GOVERNMENT

OF

THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

FEBRUARY 2, 2022

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The District of Columbia Board of Elections convened via Video Teleconference, pursuant to notice at 10:30 a.m. EST, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair MIKE GILL, Member KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Executive Director TERRI D. STROUD, General Counsel CECILY COLLIER-MONTGOMERY, Director of the Office of Campaign Finance

WILLIAM SANFORD, General Counsel of the

Office of Campaign Finance

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P-R-O-C-E-E-D-I-N-G-S

10:34 a.m.

CHAIR THOMPSON: So I'd like to start by welcoming everybody. Thank you so much for joining the February meeting of the BOE, the Office of Campaign Finance. Happy Groundhog Day, everybody. Hopefully, this will be the only time we do this and we don't repeat this over and over.

So my name is Gary Thompson. I am the relatively new chair of the BOE. This is my second meeting in that capacity and I'm really excited to be here. And with that, let me turn to the other two Board members; Karyn Greenfield and Mike Gill, if they could please introduce themselves.

MEMBER GILL: Mike Gill. I'm here remotely.

CHAIR THOMPSON: Karyn, are you there?

MEMBER GREENFIELD: I'm sorry. I'm

Karyn Greenfield, and I am here at the offices.

CHAIR THOMPSON: And as everybody can

see, I'm here at home in my attic, where all things happen, at least lately. And all three Board members are present, so we have a quorum and we can proceed to do business. The first thing we do is adopt our agenda.

MS. EVANS: Mr. Chair, if I could interrupt you for a second just so we can ascertain whether or not the court reporter is on the line.

CHAIR THOMPSON: Oh, thank you.

Excellent. Thank you, Mr. Court Reporter. We appreciate you being here. And I think as everybody saw, this is also recorded. Also, it's a public meeting, so I apologize in advance for any Zoom bombers. We'll put a stop to that if it happens.

Our first order is to adopt the agenda, which has been distributed and is included in our notice of public meeting.

Without any edits, I so move the adoption of the agenda. Do I have a second?

MEMBER GILL: Second.

CHAIR THOMPSON: All in favor from the 1 2 Board? (Chorus of aye.) 3 4 CHAIR THOMPSON: Unanimously. 5 second thing we do is approve the minutes of the meeting from January 12th, our first meeting of 6 7 the year, that has been distributed and reviewed 8 by the Board members and I so move the adoption 9 of those minutes. MEMBER GILL: 10 Second. 11 All in favor? CHAIR THOMPSON: 12 (Chorus of aye.) 13 CHAIR THOMPSON: That was easy. And 14 turning now to Board matters. I think the three 15 of us each take a turn with any opening comments 16 we would like to make and I guess I'll go first. 17 As I mentioned, it's my second meeting 18 as chair and I'm feeling really excited, I'm 19 super-charged because last week I got to spend 20 some time over at the Duke Ellington School, 21 helping 17 and 18-year-old high-school students 22 register to vote for the very first time.

I was really pleased to be with Lenez McCann from the BOE. And I saw firsthand, you know, how hard she and I know others work when they got into parts of D.C. every week, multiple times a week, sometimes in an ongoing effort to register voters. A critically important thing to do.

And it was really kind of overwhelming to observe about 50 high school kids register for the very first time. They were kind of giddy and really serious at the same time. They understood it was an important moment. Some of them took selfies and they filled out the form. It was pretty straightforward. And it was just really, really inspiring.

So that's why I'm charged up at this point. And also I'm excited because, on January 28th, the doors opened for candidates to pick up their packets of petitions. They have until March 23rd, I think to get signatures and turn in all of their papers along with declarations of candidacy and campaign finance reports, et

cetera.

But we're off and running. It is still February, early February, and the process towards the June primary and then the November general is well underway. And there's a lot of advance work being done now by the BOE, and the OCF, and their work is deeply, deeply appreciated.

The new work boundaries are incorporated, they were only made available recently. So in very short order, the BOE made changes to incorporate those to the right word borders are used.

And also the OCF is very, very quietly executing the Fair Elections Program behind the scenes, distributing public funds to candidates who are choosing to participate. So there's an enormous amount of work being done right now.

And I've also been into the office recently as was really kind of struck how BOE and the OCF employees are there every day and have been throughout the entire pandemic.

And we've all noticed the heroes during the pandemic that are out there going to their jobs and the BOE and OCF employees are among them. So I just wanted to take a moment to acknowledge their hard work. And those are my opening comments.

With that, I'll turn to Board member Mike Gill for any comment he has.

MEMBER GILL: So just thanks to Terri for the minutes and for capturing my comments last week but I don't have any Board matters this week.

CHAIR THOMPSON: Karyn Greenfield?

MEMBER GREENFIELD: No, I don't have
any Board matters this week.

CHAIR THOMPSON: Okay. Well, hearing no other Board matters, what we do now for everybody out there listening is we have the Executive Director's Report from Monica Holman Evans, executive director of the BOE. Then a General Counsel's Report from Terri Stroud. And then a Campaign Finance Report from Cecily

Collier-Montgomery. And then we will turn to 1 2 public matters. So with that, Director Evans 3 4 MS. EVANS: Thank you, Chair. As mentioned last month, our offices 5 are open to the public by appointment only. 6 7 Excuse me. I'm working on my audio. 8 Okay. Good morning. morning. 9 As mentioned, last month, our offices 10 are open to the public by appointment only. 11 to COVID transmission concerns, we are attempting 12 to limit the number of people in our office at 13 one time. 14 Appointments may be made by calling 15 202-727-2525. During the month of January, the Voters Education and Outreach Division conducted 16 17 five outreach events on behalf of the agency. 18 Gary Thompson mentioned, we did (audio 19 interference). 20 Mr. Thompson attended (audio 21 interference). The high school outreach event 22 was successful and we registered 40 students.

have currently processed a new voter registrations and voter focus in producing registration reports. In January, we registered 1,573 new voters and processed 2,288 address changes. In total, we mailed 3,861, voter registration cards.

Our online registration portal went live in January and can be accessed from our website. Those registering to vote using the portal, may register and sign using a smartphone, touch-screen device, computer mouse, or they can upload their signature. They just needed a device with an Internet connection.

And, to date, we have successfully registered 133 voters using the portal. We encourage voters to review and update their voter registration information regularly. We conduct a canvas after every general election. This process allows us to move voters from active to inactive status.

We improvise the challenges faced with generating lists of those registered to vote in

the district. D.C. is a transient city. A lot of residents frequently move to different jurisdictions within the DMV and may leave the area altogether.

We also have a large population of college students. We are developing a process to work with the universities to ensure we get returned mail for students who no longer live in university housing. We are currently reviewing files to remove voters to inactive status. There were some delays due to the migration of information to a new voter registration system, but we do want to be responsible with our efforts. This process takes time.

Redistricting. The Ward's redistricting process is complete. Our systems have been updated to reflect changes to the wards. Twenty-two thousand, eight hundred and seventeen active voters changed wards. Eight thousand five hundred and forty-eight moved from Ward six toward Ward two. One thousand, five hundred and one voters moved from Ward two to

Ward six.

Seven thousand, nine hundred and fifty-two voters moved from Ward 6 to Ward 7.

Four thousand, four hundred and twenty-six voters moved from Ward 6 to Ward 8. And 190 voters moved from Ward 6 to Ward 5. The Council is currently engaged in the ANC redistricting process.

Last month, I said I would provide an overview of the election process for the June primary. The primary election will be held on June 21st, 2022.

Offices on the ballet. Delegate to the House of Representatives from the District of Columbia, Mayor, Chairman of the Council, At-Large Member of the Council, Ward Member of the Council, Wards one, three, five, six, Attorney General for the District of Columbia, the U.S. Representative, board member of the State Board of Education, wards one, three, five, six, and local committees.

Petitions. Candidate pickup can

happen in person by appointment or online. The documents are also available on our website.

Candidates can request electronic petitions and then maybe circulate it electronically. This process is explained on our website.

