

Election Year

2010

Guide to Candidate Qualification and Ballot Access

September 14 • Primary

November 2 • General Election



District of Columbia
Board of Elections and Ethics

Preface

On behalf of the District of Columbia Board of Elections and Ethics, I am pleased to provide you with this *Election Year 2010 Guide to Candidate Qualification and Ballot Access*. This biennial *Guide* contains information for voters who wish to campaign for public office or to place a referendum or initiative on the ballot.

Although the requirements to qualify for the ballot remain the same, parts of this *Guide* have been changed to reflect dramatic changes to the voting process this year. Beginning in September, voters will be able to choose to cast a ballot by mail without excuse, at their choice of one of five early voting locations, or at their neighborhood polling place. Voters will also be able to register to vote at the polls on Election Day, although we strongly encourage every voter to confirm their registration at least 30 days prior to the election. At the polls, voters will check in using an electronic poll book and will cast their ballot in a new way – by filling in an oval on their paper ballot, rather than connecting an arrow, or on a touch screen that marks a voter verifiable paper record. As we provide voter education, please let us know if you have suggestions for opportunities to introduce voters in your community to the new equipment and procedures.

The *Guide* has also been updated to reflect changes in how to request voter registration lists and other public records from our office. As we make more information available on our web site and by e-mail, we are reducing – and in some cases eliminating – fees for public information.

I encourage you to familiarize yourself with our web site and to sign up for our e-mail subscription list at <http://www.dcboee.org>. If you have any questions about the District's election process that are not answered in this *Guide* or on our web site, please call our office at 202-727-2525 or send me an e-mail at director@dcboee.org.



Rokey W. Suleman, II
Executive Director

Note: This *Guide* is formatted in 8 ½” x 11” for improved readability when printed from our web site at http://www.dcboee.org/candidate_info/candidate_guide.pdf. It is also available in a smaller printed format from the Board's office at One Judiciary Square, 441 4th Street, N.W., Suite 250 North. If you would like a copy sent to you by mail, call 202-727-2525 or send an e-mail to kbrooks@dcboee.org.

Revised April 22, 2010

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This *Guide* is printed well in advance of the 2010 elections and updated periodically on the Board's web site. For the most up-to-date information, please refer to the Official Election Calendar available at the Board's office or on our web site. In the event of conflict with information contained in this *Guide*, in the Official Election Calendar or on our web site, the laws and regulations of the District of Columbia will apply.

Introduction

The District of Columbia Board of Elections and Ethics is the independent agency of the District government responsible for the administration of elections, ballot access and voter registration. The Board appoints the Executive Director, who is primarily responsible for the administrative operations of the Board. The Registrar of Voters oversees the Voter Services Branch, which administers the process of qualifying candidates and measures for the ballot. The Board's web site is <http://www.dcboee.org>. Telephone inquiries should be directed to 202-727-2525.

Board operations are overseen by:

Errol R. Arthur.....Board Chair
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Charles R. Lowery, Jr.....Board Member
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In addition, the Board appoints a General Counsel, who serves as the Board's chief legal advisor and is responsible for representing the Board in all judicial proceedings relating to local elections, campaign finance, conflict of interest, lobbying laws, and other duties delegated or assigned by the Board.

Kenneth J. McGhie, Esq.....General Counsel
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Candidates seeking nomination or election to office in the District of Columbia must also comply with requirements of the Office of Campaign Finance, which is administered separately to enforce District laws pertaining to campaign finance, lobbying, conflict of interest and financial disclosure of public officials. For more information, see the Campaign Finance Guide available at <http://www.ocf.dc.gov/>. Telephone inquiries for the Office of Campaign Finance should be directed to 202-671-0547.

Deadlines at a Glance

For complete dates, see the Official Election Calendar at the Board's office or at <http://www.dcboee.org>.

Primary Election

Candidate Qualification:

Deadline to File Candidate Petitions	July 7
Lottery for Ballot Position	July 23

Voter Registration:

By Mail Registration	August 16
Changes to Existing Party Registrations	August 16
In- Person/Office Registration	September 13
Same Day Registration	September 14

Absentee Voting:

Last Day to Apply by Mail	September 7
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Early Voting: 8:30 a.m. to 7:00 p.m., Monday through Saturday (closes at 4:45 p.m. on September 13)

at Board's Office	August 30 – September 13
at Early Voting Centers	September 4 – September 11

Primary Election Day

September 14

Special Ballot Hearings September 22 – September 24

Final Count of Special Ballots September 24

General Election

Candidate Qualification:

Deadline to file Candidate Petitions (Direct Access)	August 25
Deadline to file Candidate Petitions (ANC)	September 3
Lottery for Ballot Position	September 17

Voter Registration:

By Mail Registration	October 4
In- Person /Office Registrations	November 1
Same Day Registration	November 2

Absentee Voting:

Last Day to Apply by Mail	October 26
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Early Voting: 8:30 a.m. to 7:00 p.m., Monday – Saturday (closes at 4:45 p.m. on November 1)

at Board's Office	October 18 – November 1
at Early Voting Centers	October 23 – October 30

General Election Day

November 2

Special Ballot Hearings November 10 - November 12

Final Count of Special/Absentee Ballots November 12

Overview of Scheduled Elections

Primary Election (September 14, 2010)

The District of Columbia holds primary elections every two years for the *major parties* in the District to nominate their candidates for the partisan offices on the ballot in the general election. A *major party* is a party that has had one of its candidates for the office of Delegate, Mayor, Chairman of the Council, member of the Council, or elector for President and Vice-President receive at least 7,500 votes in the previous general election. Political parties that have not met this requirement are considered *minor parties* and may nominate candidates directly to the general election ballot.

To appear on the primary election ballot, candidates must meet both the legal requirements for the position sought and the requirements for ballot access, including filing a nominating petition containing the required number of signatures as described elsewhere in this *Guide*.

