

The Board now, for the reasons outlined in this Order, hereby denies the Mayor access to the ballot as a candidate for the Democratic nomination in the Mayoral contest in the September 10, 2002 Primary Election.

I. STATEMENT OF FACTS

On July 3, 2002, the Mayor submitted a nominating petition in support of his candidacy for Mayor of the District of Columbia. This petition contained a total of 512 pages, and a total of 10,102 signatures. The circulator's affidavits on the petition pages indicated that 345 of the pages (67%) were circulated either by Scott Bishop, Sr., Scott Bishop, Jr., or Crystal Bishop.

The petition was posted for review on July 6, 2002. On July 15, 2002, Dorothy Brizill, Gary Imhoff, Mark Sibley, and Shaun Snyder filed a joint challenge to the Mayor's petition. The Brizill challenge alleged that approximately 9,250 of the signatures therein were defective. The grounds upon which the Brizill challenge sought to disqualify signatures in the Mayor's petition were: 1) that the signer, according to the Board's records, was not registered to vote at the address listed on the petition at the time it was signed; 2) that the signer was not a duly registered voter; 3) that the signer was not registered to vote in the same party as the candidate at the time the petition was signed; 4) that a signature was not the signature of the person it purported to be; 5) that a signature was listed more than once, and; 6) that a signature was not dated. The Brizill challenge also alleged that, in some instances, listed circulators were not registered qualified electors at the time the petition was circulated.

In addition to these specific grounds for challenge, Messrs. Mark Sibley and Shaun Snyder also submitted a statement of additional facts which they alleged

constituted a petition defect, namely that pages submitted by Scott Bishop, Sr. contained the nonexistent date of June 31st, and that Scott Bishop, Jr. collected what they allege to be an unlikely number of signatures, 540, in one 24-hour period. This implied that either Scott Bishop, Jr. had forged signatures or had not personally circulated the petition himself. Based upon these alleged defects and others, Messrs. Sibley and Snyder requested that the Board reject all petition pages attributed to the Bishops.

Consistent with the practice of the Board, the Office of the General Counsel for the Board scheduled a pre-hearing conference for Monday, July 22, 2002. On Friday, July 19, 2002, Vincent Mark Policy, counsel for the Mayor, filed a response to the Brizill challenge. In this response, Mr. Policy indicated that the Mayor would not defend 214 of the 512 pages submitted in his petition. (During the course of the hearing, on Wednesday, July 24, 2002, Mr. Policy, in response to a question from the Chairman as to why the Mayor would not defend these pages, stated "we do not defend forgeries.") These pages contained approximately 4,240 signatures. Of these 214 pages, 167 (78%) were petition pages that were attributed to the Bishops. The pages that the Mayor requested be withdrawn from consideration also included 14 pages attributed to Ann Lewis, and 16 pages attributed to Franklin Wilds.¹ As a result of the Mayor's indication that he would not defend these 214 petition pages, the Registrar of Voters considered only 298 of the 512 petition pages submitted.

The Mayor's response, as submitted by Mr. Policy, argued: 1) that the Brizill challenge was not specific; 2) that all challenges filed on the grounds that a circulator was not a registered qualified elector at the time the particular petition was signed should be

¹ Both Ann Lewis and Franklin Wilds testified under oath that the signatures appearing on the withdrawn pages were not their signatures. Counsel for the Mayor did not contradict their testimony.

disregarded;² 3) that all challenges based upon the fact that the date on the circulator's affidavit precedes the dates accompanying signatures on the petition page should be disregarded, and; 4) that the Board should require Brizill as complainant to prove by clear and convincing evidence that the signatures alleged to have been forged actually were.³

At the pre-hearing conference, in an effort to demonstrate bias on behalf of the Board Chairman, Mr. Policy introduced into the record three newspaper articles, which addressed the issues surrounding the Mayor's petition. These articles contained public admissions by Scott Bishop, Sr. that the Bishops "signed as official circulators for petitions they did not collect."⁴

A Board hearing on the Brizill challenge was scheduled for Wednesday, July 24, 2002. In connection with this hearing, the Board issued subpoenas on its own behalf—as well as on behalf of the parties—to circulators Scott Bishop, Sr., Scott Bishop, Jr., Crystal Bishop, Wanda Alston, Ron Bitondo, Sam Bost⁵, Ann Lewis, Carlton Pressley, and Franklin Wilds. Gwen Hemphill and Charles Duncan, both of whom were high-ranking members of the Mayor's campaign, were also subpoenaed.

