

**STATE BOARD OF ELECTIONS  
AGENDA**

*DATE: June 19, 2018  
LOCATION: Senate Room 3  
Virginia State Capitol  
Richmond, VA  
TIME: 11:30 A.M.*

- I. CALL TO ORDER** *James B. Alcorn  
Chair*
  
- II. APPROVAL OF MINUTES** *Singleton McAllister  
Secretary*
  
- III. COMMISSIONER’S REPORT** *Chris Piper  
Commissioner*
  
- IV. NEW BUSINESS**
  - A. Presentation on Mis-Assigned Voters** *Chris Piper  
Commissioner*
  
  - B. Revised Guidelines for Conducting Voter Registration Drives** *Garry Ellis  
NVRA/Voter Registration  
Coordinator/Registrar Liaison*
  
  - C. Absentee Ballot Applications** *Samantha Buckley  
Policy Analyst*
    - i. Revisions to the Virginia Absentee Application**
    - ii. In Person Absentee Ballot Applications**
  
  - D. Stand By Your Ad hearings** *Arielle A. Schneider  
Policy Analyst*
    - i. Print Media**
      - 1. Fauquier Voters for the Truth**
      - 2. Chesapeake**
    - ii. Campaign Telephone Calls**
      - 1. Fauquier Voters for the Truth**
  
  - E. Certification of the November 2017 election** *Leslie Williams  
Election Administration and  
Education Manager*
  
- V. OTHER BUSINESS & PUBLIC COMMENT**
  
- VI. ADJOURNMENT**



★ VIRGINIA ★  
STATE BOARD *of* ELECTIONS

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# Call to Order

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BOARD WORKING PAPERS

James Alcorn  
SBE Chair



★ VIRGINIA ★  
STATE BOARD *of* ELECTIONS

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# Approval of Board Minutes

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BOARD WORKING PAPERS  
Singleton McAllister  
Secretary of the Board

1           MINUTES

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3           The State Board of Elections board meeting was held on Monday, May 21, 2018.  
4 The meeting was held in Senate Room 3 in the Virginia State Capitol in Richmond,  
5 Virginia.

6           In attendance: James Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and  
7 Singleton McAllister, Secretary represented the State Board of Elections (“The Board”).  
8 On behalf of the Department of Elections (“ELECT”) was Christopher E. “Chris” Piper,  
9 Commissioner. In attendance, representing the Office of the Attorney General (“OAG”),  
10 was Anna Birkenheier, Assistant Attorney General. Chairman Alcorn called the meeting  
11 to order at 10:38 AM.

12           The first order of business was to approve the minutes from the April 25, 2018  
13 meeting. Secretary McAllister *moved the Board approve the minutes as presented for the*  
14 *April 25, 2018 meeting.* Chairman Alcorn seconded the motion, and the motion passed  
15 unanimously.

16           The next order of business was the Commissioner’s report, presented by  
17 Commissioner Piper. The Commissioner reminded the Board that the last day to register  
18 to vote in the June 12 primary was May 21, and said there was a statewide senate primary  
19 for the Republican party and some congressional primaries; there would be some dual  
20 primaries in a number of localities, but ELECT and local staff were prepared.  
21 Commissioner Piper discussed meeting with continuity of operations partners to discuss  
22 and prepare communication and possible threats for the upcoming election day.

23           Commissioner Piper addressed the post-election audits the Board approved during  
24 the April 25 meeting. The post-election audits, requested by Prince William County and  
25 the City of Norfolk, were to take place following the May 1 election; but after the May 1  
26 election, ELECT discovered issues that would have prevented successful audits. The  
27 Commissioner noted that Prince William County wanted to run four different types of  
28 audits on four different precincts. §24.2-671.1, subsection C, required, however, that the  
29 margin between the top two candidates for each office on the ballot exceeds 10 percent. In  
30 three of the four precincts Prince William County planned to audit, that was not the case.  
31 Virginia Code also requires that the statutory period of time after an election during which



32 a recount may be requested must expire before an audit can be conducted. For both Prince  
33 William County and the City of Norfolk, the time to request a recount had not expired  
34 before the planned audit. Commissioner Piper stated ELECT reviewed the procedures  
35 provided by the localities and believed the procedures required additional work before use.  
36 Both Prince William County and the City of Norfolk agreed to plan their post-election  
37 audits to review the results of the June primary in July, and would work with ELECT staff  
38 to be fully prepared. Commissioner Piper informed the Board that after July 1, ELECT  
39 would have a report for the Board on the procedures and results of the audit.

40 The Commissioner introduced James Heo, the Confidential Policy Advisor at  
41 ELECT, who started on May 1, 2018. Mr. Heo's primary responsibility would be to work  
42 with Information Services to provide communication both internally and externally on their  
43 activities, including changes in VERIS, working with policy and other divisions, and  
44 communications with the elections community as a whole. Mr. Heo would also take the  
45 lead on the post-election audit reviews, and assist in developing procedures for the Board  
46 to consider. The Commissioner introduced Tammy Alexander, a former Petersburg  
47 Electoral Board ("EB") member, who joined ELECT as the new Campaign Finance  
48 Program Analyst. Ms. Alexander began as an electoral board member in 2010, and the  
49 Commissioner shared that Ms. Alexander's experience working with candidates on  
50 campaign finance would be helpful to ELECT, in addition to the campaign finance work  
51 already done by Risé Miller. Vice Chair Wheeler said Ms. Alexander's experience as an  
52 EB member would bring a new perspective to the Department.

53 Commissioner Piper addressed recent news articles relating to the issue of mis-  
54 assigned and misplaced voters. The Commissioner said that ELECT would prepare a  
55 Powerpoint presentation for the next Board meeting to explain the situation and to cover  
56 the work ELECT has done so far. Commissioner Piper noted that while many lessons had  
57 been learned, much work remains to be done in this area; the Commissioner also said that  
58 ELECT was working with localities to address the issue. Chairman Alcorn said that the  
59 Washington Post identified a number of mis-assigned voters, and asked if the paper sent  
60 ELECT lists of other voters who were similarly mis-assigned. The Chairman recalled that  
61 a list was sent to ELECT's previous administration, but that the list may have been lost  
62 during the transition of administrations. Commissioner Piper stated that ELECT did its

63 own review, including a thorough review of all congressional districts as the priority due  
64 to the upcoming elections. Because ELECT was conducting an ongoing review, along with  
65 localities conducting reviews of their own, the number of possibly mis-assigned voters was  
66 constantly changing. Commissioner Piper thanked ELECT staff and localities for the work  
67 done.

68 Chairman Alcorn suggested ELECT contact the Washington Post to see if they have  
69 a list of mis-assigned and misidentified voters that could help with the process. Vice Chair  
70 Wheeler noted after a meeting with the previous Commissioner of ELECT, Edgardo  
71 Cortés, that Mr. Cortés stated ELECT knew of many mis-assigned voters but did not fix  
72 the issue. Vice Chair Wheeler stated that ELECT knew of the mis-assigned voters issue  
73 for two years, and referenced a bill in the recent legislative session that would have required  
74 localities to work with ELECT to be sure their districts were accurate and that voters were  
75 properly assigned. Chairman Alcorn mentioned the work that Commissioner Piper said  
76 was being done to remedy the situation currently, and acknowledged the enormity of the  
77 project. The Vice Chair offered the Board’s assistance to ELECT and the localities in the  
78 undertaking. Commissioner Piper assured the Board a more in-depth update at the next  
79 meeting, and said that ELECT would continue to work with legislators and localities on  
80 solutions.

81 The Commissioner informed the Board that Friday, May 18, was Matthew Davis’s  
82 last day as ELECT’s Chief Information Officer. The Commissioner commended Mr.  
83 Davis’s work in the eight years he worked for the Department, notably the enormous  
84 improvements in the Virginia Election and Registration Information System (“VERIS”).  
85 Secretary McAllister thanked Mr. Davis for the hard work that’s been done, and asked that  
86 ELECT move quickly to fill the position in his absence. Commissioner Piper assured the  
87 Board that ELECT was working closely with the Department of Human Resource  
88 Management (“DHRM”), the Governor’s office, and the Virginia Information Technology  
89 Agency (“VITA”), to find a successor in an expedited manner.

90 Commissioner Piper then updated the Board on issues that arose in mid-April, when  
91 ELECT learned that the City of Hopewell General Registrar (GR) had resigned and that  
92 the Hopewell electoral board had not identified a replacement general registrar. ELECT  
93 worked closely to ensure that operations continued in the GR’s absence; the Department

94 contacted former James City County GR, AJ Cole, asking that he serve as temporary  
95 Deputy GR so that operations would continue until the EB appointed a full-time GR.  
96 Commissioner Piper also mentioned that the City of Galax used Kaspersky software. The  
97 Department of Homeland Security had previously identified Kaspersky software as a  
98 threat, so ELECT worked with the locality to remove and replace the software.

99 Chairman Alcorn asked the Commissioner if there were any updates on the Virginia  
100 Elections Benchmark Index Workgroup, a workgroup which the Board formed during the  
101 April 25, 2018 Board meeting. Commissioner Piper informed the Board that the first  
102 meeting of the Workgroup would take place on June 25, 2018, at 5 PM, following annual  
103 training. The Commissioner said the members of the Workgroup had been identified, and  
104 that ELECT was in the process of hiring a data analyst, who would serve as the additional  
105 staff member in the Workgroup. Commissioner Piper stated the group had experience  
106 developing strategic plans, and would conduct a full review of elections to create  
107 benchmarks for the entire elections community.

108 Vice Chair Wheeler revisited the topic of Hopewell, noting the amount of work that  
109 went into remedying the situation. The Vice Chair underscored the serious nature of the  
110 problem, and the importance for EBs to appoint GRs well in advance of a transition. Vice  
111 Chair Wheeler discussed the lack of background checks in hiring processes, noting  
112 particularly that background checks are not required for local elections officials. The Vice  
113 Chair noted that these local elections staff have access to VERIS, and therefore have access  
114 to the name, date of birth, address, and social security number for all registered Virginians.  
115 The Vice Chair suggested ELECT and the Board examine how people are hired for these  
116 roles, and create and maintain a list of former GRs that would be willing to work in a  
117 locality during an emergency. Chairman Alcorn mentioned that the GREB Handbook used  
118 to have a section that gave advice and best practices regarding hiring general registrars.  
119 Commissioner Piper noted that section was still in the Handbook, and also mentioned that  
120 the Handbook was being updated with a target release date of June 1. The revised  
121 Handbook would be improved in terms of usability and information, and was sent to  
122 different localities for feedback. The Commissioner also said all liaisons at ELECT were  
123 Virginia Registered Election Official (VREO) certified, and receive additional training to  
124 assist and train new GRs. Commissioner Piper discussed the idea of a web-access training

125 in the web learning management system that newly appointed GR and EB members could  
126 access and complete. The Benchmark Index Workgroup would focus on what training  
127 would be needed throughout the year so all the crucial training could extend beyond annual  
128 training. Vice Chair Wheeler noted the same issue happened in a previous year. The Vice  
129 Chair encouraged the idea of additional training, and offered Board support in the efforts.

130 The next order of business was to review memos regarding Stand By Your Ad  
131 (“SBYA”) complaints, presented by Arielle A. Schneider, Policy Analyst with ELECT.  
132 Ms. Schneider reviewed the first memo, regarding express advocacy. This memo proposed  
133 that the Board move to adopt a policy re-defining express advocacy. The proposed  
134 definition mirrors the definition of express advocacy as defined in Federal Election  
135 Commission (“FEC”)’s regulation 11 C.F.R. §100.22, (52 U.S.C. 30101 (17)). Ms.  
136 Schneider informed the Board that the FEC’s definition was upheld twice in the 10<sup>th</sup> and  
137 4<sup>th</sup> circuits as constitutional and consistent with the First Amendment. Ms. Schneider noted  
138 that the suggested motion to adopt the revised definition of express advocacy as stated in  
139 the working papers must be amended. The original motion suggested that the Board adopt  
140 the definition as a policy by majority vote, but due to a consensus by ELECT and the Board  
141 that the definition of express advocacy should established through regulation rather than  
142 policy, the motion should be amended to provide that the definition be submitted through  
143 the regulatory process to become a new regulation. Although the Board enjoys an  
144 exemption from the Virginia Administrative Process Act for regulations that related to the  
145 conduct of elections, according to a 2014 OAG opinion, any regulations concerning §24.2-  
146 9.3 through §24.2-9.5 do not relate to the conduct of elections, and therefore are not exempt  
147 from the regulatory process.

148 Chairman Alcorn discussed the importance of revising the Board’s definition of  
149 express advocacy, noting the number of hearings in previous years using the current  
150 definitions that led to frustration and confusion. The Chairman discussed speaking with  
151 the Commissioner about moving forward with redefining express advocacy through the  
152 Administrative Process Act (APA), so that the Board can remain transparent and deliberate  
153 while also providing consistency for future Boards. Secretary McAllister inquired about  
154 the process to do this, and the Chairman said there would need to be public comment, a  
155 review from OAG and Governor’s office, and a number of other steps before the Board

156 could change their definition. Ms. Birkenheier said she could give a more thorough  
157 explanation to the Board separately if needed. Chairman Alcorn suggested that the  
158 proposal put up for public comment include more background about the issue so the public  
159 is fully informed of the situation before commenting. Vice Chair Wheeler also suggested  
160 emphasizing that the definition was pulled from federal guidelines.

161 The Chairman *moved that the Board submit this revised definition of express*  
162 *advocacy to the public for comment as required by the Virginia Administrative Process*  
163 *Act.* Vice Chair Wheeler seconded the motion, and the motion passed unanimously.

164 The next memo Ms. Schneider covered outlined a proposed policy for the conduct  
165 of SBYA hearings. The proposed policy covered how the Board would conduct SBYA  
166 hearings. Chairman Alcorn voiced support of the memo. Vice Chair Wheeler asked if the  
167 memo had any information on timing and deadlines, noting the issues that arose with the  
168 previous administration on timeliness. Ms. Schneider directed the Board to the memo  
169 approved by the Board on standard operating procedures for SBYA on March 23, 2018.  
170 The March 23 memo outlined that all complaints must be forwarded to the Board within  
171 one week of receipt as well as requirements regarding scheduling the hearing. Chairman  
172 Alcorn asked Ms. Schneider where she drew the line between operating procedure and  
173 policy, and Ms. Schneider replied that operating procedures were written for ELECT staff  
174 to follow, whereas the proposed policy provides guidance to the Board on how to  
175 standardize SBYA hearings.

176 Vice Chair Wheeler suggested that language requiring ELECT staff to provide  
177 SBYA complaints to the Board within one week of receipt be added to the proposed SBYA  
178 Hearings policy. Commissioner Piper noted that adding the ELECT staff requirement to  
179 the SBYA Hearings policy may be repetitive but expressed willingness to add it to the  
180 policy if the Board wanted it there. Chairman Alcorn requested an offline discussion on  
181 the structure of the documents so the Board could focus on the SBYA hearings scheduled  
182 for the day. The Chairman asked if holding off approving the memo would affect the  
183 hearings, and Ms. Schneider replied it would not. Chairman Alcorn suggested waiting on  
184 approval until the changes could be made.

185 The next order of business was the SBYA hearings. Commissioner Piper directed  
186 the Board to the letter in the working papers from the Democratic Party of Virginia (DPVA)

187 and Republican Party of Virginia (RPVA), wherein both parties asked to withdraw their  
188 complaints against Ed Gillespie and Ralph Northam. Chairman Alcorn stated that a request  
189 for withdrawal should not factor into the Board's discussion of potential violations. The  
190 Chairman added that whether or not the complainant wished to pursue the complaint, a  
191 violation could still have happened. Chairman Alcorn stated that campaign finance and  
192 Stand by Your Ad laws exist to protect the voter, rather than to protect the candidates. Vice  
193 Chair Wheeler added that there could be value in discussing the allegations and making  
194 decisions that could act as guidance for others regarding the issue brought up by the  
195 complaint. Secretary McAllister agreed, noting it would be in the public interest to hear  
196 the complaints regardless of the complainants' requests to withdraw, in order to be  
197 transparent about rules, regulations, and policies and to help form a path in decision making  
198 for violations in the future. Chairman Alcorn asked Ms. Birkenheier if the law prevented  
199 the Board from hearing a complaint if the complainant withdrew, and Ms. Birkenheier said  
200 there was not. The Chairman suggested adding the Board's decision to consider the  
201 complaints without regard to the withdrawal request, to the operating procedures and  
202 proposed policy. Commission Piper agreed.

203 Chairman Alcorn recommended that complaints against individuals in attendance  
204 at the Board meeting be heard first, and Ms. Schneider noted that that practice would  
205 conflict with the provisions that were proposed in the previously discussed memo on  
206 proposed policies, and on docket for later approval pending changes. The proposed policy  
207 stated hearings would be heard in alphabetical order.

208 The first complaint heard was against Bart Randall for School Board. Ms.  
209 Schneider summarized the complaint, noting photographs provided as evidence as well as  
210 a letter Mr. Randall sent to ELECT on Sunday, May 20. Ms. Schneider read the letter for  
211 the Board; in the letter, Mr. Randall explained that he enlisted the help of a political  
212 consultant who did not make him aware of the disclosure requirements: when he was made  
213 aware of the requirements, he attempted to add the disclosure to his signs but was unable to  
214 find each one; Mr. Randall said he added the disclosure to three signs located at polling  
215 places on Election Day. Chairman Alcorn asked the Board if there was a violation, noting  
216 he did not see any attempted disclosure in the provided photographic evidence. The  
217 Chairman observed that Ms. Schneider recommended a fine of \$400, and asked how staff

218 counted the number of violations. Ms. Schneider explained the number of violations came  
219 from the number of signs reported in the complaint, which included the three polling place  
220 signs and one sign in front of the complainant's house.

221 Chairman Alcorn asked if that fining structure was different from previous Board  
222 procedures. Vice Chair Wheeler recalled that the Board decided that in the case of a  
223 newspaper ad, mailers, and flyers, an ad was only considered as one violation, regardless  
224 of the number of times it was printed. The Vice Chair noted, however, that with yard signs,  
225 the candidate would be aware of how many were ordered; therefore, the violations should  
226 count per sign. Secretary McAllister recalled similar proceedings. Vice Chair Wheeler  
227 said in this case someone notified Mr. Randall of the mistake, and that Mr. Randall tried to  
228 rectify it. Chairman Alcorn asked Commissioner Piper how occurrences were counted in  
229 the past. The Commissioner stated the only time "per occurrence" was mentioned in the  
230 Code was regarding television and radio advertisements, and that there was no solid rule  
231 regarding print media. The Commissioner left it up to the Board's discretion how  
232 occurrences should count.

233 Ms. Birkenheier asked how many signs were provided in the evidence, noting that  
234 all pictures could be of the same sign. Ms. Schneider said that in Mr. Randall's letter three  
235 undisclosed signs were mentioned at the polling places, and that the complainant  
236 mentioned the sign in their own yard. Vice Chair Wheeler said normally candidates knew  
237 if yard signs were placed at polling places, so asked why the three Mr. Randall mentioned  
238 were not changed. Ms. Schneider noted that Mr. Randall said he attempted to provide  
239 proper disclosure on Election Day, and said since it was Mr. Randall's first violation, she  
240 recommended a \$50 fine for the first violation, doubled to \$100 for the proximity to the  
241 election. Therefore, the fine was a first time violation with an apology/explanation from  
242 Mr. Randall, doubled due to proximity to the election, with four occurrences, resulting in  
243 a \$400 fine. Chairman Alcorn moved *subject to the Board's authority under the Code of*  
244 *Virginia §24.2-955.3, to find Bart Randall in violation of §24.2-956 Stand by Your Ad print*  
245 *media disclosure requirements with regard to four advertisements, and is hereby assessed*  
246 *\$400.* Vice Chair Wheeler seconded the motion, and the motion passed unanimously.

247 The next hearing was against Cheryl Turpin for Delegate. Ms. Schneider  
248 recommended the Board find a violation because of a failure to properly disclose. Ms.

249 Schneider noted there was a disclaimer, but the disclaimer was not complete because the  
250 advertisement referenced another clearly identified candidate, Rocky Holcomb. §24.2-  
251 956.2 provides that “in an advertisement sponsored by a candidate or candidate campaign  
252 committee that makes reference to any other clearly identified candidate who is not  
253 sponsoring the advertisement, the sponsor shall state whether it is authorized by the  
254 candidate not sponsoring the advertisement. The visual legend in the advertisement shall  
255 state either “Authorized by [Name of candidate], candidate for [Name of office]” or “Not  
256 authorized by any other candidate.”” Chairman Alcorn asked for clarification, noting that  
257 Delegate Turpin’s ad did say “paid for and authorized by Cheryl Turpin for VB.” Ms.  
258 Schneider clarified, stating that proper disclosure would have included Delegate Turpin’s  
259 name, rather than the name of her campaign committee. Further, Ms. Schneider noted that  
260 advertisements that reference another candidate must also include a second disclosure  
261 statement, stating whether the ad was “authorized by any other candidate.” Ms. Schneider  
262 recommended counting the violation as one occurrence, as only one yard sign was provided  
263 as evidence. Because of the proximity to the election, ELECT recommended the fine was  
264 doubled; Delegate Turpin also provided a letter, but gave no apology or explanation and  
265 did not describe attempts at remediation.

266 Trevor Southerland, Executive Director for the Virginia House Democrats, spoke  
267 on behalf of Delegate Turpin, noting that the evidence provided in the complaint was the  
268 front and back of a flyer, rather than a yard sign. Mr. Southerland directed the Board to  
269 Delegate Turpin’s written response, noting the complaint did not have a code section  
270 included in it. Chairman Alcorn mentioned the related memos and description about  
271 substantial compliance and asked how that would or would not apply to the complaint. Ms.  
272 Schneider mentioned a memo the Board passed in 2015, and noted an ad would be  
273 substantially compliant if the disclosure unambiguously conveyed all required  
274 information. Chairman Alcorn clarified that the disclosure required the candidate and the  
275 office they’re running for to be part of the disclaimer. Ms. Schneider agreed, and added  
276 that the disclosure must also state “Not authorized by any other candidate.” Chairman  
277 Alcorn moved *subject to the Board’s authority under the Code of Virginia §24.2-955.3, to*  
278 *find Cheryl Turpin in violation of §24.2-956 Stand By Your Ad print media disclosure*  
279 *requirements with regard to one advertisement, and is hereby assessed \$200.* Vice Chair



280 Wheeler seconded the motion. Chairman Alcorn stated that the ad in question fell under  
281 print media, and that the fine was \$200— \$100 for the violation without apologies or  
282 remediation, which was then doubled for being within fourteen days prior to the election.  
283 The motion passed unanimously.

284 The next hearing was against Elizabeth Guzman for Delegate. Ms. Schneider  
285 presented the Board with a mailer sent by Delegate Guzman. The mailer did not include  
286 the required disclaimer, but Ms. Schneider noted that the violation was a first time offense  
287 early in the campaign, and subsequent literature was properly disclosed. Ms. Schneider  
288 also said that the violation did not occur within 14 days before an election, and therefore a  
289 fine of \$50 would be appropriate for a first time offense with an apology; however, Ms.  
290 Schneider also observed that the written statement sent by Delegate Guzman to the Board  
291 did not include an apology, giving the Board discretion to fine \$100 as per the penalty  
292 schedule provided in the campaign finance summaries. Chairman Alcorn stated he did not  
293 see an apology or explanation in Delegate Guzman’s letter, and Vice Chair Wheeler agreed.  
294 Chairman Alcorn moved *subject to the Board’s authority under the Code of Virginia §24.2-*  
295 *955.3, to find Elizabeth Guzman in violation of §24.2-956 Stand By Your Ad print media*  
296 *disclosure requirements with regard to an advertisement, and is hereby assessed \$100.*  
297 Vice Chair Wheeler seconded the motion.

298 An unidentified attendee asked the Board what constituted an apology. Chairman  
299 Alcorn explained that the Board asks candidates to take ownership of their actions, admit  
300 lessons learned, or something of that matter; it also could include remedial actions that  
301 were taken. The motion then passed unanimously.

302 The next hearing was against Friends of Team Manassas. Ms. Schneider said the  
303 Board would find a transcript from the June 27, 2017 Board meeting, provided by Stephen  
304 Hersch, the complainant, in their materials. The first mailer Mr. Hersch provided was  
305 distributed on an unknown date in 2016, and had no visible disclaimer. Because this mailer  
306 constituted as a first violation and was not alleged to be distributed during the 14 days prior  
307 to the election, Ms. Schneider recommended a \$100 fine. Chairman Alcorn noted an  
308 attempt at disclosure, and Ms. Schneider explained that under print media ad disclosure  
309 requirements, an ad referencing a clearly identified individual must disclose whether or not  
310 candidates authorized it. Therefore, even though no candidates authorized the ad in this

311 case, the ad must state as much. Ms. Schneider said there were two different occurrences  
312 of this ad, with one of the occurrences happening within 14 days of the election. Ms.  
313 Schneider recommended the second occurrence, which would constitute a second  
314 violation, be fined \$200 due to its distribution time.

315 The third complaint was of the same mailer's distribution online. Ms. Schneider  
316 said websites fall under print media disclosure requirements, and that one side of the mailer  
317 was posted online within 14 days prior to the election date. Ms. Schneider recommended  
318 a fine of \$200, as the appropriate fine, as the usual \$100 fine assessed for a second-time  
319 violation should be doubled due to its proximity to the election. The fourth complaint  
320 pertained to a second mailer, which Mr. Hersh alleged was delivered a week before  
321 Halloween in 2017, which was within 14 days of the election. Ms. Schneider  
322 recommended a fine of \$200, with the \$100 fine doubled due to its proximity to the  
323 election. Vice Chair Wheeler asked for clarification that these fines were appropriate  
324 because the challenged advertisements were sponsored by candidates and mentioned  
325 clearly identified candidates. Ms. Schneider clarified that Friends of Team Manassas is a  
326 non-candidate committee, and that a non-candidate committee must disclose whether an  
327 ad is authorized by any candidate if the advertisement clearly references any candidate.

328 Secretary McAllister asked for clarification on who would be fined in this case, as  
329 traditionally the person facing allegations was the candidate. Ms. Schneider explained the  
330 political committee, Friends of Team Manassas, would be fined, as a committee governed  
331 by §24.2-956.1. Ms. Schneider said it would be difficult to say there was coordination  
332 between the committee and a particular candidate, notably as neither ELECT nor the Board  
333 have investigatory authority.