Note: Because the District has a closed primary system, only individuals registered with a major party will be permitted to sign nominating petitions for that party and to cast their party's ballot in the primary election. New voters may register at the polls on the date of the election; however, voters may not cast a ballot in the primary if they were previously registered with another party or with no party in the 30-day period prior to the election. Proof of residence is also required to register at the polls on the day of the election.

Parties nominating candidates in the primary election:

Democratic
Republican
D.C. Statehood Green

Offices appearing on the ballot:

Delegate to the U.S. House of Representatives
Mayor of the District of Columbia
Chairman of the Council
At-Large Member of the D.C. Council
Ward Member of the D.C. Council (1, 3, 5 & 6)
U.S. Representative

General Election (November 2, 2010)

The District of Columbia holds general elections every two years to elect qualified candidates to public office. The general election ballot includes the names of those nominated by the major parties in the primary election, along with independent and minor party candidates who are nominated directly to the general election ballot. The ballot also includes the names of candidates for nonpartisan positions. Candidates for partisan office

appear with the name of their political party or 'Independent' next to their names on the ballot, while candidates for nonpartisan offices appear without a party designation.

To appear on the general election ballot, nonpartisan, independent and minor party candidates must meet both the legal requirements for the position sought and the requirements for ballot access, including filing a nominating petition containing the required number of signatures as described elsewhere in this *Guide*.

Candidates may only list a minor party designation on the ballot if the designated party has previously been approved as a minor party by the Board. The candidate must obtain approval of the party name, register with the party and list the name of the party on their nominating petition before circulation begins. A list of approved minor parties appears on the Board's web site.

Partisan offices appearing on the ballot:

Delegate to the U.S. House of Representatives
Mayor of the District of Columbia
Chairman of the Council
At-Large Member of the D.C. Council (two to be elected)
Ward Member of the D.C. Council (1, 3, 5 & 6)
U.S. Representative

Nonpartisan offices appearing on the ballot:

Ward Member of the State Board of Education (1, 3, 5 & 6)
Advisory Neighborhood Commissioner

Legal Qualifications for Office

The qualifications detailed in this section are those necessary to hold the various public offices on the ballot in the District of Columbia during the year 2010. Qualifications for office are distinct from the requirements for gaining ballot access. Please see the “Getting Your Name on the Ballot” section of this *Guide* for ballot access requirements.

Delegate to the United States House of Representatives

The Delegate to the U.S. House of Representatives is a non-voting member of the United States House of Representatives who is elected from the District of Columbia. While unable to vote in the full House, the Delegate may vote in the Committee of the Whole and other committees of which the Delegate is a member. To hold the office of Delegate, an individual must meet the following qualifications on the date of the general or special election (D.C. Official Code § 1-401):

- Be a qualified elector in the District ¹
- Be at least of 25 years of age
- Hold no other paid public office
- Have resided in the District of Columbia continuously since the beginning of the three-year period ending on the date of the general or special election

Mayor of the District of Columbia

The Mayor of the District of Columbia is the chief executive officer of the District in whom the District’s executive power is vested. To hold the office of Mayor of the District of Columbia, an individual must meet the following qualifications (D.C. Official Code § 1-204.21):

- Be a qualified elector in the District
- Not be engaged in any employment and hold no public office or position for which he is compensated in an amount in excess of his actual expenses
- Have resided and been domiciled in the District of Columbia for one year preceding the general or special election

Chairman of the Council

The Chairman of the Council of the District of Columbia is the presiding and chief executive officer of the Council and is a voting member of all standing committees. The Chairman is elected at large to a four-year term of office. To hold the office of Chairman of the Council, an individual must meet the following qualifications (D.C. Official Code §§ 1-204.02 and 1-204.03):

- Be a qualified elector in the District

¹ Qualified Elector means a citizen of the United States who is at least 17 years of age and who will be 18 years of age on or before the next general election; is a citizen of the United States; has maintained a residence in the District for at least 30 days preceding the next election and does not claim voting residence or the right to vote in any state or territory; is not incarcerated for a crime that is a felony in the District; and has not been found by a court of law to be legally incompetent to vote [D.C. Official Code § 1-1001.02 (2)].

- Hold no other public office for which he is compensated in an amount in excess of his actual expenses
- Have resided and been domiciled in the District of Columbia for one year preceding the general or special election

At-Large Member of the Council

Two at-large members of the Council of the District of Columbia are elected to a four-year term every two years. The Council enacts laws, approves the annual operating budget, and establishes and oversees the programs and operations of all District government agencies. To hold the office of At-Large Member of the Council, an individual must meet the following qualifications (D.C. Official Code § 1-204.02):

- Be a qualified elector in the District
- Hold no other public office for which he is compensated in an amount in excess of his actual expenses
- Have resided and been domiciled in the District of Columbia for one year preceding the general or special election

Ward Member of the Council

One member of the Council of the District of Columbia is elected from each of the District's eight wards. Members of the Council hold staggered four-year terms and representatives from wards 1, 3, 5 and 6 are on the ballot in 2010. The Council enacts laws, approves the annual operating budget, and establishes and oversees the programs and operations of all District government agencies. To hold the office of Ward Member of the Council, an individual must meet the following qualifications (D.C. Official Code § 1-204.02):

- Be a qualified elector in the District
- Hold no other public office for which he is compensated in an amount in excess of his actual expenses
- Have resided and been domiciled in the District of Columbia for one year preceding the general or special election
- Reside in the ward from which nominated

United States Representative

The position of United States Representative or "Shadow Representative" was created by the 1982 Constitution of the State of New Columbia with the intention that the officeholder would become United States Representative upon the ratification of the District of Columbia Voting Rights Amendment of 1978. The duties of the office are: to inform Congress that D.C. residents meet the traditional standards for achieving statehood; to monitor the process of the District's petition to gain statehood; and to advise the District of Columbia on public policy matters that bear on achieving statehood. To hold the office of United States Representative, an individual must meet the following qualifications, as defined in the United States Constitution (Article I, Section 2):