Candidates may make an initial and supplemental filing submission sheet. As of today, there are no modifications to the signature requirements based on the pandemic.

All petition sheets must be submitted by March 23rd, 2022.

Additionally, we have received money from the Mayor's Contingency Fund to mail a ballot to every registered voter in the District of Columbia for the June primary, which in the final stages, are reviewing the mail courts and the Office of Contracting Procurement is overseeing this process.

Our tentative plan is to begin mailing ballots on May the 16th. Our vote centers were open for early voting on June 10th and will be open through June 19th. The hours will be 8:30

a.m. to 7:00 p.m. There will be no in-person voting on June 20th, to observe the Juneteenth holiday.

early voting. Ninety vote centers will be open on Election Day, June 21st. And the hours will be 7:00 a.m. to 8:00 p.m. BOE owns 55 mail ballot drop-boxes. We plan to open the mail ballot drop box boxes on 8/27. Voters can also deposit ballots at any vote center during early voting and on Election Day.

We are currently recruiting election workers, national co-worker recruitment day was held on January 25th and we engaged in several outreach activities, including a Twitter chat.

Our goal is to recruit and train between 2,000 and 2,500 election workers for the primary.

Election worker training will begin on March 22nd. We will have an online training portal available to supplement the four-hour inperson training sessions. The online training may be viewed before the in-person training

classes or as a refresher after in-person training is completed.

Communications. In the process of revising our current website to make it more user-friendly, we wanted to ensure information is clear and easily found. Messaging has begun.

Please review voter registration information for accuracy. And you may visit our website for additional information.

We will continue to monitor D.C.

mandates and CDC Guidelines with respect to the

pandemic. Changes and adjustments to our

election plan will be made as needed. And that

concludes my report. Thank you.

CHAIR THOMPSON: All right. Thank you so much.

General Counsel. Terri Stroud.

MS. STROUD: Good morning, everyone.

The first item on my agenda was to be a proper subject matter determination hearing for the proposed initiative measure and The Historically Black Neighborhood Act. But this morning, the

proposer, Mr. Addison Sarter, submitted a withdrawal form, irrevocably withdrawing the initiative measure, the proposed initiative measure. That was filed this morning. And so we will not proceed with the proper subject matter determination hearing for that measure.

The next item on my agenda, is final rule-making to Title 3, the chapters that will be amended are Chapters 10 through 11 and Chapters 14 to 17 of Title 3 of the DCMR. And these amendments reflect statutory provisions that permit electronic petition circulation. The emergency and proposed rule-making was published in the D.C. Register on Friday, December 17th.

And so the review period ended on January 16th.

There was a correction to a typographical error, but no substantive comments were received. This rule-making took away some language in the Board's regulations that did not facilitate electronic circulation of petitions.

And so now, the course is free for that to happen with respect to the Board's regulations and they

are in line with the pertinent statutory 1 2 provisions. And so I would ask that the Board 3 4 members approve the rulemaking and permit it to 5 be submitted to the D.C. Register. Pardon me. CHAIR THOMPSON: So moved. 6 7 MS. STROUD: If you could call for a 8 motion, Mr. Chair. 9 CHAIR THOMPSON: Yes. I would call 10 for that motion. Thank you so much. 11 MEMBER GILL: Second. 12 CHAIR THOMPSON: All in favor? 13 (Chorus of aye.) 14 MS. STROUD: Thank you. And so we 15 will be submitting this for publication in the 16 D.C. Register. And it will appear in, not this 17 Friday's version of the register, but next 18 Friday's addition, as we will submit it by noon 19 tomorrow. Thank you. 20 The final matter on my agenda is 21 litigation status. We had three active matters. 22 The first is Long v. D.C. Board of Elections.

This was filed in D.C. Superior Court in July of 2021. It's a civil complaint seeking \$10,000 in damages.

The plaintiff, Mr. Long, claims negligence and unjust enrichment and alleges that the Board issued him a check erroneously, and then had payment of the checks stop, causing him to have a negative balance and a return check fee. The Board is being represented by the Office of the Attorney General, which serves as counsel for the Office of Finance and Resource Management, the agency that handled the issuance of co-worker checks for the Board. We have a hearing in this matter on February 14th.

The next matter is Henderson v. D.C.

Board of Elections. Ms. Henderson filed a recall

petition against Sydelle Moore, Advisory

Neighborhood Commissioner for a single-member

district 5D05. The petition was rejected due to

an insufficient number of signatures.

Ms. Henderson appealed the matter to the D.C. Court of Appeals. On January 19th, the

court issued an order indicating that this matter would be referred to the mediation coordinator for the court for mediation screening.

The final matter is Public Interest

Legal Foundation versus the Board's Executive

Director, Monica Evans, in her official capacity.

This matter was filed in the District's Federal

District Court under the National Voter

Registration Act. The suit alleges that the

Board's decision not to release certain requested documents violates the NBRA's public records

disclosure provision.

And the Board, in concert with the Office of the Attorney General, will be filing a responsive pleading, a motion to dismiss in this matter tomorrow.

And that concludes my Litigation

Status report as well as my overall report. And

I'm happy to answer any questions you might have

at this time.

CHAIR THOMPSON: All right. Thank you so much. I just wanted to take a moment to

comment briefly with respect to the voter initiative that was submitted but then withdrawn this morning. I'm going to compliment Mr. Sarter and others involved in putting that together.

It's admirable for voters to take it upon themselves to identify ways that they can propose laws, just like the Council can.

There are some parameters and limitations in that regard. Voters don't have quite the same exact scope that the Council does. For example, the proposed initiative cannot interfere with appropriations, it can't require the D.C. government to spend money or to stop spending money. And there are some other pretty straightforward limitations on the scope of the voters' initiative.

It obviously can't contradict the U.S.

Constitution or D.C. Home Rule Act or the D.C.

Human Rights Act and it has to be a clear law.

And there were some formal requirements, forms

that have to be filed. Namely, something called

a verified statement election cycle of

contributions. And it's not horribly easy to understand, but it's pretty well explained on the BOE website and some other materials and you can look up the regulations yourselves, but it's really a fabulous part of the original Home Rule Act that allows voters to propose laws themselves.

So I just wanted to compliment Mr.

Sarter for taking it upon himself and those that helped him do it to propose something. I understand it's been withdrawn. Maybe it will be re-submitted in some other form. And I also wanted to thank the comments we received from different D.C. offices, the OAG, and others, and I think some private groups sent in some comments as well.

So thank you, everybody, for taking the time. And then, finally, with respect to the rule-making, I mean, the general concept there is fabulous. We want to make it easier for petitions to be circulated and signed accurately and reliably.

1	And that can definitely include
2	through electronic means and that's evolving as
3	technology evolves and these latest rules make it
4	easier in that regard for petitions and
5	circulators to exchange signatures
6	electronically. So that's a welcome development.
7	So I don't have any questions I just
8	wanted to make that comment. Any comments or
9	questions from any other Board members?
10	MEMBER GILL: No. Thank you, Monica
11	and Terri.
12	MEMBER GREENFIELD: No, thank you.
13	MS. EVANS: And, Mr. Chair, if I just
14	may make one correction to my report. The Ward
15	Member for State Board of Education will actually
16	be on the general election ballot, not the
17	primary ballot.
18	CHAIR THOMPSON: All right. Okay.
19	Turning then to the Campaign Finance
20	report from Cecily Collier-Montgomery.
21	MS. COLLIER-MONTGOMERY: Good morning.
22	On behalf of the Office of Campaign Finance, I

would indicate that for members of the public, the Office has published its schedule of training, the virtual training sessions that the Office offers monthly on various aspects of the Campaign Finance laws. And that calendar for the remainder of the calendar year is posted on our website.

The first thing I would like to report is that with the Fair Elections Program -division during the month of January, as of this date during the 2022 election cycle the total sum of \$4,068,031 has been authorized for disbursement from the fund and base amount \$320,000 and matching payment \$3,748,031.10 to the 13 candidates who have been certified in the Fair Elections Program to date to participate in the June 21st, 2022, primary election.