334 The fifth violation was regarding a video on YouTube, which qualified as a print  
335 media disclosure requirements because the video was posted on a website. The video was  
336 posted on October 14, 2016, which was not within 14 days of the election; although the  
337 video remained posted throughout the election, Ms. Schneider recommended a \$100 fine  
338 for this video for a second offense, which should not be doubled due to the proximity to  
339 the election. The sixth violation was regarding a second video, which was posted on  
340 Facebook on October 31, 2016. This violation was considered a second occurrence, and  
341 Ms. Schneider recommended a \$200 violation fine—the \$100 violation penalty, doubled

342 due to the proximity to the election. Before moving forward, Ms. Schneider said the Board  
343 may want to reconsider the aggravated penalties that occur in multiple violations as  
344 outlined in campaign finance summaries, in case the Board wanted to assess a higher fine  
345 for the multiple occurrences. Chairman Alcorn suggested waiting to consider aggravated  
346 penalties until all the violations were heard.

347 The seventh violation was the same video as the sixth violation, but posted to the  
348 Team Manassas website on October 31, 2016, which was within the 14 day period prior to  
349 the election. Ms. Schneider said she had not seen the Board assess more than a 2<sup>nd</sup> time  
350 violation, so it remained unclear if a second violation constituted a second election in which  
351 the violations took place or if it would be defined in another way. Commissioner Piper  
352 said a second time violation was if the Board assessed a penalty against a candidate or  
353 committee and the candidate or committee then reoffended; in the case of Friends of Team  
354 Manassas, however, each item was a first time violation.

355 Chairman Alcorn asked if there was a SBYA violation conversation in 2017 when  
356 the Board first discussed Friends of Team Manassas, or if the conversation only concerned  
357 the filing their Statement of Organization. Ms. Schneider informed the Board that the  
358 Board had already heard each of these complaints, but held the determination and  
359 assessment pending assurance that the information provided was provided to both the  
360 complainant and respondent. Chairman Alcorn stated that meant that this is the first time  
361 the Board would be giving them feedback, making it reasonable to treat these offenses as  
362 first time violations. The Chairman moved *subject to the Board's authority under the Code*  
363 *of Virginia §24.2-955.3, to find Friends of Team Manassas in violation of §24.2-956 Stand*  
364 *By Your Ad print media disclosure requirements with regard to seven advertisements and*  
365 *is hereby assessed \$1,200. Secretary McAllister seconded the motion.*

366 Stephen Hersch, complainant, then informed the Board that the video on YouTube  
367 was still running as of the date of the meeting. Mr. Hersch noted that Friends of Team  
368 Manassas received notice of violation in 2017 when the Board first heard the case, and then  
369 again in advance of this meeting, and yet the video remained posted. Mr. Hersch also  
370 directed the Board to two other videos he provided as evidence in the working papers. Ms.  
371 Schneider asked to amend the Chairman's motion to include that the Board found 7  
372 advertisements in violation.

373 Vice Chair Wheeler expressed concern at the idea of Friends of Team Manassas  
374 facing such a fine as a group of organized citizens, as opposed to a committee, and  
375 discussed the importance of educating people on more the nuanced rules of campaign  
376 finance such as those discussed in this case. Commissioner Piper said ELECT hired Ms.  
377 Alexander as a Campaign Finance Program Specialist to travel and train candidates,  
378 committees, and campaign committees on campaign finance laws and rules, including  
379 Stand By Your Ad. Vice Chair Wheeler stated that she did not know anyone involved in  
380 this case, but wanted to ask the Board to consider a lower fine considering the Board was  
381 hearing the violations so far from the dates of offense. Mr. Hersch informed the Board that  
382 Friends of Team Manassas was created and financed by candidates, not by a group of  
383 organized citizens. Mr. Hersch alleged that the treasurer of Friends of Team Manassas was  
384 one of the candidates the group supported, and none of the disclosure of who funded the  
385 group became apparent until after the election. Mr. Hersch further stated that these  
386 candidates started a number of committees, including Friends of Team Manassas and  
387 Awareness Manassas (a group the Board heard complaints against in 2017), with the intent  
388 to obfuscate information from the public. The motion presented earlier by the Chairman  
389 passed unanimously.

390 The next complaint heard was against Hannah for Hope. Ms. Schneider directed  
391 the Board to materials provided by Ms. Rishq to ELECT on May 18, 2018. In the  
392 materials, Ms. Rishq made clear that the materials in violation were never intended to be  
393 distributed and provided evidence that Ms. Rishq's team gave clear instructions to the  
394 printer to include the disclosure, as well as their immediate response upon receiving  
395 materials without the disclaimer. Ms. Schneider recommended, given this information,  
396 that the fine be no more than \$50. Chairman Alcorn clarified that the original  
397 recommendation given by ELECT was for \$100 for a first time offense, but because Ms.  
398 Rishq provided an explanation and apology, that Ms. Schneider was amending her  
399 recommendation to \$50. Ms. Schneider agreed with the clarification, but explained  
400 because that the distribution of the undisclosed materials took place on Election Day, the  
401 \$50 fine \$50 for a first violation, should be doubled due to its proximity to the election,  
402 but that she recommended a reduced fine of \$50 due to the context Ms. Rishq provided.  
403 Chairman Alcorn asked why \$50 was the amount originally fined, stating the original fine

404 for a first time violation should have been \$100, doubled to \$200. The Chairman then  
405 asked if the materials were distributed or not.

406 Ms. Rishq, present at the meeting, stated that the materials were not authorized for  
407 distribution. The undisclosed materials were set aside by the campaign on Election Day,  
408 but Ms. Rishq suspected, due to the amount of volunteers going through the campaign  
409 office that day, they were accidentally picked up and distributed. Ms. Rishq made clear  
410 that whoever distributed them was not authorized to, and that staff did not hand out the  
411 undisclosed materials. Vice Chair Wheeler clarified that the materials were in the  
412 campaign headquarters, and Ms. Rishq said yes, and recognized the staff should not have  
413 kept the ones to be discarded in the office. Ms. Rishq discussed the evidence she provided  
414 on May 18, which included a detailed account of communications with the printer; a formal  
415 letter sent to the printer that stated that the campaign would not pay for any literature that  
416 was printed without the disclosure; an email from Ms. Rishq's manager to the printer; an  
417 email with the approved and disclosed literature; other items the campaign used with the  
418 proper disclosure; and bank statements proving that Ms. Rishq did not pay for the unused,  
419 undisclosed items.

420 Chairman Alcorn asked that because the campaign did not pay for the undisclosed  
421 items that were distributed if the items then met the definition of an expenditure and were  
422 therefore subject to SBYA. Ms. Schneider noted there was the contract between Ms.  
423 Rishq and the printer, but that both sides breached contract. Ms. Schneider said it could  
424 be argued that the materials constituted a contribution of value. Vice Chair Wheeler noted  
425 a previous discussion by the Board that if campaigns were not going to use literature, that  
426 that literature be sealed up and marked as "do not use." Chairman Alcorn agreed, stating  
427 that the fact the campaign did not pay for it does not matter. The Chairman found a  
428 violation of print media disclosure requirements, and asked if the materials and letter from  
429 Ms. Rishq constituted an explanation. Chairman Alcorn suggested a fine of \$50,  
430 considering the materials Ms. Rishq provided. Vice Chair Wheeler stated a lesson learned  
431 in getting rid of materials that should not be distributed, and Ms. Rishq explained that she  
432 had a staff of two people that did not have time to handle it before Election Day. Chairman  
433 Alcorn moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to*  
434 *find Hannah Rishq in violation of §24.2-956 Stand By Your Ad print media disclosure*

435 *requirements with regard to an advertisement and is hereby assessed \$50.* Vice Chair  
436 Wheeler seconded the motion. Chairman Alcorn voted yea, Vice Chair Wheeler voted yea,  
437 and Secretary McAllister did not vote, as she was absent from the room, and the motion  
438 carried 2 to 0.

439 Chairman Alcorn moved *the Board recess to reconvene at 1:00 PM.* Vice Chair  
440 Wheeler seconded the motion. The Board recessed at 12:45 PM and reconvened at 1:08  
441 PM.

442 The next complaint heard was against the National Right to Work Committee. Ms.  
443 Schneider provided the Board with pages 1 and 3 of a 4-page letter, and stated based off  
444 these parts of the letter that ELECT received, there was no violation of Stand By Your Ad.  
445 Ms. Birkenheier asked if ELECT received pages 2 and 4, and Ms. Schneider confirmed  
446 they did not. Chairman Alcorn moved *subject to the Board's authority under the Code of*  
447 *Virginia §24.2-955.3, to find the National Right to Work committee not in violation of*  
448 *Virginia's campaign finance Stand By Your Ad laws.* Vice Chair Wheeler seconded the  
449 motion, and the motion passed unanimously.

450 The next complaints heard were against Ned Gallaway. Ms. Schneider said there  
451 were two complaints against the Gallaway campaign; one was from an individual who  
452 reported 8 signs, along with photographic evidence, and the other was from Mr. Gallaway,  
453 who self-reported a total of 48 signs without disclosure. Mr. Gallaway's complaint  
454 explained the steps taken to try and fix the situation with the signs that could be found. Ms.  
455 Schneider said that a recommended fine was not provided because the evidence was of  
456 yard signs, and with the number of reported signs and with the violation happening within  
457 14 days of the election, the maximum penalty could not exceed \$2,500. Secretary  
458 McAllister asked what Ms. Schneider's recommendation would be, and Ms. Schneider  
459 suggested fining Mr. Gallaway for the signs provided with photographic evidence, but not  
460 for those that Mr. Gallaway self-reported, so as not to discourage candidates from self-  
461 reporting. Ms. Schneider recommended an \$800 penalty, with a \$50 fine for the first time  
462 violation with remediation attempts, doubled due to the proximity to the election, for each  
463 of the 8 signs reported by the other complainant. Chairman Alcorn moved *subject to the*  
464 *Board's authority under the Code of Virginia §24.2-955.3, to find Ned Gallaway in*  
465 *violation of §24.2-956 Stand By Your Ad print media disclosure requirements with regard*

466 *to 8 advertisements, and is hereby assessed \$800.* Secretary McAllister seconded the  
467 motion.

468 Ned Gallaway, respondent, spoke and clarified that his campaign ordered 50 signs  
469 in total. Mr. Gallaway was running unopposed; however, upon hearing that a write-in  
470 candidate was mounting a campaign, Mr. Gallaway ordered signs to have a name presence  
471 at the polls and the signs were displayed on Election Day only. Upon realizing the lack of  
472 disclaimer, Mr. Gallaway stated the campaign wrote the disclosure statement upon labels  
473 and added them on the undisclosed signs they could find. Mr. Gallaway agreed with the  
474 Vice Chair's point about improving education for candidates, and said any policies that  
475 could outline what were best practices for candidates would be helpful. When Mr.  
476 Gallaway realized the violation, he submitted a formal complaint against himself stating  
477 the violation and actions taken to remedy the situation. Vice Chair Wheeler noted Mr.  
478 Gallaway attempted to fix the signs, and that the signs were only displayed on Election  
479 Day. Ms. Schneider apologized for not including Mr. Gallaway's self-reported complaint  
480 in the working papers; the complaint included the remediation actions, which constitutes  
481 an apology by Board standards. Vice Chair Wheeler asked if the Board would consider  
482 reducing the fine. Chairman Alcorn agreed there should be some credit given for self-  
483 reporting, and asked Ms. Birkenheier, as counsel to the Board, for advice. Secretary  
484 McAllister asked if the Board had any discretion in the matter.

485 Commissioner Piper noted the Board had full discretion, with the knowledge that  
486 the Board tends to act on precedent so the decision made during today's meeting would be  
487 binding on or persuasive for the Board when deciding subsequent cases with similar issues  
488 or facts. The Commissioner stated in his time working with the Department in campaign  
489 finance matters that he could not recall another candidate self-reporting, and commended  
490 Mr. Gallaway for doing so. Ms. Schneider informed the Board that there was another  
491 instance of self-reporting, to be heard later in the meeting. Vice Chair Wheeler  
492 acknowledged that Mr. Gallaway self-reported, but noted that ELECT received another  
493 complaint about a possible violation by Mr. Gallaway on Election Day. Secretary  
494 McAllister acknowledged the Commissioner's comments regarding setting precedents for  
495 subsequent rulings and suggested lowering the fine to \$400, given that Mr. Gallaway self-  
496 reported and attempted remediation. Both the Vice Chair and Chairman agreed. The

497 Secretary suggested an amendment to the Chairman's motion to substitute the penalty of  
498 \$800 to \$400, and Vice Chair Wheeler seconded the amendment. The motion passed  
499 unanimously.

500 The next complaints heard were against Pulaski Citizens for an Informed  
501 Community. Ms. Schneider began by outlining the undisclosed yard signs, as well as the  
502 newspaper ads; ELECT also received additional information regarding advertisements,  
503 with additional photographs submitted as evidence. Chairman Alcorn reviewed the  
504 recommendations, asking if ELECT was recommending a \$600 penalty. Ms. Schneider  
505 confirmed they were, but noted the Board could exercise discretion in regards to the  
506 number of signs allegedly in violation. Ms. Schneider counted four non-compliant signs.  
507 Chairman Alcorn asked if Pulaski Citizens were a registered local committee, as the  
508 advertisements appeared to be in regards to a referendum. Chairman Alcorn asked if  
509 referendums and referendum committees were within the scope of SBYA. Ms. Schneider  
510 noted that §24.2-955 discussed the scope of disclosure requirements, including an  
511 individual who incurs expenses only with respect to a referendum; however, it was unclear  
512 who Pulaski Citizens for an Informed Community was funded by. Ms. Birkenheier asked  
513 Ms. Schneider if all the signs and advertisements were paid for by the respondent, and Ms.  
514 Schneider was unsure given the evidence provided to ELECT. Chairman Alcorn asked if  
515 ads related to referendums were exempt from SBYA. Commissioner Piper noted that  
516 referendum committees are not subject to SBYA, but individuals are. As Pulaski Citizens  
517 was not a registered political committee, the Commissioner was unsure if the ads met  
518 disclosure requirements. The Commissioner also directed the Board to the newspaper ad  
519 with a sample ballot, and asked if that would have to be referred to the Commonwealth's  
520 Attorney. Ms. Schneider agreed, given the sample ballot and the uncertainty regarding the  
521 responsibility behind the signs.

522 A representative from Pulaski Citizens for Education spoke and informed the Board  
523 that her committee provided ELECT with the cost for full page ads like the ones that  
524 Pulaski Citizens for an Informed Community placed. The representative stated that with  
525 the number of ads, and with the cost of placing the ads, the cost of the ads overall would  
526 exceed a value of \$1,000, which meets the criteria for being required to form a committee.  
527 Pulaski Citizens for Education did report as much to the Commonwealth's Attorney, and



528 was unsure who else to direct the complaint to, considering Pulaski Citizens for an  
529 Informed Community failed to form a referendum committee. Ms. Birkenheier asked the  
530 representative when the violations occurred and when the complaint was filed with  
531 ELECT. The representative stated the violations and complaint were submitted in  
532 September of 2017. Ms. Birkenheier asked the Board if it would like the pass by the  
533 complaint for the day until more information was available. Chairman Alcorn suggested  
534 the Board have a discussion on the scope of referendum committees, but agreed with  
535 passing the subject by for the day.

536 The representative further informed the Board that the central issue of their report  
537 was that there was a coordinated effort to shield Pulaski Citizens for an Informed  
538 Community from the requirements of public disclosure by acting as a referendum  
539 committee without registering as such; therefore, the public would assume that the  
540 advertisements were paid for and authorized by a committee, when in fact, no such  
541 committee existed. The representative asked what passing the topic by for the day entailed.  
542 Chairman Alcorn explained that the Board would not rule on the matter during the meeting,  
543 and would make a decision in a future meeting.

544 The next complaint heard was against Schleeper for City Council. Ms. Schneider  
545 covered the number of ads in question, as well the proximity of the ads to the election. Mr.  
546 Schleeper, respondent, stated it was his first time running. Upon realizing the lack of  
547 disclaimer, Mr. Schleeper attempted to add a handwritten disclaimer to each sign. When  
548 the campaign received new signs with the proper disclosure, the old, undisclosed signs  
549 were disposed of. Chairman Alcorn clarified the recommended fine was a \$50 fine for a  
550 first time violation with attempts of remediation and an explanation, doubled due to  
551 proximity to the election, and then applied to each sign submitted as evidence, which  
552 resulted in a \$400 fine. Vice Chair Wheeler asked how many of the signs were remediated  
553 and if the fixes happened before Election Day. Mr. Scheleper said that new signs were  
554 ordered on March 16, with a two-week delivery date, putting the arrival of the new,  
555 properly disclosed signs at April 1<sup>st</sup>; meaning the new signs replaced the undisclosed signs  
556 before Election Day. Vice Chair Wheeler noted that the proximity to the election did not  
557 apply because Mr. Schleeper hand wrote the disclosures before the election. Ms.  
558 Schneider said the complaint alleged that there were four signs, but made no mention of

559 whether or not there was an attempt to provide disclosure. Chairman Alcorn asked if there  
560 were any other photographs submitted as evidence, and Ms. Schneider said there were not.

561 Vice Chair Wheeler stated because the Board agreed to lower Mr. Gallaway's sign,  
562 that they should consider reducing Mr. Schleeper's fine as he attempted to fix the  
563 disclosure. Chairman Alcorn clarified that Mr. Gallaway's fine was lowered because Mr.  
564 Gallaway self-reported, but noted that other candidates who remediated their signs received  
565 a \$50 assessment. Chairman Alcorn stated earlier in the meeting the Board fined based on  
566 the number of signs reported. As there was only evidence of one sign per the evidence  
567 submitted, rather than the four reported, Commissioner Piper asked if that information  
568 would be taken into consideration. Ms. Schneider agreed, noting that the Board did not  
569 previously require a photograph of each sign in violation for which a penalty assessed. Ms.  
570 Schneider reminded the Board that in Mr. Gallaway's situation, there were 8 signs reported  
571 before Mr. Gallaway self-reported 48. Mr. Gallaway was then fined for the 8 signs  
572 reported, and the resulting fine was \$400. Vice Chair Wheeler asked Mr. Schleeper for  
573 clarification on when the signs were corrected by a handwritten disclosure. Mr. Schleeper  
574 said the hand written disclosures were added to the signs before the signs were even  
575 disseminated; therefore, the sign in the photographic evidence likely had the handwritten  
576 disclaimer on the back of it. Chairman Alcorn stated if there was in fact a disclaimer on  
577 the back side of the sign, then there was no violation. Chairman Alcorn moved *subject to*  
578 *the Board's authority under the Code of Virginia §24.2-955.3, to find Schleeper for City*  
579 *Council not in violation of Stand By Your Ad print media disclosure requirements.* Vice  
580 Chair Wheeler seconded the motion, and the motion passed unanimously.

581 The next complaint heard was against Tim McPeters for Commissioner of the  
582 Revenue. Ms. Schneider stated that all of Mr. McPeters's signs were properly disclosed  
583 before they were placed, and that no violation of SBYA was to be found. Chairman Alcorn  
584 asked why this was submitted as a SBYA complaint, and Mr. McPeters said there was  
585 confusion over the size the disclaimer is required to be. Commissioner Piper said that  
586 advertisements were required to have their disclaimers placed in a conspicuous manner,  
587 and Chairman Alcorn noted that the size requirement was 7 pt. Mr. McPeters stated he had  
588 the evidence to indicate that the font on the signs was bigger than that. Ms. Schneider  
589 noted that the 7 pt font applies to electronic advertisements, as stated in §24.2-956. Mr.

590 McPeters pulled out one of the signs in question, and showed the Board that the disclaimer  
591 was placed on both sides. Chairman Alcorn moved *subject to the Board's authority under*  
592 *the Code of Virginia §24.2-955.3, to find Tim McPeters not in violation of Stand By Your*  
593 *Ad print media disclosure requirements.* Vice Chair Wheeler seconded the motion, and  
594 the motion passed unanimously.

595 Ms. Schneider then gave the Board background on television advertisement  
596 disclosure requirements, stating that any television ad that a campaign committee puts out  
597 must have a written disclosure that appears on the screen. The disclosure must have the  
598 name of the committee or candidate that paid for it. If the ad references another clearly  
599 identified candidate, there must be a spoken disclaimer, spoken in the voice of the  
600 candidate. The spoken disclaimer must be accompanied by a full screen, unobscured image  
601 of the candidate. Unobscured, as defined in §24.2-955, means “that the only printed  
602 material that may appear on the television screen is a visual disclosure statement required  
603 by law, and that nothing is blocking the view of the disclosing person’s face.” Ms.  
604 Schneider mentioned that the requirement in §24.2-957.1 that there be a disclaimer at the  
605 beginning and end of the ad was not applicable because none of the ads being discussed  
606 during the meeting were longer than 30 seconds.

607 The first television ad complaint heard was against a TV advertisement sponsored  
608 by the Northam for Governor campaign. Ms. Schneider played the ad for the Board, and  
609 said that the complaint alleged that there was an insufficient, full screen image of Governor  
610 Northam. Ms. Schneider disagreed with the complaint, noting that the image was not  
611 obscured as it was the only photograph on screen, contained the disclosing individual,  
612 occupied all space, and contained at least 50% of the vertical height of the screen. Ms.  
613 Schneider further noted that no other printed material other than the written disclosure  
614 appeared with the image, and that the advertisement met the requirements for oral and  
615 written disclosures.

616 Ms. Schneider noted that with television ads, the written disclosure was required to  
617 constitute 20 scan lines in size, but that the size of the written disclosure was not in question  
618 and it was unclear how to measure scan lines. Brad Komar, Governor Northam’s  
619 Campaign Manager, spoke and noted the letter submitted by the DPVA and RPVA. Mr.  
620 Komar stated both complaints, against Governor Northam and Ed Gillespie, were filed in

621 late September. The letter sent to ELECT came from counsel from both the Democratic  
622 and Republican parties, and stated the ads substantially complied with §24.2, and that the  
623 Board should find both Gillespie and Northam to not be in violation. In regards to the  
624 Northam ad, Mr. Komar noted that there was a clear, unobstructed image of Governor  
625 Northam. Chairman Alcorn moved *subject to the Board's authority under the Code of*  
626 *Virginia §24.2-955.3 to find Northam for Governor not in violation of Stand By Your Ad*  
627 *television disclosure*. Vice Chair Wheeler seconded the motion, and the motion passed  
628 unanimously.

629 The next complaint heard was against three television advertisements sponsored by  
630 the Ed Gillespie for Governor campaign. Ms. Schneider played the first ad for the Board,  
631 noting that because the ad did not mention another candidate, the oral disclosure statement  
632 was not required. Ms. Schneider explained that the statement has to be accompanied by an  
633 unobscured, full screen photo of the candidate; the advertisement could be considered  
634 obscured because there were lines of text that preceded the disclosure statement, and the  
635 Code states that the only text on screen could be the disclosure statement. Chairman Alcorn  
636 asked if that definition was from ELECT or in the Code, and Ms. Schneider directed the  
637 Board to §24.2-955.1. Ms. Birkenheier drew the Board's attention to §24.2-957.1,  
638 subsection 1, where the Code stated the requirements for a legend of a disclosure statement;  
639 Ms. Birkenheier noted that that subsection did not mention the term "unobscured."  
640 Chairman Alcorn clarified that there would only be the unobscured requirement if another  
641 candidate was mentioned in the advertisement, as required by §24.2-957.1, subsection 3.  
642 Ms. Birkenheier agreed, but deferred to staff on if that interpretation was consistent with  
643 past Board actions. Ms. Schneider noted it was unclear if subsection 3 applied to the  
644 subsections about the legend as well as to advertisements that clearly identify another  
645 candidate; Ms. Schneider also said the Board did not have past rulings on television ads.

646 Ms. Schneider said, consistent with Ms. Birkenheier's notes, the next two  
647 advertisements from Gillespie for Governor clearly identify a candidate and therefore  
648 explicitly require an unobscured photograph of Mr. Gillespie to appear during the  
649 disclosure statement and would also require a disclosure statement spoken by the  
650 sponsoring candidate. Vice Chair Wheeler asked if the reason the first advertisement was  
651 being questioned was because there was other print on the screen, noting that the disclosure

652 text was unobstructed. Ms. Schneider referred back to the definition in the Code discussed,  
653 stating the unobscured statement only referred to advertisements that clearly identified  
654 another candidate. Commissioner Piper asked Ms. Birkenheier if the unobscured  
655 requirement only applied to the candidate's picture, not to the text of the disclosure  
656 statement on the screen. Chairman Alcorn pointed out that §24.2-957.1 read "the  
657 disclosure statement" in all of the subsections, except for subsection 5, which read "the  
658 oral disclosure statement." The Chairman interpreted the Code as meaning that the  
659 unobscured photograph only applied to the oral disclosure statement, rather than the text  
660 of a disclosure statement. Because the first advertisement did not have an oral disclosure  
661 statement as it did not mention another candidate, the Chairman found no violation in the  
662 first advertisement.

663 Ms. Schneider played the second advertisement for the Board. Chairman Alcorn  
664 noted the advertisement did identify another candidate: Governor Northam. The Chairman  
665 noted that §24.2-955.1 defined unobstructed as having no other text than the written  
666 disclosure statement on screen during the oral disclosure statement. Because Mr.  
667 Gillespie's ad included additional text, the Chairman found this advertisement to be in  
668 violation of §24.2-957.1. Ms. Birkenheier clarified that the Code allowed the text of visual  
669 disclosure statements required by law, but agreed that there was additional text on screen.  
670 Ms. Schneider pointed to the third subsection of §24.2-957.1, which states that a candidate  
671 may provide the oral disclosure statement required by the section at the same time as the  
672 visual disclosure. Vice Chair Wheeler clarified that according to Ms. Schneider's  
673 statement, the second advertisement was not in violation. Ms. Schneider corrected the Vice  
674 Chair, stating the additional text on the screen, present in addition to the written disclosure,  
675 would constitute a violation. Vice Chair Wheeler asked that because there was additional  
676 text on the screen, despite the photo of the candidate being otherwise unobstructed and  
677 having the disclosure spoken in the candidate's voice, that there was a violation. Ms.  
678 Schneider said yes, because of the nuanced definition in the Code. Vice Chair Wheeler  
679 stated that it was clear who sponsored the ad, and that the probable intent of the law was  
680 so the candidate's face and the written disclaimer were not obstructed. Chairman Alcorn  
681 agreed that the definitions were nuanced, but agreed with staff assessment that the  
682 advertisement was in violation of §24.2-957.

683 Vice Chair Wheeler asked if it mattered that both parties asked to have their  
684 complaints withdrawn. Chairman Alcorn reminded the Vice Chair of the earlier  
685 conversation, stating that even if the complainant withdrew, a violation still may have  
686 happened so it was the Board's duty to review and assess fines regardless. The Vice Chair  
687 argued that in addition to requests for withdrawal, the additional text on the screen did not  
688 obscure the face of the candidate. Chairman Alcorn agreed, but noted the requirement  
689 stated that no text could be on the screen other than the written disclaimer, which was not  
690 the case with the particular advertisement. Secretary McAllister also agreed with staff's  
691 recommendation to find a violation of §24.2-957. The Secretary stated because this was  
692 the first television advertisements the Board would make a ruling on, the Board should  
693 adhere closely to the rules as their assessments would establish precedent for future  
694 hearings. Vice Chair Wheeler reiterated that the text did not obscure the candidate's face,  
695 and said the letter sent by both parties should be counted in the Board's consideration. Ms.  
696 Schneider said the letter indicated the advertisements substantially complied, though the  
697 Board had indicated otherwise during the discussion, and did not include an explanation,  
698 attempt of remediation, or apology. Vice Chair Wheeler asked if both parties' legal counsel  
699 were signatories on the letter, and Ms. Schneider said yes.