- Be at least 25 years of age

- Have been a citizen of the United States for at least seven years
- Be a resident of the District of Columbia on the date of the general or special election

Ward Member of the State Board of Education

Members of the State Board of Education advise the State Superintendent of Education on educational matters including state standards, state policies (including those governing special, academic, vocational, charter and other schools), state objectives, state regulations proposed by the Mayor or the State Superintendent of Education, and other matters. To hold the office of Ward Member of the State Board of Education, an individual must meet the following qualifications (D.C. Official Code § 38-2561):

- Be a qualified elector in the school election ward from which he or she seeks election;
- Have resided in the ward from which he or she is nominated for one year immediately preceding the election
- Hold no other elective office, except delegate or alternate delegate to a political party nominating convention, nor be an officer or employee of the District of Columbia Government or the State Board of Education upon taking office

Advisory Neighborhood Commissioner

Advisory Neighborhood Commissioners advise the District government on matters of public policy including decisions regarding planning, streets, recreation, social services programs, health, safety, and sanitation in their respective neighborhood commission areas. To hold the office of Advisory Neighborhood Commissioner from a Single-Member District, an individual must meet the following qualifications (D.C. Official Code § 1-309.05):

- Be a registered qualified elector in the District actually residing in the Single-Member District from which he or she is elected
- Have resided in the Single-Member District continuously for the 60-day period immediately preceding the day on which the nominating petition is filed
- Hold no other elected public office

Getting Your Name on the Ballot

To qualify for ballot access, a candidate for office must submit a nominating petition and the additional documents described below to the Board. This information applies to all candidates regardless of the office sought.

For more information on requirements and deadlines for the primary or general election, please ask the Voter Services staff. For information on filing requirements with the Office of Campaign Finance, see <http://www.ocf.dc.gov/> or call 202-671-0547.

The Nominating Petition

To appear on the ballot in the District of Columbia, a candidate must circulate and file a nominating petition containing the required number of signatures of registered voters. The number of signatures required for each office is provided in the table titled ‘Signature Requirements’.

The dates for circulating the nominating petitions for the 2010 elections are as follows:

- May 14 – July 7, 2010 for the Primary Election
- July 2 – August 25, 2010 for nonpartisan, independent and minor party candidates in the November General Election
- August 4 – September 3, 2010 for ANC Candidates in the November General Election

Petition forms must be obtained from the Board. The following information must appear on each page:

- The candidate’s name and address
- The ward or single-member district of the candidate, if applicable
- The political party of the candidate, if applicable

Nominating petition forms may be released only to the candidate unless the Board receives a signed written notice from the candidate authorizing the Board to release petition pages in the candidate’s name.

If you need more petition forms during the circulation process, please call ahead so that the Board’s staff can prepare them in advance.

Signature Requirements Partisan Offices		
Office	Primary Election	General Election
Delegate to the U.S. House of Representatives	2,000 or 1% (whichever is less) of duly registered voters in the same party as	3,000 or 1.5% (whichever is less) of duly registered voters

	the candidate	
Mayor of the District of Columbia	2,000 or 1% (whichever is less) of duly registered voters in the same party as the candidate	3,000 or 1.5% (whichever is less) of duly registered voters
Chairman of the Council	2,000 or 1% (whichever is less) of duly registered voters in the same party as the candidate	3,000 or 1.5% (whichever is less) of duly registered voters
At-Large Member of the D.C. Council	2,000 or 1% (whichever is less) of duly registered voters in the same party as the candidate	3,000 or 1.5% (whichever is less) of duly registered voters
Ward Member of the D.C. Council (1, 3, 5 & 6)	250 or 1% (whichever is less) of duly registered voters in the same party and residing the same ward as the candidate	500 or 1.5% (whichever is less) of duly registered voters who reside in the same ward as the candidate
United States Representative	2,000 or 1% (whichever is less) of duly registered voters in the same party as the candidate	3,000 or 1.5% (whichever is less) of duly registered voters

Signature Requirements Non-Partisan Offices		
Office	Primary Election	General Election
Ward Member of the State Board of Education (Wards 1, 3, 5 & 6)		200 signatures of duly registered voters who reside in the same ward as the candidate
Advisory Neighborhood		25 signatures of duly

Commissioner (286 to be elected)		registered voters who reside in the same Single-Member District as the candidate
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Brown Bag Petition Circulator’s Training

The Board’s Voter Services staff conducts training sessions for candidates, proponents of ballot measures, and petition circulators. The training sessions provide an overview of the Board’s guidelines and policies for circulating nominating and ballot measure petitions. We encourage all petition circulators to attend and participate in the sessions.

The training sessions are held every other Tuesday at 12:15 p.m. Attendees are invited to bring a brown bag lunch.

Copies of the 2010 training schedule are available at the Board’s office or on our web site. For more information about training sessions, you may also call the Board at 202-727-2525.

Petition Circulation Guidelines

Below is a set of guidelines each circulator should know before circulating a petition page. If these instructions are not followed, the nominating petition may be invalidated by the Board or through the challenge period described elsewhere in this *Guide*. If you would like copies of these guidelines to give to your circulators, please ask any member of the Voter Services staff.

Every nominating petition page must have a circulator who witnesses all the signatures on the petition page and then signs the Circulator’s Affidavit. This affidavit is signed under penalty of perjury. It does not need to be sworn to before a notary or Board official.

