

1

2 The State Board of Elections (“the Board”) meeting was held on Monday,
3 November 16, 2020, in Conference Room C, D, and E of the James Monroe Building.
4 The meeting was also conducted electronically so the public could view and hear the
5 meeting. In attendance: Robert Brink, Chairman, John O’Bannon, Vice Chairman, and
6 Jamilah LeCruise, Secretary, represented the State Board of Elections (“the Board”).
7 Christopher E. “Chris” Piper, Commissioner and Jessica Bowman, Deputy
8 Commissioner, represented the Department of Elections (“ELECT”) and Carol Lewis
9 represented the Office of the Attorney General (“OAG”). Chairman Brink called the
10 meeting to order at 1:03 P.M.

11 Chairman Brink informed the Board that on March 12, 2020, Governor Ralph S.
12 Northam declared that a state of emergency exists in the Commonwealth as the result of
13 the potential spread of COVID-19, a communicable disease presenting a threat to public
14 health. On March 30, 2020, the Governor issued an executive order requiring all
15 individuals in Virginia to remain at their place of residence, with certain enumerated
16 exceptions.

17 This meeting was conducted consistent with the requirements for electronic
18 meetings by public bodies set forth in Items 4-0.01 of House Bills 29 and 30, as passed
19 by the General Assembly (“GA”) and signed by the Governor in April of this year. The
20 purpose of the meeting is to transact the statutorily required business of the Board.
21 Chairman Brink stated that the Board would receive public comments on agenda items

22 prior to its action on that item; an open public comment period would be offered prior to
23 adjournment. The Chairman explained that due to not receiving the abstract results from
24 the Richmond Registrars' office, the Board would reconvene the certification on
25 Wednesday, November 18, 2020.

26 The first item on the agenda was the approval of the minutes presented by
27 Secretary LeCruise. Vice Chair O'Bannon moved that the Board approve the minutes
28 from the October 20, 2020 Board meeting. Chairman Brink seconded the motion and the
29 motion passed unanimously. A roll call vote was taken:

30 Chairman Brink – Aye

31 Vice Chair O'Bannon – Aye

32 Secretary LeCruise – Aye

33 The next item of business was the Commissioner's Report presented by
34 Commissioner Piper. The Commissioner stated that the City of Richmond informed
35 ELECT that due to lack of staffing caused by Coronavirus, the abstracts would not be
36 available until Tuesday, November 17, 2020. Commissioner Piper expressed his
37 appreciation to all that assisted and participated in the November 3, 2020 election. The
38 Commissioner stated that prior to Election Day, 1.8 million voters participated in
39 absentee early in-person voting, and 1.1 million voted early by mail. Commissioner Piper
40 informed the Board that for the 2016 Election, the total number of absentee ballots cast
41 prior to the election was 566,000.

42 The Commissioner explained to the Board that ballots were still coming in on
43 Election Day and received through the mail up to Friday, November 6, 2020, at noon.

44 Commissioner Piper stated there were 2.8 million total number of absentee ballots cast
45 in-person on Election Day and 3.5 million in 2016. The Commissioner informed the
46 Board that ELECT's goal was to ensure that Virginians could vote safely. Commissioner
47 Piper informed the Board that Virginia had nearly 6 million registered voters in 2020, up
48 from 5.5 million in 2016. The Commissioner stated that the turnout for registered voters
49 from the 2016 election compared to the 2020 election increased by approximately 74%.
50 After the certification, the results can be confirmed. Commissioner Piper stated that on
51 Election Day, there were no major issues and minor "hiccups." The Commissioner
52 informed the Board that ELECT would be providing a Post-Election Report from the
53 election once the certification is completed.

54 Commissioner Piper informed the Board that Virginia has numerous safeguards to
55 ensure the integrity of the election. The Commissioner explained that Virginia has strict
56 certification standards that each voting machine must pass. The voting machine must pass
57 a federal certification from The United States Election Assistance Commission and pass
58 the Commonwealth of Virginia certification test. Commissioner Piper stated that earlier
59 this year, the Board passed the requirement that electronic pollbooks must be tested prior
60 to deployment on Election Day. The Commissioner stated that the same process allows
61 accuracy testing for all voting machines in every locality. Commissioner Piper informed
62 the Board that Virginia allows authorized representatives from the parties to be in place at
63 polling places and during canvases. The Commissioner expressed his appreciation to see
64 over 20,000 people sign up to be election officers.

65 Vice Chair O'Bannon asked the Commissioner if the Dominion system was used
66 during this election. The Commissioner explained that every voting machine goes
67 through logic and accuracy testing. Commissioner Piper informed the Board that the
68 voting machines are then sealed until Election Day. The Commissioner stated that
69 Virginia uses the Dominion 4.14e version in 29 localities. Secretary LeCruise asked how
70 many volunteers typically sign up to be Election Officers for a Presidential Election.
71 Commissioner Piper stated that volunteers can sign up when they register to vote or go to
72 the elections website. He explained that Virginia had over 20,000 volunteers in the
73 system.