700 Ms. Schneider showed the Board the third advertisement. Chairman Alcorn noted  
701 the advertisement clearly mentioned another candidate, and therefore required oral  
702 disclosure. This advertisement also included extraneous text on the screen during the oral  
703 disclosure, rendering the advertisement improperly disclosed in violation of §24.2-957.1;  
704 similar to the second advertisement. Chairman Alcorn asked what the typical penalty for  
705 a television advertisement was. Ms. Schneider said there have been no previous Board  
706 decisions on television advertisements, but that there are recommendations in the campaign  
707 finance summaries; Ms. Schneider noted that the maximum penalty was not to exceed  
708 \$1,000 per occurrence, or \$2,500 per occurrence if the advertisement occurred within 14  
709 days of the election. In no event could a penalty for a single advertisement exceed \$10,000.  
710 Chairman Alcorn asked if it was known when the advertisements ran. Commissioner Piper  
711 noted the reason the Board did not hear television violations in the past was because of the  
712 per-occurrence issue. Without knowledge of when an advertisement aired or how often it  
713 ran, it was difficult to assess an appropriate penalty. The Commissioner asked Ms.

714 Birkenheier that because the Board was not positive the advertisement ran on television,  
715 but knew that it was posted online, if the Board could assess penalties treating the ad as a  
716 print media violation; Ms. Birkenheier said yes, the Board had that discretion. Chairman  
717 Alcorn asked if the complaints were brought as television ads, and Ms. Schneider said they  
718 were, with the complainant alleging multiple broadcasts throughout the Commonwealth.

719 Chairman Alcorn said because there was no proof the ads ran within the 14 days  
720 prior to the election, and noted that neither campaign argued the advertisements weren't  
721 television ads, it was appropriate to treat the advertisements as television violations rather  
722 than print media. Ms. Birkenheier asked Ms. Schneider if she requested information on  
723 the amount of broadcasts for each ad, and Ms. Schneider said yes, but did was not provided  
724 any additional information. Chairman Alcorn moved *subject to the Board's authority*  
725 *under the Code of Virginia §24.2-955.3, to find Ed Gillespie for Governor in violation of*  
726 *§24.2-956 Stand By Your Ad print media disclosure requirements with regard to 2*  
727 *advertisements, and is hereby assessed \$2,000.* Secretary McAllister seconded the motion.

728 Vice Chair Wheeler stated members of the General Assembly and the Division of  
729 Legislative Services need to be careful when writing Code, and that candidates need to be  
730 careful to observe what was written. The Vice Chair stated she believed the intent of the  
731 law was to prevent the candidate or speaker's face, and the written disclosure, from being  
732 obscured, and did not believe that happened in any of Mr. Gillespie's ads. Ms. Schneider  
733 pointed the Board to the campaign finance summaries approved in 2015, which stated that  
734 each violation would be assessed a fine of \$2,500, unless the advertisement was  
735 disseminated in the 14 days prior to the election in which case the penalty would be  
736 \$10,000. Ms. Schneider added that because the complaint reporting the advertisement  
737 arrived over a month from the election, the violation did not occur within 14 days prior to  
738 the election. Commissioner Piper noted that the summaries needed to be updated, as the  
739 Code clearly stated that violations should not be more than \$1,000 per occurrence, or more  
740 than \$2,500 per occurrence when within 14 days prior to the election, not to exceed \$10,000  
741 overall. Vice Chair Wheeler asked how the term occurrence was being used, and Chairman  
742 Alcorn recommended using the lowest definition, which constituted each advertisement as  
743 one violation each, regardless of the number of times the advertisements ran. However,  
744 Commissioner Piper noted that §24.2-955.1 defined "occurrence" as "one broadcast of a

745 radio or television political campaign advertisement.” Ms. Schneider added that in no  
746 event, regardless of the number of broadcasts, could the penalty for one advertisement  
747 exceed \$10,000.

748 Chairman Alcorn suggested keeping the penalty to \$2,000, with a \$1,000 fine for  
749 each of the two advertisements. Vice Chair Wheeler asked if the Board was going to  
750 disregard the request to withdraw from the parties, and Chairman Alcorn said yes. The  
751 Board then voted on the matter; Chairman Alcorn voted yea, Secretary McAllister voted  
752 yea, and Vice Chair Wheeler abstained. The motion passed 2:0:1.

753 Chairman Alcorn then moved *the Board recess for ten minutes*. The Board  
754 reconvened at 2:54 p.m.

755 The next hearing was regarding Joan Ziglar for Commonwealth’s Attorney. Ms.  
756 Schneider stated that ELECT recommended finding no violation because the challenged  
757 advertisement neither mentions a candidate nor an election, and therefore does not  
758 constitute an advertisement expressly advocating for a candidate or election. Chairman  
759 Alcorn moved *subject to the Board’s authority under the Code of Virginia §24.2-955.3, to*  
760 *find Joan Ziglar not in violation of Virginia’s campaign finance Stand By Your Ad laws*.  
761 Vice Chair Wheeler seconded the motion, and the motion passed 2 to nothing, as the  
762 Secretary was not present in the room for the vote.

763 The next hearing was regarding Virginia Gov Facts. Ms. Schneider recommended  
764 finding no violation, per her recommendation that the advertisement did not contain  
765 express advocacy. Chairman Alcorn moved *subject to the Board’s authority under the*  
766 *Code of Virginia §24.2-955.3, to find Virginia Gov Facts not in violation of Virginia’s*  
767 *campaign finance Stand By Your Ad laws*. Vice Chair Wheeler seconded the motion, and  
768 the motion passed 2 to nothing, as the Secretary was not present in the room for the vote.

769 The next hearing was regarding Virginia Freedom Caucus. Ms. Schneider said the  
770 three advertisements before the Board constituted print media advertisements, and had an  
771 incomplete disclosure. Ms. Schneider noted that because the publication referred to  
772 another candidate, an additional disclosure statement was required by §24.2-957.1.  
773 Chairman Alcorn asked if Virginia Freedom Caucus sent any explanation or attempted to  
774 remediate the situation. Ms. Schneider answered that the group had a website, but was not  
775 registered as a committee with ELECT. ELECT did not have a contact person to notify of



776 the hearing, but did send notification to a post office box. Ms. Schneider suggested that  
777 the case may have to be recommended to the Commonwealth’s Attorney for further action  
778 because the group did not report or submit a Statement of Organization. Chairman Alcorn  
779 observed that no violation occurred because the advertisements did not meet the current  
780 definition of express advocacy. Chairman Alcorn moved *subject to the Board’s authority*  
781 *under the Code of Virginia §24.2-955.3, to find Virginia Gov Facts not in violation of*  
782 *Virginia’s campaign finance Stand By Your Ad laws.* Vice Chair Wheeler seconded the  
783 motion, and the motion passed 2 to nothing, as Secretary McAllister was not present.

784 Vice Chair Wheeler thanked Ms. Schneider for the format and presentation of the  
785 hearings. The Vice Chair reiterated the importance of educating candidates on campaign  
786 finance rules. Chairman Alcorn agreed, stating the Virginia Benchmark Index Workgroup  
787 would help establish areas of need to improve training and education.

788 Chairman Alcorn then moved to adjourn the meeting. Vice Chair Wheeler  
789 seconded the motion, and the motion passed two to nothing. The meeting was adjourned  
790 at approximately 3:07 PM. The next Board meeting will be on June 19, at 11:00 AM.

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Secretary

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Chair

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Vice Chair



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# Commissioner's Report

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BOARD WORKING PAPERS

Chris Piper  
Commissioner



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# Presentation on Mis-Assigned Voters

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BOARD WORKING PAPERS

Chris Piper  
Commissioner



# An Overview of Mis-Assigned Voters



# Background

- 2017 House of Delegates Election
  - Voters were found to be improperly placed in the 88<sup>th</sup> HoD District; should have been in 28<sup>th</sup>
  - Following the election, several localities reached out to ELECT requesting assistance to identify potential mis-assigned voters
    - After review, ELECT determined it could assist in providing localities a guide to help identify potential mis-assigned voters, but it would require the locality to make the final decision on district assignment



# How did it happen?

When a split is apparent, a GR will have the option of determining which precinct the voter may be placed in.

This placement is a **manual process**, not determined by VERIS. Human error may occur which impacts voter district association.

**Street Segment Overview**

Street: Stafford Glen CT  
Number: 100 - 810  
City/State/Zip: Stafford VA 22554  
Unit Number:

O/E/B: Both  
Residential: Yes

Jurisdiction Type:

Precinct:

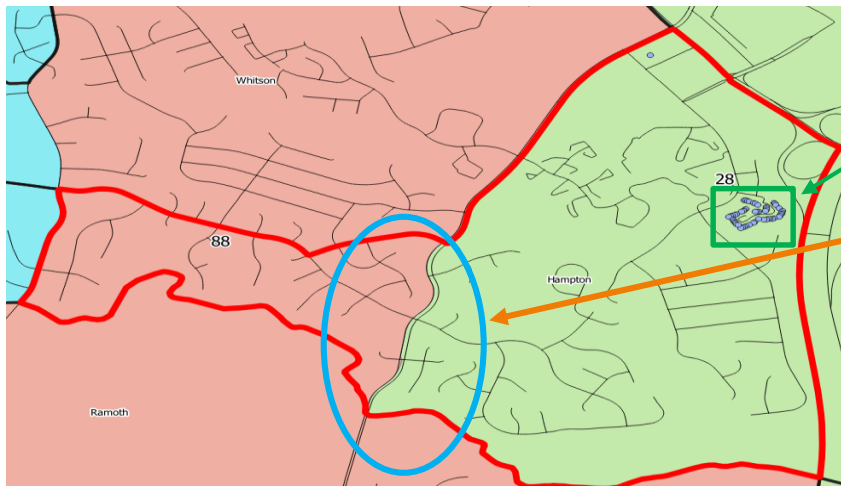
**Select Districts**

	0000 <input type="checkbox"/>	0001 <input checked="" type="checkbox"/>
Congressional	01	01
State Senate	028	028
House of Delegates	028	088
Election	GARRISONVILLE	GARRISONVILLE

Each column lists the State Senate as District 28 while House of Delegates is split between the 28th District and 88th District. House of Delegates and State Senate should be the same district (28<sup>th</sup>). With a check, the GR can place 107 voters in the correct district or split the district by placing voters in the incorrect district.



# How did it happen?



- The image to the left shows a map of the 703 - Hampton precinct. (Outlined in red)
- It also shows the address points for 100-810 Stafford Ct
- Note the split between the 28<sup>th</sup> and 88<sup>th</sup> house districts in the 703 precinct
- The image to the left show the split within VERIS associated to the 703 precinct. The 0000 split is represented by the green area and the 0001 split is represented by the red area.
- 100 – 810 Stafford Ct was incorrectly assigned to the 0001 split

## Select Districts

	0000 <input type="checkbox"/>	0001 <input type="checkbox"/>
Congressional	01	01
State Senate	028	028
House of Delegates	028	088
Election	GARRISONVILLE	GARRISONVILLE

Save Clear Cancel



# The Law

- The Code of Virginia does not provide any single entity explicit oversight regarding modification of local election district lines
  - General Assembly draws Congressional, House, and State Senate district lines
  - Localities draw local office district lines and voting precincts
  - ELECT provides VERIS to link voters to appropriate districts and precincts
  - Localities send ELECT data on their precinct lines, but there is no method to verify how they were done or if they were done correctly
    - ELECT has no oversight in ensuring voters are properly placed in the correct precinct





## The Law

- § 24.2-302.2 (C) of the Code of Virginia states, “Parts of counties and cities listed...are defined by reference to the 2010 Census reports...***Precincts shall be interpreted to refer to those in existence on April 1, 2011...notwithstanding subsequent changes made by localities.***” emphasis added
  - These are referred to as “census block data”
  - Changes to county lines or precincts after 2011 cannot be considered when determining voting precinct



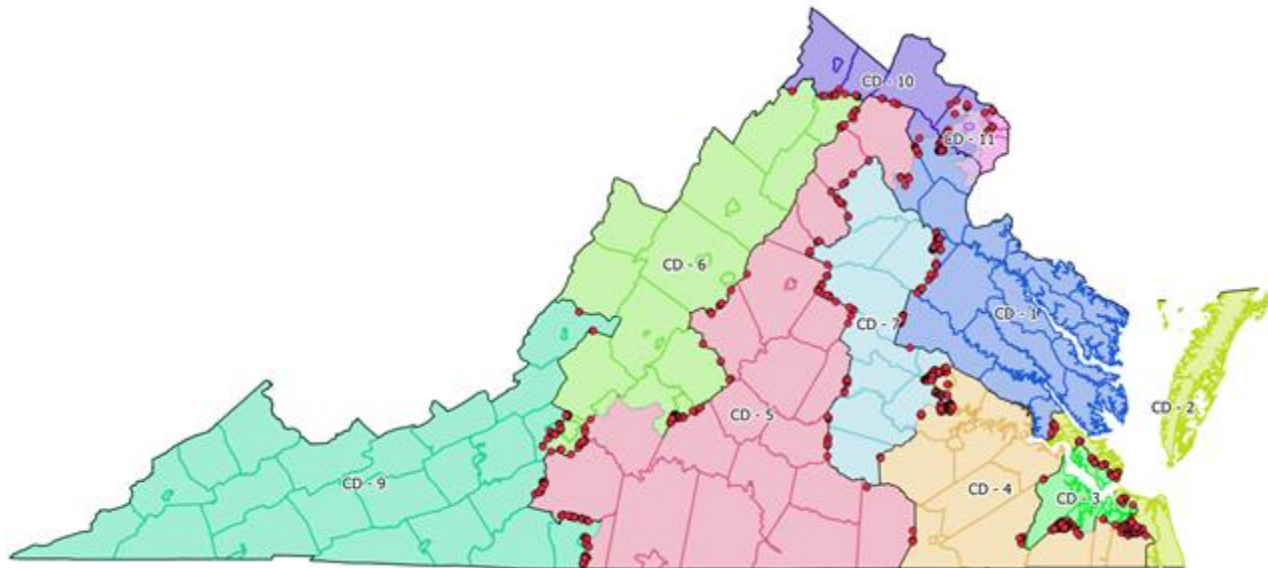
## ELECT's Process

- ELECT used GIS mapping software along with U.S. Census block data
- What is GIS?
  - A GIS or Geographic Information System integrates hardware, software and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information or location information.



# ELECT's Process

## VERIS Addresses Misassigned Image (By Congressional District)



- ELECT identified potential mis-assigned voters and sent data to localities for verification
- Majority of findings were “edge cases”



## Issues Discovered

- Situations that may lead to issues with district lines:
  - Human error when using Geographic Information System (GIS) data (see 2017 28<sup>th</sup> and 88<sup>th</sup> HOD)
  - Historical disputes of county lines
  - Misunderstanding of the use of precinct descriptions as written in Va. Code



# Issues Discovered

- Situations that may lead to issues with district lines (cont.):
  - Counties may have informal agreement to the existence of county lines
    - No formal agreement or adopted ordinance increases likelihood of mistakes when placing voters due to a lack of defined boundaries.



# Issues Discovered

- Situations that may lead to issues with district lines (cont.):
  - Incorrect use of county information (taxes, utility services, etc.)
    - GRs may incorrectly determine a voter belongs in an election district/precinct because the voter pays taxes or receives utility services from a specific locality.
    - Taxes, utility services, etc. have no influence on election districts or where a person votes.



# Issues Discovered

- State Board “Vote Where You Sleep” Regulation
  - 1 VAC 20-40-30 (E) states, “A person whose residence is divided by a jurisdictional boundary line or election district boundary line shall be deemed to reside in the location of his bedroom or usual sleeping area.”
    - Residences are only accessible from County A, but home is physically located in County B
    - “Taxation without Representation” and “Representation without Taxation”





# Challenges

- GIS is not perfect
  - Sneeze lines, etc.
  - Technology is improving, changing
- Va. Code locks localities to decennial census data even if locality lines change
  - Precincts are added and removed or moved entirely
- No oversight of the process
  - DLS provides lines, localities implement, but no one is legally required to verify that voters are properly placed





# The Way Ahead

- ELECT pledges to work with the legislature and the localities to determine how to improve the process



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# Revised Guidelines For Conducting Voter Registration Drives

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BOARD WORKING PAPERS  
Garry Ellis  
NVRA/Voter Registration Coordinator/  
Registrar Liaison



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STATE BOARD *of* ELECTIONS

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**Memorandum**

To: Chairman Alcorn, Vice Chair Wheeler, and Secretary McAllister  
From: Garry E. Ellis, Voter Registration Coordinator/Liaison  
Date: May 31, 2018  
Re: Revisions to Guidelines to Conduct Voter Registration Drive

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**Suggested motion for a Board member to make**

I move that the Board approve the proposed revisions to the Third Party Voter Drive Training PowerPoint and Guidelines to Conduct a Voter Registration Drive.

**Applicable Code Sections:** Va. Code § 24.2-416.6

**Attachments:**

Your Board materials include the following:

- Current Guidelines for Conducting Voter Registration Drives
- Current Third Party Voter Drive Training Powerpoint
- Revised Guidelines for Conducting Voter Registration Drives

**Background:**

The requirement for ELECT to provide training and guidelines for Third Party Voter Registration became effective on July 1, 2013. Annually, ELECT reviews and revises the Third Party Voter Registration Training PowerPoint and Guidelines for Conducting Voter Registration Drives to reflect changes in current laws, policies, and procedures. The current version of the Third Party Voter Registration Drive Training and Guidelines for Conducting Voter Drives were approved by the State Board in June of 2017. Because there were no changes in the law, polices, and procedures, the Third Party Voter Drive Training PowerPoint has not been changed, but is included for the Board's continued approval for use in 2018.

**ELECT staff recommendations:**

ELECT staff recommends the Board approve the proposed changes to the Third Party Voter Drive Training and Guidelines to Conduct Voter Drives.



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DEPARTMENT *of* ELECTIONS

**GUIDELINES FOR CONDUCTING  
VOTER REGISTRATION DRIVES**

**Introduction and Notice of Training Requirement**

These guidelines outline the several requirements imposed by the Code of Virginia and instructions and best practices as prescribed by the Department of Elections (ELECT) on how to effectively and lawfully conduct a voter registration drive. Helping voters register – like driving or filing taxes – is a serious undertaking. Training and reviewing these guidelines before launching your registration drive will ensure compliance with the law and success in your efforts.

Please note that state law requires any group or individual that requests 25 or more voter registration applications from ELECT or a local general registrar's office to register and complete training approved by the State Board of Elections (SBE) (see page 3 for more information). Groups that print and distribute their own voter registration applications when conducting drives are also strongly encouraged to complete the training to protect both applicants and the individuals working on the drive.

Voter registration applications can be requested in person at the local general registrar's office or by calling ELECT at 1-800-552-9745. Training classes are offered online, at the local voter registration office or by signing up for an in-person class which are held at ELECT's offices. Please visit ELECT's website ([www.elections.virginia.gov](http://www.elections.virginia.gov)) for information on upcoming training sessions.

**Please read these instructions carefully as failure to follow the requirements laid out by state law may result in criminal penalties.** Do not hesitate to contact the Department of Elections (ELECT) or a local voter registration office if you are uncertain on the laws and proper procedures. ELECT thanks you for your efforts to increase voter registration and participation in the Commonwealth of Virginia.

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## Registration and Training Requirements for Drives

✓ Virginia law requires training and registration for some individuals and groups conducting voter registration drives. Specifically, groups and individuals that obtain 25 or more voter registration applications from ELECT or a local registrar's office must register with ELECT or in person at the general registrar and take training (Va. Code § 24.2-416.6). Groups printing their own registration applications and engaging in registration drives are also strongly encouraged to register and receive this training.

✓ Both the registration process and training can be completed online or in-person at the Department of Elections or a local voter registration office.

At least one agent of the organization seeking to obtain applications must complete the training and certify that the organization will require training for all persons collecting completed voter registration applications from applicants on behalf of the organization. . However, if any other individual requests more than 25 applications (even if they claim to represent a group which has already received the training), the individual is still required to complete the training prior to receiving the requested applications. In sum, each individual or agent requesting applications must receive the training. Other groups and individuals conducting voter registration drives that obtain their registration applications through other means are strongly encouraged, but not required, to receive training prior to conducting a drive.

✓ Upon completion of in-person training, the group or individual will receive a certificate stating that they have completed the required training for conducting voter registration drives in the Commonwealth. The certification is valid until June 30<sup>th</sup> each year upon which time the training must be completed again in order to renew the certification.

✓ For more information on the training requirements please contact your local voter registration office or ELECT at 1-800-552-9745. The registration and training module can be accessed at [www.elections.virginia.gov/](http://www.elections.virginia.gov/).

## Rules of the Road: Best Practices Overview

1. Make sure the organization you represent is (1) registered with the Department of Elections (this can be checked by contacting ELECT at 1-800-552-9745), and (2) has taken state approved training about your legal responsibilities. For training and registration requirements see page 3 and the forms at the end of this document. These requirements apply if an individual or an organization receives 25 or more applications from the Department of Elections or a local voter registration office. Other groups are encouraged to receive training.
2. When approaching individuals, introduce yourself and the organization you represent, explain your purpose, the qualifications to vote in Virginia, and whether or not you will deliver the completed application for the applicant. You should inform voters that Virginia now has online voter registration and address update available on the ELECT website to those with a Virginia driver's license or DMV ID card. This information will be helpful to an applicant that wishes to ensure their application is delivered in real time directly to their local voter registration office.
3. Target only non-registered individuals who are qualified to vote or registered individuals who have outdated registration information such as those who moved and did not update their registration address.
  - ✓ Don't complete or accept applications for anyone who you know is not eligible to vote, such as a convicted felon whose rights have not been restored or a non-Virginia resident.
  - ✓ Don't attempt to re-register individuals who are registered and have up to date information. Registrants are able to check to their registration information and status online at [www.elections.virginia.gov](http://www.elections.virginia.gov)
  - ✓ You should leave the registration application with the individual if he/she is uncertain as to their registration status or his/her qualification to register to vote.

### **The Qualifications to Vote in Virginia:**

- ✓ Citizen of the United States.
- ✓ Resident of Virginia (residency requires both domicile and a place of abode, i.e., an intention to remain indefinitely and a physical place to live.) Voters must provide a current residence address when completing the application. Note: special rules apply to military and overseas voters.
- ✓ Must be at least 18 years old on or before the date of the next general election. 17 year olds may register and vote in special elections and primaries, specifically the presidential primary.
- ✓ Unless rights have been restored, must not have been convicted of a felony nor have been judged by a court to be mentally incapacitated (either in VA or another state). Restoration required as to each disqualifying conviction or adjudication.

4. Instruct individual that the application **must** be completed **neatly**, **accurately**, and in its **entirety**.
  - ✓ Failure to provide the required information, including citizenship status, will result in the rejection of an applicant's registration.
  - ✓ Applicants are also required to list their previous registration address to help prevent registration in more than one jurisdiction or duplicate registrations. An applicant who is already registered in Virginia may update his record using an application that is

completed with the changed information and signed by the voter. A registrant may also update his or her address online with the online registration portal at the ELECT website if the registrant has a Virginia driver's license or DMV ID card.

- ✓ Intentionally making a materially false statement on the registration application may result in felony prosecution or other penalties.
- 5. Unless specifically directed by the applicant, do not complete the blanks on the registration application.
- 6. Respect the wishes of those who decline to register. It is unlawful to, by use of threats or force, interfere with or attempt to interfere with a person applying or declining to register to vote. Va. Code § 24.2-1002.
- 7. Those registering should be reminded that they are required to provide their identification at the polls. Please encourage individuals to contact their local registration office or visit [www.elections.virginia.gov](http://www.elections.virginia.gov) for more information on Virginia's voter identification requirements.
- 8. If you offer to deliver the application, you must complete and provide a receipt to the applicant upon his/her completion of the application. Va. Code § 24.2-418.1.
- 9. You must deliver completed applications to the local voter registration office or to ELECT within 10 days of signature date or by 5:00pm on the day of the next election's registration deadline, whichever date comes first. Va. Code § 24.2-1002.01.
- 10. To ensure the timely and accurate processing of registration applications, you should provide the appropriate local voter registration office with an alphabetical list detailing the name on every application delivered.
- 11. **\*\*You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.\*\***

As of July 1, 2013, the Department of Elections provides online voter registration. An individual now has the ability to complete their application directly on ELECT's website ([www.elections.virginia.gov](http://www.elections.virginia.gov)). The application can be completed by the individual on a tablet or laptop.

**Questions or Concerns?** Please contact ELECT at 1-800-552-9745 or by email at [Info@elections.virginia.gov](mailto:Info@elections.virginia.gov).



## The Do's: Basic Instructions and Guidelines

### 1. **Register with election officials, complete official training, and ensure training of volunteers and staff:**

- ✓ Please see Registration and Training Requirements on page 3 and forms at the end of the guidelines.
- ✓ **When obtaining 25 or more voter registration applications from ELECT or a local registrar's office, such individuals or groups are required to register with ELECT (this is done by completing the required training either online, in the local voter registration office or in person at ELECT's offices). Groups printing their own registration applications are also strongly encouraged to register and receive this training. Va. Code § 24.2-416.6**
- ✓ If you are the organizer, manager, or supervisor of your organization's voter registration drive, ensure that your volunteers and staff are trained on and knowledgeable about these guidelines and Virginia law on voter registration drives.
- ✓ Voter registration drives are serious undertakings and it is imperative you follow the laws and guidelines that are designed to protect both the drive and the registration applicant. It is essential that all participants in your organization's voter registration drive are made aware of the rules, regulations, and guidelines related to voter registration drives as well as the legal consequences for failure to comply with Virginia and federal law.
- ✓ When conducting drives your volunteers and staff should, at a minimum, keep the two page "Best Practices and Overview for Volunteers" document on pages 4 and 5 with them for quick reference.
- ✓ Each section of the registration application asks for information that the applicant must provide in order for the voter registration office to accept the application and register the individual. It is important that you familiarize yourself with the application. Official training materials and these guidelines should answer any questions you may have regarding the registration application; however, if questions remain please contact ELECT or a local voter registration office.

### 2. **You should only seek to register eligible Virginia residents who are not currently registered and those whose registration information is not up to date:**

- ✓ Please review the FAQ section below as it relates to qualifications to register to vote in Virginia. Individuals ineligible to vote should not be instructed to complete registration applications.
- ✓ Individuals should complete a new application only to apply to register to vote or notify their local voter registration office of a change to their existing voter registration record such as a change in residence address or name.
- ✓ You should not seek to re-register individuals who are already registered to vote and whose information is current. You should also not offer applications to individuals who indicate they are not residents of Virginia. Please see "The Don'ts" #1 below for additional information.