The Circulator of the Nominating Petition

The circulator of the petition must:

- Be a qualified registered voter in the District of Columbia
- Watch each voter sign his or her name to the petition page
- Complete and sign the Circulator’s Affidavit on the back of each page

It is essential that the circulator personally witness each signature on the petition. A petition may not be left on a table unattended or passed among potential signers if the circulator is not accompanying the petition page. There can be only one circulator for each petition page. That circulator must complete and sign the Circulator’s Affidavit on the back of each page attesting, under penalty of perjury, that he or she personally witnessed each voter’s signature. Failure to complete the Circulator’s Affidavit could invalidate all signatures on the page.

The Signers of the Nominating Petition

Each signer of the petition must:

- Be a registered voter in the District at the time he or she signs the petition. The signature of a new applicant who fills out a Voter Registration Application at the same time is not valid.
- Sign the petition using the name under which he or she is registered to vote. Failure to do so could invalidate the signature.
- Sign his or her own name. A person may not sign a petition for another individual. If a petition signer is unable to sign the petition, the signer may make his or her mark in the space for signature. The signature will not be counted unless the person witnessing the mark attaches to the petition an affidavit attesting that he or she explained the contents of the petition to the signer and saw the signer mark the petition.
- Provide the residence address where he or she is registered to vote or, if the address provided is different than the address which appears on the signer's registration record, file a change of address within 10 days of any challenge to the candidate's nominating petition. The street name and number must be provided on the petition. The signer may not use a Post Office Box Number.
- Provide the date on the petition when signing. Ditto marks should not be used.

If the candidate is seeking nomination in a primary election:

- The signer must be registered in the same party as the candidate.

If the candidate is seeking nomination as a member of a minor party or as an independent:

- The signer may be registered with any or no party.

If the candidate is seeking nomination from a ward:

- The signer must live and be registered to vote in the same ward as the candidate.

If the candidate is seeking nomination from an ANC single-member district (SMD):

- The signer must be registered to vote in the same SMD.

A voter may sign the nominating petition of more than one candidate seeking nomination for the same office. However, a voter may not sign the petition for an individual candidate more than once.

The Declaration of Candidacy and Affidavit of Qualifications

Every candidate must file a Declaration of Candidacy and Affidavit of Qualifications ("Declaration"). The Declaration is reviewed by the Board to preliminarily determine if the candidate meets the qualifications to hold office. The Declaration may be obtained at the Board's office or downloaded from the Board's web site.

While petitions and other forms may be completed by campaign supporters, the Declaration must include the signature of the candidate. The Declaration must be filed by not later than 5:00 p.m. on the last day prescribed for the close of the nominating petition period as follows:

- Wednesday, July 7, 2010 for the primary election
- Wednesday, August 25, 2010 for independent and minor party candidates in the general election
- Friday, September 3, 2010 for candidates for Advisory Neighborhood Commissioner

A member of the Board's staff may notarize a candidate's Declaration, provided that the candidate appears at the Board's office with the form completed except for his or her signature and signs the document in the presence of the Board's staff.

Note that information provided on the Declaration of Candidacy is a matter of public record and may be published for circulation to the general public, posted on the Board's web site, and given to the news media and other persons upon request.

Affidavit of the Person Filing the Petition

The person submitting the petition must file an Affidavit of the Person Filing the Petition attesting that, to the best of that person's knowledge and belief, the nominating petition contains the required number of signatures.

The Affidavit is filed by the person making the initial submission of the nominating petition pages. The initial submission must contain the minimum number of signatures needed to qualify for the ballot. After the initial submission is made, supplemental petition pages containing any number of signatures may be filed at any time, up until the deadline for filing the nominating petition.

Tips on Filing the Petition – Checklist

- Arrive at the Board's office early and prepared to file.
- Before filing the nominating petition, assemble and serially number all the sheets which comprise the petition. The Board may reject any petition that does not meet this requirement.
- Make sure the Circulator's Affidavit on each petition page is completed and signed.
- Make sure you have your Declaration of Candidacy completed and notarized. If you plan to have a member of the Board's staff notarize the Declaration, arrive at the office with the form completed except for the signature. The Declaration must be signed by the candidate. It may not be signed by anyone else.

□ Make sure you have the Affidavit of the Person Filing the Petition completed and notarized. If you plan for a member of the Board's staff to notarize the Affidavit, arrive at the office with the Affidavit completed except for the signature.

□ File the minimum number of signatures early so that, if a document is missing or someone makes an error, there is still time to correct the deficiency before the deadline for filing the nomination petition. Remember, you can always file supplemental petition pages up until the deadline once you have made the initial filing with the minimum signature requirement.

□ Review your petition before filing. Petitions must meet all the requirements of the law. The Board may reject any petition that does not conform to either the Election Code or the Board's regulations.

You can check your petition signatures prior to filing by reviewing the list of registered voters that is available for public use in the Board's office and at various public libraries. This list is also available electronically. To order an electronic copy of the voter registration list, see the Obtaining Voter Registration Data section of this *Guide*, visit our web site or call the Board at 202-727-2525.

Determination of Preliminarily Qualified Candidates

On the third working day after the deadline for filing nominating petitions, the Executive Director determines preliminarily whether each prospective candidate who has filed both a Declaration and a nominating petition is legally qualified to be a candidate for the office sought. Each prospective candidate is notified of the preliminary determination by both first-class and certified mail.

Under D.C. law, absent a challenge, the Board does not verify nominating petition signatures for accuracy of information. In its preliminary evaluation, the Board will reject a candidate's petition for any one of the following reasons:

- (1) The petition, on its face, does not contain the minimum number of signatures required for ballot access.
- (2) The petition contains pages that do not have a completed Circulator's Affidavit and the total number of signatures rejected as a result of the incomplete Affidavit on those pages brings the candidate's petition below the minimum number of required signatures.
- (3) There has not been a notarized Declaration filed by a candidate.
- (4) Information on the Declaration indicates that the candidate does not meet the legal qualifications to hold the office.

