★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

BOARD MEETING

Monday, May 1, 2017
House Room 1
Virginia State Capitol
10:00AM - 2:00PM

SBE Board Working Papers

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STATE BOARD *of* ELECTIONS

Call to Order

BOARD WORKING PAPERS
James Alcorn
SBE Chair

STATE BOARD OF ELECTIONS
AGENDA

DATE: May 1, 2017
LOCATION: House Room 1, Virginia State Capitol
Richmond, Virginia
TIME: 10:00 a.m. - 2:00 p.m.

I. CALL TO ORDER — *James B. Alcorn, SBE Chair*

II. NEW BUSINESS

A. Approval of Board Minutes — *Singleton McAllister, Secretary of the Board*

B. Certification of April Special Election — *Leslie Williams, Election Administration Manager*

C. Campaign Finance Complaints — *Elizabeth Howard, Deputy Commissioner*

- **i.** Brandon W. Howard
- **ii.** Joe Lindsey for Senate
- **iii.** Awareness Manassas PAC
- **iv.** Daniels Committee
- **v.** Ellen Robertson
- **vi.** Friends of Candidate Coleman
- **vii.** Hassan J. Fountain for 3rd District
- **viii.** Singh for Mayor
- **ix.** Glenn Perry, Sr.
- **x.** Joe Morrissey
- **xi.** Linwood W. Johnson

D. Certification of Voting Systems	*Eugene Burton* *Voting Technology Coordinator*
E. Certification of Electronic Pollbooks	*Matthew Davis* *Chief Information Officer*
F. Voter List Maintenance Update	*Edgardo Cortés* *Commissioner*
G. Commissioner's Report	*Edgardo Cortés* *Commissioner*

III. OTHER BUSINESS & PUBLIC COMMENT

IV. ADJOURNMENT

NOTE: During the discussion of each topic there will be an opportunity for public comment. Anyone wishing to discuss an issue not on the agenda will be allowed to comment at the end of the new business section.

★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Approval of Board Minutes

BOARD WORKING PAPERS
Singleton McAllister
Secretary of the Board

MINUTES

The State Board of Elections Board Meeting was held on Tuesday, October 4, 2016. The meeting was held in the General Assembly Building, Richmond, Virginia – Room C. In attendance, representing the State Board of Elections (SBE) was James Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary. Also in attendance, representing the Department of Elections (ELECT) was Edgardo Cortés, Commissioner; Elizabeth Howard, Deputy Commissioner, and Rose Mansfield, Clerk. Anna Birkenheier, Assistant Attorney General and Counsel to SBE and ELECT attended. Chairman Alcorn called the meeting to order at 10:00AM.

The first order of business was the Pre-Election Preparation Update presented by Edgardo Cortés, ELECT Commissioner. Commissioner Cortés stated that the Board's working papers included the monthly registration statistics and they are posted on the agencies website; noting there are 4.9 million Virginians registered to vote. Commissioner Cortés stated that the focus on the paperless process; utilizing the tools at the Division of Motor Vehicles (DMV) and the utilization of the ELECT Citizen Portal, has been received favorably by Virginia Citizens, who are registering to vote or updating the current voter information. Commissioner Cortés stated that September 23, 2016 was National Voter Registration Day and Facebook pushed a reminder to subscribers about checking their voter registration status. As a result, the ELECT website experienced an increase of on-line activity. During a three day period there were over 51,000 submissions on the website and over 18,000 registrations downloaded by the DMV. Commissioner Cortés stated that there have been 39,000 absentee ballot requests and 15,000 voters have cast their absentee ballots in-person.

Commissioner Cortés stated the new general registrar liaison department has been working with the general registrar community to ensure compliance and to provide assistance which includes site visits. Commissioner Cortés stated that the voter outreach campaign continues utilizing the funding as allotted. Commissioner Cortés stated that media outlets (television and radio), social media (Facebook and Twitter), signage in commuter parking lots reminding voters of critical election dates and Constitutional Amendments (publications and flyers) continue to be utilized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Secretary

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Chair

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Vice Chair

MINUTES

The State Board of Elections Board Meeting was held on Monday, November 21, 2016. The meeting was held in the General Assembly Building, Richmond, Virginia – Room C. In attendance, representing the State Board of Elections (SBE) was James Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary. Also in attendance, representing the Department of Elections (ELECT) was Edgardo Cortés, Commissioner; Elizabeth Howard; Deputy Commissioner, and Rose Mansfield, Clerk. Heather Hays Lockerman; Senior Assistant Attorney General, and Anna Birkenheier, Assistant Attorney General and Counsel to SBE and ELECT attended. Chairman Alcorn called the meeting to order at 10:10AM.

The first order of business was the approval of the minutes from the State Board of Elections Board Meetings held on June 28, 2016, August 30, 2016, October 4, 2016 and November 8, 2016. Chairman Alcorn asked if board members had any additions or corrections to the Board Meeting minutes as presented. Chairman Alcorn noted a change to the October 4, 2016 minutes and notified the Clerk. Vice Chair Wheeler moved *to adopt the minutes for the June 28, 2016, August 30, 2016, and November 8, 2016 meetings as amended and or presented.* Secretary McAllister seconded the motion. The Board unanimously approved the motion.

The next order of business was the Commissioner Report presented by Edgardo Cortés, ELECT Commissioner. Commissioner Cortés stated that the November 8, 2016 – General Election, from the election administration perspective, was successfully executed. Commissioner Cortés stated that only two of the 2,400 polling locations opened late (6:15AM) and voting was complete across the Commonwealth by 8:15PM. Commissioner Cortés stated that voters had a positive experience which reflects on the commitment of the localities. Commissioner Cortés stated that that there was record setting voter registration activity and the Commonwealth now has 5.6million voters with over 3.9million votes cast and of those over 615thousand eligible voters requested absentee ballots breaking all previous records. Commissioner Cortés stated that the call center handled over 36thousand calls prior to the election. Commissioner Cortés stated that over 75percent of the voter transactions were completed electronically compared to

the non-availability of the electronic programs in the previous presidential election. Commissioner Cortés stated that the social media outreach program was expanded and the traffic generated by this effort was significantly increased and extremely successful. Commissioner Cortés stated that Facebook live was utilized to stream the Election Day briefings. Commissioner Cortés thanked the general registrars, electoral board members, and volunteers for their hard work in preparation for Election Day and their dedication to the process. Commissioner Cortés thanked the local, state, and federal entities for their support, dedication, and assistance on Election Day.

The next order of business was the Certification of the November 8, 2016 General Election presented by Reiko Doğu, Senior Elections Administrator. Ms. Doğu stated that in preparation for the State Board of Elections meeting staff members at the ELECT completed a number of verification procedures to ensure that all relevant election data entered into the Virginia Election and Registration System (VERIS) by the localities appear to accurately reflect what happened on Election Day (§ 24.2-679). ELECT staff verify that voter turnout and provisional voter turnout values had been entered for each precinct. ELECT staff verify that a locality's abstract vote totals for each candidate match the election results entered into VERIS. ELECT staff ran several VERIS election results error check reports to verify the apparent accuracy of the local data entered. Ms. Doğu stated that copies of each locality's abstract of votes for each office being certified by the State Board are available for inspection. ELECT staff also prepared a written statement document for the Board Members to sign once the abstract totals have been read and confirmed to be accurately reflected on the written statement. ELECT staff also prepared certificates of elections for those apparent winners for board members signatures.

SBE members reviewed the documents and signed the certificates of elections. Chairman Alcorn moved *that after reviewing the Abstracts of Votes Cast in the 2016 November General Election, I move that the Board certify the statements to be correct and sign the statements of certificates of election.* Secretary McAllister seconded the motion and without public comment the Board unanimously approved the motion.

The next order of business was Electronic Pollbook Certification presented by Paul Stenbjorn, Director of Elections Administrator. Mr. Stenbjorn reviewed the process of testing the system for certification and noted that in September 2015, the Board voted

to revise the certification process to include security certification in which the Virginia Information Technologies Agency (VITA) evaluates all EPB solutions and subjects the solutions to an end-to-end security analysis and penetration test as part of the certification process. Mr. Stenbjorn stated that SBE electronic pollbook certification guidelines require that all electronic pollbooks are tested in a pilot election prior to final certification and the system was piloted in a general election in New Kent County on November 8, 2016. Mr. Stenbjorn stated that all the associated reports are included in the Boards' working papers. Mr. Stenbjorn asked if there were any question.

Vice Chair Wheeler asked what alterations were made to this system and that it was her understanding that this system went to Chesterfield County in June, 2016 and failed, and the general registrar stated that a lot needed to be done, and requested the details on the occurrences of change between June and November, 2016. Mr. Stenbjorn stated that ELECT had been in consultation with the general registrar, and has engaged an external entity that specializes in the stability of systems, and they reviewed our software, and provided ELECT with suggestions of usability (font's sizes and screen changeability) and ELECT sent those suggestions to the general registrar, and he indicated that he is satisfied with the solution. Mr. Stenbjorn noted that the system was tested post changes in New Kent on this recent Election Day. Vice Chair Wheeler requested that Chesterfield County report on their opinion of the system. Mr. Stenbjorn stated that the certification requirements allow for testing in one locality, which was New Kent County and the results of the testing, were favorable. Vice Chair Wheeler stated that she wanted a locality who currently utilizes EPB's to do the testing. Commissioner Cortés stated that this is not a requirement of the certification process.

Chairman Alcorn stated that if Chesterfield County suggested that there were substantial usability issues he would like those findings presented to the Board. Mr. Stenbjorn stated that the certification standards do not address usability, although addresses metrics. Mr. Stenbjorn stated that the system as presented has met the standards outlined by SBE and has satisfied all accuracy requirements. Mr. Stenbjorn stated that the officers of elections in New Kent County, while new to the EPB's, expressed no difficulties in utilizing the system. Vice Chair Wheeler re-stated that she would like to hear from other localities and because of the post-election timing of this ELECT request

she would like to table the action. Secretary McAllister asked about the down side for postponing the approval of the in-house EPB solution. Commissioner Cortés stated that input from multiple localities is not a requirement of the certification process and because this system was developed in-house the contract on the existing system is nearing expiration. The localities will have to decide on how to handle the issue; either by renewing the contract, awaiting the certification of the system, and or to utilize paper pollbooks.

Chairman Alcorn inquired about the cost to ELECT for development in-house with consideration given to the discussions of budget cuts. Commissioner Cortés stated that the licensing of the EPB's solutions from outside vendors alone is not a cost that ELECT can continue to absorb. Commissioner Cortés stated that the staff time to provide updates and refreshes is substantially less than vendor charges. Chairman Alcorn asked for the cost of in-house development and maintenance and questioned if this is a core function of SBE? Commissioner Cortés stated that the use of vendors and the associated costs cannot be absorbed by ELECT and we will have to discontinue the licensing resulting in localities reverting back to paper pollbooks. Mr. Stenbjorn noted that this system is the outgrowth of VERIS and that information is managed by ELECT. Vice Chair Wheeler stated that she had been informed that vendor licensing was 30dollars for each pollbook at the local level and asked if the cost had been calculated for the development in-house. Mr. Stenbjorn stated that the costs are difficult to calculate as they are intertwined with other programs. Vice Chair Wheeler questioned if having numerous systems funneled through VERIS is a wise business decision considering the issues expressed by the general registrars with VERIS; although technical issues were corrected. Commissioner Cortés stated that any system would pull data from VERIS.

Chairman Alcorn asked about the security standards of the EPB's. Mr. Stenbjorn stated that some of the details are not included in the public documents due to their apparent nature and the need to protect election data. Chairman Alcorn requested that SBE receive the security report. Mr. Davis, ELECT CIO, stated that the localities will have special elections in the very near future and will be required to utilize the state procurement system to purchase software or will have to switch to paper pollbooks. Mr. Davis stated the resources required to administer the system at ELECT are integrated

with other functions that ELECT is currently producing. Mr. Davis noted that EPB's are extremely functional compared to the use of paper pollbooks and for those localities that do not have the financial resources to purchase from vendors the in-house solution is a feasible solution. Chairman Alcorn asked if there were additional board members questions and there were none. Chairman Alcorn moved *that the electronic pollbook certification agenda item be tabled.* Vice Chair Wheeler seconded the motion. The Board unanimously approved the motion.

Chairman Alcorn outlined the Board requests for actions from ELECT as; (i) SBE is to be provided with the security report from VITA, and (ii) if concerns were raised from a locality (Chesterfield County) SBE should be informed of those concerns and notified if those concerns were addressed (letter is acceptable communication).

Chairman Alcorn asked if there were additional board comments. Vice Chair Wheeler stated that the GREB Workgroup compiled a list of electoral board duties and asked Robin Lind, Secretary of the Goochland County Electoral Board and GREB Workgroup Member to present to the Board. Mr. Lind approached the podium.

Mr. Lind stated that local boards select their new electoral board members around the first of the year. The job description of the electoral board member will be incorporated in the form submitted to the local judicial authority. This is to ensure that nominees have an understanding of the obligation of serving on a local electoral board. Mr. Lind asked that SBE adopt the job description language as presented. Chairman Alcorn asked to have the job description added to the next meeting. Chairman Alcorn asked if there were any public comments. Gary Fox, PrintElect Customer Service Manager approached the podium.

Mr. Fox asked that the report become public information from the locality regarding the EPB certification concerns. Chairman Alcorn stated that this report and all information contained would become public information. Chairman Alcorn asked if there were any public comments and there were none.

Chairman Alcorn moved *that the Board adjourn*. Secretary McAllister seconded the motion and without further comment the Board voted unanimously to adjourn.

The meeting was adjourned at approximately 12:25PM. The Board shall reconvene on December 19, 2016 at 12:00PM, Virginia State Capitol-Senate Chambers Richmond, Virginia.

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Secretary

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Chair

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Vice Chair

MINUTES

The State Board of Elections Board Meeting was held on Monday, December 5, 2016. The meeting was held in 1100 Bank St, Richmond, Virginia – the Martha Brissette Conference Room. In attendance, representing the State Board of Elections (SBE) was Clara Belle Wheeler, Vice Chair; Singleton McAllister, Secretary. Also in attendance, representing the Department of Elections (ELECT) was Martin Mash, Confidential Policy Advisor and Rose Mansfield, Clerk. Vice Chair Wheeler called the meeting to order at 10:00AM.

The first and only order of business was to draw from a hat the party designation for the order of candidates on the ballot for the January 2017 special election presented by Paul Stenbjorn, ELECT's Director of Elections Services. Secretary McAllister moved for the ballot order drawn during this meeting to be applicable in all elections through August of 2017. Vice Chair Wheeler seconded the motion, and the motion carried.

Mr. Stenbjorn brought an envelope in lieu of a hat for the drawing. First, the two major parties, the Democratic and Republican parties, would be selected to begin the ballot order. Then, the other parties who qualified to appear on the ballot would be drawn separately. Secretary McAllister drew first, and drew the Democratic Party. Vice Chair Wheeler went next, and drew the Republican Party. Therefore, for the January 10 Special Election and all following elections until August 2017, the Democratic Party will appear first on the ballot, and the Republican Party will appear second.

Mr. Stenbjorn clarified that this order is exclusive of primary elections, which have a different order entirely. The sequence of ballots in the Commonwealth is that the major parties appear first and second; the other groups who qualify to have their party's name on the ballot will be next; and the finally, all independent candidates are listed, usually in alphabetical order, except for in the case of school boards, which is based upon their date of filing. Mr. Stenbjorn reviewed the other groups that qualified to appear on the ballot: the Libertarian Party, the Independent Green Party, the Green Party, and the Constitution Party.

Vice Chair Wheeler drew first, and drew the Constitution Party. Secretary McAllister drew next, and drew the Independent Green Party. Vice Chair Wheeler drew

after, and drew the Libertarian Party. Finally, Secretary McAllister drew the Green Party. Mr. Stenbjorn reviewed the drawing order.

Vice Chair Wheeler asked to clarify if anyone running independently would be listed after the rest. Mr. Stenbjorn clarified that the highest an independent candidate could fall if there were candidates from all other parties, including the Democratic Party and Republican Party, would be seventh. Vice Chair Wheeler asked if the order for independents would be in filing order if there were more than one to appear on the ballot. Mr. Stenbjorn replied that with the exception of school board elections, the last name, and then the first name of the candidates will define the sorting, as per code. Mr. Stenbjorn further noted that the only exception is for school boards, which are always non-partisan offices, where the names of the candidates will fall in the order of which they qualified for the office.

Vice Chair Wheeler asked if there was any other business to attend to this meeting, and there was none. Secretary Singleton motioned for the meeting to adjourn, and Vice Chair Wheeler seconded. Without other comment, the meeting adjourned.

The meeting was adjourned at approximately 10:15 AM. The Board shall reconvene on December 19, 2016 at 12:00PM, Virginia State Capitol-Senate Chambers Richmond, Virginia.

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Secretary

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Chair

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Vice Chair

MINUTES

The State Board of Elections Board meeting was held on Wednesday, January 18, 2017. The meeting was held in the Martha Brissette Conference Room in the George Washington Building, Richmond, Virginia. In attendance, representing the State Board of Elections (SBE) was James Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary. Also in attendance, representing the Department of Elections (ELECT) was Edgardo Cortés, Commissioner; Elizabeth Howard, Deputy Commissioner, and Paul Stenbjorn, Director of Election Services. Chairman Alcorn called the meeting to order at 10:10AM.

The first order of business was the Commissioner report presented by Edgardo Cortés, ELECT Commissioner. Commissioner Cortés reviewed that the General Assembly of Virginia is in session, and subcommittees and committees are meeting until the end of February. He also notified the board that ELECT will be receiving an award from Harvard University for the electronic submission of absentee ballot applications. He also updated the board that ELECT will be working with general registrars and the Department of Motor Vehicles to improve the shift towards paperless transactions. Chairman Alcorn asked if any of the legislation in session will affect the Board. Commissioner Cortés notified him that some bills will. Secretary McAllister asked if the board could receive a summary of all of the bills affecting elections. Commissioner Cortés said ELECT will provide one. Chairman Alcorn also asked if there will be a replacement for Rose Mansfield, former clerk and Board liaison, as well as the status of minutes for the December 5th, 2017 meeting. Mr. Stenbjorn assured there is a draft of the minutes on Townhall.

The next order of business was the review of the situation in Lynchburg during the January 10, 2017 special election. Pat Bower, the chair of the Lynchburg Electoral Board, presented the steps that led to the shortage of ballots that occurred on Election Day. Ms. Bower also apologized to any voters who felt disenfranchised. Ms. Bower acknowledged the locality should have revisited their ballot order after the announcement of the candidates, and outlined the steps they are going to take to prevent a similar situation. Ms. Bower ensured that the locality will research and think longer about the

ballot order, check with other localities holding elections at the same time on their ballot order, consult local political parties to forecast turnout, and review communication procedures and priorities so the public is informed quicker about what is happening at the polls. Chairman Alcorn asked if the locality reported the amount of ballots they were ordering to ELECT. Ms. Bowers confirmed they did. Commissioner Cortés stated that ELECT received the report, but did not address the situation directly, as ELECT received pushback the last time they provided guidance. Commissioner Cortés stated that the City of Lynchburg had been directed to increase ballot orders in the June 2016 primary election and the Lynchburg Board refused to comply. Chairman Alcorn said that there are things to learn on both sides, and acknowledged that ELECT should review the reports received from localities analytically and provide feedback, and that localities should listen to that feedback. The events of Election Day in Lynchburg were reviewed hour by hour. Commissioner Cortés recalled his experience and the steps ELECT took to assist, including conference calls, regular check-ins, contact with the Department of Motor Vehicles to assist in printing additional ballots, and sending Deputy Commissioner Elizabeth Howard to the locality to manage the situation. The Lynchburg General Registrar, Karen Patterson, then recalled the locality's experience, including the steps they took to rectify the situation including electoral board members driving ballots to polling places, and contacting a local printer. Clara Belle Wheeler, Vice Chair, asked how many Officers of Elections were working. Ms. Patterson said three. Vice Chair Wheeler and Chairman Alcorn insisted it is important to have more than three Officers of Elections to be working to avoid a similar situation in the future.

The next order of business was the Certification of the January 10, 2017 special election, presented by Mr. Stenbjorn. Mr. Stenbjorn handed the results to Chairman Alcorn to announce the winners. The board then signed and certified the results. Chairman Alcorn also mentioned the Board's intent to sign results directly after its meeting subsequent to the November 2017 general election so as to save time within the meeting for other matters.

There was concern about the ability to certify results in a timely manner with the General Assembly in session, so the winners of the elections can participate in at least part of the session. Chairman Alcorn then suggested setting two dates of board meetings

during session so they can more quickly certify results; that way, if the election is concluded by the first meeting, they can announce the winner, certify the results in the next meeting after the provisional ballots have been counted, and still be able to provide proper notice of the meeting. Commissioner Cortés voiced that the SBE meeting is usually held after the local Board is able to certify the results to be sure that the SBE is certifying the final vote totals, whether or not the counting of provisional ballots change the outcome of the election or not. Chairman Alcorn noted that the ELECT website isn't updated with the turnout for the January special election. Commissioner Cortés clarified that the turnout is part of the certification process, so it will be available on the website in the next day or so.

The discussion then turned to the state of emergency declared by the Governor during the in-person absentee voting period prior to the January 10, 2017 special election due to inclement weather. Mark Coakley, the General Registrar of Henrico County, discussed the situation on Saturday, January 8, 2017. Mr. Coakley stated that no voters appeared at their offices on that Saturday for absentee voting due to the snow. Chairman Alcorn asked if people used the emergency extension granted by the Commissioner, and it was stated that they had. Commissioner Cortés agreed that Saturday was cause for concern, but noted that ELECT did not have authority to let the localities close. Chairman Alcorn encouraged Commissioner Cortés to look at the Code of Virginia to see if the Commissioner has the authority to extend the deadline due to emergency conditions. Gary Fox from PrintELECT then suggested that training for emergency weather preparedness would be a good idea.

Katie Webb Cyphert, Democratic Party Chair from Lynchburg, then discussed her experience in Lynchburg during the election, followed by Brian Triplett, Republican Party Chair from Lynchburg, both who shared concerns about training and lack of instructions provided Officers of Elections. Vice Chair Wheeler suggested having a training session during annual training for every electoral board member and general registrar to use the polling machines, so they could help refill tape and with other issues that may arise during an election. Commissioner Cortés noted that SBE has directed localities to conduct training on voting equipment since each locality may have a different type of equipment.

The next order of business was to review the preliminary statistics from the November General Election presented by Paul Stenbjorn, Director of Elections Administrator. Mr. Stenbjorn reviewed statistics on absentee ballots, including the improvement of implementing online application systems in terms of efficiency on both departmental and locality levels, and issues with duplicates.

The next order of business was the Stand by Your Ad summary presented by Brooks Braun, Policy Analyst for the Department of Elections. Mr. Braun reviewed that in November of 2016, there were 10 candidate committees, 2 local election committees, and 21 separate incidents where complaints were filed for ad violations. Mr. Braun noted all complaints were related to print media. Chairman Alcorn mentioned the Board's desire to move through the complaints quickly, and have them put on the agenda as soon as possible. Mr. Braun stated that candidates who have received a complaint must be provided a ten day notice of the hearing. This notice includes the content of the complaint.

Chairman Alcorn discussed the relative authority of SBE in enforcement of campaign finance broadly. Mr. Braun discussed the current processes ELECT follows for the assessment of campaign finance penalties. Mr. Braun clarified what qualified as a violation, including what cases would require referral to a Commonwealth's attorney. Chairman Alcorn asked for a summary of campaign finance penalties assessed, as well as any other kind of complaints that come in, including those that have gone to a commonwealth's attorney.

The board then opened the floor to public comment. An audience member asked who will be replacing Rose Mansfield, former clerk and board liaison for ELECT. Commissioner Cortés said a replacement has not been found yet. There was then discussion amongst the board about future rule making.

Secretary McAllister then asked if there is any legislation in session that will affect the electoral process, and asked if the legislators receive any viewpoints from the election community. Commissioner Cortés stated that ELECT attempts to provide as much input to the legislators as possible, including what the impact of legislation will be and how much implementation will cost. The Commissioner predicted that there will be

no major changes to the process, but that the legislature is still in session. Chairman Alcorn then adjourned the meeting.

The meeting was adjourned at approximately 1:30 PM. The Board did not set the date and time of its next meeting but discussed the need to meet to certify the special election that has been called for Tuesday, February 7, 2017.

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Secretary

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Chair

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Vice Chair

MINUTES

The State Board of Elections board meeting was held on Friday, February 10, 2017. The meeting was held in the Martha Brissette Conference Room in the George Washington Building, in Richmond, Virginia.

In attendance, representing the State Board of Elections (SBE) was James Alcorn, Chairman and Clara Belle Wheeler, Vice-Chair. Also in attendance, representing the Department of Elections (ELECT) was Edgardo Cortés, Commissioner, Martin Mash, Confidential Policy Advisor, and Paul Stenbjorn, Director of Election Services. Chairman Alcorn called the meeting to order at 3:05PM.

The only order of business was the certification of the special election held Tuesday, February 7, 2017. After reviewing the abstracts of votes cast in the February 7 Special Election, Chairman Alcorn moved that the Board certify the results as presented and sign the statements of certificates of election. Vice Chair Wheeler seconded the motion, and the State Board signed the statements of certificates of election.

Chairman Alcorn then adjourned the meeting.

The meeting was adorned at approximately 3:08PM. The Board did not set the date and time of its next meeting.

_____

Secretary

_____

Chair

_____

Vice Chair

MINUTES

The State Board of Elections board meeting was held on Thursday, April 6, 2017. The meeting was held in the Martha Brissette Conference Room in the George Washington Building, in Richmond, Virginia.

In attendance, representing the State Board of Elections (SBE) was James Alcorn, Chairman; Clara Belle Wheeler, Vice-Chair; and Singleton McAllister, Secretary. Also in attendance, representing the Department of Elections (ELECT) was Edgardo Cortés, Commissioner, and Elizabeth Howard, Deputy Commissioner. Anna Birkenheier, Assistant Attorney General, was also in attendance. Chairman Alcorn called the meeting to order at 3:05PM.

