GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

BOARD OF ELECTIONS

REGULAR BOARD MEETING

THURSDAY
FEBRUARY 1, 2018

The District of Columbia Board of Elections convened Regular Board Meeting, 1015 Half Street, S.E., Washington, D.C., pursuant to notice at 10:30 a.m., D. Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair
MIKE GILL, Member
DIIONNA MARIA LEWIS, Member

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director
KENNETH MCGHIE, General Counsel
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Agenda Items</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adoption of Agenda</td>
<td>3</td>
</tr>
<tr>
<td>Adoption of Minutes of Regular Board Meeting, Wednesday, January 10, 2018</td>
<td>4</td>
</tr>
<tr>
<td>Board Matters</td>
<td>4</td>
</tr>
<tr>
<td>General Counsel's Report by Kenneth J. McGhie</td>
<td>5</td>
</tr>
<tr>
<td>Executive Director's Report by Alice P. Miller</td>
<td>7</td>
</tr>
<tr>
<td>Campaign Finance Report by Cecily Collier-Montgomery</td>
<td>14</td>
</tr>
<tr>
<td>Public Matters</td>
<td>24</td>
</tr>
<tr>
<td>Adjournment</td>
<td>26</td>
</tr>
</tbody>
</table>
CHAIRMAN BENNETT: Good morning. We are going to bring the meeting to order. It is 10:39.

Board member Dionna Lewis is on her way and will join us when she arrives. She should be here relatively soon.

But we're going to go ahead and get the meeting started and move forward with the agenda.

Before we do that, let me introduce the persons here. To my far left, Ms. Alice Miller, Executive Director of the Board of Elections. To my immediate right is Mr. Ken McGhie, General Counsel, Board of Elections. To his immediate right is Mr. Michael Gill, a Board member. And to his immediate right is Ms. Cecily Montgomery, Director of the Office of Campaign Finance.

Can I get a motion to adopt the agenda, Mr. Gill?
MEMBER GILL: Motion to adopt the agenda.

CHAIRMAN BENNETT: Okay. Second. And it's unanimous. The agenda is adopted.

Adoption of the minutes from the January 10th meeting, Mr. Gill.

MEMBER GILL: Motion to adopt the minutes with one correction. I just want to update the address for our address here.

CHAIRMAN BENNETT: Great. Thank you. The motion to accept it with the amendment to correct the address of the Board of Elections. So motion carries unanimous.

And any Board matters, Mr. Gill?

MEMBER GILL: No.

CHAIRMAN BENNETT: And none from me, other than to acknowledge the fact that we are having the meeting a couple days early, February 1st. This is the February meeting that is required by statute and regulation. We're having it a couple days early.

Our Board member, Dionna Lewis, who
is on her way, is due to deliver her first child in a few days. And so we wanted to have it early as possible to make sure that she was able to be here while still having it in February. But hopefully she's not on her way to the hospital, and she's on her way here.

So that's the only other Board matter I think that we have.

So the next item on the agenda is the General Counsel's report. Mr. McGhie?

MR. McGHIE: Okay. The only thing I have is a litigation status update. That is the case of Paul Cohn v. The DC Board of Elections.

As the Board is aware, that was the case dealing with Initiative 77. They were opposed to having the initiative go forward.

And the Court of Appeals had initially denied their motion for summary reversal on the Board's decision. And they filed for a motion for reconsideration, which I had indicated at the last Board meeting in
January.

The Court of Appeals denied their motion for a reconsideration on January 12th and ordered that the mandate be issued. So the Board is now prepared to go forward with continuing to process the initiative by doing the random sample.

And that would conclude my litigation status update.

MR. SINDRAM: Mr. Chair?

CHAIRMAN BENNETT: Yes, yes, sir, Mr. -- can you identify yourself, please?

MR. SINDRAM: I can barely make out what's being said by Mr. McGhie. Is it possible to amplify the sound, please?

CHAIRMAN BENNETT: Yes, what we'll do -- I'm not sure if I can amplify the sound. But if we can try and move the phone closer to the dais, we'll try that.

MR. SINDRAM: Thank you.

CHAIRMAN BENNETT: Okay. Hold on one second. Let's see if we can see what
works.

CLERK: It's maxed out.

CHAIRMAN BENNETT: It is up to max? Okay. So try and move it. All right. Is that better?

MR. SINDRAM: I can hear you very well. Yes, sir.

CHAIRMAN BENNETT: Okay.

UNIDENTIFIED PARTICIPANT: Congratulations, you're now on the dais.

CHAIRMAN BENNETT: Thank you. Thank you, sir. Mr. McGhie, was there anything else?

MR. McGHIE: Nothing further, no.

CHAIRMAN BENNETT: Okay. Next item on the agenda is Ms. Miller.

