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2 The State Board of Elections (“the Board”) meeting was held by electronic
3 communication on Tuesday, January 12, 2021. In attendance: Robert Brink, Chairman,
4 John O’Bannon, Vice Chairman, and Jamilah LeCruise, Secretary, represented the State
5 Board of Elections (“the Board”). Christopher E. “Chris” Piper, Commissioner, and
6 Jessica Bowman, Deputy Commissioner, represented the Department of Elections
7 (“ELECT”) and Carol Lewis represented the Office of the Attorney General (“OAG”).
8 Chairman Brink called the meeting to order at 1:01 P.M.

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

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

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22 The first item of business was the approval of the minutes from previous Board
23 meetings, presented by Secretary LeCruise. Vice Chair O'Bannon moved *that the Board*
24 *approve the minutes from the November 16, 2020 Board meeting*. Chairman Brink
25 seconded the motion and the motion passed unanimously. A roll call vote was taken:

26 Chairman Brink – Aye

27 Vice Chair O'Bannon – Aye

28 Secretary LeCruise – Aye

29 Vice Chair O'Bannon moved *that the Board approve the minutes from the November 18,*
30 *2020 Board meeting*. Chairman Brink seconded the motion and the motion passed
31 unanimously. A roll call vote was taken:

32 Chairman Brink – Aye

33 Vice Chair O'Bannon – Aye

34 Secretary LeCruise – Aye

35 Vice Chair O'Bannon moved *that the Board approve the minutes from the December 7,*
36 *2020 Board meeting*. Chairman Brink seconded the motion and the motion passed
37 unanimously. A roll call vote was taken:

38 Chairman Brink – Aye

39 Vice Chair O'Bannon – Aye

40 Secretary LeCruise – Aye

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41 Vice Chair O'Bannon moved *that the Board approve the minutes from the December 16,*
42 *2020 Board meeting.* Chairman Brink seconded the motion and the motion passed
43 unanimously. A roll call vote was taken:

44 Chairman Brink – Aye

45 Vice Chair O'Bannon – Aye

46 Secretary LeCruise – Aye

47 The next item of business was the Commissioner's Report, presented by
48 Commissioner Piper. The Commissioner stated that the 2021 Election year would be
49 another extensive election year for Virginia. Commissioner Piper informed the Board that
50 a Special Election was held in January and another will be held in February. The
51 Commissioner stated that due to Senator Chafin's passing, a Special Election will be held
52 for the 38th district along with a Primary and General Election. Commissioner Piper
53 informed the Board that the Special Election went smoothly on January 5, 2021, and no
54 incidents were reported to ELECT.

55 The Commissioner explained that the Post-Election Report would soon be
56 provided to the Board and the public. Commissioner Piper advised that this would give
57 the public time to review the report and provide any questions at the February State
58 Board of Elections meeting. The Commissioner stated that the Board will be introducing
59 two additional members at the February Board Meeting. Commissioner Piper informed
60 the Board that in pursuant to Virginia Code § 24.2-671.1, ELECT will be participating in

61 its 1st Statewide Risk Limiting Audit (“RLA”) from the November 2020 Presidential
62 Election.

63 The Commissioner stated that this would allow election administrators to
64 demonstrate the integrity and security measures used in the Commonwealth.
65 Commissioner Piper explained that RLA is a form of post-election audit that provides a
66 statistical level of confidence that an outcome of an election is accurate. RLAs are
67 conducted by selecting a specific number of ballots and tallying the results for a specific
68 contest. The results are compared to the reporting outcome of the contest to confirm that
69 the reported outcome was accurate. The Commissioner stated that ELECT has been
70 working with Voting Works, the subject matter experts in risk limiting audits, to develop
71 recommendations and best practices in Virginia over the past two years.

72 Commissioner Piper informed the Board that 34 localities across the state have
73 previously participated in the RLA pilot. The Commissioner explained that the RLA
74 being conducted will not take much time because the Presidential Election results are not
75 close. Therefore, fewer ballots will need to be checked to mathematically confirm the
76 outcome of the election. Commissioner Piper informed the Board that ELECT estimates
77 using no more than 1400 hundred ballots statewide to perform the RLA of the 2020
78 General Elections. The Commissioner stated that smaller counties will only need to pull
79 around 20 ballots, and larger counties will not view more than 100 ballots.