² The Mayor's counsel cited *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182, 187 (1999), where the Supreme Court held that it was unconstitutional to require *initiative petition circulators* be registered electors. The Mayor's counsel contends that *Buckley* extends to nominating petition circulators. One circulator, Carlton Pressley, circulated 3 petition pages containing 22 otherwise presumptively valid signatures prior to becoming a registered elector. The Mayor's counsel suggested—and the Board agreed—that if this number proved to be outcome-determinative, the Board would seek a declaratory judgment as to *Buckley's* impact on nominating petitions.

³ In the absence of a statutory provision specifying the standard of proof, the Court of Appeals has required that the standard of proof be only a "preponderance of the evidence," *Green v. Dept. of Employment Services*, 499 A.2d 870, 877 (D.C. 1985).

⁴ Mayor's Pre-hearing Conference Exhibit #3, Brian DeBose, *Williams May Have To Return Funds*, WASHINGTON TIMES, July 20, 2002, at A8. The other articles introduced into the record by the Mayor were articles from the Washington Post. Craig Timberg & Yolanda Woodlee, *Petition Workers' Names May Have Been Forged*, July 18, 2002 at A1; *Williams Attacks D.C. Election Law*, July 20, 2002, at A1. These articles represent Mayor's Pre-hearing Exhibits #2 and #4.

⁵ Mr. Bost was hospitalized and therefore was unable to appear.

While Crystal Bishop apparently attended a portion of the hearing on Wednesday, July 24, 2002—unbeknownst to the Board—she left before being called to testify. Later, the Board was informed on Friday, July 26, 2002 that she was hospitalized and would be unable to appear. Neither Scott Bishop, Sr. nor Scott Bishop, Jr. appeared until Friday, July 26, 2002, and then only after the Board had obtained orders from the Superior Court of the District of Columbia ordering them to comply with the Board's subpoena and appear before it. Both witnesses asserted their Fifth Amendment right against self-incrimination and refused to answer any questions posed by the challengers or the Board. Accordingly, the Board was unable to make a determination as to the validity of the circulator's affidavits contained on the petition pages attributed to the Bishops. Charles Duncan, Senior Campaign Advisor, and Gwendolyn Hemphill, Co-Chair of the campaign to re-elect Mayor Anthony Williams, both testified that they had no responsibility for overseeing the nominating petition process, and indicated further that Scott Bishop, Sr. was responsible for overseeing the nominating petition process.

On Friday, July 26, 2002, the Registrar of Voters, Ms. Kathryn Fairley, rendered her preliminary determination report with respect to the Brizill challenge. She reviewed the signatures of 298 pages still at issue. Ms. Fairley's report, which was based in part upon a consideration of 178 pages, including 945 signatures attributed to the Bishops, concluded that the Mayor submitted 2,235 presumptively valid signatures. This was 235 signatures more than the 2,000 signatures required for ballot access.

II. ANALYSIS

A. THE BRIZILL CHALLENGE WAS BOTH SPECIFIC AND CONCISE.

The Mayor's counsel preliminarily argues that the Brizill challenge should fail because it is neither specific nor concise. He states that the evidence of this deficiency in the challenge is that, in certain instances, Ms. Brizill challenges some signatures on grounds that are different from those upon which Mr. Snyder challenged those same signatures. In other instances, Ms. Brizill challenges some signatures which Mr. Snyder did not challenge. This situation, according to the Mayor, "ma[kes] it virtually impossible for [him] or [the] Board to decipher the precise nature of the challenge." Respondent Mayor Anthony Williams' Response to the Challenges ("Resp't Resp Br."), at 12.

The Mayor's response reveals the fallacious nature of his argument. He acknowledges that the Brizill challenge "contains a coded 'Table of Reasons for Challenge,'" which used letters to indicate the specific grounds upon which a particular signature is being challenged. *Id.* at 12. For example, according to the Brizill Table, the letter 'i' indicates that a signature is being challenged on the grounds that the circulator was not a registered qualified elector of the District of Columbia at the time the petition was signed. There is nothing remotely nonspecific about that particular challenge, nor any of the others that are levied by Ms. Brizill. As for the Board's ability to "decipher the precise nature of the challenge," the Board has no problem discerning the particular grounds upon which the Brizill challenge is based. Moreover, the fact that there might be some instances in which the challenges of Ms. Brizill and Mr. Snyder vary has absolutely

no bearing on the question of whether or not the challenge was specific. This argument is without merit, and must fail.