Again, by way of background as I have indicated in previous meetings, the 2020 election cycle was the first election cycle during which the Fair Elections Program was fully implemented. The total amount of \$4,016,797.64 was disbursed

from the fund and the base amount and matching payments to the 36 candidates who were certified in the Fair Elections Program to participate in the 2020 general election cycle and the primary election and also in the 2020 special election.

I would also indicate for the record that the amount that has been disbursed from the fund as of this day for the 2022 election cycle, that that is a corrected amount. Previously, in the report that we provided, for the month of December, the amount was higher and that was due to the fact that we included in the amount the total amount that had been disbursed from the fund for fiscal year '21, and that amount included not only two disbursements to candidates who are certified in the 2020 election cycle but also included disbursement which we're making to candidates who participated in the 2020 election cycle at the end of that cycle.

I would point out that during the month of January, there were three actions that the agency took with respect to the certification

of candidates in the program. And also the authorization of the disbursement of payments from the fund. First, Gordon Fletcher, for Ward 5 on January 4th, 2022 with the sum of \$8,750 was authorized for a disbursement and an additional matching payment to the previously certified participating candidate.

Two, Muriel Bowser, Re Elect Muriel
Bowser Our Mayor 2022. On January 4th, 2022, the
sum of \$19,525 was authorized for disbursement
and additional matching payments to the
previously certified participating candidate.

On January 18th, 2022, we certified Anita Bonds, Anita Bonds 2022, as a participating candidate in the Fair Elections Program and the June, 21st 2022, primary election for the covered office of member of the Council at large. And the sums of \$100,160 in matching payments and \$20,000 for the first half for the base amount payment for this covered office were authorized for disbursement.

The Fair Elections Program division

and during the month of January conducted 11 desk reviews of reports that have been with the Office. Specifically, the December 10th, 2021, and the optional January 10th, 2022, report. The Division also issued as a result of the desk reviews, nine requests for additional information to the committees whose reports were reviewed.

With remitted funds as of January 31, 2022, the total sum of \$153,261.39 has been remitted for deposit in the fund from the campaign (audio interference) participating candidates in the 2020 election cycle and the in the June 2020 special election.

There are 34 ongoing post-election audits that are before the Fair Election Division programs and the audits are in varied stages.

And these are audits of, again, of the candidates who participated in the 2020 election cycle and also the special election that was conducted in 2020 as well.

The auditors are at varying stages including that the audit documentation has been

received and the audit is in progress, or the audit is complete and the preliminary statement of findings has issued, and the Board response has been received and is under review by the audit manager (audio interference) indicate that the draft final audits have been submitted and several of the audits to the audit manager for review.

And we also have audits where there has been a failure to submit documentation and they have been referred to the Office of the General Counsel for enforcement. The steps of each of those audits is listed in our report, and our report will be posted on our website before the close of business today.

In our public information and records management division for the month of January 2022, there were 10 filing dates and those are filing dates for the filing of the reports of receipts and expenditures.

The first was our Constituent Service Program. January 1st was the due date for the

filing of the report and because the January 1st date fell on the weekend, the report with actually due on Monday, January the 3rd. There were eight required filings, and all eight timely filed.

With our Senator Representative

(phonetic) Statehood Fund, January 1st was also
the filing date for their report of receipts and
expenditure. There were three required filers,
and all three timely filed.

With our Legal Defense Committee, on Monday, January the 3rd was the due date for the twenty-third report of receipts and expenditures. There was one required filing the file was timely filed.

With our Fair Elections Program, with the Principal Campaign Committee who have registered to participate in the 2022 election cycle, January the 10th was the filing day for the optional report of receipts and expenditures and basically, this is a filing due date for which there are no actual required filings,

again, it's optional. But five Committees from the Program did timely file on that date.

Again, with the Legal Defense

Committee, January 31st was also the filing due

date for the report of receipts and expenditures.

There was one required filer, and, as of this

day, with our January 31st due date for Financial

Reports, the number of timely filers will be

determined.

With our Principal Campaign Committees and our PACs for the January 31st filing due date, there were 104 required filings, the timely filers will be determined.

With our Fair Elections Program,

January 31st was again a filing due date. There
were 29 required filings and the total number of
timely filers will be determined.

With our Independent Expenditure

Committee for January the 31st, there were three required filings, again, the timely filers will be determined.

With our Initiative Referendum

Committee, January 31st again was the filing due date. There were six required filings and the total number of timely filers is to be determined.

The last report was for our Recall

Committees for the January 31st report of

receipts and expenditures. There was one

required filer and again the timely filers, the

total number is to be determined.

During the month of January and with our new candidates and committees and the registration, again, I would point out there are 13 candidates who are registered in our traditional Campaign Finance Program, and there were young, new, registers during the month of January.

In our Fair Elections Program, there are currently 30 registered candidates in the program and there were two new candidates for the month of January. The first is Stacia Hall for the Office of Mayor and the candidate registered on January the 20th of 2022. And the second is

Monika Nemeth, who registered for the Office of Member of the Council from Ward 3, and the candidate registered on January the 26th, 2022.

With our initiative committees, we currently have three who are registered. There were no registrations during the month of January. Also, during the month of January, 10 candidates and treasurers completed the OCF (audio interference) conference presentation.

And that is a mandatory requirement.

The names of those candidates and treasurers again will be listed in our report and the report will be posted, and the report will be posted before the end of the day.

In our report's analysis, the only division, and this is our traditional audit program for the Campaign Finance Program, the audit branch conducted 22 desk reviews of financial reports and that includes desk reviews of a Political Action Committee and the constituent service funds, the U.S. Senator Representative Statehood Fund program, principal

campaign committees, as well as the audit branch,
I'm sorry issued, as well, ten requests for
additional information as a result of the desk
reviews they conducted.

The traditional audit branch issued two audits during the month of January. The first was Brooke Pinto for Ward 2, and that was a full field audit of a newly elected public official. And the audit was issued on January 5th, 2022, and that was a compliance audit.

The second was Mayor Bowser's constituent service fund. This was a periodic audit. And this report was issued on January the 10th, 2022, and again, that was a compliance audit as well.

There is one ongoing audit in the traditional program and that's of a newly elected official. That is the full field audit of Jacque4DC. He is an at-large State Board of Education candidate and Committee.

Again, that audit is ongoing. The preliminary audit report was issued on November

the 30th, 2021. The committee was granted an extension with respect to the filing of the response and they filed an amended report and the audit staff is in the process of drafting the final audit report.

And that concludes my report. But I would ask the general counsel for the Office of Campaign Finance to present the report on behalf of the general counsel's office, William Sanford.

MR. SANFORD: Good morning, Mr.

Chairman and distinguished Board Members Gill and

Greenfield. Good morning, my name is William

Sanford, general counsel for the Office of

Campaign Finance.

During the month of January 2022, the Office of the General Counsel completed 12 informal hearings and issued 12 orders, which included the following. Eight orders were issued in which no fines were imposed, and four orders were issued in which a total of \$6,600 in fines were imposed.

During the month of January 2022, the

Office of the General Counsel imposed fines against the following initiative committees; a fine of \$1,650 was imposed against a New Modern Day Cannabis Justice Act, Juanita Shelton, treasurer, a fine of \$1,650 was imposed against the Money Supply Increase Initiative and Referendum, Ameer Flippin, treasurer.

A fine of \$1,650 was imposed against the D.C. Recovery Act for Living Descendants, John Cheeks, treasurer, and a fine of \$1,650 was imposed against the U.S. Citizens for Recovery Initiative Alliance, John Cheeks, treasurer.

During the month of January 2022, the Office of the General Counsel did not have any open investigations, did not receive any requests for interpretive opinions, and did not conduct any show cause proceedings.

That should conclude my report, and the contents of this report will be published at the Office of Campaign Finance website by close of business today, February 3rd, 2022. I'm sorry, February 2nd, 2022.

CHAIR THOMPSON: Thank you so much,
Mr. Sanford, Ms. Collier-Montgomery. That's an
incredible amount of detailed work that takes
place at the OCF. I know we have a lot of
members of the public out there.

