

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

DECEMBER 3, 2025

+ + + + +

The District of Columbia Board of Elections convened via videoconference, pursuant to notice at 10:30 a.m. EST, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair  
KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Executive Director  
TERRI STROUD, General Counsel  
CHRISTINE PEMBROKE, Office of the General Counsel  
WILLIAM SANFORD, Office of Campaign Finance

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:31 a.m.

3 CHAIR THOMPSON: Good morning, Karyn.

4 MEMBER GREENFIELD: Hello.

5 CHAIR THOMPSON: Good morning, everybody  
6 else. We are assembled, we are recording.

7 Good morning. My name is Gary Thompson,  
8 I'm the Chair of the DC Board of Elections. And  
9 with me today is my fellow Board Member, Karyn  
10 Greenfield, who's on by Zoom. Together, we have  
11 a quorum, and we are open for business.

12 The first thing we do is adopt our agenda.  
13 We've each had a chance to review it in advance,  
14 and at this time I would move the agenda.

15 MEMBER GREENFIELD: I second.

16 CHAIR THOMPSON: All right, all in favor.

17 (Chorus of aye.)

18 CHAIR THOMPSON: And also, we've reviewed  
19 our minutes from November 5th, and at this time I  
20 would move we adopt those minutes.

21 MEMBER GREENFIELD: I second.

22 CHAIR THOMPSON: All in favor.

1 MEMBER GREENFIELD: Aye.

2 CHAIR THOMPSON: And with that, I'll turn  
3 it over to Monica Evans for our Executive Director's  
4 report.

5 MS. EVANS: Thank you. Good morning.

6 This is the Executive Director Report for November  
7 2025.

8 On November 5th, I gave a presentation at  
9 Georgetown's McCourt School of Public Policy. We  
10 provided general election information and described  
11 the process of ranked choice voting. We also  
12 conducted a mock election for the students.

13 On November 18th, BOE hosted a group from  
14 the National Conference of State Legislatures. The  
15 group included individuals from other election  
16 jurisdictions.

17 The group was particularly interested in  
18 our voting practices and the equipment we use.

19 On November 24th, the general counsel and  
20 I attended a DC Council roundtable. BOE was asked  
21 to provide updates on equipment upgrades, voter  
22 registration efforts, list maintenance,

1 requirements and deadlines for candidates, ballot  
2 production, the 2026 election calendar, and the  
3 ranked choice voting process. We were asked to  
4 describe the details for the implementation of  
5 ranked choice voting. The Council record closes  
6 on December 8th.

7 Voter registration rolls. In November,  
8 BOE registered 2,255 new voters and processed 5,376  
9 registration changes. In total, we prepared 7,631  
10 voter registration cards to be mailed.

11 Additionally, 436 registered voters moved  
12 out of DC, 294 voters canceled their DC  
13 registrations, and registered with other  
14 jurisdictions, and 826 voters registered in DC after  
15 canceling their registrations in other states.

16 We are continuing to register voters using  
17 our website portal. To date, we have processed over  
18 101,730 applications using the portal.

19 These include new voter registrations and  
20 updates to existing registrations. Total  
21 non-citizen registration is 964. We registered  
22 three new non-citizen voters last month.

1                   Some non-citizens have been removed from  
2 the registry due to our list maintenance efforts.

3                   We're continuing our outreach in DC communities,  
4 to share information about non-citizens voting in  
5 local elections.

6                   2026 election cycle planning. As  
7 previously mentioned, we implemented the Automatic  
8 Voter Registration Expansion Act that was passed  
9 by the DC Council in 2022.

10                  Individuals who are eligible to register  
11 to vote will no longer be able to completely decline  
12 registration at the Department of Motor Vehicles.

13                  The names of individuals who decline will be  
14 forwarded to the Board of Elections.

15                  These individuals will be placed into a  
16 pending voter registration status. We will contact  
17 these people and they will have three options.

18                  They can have their names removed from the  
19 pending list, they may register to vote, or they  
20 may do nothing at all.

21                  If they do nothing, they will receive a  
22 mail ballot for two general election cycles. The

1 mail ballots will allow them to register and vote  
2 at the same time.

3 We are now maintaining a list of pending  
4 voters, and we have begun sending mailers to  
5 individuals on the pending voter list.

6 We are also continuing to monitor  
7 legislation and information on the federal level.

8 Legislation to repeal the Local Resident Voting  
9 Rights Amendment Act has passed the House.

10 Senator Britt introduced Senate Bill 2636  
11 that prohibits individuals who are not citizens of  
12 the United States from voting in elections in the  
13 District of Columbia, and to repeal the Local  
14 Resident Voting Rights Amendment Act of 2022.

15 There has been no further action in the Senate.

16 Ranked choice voting. During the 2026  
17 election cycle, we are scheduled to implement ranked  
18 choice voting, or RCV. We have been meeting with  
19 other jurisdictions and resource entities, to  
20 gather information and prepare.

21 The BOE Voter Education and Outreach  
22 Division administers year-round education,

1 outreach, and engagement activities and programs.

2                   In advance of the 2026 primary election,  
3 the BEOD will focus its strategic efforts on  
4 educating eligible voters in the District of  
5 Columbia on RCV. The goal is to educate and build  
6 voter confidence to ensure a smooth transition.

7                   BOE's outreach objectives regarding RCV  
8 are to provide educational materials and  
9 information to all eligible district voters,  
10 explaining how RCV works, to conduct hands-on  
11 demonstrations using voting equipment, to  
12 collaborate with community organizations and groups  
13 to access their membership to expand engagement and  
14 outreach opportunities around RCV, and to collect  
15 feedback from District residents on overall  
16 effectiveness of voter education efforts for RCV.

17                   We have reached out to other jurisdictions as we  
18 prepare to implement RCV.

19                   To date, we have reached out to  
20 representatives from Alaska, New York, Minnesota,  
21 Maine and Virginia. We have also met with entities  
22 such as FairVote Minnesota, World Democracy DC, and

1 the Ranked Choice Voting Resource Center.

2                   Because RCV is implemented differently by  
3 other jurisdictions, we are continuing to reach out  
4 to election offices to ensure we capture  
5 best-practices and review outreach materials.

6                   BOE outreach efforts will include  
7 postcards, a voter guide, online training tools,  
8 sample ballots, and a dedicated information lab at  
9 BOE headquarters. Mail ballots will also include  
10 information about RCV.

11                  We will attend ANC and Civic Association  
12 meetings, we will visit schools, senior facilities,  
13 libraries, the Department of Corrections, and  
14 rehabilitation centers. We plan to staff outreach  
15 events, conduct town hall meetings.

16                  We will have in-person and virtual  
17 engagements with DC residents. However, we know we  
18 cannot do it alone. We have developed a statement  
19 of work to receive assistance with implementation  
20 services. BOE will focus our strategic efforts on  
21 all DC residents.

22                  The target audience consists of registered

1       voters, pre-registered voters, and prospective new  
2       voters. Special emphasis will be placed on the  
3       following populations.

4                   Communities with low voter registration,  
5       first time and young voters, high school students,  
6       seniors and voters with disabilities, displaced and  
7       homeless citizens, voters with limited English  
8       proficiency, and faith-based communities. There  
9       are also many online tools to assist with explaining  
10      RCV.

11                  The BOE website will have information  
12       dedicated to RCV, including mock ballots,  
13       frequently-asked questions, and a primer.

14                  We will take mock ballots and voting  
15       equipment into communities. We will also make  
16       informational materials available to our community  
17       partners.

18                  Education will not end ahead of in-person  
19       voting. We will also be prepared to provide  
20       educational materials at vote centers.

21                  Finally, other jurisdictions have  
22       indicated that having the support of elected

1       officials is essential for our success. We are  
2       acutely aware that messaging will need to happen  
3       before our CV can be successful.

4               In addition to education, we need to set  
5       certain expectations. There will be delays in  
6       knowing which contests will be subject to RCV.

7               Until the candidate list is finalized, we  
8       will not know all of the contests that will contain  
9       three or more candidates. Vote times will also  
10      increase.

11               Ranking candidates during the voting  
12       process will take longer. We may need to deploy  
13       more equipment to vote centers. The use of mail  
14       ballots will also be helpful to reduce in-person  
15       vote times.

16               Finally, final election results may be  
17       delayed in contests subject to RCV. We will not  
18       be able to finalize tabulation rounds until all  
19       ballots are received, and that is ten days after  
20      Election Day.

21               Our biennial mail, canvass and list  
22       maintenance process. We're actively engaged in

1 list maintenance to ensure the accuracy and  
2 integrity of the voter registration database. The  
3 ongoing effort is critical to keeping the voter  
4 registration database accurate, and includes  
5 identifying and updating records for voters who have  
6 moved out of DC, voters who have changed addresses  
7 within DC, duplicate registrations, and deceased  
8 individuals.

9                   As part of our canvass, we sent two rounds  
10 of mailers to make sure the voter registration  
11 records are accurate. During the first canvass  
12 mailer, a total of 153,407 non-affordable mailers  
13 were sent to voters who did not participate in the  
14 2024 election cycle.

15                   The second canvass mailer was sent to  
16 21,983 voters who did not respond to the initial  
17 mailing.

18                   ERIC voter participation case activity.

19                   We are actively working with ERIC member states  
20 to review cases and identify any potential instances  
21 of voters casting multiple ballots in DC and another  
22 jurisdiction, or on behalf of a deceased individual

1       during the 2024 general election.

2               This review is part of our ongoing efforts  
3       to safeguard election integrity, and ensure that  
4       all votes cast are valid. We have reviewed 144  
5       flagged cases.

6               During the month of November, the Voter  
7       Education Outreach Division participated in four  
8       outreach events on behalf of the agency. Events  
9       included Potomac Job Corps and KIPP Public Charter  
10      School.

11               The division also drafted an outreach plan  
12       for RCV. We're currently refining that plan based  
13       on feedback we have received.

14               Election Worker Division. The Election  
15       Worker Division is processing all election worker  
16       applications that have been received through our  
17       website or from outreach efforts, and is preparing  
18       for the 2026 election cycle.

19               Specifically, the division continues to  
20       update the registration clerk scenarios for all  
21       training classes, to include the new procedures for  
22       ranked choice voting and the Automatic Voter

1 Registration Expansion Act, work on updates for  
2 online training modules, to include new modules for  
3 early voting and Election Day opening and closing  
4 procedures, update the 2026 Vote Center Operation  
5 Manual, work on enhancements for our EWP module,  
6 and make modifications for ranked choice voting,  
7 as it relates to education and election worker  
8 training for the Vote Center Operations Manual.

9 ANC vacancies. We currently have sixteen  
10 active ANC vacancies for the 2025-2026 term. These  
11 positions are in different stages of being filled.

12 After candidate filing requirements are  
13 met, an open vote of registered voters of the  
14 affected SMD will be held during regularly scheduled  
15 ANC meetings, and we are working with the Office  
16 of OANC and we will begin attending ANC elections  
17 to oversee the tabulation process.

18 And that concludes my report. Thank you.

19 CHAIR THOMPSON: All right. Thank you  
20 very much. And thank you to the Director and the  
21 staff for all this excellent work.

