

1 MINUTES

2
3 The State Board of Elections Board Meeting was held on Tuesday, October 4, 2016.

4 The meeting was held in the General Assembly Building, Richmond, Virginia – Room C.

5 In attendance, representing the State Board of Elections (SBE) was James Alcorn,

6 Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary. Also in

7 attendance, representing the Department of Elections (ELECT) was Edgardo Cortés,

8 Commissioner; Elizabeth Howard, Deputy Commissioner, and Rose Mansfield, Clerk.

9 Anna Birkenheier, Assistant Attorney General and Counsel to SBE and ELECT attended.

10 Chairman Alcorn called the meeting to order at 10:00AM.

11 The first order of business was the Pre-Election Preparation Update presented by

12 Edgardo Cortés, ELECT Commissioner. Commissioner Cortés stated that the Board's

13 working papers included the monthly registration statistics and they are posted on the

14 agencies website; noting there are 4.9 million Virginians registered to vote. Commissioner

15 Cortés stated that the focus on the paperless process; utilizing the tools at the Division of

16 Motor Vehicles (DMV) and the utilization of the ELECT Citizen Portal, has been received

17 favorably by Virginia Citizens, who are registering to vote or updating the current voter

18 information. Commissioner Cortés stated that September 23, 2016 was National Voter

19 Registration Day and Facebook pushed a reminder to subscribers about checking their

20 voter registration status. As a result, the ELECT website experienced an increase of on-

21 line activity. During a three day period there were over 51,000 submissions on the website

22 and over 18,000 registrations downloaded by the DMV. Commissioner Cortés stated that

23 there have been 39,000 absentee ballot requests and 15,000 voters have cast their absentee

24 ballots in-person.

25 Commissioner Cortés stated the new general registrar liaison department has been

26 working with the general registrar community to ensure compliance and to provide

27 assistance which includes site visits. Commissioner Cortés stated that the voter outreach

28 campaign continues utilizing the funding as allotted. Commissioner Cortés stated that

29 media outlets (television and radio), social media (Facebook and Twitter), signage in

30 commuter parking lots reminding voters of critical election dates and Constitutional

31 Amendments (publications and flyers) continue to be utilized.

32 Commissioner Cortés stated that ELECT is continuing to work with their federal
33 and state partners regarding cybersecurity issues related to the elections. Commissioner
34 Cortés noted that the Department of Homeland Security issued tips and guidelines related
35 to voting security registration systems. Commissioner Cortés stated that Virginia
36 previously implemented the recommendations of the Department of Homeland Security.
37 Commissioner Cortés stated that ELECT continues to conduct Contingency of Operation
38 Plan (COOP) meetings with agencies within the Commonwealth. Commissioner Cortés
39 thanked the Virginia Capitol Police for the work they perform daily and especially their
40 support during the election cycles.

41 Commissioner Cortés stated that the voter photo identification law appeal was
42 heard in the 4th Circuit Court and an independent candidate requested an injunction for
43 ballot access in the United States District Court for the Eastern District of Virginia.
44 Commissioner Cortés asked if there were any questions.

45 Chairman Alcorn asked ELECT to provide the absentee statistics from the 2012
46 presidential election to SBE. Chairman Alcorn asked that a lessons learned agenda item be
47 added to an appropriate SBE meeting after the election to discuss election related issues.
48 Chairman Alcorn thanked ELECT for all the proactive work being conducted within the
49 election community. Chairman Alcorn asked if ELECT was on budget with the voter
50 outreach campaign. Commissioner Cortés stated that ELECT was frugal with the budget
51 and has stayed within limits.

52 Vice Chair Wheeler asked about the speed at which the general registrars can verify
53 voter information in the Virginia Election and Registration System (VERIS).
54 Commissioner Cortés stated that information system received from other providers was in
55 transition. Issues were identified and the Department enlisted help from another vendor to
56 assist with address validation, while ELECT wrote the code to facilitate the transition.
57 Commissioner Cortés stated that VERIS speed was impacted by National Voter
58 Registration Day. Commissioner Cortés stated that general registrars are running reports
59 tasking the VERIS resources that are currently available on-line. Commissioner Cortés
60 stated the general registrar community has provided positive feedback to ELECT regarding
61 posting the reports on-line. Vice Chair Wheeler asked if DMV had enhanced the system
62 by sending a message to a voter that their application was received, thus stopping the

63 multiple entries of applications by the same voter. Commissioner Cortés stated that a time-
64 out was installed in early 2016 that will not allow the voter to submit multiple entries of
65 the same voter registration application. Commissioner Cortés stated that there is a process
66 for the general registrar to handle multiple entries. Vice Chair Wheeler asked about first-
67 time voters and if there was a flag on their record regarding their photo identification when
68 requesting an absentee ballot. Commissioner Cortés stated that there was not a photo
69 identification requirement for voting absentee ballot by mail. Commissioner Cortés stated
70 that the first-time voter who registers on-line must appear in person in order to cast their
71 ballot when their identification cannot be verified by DMV noting that this only affects a
72 small percentage of first-time voters. Vice Chair Wheeler asked why ELECT sent
73 provisional ballots to cover 33% of the localities registered voters. Commissioner Cortés
74 stated that the provisional ballots were an expense covered by ELECT and as part of the
75 COOP those ballots will be utilized in case of an emergency either manmade or by nature.
76 Commissioner Cortés stated that it is important that the registrars are prepared for an
77 emergency verses having several hundred individuals waiting to cast their ballot due to a
78 manmade or natural situation. Chairman Alcorn stated that this process was appropriate
79 for Election Day. Vice Chair Wheeler asked if ELECT was confident that deceased
80 individuals are not being added to the voting rolls. Commissioner Cortés stated the
81 Department has a complex list maintenance process and updates occur on a monthly and
82 annual basis. The general registrar will be notified that the voter was deceased and the
83 registration will be cancelled. Additionally, this information is matched to the statewide
84 data base. Commissioner Cortés stated: “I am very confident in the Department’s and
85 general registrars ability to keep our rolls clean and address those issues as they arise.”