B. THE CIRCULATOR'S SIGNATURE ON AN AFFIDAVIT IS THE MOST SIGNIFICANT ASPECT OF A NOMINATING PETITION BECAUSE IT HELPS ENSURE INTEGRITY IN THE NOMINATING PROCESS.

The circulator's function with respect to nominating petitions in the District of Columbia—as well as in every jurisdiction that utilizes nominating petitions for ballot access—is to ensure integrity in the collection of signatures. Primarily, the nominating process is intended to ensure that a prospective candidate has some modicum of support from the duly registered voters the candidate wishes to represent. With respect to nominating a candidate for ballot access in a primary election, the circulator is responsible for collecting the genuine signatures of duly elected voters within the candidate's party. Most importantly, the circulator ensures the signatures were collected in a manner free from fraud or undue influence.

The Supreme Court has long recognized that jurisdictions have considerable latitude to protect the integrity and reliability of the election process generally. "[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order ... is to accompany the democratic processes." *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182, 187 (1999) (quoting *Storer v. Brown*, 415 U.S. 724, 730 (1974), *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 358 (1997); *Burdick v. Takushi*, 504 U.S. 428, 433 (1992), 520 U.S., at 358; *Anderson v. Celebrezze*, 460 U.S. 780, 788 (1983)). The *Buckley* decision comported with the Tenth Circuit's finding that "the affidavit requirement properly responded to the

State's need to ensure that circulators, who possess various degrees of interest in a particular initiative, exercise special care to prevent mistake, fraud, or abuse in the process of obtaining thousands of signatures of only registered electors throughout the state." *Buckley* at 190 n.10.

In the instant case, the various challenges to the Mayor's petition, and evidence introduced during the Brizill challenge proceedings including that introduced by the Mayor's own counsel, have made the Board painfully aware of irregularities in the Mayor's nominating petition process. The Mayor's refusal to defend 214 pages from the petition, stating that "[t]he first group of petition sheets, which is listed in Schedule A to this response is the set of 214 pages from the Nominating Petition which will not be defended by the Respondent." (Resp't Resp Br. at 3). Counsel for the Mayor states further: "[w]e suggest instead that the Board should focus its attention on whether the petition pages other than those listed in Schedule A meet the requirements of the statute and the Regulations." (Id. at 4).

During the pre-hearing conference, counsel for the Mayor introduced into the record three newspaper articles in an attempt to establish bias on the part of the Board's Chairman, the General Counsel for the Office of Campaign Finance, and the spokesperson for the Board. While the articles contained statements on behalf of Board members and staff relating to procedures and the unprecedented scope of the challenges alleged, they also contained material statements from a number of the Mayor's circulators. Having introduced these articles into the record, counsel for the Mayor has opened the door to allowing the Board to consider relevant statements attributed to some of the Mayor's circulators. Specifically one article noted, "[d]ozens of petitions

supposedly circulated by Scott Bishop, Sr., Scott Bishop, Jr., and his wife, Crystal Bishop, also are not being defended. They signed as official circulators for petitions they did not collect, said Scott Bishop Sr. who was in charge of the petition effort” (Resp’t Prelim Hr’g Ex. 4). In a second article, another circulator stated: “‘I definitely did not have 18 sheets,’ said Lewis, 64, who said she is still owed \$15 by the campaign.” (Resp’t Prelim. Hr’g Ex. 2). Finally, in a third article, the authors stated “[t]hree of the circulators, Scott Bishop Sr., his daughter-in-law Crystal Bishop and Ann E. Lewis, have admitted in media accounts that they either signed off on petitions with forged signatures or that their names were forged on petitions.” (Resp’t Prelim. Hr’g Ex. 3).

To reiterate, this material evidence of forgeries and false statements was introduced into the record by the Mayor’s own counsel. Yet, during the hearings, the Mayor’s counsel made vociferous objections to the Board’s references to such statements on the grounds that such evidence constituted hearsay. The Mayor’s Counsel erroneously equated evidentiary rules in a court of law with those of an administrative proceeding; while hearsay evidence is inadmissible in a court proceeding unless the evidence falls under an enumerated exception, courts have found that hearsay evidence is admissible in administrative proceedings. All administrative hearings conducted by the Board of Elections and Ethics are conducted in accordance with the D.C. Administrative Procedure Act. D.C. Official Code § 2-501 et seq. “Hearsay evidence is admissible in administrative proceedings unless it is irrelevant, immaterial, or unduly repetitious.” *Lim v. District of Columbia Taxicab Comm’n*, 564 A.2d 720, 724 (D.C.1989). “If hearsay evidence is found to be reliable and credible, it may constitute substantial evidence.”

