Maryland State Board of Elections 2022 General Election Report



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Overview of the 2022 General Election

The 2022 General Election was held on November 8, 2022, as a "traditional" election - that is, voters could vote in person during early voting at one of the 96 early voting centers or on election day voting at over 1,500 neighborhood polling places or vote by mail.

When all of the votes were received and counted, 2,031,635 or over 49.26% of eligible voters voted - this was higher turnout than the 2014 General Election but lower than other gubernatorial general elections since the 2006 General Election.¹

In-person voting continues to be the primary way voters vote, with 73% of participating voters voting in-person. Most voters - 1,046,153 voters or 51.49% of all voters that voted in this election - voted on election day, and 380,874 voters (18.75%) voted during early voting.² The percentage of voters voting during early voting in this election is the lowest percentage since the 2016 Primary Election but higher than the percentage in the 2022 Primary Election. Daily turnout trends during early voting mirrored prior elections. The busiest days were the final two days, when over 147,000 voters voted, and the slowest days were Saturday and Sunday.

Before the 2020 elections, turnout by mail was around 5% - 6% of total turnout. Almost 27% of voters who voted in the 2022 General Election voted by mail. About 640,000 voters requested to vote by mail with almost two-thirds of these voters also opting to join the new "permanent mail-in voting list." Voters voted and returned over 84% of packets sent. Although the usage of the ballot drop boxes was less than the inaugural 2020 elections, the boxes were very popular with over 50% of mail-in voters using the 282 ballot drop boxes across the State to return their voted ballots.

This election, however, was not without its challenges. It was conducted in a tense environment, with election officials juggling the normal pre-election duties preparing for an election while worrying about the physical safety of voters, voting locations, themselves, and their families. This environment made the already difficult job of recruiting election judges even more challenging, as shown in the cartoon below. The request to serve seemed like a "bigger ask" in this election.

¹ Turnout was: 57.57% in the 2006 General Election, 53.86% in the 2010 General Election, 47.14% in the 2014 General Election, and 59.06% in the 2018 Primary Election. *See* Appendix 1 for turnout information by jurisdiction for the 2022 General Election.

² Over 62,000 voters (3.08%) voted a provisional ballot either during early voting or on election day. ³ Voters who asked to join the "permanent mail-in voting list" will automatically receive a ballot for all elections in which they are eligible to vote. More information about the permanent mail-in voting list is provided later in this report.



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Over the years, SBE developed partnerships with the federal and State law enforcement and emergency management officials and the State's utility providers and telecommunication providers. These relationships proved valuable this election, and their willingness to support election officials' planning efforts and promptly respond to SBE's and the local boards of elections' (local boards) requests for assistance and escalation are appreciated.

This report provides an overview of the general election and relevant data, and considerations for future elections. Additional data is available on the State Board of Elections' (SBE) website under "Press Room."

Voting Trends in Maryland

Voters in Maryland historically vote in person. Until the 2010 elections, this meant voting on election day in neighborhood polling places. Early voting was introduced in 2010, and since then, the number of locations and days has expanded. Before the 2020 election cycle, over 90% of voters voted in person during early voting or on election day, with the percentage of voters who

⁴ See https://elections.maryland.gov/press room/index.html.

voted early steadily increasing since 2010. The percentage of voters who voted by mail⁵ was stable over time until the 2020 elections.

Because of the challenges with conducting an election during the COVID-19 pandemic, the 2020 Primary Election was conducted primarily by mail with limited in-person voting. In turn, 97% of voters voted by mail. There were more in-person voting opportunities in the 2020 General Elections, and voters who wanted to receive a mail-in ballot needed to request one. About half of voters who voted in the 2020 General Election voted by mail.

Many voters who first voted by mail in the 2020 elections continued to vote this way in the 2022 elections. It appears that the trend toward voting by mail has most affected early voting, as the 2022 elections saw a reduction in the number of voters voting during early voting. Figures 1 and 2 show mail-in ballots sent to and mail-in ballots returned by requesting voters as a percentage of total voter turnout for each election since the 2004 General Election, respectively.

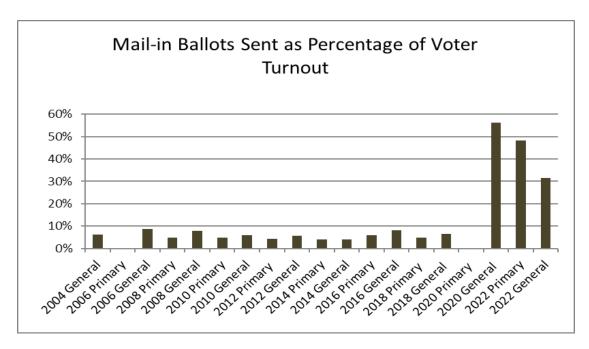


Figure 1: Mail-in Ballots Sent to Voters as a Percentage of Voter Turnout⁶

⁵ Voting by mail has traditionally been referred to as "absentee voting" in Maryland. With the enactment of Chapters <u>36</u> and <u>37</u> of the Laws of Maryland (2020) (introduced as <u>Senate Bill 145</u> and <u>House Bill 37</u> and codified as §9-301(c) of the Election Law Article), this process is now referred to as mail-in voting. Mail-in voting is the same process as absentee voting.

⁶ Mail-in voting data from 2010 to 2022 is available in SBE's online Press Room.

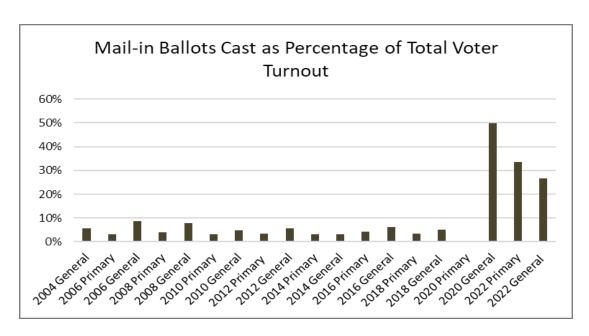


Figure 2: Mail-in Ballots Cast to Voters as a Percentage of Voter Turnout

In 2016, election officials implemented same day registration and address change during early voting. In 2020, election officials implemented same day registration for election day. Since its implementation, almost 58,000 individuals have registered to vote and over 26,700 voters have changed addresses as a result of this process. In this election, almost 13,900 individuals registered and voted during early voting or on election day, and over 1,730 voters updated their addresses during early voting.⁷

A frequent question while preparing for the 2022 elections was whether voters who were introduced to voting by mail in 2020 would continue to participate that way in 2022 or whether they would return to voting in person. If the trends seen in the 2022 election continue, in-person voting will continue to be the primary way voters participate but a significant number - over a quarter - of voters will vote by mail and voters will be equally divided between voting before election (via early voting or by mail) on election day.

Voter Education

Building on the success of the statewide voter education effort in 2020 and anticipating the need to inform voters about the return to the State's "normal" election process and the impact of redistricting, SBE conducted a statewide, diverse voter education campaign. This campaign was successful in educating voters about registering to vote, updating their registration or verifying

⁷ This data is available in SBE's <u>online Press Room</u>. Same day registration and address change reports are available starting with the 2016 Primary Election.

that it was correct, how to verify any changes caused by redistricting, and how and when to vote - either in person or by mail.

The statewide campaign included TV, radio, digital, earned media, and grassroots and community-based efforts. The campaign visuals were the same as the images used in the 2022 Primary Election and similar to images from the 2020 elections with updated animation, icons, and messages. Over six weeks, there were:

- 101 TV spots and 613 radio spots aired and eleven print ads in newspapers
- Over 15.1 million impressions from the digital and traditional media campaigns
- Over 3.7 million plays of the 0:15 and 0:30 second digital ads
- Almost 270,000 clicks on the ads placed on Google, YouTube, Facebook and Instagram
- Over 180,000 users driven to SBE's <u>2022 election landing page</u> by the digital campaign
- More than 1,100 articles and stories placed in media outlets around the State

Equally important were the organizations and coalitions - over 3,300 of them - that shared important information about this election. Election information and sample messages and icons were provided to these organizations and coalitions. Nine proactive press releases were distributed to over 450 media outlets, reporters and producers in the largest media organizations and the smallest community-based news outlets, dozens of media interviews were conducted with English and Spanish media outlets, and the media relations team responded daily to journalists' questions. These efforts resulted in voters around the State receiving accurate and timely election information.

There were specific efforts to reach minority voters. These efforts were conducted by GreiBO – a Baltimore-based firm to assist with stakeholder outreach to the African American community statewide, including key influencer messaging, in-community events and social media – and Cool & Associates – a team focused on stakeholder outreach to the Hispanic community and Spanish-speaking earned media.⁸ These efforts were enhanced by Gilberto Zelaya of the Montgomery County Board of Elections, who was the face of the Spanish-speaking outreach efforts statewide.

⁸ For example, Cool & Associates report an additional 4.5 million impressions for their multifaceted and extensive campaign of traditional media, special events, influencer amplification and community outreach, WhatsAp and other social media engagement.

The budget for the campaign was \$500,000. KO Public Affairs subcontracted with Mission Media to develop the TV, radio and digital campaigns and conduct the media buy. KO also subcontracted with Sandy Hillman Communications, a minority business enterprise (MBE), to help manage stakeholder and media outreach across the state. Additional team members included Campfire Communications, Cool & Associates, a public relations firm specializing in Hispanic media and stakeholder outreach, and GreiBO to oversee Black media relations and stakeholder outreach. The creative design, production costs and media buy with Mission Media accounted for more than 55% of the overall budget. Approximately 71% of the remaining budget was allocated to MBE firms for stakeholder outreach, earned media, targeted media buys, translation services and in-community engagement.

The campaign delivered several key messages, and the associated data points demonstrate the success of the voter education campaign.

