GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

BOARD OF ELECTIONS

REGULAR BOARD MEETING

WEDNESDAY

FEBRUARY 3, 2021

The District of Columbia Board of Elections convened via Videoconference, pursuant to notice at 10:00 a.m. EST, Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

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

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director
KENNETH MCGHIE, General Counsel
SYLVIA GOLDSBERRY-ADAMS, Operations Manager
KAREN F. BROOKS, Registrar of Voters
LINDA JOHNSON, Assistant to the Executive Director
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(10:03 a.m.)

CHAIR BENNETT: Good morning. We are social distancing with everybody. I will pull my mask down so they can hear me. I want to call this meeting to order. This is the February meeting of the DC Board of Elections, February the third, and it is 10:03 for the meeting. Thank you all for attending. The first thing I want to do is to ascertain a quorum and I see Mr. Gill and Ms. Greenfield. If I could get Mr. Gill to acknowledge his presence. Mr. Gill, are you present?

MEMBER GILL: This is Mike Gill, I am present.

CHAIR BENNETT: Okay, Ms. Greenfield, are you present?

MEMBER GREENFIELD: Yes, I am present.

CHAIR BENNETT: Great. We have a quorum. I would like to adopt the agenda with an amendment and the minutes from the January 6 meeting. I would like to move, if it is okay
with Ms. Montgomery and Ms. Miller--that is
already done? Okay.

    MEMBER GREENFIELD: Yes.

    CHAIR BENNETT: All right, I am sorry.

We are switching the campaign finance report to
first as we have already done on the amended
agenda.

    MEMBER GILL: Okay.

    CHAIR BENNETT: I would like to adopt
the agenda and also the minutes of the January
meeting and hear today motions from Ms.
Greenfield about the agenda and the January
minutes.

    MEMBER GREENFIELD: Yes, I move that we
adopt the agenda and the minutes from the January
meeting.

    CHAIR BENNETT: Can I get a second?

    MEMBER GILL: Second.

    CHAIR BENNETT: It has been properly
moved and seconded. Vote, Ms. Greenfield?

    MEMBER GREENFIELD: Aye.

    CHAIR BENNETT: Mr. Gill?
MEMBER GILL: Aye.

CHAIR BENNETT: It is aye for me as well so it is unanimous, the agenda and the minutes from the January meeting have been adopted. What I would like to do now, before we go to Board matters, is just to make sure, ask the court reporter if you can hear okay. Can I get a response from the court reporter? I think everybody is off mute, aren't they, Randy? You have to unmute yourself, court reporter. Okay, great, thank you so much.

Next item on the agenda are Board matters. Ms. Greenfield, do you have any Board matters? Ms. Greenfield, any Board matters?

MEMBER GREENFIELD: No, I don't.

CHAIR BENNETT: Mr. Gill, any Board matters?

MEMBER GILL: No.

CHAIR BENNETT: All right and I have none as well. Next item on the agenda is the campaign finance report.

Ms. Montgomery? I think you have to
unmute yourself, Ms. Montgomery.

MS. MONTGOMERY: Okay. Good morning.

All right, on behalf of the Office of Campaign Finance, I would like to again report that we are continuing to operate under a modified status. However, all of our services are being provided remotely, either by email or by telephone. We can be reached at 202-671-0547. Again, all of our candidate and committee reports are being filed online at the OCF website and also candidates and committees may contact our office for instructions concerning the registration process and also for instructions concerning the mandatory entrance conference.

With the Fair Elections Program Division, I would like to report during the month of January, that as of January 29, 2021, the total sum of $4,009,449.90 has been dispersed in base amount and matching payments to 36 candidates who are certified by the Office of Campaign Finance in the Fair Elections Program to participate in the June 2nd Primary Election, the
June 16th Special Election and the November 3rd, 2020 General Election.

During the month of January, the total sum of $9,429 was disbursed in matching payments to the following FEP participating candidates.