86 Secretary McAllister asked about the voter outreach program and the feedback
87 received by ELECT. Commissioner Cortés stated that the program has been well received
88 by the general registrars and it is encouraging to see Virginia voters updating their
89 information on the website. Secretary McAllister stated that it is encouraging that ELECT
90 is working with federal and state partners regarding cybersecurity and it is comforting to
91 hear that Virginia is in a good position for this election. Commissioner Cortés stated that
92 Virginia is ahead of the curve on election related security and continues to monitor the
93 situation based on the guidelines and tips as received. Secretary McAllister asked if the

94 general registrars have been informed about the information available in the system so that
95 unnecessary reports will not be requested in VERIS, thus slowing the system.
96 Commissioner Cortés stated that ELECT has been pushing out information to the general
97 registrar's and asking them to run non-critical reports during the night.

98 The next order of business was the Regulatory Actions presented by James Alcorn,
99 SBE Chairman. Chairman Alcorn noted that no action on these regulations would be taken
100 at this meeting. The outstanding regulatory actions discussed were; Periodic Review of
101 1VAC20-60-Election Administration, Periodic Review of 1VAC20-80-Recounts and
102 Contests, Proposed New 1VAC20-60-35-Polling Place Accessibility Assessments and
103 Proposed Delegations Update 1VAC20-20Definitions. SBE Members and ELECT staff
104 discussed the open items in review. Chairman Alcorn stated that these regulations would
105 come before SBE after the November 2016 election for review and consideration.
106 Chairman Alcorn asked if there was any public comment and there was none.

107 The next order of business was the Survey review presented by Commissioner
108 Cortés. Commissioner Cortés stated that the survey tool utilized in 2015 was included in
109 the working papers and it is recommended that a review be conducted to determine if any
110 changes are required for the 2016 November elections survey. Commissioner Cortés stated
111 that the revised survey will be sent to the general registrars post-election. SBE members
112 suggested additions and changes. Commissioner Cortés requested that additional changes
113 and suggestions be submitted to ELECT by Election Day.

114 Chairman Alcorn asked if there were any public comments. Greg Riddlemoser,
115 Stafford County General Registrar approached the podium. Mr. Riddlemoser stated that
116 the communications of ELECT are appropriate and of quality. He stated that SBE
117 communications have been untimely but that ELECT's voter outreach program was
118 excellent. Mr. Riddlemoser reported that people assume that localities have unlimited
119 resources when they talk about the length of lines and that the complexity of the ballot adds
120 to the length of lines. Mr. Riddlemoser said that he wouldn't have released the new voter
121 application before a presidential election and that he would have tested VERIS before
122 turning on several options and would not have let DMV into the voter system. He further
123 stated he wouldn't have done the ELECT Citizens Portal without verification and that
124 citizen's portal for absentee ballot requests is dirty. There is nothing in the system that tells

125 the voter they are registered or have already requested an absentee ballot and kicks it back
126 to the homepage and the volume of electronic downloads is crushing the general registrars.
127 Mr. Riddlemoser asked SBE to turn off the electronic modular after the voter registration
128 deadline and for SBE to turn off the absentee ballot request modular after the deadline and
129 fix the VERIS system the way the general registrars would like it fixed. Chairman Alcorn
130 asked if there were additional public comments.

131 Theresa Martin, President of the League of Women (LWV) Voter's-Northern
132 Virginia approached the podium. Ms. Martin stated that the ELECT voter outreach
133 campaign was extremely helpful in conducting third party registration events and express
134 gratitude for the help the Department provided. Ms. Martin stated that the LWV endorses
135 the new voter registration form and complimented the ease of completing the application.
136 Chairman Alcorn asked if there were comments and there were none.

137 Chairman Alcorn moved *that the Board adjourn*. Vice Chair Wheeler seconded the
138 motion and without further comment the Board voted unanimously to adjourn.

139 The meeting was adjourned at approximately 1:00PM. The Board shall reconvene
140 on November 8, 2016 at 8:00AM in the Martha Brissette Room – Washington Building,
141 Richmond, Virginia.

142

143

144

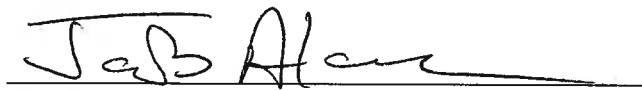
145


Secretary

146

147

148



Chair

149

150

151



Vice Chair

152

153