Also, the Board may reject a candidate's petition if there is no notarized Affidavit of the Person Filing the Nominating Petition.

The Challenge Period

For a ten-day period beginning on the third day after the deadline for filing nominating petitions, the Board makes available hard copies and electronic images on CD of each candidate's petition for inspection and challenge. During the challenge period, any registered voter may review the petition copies. If he or she believes that a candidate's nominating petition fails to meet the minimum requirements for ballot access, the registered voter may file a written Challenge detailing the petition's defects.

The ten-day challenge periods for the 2010 elections are as follows:

- July 10 – July 19, 2010 for the September Primary
- August 28 – September 7, 2010 for nonpartisan, independent and minor party candidates in the November General Election
- September 7 – 16, 2010 for candidates for Advisory Neighborhood Commissioner in the November General Election

The filing of a written Challenge sets in motion the process for a legal determination as to whether the candidate has, in fact, met the minimum requirements for ballot access. The Registrar reviews the Challenge and the nominating petition to verify the validity of the Challenge. Failure to file a complete and concise Challenge may invalidate the Challenge. Petition signers whose residency is challenged because they have moved from the address listed on the Board's records may validate their signature by filing a change of address within ten days of the Challenge to the nominating petition containing their signature.

Petition Defects to Avoid

In most instances, candidates are denied ballot access because they have not taken the time to carefully review the signatures on their petitions before they are filed. Candidates may avoid challenges by making sure that their petitions meet the minimum requirements for ballot access. Below is a list of the most common petition defects to avoid:

- The signer is not registered to vote.
- The signer was not registered to vote at the address listed on the petition at the time it was signed and did not file with the Board a change of address within 10 days of a challenge to their residency.
- The signer is not registered in the candidate's party (primary only).
- The signer is not registered in the candidate's election district (Ward or Single Member District only).
- The petition signature is not dated.

- Signatures on the petition are in the same hand or do not match those of the registered voters in the Board's file. The nominating petition may be referred for criminal prosecution.

Any one or any combination of the above petition defects may cause a candidate to be disqualified from the ballot if enough signatures are disallowed to bring the candidate below the minimum number of valid signatures required. Therefore, the Board suggests that you file more than the minimum number of signatures needed to qualify.

Write-In Candidates

Write-in candidates must meet the same legal qualifications as candidates whose names appear on the ballot. Qualified individuals who wish to become write-in candidates must certify their candidacy by filing an Affirmation of Write-in Candidacy with the Board no later than 4:45 p.m. on the third day following the primary election, and no later than the seventh day following the general election.

In order for a write-in candidate in the primary election to qualify as the nominee of a major party and have his or her name printed on the general election ballot, he or she must receive more votes than any other candidate running for the party's nomination and timely file an Affirmation of Write-in Candidacy, which may be obtained at the Board's office or downloaded from the Board's web site.

The total number of votes cast for each write-in candidate will be calculated only in contests where there is no candidate printed on the ballot in order to determine a winner, or where the total number of write-ins reported on Election Day is sufficient to elect a write-in candidate.

The deadlines for filing Affirmations of Write-in Candidacy for the 2010 elections are as follows:

- Friday, September 17, 2010 for the Primary Election
- Tuesday, November 9, 2010 for the General Election

Advisory Neighbor Commission (ANC) Elections

Advisory Neighborhood Commissions (ANCs) are neighborhood-based boards that may advise the District's elected officials and other government with respect to all proposed matters of District government policy, including decisions regarding planning, streets, recreation, social service programs, health, police protection, and sanitation in their neighborhood area. (D.C. Official Code § 1-309.10).

ANCs are subdivided into smaller communities, each consisting of approximately 2,000 residents, called single-member districts (SMDs). There are 37 ANCs and 286 SMDs. ANCs range in size from two single-member districts to twelve single-member districts, depending on the size of the neighborhood.

Each SMD is represented on an ANC by an ANC Commissioner. The ANC Commissioner is an unsalaried official who is nominated and elected in a nonpartisan election by the registered voters who reside in the same SMD as the candidate. The term of office for an elected ANC Commissioner is two years.

The Board provides a variety of materials, including a map of the SMD and a list of registered voters, to make it as easy as possible for ANC candidates to have their names placed on the ballot. Please call our Voter Services Office at 202-727-2525 for details.

Write-In Candidates for Advisory Neighborhood Commissioner

Write-in candidates for the Office of Advisory Neighborhood Commissioner must meet the same qualifications as candidates whose names appear on the ballot. Individuals who wish to become write-in candidates must certify their candidacy by filing a notarized Affirmation of Write-In Candidacy with the Board by no later than 4:45 p.m. on the seventh day following the general election (Tuesday, November 9). The Board encourages write-in candidates to file prior to Election Day.

An Affirmation of Write-In Candidacy may be obtained from the Voter Services Office or downloaded from the Board's web site.

Lottery for Ballot Position

The Board conducts a lottery for ballot position to determine the order of the names on the ballot in each contest. Each candidate or his or her designated representative may be present for the ballot lottery. The Board notifies, by first-class mail, each candidate appearing on the ballot of the date and time of the ballot lottery, which also appears on the Official Election Calendar. This notification will also indicate how the candidate's name will appear on the ballot, as indicated in the Declaration filed by the candidate.

If there is a successful petition challenge or a candidate timely withdraws his or her candidacy after the date of the ballot lottery, the position of the remaining candidates' names will be advanced accordingly.

The dates for the ballot lotteries for the 2010 elections are as follows:

- July 23, 2010 for the Primary Election
- September 17, 2010 for the General Election

Campaign Finance Information

The information below has been supplied by the Board's Office of Campaign Finance (OCF). All questions regarding campaign finance rules and regulations should be directed to OCF, which is located in the Reeves Municipal Building at 2000 – 14th Street, NW, Suite 433, or by calling 202-671-0547. The web site for the Office of Campaign Finance is <http://www.ocf.dc.gov/>.

