

1 The State Board of Elections (“the Board”) meeting was held on
2 Wednesday, April 13, 2022, in the Martha Brissette Conference Room of the
3 Washington Building in Richmond, Virginia. The meeting also offered public
4 participation through electronic communication so the remote public could view
5 and hear the meeting. In attendance: Robert Brink, Chairman; John O’Bannon,
6 Vice Chairman; Jamilah LeCruise, Secretary; Angela Chiang, and Delegate Donald
7 Merricks, members; represented the State Board of Elections (“the Board”). Susan
8 J. Beals, Commissioner, represented the Department of Elections (“ELECT”), and
9 Joshua Lief represented the Office of the Attorney General (“OAG”). Chairman
10 Brink called the meeting to order at 1:00 P.M.

11 The first item of business was the approval of minutes, presented by
12 Secretary LeCruise. Delegate Merricks *moved that the Board approve the amended*
13 *minutes from the March 1, 2022 Board Meeting.* Vice Chair O’Bannon seconded
14 the motion and the motion passed unanimously. A roll call vote was taken:

- 15 Chairman Brink – Aye
- 16 Vice Chair O’Bannon – Aye
- 17 Secretary LeCruise – Aye
- 18 Ms. Chiang – Aye
- 19 Delegate Merricks – Aye

20 The next item of business was the Commissioner’s Report, presented by

21 Commissioner Beals. The Commissioner expressed her appreciation to the Board
22 for welcoming her to her first State Board of Elections meeting as the
23 Commissioner. Commissioner Beals stated that the Virginia Elections Registration
24 Information System (“VERIS”) replacement project procurement timeline had
25 originally suggested that a contract would be awarded by September of 2021. The
26 Commissioner advised the Board that due to its classification as a high-risk
27 contract, the procurement timeline has been pushed back and is subject to
28 additional approvals from both the OAG and the Virginia Information Technology
29 Agency (“VITA”). Commissioner Beals stated that ELECT had enlisted additional
30 assistance, and both teams are working to secure the best system for the
31 Commonwealth.

32 The Commissioner advised the Board that ELECT is in the middle of
33 processing information related to redistricting. Commissioner Beals stated that the
34 ELECT is in the process of updating VERIS to reflect the redistricting changes and
35 that redistricting is a partnership between the local registrars and the ELECT
36 team. The Commissioner expressed her appreciation to the General Registrars for
37 their hard work and patience. Commissioner Beals introduced new ELECT
38 employees Johnathan Barbette, Chief Information Officer; Michael Nicholas,
39 Chief Technology Officer; Victoria (“Viki”) Mainwaring; Taylor O’Sullivan,
40 External Affairs Assistant; and Mark Hammer, Quality Assurance Analyst.

41 The next item of business was Split Precinct Waiver Request, presented by
42 Ashley Coles, ELECT Policy Analyst. Southampton County requested the first
43 precinct waiver. *These documents are in the Working Papers for the April 13, 2022*
44 *Meeting.* Lynn Burgess, Southampton County General Registrar, addressed the
45 Board. Vice Chair O’Bannon moved *to approve the waiver for Southampton*
46 *County.* Secretary LeCruise seconded the motion and the motion passed
47 unanimously. A roll call vote was taken:

48 Chairman Brink – Aye

49 Vice Chair O’Bannon – Aye

50 Secretary LeCruise – Aye

51 Ms. Chiang – Aye

52 Delegate Merricks – Aye

53 The second split precinct waiver request was from Fairfax County. *These*
54 *documents are in the Working Papers for the April 13, 2022 Meeting.* Martin
55 Desjardins, Assistant County Attorney to the Board of Supervisors, and Jeffery
56 McKay, Chairman of Fairfax County Board of Supervisors, addressed the Board.
57 Delegate Merricks moved *to approve the waiver for Fairfax County.* Vice Chair
58 O’Bannon seconded the motion and the motion passed unanimously. A roll call
59 vote was taken:

60 Chairman Brink – Aye

61 Vice Chair O'Bannon – Aye

62 Secretary LeCruise – Aye

63 Ms. Chiang – Aye

64 Delegate Merricks – Aye

65 The third split precinct waiver request was from Hanover County. *These*
66 *documents are in the Working Papers for the April 13, 2022 Meeting.* Vice Chair
67 O'Bannon moved *to approve the waiver for Hanover County.* Secretary LeCruise
68 seconded the motion and the motion passed unanimously. A roll call vote was
69 taken:

70 Chairman Brink – Aye

71 Vice Chair O'Bannon – Aye

72 Secretary LeCruise – Aye

73 Ms. Chiang – Aye

74 Delegate Merricks – Aye

75 The fourth split precinct waiver request was from Chesterfield County.

76 *These documents are in the Working Papers for the April 13, 2022 Meeting.*

77 Secretary LeCruise moved *to approve the waiver for Chesterfield County.* Delegate
78 Merricks seconded the motion and the motion passed unanimously. A roll call vote
79 was taken:

80 Chairman Brink – Aye

81 Vice Chair O'Bannon – Aye

82 Secretary LeCruise – Aye

83 Ms. Chiang – Aye

84 Delegate Merricks – Aye

85 The fifth split precinct waiver request was from Prince William County.

86 *These documents are in the Working Papers for the April 13, 2022 Meeting.* Vice

87 Chair O'Bannon moved *to approve the waiver for Prince William County.*

88 Secretary LeCruise seconded the motion and the motion passed unanimously. A

89 roll call vote was taken:

90 Chairman Brink – Aye

91 Vice Chair O'Bannon – Aye

92 Secretary LeCruise – Aye

93 Ms. Chiang – Aye

94 Delegate Merricks – Aye

95 The sixth split precinct waiver request was from Roanoke County. *These*

96 *documents are in the Working Papers for the April 13, 2022 Meeting.* Delegate

97 Merricks moved *to approve the waiver for Roanoke County.* Ms. Chiang seconded

98 the motion and the motion passed unanimously. A roll call vote was taken:

99 Chairman Brink – Aye

100 Vice Chair O'Bannon – Aye

101 Secretary LeCruise – Aye

102 Ms. Chiang – Aye

103 Delegate Merricks – Aye

104 The next item of business was the 2022 General Assembly Legislative
105 Session presented by Ashley Coles, ELECT Policy Analyst. *This report is in the*
106 *Working Papers for the April 13, 2022 Meeting.* Ms. Coles informed the Board of
107 election related legislation that passed during the Assembly Session and no motion
108 was heard.

109 The next item of business was the Proposed Amendment to 1VAC20-70-40,
110 presented by Daniel Davenport, ELECT Policy Analyst. *This regulation is in the*
111 *Working Papers for the April 13, 2022 Meeting.* Secretary LeCruise moved *that*
112 *the Board approve the Department’s proposal for regulatory action regarding the*
113 *pre-processing of absentee ballots.* Ms. Chiang seconded the motion and the
114 motion passed unanimously. A roll call vote was taken:

115 Chairman Brink – Aye

116 Vice Chair O’Bannon – Aye

117 Secretary LeCruise – Aye

118 Ms. Chiang – Aye

119 Delegate Merricks – Aye

120 The next item of business was the KnowInk Electronic Pollbook

121 Certification, presented by Karen Hoyt-Stewart, Locality Security Program
122 Manager. *This report is in the Working Papers for the April 13, 2022 Meeting.* Ned
123 Jones, Christine Brim, and Mr. Jeffery of Fairfax County addressed the Board
124 regarding concerns. Vice Chair O’Bannon moved *that the Board certify the use of*
125 *Knowink Poll Pad version 2.5.8 and Poll Pad Plus version 3.0.1 in elections in the*
126 *Commonwealth of Virginia, pursuant to the State Certification of Electronic*
127 *Pollbooks: Requirements and Procedures and that the Commissioner report back*
128 *to the Board regarding the specific issues about this equipment that were*
129 *presented to the Board.* Secretary LeCruise seconded the motion and the motion
130 passed unanimously. A roll call vote was taken:

- 131 Chairman Brink – Aye
- 132 Vice Chair O’Bannon – Aye
- 133 Secretary LeCruise – Aye
- 134 Ms. Chiang – Aye
- 135 Delegate Merricks – Aye

136 The next item of business was the Drawing for Candidate Ballot Order,
137 presented by Paul Saunders, Elections Administration Supervisor. *This memo is in*
138 *the Working Papers for the April 13, 2022 Meeting.* Mr. Saunders conducted the
139 drawing of the names. The ballot order for Republican Member, House of
140 Representative, 2nd District is as follows:

- 141 1. Jarome Bell
- 142 2. Andrew G. “Andy Baan
- 143 3. L. Tommy Altman III
- 144 4. Jen A. Kiggans

145 The ballot order for Republican Member, House of Representative, 7th District is as
146 follows:

- 147 1. Gina R. Ciarcia
- 148 2. Derrick M. Anderson
- 149 3. David Ross
- 150 4. Crystal L. Vanuch
- 151 5. Bryce E. Reeves

152 The ballot order for Democratic Member, House of Representative, 8th District is
153 as follows:

- 154 1. Victoria I. Virasingh
- 155 2. Donald S. Beyer, Jr.