- Sharing information about how to register to vote and update existing registrations. This message was delivered from September 26 through October 9, and voters listened. The local boards processed over 224,000 new registrations and address changes in the three months before the election.⁹
- Promoting the "3 ways to vote" (early, by mail or ballot drop box, or in person on election day). Providing information about all three ways ensured that voters had the information they needed regardless of how or when they decided to vote. Many voters are still new to voting by mail, and this campaign reminded them of the deadlines and process to request and return their ballots.
- Reminding voters to return their mail-in ballots. Almost 85% of voters who requested a mail-in ballot returned it. This is higher than the average rate of return for gubernatorial general elections since 2004 (81.36%).
- Reminding voters to sign the oath and timely return their ballots the two most common reasons why mail-in ballots are rejected. 99.54% of the returned ballots were counted. This is higher than the average percentage of mail-in ballots counted (about 98% of returned ballots).
- Informing voters about using a ballot drop box to return voted ballots. Just over 50% of voters who received a mail-in ballot returned their ballots at a ballot drop box.
- Promoting SBE's <u>online voter look-up tool</u> as a place to find out where to vote and how to track a ballot. The digital campaign alone drove over 183,000 users to the <u>2022 elections</u>

⁹ This number is slightly lower than the number processed in the same three months in 2018, when the local boards processed over 230,000 new registrations and address changes. Since the number of new registrations and address changes before the 2022 Primary Election was a 41% increase from the 2018 Primary Election, it appears that voters took action before the primary election instead of waiting until the general election. More voters - 10.5% - registered to vote and updated their address in the months preceding both 2022 elections than they did in the same timeframe preceding both 2018 elections. 367,761 voters registered to vote or updated their addresses in the three months before the 2022 Primary General and the three months before the 2022 General Election. In 2018, that number was 332,338.

<u>landing page</u>, and there were over 396,000 searches between November 7 - November 9, with over 260,000 searches on election day alone.

Sample images used in the campaign are in Appendix 2 of this report, and the <u>full report on the</u> <u>voter education campaign</u> includes additional graphics.

This statewide effort to educate individuals about their voting options and how to vote was supplemented by social media outreach and mailings by SBE and the local boards. SBE's social media platforms saw over 3.1 million combined views, and each local board published and shared messages on their social media accounts.

In addition to mailing the form to request a mail-in ballot, SBE coordinated two mailings to provide individuals who appear eligible to vote but were not yet registered with important election information. The first mailing was sent to over 17,600 individuals before the deadline to register to vote and included information on how to register to vote. The second mailing was sent to over 731,000 individuals after the deadline to register to vote but before early voting started and included information about the same day registration process during early voting and on election day.

The local boards also sent sample ballots to every eligible voter who did not submit a request for a mail-in ballot. This mailing included the content of the voter's ballot and information about the voting days and hours, voting locations, the voting system, and other important election information.

Voting in Correctional Facilities

Chapters <u>646</u> and <u>734</u> of the Laws of Maryland (2021) (introduced as <u>Senate Bill 525</u> and <u>House Bill 222</u> and codified as Election Law Article, §1-303.1 and Correctional Services Article, §2-501) set forth requirements for voting and voter education in correctional facilities.¹⁰ Chapter 646 required a ballot drop box at the Baltimore City Booking and Intake Center with weekly collections. Chapter 734 required that SBE establish a program to disseminate information about the eligibility requirements to register to vote and voter registration applications and instructions on how to vote by mail, mail-in ballot applications, and mail-in ballots, provide frequent opportunities to register to vote, and provide for the timely return of election mail from facilities. Chapter 734 applies to all correctional facilities, including those under the jurisdiction of the Department of Public Safety and Correctional Services (DPSCS) and detention and correctional facilities run by local jurisdictions.

¹⁰ Individuals in detention centers are eligible to vote if they are awaiting trial or if they are serving time for a misdemeanor conviction. The Charles, Garrett and Montgomery County Boards of Elections have existing agreements with county detention centers and regularly provide election materials.

In partnership with DPSCS, SBE, the local boards, local detention and correctional facilities, and the Maryland Correctional Administrators' Association, a robust voting program at correctional facilities was implemented.¹¹ It included:

- Sending voter registration and mail-in voting information and forms¹² to eligible individuals at detention centers in 21 counties. Correctional facilities provided estimated quantities, and advocacy organizations provided feedback on the mailing's content. SBE sent 4,100 packets to State correctional facilities and 6,800 packets to local correctional facilities for distribution to eligible individuals in those facilities.
- Collecting completed voter registration and mail-in ballot applications forms. Prior to the primary election, DPSCS installed 46 secure boxes at all 19 of its detention and correctional facilities¹³ for individuals to place completed voter registration and mail-in ballot request forms. Using procedures developed by SBE and DPSCS, local election officials emptied the boxes weekly. For local correctional facilities, the local boards and facilities personnel developed a process for picking up election-related mail. Some local boards picked up election mail from the facilities, while other facilities opted to use the regular outgoing mail process for election mail.
- Providing correctional facilities with four versions of an 8.5" by 11" poster with voting information. The posters were available in English and Spanish and in regular and large print. The local wardens and facility administrators printed the posters, while DPSCS's Maryland Correctional Enterprises printed and distributed the posters for its facilities.
- Facilitating voter education for individuals in correctional facilities. SBE worked with DPSCS and the Maryland Correctional Administrators' Association to ensure that any eligible voters who required assistance had that assistance. Depending on the facility, case workers, social workers, and librarians assisted voters.

Considerations for Future Elections

Based on the success of this voter education campaign, SBE believes that future statewide campaigns are critical to informing voters how to vote, how to make sure their ballots are counted, and of any changes to the registration and voting process. This campaign will be used as

¹¹ Further information on the implementation of Chapters <u>646</u> and <u>734</u> of the Laws of Maryland (2021) can be found in the annual reports required by these chapters. At the time of this report, the <u>2022 Report required by Chapter 734</u> is posted on the Department of Legislative Services' Library website. The 2022 Report required by Chapter 646 is not available online.

¹² This mailing had information about who is eligible to register to vote, how to request an mail-in ballot application, the deadlines for the general election, and an envelope to return both the voter registration and mail-in ballot applications.

¹³ The boxes were manufactured by the Maryland Correctional Enterprises and installed at facilities in Baltimore City and Anne Arundel, Carroll, Howard, Somerset, and Washington Counties. The boxes are under 24/7 surveillance.

a model moving forward, and the on-going use of similar icons creates branding and enables more funds to be spent on traditional and digital media buys and less on creative design.

As we prepare for the 2024 election cycle, SBE will continue to work with DPSCS and local correctional facilities to identify additional ways to educate eligible individuals in correctional facilities about the voting process and ensure that eligible individuals have the opportunity to participate in future elections.

SBE will continue the pre-election mailings to individuals who appear eligible but not yet registered. SBE will also encourage local correctional facilities to install secure, monitored boxes at their facilities.

Candidate & Political Committee Support

Candidate Filing

As was done in the 2022 Primary Election, SBE maintained COVID-19 protocols for the statutory in-person candidate filing process for the 2022 General Election. SBE continued the "appointment only" policy to limit wait times and provide for sufficient time between appointments for cleaning. The overwhelming response to the appointment process was positive, and SBE plans to continue it for future elections.

These protocols did not impair any candidates who needed to file for the general election from filing for office. SBE worked with the non-principal political parties to ensure all the requirements were met in the filings.

Campaign Finance

SBE facilitated the filing of contribution and expenditure reports and compliance with Maryland's campaign finance laws for 2,758 political entities, including 1,391 new political committees. Additionally, there were 15 registered independent expenditure entities and 23 participating organizations active for the 2022 elections. In 2022, committees filed a total of 13,291 campaign finance reports.

Once a committee files the required report, the information is immediately available on SBE's website. The nearly real-time posting of information means everyone - including the press, organizations, and other stakeholders - can conduct their research, publish articles, and support their missions. The immediate disclosure also provides voters with information about who supports a candidate, how a candidate spends contributions, and generally helps voters make informed choices.

For the 2022 Election Cycle, the cumulative contributions received by all political committees was \$267,804,907. During the same timeframe, the political committees made expenditures of \$238,047,436. Central committees and legislative party caucus committees raised a combined total of \$5,470,310 and disbursed \$5,381,827 in administrative funds.

Public Financing

Public financing is still in its nascent phase in Maryland but is growing. The State has a public financing program for gubernatorial candidates, and two local jurisdictions - Howard and Montgomery Counties - have public financing systems.

The 2022 election cycle is the third consecutive gubernatorial election in which a gubernatorial ticket sought and qualified for public fundings - first in Maryland's history. The gubernatorial ticket that participated in the public financing program received a total of \$874,648 from the Fair Campaign Financing Fund. As of January 18, 2023, the current fund balance is \$7,888,544.79.

SBE currently supports county public financing programs in Howard and Montgomery Counties. The 2022 election cycle was Montgomery County's second election cycle providing public funding for candidates for County Executive and County Council and Howard County's first election cycle for the same offices. Baltimore City and Prince George's and Baltimore Counties are scheduled to implement public financing for local offices for the 2024 and 2026 elections, respectively.

As the most established program, the public financing program in Montgomery County has the most robust participation. Montgomery's 2022 program had 20 certified candidates with six candidates receiving the maximum public contribution¹⁴ for a primary election. Eight of these certified candidates were on the 2022 General Election ballot and all eight of these candidates were elected to the office they sought. In total, the program disbursed \$3,458,572 for the 2022 Primary Election and \$233,514 for the 2022 General Election.

Howard County's program had five certified candidates, and all five candidates were on a 2022 General Election ballot. Three of the five public finance candidates were elected to the office they sought. The Howard County program disbursed \$724,766 for the 2022 Primary Election and \$193,082 for the General Election.

Considerations for Future Elections

For future elections, SBE will continue to implement an appointment-based filing program. With this new program, candidates generally completed their paperwork before arriving, which made the filing process more efficient.

¹⁴ The maximum public contribution received depends on the office sought. In Montgomery County, a county executive is eligible to receive a public contribution up to \$750,000 per election. A county council candidate is eligible to receive a public contribution up to \$250,000 for an at-large seat for each election and \$125,000 for a single district seat per election.

SBE will continue to work with Howard and Montgomery Counties on any changes to their public financing programs and assist in the first time implementations of Baltimore City for its 2024 elections and Baltimore and Prince George's Counties' public financing program prior to the next gubernatorial election cycle. These new programs will require that SBE modify the filing software to incorporate the new programs' requirements. The Candidacy and Campaign Finance Division has already begun assisting Baltimore City with its implementation and working on a summary guide for the program.

The 2022 election identified a gap in the current public financing laws when a gubernatorial ticket effectively ceased its campaign but did not withdraw from the program. The General Assembly may wish to address this issue before the next gubernatorial election cycle.

Voter Support

Call Center

The call center continues to be an important part of serving Maryland voters. As with previous elections, SBE contracted with CMD Outsourcing Solutions, Inc. in Baltimore to assist with the volume of phone calls expected in an election year. The call center began supporting SBE and 18 local boards on January 21 and provided support through the 2022 General Election. From August 1 to November 30, the call center answered 53,514 inquiries.¹⁵ This was a total of 115,774 inquiries for both the 2022 Primary and General Elections.

