know, BOE consists of a small but dedicated staff, all of whom work extremely hard to meet the challenges that each election cycle brings. They are all immensely proud of the work they perform and take seriously their responsibility of executing reliable and successful elections. I consistently hear praises and thanks for other boards of elections. Rarely do I hear public thanks given to our staff. I take this time to thank BOE staff, temporary workers, and election workers. I am also appreciative of the support we receive from the Board.

Finally, the BOE family recently received devastating news. We express our profound sorrow regarding the passing of Michael Gill and offer our deepest condolences to his

family. Mike served on our three-member Board from 2016 until 2022. Mike was incredibly dedicated to the work of BOE. He provided thoughtful observations and exuded positivity. He was a wonderful individual and we will miss him. Thank you to the members of the Council, election jurisdictions across the country, and national elections organizations who have offered expressions of sympathy to Mike's family and BOE. It is fitting that one of Mike's last acts was to write a letter to the Committee on Executive Administration and Labor in support of the renomination of J.C. Boggs to the Board of Elections.

Thank you. We are available for questions.