The first order of business was the ballot drawing for the June 13, 2017 primary. Section § 24.2-529 of the Code of Virginia states that, "In the event of two or more candidates file simultaneously, the order of filing shall be determined by lot by the electoral board or the State Board as in the case of a tie vote for the office." Commissioner Cortés clarified that under the House of Delegates, District 64, the candidates should be Rex A. Alphin and Emily M. Brewer on the memo that was given to the Board and posted on Townhall. He clarified that the names were correct on the ballots to be drawn by the Board that day. Commissioner Cortés explained that the name of each candidate that filed simultaneously was printed on a separate sheet of paper, and was to be shown to those in attendance at the meeting, sealed in film canisters, put into and stirred in a crystal bowl, and then selected by a Board member.

For the Democratic Primary for the House of Delegates, 2nd District, the candidates to be drawn from were Joshua L. King and Jennifer D. Carroll Foy. Vice-Chair Wheeler selected first, and drew Jennifer D. Carroll Foy. Secretary McAllister selected second, and drew Joshua L. King. Therefore, Jennifer D. Carroll Foy will be listed first on the ballot for the Democratic Primary for the House of Delegates, 2nd District, and Joshua L. King will be listed second.

For the Democratic Primary for the House of Delegates, 13th District, the candidates to be drawn from were Mansimran Singh Kahlon and Danica Roem. Chairman Alcorn selected first, and drew Mansimran Singh Kahlon. Secretary McAllister selected second,

and drew Danica Roem. Therefore, Mansimran Singh Kahlon will be listed first on the ballot for the Democratic Primary for the House of Delegates, 13th District, and Danica Roem will be listed second.

For the Democratic Primary for the House of Delegates, 31st District, the candidates to be drawn from were Elizabeth R. Guzman and Sara E. Townsend. Vice-Chair Wheeler selected first, and drew Elizabeth R. Guzman. Chairman Alcorn selected second, and drew Sara E. Townsend. Therefore, Elizabeth R. Guzman will be listed first on the ballot for the Democratic Primary for the House of Delegates, 31st District, and Sara E. Townsend will be listed second.

For the Republican Primary for the House of Delegates, 54th District, the candidates to be drawn from were Nick G. Ignacio and Robert D. "Bobby" Orrock. Secretary McAllister selected first, and drew Robert D. "Bobby" Orrock. Vice-Chair Wheeler selected second, and drew Nick G. Ignacio. Therefore, Robert D. "Bobby" Orrock will be listed first on the ballot for the Republican Primary for the House of Delegates, 54th District, and Nick G. Igancio will be listed second.

For the Republican Primary for the House of Delegates, 64th District, the candidates to be drawn from were Rex A. Alphin and Emily M. Brewer. Chairman Alcorn selected first, and drew Rex A. Alphin. Secretary McAllister selected second, and drew Emily M. Brewer. Therefore, Rex A. Alphin will be listed first on the ballot for the Republican Primary for the House of Delegates, 64th District, and Emily M. Brewer will be listed second.

For the Republican Primary for Lieutenant Governor, the candidates to be drawn from were Glenn R. Davis, Jr. and Bryce E. Reeves. Vice-Chair Wheeler selected first, and drew Bryce E. Reeves. Secretary McAllister selected second, and drew Glenn R. Davis, Jr. Therefore, Bryce E. Reeves will be listed first on the ballot for the Republican Primary for Lieutenant Governor, and Bryce E. Reeves will be listed second.

For the Republican Primary for Governor, the candidates to be drawn from were Edward W. "Ed" Gillespie and Corey A. Stewart. Chairman Alcorn selected first, and drew Edward W. "Ed" Gillespie. Vice-Chair Wheeler selected second, and drew Corey A. Stewart. Therefore, Edward W. "Ed" Gillespie will be listed first on the ballot for the Republican Primary for Governor, and Corey A. Stewart will be listed second.

Commissioner Cortés read the results once again for confirmation. Chairman Alcorn moved that the Board certify the lot. Secretary McAllister seconded the motion, and the motion passed unanimously.

The next order of business was to open the floor to public comment. Michelle White, General Registrar of Prince William County, read from a letter certified by her electoral board. Cameron Sasnett, Fairfax County General Registrar, then spoke. Mr. Sasnett also brought the need for an alternative polling place to the Board's attention, and asked for Board permission to use that polling place in the upcoming election. The Board discussed matters to be placed on upcoming agendas.

Chairman Alcorn then motioned to adjourn the meeting, with the Board to reconvene some time later in April. Singleton McAllister seconded the motion.

Chairman Alcorn then adjourned the meeting.

The meeting was adorned at approximately 4:00PM. The Board did not set the date and time of its next meeting.

_____

Secretary

_____

Chair

_____

Vice Chair

★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Certification of the April Special Election

BOARD WORKING PAPERS
Ellen Flory
Elections Administrator

COMMONWEALTH of VIRGINIA
DEPARTMENT OF ELECTIONS

Edgardo Cortés
Commissioner

Elizabeth L. Howard
Deputy Commissioner

Memorandum

To: Chairman Alcorn, Vice Chair Wheeler, and Secretary McAllister
From: Ellen Flory, Election Administrator
Date: May 1, 2017
Re: Certification of Results for the **April 18, 2017 Special Election**

Suggested motion for a Board member to make:

"After reviewing the abstracts of votes cast in the April 18, 2017 Special Election, I move that the Board certify the results as presented and sign the statements of certificates of election."

Applicable Code Section: Va. Code § 24.2-679

The State Board shall meet as soon as possible after it receives the returns for any special election held at a time other than the November general election to ascertain the results of the special election in the manner prescribed [for November general elections].

Background:

A special election was held on **April 18, 2017** to fill the vacated office of the Clerk of the Circuit Court of the 31st Judicial Circuit.

★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Campaign Finance Complaints

BOARD WORKING PAPERS
Elizabeth Howard
Deputy Commissioner

SBYA Complaints

State Board of Elections

May 1, 2017

1. Linwood Johnson – May 3, 2016 General

Braun, Brooks (ELECT)

From: Jennifer Maynard <jmaynard@franklinva.com>
Sent: Wednesday, April 27, 2016 9:36 AM
To: Braun, Brooks (ELECT)
Subject: Complaint
Attachments: Linwood.Johnson.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Brooks –

The attached was given to me by the City Manager, Randy Martin. A citizen gave it to Mr. Martin & told him that Johnson was circulating this "letter" along with Johnson's business card (also attached). It appears as though this letter is campaign material without the required authorization statement(s)/disclaimer(s).

On a side note, Mr. Martin said that he did some checking himself & it appears as though Johnson's company is defunct. Also, 301 Hall Street is a residence, so there are no "suites."

Please let me know if you need anything else from me…

Thanks in advance,
Jen

Jennifer Maynard
Director of Elections & General Registrar
City of Franklin
Phone: 757-562-8545
FAX: 757-562-8779

Linwood W. Johnson, III Campaign
301 Hall Street, Suite 10 Franklin, Virginia 23851
Phone: 757-517-5122 or 757-562-3584 Fax: 757-304-9043
Email: Dollarbusi@yahoo.com

Hi!

I am Linwood Johnson and I'm running for Franklin's City Council representing Ward 4. I am the CEO of L.W. Johnson & Associates Inc., a financial consulting business and pastor of New Covenant Outreach Ministries Inc. I'm writing this letter to introduce myself and provide you a few reasons to vote for me on May 3, 2016.

I was born and raised right here in Franklin's Ward 4 and attended both Hayden and Franklin High Schools respectively.

I've always been an active volunteer in our community. I taught martial arts at the King Center. I severed the city of Franklin as chairman of the Christmas Parade Committee and was appointed by the City of Franklin to the Housing Needs Assessment Committee. I am an unpaid consultant for the South Side Job Net; which is a network of churches and concerned people that help local citizens find and obtain jobs.

When I talk to my neighbors and friends within Ward 4, I hear that there have been a lot of houses broken into on Edwards Street. I hear about the personal property lost, the fear of our elders, and the dread of the mothers for their children. These serious concerns have moved me to stand up and be willing to take on the challenges ahead. I am willing to fight our opponents in order to provide, to protect, to serve, and to defend my neighbors and my community.

For four years, I watched the city government make false promises and fail to follow through on what they said they would do. That is why I have been asked to run for the council seat. I believe that I can best serve and do what must be done for Ward 4 as your city councilman. So I'm now asking you and other citizens of Ward 4 to join me in making a change. When we join together in unity, I know we can produce the positive change that is required to put the needs of our citizens first, while also maintaining a positive and cooperative outlook for the future of the ward and the city.

My campaign will focus on the citizens of Ward 4; making living and working in the ward and city more affordable and safe. I will work to recruit new businesses and better jobs to the Ward and city. I will diligently work to significantly reduce real estate taxes and electric bills. I will also work with our police department to improve public safety, our water department to improve water quality, and our recreation department to improve youth and senior programs that will keep our youth safe and away from crime, and our seniors active and vibrant.

If you are not a registered voter, please register to vote and then vote for me and our Ward 4 plans on May 3, 2016. If you are able, please volunteer and help our campaign.

Thank you for considering me,

Sincerely,
Linwood W. Johnson, III

2. Awareness Manassas – November 8, 2016 General

Braun, Brooks (ELECT)

From:	Stephen Hersch <stephen.hersch@gmail.com>
Sent:	Thursday, February 16, 2017 6:01 PM
To:	Braun, Brooks (ELECT)
Cc:	Miller, Rise (ELECT)
Subject:	Re: "Friends of Team Manassas" PAC Disclosure Violations
Attachments:	Awareness Manassas Mailer 10-27-2016 Hiding Records (compressed).pdf; Awareness Manassas Mailer 10-31-2016 Corruption (compressed).pdf; Awareness Manassas Mailer 11-2-2016 Sebesky (compressed).pdf; Awareness Manassas USPS Confirmation of Advertising Mail Dates and Volumes 2-6-2016.pdf; SOO_AwarenessManassas.pdf; Awareness Manassas Campaign Finance Report 1-17-2017.pdf; Awareness Manassas Filing with Manassas Electoral Board 11-07-2016 (compressed).pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged

Dear Brooks,

Hope you are well.

I wish to file a complaint against Awareness Manassas PAC (Committee #16-00378) for violations of Virginia elections code. I am not sure of the specific code section(s) that may apply in each case, but have indicated at least one code section where I think it may apply.

I. Failure to timely file Statement of Organization ("SOO") with State Department of Elections:

- The committee did not file an original, signed copy of its SOO with the Virginia Department of Elections within 10 days of organization or within 10 days after the date on which the committee had information that it expected to receive contributions and/or expend funds of more than $200. The SOO states that the PAC received contributions exceeding $200 on 10/5/2016, but the SOO is not dated until 10/28/2016 and was not received by the Department of Elections until 11/15/2016 (per . The committee faxed a copy of the SOO to the City of Manassas Electoral Board on 11/7/2016, one day before the election.

II. False information on the original signed SOO submitted to the State Department of Elections:

- The 'Type of Statement' was marked to indicate both "New" and "Amended."
- The address provided for 'Treasurer Residential Address' is a mailbox at the UPS Store located at 9532 Liberia Ave, Manassas.
- The address provided for 'Principal Custodian of the Books Residential Address' is a mailbox at the UPS Store located at 9532 Liberia Ave, Manassas.
- The address provided for 'Address Where Books are Maintained' is a mailbox at the UPS Store located at 9532 Liberia Ave, Manassas.

III. Violations of Title 24.2 Chapter 9.5:

Specifically, Awareness Manassas PAC violated § 24.2-956.1 by distributing by mail 9,675 pieces of print media advertising (3 mailings, each consisting of 3,225 pieces) that opposed the election of one or

1

more clearly identified candidates without the sponsor stating whether the advertisement was authorized by a candidate. The visual legend in these advertisements did not state either "Authorized by [Name of candidate], candidate for [Name of office]" or "Not authorized by a candidate." These violations occurred within the 14 days prior to the election to which the advertisements pertained.

- The first mailing of 3,225 pieces (mail date 10/27/2016), "Hiding Records," specifically opposed the election of clearly identified Manassas City Council candidates Mark Wolfe and Pam Sebesky.
- The second mailing of 3,225 pieces (mail date 10/31/2016), "Corruption," also specifically opposed the election of clearly identified Manassas City Council candidates Mark Wolfe and Pam Sebesky.
- The third mailing of 3,225 pieces (mail date 11/2/2016), "Sebesky," specifically opposed the election of clearly identified Manassas City Council candidate Pam Sebesky.

IV. Failure to timely file Independent Expenditure Reports:

On three separate occasions the committee did not file an Independent Expenditure Form with the local electoral board within 24 hours of making the expenditure or within 24 hours after the expenditure is disseminated, whichever was first:

- The committee filed an Independent Expenditure Report dated 10/27/2016 for direct mail expense listing Date Disseminated to Public of 10/27/2016 and Date Funds Expended of 10/29/2016. The report was therefore due on 10/28/2016, but was not filed with the Manassas City Electoral Board until 11/7/2016 (via fax), one day before the election.
- The committee filed an Independent Expenditure Report dated 10/31/2016 for direct mail expense listing Date Disseminated to Public of 10/31/2016 and Date Funds Expended of 10/29/2016. The report was therefore due on 10/30/2016, but was not dated until 10/31/2016 and was not filed with the Manassas City Electoral Board until 11/7/2016 (via fax), one day before the election.
- The committee filed an Independent Expenditure Report dated 11/2/2016 for direct mail expense listing Date Disseminated to Public of 11/2/2016 and Date Funds Expended of 10/29/2016. The report was therefore due on 10/30/2016, but was not dated until 11/2/2016 and was not filed with the Manassas City Electoral Board until 11/7/2016 (via fax), one day before the election.

V. False information on the Campaign Finance Report submitted to the State Department of Elections for the period ending 12/31/2016 (dated 1/17/2017):

- Schedule A of the Campaign Finance Report states that the committee received its first contributions over $100 on 10/17/2016 (composed of two contributions in the aggregate amount of $4,800), and the remainder of its contributions over $100 for the period on 10/24/2016 (also composed of two contributions in the aggregate amount of $4,800). Schedule G of the Campaign Finance Report states that the committee received no other contributions. However, the SOO dated 10/28/2016 certified that the PAC received contributions exceeding $200 on 10/5/2016.
- The Campaign Finance Report states that the committee made its sole expenditure for the reporting period in the amount of $9,600 to Tactical Creative Communications (sic) on 10/31/2016. However, the Independent Expenditure Reports dated 10/27/2016, 10/31/2016, and 11/2/2016, respectively, (all filed not timely on 11/7/2016) each individually certify that all expenditures occurred on 10/29/2016.

Attached, please find the following:

- Copy of each of the printed media advertisements (3 total);
- Copy of verification from USPS of mailing dates and volumes for each of the printed media advertisements;
- Copy of Awareness Manassas original signed SOO dated 10/28/2016, as filed with the Virginia Department of Elections;
- Copy of Awareness Manassas Campaign Finance Report for the period 10/1/2016-12/31/2016 dated 1/17/2017 as filed with the Virginia Department of Elections (report marked received by Department of Elections on 1/23/2017, envelope not postmarked); and
- Copy of Awareness Manassas SOO dated 10/28/2016 and three Awareness Manassas Independent Expenditure Reports dated 10/27/2016, 10/31/2016, and 11/2/2016, respectively, as all of which were submitted together by fax to the City of Manassas Electoral Board on 11/7/2016. Please note that this copy and the SOO as submitted by Awareness Manassas to the local electoral board via fax omitted page two of that document stating the Purpose of Committee, Candidates the Committee Supports or Opposes, and Area, Scope and Jurisdiction of Committee.

Thank you very much for the assistance of you and your team. Please let me know if I can provide any additional information or if you have any questions.

Take care.

Best,

Steve

Stephen Hersch
9312 Mathis Ave
Manassas VA 20110
Ph 704-281-6885

Why are MARK WOLFE and PAM SEBESKY hiding their records?

9332 Liberia Ave #264
Manassas, VA 20110

Presorted Standard
US Postage
PAID
Targeted Creative
Communications, Inc.

MARK WOLFE and PAM SEBESKY are self-serving politicians. We cannot trust them.

The Washington Post

"Mark Wolfe, Manassas City Council member, votes to fund own arts group"

—*The Washington Post*, July 9, 2013

Corrupt politician Mark Wolfe uses his seat on City Council to line his family's pockets with our tax dollars, instead of helping our community. Mark Wolfe:

- Repeatedly raised taxes and used those tax dollars to enrich himself
- Sent over $100,000 of taxpayer money to the Manassas Ballet. He is the executive director and his wife is on the ballet's payroll.[1]
- Kept his connections with the ballet secret while voting to give the ballet more taxpayer dollars

"my daughter was brutally beaten by another student... Pam Sebesky vilified my daughter and family"

—Rochelle Cash, mother

Manassas City School Board Member Pam Sebesky has a history of endangering our children. We cannot trust her to keep our community safe. As a member of the school board, Pam Sebesky:

- **Blamed** the victim of a vicious attack at a middle school in our community—the victim sustained a concussion and possible permanent retinal damage[2]
- **Turned** the other cheek, even though the student attacker was found guilty of felony malicious wounding
- **Vilified** the victim and her family

1. *The Washington Post*, 6/20/13
2. insidenova.com, 3/25/10

MARK WOLFE cannot be trusted with our tax dollars.

Paid for by Awareness Manassas

PAM SEBESKY cannot be trusted to keep our community safe.

Corruption

(*kuh*-ruhp-sh*uh* n):

Departure from what is legally, ethically, and morally correct.

9532 Liberia Ave #264
Manassas, VA 20110

Presorted Standard
US Postage
PAID
Targeted Creative
Communications, Inc.

Mark Wolfe and Pam Sebesky *are the definition of corruption.*

"Mark Wolfe, Manassas City Council member, votes to fund own arts group"
— The Washington Post
July 9, 2013

Mark Wolfe *lines his pockets with your tax dollars.*

Manassas City Council Member Mark Wolfe voted to give tax dollars to the Manassas Ballet. But at the same time, Wolfe was the ballet's Executive Director, so he stood to gain from it. Because of Mark Wolfe's vote, his organization got taxpayer dollars. That's a conflict of interest.

Greedy and dishonest

Mark Wolfe hid his connections to the ballet until after the vote. A fellow City Council member said, "It stinks."[1] Another said, "The honorable thing to do is Mr. Wolfe recuse himself."[2] He didn't. Since then, he's spent our dollars recklessly. Wolfe recently declared bankruptcy and wants more of our money for himself.

Pam Sebesky *turns the other cheek on school violence.*

Manassas City School Board member Pam Sebesky has a history of endangering our children. When a student was violently beaten, sustaining a concussion and possible permanent eye damage, Sebesky blamed the victim and vilified the victim's family.[3]

Power hungry

Pam Sebesky failed to fulfill her number one responsibility as a school board member—protecting our children. Now, she's running for City Council because she wants more power, but she doesn't deserve it. Pam Sebesky didn't put our children's safety first. We cannot trust her to keep our community safe.

1. Flickr, 7/10/13
2. The Washington Post, 6/28/13
3. Inside Nova.com, 2/25/10

"my daughter was brutally beaten by another student... Pam Sebesky vilified my daughter and family"
— Rochelle Cash, mother

We cannot trust **Mark Wolfe** *and* **Pam Sebesky** *on the Manassas City Council.*

Paid for by Awareness Manassas

Pam Sebesky
failed to protect our kids.
Get the facts.

Dear Manassas Residents,

My family moved out of the City of Manassas because of Pam Sebesky. In early 2016, my daughter was brutally beaten by another student at Metz Middle School. When our family brought our concerns to the Manassas City School Board, sitting member Pam Sebesky minimized a brutal assault and vilified my daughter and family.

Rather than assure us that my daughter and the other students at Metz would be safe, Pam Sebesky publicly shamed us. In her role as a school board member, Pam Sebesky spoke as if Metz was a perfect school. Sebesky refused to recognize the severe problems at hand. Instead of reassuring the community that she would address the issues, she spoke as if there were no issues to address. She did that then, and continues to do this now as she runs for City Council.

Manassas can no longer elect leaders who stick their heads in the sand. Manassas needs leaders brave enough to address and confront our problems. Pam Sebesky is not this person. Sebesky cares more about being a politician than she does about your child's safety. I know this personally, as when my daughter got bullied at school, we never imagined our entire family would be bullied a second time by Pam Sebesky.

Rochelle Cash
Mother of Metz Middle School assault victim

On **November 8th,**
vote **NO** on **Pam Sebesky.**

1. insidenova.com, 3/25/16

Paid for by Awareness Manassas

---------- Forwarded message ----------
From: **Kim, Chong H - Dulles, VA** <Chong.H.Kim@usps.gov>
Date: Mon, Feb 6, 2017 at 8:11 AM
Subject: RE: Follow-Up on Business/Bulk Mail Inquiry
To: Stephen Hersch <stephen.hersch@gmail.com>
Cc: "Vuong, Ha - Merrifield, VA" <Ha.Vuong@usps.gov>

Good morning,

Here are the details on three jobs that you requested for.

	DPR, LBR, MLR, MPR	516540	11/02/2016	11/02/2016	TARGETED CREATIVE COMMUNICATIONS [Cust Ref ID: 112443 - AWARWENESS MANASSAS]	766992	PI 1072	SM	3,225	$823.52
	DPR, LBR, MLR, MPR, WV	516540	11/02/2016	11/02/2016	TARGETED CREATIVE COMMUNICATIONS [	766992		SM		
	DPR, LBR, MLR, MPR	516540	11/01/2016	11/01/2016	TARGETED CREATIVE COMMUNICATIONS	766992		SM		
		516540	10/31/2016	10/31/2016	TARGETED CREATIVE COMMUNICATIONS	766992		SM		
		516540	10/31/2016	10/31/2016	TARGETED CREATIVE COMMUNICATIONS [Cust Ref ID Awareness Manassas]	766992	PI 1072	SM	3,225	$823.52
		516540	10/28/2016	10/28/2016	TARGETED CREATIVE COMMUNICATIONS	766992		SM		
	DPR, LBR, MLR, MPR, WV	516540	10/27/2016	10/27/2016	TARGETED CREATIVE COMMUNICATIONS [Cust Ref ID Awareness Manassas]	766992	PI 1072	SM	3,225	$823.52

Please let me know if you have any questions.

Thank you,

Chong H. Kim | Mailing Standards Specialist
BME | Northern Virginia District
703-698-6579 | 703-207-3660 | Chong.H.Kim@usps.gov

3. Brandon W. Howard – November 8, 2016 General

Braun, Brooks (ELECT)

From: Mansfield, Rose (ELECT)
Sent: Thursday, November 03, 2016 12:43 PM
To: Braun, Brooks (ELECT)
Cc: Stenbjorn, Paul (ELECT)
Subject: FW: City of Hopewell, City Council Election Sign Complaint
Attachments: election sign compliant photo2.jpg; election sign compliant photo1.JPG; City of Hopewell Council Sign Complaint 110316.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

SBE has been notified that you will be handling this complaint...thanks, Rose

---

From: David Silvestro [mailto:davidsilvestroward2@yahoo.com]
Sent: Thursday, November 03, 2016 12:20 PM
To: Alcorn, James (ELECT); Wheeler, ClaraBelle (ELECT); McAllister, Singleton (ELECT); Mansfield, Rose (ELECT)
Subject: City of Hopewell, City Council Election Sign Complaint

Attached is a copy of the my complaint that I am filing with the City of Hopewell Registrars Office and the State Board of Elections. Please contact me if you have any questions.
Thank you very much,
David W. Silvestro
804-896-3260

DAVID SILVESTRO
Candidate For Ward 5 Hopewell City Council

1008 Smithfield Avenue
Hopewell, VA 23860

(804) 896-3260

November 3, 2016

Pamela Clark
Hopewell City Registrar
245 E. Broadway
Hopewell VA 23860

RE: Illegal and Misleading Election Signs

Dear Pamela,

In reference to the 4x4 election signs located in Hopewell showing Donald Trump, Mike Pence, Mike Wade and Brandon Howard all featured on one sign. Local election candidates can not attach their name to a presidential campaign. When you look at these signs, the average voter will think that Donald Trump and Mike Pence are backing Mike Wade and Brandon Howard as the republican ticket. As you know, Hopewell did not have a republican primary.

These signs were not authorized by the TRUMP/PENCE campaign and they were only authorized and paid for by Mike Wade and Brandon Howard. It does not show that Trump/Pence have approved and authorized these signs, therefore, these signs are illegal. These signs will illegally influence the outcome of the Congress and City of Hopewell City Council election. These signs need to be removed immediately to prevent any further election influence.

I believe if Donald Trump and Mike Pence would of authorized these signs, their names would of been included in the authorization that is required at the bottom of each sign.

Very truly yours,

David W. Silvestro
Candidate for Ward 5 Hopewell City Council

cc: Rick Newman, City of Hopewell, Commonwealth Attorney
Brooks Braun, Virginia State Board of Elections

STATE OF VIRGINIA
CITY/~~COUNTY~~ OF HOPEWELL to-wit:
The foregoing instrument, bearing the date on the 3RD day of NOVEMBER, 2016 was duly acknowledged before me in the City/County and State aforesaid, DAVID W. SILVESTRO on the 3RD day of NOVEMBER, 2016.