You know, big picture-wise, there are very few jurisdictions in the country, or the world for that matter, that have something like the Fair Elections Program that's being implemented now, pursuant to D.C. Council law.

What it is, in its essence is voluntary public financing for campaigns. If a candidate chooses to participate and she or he doesn't have to but the candidate chooses and meets certain qualifying thresholds, they participate in the program and they cannot accept contributions from corporations or political action committees. Their contributions are limited to individual contributions, and they're small-dollar ones for that matter.

The highest amount is 200 for Mayor, it's 100 for a member of the Council. And then

there's a matching of five to one, and as you could hear, if you're a candidate and you receive these funds, you have to use them properly and account for them. You're subject to audit. And unused funds are returned.

So there's a tremendous amount of detail involved in accepting and tracking, and disbursing, and auditing all of that information.

It's amazing how much really intense, detailed work that takes place at the OCF.

But as I was listening to all that I was just struck by sort of the big picture point that, you know, we're making this work, this law that the D.C. Council passed and it's really in progress and really in full swing for the first time in this election cycle. It was introduced in the last election cycle, but this is the first really full election cycle where it's really rolled out.

So with that, before we turn to public comments, I think General Counsel Stroud had something else she wanted to mention.

MS. STROUD: Yes. I do. Thank you,
Mr. Chair.

I forgot during my report to welcome and introduce our new staff members. The first is Christine Pembroke, who was serving as our staff attorney, and Jay Penuel, and he is our new Americans with Disabilities Act coordinator.

They began on Monday and we're happy to have them and, you know, already they're doing really, you know, great work. And I'm happy to have them and I look forward to working with them and I'm sure that you all will enjoy working with them as well.

CHAIR THOMPSON: Thank you so much, and welcome. It's really a critically important topic, of course, it's near and dear to my heart. I grew up with a brother in a wheelchair and physical access and all kinds of access to voting, language access included, is critically important in the BOE and D.C. It's really at the forefront of achieving full access and equal access to all.

A whole lot of recognition is involved in that regard. So welcome, new coordinators.

We appreciate the work that lies ahead.

And so, with that, the last thing on the agenda is public comment. We basically open the mic to comment from anybody out there who would like to speak. When you're called upon to speak, we, you know, ask you to identify yourself, your name, and what D.C. ward you're from.

And we'll limit you to three minutes.

It's not a hard cutoff, you know, try to keep track and, you know, I'll interrupt if you're really kind of going on well past three minutes, but try to keep it brief.

And then after each comment, Board members or BOE, or OCF personnel will probably respond and then we'll turn to the next comment that someone would like to make. And I think the way this works is you just raise your hand using the Zoom function and somebody will unmute you and allow you to comment.

And I guess I'll call them out as I 1 2 see hands raised and I'll just do this --MS. BRIZILL: Mr. Chairman, I can't 3 4 raise my hand because I'm not on video. 5 Dorothy Brizill. 6 CHAIR THOMPSON: Okay. Thank you, 7 Dorothy. Well, I'm going to start and I'm just 8 going to go on my screen clockwise as I see names 9 and that definitely includes you, Ms. Brizill. So the first person I have with a raised hand is 10 11 N. McClure. 12 MS. MCCLURE: Yes. Thank you. Good 13 morning, Chairman Thompson, members of the Board, 14 and guests. My name is Nicole McClure. I'm the 15 executive director of the D.C. Republican 16 Committee. I live in Ward 6 in the southwest of 17 D.C. 18 And on behalf of the D.C. Republican 19 Committee, Chairman Patrick Mara, I'd like to submit a letter for the record that he wrote to 20 21 the Mayor, Chairman Mendelson, and the Board

Chair.

of the points made in the letter. D.C.

Republicans appreciate the Board's intent to expand voting and voting accessibility to more

D.C. residents. That is something all D.C. residents can get behind regardless of political affiliation. However, we have concerns with all mail-in voting at this time.

States that have high levels of success with mail-in ballots have rigorous rules and regulations in place to ensure transparency and confidence in the election. D.C. does not meet this threshold, as we have no rules or regulations in place.

D.C. voters lack confidence in our voting system. Last year, in 2020, or -- I'm sorry, two years ago, in 2020, 10 percent of the ballots were returned last election representing roughly 48 thousand ballads and those are just the ones we know about.

Hundreds of people photographed the extra ballots and many simply threw them in the

trash. Highly inaccurate voter rules erode confidence in our election process.

For mail-in voting to work, we need to clean up the voter rules and have rules and regulations that have been agreed upon through a transparent process. Anything short of a public debate that includes all stakeholders, candidates, political parties, and voters, gives rise to questions about balloting.

It is in no one's interest to adopt a new voting system without a full, open, public debate. D.C. deserves a modernization of voting methods decided in the public square, not back offices. We share your -- we know you share our desire for a credible elections system that assures public confidence in balloting.

We look forward to working with you to clean up voter registration, establish rules for voting by mail, ensure transparency in our election systems. Thank you for your time.

CHAIR THOMPSON: Thank you very much.

Any response from the BOE in this regard?

MS. EVANS: The only response I will make at this time is that we make every effort to be transparent with all of our decision-making, and I do not believe any of our decision-making isn't in back offices. Everything is on the record, even during oversight hearings as far as our plans. And so I do believe we are making efforts to be transparent, but definitely appreciate the comments and concerns and we will take them all into consideration. Thank you.

everybody out there noticed that there is a bill pending before the D.C. Council to entail all mail balloting, make it a permanent part of how we vote in D.C. That's under Councilmember Allen's Committee on the Judiciary. And they'll be holding hearings for public comment in that regard. And, you know, we at the BOE basically follow the laws and regulations as they're passed.

And so when Councilmember Allen and other members of the Council consider that Act,

it's got a lot of other measures in it, you know,

I'm sure they'll welcome a lot of comment about

how -- if it's passed -- how mail balloting would

work. And that's a great forum for that public

comment to be aired.

MS. STROUD: Mr. Chair, I would also add that as she indicated -- in the last Board meeting, Director Evans indicated that she had participated -- our office participated in that hearing on the Election Modernization Bill, and she, you know, commented on her testimony in the previous Board meeting.

So yes, we did make the public aware of not only the Election Modernization Act but also the fact that our office had given testimony regarding that. And so that is a bill that seeks to implement all of what the public view as positive effects of the 2020 election cycle in terms of vote by mail, the ballot drop boxes, and other things that were incorporated during the last election cycle.

But again, as she stated, we're happy

to talk with any members of the public about the Board's plans and incorporate, you know, to the extent possible, any suggestions that, you know, may be incorporated, that may be suggested.

We're happy to always have that conversation with the public and any other interested stakeholders.

CHAIR THOMPSON: Okay. The next hand

CHAIR THOMPSON: Okay. The next hand on my screen clockwise is Rachel.

MS. DONLAN: Good morning. I wanted to address the nearly 68,000 voters who have not actually voted in the last -- since 2016, at least. I'm concerned with the initiative process in petitioning during the pandemic.

If people who aren't voting -- they possibly could've moved out of D.C. or decided not to take part in the process for some reason over the last seven years. And I think it's important to look at that and decide maybe those numbers are off.

D.C., it's important to get those numbers right, especially during a pandemic, because it causes

us to unnecessarily have to interact with the public while we're trying to collect those signatures. So I'd like for you to consider maybe figuring out a way to remove people who are no longer living in D.C. from the voter rolls so that we have those numbers correct.

CHAIR THOMPSON: Thank you so much,
Rachel, for your comment. I'll ask the BOE to
comment as well. I would just sort of explain
broadly that there are some very specific laws at
both the D.C. and federal levels that address
this very issue for maintaining accurate voter
rolls.

There's a lot of detail, if you want to review it, the most detailed stuff is in the regulations at D.C. Municipal Regulations,

Section 518 to 521. And there's a system that --

Okay. This is a public Zoom forum.

So I think someone from the IT group is trying to identify that person and cut that person off.

