

STATE BOARD OF ELECTIONS
P.O. BOX 6486, ANNAPOLIS, MD 21401-0486 PHONE (410) 269-2840

William G. Voelp, Chairman
Malcolm L. Funn, Vice Chairman
Severn E. S. Miller
Justin Williams
T. Sky Woodward



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Emergency State Board of Elections' Meeting
151 West Street, Suite 200, Annapolis, MD 21401
June 23, 2022 – 2:00 pm
By Video Conference Call

1. Declaration of Quorum Present
2. Additions to the Agenda
3. Approval of Proposed & Emergency Changes to Regulations - COMAR
 - a. 33.07.04 – Election Day Activities
 - b. 33.11.03 & .05 – Absentee Ballots
 - c. 33.16.06 – Provisional Voting
4. Approval of Emergency Polling Place changes for:
 - a. Baltimore City
 - b. Prince George's County
 - c. St. Mary's County
5. Closed Session - Litigation
6. Adjournment

Closed Meeting: Part of the meeting may be closed in accordance with Open Meetings Act procedures.

Public Participation: Members of the public may address the Board. Pursuant to §3.2B of the Board's bylaws, public participation at a meeting must be pre-scheduled and pre-approved by the Chairman. To request approval to speak at a board meeting, contact Donna Duncan at 410-269-2851 or by email donna.duncan@maryland.gov no later than 5 pm the day before the meeting.

Live Streaming: A link to watch the meeting will be available on SBE's website shortly before the meeting starts.

**Title 33 State Board of Elections
Subtitle 07 Election Day Activities
Chapter 04 Order and Decorum**

Authority: Election Law Article, §§2-102(b)(4) and 2-202(b), Annotated Code of Maryland

.02 Cell Phones, Pagers, Cameras, etc.

A. (text unchanged)

B. Exceptions. This regulation does not apply to:

(1) **[Camera]** *Cameras* used by media representatives as long as the media representatives are recording polling place operations and not a screen or **[a]** ballot; **[or]**

(2) Cellular telephones, pagers, or computer equipment used by election officials or law enforcement officers, when acting in their official capacities; *or* **[.]**

(3) Cellular telephones or other electronic devices used by a voter to provide lawful proof of residency or identification as required by this title.

Explanation: Maryland Department of Transportation Motor Vehicle Administration began using a Digital Wallet to allow residents to present the digital or mobile form of their driver's license or state ID to verify identity, eligibility, and/or driving privileges with merchants, government entities, law enforcement, and other requesters in lieu of presenting your physical state-issued credential pursuant to Maryland law. This change to the regulation allows for voters to use this method as identification or proof of residency, when required, in the voting locations. It also allows voters to use electronic documents to provide proof of residency.

Armstead B. Crawley Jones, Sr.
Election Director
Abigail Goldman
Election Deputy Director
Bruce M. Luchansky
President (R)
Joyce J. Smith
Vice President (D)



BALTIMORE CITY
BOARD OF ELECTIONS

Arlene B. Fisher
Secretary (D)
Tamara M. Purnell
Member (R)
Evette Matthews
Member (R)

June 15, 2022

Linda Lamone, Administrator
State Board of Elections
P.O. Box 6486
Annapolis, Maryland 21401-0486

Dear Ms. Lamone:

The Baltimore City Board of Elections has two emergency polling place changes due to building being vandalized.

20007 and 20008

Old: Sarah Roach #73
New: Hilton Recreation Center

3434 Old Frederick Road
290 Phelps Avenue

The distance between the two are 0.06 miles

15018 and 16005

Old: Lillian Jones Recreation Center
New: Harlem Recreation Center

1310 N Stricker Street
700 N Calhoun Street

The distance between the two are 0.05 miles

All voters will get updated voters' cards and will be posted on social media and website. Signs on the site will go up a week before at the old sites.

Thank you in advance for your attention in this matter.