Lavina C. Miller (SEAL)
Notary Public

My commission expires: 12-31-2017 Registration No.: 363784

Lavina C. Miller
Commonwealth of Virginia
Notary Public
Commission No. 363784
My Commission Expires 12/31/2017


Paid for and authorized by Mike Wade for Congress and Brandon Howard for Council


TRUMP
PENCE
Mike
WADE
4th District CONGRESS
Brandon
HOWARD
CITY COUNCIL

4. Daniels Campaign – November 8, 2016 General

Braun, Brooks (ELECT)

From: Stenbjorn, Paul (ELECT)
Sent: Friday, July 29, 2016 9:40 AM
To: Braun, Brooks (ELECT)
Subject: FW: Elected candidates - disclosure
Attachments: 13775980_148822322215292_5860766545101306060_n.jpg; 13654133_148822288881962_1997665144309861629_n.jpg; 13501846_10210066507078072_180497271447345261_n.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Paul E. Stenbjorn
Director of Election Administration and Election Technology Certification and Security
Virginia Department of Elections
1100 Bank Street, First Floor
Richmond, Virginia 23219

paul.stenbjorn@elections.virginia.gov
office: 804.864.8952

From: joannesanders415@yahoo.com [mailto:joannesanders415@yahoo.com]
Sent: Thursday, July 28, 2016 4:49 PM
To: Stenbjorn, Paul (ELECT) <Paul.Stenbjorn@elections.virginia.gov>
Subject: Elected candidates - disclosure

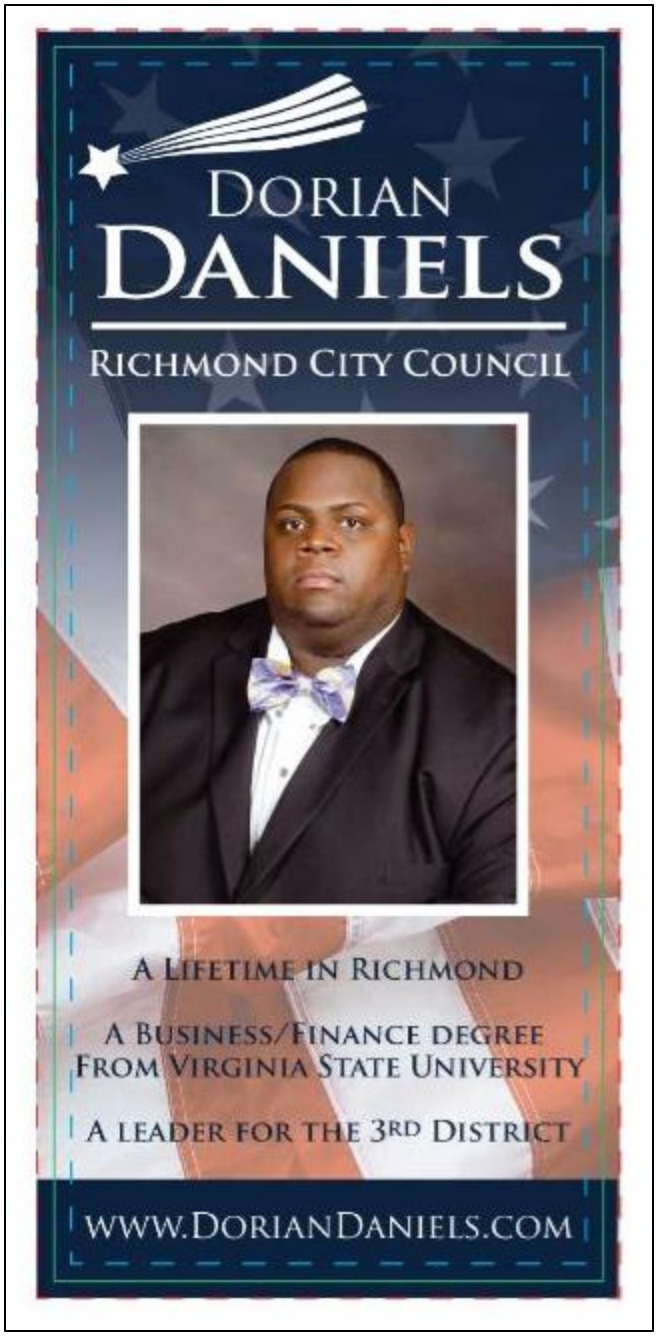
Mr. Stenbjorn,

Per our discussion of earlier this afternoon, I am following up with photos of the campaign materials I have seen for candidates in the City of Richmond that are not including the required campaign disclosure statements.

This is just a smattering of what I have seen, but it is very disturbing that people seeking elected office are not being held accountable to follow basic election law. This includes outside signage, billboards, tee-shirts, lawn signs, palm cards, brochures, etc.

As I mentioned when we spoke, I spoke with Ms. Miller in your office and she told this would not be raised as an issue with the election board until November 8th, which frankly seems a bit late since

1


DORIAN
DANIELS
RICHMOND CITY COUNCIL
A LIFETIME IN RICHMOND
A BUSINESS/FINANCE DEGREE
FROM VIRGINIA STATE UNIVERSITY
A LEADER FOR THE 3RD DISTRICT
WWW.DORIANDANIELS.COM

5. Ellen Robertson – November 8, 2016 General

Braun, Brooks (ELECT)

From: Alex Parker <alexanderparker@fastmail.net>
Sent: Friday, September 30, 2016 2:12 PM
To: Braun, Brooks (ELECT)
Subject: Fwd: Ellen Robertson Mailer (Disclaimer Complaint)

To whom it may concern,

I received this campaign mail a couple days ago, and it does not disclose who paid for it.

I would like to file a complaint.

Thank you for your time.

-Alex

Begin forwarded message:

From: Alex Parker <alexanderparker@fastmail.net>
Date: September 29, 2016 11:36:05 AM EDT
To: rose.mansfield@elections.virginia.gov
Subject: Ellen Robertson Mailer (Disclaimer Complaint)

To whom it may concern,

I received this campaign mail a couple days ago, and it does not disclose who paid for it.

I would like to file a complaint.

Thank you for your time.

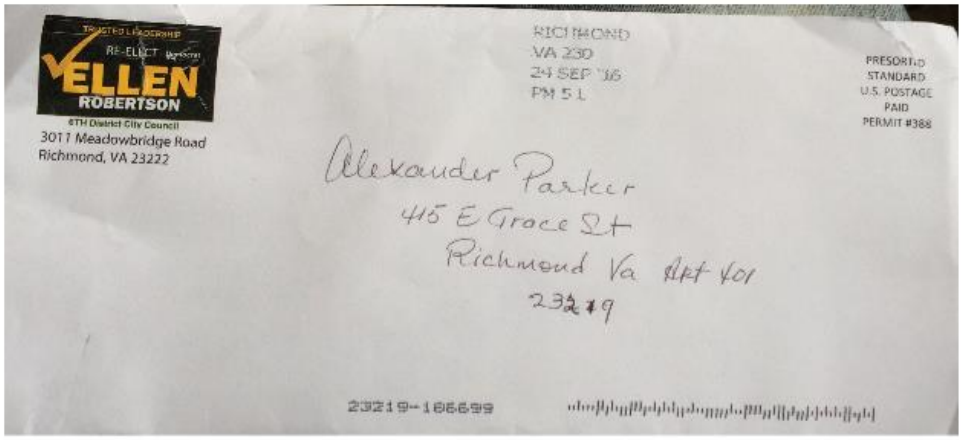
-Alex

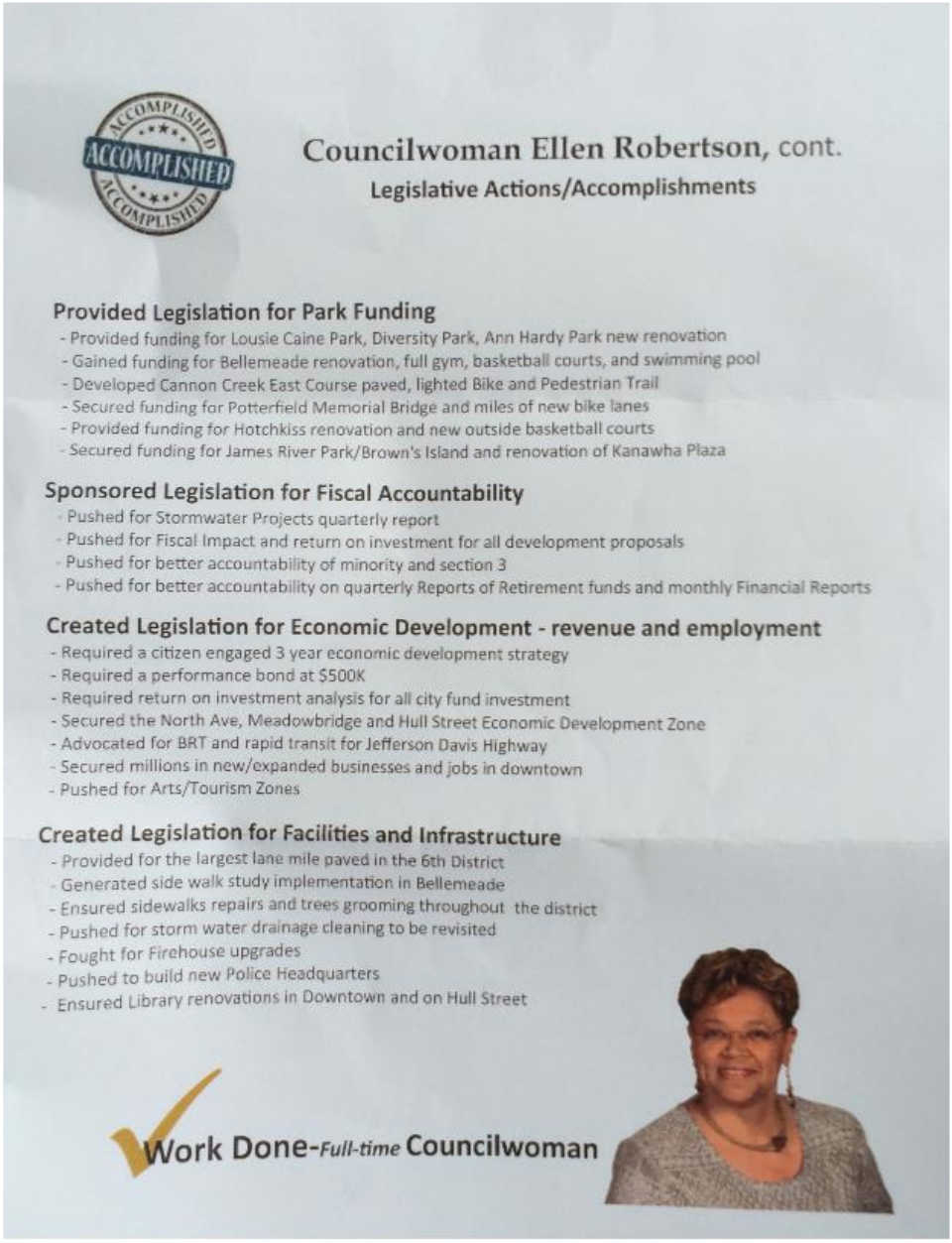
Alex Parker • 571.243.2011
alexanderparker@fastmail.net

Begin forwarded message:

From: Alex Parker <alexanderparker@fastmail.net>
Date: September 29, 2016 11:26:56 AM EDT
To: Alex Parker <alexanderparker@fastmail.net>
Subject: Ellen Robertson Mailer

1


TRUSTED LEADERSHIP
RE-ELECT
ELLEN
ROBERTSON
6TH District City Council
3017 Meadowbridge Road
Richmond, VA 23222
RICHMOND
VA 230
24 SEP '16
PM 5 L
PRESORTED
STANDARD
U.S. POSTAGE
PAID
PERMIT #388
Alexander Parker
415 E Grace St
Richmond Va Apt 401
23219
23219-186699


ACCOMPLISHED
Councilwoman Ellen Robertson, cont.
Legislative Actions/Accomplishments
Provided Legislation for Park Funding
- Provided funding for Lousie Caine Park, Diversity Park, Ann Hardy Park new renovation
- Gained funding for Bellemeade renovation, full gym, basketball courts, and swimming pool
- Developed Cannon Creek East Course paved, lighted Bike and Pedestrian Trail
- Secured funding for Potterfield Memorial Bridge and miles of new bike lanes
- Provided funding for Hotchkiss renovation and new outside basketball courts
- Secured funding for James River Park/Brown's Island and renovation of Kanawha Plaza
Sponsored Legislation for Fiscal Accountability
- Pushed for Stormwater Projects quarterly report
- Pushed for Fiscal Impact and return on investment for all development proposals
- Pushed for better accountability of minority and section 3
- Pushed for better accountability on quarterly Reports of Retirement funds and monthly Financial Reports
Created Legislation for Economic Development - revenue and employment
- Required a citizen engaged 3 year economic development strategy
- Required a performance bond at $500K
- Required return on investment analysis for all city fund investment
- Secured the North Ave, Meadowbridge and Hull Street Economic Development Zone
- Advocated for BRT and rapid transit for Jefferson Davis Highway
- Secured millions in new/expanded businesses and jobs in downtown
- Pushed for Arts/Tourism Zones
Created Legislation for Facilities and Infrastructure
- Provided for the largest lane mile paved in the 6th District
- Generated side walk study implementation in Bellemeade
- Ensured sidewalks repairs and trees grooming throughout the district
- Pushed for storm water drainage cleaning to be revisited
- Fought for Firehouse upgrades
- Pushed to build new Police Headquarters
- Ensured Library renovations in Downtown and on Hull Street
Work Done-Full-time Councilwoman

Full-time

Councilwoman Ellen F. Robertson

Legislative Actions/Accomplishments

Dedicated Richmond Democrat

"Getting the Right things Done the Right Way"

6th District

Sponsored Legislation for Richmond Public Education

- Provided for increased funding for operations and facilities at over $40 million
- Built three new schools in the District- Oakgrove-Bellemeade, MLK middle school, New Preschool Center
- Provided funding to support PTA
- Supported the policy to recap all revenues from sale or lease of school building for schools
- Secured funding for a new Overby Sheppard school building
- Secured funding for major repair at Overby Sheppard to avoid closing this community school

Fought for Legislation for Improved and Increased Housing and Community Development

- Established RVA's first Affordable Housing Trust Fund
- Patron 30/30 housing policy to require 30% funding for families at 30% income level
- Secured density policy for increase in affordable dwelling units
- Created derelict building policy
- Pushed for tax incentives to increase new construction in conservation and rehabilitation communities
- Secured Senior Home Repairs through Rebuilding Richmond
- Secured tax relief for seniors and the disabled
- Ensured bonding to support development in Downtown and Manchester
- Fought for a tax delinquent housing redevelopment policy
- Increased communities built- Highland Grove, Seniors at 6Points, Chestnut at Matthews, Barton House, Mimosa Creeks, and Manchester and Downtown

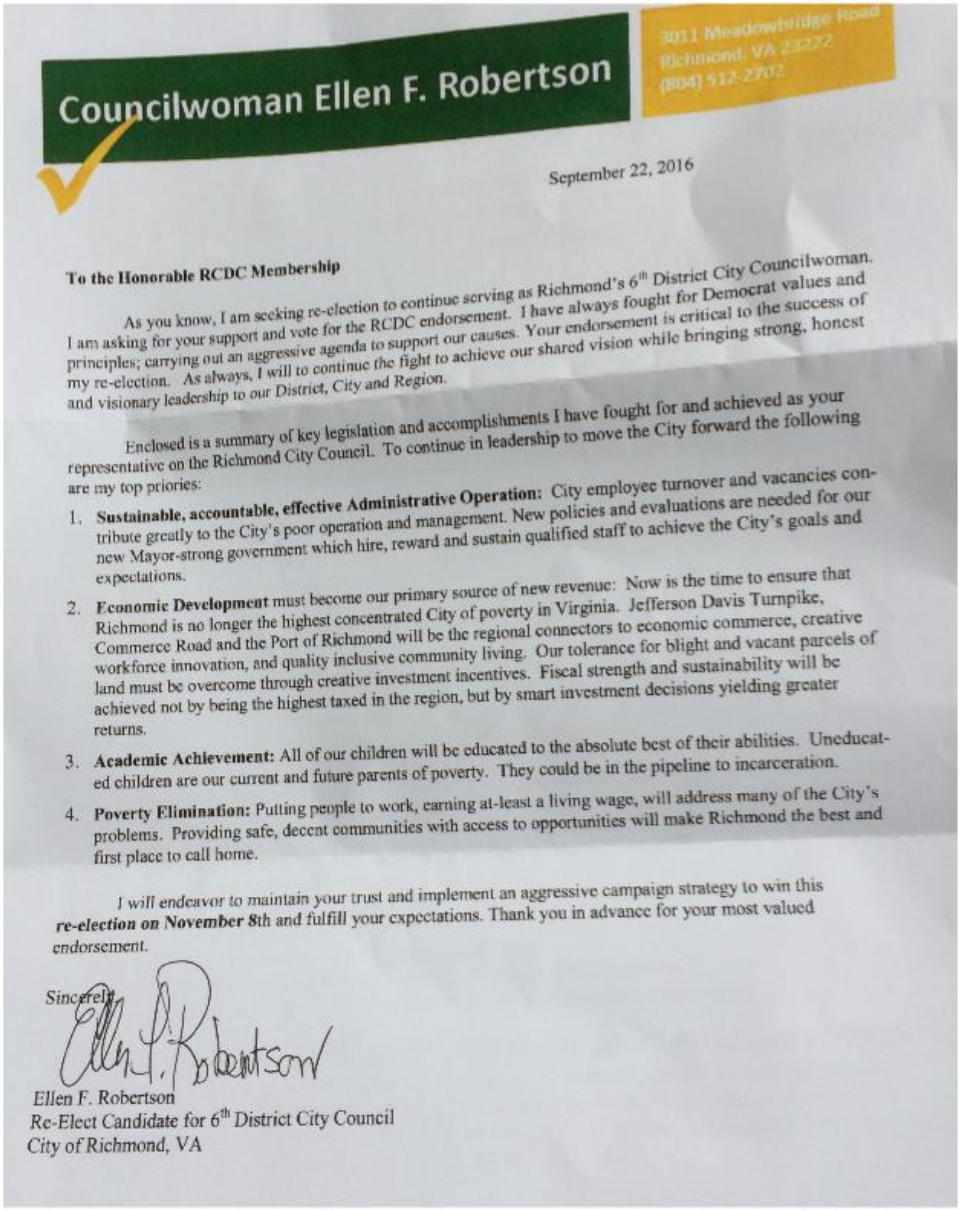
Fought for Legislation against CRIME, Drugs and Incarceration

- *Demolished and built new Justice Center*
- *Fought for and Chair Alternative to Incarceration Board reducing mass incarceration*
- *Pushed for Community Policing model in the City*
- *Created policy to remove open public street drug trading*
- *Provided funding for drug treatment with RBHA, Rubicon and Healing Place*
- *Created inmate job training /workforce placement with public /private partnerships*

Created Legislation for COMMUNITY WEALTH BUILDING-REDUCING POVERTY

- *Patron and co-chair the creation of the MLW anti-poverty Community Wealth Building Commission*
- *Formed workforce innovation center - After school program for Middle School students*
- *Pushed the operation of public health clinic and housing advisors in RRHA communities*
- *Pushed the formation of high school navigators in all RPS high schools*
- *Ensured youth summer jobs*

-Learn More on reverse side-



Councilwoman Ellen F. Robertson

3011 Meadowbridge Road
Richmond, VA 23222
(804) 512-2702

September 22, 2016

To the Honorable RCDC Membership

As you know, I am seeking re-election to continue serving as Richmond's 6th District City Councilwoman. I am asking for your support and vote for the RCDC endorsement. I have always fought for Democrat values and principles; carrying out an aggressive agenda to support our causes. Your endorsement is critical to the success of my re-election. As always, I will to continue the fight to achieve our shared vision while bringing strong, honest and visionary leadership to our District, City and Region.

Enclosed is a summary of key legislation and accomplishments I have fought for and achieved as your representative on the Richmond City Council. To continue in leadership to move the City forward the following are my top priories:

1. **Sustainable, accountable, effective Administrative Operation:** City employee turnover and vacancies contribute greatly to the City's poor operation and management. New policies and evaluations are needed for our new Mayor-strong government which hire, reward and sustain qualified staff to achieve the City's goals and expectations.
2. **Economic Development** must become our primary source of new revenue: Now is the time to ensure that Richmond is no longer the highest concentrated City of poverty in Virginia. Jefferson Davis Turnpike, Commerce Road and the Port of Richmond will be the regional connectors to economic commerce, creative workforce innovation, and quality inclusive community living. Our tolerance for blight and vacant parcels of land must be overcome through creative investment incentives. Fiscal strength and sustainability will be achieved not by being the highest taxed in the region, but by smart investment decisions yielding greater returns.
3. **Academic Achievement:** All of our children will be educated to the absolute best of their abilities. Uneducated children are our current and future parents of poverty. They could be in the pipeline to incarceration.
4. **Poverty Elimination:** Putting people to work, earning at-least a living wage, will address many of the City's problems. Providing safe, decent communities with access to opportunities will make Richmond the best and first place to call home.

I will endeavor to maintain your trust and implement an aggressive campaign strategy to win this ***re-election on November 8****th and fulfill your expectations. Thank you in advance for your most valued endorsement.*

Sincerely,

Ellen L. Robertson

Ellen F. Robertson
Re-Elect Candidate for 6th District City Council
City of Richmond, VA

Alex Parker • 571.243.2011
alexanderparker@fastmail.net

Braun, Brooks (ELECT)

From: Alex Parker <alexanderparker@fastmail.net>
Sent: Saturday, October 15, 2016 11:27 AM
To: Braun, Brooks (ELECT)
Subject: Re: Ellen Robertson Mailer (Disclaimer Complaint)

Follow Up Flag: Follow up
Flag Status: Flagged

Brooks C. Braun Esq.

This flyer appeared on my door couple days ago, and it does not disclose who paid for it.

I would like to file another complaint.

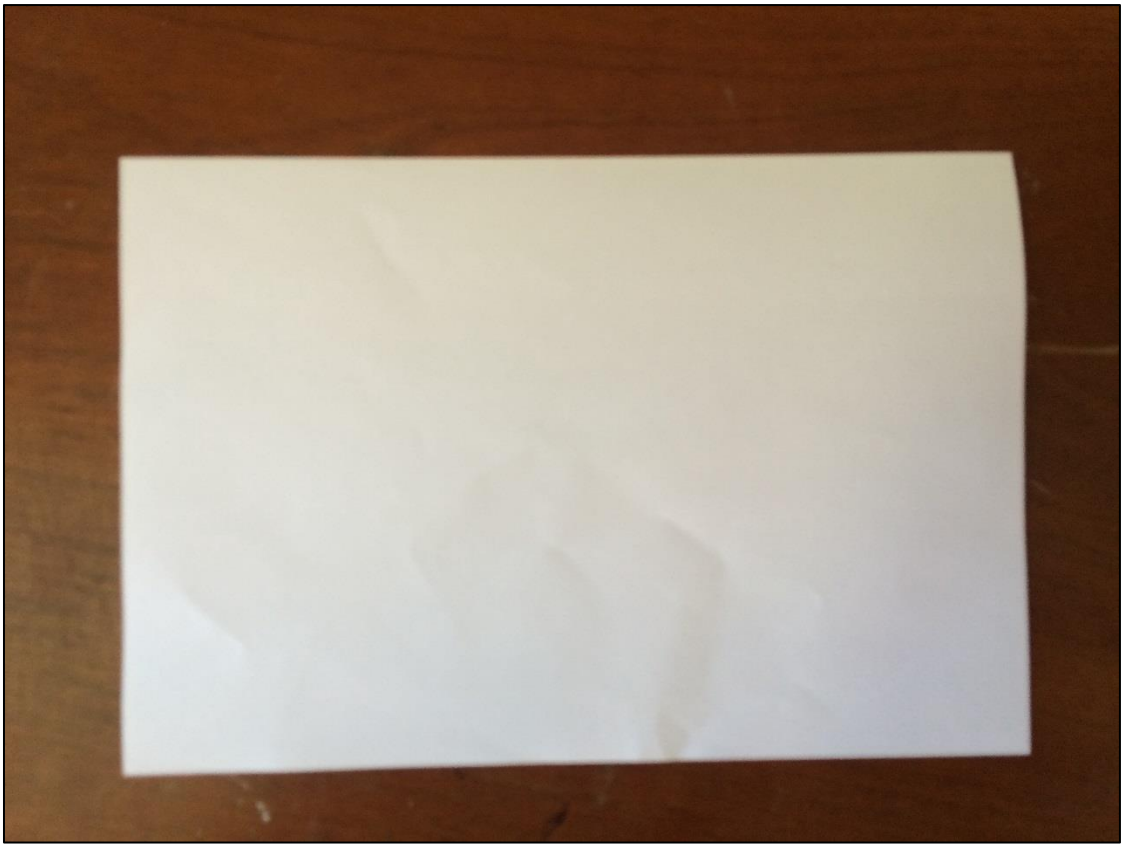
Thank you for your time.

-Alex

sent from ma fone.

Front:


A New & Exciting Playground at
Ann Hardy Park 1st & Carolina Ave
BEING YOUR CHILDREN, BEING YOUR FAMILY!
COUNCILWOMAN ELLEN F. ROBERTSON
ALL BRAND NEW FOR YOU
"Caring About the Community—that's what I enjoy most…"
"Getting the Right things done the Right way."



6. Friends of Candidate Coleman – November 8, 2016 General

Braun, Brooks (ELECT)

From: Stenbjorn, Paul (ELECT)
Sent: Friday, July 29, 2016 9:40 AM
To: Braun, Brooks (ELECT)
Subject: FW: Elected candidates - disclosure
Attachments: 13775980_148822322215292_5860766545101306060_n.jpg; 13654133_148822288881962_1997665144309861629_n.jpg; 13501846_10210066507078072_180497271447345261_n.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Paul E. Stenbjorn
Director of Election Administration and Election Technology Certification and Security
Virginia Department of Elections
1100 Bank Street, First Floor
Richmond, Virginia 23219

paul.stenbjorn@elections.virginia.gov
office: 804.864.8952

From: joannesanders415@yahoo.com [mailto:joannesanders415@yahoo.com]
Sent: Thursday, July 28, 2016 4:49 PM
To: Stenbjorn, Paul (ELECT) <Paul.Stenbjorn@elections.virginia.gov>
Subject: Elected candidates - disclosure

Mr. Stenbjorn,

Per our discussion of earlier this afternoon, I am following up with photos of the campaign materials I have seen for candidates in the City of Richmond that are not including the required campaign disclosure statements.