MS. MILLER: Thank you, Mr. Chair. So we are getting settled into the new space and actually realizing that sort of leads to a hallway I would say.

To that point, we did have two days of an open house in January, on January 17th and January 19th. During that time, we had the
staff perform as tour guides and briefly walk members of the public around to each of the divisions of the Board's offices.

Members of the staff spoke with members of the public and spoke on their, briefly described to the members of the public the divisions of the Board's offices and talked about what they do within the division as they saw the new space.

We had visits from the City Council, ANC Commissioners, potential candidates and members of the general public.

We did give small token gifts, magnets with calendars talking about the 2018 elections with key election dates and early voting pencils and bottled water that had the new address on it.

And I do want to mention, Mr. Chair, and I would be remiss if I did not mention, that one of the highlights of the open house was the welcoming video that the Chairman did.

As everyone walked in, the Chair welcomed
everybody to the open house. And it was a pre-
recorded video and that, too, was, of course,
well-received. So --

CHAIRMAN BENNETT: Thank you.

MS. MILLER: Yes. Nominating petitions, candidates for the June 19th primary began picking up their nominating petitions on Friday, January 26th.

A list of the names of the individuals who have picked up is in your packet. That list is also available on the website. And it is updated daily, as well as put on the website daily.

We did have a very successful launch of our e-sign process last week as candidates picked up. Any candidate who picks up nominating petitions, they are offered both the e-sign, electronic, digital petitioning process, as well as the paper process.

Anyone who does elect to take e-sign, we do also give them the paper process as well in the event that they start e-sign and
then decide they want to go with the paper.

So, as of today, we have four candidates who are circulating the e-sign. And we know they are actually using it.

Again, the advantage to the e-sign process is that those, the digital process is actually tied to our voter roll. And we know that those are presumed to be valid signatures because we can, they can determine that the individuals who sign those petitions are determined to be registered voters actually living within the ward and registered, affiliated with the party for which they are running as a candidate.

And just one more time I want to recognize and thank our Denver counterparts who really truly helped us through this process. We would not have been able to do it without them.

They did spend the week with us last week making sure that we were up and running and able to sufficiently get trained on this
process and got us through.

And I will make sure that we recognize them through their director as well. They were quite patient with getting this done. So we're very grateful to them as well.

Update on the voter registration system, the request for solicitation has finally gone out. It went out on January 11th by the Office of Contracting and Procurement.

It had an initial closing date of February 5th. However, on January 23th the Office of Contracting and Procurement conducted a pre-proposal conference with some of the potential vendors who had some specific questions about this initial solicitation.

So we met with them. And after that meeting, the Office of Contracting and Procurement indicated they would have to put those questions up on the website, and we would have to respond and make answers available to all of the vendors or anyone who was interested in seeing those questions, which then extended
the date for the solicitation to be responded to.

So we didn't get the questions until Monday. So we have to respond to those questions. And that's going to, again, extend the date. We don't have a deadline yet based on the fact that we just got those questions. So --

CHAIRMAN BENNETT: Okay.

MS. MILLER: -- this process continues. And that's all --

CHAIRMAN BENNETT: Right.

MS. MILLER: -- I can say about that.

CHAIRMAN BENNETT: Well, clearly we're not going to be able to do anything before the election.

MS. MILLER: Not the June election.

CHAIRMAN BENNETT: Yes.

MS. MILLER: Our performance oversight responses, we did receive questions in December, performance oversight questions
from the Chairman of the Judiciary, Charles Allen. And we did submit the responses to those questions on January 17th. And I'll share just, this is the responses to the questions.

CHAIRMAN BENNETT: Okay.

MS. MILLER: The questions ranged from things such as division roles and responsibilities, budget enhancement requests, our Agency performance plans. And they also asked for all the minutes and agendas for all the Board meetings from FY17/18 to date. So --

CHAIRMAN BENNETT: Okay.

MS. MILLER: -- just a range of questions on Agency operation and other specific matters. Excuse me.

And finally, as I mentioned at last month's meeting, we met with the budget review team in the Mayor's office, from the Mayor's office and the City Administrator's office on January 5th to discuss our FY spending pressure and the FY19 budget development.
During that meeting, we were promised that the current FY18 year spending pressure would be given priority because we were facing a deficit and not sure how we were going to get through the fiscal year because we did not have money for operation.

The City Administrator's office I'm happy to report has directed and identified money for the funding for the remainder of the fiscal year. And in fact, that funding has been placed in the Agency's budget as of Monday. So --

CHAIRMAN BENNETT: Good deal.

MS. MILLER: -- we can perform.

CHAIRMAN BENNETT: Good stuff, good stuff.

MS. MILLER: And that concludes our report.

CHAIRMAN BENNETT: Okay. Great. All right. Any questions, Mr. Gill?

