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Nahid Khozeimeh
Vice President
Mary Ann Keffe
Secretary
Alexander C. Vincent
Member
David Naimon
Member
Jacqueline Phillips
Substitute Member
Alan Banov
Substitute Member



Montgomery County
Board of Elections
Post Office Box 4333
Rockville, Maryland 20849-4333

Margaret A. Jurgensen
Election Director
Alysoun McLaughlin
Deputy Election Director
Janet A. Ross
Information Technology Manager
Jessica White
Voter Services Manager
Christine Rzeszut
Operations Manager
Kevin Karpinski
Counsel

April 16, 2018

Via email djm@bbsclaw.com only
David J. McManus, Jr., Chairman
Michael R. Cogan
Kelley A. Howells
Malcolm L. Funn
Patrick J. Hogan
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, Maryland 21401

via email linda.lamone@maryland.gov only
Linda H. Lamone, Administrator
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, Maryland 21401

RE: Request for the SBE to hold an emergency telephone conference to consider MCBOE's request to relocate precinct 04-30 from Richard Montgomery High School to B'nai Israel, 6301 Montrose Road, Rockville, Maryland 20852

Dear Chairman McManus, Vice Chairman Hogan, Board Members Cogan, Howells and Funn and State Administrator Lamone:

The Montgomery County Board of Elections ("MCBOE") unanimously requests that the State Board of Elections ("SBE") hold an emergency telephone conference to consider MCBOE's request to move precinct 04-30 from Richard Montgomery High School to B'nai Israel Congregation, 6301 Montrose Road, Rockville, Maryland 20852. At our meeting today, we heard from a number of elected officials who expressed concern about requiring voters in precinct 04-30 to vote at Richard Montgomery High School.

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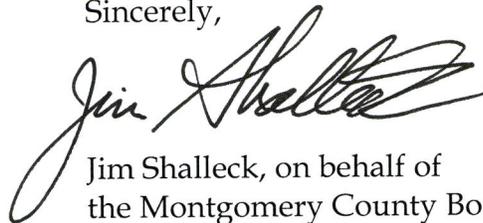
SBE Board Members
Linda H. Lamone, Administrator
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Historically, voters within that precinct voted at Saint Elizabeth Catholic Church, 917 Montrose Road, Rockville, Maryland 20852. However, Saint Elizabeth is unable to accommodate hosting during the Primary Election due to another commitment. Until recently, B'nai Israel had declined to serve as a polling place for the Primary and General Elections. However, B'nai Israel has now indicated it is willing to serve as a polling place for our voters in precinct 04-30.

There can be no question that B'nai Israel is a much more desirable location for our voters in precinct 04-30. It is in very close proximity to Saint Elizabeth and is adjacent to the precinct. In contrast, Richard Montgomery High School is almost three (3) miles away and outside of the precinct. Our Board strongly feels that the distance required to vote at Richard Montgomery High School will adversely impact voter turnout. A significant number of our voters in precinct 04-30 have in the past been able to walk to their polling place. See, Md. Code Ann., Election Law Art. 10-101(a)(ii) - requiring that (each polling place "be located as conveniently as practicable for the majority of the registered voters assigned to that polling place.")

We are therefore respectfully requesting that the SBE hold an emergency telephone conference, consistent with the forty-eight (48) hour notice required under State law, to consider and approve MCBOE's request to move precinct 04-30 from Richard Montgomery High School to B'nai Israel. Thank you for your prompt attention to this important issue. We would respectfully request the opportunity to participate by telephone in SBE's meeting on this issue.

Sincerely,



Jim Shalleck, on behalf of
the Montgomery County Board of Elections

JS:bjap

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March 29, 2018

TO: Montgomery County Board of Elections Board Members:
Jim Shalleck, Nahid Khozeimeh, Mary Ann Keefe, Alexander Vincent,
David Naimon, Jacqueline Phillips, and Alan Banov

FROM: Margaret Jurgensen, Director
Board of Elections 

SUBJECT: Polling Place 04-30

You asked for more information about staff discussions with B'nai Israel Congregation as a polling place for Precinct 04-30. As Operations Manager Christine Rzeszut reported at the January 22nd Board meeting, B'nai Israel Congregation was approached and declined.

The intended timeframe for polling place selection was between last May thru November. The Board reviewed potential polling place changes in May of 2017 and in November, adopted what was intended to be the final list of polling places that would be used for the 2018 election cycle.