### 3. **Drives must complete and provide applicants a receipt if offering to deliver a completed application:**

- ✓ If you offer to deliver the application, Virginia state law requires that voter

registration drives provide the applicants a receipt upon his/her completion of the voter registration application. Va. Code § 24.2-418.1.

- ✓ Attached to the registration application is a receipt that requests and/or displays the following information:
  - The receipt requests the individual to provide the name of the applicant, the name of the group or individual receiving the application, an email address and daytime telephone number of the group or individual delivering the application, and the date the application was completed.
  - The form also provides contact information for ELECT and notes that individuals should contact ELECT if the voter has not been notified of their registration status within 30 days. You may also wish to refer individuals to the contact information for local registration offices located on the back of the registration application instruction form.
- ✓ Your group may also prepare receipts that request and include the same information on the receipt on the registration application listed above.
- ✓ The receipt shall be completed by the person or group receiving the completed form from the applicant.
- ✓ **You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.** Va. Code §§ 24.2-418.1, 24.2-1002.01, 24.2-1017 and 24.2-1018.

**4. Completed applications must be delivered to the appropriate local voter registration office or to ELECT within 10 days of the signature date or by 5:00pm the day of the next election's registration deadline, whichever is sooner:**

- ✓ **Please note: It is more important that the applications be delivered *even if they are late*. Discarding voter registration applications is punishable as a misdemeanor under § 24.2-1002.01.**
- ✓ Best practices dictate delivery of the completed applications to the appropriate local voter registration office. Virginia state law requires that individuals receiving completed applications timely deliver the application to the local voter registration office, ELECT, or designated voter registration agency. Va. Code § 24.2-1002.01.
- ✓ The mailing or delivery of an application is timely if it is mailed or delivered within 10 days of the applicant's signature on the application or by 5:00pm on the voter registration deadline for the next election, **whichever comes first**.
- ✓ Please be mindful of upcoming voter registration deadlines when circulating applications.

**\*\*\*Failure to deliver completed applications is punishable as a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised.\*\*\***

- ✓ To the extent possible, please sort and deliver the registration applications to the voter registration office of the locality designated on the registration application. For example, one should not deliver a voter registration application for a Virginia Beach resident to the City of Richmond. Doing so delays the processing of the voter registration application and results in unnecessary costs to the registrar. If your drive is engaged in delivering voluminous numbers of registration applications on behalf of individuals residing in multiple localities, please contact ELECT to discuss the possible delivery of applications directly to ELECT.

- ✓ Please also be considerate of not “dumping” voluminous numbers of voter registration applications on the registrar offices immediately prior to the registration deadline. Doing so makes it very difficult for local election officials to timely process the applications prior to the election. Instead, you should submit applications to the appropriate voter registration office as you receive them. Waiting until the applicable deadlines risks delaying the processing of applications and may result in insufficient time to resolve any problems with registration applications.
5. **Drives Should Provide Alphabetical Listing of Applications with Registrar:**
- ✓ ELECT requests that voter registration drives provide the appropriate local voter registration office with an alphabetical list detailing the name on every application delivered to the registrar. Such a list protects you and your applicants.
6. **Be Aware of and Communicate “New” Voter Identification Requirements to Applicants:**
- ✓ Virginia law requires all voters to provide Photo identification when voting in person.
  - ✓ There are several forms of ID that are permitted and they include:
    - a valid Virginia driver's license;
    - a valid DMV issued Identification card;
    - ELECT issued Photo Identification card (for voting purposes only);
    - a valid college or university student photo identification card (college or institution must be located in Virginia) (Effective January 1, 2016, photo ID issued by any private school in Virginia will be an accepted form of ID for voting.)
    - any valid Federal, Virginia state or local government-issued ID; and
    - a valid employer issued photo ID card.
  - ✓ Department of Elections will provide photo identification card free of charge if applicant/voter does not possess a satisfactory photo identification. Please have applicants contact their local voter registration office should they need a photo identification, or if they have questions on identification requirements to vote in Virginia.
7. **Instruct volunteers that all voter registration applications must be completed neatly, accurately and in their entirety:**
- ✓ Registration applications must be completed in their **entirety**. Incomplete applications may be rejected by the local voter registration office. It is important that applicants closely follow the instructions on the application to ensure all required fields are completed.
  - ✓ Please instruct applicants to print as **neatly** as possible. Illegible handwriting on applications is a common reason for rejection of applications and keying errors when inputting the individual’s data into the statewide registration database.
  - ✓ The information provided must be **accurate**. There are criminal penalties for intentionally making a materially false statement on the application. Examples of materially false statements could include falsely affirming United States citizenship, legal age, not disclosing a prior felony conviction, residence address, or registration status in another state.
  - ✓ **It is extremely important that volunteers and registration drive participants understand the legal qualifications to vote in the Commonwealth and that they**

**convey that information to applicants when completing the voter registration application.** Please see the FAQ below addressing qualifications to register to vote in Virginia.

## The Don'ts: Prohibitions and Penalties

### 1. Drives must not intentionally solicit multiple applications from any one person or seek to re-register a voter whose registration information is current:

- ✓ Virginia law explicitly prohibits an individual from soliciting multiple registrations from any one person or intentionally falsifying a registration application. Violations are punishable as a Class 5 felony. Va. Code § 24.2-1002.01.
- ✓ You should also make every effort to avoid handing in duplicate registrations or re-registering individuals whose registration information is current. Some practical solutions to avoid re-registering current voters include:
  - If a voter believes that he/she may already be registered to vote and that his/her information may be current, you should leave the registration application with the voter for the individual to mail in or inform the voter about the new online voter registration option after the individual has confirmed his/her status. Be sure to remind the applicant of upcoming registration deadlines.
  - Encourage the individual to verify his/her voter registration information online at <http://www.elections.virginia.gov/register>.
  - Asking the voter if he/she has his/her voter registration card available and to have the voter review it and verify the information is up to date.
  - Contact ELECT during normal business hours at 1-800-552-9745 or their local voter registration office. Staff can immediately confirm the voter's registration information.
  - Obtain lists of registered voters from ELECT to cross-check potential registrants. Please see FAQ below.

**\*\*\*Intentionally submitting duplicate registrations may be a felony and delays the processing of new registration applications.\*\*\***

- ✓ A registration application can be used to notify a local voter registration office of a change to the voter's record, including a change of address or a change of name. Please do accept applications from registered voters wishing to update their registration records.
- ✓ **It is a Class 1 misdemeanor to communicate false information to a registered voter, including false information regarding the voter's registration status.** Va. Code § 24.2-1005.1. Accordingly, it is unlawful to inform a voter that he/she needs to re-register after the individual affirms that his/her registration information is up to date. Please review the registration laws and requirements and do not convey false information to voters. If you do not know, please refer potential registrants to the ELECT or any local general registrar for information.

### 2. Do not complete or accept applications for anyone that you know is not eligible to vote:

- ✓ Please read the FAQ section to become familiarized with the qualifications to vote in Virginia.
- ✓ Do not offer applications to felons whose rights have not been restored, non-residents of Virginia, and others you know are ineligible to vote. Similarly, do not provide advice that an individual may legally be registered to vote in multiple states.
- ✓ Under no circumstances should you knowingly accept an application from someone

- using a fictitious name or alias.
  - ✓ **Any willfully false material statement or entry made by any person in a voter registration application constitutes election fraud and is punishable as a Class 5 felony.** Va. Code § 24.2-1016.
  - ✓ **Persuading a voter to provide false information on his/her voter registration application may also constitute the felony crime of solicitation.** Va. Code §§ 18.2-29 and 24.2-1004.
- 3. Do not destroy, make changes to, or alter in any way a completed voter registration application:**
- ✓ Virginia state law expressly prohibits an individual from intentionally destroying a completed registration application. Va. Code § 24.2-1002.01 (Class 1 misdemeanor).
  - ✓ Virginia also expressly prohibits an individual from intentionally falsifying a registration application. Va. Code § 24.2-1016 (Class 5 felony).
  - ✓ Completed applications cannot be changed without signed permission from the applicant. See 1 VAC 20-40-70(F).
  - ✓ **Changing an application to accomplish fraud is a Class 5 felony.** Va. Code § 24.2-1009.
- 4. Do not pre-populate the registration blanks with information, and unless the individual is physically disabled you must not sign the application:**
- ✓ **Virginia law expressly prohibits third parties from pre-populating the application with information the applicant is required to provide, unless directed by the applicant. § 24.2-418.**
  - ✓ Individuals providing assistance **must** include their name and address if they sign for the applicant.
  - ✓ It is important to print neatly and legibly if you do offer assistance.
- 5. Voter registration is a public accommodation like a bus or restaurant: You cannot discriminate illegally:**
- ✓ It is a violation of federal law to refuse to provide a registration application to an individual because of his/her race, religion, or other suspect classification.
  - ✓ Conducting a partisan registration drive that discriminates based on political party affiliation could endanger your organization's tax-exempt status. Please review the applicable Internal Revenue Service (IRS) guidelines and/or consult with legal counsel regarding registration drives and tax-exempt status.
  - ✓ Once you accept a completed registration application, you **must** deliver that application in a timely manner to the appropriate voter registration office.
- 6. Must not misuse personal information contained on the registration application:**
- ✓ **Warning: Unauthorized disclosure of all or part of an applicant's social security number is a felony. Unauthorized use of any personal information to defraud also is a crime.** Va. Code §§ 18.2-186.3, 24.2-1002.1.
  - ✓ Virginia law contains specific prohibitions regarding the use of personal information without permission of the person who is the subject of the identifying information. Please review Va. Code § 18.2-186.3 to ensure that any proposed retention of registration information is in compliance with Virginia law.
  - ✓ State law allows the release of lists of registered voters to certain organizations for political purposes and/or to promote voter registration. We encourage you to contact

the Department of Elections if you or your organization would like to purchase a list of registered voters. Please see FAQ section below for more information.

**7. Must not bribe, threaten, coerce, intimidate, etc. voters into registering to vote:**

- ✓ State law expressly prohibits the use of threats or force to interfere with or attempt to interfere with any person applying for or declining to register to vote. Va. Code § 24.2-1002.
- ✓ Federal law prohibits an individual from using intimidation, threats, or coercion in urging or aiding a person in registering to vote. 52 USC 20511.
- ✓ Federal law also prohibits an individual from offering enticements or incentives for completing a voter registration application. 52 USC 10307(c).
- ✓ Federal law also expressly prohibits charging anyone for a voter registration application or charging for helping them to fill out the application. 52 USC 10307(c).
- ✓ Conspiracies to interfere with free exercise of voting rights are subject to felony prosecution under state law. Va. Code § 24.2-1015.

**8. Do not write or attach anything to the voter registration application related to candidates or ballot measures.**

## Frequently Asked Questions

### Voter Registration Questions:

#### **Q. Where do I obtain voter registration applications for my drive?**

- ✓ The Department of Elections will make available to any individual or group a reasonable number of voter registration application forms. Va. Code § 24.2-416.3. Any group or individual seeking 25 or more registration applications is required to register with the Department of Elections and take online or in-person training on the best practices and legal requirements for conducting registration drives. Please see page 3 above.
- ✓ **Blank** applications may be photocopied. However, an original signature is required on completed applications. The original signature may be applied electronically.
- ✓ A PDF of the voter registration application can be downloaded at [www.elections.virginia.gov](http://www.elections.virginia.gov).
- ✓ Please complete the Sworn Affidavit Form below to request registration applications for your drive.
- ✓ Online: ELECT now offers the ability for individuals to complete and submit their voter registration application on-line.
  - To qualify for on-line submission of the application, the individual must either already be registered (updating their registration) or have a DMV issued identification.
  - For unregistered individuals who do not have a DMV ID, the opportunity to complete the application is still available on-line, but the applicant will be required to print, sign and mail the application to the appropriate local voter registration office or to ELECT.

#### **Q. Who May Register to Vote in Virginia?**

Below, please find the qualifications to register to vote in Virginia:

- ✓ **Citizen of U.S.:** Must be a citizen of the United States.
- ✓ **Resident of Virginia:** Must be a resident of Virginia. A person who has come to Virginia temporarily and intends to return to his/her state of residence is not considered a Virginia resident for voting purposes. Persons who legally reside in another state (for example, students who intend to return to their home state upon graduation) should register in their home state using the voter registration application for their home state, or the national application, not the Virginia application. Active duty uniformed services personnel and overseas citizens may retain Virginia residency under specific federal and state laws.

**\*\*\*Residency in Virginia is a prerequisite to be eligible to register to vote. Residency requires both domicile and a place of abode. To establish domicile, a person must live in a particular locality with the intention to remain indefinitely. A place of abode is the physical place where a person dwells. \*\*\***

- ✓ **18 Years of Age by Next General Election:** Must be at least 18 years old on or before the date of the next general election. (Seventeen- year olds who will be 18 by the next general election may register in advance and vote in any primary or special election in the



intervening period prior to the general election. Seventeen year olds who will be 18 by the next presidential election may register in advance and vote in any presidential primary or other primary held on the same day as the presidential primary.)

- ✓ **No Felony Conviction or Mental Incapacity Adjudication:** Unless voting rights have been restored, the applicant must have no felony conviction, nor have been judged by a court to be mentally incapacitated. (Please see FAQ below on felons.)
  - For felonies, the Governor or the convicting jurisdiction can restore voting rights.
  - For adjudications of incapacity, a court order is required to restore voting rights. Rarely, an adjudication order may specifically provide voting rights. Va. Code § 64.2-2000.
- ✓ Virginia law makes special provisions for some military and overseas voters. Please have individuals with questions contact the Department of Elections or their local registration office should they have questions regarding their registration eligibility.
- ✓ For more information please review Va. Constitution Article II, §§ 1-2; Va. Code §§ 24.2-101, 24.2-400, 24.2-417 and 24.2-418; and 1 VAC 20-40-10 through 20-40-60.

### **Q. How does a felon know if his/her rights have been restored?**

- ✓ Those convicted of a felony in Virginia must apply to the Governor or other appropriate authority to have their rights restored. Some states automatically restore voting rights to felons. Individuals convicted of a felony in a state other than Virginia should contact the appropriate authorities in that state to determine whether or not their rights have been restored. If a person has been convicted of a felony and would like to know eligibility requirements for restoration of civil rights, he/she should contact:
  - Restoration of Rights Director
  - Office of the Secretary of the Commonwealth
  - Post Office Box 2454, Richmond, Virginia 23218-2454
  - Phone: (804) 786-2441
  - <http://www.soc.state.va.us/JudicialSystem/Clemency/clemency.cfm>
- ✓ **Do not attempt to register felons whose voting rights have not been restored—you and the applicants could be prosecuted for felony voter fraud.** Va. Code § 24.2-1004(B).

### **Completing a Voter Registration Application:**

#### **Q. What information is required to be completed on the application?**

- ✓ **All** required information asked for on the application **must** be provided. The phone number and email address are not required. However, please let the voter know that failure to include that information may result in the inability of election staff to contact the applicant should the staff member need to verify unreadable handwriting and may result in denial if they are otherwise unable to reach the voter where there is a lack of clarity. If any information requested on the application does not apply to the voter, he/she should write “none” or place a dash in the appropriate space. Va. Code § 24.2-418.
- ✓ It is required and important for an applicant to closely read and complete the section on the registration application that asks if the applicant is currently registered to vote in Virginia or another state. Completing this information allows the registrar to communicate with election officials in another state that the voter has registered in Virginia and that their registration

should be cancelled.

- ✓ The registrant must sign and date the application.
- ✓ If the volunteer signs the application for the applicant with physical disabilities who is unable to sign, the volunteer must include his/her name and address on the application. Please see Signature Line on the registration application.
- ✓ Failure to complete the form properly may result in a denial of the application.
- ✓ It is important that the applicant and/or individual providing assistance print neatly and legibly when completing the voter registration application.

**Q. Are applicants permitted to include a future address as their mailing or residence address?**

- ✓ A voter must provide his/her current residence address and mailing address when registering to vote. § 24.2-418.

**Q. Are applicants permitted to list a P.O. Box for their mailing address? If so, are they still required to list their street address?**

- ✓ Some individuals may be qualified to include a P.O. Box in addition to their residence address on the registration application. These individuals must still provide his or her residence address. Individuals qualified to include a P.O. Box mailing address either (1) have a residence address that is not deliverable by the USPS; OR (2) meet the legal definition of protected voter in the Code of Virginia who may non-publish their residence address in voter lists. The list of protected voters set out in the Code is as follows:
  - Active or retired law enforcement officers.
  - Persons under protective order.
  - Persons who are threatened or stalked (must have complaint to law enforcement).
  - Participants registered with the Attorney General's Address Confidentiality Program.
  - Judges and attorneys employed by the U.S. or Virginia Attorney General (active or retired).
- ✓ **Protected voters claiming eligibility to not publish their residence address must provide the appropriate three digit code on the registration application to certify they are legally eligible.**
- ✓ These eligible voters must still provide a complete residence address. This is necessary to determine their ballot choices and the location of their polling place. Va. Code § 24.2-418.
- ✓ If the registrant has any questions about mailing addresses or address protection, they should contact their local voter registration office or the Department of Elections.

**Q. What about homeless people? How do they complete the registration application?**

- ✓ A homeless person can register to vote if he/she intends to remain in a locality indefinitely and provides some residence address indicating the primary place where he/she stays at night. This is necessary to determine for whom a person can vote and the location of the applicant's polling place.
- ✓ A mailing address is required to ensure that the voter will receive his/her registration card and to avoid cancellation of voting eligibility due to returned mail. Some homeless shelters allow people to have their voter registration cards mailed to the shelter address. By

providing this service, the homeless person is able to pick up his/her card from the shelter address. Call the local voter registration office if you have questions about registering the homeless.

### **Q. Am I permitted to assist a voter in completing his/her application?**

- ✓ Recent changes to the law explicitly prohibit individuals from pre-populating the registration application for the individual unless directed by the voter. This does not prohibit you from assisting an individual with completing the application. All applications must be signed, either by the applicant or the assistant for a person unable to sign due to physical disability. Signing the form under felony penalty makes the person signing legally responsible for the truthfulness of all statements on the form. Any assistant must be identified if the applicant is unable to sign due to physical disability.
- ✓ A signature under a power-of-attorney is not permitted. Va. Code § 24.2-123.

### **Responsibility for Delivering and Timeliness of Delivery:**

### **Q. Who is responsible for delivering the completed voter registration applications and where should they be delivered?**

- ✓ If you offer to deliver or mail the completed registration applications to the local voter registration office or ELECT, then you must follow through on that offer or risk criminal penalties. Va. Code § 24.2-1002.01. Please see applicable deadlines below.
- ✓ Voter registration applications can be turned in to any local voter registration office or to the Department of Elections, 1100 Bank St, 1<sup>st</sup> Floor, Richmond, VA 23219.
- ✓ For timely processing of registration applications, ELECT encourages you to sort and deliver the completed applications to the voter registration office of the locality indicated on the registration application. Applications are considered “on time” once they arrive at ELECT or at any Virginia registrar’s office, or if they are mailed with a postmark on or before the final day of registration.
- ✓ Contact information for all voter registration offices can be found on the registration application and at the following website:  
<https://www.voterinfo.elections.virginia.gov/PublicSite/Public/FT2/PublicContactLookup.aspx>

### **Q. Is there a deadline for delivering completed voter registration applications?**

- ✓ **Yes.** The coordinator of the voter registration drive has the responsibility for making sure all completed applications are mailed or delivered to ANY local voter registration office or the Department of Elections within 10 days of signature date or not later than 5:00 pm on the due date, **whichever is earlier.** (22 days before any General Election Day). **The failure to timely deliver completed applications constitutes a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised.** ELECT and local voter registration office will refer these violations to the appropriate Commonwealth’s Attorney and/or Office of the Attorney General for investigation and prosecution. Va. Code § 24.2-1002.01

- ✓ If mailed, registration applications must be postmarked no later than the voter registration deadline.
- ✓ If delivered in person, either by the applicant or a third party, the application must be received by 5:00 pm on the deadline.
- ✓ Applications postmarked or received after the deadline will be held and processed after the election; these applications will be effective for the next election if the applicant is otherwise qualified.
- ✓ It is important to realize that failure to deliver applications even after the deadline for submission will result in disenfranchisement and potentially more serious consequences to the individual responsible for non-delivery.

**Q. When is the voter registration deadline?**

- ✓ For a general or primary election, the deadline is the close of business on the 22nd day before the election. Va. Code § 24.2-416.
- ✓ Limited exceptions may apply for certain military and returning overseas voters. Va. Code §§ 24.2-419 and 24.2-420.1.
- ✓ For a special election held at a time other than a general election, deadlines are shorter (either thirteen or six days prior to the election). Va. Code § 24.2-416.
- ✓ ELECT encourages you to contact the agency or a local voter registration office if you have any questions or uncertainty regarding your obligations to return completed voter registration applications by the registration deadline for a particular election.

**Q. What if applicants wish to keep their voter registration applications and turn them in themselves?**

- ✓ If the applicant requests, you must allow him/her to take the voter registration application and return it him/herself.
- ✓ ELECT encourages this practice. It relieves the registration drives of the responsibility to timely deliver applications and provide a receipt, allows individuals to verify their registration status before submitting another application, and ensures that local voter registration offices are not inundated with large numbers of registration applications immediately prior to the registration deadline.
- ✓ The applicant can deliver the voter registration application through the postal system or in person to any voter registration office.
- ✓ It would be helpful for you to provide envelopes with postage stamps to individuals who wish to mail in their registration application.
- ✓ Allowing an individual to submit his/her own registration applications is particularly appropriate when the voter suspects that he/she is already registered and/or the registration information is up to date.

**Training:**

**Q. Is training available for my registration drive workers?**

- ✓ Yes. State approved training is required for individuals or organizations that obtain 25 or

more voter registration applications from state or local elections officials. Training is available in several formats:

- Online training is available and easily accessible at the ELECT website ([www.elections.virginia.gov](http://www.elections.virginia.gov)).
- Instructor led training is available; the schedule for classes is also available on ELECT's website ([www.elections.virginia.gov](http://www.elections.virginia.gov)).
- Each local voter registration office will offer in-person training. Written training materials will be available. Please contact your local voter registration office for more information.
- Please see page 3 above for additional information.

## **Other Questions:**

### **Q. How will individuals know if their registration was accepted?**

- ✓ The local voter registration office will determine registration eligibility. A voter registration notification will be mailed to eligible registrants. Va. Code §§ 24.2-417 and 24.2-418.
- ✓ A denial letter will be mailed to any applicant determined not to be eligible.
- ✓ Any applicant who does not receive either confirmation of voter registration or a denial notice within 30 days should contact their local registration office.
- ✓ Any application received after the registration deadline will not be processed until after the election which follows the registration deadline. No voter registration confirmation or denial letters will be issued during this period. Va. Code § 24.2-416.

### **Q. What about the national voter registration application?**

- ✓ The national application is available at [www.EAC.gov](http://www.EAC.gov) and should be used for persons with legal residence outside Virginia.
- ✓ ELECT and the local voter registration offices strongly urge your registration drive to use the Virginia Voter Registration Application as it requests all information required to register to vote in Virginia. While this information is in the federal long-form instructions, the national application does not ask the applicant if he/she was convicted of a felony, information that is required to be provided in order to submit a complete registration application in Virginia.
- ✓ Active-duty military personnel should be encouraged to use the Federal Post Card Application, available at: [www.FVAP.gov](http://www.FVAP.gov).

### **Q. May I obtain a list of Virginia registered voters?**

- ✓ The Code of Virginia permits ELECT to furnish, at a reasonable price, lists of registered voters to certain groups and individuals, including non-profit organizations that promote voter participation and registration.
- ✓ Please review Va. Code § 24.2-405 and contact ELECT staff if you would like to request a list of registered voters.

### **Q. What if I have a question not addressed by these guidelines?**

- ✓ For questions concerning deadlines, completion of the application and voting on Election

Day, call your local voter registration office or the Department of Elections at (804) 864-8901, (800)-552-9745 or 1-800-260-3466 (TTY).

## **Criminal Penalty for Nondelivery or Late Application**

### **§ 24.2-1002.01. Destruction of, or failure to mail or deliver, voter registration application; penalty.**

If any person (i) agrees to mail or deliver a signed voter registration application to the voter registrar or other appropriate person authorized to receive the application and (ii) intentionally interferes with the applicant's effort to register either by destroying the application or by failing to mail or deliver the application in a timely manner, he shall be guilty of a Class 1 misdemeanor. The mailing or delivery of an application shall be deemed timely for the purposes of this section if it is mailed or delivered within 10 days of the applicant's signature or in accordance with the provisions of § 24.2-416.4 for processing before the closing of the registration records for the pending election whichever comes first. This section shall not apply to any state or local government employee acting in his official capacity. If any person intentionally solicits multiple registrations from any one person or intentionally falsifies a registration application, he shall be guilty of a Class 5 felony.

### **Other Code of Virginia statutes that could affect voter registration drive activities include:**

§§ 18.2-29, 18.2-186.3

§§ 24.2-101, 24.2-400, 24.2-416.3, 24.2-416.4, 24.2-416.6, 24.2-417, 24.2-418, 24.2-1001, 24.2-1002.1, 24.2-1004, 24.2-1005.1, 24.2-1009, 24.2-1015, 24.2-1016, 24.2-1017

Va. Constitution Article II, §§ 1-2.

Virginia's Constitution and Statutes can be accessed through the Legislative Information Services website, <http://lis.virginia.gov/> or public libraries.

**SWORN AFFIDAVIT\***

**\*Required if requesting over 25 voter registration applications; 200 maximum.**

I, \_\_\_\_\_, state as follows:  
(full name)

1. I am requesting \_\_\_\_\_ (limit 200) voter registration applications from the Department of Elections or local voter registration office for a voter registration drive.
2. I am requesting these forms as an (check as applicable)  
\_\_\_ Individual; or  
\_\_\_ an agent on behalf of an organization \_\_\_\_\_ (list the organization)
3. I will abide by all Virginia laws and rules regarding the registration of voters, including
  - I will provide a completed receipt to all applicants for whom I take applications.
  - I will return all completed applications no later than ten (10) days after the applicant signs or the close of registration for the next election if sooner.
  - I will not mark, add, change, or delete any information on the Voter Registration Application, nor will I destroy, or dispose of the application in any way.
  - I will not copy, duplicate, or distribute any social security number on any application.
4. If I am requesting these forms on behalf of an organization, I will use my best efforts to ensure that this organization will abide by all Virginia laws and rules regarding the registration of voters, which will include additional training and supervision of individuals working on behalf of my organization.
5. I have completed the training required annually available from the Department of Elections either online or in-person or locally through the voter registration office;
6. I understand that criminal penalties may result from noncompliance, intentionally falsifying or misrepresenting material information.