Simmons v. Police & Firefighters' Retirement & Relief Bd., 478 A.2d 1093, 1095 (D.C.1984) (citing *Johnson v. United States*, 628 F.2d 187, 190-91 (1980)).

Rather than rely solely on hearsay evidence, pursuant to D.C. CODE § 1-1001.05(h)(1)(A), the Board subpoenaed the circulators mentioned in the articles submitted by counsel for Mayor Williams to ascertain the veracity of the statements attributed to the circulators. The record reflects that Mr. Franklin Wilds testified that his signature was not genuine with respect to a number of nominating petition sheets attributed to him as a circulator. Ms. Ann Lewis submitted a declaration in which she asserted collecting signatures on only four petition sheets—14 less than the number of petition sheets attributed to her as circulator. In contrast, Ms. Lewis stated at the hearing that at the direction of a Mr. Robert Yedell, an official of the Williams Campaign, she signed as a circulator on a nominating petition sheet she did not circulate. Further, she testified that she did not collect three signatures on one of the petition sheets she admits circulating. (Brd. Hr'g Ex. 23). The evidence of these two witnesses was uncontroverted and tended to corroborate the claims raised in the newspaper articles.

The insidious irregularities are most pronounced in the petition sheets circulated by Messrs. Scott Bishop, Sr., Scott Bishop, Jr., and Mrs. Crystal Bishop. According to the Registrar of Voters, the Bishops were responsible for a total of 345 of the 512 petition sheets submitted, and 167 of the 214 sheets the Mayor refused to defend that were attributed to the Bishops. The remaining 298 petition sheets in contention included 178 petition sheets with 3,552 signatures attributed to the Bishops as circulators. The fact that Scott Bishop, Sr. coordinated the petition process—coupled with the fact that he and his family members submitted the majority of petition sheets still at issue—raised concerns

over the propriety of the entire nominating process. As previously noted, Scott Bishop, Sr. appeared before the Board. However, through his counsel, David Wilmot, Esq., he asserted his Fifth Amendment right against self incrimination to every question asked of him. Scott Bishop, Sr. only gave his name for the record. The Board attempted in vain to ascertain the validity of the affidavits on the petitions attributed to him as circulator. The Board could not even ascertain if the circulator's address as stated in the affidavit was correct, because Scott Bishop, Sr. asserted his Fifth Amendment privilege even with respect to that question. The challengers' attempts to cross-examine Scott Bishop, Sr. also met with a similar fate.

Similarly, Scott Bishop, Jr. appeared before the Board and asserted his Fifth Amendment right through his counsel, Vandy Jamison, Esq. Although not officially represented by counsel, Mrs. Crystal Bishop was unavailable to appear apparently due to her commitment to a Crisis Detention Center for illness. Consequently, the Bishops were not subject to cross examination by any of the parties or the Board.

C. THE AFFIDAVITS OF THE BISHOPS ARE COLLECTIVELY UNRELIABLE BECAUSE THEY WERE UNAVAILABLE FOR CROSS-EXAMINATION.

“While affidavits are accepted routinely in administrative hearings, a decision on the merits should not be based solely on their contents.” ERIAS HYMAN, *MANUAL FOR ADMINISTRATIVE HEARING OFFICERS* 35 (1988). This concept, which is well established in administrative proceedings, takes on heightened emphasis when the affidavits of circulators of nominating petitions are involved. The affidavits of the circulators are critical in nominating petition challenges because they speak to the validity of the signatures collected. In *Citizens Against Legalized Gambling v. District of Columbia Bd.*

of *Elections and Ethics* 501 F.Supp. 786 (D.D.C., 1980), the court held that misconduct on the part of the circulator does not necessarily invalidate the signatures the circulator actually collected. However, the court distinguished that case from a scenario such as that presented here where there is a question as to whether the circulator, in fact, circulated the petition.