MEMBER GILL: None from me.

CHAIRMAN BENNETT: Okay. Great.
Next on the agenda is Ms. Montgomery, Office of Campaign Finance.

MS. COLLIER-MONTGOMERY: Yes, good morning. The first thing I would like to report is that the training calendar for calendar year 2018 has been posted at the website of the Office of Campaign Finance.

And new to the calendar this year we have four sessions which are devoted to business contributions to try to reinforce to the filing community and to the public the requirements for the acceptance or the receipt of contributions from business entities.

Also there are several sessions which will focus solely on the reporting requirements of candidates for the Office of Advisory Neighborhood Commission member as well.

And then the calendar or the schedule is posted at our website on the training to begin on February 8th.

The other thing is that we also
submitted our responses to the Chairman, Charles Allen, of the committee, of the Council on the Judiciary and Public Safety on January 17th.

The responses basically addressed the performance of the Agency during fiscal year '17 and the performance plan of the Agency for fiscal year '18.

There were two reporting deadlines during the month of January. The first was on January 1, 2018. And that was for the filing of the Report of the Receipts and Expenditures by the Constituent Service Program, as well as the Statehood Fund Programs. The report actually fell on January 2, 2018.

There are nine required filers on the Constituent Service Program. All nine filers timely filed. There was one required that asked for an extension, which was granted. All of the filers also electronically filed their reports at the website of the Office of Campaign Finance.
With our Statehood Fund Programs, there are three required filers. All three filers timely filed and also electronically filed their reports online.

January 31st was the deadline for the filing of the Reports of Receipts of Expenditures by Principal Campaign Committee, as well as our Political Action Committees.

Those stats I will have to provide at our next meeting. Those are not available as of this date.

During the month of January, we had new candidates and committees who registered with the Agency.

The first was Michael C. Woods. Michael Christian Woods for DC Mayor registered on January 7th.

Ed Lazere, Ed Lazere for DC Chair, Chairman of the City Council, registered on January 24th.

Ernest Johnson, Committee to Elect Ernest Johnson for the Office of Mayor,
registered on January 25th.

Omekongo Dabinga, Dabinga for DC At-Large City Council, registered on January 26, 2018.

And we held one entrance conference during the month of January. That was conducted on January 17th.

The participants were Elissa Silverman, candidate, Elissa 2018, Bob Price, treasurer, Elissa 2018, Paul H. Hammond Jr., treasurer, DC Government Industry Association Political Action Committee.

In our audit branch during the month of January, the audit branch conducted 18 desk reviews of past Constituent Service Programs, as well as the Statehood Fund Program, and also conducted 27 desk reviews of Principal Campaign Committees, which was included in amended reports as well. They issued 12 new requests for additional information.

In the audit branch as far as ongoing audits with our periodic random audit
program, with the periodic random audits of candidates in the 2018 election for the July 31, 2017 filing, there is one which is outstanding, Brianne for DC 2018, which was initiated on September 27, 2017.

Also, a periodic random audit of our Political Action Committee with respect to the July 31, 2017 filing.

The audit was initiated on 9/12/17 with the Metropolitan Political Action Committee, of the Constituent Service Program, the October 1, 2017 filing. A periodic random audit was initiated of the Ward 4 Constituent Service Fund on October 30, 2017.

We didn't have issues with any audit reports during this particular coverage period. And there are no outstanding full field audits.

I will ask Mr. Stanford to provide the report of the Office of the General Counsel for the Agency.

CHAIRMAN BENNETT: Okay. Thank you, Ms. Lewis. Can you move that phone back down
to the -- so we can hear Mr. Stanford? Thanks.

Thank you. Mr. Stanford?

MR. STANFORD: Good morning, Mr. Chairman and distinguished Board members. My name is William Stanford, General Counsel for the Office of Campaign Finance.

During the month of January 2018, the Office of the General Counsel received five referrals from the Reports Analysis and Audit Division of the Office of Campaign Finance.

The Office of the General Counsel conducted two informal hearings, issued two orders, which included the following.

One order was issued for failure to timely file a report, in which a fine of $2,650 was imposed. An order was issued for accepting excessive contributions, in which a fine of $5,000 was imposed.

The Office of the General Counsel also issued three orders that concluded full investigations, which will be discussed later.

During January 2018, the Office of
the General Counsel imposed a total of $91,650 in fines, which includes the following.

A fine of $80,000 was imposed against Jeffrey Thompson in accordance with the settlement and consent agreement that was reached between the Office of Campaign Finance and Mr. Thompson for involvement in activity involving illegal campaign contributions.

A fine of $2,000 was imposed against Lee Calhoun, and a fine of $2,000 was imposed against Stanley Straughter for involvement in illegal campaign contributions.

