

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

+ + + + +

SPECIAL BOARD MEETING

+ + + + +

WEDNESDAY

AUGUST 31, 2022

+ + + + +

The District of Columbia Board of Elections convened via Video/Teleconference, pursuant to notice at 10:02 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:

TERRI STROUD, General Counsel

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Meeting Called to Order. 3

Ascertainment of a Quorum. 3

Certification of Verification Results for
Petition Submitted in Support of Recall
of Amber Gove, Advisory Neighborhood
Commissioner for Single Member 6A04. 3

Adjourn.14

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

2 (10:02 a.m.)

3 CHAIRMAN THOMPSON: Okay. So we have
4 a quorum, and we're here today to consider a
5 petition submitted in support of the recall of
6 Advisory Neighborhood Commissioner Amber Gove of
7 Single-Member District 6A04. And with that, I
8 believe, I will turn it over to the Registrar,
9 Marissa Corrente, to brief us.

10 MS. CORRENTE: Thank you. I'm going
11 to be reading a memo from our Executive Director,
12 Monica Holman Evans, to the Board. After
13 executing the Board's standard procedure for
14 verifying registered voter signatures contained
15 in the referenced recall petition, 6A04 Recall,
16 the Board staff has determined that this petition
17 meets the statutory requirements for
18 certification to the ballot in accordance with DC
19 Official Code 1-1001.17 K1.

20 It is my recommendation that the Board
21 accept the petition as numerically sufficient in
22 accordance with DC Official Code 1-1001.17 K1

1 because it contains the signatures of the
2 required minimum number of registered voters. An
3 overview of the petition verification process and
4 a summary of its results are provided below.

5 The petition verification process is
6 conducted to determine whether a petition to
7 present a recall measure to the electorate
8 contains the minimum number of registered voters'
9 signatures required to place the measure on the
10 ballot. The required minimum is 10 percent of
11 the duly registered voters of the Single-Member
12 District from which the official was elected.

13 The numerical requirements are based
14 on the Board's published registration totals, in
15 effect, at least 30 days before the petition was
16 filed -- in this case, the voter registration
17 totals as of June 30, 2022. The petition
18 verification process detailed in Standard
19 Procedures for Verification of Recall Petitions
20 has four basic steps.

21 First, the Board staff verifies that
22 the circulator is a resident of the District of

1 Columbia or a resident of another jurisdiction
2 who registered as a petition circulator with the
3 Board prior to the circulation of the petition
4 sheet and if the petition has completed
5 circulator's affidavit.

6 Second, the name and address of each
7 petition signer is checked against the voter
8 registration system file to determine if the
9 petitioner was registered to vote at the
10 residence address listed on the petition at the
11 time the petition was signed as required by law.
12 Only those petitions signers whose names and
13 addresses are found to match the Board's
14 registered voter file are entered into the
15 petition-checking program as verified
16 registrants.

17 Third, the totals of verified
18 registrants are compiled to determine whether the
19 petition contains a sufficient number of
20 registered voters to proceed to the signature
21 verification stage in which the actual names in a
22 petition are examined against the names on the

1 Board's records.

2 Fourth, where the number of signatures
3 and the random sample universe meets or exceeds
4 the establishment among requirements, if the
5 officer is an Advisory Neighborhood Commissioner,
6 the Board verifies the authenticity of all of the
7 signatures in the random sample universe. On
8 August 1, 2022, Alexander Kelly submitted a
9 petition in support of recall measure Amber Gove,
10 Advisory Neighborhood Commissioner, Single-Member
11 District 6A04.

12 My preliminary review of the petition
13 indicated that Ms. Kelly submitted a total of 271
14 signatures. The petition needed to contain the
15 valid signatures of 10 percent of duly registered
16 voters in Single-Member District 6A04. The
17 numerical requirements are based on the latest
18 official count of the registered electors issued
19 by the Board 30 or more days prior to the
20 petition filing deadline of August 1, 2022.

21 In this case, the voter registration
22 totals were used --- used were as of June 30,

1 2022, and for SMD, or Single-Member District,
2 6A04 totaled 1,929 registered voters, putting the
3 numerical requirement of the petition at 193 duly
4 registered 6A04 voters. Of the 271 signatures on
5 the petition, 65 signatures were discounted,
6 pursuant to Title 3 DC Admissible Regulations
7 1107.1 as outlined by the table below.

8 So the total number of signatures
9 submitted to the Board, again, were 271. The
10 number of signatures needed to qualify for the
11 recall election were 193. Twenty-five signatures
12 were discounted because the signer, according to
13 the Board's records, was not registered to vote
14 at the address listed on the petition at the time
15 the petition was signed.

16 Fifteen were discounted because the
17 signer is not a registered voter. Four were
18 discounted because the signature was a duplicate
19 of a valid signature. Three because the signature
20 was not dated. One because the petition did not
21 include the name of the signer where the
22 signature was legibly --- sufficiently legible

1 for identification.

2 Eight because the circulator of the
3 petition failed to complete all required
4 information in the circulator's affidavit. Five
5 because the signature was not made by the person
6 whose signature it purports to be. Five because
7 the signer was not a registered voter in the ward
8 or, in this case, Single-Member District of the
9 elected official sought to be recalled.

10 So the total number of rejected
11 signatures, as mentioned previously, was 65,
12 leaving the remaining number of valid signatures
13 at 206. So after completing the signature
14 verification and validation, again, the total
15 number of signatures remaining is 206. As a
16 result, the recall petition is 13 signatures
17 above the statutory requirement for certification
18 for the ballot.