Where petitions have been invalidated because of the failure of the person circulating the petition to comply with the laws, the reasoning generally seems to be that the omission raises doubts as to the validity of the signatures themselves. See, e. g., *In re Levowitz*, 221 N.Y.S.2d 703 (1961) (statement of witness to signatures false, casting doubt on authenticity of signatures); *Clawson v. Wilgus*, 107 Ohio App. 460, 160 N.E.2d 294 (1957) (person attesting to petition did so falsely; no way to determine actual circulator). That is not the situation here.

Citizens at 790. In contrast to the present case, there was no question in *Citizens* whether the circulator in fact circulated the petitions.

In the instant case, the Board was faced with the issue whether the Bishops had in fact circulated the petition which they had signed as circulators. Pursuant to D.C. CODE § 1-1001.08(o) et. seq., signatures are presumed *bona fide* if posted for inspection. The presumption of the validity of the signatures of the persons who signed the Mayor's petition is placed in doubt as a result of statements contained in the newspaper articles made part of the record by the Mayor's counsel. These statements contradicted the information set out in the affidavits of the Bishops and the other circulators.⁶ "If a party or witness whose affidavit is submitted is available, and the matters contained in the affidavit are relevant to the case, the party or witness should be required to appear and testify under oath or affirmation. When necessary, a witness should be subpoenaed." HYMAN at 35. "The opportunity to cross-examine is an element of fundamental fairness

⁶ Specific statements attributed to circulators have been previously quoted *supra* at page 8.

and hence the requirement of all adjudicatory hearings". BERNARD SCHWARTZ, ADMINISTRATIVE LAW § 7.7 (3d ed. 1991). The right of cross-examination, to rebut evidence, is also clearly stated and required in the D.C. Administrative Procedure Act. D.C. Code § 2-509(b). Testimony that is not subject to cross-examination generally cannot be considered reliable, probative or substantial evidence *Selk v. District of Columbia Department of Employment Services* 497 A2d 1056 (1985).

Here both Scott Bishop, Sr. and Scott Bishop, Jr. were subpoenaed to be cross-examined on the veracity of their affidavits. Both individuals exercised their Fifth Amendment privilege against self incrimination and refused to answer any questions posed by the parties or the Board. Because both the Board and the opposing parties were denied an opportunity to cross-examine the witnesses on their statements, their affidavits should not be considered reliable. Even counsel for the Mayor's campaign and the Board were precluded from eliciting evidence demonstrating whether any of the signatures on the petition sheets from the Bishops were in fact genuine and properly obtained without undue influence or fraud.

The Supreme Court in *Buckley v. American Constitutional Law Foundation Inc.*, 525 U.S. 182 (1999), has explicitly held that affidavit requirements have an important place in ballot access because they promote the state's interest in reaching law violators among petition circulators, "[t]his address attestation, we note, has an immediacy, and corresponding reliability, that a voter's registration may lack. The attestation is made at the time a petition section is submitted; a voter's registration may lack that currency." *Id.* at 196. D.C. CODE § 1-1001.08(b)(3) requires that circulators swear or affirm that they personally circulated the petition, witnessed each person sign the petition, and inquired

from signers whether they are a registered voter in the same party as the candidate. The attendant circumstances in the record controverted each material aspect of the affidavit. However, rather than prejudge the actions of the Bishops based on forged signatures which eventually the Mayor declined to defend and on statements contained in newspaper articles, the Board wished to hear the circulators' testimony directly. The Board wanted to decipher whether nominating petitions were, in fact, asserted to be valid by the circulators themselves. The Board was denied the opportunity to ascertain the veracity of the Bishops' affidavits based upon their own testimony because the witnesses refused to testify. The testimony of the circulators was critical, thus the testimony of the circulators was critical to the resolution of this matter. There was no way for the Registrar of Voters to ascertain whether the circulators personally circulated petitions, or personally witnessed each person actually sign the petition. Although the Mayor's counsel submitted testimony from witnesses who asserted Scott Bishop, Sr. was in charge of collecting signatures, as well as a picture showing Scott Bishop, Sr. holding a folder at a function with the Mayor, none of these proffers of evidence controverted the admission of the Bishops that they signed petition sheets that they did not circulate.

D. ABSENT SIGNATURES ATTRIBUTABLE TO THE BISHOPS, IT WAS NUMERICALLY IMPOSSIBLE FOR THE MAYOR TO ACHIEVE 2000 SIGNATURES.