But anyway, you can look at these regulations and it's not just a systematic voter

roll maintenance, which is a mailing card, and depending on the response, voters can be moved to inactive.

And obviously, there's voter roll
maintenance in conjunction with changes of
address from the U.S. Postal Service, if there
was a death, if there's a declaration of
incompetency, and some other triggers on moving
voters from active to inactive or otherwise
removing them from the voter rolls.

And, at each step, there's notices involved that have to go to these individuals before their status can be changed. And that's what the law directs. It's really quite specific, with the overall idea of being very careful about moving someone off of the voter rolls so that they cannot vote.

There's a balance obviously between inspecting all that and also trying to keep the rolls as accurate as possible. And of course, it's like a moving river. It's never like a fixed moment in time, just like the 50 voters

register at the Duke Ellington School, people are always coming into this registration of rolls and always moving off.

Sometimes they self-report, their address changes, sometimes they don't. So there's this automatic maintenance program that tries to identify and get at those who are not truly active voters anymore. And it's a constantly moving process. And one of the most critical aspects of it being to keep voters registered if that's their intent. And with notices, identify that intent and respect it.

But all that said, of course, it's important for the maintenance to be updated and revised and keep the voter rolls as accurate as possible. There's never such a thing as perfect, but as accurate as possible because it has a lot of upstream impacts. For example, any voter initiative or candidate who has to go out and get a certain percentage of a certain Ward or an entire city, perhaps, of voters that are on those active voters rolls.

And by law, that's fixed as of 30 days prior to submission of the petition. That's your denominator. And the denominator shouldn't be larger than it needs to be because the larger the denominator, the larger the numerator, the number of signatures you'd have to get.

understands that and really works hard at accurate voter maintenance. It's not something that the BOE just does on its own initiative.

It's constrained and it's directed in very specific ways by the D.C. Elections Code and Title 11 of the Code, the regulations themselves at 518 to 521, which I mentioned.

And of course, the federal law itself, the National Voter Registration Act, has aspects of this that have to be meticulously followed.

So anyway, with that overview, I'll turn it to Director Evans.

MEMBER GILL: Mr. Chairman, and if I can just comment here though. To me, that speaks to -- you need Council to change the regulations.

I understand there's a balance, but it really does kill people that are trying to get signatures for petitions, which is becoming more and more popular in D.C.

I know we're bound by regulations, but we do have same-day voter registration. I mean, on the small percentage of people who may miss election after election and then show up, and say, well, wait a minute, I'm a voter. We've got same-day voter registration. So we have a safety net.

I really think that, you know, one of the benefits of the mail voting was we got 40,000 back, which we wouldn't have known had we not sent out ballots and the post office send them back to us. So that's one positive way of getting the voter rolls.

But if it takes three years to get somebody off a roll, that means 40,000 people that are clearly not living there are still going to get ballots. And so it just -- I think it's more than just, you know, expanding access.

There's got to be a commensurate reduction in the amount of work it takes to get somebody off the rolls.

I'm using my Board privileges to use up somebody else's three minutes, I'll stop. But I just wanted to observe that we need to balance it, I get it. But we also need to get those regulations that make it so difficult.

MS. DONLAN: I appreciate that. I also appreciate the hard work of the Council and the Board and everybody who's involved in making sure that people are able to register to vote on the same day.

But 68,000 sounds like a very large number to me. And I think it's worth checking into to figure out what's going on and why that's happening. And maybe we do need to change some regulations to make the process work more smoothly.

MS. EVANS: Thank you, Rachel. We definitely appreciate your comments and observations. And if you wouldn't mind just

giving us your first and last name so we have 1 2 that information for the record and your address and --3 4 MS. DONLAN: Yes. MS. EVANS: -- we definitely welcome 5 any commentary, suggestions, and observations 6 7 because we definitely are committed to updating 8 our voter rolls and making sure that they are as 9 accurate as possible. And we also realize the frustrations with petition circulators. 10 And in this environment, where we're 11 12 in a pandemic, we have even noticed that a lot of 13 our registered D.C. voters have mailing addresses 14 outside of the area, which makes it that much more difficult to get signatures when people are 15 16 working remotely and in other parts of the 17 country. So thank you for that. 18 MS. DONLAN: Yes. Thank you. My name 19 is RachelRamone Donlan. I live in Ward 5. 20 MS. EVANS: And if you wouldn't mind 21 giving your address for the record. Thank you.

Of course, ma'am.

MS. DONLAN:

1	150 Q Street, Northeast.
2	MS. EVANS: Thank you so much.
3	MS. DONLAN: Thank you. I appreciate
4	it.
5	CHAIR THOMPSON: Okay. The next hand
6	on my screen is Adam Eidenger.
7	MR. EIDENGER: Great. I'm happy to be
8	here. Really good discussion. We're just going
9	to keep it going because I basically want to talk
10	about the same thing that Rachel was talking
11	about, as the treasurer of Initiative 82.
12	We've been through the wringer for the
12 13	We've been through the wringer for the last 14 weeks. We've collected over 31,000
13	last 14 weeks. We've collected over 31,000
13 14	last 14 weeks. We've collected over 31,000 signatures in a pandemic and a blizzard, which I
13 14 15	last 14 weeks. We've collected over 31,000 signatures in a pandemic and a blizzard, which I know that's both out of the Board's control, but
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13 14 15 16 17 18	last 14 weeks. We've collected over 31,000 signatures in a pandemic and a blizzard, which I know that's both out of the Board's control, but adapting to the world we live in is your job. And I have some very specific regulation changes that we have zeroed in on that I think could fix this process of having active

when someone doesn't vote in an election, they
get a postcard mailed to them. If the postcard
comes back undeliverable, then the Board begins a
process and it should take actually two federal
cycles from that time.

So really, this could take as long as six years to remove someone from the rolls, which I think is a pretty reasonable amount of time to figure this out. It's not too long and not too sure, but you still have to go through with it.

Now, when we looked at the list, there were -- our campaign examining list -- there's people that haven't voted since 2010, there's 26,000 people on the list right now that haven't voted since 2010.

We know that when postcards are sent to universities, they're not returned. They get thrown away because they get tons of mail for students who are no longer there. So in Ward 2, we have a huge number of voters on the rolls that do not live here and we know are registered in other states that are still on the D.C. roles.

Some have been on the D.C. rolls for 24 years and are voting in other states. And we're having a real hard time with this. So you need to look at the regulations regarding universities and how they treat mail, how they treat mail from the Board of Elections, especially in Ward 2 where there's three universities.

Also, we've asked for complete voting data since the beginning of our campaign and we had to wait for weeks. Normally, this takes two days to get complete voting data. It's important for us to validate our signatures, to know what we have.

And, before we turn into the Board of Elections, and we can't do that if the voting data is incomplete. We've had lists that were 419,000 provided to us, as high as 670,000, approximately. Currently, we've settled in on 524,000 as the number required to turn in for the Board of Elections, 5 percent of that is what you are considering as active voters.

What Rachel was talking about is that there are 68,000 people on that list plus that haven't voted since 2016, at all. And I realize they could still be on the voting rolls if they replied and said, I want to maintain my voting status, they don't have to vote, that's your choice. I realized that. But we really don't think that's the case.

We really think most of those, probably 40,000 to 50,000 of them, approximately the number of pieces of mail that were returned in the last election, are really not here. And we're being forced to collect 3,000 to 3,500 more signatures than we should. Now, we're going to make the goal, we're already there.

I'm happy to announce we made it, and Ryan O'Leary is next, so I'm not going to take any more time, but the proposer of the initiative can get into that. But it's just -- this isn't fair and we want to be able to sign online, we want to be able to e-mail petitions around. We can't do that. Candidates can do that. We

cannot do that according to the new regulations.

And we've had a number of lawyers look at that.

So we were told at the beginning of the process, we cannot e-mail a petition to a voter and have them e-mail it back to us, signed. Why can't we do that? Because this Council doesn't want us to be successful with putting voter initiatives from the citizens and I believe we need the Board of Elections to stand up for us.