This is just a smattering of what I have seen, but it is very disturbing that people seeking elected office are not being held accountable to follow basic election law. This includes outside signage, billboards, tee-shirts, lawn signs, palm cards, brochures, etc.

As I mentioned when we spoke, I spoke with Ms. Miller in your office and she told this would not be raised as an issue with the election board until November 8th, which frankly seems a bit late since

1

that's actually election day and I don't think it should be the case that candidates be allowed to distribute materials between now and the election that are in clear violation of the law.

Please let me know how I need to proceed in order to file a formal complaint.


Milondra
Coleman
City Council
VOTE


Elect Milondra
Coleman
City Council ★ District 3
VOTE ELECTION DAY
NOVEMBER 8

7. Glenn Perry, Sr. – November 8, 2016 General

Braun, Brooks (ELECT)

From: Gomoke, John <GomokeJ@portsmouthva.gov>
Sent: Monday, February 27, 2017 3:26 PM
To: Braun, Brooks (ELECT)
Subject: Advertisement for candidate

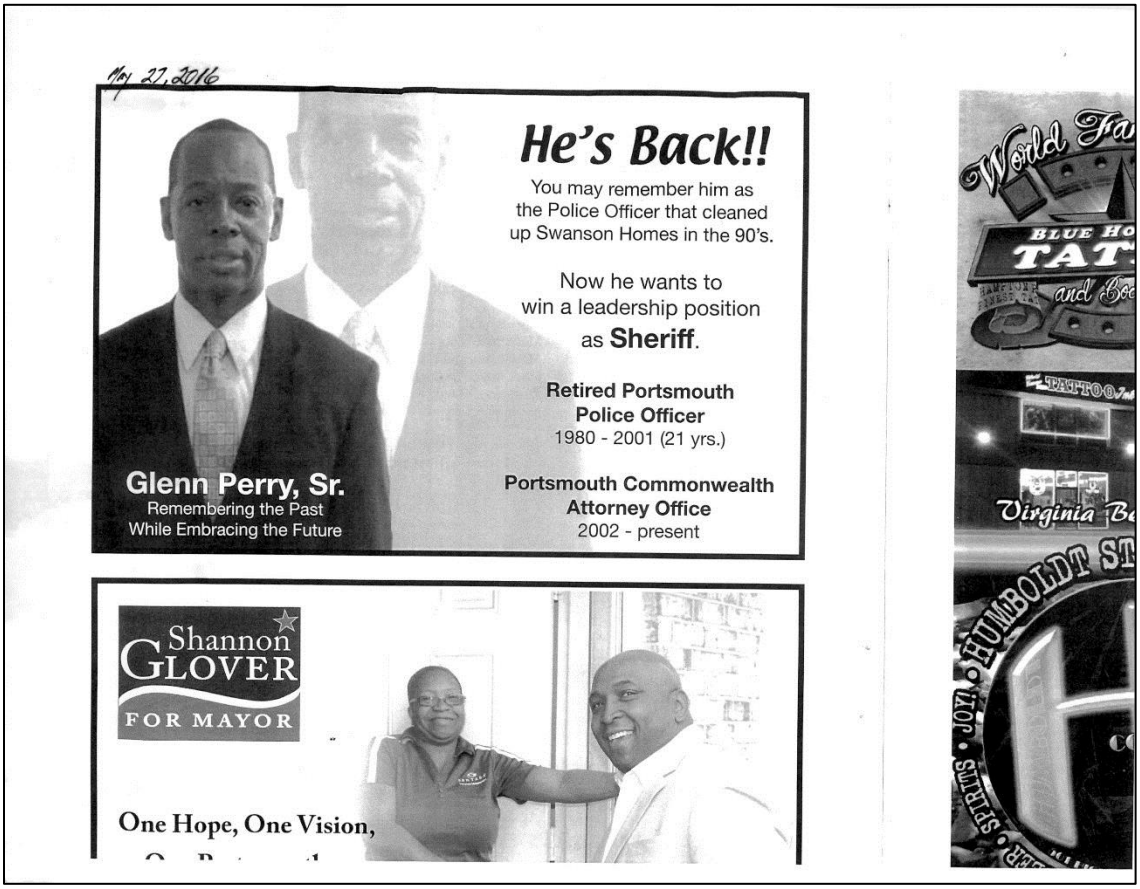
This ad was run in the 26th UMOJA Festival Journal on May 27, 2016.

Please note that there is no disclaimer notice included. Mr. Perry can be reached at the Portsmouth Commonwealth Attorney's Office at (757) 393-8581.

Please advise me of your findings.

Thankyou

May 27, 2016



8. Hassan J. Fountain for 3rd District – November 8, 2016 General

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From: Stenbjorn, Paul (ELECT)
Sent: Friday, July 29, 2016 9:40 AM
To: Braun, Brooks (ELECT)
Subject: FW: Elected candidates - disclosure
Attachments: 13775980_148822322215292_5860766545101306060_n.jpg; 13654133_148822288881962_1997665144309861629_n.jpg; 13501846_10210066507078072_180497271447345261_n.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Paul E. Stenbjorn
Director of Election Administration and Election Technology Certification and Security
Virginia Department of Elections
1100 Bank Street, First Floor
Richmond, Virginia 23219

paul.stenbjorn@elections.virginia.gov
office: 804.864.8952

From: joannesanders415@yahoo.com [mailto:joannesanders415@yahoo.com]
Sent: Thursday, July 28, 2016 4:49 PM
To: Stenbjorn, Paul (ELECT) <Paul.Stenbjorn@elections.virginia.gov>
Subject: Elected candidates - disclosure

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As I mentioned when we spoke, I spoke with Ms. Miller in your office and she told this would not be raised as an issue with the election board until November 8th, which frankly seems a bit late since

1


VOTE
FOUNTAIN
3RD DISTRICT
Richmond City Council
New Leadership for a Brighter Future
WINGS

3


VOTE
FOUNTAIN
3RD DISTRICT
Richmond City Council
New Leadership for a
Brighter Future

5

Sent from Yahoo Mail. Get the app

9. Morrissey for Richmond City Mayor – November 8, 2016 General

-----Original Message-----
From: georgina@vademocrats.org
Sent: 11/03/2016 08:57:55 AM
To: j.alcorn@elections.virginia.gov; clarabelle.wheeler@elections.virginia.gov; singleton.mcallister@elections.virginia.gov; edgardo.cortes@elections.virginia.gov; elizabeth.howard@elections.virginia.gov; chair@vademocrats.org; becca@vademocrats.org; jamie@vademocrats.org; matt@stoneyforrva.com;
Subject: Complaint Against Joe Morrissey

Dear Mr. Alcorn, Dr. Wheeler, and Mrs. McAllister,

Attached is a formal complaint against Richmond mayoral candidate Joe Morrissey and his principal campaign committee for violations of Virginia law.

Sincerely,
Georgina Cannan

--
Georgina Cannan
Voter Protection and Policy Director
Democratic Party of Virginia
Office: 804-335-0975
Cell: 571-334-8121

November 3, 2016

Virginia State Board of Elections
James B. Alcorn
Clara Belle Wheeler
Singleton B. McAllister
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219

Re: Request for Investigation into Sample Ballots Distributed by Joe Morrissey's Campaign for Mayor of Richmond

Members of the State Board of Elections:

Pursuant to the authority of the State Board of Elections under Sections 24.2-955.3 and 24.2-104 of the Virginia Code, this letter constitutes a formal complaint against Richmond mayoral candidate Joe Morrissey and his principal campaign committee, Elect Joe Morrissey, for distributing sample ballots that are misleading to voters and do not include the "paid for by" disclaimer required by Virginia law. Because the advertisements being distributed by Mr. Morrissey's campaigns are deceptive, the State Board should immediately investigate this violation and impose the maximum available penalties against Mr. Morrissey's campaign.

Mr. Joe Morrissey is currently running for Mayor of Richmond. Mr. Morrissey's campaign is distributing unofficial sample ballots to voters that do not include the necessary disclaimers required by Virginia law.[1] Instead, these sample ballots are being distributed along with a personal note from Mr. Morrissey himself, with no indication of who has paid for or authorized the sample ballots. As you know, unofficial sample ballots are treated as advertisements under Virginia law. *See* Va. Code Ann. § 24.2-622. For that reason, all unofficial sample ballots must, in a conspicuous manner, include the statement "Paid for by [name of political committee or candidate]" and, for those sample ballots supporting or opposing the election of one or more clearly identified candidates, the statement "Authorized by [Name of candidate], candidate for [Name of office]" or "Not authorized by a candidate." *Id.* §§ 24.2-956; 24.2-956.1. By failing to include this information, Mr. Morrissey's campaign has plainly violated Virginia law.

Additionally, the sample ballot claims to be the "Democratic Party Sample Ballot" despite the fact that neither the Democratic Party of Virginia nor the Richmond City Democratic Committee have had anything to do with the advertisement. Mr. Morrissey has not been endorsed by the Richmond Democratic Committee or the Democratic Party of Virginia. By implying that the Democratic Party is behind this advertisement or Mr. Morrissey's campaign, and by failing to include a disclaimer indicating that this mailer was paid for by a candidate's committee (and not a Democratic party-affiliated organization), the sample ballot misleads voters in violation of the letter and spirit of Virginia's disclaimer laws, which exist to give voters the information they need to determine who is attempting to influence their vote.

---

[1] *See* Attachment 1.

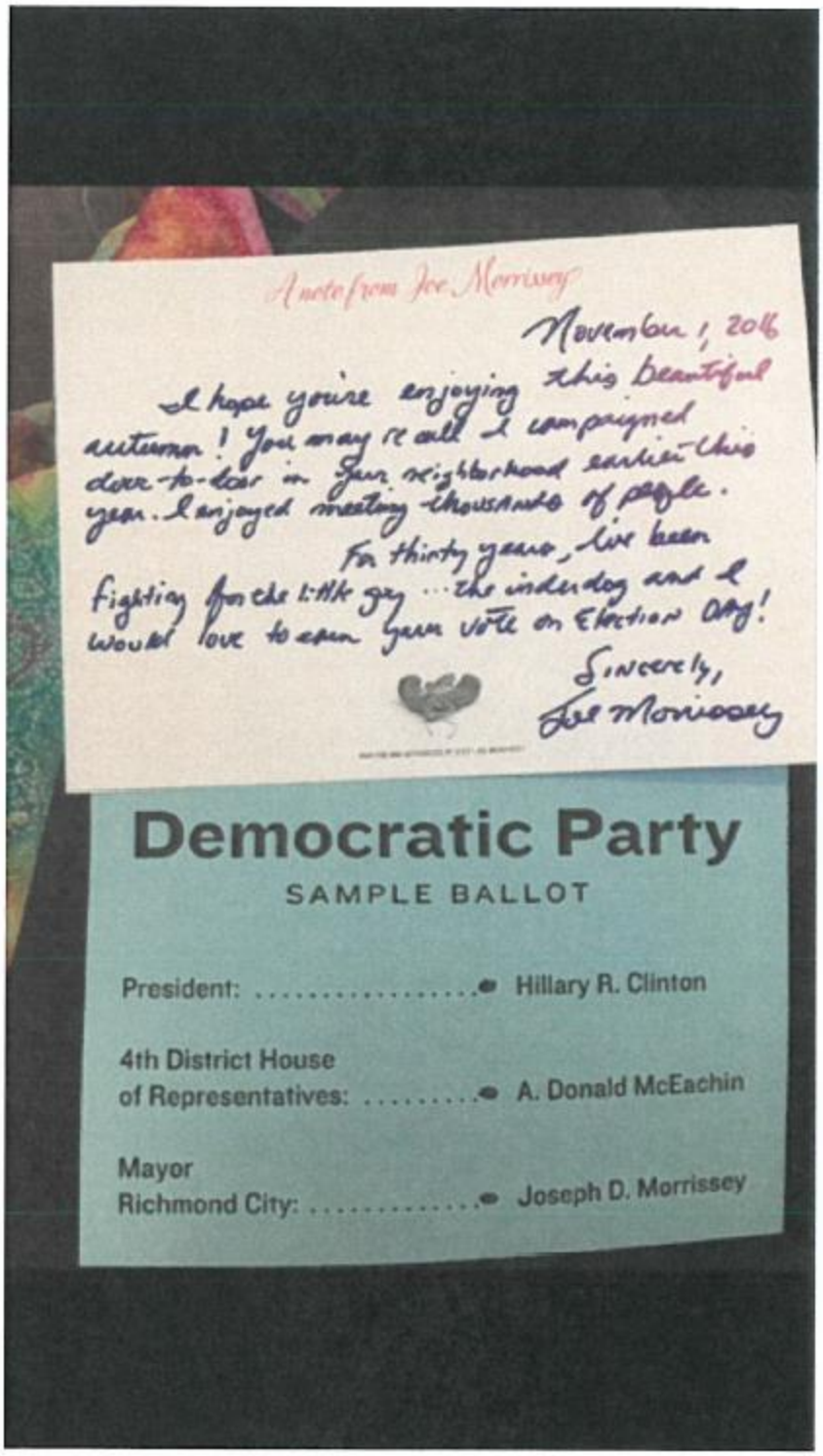
Because Mr. Morrissey's campaign is distributing sample ballots that fail to identify who paid for and authorized the advertisements, and because the sample ballots are deceptively labeled as "Democratic Party Sample Ballot[s]," we are requesting that Mr. Morrissey's campaign cease and desist distributing these sample ballots immediately. We also request that the State Board investigate this issue and impose a fine against Mr. Morrissey's campaign in the amount of the maximum permitted by law for these violations. *See* Va. Code Ann. §§ 24.2-622; 24.2-104(A); 24.2-955.3(D).

Sincerely,

Rebecca Slutzky
Executive Director
Democratic Party of Virginia

Jamie Nolan
Secretary
Richmond City Democratic Committee

Matthew Corridoni
Communications Director
Stoney for RVA


A note from Joe Morrissey
November 1, 2016
I hope you're enjoying this beautiful autumn! You may recall I campaigned door-to-door in your neighborhood earlier this year. I enjoyed meeting thousands of people.
For thirty years, I've been fighting for the little guy ... the underdog and I would love to earn your vote on Election Day!
Sincerely,
Joe Morrissey
Democratic Party
SAMPLE BALLOT
President: ..... Hillary R. Clinton
4th District House of Representatives: ..... A. Donald McEachin
Mayor Richmond City: ..... Joseph D. Morrissey

10. Singh for Mayor – November 8, 2016 General

THE O'REILLY LAW FIRM

761-C Monroe Street, Suite 200
Herndon, Virginia 20170

Michael L. O'Reilly
Nancy J. O'Reilly

Telephone: (703) 766-4811
Fax: (703) 766-1995
www.ORLawfirm.com

OCT 3 11:58

September 26, 2016

Virginia Department of Elections
Washington Building, First Floor
1100 Bank Street, Richmond 23219

Re: Town of Herndon Election-November 8, 2016

Dear Madam or Sir:

I am a Herndon resident and a former elected official (Town Council 2000-2004; Mayor-2004-2006). I am writing this letter as a complaint against what appear to be successive and willful violations of the Virginia election laws by a current candidate for mayor.

Enclosed please find two mailers that I received over the last two weeks at my home at 837 Moffett Forge Road, Herndon, VA 20170. Both appear to support candidate Jasbinder Singh yet neither contains the disclosures required by Virginia Code section 24.2-956. As a former elected official I am keenly aware of the importance of the disclosures requirements. In fact, our Town adopted the Financial Disclosures requirements set out in the Virginia Code voluntarily as the requirements do not apply to communities with a population of less than 25,000.

I say that the violations appear willful because Mr. Singh is now running his fourth campaign for elected office. In 2010 he campaigned and was elected to the Herndon Town Council. In 2012 he ran an unsuccessful campaign for Mayor. In 2014 he campaigned and was elected to our Town Council. He is now running again for Mayor. In this fourth campaign for office we are certain that he knows the rules but has chosen to ignore them.

Please take whatever steps may be necessary to impose such sanctions as will cause the candidate to comply with the election laws of the Commonwealth.

Of course, if you have any questions please feel free to contact me.

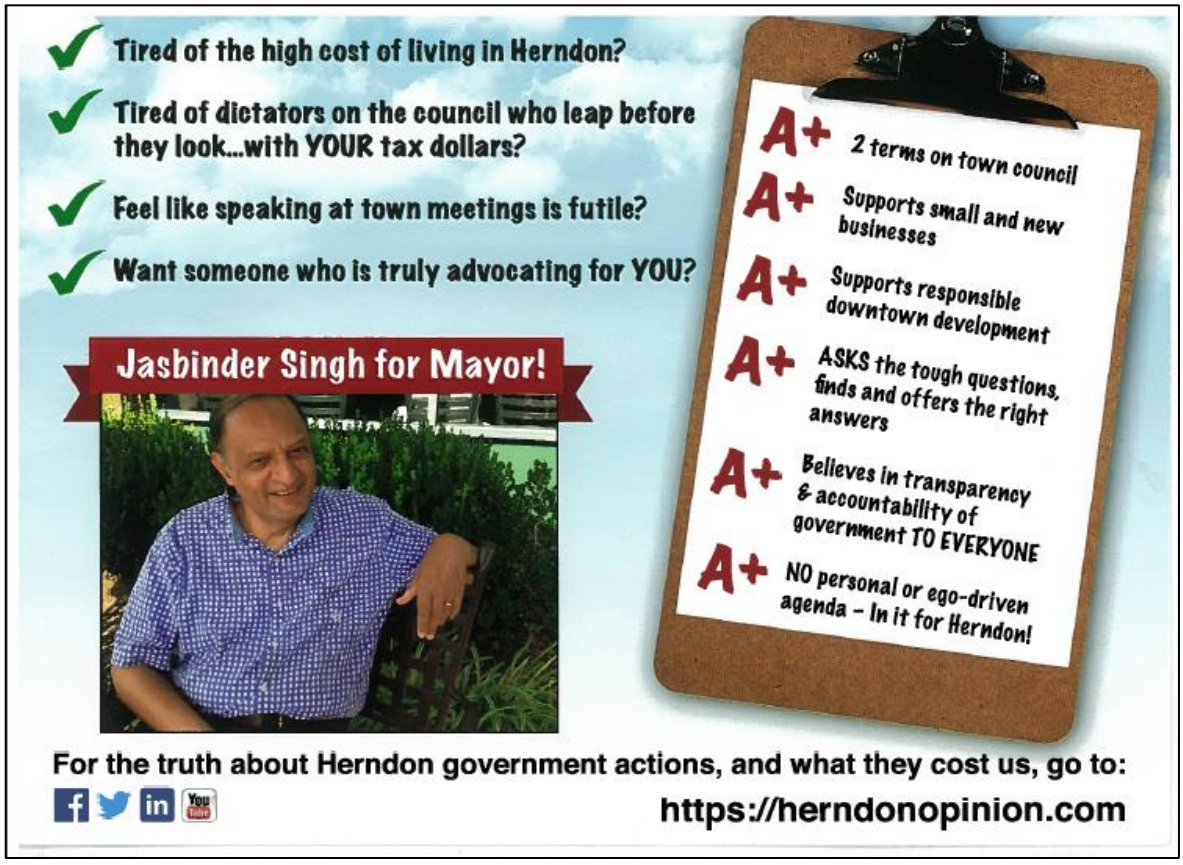
Sincerely,

THE O'REILLY LAW FIRM

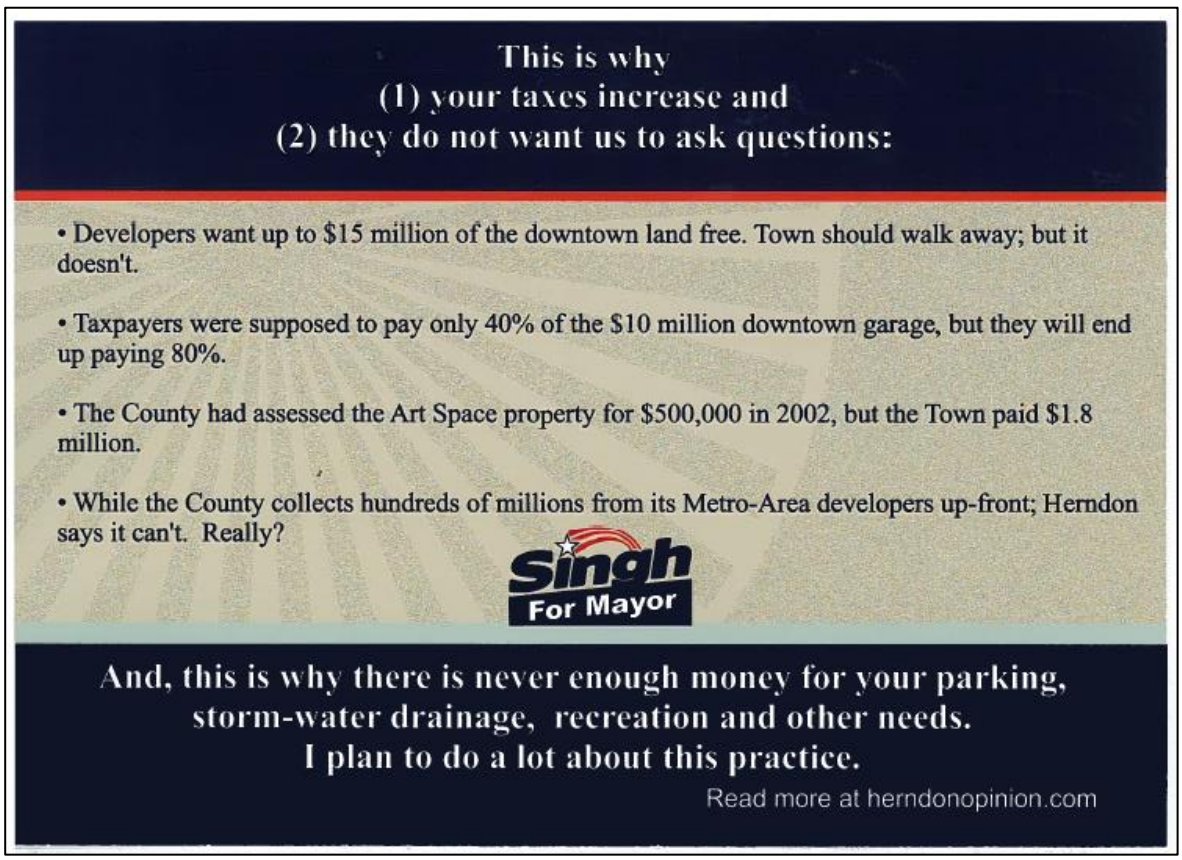
By: _____
Michael L. O'Reilly

Enclosures


Local
Postal Customer
PRSRT STD
ECRWSS
U.S. POSTAGE
PAID
EDDM RETAIL
Our Town
Our Voice
Our Government
Accountability
Financial Responsibility
Open-Door Democracy
Equitable Consideration


Tired of the high cost of living in Herndon?
Tired of dictators on the council who leap before they look...with YOUR tax dollars?
Feel like speaking at town meetings is futile?
Want someone who is truly advocating for YOU?
Jasbinder Singh for Mayor!
A+ 2 terms on town council
A+ Supports small and new businesses
A+ Supports responsible downtown development
A+ ASKS the tough questions, finds and offers the right answers
A+ Believes in transparency & accountability of government TO EVERYONE
A+ NO personal or ego-driven agenda – In it for Herndon!
For the truth about Herndon government actions, and what they cost us, go to:
https://herndonopinion.com


Costs are always shifted from them to you
- Read more at herndonopinion.com
**** ECRWSS EDDM **
Postal Customer
PRSRT STD
ECRWSS
U.S. POSTAGE
PAID
EDDM RETAIL
VOTE
Tuesday, November 8, 2016
Scan code to read more on the website
Singh
For Mayor


This is why
(1) your taxes increase and
(2) they do not want us to ask questions:
• Developers want up to $15 million of the downtown land free. Town should walk away; but it doesn't.
• Taxpayers were supposed to pay only 40% of the $10 million downtown garage, but they will end up paying 80%.
• The County had assessed the Art Space property for $500,000 in 2002, but the Town paid $1.8 million.
• While the County collects hundreds of millions from its Metro-Area developers up-front; Herndon says it can't. Really?
Singh
For Mayor
And, this is why there is never enough money for your parking, storm-water drainage, recreation and other needs.
I plan to do a lot about this practice.
Read more at herndonopinion.com

Braun, Brooks (ELECT)

From: SBE-CFDA, rr (ELECT)
Sent: Thursday, October 20, 2016 4:37 PM
To: Braun, Brooks (ELECT)
Subject: FW: Problematic Political Mailings
Attachments: JS3_IMG_5535.JPG; JS4_IMG_5535.JPG; JS1_IMG_5535.JPG; JS2_IMG_5535.JPG

Follow Up Flag: Follow up
Flag Status: Flagged

SBYA COMPLAINT

From: Les [mailto:les.halpern@gmail.com]
Sent: Thursday, October 20, 2016 11:47 AM
To: SBE-CFDA, rr (ELECT); SBE-CFDA, rr (ELECT)
Subject: Problematic Political Mailings

Dear Sir or Madam,

I am writing this as a complaint against what appears to be a willful violation of Virginia Code section 24.2-956 which requires disclosures on political mailing.

I am attaching two mailings I received recently which lack the required disclosure, and I believe there have been additional ones prior to these.