Registration and Reporting Requirements for Candidates and Political Committees

The District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974, as amended, D.C. Official Code § 1-1101.01 (88 Stat. 447, 2001 Edition Public Law 93-376, effective August 14, 1974), requires full and complete disclosures by and on behalf of local candidates and political committees engaged in local political campaigns.

All candidates and political committees participating in the 2010 elections for the Offices of Mayor, Chairman or Members of the D.C. Council, Members of the State Board of Education and the United States Representative must register with the Office of Campaign Finance, and file periodic reports of receipts and expenditures. Candidates for the Office of Advisory Neighborhood Commissioner are in a special category and are not affected by the registration requirements of the Campaign Finance Act, but must file an ANC Summary Financial Statement by no later than thirty (30) days after the election in which they participate.

Registration Requirements

Statement of Candidacy

An individual must register as a candidate with the Office of Campaign Finance within five (5) days of receiving a contribution, making an expenditure, obtaining nominating petitions, or authorizing another person to so act on their behalf.

Statement of Organization

Each political committee must file a Statement of Organization within ten (10) days of organizing. The ten (10) day period will commence upon designation by the candidate of a principal campaign committee on the "Statement of Candidacy Form," if the committee has not been previously organized.

Reporting Requirements

Financial Disclosure Statement

Each candidate must file a personal "Financial Disclosure Statement" with the Director of the Office of Campaign Finance within thirty (30) days of becoming a candidate unless it is for an Office the candidate currently holds.

Reports of Receipts and Expenditures

“Reports of Receipts and Expenditures” are required from the treasurers of all political committees and candidates, except candidates who designated a principal campaign committee, and have been granted a waiver from filing separate reports from their committee; and candidates who anticipate spending less than \$500 in any one (1) election and have not designated a principal campaign committee.

Candidates claiming to spend less than \$500 must file a \$500 exemption form fifteen (15) days before the election and thirty (30) days after the election.

During the 2010 election year, candidates and treasurers of committees supporting candidates seeking office in this election year must file “Reports of Receipts and Expenditures” on January 31st, the tenth (10th) day of March, June, August, October, and December, and on the eighth (8th) day before each scheduled election - September 7th and October 25th. Any contribution of \$200 or more received after the closing date of the pre-election report must be reported within twenty-four (24) hours after it is received.

Political committees who notify the Director of the Office of Campaign Finance in writing on or before January 31, 2010 of their intent not to support a candidate during the 2010 election year must file “Reports of Receipts and Expenditures” on January 31st and July 31st.

Each person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount of \$50 or more, must also file “Reports of Receipts and Expenditures.” All reports are available for public inspection, and subject to desk and full field audits and investigations.

Candidates and political committees are able to electronically file their “Reports of Receipts and Expenditures” at the OCF web site (www.ocf.dc.gov). For general information and updates about electronic filing, call the Office of Campaign Finance at 202-671-0547.

Contribution Limitations and Identification of Campaign Literature

All candidates and political committees must adhere to the contribution limitations of D.C. Official Code §1-1131.01. All campaign literature must contain on its face the words “Paid For By”, followed by the name and address of the payer or the committee or other person and its treasurer on whose behalf the material appears.

Termination

Candidates and political committees have a responsibility to file campaign reports until a termination report is filed and approved by the Director of the Office of Campaign Finance. For example, neither withdrawal of candidacy nor an unsuccessful bid for office will relieve registrants of the responsibility to file reports of receipts and expenditures. A termination report can only be filed when the political committee has satisfied all debts and sustains a zero (0) balance.

The Initiative and Referendum Process

Any registered voter in the District of Columbia may seek either to propose a law by placing an initiative measure on the ballot, or to suspend an act of the Council by placing a referendum measure on the ballot. The process has several steps, which are defined by law and outlined below. However, for a complete account, see D.C. Official Code §§ 1-204.101 through 1-204.106 and 1-1001.16. For legal inquiries, please call the Board's Office of the General Counsel at 727-2194.

Supporters File the Measure with the Board of Election and Ethics

The process begins when a registered voter files the proposed measure in the Board's Voter Services Office. The filing must include five copies of the following:

- The legislative text of the proposed ballot measure;
- A short title of 15 words or less to describe the ballot measure; and
- A "Summary Statement" of 100 words or less that outlines the ballot measure for voters.

The proposer must also file a notarized statement swearing or affirming that he or she is a registered voter in the District of Columbia. This statement must include the proposer's residence address and telephone number.

The proposer must also file a Statement of Organization and a Verified Statement of Contributions with the Office of Campaign Finance no later than ten days after submitting the proposed measure to the Board. Failure to timely file the required statements will result in the rejection of the measure. The Office of Campaign Finance can be reached at 202-671-0547 or <http://www.ocf.dc.gov/>.

The Board of Elections Considers the Subject Matter

Once an initiative or referendum is filed, the Board publishes it in the D.C. Register and provides notice of a public meeting to consider whether the subject matter meets the requirements set forth in the law. Members of the public are invited to submit written testimony on the subject matter and to testify before the Board at the public meeting.

In its proper subject determination, the Board will reject a proposed ballot measure that:

1. Is contrary to the terms of the Home Rule Act;
2. Seeks to amend the Home Rule Act;
3. Appropriates funds;
4. Violates the U.S. Constitution;
5. Is not in compliance with the Office of Campaign Finance filing requirements;
6. Is not in the proper legislative form;

7. Authorizes, or has the effect of authorizing, discrimination prohibited by the D.C. Human Rights Act;
8. Negates or limits a Budget Act; or
9. Seeks to suspend emergency acts, acts levying taxes, or acts appropriating funds for the general operation budget.

If none of these grounds for rejection exists, the Board is required to accept the ballot measure as a proper subject.