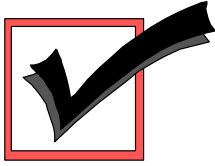
**I swear or affirm under penalty of perjury that the foregoing is true and correct.**

**Signature** \_\_\_\_\_  
**Name (First, MI, Last):** \_\_\_\_\_  
**Organization (if any):** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/State/Zip:** \_\_\_\_\_  
**Telephone # Day:** \_\_\_\_\_ **Telephone # Evening:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

*Please return completed form to:*

**DEPARTMENT OF ELECTIONS**  
**Voter Registration Programs**  
**1100 Bank Street, 1<sup>st</sup> Floor**  
**Richmond, VA 23219-3497**  
**Fax # (804) 371-0194**

**Or at the local voter registration office. Contact information can be found on the Department of Elections' website at [www.elections.virginia.gov](http://www.elections.virginia.gov)**



## Recommended Checklist for Voter Registration Drives

### I and my organization's volunteers and/or employees:

- Have read and are familiar with these voter registration drive guidelines.
- Have read and are familiar with the Virginia Voter Registration Application.
- Have read the applicable Virginia Code sections and understand the criminal penalties for failure to comply with Virginia law as it relates to voter registration activities.
- Have assured that my organization's volunteers receive the state approved training on the laws and best practices for conducting registration drives, including criminal penalties.
- Have distributed the Sworn Affidavit form and two-page Best Practices and Overview for Volunteers to my volunteers/staff (pages 4-5).
- Have ensured that applicants complete the voter registration applications in their entirety.
- Have included assistant's name and address on each application if assistant signed application due to applicant's physical disability. (Please read signature line on voter registration application.)
- Provided a receipt to all individuals completing voter registration applications for submission by me.
- Prepared an alphabetical listing of applications delivered to the local registrar.
- Delivered any completed voter registration applications to the appropriate registrar within 10 days of the applicant's signature or by the next registration deadline, whichever is sooner.
- Have completed state approved training on Virginia laws and ELECT guidance concerning voter registration drives.





# 3<sup>rd</sup> Party Voter Registration Drive Training

Garry E. Ellis, NVRA/Voter  
Registration Coordinator  
Virginia Department of Elections



# Overview

- Introduction and Training Requirements
- Review of Sworn Affidavit
- Qualifications to Register to Vote
- Walk-Through of Application/Submitting Completed Application
- Voter Identification Change
- Important Things to Remember
- Frequently Asked Questions
- Conclusion



# Registration and Training Requirements for Drives

- Registration and Training Requirements
  - Request 25 or more Voter Registration Applications
  - Register with Department of Elections (ELECT)
  - Ensure that the organization abides by all Virginia laws and rules regarding the registration of voters
  - Provide additional training and supervision of individuals working on behalf of the organization.
- Certification
  - Certification must be renewed annually (expires on June 30th each year)



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**SWORN AFFIDAVIT\***

**\*Required if requesting over 25 voter registration applications; 200 maximum.**

I, \_\_\_\_\_, state as follows:  
(full name)

1. I am requesting \_\_\_\_\_ (limit 200) voter registration applications from the State Board of Elections or local voter registration office for a voter registration drive.
2. I am requesting these forms as an (check as applicable)  
 Individual; or  
 an agent on behalf of an organization \_\_\_\_\_ (list the organization)
3. I will abide by all Virginia laws and rules regarding the registration of voters, including
  - I will provide a completed receipt to all applicants for whom I take applications.
  - I will return all completed applications no later than ten (10) days after the applicant signs or the close of registration for the next election if sooner.
  - I will not mark, add, change, or delete any information on the Voter Registration Application, nor will I destroy, or dispose of the application in any way.
  - I will not copy, duplicate, or distribute any social security number on any application.
4. If I am requesting these forms on behalf of an organization, I will use my best efforts to ensure that this organization will abide by all Virginia laws and rules regarding the registration of voters, which will include additional training and supervision of individuals working on behalf of my organization.
5. I have completed the training required annually available from the State Board of Elections either online or in-person or locally through the voter registration office;
6. I understand that criminal penalties may result from noncompliance, intentionally falsifying or misrepresenting material information.

**I swear or affirm under penalty of perjury that the foregoing is true and correct.**

**Signature** \_\_\_\_\_  
**Name (First, MI, Last):** \_\_\_\_\_  
**Organization (if any):** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/State/Zip:** \_\_\_\_\_  
**Telephone # Day:** \_\_\_\_\_ **Telephone # Evening:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

*Please return completed form to:*

**STATE BOARD OF ELECTIONS**  
 Voter Registration Programs  
 1100 Bank Street, 1<sup>st</sup> Floor  
 Richmond, VA 23219-3497  
 Fax # (804) 371-0194

**Or at the local voter registration office. Contact information can be found on the State Board of Elections'**



# Voter Qualifications to be Registered

- Be a United States citizen
- Be a resident of Virginia
- Be 18 years old by the next general election
- Have had your voting rights restored if you have ever been convicted of a felony
- Have had your capacity restored if you have ever been adjudicated incapacitated (mentally incompetent) by a court



# Where Voters Can Apply

- Any Voter Registration Office
- DMV (in-person and online)
- Online
  - Persons with a DMV ID may submit application electronically on our website ([vote.virginia.gov](http://vote.virginia.gov))
  - Persons without DMV ID can still create application online and print to mail to voter registration office



# 3rd Party Online Voter Registration

To establish a link for on line voter registration, a 3rd party organization must:

Contact ELECT to request a custom URL –  
[VERISHELP@elections.virginia.gov](mailto:VERISHELP@elections.virginia.gov).

The URL will have the following format:

[https://vote.elections.virginia.gov/thirdparty/\[Group\]/\[CampaignName\]](https://vote.elections.virginia.gov/thirdparty/[Group]/[CampaignName])

- [Group] is the custom name for the third party registration group (ELECT will work with you to develop)
- [CampaignName] is determined by the 3rd party registration group, can be anything and may contain any number of variations, you do not need to notify ELECT of your selected [CampaignName] designations.



## 3<sup>rd</sup> Party Online Voter Registration Additional Information

- The group name and the campaign name can each be up to 255 characters, however, it is recommended that both names are as short as possible.
- Examples:
- <https://vote.elections.virginia.gov/thirdparty/LWV/Registernow>
- <https://vote.elections.virginia.gov/thirdparty/registerVA/voterregistrationrichmond>
- <https://vote.elections.virginia.gov/thirdparty/Votepnow/tablet1>





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## Virginia Voter Registration Application

Use blue or black ink

Starred (\*) items are required. If you do not complete all of the items that are marked with \*, your application may be denied (See instructions on reverse side).

1.  YES  NO  
 \* I am a citizen of the United States of America. \* Full social security number --  No SSN was ever issued. \* Date of birth / /  \* Gender \_\_\_\_\_

2. \* Last name \_\_\_\_\_ Jr. Sr. II III IV (Circle if applicable)  
 \* First name \_\_\_\_\_ \* Middle name \_\_\_\_\_  None  
 \* Residence address (May not be a P.O. Box) \_\_\_\_\_ Apt # \_\_\_\_\_  
 \* City/Town \_\_\_\_\_ \* ZIP \_\_\_\_\_  
 E-mail \_\_\_\_\_ Phone --

3. \* Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? .....  YES  NO If YES, has your right to vote been restored? .....  YES  NO

4.  I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.  
 I am providing a mailing address (below) because my residence address is not serviced by the U.S. Postal Service or I am homeless.  
 I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because:  
 I am an active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney  
 I have a court issued protective order for my benefit  
 I have evidence of filing a complaint with law enforcement that either I or a household member is in fear for personal safety from another person who has threatened or stalked either me or a household member  
 I am a participant in the Virginia Attorney General's Address Confidentiality Program

My mailing address (Complete only if you have checked a box in this section)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5.  I am currently registered to vote in another state: \_\_\_\_\_. (Indicate state of previous registration)

6.  I am interested in being an Officer of Election (poll worker) on Election Day. Please send me information.

7. AFFIRMATION: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.

\* Signature \_\_\_\_\_ Today's date: / /

By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.

### \* Virginia Voter Registration Application Receipt

The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at [elections.virginia.gov/register](http://elections.virginia.gov/register). If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.



Name, phone and e-mail of office, group or individual receiving application

/ / / / /   
Date application received

Thank you for applying to vote in Virginia!



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## Virginia Voter Registration Application

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### Register to Vote

With this form, you can register to vote in elections in Virginia. You can also use this form to change the information on your Virginia voter registration.

If you are currently registered to vote, you do not have to use this form unless you have moved or changed your name.

**ATTENTION:** Overseas citizens, uniformed service voters, qualifying spouses and dependents may register using the Federal Post Card Application (FPCA), available at [www.fvap.gov](http://www.fvap.gov).

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### Go Online

You may complete your voter registration application online at [elections.virginia.gov/register](http://elections.virginia.gov/register). You may also check your voter registration status online at [elections.virginia.gov/status](http://elections.virginia.gov/status).

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### Your Address

You must provide a street address or description of your physical dwelling place as a residence address. If your residence address is not serviced by the U.S. Postal Service, or if you are homeless, you can list a mailing address in Box 4. Overseas citizens, uniformed service members, qualifying spouses and dependents can list a mailing address in Box 4. If you are a qualified protected voter, you must list a Virginia post office box to protect your residential address from public disclosure in Box 4. No other applicant can list a mailing address.

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### How to Mail

Mail your completed application to your local registrar. Use the online address lookup tool if you do not know your registrar's address: [elections.virginia.gov/localGR](http://elections.virginia.gov/localGR) or mail your application to:

Virginia Department of Elections  
1100 Bank Street  
Richmond, VA 23219

Mailed applications must be postmarked at least 22 days before the next election in which you plan to vote. A qualified active-duty uniformed services member, spouse or dependent is NOT subject to the mailing deadline if by reason of active duty, you are normally absent from the locality in which you reside.

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### Questions?

Call your local voter registration office or call (800) 522-9745 • TTY 711.

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### Privacy Act Notice

When registering to vote, Article II, Section 2 of the Constitution of Virginia (1971) requires you to provide your social security number, if you have one. If you do not provide your social security number, your application will be denied. Voting officials use the social security number as a unique identifier to ensure that no voter is registered in more than one place.

Your application will only be open to inspection by the public if the social security number is removed. Your social security number will appear on reports produced only for official use by voter registration and election officials, for jury selection purposes by courts, and all lawful purposes. Your decision to decline to register to vote as well as the office where you submit your application, if you choose to do so, are confidential and will only be used for voter registration purposes.

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### Photo ID

All voters must show one acceptable, valid photo ID when voting in-person. For a complete list of acceptable forms of photo identification visit: [elections.virginia.gov/voterID](http://elections.virginia.gov/voterID). All acceptable forms of photo ID can be used up to a year after the ID has expired.

**Need more information?** Go Online: [elections.virginia.gov](http://elections.virginia.gov) Or Call: (800) 552-9745 TTY: 711

**WARNING: INTENTIONALLY VOTING MORE THAN ONCE IN AN ELECTION OR MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500.**



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### \* Virginia Voter Registration Application Receipt



The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at [elections.virginia.gov/register](http://elections.virginia.gov/register). If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.

Name, phone and e-mail of office, group or individual receiving application

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Date application received

**Thank you for applying  
to vote in Virginia!**

VA-NVRA-OVR 1 04/16



# Virginia Voter Registration Application

Use blue or black ink

**Starred (\*) items are required.** If you do not complete all of the items that are marked with \*, your application may be denied (See instructions on reverse side).

1.  YES  NO  
 \* I am a citizen of the United States of America. \* Full social security number    -   -      No SSN was ever issued. \* Date of birth   /   \* Gender Male

2. \* Last name Citizen Jr. Sr. II III IV (Circle if applicable)  
 \* First name John \* Middle name Quincey  None  
 \* Residence address (May not be a P.O. Box) 123 Mystreet Apt # 5A  
 \* City/Town Somewhere \* ZIP 12345  
 E-mail jqc@email.com Phone    -    -

3. \* Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? .....  YES  NO If YES, has your right to vote been restored? .....  YES  NO



# Virginia Voter Registration Application

Use blue or black ink

**Starred (\*) items are required.** If you do not complete all of the items that are marked with \*, your application may be denied (See instructions on reverse side).

**1.**  YES  NO  
 \* I am a citizen of the United States of America. \* Full social security number 1 1 1 - 2 2 - 3 3 3 3  No SSN was ever issued. \* Date of birth 06 / 16 / 19 8 5 \* Gender Male

**2.** \* Last name Citizen Jr. (Sr.) II III IV (Circle if applicable)  
 \* First name John \* Middle name Quincey  None  
 \* Residence address (May not be a P.O. Box) 123 Mystreet Apt # 5A  
 \* City/Town Somewhere \* ZIP 12345  
 E-mail jqc@email.com Phone 8 0 4 - 8 6 4 - 8 9 1 0

**3.** \* Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? .....  YES  NO If YES, has your right to vote been restored? .....  YES  NO



4.  I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.
- I am providing a mailing address (*below*) because my residence address is not serviced by the U.S. Postal Service or I am homeless.
- ▶ I am providing a Virginia P.O. Box (*below*) to protect my residence address from public disclosure because:
- I am an active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney
  - I have a court issued protective order for my benefit
  - I have evidence of filing a complaint with law enforcement that either I or a household member is in fear for personal safety from another person who has threatened or stalked either me or a household member
  - I am a participant in the Virginia Attorney General's Address Confidentiality Program

My mailing address (*Complete only if you have checked a box in this section*)

PO BOX 123

Nowhere VA 98765

5.  I am currently registered to vote in another state: \_\_\_\_\_. (*Indicate state of previous registration*)

6.  I am interested in being an Officer of Election (poll worker) on Election Day. *Please send me information.*





4.  I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.
- I am providing a mailing address (*below*) because my residence address is not serviced by the U.S. Postal Service or I am homeless.
- ▶ I am providing a Virginia P.O. Box (*below*) to protect my residence address from public disclosure because:
- I am an active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney
  - I have a court issued protective order for my benefit
  - I have evidence of filing a complaint with law enforcement that either I or a household member is in fear for personal safety from another person who has threatened or stalked either me or a household member
  - I am a participant in the Virginia Attorney General's Address Confidentiality Program

**My mailing address** (*Complete only if you have checked a box in this section*)

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5.  I am currently registered to vote in another state: MD. (*Indicate state of previous registration*)

6.  I am interested in being an Officer of Election (poll worker) on Election Day. *Please send me information.*



**7. AFFIRMATION: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.**



\* Signature John Q. Citixen

Today's date: 

0	3
M	M

 / 

2	1
D	D

 / 

2	0	1	7
Y	Y	Y	Y

By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.

**\* Virginia Voter Registration Application Receipt**



The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at [elections.virginia.gov/register](http://elections.virginia.gov/register). If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.

Name, phone and e-mail of office, group or individual receiving application

M	M	/	D	D	/	Y	Y	Y	Y

Date application received

**Thank you for applying to vote in Virginia!**





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**\* Virginia Voter Registration Application Receipt**

The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at [elections.virginia.gov/register](http://elections.virginia.gov/register). If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.

**Ima Goodhelp**  
**(123) 555-1212**  
**info@goodhelp.com**

Name, phone and e-mail of office, group or individual receiving application

03 / 21 / 2017

Date application received

**Thank you for applying  
to vote in Virginia!**

VA-NVRA-OVR 1 04/16



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DEPARTMENT of ELECTIONS

### Virginia Voter Registration Application

Use blue or black ink

Starred (\*) Items are required. If you do not complete all of the items that are marked with \*, your application may be denied (See instructions on reverse side).

1.  YES  NO  
 \* I am a citizen of the United States of America. \* Full social security number 111 22 33 33 \* No SSN was ever issued. \* Date of birth 06 / 16 / 1985 \* Gender Male

2. \* Last name Citizen Jr. (S) III IV (Circle if applicable)  
 \* First name John \* Middle name Quincey  None  
 \* Residence address (May not be a P.O. Box) 123 Mystreet Apt # \_\_\_\_\_  
 \* City/Town Somewhere \* ZIP 12345  
 E-mail jqc@email.com Phone 804 864 8910

3. \* Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote?  YES  NO If YES, has your right to vote been restored?  YES  NO

4.  I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.  
 I am providing a mailing address (below) because my residence address is not serviced by the U.S. Postal Service or I am homeless.  
 I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because:  
 I am an active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney  
 I have a court issued protective order for my benefit.  
 I have evidence of filing a complaint with law enforcement that either I or a household member is in fear for personal safety from another person who has threatened or stalked either me or a household member  
 I am a participant in the Virginia Attorney General's Address Confidentiality Program

My mailing address (Complete only if you have checked a box in this section)

5.  I am currently registered to vote in another state: \_\_\_\_\_ (Indicate state of previous registration)

6.  I am interested in being an Officer of Election (poll worker) on Election Day. Please send me information.

7. AFFIRMATION: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.

\* Signature John Q. Citizen Today's date: 03 / 21 / 2017

By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.

#### \* Virginia Voter Registration Application Receipt

The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at [elections.virginia.gov/register](http://elections.virginia.gov/register). If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.



Name, phone and e-mail of office, group or individual receiving application

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date application received

Thank you for applying to vote in Virginia!



# Photo Identification

- All voters are required to present a photo ID when voting in person.
  - ID must contain a picture and name of the registrant
- The law provides for **free voter registration cards** that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID.



# Acceptable Photo Identification (for voting)

- Valid Virginia Driver's License
- DMV issued photo identification card
- Valid United States passport
- Valid Employee photo identification
- Other government issued photo identification
- Valid student ID issued by a public school or private school in Virginia displaying a photo
- Valid college or university student photo identification card (issuer must be an institution of higher education located in Virginia)

Please see the ELECT website for a complete list of acceptable forms of  
Photo Identifications

[Elections.virginia.gov/VoterID](https://elections.virginia.gov/VoterID)



# Important Things to Remember

- Only register Virginia residents who are not currently registered or whose information is outdated.
- Voters can check their registration status by visiting [vote.virginia.gov](http://vote.virginia.gov).
- Provide a receipt to each applicant.
- Deliver applications timely (within 10 days)!
- Provide alphabetical listing of applications.



# Important Things to Remember

- Do not pre-populate the application.
- Do not solicit multiple applications from one person.
- Do not destroy, make changes to, or alter completed applications.
- Do not copy the Social Security Number.
- Do not discriminate.



## FAQ's

- Are applicants permitted to include a future address as their mailing or residence address?
  - NO
- Can a homeless person apply to register to vote?
  - YES



## FAQ's (continued)

- Where do I deliver the completed applications?
  - It is best to deliver them to the general registrar of the locality where the voter lives.
- How long do I have to deliver the applications?
  - You have 10 days or until the registration deadline for the next election, whichever comes first.





## FAQ's (continued)

- How will individuals know if their registration was accepted?
  - The local general registrar will determine registration eligibility. A voter registration notice advising the applicant of acceptance of their voter registration will be mailed to the registrant.
  - A denial notice will be mailed to any applicant determined not to be eligible.
  - Any applicant who does not receive either a voter registration or denial notice within 30 days should contact their local registration office.



## FAQ's (continued)

- Can the national voter registration application be used in Virginia?
  - YES; however, the Department of Elections prefers you use the Virginia form.
- May I obtain a list of active registered voters in Virginia?
  - The Code of Virginia permits the Department of Elections to furnish, at a reasonable price, lists of registered voters to certain groups and individuals, including non-profit organizations that promote voter participation and registration.



# Questions





# Conclusion

This concludes the training for 3rd Party Registration Drives. Below is the link to the 3rd Party Sworn Affidavit.

<https://www.surveymonkey.com/s/thirdpartyregistrationdrives>



# Contact Information

Garry E. Ellis, NVRA/Voter Registration Coordinator  
Virginia Department of Elections  
Washington Building  
1100 Bank Street, 1st Floor  
Richmond, VA 23219  
garry.ellis@elections.virginia.gov - Email  
(804) 864-8910 – Direct  
(800) 552-9745 – Toll Free  
(804) 371-0194 – Fax



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## **GUIDELINES FOR CONDUCTING VOTER REGISTRATION DRIVES**

### **Introduction and Notice of Training Requirement**

These guidelines outline the several requirements imposed by the Code of Virginia and instructions and best practices as prescribed by the Department of Elections (ELECT) on how to effectively and lawfully conduct a voter registration drive. Helping voters register – like driving or filing taxes – is a serious undertaking. Training and reviewing these guidelines before launching your registration drive will ensure compliance with the law and success in your efforts.

Please note that state law requires any group or individual that requests 25 or more voter registration applications from ELECT or a local general registrar's office to register and complete training approved by the State Board of Elections (SBE) (see page 3 for more information). Groups that print and distribute their own voter registration applications when conducting drives are also strongly encouraged to complete the training to protect both applicants and the individuals working on the drive.

Voter registration applications can be requested in person at the local general registrar's office or by calling ELECT at 1-800-552-9745. Training classes are offered online, at the local voter registration office or by signing up for an in-person class which are held at ELECT's offices. Please visit ELECT's website ([www.elections.virginia.gov](http://www.elections.virginia.gov)) for information on upcoming training sessions.

**Please read these instructions carefully as failure to follow the requirements laid out by state law may result in criminal penalties.** Do not hesitate to contact the Department of Elections (ELECT) or a local voter registration office if you are uncertain on the laws and proper procedures. ELECT thanks you for your efforts to increase voter registration and participation in the Commonwealth of Virginia.

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## Registration and Training Requirements for Drives

- ✓ Virginia law requires training and registration for some individuals and groups conducting voter registration drives. Specifically, groups and individuals that obtain 25 or more voter registration applications from ELECT or a local registrar's office must register with ELECT or in person at the general registrar and take training (Va. Code § 24.2-416.6). Groups printing their own registration applications and engaging in registration drives are also strongly encouraged to register and receive this training.
- ✓ Both the registration process and training can be completed online or in-person at the Department of Elections or a local voter registration office.

At least one agent of the organization seeking to obtain applications must complete the training and certify that the organization will require training for all persons collecting completed voter registration applications from applicants on behalf of the organization. . However, if any other individual requests more than 25 applications (even if they claim to represent a group which has already received the training), the individual is still required to complete the training prior to receiving the requested applications. In sum, each individual or agent requesting applications must receive the training. Other groups and individuals conducting voter registration drives that obtain their registration applications through other means are strongly encouraged, but not required, to receive training prior to conducting a drive.

- ✓ Upon completion of **in-person** training, the group or individual will receive a certificate stating that they have completed the required training for conducting voter registration drives in the Commonwealth. The certification is valid until June 30<sup>th</sup> each year upon which time the training must be completed again in order to renew the certification.
- ✓ For more information on the training requirements please contact your local voter registration office or ELECT at 1-800-552-9745. The registration and training module can be accessed at [www.vote.virginia.gov/](http://www.vote.virginia.gov/).



## Rules of the Road: Best Practices Overview

1. Make sure the organization you represent is (1) registered with the Department of Elections (this can be checked by contacting ELECT at 1-800-552-9745), and (2) has taken state approved training about your legal responsibilities. For training and registration requirements see page 3 and the forms at the end of this document. These requirements apply if an individual or an organization receives 25 or more applications from the Department of Elections or a local voter registration office. Other groups are encouraged to receive training.
2. When approaching individuals, introduce yourself and the organization you represent, explain your purpose, the qualifications to vote in Virginia, and whether or not you will deliver the completed application for the applicant. You should inform voters that Virginia now has online voter registration and address update available on the ELECT website to those with a Virginia driver's license or DMV ID card. This information will be helpful to an applicant that wishes to ensure their application is delivered in real time directly to their local voter registration office.
3. Target only non-registered individuals who are qualified to vote or registered individuals who have outdated registration information such as those who moved and did not update their registration address.
  - ✓ Don't complete or accept applications for anyone who you know is not eligible to vote, such as a convicted felon whose rights have not been restored or a non-Virginia resident.
  - ✓ Don't attempt to re-register individuals who are registered and have up to date information. Registrants are able to check to their registration information and status online at [www.vote.virginia.gov](http://www.vote.virginia.gov)
  - ✓ You should leave the registration application with the individual if he/she is uncertain as to their registration status or his/her qualification to register to vote.

### **The Qualifications to Vote in Virginia:**

- ✓ Citizen of the United States.
- ✓ Resident of Virginia (residency requires both domicile and a place of abode, i.e., an intention to remain indefinitely and a physical place to live.) Voters must provide a current residence address when completing the application. Note: special rules apply to military and overseas voters.
- ✓ Must be at least 18 years old on or before the date of the next general election. 17 year olds may register and vote in special elections and primaries, specifically the presidential primary.
- ✓ Unless rights have been restored, must not have been convicted of a felony nor have been judged by a court to be mentally incapacitated (either in VA or another state). Restoration required as to each disqualifying conviction or adjudication.

4. Instruct individual that the application **must** be completed **neatly, accurately,** and in its **entirety.**

- ✓ Failure to provide the required information, including citizenship status, will result in the rejection of an applicant's registration.

- ✓ Applicants are also required to list their previous registration address to help prevent registration in more than one jurisdiction or duplicate registrations. An applicant who is already registered in Virginia may update his record using an application that is completed with the changed information and signed by the voter. A registrant may also update his or her address online with the online registration portal at the ELECT website if the registrant has a Virginia driver's license or DMV ID card.
  - ✓ Intentionally making a materially false statement on the registration application may result in felony prosecution or other penalties.
5. Unless specifically directed by the applicant, do not complete the blanks on the registration application.
  6. Respect the wishes of those who decline to register. It is unlawful to, by use of threats or force, interfere with or attempt to interfere with a person applying or declining to register to vote. Va. Code § 24.2-1002.
  7. Those registering should be reminded that they are required to provide their identification at the polls. Please encourage individuals to contact their local registration office or visit [www.vote.virginia.gov](http://www.vote.virginia.gov) for more information on Virginia's voter identification requirements.
  8. If you offer to deliver the application, you must complete and provide a receipt to the applicant upon his/her completion of the application. Va. Code § 24.2-418.1.
  9. You must deliver completed applications to the local voter registration office or to ELECT within 10 days of signature date or by 5:00pm on the day of the next election's registration deadline, whichever date comes first. Va. Code § 24.2-1002.01.
  10. To ensure the timely and accurate processing of registration applications, you should provide the appropriate local voter registration office with an alphabetical list detailing the name on every application delivered.
  11. **\*\*You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.\*\***

As of July 1, 2013, the Department of Elections provides online voter registration. An individual now has the ability to complete their application directly on ELECT's website ([www.vote.virginia.gov](http://www.vote.virginia.gov)). The application can be completed by the individual on a tablet or laptop.

**Questions or Concerns?** Please contact ELECT at 1-800-552-9745 or by email at [Info@elections.virginia.gov](mailto:Info@elections.virginia.gov).