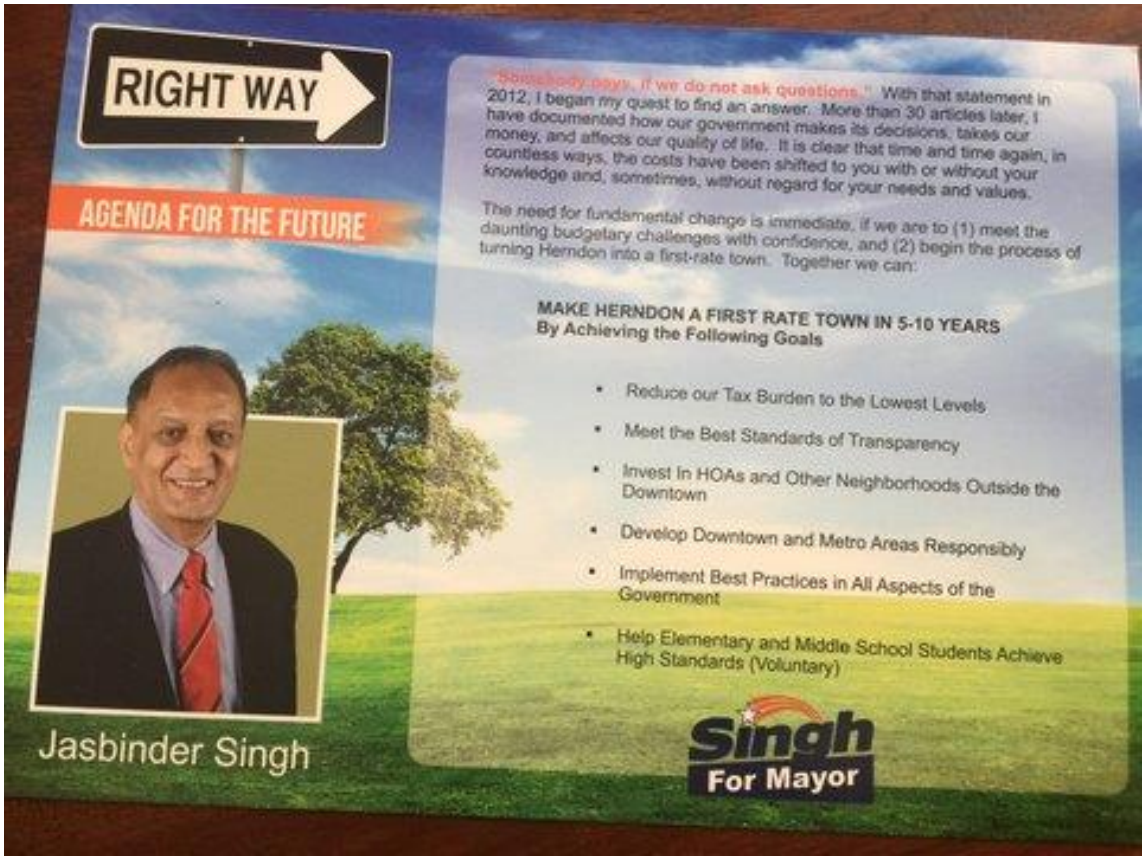
Please take whatever steps that may be necessary to cause the candidate to comply with the election laws of Virginia.

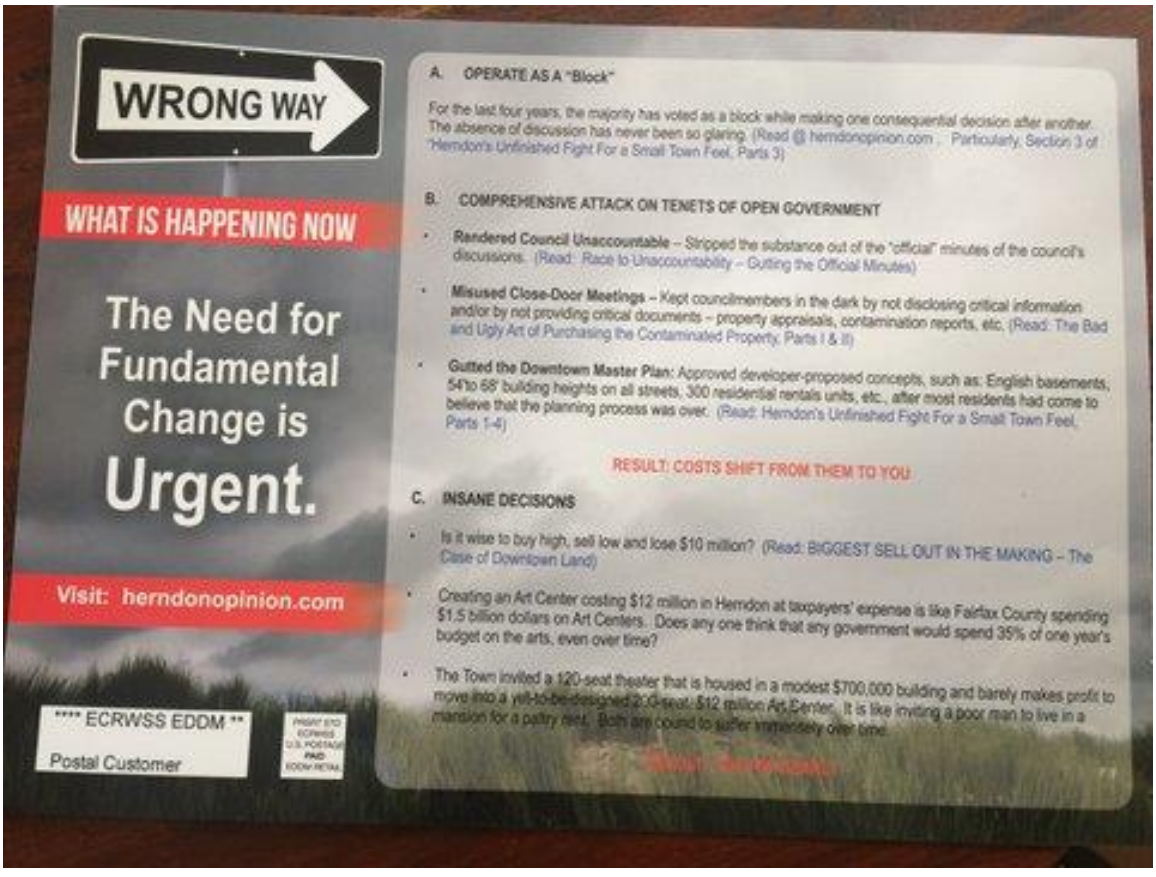
Thank you.

--

Les Halpern
932 Elden St
Herndon, VA 20170

¯_(ツ)_/¯


RIGHT WAY
AGENDA FOR THE FUTURE
"Somebody says, if we do not ask questions." With that statement in 2012, I began my quest to find an answer. More than 30 articles later, I have documented how our government makes its decisions, takes our money, and affects our quality of life. It is clear that time and time again, in countless ways, the costs have been shifted to you with or without your knowledge and, sometimes, without regard for your needs and values.
The need for fundamental change is immediate, if we are to (1) meet the daunting budgetary challenges with confidence, and (2) begin the process of turning Herndon into a first-rate town. Together we can:
MAKE HERNDON A FIRST RATE TOWN IN 5-10 YEARS
By Achieving the Following Goals
• Reduce our Tax Burden to the Lowest Levels
• Meet the Best Standards of Transparency
• Invest In HOAs and Other Neighborhoods Outside the Downtown
• Develop Downtown and Metro Areas Responsibly
• Implement Best Practices in All Aspects of the Government
• Help Elementary and Middle School Students Achieve High Standards (Voluntary)
Jasbinder Singh
Singh For Mayor


WRONG WAY
WHAT IS HAPPENING NOW
The Need for Fundamental Change is Urgent.
Visit: herndonopinion.com
**** ECRWSS EDDM **
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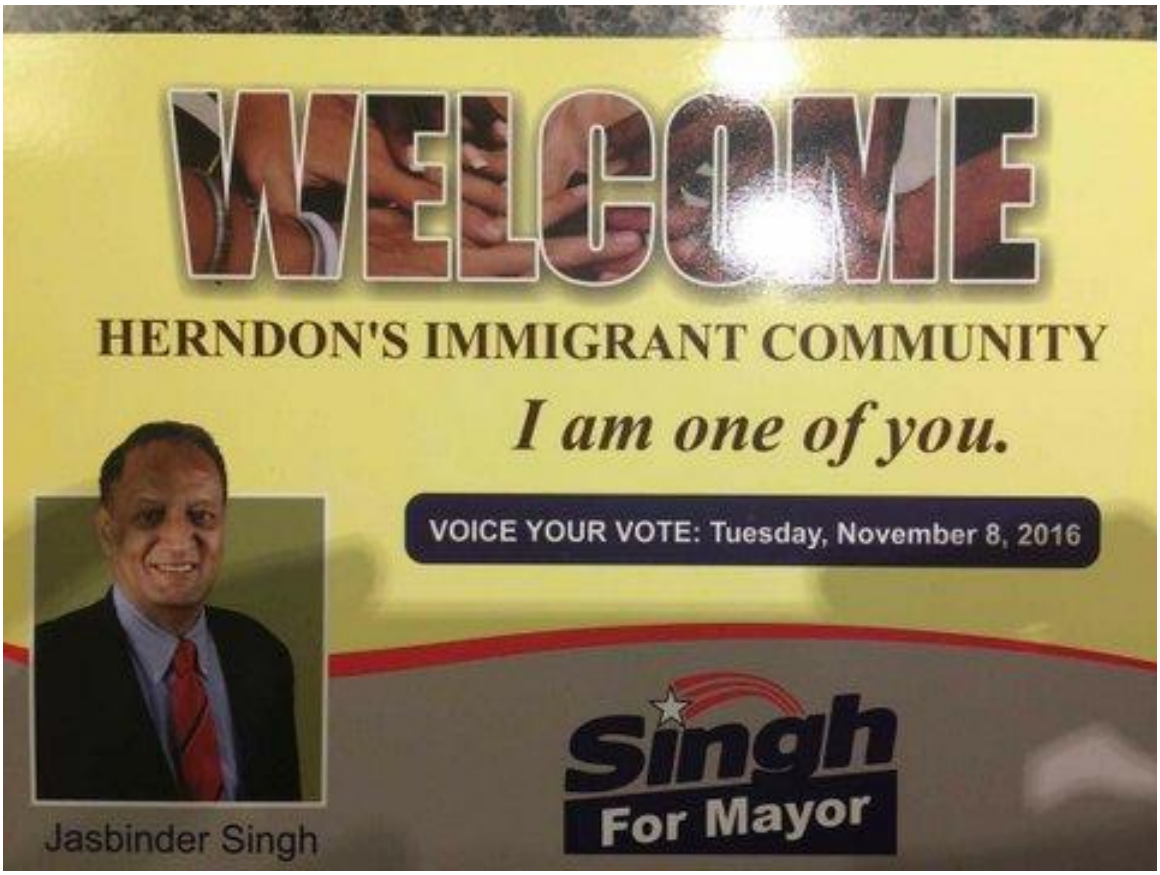
A. OPERATE AS A "Block"
For the last four years, the majority has voted as a block while making one consequential decision after another. The absence of discussion has never been so glaring. (Read @ herndonopinion.com , Particularly, Section 3 of "Herndon's Unfinished Fight For a Small Town Feel, Parts 3)
B. COMPREHENSIVE ATTACK ON TENETS OF OPEN GOVERNMENT
• Rendered Council Unaccountable – Stripped the substance out of the "official" minutes of the council's discussions. (Read: Race to Unaccountability – Gutting the Official Minutes)
• Misused Close-Door Meetings – Kept councilmembers in the dark by not disclosing critical information and/or by not providing critical documents – property appraisals, contamination reports, etc. (Read: The Bad and Ugly Art of Purchasing the Contaminated Property, Parts I & II)
• Gutted the Downtown Master Plan: Approved developer-proposed concepts, such as: English basements, 54'to 68' building heights on all streets, 300 residential rentals units, etc., after most residents had come to believe that the planning process was over. (Read: Herndon's Unfinished Fight For a Small Town Feel, Parts 1-4)
RESULT: COSTS SHIFT FROM THEM TO YOU
C. INSANE DECISIONS
• Is it wise to buy high, sell low and lose $10 million? (Read: BIGGEST SELL OUT IN THE MAKING – The Case of Downtown Land)
• Creating an Art Center costing $12 million in Herndon at taxpayers' expense is like Fairfax County spending $1.5 billion dollars on Art Centers. Does any one think that any government would spend 35% of one year's budget on the arts, even over time?
• The Town invited a 120-seat theater that is housed in a modest $700,000 building and barely makes profit to move into a yet-to-be-designed 2,0-seat, $12 million Art Center. It is like inviting a poor man to live in a mansion for a paltry rent. Both are bound to suffer immensely over time.


WELCOME
HERNDON'S IMMIGRANT COMMUNITY
I am one of you.
VOICE YOUR VOTE: Tuesday, November 8, 2016
Jasbinder Singh
Singh
For Mayor


Elect An Experienced
And Proven Town Official Who:
Has stood up for everyone's constitutional rights
Takes great pride in providing personalized service to our citizens
Celebrates international culture, art, music, literature and sports
Believes in helping our children achieve high academic standards
Let us MAKE HERNDON
A FIRST RATE TOWN IN 5-10 YEARS
Singh
For Mayor
Visit: herndonopinion.com
Scan code to read more on the website

Braun, Brooks (ELECT)

From: SBE - INFO, rr (ELECT)
Sent: Friday, September 23, 2016 10:04 PM
To: Braun, Brooks (ELECT)
Subject: FW: SBE Complaint on election literature
Attachments: singh_mail2.pdf; singh_mail1.pdf

Follow Up Flag: FollowUp
Flag Status: Flagged

FYI

From: Barbara Glakas [mailto:bglakas@verizon.net]
Sent: Friday, September 23, 2016 4:54 PM
To: SBE - INFO, rr (ELECT); SBE-CFDA, rr (ELECT)
Subject: SBE Complaint on election literature

Dear Sir or Madam,

Attached are copies of two pieces of campaign literature that have been distributed in the Town of Herndon. I would like to report a possible violation of section 24.2-956 of the Code of Virginia regarding disclosure requirements for political mail.

Specifically, the committee "Singh, Mayor in 2016" seems to have omitted, either accidentally or willfully, the required disclosure on at least two consecutive campaign mailings.

Please investigate and take whatever action is required.

Thank you.

Barbara Glakas

Herndon, VA


Local
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ECRWSS
U.S. POSTAGE
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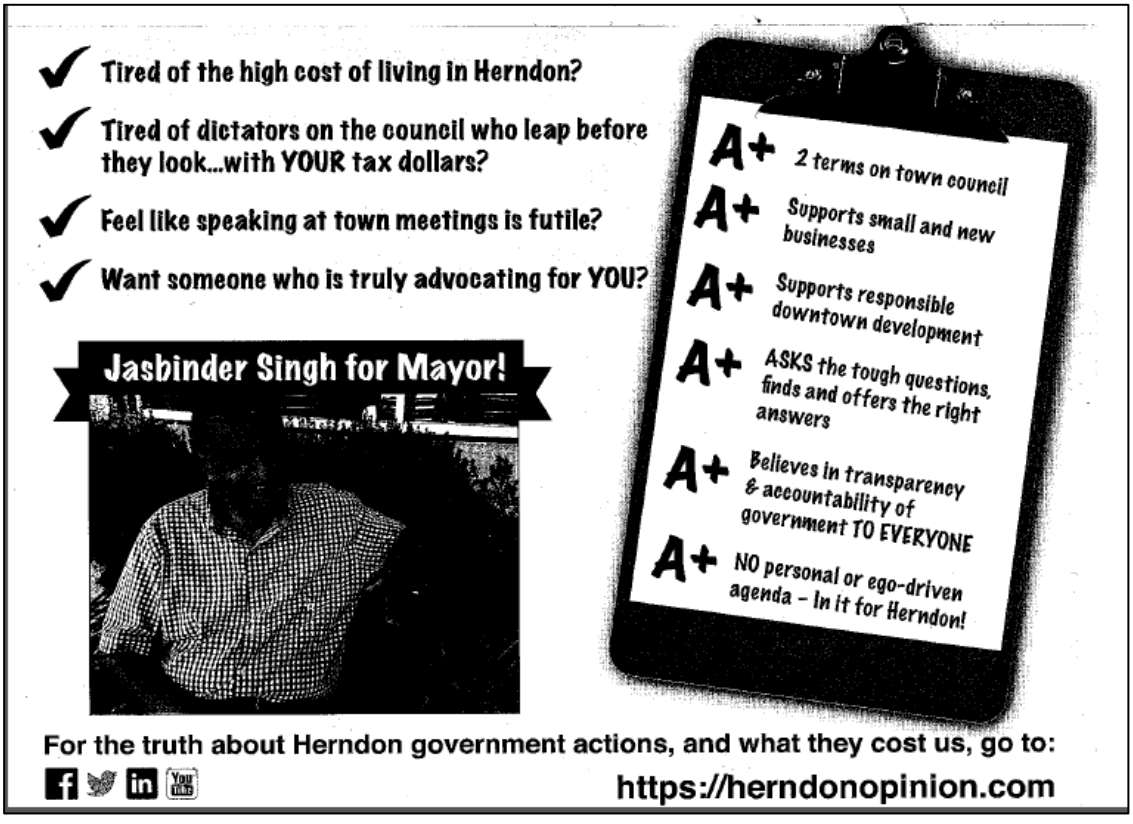
EDDM RETAIL
Our Town
Our Voice
Our Government
Accountability
Financial Responsibility
Open-Door Democracy
Equitable Consideration


Tired of the high cost of living in Herndon?
Tired of dictators on the council who leap before they look...with YOUR tax dollars?
Feel like speaking at town meetings is futile?
Want someone who is truly advocating for YOU?
Jasbinder Singh for Mayor!
A+ 2 terms on town council
A+ Supports small and new businesses
A+ Supports responsible downtown development
A+ ASKS the tough questions, finds and offers the right answers
A+ Believes in transparency & accountability of government TO EVERYONE
A+ NO personal or ego-driven agenda - In it for Herndon!
For the truth about Herndon government actions, and what they cost us, go to:
https://herndonopinion.com

Costs are always shifted from them to you

- Read more at **herndonopinion.com**

**** ECRWSS EDDM **

Postal Customer

PRSRT STD
ECRWSS
U.S. POSTAGE
PAID
EDDM RETAIL

VOTE

Tuesday, November 8, 2016

Scan code to read more on the website

Singh For Mayor

This is why
(1) your taxes increase and
(2) they do not want us to ask questions:

- Developers want up to $15 million of the downtown land free. Town should walk away; but it doesn't.
- Taxpayers were supposed to pay only 40% of the $10 million downtown garage, but they will end up paying 80%.
- The County had assessed the Art Space property for $500,000 in 2002, but the Town paid $1.8 million.
- While the County collects hundreds of millions from its Metro-Area developers up-front; Herndon says it can't. Really?

Singh For Mayor

And, this is why there is never enough money for your parking, storm-water drainage, recreation and other needs. I plan to do a lot about this practice.

Read more at herndonopinion.com

Braun, Brooks (ELECT)

From: Joanne Donahue <jgdonahue7@gmail.com>
Sent: Friday, November 04, 2016 10:50 AM
To: Brooks.Braun@elections.virginia.gov
Subject: Fwd: Fwd: violation Virginia Code Section 24.2-956
Attachments: JS_mailing_5.pdf

RE: Violation of Virginia Code Section24.2-956
Jasbender Singh mailer
Herndon Mayor's Election

Dear Mr. Braun

Thank you for your recent reply on this matter.

I hope the mailing piece in question is now attached. Thank you for your attention to this matter.

Regards,

Jay Donahue
997 Crestview Drive
Herndon, VA 20170

---------- Forwarded message ----------
From: **Braun, Brooks (ELECT)** <Brooks.Braun@elections.virginia.gov>
Date: Tue, Nov 1, 2016 at 11:06 AM
Subject: RE: violation Virginia Code Section 24.2-956
To: "jgdonahue7@gmail.com" <jgdonahue7@gmail.com>

Mr. Donahue,

Thanks for your e-mail. In order for me to process your complaint I'll need some evidence of the violation you are accusing the Singh campaign of committing. The link that you provided in your e-mail is not working. Would you mind sending me the PDF evidence as an attachment to an email? As soon as you do, I'll be able to complete processing the complaint and get you a receipt.

Let me know if you have any further questions.

Sincerely,

Brooks C. Braun, Esq.

Policy Analyst

Virginia Department of Elections

1100 Bank Street

Richmond, VA 23219

Direct: 804.864.8924

Toll free: 800.552.9745 ext. 8924

Remember - Virginia law now requires photo identification when voting in person.

From: Joanne Donahue [mailto:jgdonahue7@gmail.com]
Sent: Monday, October 31, 2016 3:11 PM
To: SBE-CFDA, rr (ELECT); SBE-CFDA, rr (ELECT)
Cc: Joanne Donahue
Subject: violation Virginia Code Section 24.2-956

Dear Sir or Madam:

I have attached a mailing distributed by Jasbinder Singh who is running for Mayor of Herndon in the upcoming election. I received this mailing last week.

I believe this material to be in violation of VC Section 24.2-956 concerning requirements on political mailings. Please consider this email to be a formal complaint against Mr. Singh and his campaign.

I trust you will review these materials and instruct the initiator regarding requirements for compliance with disclosure rules of 24.2-956.

Thank you for your attention.

Jay Donahue

997 Crestview Drive

Herndon, VA 20179

Preview attachment JS_mailing_5.pdf

JS_mailing_5.pdf

1.3 MB

We will begin our term by giving you a "Water and Sewer" refund of:

$620*
Per Household

VOTE Tuesday, November 8, 2016

* $620 per household is an average rebate. Actual refund would be proportional to your water and sewer bills between 2012 and 2017. If you have rented an apartment or a house, you should ask your landlord for your share of the refund.

This is just one example of how we plan to implement Best Practices in the government.

Read more at herndonopinion.com

Singh For Mayor

To make sure you get the refund, Vote For:

Jasbinder Singh	MAYOR
Roland Taylor	Town Council
Connie Hutchinson	Town Council

PRSRT STD ECRWSS U.S. POSTAGE PAID EDDM RETAIL

**** ECRWSS EDDM **
Postal Customer

A Word About My Partners.

As we make transition to a First Rate Town, we must have connections to:

- **The Past -** No one has better connections than Connie Hutchinson; her family has lived here for more than 100 years and she has served the town for more than 25 years.
- **Youth Sports -** Roland Taylor served as Vice President of the Optimist Club and is fully knowledgeable of the organization of sports in the town.
- **The Immigrant Community –** I am an immigrant from India and my first wife was from Ecuador. Roland Taylor trained Indonesian police in the 1990s (as part of a UN team). Ms. Hutchinson's three grandchildren are either Chinese or Brazilian.
- **The Future:** Together, we bring expertise in different fields including Engineering, Public Policy, Finance, Law Enforcement, and Governance.

While Mr. Taylor and Ms. Hutchinson support my agenda (To make Herndon a First Rate Town in 5-10 years), I expect them to bring their unique ideas to the council's discussions. I also look forward to meaningfully consider ideas put forth by the other elected Councilmembers.

Singh For Mayor

★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Certification of Voting Systems

BOARD WORKING PAPERS
Eugene Burton
Voting Technology Coordinator

★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections

From: Eugene Burton, Voting Equipment Coordinator

Date: May 1, 2017

Re: Certification of Hart Verity 2.0 Voting Systems

Suggested motion for a Board member to make:

I move that the Board certify Hart Verity 2.0 voting systems for use in elections in the Commonwealth of Virginia, pursuant to the *State Certification of Voting Systems: Requirements and Procedures*.

Applicable Code Section: § 24.2-629.

Attachments:

Your Board materials include the following:

- SLI Global Labs Test Report of Hart Verity 2.0 voting system.
- Virginia State Certification Testing Test Report for Hart Verity 2.0 voting systems.
- EAC Certification Letter

Background:

Following the steps prescribed in the Virginia *State Certification of Voting Systems: Requirements and Procedures*, Hart initiated the certification evaluation to the Department of Elections on June 1, 2016. Hart provided their Technical Data Package and Corporate Information (required under step 2 of the *Requirements and Procedures*). Both of these submissions were deemed complete and in sufficient detail to warrant Step 3, the Preliminary Review. During the preliminary review, the state-designated evaluation agent conducted a preliminary analysis of the TDP, Corporate Information, and other materials provided and prepared an Evaluation Proposal (i.e. Test Plan). Upon Hart's agreement with the test plan, the evaluation was conducted on July 14, 2016 through July 15, 2016, in the Department of Elections offices in Richmond, Virginia. In addition the system was successfully piloted in an election in the City of Fairfax on February 7, 2017. The Hart 2.0 voting system successfully completed Virginia State Certification.

United States Election Assistance Commission

Certificate of Conformance

Hart InterCivic Verity 2.0

The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the 2005 *Voluntary Voting System Guidelines (2005 VVSG)* . Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the EAC *Voting System Testing and Certification Program Manual* and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.

Product Name: Verity

Model or Version: 2.0

Name of VSTL: SLI Global

EAC Certification Number: HRTVerity2.0

Date Issued: 4/27/2016

Executive Director
U.S. Election Assistance Commission

Scope of Certification Attached

Manufacturer: *Hart InterCivic*
System Name: *Verity Voting 2.0*
Certificate: *HRT-Verity-2.0*

Laboratory: *SLI Global*
Standard: *2005 VVSG*
Date: 04/27/2016

Scope of Certification

This document describes the scope of the validation and certification of the system defined above. Any use, configuration changes, revision changes, additions or subtractions from the described system are not included in this evaluation.

Significance of EAC Certification

An EAC certification is an official recognition that a voting system (in a specific configuration or configurations) has been tested to and has met an identified set of Federal voting system standards. An EAC certification is **not**:

- An endorsement of a Manufacturer, voting system, or any of the system's components.
- A Federal warranty of the voting system or any of its components.
- A determination that a voting system, when fielded, will be operated in a manner that meets all HAVA requirements.
- A substitute for State or local certification and testing.
- A determination that the system is ready for use in an election.
- A determination that any particular component of a certified system is itself certified for use outside the certified configuration.