On January 25, 2021, Martin for Ward Two, $979 in matching payment. On January 25, 2021, to Vincent Orange 2020, the sum of $7,375 in matching payment. On January 26, 2021, Karen For Seven State Board of Education, $100 in matching payment. On January 26, 2021, Chander for Council, $625 in matching payment and on January 26, 2021, Let's Read 2020, $350 in matching payment. One thing I would like to point out is that these matching payments were for qualified small-dollar contributions, which were collected by the candidates on or before the November 3rd General Election.

Overall, there were 20 candidates who were certified as participating candidates in the Fair Elections Program for the November 3rd General Election, 12 candidates who were
certified in the June 2, 2020 Primary Election
and four candidates who were certified as
participating candidates in the June 16, 2020
Special Election.

During the month of January, the Fair
Elections Program Division also conducted 39 desk
reviews of the mandatory December 10, 2020 and
also of amended reports of Receipts and
Expenditures. They issued 16 requests for
additional information based on their review of
the reports which had been filed.

Also, I would like to report that the
total funds remaining in participating
candidates' campaign accounts, which were
remitted for deposit in the Fair Elections Fund
from the three elections which were conducted in
2020, totaled $113,973.14 as of this date. The
following committees remitted funds from the June
30, 2020 Special Election. The first was Patrick
Kennedy for Ward Two Special Election, $39,252.38
was received on January 11, 2021. Jordan
Grossman for Ward Two Special Election,
$20,510.08 was received on January 21, 2021.

With respect to the candidates who participated in the June 2nd Primary Election, and I will correct the dates that are showing on the report. For the committees who remitted funds from the June 2nd Primary Election, Evans 2020, $795.64 on December 10, 2020; Patrick Kennedy for Ward Two, $30,201.49 on January 11, 2021; Jordan Grossman for Ward Two, $3,937.94 on January 21, 2021. With respect to the November 3, 2020 General Election, the following candidates remitted surplus funds: Chander For Council, $500, which was received on August 3; Let's Read 2020, $876.04, which was received on December 10, 2020; Frasier for Ward Four, $409.58, which was received on December 10th; Friends of Christina Henderson, $17,457.49, which was received on December 29, 2020; and Karen For Seven State Board of Education 2020, $6.50, which was received on January 21, 2021.

I just again would like to point out, for the record, that participating candidates,
who were certified to participate in these elections by the Office of Campaign Finance are required by the Fair Elections Act to remit any surplus funds remaining in their campaign accounts to the Office of Campaign Finance for deposit in the elections fund.

In the Fair Elections Division also, I would report that there are 14 ongoing post-election audits as of January 21, and these are post-election audits, which were initiated of the June 2, 2020 primary election, the candidates who participated in the election or their campaign operations, the audits were initiated on June 19th and they are ongoing. The status of the audits is reported in our report and our report will be published at our website by the end of today. Again, there are ten candidates whose campaign operations are under audit, who participated in the June 2nd primary election. With the June 16, 2020 special election, there are four ongoing post-election audits. Again, the status of those audits is indicated in our
report and the report will be published by the close of business today.

In our Public Information and Records Management Division for the month of January, there were several report dates. The first date was January 1st, which was the deadline for the filing of the report of receipts and expenditures by our constituent services program. There were nine required filers, all nine timely filed and electronically filed their report. One of the constituent service programs filed a termination report and that was from former council member Jack Evans. January 1st was also the deadline for our senator representative statehood fund. There are three required filers, all three timely filed and also electronically filed their report.

With the Legal Defense Committees, there were two report dates during the month of January. The first was for the 13th report of receipts and expenditures, which was due on January 4, 2021, and that report was filed and it was filed timely and it was electronically filed.
On January 31st, the second report for the Legal Defense Committees was due. There was one required filer. The report actually fell on the due date of February 1, 2021, because the 31st fell on the weekend.

All I would like to point out for the record is that there were several reports which were due on January 31st and with respect to those reports, I will be giving you the required number of filers, but with respect to the timely filers or the actual filers, that information I will update you on with respect to the February stats for the office, which will be presented in March.

So, January 31st was the filing of the report for the Principal Campaign Committees and also for our Political Action Committees and that is in our traditional Campaign Finance Report Program. The report was due February 1. There are 109 required filers.

