

**DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS**

In the Matter of	)	
Earlene Washington	)	Administrative
	)	Order #26-024

**MEMORANDUM OPINION AND ORDER**

**Introduction**

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

**Background**

As a result of a Voter Participation Project report issued by the Election Registration Information Center (“ERIC report”), the Board’s Office of General Counsel (“OGC”) became aware of evidence that ballots were cast in the name of Tristyn Washington in the D.C. 2024 General Election (“GE”) and in the 2024 GE in Maryland.<sup>1</sup> In light of the ERIC report findings, Board staff reviewed the signatures on the ballot return envelope for the D.C. mail ballot cast in Tristyn Washington’s name against the signature provided by Maryland for the ballot cast in person in that jurisdiction. While the D.C. mail ballot return envelope had a hand-written name that was reasonably decipherable as “Tristyn Washington,” the Board’s staff concluded that the 2024 GE signatures did not match.

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

Accordingly, OGC commenced an investigation of other voters claiming the same D.C. address as that on Tristyn Washington's D.C. mail ballot return envelope. That effort revealed that the handwriting on the 2024 D.C. GE mail ballot return envelope matched the handwriting of Earlene Washington. Notably, the last name "Washington" on the 2024 D.C. GE mail ballot issued to Tristyn Washington and on at least two signature samples in Earlene Washington's D.C. voter file were indistinguishable from each other. In addition, Earlene Washington's voter file showed that she cast a D.C. ballot in her own name in the 2024 GE.

Based on this evidence, the Board's Office of General Counsel ("OGC") opened an investigation targeted at Ms. Washington. OGC scheduled a prehearing conference and attempted to notify Ms. Washington of that proceeding via the email address that was in her voter file. While the email to Ms. Washington did not bounce back, Ms. Washington did not appear at the prehearing conference. OGC then sent notice to Ms. Washington via email and certified mail that her case would be presented to the Board during the Board's regular meeting in March.<sup>2</sup>

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

At the Board's regular meeting on April 1, 2026, Ms. Washington's case was presented and again she did not come forward. The Board then heard from the General Counsel's Office with respect to the facts of the matter. The General Counsel attorney assigned to the matter explained and requested admission into the record of evidence that tended to show that Ms. Washington cast a D.C. ballot issued to Tristyn Washington in the 2024 GE, and that she also voted in her own name in that election.

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<sup>2</sup> According to USPS tracking information, the letter to Ms. Washington was unclaimed.

Following the presentation of this and other similar enforcement matters, the General Counsel made a recommendation that the matter be referred to the OAG for further investigation and possible prosecution, provided however that her office would delay referral to give Ms. Washington an opportunity to seek reconsideration.<sup>3</sup> The Board Chair made a motion to accept the General Counsel’s recommendation. The motion was duly seconded and passed unanimously.

## **Discussion**

The election laws provide that it is a crime to “make any false representations as to the person’s qualifications for . . . voting” or to fraudulently cast a ballot.<sup>4</sup> In addition, voting twice in the same election can trigger prosecution for violating a number of election laws.<sup>5</sup> The Board’s enforcement powers with respect to criminal election law matters include referral to the OAG for investigation and prosecution. *See* D.C. Code § 1–1001.18(a)-(b).

The record before us contains sufficient (if not compelling) evidence that Ms. Washington voted a 2024 GE mail ballot issued to Tristyn Washington and that she also voted a ballot issued to her in that same election. This conduct facially violates various election laws.

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

<sup>4</sup> *See* D.C. Code § 1–1001.14(a) and § 1–1001.14(a-1)(1)(D), respectively. The penalty for violating either of those provisions is a fine up to a \$10,000 and/or a term of incarceration of up to 5 years. In addition, D.C. Official Code § 22-2405(b) criminalizes willfully making false statements to D.C. government entities. The penalty for that violation is a fine of up to \$1,000 and imprisonment of not more than 180 days, or both.

<sup>5</sup> *See* 52 U.S. Code § 10307(e) (prohibiting double voting) and D.C. Official Code §1-1001.09(g)(1) (providing that no person shall vote twice in an election) and D.C. Official Code §1-1001.14(a) (penalties for violating D.C. Official Code §1-1001.09(g)(1)). *See also*, with respect to the oath voters take at the time of voting whereby they affirm that they satisfy the qualifications for being a registered voter, including residency requirements, D.C. Code § 1–1001.14(a) (criminalizing “make any false representations as to the person’s qualifications for . . . voting”) and § 1–1001.14(a-1)(1)(D) (criminalizing fraudulently cast a ballot) and 52 U.S. Code § 10307(c) (prohibiting knowingly or willfully giving false residency information for the purpose of establishing eligibility to register or vote in elections to fill federal offices).

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

**Conclusion**

For the reasons indicated above, it is hereby:

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

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

Date: April 2, 2026



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Gary Thompson  
Chairman  
Board of Elections