Representation of EAC Certification

Manufacturers may not represent or imply that a voting system is certified unless it has received a Certificate of Conformance for that system. Statements regarding EAC certification in brochures, on Web sites, on displays, and in advertising/sales literature must be made solely in reference to specific systems. Any action by a Manufacturer to suggest EAC endorsement of its product or organization is strictly prohibited and may result in a Manufacturer's suspension or other action pursuant to Federal civil and criminal law.

System Overview:

The Hart Verity Voting 2.0 voting system represents a set of software applications for pre-voting, voting and post-voting election project activities for jurisdictions of various sizes and political division complexities. Verity Voting 2.0 functions include:

- Defining the political divisions of the jurisdiction and organizing the election with its hierarchical structure, attributes and associations.
- Defining the election events with their attributes such as the election name, date and type, as well as contests, candidates, referendum questions, voting locations and their attributes.
- Preparing and producing ballots.

- Configuring and programming the Verity Print ballot production device.
- Preparing media for voting devices.
- Configuring and programming the Verity Scan digital scanners.
- Configuring and programming the Verity Touch Writer BMD devices.
- Configuring and programming the Verity Touch and Verity Controller DRE voting components.
- Producing the election definition and auditing reports.
- Providing administrative management functions for user, database, networking and system management.
- Tabulation of Cast Vote Records from Verity Scan, Verity Central, and Verity Controller devices
- Preview and validation of the election results.
- Producing election results tally according to voting variations and election system rules.
- Producing a variety of reports of the election results in the desired format.
- Auditing of election results including ballot images, cast vote records, and log files.

Verity Scan is a digital scanning device that is used in conjunction with an external ballot box. The unit is designed to scan marked paper ballots, interpret and record voter marks on the paper ballot and deposit the ballots into the secure ballot box. Verity Scan is capable of tabulating votes, or producing a ballot count report which includes quantities of ballots scanned.

Verity Touch Writer is a standalone Ballot Marking Device (BMD) which also includes an Audio Tactile Interface (ATI), which allows voters who cannot complete a paper ballot to generate a machine-readable and human readable paper ballot, based on vote selections made.

Verity Controller is a polling place device that is used to activate and accumulate results from a range of 1 to 12 Verity Touch/ Verity Touch with Access DREs daisy chained to Verity Controller.

Verity Touch is a Direct Recording Electronic (DRE) device that allows a voter to cast his/her vote electronically via touch screen.

Verity Touch with Access is a Direct Recording Electronic (DRE) device that allows a voter to cast his/her vote electronically via touch screen, or via the Verity Access Audio Tactile Interface.

Verity Print is an on-demand ballot printing solution for paper ballots.

Verity Election Management allows users to import and manage elections. Imported elections are available through the "Elections" chevron in Build. Users can also delete, archive, restore, and rename the elections.

Verity User Management enables users with the correct role and permissions to create and manage user accounts within the Verity Voting system for the local workstation in a standalone configuration, or for the network in a networked configuration.

Verity Desktop enables users with the correct roles to set the workstations' date and time, gather Verity application hash codes (in order to validate the correctness of the installed applications), and access to Windows desktop.

Verity Data provides the users capabilities to input jurisdiction- and election-specific data for paper and electronic ballots, as well as audio for accessible electronic ballots. Verity Data also includes capabilities to allow proofing of data, layout, and audio created. Verity Data also performs validation on the exported information to ensure that it is ready for use in Verity Build.

Verity Build allows users to proof data, view reports, create election definitions, print ballots, and create election media (vDrives). Build also allows users to configure settings for Verity Scan digital scanners, Verity Touch Writer BMD devices, and Verity Controller, Touch and Touch with Access devices.

Verity Central is a high-speed, central digital ballot scanning system used for high volume processing of ballots (such as vote by mail). The unit is based on COTS scanning hardware coupled with the custom Hart-developed ballot processing application software, which resides on an attached COTS workstation.

Verity Count is an application that tabulates election results and generates reports. Verity Count can also be used to collect and store all election logs from every Verity component/device used in the election, allowing for complete election audit log reviews.

Mark definition:

System supports marks that cover a minimum of 4% of the rectangular marking area.

Tested Marking Devices:

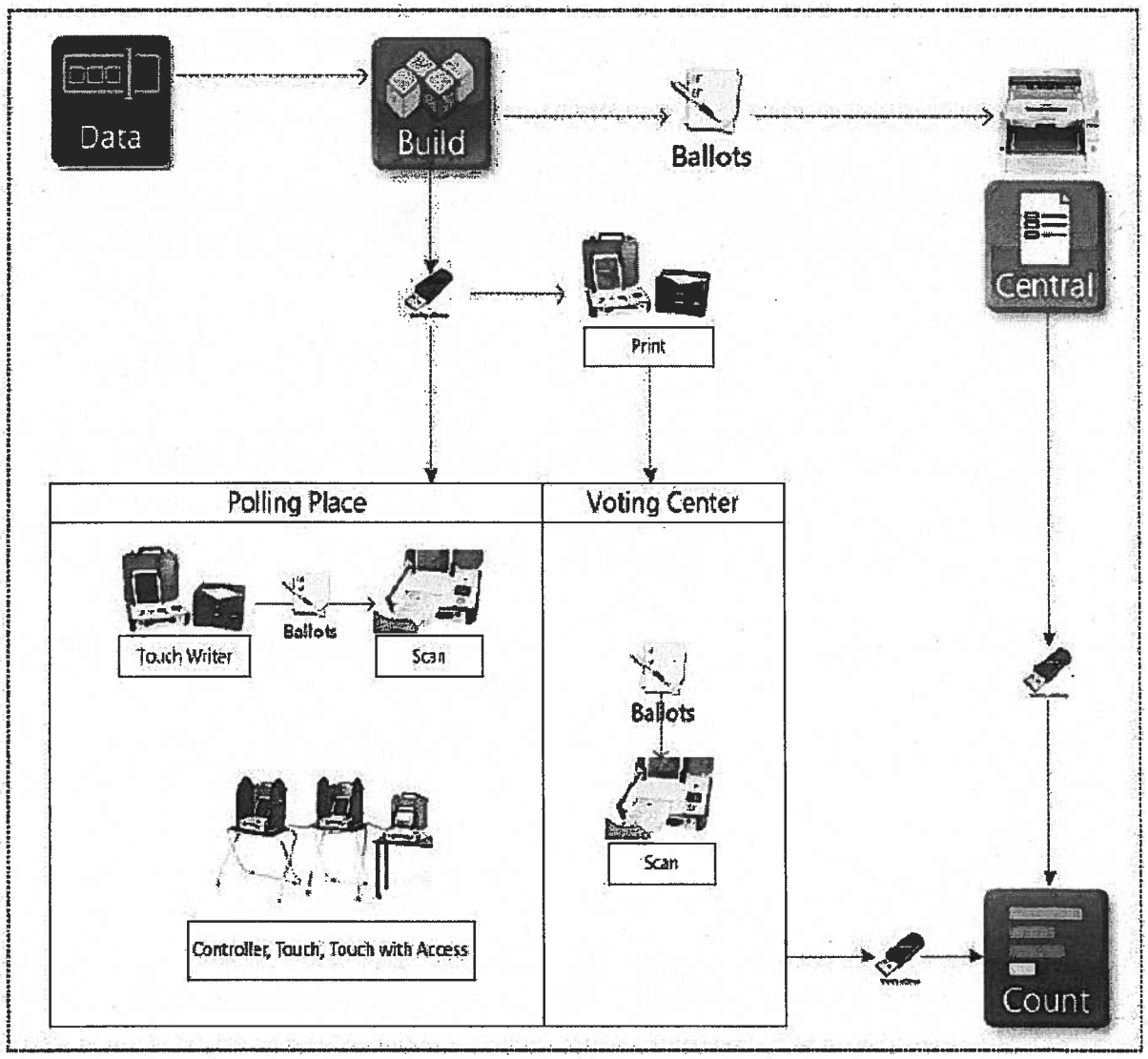
System supports Black and Blue ball point pens; testing was performed with black, blue, orange, and red pens.

Language capability:

System supports English and Spanish; system is capable of supporting other languages, including ideographic languages.

Components Included:

This section provides information describing the components and revision level of the primary components included in this Certification.



System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Verity Data	2.0.2			Data management software
Verity Build	2.0.2			Election definition software
Verity Central	2.0.2			High speed digital scanning software
Verity Count	2.0.2			Tabulation and reporting software
Verity Scan	2.0.3			Digital scanning device firmware
Verity Touch Writer	2.0.3			Accessible BMD firmware

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Verity Controller	2.0.3			DRE polling place management console firmware
Verity Touch	2.0.3			DRE firmware
Verity Touch with Access	2.0.3			DRE firmware
Verity Print	2.0.3			On demand ballot printing device firmware
Verity Device Microcontroller	V17			Firmware for Verity devices
Verity Operating System– Data, Build, Central, Count	6.1.7601		Microsoft Operating System	Windows Embedded Standard 7 w/ service pack 1, 64 bit
Application control – Data, Build, Central, Count, Print, Scan, Touch Writer, Controller, Touch, Touch with Access, Print	6.1.1.369		COTS: McAfee Application Control	Configured for Verity workstations and devices
Framework – Data, Build, Central, Count, Scan, Touch Writer, Controller, Touch, Touch with Access, Print	4.0.30319; 4.5.50709		COTS: Microsoft .NET 4.x Framework	Unmodified
Database – Data, Build, Central & Count	11.00.2100		COTS: Microsoft SQL Server 2012 for Embedded Systems	Unmodified
Runtime Libraries – Data, Build, Central, Count, Scan, Touch Writer, Controller, Touch, Touch with Access, Print	8.0.56336		COTS: Microsoft Visual Studio C++ 2005	Unmodified
Runtime Libraries – Data, Build, Central, Count, Scan, Touch Writer, Controller, Touch, Touch with Access, Print	10.0.40219		COTS: Microsoft Visual Studio C++ 2010	Unmodified
Verity Device Operating System – Scan, Touch Writer, Controller, Touch, Touch with Access, Print	6.1.7601		Microsoft Operating System	Windows Embedded Standard 7 w/ service pack 1, 32 bit

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Database –Print, Scan, Touch Writer, Controller, Touch, Touch with Access	11.00.2100		COTS: Microsoft SQL Server Express	Unmodified
Verity Scan		Revision C		
Verity Touch Writer		Revision C		
Verity Print		Revision B		
Verity Controller		Revision B		
Verity Touch		Revision B		
Verity Touch with Access		Revision B		
Verity Key		N/A	COTS: Maxim iButton	Security key used with voting system
Verity vDrive		N/A	COTS: Apacer	4GB USB flash drive, portable electronic media used for transportation of voting system data
Ballot/Report Printer – Data, Build, Central, Count, Touch Writer, Print		B431d	COTS: Okidata	
Ballot Printer – Build, Print		C911	COTS: Okidata	
Ballot Printer – Build, Print		C831	COTS: Okidata	
Scanner - Central		i5600	COTS: Kodak	
Scanner - Central		DR-G1100	COTS: Canon	
Scanner - Central		DR-G1130	COTS: Canon	
Workstation – Data, Build, Central & Count			COTS: Intel – Windows Workstation	Recommended specs: 3.0GHz, Quad Core Memory – 8GB Hard Drive –RAID-Level 1 Ethernet Port – 100Mb/1Gb USB Ports Video Card - Integrated Graphics Keyboard - USB Keyboard Mouse - USB Mouse Wireless telecommunications not configured or implemented.

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Monitor – Data, Build, Central & Count				Recommended specs: Aspect Ratio - Widescreen (16:9) Minimum resolution 1366x768

System Limitations

This table depicts the limits the system has been tested and certified to meet.

Element	Limit Requirement
Precincts	2,000
Splits per Precinct	20
Total Precincts + Splits in an election	2,000
Districts For voting devices and applications	75
Parties in a General Election	24
Parties in a Primary Election	10
Contests and Propositions combined	200
Contest Choices in a Contest	75
Total Contest Choices (voting positions) in an election	600
Maximum length of contestant name	100 characters
Maximum write-in length	25 characters
Ballot Styles	N/A
Voting Types	5
Maximum Polling Places per election	1200
Maximum devices per election	2400
Maximum number of central count scanners in a single network	4
Media Device – Scan voting device	9999 sheets per vDrive
Media Device – Central application	80000 sheets per vDrive
Number of voters definable per election	1000000
Max. sheets per ballot	4 sheets
Scan - single sheet ballot	9999 Ballots
Scan - two sheet ballot	4999 Ballots
Scan - three sheet ballot	3333 Ballots
Scan – four sheet ballot	2499 Ballots
Central	1000000 Ballots
Count	4000000 CVRs, 1200 vDrives
Ballot Sizes	8.5" x 11", 8.5" x 14", 8.5" x 17", 8.5" x 19", 11" x 17"

Functionality

2005 VVSG Supported Functionality Declaration

Feature/Characteristic	Yes/No	Comment

Feature/Characteristic	Yes/No	Comment
Voter Verified Paper Audit Trails		
VVPAT	N/A	
Accessibility		
Forward Approach	Yes	
Parallel (Side) Approach	Yes	
Closed Primary		
Primary: Closed	Yes	
Open Primary		
Primary: Open Standard (provide definition of how supported)	Yes	Open Primary
Primary: Open Blanket (provide definition of how supported)	Yes	General "top two"
Partisan & Non-Partisan:		
Partisan & Non-Partisan: Vote for 1 of N race	Yes	
Partisan & Non-Partisan: Multi-member ("vote for N of M") board races	Yes	
Partisan & Non-Partisan: "vote for 1" race with a single candidate and write-in voting	Yes	
Partisan & Non-Partisan "vote for 1" race with no declared candidates and write-in voting	Yes	
Write-In Voting:		
Write-in Voting: System default is a voting position identified for write-ins.	No	By default, the number of write-ins available in a contest is zero, users may increment as necessary
Write-in Voting: Without selecting a write in position.	No	
Write-in: With No Declared Candidates	Yes	
Write-in: Identification of write-ins for resolution at central count	Yes	
Primary Presidential Delegation Nominations & Slates:		
Primary Presidential Delegation Nominations: Displayed delegate slates for each presidential party	Yes	
Slate & Group Voting: one selection votes the slate.	Yes	
Ballot Rotation:		
Rotation of Names within an Office; define all supported rotation methods for location on the ballot and vote tabulation/reporting	Yes	Rotation by precinct and precinct split
Straight Party Voting:		
Straight Party: A single selection for partisan races in a general election	Yes	
Straight Party: Vote for each candidate individually	Yes	
Straight Party: Modify straight party selections with crossover votes	Yes	
Straight Party: A race without a candidate for one party	Yes	
Straight Party: "N of M race (where "N">1)	Yes	
Straight Party: Excludes a partisan contest from the straight party selection	Yes	
Cross-Party Endorsement:		
Cross party endorsements, multiple parties endorse one candidate.	No	
Split Precincts:		
Split Precincts: Multiple ballot styles	Yes	

Feature/Characteristic	Yes/No	Comment
Split Precincts: P & M system support splits with correct contests and ballot identification of each split	Yes	
Split Precincts: DRE matches voter to all applicable races.	Yes	
Split Precincts: Reporting of voter counts (# of voters) to the precinct split level; Reporting of vote totals is to the precinct level	Yes	
Vote N of M:		
Vote for N of M: Counts each selected candidate, if the maximum is not exceeded.	Yes	
Vote for N of M: Invalidates all candidates in an overvote (paper)	Yes	
Recall Issues, with options:		
Recall Issues with Options: Simple Yes/No with separate race/election. (Vote Yes or No Question)	Yes	
Recall Issues with Options: Retain is the first option, Replacement candidate for the second or more options (Vote 1 of M)	Yes	
Recall Issues with Options: Two contests with access to a second contest conditional upon a specific vote in contest one. (Must vote Yes to vote in 2nd contest.)	No	
Recall Issues with Options: Two contests with access to a second contest conditional upon any vote in contest one. (Must vote Yes to vote in 2nd contest.)	No	
Cumulative Voting		
Cumulative Voting: Voters are permitted to cast, as many votes as there are seats to be filled for one or more candidates. Voters are not limited to giving only one vote to a candidate. Instead, they can put multiple votes on one or more candidate.	Yes	
Ranked Order Voting		
Ranked Order Voting: Voters can write in a ranked vote.	Yes	
Ranked Order Voting: A ballot stops being counting when all ranked choices have been eliminated	N/A	Tabulation rules are unique per jurisdiction
Ranked Order Voting: A ballot with a skipped rank counts the vote for the next rank.	N/A	Tabulation rules are unique per jurisdiction
Ranked Order Voting: Voters rank candidates in a contest in order of choice. A candidate receiving a majority of the first choice votes wins. If no candidate receives a majority of first choice votes, the last place candidate is deleted, each ballot cast for the deleted candidate counts for the second choice candidate listed on the ballot. The process of eliminating the last place candidate and recounting the ballots continues until one candidate receives a majority of the vote	N/A	Tabulation rules are unique per jurisdiction
Ranked Order Voting: A ballot with two choices ranked the same, stops being counted at the point of two similarly ranked choices.	Yes	
Ranked Order Voting: The total number of votes for two or more candidates with the least votes is less than the votes of the candidate with the next highest number of votes, the candidates with the least votes are eliminated simultaneously and their votes transferred to the next-ranked continuing candidate.	N/A	Tabulation rules are unique per jurisdiction
Provisional or Challenged Ballots		

Feature/Characteristic	Yes/No	Comment
Provisional/Challenged Ballots: A voted provisional ballots is identified but not included in the tabulation, but can be added in the central count.	Yes	
Provisional/Challenged Ballots: A voted provisional ballots is included in the tabulation, but is identified and can be subtracted in the central count	Yes	
Provisional/Challenged Ballots: Provisional ballots maintain the secrecy of the ballot.	Yes	
Overvotes (must support for specific type of voting system)		
Overvotes: P & M: Overvote invalidates the vote. Define how overvotes are counted.	Yes	If the system detects more than the valid number of marks in a contest, it is counted as an overvote
Overvotes: DRE: Prevented from or requires correction of overvoting.	Yes	DRE prevents overvotes
Overvotes: If a system does not prevent overvotes, it must count them. Define how overvotes are counted.	Yes	If the system detects more than the valid number of marks in a contest, it is counted as an overvote
Overvotes: DRE systems that provide a method to data enter absentee votes must account for overvotes.	Yes	
Undervotes		
Undervotes: System counts undervotes cast for accounting purposes	Yes	
Blank Ballots		
Totally Blank Ballots: Any blank ballot alert is tested.	Yes	
Totally Blank Ballots: If blank ballots are not immediately processed, there must be a provision to recognize and accept them	Yes	
Totally Blank Ballots: If operators can access a blank ballot, there must be a provision for resolution.	Yes	
Networking		
Wide Area Network – Use of Modems	No	
Wide Area Network – Use of Wireless	No	
Local Area Network – Use of TCP/IP	Yes	
Local Area Network – Use of Infrared	No	
Local Area Network – Use of Wireless	No	
FIPS 140-2 validated cryptographic module	Yes	
Used as (if applicable):		
Precinct counting device	Yes	
Central counting device	Yes	

Test Report

Hart InterCivic
Verity Voting System
Version 2.0
State Certification Testing
July 14-15, 2016
Virginia State Board of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219

1 Authority

Section § 24.2-629 of the *Code of Virginia* authorizes the Virginia State Board of Elections, in the manner prescribed by the Board, to have examined a production model of such equipment and ballots associated with a vendors request for State Certification.

The Virginia State Certification of Voting Systems *Requirements and Procedures* (Rev. April, 2014) prescribes the manner of which the Virginia State Board of Elections will conduct the state certification testing. According to the *Requirements and Procedures*,

> Testing is performed to evaluate the system with respect to the specific practices of Virginia. Testing will evaluate all system operations and procedures which:
>
> a. Define ballot formats for a primary election, a general election and a recount, including all voting options defined by the Code of Virginia,
>
> b. Install application programs and election-specific programs and data in the ballot counting device,
>
> c. Verify system readiness for operation,
>
> d. Count ballots,
>
> e. Perform status tests,
>
> f. Obtain voting data and audit data reports,
>
> g. Support recount or election audits, and
>
> h. Address compliance with accessibility requirements
>
> The test environment will include the preparation and operation of election and voting databases, and the validation, consolidation and reporting of administrative and voting data as required by law.

2 Background

Hart InterCivic ("Hart") initiated the certification of the Verity Voting System Version 2.0 ("Verity Voting 2.0") by submitting a letter and Request for Certification Checklist to the Secretary of State Board of Elections on June 1, 2016. Along with the letter and checklist, Hart provided the corresponding Technical Data Package ("TDP") and Corporate Information

(required under step 2 of the *Requirements and Procedures*). This submission was deemed complete and in sufficient detail to warrant Step 3, the Preliminary Review. During the preliminary review, the state-designated evaluation agent conducts a preliminary analysis of the TDP, Corporate Information, and other materials provided and prepares an Evaluation Proposal. For the purposes of this state testing/evaluation, this Test Plan will serve as the Evaluation Proposal.

On April 14, 2016, a Certification Test Report documenting successful completion of conformance testing to the 2005 Voluntary Voting System Guidelines ("VVSG") of Verity Voting 2.0 was issued by SLI Global Solutions, Inc., to the Election Assistance Commission (EAC) for approval. The EAC issued a Certificate of Conformance granting certification of the system on April 27, 2016 and assigned it the certification number HRTVerity2.0.

Verity Voting 2.0 is a modification of the Verity Voting 1.1 voting system previously certified for use in the Commonwealth of Virginia.

Verity Voting 2.0 consists of the components listed below:

Software Applications

- Verity Data – Data management software application
- Verity Build – Election definition software application
- Verity Central – Central scanning software application
- Verity Count – Tabulation and reporting software application
- Verity Print – Ballot production device, for on-demand printing
- Verity User Management – User management software application
- Verity Election Management – Data Management software application

Voting Devices and Peripheral Equipment

- Verity Scan – Digital scanning voting device
- Verity Touch Writer with Access – Ballot marking device, with audio tactile interface
- Ballot Box – folding transportable ballot box for use with Verity Scan
- Voting Booth – booth designed for Verity Touch Writer

- Verity vDrive – flash media memory devices that carry election definition information
- Verity Key – a two-factor authentication device used to secure critical functions

3 Testing Overview

The evaluation of the Verity Voting 2.0 system was designed to achieve the goals set forth in the Test Plan. The goals were constructed to verify that the Verity Voting 2.0 conforms to the *Code of Virginia.* The evaluation successfully addressed each of the test goals in the following way:

Test Goal	Testing Response
Ensure Verity Voting 2.0 provides support for all Virginia election management requirements (i.e. ballot design, results reporting, etc).	This was tested by evaluating the Verity Voting Version 2.0 with 5 Virginia specific election scenarios using a combination of different ballot programming approaches, ballot designs, ballot sizes, languages, and tabulators. The programmed elections were actual elections from Virginia counties. The end-to-end scenario was directly from recent elections in Virginia.
Simulate pre-election, Election Day, absentee, and post-election activities on the Verity Voting 2.0 for 5 election scenarios and 1 recount	The Verity Voting 2.0 components were tested in pre-election, Election Day, absentee, post-election and recount situations and evaluated against documented behavior and expected results for all 5 scenarios.

4 Testing Setup

The evaluation consisted of 5 election scenarios utilizing one setup of the Verity Voting 2.0. The system was configured in the standalone configuration. The following election scenarios were used for the evaluation:

Pre-programmed scenarios:

1. Hanover 2009 Primary Election, 11-inch ballots
2. Chesterfield 2007 General Elections, 14-inch ballots
3. Chesterfield 2008 General Elections, 14-inch ballots
4. Fairfax (or equivalent size/complexity) 2010 General Election Multi-Language (English, Spanish), 14-inch ballots
5. Fairfax (or equivalent size/complexity) 2011 Primary Elections, 11-inch ballots

End-to-end scenario:

6. Recount for scenario 3 above.

The pre-programmed scenarios were tested from the point where the election definition was completed in the Verity Build. Each testing scenario began with opening the election, reviewing the election definition, and proceeding with the remaining preparations for Election Day and absentee voting.

The end-to-end scenario created a new election for an existing county, generated elections definitions for the tabulators and verified loading of the election definition on the tabulators.

More details on the testing setup are presented in the following tables:

Election Scenario	Ballot Programming	Verity 1.1 Configuration	Equipment Used	Ballot Length	Languages	# Ballots Run
Hanover 2009 Primary Election	Ballot Style	Standalone workstation	Verity Scan\ Central Scan	11-inch	English	216
Chesterfield 2007 General Election	Ballot Style	Standalone workstation	Verity Scan\ Central Scan	14-inch	English	77
Chesterfield 2008 General Election	Ballot Style	Standalone workstation	Verity Scan\ Central Scan	14-inch	English	101
Fairfax 2010 General Election	Ballot Style	Standalone workstation	Verity Scan\ Central Scan	17-inch	English, Spanish	97
Fairfax 2011 Primary Election	Precinct	Standalone workstation	Verity Scan\ Central Scan	11-inch	English	125

4.1 Testing Candidate

The follow table provides the software and hardware components of the Verity Voting 2.0 to be tested, identified with version numbers.