In this new age, we need people to be able to sign by phone, we should be able to vote by phone. And I challenged you all to create voter profiles so every resident of the District of Columbia can log into the Board of Elections encryptedly and view their own votes in the past so they actually know how they voted, how they -- if they signed a petition, they can sign it right there.

This is the twenty-first century, this is 2022. We have more secure banking. People put transactions of millions of dollars online,

no problem with a click of a button on their phone, but we can't do this for voting? Come on.

Raise the bar, D.C.

So anyway, we've had a hard time and

So anyway, we've had a hard time and it would really be helpful if we had accurate voter rolls. Thank you.

MS. STROUD: Mr. Eidenger, I do want to push back on the comment that initiative petitions circulators are not allowed to circulate electronically, they are allowed to circulate electronically.

MR. EIDENGER: When it comes to ballot initiatives and referendums, if you look in the regulations, we are left out. We are not in there. It only applies to candidates.

MS. STROUD: No. It applies to initiatives. Now, I will grant you that it does not apply to recall measures, but it does apply to initiative and referendum circulators.

MR. EIDENGER: Well, I'm going to go back and look at it and I hope you're right. But at the beginning of this campaign, we reviewed

the regulations and we came to the conclusion that it was impossible for us to receive petitions by e-mail like we did for Initiative 81 in 2020. But that emergency legislation expired and the statute does not permit it.

And I would appreciate -- I was provided through Twitter, actually, the link to the statute, the link to the regulations, and it is very clearly only addressing candidates. It is not addressing initiatives and referendums.

MS. EVANS: And the only thing I wanted to address, the timeline is actually a little shorter because we do have a federal election every other year because, in addition to the primary, we do have the delegate race, which is a federal election. So that does shorten the timeline between federal elections.

CHAIR THOMPSON: Thank you so much for your comment. This is really driving home for me the distinction between what can the BOE do by itself without any further changes in the laws and what is it that the D.C. Council might do to

improve on, you know, some of these pitfalls?

And so, you know, I can assure you that absent D.C. Council action, the BOE is still working extremely hard to maintain the voter rolls as promptly and as accurately as possible, but given the confines of the regulations as they stand in terms of the timing of notices and how and when previously registered voters can be moved off the rolls, which is, you know, a pretty serious thing to do, to remove someone from the rolls. But no doubt it's something that is important.

MR. EIDENGER: I think we're talking about active status versus removing them from the rolls. They are legally different things. You could be an inactive voter and then you can reactivate by showing your ID, I believe, at the voting -- when you go to vote or by reaching out to the Board.

So we're not proposing removing anyone from the rolls. I mean, we did get a vote -- a list from the Board that had over 600,000 names

on it because it had all the inactive voters on it as well. And it was an attempt, I think, to show us that there's -- at the Board, a maintaining of different lists.

One, of all the voters, and then
people who are inactive, included, and then the
ones that we think are really here and that are
active and apply to these ballot initiatives,
which, you know, for us, that five percent of the
active voters, that keyword is active, doesn't
say registered voters.

And explanations, I believe, on the Board of Elections websites, say registered voters but the statute says active voters. So you don't have to actually take them off the rolls.

CHAIR THOMPSON: Ryan O'Leary.

MR. O'LEARY: Yes, thank you. My name is Ryan O'Leary. I'm a proposer of Initiative 82. My address is 1665 Lamont Street, Northwest. I live in Ward 1.

I just want to echo a lot of the

concerns that Adam brought up. Specifically,
what I was going to mention that he just did was
that we're not trying to take anyone off the
voter rolls. You know, I'm not a proponent of
removing people from them, but it's this question
of active versus inactive.

And when we aren't being as diligent on transitioning people from active to inactive it leads to ballot initiatives needing to collect far more than 5 percent of registered voters signatures, or active voter's signatures, you know.

We're actually collecting six, seven, eight percent. And that can be very difficult in a pandemic. I agree, we should be able to sign electronically a ballot petition, just like you are able to deposit a mobile check. You know, there's a lot of issues. I mean, there's people registered at non-residential buildings in D.C.

There are people registered at the Department of Justice. There are people registered to vote at, like -- that they live at

City Council. Their people registered in more than one place or in the same place, but twice.

And this all adds up to making ballot initiatives, especially during a pandemic, very difficult to like collect signatures for.

There's just needs to be an easier way. And I loved the point that Mike Gill brought up, that we do have same-day voter registration at the polls. So if there is any worry that we are somehow disenfranchising anyone -- I really to the people being disenfranchised are voters by making it so difficult for their voice to be heard through a ballot initiative right now, including my own as the proposer.

And so I would just really like the Board of Elections to look into how fair their current regulations are and any ways that we can make them more fair so that D.C. voters can actually use their voice and get initiatives passed or put onto the ballot and make this process easier because we've seen huge success with D.C. ballot initiatives in the past.

And I really want to make sure that we continue being on the forefront of this process in this country and making it as easy and as accessible and being a leader and an example to other places around the country on how we can make this happen. And I think D.C. is where we need to do this.

know, some time and consideration be looked into making these rules and regulations fair. And whether that be changing the way that we designate people active or inactive. You know, I mean, most people in D.C. don't have mailboxes, so if they get mail from for somebody that isn't them, I mean, I know everywhere I've lived, I've gotten mail from the past ten residents constantly delivered, you know.

The change of address you can purchase from the Postal Service only lasts six months.

So unless that mail happens to get sent in that six-month period, that postcard gets sent to them, you're never going to get it back. That

mail gets thrown out by the residents.

So I think a lot of stuff is slipping through the cracks and we could be a lot more efficient with the way that we do this in this city. So thank you.

MS. EVANS: Thank you, Mr. O'Leary.

I definitely appreciate your comments. And I

think, you know, we do have a responsibility to

ensure we are moving voters from active to

inactive status in a very timely manner. So we

definitely will examine that.

The one thing I do want to mention, we recognize we do have voters registered at non-residential addresses and that isn't necessarily an error. We do have targeted outreach to homeless populations.

And if they sleep in front of 1600

Pennsylvania Avenue, they can actually use that as their registration address when they registered or other public facilities or a park location, homeless shelter. So that may contribute his some reasons we're seeing what

appear to be residential addresses on our voter 1 2 rolls. I just wanted to address that. Thank you. 3 MR. EIDENGER: That 4 clarifies a lot. I appreciate that because it 5 was the 1600 Pennsylvania Avenue one that we first looked at. 6 7 CHAIR THOMPSON: Mr. Schiller, please speak. 8 9 MR. SCHILLER: Hello. My name is 10 Nicholas Schiller. My current working address is 11 2448 Massachusetts Avenue Northwest, Washington, 12 D.C. 13 What I'm going to bring up real fast 14 is the Municipal Regulation 518-14, which says, "Where the Board learns or has reason to believe 15 16 that a registrant does not reside at the address 17 on the Board of Registration, the Board may issue 18 the notice as defined in 518, 0.1." 19 So there is a regulatory process to 20 make a voter inactive. The D.C.'s auditor report 21 that was published last November said that the 22 Board of Elections mailed out 421,000 by-mail

ballots in 2020 with 48,018 being returned. What the auditor's report doesn't highlight is the fact that the Board of Elections mailed voters multiple pieces of mail throughout 2020.

They mailed notice in May, they mailed the postcard in August, they then mailed the ballots in, I believe, September, October. So the public total of the amount of registered voters in 2020 was still hovering around 498,500 voters.

The voter rolls that the campaign has received in November and December mirrors this total registered number of voters, around 419,000 to 430,000, plus all the people that were registered to vote in 2021, which is about 26,000 to 27,000 roughly.

So the real question is why is the published total of active voters in the District of Columbia still 524,000 registered voters when a year prior, the number of voters was so much lower? And where did these 100,000 registered voters come from?

And when I compared the voter rolls that I was given in November and December to the voter roll that I was given a couple of weeks ago, that had 524,000 registered voters in it, I found that there were voters that were added back to the total, even though they had not voted.