22 I would also refer people, if they would

1 like more detail, including about ranked choice  
2 voting preparation, to the Director's testimony  
3 that was provided on November 24th before the  
4 Committee on Executive Administration and Labor.

5 You can find that at the DC Council website. It's  
6 got a lot of good detail, especially about our many  
7 preparations for voter outreach and other efforts  
8 in advance of the ranked choice voting  
9 implementation.

10 So, with that, I will turn it over to our  
11 General Counsel, Terry Stroud.

12 MS. STROUD: Thank you, and good morning.  
13 The first item on my agenda is the Board's adoption  
14 of the formulations for Initiative Measure Number  
15 85, the Prohibiting Force-Feeding of Birds Act.

16 And I just want to determine whether or  
17 not the proposer of the measure, Cady Witt, is  
18 present. And I see that Ms. Witt is present. So,  
19 I just wanted her to be able to be raised to the  
20 level of panelists so that she could participate.

21 By way of background, the measure was  
22 submitted by Ms. Witt on October 2nd. On October

1 27th, the Board received proper subject advisory  
2 opinions from both the General Counsel for the  
3 Council and the Office of the Attorney General.

4                   Based on the information provided and the  
5 Board's own analysis of the measure, the Board  
6 accepted the measure as presenting a proper subject  
7 on November 5th, and issued a written order the next  
8 day.

9                   And with respect to the order, the General  
10 Counsel for the Council was unable to reach a  
11 conclusion as to whether or not the measure  
12 presented a proper subject, and the Attorney General  
13 said that it did present a proper subject.

14                   And the Board concluded that, based on the  
15 evidence it had at the time, which did not include  
16 the fiscal impact statement, we could not determine  
17 that the measure did not present a proper subject,  
18 and so undertook to proceed with the continuation  
19 of processing the measure.

20                   And what we are here today to do is have  
21 the Board adopt the formulations that were prepared  
22 by Board staff, in accordance with 1-1001.16(c),

1 which says that within twenty calendar days of the  
2 date that the Board accepts an initiative measure,  
3 the Board shall prepare a true and impartial summary  
4 statement, prepare a short title for the measure,  
5 prepare in the proper legislative form the  
6 legislative text of the measure, with input from  
7 the Attorney General and the General Counsel for  
8 the Council.

9                   The other thing that the Board is to do  
10 -- Board staff -- is request a fiscal impact  
11 statement from the Office of the Chief Financial  
12 Officer, who shall issue a fiscal impact statement.

13                   And so, the Board staff administered that  
14 process. And today, it falls to the Board to, adopt  
15 the formulations that have been prepared.

16                   And so, that is the purpose of today's  
17 meeting. And so, Randy, we're going to put the  
18 formulations, as prepared, on the screen for you  
19 to see.

20                   So, the initiative measure is titled --  
21 it's number 85. The short title is Prohibiting  
22 Force-Feeding of Birds Act, and I will read the

1 summary statement into the record.

2                   If enacted, this initiative would, (A)  
3 prohibit any person from force-feeding a bird for  
4 the purpose of enlarging the bird's liver beyond  
5 normal size; (B) ban the sale or distribution of  
6 any product resulting from force-feeding a bird,  
7 including foie gras; (C) define force-feeding as  
8 inserting a tube into the bird's throat to deliver  
9 excessive feed;

10                   (D) provide for enforcement by the  
11 Department of Energy and Environment during routine  
12 food safety inspections; (E) provide for civil  
13 penalties.

14                   And then the legislative text follows, and  
15 the Board received input from the Office of the  
16 Attorney General with respect to the proper format.

17                   And this is the result of the process of  
18 formulation.

19                   And so, Ms. Witt has had the opportunity  
20 to review the formulations, and, Ms. Witt, if you  
21 have anything to share at this time.

22                   MS. WITT: Yes. Thank you for having us.

1 I was wondering, could I actually pass this over  
2 to our lawyer Hannah, who's on this call?

3 MS. STROUD: Yeah, I see no reason why not.

4 MS. WITT: Awesome. Thank you.

5 MS. TRUXELL: Hello, can you hear me?

6 MEMBER GREENFIELD: Yes.

7 MS. TRUXELL: Good morning. My name's  
8 Hannah Truxell, and before we get started, I want  
9 to disclose first that I'm barred in the State of  
10 Kentucky, not in the District, and wanted to ask  
11 that to the extent that my participation here  
12 constitutes the practice of law, that you all will  
13 authorize me to represent Cady.

14 CHAIR THOMPSON: You are authorized and  
15 welcome on a pro hoc vice basis. Thank you.

16 MS. TRUXELL: Great, thanks so much. So,  
17 we have two requests. The first is our understanding  
18 from the November 5th hearing was that we authorized  
19 the Board to insert language about enforcement, that  
20 included that it would be subject to appropriations.

21 And based on our review, we don't see that  
22 language included. So, what point will that be

1 added?

2 MS. STROUD: That will not be added,  
3 because we do not think that it is within the Board's  
4 authority to add that language.

5 MS. TRUXELL: You don't believe it's  
6 within the Board's authority?

7 MS. STROUD: We do not.

8 CHAIR  
9 THOMPSON: You would have to withdraw and resubmit  
10 it. Nevertheless, I think we determined that it  
11 was a proper subject matter.

12 MS. STROUD: Well, we determined, based  
13 on the information that we had, that the Board could  
14 not rule that it was not a proper subject based on  
15 speculative, fiscal impact. We did not have at the  
16 time the fiscal impact statement, which is available  
17 now.

18 And it is not within the Board's authority  
19 to stop the process at this point. And so, once  
20 the measure is published, any objections that anyone  
21 has based on proper subject or the formulations,  
22 can be addressed via litigation.

23 But the Board does not view its role as

1 to insert that language. But the Board did rule  
2 that with the information that the Board had at the  
3 time, there was no reason to not find that it  
4 presented a proper subject. And the order that was  
5 issued makes the Board's position clear on that  
6 point.

7 MS. TRUXELL: Sure. Okay. That seems  
8 different from what we discussed at the hearing,  
9 because we had authorized you all to add that  
10 language.

11 MS. STROUD: The authority to add that  
12 language does not change the Board's authority with  
13 respect to the formulations.

14 MS. TRUXELL: I see. Okay. All right  
15 then. So, with regard to Section D under the  
16 Summary Statement, the change that we were going  
17 to request was to add language that says, "Provide  
18 for enforcement by the Department of Energy and  
19 Environment," and then the specific language would  
20 be, "as part of its existing routine food safety  
21 inspection framework."

22 MS. STROUD: So, this was language that

1 you requested to have added subsequently? Or, I'm  
2 not clear on what --

3 MS. TRUXELL: At this moment, is that a  
4 change that can be made to the formulation?

5 MS. STROUD: That is up to the Board. The  
6 Board would have to determine -- because again, I  
7 just want to stress that it's the Board's authority  
8 to adopt the formulations.

9 If you're requesting that the Board make  
10 that edit to the proposed formulations, I'm assuming  
11 that you're asking the Board to do that now.

12 MS. TRUXELL: That is correct.

13 MS. STROUD: Okay.

14 CHAIR THOMPSON: Yeah. Can you say that  
15 again?

16 MS. TRUXELL: Provide for enforcement by  
17 the Department of Energy and Environment as part  
18 of its existing routine food safety inspection  
19 framework. I don't know if you --

20 CHAIR THOMPSON: Framework?

21 MS. STROUD: You said as part of its  
22 existing routine food safety inspection framework?

1 MS. TRUXELL: That's correct.

2 CHAIR THOMPSON: It's a little wordy, but  
3 it's okay. I mean, it --

4 MEMBER GREENFIELD: I mean,  
5 realistically, isn't it not part of its existing  
6 routine food inspection?

7 Or is it "framework," because it's not in  
8 the framework?

9 MS. TRUXELL: They already have a food  
10 inspection framework.

11 MEMBER GREENFIELD: Okay.

12 MS. TRUXELL: So, this would be part of  
13 it. The point is that they would not be conducting  
14 additional inspections as a result of this  
15 initiative. It would be part of the existing  
16 process that they already have.

17 MEMBER GREENFIELD: Okay.

18 MS. STROUD: So, what about, "Provide for  
19 enforcement by the Department of Energy and  
20 Environment during its routine food safety  
21 inspections?"

22 MS. TRUXELL: That works.

1 MEMBER GREENFIELD: Yeah, okay. Okay.

2 Yeah, I'm fine with that.

3 CHAIR THOMPSON: Yeah. We'll just insert  
4 the word, "its," after "during," and I think that  
5 goes to the point that -- I assume your argument  
6 is that therefore, this act would not require  
7 appropriations, because it fits within the existing  
8 inspection.

9 MS. TRUXELL: That's correct.

10 CHAIR THOMPSON: Okay. Okay.

11 MS. STROUD: Okay. So, I will read the  
12 summary statement into the record again, with the  
13 new addition. "If enacted, this initiative would  
14 prohibit any person from force-feeding a bird for  
15 the purpose of enlarging the bird's" -- I can't see  
16 the screen -- "the bird's liver beyond normal size;  
17 (B) ban the sale or distribution of any product  
18 resulting from force-feeding a bird, including foie  
19 gras; (C) define force-feeding as inserting a tube  
20 into the bird's throat to deliver excessive feed;  
21 (D) provide for enforcement by the Department of  
22 Energy and Environment during its routine food

1 safety inspections; (E) provide for  
2 civil penalties."

3 MEMBER GREENFIELD: Okay.

4 MS. STROUD: I might want to add an "and"  
5 after that (E).

6 MEMBER GREENFIELD: Yeah.

7 MS. STROUD: Just for grammar.

8 CHAIR THOMPSON: You mean after --

9 (Simultaneous speaking.)

10 MS. STROUD: After the semicolon in (D),  
11 add an "and," so that it reads, "and provide for  
12 civil penalties."

13 MEMBER GREENFIELD: Okay.

14 CHAIR THOMPSON: Okay.

15 MS. STROUD: Okay? And so, having  
16 received the input from the proposer -- again, these  
17 are the Board's formulations to adopt, which it is  
18 doing at a public meeting. And I just want to read  
19 into the record the statute that provides for this,  
20 1-1001.16(d)(1), "After preparing an initiative or  
21 referendum measure, the Board shall call a public  
22 meeting to adopt a summary statement, short title,

1 and legislative form of the measure."

2                   And that is what is happening today. And  
3 so, I've read into the record the Board's  
4 formulation of the short title and summary  
5 statement, which will appear on the ballot and in  
6 information that is provided regarding the measure.

7                   And so it's appropriate at this time for  
8 the Board to make a motion with respect to the  
9 adoption.

10                  CHAIR THOMPSON: Okay. I find the short  
11 title to be very clear, the summary statements --

12                  MS. STROUD: I'm sorry, Mr. Chair. Ms.  
13 Truxell has raised her hand.

14                  CHAIR THOMPSON: Oh. You have a comment  
15 before I make my motion?

16                  MS. TRUXELL: I actually have a question.  
17 I want to go back to the piece about the subject  
18 to appropriations. So, based on what you shared,  
19 in order to add the language about subject to  
20 appropriations, the initiative would need to be  
21 withdrawn and resubmitted with that language. Is  
22 that correct?