## The Do's: Basic Instructions and Guidelines

### 1. **Register with election officials, complete official training, and ensure training of volunteers and staff:**

- ✓ Please see Registration and Training Requirements on page 3 and forms at the end of the guidelines.
- ✓ **When obtaining 25 or more voter registration applications from ELECT or a local registrar's office, such individuals or groups are required to register with ELECT (this is done by completing the required training either online, in the local voter registration office or in person at ELECT's offices). Groups printing their own registration applications are also strongly encouraged to register and receive this training. Va. Code § 24.2-416.6**
- ✓ If you are the organizer, manager, or supervisor of your organization's voter registration drive, ensure that your volunteers and staff are trained on and knowledgeable about these guidelines and Virginia law on voter registration drives.
- ✓ Voter registration drives are serious undertakings and it is imperative you follow the laws and guidelines that are designed to protect both the drive and the registration applicant. It is essential that all participants in your organization's voter registration drive are made aware of the rules, regulations, and guidelines related to voter registration drives as well as the legal consequences for failure to comply with Virginia and federal law.
- ✓ When conducting drives your volunteers and staff should, at a minimum, keep the two page "Best Practices and Overview for Volunteers" document on pages 4 and 5 with them for quick reference.
- ✓ Each section of the registration application asks for information that the applicant must provide in order for the voter registration office to accept the application and register the individual. It is important that you familiarize yourself with the application. Official training materials and these guidelines should answer any questions you may have regarding the registration application; however, if questions remain please contact ELECT or a local voter registration office.

### 2. **You should only seek to register eligible Virginia residents who are not currently registered and those whose registration information is not up to date:**

- ✓ Please review the FAQ section below as it relates to qualifications to register to vote in Virginia. Individuals ineligible to vote should not be instructed to complete registration applications.
- ✓ Individuals should complete a new application only to apply to register to vote or notify their local voter registration office of a change to their existing voter registration record such as a change in residence address or name.
- ✓ You should not seek to re-register individuals who are already registered to vote and whose information is current. You should also not offer applications to individuals who indicate they are not residents of Virginia. Please see "The Don'ts" #1 below for additional information.

**3. Drives must complete and provide applicants a receipt if offering to deliver a completed application:**

- ✓ If you offer to deliver the application, Virginia state law requires that voter registration drives provide the applicants a receipt upon his/her completion of the voter registration application. Va. Code § 24.2-418.1.
- ✓ Attached to the registration application is a receipt that requests and/or displays the following information:
  - The receipt requests the individual to provide the name of the applicant, the name of the group or individual receiving the application, an email address and daytime telephone number of the group or individual delivering the application, and the date the application was completed.
  - The form also provides contact information for ELECT and notes that individuals should contact ELECT if the voter has not been notified of their registration status within 30 days. You may also wish to refer individuals to the contact information for local registration offices located on the back of the registration application instruction form.
- ✓ Your group may also prepare receipts that request and include the same information on the receipt on the registration application listed above.
- ✓ The receipt shall be completed by the person or group receiving the completed form from the applicant.
- ✓ **You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.** Va. Code §§ 24.2-418.1, 24.2-1002.01, 24.2-1017 and 24.2-1018.

**4. Completed applications must be delivered to the appropriate local voter registration office or to ELECT within 10 days of the signature date or by 5:00pm the day of the next election's registration deadline, whichever is sooner:**

- ✓ **Please note: It is more important that the applications be delivered *even if they are late*. Discarding voter registration applications is punishable as a misdemeanor under § 24.2-1002.01.**
- ✓ Best practices dictate delivery of the completed applications to the appropriate local voter registration office. Virginia state law requires that individuals receiving completed applications timely deliver the application to the local voter registration office, ELECT, or designated voter registration agency. Va. Code § 24.2-1002.01.
- ✓ The mailing or delivery of an application is timely if it is mailed or delivered within 10 days of the applicant's signature on the application **or** by 5:00pm on the voter registration deadline for the next election, **whichever comes first**.
- ✓ Please be mindful of upcoming voter registration deadlines when circulating applications.

**\*\*\*Failure to deliver completed applications is punishable as a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised. \*\*\***

- ✓ **To the extent possible, please sort and deliver the registration applications to the voter registration office of the locality designated on the registration application.**  
Code does not require you to deliver applications to the general registrar of the applicant's locality; however, sorting applications will alleviate delays in processing of the voter registration application and mailing costs of the registrar. If your drive is engaged in delivering voluminous numbers of registration applications on behalf of individuals residing in multiple localities, please contact ELECT to discuss the possible delivery of applications directly to ELECT.
  - ✓ **Please also be considerate of not "dumping" voluminous numbers of voter registration applications on the registrar offices immediately prior to the registration deadline.** Dumping a number of applications on a general registrar makes it very difficult for the registrars to timely process the applications prior to the election. Instead, you should submit applications to a general registrar as you receive them because waiting until the deadline risks delaying the processing of applications and may result in there not being enough time for applicants to resolve any problems with their registration.
- 5. Drives Should Provide Alphabetical Listing of Applications with Registrar:**
- ✓ ELECT requests that voter registration drives provide the appropriate local voter registration office with an alphabetical list detailing the name on every application delivered to the registrar. An alphabetical list protects you and your applicants from any processing issues that may arise. If you are delivering applications for multiple localities, please provide a separate list for each locality
- 6. Be Aware of and Communicate "New" Voter Identification Requirements to Applicants:**
- ✓ Virginia law requires all voters to provide photo identification when voting in person.
  - ✓ There are several forms of ID that are permitted and they include:
    - a valid Virginia driver's license;
    - a valid DMV issued Identification card;\
    - an ELECT issued Photo Identification card (for voting purposes only);
    - a valid college or university student photo identification card (college or institution must be located in Virginia);
    - any valid Federal, Virginia state or local government-issued ID; and
    - a valid employer issued photo ID card.
  - ✓ Department of Elections will provide a photo ID card free of charge if a n applicant/voter does not possess a satisfactory photo identification. Please have applicants contact their local voter registration office should they need a photo ID, or if they have questions on identification requirements to vote in Virginia.

7. **Instruct volunteers that all voter registration applications must be completed neatly, accurately, and in their entirety:**

- ✓ Registration applications must be completed in their **entirety**. Incomplete applications may be rejected by the local voter registration office. It is important that applicants closely follow the instructions on the application to ensure all required fields are completed.
- ✓ Please instruct applicants to print as **neatly** as possible. Illegible handwriting on applications is a common reason for rejection of applications and keying errors when inputting the individual's data into the statewide registration database.
- ✓ The information provided must be **accurate**. There are criminal penalties for intentionally making a materially false statement on the application. Examples of materially false statements include falsely affirming United States citizenship, legal age, or not disclosing a prior felony conviction, residence address.
- ✓ **It is extremely important that volunteers and registration drive participants understand the legal qualifications to vote in the Commonwealth and that they convey that information to applicants when completing the voter registration application. Please see the FAQ below addressing qualifications to register to vote in Virginia.**

## The Don'ts: Prohibitions and Penalties

### 1. **Drives must not intentionally solicit multiple applications from any one person or seek to re-register a voter whose registration information is current:**

- ✓ Virginia law explicitly prohibits an individual from soliciting multiple registrations from any one person or intentionally falsifying a registration application. Violations are punishable as a Class 5 felony. Va. Code § 24.2-1002.01.
- ✓ You should also make every effort to avoid handing in duplicate registrations or re-registering individuals whose registration information is current. Some practical solutions to avoid re-registering current voters include:
  - If a voter believes that he/she may already be registered to vote and that his/her information may be current, you should leave the registration application with the voter for the individual to mail in or inform the voter about the new online voter registration option after the individual has confirmed his/her status. Be sure to remind the applicant of upcoming registration deadlines.
  - Encourage the individual to verify his/her voter registration information online at <http://www.vote.virginia.gov/register>.
  - Contact ELECT during normal business hours at 1-800-552-9745 or their local voter registration office. Staff can immediately confirm the voter's registration information.
  - Obtain lists of registered voters from ELECT to cross-check potential registrants. Please see FAQ below.
- ✓ A registration application can be used to notify a local voter registration office of a change to the voter's record, including a change of address or a change of name.
- ✓ **It is a Class 1 misdemeanor to intentionally communicate false information to a registered voter with the intention to impede the voter in the exercise of their right to vote, including false information regarding the voter's registration status.** Va. Code § 24.2-1005.1. Please review the registration laws and requirements and do not convey false information to voters. Please refer potential registrants to ELECT or any local general registrar for information regarding registration status.

2. **Do not complete or accept applications from anyone that you know is not eligible to vote:**
  - ✓ Please read the FAQ section to become familiarized with the qualifications to vote in Virginia.
  - ✓ Do not offer applications to felons whose rights have not been restored, non-residents of Virginia, and others you know are ineligible to vote. Similarly, do not provide advice that an individual may legally be registered to vote in multiple states. Under no circumstances should you knowingly accept an application from someone using a fictitious name or alias.
  - ✓ **Any willfully false material statement or entry made by any person on a voter registration application constitutes election fraud and is punishable as a Class 5 felony.** Va. Code § 24.2-1016.
  - ✓ **Persuading a voter to provide false information on his/her voter registration application may also constitute the felony crime of solicitation.** Va. Code §§ 18.2-29 and 24.2-1016.
  
3. **Do not destroy, make changes to, or alter in any way a completed voter registration application:**
  - ✓ Virginia state law expressly prohibits an individual from intentionally destroying a completed registration application. Va. Code § 24.2-1002.01 (Class 1 misdemeanor).
  - ✓ Virginia also expressly prohibits an individual from intentionally falsifying a registration application. Va. Code § 24.2-1016 (Class 5 felony).
  - ✓ **Altering an application fraudulently is a Class 5 felony.** Va. Code § 24.2-1009.
  
4. **Do not pre-populate the registration blanks with information and unless the individual is physically disabled you must not sign the application:**
  - ✓ **Virginia law expressly prohibits voter registration applications from being pre-populated with information the applicant is required to provide, unless directed by the applicant.** Va. Code § 24.2-418.
  - ✓ It is important to print neatly and legibly if you do offer assistance.
  
5. **You cannot discriminate when conducting a voter registration drive:**
  - ✓ You cannot refuse to provide a registration application to an individual because of his/her race, religion, or other classification.
  - ✓ Conducting a partisan registration drive that discriminates based on political party affiliation could endanger your organization's tax-exempt status. Please review the applicable Internal Revenue Service (IRS) guidelines and/or consult with legal counsel regarding registration drives and tax-exempt status.
  - ✓ Once you accept a completed registration application, you must deliver that application in a timely manner to the appropriate voter registration office.



6. **Must not misuse personal information contained on the registration application:**
  - ✓ **Warning: Unauthorized disclosure of all or part of an applicant's social security number is a felony. Unauthorized use of any personal information to defraud is a crime.** Va. Code §§ 18.2-186.3, 24.2-1002.1.
  - ✓ Virginia law contains specific prohibitions regarding the use of personal information without permission of the person who is the subject of the identifying information. Please review Va. Code § 18.2-186.3 to ensure that any proposed retention of registration information is in compliance with Virginia law.
  - ✓ State law permits the release of lists of registered voters to certain organizations for political purposes and/or to promote voter registration. We encourage you to contact the Department of Elections if you or your organization would like to purchase a list of registered voters. Please see FAQ section below for more information.
  
7. **Must not bribe, threaten, coerce, intimidate, etc. voters into registering to vote:**
  - ✓ State law expressly prohibits the use of threats or force to interfere with or attempt to interfere with any person applying for or declining to register to vote. Va. Code § 24.2-1002.
  - ✓ Federal law prohibits an individual from using intimidation, threats, or coercion in urging or aiding a person in registering to vote. 52 USC § 20511.
  - ✓ Conspiracies to interfere with free exercise of voting rights are subject to felony prosecution under state law. Va. Code § 24.2-1015.
  
8. **Do not write or attach anything to the voter registration application related to candidates or ballot measures.**

## Frequently Asked Questions

### Voter Registration Questions:

#### Q. Where do I obtain voter registration applications for my drive?

- ✓ The Department of Elections will make available to any individual or group a reasonable number of voter registration application forms. Va. Code § 24.2-416.3. Any group or individual seeking 25 or more registration applications from the Department of Elections is required to register with the Department of Elections and take online or in-person training on the best practices and legal requirements for conducting registration drives. Please see page 3 above.
- ✓ **Blank** applications may be photocopied. However, an original signature is required on completed applications. The original signature may be applied electronically.
- ✓ A PDF of the voter registration application can be downloaded at [www.vote.virginia.gov](http://www.vote.virginia.gov).
- ✓ Please complete the Sworn Affidavit Form below to request registration applications for your drive.
- ✓ Online: ELECT now offers the ability for individuals to complete and submit their voter registration application on-line.
  - To qualify for on-line submission of the application, the individual must either already be registered (updating their registration) or have a DMV issued identification.
  - For unregistered individuals who do not have a DMV ID, the opportunity to complete the application is still available on-line, but the applicant will be required to print, sign and mail the application to the appropriate local voter registration office or to ELECT.

#### Q. Who May Register to Vote in Virginia?

Below, please find the qualifications to register to vote in Virginia:

- ✓ **Citizen of U.S.:** Must be a citizen of the United States.
- ✓ **Resident of Virginia:** Must be a resident of Virginia. A person who has come to Virginia temporarily and intends to return to his/her state of residence is **not** considered a Virginia resident for voting purposes. Persons who legally reside in another state (for example, students who intend to return to their home state upon graduation) should register in their home state using the voter registration application for their home state, or the national application, not the Virginia application. Active duty uniformed services personnel and overseas citizens may retain Virginia residency under specific federal and state laws.

**\*\*\*Residency in Virginia is a prerequisite to be eligible to register to vote. Residency requires both domicile and a place of abode. To establish domicile, a person must live in a particular locality with the intention to remain indefinitely. A place of abode is the physical place where a person dwells. \*\*\***

- ✓ **18 Years of Age by Next General Election**: Must be at least 18 years old on or before the date of the next general election. (Seventeen- year olds who will be 18 by the next general election may register in advance and vote in any primary or special election in the intervening period prior to the general election. Seventeen year olds who will be 18 by the next presidential election may register in advance and vote in any presidential primary or other primary held on the same day as the presidential primary.)
- ✓ **No Felony Conviction or Mental Incapacity Adjudication**: Unless voting rights have been restored, the applicant must have no felony conviction, nor have been judged by a court to be mentally incapacitated. (Please see FAQ below on felons.)
  - For felonies, the Governor or the convicting jurisdiction can restore voting rights.
  - For adjudications of incapacity, a court order is required to restore voting rights. Rarely, an adjudication order may specifically provide voting rights. See Va. Code § 64.2-2000 for definition of “incapacitated person.”
- ✓ Virginia law makes special provisions for some military and overseas voters. Please have individuals with questions contact the Department of Elections or their local registration office should they have questions regarding their registration eligibility.
- ✓ For more information please review Va. Constitution Article II, §§ 1-2; Va. Code §§ 24.2-101, 24.2-400, 24.2-417 and 24.2-418; and 1 VAC 20-40-10 through 20-40-60.

## **Q. How does a felon know if his/her rights have been restored?**

- ✓ Those convicted of a felony in Virginia must apply to the Governor or other appropriate authority to have their rights restored. Some states automatically restore voting rights to felons. Individuals convicted of a felony in a state other than Virginia should contact the appropriate authorities in that state to determine whether or not their rights have been restored. If a person has been convicted of a felony and would like to know eligibility requirements for restoration of civil rights, he/she should contact:
  - Restoration of Rights Director
  - Office of the Secretary of the Commonwealth
  - Post Office Box 2454, Richmond, Virginia 23218-2454
  - Phone: (804) 786-2441
  - <https://solutions.virginia.gov/RestorationOfRights/search>
- ✓ **Do not attempt to register felons whose voting rights have not been restored—you and the applicants could be prosecuted for felony voter fraud.** Va. Code § 24.2-1004(B).

## **Completing a Voter Registration Application:**

### **Q. What information is required to be completed on the application?**

- ✓ **All** required information asked for on the application **must** be provided if the applicant is not currently registered. The phone number and email address are not required. However, please let the voter know that failure to include that information may result in the inability of election staff to contact the applicant should the staff member need to verify unreadable handwriting and may result in denial if they are otherwise unable to reach the voter where there is a lack of clarity. If any information requested on the application does not apply to the voter, he/she should write “none” or place a dash in the appropriate space. Va. Code § 24.2-418.

It is required and important for an applicant to closely read and complete the section on the registration application that asks if the applicant is currently registered to vote in Virginia or another state. Completing this information allows the registrar to communicate with election officials in another state that the voter has registered in Virginia and that their registration should be cancelled.

- ✓ The registrant must sign and date the application. (if physically able)
- ✓ Failure to complete the form properly may result in a denial of the application.
- ✓ It is important that the applicant and/or individual providing assistance print neatly and legibly when completing the voter registration application.

### **Q. Are applicants permitted to include a future address as their mailing or residence address?**

- ✓ A voter must provide his/her **current** residence address and mailing address when registering to vote. § 24.2-418.

### **Q. Are applicants permitted to list a P.O. Box for their mailing address? If so, are they still required to list their street address?**

- ✓ Some individuals may be qualified to include a P.O. Box in addition to their residence address on the registration application. These individuals must still provide his or her residence address. Individuals qualified to include a P.O. Box mailing address either (1) have a residence address that is not deliverable by the USPS; OR (2) meet the legal definition of “protected voter” in the Code of Virginia who may not publish their residence address in voter lists. The list of protected voters set out in Va. Code § 24.2-418 is as follows:
  - Active or retired law enforcement officers.
  - Persons under protective order.
  - Persons who are threatened or stalked (must have complaint to law enforcement).
  - Participants registered with the Attorney General’s Address Confidentiality Program.
  - Judges and attorneys employed by the U.S. or Virginia Attorney General (active or retired).
- ✓ **Protected voters claiming eligibility to not publish their residence address must provide the appropriate three digit code on the registration application to certify they are legally eligible.**
- ✓ These eligible voters **must** provide a complete residence address. This is necessary to determine their ballot choices and the location of their polling place. Va. Code § 24.2-418.

- ✓ If the registrant has any questions about mailing addresses or address protection, they should contact their local voter registration office or the Department of Elections.

### **Q. What about homeless applicants? How do they complete the registration application?**

- ✓ A homeless applicant can register to vote if he/she intends to remain in a locality indefinitely and provides some residence address indicating the primary place where he/she stays at night. This is necessary to determine for whom a person can vote and the location of the applicant's polling place.
- ✓ A mailing address is required to ensure that the voter will receive his/her registration card and to avoid cancellation of voting eligibility due to returned mail. Some homeless shelters allow people to have their voter registration cards mailed to the shelter address. By providing this service, the homeless applicant is able to pick up his/her card from the shelter address. Call the local voter registration office if you have questions about registering homeless applicants.

### **Q. Am I permitted to assist a voter in completing his/her application?**

- ✓ Recent changes to the law explicitly prohibit individuals from pre-populating the registration application for the individual unless directed by the voter. This does not prohibit you from assisting an individual with completing the application. All applications must be signed, by the applicant or check the box below the signature line indicating the person is unable to sign due to physical disability.  
Signing the form under felony penalty makes the person signing legally responsible for the truth of all statements on the form.
- ✓ A signature under a power-of-attorney is not permitted. Va. Code § 24.2-123.

### **Responsibility for Delivering and Timeliness of Delivery:**

#### **Q. Who is responsible for delivering the completed voter registration applications and where should they be delivered?**

- ✓ If you offer to deliver or mail the completed registration applications to the local voter registration office or ELECT, then you must follow through or risk criminal penalties. Va. Code § 24.2-1002.01. Please see applicable deadlines below.
- ✓ Voter registration applications can be turned in to any local voter registration office or to the Department of Elections, 1100 Bank St, 1st Floor, Richmond, VA 23219.
- ✓ **For timely processing of registration applications**, ELECT encourages you to sort and deliver the completed applications to the voter registration office of the locality indicated on the registration application. Applications are considered "on time" once they arrive at ELECT or at any Virginia registrar's office, or if they are mailed with a postmark on or before the final day of registration.
- ✓ Contact information for all voter registration offices can be found at the following website: <https://vote.elections.virginia.gov/VoterInformation/PublicContactLookup>

#### **Q. Is there a deadline for delivering completed voter registration applications?**

- ✓ **Yes.** The coordinator of the voter registration drive has the responsibility for making sure all

completed applications are mailed or delivered to ANY local voter registration office or the Department of Elections within 10 days of signature date or not later than 5:00 pm on the last day to register for an upcoming election, **whichever is earlier**. **The failure to timely deliver completed applications constitutes a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised.** ELECT and local voter registration office will refer these violations to the appropriate Commonwealth's Attorney and/or Office of the Attorney General for investigation and prosecution. Va. Code § 24.2-1002.01

- ✓ If mailed, registration applications must be postmarked no later than the voter registration deadline.
- ✓ If delivered in person, either by the applicant or a third party, the application must be received by 5:00 pm on the deadline.
- ✓ Applications postmarked or received after the deadline will be held and processed after the election; these applications will be effective for the next election if the applicant is otherwise qualified.
- ✓ It is important to realize that failure to deliver applications even after the deadline for submission will result in disenfranchisement and potentially more serious consequences to the individual responsible for non-delivery.

### **Q. When is the voter registration deadline?**

- ✓ For a general or primary election, the deadline is the close of business 22 days before the election. Va. Code § 24.2-416.
- ✓ Limited exceptions may apply for certain military and returning overseas voters. Va. Code §§ 24.2-419 and 24.2-420.1.
- ✓ For a special election held at a time other than a general election, deadlines are shorter. Va. Code § 24.2-416.
- ✓ ELECT encourages you to contact the agency or a local voter registration office if you have any questions or uncertainty regarding your obligations to return completed voter registration applications by the registration deadline for a particular election.

## **Q. What if applicants wish to keep their voter registration applications and turn it them themselves?**

- ✓ If the applicant requests, you must allow him/her to take the voter registration application and return it him/herself.
- ✓ ELECT encourages applicant's to submit their application him/herself because it relieves the registration drives of the responsibility to timely deliver applications and provide a receipt, allows individuals to verify their registration status before submitting another application, and ensures that local voter registration offices are not inundated with large numbers of registration applications immediately prior to the registration deadline.
- ✓ The applicant can deliver the voter registration application through the postal system or in person to any voter registration office.
- ✓ It would be helpful for you to provide envelopes with postage stamps to individuals who wish to mail in their registration application.
- ✓ Allowing an individual to submit his/her own registration applications is particularly appropriate when the voter suspects that he/she is already registered and/or the registration information is up to date.

## **Training:**

### **Q. Is training available for my registration drive workers?**

- ✓ Yes. State approved training is required for individuals or organizations that obtain 25 or more voter registration applications from state or local elections officials. Training is available in several formats:
  - Online training is available and easily accessible at the ELECT website ([www.vote.virginia.gov](http://www.vote.virginia.gov)).
  - ELECT does provide in-person training to groups and organization. To schedule a training contact Garry E. Ellis by email at [garry.ellis@elections.virginia.gov](mailto:garry.ellis@elections.virginia.gov).
  - Each local voter registration office will offer in-person training. Written training materials will be available. Please contact your local voter registration office for more information.
  - Please see page 3 above for additional information.

## **Other Questions:**

### **Q. How will individuals know if their registration was accepted?**

- ✓ The local voter registration office will determine registration eligibility. A voter registration notification will be mailed to eligible registrants.
- ✓ A denial letter will be mailed to any applicant determined not to be eligible. Va. Code § 24.2-422.
- ✓ Any applicant who does not receive either confirmation of voter registration or a denial notice within 30 days should contact their local registration office.
- ✓ Any application received after the registration deadline will not be processed until after the election which follows the registration deadline. No voter registration confirmation or

denial letters will be issued during this period. Va. Code § 24.2-416.

**Q. What about the national voter registration application?**

- ✓ The national application is available at <https://www.eac.gov/voters/national-mail-voter-registration-form/> and should be used for persons with legal residence outside of Virginia.
- ✓ ELECT and the local voter registration offices strongly urge your registration drive to use the Virginia Voter Registration Application as it requests all information required to register to vote in Virginia.
- ✓ Active-duty military personnel should be encouraged to use the Federal Post Card Application, available at: [www.FVAP.gov](http://www.FVAP.gov).

**Q. May I obtain a list of Virginia registered voters?**

- ✓ The Code of Virginia permits ELECT to furnish, at a reasonable price, lists of registered voters to certain groups and individuals, including non-profit organizations that promote voter participation and registration.
- ✓ Please review Va. Code § 24.2-405 and contact ELECT staff if you would like to request a list of registered voters.

**Q. What if I have a question not addressed by these guidelines?**

- ✓ For questions concerning deadlines, completion of the application and voting on Election Day, call your local voter registration office or the Department of Elections at (804) 864-8901, (800)-552-9745 or 1-800-260-3466 (TTY).



## **Criminal Penalty for Non-delivery or Late Application**

### **§ 24.2-1002.01. Destruction of, or failure to mail or deliver, voter registration application; penalty.**

If any person (i) agrees to mail or deliver a signed voter registration application to the voter registrar or other appropriate person authorized to receive the application and (ii) intentionally interferes with the applicant's effort to register either by destroying the application or by failing to mail or deliver the application in a timely manner, he shall be guilty of a Class 1 misdemeanor. The mailing or delivery of an application shall be deemed timely for the purposes of this section if it is mailed or delivered within 10 days of the applicant's signature or in accordance with the provisions of § 24.2-416.4 for processing before the closing of the registration records for the pending election whichever comes first. This section shall not apply to any state or local government employee acting in his official capacity. If any person intentionally solicits multiple registrations from any one person or intentionally falsifies a registration application, he shall be guilty of a Class 5 felony.

#### **Other Code of Virginia statutes that could affect voter registration drive activities include:**

Va. Code §§ 18.2-29, 18.2-186.3

Va. Code §§ 24.2-101, 24.2-400, 24.2-416.3, 24.2-416.4, 24.2-416.6, 24.2-417, 24.2-418, 24.2-1001, 24.2-1002.1, 24.2-1004, 24.2-1005.1, 24.2-1009, 24.2-1015, 24.2-1016, 24.2-1017

Va. Constitution Art. II, §§ 1-2.

Virginia's Constitution and Statutes can be accessed through the Legislative Information Services website, <http://lis.virginia.gov/> or public libraries.