Sincerely,

Armstead B. C. Jones
Election Director



The Honorable Lawrence Hogan
100 State Circle
Annapolis, Maryland 21401-1925

June 14, 2022

Dear Governor Hogan,

We are writing to you to provide information that you may not have had when you chose to veto HB 862/SB 163. The League of Women Voters of Maryland agrees that signature verification for mail-in ballots could provide an extra layer of security and confidence in our elections. However, due to the many safeguards that are currently in place to mitigate fraud as well as detect attempts at fraudulent voting, we did not support including signature verification as an amendment to the bill that the legislature passed and you vetoed.

We did, however, submit this [testimony](#) for information only. Essentially, we suggested establishing a workgroup to study the considerable costs, training, equipment procurement and voter education required to properly implement signature verification. There simply was not time to put a signature verification system that follows best practices in place for the 2022 elections. When not done correctly, signature verification can disenfranchise voters and cause great concern about whether an election is an accurate reflection of the vote.

What troubles us most about the veto, is that without HB 862/SB 163, state law prohibits the counting of mail-in ballots until two days after election day. As a result of state law passed in 2021, all registered voters were sent applications for mail in ballots and the opportunity to request being on a permanent mail in ballot list. As of June 13th, [407,219](#) mail-in ballots have already been requested. Despite the fact that the primary election is more than a month away, this number of mail-in ballot requests is more than triple the number of ballot requests in 2018 - the last time that Boards of Elections were required to wait until after the election to begin processing ballots. Soon an additional 600,000 mail-in ballot applications will be sent to newly registered Republicans and Democrats as well as those who are qualified to vote in the nonpartisan primary election. This means the final count of mail-in ballots is likely to far-exceed the number reported by SBE on June 13th.

Processing mail-in ballots is an incredibly labor intensive and time-consuming endeavor due to the meticulous steps that must be taken to ensure the security and integrity of the canvass. Below my signature is a portion of the testimony that was submitted to the Ways and Means Committee by the Maryland Association of Election Officials (MAEO) that outlines the many steps required. Hopefully, by

understanding more about the time and care involved in handling mail-in ballots you will consider remedying what may have been an unintended consequence of your veto.

The Attorney General has stated that the Governor can issue a narrow Executive Order to allow early canvassing of mail-in ballots. The League of Women Voters of Maryland strongly urges you to do so. It is likely that there will be many close races in the primary election that will cause a delay in declaring a winner until the mail-in ballots have been counted. Given the number of mail-in ballots that will need to be processed and the complexity of the procedure as outlined below, a protracted delay in determining the election results could cause anger and claims of “something fishy” going on with the tabulation. We believe that your intention was not to cast doubt on the integrity of Maryland’s Boards of Elections, their workers or the election itself. We are also very concerned about the narrow window of time that the Boards of Elections will have to certify the Primary Election and prepare ballots for the General Election. An accurate canvass cannot be rushed. **This is why we urge you to use your authority to allow the canvassing of absentee ballots to happen as outlined in 862/SB 163.**

Sincerely,



Nancy Soreng, President
League of Women Voters of Maryland

Cc via email to:

Keiffer Mitchell

Stephen Schatz

Ali Keane

John Wobensmith

Before Canvass:

1. Voted ballot received via mail, drop box or in person

2. LBE staff timestamp ballot envelopes as received

3. LBE staff put ballots into packs of 25 or 50 to make batches

4. LBE staff use the barcode on the outer envelope to give voter credit for voting in statewide registration database

- *For ballots that were sent “web delivery”, LBE staff must review each person’s voter registration record to locate ballot tracking number so that they can be given credit for voting if the voter didn’t follow instructions and write the ballot tracking number on their envelope.*

5. LBE staff visually look to make sure there is a signature on the oath of the outer envelope

- *For ballots that were sent “web delivery”, it will not be known if the oath is included until the canvass when the envelopes can be opened. (Voters must print the oath and include it in their envelope with the voted ballot.)*

- If there is no signature or the signature does not match the preprinted name on the envelope, the curing process will occur.
6. Batches are placed into bins that are secured at the LBE until canvass begins. Each batch includes a voter registration database generated header sheet that includes all of the names of the voters who are included and the total number of ballots in the batch.
- Batches are manually sorted by legislative district and precinct (and by party for primary elections). This assists in maintaining organization and preparation for if a recount were to occur.
 - Some LBEs use a “Canvass Header Sheet” and other mechanisms to help maintain organization and accounting during the canvassing process.