So the real concern is why is the total so high. And what has the Board of Elections been doing to account for these -- we know are inactive voters? And that's the real problem at hand.

about this so far today, but the question really goes to if the Board of Elections knew that there was 427,000 people that wanted a ballot, there could be a bunch more people that said, I don't want a ballot, I want to vote in person. I get that.

But that's still a discrepancy of nearly 100,000 registered voters. That's 20 percent almost, you know, of signatures. So our campaign is ending up collecting about six-and-a-

half percent because of this.

And this also goes into the budget of the Board of Elections. That mail is not free for it to be sent to all these voters. So this goes to, I guess, the heart of the process. We, again, as I said before, we want these voters to be made inactive. They can show up to vote and show their D.C. ID and they'll be able to vote right there. And it's not a big deal.

And no one wants to be seen as this disenfranchising voters, but we do want to have a very up-to-date voter roll. And it's very unfortunate that our signatures are going to have to go against what we know and we've been able to prove is an inflated voter total. And it's just unfair.

So thank you so much for your time.

And I really hope that we can get to the bottom of this issue soon.

MS. EVANS: Thank you for your comments and I'm not able to address all of the facts you made today with respect to some of

those numbers but we're definitely committed to following up and ensuring we do make every effort to have the most accurate voter rolls we can.

And also look at those voters who need to be transferred to an inactive status. So definitely, I appreciate your thoughtful comments.

MS. STROUD: I would just add that, you know, we are exploring best practices in other jurisdictions. There are things that other jurisdictions, all of which have issues with list maintenance, as the chair was explaining, this is something that not just the District struggles with. This is something that is an issue with respect to list maintenance all over the country and different jurisdictions are exploring different methods of list maintenance.

One jurisdiction, in California, is looking at credit header data to determine where people actually are. So we are looking at and exploring what could be more effective methods than what is outlined in the NBRA, which has not

been amended recently in a significant way with 1 2 respect to this particular issue. And, you know, so we're not saying, 3 4 okay, well, there's nothing we can do and sitting 5 on our hands in terms of like figuring out whether there are more robust and, you know, more 6 7 effective ways to address list maintenance. 8 So we are looking at other ways to 9 make sure the voter rolls can meet that goal of, 10 you know, becoming as accurate as possible. 11 CHAIR THOMPSON: Okay. I think Ms. 12 Brizill is on by phone and you're welcome to 13 comment. 14 MS. BRIZILL: Thank you. This is Dorothy Brizill, executive director of D.C. 15 16 Our mailing address is 4005 Wisconsin 17 Avenue Northwest. 18 I had three separate subject matters 19 I'd like to raise with the Board and I'd like to 20 raise them so I do not wait for a response and 21 eat into my three-minute time.

First and foremost, I would like the

Office of Campaign Finance to comment on the auditor's report which came out this past Monday. I noticed that Cecily Collier-Montgomery didn't even mention it, in which it speaks about the Fair Elections Program and the need for better processes and controls. I would like a detailed response from Ms. Montgomery on that matter.

My second issue concerns the report that Ms. Evans gave. I appreciate that her report on the status of the Board of Elections matters with more detail than it was last time, but I still would like her to make a report to the D.C. public regarding the preparations for all the upcoming elections in June and November.

Specifically, she says in her remarks that there will be 40 early voting centers. She has not -- or to my knowledge, the Board has never indicated where those centers are going to be, and she also indicated there would be 90 polling sites.

I think it's important to get that list out to the public so people in the different

neighborhoods can comment, be able to know I can go down the street to vote or I can't go down the street to vote. Especially if you're going to be removing certain longstanding polls from the list.

The other thing I would like for Ms.

Evans to deal with is a detailed report on staffing. How many people has she's trained?

Are the poll workers who worked in the past elections coming back? Or are they so tainted and upset by their non-payment or non-timely payment for their participation in the election, have they written off the Board of Elections?

From the staffing, how many people are you going to be hiring as temporary workers?

With regard to contracts. Have the contracts for mail-in balloting been done? Are you going to use the same firm you used the last time? Will they be doing the printing, the mailing, and the processing of the ballots? What is the status of a new app for the Board of Elections? We've gone through three years of a

dysfunctioning app, and OCTO was supposed to be developing a new app for the Board of Elections.

What is that status?

The last two things have to do with press and public information. When are you going to start a public information campaign to inform the press and the public about the June primary and November elections?

So I appreciate Ms. Evans was more detailed in her response today to the Board, but I still believe that not only should she make that report to the Board and be more detailed, but also make it to the public. And there's no reason why all of this information cannot be published on the D.C. Board of Elections website.

registration. I've listened to the concerns and comments that have been made and I must weigh in. This is not an issue. This is not an issue that requires rocket science. The problem with the voter rolls in the District of Columbia have been long-standing.

And I ask you, Mr. Thompson, as the newest member of the Board, to go back and read a detailed report by the D.C. auditor, I believe it's dated 2016, and as Adam Eidenger has mentioned, even in the report that D.C. auditor issued last year commenting on the 2020 elections, they mentioned repeatedly, repeatedly the errors in the D.C. voter registration rolls.

Now this new computer system that the Board has acquired, it was supposed to go a long distance in fixing that problem. But the problem is garbage in, garbage out.

If there's no one, no one at the Board of Elections staffed with responsibility for removing inactive voters, for removing wrong addresses, from correcting information, that, in many instances, is provided to the Board, then it's not changing.

There needs to be an initiative to clean up the voter rolls and to assure better voter maintenance. I await any response, including from Ms. Montgomery, as regards to this

somewhat telling and scathing audit report on the 1 2 Fair Elections Program that was issued on Monday. CHAIR THOMPSON: Thank you so much. 3 4 Does anybody at the BOE or OCF want to 5 respond to that? I believe Ms. Montgomery 6 MS. BRIZILL: 7 has left the meeting. She's not on my frame as 8 being on the dais. 9 MS. EVANS: Yes. I believe she 10 stepped away for a moment, but I can briefly 11 address some of the matters that you directed to 12 me in the interim if you don't mind. 13 As far as the vote centers, the 14 locations, you indicated that they have been 15 publicized. And we are still identifying what we 16 think would be a good plan. We had committed to 17 making that plan public before those locations 18 are finalized so that we can get input about 19 those voting locations for the June primary. 20 MS. BRIZILL: Ms. Evans, can I just 21 interrupt you for a minute? Before you finalize 22 the location, wouldn't it be good to make it

1	known to people in the different neighborhoods
2	what you're thinking about so they can tell you
3	whether or not oh, no, that's not going to
4	work, there's no public bus system that runs near
5	there. Or that's not going to be good.
6	MS. EVANS: That is what I said
7	MS. BRIZILL: I mean
8	MS. EVANS: I just said
9	MS. BRIZILL: Why wait until you
LO	finalize something
L1	MS. EVANS: I said before
L2	MS. BRIZILL: as opposed to sharing
L3	it with the general public?
L 4	MS. EVANS: Ms. Brizill, I said before
L5	we publicize it. I'm sorry if that was
L6	misunderstood. I said that would be before we
L7	finalize it. That was my comment. So I
L8	apologize if that came across incorrectly.
L9	MS. BRIZILL: You'll finalize it by
20	putting it on the D.C. website?
21	MS. EVANS: We have not necessarily
22	have a plan for how that will be done, but we do

1 plan to get community input. We will get input 2 from representatives from all eight boards and the Council. So it will not be done in a vacuum, 3 4 it will be done with complete transparency. 5 MS. BRIZILL: Why would you be averse 6 to putting it on the website? What is the great 7 secrecy? I mean, the loss of greater input? 8 you think that sending the list to a 9 councilmember, that they're going to go through to and peruse it with great detail? As much 10 11 detail as an ANC commissioner or a community 12 leader would? 13 MS. EVANS: Ms. Brizill, I never said 14 I was averse to putting it on the website at any 15 point. 16 MS. BRIZILL: Okay. So you will look 17 at putting it on the website? 18 MS. EVANS: Yes. We will explore 19 avenues to be as transparent as possible. 20 CHAIR THOMPSON: Thank you so much, 21 Ms. Brizill. Okay. I don't see any other --22 MS. BRIZILL: Ms. Evans has not

addressed my other concerns and I see that Ms. Collier-Montgomery has returned.