1                   MS. STROUD: That is correct. I think that  
2 the Office of the Attorney General indicated that  
3 as part of the formulation process that language  
4 could be added.

5                   We do not share that view. And so, if you  
6 wanted to add that language, that would require the  
7 submission of another version.

8                   MS. TRUXELL: I see.

9                   CHAIR THOMPSON: There's precedent for  
10 that. I think a former initiative withdrew and then  
11 resubmitted with that language.

12                  I mean, it seems simple, but we don't want  
13 to crack that door open and start being responsible  
14 for making even small edits to a proposer's  
15 initiative, so we just leave that for you to decide  
16 whether you feel like you need to do it or not do  
17 it, for whatever purpose.

18                  MS. TRUXELL: Sure. In our view, it's not  
19 a material change, and the case law seems to align  
20 with the Board having authority to add that  
21 language, that it could cure the issue of fiscal  
22 impact.

1                   MS. STROUD: I think the Chair is correct  
2 with respect to precedent, with respect to this  
3 point.

4                   MS. TRUXELL: Okay.

5                   MS. STROUD: And again, what's going to  
6 happen is that -- and this is just to inform the  
7 public about what the next steps are with respect  
8 to this process.

9                   Once the Board adopts these formulations,  
10 they will be posted for a ten-day review period,  
11 during which people can weigh in not only with  
12 respect to the formulation, but the proper subject  
13 issue.

14                   So, what's happening today is the adoption  
15 of the formulations, and then it will proceed down  
16 the course as specified by law, for processing of  
17 initiative measures.

18                   MS. TRUXELL: Thank you.

19                   CHAIR THOMPSON: Okay. With that, the  
20 Chair moves that we adopt the short title and the  
21 summary statement as formulated and edited in this  
22 meeting.

1 MEMBER GREENFIELD: I second.

2 MS. STROUD: Okay, and we'll take a roll  
3 call vote with respect to the motion. Mr. Chair?

4 CHAIR THOMPSON: Chair votes aye.

5 MS. STROUD: Madam Greenfield?

6 MEMBER GREENFIELD: Aye.

7 MS. STROUD: And with that, the Board has  
8 adopted the formulations prepared and modified  
9 today. And so, this will be placed in the DC  
10 Register and in a newspaper of general circulation,  
11 and it will be the publication in the DC Register  
12 that triggers the ten-day review period during which  
13 any registered qualified elector in DC can object  
14 to the formulations, as well as other items.

15 And so, I anticipate that the formulations  
16 will appear in the December 12th issue of the DC  
17 Register, because we will put it in, and then it'll  
18 appear in, not this Friday's edition, but the next  
19 Friday's edition. So, that will launch the review  
20 period.

21 And with that, the Board having adopted  
22 the summary statement, we will move the process

1 along.

2 CHAIR THOMPSON: All right, all good.

3 Thank you very much. Okay.

4 MS. STROUD: And the next item on my agenda  
5 are enforcement matters. We have five, and they  
6 are indicated on the agenda.

7 And while we'll go through each one, I want  
8 to say that the first two have to do with activity  
9 that occurred during the petition circulation  
10 period for the July special election for Ward 8,  
11 and the other three have to do with information the  
12 Board received in the course of its ERIC, the  
13 Electronic Registration Information Center, our  
14 participation in their voter participation project,  
15 where we determine whether or not ballots were cast,  
16 both in DC and in another jurisdiction, or multiple  
17 times within DC, and take action with respect to  
18 that activity, as necessary.

19 And with that, I have senior staff attorney  
20 Christine Pembroke present to present with respect  
21 to the enforcement hearings.

22 MS. PEMBROKE: Thank you, General

1 Counsel. So, as the General Counsel mentioned, the  
2 first two matters concern petition circulation  
3 issues with respect to candidate in the special  
4 election for Ward 8 Councilmember Kenneth Diggs.

5 So, on April 1st, Mr. Diggs submitted his  
6 declaration of candidacy at the Board's offices for  
7 that seat.

8 And at that time, he signed a receipt of  
9 ballot access documents form, whereby he  
10 acknowledged that he was being provided with  
11 instructions on circulating and filing petitions,  
12 pertinent regulations, and other ballot access  
13 documents.

14 Mr. Diggs then submitted his petition.

15 In each petition sheet he provided consisted of a  
16 Board-issued form that had on the top half the fields  
17 for the names, addresses and signatures of ten  
18 petition signers, and the lower half was  
19 instructions for circulating the sheet that  
20 included a statement that the circulator must  
21 personally witness the signing of each of the  
22 signatures that appears on this petition.

1                   The affidavit portion required the  
2 circulator to swear or affirm that the circulator  
3 personally witnessed the signing of each signature  
4 thereon, and personally inquired of each signer,  
5 whether the signer is a duly registered voter in  
6 the District of Columbia.

7                   That affidavit was based on statutory  
8 requirements that circulators personally witnessed  
9 the signing of each signature on the sheet and  
10 inquire of each signer as to whether they were  
11 registered voter. Then, Mr. Diggs was also  
12 provided with regulations that reiterated those  
13 requirements.

14                   On April 17th, he submitted his petition.  
15                   And after the petition was accepted by the Board  
16 staff and posted as required by law, a DC voter  
17 submitted a timely challenge to the petition  
18 signatures.

19                   As a result, the Board's registrar voter  
20 reviewed the challenged signatures and issued a  
21 report of her findings on the challenges.

22                   In that report, the registrar found that,

1 among other things, petition sheet number 64, dated  
2 April 17, 2025, contained two signatures that were  
3 made in the same hand. The register's report was  
4 emailed to Mr. Diggs on May 1, 2025.

5 In light of that report's findings with  
6 respect to sheet 64, the Office of General Counsel  
7 attorney assigned to the challenge matter, which  
8 was me, sent Mr. Diggs an email reminding him of  
9 the requirement that circulators personally witness  
10 each person sign the petition, and of the possible  
11 fault circulator affidavits, and of the  
12 prohibitions against making false statements to DC  
13 government  
14 entities, and the criminal penalties for violating  
15 these requirements.

16 I sent that to Mr. Diggs, because he  
17 happened to be the circulator of petition sheet  
18 number 64. So, not only was he the candidate, but  
19 he was also the circulator. Mr. Diggs then withdrew  
20 his candidacy for the Councilmember seat.

21 After the conclusion of the 2025 special  
22 election, the Office of General Counsel launched

1 an investigation into the suspect signatures.

2 On November 17, 2025, a prehearing  
3 conference was conducted before, the Office of  
4 General Counsel. Mr. Diggs was present, as well  
5 as the individuals having the names of the voters  
6 with the suspect signatures.

7 During the prehearing conference, Mr.  
8 Diggs denied knowingly participating in any forgery  
9 on sheet 64, but acknowledged that he was not paying  
10 attention to the entry of every signature, and could  
11 have been distracted when a signer entered a  
12 signature.

13 As a result of the information obtained  
14 at the prehearing conference in its investigation,  
15 OGC determined that Samante Baldwin had signed Mr.  
16 Diggs' petition for himself and for another resident  
17 of his household.

18 Following the prehearing conference, Mr.  
19 Diggs was duly notified that this matter would be  
20 presented to the Board, and in anticipation of the  
21 Board hearing, Mr. Diggs provided a written  
22 statement to the Board, in which he reiterated that

1 he did not engage in any forgery.

2                   Mr. Samante Baldwin was also notified that  
3 this matter would be presented to the Board at this  
4 meeting. And in addition, we provided the Board  
5 with evidence that's relevant to this matter,  
6 including several exhibits that consist of the  
7 registrar's report in the challenge matter, where  
8 she noted her finding of signatures written in the  
9 same hand on petition sheet 64.

10                  The email that I sent to Mr. Diggs warning  
11 him of the consequences of a possible failure to  
12 witness, personally, each person signing petition  
13 sheet 64, showing the lines were -- two signatures  
14 are written in the same hand, and signature samples  
15 for Samante Baldwin, showing that those samples  
16 match the signatures that were entered on the  
17 suspect lines on petition sheet 64.

18                  At this time, I would ask the Chair admit  
19 into the record the exhibits that have been provided  
20 by the Office of General Counsel.

21                  CHAIR THOMPSON: Yes, thank you. So  
22 admitted.

1 (Whereupon, the above-referred to  
2 exhibits were received into evidence.)

3 MS. PEMBROKE: So, I believe Mr. Diggs is  
4 here, but I do not know if Mr. Baldwin is appearing.

5 MR. DIGGS: I'm here, Mr. Diggs.

6 CHAIR THOMPSON: Hey. Good morning, Mr.  
7 Diggs. Thanks for being here. We appreciate it.

8 MR. DIGGS: Yes.

9 CHAIR THOMPSON: Did you hear all that  
10 okay?

11 MR. DIGGS: I heard everything.

12 CHAIR THOMPSON: Okay. So I guess, if  
13 you'd like, you could make a statement, and perhaps  
14 you could focus at the moment of distraction. Or,  
15 you say --

16 MR. DIGGS: Sure. Sure, I'd like to first  
17 start off by saying good morning, Members of the  
18 Board.

19 My name is Kenneth Diggs, and I appreciate  
20 the opportunity to speak. I want to state clearly  
21 that I did not forge any signatures, I did not  
22 encourage anyone to sign for another person, and

1 I submitted my petition in complete good faith.

2 I submitted more than 545 valid signatures  
3 -- far above the required minimum -- within a  
4 sixty-day period. So, I was hustling to obtain  
5 these signatures.

6 Even after challenges, I still had  
7 sufficient valid signatures, which reflects my  
8 genuine effort to comply fully with election rules.

9 It was a time constraint for me, and as  
10 well as resources. So, when I initially received  
11 the threatening email from Ms. Marissa Corrente --  
12 threats that ultimately caused me the premature  
13 withdrawal from the election, because I didn't have  
14 the time or the resources to deal with that, deal  
15 with the election. I was in school, I've got  
16 several sons in school, I just didn't have time.

17 I knew I had more than enough signatures,  
18 but I just didn't have time to address this issue,  
19 the two frivolous challenges.

20 Oh, and as far as the distraction, I was  
21 harassed multiple times when acquiring signatures.

22 Let me also add this. Mr. Baldwin, his

1 mom was not visible. She didn't allow video  
2 correspondence during prehearing, and Mr. Samante,  
3 he kept the camera at an angle where I was unable,  
4 or my witnesses were unable, to identify him. So  
5 I wasn't able to recollect if and when he signed  
6 my petitions.

7                   But I'm almost certain that during one of  
8 my several encounters at the Giant with security,  
9 who showed favor for one candidate over another one,  
10 I was actually told that I was not able to acquire  
11 signatures on the property.

12                   And so I was pulled while my clipboard was  
13 circulating. I was distracted with that degree of  
14 harassment. And that happened multiple times at  
15 the Safeway, and the Giant multiple times.

16                   CHAIR THOMPSON: Thank you very much. Do  
17 you all have any questions for Mr. Diggs?

18                   MS. STROUD: I just want to just state for  
19 the record that the allegation was never, Mr. Diggs,  
20 that you forged signatures. What the evidence  
21 seems to suggest is that you just did not personally  
22 witness the signing of that particular petition

1 sheet.