The Board was prepared to review the entire nominating petition, signature by signature, and rule on the validity of each individual challenge. However, it became perfectly clear that even if the Board accepted all of the Mayor's legal arguments, there was still no scenario possible in which the Mayor could obtain 2000 signatures without including signatures attributable to the Bishops.

If the Board accepted the report of the Registrar of Voters, which excluded forgeries, non-registered voters, non-democrats and other challenges she deemed valid, the Mayor is left with 2235 presumptively valid signatures. However, 945 signatures deemed presumptively valid by the Registrar were attributable to the Bishops, the Mayor is left with only 1290 signatures.⁷ Even if the Mayor were to prevail with respect to the outstanding question concerning the validity of a challenge of signatures of a nominating petition circulated by a person who is not a registered qualified elector based on the reasoning in *Buckley*, this would provide the Mayor with an additional 22 valid signatures—raising his total to 1312 valid signatures. In addition, even if the mayor were to prevail with respect to any challenge based on the fact that the circulators affidavit precedes the date of certain signatures on the petition sheet, the Mayor would still fall hundreds of signatures below the requirement for 2000 valid signatures.

The Board wishes to make it very clear that it is aware of no evidence that the Mayor personally encouraged or directed any circulators or other persons affiliated with his campaign to fail to comply with the requirements set out by the laws and regulations governing elections in the District of Columbia. The Board is of the view that with better training of circulators and more direct oversight by senior campaign officials and the Mayor, this problem may have been avoided all together.

In sum, there was absolutely no numerical way possible that the Mayor could achieve 2000 signatures without counting the nominating petition sheets circulated by the Bishops. The Bishops' nominating petition sheets predominate Mr. Williams's

⁷ After choosing to no longer defend 214 sheets, the Mayor rested his nomination on 298 nominating petition sheets containing 5862 signatures. The Register of Voters determined that 523 of these signers were not registered voters, leaving 5339 signatures. If the Board subtracted the 3552 signatures submitted that were attributable to the Bishops, the Mayor is left with a maximum 1760 signatures prior to the Registrar's evaluation of the challenges.

nominating petition submission. Absent some assurances as to the veracity of the affidavits contained on those sheets, the Board was unable to determine which nominating petitions, if any, the Bishops circulated. Although not required to do so, the Mayor's counsel did not present a single duly registered voter out of the 3,552 signatories on the nominating petition sheets circulated by the Bishops' who testified that their signature was actually witnessed by the Bishops.

Entrusted with the obligation to ensure the integrity of the process, the Board rejected the preliminary findings of the Registrar of Voters where, as here, the Board could not determine with any level of confidence whether the nominating petition sheets were in fact circulated by the Bishops. Acting in good faith, The Board could not presume the validity of signatures collected by the Bishops in light of their submission of 167 nominating petition sheets replete with forgeries, their failure to appear at the hearing in response to a subpoena, their statements contained in newspaper articles in which they admit they did not circulate an unidentified number of the nominating petitions they signed, and their subsequent refusal to answer any questions whatsoever at the hearing. Moreover, Ms. Hemphill and Mr. Duncan, senior officials in the Williams campaign, admitted they did not exercise oversight and quality control over the Bishops during the latter part of the campaign.

Ultimately, the Board is unwilling to assume the presumptive validity of signatures on nominating petitions circulated by the Bishops based upon the facts of this case where to do so would place a "cloud" on the Mayor's nomination, and call into question the integrity of the process.

III. CONCLUSION

For the reasons outlined above, namely the widespread obstruction and pollution of the nominating process as it pertains to nominating petition sheets circulated by the Bishops, the Board concludes that the Mayor does not have the requisite number of signatures for ballot access as the Democratic Party candidate for Mayor of the District of Columbia, it is hereby

ORDERED that Mayor Anthony Williams be denied access to the ballot as a candidate for the Democratic nomination in the September 10, 2002 Mayoral Primary Election.

July 29, 2002
Date



Benjamin F. Wilson, Board Chairman

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing order was delivered by hand this 30th day of July, 2002 to the following parties:

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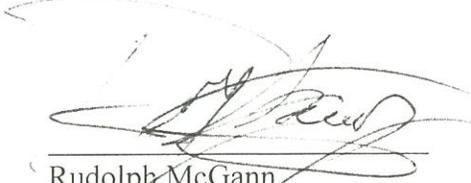
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