While the call center scaled down its staffing after the primary election, staffing increased in August and September to accommodate the final mailing of forms to request a mail-in ballot and the pre-election confirmation notices to voters on the permanent mail-in ballot list and the staggered addition of local boards using the service. The call center continued to offer callers the option to receive a return call, as opposed to waiting to speak to a representative. This feature was used by 3,773 callers. This was a significant decrease from the primary election, where 10,719 callers used this feature, and is likely attributable to a significant reduction in wait times due to increased staffing. SBE employees who are primary recipients of calls forwarded from the call center reported less calls being received. In other words, the call center was able to answer more calls than they did during the primary election with little to no wait times.

The call center saw improvements in other metrics between the primary and general elections. The average time to answer decreased from 1 minute and 45 seconds in the 2022 Primary

¹⁵ 15,512 (28.9%) of those inquiries were to one of SBE's phone numbers. The call center received more inquiries for the Prince George's County Board of Elections than any other local board. There were 11,437 inquiries (21.4%) handled for the Prince George's County Board of Elections.

Election to 34 seconds in the 2022 General Election. The numbers of "abandoned" calls also decreased from 6,514 (or 10.46% of all calls) in the primary election to 2,262 (or 4.23%) in the general election. The average time required to handle a call also decreased from 3 minutes and 2 seconds to 2 minutes and 44 seconds.

There were no reports of instances of call volume exceeding the call center's capacity. During the call center's busiest week - November 2-8, the call center representatives handled over 11,215 inquiries. The call center responded to the increased demand and added more staff and hours to support voters.

Email Support & Outreach

SBE uses one email account (absentee.sbe@maryland.gov) to provide support for the mail-in voting process, and a separate account (info.sbe@maryland.gov) for general inquiries. While both accounts are operational all year, there is a substantial increase in incoming emails in the months and weeks leading up to an election.

From August 30 through November 29, over 7,300 emails were exchanged with the absentee.sbe account, and over 5,200 emails were exchanged with the info.sbe account.¹⁶ The busiest time for the customer service email accounts was from November 2 to November 8. During this time, the absentee.sbe account received over 800 emails and sent over 1,200 emails and the info.sbe account received over 400 emails and sent over 500 emails.

For this election, SBE sent over 1.2 million emails and over 454,000 text messages informing voters that their ballots were being prepared or available for electronic delivery, their voted ballots had been received, and finally, their voted ballots had been counted.¹⁷ While these statuses are available on SBE's online voter look-up tool, voters were very appreciative of receiving this information in their inbox.¹⁸

¹⁶ The absentee.sbe account received over 3,600 emails, and staff managing this account sent over 3,600 emails. The info.sbe account received over 3,100 emails, and staff sent over 2,100 emails.

¹⁷ Emails or texts were sent to voters who had requested a mail-in ballot and for whom SBE had an email address or cell phone number. SBE also sent emails and texts when a voter's application for a mail-in ballot was processed and if the voter's application for a mail-in ballot was untimely.

¹⁸ In response to SBE's emails letting voters know that "we received your ballot" or "we counted your ballot," SBE received emails with the following messages: (1) Thank you for your service (2) Thank you for your hard work and the email messages regarding receipt and counting of my ballot. (3) Thank you so much for letting me know. Thank you, too, for all you do for us. (4) I'd just like to say thanks for being so organized and thoughtful that you could take the time to notify me that my very important ballot was received and later counted. As an overseas absentee voter, that means the world to me.

Online Support

SBE's suite of online systems¹⁹ served thousands of voters in this election. From July 16 - November 5, over 535,000 electronic voter registrations and ballot requests were submitted. In the month before the election²⁰, over 226,000 electronic transactions were submitted. Table 1 below shows the number and percentage of electronic transactions by source.

Source of Transactions	Number	Percentage ²¹
Motor Vehicle Administration ²²	387,419	72%
Online Voter Registration & Ballot Request System ²³	105,869	20%
Online Ballot Request System ²⁴	32,385	6%
Maryland Health Benefit Exchange	6,348	1.2%
Facebook	1,485	0.3%
Department of Human Services	1,286	0.2%
Third Party Entities ²⁵	33	<0.1%
Office of the Comptroller	32	<0.1%
Maryland Transit Authority ²⁶	0	0%

Table 1: Source of Electronic Transactions

SBE's online voter registration and ballot request system was well used in this election. Over 127,000 requests for mail-in ballots were submitted via this system between July 16 and November 5, with over 68% - over 86,600 requests - of these requests submitted in the month

¹⁹ SBE's suite of online systems has five systems - a voter registration and ballot request system, a streamlined ballot request system, a voter look-up tool, a polling place locator, and a ballot delivery system. ²⁰ The "month before the election" was October 1, 2022 - November 5, 2022.

²¹ The total of the "Percentage" column does not equal 100% because SBE includes same day registration transactions as electronic transactions, but this data is not included in this table. Same day registration data is discussed elsewhere in this report.

²² The Motor Vehicle Administration and other designated State agencies offer customers the opportunity to register to vote. These new or updated registrations are transmitted electronically to SBE and therefore, reported as electronic transactions.

²³ This system can be used to register to vote and/or request a mail-in ballot.

²⁴ Registered voters can use this system to request a mail-in ballot. In 2022, SBE mailed an application to each registered voter. The instructions with this application encouraged voters to use the online ballot request system to submit their request as it is more efficient to process.

²⁵ Third party entities can request a unique URL for the online voter registration and ballot request system. With a unique URL, SBE can track how many users are driven to SBE's system from that third party's website. This data is attributed to Rock the Vote's unique URL.

²⁶ Maryland Transit Authority (MTA Paratransit) has been closed to the public since 2020, and as a result, no electronic transactions have occurred. MTA Paratransit, however, sends in their client packages paper voter registration applications. When MTA Paratransit re-opens in January 2023, electronic transactions will resume.

before the deadline to request a ballot (November 4). In the two weeks before the voter registration deadline (October 18), over 50,000 transactions were submitted via the system.

The online voter look-up tool and polling place locator were also in high demand in this election. There were over 396,000 searches between November 7 - November 9, with over 260,000 searches on election day alone.

Considerations for Future Flections

For future elections, SBE will continue to work with the State's call center to plan for and manage expected capacity, which is likely to increase for the upcoming presidential election cycle. SBE plans to implement for the 2024 elections technical solutions to respond to voters' requests for information via the website (rather than sending an email or calling).

SBE plans to continue to send emails with important information about voter's mail-in ballots and implement an online, simple way for voters to update their existing voter registration information, including email addresses. Currently, the only way to update their information online is to use the online voter registration system and provide the updated information. Since this process requires that the voter provide more information than is necessary, SBE will develop an online system that allows voters to update their information after appropriately authenticating themselves.

In-Person Voting

Preparing for In-Person Voting

The local boards secure voting locations for in-person voting during early voting and on election day months in advance of election day. These locations must be able to support the number of voters that will likely vote there, be accessible (or be made accessible) for voters with disabilities, have adequate parking, have a secure location to store election equipment and supplies, allow for electioneering, and of course, be available for eight days of early voting or on election day. While this process is generally undertaken once per election cycle, many local boards had to do so twice in 2022.

Due to challenges associated with changing the 2022 Primary Election date from June to July, some local boards had to consider the factors set forth in <u>Chapter 43</u> of the 2021 Laws of Maryland (introduced as <u>House Bill 745</u> and codified as Election Law Article, §10-301.1(c)(2)) twice. This law requires the local board to consider factors when determining the location of early voting centers. The factors are:

- Accessibility to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups
- 2. Proximity to dense concentrations of voters
- 3. Accessibility by public transportation
- 4. Ensuring equitable distribution through the county and
- 5. Maximizing voter participation by using community centers and public gathering places

To assist the local boards with finding locations that met these considerations, SBE contracted with a vendor to show on a map the proposed early voting center(s) and for each precinct, whether the precinct was above or below the county's average turnout and above or below the county's average minority population. The vendor mapped both the previously approved early voting center and the newly proposed early voting center to ensure these factors were met for both elections. As required under Election Law Article, §10-301.1, all changes to early voting centers were submitted to the members of the State Board of Elections for approval.²⁷

Generally, early voting centers remain the same between primary and general elections, unless an unforeseen event results in the unavailability of a location. Because of the date change for the 2022 Primary Election, 25 facilities of the 96 approved for use as early voting centers were not available on the new date, and the local boards identified and the State Board approved other locations for the primary election. For the general election, six of the 25 facilities were used again as early voting centers. For 17 facilities, the local boards returned to the initially approved centers. Two local boards - the Carroll and Frederick County Boards of Elections - were unable to use either the initially approved facilities or the facility used in the 2022 Primary Election and had to find another location to serve as an early voting center.

Each election, the local boards recruit and train approximately 35,000 election judges. For the 2022 Primary Election, SBE developed and implemented an online training module to train election judges on some of the basic concepts of service. The original learning module for new judges remained available and a video reference library was also created to support judges in their understanding of voting equipment and election processes.

For the 2022 General Election, SBE expanded the statewide online training program by developing a "refresher" training for the local boards to efficiently and conveniently train returning judges. Baltimore City and four counties, including Frederick and Prince George's Counties, incorporated the online refresher training into their training program. Other jurisdictions continued to use the original learning module to train their new judges.

²⁷ If a local board had previously received approval for an early voting center, the local board did not submit the early voting center again.

The "refresher" training also provided a quick way to train judges who needed to be recruited at the last minute to fill vacancies. This means that all judges who served on election day had training prior to service. As discussed below, SBE hopes to expand the online content in future elections.

During the primary election, the local boards reported a higher than normal call out and no show rate for election judges. To reduce the likelihood of a recurrence in the general election, the local boards and SBE increased recruitment efforts. The local boards and SBE used social media, traditional media, and other efforts to promote service and recruit election judges and some local boards reached out to the press to help publicize the need for election judges.

SBE reached out to several non-profit organizations that work with large coalitions of businesses, organizations, and individuals to promote election judge recruitment. These included Power the Polls, Vet the Vote, and University of Maryland's Civic Innovation Center (CiVIC), and the University System of Maryland. Power the Polls provided substantial lists of interested individuals to larger jurisdictions that reported significant need (*e.g.*, Baltimore City and Baltimore and Prince George's Counties) in addition to a sizable list of applicants from around the State.

The Department of Budget and Management traditionally grants State employees eight hours of administrative leave for service as an election judge. Similar to the primary election, the Department offered additional incentives for the general election - an additional eight hours for a total of 16 hours of administrative leave for State employees and extending the same incentive to contractual employees. For both elections, this incentive provided a tremendous boost in interest in serving as an election judge. The leave benefit was offered for each day served during early voting and on election day, and many State employees indicated this motivated them to serve.