2 So, there's no suggestion or finding that  
3 you forged any signatures whatsoever. That's not  
4 what this matter is about. It is about the  
5 circulator's responsibility to personally witness  
6 the signing of each signature on the petition sheets  
7 that they are circulating.

8 And as the circulator of that sheet -- and  
9 it seems that you have, yourself, indicated that  
10 there was distraction in connection with, perhaps  
11 not only this sheet, but perhaps others. But the  
12 finding is with respect to petition sheet 64, that  
13 signatures were made, in the same hand.

14 And the evidence seems to suggest that that  
15 did happen. So, I just want to clarify for you that  
16 the question is not whether  
17 or not you forged any signatures.

18 MR. DIGGS: Well, let me be clear. I'm  
19 clear on that. I believe that this would have been  
20 dispelled if the Board of Elections had found  
21 prudence that Mr. Samante did, in fact, sign these  
22 signatures prior to my withdrawing, or prior to the

1 threats made.

2 So, there's never been a doubt there. But  
3 I just have to make it clear, because there were  
4 other findings in the signatures. So, I just want  
5 to make it clear across the board, I didn't forge  
6 any signatures. So, that's why that was stated.

7 MS. PEMBROKE: Mr. Chairman, could I just  
8 add one thing to the record? Because I know Mr.  
9 Diggs keeps referring to threats made.

10 MR. DIGGS: Yeah.

11 MS. PEMBROKE: When we're in the  
12 prehearing situation, where there's evidence of a  
13 possible crime that's been committed, we have to  
14 warn people of their right against  
15 self-incrimination, and the risk that they are  
16 taking when they appear at a prehearing conference  
17 and makes comments.

18 And so, the email that was sent to him was  
19 not intended as a threat. It was to make sure that  
20 his rights, his constitutional right against  
21 self-incrimination, was protected.

22 CHAIR THOMPSON: I fully appreciate that.

1       At this time, why don't we hear General Counsel's  
2 recommendation, then I'll have some comments for  
3 you, Mr. Diggs.

4                    MR. DIGGS: Sure.

5                    MS. STROUD: Okay. So, my recommendation  
6 would be that the Board impose a civil fine of \$50  
7 on Mr. Diggs because of the apparent absence of  
8 meeting the obligation to personally witness the  
9 signing on the petition sheet that he was  
10 circulating -- specifically, petition sheet 64 --  
11 with respect to the signatures attributed to Mr.  
12 Baldwin and another individual.

13                  MR. DIGGS: Can I say something to that?

14                  CHAIR THOMPSON: Go ahead.

15                  MR. DIGGS: Okay. Yes, the Office of  
16 General Counsel has already determined that the  
17 signatures attributed to Mr. Baldwin matches his  
18 official signature samples. But he and his mom  
19 denied clearly that they had signed my petition,  
20 while not making themselves identifiable via  
21 videoconference. Okay?

22                  This confirms that he did in fact sign my

1 petition. But I cannot be held responsible for a  
2 signer who later denies signing, especially when  
3 the Board's own analysis confirms the signature is  
4 his. But you want to impose a fine upon me. That  
5 makes no sense.

6 CHAIR THOMPSON: All right. Let me do you  
7 a favor, Mr. Diggs. I appreciate you being here,  
8 I appreciate your candor, and I appreciate the  
9 counsel's recommendation.

10 But personally, I don't support a motion  
11 to impose a civil fine. I guess I would analogize  
12 this to, like, a warning.

13 MR. DIGGS: Right.

14 CHAIR THOMPSON: Getting pulled over and  
15 getting a warning. And I mean that seriously,  
16 because, I mean, the time I've been on the Board,  
17 I think we've made it quite clear to everybody, that  
18 if you're a circulator, you have to personally  
19 witness each signer signing the petition.

20 And that's a really important requirement.  
21 We have imposed civil fines on many people who have  
22 failed in that regard.

1                    Sometimes it's a pattern across entire  
2 circulator sheets. You can see that it's a real  
3 problem with the integrity of the circulator over  
4 and over and over. And that's something that we  
5 take seriously, and that we'll continue to  
6 investigate and enforce.

7                    However, in this particular case, it looks  
8 like this was a moment in time where somebody else  
9 possibly forged the signature of someone else in  
10 their household, and you as the candidate, as the  
11 circulator, are standing there, and I appreciate  
12 that it's not easy to witness precisely what's  
13 happening at those points in time that you could  
14 have been distracted, but I think it's fair to say  
15 that maybe you let your guard down and you could  
16 have done a better job, and in the future, if you  
17 run again, to just sort of take each signature as  
18 you see it quite seriously.

19                   But I personally, I appreciate you being  
20 here. I've listened to you. I've heard you. I've  
21 personally been a candidate trying to get  
22 signatures, and I know what that's like, trying to

1 flag somebody down while they're walking their dog  
2 or something. I try to pay attention, of course.

3                   But there's a disconnect there that isn't  
4 always perfect. So, I take to heart your comments  
5 about being distracted in that moment, and while  
6 I might criticize you or give you a warning, I don't  
7 support a motion for a fine.

8                   MR. DIGGS: I appreciate that. Thank you  
9 for your empathy.

10                  CHAIR THOMPSON: My fellow Board Member  
11 might want to make a motion. I'm not sure.

12                  MEMBER GREENFIELD: No, I agree with you  
13 on this one. Thanks for coming to testify, Mr.  
14 Diggs, but I'm in agreement with you, Gary, on this.

15                  MS. STROUD: And so, what is the motion?

16                  CHAIR THOMPSON: No motion.

17                  MS. STROUD: There's no motion? Okay.

18                  CHAIR THOMPSON: We need a motion to say  
19 we're not imposing a fine?

20                  MS. STROUD: Maybe a motion that you do  
21 not accept the general counsel's recommendation,  
22 and have decided --

1                   CHAIR THOMPSON: A motion that the Board  
2 does not accept General Counsel recommendation to  
3 impose a \$50 civil fine, with a warning to Mr. Diggs.

4                   MEMBER GREENFIELD: Okay. I second.

5                   MS. STROUD: Okay. And with that, we'll  
6 take a roll call vote. Mr. Chair?

7                   CHAIR THOMPSON: Aye.

8                   MS. STROUD: Madam Greenfield?

9                   MEMBER GREENFIELD: Aye.

10                  MS. STROUD: Okay. And with that, the  
11 Board has decided to not impose a civil fine of \$50  
12 on Mr. Diggs, and instead issue a warning, which  
13 it has on the record. And with that, this matter  
14 is concluded.

15                  The second matter is related to the first  
16 and involves the circulator. And if I could  
17 determine whether Mr. Samante Baldwin is present  
18 on the phone.

19                  Or if you're one of the numbers, Mr.  
20 Baldwin, because we can't determine -- if you could  
21 raise your hand, or put in the chat whether or not  
22 -- okay. It appearing that Mr. Baldwin is not

1 present, first, I'll have Ms. Pembroke indicate the  
2 means that she used to notify Mr. Baldwin of today's  
3 proceeding.

4 MS. PEMBROKE: Yes. So, Mr. Baldwin, as  
5 Mr. Diggs noted, appeared at the prehearing  
6 conference. At that time, I did ask Mr. Baldwin to  
7 provide his email address and to agree to use that  
8 email address for communicating in this matter.  
9 He agreed to that, he provided an email.

10 I emailed him notification of the Board  
11 hearing. I believe I also emailed him recently  
12 another reminder, and none of those emails bounced  
13 back.

14 And let me just say the first email in which  
15 I reached out to him following the prehearing  
16 conference, was after we did further investigation  
17 of the signatures on sheet 64 and ascertained that  
18 those signatures matched signature samples for him  
19 in our voter file.

20 So, my email to him informed him of that  
21 and notified him that the matter would go before  
22 the Board on December 3rd. And, he has not been

1 in communication with us since then.

2 And also, just quickly, for the record.

3 So, with respect to Mr. Baldwin, the statutory  
4 provision at issue is DC Code 1-1001.08(b)(3), which  
5 provides that each petition signature must be made  
6 by the person whose signature it purports to be,  
7 and not by any other person.

8 And so, when he signed for another member  
9 of his household, Mr. Baldwin violated that  
10 provision.

11 MS. STROUD: And I will say that he does  
12 not appear to be present, but pursuant to 3 DCMR  
13 403.4, the Board is permitted to proceed ex parte  
14 with respect to this matter.

15 CHAIR THOMPSON: Okay.

16 MEMBER GREENFIELD: Okay.

17 CHAIR THOMPSON: Who is the other member  
18 of his household? His mother?

19 MS. PEMBROKE: I try not to disclose  
20 people who are arguably victims in these cases.

21 CHAIR THOMPSON: Got it.

22 MS. PEMBROKE: But yeah.

1 MS. STROUD: Okay.

2 MS. PEMBROKE: So, I would also mention  
3 that, Mr. Baldwin was also warned that the Board  
4 could proceed in his absence. That's part of our  
5 routine notification of hearing matters that was  
6 provided.

7 MS. STROUD: Okay. And will you walk  
8 through the background?

9 MS. PEMBROKE: Yeah. So, the facts are  
10 essentially the same as they were in Mr. Diggs case.

11 We had contacted the individuals whose names  
12 appeared on Mr. Diggs, petition sheet number 64,  
13 that were written in the same hand, using  
14 information we had from our voter roll, and notified  
15 them that there would be a prehearing conference.

16 And they appeared at that prehearing conference  
17 spontaneously, and argued at that time that a check  
18 of the signatures on the voter roll against the  
19 signatures on the petition sheet would show that  
20 they had not signed Mr. Diggs petition.

21 So, after the prehearing conference, I did  
22 that check, and in fact, it turned out that the

1       signatures match for Mr. Samante Baldwin.

2                   CHAIR THOMPSON: Is there a  
3 recommendation at this time?

4                   MS. STROUD: Yes, Mr. Chair. I recommend  
5 that the Board impose a civil fine against Mr.  
6 Samante Baldwin in the amount of \$50, for signing  
7 on behalf of another individual, in addition to  
8 signing his own signature on the petition.

9                   CHAIR THOMPSON: And I'll support that  
10 recommendation, and so move that we impose a \$50  
11 civil fine on Mr. Baldwin.

12                  I mean, on the one hand, I get it. I've  
13 been married 36 years. My wife and I probably sign  
14 for each other sometimes. But there's a lot of  
15 circumstances where we know not to do that. Like  
16 financial documents, voter registration. I mean,  
17 it could be somebody that you're close to and you  
18 feel like you've got some kind of implied authority  
19 to do that, but we just can't accept that that is  
20 a thing.

21                  It's important for candidates to collect  
22 valid signatures from registered voters in their

1 district that actually knowingly support the  
2 signing of the petition. And you just can't sign  
3 for somebody else, no matter who it is.

4 And it's not the worst thing in the world,  
5 but I think it's important that we send that message,  
6 impose the civil fine, and go into the 2026 election  
7 cycle indicating to everybody out there that you've  
8 got to take these petitions seriously.