With our Fair Elections Program Principal Campaign Committees, again, January
31st was the due date for the filing of the financial reports and it fell on February 1, 2021, and there were 36 required filers.

With our Independent Expenditure Committees, again, January 31st was the date for the filing of the report of receipts of expenditures, which was actually due on February 1, 2021, and there were three required filers.

With our Exploratory Committees, again, the report was due on January 31st, and it fell due on February 1st.

There was one required filer with our Initiative Referendum Committee. The report was due on January 31st but fell on Monday, February 1st. There were three required filers. With our Recall Committees, January 31st, again, was the filing deadline. The report was due Monday, February 1. The required filers was one.

We did have two candidates and treasurers who completed the OCF Entrance Conference Presentation for January 2021. The first was Samuel Troper, treasurer for Mayor
Muriel Bowser Recall Committee. The second was Eric Rogers, treasurer, the DC Black Democratic Caucus.

In terms of referrals to the Office of the General Counsel, with respect to reports which were due on December 10th, failure to file those reports of receipts and expenditures. Additional referrals were made on January 6, 2021, and with the Fair Elections Program, James for Ward Two State Board of Education, James Harnett, treasurer, was referred for the failure to file the report.

In our Reports Analysis and Audit Division for the traditional program, during the month of January 2021, the Audit Branch conducted 29 desk reviews of reports of receipts and expenditures, which were filed. The Audit Branch also delivered or issued 11 requests for additional information and they resolved all 11 of those requests for additional information. During the month of January, there were no ongoing audits in our traditional audit program.
and consequently, there were no audits which were
issued. That completes the report, but I would
ask the General Counsel, William Sanford, to give
the report of the Office of the General Counsel
for the Office of Campaign Finance.

CHAIR BENNETT: Thank you, Ms.

Montgomery. Mr. Sanford?

MR. SANFORD: Yes, good morning, Mr.
Chair and distinguished Board Members. I am
William Sanford, General Counsel for the Office
of Campaign Finance.

During the month of January 2021, the
Office of the General Counsel received two
referrals, conducted 22 informal hearings, and
issued 24 orders which included the following.

Eighteen orders were issued in which
no fines were imposed. Four orders to vacate
Notices of Hearing that were violated were issued
and two orders were issued pursuant to motions
for reconsideration.

Regarding the motions for
reconsideration, one order resulted in the
suspension of the fine and the second order
resulted in the reduction of the original fine of
$1,850 to a fine of $500. During the month of
January 2021, there was a total of $500 in fines
imposed and that is that fine that was reduced
from $1,850.

During the month of January 2021, the
Office of the General Counsel collected a fine of
$50 and that fine was paid by Aaron Landry.

During the month of January 2021,
there were no open investigations and during the
month of January 2021, there were no requests for
interpretive opinions and no show cause
proceedings were conducted and that should
conclude my report.

CHAIR BENNETT: Thank you, Mr. Sanford.
Does that conclude your report, Ms. Montgomery?
(No response.)
CHAIR BENNETT: You're on mute, Ms.
Montgomery. Are you on mute? Let's take
yourself off it.

MS. MONTGOMERY: Yes, that completes
our report for the Office of Campaign Finance.

CHAIR BENNETT: Okay. Thank you. Ms. Greenfield, do you have any questions for Ms. Montgomery?

MEMBER GREENFIELD: No, I don't have any questions.

CHAIR BENNETT: Mr. Gill, do you have any questions for Ms. Montgomery?

(No response.)

CHAIR BENNETT: Mr. Gill, you may be on mute. I will take that as a no, okay? I think we lost Mr. Gill somewhere.

Next on the agenda is Ms. Miller's report.

MS. MILLER: Thank you. Can you hear me?