Although SBE still received reports of shortages and difficulties in retaining judges, there were fewer reports of the last-minute call outs that were reported during the primary election. This is likely the result of the partnership with various entities and organizations collaborating with coalitions of businesses, organizations, and individuals to promote election judge recruitment. Their efforts were strategically aimed at the local boards that reported a need for judges.

The Election Day Page Program was launched for the 2022 Primary Election.²⁸ The program was developed to encourage student involvement and understanding of the democratic process through the participation in elections. SBE continued to encourage the local boards to reach out to schools to recruit students to serve. SBE developed a program to recruit 14- and 15-year-olds

²⁸ See Election Law Article, §10-402.

to serve as election pages. By the general election, SBE received and distributed to the local boards information for approximately 80 page applicants.

To provide precinct-level results for early voting and mail-in and provisional ballots, each precinct must have a unique ballot. For this election, there were about 2,077 ballot styles and multiple versions of each ballot style²⁹ to create, proof, print, and deploy.³⁰ During early voting, every ballot style is supplied to every early voting center. For election day voting, only those ballot styles assigned to the precincts that use the polling place are supplied.

Ballot Marking Device Usage

Voters who vote in person can mark their ballots two ways - hand mark a paper ballot or use a ballot marking device.³¹ The ballot marking device allows voters with disabilities to make their selections independently and privately and complies with federal accessibility requirements, but any voter can choose, during the check-in process, to use this device to mark their ballots. Regardless of how voters mark their ballots, all ballots are tabulated by a scanning device.

For the general election, SBE reviewed the allocation of ballot marking devices at each voting location. During early voting, all early voting locations had at least three ballot marking devices. Many early voting locations had more than three, with two of the busiest locations having ten. For election day, all polling places had at least two ballot marking devices, with 269 having more than two ballot marking devices. One of the busiest locations had six devices.³²

²⁹ Each ballot style has an audio version of the ballot for voters who use the audio functionality of the ballot marking device, a version for the mailed specimen ballots, a version for the online ballot delivery for requesting voters, and other versions for different purposes.

³⁰ In prior gubernatorial general elections, there were usually approximately 300 to 400 ballot styles. The increased number of ballot styles now is the result of precinct-level reporting of results.

³¹ The ballot marking device is a touchscreen-like device that displays the candidates in each contest and allows voters to make their selections by touching the screen. After reviewing and if desired, making selections in all contests, voters can review their selections before printing them on a blank ballot. The printed ballot includes the voters' selections.

³² The local boards must receive State Board approval to deploy more than three ballot marking devices at an election day polling place or more than six ballot marking devices at an early voting center. Three local boards - the Baltimore City Board of Elections and the Caroline and Montgomery County Boards of Elections - requested and received approval to deploy from their existing inventory additional ballot marking devices.

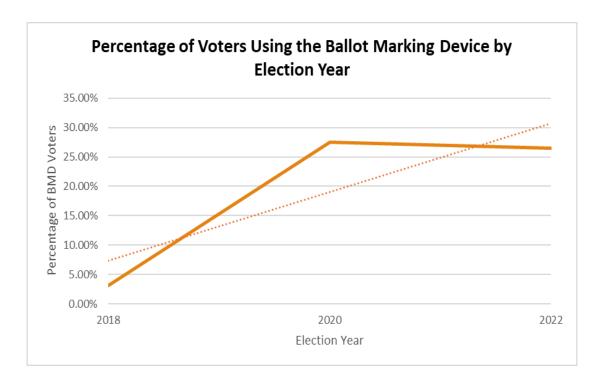


Figure 3: Percentage of Voters using the Ballot Marking Device (BMD) by Election Year

The percentage of voters using the ballot marking device increased significantly from 3.11% in the 2018 General Election to 27.51% of voters in 2020 General Election. The percentage of voters using the devices in the 2022 General Election (26.54%) was lower than the 2022 Primary Election (33.64%).

Dorchester (44.87%) and Garrett (42.32%) Counties had the highest percentage of voters using the ballot marking device. More than 30% of voters in Allegany, Caroline, Kent, Montgomery, Prince George's, and Washington Counties marked their ballots using the device. The rest of the jurisdictions ranged from 21.05% - 29.48% with the exception of the lowest percentage of users in Harford (18.61%), Worcester (12.81%) and Calvert (8.61%) Counties. Figure 4 shows the percentage of voters using the ballot marking devices in comparison to voters marking their ballots by hand.

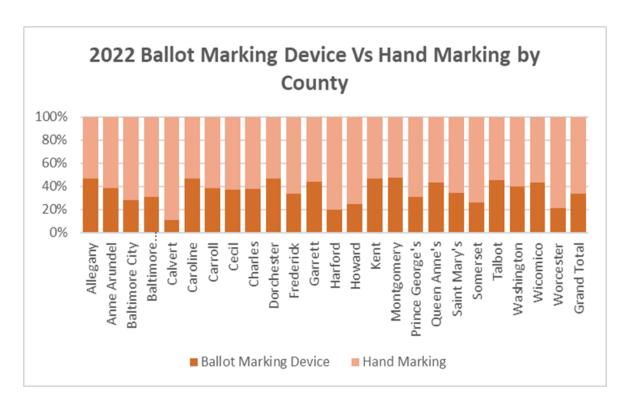


Figure 4: Ballot Marking Device & Hand Marking by County

In response to the increased popularity of the ballot marking devices, SBE and the local boards will determine whether to increase the number of devices sent to voting locations.

Early Voting

There were 96 early voting centers³³, and each center was open for voting from October 27 through November 3 from 7 am to 8 pm each day³⁴, including Saturday and Sunday. During this time, 380,874 voters voted, over 2,440 individuals used the same day registration process to register and vote, and over 1,730 voters updated their address and voted the ballot for their new address.

³³ Chapter 43 of the Laws of Maryland (2021) (introduced as House Bill 745 and codified as Election Law Article, §10-301.1(b)(2) - (9)) increased the number of early voting centers from 73 to 89 early voting centers. Section 10.301.1(b)(10) allows each jurisdiction to have an additional early voting center. For the 2022 elections, seven counties - Calvert, Frederick, Garrett, Harford, Montgomery, Queen Anne's, and Saint Mary's - have the "additional" early voting center.

³⁴ Chapters <u>659</u> and <u>660</u> of the Laws of Maryland (2021) (introduced as <u>Senate Bill 596</u> and <u>House Bill 206</u> and codified as Election Law Article, §10-301.1) changed early voting hours for gubernatorial elections from 10 am to 8 pm to 7 am to 8 pm.

The percentage of voters who voted during early voting was 18.75%, a significant decrease from recent elections years.³⁵ This is most likely caused by the corresponding and equally significant increase in voters who chose to use the mail-in voting process to vote in this election.

Typically, the last two days of early voting are the busiest, and this pattern continued for this election. Saturday and Sunday continue to be the days with the least number of voters. Figure 5 below shows the number of voters who voted each day of early voting.

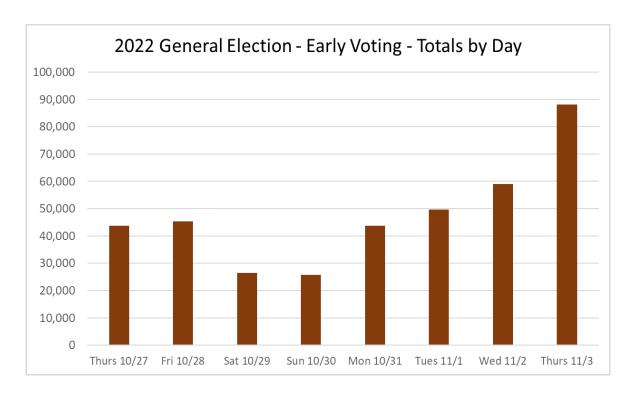


Figure 5: Early Voting Turnout by Day

Figure 6 shows the early voting turnout as a percentage of total voter turnout.

³⁵ Since early voting was introduced in 2010, the percentage of voters voting during early voting had - until the 2022 elections - steadily increased.

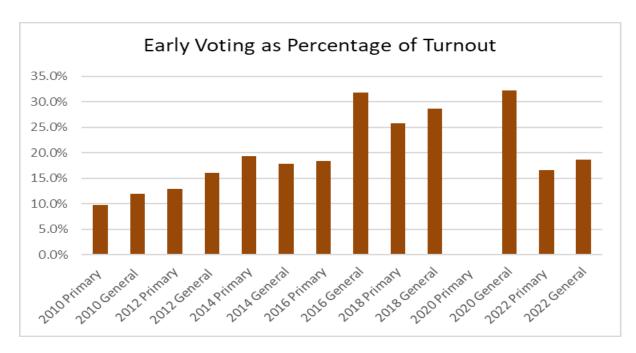


Figure 6: Early Voting as a Percentage of Total Voter Turnout³⁶

The busiest early voting centers were consistent over the eight days. McFaul Activity Center (Harford County) saw the most voters - over 11,000. Bowie Gymnasium (Prince George's) and Honeygo Community Center (Baltimore County) had more than 9,000 voters. Other busy locations were the Severna Park Library (Anne Arundel), Randallstown Community Center (Baltimore County), Westminster Senior Activities Center (Carroll), Meadowbrook Athletic Complex (Howard), and Southern Regional Tech and Recreation Center (Prince George's).

Election Day

There were over 1,500 neighborhood polling places where 1,046,153 voters voted on November 8. This represents 51% of the voters who participated in this election. 11,456 individuals registered and voted on election day.

Overall, election day was smooth. SBE received reports of several precincts opening late because the election judges were not able to access the voting room or set up the required equipment by 7 am. In these instances, the local boards, in conjunction with SBE staff assigned to support the local boards and polling places, assisted with getting the polling places opened as soon as possible to serve voters.

While electioneering remained a complaint by voters, the complaints were less in number than those received in the primary election. This is likely because there are fewer candidates on the ballot in a general election than there are in a primary election.

 $^{^{36}}$ Due to the COVID-19 pandemic, there was no early voting for the 2020 Primary Election.

Provisional Voting

There were 62,618 provisional ballots cast in the 2022 General Election, and 60,950 or 97.3% were counted. Figure 7 below shows the percentage of accepted in full³⁷, accepted in part³⁸, and rejected provisional ballots³⁹ since the 2012 Primary Election.