9 MS. STROUD: Okay. And with that, we'll  
10 take a roll call vote. Oh, did you second, Ms.  
11 Greenfield?

12 MEMBER GREENFIELD: Second.

13 MS. STROUD: And now we'll take the roll  
14 call vote. Mr. Chair?

15 CHAIR THOMPSON: Aye.

16 MS. STROUD: Madam Greenfield?

17 MEMBER GREENFIELD: Aye.

18 MS. STROUD: And with that, the Board  
19 votes to impose a \$50 civil fine against Mr. Baldwin  
20 for signing on behalf of another person on a petition  
21 that was submitted in connection with the Ward 8  
22 special election in July 2025.

1                   Mr. Chair, I see that Mr. Diggs has his  
2 hand raised. If it's your pleasure to hear from  
3 him.

4                   CHAIR THOMPSON: Mr. Diggs, would you like  
5 to make a final comment? Or maybe he just had it  
6 raised from before.

7                   MS. STROUD: Okay.

8                   CHAIR THOMPSON: Yeah, the hand's down.  
9 Who's Mike A? There's somebody named Mike A who's  
10 got a hand raised, but that can wait until public  
11 comment. If it has nothing to do with this matter,  
12 if you're direct witness to this particular matter,  
13 we'll hear from you.

14                   But it looks like the hand came down.  
15 Thank you. So with that, we'll move on to the next  
16 matter.

17                   MS. STROUD: Okay. In the matter of  
18 Elbert Maxwell.

19                   MS. PEMBROKE: Yes, thank you.

20                   MS. STROUD: And then first, we'll just  
21 see whether or not Mr. Maxwell is present.

22                   MS. PEMBROKE: And his counsel should be

1 here as well.

2 MS. STROUD: Okay. Oh, I see Dan  
3 Schwager's hand raised. Yeah.

4 MS. PEMBROKE: So, as the General Counsel  
5 had indicated previously, the next three matters  
6 concern voter misconduct. And all of them arise  
7 from our voter participation project report that  
8 the Board of Election receives from the Electronic  
9 Registration Information Center, or. ERIC.

10 So, ERIC is a consortium of a number of  
11 states that share voter data. And ERIC generates  
12 reports of voters voting twice in the same election.

13 And in this case, we received a report of  
14 information from ERIC that Mr. Maxwell voted in the  
15 DC 2024 general election, and that a ballot was cast  
16 in the name of Mr. Maxwell in the 2024 general  
17 election in Arizona.

18 So, that triggered an investigation by the  
19 Office of General Counsel into illegally voting  
20 twice in the same election. So, federal law,  
21 there's a provision against voting twice in the same  
22 election. And the DC Code 1-1001.09(g) prohibits

1 voting twice in any election, and DC Code 1-1001.14  
2 provides for criminal penalties for that. In  
3 addition, the Board has authority under DC Code  
4 1-1001.18 to impose civil fines.

5 So, as part of our investigation, we sent  
6 Mr. Maxwell a notification of a prehearing  
7 conference on November 19th.

8 He and his counsel, Mr. Schwager, who's  
9 here, attended the prehearing conference. And  
10 following the discussions at that conference, Mr.  
11 Maxwell entered into a stipulated agreement with  
12 the Office of General Counsel.

13 So, by that stipulated agreement, Mr.  
14 Maxwell acknowledged that the DC voter registration  
15 application includes instructions that have the  
16 following language:

17 "To vote in the District of Columbia, you  
18 must not claim voting residence or the right to vote  
19 in another U.S. State."

20 And there's an oath at the end of the  
21 application form, which requires registrants to  
22 swear and affirm that they do not claim voting

1 residence or the right to vote in another U.S. State.

2                   However, after registering to vote in DC  
3 in 2015, Mr. Maxwell also submitted a voter  
4 registration form in 2022 in Arizona, and the voter  
5 registration form -- the Arizona form -- included  
6 a field for the registrant to list their previous  
7 address if they were registered to vote in another  
8 state, but Mr. Maxwell left that blank.

9                   Before and after registering in Arizona,  
10 Mr. Maxwell did not cancel his DC registration.

11                   So, we have a mail ballot voted by Mr.  
12 Maxwell in the 2024 general election in Arizona,  
13 that's dated September 28, 2024, and on October 31,  
14 2024, Mr. Maxwell voted in person at an early voting  
15 center in DC.

16                   And at the time of voting in DC, he also  
17 signed an oath on the electronic poll pad device  
18 whereby he swore and affirmed that he resided at  
19 the DC address provided, and that he was eligible  
20 to vote in that election, meaning that he claimed  
21 voting residency in the District of Columbia.

22                   So, those facts were covered by the

1 stipulated agreement.

2 And based on that, the General Counsel  
3 agreed to recommend that the civil fine imposed on  
4 Mr. Maxwell -- I believe under the agreement --

5 MS. STROUD: It's \$200.

6 MS. PEMBROKE: -- was capped at \$200.

7 MEMBER GREENFIELD: That's correct.

8 MS. PEMBROKE: Yes, a \$200 civil fine.  
9 And we provided the Board with the exhibits that  
10 are pertinent to this matter.

11 They include the signed stipulated  
12 agreement, the signed Arizona 2024 general election  
13 ballot return envelope, the DC 2024 general election  
14 poll pad record with the check-in signature, DC  
15 voter focus maintenance tab showing that Mr. Maxwell  
16 registered to vote in DC in 2015, DC voter focus  
17 election tab showing mail voting history, and the  
18 signed 2022 Arizona voter registration form.

19 And with that, I would ask that those  
20 exhibits be moved into the record.

21 CHAIR THOMPSON: So admitted.

22 (Whereupon, the above-referred to

1 exhibits were received into evidence.)

2 MEMBER GREENFIELD: And I see that Mr.  
3 Schwager, the attorney representing Mr. Maxwell,  
4 is present. And if it is the Board's pleasure, we  
5 can hear from him at this time.

6 CHAIR THOMPSON: Sure. Mr. Schwager,  
7 would you like to comment?

8 MR. SCHWAGER: Thank you. Thank you, Mr.  
9 Chairman.

10 I am here with, Mr. Maxwell's attending  
11 as well. I'm sorry if our video is not showing that.

12 But I want to thank the Office of General  
13 Counsel for their professionalism and their  
14 diligence. I'm not going to go beyond the  
15 stipulation, other than I did inform Ms. Pembroke  
16 yesterday that prior to Thanksgiving, Mr. Maxwell  
17 did submit a cancellation of his registration in  
18 Arizona, confirmed today that they received it.  
19 They have not processed it yet, but we did want to  
20 make the Board aware of that, as discussed with Ms.  
21 Pembroke yesterday.

22 The only other part of the stipulation I

1 just wanted to point out is in paragraph 8, that  
2 Mr. Maxwell does maintain that he did not vote twice  
3 for any office, and he apologizes that that is not  
4 the full understanding of the prohibition on voting  
5 twice, which he does now accept and understand.  
6 And with that, I will leave it at thank you. And  
7 we do not oppose the recommendation or the  
8 stipulation.

9 MEMBER GREENFIELD: Okay.

10 CHAIR THOMPSON: All right. Thank you so  
11 much. With that, Chair accepts the recommendation,  
12 and so moves that a civil fine of \$200 be imposed,  
13 in accordance with the stipulation.

14 MEMBER GREENFIELD: I second.

15 MS. STROUD: Okay, and we'll take a roll  
16 call vote with respect to that motion. Mr. Chair?

17 CHAIR THOMPSON: Aye.

18 MS. STROUD: Madam Greenfield?

19 MEMBER GREENFIELD: Aye.

20 MS. STROUD: And with that, the Board has  
21 voted to impose a civil fine of \$200 against Mr.  
22 Maxwell for violating the double vote prohibition.

1                   And with that, this matter is closed.

2                   MEMBER GREENFIELD: Okay.

3                   MS. STROUD: And the next matter on the  
4 agenda is in the matter of Gary Lockhart, Sr.

5                   MS. PEMBROKE: Yeah. So this is another  
6 case which came to our attention because of the ERIC  
7 Report. We received information that Mr. Lockhart  
8 voted in Maryland and in DC in the 2024 general  
9 election.

10                  MS. STROUD: Ms. Pembroke, I have one  
11 question. I see that a Toni Harper has their hand  
12 raised.

13                  MEMBER GREENFIELD: Yes. That is, Mr.  
14 Lockhart's attorney.

15                  MS. STROUD: Okay.

16                  MEMBER GREENFIELD: Thank you.

17                  MS. PEMBROKE: So, one, when we obtained  
18 that information, we reached out -- well, let me  
19 back up.

20                  When I was reviewing the signature  
21 evidence, I went into voter focus to compare our  
22 signatures on file with the signatures that appeared

1 on the two 2024 ballots, and saw that there were  
2 two Gary Lockharts.

3                   And upon investigating those two voter's  
4 records, it became apparent that there was a younger  
5 Gary Lockhart and an older. And the individual who  
6 was flagged by the ERIC Report was the younger Gary  
7 Lockhart.

8                   But the signature on the ballot that was  
9 issued in the District of Columbia to the younger  
10 Gary Lockhart matched the signatures in our file  
11 for the older Gary Lockhart.

12                  So, I notified both of those individuals  
13 of the prehearing conference in the matter and they  
14 both appeared. And during the prehearing  
15 conference, both Lockharts acknowledged that the  
16 address to which the DC ballot was sent was  
17 previously an address for the younger Mr. Lockhart,  
18 but at the time of the 2024 general election, was  
19 occupied by another family member, and that the  
20 older Gary Lockhart lived at a different address.

21                  And the older Gary Lockhart had no  
22 recollection of signing the mail ballot in DC, and

1 did not know how that ballot would have come into  
2 his possession, and requested that we investigate  
3 what happened to the ballot that was actually issued  
4 to him.

5 Following the prehearing conference, I did  
6 look into that and ascertained that he had voted  
7 in person in DC during that election.

8 So what we have is a mail ballot that was  
9 cast by the older Gary Lockhart in the 2024 general  
10 election, that was issued to a different person,  
11 and a second ballot that was cast for him in the  
12 2024 general election, which implicates two  
13 different types of election law violations.

14 One is fraudulently casting a ballot  
15 issued to another individual, and the second is  
16 violating the law, as was discussed in the Maxwell  
17 matter, against voting twice.

18 Mr. Lockhart has continued to maintain  
19 that he does not know how this all came about, and  
20 he notified me, or I was contacted later by Ms.  
21 Harper, who represented that she was representing  
22 him, and he authorized her to represent him. So,

1       she is here today. And that's the current status  
2       of the matter.

3                   We have the evidence of fraudulent voting  
4       and illegal voting in this case.

5                   CHAIR THOMPSON: Thank you.

6                   MS. STROUD: And as Ms. Harper is here,  
7       if it is the Board's pleasure, then we can hear from  
8       Ms. Harper with respect to this matter.

9                   CHAIR THOMPSON: Yep, let's hear from  
10       counsel. Thank you for being here.

11                  MS. HARPER: Good morning. And thank you  
12       for allowing me to speak.

13                  I am Antoinette McIntosh Harper, counsel  
14       for Mr. Gary Lockhart in this matter.

15                  The senior Mr. Gary Lockhart did not cast  
16       a mail-in ballot for anyone in the 2024 general  
17       election. The senior Mr. Gary Lockhart never  
18       received the mail-in ballot for Gary Lockhart, Jr.