80 Commissioner Piper informed the Board that all RLA meetings, both locally and
81 statewide, will be open to the public. The Commissioner stated that during the week of

82 February 1st, there would be an introduction to the audit process, including estimates of
83 the time requirement and request for identifying ARLO. ARLO is a software developed
84 by Voting Works for performing RLA, an audit conduct timeline. Commissioner Piper
85 informed the Board that the RLA audits will begin on February 16th. The Commissioner
86 stated that the RLA training will be conducted virtually, and localities would be provided
87 additional information on how to perform the different steps of the RLA. Commissioner
88 Piper informed the Board that Voting Works and ELECT staff would be available for
89 individual assistance to each locality.

90 The Commissioner and Chairman Brink expressed appreciation to the GRs,
91 Electoral Board members, staff, and the thousands of Election Officers across the
92 Commonwealth. Vice Chair O'Bannon asked Commissioner Piper if an RLA was
93 necessary since they have conducted targeting RLA pilots in the past. Commissioner
94 Piper stated that ELECT has done pilot audits in the past, but it is a unique opportunity to
95 do an audit statewide from the Presidential Election.

96 The next item of business was the Certification of the January 5, 2021 Special
97 Election presented by Paul Saunders, Elections Administration Supervisor. *This report is*
98 *in the Working Papers for the January 12, 2021 meeting.* Vice Chair O'Bannon moved
99 *after reviewing the Abstract of Votes Cast in the January 5, 2021, Special Elections for*
100 *Member, House of Delegates District 2 and Member, House of Delegates District 90, I*
101 *move that the Board certify the results as presented and declare the winners.* Secretary
102 LeCruise seconded the motion and the motion passed unanimously. A roll call vote was
103 taken:

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104 Chairman Brink – Aye

105 Vice Chair O’Bannon – Aye

106 Secretary LeCruise – Aye

107 The last item of business was the appointment of a new member to the Advisory
108 Review Workgroup (“the Workgroup”) presented by Chairman Brink. Chairman Brink
109 stated the Workgroup was established in October of 2019, but due to COVID-19, the
110 Workgroup’s duties were postponed. The Chairman informed the Board that a position to
111 be recommended by the Voter Registrar Associations of Virginia (“VRAV”) opened up
112 during that time. Chairman Brink stated that VRAV recommended Jason Corwin,
113 Mecklenburg County, VA, General Registrar. The Chairman advised that the Board
114 would be naming a Citizen Member to succeed the late former Lieutenant Governor John
115 Hager.

116 Chairman Brink opened the floor to public comment. Vice Chair O’Bannon
117 moved *that the Board approve the recommended appointee*. Secretary LeCruise seconded
118 the motion and the motion passed unanimously. A roll call vote was taken:

119 Chairman Brink – Aye

120 Vice Chair O’Bannon – Aye

121 Secretary LeCruise – Aye

122 Chairman Brink stated at the December 16, 2020 Board meeting the Board voted
123 to extend the deadline for candidates in the January 5, 2020 Special Election to file

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124 certain forms pursuant to Virginia Code § 24.2-503. He explained that in the two years
125 the Board has been in office, they have been forced repeatedly to chose between granting
126 an extension of the filing deadline or denying the candidate a place on the ballot under
127 Virginia Code § 24.2-504. The Chairman stated that he is unwilling for the Board to be
128 put in this unfair and inappropriate position in the future. Chairman Brink informed the
129 Board that last week he wrote to the Chairs of the Republican and Democratic parties
130 requesting help to ensure all candidates are aware of the filing deadlines and the
131 consequences for failure to meet those deadlines. The Chairman stated that his purpose is
132 to put all potential candidates on notice and that there is no assurance that the Board will
133 exercise its discretion to extend the filing deadline in the future.

134 Chairman Brink opened the floor for public comment. No public comment was
135 given.

136 Vice Chair O'Bannon moved *to adjourn the meeting*. Chairman Brink seconded
137 the motion and the motion passed unanimously. A roll call vote was taken:

138 Chairman Brink – Aye

139 Vice Chair O'Bannon – Aye

140 Secretary LeCruise – Aye

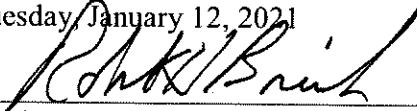
141 The meeting adjourned at approximately 1:28 P.M.

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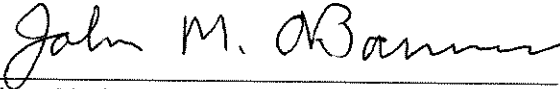
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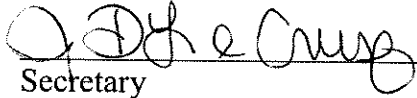
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Chairman



Vice-Chairman



Secretary