

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Joseph Bishop-Henchman,
Challenger

v.

Nina Taylor,
Candidate.

Administrative Order
No. 26-061
Re: Challenges to Nominating
Petition Submitted for
Nina Taylor

James Harnett,
Challenger

v.

Nina Taylor,
Candidate.

Danielle Urey,
Challenger

v.

Nina Taylor,
Candidate.

MEMORANDUM OPINION AND ORDER

Introduction

These consolidated matters came before the District of Columbia Board of Elections (“the Board”) on September 4, 2026. They concern challenges to the nominating petition submitted by Nina Taylor (“the Candidate”) to run as an independent for the office of At-Large Member of the Council of the District of Columbia (“the Council”) in the November 3, 2026 General Election (“the General Election”). The challenges were filed by Challengers Joseph Bishop-Henchman, James Harnett, and Danielle Urey, all registered voters in the District, pursuant to D.C. Official Code § 1-1001.08(o)(1). Chair Gregory McCarthy and Board members Karyn Greenfield and Michael Wakefield presided over the hearing. The Candidate and Challengers Bishop-Henchman and Harnett appeared *pro se*. Challenger Urey did not attend.¹

The Board moved to consolidate the three matters into one hearing on September 4, 2026. This order addresses all three challenges together.

Background

On August 5, 2026, the Candidate submitted a nominating petition to appear on the ballot as a candidate in the General Election contest for the office of At-Large Member of the Council (“the Petition”). As an independent, the Candidate needed to submit at least 3,000 signatures from registered voters in the District to obtain ballot access for this office. D.C. Code § 1001.08(j)(1)(B). The Petition contained 3,154 signatures.

On August 8, 2026, the Board posted the Petition for public inspection for 10 days, as required by law. On August 15, 2026, Challengers Bishop-Henchman and Harnett each challenged the Petition. On August 17, 2026, Challenger Urey challenged the Petition.

¹ Ms. Urey had appeared at the hearing in the session immediately before this one, as her own candidacy for At-Large Member of the Council had been challenged, and the Board found that she was below the threshold of ballot access.

Mr. Bishop-Henchman filed challenges to a total of 1,000 signatures. Specifically, the signatures and affidavits were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not registered; the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; 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 signature is not dated; 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 signature is not personally witnessed by the circulator.

Mr. Harnett filed challenges to a total of 358 signatures. Specifically, the signatures and affidavits were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not registered; the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; 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 name of the signer where the signature is not sufficiently legible for identification; and the signature is not personally witnessed by the circulator.

Ms. Urey filed challenges to a total of 299 signatures. Specifically, the signatures and affidavits were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not registered; the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; 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; and the petition does not include the name of the signer where the signature is not sufficiently legible for identification.

Registrar's Preliminary Determination as to the Bishop-Henchman Challenge

The Registrar's review of the Bishop-Henchman challenge indicated that 904 of the 1,000 signature challenges were valid. The Registrar found that 364 challengers are valid because the signer was not registered at the time the petition was signed; 353 challenges are valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed; 91 challenges are valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; three challenges are valid because the signature is a duplicate of a valid signature; three challenges are valid because the signature is not dated; two challenges are valid because the signature does not include the address of the signer; 68 challenges are valid because neither the name of the signer nor the signature are sufficiently legible for identification; 11 challenges are valid because the signature is not made by the person whose signature it purports to be; and nine are valid because the signature was not personally witnessed by the circulator.

Accordingly, the Registrar preliminarily determined the Petition contained 2,250 valid signatures, which is 750 signatures below the number required for ballot access.

Registrar's Preliminary Determination as to the Harnett Challenge

The Registrar's review of the Harnett challenge indicated that 291 of the 358 signature challenges were valid. The Registrar found that 94 challengers are valid because the signer was not registered at the time the petition was signed; 110 challenges are valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed; 41 challenges are valid because the signer's voter registration was designated as inactive on the voter

roll at the time the petition was signed; 26 challenges are valid because the signature is a duplicate of a valid signature; 18 challenges are valid because neither the name of the signer nor the signature are sufficiently legible for identification; and two are valid because the signature was not personally witnessed by the circulator.

Accordingly, the Registrar preliminarily determined the Petition contained 2,863 valid signatures, which is 137 signatures below the number required for ballot access.

