

MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING

June 5, 2025

The District of Columbia Board of Elections (“the Board” or “DCBOE”) held its Regular Monthly Meeting on Thursday, June 5, 2025 via Zoom and in the Board’s Hearing Room, located at 1015 Half Street, SE, Washington, D.C. 20003, Suite 750. Board Chairman Gary Thompson and Board Member Karyn Greenfield were present. The Board’s Executive Director, Monica Holman Evans (“Director Evans”), General Counsel, Terri Stroud, and the Office of Campaign Finance (“OCF”) General Counsel, William SanFord, were also present.

I. CALL TO ORDER

Board Chair Thompson called the meeting to order at 10:32 a.m.

II. ASCERTAINMENT OF QUORUM

Board Chair Thompson and Board Member Greenfield constituted a quorum.

III. ADOPTION OF AGENDA/APPROVAL OF MINUTES

BOARD ACTION: The Board unanimously adopted the agenda and minutes from the last meeting held on May 7.

IV. DIRECTOR’S REPORT (DIRECTOR EVANS)

A. May Engagements

On May 13, the D.C. Council held a Public Roundtable on the DCBOE. Among other topics, Director Evans testified about the Ward 8 Special Election, ANC vacancies, and the petition process.

B. Voter Registration Rolls

In May, the Board registered 1,751 new voters and processed 2,369 registration changes. In total, 4,120 voter registration cards were prepared for mailing. 334 registered voters moved out of D.C., 254 voters canceled their D.C. registrations and registered with other jurisdictions, and 746 voters registered in D.C. after canceling their registrations in other states.

C. Online Voter Registration Rolls

We are continuing to register voters using our website portal. To date, we have processed over 97,803 applications using the portal, including new voter registrations and updates to existing registrations.

D. Local Resident Voting Rights Amendment Act

Total non-citizen registration is at 980. In May, one non-citizen registered to vote. Since the general election, there has been a noticeable decline in non-citizen registrations. Additionally, some non-citizens have been removed from the registry due to our list maintenance efforts. The Board is continuing our outreach in D.C. communities to share information.

E. 2025 Next Steps/Off-Election Year Planning

DCBOE has received estimates to address the need to replace voting equipment that has reached the end of its life cycle. DCBOE will address funding during our budget oversight hearing, which is scheduled for June 6.

DCBOE is taking steps to fully implement new legislation and we are currently reviewing the requirements of the Automatic Voter Registration Expansion Act. On June 16, 2025, we will begin beta testing some of the documents and processes that will be used to comply with the Act. DCBOE is also monitoring pending legislation and information at the federal level.

F. List Maintenance

The Board's data team continues to focus on keeping voter registration records accurate and up to date by conducting essential tasks such as identifying registrants who have moved, whether in-state or out-of-state, verifying deceased individuals, addressing duplicate records, and identifying ineligible and inactive voters.

DCBOE is conducting our biennial mail canvas to verify the residential addresses of voters who were eligible but did not participate in the 2024 General Presidential Election. This process includes sending a first-class, non-forwardable canvass mailer to the addresses on record to identify outdated or inaccurate address information. 153,404 first-class, non-forwardable canvass mailers were sent to voters' recorded addresses. As a result, we have received 27,854 returned mailers through the Postal Service. On May 15, a second mailer was sent to 21,983 addresses. As a result of the second mailer, approximately 3,000 were returned to BOE by mail and 383 individuals confirmed their address online. DCBOE is beginning to make voter records inactive, however, we have deferred the inactivation of Ward 8 voters due to the upcoming Ward 8 Special Election.

G. Technology and Cybersecurity

The Board's migration to a .gov domain continues. We are continuing to work with OCTO to facilitate this process and clarify the timeline. Our teams are discussing the technical requirements and ensuring that all necessary infrastructure and security measures are in place for a successful migration. DCBOE contacts are also being added to the .gov DNS portal to support the next phase.

H. Voter Education and Outreach

During May, the Voter Education and Outreach Division participated in events on behalf of the agency, including a Naturalization Ceremony at the U.S. District Court.

I. Election Worker Division

In preparation for the Ward 8 Special Election, the Election Worker Division has updated its standard operating procedures for the various election worker positions. The Call Center is open, and staff has begun scheduling Election Workers to attend training classes. The first training class will be held on Saturday, June 7.

The Election Worker Division has updated the lists for election equipment and election workers to be deployed for the special election. Signage has been ordered, and printing requests have been submitted to our vendor. The division has also assessed supply needs and prepared the items needed for Early Voting and Election Day.

J. Advisory Neighborhood Commission (ANC) Vacancies

There are currently 17 ANC vacancies for the 2025-26 term at various stages of being filled. After the candidate filing requirements are satisfied, an open vote by registered voters of the affected single member district (SMD) will take place during the regularly scheduled ANC meetings.