I want to follow up with where I left off in January with the status of poll worker payment. As I indicated at that time, we were having a bit of a challenge with poll workers receiving their payments from the Office of Finance and Resource Management. All the data,
as you know, had been sent, but there were challenges from them not being forwarded that data to Treasury to get paid. At this point, all poll worker payments are now with OFRM. OFRM requires us to communicate directly with our poll workers regarding the status of the checks and that includes stop payments, processing dates and the difference between the good and the canceled checks as well. This past Friday, January 29, BOE sent 19 payment requests to OFRM for processing, a combination of reissues and supplementals all regarding the sent fees to the Accounts Payable Department for processing. As of Monday, OFRM that BOE had filed containing 229 payments that are currently en route to the election workers. Those checks are dated January 8th and January 28, 2021. I do know that OFRM set up an email portal for the poll workers to communicate directly with them so that they can follow up and have ongoing conversations regarding the status of their checks. I know they have been doing that throughout this process this
past month.

Yesterday, OFRM sent us a file containing 936 payments that have yet to be cashed by our election workers. So OFRM is in the process of placing a stop payment on those checks and reissuing them. Now that is payments that have stopped, we could have poll workers received more than one check depending on if they worked both election day and early voting. I haven't received a timeline of when those checks should be reissued, but again that's clearly in the hands of OFRM. The majority of the calls to BOE now are about processing, like how do they recoup bank fees for checks of which we have to get information and data to find that and at that point I can say that definitely the calls to this office have not slowed. Are there any questions on that?

CHAIR BENNETT: No. Ms. Greenfield, do you have any questions on the checks for poll workers?

MEMBER GREENFIELD: No, no, I don't.
Thanks for updating us, Alice.

MS. MILLER: We are required after every general election to submit the Election Administration Voting Survey report data to the Elections Commission and so we did submit that data Friday. That data is the total number of registered voters, voter turnout, technology used, our election policies, things such as mail-in ballots, permanent access ballot processing and that is as far as the numbers we used, excuse or no excuse absentee ballot process. This is a calculation of data for all jurisdictions and the EAC compiles this and then as data is available, it submits to Congress at the beginning of the spring, so we have met that deadline (audio interference).

CHAIR BENNETT: Any questions, Ms. Greenfield?

(No response.)

CHAIR BENNETT: I think you're on mute.

MEMBER GREENFIELD: Yeah, I was. No,
I don't have any questions. Thank you.

CHAIR BENNETT: Questions, Ms. Miller?

(No response.)

CHAIR BENNETT: I think you're cycling out. Mr. Gill, are you there, any questions from you for Ms. Miller? Okay. I have no questions so we will move on.

Next on the agenda is the General Counsel's report. Ms. Stroud?

MS. STROUD: Good morning, everyone. I have two items on my agenda. The first is final rulemaking. The Board has final rulemaking with respect to the Office of Campaign Finance. These amendments were submitted in emergency and proposed form during the Board's May 2020 meeting and was published in the DC Register on May 15, 2020. (Audio interference) Emergency Amendment Act of 2020 and I will defer to the Office of Campaign Finance's General Counsel for an explanation of the rulemaking for the record.

MR. SANFORD: Thank you. Good
morning, again, Mr. Chairman and distinguished board members. This is William Sanford again, General Counsel for the Office of Campaign Finance. The amendment before the Board would amend the applicable subsections of Title 3 of the District of Columbia Municipal Regulations in Chapters 30, 38, 39, 40, 41, and 42. To provide that candidates and treasurers may fulfill their obligation to complete mandatory training offered by the Office of Campaign Finance, either in person or online. As the General Counsel for the Board has indicated, these amendments were previously approved by the Board in May and there was no public comment.

In addition, the amendment amends subsections of Chapter 42, which pertains to the Fair Elections Act to change the five calendar day verification process that the Office of Campaign Finance was under, to a five business day period. It extends it to a five business day period. It also provides that the five business day verification process applies for
disbursement, recommendations to the Office of
the Chief Financial Officer by the Director of
the Office of Campaign Finance for the base
amounts and disbursement directives actually to
the Office of the Chief Financial Officer from
the Director for disbursement of matching funds.
That is the summary of the basis for these
amendments.

MS. STROUD: Thank you, Mr. Sanford,
and so with that I would ask the Board to move,
so that we can forward the final rulemaking to
the Office of Documents and Administrative
Issuances for publication in the DC Register, so
that the rulemaking will become final.