## THIRD PARTY REGISTRATION DRIVE SWORN AFFIDAVIT\*

This affidavit form provides the legally required Sworn Affidavit attesting that you will abide by all Virginia laws and rules regarding the registration of voters. Please be advised that criminal penalties may result from intentionally falsifying or misrepresenting material information on this form in violation of § 24.2-1016. **\*Required if requesting over 25 voter registration applications; 200 maximum**

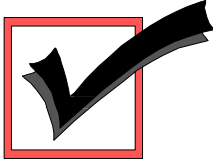
I, \_\_\_\_\_, state as follows:  
(Print full name)

1. I am requesting voter registration applications from the Department of Elections or a local voter registration office for a voter registration drive (Check as applicable, limit 200):
  - None
  - For fewer than 100 applications, I should contact my local voter registration office
  - 100 applications
  - 200 applications
2. I am requesting these forms as (Check as applicable):
  - An individual; or
  - An agent on behalf of an organization: \_\_\_\_\_  
(list organization)
3. I will abide by all Virginia laws and rules regarding the registration of voters, including (Please check all, to affirm each statement):
  - I will provide a completed *receipt* to all applicants for whom I take applications.
  - I will return all completed applications *no later than ten (10) days* after the applicant signs or the *close of registration* for the next election if sooner.
  - I will *not* mark, add, change, or delete any information on the Voter Registration Application, nor will I destroy, or dispose of the application in any way.
  - I will *not* copy, duplicate, or distribute any social security number on any application.
4. If I am acting on behalf of an organization, I will use my best efforts to ensure this organization will abide by all Virginia laws and rules regarding the registration of voters, which will include additional training and supervision of individuals working on behalf of my organization.
5. I have completed the Virginia Department of Elections certified training approved by the Virginia State Board of Elections. I understand this annual certification is valid until June 30<sup>th</sup> each year, at which time I must complete the training again in order to renew my certification.
6. I understand that criminal penalties may result from noncompliance, intentionally falsifying or misrepresenting material information.

**I swear or affirm under penalty of perjury that the foregoing is true and correct.**

**Signature** \_\_\_\_\_  
**Name (First, MI, Last)** \_\_\_\_\_  
**Organization (If any)** \_\_\_\_\_  
**Address (No PO boxes)** \_\_\_\_\_  
**City/State/Zip Code** \_\_\_\_\_  
**Telephone** \_\_\_\_\_  
**Email Address** \_\_\_\_\_  
**Date** \_\_\_\_\_

If requesting applications, return completed form to:  
Virginia Department of Elections, 1100 Bank Street, 1<sup>st</sup> Floor, Richmond, VA 23219-3497 or Fax (804) 371-0194



## Recommended Checklist for Voter Registration Drives

### I and my organization's volunteers and/or employees:

- Have read and are familiar with these voter registration drive guidelines.
- Have read and are familiar with the Virginia Voter Registration Application.
- Have read the applicable Virginia Code sections and understand the criminal penalties for failure to comply with Virginia law as it relates to voter registration activities.
- Have assured that my organization's volunteers receive the state approved training on the laws and best practices for conducting registration drives, including criminal penalties.
- Have distributed the Sworn Affidavit form and two-page Best Practices and Overview for Volunteers to my volunteers/staff (pages 4-5).
- Have ensured that applicants complete the voter registration applications in their entirety.
- Have included assistant's name and address on each application if assistant signed application due to applicant's physical disability. (Please read signature line on voter registration application.)
- Provided a receipt to all individuals completing voter registration applications for submission by me.
- Prepared an alphabetical listing of applications delivered to the local registrar.
- Delivered any completed voter registration applications to the appropriate registrar within 10 days of the applicant's signature or by the next registration deadline, whichever is sooner.
- Have completed state approved training on Virginia laws and ELECT guidance concerning voter registration drives.



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# Absentee Ballot Applications

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BOARD WORKING PAPERS  
Samantha Buckley  
Policy Analyst



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STATE BOARD *of* ELECTIONS

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**Memorandum**

To: Chairman Alcorn, Vice Chair Wheeler, and Secretary McAllister  
From: Samantha Buckley, Policy Analyst  
Date: June 19, 2018  
Re: Revision and Adoption of Absentee Ballot Application

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**Suggested motion for a Board member to make:**

Move that the Board approve the proposed revisions to the Virginia Absentee Ballot Application for use beginning July 1, 2018.

**Applicable Code Sections:** Va. Code § 24.2-701

**Attachments:**

Your Board materials include the following:

- Current Virginia Absentee Ballot Application
- Proposed Virginia Absentee Ballot Application

**Background:**

HB397, signed by Governor Northam during the 2018 legislative session, amends Va. Code § 24.2-701 to make the social security number optional for voters who complete an absentee ballot application in the general registrar's office. This amendment will become effective July 1, 2018.

The proposed revision to the Virginia Absentee Ballot Application brings this form into legal compliance.

**ELECT staff recommendation:**

ELECT staff recommends the Board adopt the proposed revisions to the Virginia Absentee Ballot Application for use beginning July 1, 2018.



# Virginia Absentee Ballot Application Form



You can check the status of your absentee ballot request and ballot by calling your local General Registrar, the Department of Elections toll free number or checking through the Department of Elections website: [www.elections.virginia.gov](http://www.elections.virginia.gov)

## Department of Elections Contact Info:

**Phone:** (804) 864-8901    **Toll Free:** (800) 552-9745

**Fax:** (804) 371-0194    **TTY:** 711

**Email:** [info@elections.virginia.gov](mailto:info@elections.virginia.gov)

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**WARNING: INTENTIONALLY VOTING MORE THAN ONCE IN AN ELECTION OR MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500.**

## Privacy Act Notice:

This form collects personal information, including your social security number, for identification and to prevent fraud. Your application will be denied if you fail to provide the last four digits of your social security number or any other information required to determine your qualification to vote absentee. Federal law (the Privacy Act) and state law (Va. Code § 24.2-701 and the Government Data Collection and Dissemination Practices Act) authorize collecting this information and restrict its use to official purposes only.





Upon completion of the form, return this page only to the address on page 2 for the city/county where you are applying.

# Virginia Absentee Ballot Application Form



Unless otherwise indicated, all items on this form are required. Please print clearly. Instructions on page 4.

## Your Name & SSN

1

Last Name

First Name

Middle Name

Suffix

Social Security #

(Last 4 digits required)

N N N - N N - N N N N

## Election

2

I am applying to vote in:

 General or Special Election Democratic Primary Republican Primary

Date of Election

M M / D D / Y Y

I am registered to vote in the

 County  City of

## Reason for Absentee Ballot

3



Instructions on reason codes are on page 4



Your application will be denied if a qualifying reason and required information are not provided.

Reason Code

N N

Supporting Info (if required)

## More Info (Optional)

4

Birth Year

Y Y Y Y

Telephone

N N N - N N N - N N N N

Email/Fax

## Residence Address (If rural address/homeless describe residence)

5

Address

APT/Suite #

City

State VA

Zip Code

N N N N N

## Delivery of Ballot (See instructions)

6

I would like my ballot delivered to:

 Residence Address (Provided in Part #5) Mailing Address (Provide below) Email (6A-6D Only) (Provide in Part #4) Fax (6A-6D only) (Provide in Part #4)

Address

APT/Suite #

City

State/Country

Zip Code

N N N N N - N N N N

## Change of Name/Address (If changing registration name/address)

7

Former Full Name

Date Moved

M M / D D / Y Y

Former Address

## Assistance To Vote

8

 I will need assistance in completing my ballot due to a disability, blindness, or inability to read or write. If checked, assistance form will be provided with ballot.

## Assistant's Statement/Info (If applicant is unable to sign due to disability)

9

I swear/affirm, under felony penalty for making willfully false material statements, that the information I have provided on this form is true and I have written on the Applicant's signature line in part #10 "Applicant Unable to Sign."

Provide Information of Assistant

Full Name

Address

APT/Suite #

City

State

Zip Code

N N N N N

Signature

## Applicant Signature

10

I swear/affirm, under felony penalty for making willfully false material statements, that (1) the information I have provided on this form is true, and (2) I am not requesting a ballot or voting in any other jurisdiction in the U.S., except the jurisdiction to which this application relates.

Signature (or mark if unable to sign)

Today's Date

M M / D D / Y Y

## Office Use Only

Precinct

District/Senate/House

Application #

Application Accepted

 Yes  No

Date Received

M M / D D / Y Y

Received By

Method Received

 In Person By Mail By Fax Email Other

Ballot Sent By

 Mail Email Fax In PersonOn Machine  Yes No

Reason Not Accepted

124





To vote absentee you must be a registered voter of the city/county where you are applying

# Instructions

## To Vote Absentee

Select only one Code from the list of reason codes below. Write in the selected code on the form in part #3 and include any supporting information required. A separate form is required for each voter and for each election.

### First-Time Voters

Voters who registered by mail, and who have not previously voted in their locality, may vote absentee by mail only if the reason code is 1A, 2A, 2C, 6A, 6B, 6C, 6D, or 7A, or the voter is 65 or older and qualifies under another reason.

### Absent Military and Overseas Voters

You are encouraged to use the Federal Post Card Application (FPCA) which also serves as a voter registration application. To obtain the FPCA and information, visit [www.fvap.gov](http://www.fvap.gov). Submitting this Virginia Absentee Ballot Application form will be interpreted as a request by you to discontinue any pending FPCA.

## Apply Early

You can apply to vote absentee as early as one year before the election. Ballots are available 45 days before most elections. **If you register to vote in person, you must wait five days before you can vote in person or have your ballot mailed to you.**

The deadline for receipt of your application to vote absentee **by mail** is 5:00 PM the Tuesday before the election. Please mail this application to your general registrar listed on page 2. Please do not return this application to the State Board of Elections. You may also submit your application by fax or scanned email attachment.

The deadline to apply and vote absentee **in-person** is the Saturday before the election. Contact your general registrar for office or satellite office address and voting locations.

## Delivery of Ballot

Your ballot can only be mailed to one of the following:

- (1) Voter's residence address
- (2) Voter's location while outside voter's residence county/city; or
- (3) Place of temporary confinement for illness, disability, misdemeanor conviction or awaiting trial

**No ballot may be sent in care of any other person.**

Code	Reason	Supporting Information Required
1A	Student attending college or university outside of locality of residence in Virginia	Name of college or university
1B	Spouse of student attending college or university outside locality of residence in Virginia	Name of college or university
1C	Business outside County/City of residence on election day	Name of employer or business
1D	Personal business or vacation outside County/City of residence on election day	Place of travel (VA county/city or state or country)
1E	I am working and commuting to/from home for 11 or more hours between 6:00 AM and 7:00 PM on election day	Name of employer or business <b>and</b> election day hours of working and commuting (AM to PM)
1F	I am a first responder (member of law enforcement, fire fighter, emergency technician, search and rescue)	Not required
2A	My disability or illness	Not required
2B	I am primarily and personally responsible for the care of a disabled/ill family member confined at home	Family Relationship
2C	My pregnancy	Not required
3A	Confined, awaiting trial	Name of institution
3B	Confined, convicted of a misdemeanor	Name of institution
4A	An electoral board member, registrar, officer of election, or custodian of voting equipment	Not required
5A	I have a religious obligation	Not required
6A	Active Duty Merchant Marine or Armed Forces	Branch of service
6B	Spouse or dependent living with a member of 6A	Branch of service
6C	Temporarily residing outside of US	Enter your last date of residency at your Virginia voting residence only if you have given up that address permanently or have no intent to return
6D	Temporarily residing outside of US for employment or spouse or dependent residing with employee	Name of business or employer
7A	Requesting a ballot for presidential and vice-presidential electors only (Ballots for other offices/issues will not be sent)	New state of residence and date moved from Virginia. Only eligible if you moved less than 30 days before the presidential election.
8A	Authorized representative of candidate or party serving inside the polling place	Not required
9A	Granted a protective order issued by or under the authority of a court of competent jurisdiction.	Name of the county or city in Virginia or the state of the issuing court.



# Virginia Absentee Ballot Application Form



You can check the status of your absentee ballot request and ballot by calling your local General Registrar, the Department of Elections toll free number or checking through the Department of Elections website: [www.elections.virginia.gov](http://www.elections.virginia.gov)

## Department of Elections Contact Info:

**Phone:** (804) 864-8901    **Toll Free:** (800) 552-9745

**Fax:** (804) 371-0194    **TTY:** 711

**Email:** [info@elections.virginia.gov](mailto:info@elections.virginia.gov)

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**WARNING: INTENTIONALLY VOTING MORE THAN ONCE IN AN ELECTION OR MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500.**

## Privacy Act Notice:

This form collects personal information, including your social security number, for identification and to prevent fraud. Your application will be denied if you fail to provide the last four digits of your social security number (*unless you are completing in person*) or any other information required to determine your qualification to vote absentee. Federal law (the Privacy Act) and state law (Va. Code § 24.2- 701 and the Government Data Collection and Dissemination Practices Act) authorize collecting this information and restrict its use to official purposes only.





Upon completion of the form, return this page only to the address on page 2 for the city/county where you are applying.

# Virginia Absentee Ballot Application Form



Unless otherwise indicated, all items on this form are required. Please print clearly. Instructions on page 4.

## Your Name & SSN

**1** Last Name \_\_\_\_\_ First Name \_\_\_\_\_  
 Middle Name \_\_\_\_\_ Suffix \_\_\_\_\_ Social Security # 

N	N	N	-	N	N	-	N	N	N	N
---	---	---	---	---	---	---	---	---	---	---

  
(\*Last 4 digits required. Optional if completing in person.)

## Election

**2** I am applying to vote in:  General or Special Election  Democratic Primary  Republican Primary  
 Date of Election 

M	M	/	D	D	/	Y	Y
---	---	---	---	---	---	---	---

 I am registered to vote in the  
 County  City of \_\_\_\_\_

## Reason for Absentee Ballot

**3** Instructions on reason codes are on page 4 Your application will be denied if a qualifying reason and required information are not provided.  
 Reason Code 

N	N
---	---

 Supporting Info (if required) \_\_\_\_\_

## More Info (Optional)

**4** Birth Year 

Y	Y	Y	Y
---	---	---	---

 Telephone 

N	N	N	-	N	N	N	-	N	N	N	N
---	---	---	---	---	---	---	---	---	---	---	---

  
 Email/Fax \_\_\_\_\_

## Residence Address (If rural address/homeless describe residence)

**5** Address \_\_\_\_\_ APT/Suite # \_\_\_\_\_  
 City \_\_\_\_\_ State VA Zip Code 

N	N	N	N	N
---	---	---	---	---

## Delivery of Ballot (See instructions)

**6** I would like my ballot delivered to:  Residence Address (Provided in Part #5)  Mailing Address (Provide below)  
 Email (6A-6D Only) (Provide in Part #4)  Fax (6A-6D only) (Provide in Part #4)  
 Address \_\_\_\_\_ APT/Suite # \_\_\_\_\_  
 City \_\_\_\_\_ State/Country \_\_\_\_\_ Zip Code 

N	N	N	N	N	-	N	N	N	N
---	---	---	---	---	---	---	---	---	---

## Change of Name/Address (If changing registration name/address)

**7** Former Full Name \_\_\_\_\_ Date Moved 

M	M	/	D	D	/	Y	Y
---	---	---	---	---	---	---	---

  
 Former Address \_\_\_\_\_

## Assistance To Vote

**8**  I will need assistance in completing my ballot due to a disability, blindness, or inability to read or write. If checked, assistance form will be provided with ballot.

## Assistant's Statement/Info (If applicant is unable to sign due to disability)

**9** I swear/affirm, under felony penalty for making willfully false material statements, that the information I have provided on this form is true and I have written on the Applicant's signature line in part #10 "Applicant Unable to Sign."  
**Provide Information of Assistant**  
 Full Name \_\_\_\_\_  
 Address \_\_\_\_\_ APT/Suite # \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code 

N	N	N	N	N
---	---	---	---	---

  
 Signature \_\_\_\_\_

## Applicant Signature

**10** I swear/affirm, under felony penalty for making willfully false material statements, that (1) the information I have provided on this form is true, and (2) I am not requesting a ballot or voting in any other jurisdiction in the U.S., except the jurisdiction to which this application relates.  
 Signature (or mark if unable to sign) \_\_\_\_\_ Today's Date 

M	M	/	D	D	/	Y	Y
---	---	---	---	---	---	---	---

### Office Use Only

Precinct \_\_\_\_\_ District/Senate/House \_\_\_\_\_ Application # \_\_\_\_\_ Application Accepted  Yes  No  
 Date Received 

M	M	/	D	D	/	Y	Y
---	---	---	---	---	---	---	---

 Received By \_\_\_\_\_  
 Method Received  In Person  By Mail  By Fax  Email  Other \_\_\_\_\_  
 Ballot Sent By  Mail  Email  Fax  In Person On Machine  Yes  No

Reason Not Accepted  
128



To vote absentee you must be a registered voter of the city/county where you are applying

# Instructions

## To Vote Absentee

Select only one Code from the list of reason codes below. Write in the selected code on the form in part #3 and include any supporting information required. A separate form is required for each voter and for each election.

## First-Time Voters

Voters who registered by mail, and who have not previously voted in their locality, may vote absentee by mail only if the reason code is 1A, 2A, 2C, 6A, 6B, 6C, 6D, or 7A, or the voter is 65 or older and qualifies under another reason.

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You are encouraged to use the Federal Post Card Application (FPCA) which also serves as a voter registration application. To obtain the FPCA and information, visit [www.fvap.gov](http://www.fvap.gov). Submitting this Virginia Absentee Ballot Application form will be interpreted as a request by you to discontinue any pending FPCA.

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Your ballot can only be mailed to one of the following:

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- (2) Voter's location while outside voter's residence county/city; or
- (3) Place of temporary confinement for illness, disability, misdemeanor conviction or awaiting trial

**No ballot may be sent in care of any other person.**

Code	Reason	Supporting Information Required
1A	Student attending college or university outside of locality of residence in Virginia	Name of college or university
1B	Spouse of student attending college or university outside locality of residence in Virginia	Name of college or university
1C	Business outside County/City of residence on election day	Name of employer or business
1D	Personal business or vacation outside County/City of residence on election day	Place of travel (VA county/city or state or country)
1E	I am working and commuting to/from home for 11 or more hours between 6:00 AM and 7:00 PM on election day	Name of employer or business <b>and</b> election day hours of working and commuting (AM to PM)
1F	I am a first responder (member of law enforcement, fire fighter, emergency technician, search and rescue)	Not required
2A	My disability or illness	Not required
2B	I am primarily and personally responsible for the care of a disabled/ill family member confined at home	Family Relationship
2C	My pregnancy	Not required
3A	Confined, awaiting trial	Name of institution
3B	Confined, convicted of a misdemeanor	Name of institution
4A	An electoral board member, registrar, officer of election, or custodian of voting equipment	Not required
5A	I have a religious obligation	Not required
6A	Active Duty Merchant Marine or Armed Forces	Branch of service
6B	Spouse or dependent living with a member of 6A	Branch of service
6C	Temporarily residing outside of US	Enter your last date of residency at your Virginia voting residence only if you have given up that address permanently or have no intent to return
6D	Temporarily residing outside of US for employment or spouse or dependent residing with employee	Name of business or employer
7A	Requesting a ballot for presidential and vice-presidential electors only (Ballots for other offices/issues will not be sent)	New state of residence and date moved from Virginia. Only eligible if you moved less than 30 days before the presidential election.
8A	Authorized representative of candidate or party serving inside the polling place	Not required
9A	Granted a protective order issued by or under the authority of a court of competent jurisdiction.	Name of the county or city in Virginia or the state of the issuing court.





★ VIRGINIA ★  
STATE BOARD *of* ELECTIONS

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**Memorandum**

To: Chairman Alcorn, Vice Chair Wheeler, and Secretary McAllister  
From: Samantha Buckley, Policy Analyst  
Date: June 19, 2018  
Re: Proposal and Adoption of Virginia In-Person Absentee Ballot Application

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**Suggested motion for a Board member to make:**

Move that the Board adopt the Virginia In-Person Absentee Ballot Application for use beginning July 1, 2018.

**Applicable Code Sections:** Va. Code § 24.2-701

**Attachments:**

Your Board materials include the following:

- Proposed Virginia In-Person Absentee Ballot Application
- Diagram: Development process of Virginia In-Person Absentee Ballot Application

**Background:**

In the Spring of 2017, the Department of Elections with the assistance of the Center for Civic Design (CCD) set out to develop a more simplified but functional Absentee application for voters who apply to vote absentee in person. Gathering research from interviews with general registrars and input from the Usability Review Workgroup, a new form was developed. The form went through multiple rounds of review and feedback with the Absentee Ballot Workgroup and Usability Review Workgroup. This application will be used by Absentee voters wanting to vote in the general registrar's office. With the adoption of this application, the Department will provide clear instruction to the general registrars regarding the use of this application.

**ELECT staff recommendation:**

ELECT staff recommends the Board adopt the Virginia In-person Absentee Ballot Application for use beginning July 1, 2018.

# Virginia In-Person Absentee Ballot Application

<b>Your full name and last 4 of SSN</b>	<b>1</b>	<b>First name</b> _____ <b>Last name</b> _____ <b>Middle name</b> _____ <b>Suffix</b> _____ <b>SSN (optional - last 4)</b>
<b>Current residence address</b>	<b>2</b>	<b>Address</b> _____ <b>Apt/Suite</b> _____ <b>City</b> _____ <b>State</b> VA <b>ZIP code</b>             <i>If you live in a rural address or if you are homeless, describe your residence.</i>
<b>Type and date of election</b>	<b>3</b>	<i>You must fill out a new form for each election.</i> <b>Election date</b> M M / D D / Y Y Y Y <b>Election type</b> <i>Choose one. For primary elections, you must choose a party.</i> _____ General election _____ Primary election - you must select one: _____ Republican _____ Democratic _____ Special election
<b>Assistance to vote</b>	<b>4</b>	<input type="checkbox"/> I will need assistance completing my ballot due to a disability, blindness, or inability to read or write. <i>(Election officer: Issue an assistance form.)</i>
<b>Reason for absence on Election Day</b>	<b>5</b>	<b>Turn the form over to find your reason for voting absentee →</b> <b>Reason code</b>         <b>Supporting information</b> _____ <i>(if required)</i>
<b>Previous name or address</b>	<b>6</b>	<i>If your current name or residence is different from where you are registered to vote, enter your previous name or address. Enter the last date that you lived at your voter registration address.</i> <b>Former name</b> _____ <b>Date moved</b> M M / D D / Y Y Y Y <b>Former address</b> _____
<b>Applicant signature</b>	<b>7</b>	I swear/affirm, under felony penalty for making willfully false material statements, that (1) the information I have provided on this form is true, and (2) I am not requesting a ballot or voting in any other jurisdiction in the U.S., except the jurisdiction to which this application relates. I am registered to vote in this county or city, and my residence address is in this county or city. Your address information will be used to update your voter registration record. <div style="border: 1px solid black; padding: 5px; display: inline-block;">           Voter sign:  <span style="font-size: 2em; font-weight: bold;">X</span> </div> <b>Date</b> M M / D D / Y Y Y Y <i>If the applicant is unable to sign, mark an X and complete an Assistance Form.</i>
<p><b>Privacy Act Notice:</b> This form requires personal information. The last four (4) digits of your Social Security Number are optional. Your application will not be denied if you fail to provide the last four digits of your social security number, but will be denied if you fail to provide any other information required to determine your qualification to vote absentee. Federal law (the Privacy Act) and state law (Va. Code § 24.2- 701 and the Government Data Collection and Dissemination Practices Act) authorize collecting this information and restrict its use to official purposes only.</p> <p><b>WARNING:</b> Intentionally voting more than once in an election or making a materially false statement on this form constitutes the crime of election fraud, which is punishable under Virginia law as a felony. Violators may be sentenced to up to 10 years in prison, or up to 12 months in jail and/or fined up to \$2,500.</p>		

<b>Office Use Only</b>				
Precinct _____	District / Senate / House _____	Application # _____	Style # _____	Application approved Yes ___ No ___
Date _____	Received by (name) _____	If <b>not</b> accepted, why: _____		
Ballot on machine Yes ___ No ___				

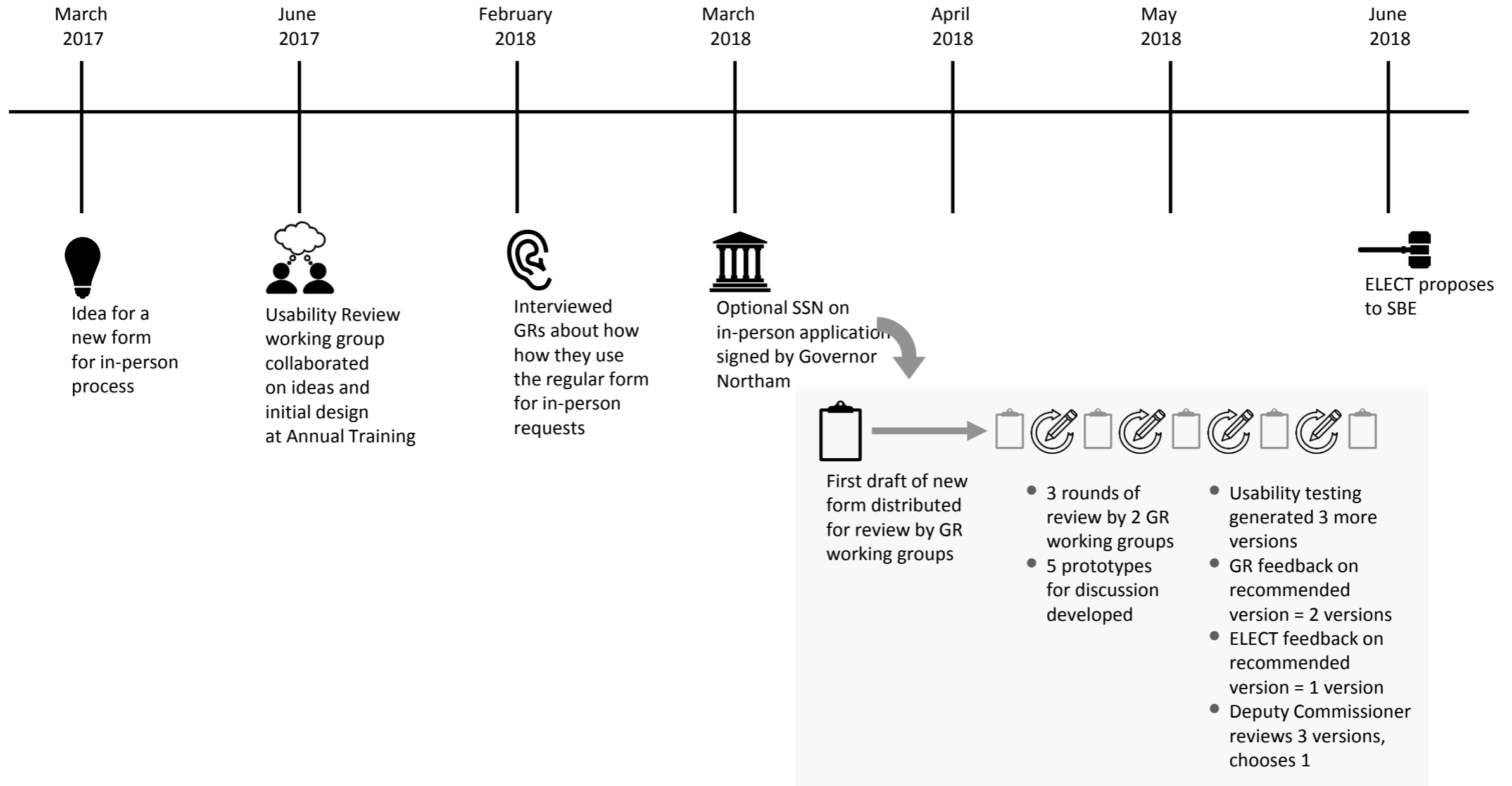
## Reason for absence on Election Day

- Locate the reason for requesting an absentee ballot from the list below.
- Write the number and any supporting information **on the front of this form**.