A fine of $5,000 was imposed against the Committee for Karl Racine for Attorney General for receiving excessive contributions.

And a fine of $2,650 was imposed against the Toliver for Ward 4 Principal Campaign Committee for failure to file reports.

During the month of January 2018, the Office of the General Counsel collected a total of $54,650 in fines, which includes the following.
Fines totaling $51,500 were paid by Jeffrey Thompson. A fine of $200 was paid by Andrew Franklin. And a fine of $2,950 was paid by the DC Chamber of Commerce.

During the month of January 2018, the Office of the General Counsel concluded three investigations into activity that arose during the 2013 and 2014 calendar years. The activities included the following dispositions.

The Office of Campaign Finance arrived at a settlement and consent agreement with Jeffrey Thompson to pay a total of $80,000 in fines and to refrain from engaging in political activity during the 2018 election cycle and also to consult with the Office of Campaign Finance at any future date that he decides to engage in political activity.

The settlement agreement required Mr. Thompson to pay initially a sum of $50,000 and to pay installment payments to retire the balance of $30,000 over a 20-month period in installment amounts of $1,500.
In both the Stanley Straughter and Lee Calhoun cases, the Office of Campaign Finance arrived at an agreement to impose $2,000 fines against both Mr. Straughter and Mr. Calhoun for campaign contribution violations in exchange for their commitment to refrain from engaging in political activity in the District of Columbia.

During the month of January 2018, there were no requests for interpretative opinion. And the Office of the General Counsel did not conduct any show cause proceedings.

And that should conclude my report.

CHAIRMAN BENNETT: Anything else, Ms. Montgomery?

MS. COLLIER-MONTGOMERY: That concludes --

CHAIRMAN BENNETT: Okay. Any questions, Mr. Gill?

MEMBER GILL: No questions.

CHAIRMAN BENNETT: Ms. Lewis, any questions?
MEMBER LEWIS: No questions.

CHAIRMAN BENNETT: Okay. We'll go back just a bit. Any Board matters, Ms. Lewis, you'd like to bring up?

MEMBER LEWIS: Not Board related, however, this is my last meeting as a childless woman.

(Laughter.)

CHAIRMAN BENNETT: That's pretty significant. We ought to hit the gavel on that alone. So, but thank you for coming in. And also next time we will be celebrating.

MEMBER LEWIS: Yes.

CHAIRMAN BENNETT: Absolutely.

MEMBER LEWIS: And she might be here on the dais.

CHAIRMAN BENNETT: All right. There you go. There you go. Let's see. Any public matters?

MR. SINDRAM: Yes.

CHAIRMAN BENNETT: Okay.

MR. SINDRAM: Thank you, Mr.
Chairman. I have a question for Campaign Finance General Counsel. His name escapes me at the moment.

CHAIRMAN BENNETT: It's Mr. Stanford. But can you identify yourself and --

MR. SINDRAM: If I understand --

CHAIRMAN BENNETT: -- for the record?

MR. SINDRAM: -- you correctly, Mr. Stanford, there was a --

CHAIRMAN BENNETT: Mr. Sindram?

MR. SINDRAM: Yes.

CHAIRMAN BENNETT: Can you identify yourself for the record, please, sir?

MR. SINDRAM: Yes, Michael Sindram, disabled veteran, served our country more than most, appearing by phone.

CHAIRMAN BENNETT: Thank you.

MR. SINDRAM: Yes. My question, Mr. Chair, was to Mr. Stanford.

If I understand your report correctly, Mr. Stanford, there was a fine
imposed to the Chamber of Commerce. What is that all about?

MR. STANFORD: The DC Chamber of Commerce is a Political Action Committee that is registered with the Office of Campaign Finance. They failed to file a required report. And as a result of their failure to file that report, the Office of Campaign Finance imposed a fine in the amount of $2,950.

MR. SINDRAM: Mr. Wingle was Director. Was that under his watch? Do you know?

MR. STANFORD: Mr. Wingle is no longer the Director of the --

MR. SINDRAM: Okay.

MR. STANFORD: -- DC Chamber of Commerce.

MR. SINDRAM: I see. And also, Mr. Chair, missed the grand opening. Is there any possibility that there'll be another in the near future?

CHAIRMAN BENNETT: We don't have
anything scheduled. But if you let us know, we'd love to have you down to take a look around the space.

MR. SINDRAM: That would be great. Appreciate that. Thank you so much.

CHAIRMAN BENNETT: Okay. Thank you.

Any other public matters? With that, no additional public matters.

Any matters of, for the good welfare of the District of Columbia from Mr. Gill or Ms. Lewis?

MEMBER LEWIS: No.

CHAIRMAN BENNETT: Okay. Meeting is adjourned. Thank you.

(Whereupon, the above-entitled matter went off the record at 11:04 a.m.)