CHAIR BENNETT: Okay. We lost Mr. Gill
for about five minutes and so what I am going to
ask is that --

MEMBER GILL: Michael, I'm back. Sorry
about that.

CHAIR BENNETT: Okay, great. That's
okay. Can I get a motion for the adoption of the
final rulemaking as presented by Ms. Stroud and
Mr. Sanford? Ms. Greenfield, can I get a motion?

MEMBER GREENFIELD: Yes, I move that we adopt the final rulemaking as presented by Ms. Stroud and Mr. Sanford.

CHAIR BENNETT: Great. Mr. Gill, can I get a second?

MEMBER GILL: Second.

CHAIR BENNETT: It's been properly moved and seconded. All in favor, aye. Ms. Greenfield?

MEMBER GREENFIELD: Aye.

CHAIR BENNETT: Mr. Gill?

MEMBER GILL: Aye.

CHAIR BENNETT: Aye for me as well so it's unanimous. Thank you, Ms. Stroud. We'll move on with your agenda. Motion passed.

MS. STROUD: Sure. Thank you. The next item on my agenda is litigation status. The first consolidated matter is Hammond and Marlin versus the DC Board of Elections. This consolidated matter is comprised of appeals of Board orders 19-32 and 19-33, which upheld the
resolutions issued by ANC 7B that found that no
vacancies existed in the ANC offices for single
member districts 7B04 and 7B05. In each matter,
the Board found that the petitioners did not meet
the burden of proving that the incumbent
commissioners did not meet the residency
qualifications necessary to hold the offices they
held. On January 13, 2021, DC Court of Appeals
asked the parties to show cause why the matter
should not be dismissed for mootness since the
incumbents were no longer in office as of January
2, 2021. On January 27, 2021, my office filed a
motion to dismiss for mootness and that motion
was granted on February 1, 2021.

Kathy Henderson v Board of Elections
is the second matter. This matter was filed in
the DC Court of Appeals on December 9th and it
was petitioned for review of the context for ANC
Commissioner in single member districts 5B05 on
December 15th, the Board filed a motion to
dismiss for failure to state a claim upon which
relief could be granted and that motion was
granted on January 12, 2021, and so as of Monday, 
the court currently has no active litigation 
cases.

CHAIR BENNETT: You have no more 
cases? Okay.

MS. STROUD: I would like to address, 
as the Executive Director mentioned, we did post 
the November 3 General Election After Action 
Report and we also, of course, back in June, we 
posted one with respect to the June election, 
although we were not required to and that report 
which is posted on the Board's website is 
complete. It had been augmented to include a 
report that was given concerning the general 
election. Once we augmented the June election 
report with that, that report was complete. I'd 
also note that the Board is not required to do 
After Action Reports with respect to Primary 
Elections but it is our practice to do so and so 
we did and so that report is complete.

With respect to the November General 
Election After Action Report, all of the required
data was filed and that was posted again on February 1, 2021. The Executive Director has reported extensively at each Board meeting since on the general election and as to matters that have come up since then including the matter of poll worker payments.

With respect to the poll worker and items found by the precinct captains or area representatives logs, there were no logs because of changes in our procedures and the ward did not debrief, but is planning to assemble the report so that we can augment the report with that information about issues identified during the general election. What information we do have from the poll worker division indicates that we addressed issues that had arisen during the June elections, both the primary and the special election and that they reported on activities that we had undertaken to address the concerns that were raised at that time. So, we will be augmenting the report with information that we collect and that we can provide shortly, but all
of the data that was required is a part of the report. I will also note that the ease report that the Executive Director mentioned is a far more comprehensive account of the general election than is required by the counsel with respect to the After Action Report and we can provide the response that we submit so that an even broader accounting of the general election can be provided to the public. And that concludes my report.

CHAIR BENNETT: Okay. Any questions, Ms. Greenfield?

MEMBER GREENFIELD: No, I don't have any questions.

CHAIR BENNETT: Any questions, Mr. Gill?