Virginia **Certification of Verity Voting 2.0**	**Software** **Version**	**Hardware** **Version**	**Serial Number(s)**
Software Applications			
Verity Data	2.02	---	
Verity Build	2.02	HP Z230 Windows Embedded Standard 64-bit 32GB RAM intel i7 3.60Ghz processor OKI Data Printer B431d	D1500029012
Verity Central	2.02	HP Z230 Windows Embedded Standard 64-bit 32GB RAM intel i7 3.60Ghz processor OKI Data Printer B431d Canon Image Formula DR-G1130 Scanner	D1500029012 AK4A045086A0 GF302064
Verity Count	2.02	HP Z230 Windows Embedded Standard	D1500029012

		64-bit 32GB RAM intel i73.60Ghz processor OKI Data Printer B431d	
Verity Print	2.03	---	
Verity User Management	2.02	---	
Verity Election Management	2.02	HP Z230 Windows Embedded Standard 64-bit 32GB RAM intel i73.60Ghz processor OKI Data Printer B431d	2UA50613WJ AK4A0450981A0
Voting Devices and Peripherals			
Verity Scan	2.03	Rev. B	S1500024302, S1500088802
Verity Touch Writer with Access	2.03	Rev. B	W1500054806 OKI Data B431d AK4A045081A0 W1500010002 OKI Data B431d AK4A045096A0
Verity vDrive	---	N/A	

Verity Key	---	N/A	
Verity Access	---	N/A	
Ballot Box	---	N/A	
Voting Booth	---	N/A	

4.2 Test Decks

Test Decks for the pre-programmed scenarios were provided by Hart and verified by the test team. Ballots were provided in the quantity and marked in the manner prescribed in the Test Plan.

5 Findings

The evaluation followed the procedure as provided in Section 6 of the Test Plan. During the procedure, the test team (including members of the State Board of Elections and the evaluation agent) made observations of general system behavior and attempted to verify specific behavior related to Virginia legal requirements. Therefore, the findings are organized below into findings related to each Virginia requirement and other findings which were reported during the evaluation.

5.1 Virginia Requirements

The evaluation of Verity Voting 2.0 produced the following findings for each requirement of the *Virginia Code*. For each requirement, Verity Voting 2.0 was evaluated for its ability to meet and pass the requirement and whether or not anomalies were reported.

1. § 24.2-629. The voting system shall accurately count, register, and report votes.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ All results reports provide the correct/expected results for the test ballots inserted. This includes individual machine an aggregated results.
- ✓ Public and protected counters increment for each ballot.

The evaluation of Verity Voting 2.0 found that the tabulated results matched the expected results for each test deck of ballots inserted into each tabulator. The public counters incremented appropriately and tabulator audit logs correctly recorded ballot tabulation events. Verity Scan and Verity Central each provided a protected counter which correctly incremented with each ballot tabulated. Verity Count correctly aggregated and reported results from each of the various tabulators into pre-defined and consolidated reporting groups. Comparison of the results tapes from individual machines and the result reports generated in EMS with the test ballots for all three election scenarios was used as the basis for verifying accurate counting and reporting of votes.

2. **§ 24.2-629. The voting system shall provide the ability for voting for all candidates of as many political parties as may make nominations at any election; on as many questions as may be submitted at any election; and at all general or special elections, permit the voter to vote for all of the candidates of one party or in part for the candidates of one or more parties.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Election scenarios (including primary elections) are fully supported by voting system without anomaly or burden.
- ✓ The voter is allowed to vote as intended and otherwise permissible.
- ✓ Overvotes are correctly handled and reported.
- ✓ Undervotes are correctly handled and reported.
- ✓ Blank ballots are correctly handled and reported.
- ✓ Write-Ins are correctly handled and reported.

The Verity Voting 2.0 supported primary election and general election scenarios of various setups and sizes without anomaly or burden. The evaluation found that the Verity Voting 2.0 provided the ability for voting for all candidates of as many political parties as were nominated in the election scenarios. Furthermore, the system demonstrated the ability for the voter to vote for all candidates of one party or in part for the candidate of one or more parties.

3. **§ 24.2-629. The voting system shall enable the voter to vote for as many persons for an office as lawfully permitted; prevent the voter from voting for the same person more**

than once for the same office (only on DREs); and enable the voter to vote on any question he is lawfully permitted to vote on, but no other.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Voter is shown questions based on eligibility (i.e. precinct).
- ✓ Voter is only shown questions (s)he is eligible to vote on.
- ✓ Voter is not shown questions (s)he is not eligible to vote on.
- ✓ Voter is permitted to select for correct number of options on each question.

The evaluation of Verity Voting 2.0 found that voters were shown questions based on eligibility determined by the voter's ballot style assignment or precinct. Each ballot style was generated such that voters were only shown questions for which the voter was eligible to vote on and no others. The voter was permitted to vote for as many or as few questions as desired on the ballot style and was able to cast a vote for the number of persons configured for each question.

4. **§ 24.2-629. The voting system shall correctly register or record, and accurately count all votes cast for candidates and on questions**.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ All results reports provide the correct/expected results for the test ballots inserted. This includes individual machine and aggregated results.
- ✓ Accurately record vote count for each candidate.
- ✓ Record number of overvotes, undervotes, write-ins, and blank votes for each question.

The evaluation of Verity Voting 2.0 found that the tabulated results matched the expected results for each test deck of ballots inserted into each tabulator. The system supported statistical counters for each candidate and option on a question plus counters for write-ins, undervotes, and overvotes. Each statistical counter was verified to accurately record the tabulated results from the test deck.

5. **§ 24.2-629. The voting system shall be provided with a "protective counter" whereby any operation of the device before or after the election will be detected.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each tabulator stores a life-time ballot count which can be accessed and recorded prior to and at the conclusion of an election. The protective counter must be in persistent memory.

- ✓ The counter increments correctly for each ballot tabulated.

Each of the tabulators evaluated provides a protective (lifetime) counter.

6. **§ 24.2-629. The voting system shall be provided with a counter which shall show at all times during an election how many persons have voted.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each tabulator provides a public counter which corresponds to the number of ballots processed for this election.

- ✓ The counter increments correctly for each ballot tabulated.

Each tabulator evaluated provided a public, election specific counter which is publically displayed for each voter to see increment as a ballot is cast. The evaluation found that this counter correctly incremented for each ballot cast and matched the total number of ballots cast when the polls were closed.

7. **§ 24.2-629. The voting system shall be provided with a model, illustrating the manner of voting and suitable for the instruction of voters.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ The method of voting is consistent with standard voting models and behavior such that voting operation is intuitive and teachable.

The method of voting employed with Verity Voting 2.0 is consistent with standard voting models and behavior such that the voting operation is teachable and understandable to voters.

8. **§ 24.2-629. The voting system shall enable each voter to vote for all the presidential electors of one party by one operation. It shall have a ballot containing the words "Electors For" preceded by the name of the party or other authorized designation and**

the names of its candidates for the offices of President and Vice-President and a mechanism which registers the collective vote cast for such electors.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots designed, printed, voted, and tabulated in end to end scenario must provide this language and behavior.

Each tabulator supports the ability for each voter to vote for all the presidential electors of one party by one operation. The ballot design and printing capabilities of Verity Voting 2.0 provide for ballots containing the words "Electors For" preceded by the name of the party or other authorized designation and the names of its candidates for the offices of President and Vice-President. Additionally, the results reporting capabilities provide a mechanism to register a collective vote cast for each such electors presented on the ballot.

9. **§ 24.2-629. The voting system shall ensure voting in absolute secrecy; and systems requiring the voter to vote a ballot that is inserted in an electronic counting device shall provide for secrecy of the ballot and a method to conceal the voted ballot.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Audit logs contain no record of voter's identity.
- ✓ Ballot can be kept reasonable private through the use of a privacy sleeve.
- ✓ Ballot box provides secrecy protections and access controls.
- ✓ Voter is not required to have assistance when voting.

No mechanism is available within Verity Voting 2.0 to connect a voted ballot back to the voter. The Verity Voting 2.0 system provides sufficient accessibility support to allow voters with disabilities to vote independently. No personal identifying information is required by the voting system in order to operate and no personal identifying information is transmitted to or stored by any ballot tabulator. Each precinct-count tabulator is provided with a secure ballot box (secured with lock/key and tamper-evident seals) to conceal the tabulated ballots. Privacy sleeves and privacy booths can be used by a voter to conceal the ballot prior to insertion into the tabulator

10. **§24.2-629 & 24.2-648. The voting system shall segregate ballots containing write-in votes from all others.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each tabulator correctly report ballots with valid write-in voters in a write-in report.
- ✓ Write-in ballots are digitally separated from other ballots.

Each tabulator provided the ability to segregate ballots containing write-ins from all other ballots. The Verity Scan and Verity Central each detect write-ins on the ballots as they are tabulated and captures an image of the write-in name and creates a write-in report.

11. **§ 24.2-629. The voting system shall (for systems requiring the voter to vote a ballot that is inserted in an electronic counting device) report, if possible, the number of ballots on which a voter voted for a lesser number of candidates for an office than the number he was lawfully entitled to vote and the number of ballots on which a voter voted for a greater number of candidates than the number he was lawfully entitled to vote.**

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each tabulator correctly records and reports the number of overvotes, undervotes, write-ins, and blank votes for each question.

Verity Voting 2.0 provides statistical counters for each question which record the number of votes cast for each candidate/option on a question, the number of undervotes cast for that question, and the number of overvotes cast for that question. The statistical counters were evaluated during the testing by casting ballots with undervotes and overvotes in each question. The results were verified to have correctly registered these undervoted and overvoted ballots.

12. **§ 24.2-629. The voting system shall be programmable, if possible, to allow such undervoted and overvoted ballots to be separated when necessary**.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each tabulator must demonstrate its ability to out stack (physically separate) ballots with either an undervote or overvote in one or more question.

Verity Voting 2.0 provides various mechanisms for handling overvotes and undervotes which can be enabled/disabled by the election and machine setup: the Verity Scan can be set to query the voter upon detection of an overvote on the ballot and can also be set to query the voter upon detection of an undervote on any one specific question or a number of questions. Verity Central provided the ability to adjudicate write-ins at the completion of the scan process.

13. § 24.2-629. The voting system shall provide the voter with an opportunity to correct any error before a permanent record is preserved.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each precinct-based tabulator queried the voter when an under vote or overvote is detected on her ballot as to whether the voter intended on casting such a voter.
- ✓ The tabulator should respond appropriately to the voter's response by either returning the ballot to the voter or casting it as is.

The evaluation of Verity Voting 2.0 found that the Verity Scan and Verity Central can be programmed to query voters upon the detection of an undervote, overvote, or blank ballot. Upon detection, the voter is prompted with a message indicated the under, blank, or over vote detection and given the option to cast the ballot as is to return the ballot for modification. The testing verified that voters are queried correctly and that the selection of the voter is followed by the tabulator.

14. § 24.2-644. The voting system shall support the ability for any voter to vote for any person other than the listed candidates for the office by writing or hand printing the person's name on the official ballot.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Provide write-in blanks on all ballots (where appropriate in an election scenario).
- ✓ Correctly count and separate write-in ballots.

All ballots generated in Verity Voting 2.0 have the option to include write-in candidates on one or more questions. Furthermore, ballots with write-ins votes were correctly detected, reported, and tabulated.

15. § 24.2-681. The voting system shall be able to handle general and special election types in a substantively equivalent manner.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Support all election scenarios requested without undue variations to the voting operation for the election official or voter.

Verity Voting 2.0 supported all election scenarios requested without undue variations to the voting operation for the election official or voter.

16. § 24.2-606 -654. The voting system shall allow for the officers of election to open and close polls; and lock each voting and counting device against further voting.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Poll workers are provided a sufficient mechanism to open polls and determine the state of the device.
- ✓ Poll workers are provided a sufficient mechanism to close polls and place the device in a state such that further voting is not permitted.
- ✓ These functions are protected by sufficient access controls.

The evaluation of Verity Voting 2.0 found that officers of the election are provided a secure and access-controlled mechanism to open polls and determine the state of the each device. At the close of polls, election officers are provided a mechanism to close polls and place each device in a state such that further voting is not permitted without special authorization.

17. § 24.2-629. The voting system shall be capable of storing and retaining existing votes in a permanent memory in the event of power failure during and after the election.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each device stores tabulated results such that a sudden power failure during and after an election will not erase the results.

Verity Scan stores and retains existing votes on removable media as soon as each ballot is cast. Therefore, the evaluation showed that power failure during and after an election does

not impact the storage of the tabulated results. Verity Central also stores the cast vote records results on persistent memory, but requires the operator to Save Results in order to write results to the flash drive. If power is lost, any results tabulated but not saved to hard drive will be lost. All saved results are maintained.

18. § 24.2-629. The voting system shall provide an audit trail.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each software module, tabulator, and supported electronic devices provides an accessible audit trail.
- ✓ Audit logs must be in human-readable form.
- ✓ Audit logs provide timestamps for all entries.
- ✓ Audit logs provide entries for all privilege escalation events.
- ✓ Audit logs provide entries for all events impacting the tabulated results.
- ✓ Audit logs do not record voter identifying information or information related to the tabulated results.
- ✓ Audit logs record system or component failures.

The evaluation of the Verity Voting 2.0 showed that each software module, tabulator, and supported device provides an accessible audit trail. Audit logs are in human-readable format and available for printing. Audit logs provide timestamps for all entries and provide entries for all events impacting the tabulated results. The audit logs evaluated do not record voter identifying information or information related to the tabulated results. Furthermore, the evaluated audit logs provide sufficient detail to indicate system or component failures.

19. § 24.2-629. The voting system shall prevent fraudulent use.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each component provides physical and logical access controls.
- ✓ Each component prevents unauthorized individuals from manipulating voting system configurations, controls, or tabulated results.

- ✓ Each component provides mechanisms for detecting fraudulent use from authorized and unauthorized actors.

The Verity Voting 2.0 system was determined to provide a sufficient level of security controls to prevent fraudulent use when coupled with standard security and ballot accounting procedures. For example, each component provides physical and logical access controls with the ability to use tamper evident seals to detect access attempts. Each component further prevents unauthorized individuals from manipulating voting system firmware, configurations, controls, or tabulated results without the proper access credentials. In conclusion, each component provides mechanisms for detecting fraudulent use from authorized and unauthorized actors.

20. § 24.2-601. The voting system shall support the inclusion and tabulation of town office elections on general election ballots.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots presented for one or more election scenarios included a town office (or equivalent).
- ✓ Town office (or equivalent) is correctly tabulated and reported with the general election.

The Verity Voting 2.0 demonstrated that it supports the inclusion and tabulation of town office elections on General Election ballots.

21. § 24.2-612. The voting system shall generate ballots such that only the names of candidates for offices to be voted on in a particular election district are printed on the ballots for that election district.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Generated ballots include the questions and candidates for the corresponding election district and no other.

The ballot generation capability exhibited by the Verity Voting 2.0 during evaluation demonstrated the ability to correctly generate ballot styles with the appropriate offices and candidates for a specific election district.

22. § 24.2-613. The voting system shall generate ballots that comply with the guidelines for managing paper ballots found in the Virginia State Board of Elections guidance documents.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Generated ballots follow the guidance provided in the Virginia SBE guidance document (15. Managing Paper Ballots).

The ballot design capabilities provided by the Verity Voting 2.0 are sufficient to allow election officers to comply with the guidelines for managing paper ballots found in the Virginia State Board of Elections guidance documents.

23. § 24.2-613. The voting system shall provide ballot generation capabilities that support the ordering of the names of candidates according to § 24.2-613. Form of ballot.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Generated ballots providing the ordering of names are required.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

24. § 24.2-613. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

Candidates for federal, statewide, and General Assembly offices only shall be identified by the name of his political party. (The name of the political party, the name of the "recognized political party," or term "Independent" may be shown by an initial or abbreviation to meet ballot requirements.)

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

25. § 24.2-613. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

Independent candidates shall be identified by the term "Independent." The name of the political party, the name of the "recognized political party," or term "Independent" may be shown by an initial or abbreviation to meet ballot requirements.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

26. § 24.2-613. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

No individual's name shall appear on the ballot more than once for the same office.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

27. § 24.2-613. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

In preparing the ballots for general, special and primary elections, the electoral boards shall cause to be printed in not less than 10-point type, immediately below the title of any office, a statement of the number of candidates who may be voted for that office. The following language shall be used: "Vote for not more than ..... ".

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

28. § 24.2-614. The voting system shall (for presidential election ballots) provide ballot generation capabilities that support the following ballot requirement:

The ballot shall contain the name of each political party and the party group name, if any, specified by the persons naming electors by petition pursuant to § 24.2-543. Below the party name in parentheses, the ballot shall contain the words "Electors for ....., President and ....., Vice President" with the blanks filled in with the names of the candidates for President and Vice President for whom the candidates for electors are expected to vote in the Electoral College.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

29. § 24.2-640. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

The names of the various candidates shall be printed in type not less than fourteen point.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

30. § 24.2-615. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

Ballots generated by the voting systems shall be uniform throughout the election district in which the same candidates are running to fill the same offices and throughout the district in which a question is submitted to the voters.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

31. § 24.2-640. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

All candidates shall be arranged on each device or other ballot to be electronically counted, either in columns or horizontal rows, and the caption of the various ballots on the devices shall be placed so that the voter knows what feature is to be used or operated to vote for his choice.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement.

32. § 24.2-530. The voting system shall allow any qualified person to vote at the primary but shall prevent the person from voting for candidates of more than one party.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Primary Election scenarios shall have separate ballots for each party.
- ✓ Ballot tabulators tabulate each party's ballot separately.

The Verity Voting 2.0 generates separate ballots for each political party's offices and only list persons for that party. Verity Voting 2.0 also tabulates and reports results for each party separately. Therefore, once a voter receives a ballot for a specific party, he is only able to cast a vote for candidates of that party.

33. § 24.2-529. The voting system shall provide ballot generation capabilities that support the following ballot requirement:

The primary ballots for the parties taking part in a primary shall be composed, arranged, printed, delivered, and provided in the same manner as the general election ballots except that at the top of each official primary ballot shall be printed in plain black type the name of the political party and the words "Primary Election." The names of the candidates for various offices shall appear on the ballot in an order

determined by the priority of the time of filing for the office. In the event two or more candidates file simultaneously, the order of filing shall then be determined by lot by the electoral board or the State Board as in the case of a tie vote for the office. No write-in shall be permitted on ballots in primary elections.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Ballots generated for one or more of the election scenarios meet this description.

The ballot design and generation capabilities provided by the Verity Voting 2.0 provide election officials the ability to comply with this Virginia ballot design requirement for primary elections.

34. § 24.2-623. The voting system shall have a lock and key and an opening of sufficient size to admit a single folded or unfolded ballot and no more.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Physical inspection of the ballot containers confirms this attribute.
- ✓ The container has separate compartments for ballot segregation.

The ballot insertion path provided on each of the tabulators was confirmed to have an opening of sufficient size to admit a single unfolded ballot and no more. Each scanner detected and rejected attempts to cast more than one ballot at a time. The ballot boxes provided with these tabulators were confirmed to have a lock and key protection for the ballot box and there was no other ballot entry path to the counted-ballots bin of the ballot box other than through the tabulator itself.

35. § 24.2-653. The voting system shall (for ballot containers paired with voting tabulation devices) support the following handling of provisional ballots:

The voter shall then, in the presence of an officer of election, but in a secret manner, mark the ballot as provided in § 24.2-644 and seal it in the green envelope. The envelope containing the ballot shall then be placed in the ballot container by an officer of election.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Physical inspection of the ballot containers confirm this handling of provisional ballots is afforded.

The ballot boxes evaluated with the Verity Voting 2.0 provided a separate and secure partition of the ballot box to insert and store provisional uncounted ballots.

36. § 24.2-625.2. The voting system shall not utilize wireless technology of any type with any of the voting system modules to transfer data.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ All data used in the course of the testing is transferred by means of a physical electronic device or communication medium.

- ✓ Wireless technologies are disabled or remove from each voting system component.

The evaluation confirmed that no component of the Verity Voting 2.0 was utilizing wireless technology to transfer data.

37. § 24.2-640. The voting system shall not utilize a knob, key lever or other device to vote for any candidate other than on an individual basis except for presidential electors. (i.e. the voting system must not use straight party voting function, or have mechanism disable it and continue to perform all other functions as required)

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 met the following condition(s) of satisfactions:

- ✓ Straight party voting can be disabled in the election configuration.

- ✓ When disabled, the voter is unable to cast a vote for more than one candidate at a time (with the exception of presidential electors).

- ✓ Tabulation logic records only one vote per voter mark.

The Verity Voting 2.0 has an option in the election setup to disable straight party voting. When disabled, straight party voting is not supported by any component of the voting system and the voting system complies with this requirement.

38. § 24.2-626. The voting system shall provide accessible voting capability if the voting system submitted is a Direct Recording Electronic (DRE). Otherwise, DREs are not permitted for use in Virginia.

Passed: Not Applicable **Anomalies Reported:** None

The Verity Voting 2.0 system does not include a Direct Recording Electronic (DRE) device.

39. § 24.2-626.1. The voting system shall include provisions which allow individuals with disabilities at each polling place, including non-visual accessibility for the blind and visually impaired, to vote in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Provides correct non-visual presentation of ballot to voter.
- ✓ Provides mechanism for non-visual marking of the ballot.
- ✓ Preserves the integrity of the ballot.
- ✓ Correctly transcribes the voter's intent onto the ballot.
- ✓ Ballots are correctly read by each precinct-count tabulator.
- ✓ Various contrast ratios for visually impaired voters.
- ✓ Various font sizes for visually impaired voters.
- ✓ Does not require the voter to have assistance during the voting process.
- ✓ Provides adjustable volume control.
- ✓ Provides assistance for voters with dexterity and mobility impairments.

40. § 24.2-626.1. The voting system shall provide alternative language accessibility.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Multi-lingual election scenarios provide all voter facing instructions, warnings, and other presented language in Spanish.

- ✓ Accessibility provisions are supported in Spanish.

The Verity Voting 2.0 system was evaluated for its alternative language accessibility with election scenarios from Fairfax County with English and Spanish translations on the ballot. All ballot styles were generated with both translations and were used to verify that each tabulator correctly tabulated multi-lingual ballots.

41. § 24.2-657. The voting system shall provide printed return sheets to display the tabulation results, which include the votes recorded for each office on the write in ballots and the vote on every question.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Results reporting from individual machines and in aggregate provide the tabulated results for each candidate and option for each question for each precinct (or division of the election scenario).

- ✓ Results reporting from individual machines and in aggregate provide the number of write-ins, overvotes, and undervotes for each question for each precinct (or division of the election scenario).

Results reports provided by ballot tabulators and Verity Count provide the tabulation results with the numbers of write-ins and votes recorded for each office and question on the ballot.

42. § 24.2-658. The voting system shall provide (from each device) two copies printed return sheet containing the results of the election.

Passed: Yes **Anomalies Reported:** None

The Verity Voting 2.0 system met the following condition(s) of satisfactions:

- ✓ Each devices provides two copies of its tabulated results.

Each Verity Voting 2.0 device demonstrated the capability to print at least two copies of the results report. Furthermore, each device demonstrated the capability to print long (all precincts) and short (totals only) results reports.

6 Conclusions

The Verity Voting 2.0 system, presented for examination, meets the requirements of Virginia Election Laws §24.2. As the evaluation agent, I recommend the Verity Voting 2.0 system be certified for use in the Commonwealth of Virginia.

Pro V&V, Inc. Representative	**Date**
Jack Cobb	10-12-16

★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Certification of Electronic Pollbooks

BOARD WORKING PAPERS
Matthew Davis
Chief Information Officer

★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections

From: Paul Stenbjorn, Director of Elections Administrator

Date: May 1, 2017

Re: Certification of Department of Elections State (EPB) Solution

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Suggested motion for a Board member to make:

I move that the Board certify the Department of Elections State (EPB) Solution for use in elections in the Commonwealth of Virginia, pursuant to the *State Certification of Electronic Pollbooks: Procedures and Systems Requirements.*

Applicable Code Section: § 24.2-611 (D), §2.2-3803, §2-2.2009.

Attachments:

Your Board materials include the following:

- PRO V&V Lab Test Report
- Pilot/Test Election Evaluation

Background:

Following the steps prescribed in the Virginia *State Certification of Electronic Pollbooks: Procedures and Systems Requirements*, the Department of Elections initiated the certification evaluation of the state (EPB) solution by sending the state solution to an EAC approved voting system testing laboratory (VSTL) PRO V&V for testing on February 13, 2016. The EPB solution was evaluated by the VSTL and the report is included in this package.

The State Board of Elections electronic pollbook certification guidelines require that all electronic pollbooks are tested in a pilot election prior to final certification as specified in section 2.2.5 of the VAEPB Certification Procedures and System Requirements REV-0515. The system was piloted in a general election in the County of New Kent on November 8, 2016.

In September 2015, the Board voted to revise the certification process to include security certification in which the Virginia Information Technologies Agency (VITA) evaluates all EPB solutions and subjects the solutions to an end-to-end security analysis and penetration test as part of the certification process. The state (EPB) solution was submitted to VITA for security analysis on February 4, 2016.

During the functional configuration audit (section 3.3), the VITA conducted an end-to-end security analysis and penetration test of the solution. ELECT provided VITA with two reference laptops running Windows 8, two USB memory devices (thumb drives), an unmanaged Linksys 5-port workgroup switch, and access to the VERIS database extract for the purpose of this test.

Providing that localities implementing this solution follow certain best practices in deploying these systems, this solution should conform to state certification guidelines and its tests did not result in a compromise of the application or data. Please note that the VITA end-to-end review determined that the solution was delivered with weak default credentials and that ELECT is responsible for communicating the protection requirements to access that data in compliance with commonwealth security standards.

Additionally VITA noted:

> "ELECT is the data owner for VERIS data and is responsible for communicating the protection requirements to access that data in compliance with commonwealth security standards. When VERIS data is provided to localities as part of the [pollbook] solution, the localities become the data custodians, and ELECT is responsible for ensuring that the localities perform required responsibilities to secure the data in compliance with commonwealth security standards… ELECT should … provide documentation detailing how they will assure that localities are executing data custodian responsibilities in compliance with commonwealth security standards."

Summary:

In light of this end-to-end review, the Department of Elections is reviewing its current certification requirements and data ownership and audit requirements as detailed in the Information Technology Resource Management Information Security Standard 501-09 Media Protection Policy and Procedures prepared by the Chief Information Officer (CIO) of the Commonwealth. As such, in order for this solution to be deployed in any locality localities must agree to secure the data in compliance with commonwealth security standards. The responsibilities of data custodians, as defined in SEC 501-09, include:

1. Protecting the data in their possession from unauthorized access, alteration, destruction or usage.
2. Establishing, monitoring and operating IT systems in a manner consistent with COV information security policies and standards.
3. Providing data owners with reports, when necessary and applicable.