19                  Furthermore, the senior Mr. Gary Lockhart may not  
20       have received his own mail-in ballot.

21                  During the time frame in question, the  
22       junior Mr. Gary Lockhart lived in Baltimore, even

1 though a mail-in ballot that he did not request was  
2 mailed to a former address, and that was 269 56th  
3 Street NE, Washington, DC, 20019.

4                   Additionally, there's no evidence that the  
5 ballot in question was ever delivered to the senior  
6 Mr. Lockhart, even inadvertently.

7                   As it happens, on October 15, 2024, the  
8 date that the Lockhart, Jr. ballot, for lack of a  
9 better way of acknowledging what that was, Exhibit  
10 1 was signed.

11                  The senior Mr. Lockhart was staying in a  
12 hotel, because there was extensive mold damage to  
13 his home caused by a water issue in the property  
14 next door. And I can produce those receipts from  
15 the insurance company, should the Board need to see  
16 that.

17                  During the preliminary hearing on November  
18 18th -- I'm sorry, I think I have the date wrong  
19 for that -- but Ms. Pembroke asked Mr. Lockhart --  
20 both of them -- to think about what they did on  
21 October 15th, the date that the mail-in ballot was  
22 signed.

1                   The senior Mr. Lockhart was quite  
2 distraught and upset by these allegations of voter  
3 fraud, and he could not remember what was happening  
4 over a year ago.

5                   But what the senior Mr. Lockhart knew, was  
6 that no one ever brought mail from his son's former  
7 residence at 269 56th Street NE, to him at his home  
8 at 834 Jefferson Street NW.

9                   Furthermore, the senior Mr. Gary Lockhart  
10 does not, nor has he ever signed his name with the  
11 generational suffix of senior, or S-R, or even the  
12 roman numeral one.

13                  The person who signed the Lockhart, Jr.  
14 mail-in ballot signed the name with the generational  
15 suffix Jr, as it appears in Exhibit 1 Ms. Pembroke  
16 has graciously provided.

17                  Further review of the preliminary hearing,  
18 Ms. Pembroke states that Gary Lockhart is clearly  
19 written, "But what follows after the written name  
20 Gary Lockhart, you can't tell if it is a junior or  
21 senior." And that's a direct quote from the  
22 preliminary hearing.

1                   So, she could not tell if it was a junior  
2 or senior. Which is why both junior and senior Mr.  
3 Lockharts were invited to the preliminary hearing.

4                   Later during that same hearing, Ms.  
5 Pembroke gave her non-expert opinion that she can  
6 tell that the person who signed the ballot in DC  
7 is Gary Lockhart, Sr., and that the signature on  
8 the Lockhart Jr. ballot matched the senior Mr.  
9 Lockhart's signature.

10                  I don't think you need to be an expert to  
11 look at Exhibit 1 and tell that it does not match  
12 the signature in Exhibit 2, which she also provided.

13                  Nothing about the signatures on the  
14 mail-in ballot in question matched the senior Mr.  
15 Lockhart's signature in previous elections. And  
16 the reason they don't match is that someone other  
17 than the senior Mr. Lockhart signed it.

18                  It is not the senior Mr. Lockhart's burden  
19 to prove who signed it. And for these reasons, no  
20 matter how small the fine is, or how onerous the  
21 burden, Mr. Lockhart is not stipulating to something  
22 that he did not do.

1                   CHAIR THOMPSON: Do you have a theory on  
2 who signed it?

3                   MS. HARPER: I don't, because at the time,  
4 his son was not living at the house. He did have  
5 his brother, I think, or another family member  
6 living there. But the senior, Mr. Gary Lockhart  
7 or junior Mr. Lockhart, were not there. And if you  
8 look at those signatures, they absolutely do not  
9 match.

10                  CHAIR THOMPSON: Is it possible it could  
11 have been a stranger, or somebody just intercepted  
12 the mail and decided to fill it out and sign it?

13                  MS. HARPER: It's possible. It is  
14 absolutely possible, especially since I get mail  
15 at my house delivered to my next door neighbors all  
16 the time.

17                  Fortunately, we're neighborly enough over  
18 here that we bring each other the mail when it's  
19 inadvertently delivered.

20                  CHAIR THOMPSON: Right. Let me hear from  
21 counsel. Yeah.

22                  MS. PEMBROKE: So, in this particular

1 matter, we had notified, I believe, Mr. Lockhart  
2 and his counsel, that the General Counsel would be  
3 recommending that this matter be referred to the  
4 DC Attorney General for possible criminal  
5 investigation, as well as a fine.

6 And the reason for that recommendation is  
7 because, if Mr. Lockhart's theory is correct, we  
8 don't have the resources to conduct the  
9 investigation that would be required to identify  
10 whoever committed the crime.

11 So, if Mr. Lockhart doesn't take  
12 responsibility -- and I think the signatures match,  
13 but the Board can make its own determination about  
14 that -- we don't have really any other choice but  
15 to exercise the option under the statute to refer  
16 matters for further investigation by prosecutorial  
17 authorities that have the resources to conduct the  
18 level of investigation that would be needed.

19 But Mr. Lockhart should appreciate that  
20 that may mean that that will result in criminal  
21 charges.

22 CHAIR THOMPSON: Okay. Well, there

1     certainly is reasonable doubt here. I mean, maybe  
2     more than reasonable doubt.

3                     And you're right, we don't have the  
4     resources to sort of try to get to the bottom of  
5     exactly what happened. I'm looking at both  
6     signatures, and I'm no expert. I mean, I can't say  
7     one way or another whether they match or were signed  
8     by the same person, or two different people.

9                     So, yeah, I guess I'm sort of sharing I'm  
10    not inclined to impose a fine or a punishment  
11    ourselves, but a referral is a different matter,  
12    because the referral puts it in the hands of somebody  
13    else to conduct an investigation if they think it's  
14    warranted, and perhaps get to the bottom of it.

15    Is that what you're recommending?

16                     MS. STROUD: Yeah, I think that it does  
17    make sense in this instance to refer the matter to  
18    the Office of the Attorney General to determine  
19    whether or not they can assess whether or not  
20    anything happened.

21                     But I do think that -- I'm trying to think  
22    through whether or not -- how we get there, and what

1 that --

2 MEMBER GREENFIELD: I have a question.

3 Maybe I'm confused. Are the signatures we're  
4 looking at in terms of matching the one that's dated  
5 October 15, 2024, to the ones that are dated 2022  
6 and 2020?

7 MS. STROUD: Well, the Exhibit 1 is a  
8 signature for Junior, and the ones in Exhibit 2 --

9 MS. PEMBROKE: Well, no. Exhibit 1 is  
10 junior's ballot, signed by senior, in my view.

11 MS. STROUD: Okay.

12 MS. PEMBROKE: And then Exhibit 2 are  
13 other examples of senior's signature. So, you're  
14 saying there's similarities between the signature  
15 in Exhibit 1 and the signatures in Exhibit 2.

16 MEMBER GREENFIELD: Yes.

17 MS. STROUD: Yeah. I don't agree.

18 MS. PEMBROKE: And you can see the voter  
19 ID numbers are different. So, on the 2024 one,  
20 which has, printed underneath it, Gary Lockhart,  
21 Jr., the voter registration number is one.

22 And then on Exhibit 2, it's a different

1 voter registration number. That's the voter  
2 registration number for Gary Lockhart, Sr.

3                   In my opinion, there's distinctive  
4 similarities between the L. I don't think it's our  
5 burden to show where Mr. Lockhart was on those days,  
6 or to prove this evidence unreliable.

7                   I think this is a *prima facie* case of  
8 matching signatures and double-voting, and voting  
9 someone else's ballot. But that's really for the  
10 Board ultimately to decide.

11                  MS. HARPER: Respectfully, I disagree.  
12 The signatures do not match, and there is no reason  
13 to assume that Mr. Lockhart, Sr., was going to  
14 another property to take mail, when there's no  
15 evidence of him doing that.

16                  To conclude that those signatures match  
17 is just -- there's nothing about those signatures  
18 that look similar. And there's no history of Mr.  
19 Lockhart's signature looking like that, or signing  
20 Junior, which is what you said it was, Ms. Pembroke,  
21 in the previous preliminary hearing.

22                  It's clearly not his signature. And I

1 appreciate that you don't have the resources to  
2 investigate this.

3                   And as I previously said, Mr. Lockhart,  
4 Sr., is not going to admit to something that he did  
5 not do, no matter how small the fine is, or the  
6 resources that we have to put behind this.

7                   So we're willing, if it's your  
8 recommendation that we go to an Attorney General  
9 office that could actually do real research on this,  
10 we will do that.

11                  CHAIR THOMPSON: Thank you, Counsel. I  
12 appreciate that. I mean, I haven't reviewed all  
13 the evidence. I personally am not able to make a  
14 determination one way or another. I'm comfortable  
15 referring that exercise to the OAG, who has the  
16 resources and handwriting experts and what not, to  
17 conduct the investigation.

18                  But I guess my question for General Counsel  
19 is, if we -- our Board -- do not make a determination  
20 of there being at least a *prima facie* violation,  
21 or something like that, can we refer it to the OAG,  
22 just for them to look into, or do we have to first

1 find that there's been a violation?

2 MS. STROUD: Yeah. The way I read the  
3 statute is that recommendations can be made of  
4 criminal or civil violations, and the Board can  
5 accept and proceed according to the finding, or to  
6 the recommendation.

7 So, I guess my recommendation would be to  
8 find that there is -- because I can't say  
9 definitively that the signatures match. Yeah, but  
10 I think that we can refer the matter and have them  
11 determine whether or not there is a basis for finding  
12 criminal activity.

13 CHAIR THOMPSON: I'm fine with that, just  
14 referring it to the OAG. And I think Ms. Harper,  
15 you can take that as a win, at least for now. We're  
16 not reaching any findings.

17 MEMBER GREENFIELD: Yeah.

18 MS. PEMBROKE: If I might just comment  
19 about that. I mean, clearly, a ballot was illegally  
20 cast. There's enough evidence of that.

21 MS. STROUD: I'm not disagreeing.

22 MS. PEMBROKE: The signature is not

1       Junior's signature, right? We know that.

2                   CHAIR THOMPSON: Yeah.

3                   MS. PEMBROKE: So, there's clearly some  
4 kind of illegal activity going on.

5                   CHAIR THOMPSON: Right.

6                   MS. HARPER: Right. And we're not  
7 disagreeing that something clearly happened. But  
8 what we're disagreeing with is that you're saying  
9 that senior Mr. Gary Lockhart is the perpetrator  
10 of said criminal activity.

11                  And perhaps if the ballot had been mailed  
12 to his house, I could see how a mistake could be  
13 made. But that ballot wasn't even mailed to his home.

14                  CHAIR THOMPSON: I think we're all on the  
15 same page. And so, I'll make a motion that we refer  
16 this to the OAG for further investigation.