MEMBER GILL: No questions, thanks, Terri.

CHAIR BENNETT: Yeah, I have no question, but one comment is that what I want, and I should have done it earlier during Board matters, but I do want, on behalf the city,
apologize to all the poll workers. It was not
the Board of Elections' responsibility to get
payments out to you. One of the things that was
such a just heartfelt and so wonderful that the
public turned out and we had more poll workers
than were required en masse.

Also, to note the demographic of the
poll workers, particularly for the November
election, was very different in that it included
a large number of younger citizens to work the
polls than we had had before. We want to
continue to encourage young people to come out,
having problems with getting paychecks out does
not encourage anybody, so we are going to make
sure that on the next election, that we work very
closely with the city's finance office to ensure
that there is a smooth process in getting
paychecks out. Again, that is not what the DC
Board of Elections does, but at the end of the
day, poll workers showed up because we asked and
we want to make sure that every part of the city
responds accordingly and to make sure all those
things goes smoothly. People worked, they worked
hard, they came out during a pandemic and gave
just incredible support to ensure that we had a
smooth election week process.

Again, I want to thank all the poll
workers for all the things that they did to
ensure we had a smooth election week, but also to
apologize to them for some of the challenges that
have arisen through our finance organization
making sure that they got paid. I'll close your
report, Ms. Stroud, with that comment.

I think now we are at the part of the
agenda for public matters. I'd like to, if you
could bring them up or ask them to raise their
hands or are they on mute. If I could, I'm sure
we're going to have a few comments, opinions so
if I could get somebody to raise their hand and
speak up and I'll try and address you. The floor
is open. Everybody, you've got to unmute
yourself if you want to speak.

MS. BRIZILL: This is Dorothy Brizill.

CHAIR BENNETT: Okay, Ms. Brizill, you
have the floor. Identify yourself with your name and address, please, ma'am. Ms. Brizill? You have to unmute yourself, Ms. Brizill. Thank you.

MS. BRIZILL: Can you hear me now?

CHAIR BENNETT: Yes, I can, ma'am.

MS. BRIZILL: This is Dorothy Brizill, B-R-I-Z-I-L-L. I represent DC Watch. Our address is 1327 Gerard Street NW. I would like to ask Ms. Stroud to go through an element of her report. Unfortunately, I received a telephone call while she was doing it. But, my basic question has to do with the report that was filed on February 1, by the Board of Elections known as the After Action Report. Is it my understanding that Ms. Stroud believes that the report that's on the Board's website is complete?

MS. STROUD: I was referring to the June 2nd report when I was talking about the completeness of the report. I understand that you have a question about when the June 2nd primary election report was going to be augmented and it has, so that report is complete.
MS. BRIZILL: So, regarding the June 2nd report, when it says that additional information will be provided shortly, the addition of that single page, sheet of paper that was added, that is the updating of that report?

MS. STROUD: Yes, it is.

MS. BRIZILL: Okay, now my major issue concerns the November report that's on the Board of Elections website. What is the status of that because it's supposed to be in compliance with provisions of DC Code and DC Regulations. What do you view the status of that report? Because all it does is list ballots cast, registration activity, election workers and election night report.

MS. STROUD: Okay and yeah, I'm not sure whether you heard my comments earlier as I indicated. So which items are you referring to as missing because, as I indicated with respect to the precinct captains and area representative logs due to a change in our process, we don't have those logs, but we do debrief site
coordinators and that's happening and it has not been completed yet. So, we have then there is a description of any irregularities experienced on Election Day and aside from slight minor issues with equipment which were replaced, there were no irregularities on Election Day.

MS. BRIZILL: Go on, Ms. Stroud.

MS. STROUD: And so what items are missing?

MS. BRIZILL: First, let me say this, this is not the first After Action Report I reviewed. Indeed, in addition to provisions in the DC Code and the DC Municipal Regulations regarding the After Action Report and what is supposed to be included, there are also After Action Reports which I have in my possession and which are posted on the website that go back several years. I was surprised by this After Action Report for the November election that you have posted, that you simply list the number of ballots cast, the registration activity, the number of election workers and election night
returns.