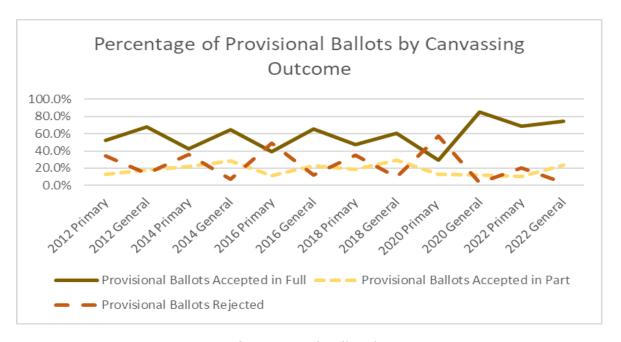


Figure 7: Percentage of Provisional Ballots by Canvassing Outcome

Over time, the most common reasons why provisional ballots are rejected in a general election are: (1) the applicant was not registered to vote; (2) the voter returned a voted mail-in ballot or already voted; and (3) the applicant did not sign the application. Since the introduction of same day registration, the number of provisional ballots rejected because the voter is not registered to vote has dramatically decreased. Figure 8 shows the percentage of ballots rejected for these reasons in general elections since 2012.⁴⁰

³⁷ A provisional ballot is accepted in full if the voter is registered to vote and votes the ballot associated with the voter's residential address. Of the 62,618 provisional ballots cast in this election, 46,444 or 74.1% were accepted in full.

³⁸ A provisional ballot is accepted in part if the voter is registered to vote but votes a ballot with one or more different contests than the voter's correct ballot. The local boards accept this ballot and count votes for contests for which the voter is eligible to vote. All statewide contests would be counted, but a vote for other candidates would only count if the voter lives in that candidate's district. Of the 62,618 provisional ballots cast in this election, 14,506 or 23.2% were accepted in part.

³⁹ Of the 62,618 provisional ballots cast in this election, 1,668 or 2.7% were rejected.

⁴⁰ During the post-election audit process, SBE identified 480 provisional ballots that were rejected for the incorrect reason. For example, 459 of the 480 provisional ballots were rejected because the applicant was "not registered to vote" but these ballots should have been rejected because the applicant provided

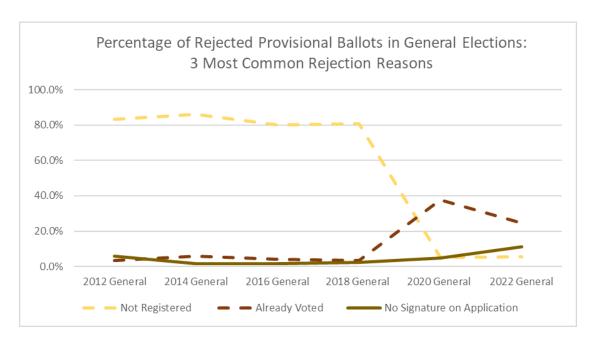


Figure 8: Percentage of Rejected Provisional Ballots in Primary Elections for the Three Most Common Rejection Reasons

Requiring voters who have already voted or were issued a mail-in ballot to vote a provisional ballot ensures that each voter only has one ballot counted. The provisional ballot is counted as long as the voter does not also vote and return the requested mail-in ballot. If the voter voted and returned the mail-in ballot and also voted a provisional ballot in this election, the mail-in ballot was counted and the provisional ballot was rejected.⁴¹

In the 2020 General Election, State and local election officials saw an increase in the percentage of provisional ballots rejected because the voter had already voted. This increase was attributed to mailing to all eligible voters the form to request a mail-in ballot and voters completing and returning the form but then deciding to vote in person.⁴² The percentage of provisional ballots rejected because the voter already voted (most likely, a mail-in ballot) returned to the typical rejection rate for this reason for the 2022 Primary Election but was a higher percentage for the

[&]quot;incomplete information" on the application. Figures 8 and 9 reflect the correct rejection reasons, and for this reason, the <u>online report showing provisional rejection reason data</u> does not match the data as presented in these figures.

⁴¹ Counting the mail-in ballot and rejecting the provisional ballot was authorized by an emergency change to Regulation 33.11.05.04C. The State Board approved this emergency change at its June 28, 2022 meeting, and the emergency change was effective on July 18, 2022. Notice of the emergency change was published in the August 12, 2022, issue of the *Maryland Register* (Vol. 49, Issue 17). At the same meeting, the State Board also approved a permanent change to this regulation and the permanent change was effective on December 12, 2022.

⁴² Anticipating this outcome, State and local election officials included on the form to request a mail-in ballot the following statement: If you request a mail-in ballot and decide to vote in person, you will have to vote a provisional ballot.

2022 General Election.⁴³ While the percentage did not increase to that of the 2020 General Election, it accounted for almost a quarter of the rejected provisional ballots.

This increase may be due to delays in the local boards' processing of mail-in ballots. When a local board receives a mail-in ballot, they manually scan the barcode printed on the return envelope. This date is entered into the statewide voter registration, candidacy and election management database and is posted to SBE's online voter look-up system. Voters use this system to confirm that their voted ballot has been received by their local board.

Several local boards were delayed in processing the returned ballots because of the significant number of returned mail-in ballots and staffing limitations. Many staff members supporting the pre-election day counting of mail-in ballots and early voting also support the processing of mail-in ballots. This meant that some local boards were not able to process returned ballots in "real time" and voters could not confirm that their local board had their mail-in ballot before election day. Without this confirmation, these voters - worried that their local board had not received their mail-in ballot - voted a provisional ballot. The local boards rejected the provisional ballots if the voters' mail-in ballots were received and counted.

SBE's vendor for producing and mailing ballot packets provided SBE with data from the United States Postal Service (USPS) that identified ballot packets that were in the USPS mailstream for longer than the normal first class delivery window and had not yet been delivered to the voter's local board. SBE provided this information to the USPS and requested that they find these ballots and deliver them to the appropriate local board. These voters may also have voted a provisional ballot because their local board had not received their ballot by election day.⁴⁴

Figure 9 shows the top eight reasons why provisional ballots were rejected in the 2022 General Election.

⁴³ The percentage of provisional ballots rejected because the voter already voted ranged from 3.4% in the 2018 General Election to 6.0% in the 2014 General Election. (The range does not include the percentage rejected for this reason in the 2020 General Election, as the 2020 General Election was an outlier with 37.5% of provisional ballots rejected for this reason.) The percentage of provisional ballots rejected for this reason in the 2022 General Election was 24.7%.

⁴⁴ These mail-in ballots were timely mailed and would be counted if the local board received them by 10 am on November 18. This effort was to ensure that the local board received them by that date and could count them.

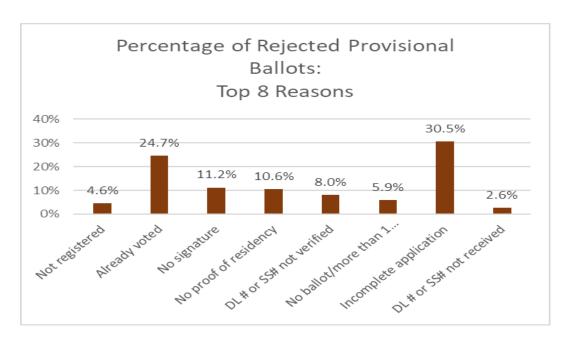


Figure 9: Top 8 Reasons for Rejected Provisional Ballots in the 2022 General Election

Over 13,400 voters on the permanent mail-in ballot list - or 21.4% of all provisional voters - voted a provisional ballot instead of the mail-in ballot sent to their requested address. Between the primary and general elections, SBE worked with the usability team at University of Baltimore to update the pre-election confirmation notice sent to each voter on the permanent mail-in ballot list. The goal of this effort was to improve voters' understanding of the permanent mail-in ballot list, how to update their information, or how to be removed from the list. Although SBE received positive feedback on the updated letter, thousands of voters on the permanent mail-in ballot list chose to vote in person after receiving the confirmation notice.

Considerations for Future Flections

Recruiting and training election judges will continue to be a focus for local boards, and SBE is committed to supporting these efforts. SBE will continue to build relationships with local and national organizations that help recruit poll workers. Given the popularity of the State's administrative leave incentive, State and local election officials will encourage local jurisdictions and municipalities to grant administrative leave to employees who serve as election judges. SBE will also continue efforts to develop a robust online training module to support the local boards' training of election judges.

Based on the number of permanent mail-in ballot voters who voted a provisional ballot, further analysis will be performed to learn more about these voters and how the pre-election confirmation notice can be revised to reduce the likelihood of these voters showing up to vote and

vote a provisional ballot. A similar analysis will be performed to determine how to reduce the number of voters who requested a mail-in ballot but decided to vote in person.

Implementing all of the functionality of the high-speed envelope sorting solution will eliminate the need for local boards with this equipment to manually scan each return envelope and reduce the amount of time between when a local board receives a ballot and when the voter can confirm that it has been received. This should reduce the number of voters who received and returned a mail-in ballot and go vote in person.

SBE and the local boards will continue to monitor the usage of ballot marking devices and determine whether to increase the number of devices sent to voting locations.

Vote by Mail

It appears that voting by mail continues to be the preferred way to vote for a significant percentage of voters - almost 27% of voters who voted in this election voted by mail. Thousands of voters who first voted by mail in the 2020 elections decided to continue voting this way in 2022 and, based on the number of voters who signed up for the permanent mail-in ballot list, for all future elections.

The Request Process

Voters who wish to vote by mail must submit a written or online request for a mail-in ballot. To facilitate this process and comply with Section 2 of Chapters <u>56</u> and <u>514</u> of the Laws of Maryland (2021) (introduced as <u>Senate Bill 683</u> and <u>House Bill 1048</u>), SBE contracted with a mailhouse to produce and mail to eligible voters the application to request a mail-in ballot and a postage paid return envelope to return the completed application. The vendor mailed over 3.8 million applications before the primary election and over 380,000 applications between the primary and general elections.⁴⁵ The local boards received and processed over 642,000 applications for mail-in ballots.

⁴⁵ The applications were mailed in three batches. The first batch of over 3.2 million applications was mailed from January 28, 2022, through February 1, 2022, to all voters registered with the Democratic and Republican Parties. The second batch was sent on June 9 and 10, 2022, to over 600,000 voters. Voters in the second batch were: (1) newly registered Democratic and Republican voters; (2) Democratic and Republican voters who provided a new address after the first mailing; and (3) unaffiliated voters and voters affiliated with other recognized parties with a contested school board contest. The third and final batch was sent after the primary election to over 380,000 registered voters who were not sent an application in the first two batches. Applications were not sent to voters who had already requested a mail-in ballot and the request had been processed by their local board.