Registrar's Preliminary Determination as to the Urey Challenge

The Registrar's review of the Urey challenge indicated that 231 of the 299 signature challenges were valid. The Registrar found that 96 challengers are valid because the signer was not registered at the time the petition was signed; 95 challenges are valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed; 13 challenges are valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; one challenge is valid because the signature is a duplicate of a valid signature; and 26 challenges are valid because neither the name of the signer nor the signature are sufficiently legible for identification.

Accordingly, the Registrar preliminarily determined the Petition contained 2,923 valid signatures, which is 77 signatures below the number required for ballot access.

September 2, 2026 Pre-Hearing Conferences

Pursuant to title 3 D.C.M.R. § 415.1, the Office of the General Counsel convened three prehearing conferences with the parties on Wednesday, September 2, 2026.² In her findings reports

² Candidate Nina Taylor appeared at all three pre-hearings, and Challengers Bishop-Henchman and Harnett appeared at their respective pre-hearings. Challenger Urey did not appear at her pre-hearing and indicated that she might withdraw her challenge. Ms. Urey did not submit, however, the paperwork to withdraw before the Board's hearing on September 4, and in any event, once the Registrar's office identifies invalid signatures based on a challenge, it cannot disregard that information. 3 D.C.M.R. § 1606.4.

issued prior to the pre-hearing conferences, the Registrar outlined her determinations with respect to the validity of each signature challenged and provided a key code explaining the notations she used to indicate the basis for upholding or denying each challenge.

The Candidate raised similar objects in all three pre-hearing conferences and in subsequent email communications, but none of them addressed how she could overcome the signature gap between her valid signatures for each challenge and the required 3,000-signature threshold.

Primarily, the Candidate argued that the Registrar should not have upheld a challenge as valid where the Challenger asserted one basis for the invalidity of a signature, but the Registrar found a separate defect with the signature. The Office of General Counsel attorney assigned to the matter explained that the Registrar, once she conducts her review, cannot ignore a defect in a signature. In support of this, he cited 3 DCMR 1606.4, which permits the Board to declare a signature invalid when, in the course of the review conducted on a properly filed challenge, a fatal defect is identified even though that defect was not the ground originally asserted by the Challenger. *See* 3 DCMR 1606.4; *see also In re Cunningham*, Board Order 24-023 at 5 (Board cannot disregard Registrar’s findings a petition is numerically insufficient); *Tacelosky v. Settles*, BOE Case No. 13-03 at 7 (the Board “lacks authority to overlook defects in a nominating petition that would render the petition insufficient for ballot access”).

The Candidate also questioned whether the challenges were brought in good faith. However, this issue became moot when the Registrar conducted her individual review and found that the Candidate did not have a sufficient number of signatures to obtain ballot access.³

³ The Candidate initially filed a motion to dismiss the Urey challenge, on the grounds that it was not brought in good faith. At the hearing, the Candidate subsequently chose not to pursue the motion further, and the Board need not consider it. It should be noted that the Registrar’s reports found the challenges to be enumerated by line and page

The Candidate also objected that the challenge period did not allow sufficient time for the Candidate to identify potential address updates, particularly when the Challenger asserted non-address reasons for an objection, but the Registrar rejected the signature on address grounds. The Office of General Counsel noted, however, that the deadlines are set by statute,⁴ and that the instructions to candidates remind them that it is their responsibility to check for any defects in the signatures that they collect, including potential address mismatches.

The Candidate identified a few signatures that she asked the Registrar to re-consider, but they were not sufficient in number to overcome the deficit she faced in any of the three challenges. Moreover, in several cases, the Registrar had already credited those signatures as valid to the Candidate.

As the parties were not able to resolve the matter, the case was set for a Board hearing on September 4, 2026. The Board notified the Candidate and Challenger of the hearing.

September 4, 2026 Board Hearing

During the Board hearing, staff from the Registrar's Office was present at the hearing and presented the Registrar's findings.

The Candidate noted that she was not challenging the Registrar's findings on ballot sufficiency, and after hearing the Office of General Counsel's legal citations prior to the hearing, she was not pursuing several of her prior arguments. Instead, the Candidate asked about the basis for invalidating signatures from inactive voters,⁵ and the Candidate raised a question about the

number as required by the Board's regulations, and the challenges all were individualized to specific defects for certain signatures.