K. Ward 8 Special Election

There are four candidates on the Ward 8 Special Election ballot. The ballot lottery was held on May 23. The lottery results are posted on the Board's website.

DCBOE began Logic and Accuracy Testing on May 27. We have completed testing of the DS950 tabulator machines and the ExpressVote touchscreen machines. We are still testing the DS200 machines. To date, machine testing has been successful.

Planning meetings with our vendors for the Special Election are currently in progress. We are steadily moving forward and working closely with all parties to ensure a smooth and successful election. Vendors are providing on-site technical support to perform scheduled preventive maintenance and software updates on election equipment.

Ballots for the Ward 8 Special Election are scheduled to be mailed on Monday, June 9, 2025. The Audit Lottery will be held on Friday, June 20, 2025 at 10:00 am. The postelection audit is scheduled to begin on Tuesday, August 5, 2025. Individuals may visit the Board's website for more information regarding the election, current candidates, and pertinent dates.

V. GENERAL COUNSEL'S REPORT (TERRI STROUD)

A. Proper Subject Matter Determination Hearing for Proposed Initiative Measure, “The District of Columbia Time Stability Act.”

General Counsel Stroud presented the background on the processing of the measure, which was received on April 11. Advisory opinions provided by the D.C. Office of the Attorney General (“OAG”) and the D.C. Council’s General Counsel (“CGC”) as to whether the Proposed Initiative met proper subject requirements concluded that the measure did present a proper subject. General Counsel Stroud indicated that the Board’s Office of General Counsel (“OGC”) concluded that the measure did present a proper subject and thus recommended that the Board accept the measure.

BOARD ACTION: Unanimously accepted the General Counsel’s recommendation and accepted the proposed initiative on the grounds that it does present a proper subject.

B. Litigation Status

1. Stacia Hall, et al., v. D.C. Board of Elections (U.S. Court of Appeals for the D.C. Circuit)

This is an appeal from the U.S. District Court’s denial of a challenge to legislation allowing non-citizens to vote in local elections. The court heard oral argument in this matter on March 11, and the case is pending disposition.

2. Charles Wilson v. Muriel Bowser, et al. (D.C. Superior Court)

This is the remand from the D.C. Court of Appeals of a challenge to the Board’s finding that Initiative Measure No. 83 (“I83”) met proper subject requirements and its formulation of the measure. On April 8, the Board filed a motion to dismiss the complaint. On April 18, new additional counsel for the plaintiff filed an entry of appearance and requested an extension of the time to file an opposition to the Board’s motion to dismiss until May 23. On April 21, the court granted the plaintiff’s motion, set June 23 as the date for the Board to reply to the opposition, and scheduled a status hearing for August 15. On April 22, the proposer of the measure moved to intervene and lodged a motion to dismiss. On May 21, the plaintiff requested an extension of time to file an opposition to the motion to dismiss which the court granted on May 23. The court also ordered that the opposition be filed on June 5, and that the Board file its reply by July 7, 2025.

3. Jason Christopher Long v. D.C. Board of Elections (D.C. Superior Court.)

This case was remanded back to D.C. Superior Court from the U.S. District Court for D.C. on February 3. This matter is the resubmission of a case previously dismissed without prejudice, in which the plaintiff sought \$10,000 in damages for an overdraft fee caused by a stop payment on a \$500 check issued for his service as an election worker. On November 26, 2024, the plaintiff filed to remove his case to the U.S. District Court. On February 3, that court ordered that the case be remanded back to the Superior Court. To date, the Superior Court has not docketed any activity.

4. Deirdre Brown v. D.C. Board of Elections (D.C. Court of Appeals)

This matter involves the review of the Board's certification of I83. The court heard oral argument on April 24. On May 22, the court issued an order dismissing the petition for lack of jurisdiction.

5. Sobin v. D.C. Board of Elections (U.S. District Court for D.C.)

In January 2025, Mr. Sobin submitted a complaint to the district court in which he alleged that the Board's petition circulation process requiring candidates to gather signatures violates the Americans with Disabilities Act, and that an ANC election to be held in his SMD is illegal. During the week of May 23, the Office of the Attorney General received a service copy of the complaint, and their equity division will be handling the matter on behalf of the Board.

6. Muhammad v. D.C. Board of Elections (D.C. Court of Appeals)

Ms. Muhammad filed a petition for review of a Board enforcement order imposing a \$150 civil fine because she failed to personally witness signatures on her nominating petition. She also requested that the court stay the fine and offered an affidavit from her counsel. On April 23, the court denied Ms. Muhammad's request for a stay. On April 28, the Board filed the agency record, a motion for summary affirmance of the Board's enforcement order, and a request to strike the affidavit of counsel. On May 21, the court issued an order denying the motion for summary affirmance as premature. On May 22, the court issued a briefing order setting the petitioners brief to be due on July 1 and giving the Board 30 days to respond.