You make no mention of any issues that arose before the election, issues that arose during the election process and lessons learned. There is no narrative, no narrative whatsoever and especially given the issues that arose in the June primary, I would've thought that you would've wanted to include that. I take exception to the fact that you say that you couldn't include any information from precinct captains. My understanding is the precinct captains still have to submit a detailed, written report regarding activities that occurred at the poll. Is that not true?

MS. STROUD: Ms. Brizill, I indicated that we were debriefing the site coordinators and I indicated that we would be taking the reports that the Executive Director gave and augmenting the report with that information, which of course is in the transcript and minutes from the meetings that we've held since December so I indicated that. I did indicate that we would be
using that information that was provided and has
been provided to update the report.

MS. BRIZILL: Are you saying there are
minutes that are available of these after action
comments, after election comments by the precinct
captains? Because they certainly weren't
discussed at any public Board meeting.

MS. STROUD: Yeah, that's not what I
said, Ms. Brizill.

MS. BRIZILL: Okay. How does one see,
let me be very specific, do you believe that the
report that you filed on February 1 called an
After Action Report for the November election, is
complete? And, if it's not complete, what are
you going to add?

MS. STROUD: I'm going to stand on my
comments and I'm going to say that, with respect
to the statutory provisions that indicate what
the After Action Report is required to have, we
are almost completely in compliance.

MS. BRIZILL: What do you think you're
not in compliance with regard?
MS. STROUD: I'm going to stand on the comments that I made. I indicated what information was going to be included, Ms. Brizill.

MS. BRIZILL: I told you I received a telephone call, can you go through that again? What are you going to include?

MS. STROUD: We're going to include reports that were given by the Executive Director in Board meetings held since December and the information that is culled from the debriefing of the site coordinators.

MS. BRIZILL: The debriefing by the site coordinators, is that a written debriefing that is submitted?

MS. STROUD: No, it is not. It will be eventually, but we have interviews and conversations with the site coordinators.

MS. BRIZILL: What are you doing with the reports submitted by the precinct captains?

MS. STROUD: There are no reports that were submitted by the precinct captains.
MS. BRIZILL: The precinct captains did not submit incident reports regarding breakdown of machinery, for example?

MS. STROUD: I'm not sure that they were written, Ms. Brizill. I'm sure that they were taken because, on Election Day, they report incidents as they occur and we respond to them.

MS. BRIZILL: So, how does one develop a historical record of what happened and what didn't happen?

MS. STROUD: Ms. Brizill, we have records that were not generated from the precinct captains and area representative logs. As I indicated, the process occurs differently.

MS. BRIZILL: So, if I file a FOIA seeking those records, how should I reference those records?

MS. STROUD: Any records that the Board, you can use the statutory provisions which indicate what we have, Ms. Brizill. You can ask for whatever documents you wanted and we have, then we disclose them.
MS. BRIZILL: I want to know how you're referencing. What do you title those records regarding reports from area reps, precinct captains? So, don't do a dance in terms of I apply for something and you tell me that it doesn't exist. How do I reference those records?

CHAIR BENNETT: Ms. Brizill, I think what Ms. Stroud is saying though is that there are two things that will be augmenting the report. One is other reports from the Executive Director relative to the status and the election day process and election week process, but also there are interviews that will occur with the precinct captains as to what the activities were during that week. Those interviews and debriefings will be documented and included in the report. So you can ask for those documents.

MS. BRIZILL: Have those interviews taken place already?

CHAIR BENNETT: They're in the process of taking place now.

MS. BRIZILL: With all the precinct
captains?

CHAIR BENNETT: Some have taken place, some have not.

MS. STROUD: But let me just say this, we didn't have captains for this election because we didn't have precincts, just for clarity. They were site coordinators and we had multiple leaders that may have been around for each of the sites. We are talking about Election Day only, that's what the After Action Report --

(Simultaneous speaking.)

MS. BRIZILL: -- include early voting issues?