17                  MS. STROUD: Yes.

18                  MS. HARPER: How soon would Mr. Lockhart  
19 hear back from the OAG? Do you know if there's some  
20 general --

21                  MS. STROUD: That we can't speak to.

22                  MS. HARPER: Okay.

1 CHAIR THOMPSON: They have a lot of  
2 discretion.

3 MS. PEMBROKE: The statute of limitations  
4 is six years.

5 CHAIR THOMPSON: Yeah, they have their own  
6 resources that they can employ or not employ.

7 MEMBER GREENFIELD: Right.

8 CHAIR THOMPSON: Maybe never.

9 MEMBER GREENFIELD: Right.

10 MS. STROUD: But we will provide the  
11 information as soon as possible, to the Office of  
12 the Attorney General, for them to review. That we  
13 can speak to.

14 MS. HARPER: Okay.

15 CHAIR THOMPSON: And Karyn, is there a  
16 second on my motion?

17 MEMBER GREENFIELD: Yeah. Yeah, yeah, I  
18 okay. I agree we should refer it too, but not  
19 pointing at anybody. But just saying for further  
20 investigation. Because clearly, something was  
21 done and they need to investigate it.

22 MS. STROUD: Okay. And we'll take a roll

1 call vote with respect to the motion. Mr. Chair?

2 CHAIR THOMPSON: Aye.

3 MS. STROUD: Madam Greenfield?

4 MEMBER GREENFIELD: Aye.

5 MS. STROUD: And with that, the Board has  
6 voted to refer the matter to the Office of the  
7 Attorney General for further investigation as to  
8 whether or not -- we know there was a violation,  
9 but further investigation into who actually  
10 committed the violation.

11 MEMBER GREENFIELD: Yes.

12 MS. STROUD: And with that, this matter  
13 is closed.

14 MS. HARPER: Thank you.

15 MS. PEMBROKE: All right, so the last  
16 matter is another case of someone voting twice.  
17 Britnee Scott voted in the DC '24, or a ballot was  
18 cast in the name of Britnee Scott, in the DC 2024  
19 general election, and in the 2024 general election  
20 in Maryland.

21 Based on my review of the signatures on  
22 the DC ballot, the Maryland ballot, and the

1       signatures on file, I reached out to Ms. Scott and  
2       set a prehearing conference for pursuing an  
3       investigation against her for double-voting.

4               Ms. Scott appeared at the prehearing  
5       conference, maintained that she had not lived in  
6       DC for a number of years, and that the ballot that  
7       was cast in DC was cast by someone else. She could  
8       not provide any information on who that individual  
9       would be. And so, with that, I notified her that  
10       the matter would go before the Board today.

11               I have pulled together the exhibits in this  
12       matter, which include the DC 2024 general election  
13       signed ballot return envelope, a DC August 2024  
14       voter registration update, which, again, was done  
15       just a few months before the general election in  
16       DC, when Ms. Scott insisted she was living in  
17       Maryland.

18               And I think, in my opinion, there's  
19       similarities between the signatures on the ballot  
20       that was DC ballot return envelope, and that voter  
21       registration application.

22               The voter ticket for Maryland, so when you

1 vote in person in Maryland, you sign a ticket. And  
2 that has Ms. Scott's signature on it. But Ms. Scott  
3 has never denied that she voted in Maryland. She's  
4 insisted that she voted Maryland, and only Maryland.

5 CHAIR THOMPSON: Exhibit 3 is admitted to  
6 be her signature.

7 MS. PEMBROKE: Yes. So this was Exhibit  
8 3. And then we have additional signature samples  
9 for Ms. Scott in her DC voter file from 2015.

10 And there's two for 2015, one for 2013,  
11 one for 2012, and one for 2007. And Ms. Scott also  
12 provided her voter records from Maryland. And  
13 again, we've not ever contested that she voted in  
14 Maryland.

15 There is a nuance here in this particular  
16 case though, in that the DC 2024, ballot return  
17 envelope, the date line is not clearly decipherable.

18 And it has been the Office of General Counsel's  
19 position -- and this is how we handle the  
20 investigations with ERIC -- that in the case of a  
21 double-voting, whichever jurisdiction is the last  
22 jurisdiction in which the ballot is cast is the

1 jurisdiction where the offense of double-voting  
2 occurred. And so that jurisdiction has authority  
3 over the matter.

4 Because, Ms. Scott voted in person on  
5 Election Day in Maryland, she would have had to have  
6 voted sometime later on Election Day in DC, for the  
7 Board to have jurisdiction over the matter.

8 So, since Ms. Scott has denied casting the  
9 mail ballot, it's impossible for us to determine  
10 exactly which jurisdiction would even have  
11 authority over the matter.

12 And so, this was another case in which the  
13 recommendation discussed was referral to  
14 prosecutorial authorities for further  
15 investigation, to try and figure out if this ballot  
16 -- the DC ballot -- was actually cast by Ms. Scott,  
17 and if so, whether it was cast before or after the  
18 Maryland ballot, to determine which prosecutorial  
19 authority would have jurisdiction over the case.

20 CHAIR THOMPSON: Can you tell what time  
21 the Maryland ballot was cast?

22 MS. PEMBROKE: I believe it says on the

1 ticket at the top -- because I know we have this  
2 issue in other cases -- the ticket has a time on  
3 it.

4 It's kind of hard to read, but it looks  
5 like it's fifteen-something. So, three o'clock in  
6 the afternoon, right after the date of 11/05/24.  
7 I believe that's a time entry.

8 CHAIR THOMPSON: And why does Exhibit 1  
9 say November 8th, 12:32 p.m.? What's that?

10 MS. PEMBROKE: I'm sorry?

11 CHAIR THOMPSON: What is Exhibit 1?

12 MS. PEMBROKE: Exhibit one is the ballot  
13 return envelope for the mail ballot that was cast  
14 in DC on 11/05/2024.

15 CHAIR THOMPSON: Oh. Received on  
16 November 8th at 12:32 p.m.

17 MS. PEMBROKE: Yes.

18 CHAIR THOMPSON: Got you.

19 MS. PEMBROKE: What's really  
20 determinative is when this person signed it, if it  
21 was Britnee Scott.

22 CHAIR THOMPSON: Right. Okay.

1                   MS. PEMBROKE: In my opinion, there's lots  
2 of similarities between the signature here, the way  
3 she does the double T's and crosses them at the end  
4 of the name, and how she does that in all of the  
5 other signature samples that we have. I mean, it's  
6 kind of distinctive, as well as how the S is formed.

7                   But because we can't even tell who has  
8 jurisdiction over it, it's kind of hard to --

9                   CHAIR THOMPSON: It does look very much  
10 like the same signature. It appears to be a case  
11 of double-voting. Is she here, by the way? Or her  
12 counsel?

13                   MS. PEMBROKE: She was informed multiple  
14 times about this meeting, and she's emailed back  
15 and forth with me following the prehearing  
16 conference.

17                   As noted, she provided the additional  
18 Maryland ballot records. I don't know if she's here  
19 though. She was duly notified multiple times.

20                   MS. STROUD: And if she is present and is  
21 one of those numbers, she can press star-9 to raise  
22 her hand from the call.

1 CHAIR THOMPSON: Well, look, if you can't  
2 tell the sequence, I don't think that creates --

3 MS. STROUD: Okay, we do have a hand  
4 raised.

5 CHAIR THOMPSON: -- a free pass. Ms.  
6 Scott.

7 MS. STROUD: Ms. Scott, are you the 240  
8 number that's raised your hand?

9 CHAIR THOMPSON: You got to unmute.

10 MS. PEMBROKE: I do believe that's her  
11 number. Does appear on voter records.

12 MS. STROUD: 240.

13 (Simultaneous speaking.)

14 MS. STROUD: So that's your personal phone  
15 that's muted, if you are Ms. Scott, if you could  
16 put something in the Q&A.

17 MS. SCOTT: Hello.

18 MS. STROUD: Okay.

19 PARTICIPANT: Hello.

20 MS. SCOTT: Hello.

21 MS. STROUD: Ms. Scott, is that you?

22 MS. SCOTT: Yes, I've been on the phone.

1 MS. STROUD: Okay.

2 MS. SCOTT: So, at the moment, I did hear  
3 what you all were speaking about in regards to the  
4 mail-in ballot, and I did vote in person.

5 Unfortunately, at this time, I don't have  
6 -- I would like to know if I would reschedule,  
7 because I don't have legal representation.

8 MS. STROUD: Well, when did you receive  
9 notice of this hearing? And I know that the  
10 attorney, Ms. Pembroke, has spoken to that? But  
11 did you try to --

12 MS. SCOTT: Let's see. Yeah, so I reached  
13 out to multiple resources to get legal advice and  
14 assistance.

15 I did not receive any update as of today,  
16 but I did want to present myself to show that I am  
17 aware of the situation and the hearing.

18 So, her and I did go back and forth via  
19 email about the matter, and I did speak with her  
20 in regards to what are the steps as far as, I guess,  
21 where we should go with this.

22 CHAIR THOMPSON: All right. Yeah, Ms.

1 Scott, I appreciate you've requested legal  
2 representation. You don't have to comment here  
3 today in any regard. You certainly have a right  
4 to counsel, if that's your intent is to obtain  
5 counsel to address this matter further with us.  
6 I think that would be helpful. We may even be able  
7 to reach a stipulation.

8 So, my advice would be to continue this  
9 matter until our next regular Board meeting in  
10 January, and see where we are then.

11 MS. STROUD: And Ms. Scott, is that what  
12 you are asking for?

13 MS. SCOTT: Yes. So, I would like to have  
14 legal representation, and I was unable to get them  
15 to be present today.

16 MS. STROUD: Okay. So as the Chair has  
17 indicated, he understands you to be asking to have  
18 the matter continued until the Board's next meeting,  
19 which is in January.

20 MS. SCOTT: Okay.

21 MS. STROUD: I'm sorry, what did you say?

22 MS. SCOTT: No, I said okay.

1                   MS. STROUD: Okay. And so, we will  
2 continue the matter until that time. And  
3 hopefully, in that time you will be able to obtain  
4 legal representation.

5                   And as you had, I think, time beforehand  
6 to receive that before this hearing, you have until  
7 next January to receive it. But I think that the  
8 Board would go forward at that time, even in the  
9 absence of your not having representation. But  
10 they can speak to that.

11                  CHAIR THOMPSON: Yeah, Ms. Scott, that's  
12 going to be Wednesday, January 7th, at 10:30 a.m.

13                  MS. SCOTT: January 7th at 10:30. Okay.

14                  MS. PEMBROKE: And I will send her,  
15 obviously, the information on how to access the  
16 meeting.

17                  CHAIR THOMPSON: Yeah. You'll hear from  
18 Ms. Pembroke, or please feel free to reach out to  
19 her directly, or through your counsel, once you find  
20 one, and you're certainly free to further discuss  
21 this matter -- or your counsel is -- before that  
22 meeting as well.

1 MS. SCOTT: Okay.

2 MS. STROUD: Okay. And so, based on, your  
3 request, Mr. Chair, do you --

4 CHAIR THOMPSON: Yeah, I guess it's a  
5 motion to continue this matter to the January 7th  
6 meeting. Is there a second?

