

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

In the Matter of	)	Administrative
Terrell Dance	)	Order #26-044

AMENDED MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on June 3, and July 17, 2026. It concerns the Board’s General Counsel’s recommendation, pursuant to D.C. Official Code § 1–1001.18(a), that the Board consider enforcement action in the above-captioned matter. Chairman Gregory McCarthy and Board members Karyn Greenfield and Michael Wakefield presided over the July 17th hearing.¹ Mr. Dance appeared at that hearing and the Board’s General Counsel, Terri Stroud, was present at both hearings.

Background

As a result of a Voter Participation Project report issued by the Election Registration Information Center (“ERIC report”), the Board’s Office of General Counsel became aware of evidence that a ballot was cast in the name of Terrell Dance in the D.C. 2024 General Election (“GE”) and that a ballot was cast in the name of Terrell Dance in the 2024 GE in Maryland. This evidence suggested, at a minimum, a violation of prohibitions on voting twice.² Accordingly, the

¹ The earlier proceeding was held before Gary Thompson, former Board Chair, and Member Greenfield.

²Notably, the two elections included the presidential race. *See* 52 U.S. Code § 10307(e) (prohibiting double voting in a federal election) and D.C. Official Code §1-100.09(g) (prohibiting voting twice in “any election”). As further discussed below, the Board is authorized, upon the recommendation of the General Counsel, to take enforcement action for election law violations by referring criminal conduct to prosecutorial authorities and/or by imposing civil fines of up to \$2,000 for each violation. *See* D.C. Code §1-1001.18(a)-(b).

Office of General Counsel (“OGC”) launched an investigation into the 2024 GE ballots cast in the name of Terrell Dance.

On November 14, 2025, OGC sent Mr. Dance notice that there would be a prehearing conference before that office on December 5, 2025. The notice was sent to available email and residential addresses for Mr. Dance. The email did not bounce back and the hard copy notices were not returned by the U.S. Postal Service. Mr. Dance did not appear at the December 5, 2025 prehearing conference. Mr. Dance was then sent notice that, on June 3, 2026, the Board would hear the General Counsel’s recommendation as to enforcement action that the Board should take against him.

At the June 3 hearing, the OGC attorney assigned to the case explained that Mr. Dance had been flagged by ERIC as a possible double voter in the 2024 General Election and she noted for the record that the ballot return envelope for the D.C. mail ballot issued to Mr. Dance had a handwritten name that was consistent with the name “Rell Dance” and that the signature associated with the 2024 Maryland ballot consisted of only “Rell” and that the signatures matched. Upon the request of the OGC attorney, the Board accepted the signature evidence into the record.

At the June 3, 2026 hearing, Mr. Dance did not come forward. Based on the record presented, the General Counsel recommended that the matter be referred to the OAG for further investigation and possible prosecution, provided however that her office would delay referral to give Mr. Dance an opportunity to seek reconsideration.³ The Board Chair made a motion to accept the General Counsel’s recommendation. The motion was duly seconded and passed unanimously.

³ 3 D.C.M.R. 429 sets forth the Board’s rules for seeking reconsideration of an order. Under those rules, reconsideration must be sought by motion within ten days of the order. If that deadline is missed, a party seeking reconsideration would have to ask for leave to file a motion for reconsideration.

The day after the June 3, 2026 hearing, a written order memorializing the Board's enforcement action issued. The order was promptly sent to Mr. Dance.

On June 8, 2026, Mr. Dance telephoned OGC about the order. During that communication, he consented to attending a prehearing conference. Notice of a June 12, 2026 prehearing conference was then sent to Mr. Dance. He subsequently appeared at the prehearing conference. Immediately following that conference, Mr. Dance submitted a request for Board reconsideration of the Board's written order dated June 4, 2026.

Based on the prehearing conference discussions, Mr. Dance was also offered a stipulated agreement that was approved by the General Counsel. That agreement contemplated that Mr. Dance admit, in accordance with his representations at the prehearing conference, that he intended to vote in the 2024 General Election in Maryland and that the signatures associated with the Maryland and D.C. 2024 General Election ballots cast in his name are his signatures. The agreement provided that Mr. Dance did not, however, recall how he came vote the D.C. 2024 General Election ballot and stated that he would not have voted that ballot intentionally and that he did not intend to vote twice in the 2024 General Election. The agreement noted that, while Mr. Dance registered to vote in D.C. in 2018 based on his residency at the address that appears on the D.C. 2024 General Election ballot return envelope, by the time of that election, Mr. Dance was residing in Maryland. As the D.C. address at issue was at that time and previously the address of Mr. Dance's father, the agreement provides a logical explanation as to how Mr. Dance came into possession of, and inadvertently voted, the D.C. Ballot that was issued to him in the 2024 General Election. By signing the stipulated agreement, Mr. Dance would admit that the facts showed that he failed to exercise care and caution in completing and returning the 2024 General Election ballot to the Board. In consideration of the contemplated admissions by Mr. Dance, the agreement

provided that the General Counsel would cap her recommendation to the Board of enforcement action to a \$100 fine.