Subsequently, St. Elizabeth declined to sign the lease agreement with the Board due to conflicts with their Summer program, and notified Chris Rzeszut on November 29, 2017 of their decision. Chris immediately reached out to the two other religious institutions located in that precinct with an intention of making the last-minute change at the January meeting. While there is a statutory requirement for local boards of elections to finalize polling places by March 27, the technological requirements of preparing for an election require this office to finalize polling places much earlier and all changes were requested by State Board staff prior to January 26, 2018.

In December and January, Ms. Rzeszut and a representative for the B'nai Israel Congregation had multiple communications about the needs of the Board of Elections and the requirements of the facility. Our contact for those discussions was Laurie Pfeifer, Assistant to the Executive Director. Chris surveyed the outside of the facility and took pictures to confirm ADA, parking, access from the main road and electioneering. One interior room was surveyed and became unavailable and then an alternate room was

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discussed. Calls went back and forth between the representative and Ms. Rzeszut. Ultimately, the representative called Chris, in January before the Board meeting and advised that the congregation did not wish to host an election for the 2018 election cycle.

The Board met in January and declined to select a polling place for Precinct 04-30 and sent the staff out to find a new location in the precinct and report back in February 26, 2018. The Board did not contact the B'nai Israel Congregation again because they had already declined. The Board then took the action at the February meeting by voting to select the Richard Montgomery High School cafeteria as a polling place.

The email from Sen. Kagan on March 23, 2018, forwards an e-mail sent to her on March 12, 2018, stating that "depending on the details, B'nai Israel could potentially be a 2018 polling place." It is not clear from the email what additional details are of interest aside from those answered in our correspondence with the facility in December and January. If these questions or interest had been brought to my attention prior to the March 19th Board Meeting, the issue could have been brought back before the Board. To my knowledge, the issue of Precinct 04-30 had been settled at the February 26 Board meeting and I had no information that outreach to B'nai Israel had been reinitiated.

Even if the Board had voted to relocate the polling place at the March 19th meeting, it would have significantly affected our preparations for the 2018 election. As is noted above, the statutory requirement to finalize polling places by March 27 is not the only requirement that must be met. Technologically, the State Board directs Local Boards of Elections to enter all the polling place information into the MDVOTERS system to prepare many aspects of the election including the ballot. The day before I received the e-mail from Sen. Kagan, staff had finished proofing the necessary data for all polling places and precincts' jurisdictional make-up.

Please let me know if you have any further questions.

Cc: Senator Cheryl Kagan
Cc: Board Attorney, Kevin Karpinski

Montgomery County Democratic Party

Montgomery County Democratic Central Committee

Linda H. Lamone, Administrator
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, Maryland 21401

Dear Chairman McManus, Vice Chairman Hogan, Board Members Cogan, Howells, and Funn, and State Administrator Lamone:

I am writing on behalf of the Montgomery County Democratic Party to support the request of Montgomery County BOE Chair Jim Shalleck to move the voting location for precinct 04-30 from Richard Montgomery High School to B'nai Israel.

We fully agree with the County Board's rationale stated in their letter of April 16. We applaud them for working to find a better solution for voters in precinct 04-30. We respectfully ask that you approve their request.

Sincerely,



Dave Kunes
Chair
Montgomery County Democratic Party

Cc: Montgomery County Board of Elections, Montgomery County Democratic Central Committee

CHERYL C. KAGAN
Legislative District 17
Montgomery County

Education, Health, and
Environmental Affairs Committee

Joint Audit Committee

Joint Committee on Federal Relations

Senate Chair, Joint Committee on the
Management of Public Funds



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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