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STATE BOARD *of* ELECTIONS

Voter List Maintenance Update

BOARD WORKING PAPERS
Edgardo Cortés
Commissioner

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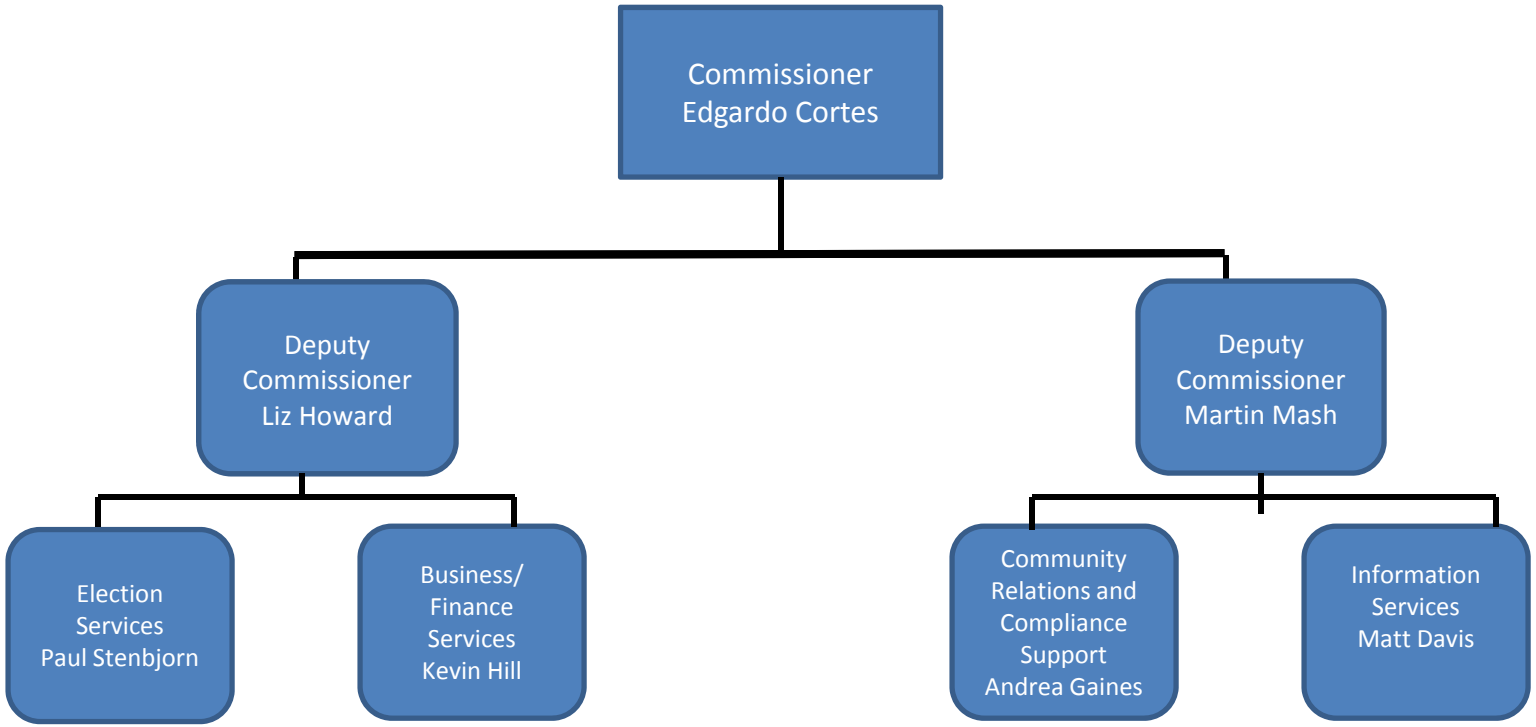
STATE BOARD *of* ELECTIONS

Commissioner's Report

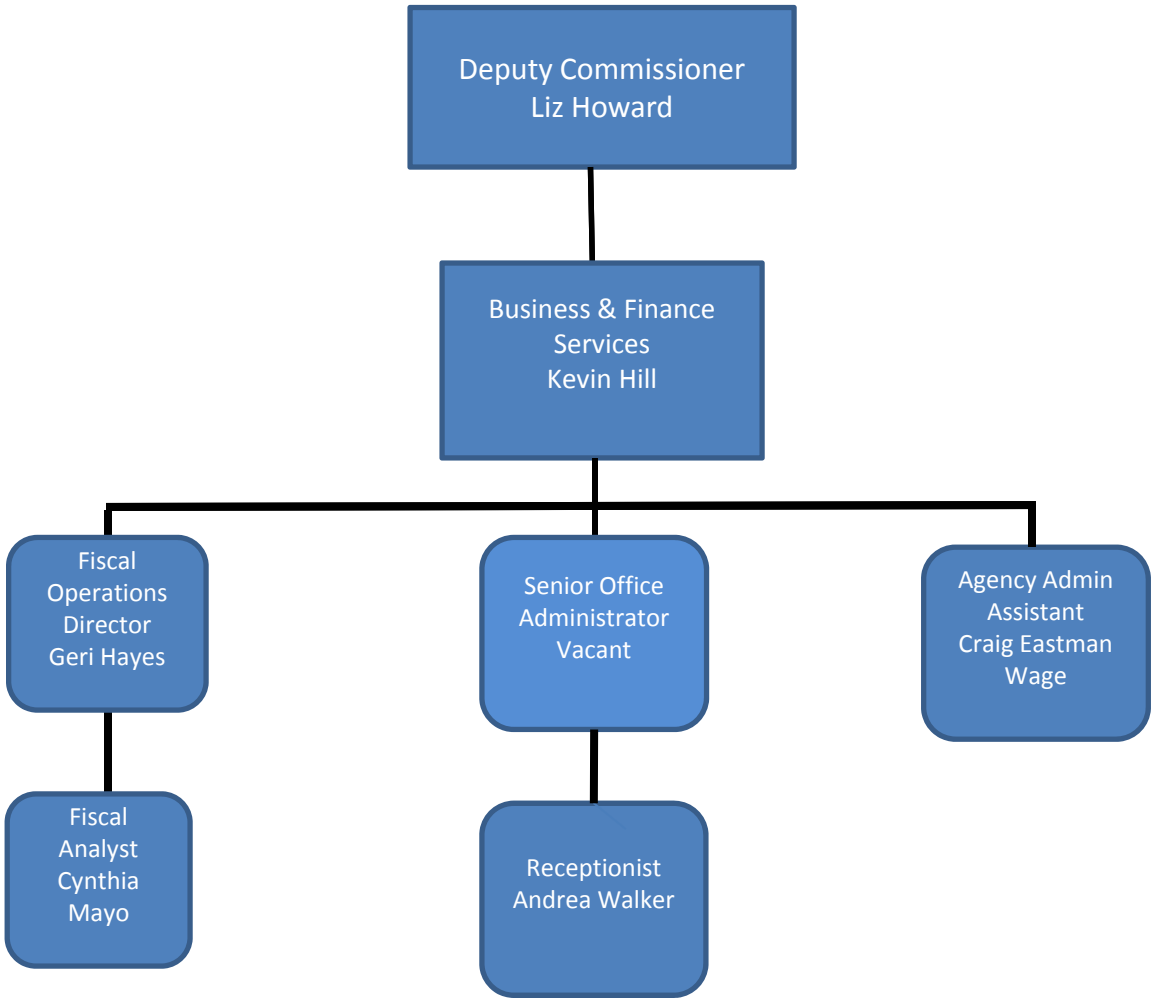
BOARD WORKING PAPERS
Edgardo Cortés
Commissioner

Department of Elections



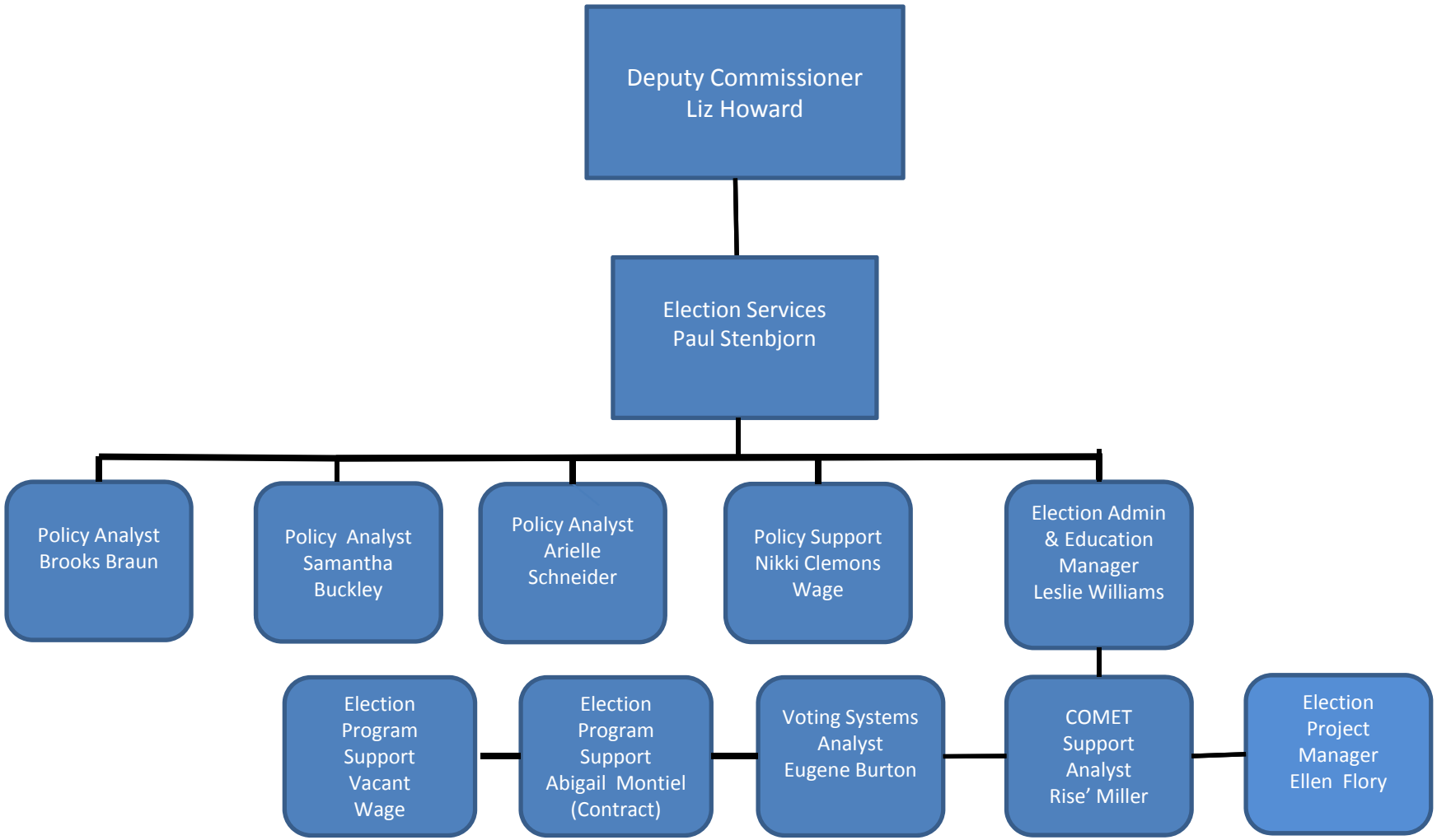
As of 04/06/2017

Department of Elections



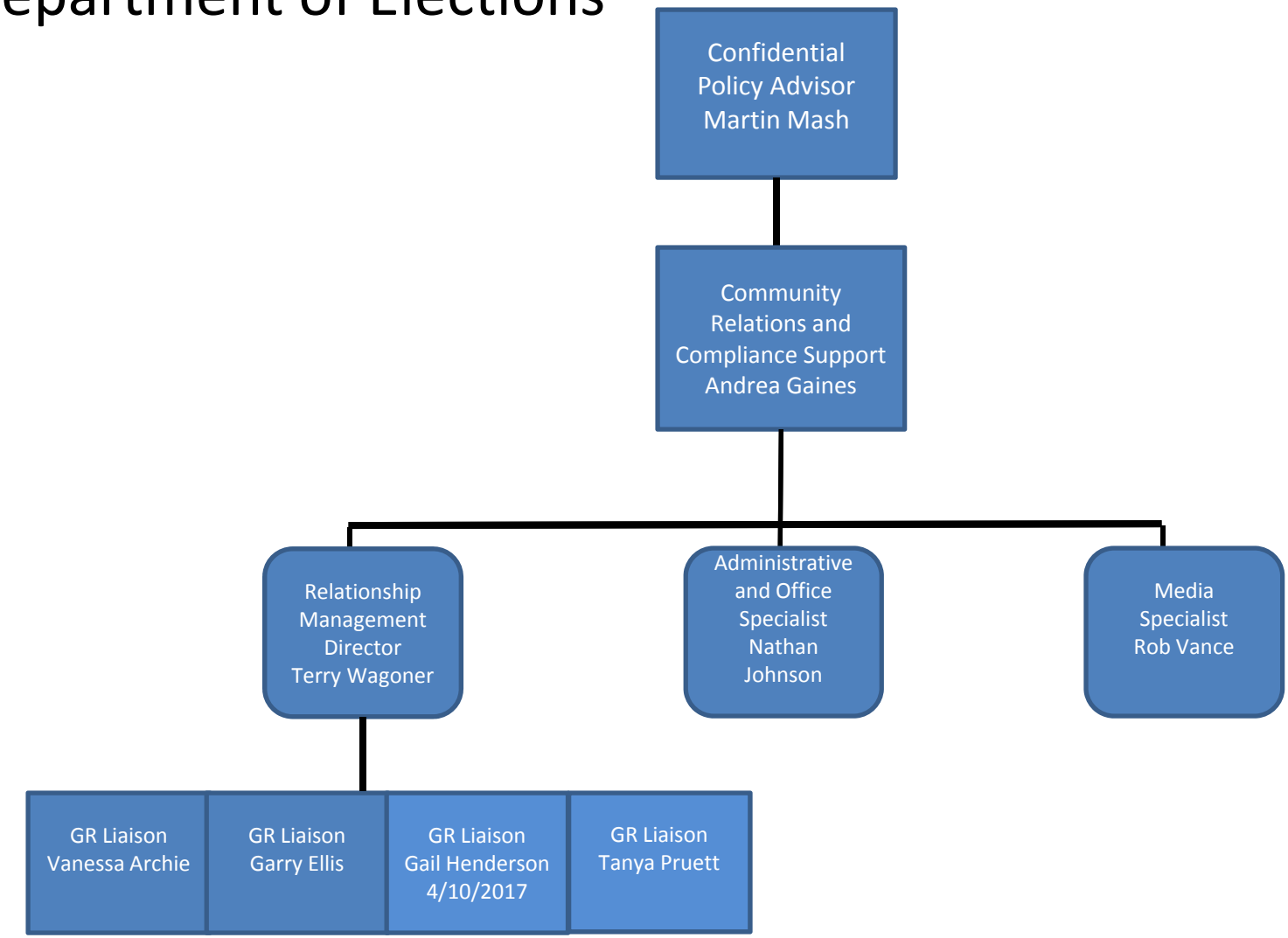
As of 04/06/2017

Department of Elections



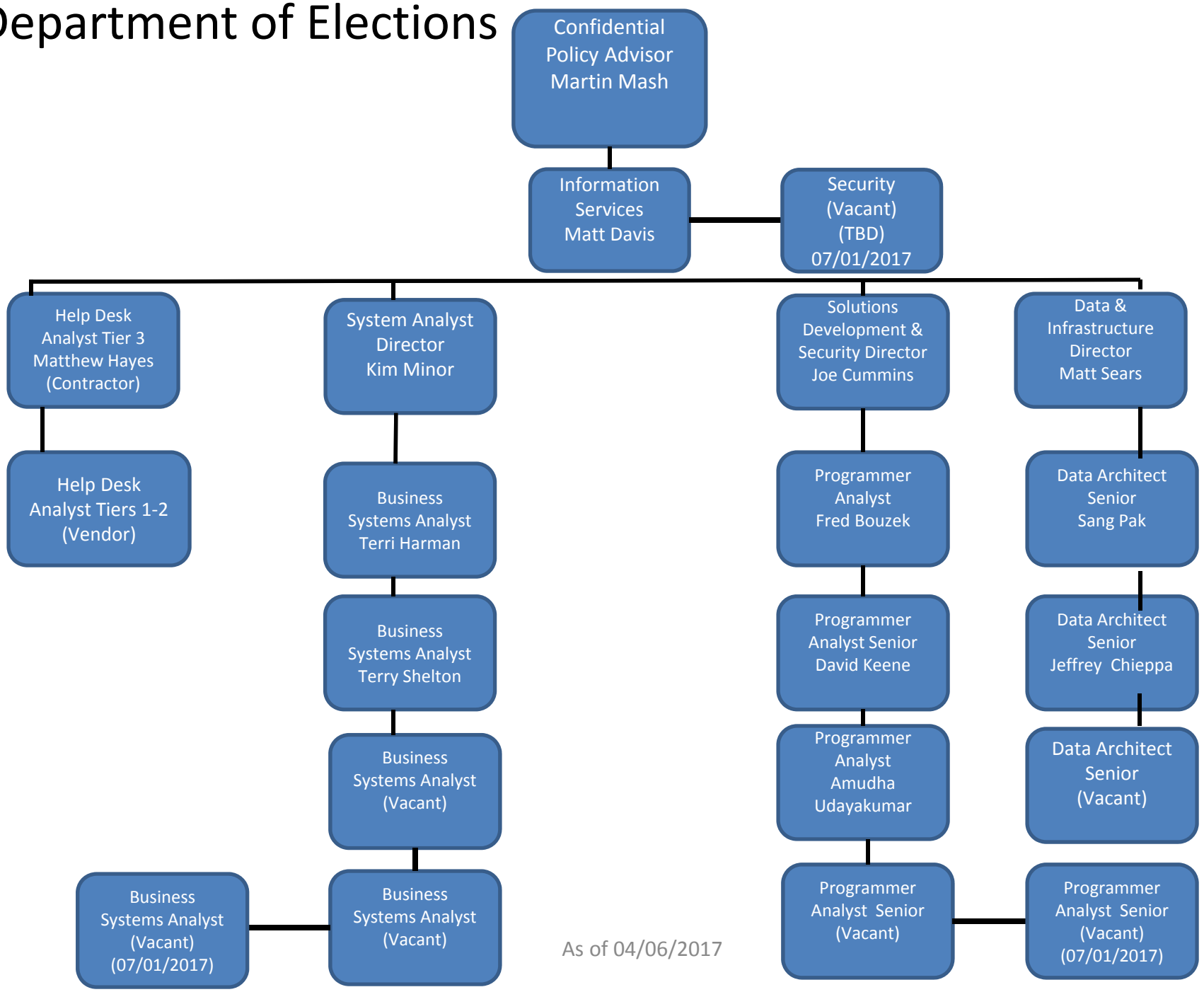
As of 04/06/2017

Department of Elections



As of 04/06/2017

Department of Elections



As of 04/06/2017

Liaison Assignments by Region

Tidewater	South Central	North Central	South	Northern	Western	Southern
Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7
Gail Henderson	Vanessa Archie	Terry Wagoner	Tanya Pruett	Garry Ellis	Garry Ellis	Vanessa Archie
gail.henderson@elections.virginia.gov	vanessa.archie@elections.virginia.gov	terry.wagoner@elections.virginia.gov	tanya.pruett@elections.virginia.gov	garry.ellis@elections.virginia.gov	Garry.ellis@elections.virginia.gov	vanessa.archie@elections.virginia.gov
(804)864 8937	(804) 864-8908	(804)864 8937	804-864-8937	804 864 8910	804 864 8910	(804) 864-8908
Accomack	Amelia	Caroline	Bland	Alexandria	Albemarle	Amherst
Chesapeake	Brunswick	Charles City Co.	Bristol	Arlington	Alleghany	Appomattox
Gloucester	Chesterfield	Cumberland	Buchanan	Clarke	Augusta	Bedford County
Hampton	Colonial Heights	Essex	Carroll	Culpeper	Bath	Botetourt
Isle of Wight	Dinwiddie	Fluvanna	Dickenson	Fairfax City	Buena Vista	Buckingham
James City Co.	Emporia VC	Fredericksburg	Galax	Fairfax County	Charlottesville	Campbell
Mathews	Franklin City	Goochland	Giles	Falls Church	Covington	Charlotte
Middlesex	Greeneville	Hanover	Grayson	Fauquier	Greene	Craig
Newport News	Hopewell	Henrico	Lee	Frederick	Harrisonburg	Danville
Norfolk	Lunenburg	King & Queen	Norton	Loudoun	Lexington	Floyd
Northampton	Mecklenburg	King George	Pulaski	Madison	Nelson	Franklin County
Poquoson	Nottoway	King William	Russell	Manassas	Page	Halifax
Portsmouth	Petersburg	Lancaster	Scott	Manassas Park	Rockbridge	Henry
Suffolk	Powhatan	Louisa	Smyth	Prince William	Rockingham	Highland
Surry	Prince Edward	New Kent	Tazewell	Rappahannock	Staunton	Lynchburg
Virginia Beach	Prince George	Northumberland	Washington	Shenandoah	Waynesboro	Martinsville
Williamsburg	South Hampton	Orange	Wise	Warren		Montgomery
York	Sussex	Richmond City	Wythe	Winchester		Patrick
		Richmond County				Pittsylvania
		Spotsylvania				Radford
		Stafford				Roanoke City
		Westmoreland				Roanoke County
						Salem
18	18	22	18	18	16	23

Principal Policy Analysts by subject area (REV 3/2017)

Subject	GR/EB Handbook	Code (24.2 - unless noted)	Principal	Subject Matter Expert
Absentee Voting UOCAVA/MOVE/FWAP	11, 16	700-713	Arielle	Terry Wagoner
Accessibility/Assistance ADA/VAEHA/VDA	8	310, 413, 626.1, 649, 704	Arielle	Terry Wagoner Liz Howard
Ballots/Candidate Qualifications Ballot Access Petitions Elections Materials	15	500-545; 612-624 506; 521-522, 543	Arielle	Elections Project Manager
Board Meetings/Open Government requirements	26	22.3700-14	Brooks	
Campaign Finance Fundraising Disclosure Requirements Advertisements	21	945-959.1	Brooks	Rise Miller
Constitutional Amendments/ Statewide Referenda	10	Va Const.XII 684-687	Brooks	
Elections Administration	18		Arielle	Elections Project Manager; Paul Stenbjorn
Election Day Polling Places Procedures Provisional Ballots, What If **Voter Identification**	17, 18 13 27 29 5 5	600-687 604 639 651-654 679 654, 653B	Arielle	 Garry Ellis
Statement of/Certification of Results	19	668-680	Samantha	
Electoral College		202-5, 542-3	Samantha	
Election Offenses	23	1000-1019	Arielle	
Recounts/Contests	22	800-814	Brooks	
Fiscal (Budget) Operations/Business Impact	30	22.4300-4377	Brooks	Kevin Hill DPB
Governance (SBE, ELECT, GR, EB, OOE)	1-5	100-123	Brooks	

Subject	GR/EB Handbook	Code (24.2 - unless noted)	Principal	Subject Matter Expert
Offices – Vacancies/Removals		200-238	Brooks	
Districts/Precincts/Polling Places	14	300-313	Brooks	
Freedom of Information Act/Chief FOIA Officer	5, 6, 7, 26, 28	444-447	Arielle	Andrea Gaines Matt Davis
Access to Data		2.2-3700-14 404-406	Arielle	Kim Minor Vanessa Archie
Records		2.2-3801-09	Arielle	Matt Davis (IT Issues)
Local Government		Title 15.2 300-313	Brooks	
Pollbooks (Paper and EPB) - Security - Certification	20	625.1, 630, 638	Samantha	Eugene Burton
Privacy		625.1; 107	Arielle	Matt Davis
Records Retention – Library of Virginia		42.1-76-91	Samantha	
VA Conflict of Interest Act Hatch Act		2.2-3100-31	Brooks	
Virginia Register Act		2.2-4100-04	Brooks	
Voting Credit		668	Arielle	Eugene Burton
Voting Equipment Certification	20	625-642	Samantha	Paul Stenbjorn
Voter Registration NVRA NCOA HAVA VRA	7, 9, 12	400-447	Samantha	Garry Ellis Matt Davis (IT Issues)

Brooks

Board Meetings/Open Government requirements
Campaign Finance
- Fundraising
- Disclosure Requirements
- Advertisements

Constitutional Amendments/Statewide Referenda
Districts/Precincts/Polling Places
Fiscal (Budget)
Governance – (SBE, ELECT, GR, EB, OOE)
Local Government
Offices – Vacancies/Removals
VA Conflict of Interest Act/Hatch Act
Virginia Register Act
Recounts/Contests

Samantha

Electoral College – every 4 years
Statement of/Certification of Results
Pollbooks (Paper and EPB)
Voting Equipment
- Certification

Voter Registration
- NVRA
- NCOA
- HAVA
- VRA

Records Retention/Library of Virginia

Arielle

Absentee Voting
- UOCAVA/MOVE/FWAP

Accessibility/Assistance
- ADA/VAEHA/VDA

Ballots/Candidate Qualifications
- Ballot Access
- Petitions

Elections Materials
Elections Administration
Election Day
- Polling Places
- Procedures
- Provisional Ballots,
- What If

Voter Identification
Election Offenses
Freedom of Information Act/Chief FOIA Officer
- Access to Data
- Records

Privacy/Security
Voter Identification
Voter Credit

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Richmond, VA 23219-3947
elections.virginia.gov

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