Chapters 56 and 514 of the Laws of Maryland (2021) also established a "permanent mail-in voting list," allowing voters to submit one application and receive mail-in ballots for all future federal and state elections for which they are eligible. As of November 8, over 398,000 voters are on the permanent list. Over 72,000 voters joined this list between the primary and general elections. As part of the request process, these voters indicated how they would like election officials to communicate with them. Almost 50% requested email communications, almost 28% requested mail communications, and 22% requested text communications.⁴⁶

Preparing and Sending Ballot Packets

SBE used a mailhouse to produce, insert, and mail ballots for the 2022 General Election. Ballots packets to requesting military and overseas voters were mailed by the federal deadline⁴⁷, and on September 29, mailings to requesting domestic, civilian voters began. In the following days, over 458,000 ballot packets were mailed. Subsequent mailings to voters newly requesting ballots occurred through October 31, at which time the local boards began mailing packets. In total, the mailhouse produced and mailed over 536,00 ballot packets over a 37-day period.

The vendor, SBE, and the local boards worked closely with USPS representatives to deliver ballots to voters and later return the voted ballots to the local boards. The USPS was responsive in assisting State and local election officials finding and delivering delayed ballot packets.

SBE also delivered ballots electronically to requesting voters.⁴⁸ These voters - 14.8% of all voters who requested a mail-in ballot - received an email when their ballots were ready and accessed and printed their ballots from SBE's online ballot delivery system. 61% of voters who printed their ballots from this system printed a blank ballot and marked their ballots by hand, while the remaining voters used the system's online ballot marking tool to mark their ballots.⁴⁹ Since voted

⁴⁶ When implementing the "preferred method of communication" for permanent mail-in ballot voters, SBE decided to offer the same communication methods to all mail-in voters. The breakdown of preferred communication methods for mail-in voters not on the permanent mail-in ballot list is consistent with voters on the permanent mail-in ballot list - 54% requested email communications, 23% requested mail communications, and 23% requested text communications.

⁴⁷ The federal Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-1) requires that election officials transmit to requesting voters mail-in ballots no later than 45 days before an election. The 45th day before the November 8 election was September 24.

⁴⁸ Electronic delivery of blank ballots is required by both federal and State law. The federal Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-1) requires electronic delivery for military and overseas voters, and Election Law Article, § 9-306(b) allows any voter requesting a mail-in ballot to request electronic delivery of a blank ballot.

⁴⁹ The online ballot marking tool allows voters to make their selections on a computer and print a ballot with the voter's selections marked. This tool allows most voters with disabilities to vote independently and privately.

ballots cannot be returned electronically, voters who received their blank ballot electronically printed and returned their voted ballot by mail, at a ballot drop off box, or at a local board office.

Returning Voted Ballots

Over 84% - or 542,053 voters - who requested a mail-in ballot returned it. This is higher than the average rate of return for gubernatorial general elections since 2004 (81.36%). Of the 398,326 voters on the permanent mail-in voting list, 342,247 voters or almost 86% returned their ballots.

The number of voted ballots returned increased as the election neared. Table 2 shows the percentage of ballots processed⁵⁰ each week.

Week	Percent Processed	
On or before October 1	0.01%	
October 2 - October 8	0.99%	
October 9 - October 15	11.50%	
October 16 - October 22	17.62%	
October 23 - October 29	19.89%	
October 30 - November 5	20.02%	
November 6 - November 12	23.86%	
November 13 - November 18	5.36%	
On or after November 19 ⁵¹	0.75%	

Table 2: Percentage of Ballots Processed Each Week

Returning ballots was made easier for voters with 282 ballot drop box locations across the State. Chapters 56 and 514 of the Laws of Maryland (2021) (codified as Election Law Article, §2-304) required the local board to consider additional factors when determining the location of ballot drop boxes. The factors are:

⁵⁰ When a local board receives a voted ballot, the local board processes the returned ballot - that is, the local board scans the barcode on the outside of the envelope. The scanning process changes the status of the voter's ballot status from "sent" to "received" in the system used to manage the mail-in voting process. Ideally, the "received" date in the system is the same day that the local board took possession of the voted ballot, but in some cases, the processing of the return ballot occurs one or more days after the local board took possession of the voted ballot.

⁵¹ Timely received ballots were processed after November 19. Ballots received after 10 am on November 18 were not counted.

- 1. Accessibility to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups
- 2. Proximity to dense concentrations of voters
- 3. Accessibility by public transportation
- 4. Ensuring equitable distribution through the county and
- 5. Maximizing voter participation by using community centers and public gathering places

As described in the "Preparing for In Person Voting" section above, SBE contracted with a vendor to map the proposed ballot drop box locations and for each precinct, whether the precinct was above or below the county's average turnout and above or below the county's average minority population. SBE provided the local boards with the maps, and as required under Election Law Article, §10-301.1, the local boards submitted proposed ballot drop box locations to the State Administrator for approval. The approval process for the ballot drop box occurred before the 2022 Primary Election.

Except for three locations, the locations of ballot drop boxes were the same for both the 2022 Primary and General Elections. The three new locations - one in Dorchester County, one in Montgomery County, and one in Queen Anne's County - were reviewed and approved using the same process as the locations approved before the 2022 Primary Election.

Chapters 56 and 514 of the Laws of Maryland (2021) also required continuous monitoring using security cameras and periodic in-person visits by appropriate personnel. Procedures were updated to reflect these requirements, and when local election officials collected ballots daily, they inspected the ballot drop boxes for damage. All of the ballot drop boxes were under 24/7 surveillance, and some local boards arranged for increased patrolling and monitoring by local law enforcement. The local boards retrieved ballots at least once a day and followed detailed procedures when collecting and transporting voted ballots to the local board.⁵²

Ballot drop boxes were delivered over five business days, from September 26 through September 30. The boxes were available for use once they were installed through November 8 at 8 pm. Of the over 542,000 ballots returned for counting, over 274,000 of them were returned at a ballot drop box.

⁵² The procedures required that the person collecting the voted ballots be a sworn election official, have a criminal background check on file (unless the individual collecting the ballot was a member of the local board), and display a State or county ID. When retrieving ballots, the election official verified that the numbered seals on the box matched the seal numbers recorded on a chain of custody report and recorded the number of removed ballots. The receiving official verified the number of ballots received and stored the voted ballots in a secure location at the local board.

Table 3 shows the percentage of mail-in ballots returned at a ballot drop box by county. The number in parentheses is the number of ballot drop boxes available in that jurisdiction.

County	Percent	County	Percent
Allegany (2)	34.30%	Harford (6)	47.97%
Anne Arundel (32)	53.24%	Howard (10)	62.68%
Baltimore City (34)	44.80%	Kent (3)	43.03%
Baltimore County (35)	48.17%	Montgomery (55)	52.90%
Calvert (4)	53.30%	Prince George's (38)	56.41%
Caroline (3)	36.99%	Queen Anne's (3)	43.78%
Carroll (6)	44.12%	Saint Mary's (11)	51.08%
Cecil (10)	43.51%	Somerset (3)	35.14%
Charles (6)	27.17%	Talbot (2)	52.99%
Dorchester (2)	35.36%	Washington (6)	42.57%
Frederick (8)	50.17%	Wicomico (3)	45.42%
Garrett (2)	27.83%	Worcester (3)	25.50%
Statewic	de	50.40%	

Table 3: Percentage of Ballots Returned at a Ballot Drop Off Box

While voters used the ballot drop boxes at a lower rate than in the 2020 General Election (68.69%), the boxes were still popular with just over half of the voters statewide returning their mail-in ballots at a ballot drop box. Almost 60% of the ballots returned at a ballot drop box were returned between October 30 and November 8 at 8 pm.

Counting Ballots

More mail-in ballots were counted - over 539,000 ballots - in this election than in any other "traditional" election. This was an exponential increase when compared with the number of ballots counted in prior gubernatorial general elections and all general elections before the 2020 General Election. Before this election, the most mail-in ballots returned for counting in a gubernatorial general election was 159,044 ballots in the 2006 General Election and the most in

⁵³ Because of the COVID-19 pandemic, the 2020 elections are not considered "traditional elections." The 2020 Primary Election was a vote-by-mail election (*i.e.*, all voters were mailed a ballot) with no early voting and limited in-person, election day voting. The 2020 General Election offered in-person voting for early voting and election day at a reduced number of voting locations and mail-in ballots upon request.

any election between the 2004 General Election and the 2018 General Election was 210,072 in the 2008 General Election.

To assist with this process, five local boards implemented a high-speed envelope sorting solution. One local board - the Washington County Board of Elections - implemented the solution between the primary and general elections. The Anne Arundel Board of Elections used this solution to scan and receive mail-in ballots into the statewide voter registration database. The other four counties continued to use the solution to sort ballots by precinct and manually scan the barcodes on the return envelopes to load the "received" data into the statewide voter registration database. The next phase of implementation will integrate the scanner into the batching process to allow the local boards to use the machines to the full capability of scanning and receiving ballots.

State law does not currently permit the local boards to count ballots before election day. In response to the lengthy counting process in the 2022 Primary Election and the tight certification timeline and swearing in of local offices after this general election, the members of the State Board petitioned the Montgomery County Circuit Court to allow the local boards to count ballots before election day for the 2022 General Election.⁵⁴ On September 23, 2022, the court granted the State Board's petition. In response to this court decision, eleven local boards counted over 115,000 ballots before election day.⁵⁵

The table below provides county-level data about the number of ballots sent and the percentage of those ballots that were voted and returned to the local boards. It also shows the percentage of the received ballots that were accepted and rejected.⁵⁶

⁵⁴ Results from pre-election day counting will be embargoed until the polls close on election day.

⁵⁵ The local boards that counted ballots before election day were Baltimore City and Allegany, Baltimore, Calvert, Frederick, Howard, Montgomery, Prince George's, St. Mary's, Talbot, and Washington Counties.

⁵⁶ This information for prior elections is available in SBE's <u>online Press Room</u>.