7 MEMBER GREENFIELD: Second.

8 MS. STROUD: Okay. And with that, we'll,  
9 take a roll call vote. Mr. Chair?

10 CHAIR THOMPSON: Aye.

11 MS. STROUD: Madam Greenfield?

12 MEMBER GREENFIELD: Aye.

13 MS. STROUD: And with that, the matter of  
14 Britnee Scott is continued to the January 7th Board  
15 meeting at 10:30, to give Ms. Scott an opportunity  
16 to obtain counsel. And with that, this matter is  
17 complete.

18 And the final item on my agenda is  
19 litigation status. We have five matters to  
20 discuss. The first is --

21 CHAIR THOMPSON: Stacia Hall.

22 MS. STROUD: -- Stacia Hall.

1 (Audio interference.)

2 MS. STROUD: Okay. This is an appeal.

3 This is in the U.S. Court of appeals for the DC  
4 Circuit.

5                   This is an appeal from the U.S. District  
6 Court's denial of a challenge to legislation  
7 allowing non-citizens to vote in local elections  
8 on the basis of standing. There has been no action  
9 in this matter since the last Board meeting.

10 The second matter is Charles Wilson versus  
11 Muriel Bowser. That's in the D.C. Superior Court.

12                   This is a remand from the D.C. Court of  
13 Appeals of a challenge to both the Board's finding  
14 that initiative measure number 83 met proper subject  
15 requirements and its formulation of the measure.

16 On November 4th, plaintiff sought a stay  
17 of the action on the dispositive motions, until the  
18 court made a decision as to discovery.

19 On November 17th, the court denied  
20 plaintiff's request for a discovery period and  
21 granted the stay nunc pro tunc.

22 Pursuant to court rules, the plaintiff's

1 response to the pending dispositive motions is due  
2 December 1st. A status hearing has been set for  
3 March 13th.

4 CHAIR THOMPSON: Can I ask a quick  
5 question?

6 MS. STROUD: Sure.

7 CHAIR THOMPSON: In that case, is Mr.  
8 Wilson appearing in his personal capacity, or in  
9 his capacity as a party representative? I just  
10 forgot.

11 MS. STROUD: I would have to confirm that.  
12 I do know that he is the head of the D.C. Democratic  
13 Party, but I'll confirm whether he's appearing in  
14 his personal capacity, or as head of the Democratic  
15 Party for DC.

16 CHAIR THOMPSON: Just curious.

17 MS. STROUD: Jason Long versus the Board.  
18 This is a case that was brought back from the U.S.  
19 District Court to the DC Superior Court. It is a  
20 case that Plaintiff Long resubmitted in DC Superior  
21 Court after it was previously dismissed without  
22 prejudice.

1                   There's been no action at this case since  
2 it was ordered that the case be remanded back to  
3 the Superior Court on February 3rd.

4                   And the next matter is Sabin versus the  
5 Board. That's in U.S. District Court. This matter  
6 concerns a complaint in the U.S. District Court for  
7 DC in which the plaintiff alleges that the Board's  
8 petition circulation process requiring candidates  
9 to gather signatures violates the Americans with  
10 Disabilities Act, and an Advisory Neighborhood  
11 Commission election to be held in his single member  
12 district is illegal.

13                  There has been no action yet by the court  
14 on the OAG's motion to dismiss, which was filed on  
15 behalf of the Board.

16                  The final matter is Lee versus the Board.  
17 That's in DC Superior Court. On November 3rd, a  
18 challenge was filed against the Board's  
19 formulations with respect to referendum number  
20 nine, the referendum on the Minimum Wage Timeline  
21 Amendment Act of 2025.

22                  On November 14th, the Board filed a notice

1 to the court that the matter, by law, must be  
2 expedited, as well as the agency record.

3                   On November 18th, the Board filed a motion  
4 for summary disposition and dismissal for failure  
5 to state a claim, and a motion to strike extra-record  
6 material.

7                   On November 19th, the Board filed an  
8 unopposed motion for an expedited briefing  
9 schedule.

10                  On the 21st, the court granted the motion  
11 for an expedited briefing schedule. The plaintiff  
12 filed his opposition to the Board's dispositive  
13 motion on November 25th, and the Board replied on  
14 November 26th.

15                  Argument before the court on the  
16 dispositive motion occurred on yesterday, December  
17 2nd, and a decision is to be made today with respect  
18 to that. So we are still waiting to hear from the  
19 court, but should hear today.

20                  And that concludes my report.

21                  CHAIR THOMPSON: All right. That was  
22 almost Solomonic at moments there. We struck a good

1       balance on those matters. And I appreciate how hard  
2       our General Counsel's office worked on those.

3               They're not easy cases. We obviously take  
4       them seriously, and we appreciate everybody's  
5       attention.

6               So with that, we'll turn to campaign  
7       finance report.

8               MR. SANFORD: Good afternoon, Mr.  
9       Chairman and distinguished Board Member Greenfield.  
10               William Sanford, appearing on behalf of  
11       Cecily Collier-Montgomery.

12               During the month of November 2025, the  
13       Office of Campaign Finance participated in several  
14       community events, which included the following.

15               On November 5, 2025, the Office of Campaign  
16       Finance made virtual training available to members  
17       of the public. On November 12, 2025, the Office  
18       of Campaign Finance presented to the Advisory  
19       Neighborhood Commission Single-Member District  
20       2B-08, and on November 12, 2025, the Office of  
21       Campaign Finance conducted virtual training  
22       sessions on its traditional and fair election

1 campaign programs for participants in the 2026  
2 election cycle.

3                   In the Fair Elections division, during the  
4 election cycle of 2026, which has already commenced,  
5 as of this date there are six certified  
6 participating candidates in the Fair Elections  
7 program, and the Office of Campaign Finance has  
8 authorized the disbursements of the total sum of  
9 \$1,037,885.25 from the Fair Elections Fund, in base  
10 amount and matching payments.

11                   During the month of November 2025, the Fair  
12 Elections Division of the Office of Campaign Finance  
13 conducted twenty-one desk reviews, and issued five  
14 requests for additional information ledgers.

15                   In the Public Information and Records  
16 Management Division during the month of November,  
17 there were seven new candidates who registered with  
18 the Office of Campaign Finance for the 2026  
19 election.

20                   Nyasha Harley registered as a candidate  
21 for Council in Ward 6 on November 7, 2025. Miguel  
22 Trindade Deramo registered as a candidate for

1 Councilmember from Ward 1 on November 17, 2025.

2                   Charles Allen registered as a candidate  
3 for Ward 6 Council on November 12, 2025.

4                   Gloria Nauden registered on November 14,  
5 2025 and Jorge Rice registered on November 24, 2025,  
6 all for candidate for Councilmember from Ward 6.

7                   Darryl Green (phonetic) registered on  
8 November 3rd as a candidate for Council-at-large,  
9 and Leniqua'dominique Jenkins registered as a  
10 candidate for Council-at-large on November 3, 2025.

11                  In the Reports Analysis and Audit Division  
12 during the month of November, eleven desk reviews  
13 were completed, and one preliminary draft audit was  
14 issued regarding Trayon White, 2025 special  
15 election campaign committee.

16                  In the General Counsel's Division during  
17 the month of November 2025, the Office of the General  
18 Counsel received one referral, completed seven  
19 informal hearings, and issued seven orders in which  
20 no fines were imposed.

21                  During the month of November, there were  
22 no open investigations. There were no requests for

1 interpretive opinions, and no show cause  
2 proceedings were conducted.

3                   The Director's Report and the General  
4 Counsel's Report will be posted at the Office of  
5 Campaign Finance website by close of business today,  
6 under the Reports and Data section. Today's date  
7 is December 3, 2025.

8                   And that concludes our report.

9                   CHAIR THOMPSON: Thank you so much.  
10 Appreciate that.

11                   MR. SANFORD: Thank you.

12                   CHAIR THOMPSON: Okay. Well, I think to  
13 conclude the meeting, we've got some time at the  
14 end for public comment. So, if you've got a comment  
15 to make, raise your Zoom hand. I'll note for the  
16 record, we did receive some written comments in  
17 advance from, Ms. Dorothy Brizill, and they pertain  
18 to our extensive readiness for ranked choice voting.  
19 I would refer Ms. Brizill to the director's  
20 testimony.

21                   As I noted, that was given on November 24th  
22 before the Committee on Executive Administration,

1 that goes into some detail about our readiness for  
2 ranked choice voting and things that are happening,  
3 things that will be happening, consultations with  
4 other jurisdictions, what those jurisdictions are,  
5 a timeline of dates, a plan to utilize hands-on  
6 demonstrations, and mock ballots, and other ways  
7 to, reach out and educate our voters.

8 So is there anything you'd like to add to  
9 that?

10 MS. EVANS: Yes. And also, we are  
11 preparing additional information to provide to the  
12 Council before the record closes on December 8th.

13 So, we're just finalizing those draft documents,  
14 and we'll present those.

15 CHAIR THOMPSON: Okay. I appreciate  
16 that. So there's more to come in the record there.

17 So, you can check the website of the Committee on  
18 Executive Administration and Labor.

19 I follow developments in that committee  
20 and before the Council as a whole, and I appreciate  
21 everybody's attention to the implementation of  
22 ranked choice voting. It's the task before us.

1 We have a job to do, we know it, we understand the  
2 details, we have the experts, we have the vendors,  
3 and we have the commitment to see it through.

4 So that's what we're doing. And we need  
5 everybody's help and support. We need the support  
6 of everybody on our DC Council. Ultimately, we're  
7 going to need help from the candidates themselves  
8 to educate voters at every at every community  
9 center.

10 We'll be out there at ANC meetings, et  
11 cetera, talking to people, and with help from a lot  
12 of different sources, I think the voters are going  
13 to understand what this is all about when the time  
14 comes, as many voters already do understand what  
15 ranked choice voting is.

16 But we know we have to reach out, we know  
17 we have to show people what it is, demonstrate what  
18 it is, and so when the moment comes on the primary  
19 election and people go into the voting centers,  
20 they'll understand what they're doing, perhaps with  
21 some assistance on site, same day, as needed. And  
22 we're all going to get this done together.

1                   So, the road's ahead of us and we do what  
2 we do here at the BOE. We keep calm and carry on,  
3 we roll up our sleeves, and we get the job done.

4                   And not seeing any other hands, any other  
5 comments from anybody?

6                   MEMBER GREENFIELD: I have none.

7                   CHAIR THOMPSON: All right. So with that,  
8 I will, move that we adjourn.

9                   MEMBER GREENFIELD: I second.

10                  CHAIR THOMPSON: All in favor?

11                  MEMBER GREENFIELD: Aye.

12                  (Whereupon, the above-entitled matter  
13 went off the record at 12:22 p.m.)

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## 1      C E R T I F I C A T E

2      This is to certify that the foregoing transcript  
3      was duly recorded and accurately transcribed under  
4      my direction; further, that said transcript is a  
5      true and accurate record of the proceedings; and  
6      that I am neither counsel for, related to, nor  
7      employed by any of the parties to this action in  
8      which this matter was taken; and further that I am  
9      not a relative nor an employee of any of the parties  
10     nor counsel employed by the parties, and I am not  
11     financially or otherwise interested in the outcome  
12     of the action.

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Shresta Belede

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