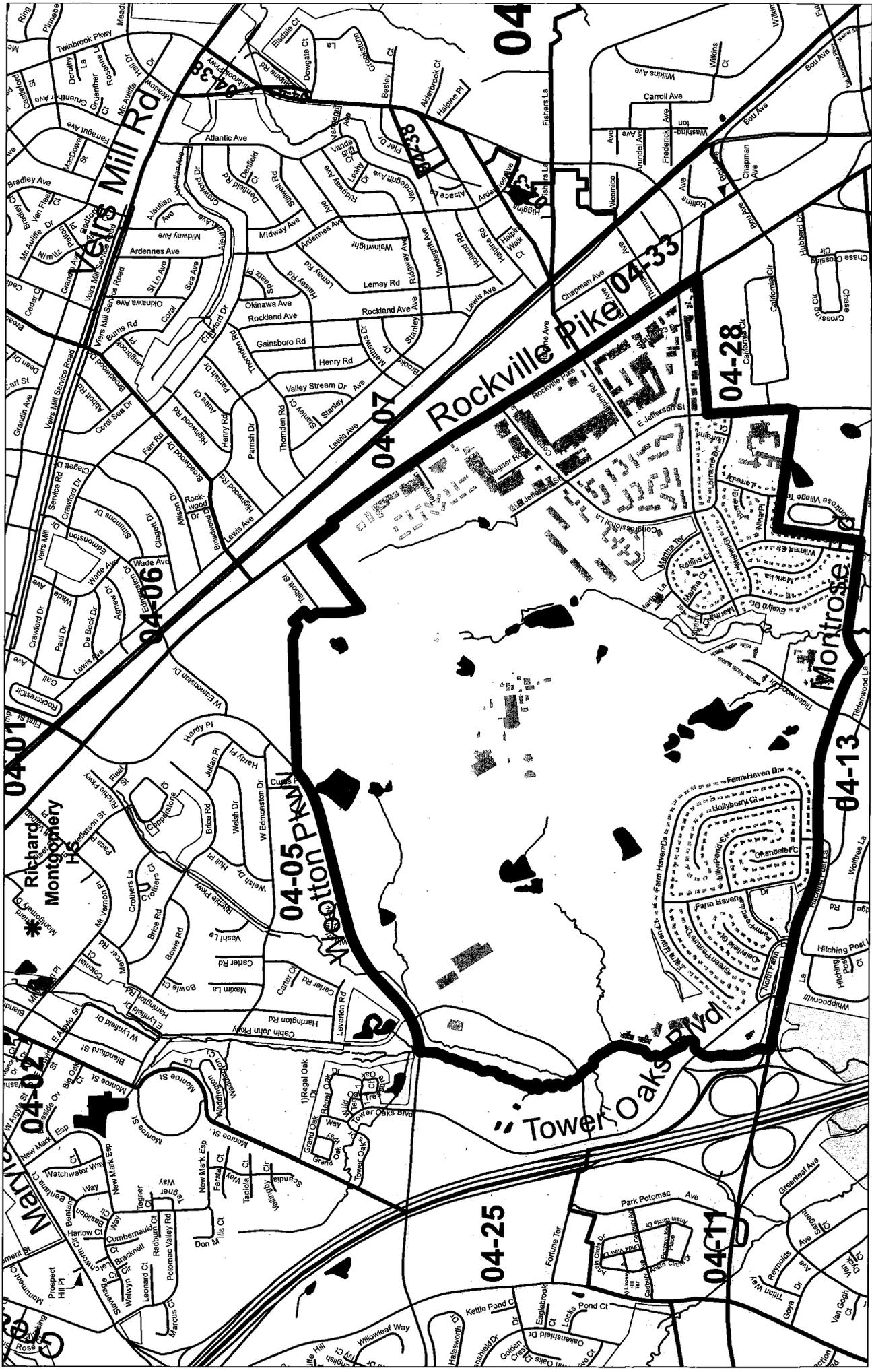
A Better Polling Place for Precinct 4-30

Precinct 4-30 has traditionally voted at Saint Elizabeth's School. Because a summer camp is being hosted there, Richard Montgomery High School was tentatively proposed as the new polling place. Richard Montgomery High School is 2.8 miles from the old one. At my request, B'nai Israel, which is only .5 miles from the old site, offered to serve as the polling place for the precinct.

- There are a number of senior citizen communities in the precinct, including Bethany House, Congressional Towers, Rollins Parks, and others. **While 21.4% of District 17 voters are seniors, 31.9% of Precinct 4-30 voters are over 65.**
- Forcing voters to go to Richard Montgomery is likely to depress voter turnout. One of my elder constituents sent me an unsolicited email that said, in part:

"Driving on Rockville Pike in the morning, lunchtime, or the evening is difficult at best. The busses that transport senior citizens to the polls will take much longer and hence probably result in fewer trips."

- Last week, the Montgomery County Board of Elections **unanimously** approved choosing B'nai Israel as the preferred new polling place.
- The new polling place must be finalized on an emergency basis. When new spaces were initially investigated, B'nai Israel had not yet offered its space. Now that it has, we don't need to require voters to make this difficult trip to exercise their most fundamental Constitutional right.



Election District - Precinct 04-30



B'nai Israel