County	Ballots Sent	Percentage of Ballots Received	Percentage of Ballots Accepted	Percentage of Ballots Rejected
Allegany	4,558	85.32%	99.61%	0.39%
Anne Arundel	69,887	85.92%	99.58%	0.42%
Baltimore City	57,218	82.05%	99.30%	0.70%
Baltimore County	92,046	86.36%	99.61%	0.39%
Calvert	10,384	86.71%	99.81%	0.19%
Caroline	1,686	84.40%	99.58%	0.42%
Carroll	16,901	86.21%	99.67%	0.33%
Cecil	7,005	82.28%	99.55%	0.45%
Charles	14,217	83.53%	99.73%	0.27%
Dorchester	2,556	87.32%	99.55%	0.45%
Frederick	29,295	85.83%	99.62%	0.38%
Garrett	1,943	88.63%	99.54%	0.46%
Harford	22,208	85.34%	99.55%	0.45%
Howard	40,000	85.30%	99.53%	0.47%
Kent	2,055	87.79%	99.83%	0.17%
Montgomery	142,032	83.48%	99.41%	0.59%
Prince George's	81,906	84.23%	99.57%	0.43%
Queen Anne's	4,388	86.49%	99.66%	0.34%
St. Mary's	8,721	84.16%	99.66%	0.34%
Somerset	1,309	84.80%	99.46%	0.54%
Talbot	4,716	89.67%	99.74%	0.26%
Washington	11,654	86.25%	99.69%	0.31%
Wicomico	7,034	86.22%	99.72%	0.28%
Worcester	5,643	87.05%	99.57%	0.43%
Statewide	639,362	84.78%	99.54%	0.46%

Table 4: Ballots Sent, Received, Accepted, and Rejected

As shown in Table 4, the vast majority of ballots returned by mail - 99.54% - were counted. The overall acceptance rate for this election was the second highest percentage since 2006, when SBE began reporting this type of data, and higher than the 2022 Primary Election (99.00%). Only the 2020 General Election had a higher acceptance rate (99.76%). The average acceptance rate since the 2012 Primary Election is 98.26%.

Under State law and regulations, there are fourteen reasons why ballots cannot be accepted and counted, but the two most common reasons are the ballot is late for the election⁵⁷ and the voter did not sign the oath on the return envelope. Figure 10 below shows the percentage of ballots rejected for these two rejection reasons over time.

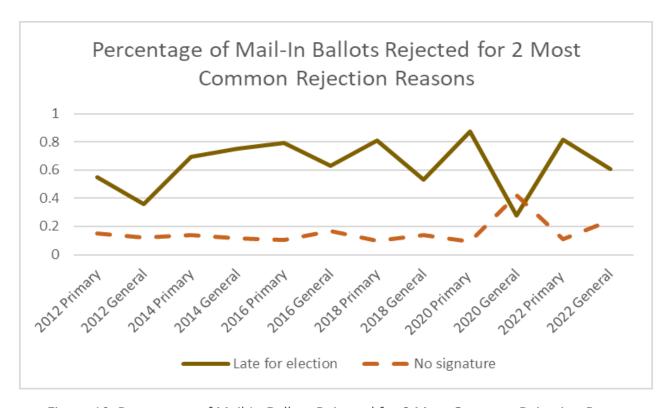


Figure 10: Percentage of Mail-In Ballots Rejected for 2 Most Common Rejection Reasons

While the percentage of ballots rejected because they were late varies significantly by election, the percentage of ballots rejected for being late in this election - 60.79% of rejected ballots - is consistent with the percentage of rejected, untimely ballots since the 2014 Primary Election.⁵⁸ The average percentage of ballots rejected for being late between the 2012 General Election and 2022 General Election is 52.57%.

In 2021, SBE adopted regulations requiring the local boards to contact voters who submitted a ballot that did not include a signature on the return envelope. This process meant that 419 voters were able to provide a signed oath and their ballots were accepted and counted. Of the over 542,000 ballots returned for counting, only 615 - 0.11% of all ballots returned for counting - were rejected for not having a signed oath.

⁵⁸ The percentage ranges from 36% in the 2016 General Election to 87% in the 2020 Primary Election.

⁵⁷ A ballot is late for an election if the ballot is: (1) postmarked after election day; or (2) received after 10 am on the second Friday after the election. *See* Regulation 33.11.03.08 of the Code of Maryland Regulations.

Considerations for Future Flections

For future elections, State and local election officials will:

- 1. Continue mailing ballots at least 30 days before the election. This provides sufficient time for the USPS to deliver ballots and for voters to review their ballots, vote their ballots, and timely return their voted ballots. This window also provides time to send replacement ballots if the voter did not receive or made a mistake when marking the initial ballot.
- 2. Expand the ways voters can track their ballots. Via a portal provided by the vendor producing and mailing ballot packets, SBE provided voters access to USPS data to track the ballot packet to their address and the voted ballot to the local board. SBE hopes to expand the use of this portal in the 2024 elections by including information about this service in the ballot packet materials.
- 3. Continue using an envelope design that prevents a voter's signature from being visible while the voted ballot is in transit to the local board.
- 4. Continue working with usability experts to optimize readability and usability of instructions, forms and communications with voters.
- 5. Continue including in the voter education campaign information on how and when to return voted ballots and the importance of voters signing the oath on the return envelope.
- 6. Continue reviewing the usage and location of ballot drop boxes to guide the number and placement of ballot drop boxes.
- 7. Implement the full functionality of the high-speed envelope sorting solution and if additional local boards wish to implement the solution, procure additional equipment.
- 8. Continue working with the USPS to locate ballots that have been in the USPS mail stream longer than the normal first class delivery window and have not yet been delivered.
- 9. Expand ways for voters who return a voted ballot without signing the oath to provide their signed oath.
- 10. Review the pre-election confirmation notice sent to voters on the permanent mail-in ballot list and identify ways to reduce the number of these voters who appear to vote in person.

The ability to count ballots before election day will **not** continue beyond the 2022 General Election unless there is a change to Election Law Article, §11-302(b).

Election Results and Audits

Election Results

Reporting unofficial election night results is a collaborative effort between State and local election officials. When election judges return critical election supplies after voting is over, local election officials load into a secure database the memory devices from the scanners that tabulate ballots at voting locations. Once the results are transferred from the memory devices into the database, SBE has a secure method for transferring the unofficial results to a State server for posting to the website. The website updates every time new results files are received.⁵⁹

Precinct-level results were provided for ballots cast during early voting, mail-in ballots, and provisional ballots. While the results were not immediately available⁶⁰, the results were posted on SBE's website on December 7, 2022.

Recounts

Under State law, a recount is a process to resolve a challenge to the final vote count reported for an election. In a recount, a defeated candidate asks a local board to retabulate some or all of the ballots in the contest with the defeated candidate's name. A candidate who has been defeated in an election may request a recount as long as the margin of difference between the apparent winner and the defeated candidate is less than 5%.⁶¹

The candidate requesting the recount generally pays for the recount unless:

- 1. The outcome of the election is changed after the recount is completed;
- 2. The candidate requesting the recount gained votes equal to 2% or more of the total votes cast for the contest; or
- 3. The margin of difference between the two candidates with the most votes is 0.25% or less

⁵⁹ Election results are not typically released until all voters in line at 8 pm are inside a voting room. This is to ensure that unofficial election results do not influence voters' decisions to vote or for whom they wish to vote

⁶⁰ Precinct-level results cannot be provided publicly until the vendor performing the automated ballot tabulation audit has completed its tabulation of the ballot images. *See* pages 38 - 42 of this report for more information about this audit.

⁶¹ See Election Law Article, §12-101(1)(2) (<u>Chapter 264</u> of the Laws of Maryland (2022) and introduced as <u>House Bill 291</u>). There is no "automatic" recount under State law.

of the votes cast for those two candidates.⁶²

Although there were close contests in this election, there were no recounts.

Post-Election Audits

There are three types of post-election audits performed after each general election - (1) a comprehensive audit of critical election processes and equipment; (2) an independent and automated ballot tabulation audit; and (3) a manual tabulation audit that both verify that the voting system counted the ballots properly.

Comprehensive Audit

The goal of the comprehensive audit is to verify that an election is fair and accessible for all voters and the integrity of the election process can be established and is accomplished by ensuring that the local boards are adequately performing tasks as required by State law and regulations.

After each election, SBE conducts the comprehensive audit and sends to each local board an audit report. Findings from inquiries will determine the local boards' compliance with election laws and regulations prior to and following elections. The audits are conducted by reviewing data and information in State databases or documents submitted by the local boards. In addition, SBE may inspect records, observe office operations, observe voting equipment testing, and attend and evaluate election judges' training.

The comprehensive audit has three main topics – voting system, polling place operations, and canvassing and post-election audits and reconciliation – with areas of inquiry for each topic. A description and current status of several critical audits are below.

1. Compare the number of ballots received by a local board against the number of ballots presented for counting.

This audit is performed by comparing the number of ballots received by a local board against the number of ballots the local board counted during the canvassing process. The "received" data is exported from the database used to manage the mail-in ballot process, and the number of ballots presented for canvassing is obtained from the local boards' canvassing minutes.

This audit cannot be completed until the canvassing minutes are approved by the local boards and submitted to SBE for comparison against the number of ballots received. At

⁶² Information on how to calculate the margin of difference and about recounts in general is available here.

the time of this report, SBE is reviewing the canvassing minutes provided by the local boards and comparing them against the number of ballots received.

2. Compare the number of ballots presented each day for counting against the number of ballots that were accepted and rejected that day

When ballots are presented to the local board, the local board follows the requirements of State law and regulations when deciding to either accept or reject ballots. The number of accepted ballots and rejected ballots, as well as the reasons for rejections, are recorded in both the canvassing minutes and the database used to manage the mail-in ballot process. As part of the comprehensive audit, the number of ballots presented for counting as recorded in the minutes is compared against the number of ballots accepted and rejected in the database.

This audit cannot be completed until canvassing minutes are approved by the local boards and submitted to SBE for comparison against the data in the database. At the time of this report, SBE is reviewing the canvassing minutes provided by the local boards and comparing them against the data in the database.

3. Compare the number of ballots and election results by scanner against the number of ballots and results in the attributable to that scanner in the voting system's central database

Called the vote system verification audit, this audit demonstrates that results in the voting system's central database and results printed by the scanners are the same. After each election, the local boards verify the voting system's vote-counting capabilities by auditing the aggregated number of ballots scanned and results from all scanners used on election day and a randomly selected day of the canvass against the results for the same scanners as reported by the voting system's central database. Any discrepancies between the scanners and the central database must be investigated.

For the 2022 General Election, no discrepancies between the voting system and the results printed by the scanners have been identified.

Automated Ballot Tabulation Audit

Following the 2022 General Election, SBE conducted automated ballot tabulation audits in each jurisdiction to verify the accuracy of the voting system's results.⁶³ A post-election tabulation audit is not a canvass or a recount; it is used to verify that the voting system accurately tallied votes and

⁶³ This audit is required by Election Law Article, §11-309 after each statewide primary and general election.

that the winners of each contest were called correctly. For this election, SBE contracted with The Clear Ballot Group, a Boston-based elections technology company, to conduct the automated ballot tabulation audit.