MS. EVANS: Yes. And I can keep going if we're finished with that point. You asked for a detailed report for staffing poll workers and training, are people coming back? We are just in the beginning phases of developing that training and reaching out to election workers.

We do know that some of our key site coordinators will be returning because they have proactively reached out to us. I do not have those numbers until we start the active recruitment of poll workers and ascertain their willingness to come back. But I'm happy to report on that in the future once we have additional information.

Also, just this week, we had a meeting to discuss temporary workers. And this afternoon, I'm sitting down with our Deputy Director to go through the requests for temporary workers and the numbers we believe we'll need for this election cycle.

And that will include all temporary workers from those that will help us with our administrative operations, all the way to those who will help with our warehouse. The mail house -- contracting with mail house, we cannot say right now if it will be the same mail house.

We are going through the Office of

Contract and Procurement and we are told that

that process should be wrapped up relatively soon

because of the timeline we have with the

election.

You addressed the new app. Octo notified us that they would not be willing to develop an app for us, and at the time that they notified us of that, there was not an opportunity for us to do our procurement.

And so we do have an online app solution. And that was included in my report.

And so pretty much everything you can do using an app, you can do using our website via smartphone.

You can actually sign on your smartphone, sign on a touchscreen device. And so all of the

functionality of an app is available using our website.

And press public information, campaign and timing, excuse me. And so we are developing a comprehensive communications plan, that is in draft. But we have started messaging and have started with our social media campaign.

I believe those were the questions I was trying to write quickly as you were posing your questions. I think that was all you had for me. And I think the final question was for Ms. Montgomery.

MS. COLLIER-MONTGOMERY: Yes. In response to I guess Ms. Brizill's inquiry. What I would indicate on the record, is that on this past Monday, in the evening, I did receive the final audit report on the Fair Elections Program by the D.C. auditor, but I have not had the opportunity to completely review the report. I have just circulated the report to my managers for their review.

And also for their comments on the

recommendations that have been made in the report. And also for us to determine how best to proceed going forward with respect to the recommendations that had been made in the audit report.

But it is my intention and it was my intention that, at the March meeting of the Board, that I would offer a complete report on the audit report, but I did receive the report and that was on late Monday evening. And again, I would say that, at this time, my management chain and have not had the opportunity to complete our review of the report and also to determine the best way to implement a recommendation in the report.

MS. BRIZILL: Mr. Thompson, I just wanted to add one thing regarding Ms. Collier-Montgomery's report. For her to say that she first saw the report late on Monday is, to be kind, disingenuous. The standard practice, for years and years and years, of the D.C. auditor is to share the draft report with the entity about

which the report is written.

I know in the report that Ms. Collier-Montgomery was given a copy of the report in January. Okay. So to say that she saw or receive a copy of the report late on Monday is totally disingenuous.

And indeed, in the report itself, she commented -- there's a page in which she commented on the report. So I urge all Board members to absolutely read the report so that they would be better prepared for the March meeting to respond to any statements Ms. Collier-Montgomery might make.

CHAIR THOMPSON: Thank you for your extended comments. We've got a hand-raise from Kristin Furnish. Please proceed. Thanks so much.

MS. FURNISH: Thanks. I won't take up too much time. My name is Kristin Furnish. I live at 2448 Massachusetts Avenue, in Ward 2.

And as Adam said in the chat, I've been doing validation for the last three ballot measures and

the Jack Evans recall.

And from my perspective, validating thousands and thousands of signatures from D.C. voters -- I'm constantly running into people, the same person that's in the file twice, at the same exact address, with the same exact name.

There are tons and tons of people whose names aren't spelled right in the voter rolls. And it's just really important that there's an easier way, like Adam said earlier, we're in the 21st century, we should have a digital way for people to be able to register to vote.

People's handwriting is getting,

period terrible these days and if someone could

just do it online from their house, I think it

would just make the data for the Board of

Elections a lot more accurate and just make this

whole process of petition and ballot measures

easier for everyone.

But thank you for the work of everyone on the Board.

CHAIR THOMPSON: Thank you so much.

I mean, this conversation -- and we started, I

think at my first meeting, it's made a huge

impression on me of the challenges but the

critical importance and getting the voter rolls

as accurate as possible, namely the active voter

rolls.

And, you know, easier said than done, and there's a lot of detail to that, but, you know, like almost everybody here, I'm a private citizen. I'm sitting here in my own house and I want this to happen.

So, you know, we'll continue this conversation, you know, after this meeting ends, of course. And drill down on as many details as we can and help you all figure this out so it's easier for all the candidates that are out there right now collecting their signatures, a percentage of something, and so on and so forth with the future of voter initiatives.

You're really rendering a great service to I think future endeavors in this

regard. So we really appreciate the point. We appreciate the details that it's going to take to wrestle this to the ground. And the point at which really might require D.C. Council action to truly change some things that aren't within the control of the BOE under the current regulatory frameworks and it's really deeply appreciated.

Okay. I don't --

MR. SANFORD: Mr. Chairman.

CHAIR THOMPSON: Yes. Yes, please.

MR. SANFORD: It's William Sanford,
general counsel from the Office of Campaign
Finance. I'd just like to briefly respond to Ms.
Brizill's comment regarding when the audited
final report was received. It was received late
Monday evening. I also received it.

Ms. Brizill may be confusing a draft audit report with the final audit report. We did, of course, receive a draft audit report. We submitted responses to some issues that were raised in the draft audit report.

The final audit report was not

1	received until Monday evening because I also
2	received a copy of it. It is a process that we
3	use even at the Office of Campaign Finance when
4	we conduct audits. We will issue a draft audit
5	to whomever the entity or the candidate or
6	committee might be, and them give them an
7	opportunity to respond. And then after the
8	responses are received, we issue the final
9	report.
10	So for the record, Ms. Montgomery has
11	stated truthfully that we did not receive the
12	final audit report until Monday evening.
13	CHAIR THOMPSON: Okay. Thank you so
14	much, Mr. Sanford.
15	Okay. I don't see any other hands
16	raised and I do see a couple of telephone numbers
17	out there. Have I missed any members of the
18	public who would like to comment?
19	Okay. Hearing none, do any Board
20	members have any final comments before we
21	adjourn?
22	MEMBER GILL: No, no. I just

appreciate everyone's opinions on these voter 1 2 rolls. I think it's super important, and I think in the end, as I said, I think this Council needs 3 4 to update our regulations. 5 MEMBER GREENFIELD: No. I don't have 6 any comments and I agree with Mike about the voter rolls and I do know that this maintenance 7 8 and things like that are challenges across the 9 country and the Board's working out what they can do to make it more effective. That's it. 10 11 CHAIR THOMPSON: Okay. Before we 12 adjourn, does anybody from the BOE or OCF have 13 any further comments? 14 MS. EVANS: No, thank you, Mr. 15 Chairman. 16 CHAIR THOMPSON: Okay. 17 (Simultaneous speaking.) 18 CHAIR THOMPSON: What's that? 19 MS. STROUD: I do not, Mr. Chair. This is Terri. 20 21 CHAIR THOMPSON: Okay. Thank you. Ι think our next meeting is Wednesday, March 2nd, 22

1	10:30, unless there's a special meeting that we
2	have before then. I'm not aware of one yet,
3	there might be. But otherwise, we'll see
4	everybody a month from now, on March 2nd.
5	And with that, I would move to
6	adjourn.
7	MEMBER GILL: Second.
8	CHAIR THOMPSON: All in favor of
9	adjournment?
LO	(Chorus of aye.)
L1	CHAIR THOMPSON: All right. Thank you
L 2	so much, everybody. I appreciate you being here.
L3	(Whereupon, the hearing in the above-
L 4	entitled matter was concluded at 12:16 p.m.)
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This is to certify that the foregoing transcript

In the matter of: Board Meeting

Before: DC BOE

Date: 02-02-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

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