Canvass Process - open to public observation:

1. LBE staff/election judges/volunteers hired by the LBE take an oath of office if they haven't already done so for the election cycle
2. Each LBE staff/election judges/volunteers is given a batch to begin separating the ballots from the envelopes.
 - Some LBEs have automatic envelope slicers and other LBEs require the person to open the envelopes manually.
 - Regarding organization of teams during canvass, refer to COMAR 33.08.04.02:
 - A. Appointment; Composition.
 - (1) The local board shall:
 - (a) Appoint special teams to perform various functions during the canvass; and
 - (b) Assign an identification number to each team.
 - (2) To the extent practicable, the teams shall be bipartisan.
 - B. Types. The special teams shall include, but not be limited to, one or more:
 - (1) Ballot reception teams;
 - (2) Ballot inspection teams;
 - (3) Ballot duplicating teams; and
 - (4) Ballot verification teams.
 - C. Responsibilities. The local board shall develop and, with the approval of the State Board, adopt:
 - (1) Written procedures on the responsibilities of each special team; and
 - (2) Specific instructions on how to carry out those responsibilities.
3. LBE staff/election judges/volunteers count the amount of envelopes they are given to confirm the number that is pre-filled on the batch header sheet.
4. LBE staff/election judges/volunteers confirm that there are signed oaths and that the signature matches the name preprinted on the envelope.
 - Any problem with this step will require LBE staff to be alerted so that it can be investigated further by LBE staff and the Board.
5. LBE staff/election judges/volunteers separate the envelope from the ballot so that two separate piles are made.
 - If the envelope is “web delivery”, they will confirm that there is an oath enclosed. If there is no oath enclosed, they alert LBE staff so that the curing process can occur.

6. Ballots are flattened and reviewed to ensure there are no “identifying marks” or other problems
7. LBE staff/election judges/volunteers count ballots and envelopes separately to ensure that the numbers equal
8. LBE staff/election judges/volunteers alert canvass LBE staff that they have completed the separation.
9. LBE staff collect the envelopes and ballots.
 - The envelopes are placed in a tray/bin to go back to LBE office
 - Ballots that were mailed to voters are taken to a designated scanning unit so that they can be scanned (vote tallying)
 - Ballots that were “web delivered” must be duplicated before going to the scanning unit.
10. For ballots that must be duplicated, a bi-partisan team of LBE staff/election judges/volunteers will be assigned a team number and they will be given official blank ballots to begin copying the web delivered ballots onto ballot paper.
 - Example: Team 1 will place “100-O” on the web delivered ballot and “100-D” on the ballot that the web delivered ballot was duplicated to for scanning. If there is ever a challenge or question regarding the duplication process, they can be reviewed together again.
 - Some LBEs manually duplicate the original ballot on a new blank paper ballot, some LBEs use a Ballot Marking Device to duplicate the original ballot.
 - The original ballots are collected and remain at the LBE in a secure location and the duplicated ballots go to the scanning unit for scanning.
11. At the scanning unit, LBE staff/election judges/volunteers scan in the ballots ensuring that each ballot is tallied in the machine by watching the ballot counter on the scanning unit’s screen.
 - Large jurisdictions have high speed scanners that are able to scan more ballots than the DS200s in less time.
12. After each day of canvass, LBE staff “close the election” on the scanning unit so that the memory stick can be pulled and secured. A results tape is generated and secured with the memory stick with the election director. No results or tapes are shared with anyone.
 - LBE Staff/Election Judges/Volunteers are required to sign a Confidentiality Agreement prior to the start of canvass.
13. Scanning units/high speed scanners are prepared with a new memory stick for the next day of canvass.

Title 33 State Board of Elections

Subtitle 11 Absentee Ballots

33.11.03 Issuance and Return

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 2-305, 9-303, 9-305, 9-306, 9-310, 11-301, 11-302, and 11-304, Annotated Code of Maryland

.06 Return of Ballot.