VI. CAMPAIGN FINANCE REPORT (PRESENTED BY WILLIAM SANFORD ON BEHALF OF CECILY COLLIER-MONTGOMERY)

A. Office of the Director

1. The full report of the May 2025 activities of the OCF will be posted at ocf.dc.gov.

2. Community Outreach

On May 17, OCF participated in a Community Resources Fair at the Greater Washington Urban League. On May 17, OCF participated with other District Agencies in the Metropolitan Police Department/ Department of Parks and Recreation Late Night Hype Community Outreach event at the Banneker Recreation Center in the Shaw neighborhood. On May 21, OCF held an information session at the Anacostia Library Branch in partnership with D.C. Public Library.

B. Fair Elections Program ("FEP") Division

1. Authorized Base Amount and Matching Payments

a) 2022 Election Cycle

OCF authorized the disbursement of \$12,358,606.95 from the FEP fund in base amount and matching payments.

b) 2024 Election Cycle

There are 15 certified participating candidates in the FEP. OCF has authorized the disbursement of \$2,234,313.00 from the FEP fund in base amount and matching payments.

c) 2025 Special Election Cycle for Ward 8

There are three certified participating candidates in the FEP. OCF has authorized the disbursement of \$254,552.90 from the FEP fund in base amount and matching payments.

2. Candidates Certified/Disbursements Made During the Month of April for the 2025 Special Election

- a)** Mike for Ward 8 2025 Principal Campaign Committee. Matching payment of \$3,650.00 was authorized for disbursement on May 22.
- b)** Sheila Bunn for Ward 8 2025 Principal Campaign Committee. Matching payment of \$20,901.25 was authorized for disbursement on May 28.

3. Desk Reviews and Other Activities

There were 27 desk reviews of Amended Reports of Receipts and Expenditures (“R & E Reports”) and six Requests for Additional Information (“RFAI”) letters were issued. The sum of \$871,729.33 has been remitted for deposit in the FEP fund.

4. 2022 Preliminary Audit Findings Reports and Final Audit Reports Issued

- a)** Monte for Ward 3 Principal Campaign Committee Post Election Final Audit Report, issued on May 14.
- b)** Ebony for Ward 7 Principal Campaign Committee Preliminary Statement of Findings, issued on May 14.

C. Public Information and Records Management Division (“PIRM”)

1. R & E Reports

There was one filing date for R & E Reports in May: May 19 for Fair Elections Candidate Committees (2025 Special Election Candidates). There were four required filers. One timely filed, two extensions were granted, and one matter was referred to

the Office of the General Counsel.

2. Candidates and Treasurers who have completed the OCF Entrance Conference for March 2025

- a) Thomas Cortez, Candidate, Thomas Cortez for Ward 1
- b) Mateo Maya, Treasurer, Thomas Cortez for Ward 1

D. Reports Analysis and Audit Division (“RAAD”)

1. Desk Reviews and Other Activities

Completed 25 desk reviews of R & E Reports.

2. Ongoing Post-Election Audits

- a) Committee to Elect Eboni-Rose Thompson – Preliminary Draft Audit Report issued on April 18. An extension was granted to the Committee to file a response by June 3.
- b) Re-elect Trayon White 2024 – Preliminary Draft Audit Report issued on April 18, 2025. The Committee’s response was received on May 20, and an email was sent on May 28 to the committee listing outstanding issues.
- c) Jacque for DC 2024 – Records were requested from the committee but were not received. A hearing is scheduled for May 29.
- d) T. Michelle Colson State Board of Education (“SBOE”) Ward 4 – Preliminary Audit Report is being drafted.
- e) Eboni-Rose for SBOE Ward 7 – Preliminary Draft Audit Report issued on April 18. The response was received on May 21, and an email was sent on May 28, to the committee listing outstanding issues.

E. OCF OFFICE OF THE GENERAL COUNSEL REPORT (GENERAL COUNSEL WILLIAM SANFORD)

1. Monthly Intake/Output Report

During May, the OGC received one referral, completed six informal hearings, and issued six orders. In three orders, no fines were imposed and three orders imposed fines totaling \$1,620. These included fines of \$160 against Kahdiyah Long Ward 8, \$160 against Long Ward 8 Team Solutions, and \$1,300 against Friends of Robert White.

2. Request for Interpretive Opinions

None.

3. Open Investigations

None.

4. Show Cause Proceedings

None.

VII. PUBLIC COMMENT

The discussion in the public matters portion of the meeting can be found on pages 31-35 of the transcript.

VIII. ADJOURNMENT

The meeting was adjourned at 11:12 a.m.