OGC did not receive the countersigned agreement back from Mr. Dance. On July 6, 2026, Mr. Dance was notified that, regardless of whether he countersigned and returned the stipulated agreement, his matter would be considered at the Board meeting scheduled for July 17, 2026. By the time of the July 17, 2026 Board hearing, OGC had yet to receive any further word from Mr. Dance. At the July 17, 2026 Board hearing, OGC staff presented the history of the matter, including the exhibits provided to the Board, that contained Mr. Dance's request for reconsideration of the order referring him for criminal investigation and the offered stipulated agreement. The assigned OGC attorney asked that the Board grant Mr. Dance's reconsideration request and accept the offered exhibits into the record. Both requests were granted.

As the matter was open for reconsideration, and in light of the additional evidence gathered through the prehearing conference proceedings that supported the conclusion that Mr. Dance did indeed vote twice in the 2024 General Election, which obviated the need for further investigation, the General Counsel revised her recommendation of referral for investigation and possible prosecution and recommended that Mr. Dance be subjected to a \$500 civil fine. A motion was made to adopt the General Counsel's recommendation, which motion was duly seconded and passed unanimously.

Shortly thereafter, in the course of continued Board proceedings, the General Counsel brought to the Board's attention that it appeared that Mr. Dance might be present. After confirming that Mr. Dance was one of the conferenced-in participants, he was asked about his position with respect to the stipulated agreement. Mr. Dance stated that he believed that he had emailed the countersigned agreement to OGC and indicated that he accepted the terms of that agreement. Given Mr. Dance's statements on the record agreeing to stipulated facts, the Board reconsidered

its decision made just moments before and authorized disposition of the case in accordance with the terms of that agreement.

Discussion

We start with the procedural issue. The Board issued a written referral order in this matter that was dated June 4, 2026. Mr. Dance submitted a written request shortly thereafter for the Board to reconsider its decision. Our regulations at 3 D.C.M.R. § 429 provide that reconsideration can be sought within ten days of a Board order. Since Mr. Dance timely requested reconsideration and the June order deferred referral for the express purpose of allowing Mr. Dance to come forward and assist OGC in resolving this matter, we grant his reconsideration request.

With respect to the misconduct at issue, D.C. Official Code § 1-1001.09(g)(1) provides that no person shall vote twice in an election. In addition, D.C. Official Code § 1-1001.14(a) provides that it is a criminal offense to vote or attempt to vote and make false representations as to the person's qualifications for voting. Voting qualifications include that a person cannot claim voting residence or the right to vote in another state. *See* D.C. Official Code §1-1001.02(2)(C). Finally, D.C. election laws also provide that it is a crime to fraudulently cast a ballot. *See* D.C. Official Code § 1–1001.14(a-1)(1)(D).⁴ While the Board's enforcement powers include imposing civil fines for election law violations (*see* D.C. Code § 1–1001.18(a)-(b)), we were unable to entertain that option without Mr. Dance's cooperation. As Mr. Dance has now come forward, the exercise of our referral enforcement power is unnecessary.

⁴ *See*, in addition to the federal prohibition on double voting cited at footnote 1 *supra*, 52 U.S. Code § 10307(c) (prohibiting knowingly or willfully giving false residency information for the purpose of establishing eligibility to register or vote in elections to fill federal offices). As noted above, federal law prohibits double voting in a federal election.

While it is clear based on the evidence before us that Mr. Dance failed to comply with voting requirements, Mr. Dance has credibly stated that he did not intentionally vote twice in the same election. Based on the facts, we cannot sufficiently discount the possibility that Mr. Dance inadvertently cast the D.C. Ballot, and we cannot say that there is substantial evidence that Mr. Dance had the level of intent required for criminal prosecution. Accordingly, we agree that Mr. Dance should face no more than a civil fine. We also conclude that the \$100.00 fine amount recommended by the General Counsel as per the stipulated agreement is appropriate.

Conclusion

For the reasons indicated above, it is hereby:

ORDERED that reconsideration of the Board's prior decision to refer Mr. Dance to the D.C. Office of Attorney General is hereby **GRANTED**; it is further

ORDERED that the revised recommendation of the General Counsel presented at the Board's July 17, 2026 meeting is **ACCEPTED**, that the Board's Office of General Counsel **shall not** refer Mr. Dance to the D.C. Office of Attorney General for further investigation and possible prosecution, and that he shall pay a \$100.00 civil fine for election law misconduct by no later than August 20, 2026.⁵

The Board issues this AMENDED written order today, which is consistent with its oral ruling rendered on July 17, 2026.



Gregory McCarthy
Chairman
Board of Elections

⁵ **Payment must be made by check or money order made out to the "D.C. Treasurer."** It may be mailed to the attention of the General Counsel at the Board's offices (1015 Half Street, Suite 750, S.E., Washington, D.C. 20003) or hand delivered at that address.