A. - B. (text unchanged)

C. Ballots Returned Without a Signed Oath.

(1) Except as provided in §C(3) of this regulation, if an absentee ballot is timely received but the voter did not sign the required oath, the election director shall:

(a) [Promptly] *As soon as practicable, but not later than three business days after the election director determines that the voter failed to sign the oath, notify the voter that the voter did not sign the oath; and*

(b) (text unchanged)

(2) (text unchanged)

(3) If an absentee ballot is timely received on or after the second Wednesday after an election (and the ballot was otherwise completed and mailed on or before election day, as established by Regulation [.08B(2)(b)] .08B(4)(b) of this chapter), the election director shall make reasonable efforts to comply with § C(1) and (2) of this regulation.

(4) *A voter may provide a signature by email, mail, in-person visit to the local board, or other means offered by the State Board.*

D. - G. (text unchanged)

Explanation: [HB 862](#) and [SB 163](#) (2022) require the local boards to contact voters who returned a mail-in ballot but did not sign the oath. The State Board previously adopted regulations requiring the same, but HB 863 and SB 163 included a different timeline for contacting voters and defined the ways voters may provide a signature. Although these bills were vetoed, the State Board has the authority to amend its existing regulations related to curing, and the proposed changes to 33.11.03.06C align the regulation with the two bills.

The proposed change in C(3) add a missing closed parentheses, and the new C(4) establishes how a voter may provide the missing signature, including allowing the State Board to offer other options (e.g., texting and uploading to SBE's online systems), if available.

Title 33 STATE BOARD OF ELECTIONS

Subtitle 11 ABSENTEE BALLOTS

Chapter 05 Canvass of Ballots — Rejecting Ballots

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 11-301, 11-302, and 11-303(d)(2)(iii)

.04 Ballot Rejection — Multiple Ballots from the Same Individual.

The local board shall reject multiple absentee ballots as follows:

A. – B. (text unchanged)

C. If an absentee ballot and provisional ballot are received from the same individual, the local board shall reject [both ballots] *the provisional ballot*.

Title 33 STATE BOARD OF ELECTIONS

Subtitle 16 PROVISIONAL VOTING

Chapter 06 Canvass of Ballots — Rejecting Ballots

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-402, 9-403, 9-404, 9-406, and 11-303(c), (d)(2)(iii), and (e)

.04 Ballot Rejection — Multiple Ballots from the Same Individual.

A. (text unchanged)

B. If an absentee ballot and provisional ballot are received from the same individual, the local board shall reject [both ballots] *the provisional ballot*.

C. (text unchanged)

Explanation: Under the proposed changes to 33.11.05.04 and 33.16.06.04, the local board of canvassers will count the absentee ballot (mail-in ballot) if a voter returns a mail-in ballot and a provisional ballot. These proposed changes are identical to the changes adopted as emergency changes for the 2020 General Election.



RECEIVED

JUN 17 2022

STATE BOARD OF ELECTIONS

June 11, 2022

Maryland State Board of Elections
151 West Street
Suite 200
Annapolis, MD 21401-0486

Dear Maryland State Board of Election Officials,

This letter is on behalf of the Republican Women of Charles County (RWCC) and pertains to Election Integrity. The RWCC believes that voter fraud is real and widespread. We are not alone. The Foundation for Government Accountability reports that "Securing elections from fraud and outside influence isn't a partisan issue—in fact, 68 percent of voters support improving election integrity."

As Tom Fitton, the President of Judicial Watch, says, voter fraud "drives honest citizens out of the election process and breeds distrust of our government...the danger lies not only in the results of the fraud itself, but also in the reality that voters who fear their legitimate votes will be outweighed by fraudulent ones are likely to feel disenfranchised and may not even show up at the polls to vote. The sad truth is that our nation's recent history consists of far too many elections, which have been called into question due to voter fraud."