156 Vice Chair O’Bannon moved *that the Board certify the determinations by lot*
157 *of the order of candidates on the ballot for primary elections to be held on June 21,*
158 *2022.* Secretary LeCruise seconded the motion and the motion passed
159 unanimously. A roll call vote was taken:

160 Chairman Brink – Aye

161 Vice Chair O'Bannon – Aye

162 Secretary LeCruise – Aye

163 Ms. Chiang – Aye

164 Delegate Merricks – Aye

165 The next item of business was the Drawing for Party Order on the Ballot for
166 General and Special Elections, presented by Paul Saunders, Elections
167 Administration Supervisor. *This memo is in the Working Papers for the April 13,*
168 *2022 Meeting.* Chairman Brink informed the Board that after discussions with
169 staff, he believed the appropriate time frame for the ballot order would be from
170 April 30, 2022 through January 31, 2023. Mr. Saunders conducted the drawing for
171 the political party order. The ballot order is as follows:

172 1. Democratic

173 2. Republican

174 Secretary LeCruise moved *that the Board certify the determination by lot of*
175 *the ballot order for all general and special elections being held April 30, 2022*
176 *through January 31, 2023.* Vice Chair O'Bannon seconded the motion and the
177 motion passed unanimously. A roll call vote was taken:

178 Chairman Brink – Aye

179 Vice Chair O'Bannon – Aye

180 Secretary LeCruise – Aye

181 Ms. Chiang – Aye

182 Delegate Merricks – Aye

183 The next item of business is the Candidate Filing Extension, presented by
184 David Nichols, Elections Services Manager. *This report is in the Working Papers*
185 *for the April 13, 2022 Meeting.* Mr. Jamaal Jackson and Luke Priddy, Chair of the
186 Roanoke City Democratic Committee, addressed the Board. No motion was heard.

187 Chairman Brink opened the floor to public comment. Jason Corwin, General
188 Registrar of Mecklenburg County; Tom Reynolds, Secretary Nottoway County
189 Electoral Board; Diana-Lynn Wilkins-Mitchell, Nottoway County; Erwin Abbot,
190 Former Nottoway County Electoral Board member; Barbara Tabb, former
191 president, Virginia Electoral Board Association; Luke Priddy, Roanoke City
192 Democratic Committee; Susan Hogge, President of Republican Woman of Greater
193 Richmond; Dr. Clara Belle Wheeler, and Walt Latham, General Registrar of York
194 County, addressed the Board. Secretary LeCruise stated that this would be her last
195 meeting as she is resigning to become a District Judge, effective May 1, 2022.

196 Chairman Brink expressed his appreciation to Secretary LeCruise for her service to
197 the Board for over 2 ½ years.

198 Chairman Brink stated that a recently appointed Chairman of a local
199 Electoral Board made a vile racist post on social media a few months before being
200 appointed. The Chairman stated that the individual fortunately had resigned from

201 his position despite his initial refusal to step down. Chairman Brink commended
202 Governor Youngkin as head of his Party for acting quickly and decisively to secure
203 this individual's removal. The Chairman expressed his concern, stating, "If the
204 responsible entities had done their job and exercised due diligence, this individual
205 would have never been appointed in the first place." Vice Chair O'Bannon moved
206 *that the State Board of Elections direct the Chairman to write to the Chairs of the*
207 *Democratic Party of Virginia and the Republican Party of Virginia, emphasizing*
208 *the crucial role of local electoral boards in the efficient and even-handed*
209 *administration of elections, and seeking their assistance in ensuring that local*
210 *parties' recommendations for appointments to such local boards under Va. Code §*
211 *24.2 106 recognize the importance of such positions and the responsibilities of that*
212 *office. Vice Chair O'Bannon also moved that the Chairman communicate with the*
213 *Chief Justice of the Supreme Court of Virginia to seek his assistance in ensuring*
214 *that the chief judges of the judicial circuit courts that appoint members of local*
215 *electoral boards under Va. Code § 24.2 106 recognize the importance of such*
216 *positions and the responsibilities of that office. Secretary LeCruise seconded the*
217 motion and the motion passed unanimously. A roll call vote was taken:

218 Chairman Brink – Aye

219 Vice Chair O'Bannon – Aye

220 Secretary LeCruise – Aye

221 Ms. Chiang – Aye

222 Delegate Merricks – Aye

223 At 2:48 P.M., Secretary LeCruise moved, pursuant to Virginia Code Section

224 2.2-3711(A)(7), *that the Board go into closed session for the purpose of discussing*

225 *pending and threatened litigation. In accordance with Section 2.2-3712(F), Susan*

226 *Beals, Commissioner of Elections, and Joshua Lief of the Office of the Attorney*

227 *General will attend the closed session because their presence will reasonably aid*

228 *the Board in its consideration of the subject of the meeting. Vice Chair O’Bannon*

229 *seconded the motion and the motion passed unanimously. A roll call vote was*

230 *taken:*

231 Chairman Brink – Aye

232 Vice Chair O’Bannon – Aye

233 Secretary LeCruise – Aye

234 Ms. Chiang – Aye

235 Delegate Merricks – Aye

236 At 3:48 P.M., Secretary LeCruise moved *to reconvene in open session, and*

237 *take a roll call vote certifying that to the best of each member’s knowledge (i) only*

238 *such public business matters lawfully exempted from open meeting requirements*

239 *under this chapter and (ii) only such public business matters as were identified in*

240 *the motion by which the closed meeting was convened were heard, discussed, or*

241 *considered.* Vice Chair O'Bannon seconded the motion and the motion passed
242 unanimously.

243 Chairman Brink – Aye

244 Vice Chair O'Bannon – Aye

245 Secretary LeCruise – Aye

246 Ms. Chiang – Aye

247 Delegate Merricks – Aye

248 Vice Chair O'Bannon moved *that the Board request that the Attorney*
249 *General's Office to conduct an investigation to determine if there were*
250 *irregularities or deviations from election administration procedures in Prince*
251 *William County during the 2020 General Election.* Secretary LeCruise seconded
252 the motion and the motion passed unanimously. A roll call vote was taken:

253 Chairman Brink – Aye

254 Vice Chair O'Bannon – Aye

255 Secretary LeCruise – Aye

256 Ms. Chiang – Aye

257 Delegate Merricks – Aye

258 Vice Chair O'Bannon moved *that the Board request that the Attorney*
259 *General's Office to conduct an investigation of the functioning of the Electoral*
260 *Board and General Registrar in Nottoway County.* Delegate Merricks seconded the

261 motion and the motion passed unanimously. A roll call vote was taken:

262 Chairman Brink – Aye

263 Vice Chair O’Bannon – Aye

264 Secretary LeCruise – Aye

265 Ms. Chiang – Aye

266 Delegate Merricks – Aye

267 Vice Chair O’Bannon moved *that the Board accept the report from the*

268 *Attorney General’s Office on Richmond City Electoral Board and direct the*

269 *Chairman of the Board to write an appropriate letter to the members of the*

270 *Richmond City Electoral Board regarding the investigation and its results. Ms.*

271 Chiang seconded the motion and the motion passed unanimously. A roll call vote

272 was taken:

273 Chairman Brink – Aye

274 Vice Chair O’Bannon – Aye

275 Secretary LeCruise – Aye

276 Ms. Chiang – Aye

277 Delegate Merricks – Aye

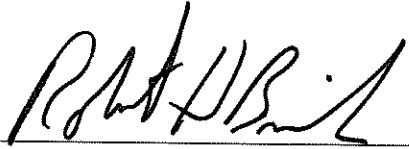
278 Secretary LeCruise moved *to adjourn the meeting*. Delegate Merricks

279 seconded the motion and the motion passed unanimously. The meeting adjourned

280 at 3:52 P.M.

State Board of Elections
April 13, 2022
FINAL Meeting Minutes

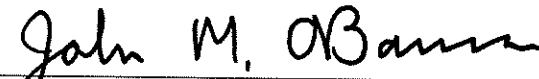
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283 Chairman

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289 Secretary

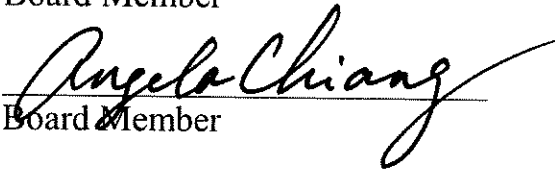
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292 Board Member

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