MS. STROUD: No, that's not the requirement, but I'm sure if there's something there that needs to be included, it will be.

MS. BRIZILL: So you believe that you're adhering to the legal requirement?

CHAIR BENNETT: Yes.

MS. BRIZILL: I just want to make sure that when I repeat what you're saying, you believe you're adhering to the legal requirement
and the DC Code and the DC Municipal Regulations, as regards the information you're providing in the After Action Report. Is that an accurate statement?

CHAIR BENNETT: Yes.

MS. BRIZILL: When will the report be complete then, since it was due February 1?

CHAIR BENNETT: We'll have to get back to you on that, Ms. Brizill. We don't have a date as of yet for a complete.

MS. BRIZILL: Will it (audio interference).

CHAIR BENNETT: I'm sorry, I didn't understand your question.

MS. BRIZILL: Will the report be completed before the performance budget hearing, before the Council in the next couple of weeks?

CHAIR BENNETT: Yes.

MS. BRIZILL: Okay.

CHAIR BENNETT: All righty. Thank you.

Is there someone else? Anybody want to raise their hand or I think everybody's on mute so you
can speak up if you'd like, unmute yourself. Oh, there's a chat question, I can't read it. Would you read it?

MS. STROUD: Stephanie Scott has a question. Why does OCF make FEP payments at this late date? If the committees will return extra funds, are there outstanding expenses from June or November that haven't been paid?

CHAIR BENNETT: Okay, Ms. Montgomery, can you respond to that? Ms. Montgomery, maybe you're on mute. Can you unmute yourself? Ms. Montgomery, unmute yourself, Ms. Montgomery. Hold on one second, we're trying to make sure Ms. Montgomery is available.

Ms. Montgomery?

MR. SANFORD: Hello, Mr. Chairman?

CHAIR BENNETT: Yes, Mr. Sanford, can you answer that question, sir?

MR. SANFORD: Yes. I will try, but could you please repeat that question?

CHAIR BENNETT: Okay, can you read it?

MS. STROUD: Yes, why does OCF make FEP
payments at this late date if the committees will return extra funds? Are there outstanding expenses from June or November that haven't been paid?

MR. SANFORD: Well there's a statutory requirement that we make payments based upon the last report filed. If the last report shows that there were some donors that were prior to the election and the last report was filed on January 31st. If it shows that the committee received contributions prior to the election but they were not reported until after the election, we would make the disbursement and the committee can use it to retire their debts or to return it. But we have a statute requirement to make those disbursements as long as they have submitted evidence that they received qualified small donations during the last reporting period.

CHAIR BENNETT: Thank you, Mr. Sanford. Does that answer the question?

MR. SANFORD: And in some cases the committee has negative balance sheets and
actually they receive the final disbursement and
y they use it to retire the negative balance.

CHAIR BENNETT: Okay. Great. Thanks,
Mr. Sanford. I think that answers the question
as I read it, yes, thank you. Okay, great. Are
there any other persons with public matters
questions? You can either put a question in the
chat or you can unmute yourself and ask the
question. Anything else in the chat room? Okay,
great. Thank you so much. I will get a motion
to adjourn the meeting from Mr. Gill.

MEMBER GILL: Motion to adjourn the
meeting.

CHAIR BENNETT: Ms. Greenfield, can I
get a second?

MEMBER GREENFIELD: I second.

CHAIR BENNETT: It's been properly
moved and seconded to adjourn this meeting,
February 3. I think this is probably the
earliest meeting we've had. It has been
efficient. We've gotten through it. So, I will
accept that motion and second. Can I get a vote
from Ms. Greenfield?

    MEMBER GREENFIELD:  Aye.

    CHAIR BENNETT: Can I get a vote from Mr. Gill to adjourn the meeting?

    MEMBER GILL: Aye.

    CHAIR BENNETT: It is unanimous. I vote to adjourn the meeting as well. Thank you so much. Meeting's adjourned.

    (Whereupon, the above-entitled matter went off the record at 10:54 a.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Board Meeting

Before: DC BOE

Date: 02-03-21

Place: teleconference

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

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Court Reporter