The Board Approves a Short Title and Summary Statement

After approving the subject matter, the Board prepares the official Short Title and Summary Statement. The Summary Statement is a statement of 100 words or less that describes the measure for voters. It appears on both the petition form and the election ballot.

The Short Title and Summary Statement formulated by the Board are presented at a public meeting, where both proponents and opponents are invited to comment. The Board's responsibility is to approve language that is clear and impartial and fairly reflects the contents of the measure.

The Challenge Period Begins

Once approved, the official language is published in the D.C. Register, along with the legislative text. In addition, the official language for a referendum must also be published in at least one newspaper of general circulation. This begins a ten-day challenge period, during which any registered voter may object in the D.C. Superior Court to the official short title, summary statement, or legislative form.

The Petition Form is Approved

At the end of the challenge period, or once any court challenges are successfully resolved, the Board conducts a public meeting to approve the petition form for circulation.

Supporters Circulate the Petition

Once the petition is approved for circulation, the supporters of an initiative have 180 days to gather signatures. Referendum supporters must also collect the signatures before the end of the Congressional Review Period. To have a measure placed on the ballot, supporters of an initiative or referendum must collect the signatures of at least five percent of the voters registered citywide. These signatures must be distributed to reflect at least five percent of the registered voters in at least five of the eight wards.

The Board's Staff Verifies Petition Signatures

Once the petition is filed, the Board has thirty days to determine whether it contains the required number of voter signatures. In the presence of watchers and according to detailed procedures, the Board's staff checks each name on the petition to determine whether the signer is registered. Once the staff determines that a petition contains the required number of signatures, a random sample of one hundred signatures from each ward is checked against voter registration records to ensure the validity of the signatures. Petitions are available for public inspection in the Board's office for ten days beginning on the third day after the petition has been accepted for filing.

The Measure is Certified for the Ballot

At the end of the signature verification phase, the Board calls a public meeting to announce whether the petition meets the citywide and ward-level requirements. If the petition meets the requirements, the measure is certified by the Board for the election ballot. An initiative is placed on the next citywide general, special or primary election held at least 90 days after the Board's certification. A special election is called for a referendum unless another citywide election is already scheduled between 54 and 114 days after the Board's certification.

Initiative and Referendum Petition Certification Deadlines

The deadlines by which ballot measure petition signatures must be filed with the Board for the 2010 elections are as follows:

Initiative Measure

- Monday, May 17, 2010 for the Primary Election
- Tuesday, July 6, 2010 for the General Election

Referendum Measure

- Tuesday, June 22, 2010 for the Primary Election
- Tuesday, August 10, 2010 for the General Election

Changes to Voter Registration

Voters are encouraged to register or confirm the accuracy of their voter registration at least 30 days prior to an election. After that date, voter registration applications cannot be submitted by mail or by a third party and previously registered voters may not change their party registration.

However, as a result of the Omnibus Election Reform Act of 2009 (Act 18-238), new voters and previously registered voters who do not wish to change their party affiliation may also now register in person at the Board's office during the 30 days prior to the election or may register and cast a special, or provisional, ballot during the early voting period or at the polls on Election Day.

Registering Within 30 Days of an Election

Voters must appear in person at the Board's office or at an early voting location to register to vote within 30 days of an election. Until the period for early voting begins, all registrations will be processed over-the-counter and eligible voters will be able to cast a regular ballot during the early voting period or on Election Day. Any registration form received by mail or dropped off by a third party, and any request to change a party affiliation, after that date will not be processed until after Election Day.

Registering Within 15 Days of an Election

After the period for early voting begins, all registrations will be processed as same-day registrations. Any individual wishing to register from August 30 through September 14, or from October 18 through November 2, will cast a special, or provisional, ballot and should bring with them a current and valid photo identification or a current utility bill, bank statement, government check, paycheck or other government document showing their name and current address. The Board will hold public hearings to investigate special/provisional ballots and will oversee the final count of such ballots on the tenth day after the election. Any registration form received by mail or dropped off by a third party, and any request to change a party affiliation, will not be processed until after Election Day.

Registering at the Polls

Qualified residents who wish to register and cast a ballot on Election Day will cast a special, or provisional, ballot and should bring with them a current and valid photo identification or a current utility bill, bank statement, government check, paycheck or other government document showing their name and current address. The Board will hold public hearings to investigate special/provisional ballots and will oversee the final count of such ballots on the tenth day after the election.

Eligibility of 17-Year Old Voters

Registered voters who are 17 years old may cast a ballot in the primary election if they will be 18 by the general election. Young voters may preregister as early as age 16.

Voter Registration Drives

Any candidate or organization wishing to conduct a voter registration drive may obtain a supply of Voter Registration Applications after completing a form provided by the Board. Any request for more than 250 Voter Registration Applications must be approved by the Registrar of Voters upon demonstration that more than 250 individuals can be registered during the drive.

The Board will provide written guidance to any committee or campaign conducting a voter registration drive. Any third party delivering a registration form on a voter's behalf must do so at least 30 days prior to an election; forms received after that date will not be processed until after the election. Any individual wishing to register within 30 days of an election must appear in person and, if registering within 15 days of an election, must bring with them a current and valid photo identification or a current utility bill, bank statement, government check, paycheck or other government document showing their name and current address.

Changes to the Voting Process

Beginning this year, as a result of the Omnibus Election Reform Act of 2009 (Act 18-238), any voter may choose to cast his or her ballot:

- By mail;
- At their choice of a designated early voting location; or
- At their assigned polling place on Election Day.

In addition, for the first time, qualified residents may register to vote at the polls during the early voting period or on Election Day. See the “Changes to Voter Registration” section of this *Guide* for more information.

Voting by Mail

Any registered voter may choose to receive and cast their ballot by mail. Requests for mailed absentee ballots may be submitted electronically or by mail and must reach the Board’s office at least seven days before the election. Voters may request an absentee ballot in person until 4:45 pm on the day before the election.

