

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

In the Matter of)	
Ayisha Owens)	Administrative
)	Order #26-018

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on April 1, 2026. It concerns a recommendation by the Board’s General Counsel that the Board refer Ayisha Owens to the D.C. Office of Attorney General (“OAG”) for criminal investigation. Chairman Gary Thompson and Board member Karyn Greenfield presided over the hearing. The Board’s General Counsel, Terri Stroud, was also present.

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 (“OGC”) became aware of evidence that ballots were cast in the name of Ayisha Owens in the D.C. 2024 General Election (“GE”) and in the 2024 GE in Maryland.¹ The D.C. ballot was cast in person on Election Day, November 5, 2024. The Maryland ballot was cast by mail on September 26, 2024. In light of the ERIC report findings, Board staff reviewed the signatures on the Poll Pad for the D.C. mail ballot cast in Ms. Owens’s name against the signature provided on the return envelope for the Maryland ballot issued to Ms. Owens. The Board’s staff could not conclude that the signatures were not made by the same person.

¹ Those elections covered the U.S. Presidential race. Such evidence of voting twice presented the prospect of, *inter alia*, violations of 52 (“Voting and Elections”) U.S. Code § 10307 (“Prohibited Acts”).

Based on this evidence, the Board's Office of General Counsel ("OGC") opened an investigation targeted at Ms. Owens. OGC scheduled a prehearing conference and attempted to notify Ms. Owens of that proceeding by mail at the D.C. address that was in her D.C. voter file and at the Maryland address for her that was provided by that jurisdiction. Ms. Owens did not appear at the prehearing conference. OGC then sent certified mail notice to Ms. Owens that her case would be presented to the Board during the Board's regular meeting in March.²

At the Board's March meeting, Ms. Owens' case was called but she did not appear. Accordingly, the General Counsel advised that her office would seek at the Board's next regular meeting referral of this matter to the OAG.

At the Board's regular meeting on April 1, 2026, Ms. Owens' case was presented and again she did not come forward. The Board then heard from the General Counsel's Office with respect to the facts of the matter. The General Counsel attorney assigned to the matter described and requested admission into the record of evidence that tended to show that Ms. Owens voted twice in the same election.

Following the presentation of this and other similar enforcement matters, the General Counsel made a recommendation that the matter be referred to the OAG for further investigation and possible prosecution, provided however that her office would delay referral to give Ms. Owens 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.

² According to USPS tracking information, the letter to Ms. Owens at her D.C. address was delivered and left with an individual. The letter to her Maryland address was in the possession of USPS on February 11, 2026 and was still in transit as of the issuance of this order.

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.

Discussion

Voting twice in the same election can trigger prosecution for violating a number of election laws.⁴ The Board's enforcement powers with respect to criminal election law matters include referral to the OAG for investigation and prosecution. *See* D.C. Code § 1–1001.18(a)-(b).

The record before us contains evidence indicating that Ms. Owens illegally voted twice in the 2024 GE; once in Maryland and once in D.C. The last ballot cast was in D.C., a fact that we have relied upon to determine where the offense of double voting occurred. Absent an innocent explanation, the evidence is sufficient to support a finding of various election law violations.

That said, the capacity of the Board's OGC to investigate election law violations is limited. The OGC has made multiple attempts to contact Ms. Owens and has been unable to complete its investigation. The statutory power of the Board to refer matters to the OAG suggests that the law is intended to allow the Board to rely on OAG's investigatory resources in ferreting out election fraud. Unless Ms. Owens cooperates to assist us in resolving this matter, we have little choice other than to refer her for criminal investigation. Before we take that serious step, however, we agree, as suggested by the General Counsel, that the act of referral be delayed until Ms. Owens has had an opportunity to seek reconsideration of this order.

Conclusion

For the reasons indicated above, it is hereby:

⁴ *See* 52 U.S. Code § 10307(e) (prohibiting double voting) and D.C. Official Code §1-1001.09(g)(1) (providing that no person shall vote twice in an election) and D.C. Official Code §1-1001.14(a) (penalties for violating D.C. Official Code §1-1001.09(g)(1)). *See also*, with respect to the oath voters take at the time of voting whereby they affirm that they satisfy the qualifications for being a registered voter, including residency requirements, D.C. Code § 1–1001.14(a) (criminalizing “make any false representations as to the person’s qualifications for . . . voting”) and § 1–1001.14(a-1)(1)(D) (criminalizing fraudulently cast a ballot) and 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).

ORDERED that the recommendation of the General Counsel is **ACCEPTED**, and the Board's Office of General Counsel is directed, subject to the lapse of sufficient time for the filing of any accepted motion for reconsideration, to refer Ayisha Owens to the D.C. Office of Attorney General for further investigation and possible prosecution.

The Board issues this written order today, which is consistent with its oral ruling rendered on April 1, 2026.

Date: April 2, 2026



Gary Thompson
Chairman
Board of Elections