

by Holly Muhammad, a registered voter in the District of Columbia. Mr. Barber submitted twenty-eight (28) signatures. The minimum number of signatures required for ballot access for this office is twenty-five (25) signatures of District voters who are duly registered in the same SMD as the candidate. Pursuant to Title 3 D.C.M.R. § 1603.7, the Board accepted 28 signatures for review.

Challenger Holly Muhammad filed challenges to fifteen (15) signatures, enumerated by line and page number on individual “challenge sheets” filed for each petition page. Petition signatures were challenged pursuant to 3 D.C.M.R. §1607.1 of the Board’s regulations on the following grounds: the signer, according to the Board’s records, is not registered to vote at the address listed on the petition at the time the petition was signed; the signature is a duplicate of a valid signature; the petition does not include the address of the signer; the petition does not include the name of the signer where the signature is not sufficiently legible for identification; the signature is not made by the person whose signature it purports to be, and the signer is not a registered voter in the ward or Single-Member District from which the candidate seeks nomination at the time the petition was signed. The Registrar’s review of the challenges indicates that five of the 15 challenges are valid. This leaves the candidate’s nominating petition with 23 signatures, 2 signatures below the number required for ballot access.

DISCUSSION

The United States Supreme Court has long recognized that states and localities have a responsibility to protect the integrity and reliability of the election process, and has generally accorded them latitude in establishing rules and procedures toward that end. “[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order is to accompany the democratic process.” *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182, 187 (1999). Accordingly, the District of Columbia has established a nominating

petition process that requires prospective candidates to demonstrate a modicum of support from a specific number of qualified electors as a condition precedent for ballot access.

CONCLUSION

Mr. Barber secured 23 valid signatures, which is two signatures below the 25 signatures required for ballot access. It is hereby:

ORDERED that candidate Timothy Barber is denied ballot access for the office of Advisory Neighborhood Commissioner, Single Member District 8A01.

August 31, 2018
Date

A handwritten signature in blue ink, appearing to read "D. Michael Bennett", written over a horizontal line.

D. Michael Bennett
Chairman,
Board of Elections