19 Based on these results of the
20 verification process, I have determined that the
21 recall measure does meet the statutory
22 requirement for certification to the ballot and

1 that it should be accepted by the Board because
2 it contains a sufficient number of signatures of
3 registered electors in the Single-Member District
4 from which the official was elected as required
5 by DC Official Code 1-100.171.

6 CHAIRMAN THOMPSON: All right. Thank
7 you very much. So, as everybody just heard, the
8 conclusion is that the petition is numerically
9 sufficient under the regulations. Thank you for
10 walking through that detail. As everybody can
11 hear, it's a pretty detailed process to ensure
12 that the requirements are met, which, in this
13 case, they appear to have been met by a margin of
14 13 signatures.

15 There's a right under our statute to
16 recall, I think, all elected politicians, all
17 elected officials, including ANC representatives.
18 I used to be an ANC commissioner myself for eight
19 years. And that's all we're deciding today is
20 whether the petition is numerically sufficient.
21 We're not commenting in any way, shape, or form
22 on the substance of the recall petition. That

1 will be up to the voters to decide.

2 So it certainly appears to me that the
3 statute's been met, and that's all we've here to
4 decide today. So I'll ask my fellow Board members
5 if they have any comment, and then we'll hear
6 from the public as well.

7 MR. GILL: No. No comments.

8 MS. GREEN: No comments from me
9 either.

10 CHAIRMAN THOMPSON: Okay. And, so,
11 turning then to those of you in attendance, thank
12 you for being here. You're welcome to comment.
13 Obviously, we're focused on the statutory
14 requirement aspect of this. We're really not
15 engaged in the merits of the recall petition
16 itself, as to Commissioner Gove. That'll be for
17 the voters, but with that said, the floor is open
18 for any comments anybody has. If you can keep
19 them brief, it would be appreciated. You can
20 raise your hand on the Zoom app or however you
21 want --- would like to proceed.

22 MR. SUSSMAN: I just had a brief

1 question.

2 CHAIRMAN THOMPSON: Yup.

3 MR. SUSSMAN: This is Mark Sussman.

4 CHAIRMAN THOMPSON: Yeah.

5 MR. SUSSMAN: So I submitted a
6 challenge to this petition. And when the BOE
7 found that there were 60 signatures that were not
8 -- that I challenged that they agreed with. And
9 given the number of 65 here, I was just curious
10 to know if those 65 overlapped completely with
11 the 60 that were found during the challenge
12 process, just because, given that there's only 13
13 --- a margin of 13 signatures above the
14 requirement.

15 If there was 60 that --- there were 60
16 on --- got found during the challenge that were
17 not completely overlapped with the 65 found
18 through the independent process, then we could
19 potentially have an insufficient petition here.
20 So that's --- that is my question.

21 MS. CORRENTE: All right. And I can
22 answer that the overlap, all those 60 that were

1 reflected in your challenge but didn't in this
2 report, and we found additional ones.

3 MR. SUSSMAN: Yup. Understood. Just
4 wanted to confirm. Thank you.

5 CHAIRMAN THOMPSON: Yeah. Thank you
6 for your question. Okay. I don't see any other
7 hands raised or --- oh, someone's --- did I just
8 see a hand raised? Oh, Ms. -- yeah, Commissioner
9 Gove, please go ahead.

10 MS. GOVE: Yeah. Thanks so much to
11 the Board of Elections for all the time and
12 effort you have put into this. I had a quick
13 question, and it may not be able to be answered
14 today. But regarding the ballot, if the
15 candidate's statement and the petitioner's
16 statement that were included in the petitions, is
17 that going to be reflected on the ballot? Or can
18 anyone share what the ballot will look like with
19 respect to this issue? Thank you.

20 MS. STROUD: Hello. I'm Terri Stroud.
21 I'm the General Counsel for the Board. And, so,
22 what will go on the measure -- and just to be

1 clear, and for the record, the measure will go on
2 the general election ballot because it -- the
3 general election will take place between 54 and
4 114 days after today, which is when we're
5 certifying the sufficiency of the recall
6 petition.

7 And the Board will place the measure
8 on the ballot, and it will be in the following
9 form. It will read, for the recall of Amber Gove,
10 Advisory Neighborhood Commissioner for Single-
11 Member District 4. And so it'll be for or
12 against, so people will be able to vote for or
13 against. And the statements will not appear on
14 the ballot.

15 MS. GOVE: Thanks for that.

16 CHAIRMAN THOMPSON: Okay. Seeing no
17 other questions or hearing no other comment, I'll
18 move at this time that we adopt the Registrar's
19 recommendation to certify the results of the
20 petition submitted in support of the recall of
21 Commissioner Gove.

22 MR. GILL: Second.

1 CHAIRMAN THOMPSON: All in favor.

2 MR. GILL: Aye.

3 MS. GREEN: Aye.

4 MR. SUSSMAN: Aye.

5 CHAIRMAN THOMPSON: Thank you,
6 everybody, for being here. And we will
7 reconvene, I think, on Tuesday?

8 MS. STROUD: Yeah. Tuesday, September
9 6, for our regular Board meeting.

10 CHAIRMAN THOMPSON: At 11 o'clock?

11 MS. STROUD: Yes.

12 CHAIRMAN THOMPSON: Great. Okay. All
13 right. With that, I move we adjourn. All in
14 favor?

15 MR. GILL: Second.

16 CHAIRMAN THOMPSON: All in favor?

17 MS. GREEN: Aye.

18 CHAIRMAN THOMPSON: All right. Thank
19 you, everybody.

20 (Whereupon, the above-entitled matter
21 went off the record at 10:14 a.m.)

22

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Special Board Meeting

Before: DC BOE

Date: 08-31-22

Place: teleconference

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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