Requests for an absentee ballot must contain the following information:

- Name;
- Address where the voter is registered to vote;
- Current residence and/or residence where the ballot should be delivered, if applicable;
- Driver’s license number or last four digits of the voter’s Social Security number;
- Date of birth; and
- Signature (for a request submitted by mail, fax or in person).

Absentee ballots may be brought to any polling place or may be returned to the Board’s office at any time before the close of the polls on Election Day. Ballots returned by mail may not be postmarked after the date of the election.

Early Voting

From August 30 through September 13, voters may choose to cast their ballot at the Board’s office, using either the iVotronic touch-screen voting equipment or a paper ballot.

Beginning on September 4, voters may also choose to cast their ballot at any of four designated early voting centers in the District. Ballots at these locations may only be cast using the iVotronic touch-screen voting machines. Any voter may cast their ballot at any vote center; electronic poll books, connected through a secure network, will prevent voters from obtaining a ballot at multiple locations.

Early voting hours are 8:30 a.m. through 7:00 p.m., except on the Monday prior to the election. On that date, voters may only cast a ballot at the Board's office until 4:45 p.m. For additional information on early voting locations, call 202-727-2525 or see the Board's web site at <http://www.dcboee.org>.

Voting at the Polls

The District is replacing its voting equipment this year, replacing it with newer equipment from Election Systems and Software (ES&S). The ES&S iVotronic touch-screen voting machines being purchased by the Board feature a Real Time Audit Log, visible to voters but located in a secure enclosure to the left of the iVotronic screen, that displays a paper printout of the voter's selections and acts as the official audit record of the election. Paper ballots will be tabulated at the polls using ES&S Model 100 optical scanning equipment.

This means that voters will no longer connect an arrow to make their selection on the ballot, but will now fill in an oval. Voters using the touch screen voting machine will see a paper printout that immediately records every selection that they make on the screen. When the voter casts their ballot, the paper printout will roll up and out of view.

To arrange for a demonstration of the voting equipment, call the Board's office at 202-727-2525.

Election Observers/Poll Watchers

Any person wishing to observe the administration of the election at the polling place or at the Board's Counting Center on Election Day may petition the Board for credentials as an election observer or poll watcher. Poll watchers are appointed by a candidate or are affiliated with a ballot measure and may challenge the qualifications of a prospective voter in writing as provided in the Board's regulations.

Forms for petitioning the Board for credentials are available at the Board's office or at the Board's web site and must be submitted at least two weeks prior to the election. The Board may consider petitions submitted after that deadline. In the event that a request for credentials is denied, the Board will give public notice within 24 hours of the denial.

The deadlines for petitioning for Observer/Watcher credentials are:

- August 31, 2010, for the Primary Election
- October 19, 2010, for the General Election

Each candidate is entitled to a poll watcher in each of the precincts where his or her name appears on the ballot. The Board may grant preference to poll watchers over election observers and organizations over individuals and will issue badges to candidates or other designated individuals for distribution to poll watchers or election observers. Badges must be worn in plain view at all times while observing at the polling places or counting center. The Precinct Captain must be made aware whenever the poll watcher or election observer enters or leaves the polling place. A poll watcher or election observer may be substituted with an alternate. However, the Precinct Captain at the polling place must be made aware of the substitution.

No poll watcher or election observer may touch any official record, ballot, voting equipment or counting form, interfere with the voting or counting, or assist or otherwise talk to any voter while the voter is in the process of voting. If a poll watcher or election observer obstructs the election process or fails to comply with the instructions of polling place officials, he or she may be removed.

Voter Guide

Prior to both the Primary and General Election, the Board makes available the District of Columbia Voter Guide which includes important information about the upcoming election.

Each candidate - with the exception of candidates seeking election as Advisory Neighborhood Commissioner - may prepare and file a Candidate Statement for inclusion in the Voter Guide. The Candidate Statement may include a candidate's background information or a brief statement. Candidate Statements are limited to no more than 100 words. If a candidate chooses not to submit a Candidate Statement, the Board will print "No Statement Submitted" next to his or her name.

The Candidate Statement is entirely the candidate's responsibility, and will be published exactly as submitted and received by the Board. However, the Board will not print offensive statements made against any other candidates in the election. Any candidate who submits such a statement will be notified in writing of the violation and will be given an opportunity to modify his or her statement prior to the printing of the Voter Guide.

The deadlines for filing the Candidate Statements are as follows:

- July 7, 2010 for the Primary Election
- August 25, 2010 for the General Election

Information Services

The District of Columbia's voter roll contains a wide range of information about the city's more than 300,000 registered voters, including residence and mailing address, party designation, election districts (ward, precinct, ANC or SMD), and voting history. Under the law, most data from the voter registry is considered public information.

The entire voter roll is available in Microsoft Access on CD-ROM for \$2, payable by check or money order. As a service to the public, the Board also fulfills custom requests for data, usually within two business days of receiving a request. There is no charge for information that can be downloaded from the voter registry into Microsoft Excel and sent by electronic mail. Data files that are too large to send by electronic mail can be purchased on CD-ROM for \$2. In addition, maps of city, ward and SMD boundaries are available online at <http://www.dcboee.org/maps.asp>, and in large-format print form for \$10. Photocopies and other paper records cost 10 cents per page and may require an advance deposit. The Board does not provide mailing labels or other custom formatting.

How to Order Voter Registration Data

To obtain voter registration data or a boundary map, submit a written request clearly describing the information or map that you are requesting in person at the Board's office or by electronic mail to director@dcboee.org. You may also use the Board's Voter Registration Data Request form, which is available at the Board's office and on the Board's web site. Checks and money orders for CD-ROMs and printed maps should be made payable to the D.C. Treasurer.



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