⁴ See D.C. Code § 1-1001.08(o)(2) (validity of challenges must be determined within 20 days); D.C. Code § 1-1001.08(o)(3)(B) (address updates to cure signature petition address mismatches must be filed by 5 p.m. on the 10 day after the candidate receives notice of the challenge).

⁵ Under the statute and regulations, the Board is not able to credit the signatures of inactive voters on petitions, pursuant to D.C. Code § 1-1001.07(j)(5)(B) and 3 D.C.M.R. § 1607.1.

practice of collecting digital signatures. The Chair encouraged the Candidate to email the Board with her proposals regarding potential changes to the challenge process and the review of digital signatures. The small number of digital signatures identified by the Candidate, however, would still not allow her to overcome the numerical insufficiency she faced in the three challenges.

Discussion

The Candidate has not identified sufficient signatures to overcome the deficit resulting from any of the three challenges. She thus remains under the statutorily-mandated, non-waivable 3,000 signature minimum requirement for ballot access in the contest for the office sought. D.C. Code § 1-1001.08(j)(1)(B).

For each of the three challenges, the Candidate needed to obtain at least 3,000 signatures from registered voters. The Petition contained 3,154 signatures.

The Bishop-Henchman challenge resulted in the greatest number of sustained individual challenges. He filed challenges to 1,000 signatures, and the Assistant Registrar determined that 904 of those challenges were valid, reducing the number of valid signatures on the Petition to 2,250. The Board upholds the finding of the Assistant Registrar that the petition contains 2,250 valid signatures.

In the Bishop-Henchman challenge, 458 signatures are invalid because the voter is not registered, the voter is inactive, and the voter's signature is a duplicate. Those defects alone reduce the number of valid signatures on the Petition to a number below the minimum signature requirement. Accordingly, the Board need not rely on the additional 353 address-mismatch determinations (for which the time to update those addresses had, at any rate, expired, as was the case with the Harnett and Urey challenges as well), or on the remaining challenged categories, to conclude that the Bishop-Henchman challenge renders the Petition numerically insufficient.

In the Harnett challenge, the Challenger filed challenges to 358 signatures, and the Assistant Registrar determined that 291 of those challenges were valid, reducing the number of valid signatures on the Petition to 2,863. Of the challenged signatures, 161 signatures are invalid because the voter is not registered, the voter is inactive, and the voter's signature is a duplicate. Those defects alone reduce the number of valid signatures on the Petition to a number below the minimum signature requirement. Accordingly, the Harnett challenge independently establishes that the Petition is numerically insufficient without reliance on the 110 address-mismatch determinations.

In the Urey challenge, the Challenger filed challenges to 299 signatures. The Assistant Registrar determined 231 of those challenges were valid, reducing the number of valid signatures on the Petition to 2,923. Those sustained challenges include 110 signatures invalid because the signer was not registered, the signer was inactive, or the signature was a duplicate, as well as 95 address-mismatch determinations. The Board upholds the Registrar's determination that the Urey challenge also reduces the Petition below the statutory threshold.

The Bishop-Henchman and Harnett challenges each independently establish numerical insufficiency without reliance on the disputed address-mismatch determinations. Thus, even if the Candidate's objections concerning the timing or treatment of address mismatches were assumed to have merit, they would not alter the Candidate's ballot access status. The Board also upholds the Registrar's determinations in the Urey challenge. Accordingly, each of the three challenges independently reduces the Petition below the 3,000-signature threshold.

Conclusion

As a result of these challenges, the Board finds that the Petition contains 2,250 valid signatures – 750 signatures below the number required for ballot access. It is hereby:

ORDERED that challenge to the nominating petition submitted by Nina Taylor to run as an independent in the contest for the office of At-Large Member of the Council in the November 3, 2026 General Election is hereby **UPHELD**, and that the Candidate is **DENIED** ballot access in that contest.

The Board issues this written order today, which memorializes its oral ruling rendered on September 4, 2026.

Date: September 21, 2026

A handwritten signature in black ink, appearing to read "Gregory McCarthy", written over a horizontal line.

Gregory McCarthy
Chair