74 Chairman Brink opened the floor to public comment. Nicholas Smith addressed
75 the Board.

76 The next item of business was the Certification of the November 3, 2020, General
77 and Special Elections presented by Paul Saunders, Elections Services Manager. *This*
78 *report is in the Working Papers for the November 16, 2020 meeting.* Chairman Brink
79 asked how many of the localities submitted their abstracts on time. Mr. Saunders stated
80 that 132 out of 133 localities had submitted their abstracts on time. Vice Chair O'Bannon
81 stated that the Virginia Republican Party's Chairman is sending a letter requesting to
82 delay the certification. The Vice Chair moved that the Board defer the item until after the
83 Closed Session.

84 At 1:40 P.M., Chairman Brink moved *that the Board go into closed session for the*
85 *purpose of discussing protocols for maintaining the security of the Virginia voter*
86 *registration system and the supporting technologies utilized to maintain and record*

87 *registrant information, as discussion of such matters in open meeting would compromise*
88 *the security of the Virginia voter registration system, as authorized by Sections 2.2-*
89 *3711(A)(34) and 24.2-410.2(E) of the Code of Virginia. Christopher Piper,*
90 *Commissioner of Elections, Jessica Bowman, Deputy Commissioner of Elections, Daniel*
91 *Persico, Chief Information Officer, Franchelle Tyson, Administrative Program Specialist*
92 *of the Department of Elections, and Carol Lewis of the Office of the Attorney General*
93 *will attend the closed session because their presence will reasonably aid the Board in its*
94 *consideration of the subject of the meeting. Secretary LeCruise seconded the motion and*
95 *the motion passed unanimously. A roll call vote was taken:*

96 Chairman Brink – Aye

97 Vice Chair O’Bannon – Aye

98 Secretary LeCruise – Aye

99 At 2:29 P.M., Vice Chair O’Bannon moved *to reconvene in open session, and take*
100 *a roll call vote certifying that to the best of each member’s knowledge, (i) only such*
101 *public business matters lawfully exempted from open meeting requirements under this*
102 *chapter and (ii) only such public business matters as were identified in the motion by*
103 *which the closed meeting was concerned were heard, discussed, or considered. Secretary*
104 *LeCruise seconded the motion and the motion passed unanimously. A roll call vote was*
105 *taken:*

106 Chairman Brink – Aye

107 Vice Chair O’Bannon – Aye

108 Secretary LeCruise – Aye

109 Secretary LeCruise *moved to adopt the VRSS Advisory Group and Department of*
110 *Elections recommended Minimum Security Standards for locality compliance by year-*
111 *end 2021.* Vice Chair O'Bannon seconded the motion and the motion passed
112 unanimously. A roll call vote was taken:

113 Chairman Brink – Aye

114 Vice Chair O'Bannon – Aye

115 Secretary LeCruise – aye

116 Vice Chair O'Bannon informed the Board of the letter received from the Chairman
117 of the Virginia Republican Party. Chairman Brink opened the floor to public comment.
118 Susan Swecker, Democratic Chairwoman of the Commonwealth of Virginia, addressed
119 the Board. Chairman Brink moved *after reviewing the Abstracts of Votes Cast in the*
120 *2020 November General and Special Elections for Member of the United States House of*
121 *Representatives for Districts 1,2,3,5,6,7,8,9,10, 11, and Member of the Virginia House of*
122 *Delegates, move that the Board certify the statements to be correct and sign the*
123 *statements and certificates of election.* Secretary LeCruise seconded the motion and the
124 motion passed 2-1. A roll call vote was taken:

125 Chairman Brink – Aye

126 Vice Chair O'Bannon – Nay

127 Secretary LeCruise – Aye

128 Chairman Brink moved to adjourn until Wednesday, November 18, 2020, pursuant
129 to Va. Code § 24.2-679 as the Board was unable to ascertain the results of the November
130 3, 2020 election for the Presidential, U.S. Senate, the 4th Congressional District, and two

131 statewide referendum questions due to failure of the Richmond City General Registrar
132 office to proffer the required certified abstracts. Vice Chair O'Bannon seconded the
133 motion and the motion passed unanimously. A roll call vote was taken:

134 Chairman Brink – Aye

135 Vice Chair O'Bannon – Aye

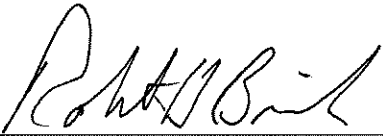
136 Secretary LeCruise – Aye

137 The meeting adjourned at approximately 2:46 P.M.

138

139

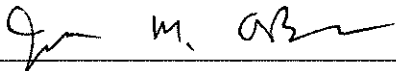
140



141 Chairman

142

143



144 Vice Chair

145

146

147 Secretary