In Maryland, military analyst Seth Keshel examined the tallied votes after the 2020 presidential election in four Maryland counties (Anne Arundel, Frederick, Carroll and Harford). Historically, year-after-year each election generates no more than a 1 to 2 percent fluctuation in the number of votes on both sides (Republican and Democrat) despite population or voter registration changes. And yet, a strange anomaly occurred in the 2020 presidential election. The number of votes on the Democrat side in 2020 suddenly skyrocketed for Anne Arundel, Frederick, Carroll and Harford Counties by 34.6%, 37.4%, 37.2% and 34% respectively. This sudden jump in numbers raises red flags. This information and more can all be found on the <http://mdvoter.org>, the web address for the citizen-volunteer group called the Maryland Voter Integrity Group led by Robyn Sachs.

The Dinesh D'Souza documentary 2,000 Mules, exposed widespread, coordinated voter fraud in the 2020 election, which was enough to change the outcome of the election. Mail in and drop boxes promote distrust in the election process because they provide a perfect means for organized election crime syndicates to commit massive voter fraud. As former U.S. Attorney General Bill Barr said, "Mail in ballots open the floodgates of potential fraud, and then people's confidence in the outcome of the election is going to be undermined. And that could take the country to a very dark place, if we lose confidence in the outcomes of our elections."

Another major concern is the voting machines. Dominion machines, widely used in the election process throughout the country, are known to be Internet accessible and hackable. This was

proven in the testing of the machines. The testing proved that the USB cable can be pulled out and plugged it into another device. In the testing, the second device that it was plugged into was a cell phone. There was no record in the machine log, but it downloaded everything in this person's cell phone. Maryland's voting system is leased from Election Systems and Software (ES&S). But according to Seth Keshel, "ES&S is basically Dominion if you follow the money and all the shell companies...they are all the same thing."

For these reasons and more, the RWCC supports Maryland election integrity laws that include:

- Photo Identification required to vote
- Paper ballots only
- 1-day voting only
- Mail in ballots and drop boxes prohibited
- Ballot harvesting prohibited
- Absentee ballots by request only and photo ID sent with the request for verification
- Abolish same day voter registration

We ask that the Maryland Board of Elections fight for free and fair elections, which are the lifeblood of democracy. All other issues are secondary to securing the election process.

Sincerely,

A handwritten signature in blue ink that reads "Bernadette Smith". The signature is fluid and cursive, with the first name being the most prominent.

Bernadette Smith
President, RWCC
Welcome, Maryland



ST. MARY'S COUNTY
1637

BOARD OF ELECTIONS FOR ST. MARY'S COUNTY

P. O. BOX 197
23250 HOLLYWOOD ROAD • LEONARDTOWN, MARYLAND 20650

Telephone: 301-475-4200 ext. *1625 • Fax: 301-475-4077

June 16, 2022
State Board of Elections
Linda Lamone, Administrator
PO Box 6486
Annapolis, MD 21401

Dear Linda Lamone,

St. Mary's County Board of Elections must make an emergency polling location change for the upcoming 2022 Gubernatorial Primary Election. We were notified by the Director of Operations for the St. Mary's County public schools on June 16, 2022, that Greenview Knolls Elementary School would not be operational for us to use for the July 19, 2022, Primary Election. The school is under renovations that they thought would be done in time, but it is not. The whole parking lot is being re-done and re-paved therefore there is no parking whatsoever.

We had an emergency board meeting by conference call on Thursday June 6, 2022, at 3:00pm. I presented to the board the alternative polling location move from Greenview Knolls Elementary School, 47511 Military Lane, Great Mills, MD 20634 to Esperanza Middle School Gym, 22790 Maple Road, Lexington Park, MD 20653. The driving distance between these school is 1.1 mile. The St. Mary's County board approved the location change.

The voters that are affected will be notified by sample ballot that is being mailed on Friday June 17, 2022, social media post and press releases. Signs are being made to put at the Greenview Knolls location stating that this polling location has temporarily moved to Esperanza Middle School, 22790 Maple Road, Lexington Park, MD 20653. We will also have signs at Esperanza Middle School stating that Greenview Knolls polling location will be voting in the Gym.

Please contact me if you have any questions.

Sincerely,

Wendy Adkins, Director

St. Mary's County Board of Elections