The automated ballot tabulation audit is conducted using ballot images. Using ballot images allows election officials to maximize the technological functions of the voting system while minimizing human error and eliminating chain of custody issues associated by using securely stored ballot images, rather than voted paper ballots. The use of ballot images removes the need for election officials to physically handle or count voted ballots unless a petition for a recount or other judicial challenge is filed.

To conduct this audit, the local boards transmit all of the ballot images to Clear Ballot, and Clear Ballot retabulates them. Clear Ballot then compares their results against the results generated by the voting system and identifies any differences. SBE previously established that an unexplained discrepancy greater than 0.5% between the two sets of results for any given contest would trigger additional auditing before the local board could certify the election.⁶⁴

With this audit, State and local election officials and other interested individuals can sort contests, ballot, and precinct reports, review images of contests and ballots, and provide detailed information about how each ballot image was adjudicated.

Audit Process

The local boards first sent Clear Ballot the images of all ballots cast and counted at early voting centers and election day polling places and all mail-in ballots counted by 12 noon on November 11. This was Phase 1. When Clear Ballot received the ballot images, Clear Ballot:

- Transferred the ballot images into an audit database for that jurisdiction;
- Tabulated the ballot images from Phase 1;
- Resolved unreadable ballots:
- Performed an audit database review; and
- Sent to the State Board a Preliminary Statement of Votes Cast.

Once the Preliminary Statement of Votes Cast was received, SBE provided Clear Ballot with election results from all early voting ballots and all ballots cast and counted at election day polling places. The delay in sending the Phase 1 results is intentional. It creates a "blind" audit, which means that Clear Ballot provides its results without knowing the results from the voting system. Clear Ballot uses the results from Phase 1 to create various reports comparing the two sets of results.

 $^{^{\}rm 64}$ See Regulation 33.08.05.08C of the Code of Maryland Regulations.

After the remaining mail-in ballots and provisional ballots were counted, the local boards sent Clear Ballot images of all ballots. This is Phase 2 of the audit. Clear Ballot tabulated these ballot images, resolved unreadable ballots, and generated a Comparison of Votes Cast for all ballots cast in the election.

Reports Produced by Clear Ballot

Clear Ballot produces for each county four audit reports.

- Comparison of Cards Cast for by Counter Group: This report compares the number of ballots counted on election day, mail-in ballots, and provisional ballots against the number of ballots tabulated by Clear Ballot. This ensures that the same number of ballots was tabulated by both systems.
- Comparison of Ballots Cast by Precinct: This report compares the number of ballots cast in each precinct against the number of ballots tabulated during the audit. This is another way to ensure that the same number of ballots are tabulated by both systems.
- Comparison of Votes Cast: This report compares for each contest the results from the voting system against the audit results and identifies possible discrepancies by candidate.
- Contest Vote Discrepancy Threshold Report: This report shows by contest the number of vote differences between the two systems and the vote difference as a percentage.

Results of Independent & Automated Ballot Tabulation Audit

The completed audits show there are no variances greater than 0.5% between the voting system results and the audit results.⁶⁵

Manual Ballot Tabulation Audit

Section 11-309 of the Election Law Article requires a manual audit of voted ballots after each general election. The manual audit must be completed within 120 days of the election. For this election, the manual audits must be completed by March 8, 2023.

For this election, the randomly selected contest to be audited is Governor and Lieutenant Governor. The audit includes ballots from election day, early voting, mail-in voting, and provisional voting. The local boards will manually count votes for Governor and Lieutenant Governor on the ballots selected for the manual audit.

Ballots Cast During Early Voting

The number of ballots to audit is based on 1% of the statewide total of early voting from the 2018 General Election, including at least a minimum number of early votes in each county. While the

⁶⁵ Results from this audit are available at <u>elections.maryland.gov/voting system/ballot audit plan automated.html</u>

members of the State Board randomly select the early voting centers to audit, the Chairman and Vice-Chairman delegated this duty to staff. On October 24, staff randomly selected an early voting center for each county with more than one early voting center. The number of ballots audited will be the number of ballots scanned on one or two scanners with the minimum number of ballots to be audited in the selected early voting center at the end of Day 1 of early voting.

Ballots Cast During Election Day

The statute requires that ballots from at least 2% of all election day precincts statewide be audited, with a minimum number of at least one precinct per local jurisdiction. While the members of the State Board randomly select the election day precincts to be audits, the Chairman and Vice-Chairman again delegated this duty to staff. On November 16, staff met to randomly select the election day precincts in each county to audit. All ballots cast on election day in the selected precincts will be manually audited.

Mail-in Ballots

The number of mail-in ballots to audit is based on 1% of the mail-in ballots cast in the 2018 General Election. Each local board randomly selected the ballots to be audited from different precincts. On the first day of each local board's mail-in ballot canvass, the local boards scanned the ballots selected for the audit and printed the results. The results and selected ballots are then securely stored until the local board prepares for the audit.

Provisional Ballots

The number of provisional ballots to audit is based on 1% of the provisional ballots cast in the 2018 General Election. The local boards randomly selected the provisional ballots to be audited. The selected provisional ballot applications must be from at least three precincts, have a staff recommendation of "accept in full," and not be a provisional ballot application generated by the same day registration or address change process.

During each local board's provisional canvass, the ballots selected for the audit were scanned and results were printed. The results and selected ballots are then securely stored until the local board prepares for the audit.

Performing the Audit

The local boards must complete the manual audit within 120 days of the election and provide ten-day notice to the State Administrator, the chairs of the local political parties, and the public of the date on which the audit will be conducted.

Report

Within 14 days of the completion of the manual audits, SBE will publish a report of its findings. This report will be posted on the <u>Ballot Audit Plan page</u> of SBE's website.

Looking to the 2024 and Future Elections

Throughout this report, there are considerations for future elections. Some of these considerations can be undertaken by State and local election officials, while a few require action by the Maryland General Assembly. As election officials are preparing for the upcoming and future elections, these considerations will be incorporated into the planning and decision-making process.

Appendices

Appendix 1: Turnout Information

Official Turnout (By Party and County)

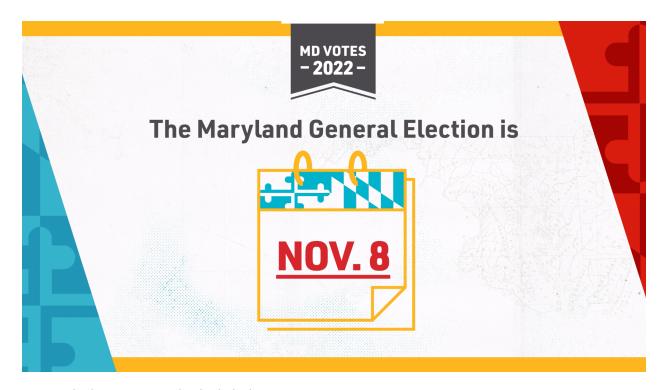
Election: 2022 Gubernatorial General Election

Election Date: November 8, 2022 As of: December 8, 2022

Statewide

LBE	Election Day	Early Voting	Vote By Mail	Provisional	Eligible Voters	TURNOUT
Allegany	15,288	2,305	3,889	535	43,616	50.48%
Anne Arundel	113,571	38,793	60,037	5,914	406,492	53.71%
Baltimore City	69,366	22,341	46,946	8,597	395,134	37.27%
Baltimore County	135,214	55,691	79,494	7,282	563,463	49.28%
Calvert	19,483	8,828	9,003	677	67,981	55.88%
Caroline	7,285	2,045	1,423	128	21,585	50.41%
Carroll	42,989	14,186	14,571	1,135	127,605	57.11%
Cecil	20,747	6,237	5,764	637	70,327	47.47%
Charles	29,898	11,872	11,875	1,441	121,087	45.49%
Dorchester	7,226	2,045	2,232	164	22,674	51.46%
Frederick	64,066	15,940	25,142	2,588	195,785	55.03%
Garrett	7,213	2,387	1,722	158	20,396	56.29%
Harford	61,202	22,478	18,947	1,786	189,160	55.20%
Howard	68,097	26,463	34,121	3,057	229,524	57.40%
Kent	4,703	1,927	1,804	170	13,869	62.04%
Montgomery	158,641	55,717	118,530	13,879	673,373	51.50%
Prince George's	111,256	52,018	68,990	10,735	598,407	40.61%
Queen Anne's	12,613	6,266	3,795	437	39,194	58.97%
Saint Mary's	20,875	9,049	7,339	796	75,342	50.51%
Somerset	4,308	1,396	1,110	145	14,112	49.31%
Talbot	8,159	5,243	4,229	241	28,500	62.71%
Washington	31,156	7,362	10,052	915	99,137	49.92%
Wicomico	18,096	6,123	6,063	709	65,277	47.48%
Worcester	14,701	4,162	4,912	492	42,116	57.62%
TOTAL	1,046,153	380,874	541,990	62,618	4,124,156	49.26%

Appendix 2: Voter Education Campaign - Sample Graphics



To watch the 30-second ad, click the image.



Your ways to vote are:

1. VOTE BY MAIL

Ballots must be postmarked by 8 p.m. on November 8



2. VOTE BY DROPBOX

Return your ballot to a dropbox by 8 p.m. on November 8



3. VOTE ON ELECTION DAY

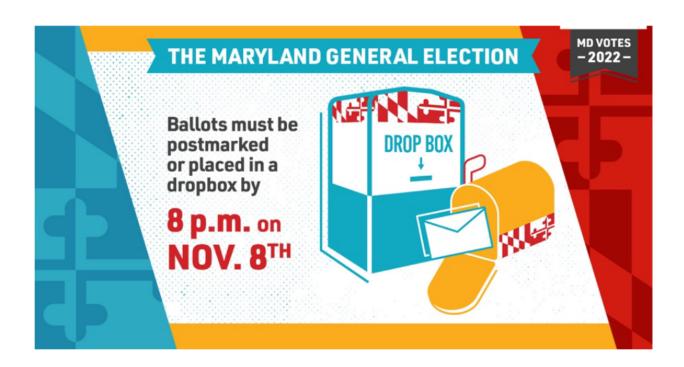
Go to your assigned polling place between **7 a.m. and 8 p.m.** on



For information about voting and dropbox locations, and more, visit vote.md.gov/2022.











Election Day



Registration Deadline Opt1





Vote Early Dates



Mailbox



Dropbox and Mailbox



Dropbox



Vote Securely



Registered to Vote