School or work	Reason	Write this information on the front of your form
	I am a student attending college or university outside of locality of residence in Virginia	1A Name of college or university
	I am the spouse of student attending college or university outside of locality of residence in Virginia	1B Name of college or university
	I have business outside County/City of residence on election day	1C Name of employer or business
	I have personal business outside County/City of residence on election day	1D Place of travel (VA county/city or state or country)
	I work and commute to/from home for 11 or more hours between 6:00 AM and 7:00 PM on election day	1E Name of employer or business and election day working and commuting hours
	I am a first responder (member of law enforcement, fire fighter, emergency technician, search and rescue)	1F
Health reasons	I have a disability or illness	2A
	I am primarily and personally responsible for other care of a disabled/ill family member confined at home	2B
	I am pregnant	2C
Specific situations	I am confined, awaiting trial	3A Name of institution
	I am confined, convicted of a misdemeanor	3B Name of institution
	I am an electoral board member, registrar, officer of election, or custodian of voting equipment	4A
	I have a religious obligation	5A
	I am requesting a ballot for presidential and vice-presidential electors only	7A Only if you moved less than 30 days before the presidential election New state of residence and date moved from Virginia
	I am an authorized representative of candidate or party serving inside the polling place	8A
Military or overseas	I am an Active Duty Merchant Marine or Armed Forces.	6A Branch of service
	I am the spouse or dependent living with a member of Active Duty Merchant Marine or Armed Forces.	6B Branch of service
	I am temporarily residing outside of US	6C Enter your last date of residency at your Virginia voting residence only if you have given up that address permanently or have no intent to return.
	I am temporarily residing outside of US for employment or I am the spouse or dependent residing with employee	6D Name of employer or business



# Process for developing the In-person Absentee Ballot Request





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STATE BOARD *of* ELECTIONS

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# Stand By Your Ad Hearings

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BOARD WORKING PAPERS  
Arielle A. Schneider  
Policy Analyst

## Memorandum

**To:** James Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; Singleton McAllister, Secretary  
**From:** Arielle A. Schneider, Policy Analyst  
**Date:** June 19, 2018  
**Re:** Recommendations for Stand By Your Ad June 19, 2018

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### PRINT MEDIA

1. Fauquier Voters for the Truth

**ELECTION** Town Council, Town of Warrenton; May 1, 2018  
**TYPE** flyers  
**SPONSOR TYPE** political committee; other  
**DISCLOSURE** **Must include these words: “paid for by Fauquier Voters for the Truth, LLC. Not authorized by a candidate.”**  
**DISCLOSURE** **“This flyer distributed and funded by Fauquier Voters for the Truth, LLC. Not authorized or approved by any candidate.”**

**Recommended Motion:** I move, subject to the Board’s authority under the Code of Virginia §24.2-955.3, to find Fauquier Voters for the Truth not in violation of §24.2-956 print media requirements.

2. Dwight Parker, Ella Ward, Les Smith, Jr., Patricia King, and Sharon Johnson-Clayton

**ELECTION** City Council, School Board; May 1, 2018  
**TYPE** flyers  
**SPONSOR TYPE** five individual candidates  
**DISCLOSURE** required: references five candidates so “Paid for by ...” and “Authorized by [candidate name], candidate for [name of office]”  
**DISCLOSURE** **“Authorized by the candidates.”**

**\$50 first-time violation w/apology (date of distribution unknown)**

**Substantial compliance?**

**Recommended Motion:** I move, subject to the Board’s authority under the Code of Virginia §24.2-955.3, to find Dwight Parker, Ella Ward, Les Smith, Jr., Patricia King, and Sharon Johnson-Clayton in violation of §24.2-956 Stand By Your Ad print media disclosure requirements with regard to an advertisement, and are fined \$50.

## CAMPAIGN TELEPHONE CALLS

1. Fauquier Voters for the Truth

<b>ELECTION</b>	Town Council, Town of Warrenton; May 1, 2018
<b>TYPE</b>	Telephone call (voicemail)
<b>SPONSOR TYPE</b>	political committee; other
<b>DISCLOSURE</b>	<b>Must identify the person or political committee before the telephone call concludes.</b>
<b>DISCLOSURE</b>	<u>Identifies "Fauquier Voters for the Truth LLC" at beginning and end of telephone call.</u>

Excerpt from Transcript: "Hello this is the Fauquier Voters for the Truth LLC calling to remind you that the Warrenton Town Council At-Large election is tomorrow, Tuesday May 1st. ... This was paid for the Fauquier Voters for the Truth LLC. 5402167184. "

**Recommended Motion:** I move, subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Fauquier Voters for the Truth LLC not in violation of §24.2-959.1 campaign telephone call requirements.



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

# Stand By Your Ad

June 19, 2018

State Board of Elections meeting

# Print Media

1. Fauquier Voters for the Truth, LLC.
2. “Chesapeake”

# Print Media

Advertisement sponsored by candidate or candidate committee

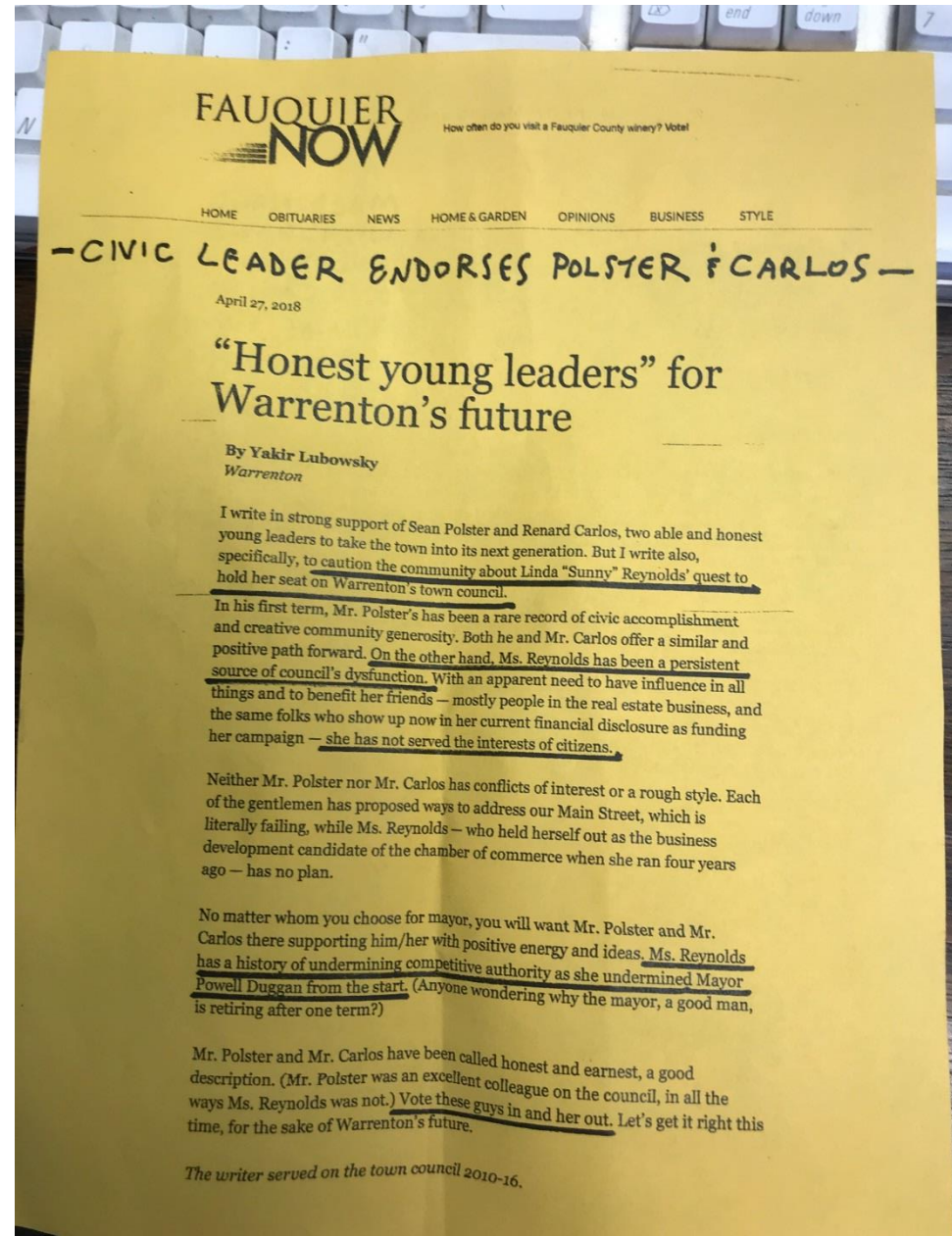
- Does the ad clearly identify another candidate?
- Did the other candidate approve the ad?

No Other Candidate Mentioned in Ad	Another Candidate Mentioned (who approved the ad)	Another Candidate Mentioned (did not approve the ad)	Jointly Sponsored Ad
"Paid for by John Doe." OR "Authorized by John Doe."	Paid for by John Doe. Authorized by Jane Smith, candidate for Delegate.	Paid for by John Doe. Not authorized by any other candidate.	Paid for by John Doe, Donald Duck and Jane Smith.

Substantial Compliance: An advertisement is only substantially compliant if the words used in the disclosure *unambiguously* convey the information required by Chapter 9.5. Under this standard, advertisement disclaimers must communicate to a reasonable person what is intended and may not admit to alternative interpretations.

As documented in the Substantial Compliance Memo, on November 16, 2016 the SBE ruled for the first time on substantial compliance. An advertisement bearing the disclosure legend "Sponsored by [Name of committee]" rather than the approved "Paid for" or "Authorized by" conveyed the information required by § 24.2-956 and was therefore in substantial compliance.

# 1. Fauquier Voters for the Truth





M. KEITH MACDONALD

Mr. Alexander A. Ables  
General Registrar Fauquier County Election Board  
528 Waterloo Rd  
Suite 200  
Warrenton, VA 20186

Wednesday, April 25, 2018

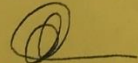
Dear Mr. Ables:

This letter is to inform you of my decision to withdraw as a candidate for the Warrenton Town Council at-large race effective today. After careful review of the race dynamics I feel that it would best serve the community's interests to urge every one of my supporters to vote for Sean Polster and Renard Carlos, to elect honest, earnest, young candidates eager to serve the community, and not themselves or cronies.

My motivation for entering the race was to save the community from the years of influence peddling and preferential treatment handed out to a small group of lawyers and insiders befriended by Sunny Reynolds. From Walmart to Walker Drive the pattern of serving the special interest over the best outcome for the community has been the one consistent theme to her tenure. She must not be re-elected.

In the desire of placing Warrenton first, I encourage all of my supporters to direct their votes to Sean Polster and Renard Carlos who will serve all of Warrenton's citizens with honesty and integrity, and an open mind.

Best Regards,



M. Keith Macdonald

MACDONALD  
WITHDRAWS--  
ENDORSES POLSTER  
AND CARLOS --  
SLAMS SUNNY  
REYNOLDS

This flyer funded and distributed by Fauquier Voters for Truth, LLC  
Not authorized or approved by any candidate  
fauquievotersfortruthllc@gmail.com

NO. 3 HOTEL STREET, WARRENTON VIRGINIA 20186

Alert to business entities regarding mailings from VIRGINIA COUNCIL FOR CORPORATIONS or U.S. BUSINESS SERVICES is available from the Bulletin Archive link of the Clerk's Office website.



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Virginia.gov

05/01/18  
 LLCM3220 LLC DATA INQUIRY 09:15:55  
 LLC ID: S555951 - 5 STATUS: 00 ACTIVE STATUS DATE: 04/16/15  
 LLC NAME: Fauquier Voters for Truth LLC  
 DATE OF FILING: 04/16/2015 PERIOD OF DURATION: INDUSTRY CODE: 00  
 STATE OF FILING: VA VIRGINIA MERGER INDICATOR:  
 CONVERSION/DOMESTICATION INDICATOR:  
 P R I N C I P A L O F F I C E A D D R E S S  
 STREET: 602 Fauquier Road  
 CITY: Warrenton STATE: VA ZIP: 20186-0000  
 R E G I S T E R E D A G E N T I N F O R M A T I O N  
 R/A NAME: CHRISTOPHER BONNER  
 STREET: 602 FAUQUIER ROAD  
 RTN MAIL:  
 CITY: WARRENTON STATE: VA ZIP: 20186-0000  
 R/A STATUS: 1 MEMBER/MANAGER EFF DATE: 04/16/15 LOC: 130 FAUQUIER COUNTY  
 YEAR FEES PENALTY INTEREST BALANCE  
 18 50.00

(Screen Id:LLC\_Data\_Inquiry)

## Fauquier Voters for Truth LLC PAC-18-00207

602 Fauquier Road  
Warrenton, VA 20186  
703-898-0334

June 13, 2018

Hon. James Alcorn, Chair  
Hon. Clara Belle Wheeler, Vice Chair  
Hon. Singleton McAllister, Secretary  
State Board of Elections  
Virginia State Capitol  
1000 Bank Street  
Richmond, Virginia 23219

Dear board members:

This letter is in response to allegations brought against Fauquier Voters for Truth LLC PAC by two individuals on the losing side of Warrenton Town Council elections held May 1. The allegations are based on spite, rather than fact, and are intended to bend the law to punish FVFT. We will demonstrate that the activities of FVFT were entirely lawful.

### **Stand By Your Ad Law**

FVFT distributed on April 29 approximately 1,100 leaflets reproducing public letters signed by Keith Macdonald and Yakir Lubowsky. Local publications described Mr. Macdonald's letter here [https://www.fauquier.com/news/updated-macdonald-officially-withdraws-from-warrenton-town-council-race/article\\_c14495aa-471f-11e8-aabe-93220f8e9ff2.html](https://www.fauquier.com/news/updated-macdonald-officially-withdraws-from-warrenton-town-council-race/article_c14495aa-471f-11e8-aabe-93220f8e9ff2.html) and noted his withdrawal from the council race here [http://www.fauquiernow.com/index.php/fauquier\\_news/entry/fauquier-keith-macdonald-abandons-town-council-campaign-4-2018](http://www.fauquiernow.com/index.php/fauquier_news/entry/fauquier-keith-macdonald-abandons-town-council-campaign-4-2018).

Mr. Lubowsky's letter is here [http://www.fauquiernow.com/index.php/fauquier\\_news/entry/fauquier-honest-young-leaders-for-warrentons-future-2018](http://www.fauquiernow.com/index.php/fauquier_news/entry/fauquier-honest-young-leaders-for-warrentons-future-2018).

The leaflets changed not one word of the letters, which were used by permission of the authors. The leaflet contains a box with the prominent inscription: *"This flyer funded and distributed by Fauquier Voters for Truth LLC. Not authorized or approved by any candidate. fauquievotersfortruthllc@gmail.com."*

FVFT sponsored robocalls April 28 and April 30. The first calls were to determine whether residents intended to vote. The second set of calls urged voters to cast their ballots for Sean Pollster and Renard Carlos for town council. Fauquier Voters for Truth was identified as sponsor of the calls at the beginning and end of the message. There was no mention of the opposition candidate.

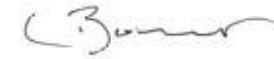
State Board of Elections

Page 2

**PAC Registration**

Fauquier Voters for Truth LLC registered as a PAC with the Department of Elections well within the 10-day period to do so. Reports of receipts and expenditures are up to date.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Bonner". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Christopher Bonner

Fauquier Voters for Truth LLC PAC-18-00207

# RECOMMENDATION: Fauquier Voters for the Truth, LLC.

<b>ELECTION TYPE</b>	Town Council, Town of Warrenton; May 1, 2018 flyers
<b>SPONSOR TYPE</b>	political committee; other
<b>DISCLOSURE</b>	<b>Must include these words: <u>“paid for by Fauquier Voters for the Truth, LLC. Not authorized by a candidate.”</u></b>
<b>DISCLOSURE</b>	“This flyer distributed and <i>funded</i> by Fauquier Voters for the Truth, LLC. Not authorized or approved by any candidate.” <b>fund.verb [T] to <u>provide</u> the <u>money</u> to <u>pay</u> for an <u>event</u>, <u>activity</u>, or <u>organization</u>:</b>
<b>Recommended Motion:</b>	I move, subject to the Board’s authority under the Code of Virginia §24.2-955.3, to find Fauquier Voters for the Truth LLC not in violation of §24.2-956 print media requirements.

2.

May 10, 2018

# “Chesapeake”

Deputy Commissioner  
Virginia Department of Elections  
Washington Building, First Floor  
1100 Bank Street  
Richmond, VA 23219

Re: Violation of Sample Ballot guidelines

To Whom It May Concern:

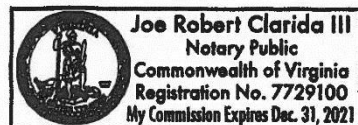
On Sunday, April 29, 2018, my daughter, Melody J. Waters attended New Willow Grove Baptist Church, 841 Saint Brides Road West in Chesapeake, Virginia. At the church service, the attached ballot was distributed to church members and my daughter was also handed the attached sample ballot, “Golden Rod Sample Ballot”. At the bottom of the ballot in the “Authorized by ...” statement it does not include either the names of the Candidates or the names of the Candidates’ organizations. I believe this to be a violation of print media legal requirements and would appreciate an investigation by the State Board of Elections.

If you have any questions regarding this complaint of violations, do not hesitate to contact me at 757-409-3143. Thank you for your action on this reported violation.

Sincerely,



Denise Waters



Golden Rod Sample Ballot

# Chesapeake

May 1st Election Day Vote

(vote these candidates only)

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*City Council*

**Dwight Parker - 2 year seat**

*City Council*

**Ella Ward - 4 year seat**

**Les Smith Jr. - 4 year seat**

*School Board*

**Patricia King - 4 year seat**

**Sharon Johnson-Clayton - 4 year seat**

---

Authorized by the Candidates



# SAMPLE BALLOT

City of Chesapeake - General Election  
May 4, 2004

## **Mayor -**

**John W. Butt # 60**

## **City Council -**

**Rodney L. Foster # 113**

**Dwight M. Parker # 121**

**Janie T. Tompkins # 122**

## **School Board -**

**Brenda Joyce Johnson # 189**

Paid for and authorized by The Candidates



Ella P. Ward, Ed.D  
1517 Pine Grove Lane  
Chesapeake, VA 23321  
June 17, 2018

Arielle A. Schneider  
Virginia Department of Elections  
The Washington Building-Capitol Square  
1100 Bank Street, 1<sup>st</sup> Floor  
Richmond, VA 23219

Dear Ms. Schneider,

Thanks, so much, for having spoken with me on Friday, June 15, 2018, with regard to a complaint you received about a possible violation of Virginia's Stand by Your Ad law (Chapter 9.5 of Title 24.2 of the Code of Virginia) during the May 1, 2018 election in Chesapeake. The complaint alleges that the authorization line which states "Authorized by the Candidates" was possibly in violation. The five individuals whose names were printed on the ad (Sharon Clayton-Johnson, Pat King, Dwight Parker, Les Smith, and Ella Ward) were not aware of any violation due to the fact that this same authorization line "Authorized by the Candidates" had been used on previous ads/sample ballots in Chesapeake for an election that was held in 2004 (a copy of the ad/ sample ballot distributed at the polls in 2004 is attached). The ads/sample ballots in question for the May 1, 2018 election were not used for the polls. They were distributed among families, friends, and supporting organizations.

If it is deemed that the ads used during the May 1, 2018 election were in violation, we sincerely apologize for this oversight, and we can assure you that this will not happen with any other ads to be used in future elections.

Because some of the individuals whose names appear on the ads/sample ballots are unable to attend the hearing on Tuesday, June 19, at 11:30am, the four other individuals whose names appeared on the ads/sample ballots have given me permission to submit this letter on their behalf with all of the names printed below the signature line.

Please send me an email at [epwhlw@att.net](mailto:epwhlw@att.net) or call me at 757-404-9291 to let me know if this letter is a satisfactory appeal for our case and if any other information is needed prior to the hearing scheduled for Tuesday, June 19, 11:30am since most of us are unable to attend the hearing due to conflicts in our schedules.

Sincerely yours,

*Ella P. Ward*

Ella P. Ward, E.D.  
Sharon Clayton-Johnson  
Pat King  
Dwight Parker  
Les Smith  
Ella P. Ward

# RECOMMENDATION: “Chesapeake”

<b>ELECTION</b>	City Council, School Board; May 1, 2018
<b>TYPE</b>	Sample Ballots/flyer
<b>SPONSOR TYPE</b>	5 individual candidates
<b>DISCLOSURE</b>	required: references five candidates so “Paid for and authorized by ...”
<b>DISCLOSURE</b>	“Authorized by the candidates.”

Sponsor unidentified (who funded the advertisements)

\$50 first-time violation (date of distribution unknown)

**Recommended Motion:** I move, subject to the Board’s authority under the Code of Virginia §24.2-955.3, to find Dwight Parker, Ella Ward, Les Smith, Jr., Patricia King, and Sharon Johnson-Clayton in violation of §24.2-956 Stand By Your Ad print media disclosure requirements with regard to an advertisement, and are fine \$50.



★ VIRGINIA ★  
STATE BOARD *of* ELECTIONS

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# Certification of the November 2017 Election

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BOARD WORKING PAPERS  
Leslie Williams  
Election Administration and  
Education Manager

## Memorandum

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To: Chairman Alcorn, Vice Chair Wheeler, and Secretary McAllister  
From: Leslie Williams, Elections Administration Manager  
Date: June 19, 2018  
Re: Recertification of Results for the **November 7, 2017 General Election**

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### **Suggested Motion for a Board Member to Make:**

“After reviewing the corrected statewide Abstracts of Votes, I move that the Board certify these results of the November 7, 2017 general election as presented for the offices of Governor, Lieutenant Governor, Attorney General, and House of Delegates Districts 20 and 75, and sign the Abstracts.”

**Applicable Code Sections:** None

### **Attachments:**

The following documents are included in the board materials:

1. Corrected statewide Abstracts of Votes for the offices of Governor, Lieutenant Governor, Attorney General, and House of Delegates Districts 20 and 75 that need to be certified and signed by SBE.
2. Copy of Amherst County’s signed corrected Abstract of Votes.
3. Copy of Brunswick County’s signed corrected Abstracts of Votes and Write-Ins Certification.
4. Copy of Nelson County’s signed corrected Abstracts of Votes.

### **Background:**

Amherst County, Brunswick County, and Nelson County electoral boards all discovered early this year that they reported incorrect vote totals for certain offices during their canvasses for the November 7, 2017 general election.

Amherst and Brunswick made data entry errors. Nelson failed to include hand count totals.

The general registrars have updated VERIS and the local electoral boards have certified and signed new locality Abstracts of Votes and Write-Ins Certifications (when applicable).

### **ELECT Staff Recommendation:**

ELECT staff recommends that the Board certify the corrected statewide results of the November 7, 2017 general election as presented for the offices of Governor, Lieutenant Governor, Attorney General, and House of Delegates Districts 20 and 75, and sign the statewide Abstracts of Votes for these offices.

# ABSTRACT of VOTES

Cast in the 2017 November General Election held on 11/07/2017 for,

## Governor

1st District, 2nd District, 3rd District, 4th District, 5th District, 6th District, 7th District, 8th District,  
9th District, 10th District, 11th District

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED</i>
Ralph S. Northam	1408818
Edward W. "Ed" Gillespie	1175732
Clifford D. Hyra	27987
Write-in	1389
Total Number of Overvotes for Office	168

We, the undersigned State Board of Elections, upon examination of the official abstracts of votes filed with the Department of Elections for the election held on 11/07/2017, do hereby certify that the above is a true and correct abstract of votes cast at said election for the Governor and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Governor.

**Ralph S. Northam**

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, Chairman

\_\_\_\_\_, Vice Chairman

\_\_\_\_\_, Secretary

# ABSTRACT of VOTES

Cast in the 2017 November General Election held on 11/07/2017 for,

## Lieutenant Governor

1st District, 2nd District, 3rd District, 4th District, 5th District, 6th District, 7th District, 8th District,  
9th District, 10th District, 11th District

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED</i>
Justin E. Fairfax	1368412
Jill H. Vogel	1224520
Write-in	2446
Total Number of Overvotes for Office	199

We, the undersigned State Board of Elections, upon examination of the official abstracts of votes filed with the Department of Elections for the election held on 11/07/2017, do hereby certify that the above is a true and correct abstract of votes cast at said election for the Lieutenant Governor and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Lieutenant Governor.

**Justin E. Fairfax**

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, Chairman

\_\_\_\_\_, Vice Chairman

\_\_\_\_\_, Secretary

# ABSTRACT of VOTES

Cast in the 2017 November General Election held on 11/07/2017 for,

## Attorney General

1st District, 2nd District, 3rd District, 4th District, 5th District, 6th District, 7th District, 8th District,  
9th District, 10th District, 11th District

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED</i>
Mark R. Herring	1385390
John D. Adams	1209540
Write-in	2486
Total Number of Overvotes for Office	163

We, the undersigned State Board of Elections, upon examination of the official abstracts of votes filed with the Department of Elections for the election held on 11/07/2017, do hereby certify that the above is a true and correct abstract of votes cast at said election for the Attorney General and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Attorney General.

**Mark R. Herring**

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, Chairman

\_\_\_\_\_, Vice Chairman

\_\_\_\_\_, Secretary

# ABSTRACT of VOTES

Cast in the 2017 November General Election held on 11/07/2017 for,

## Member House of Delegates

### 20th District

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED</i>
Richard P. "Dickie" Bell	14345
Michele Dixon Edwards	11198
William M. "Will" Hammer	745
Write-in	19
Total Number of Overvotes for Office	0

We, the undersigned State Board of Elections, upon examination of the official abstracts of votes filed with the Department of Elections for the election held on 11/07/2017, do hereby certify that the above is a true and correct abstract of votes cast at said election for the Member House of Delegates and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member House of Delegates.

**Richard P. "Dickie" Bell**

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, Chairman

\_\_\_\_\_, Vice Chairman

\_\_\_\_\_, Secretary



# ABSTRACT of VOTES

Cast in the 2017 November General Election held on 11/07/2017 for,

## Member House of Delegates

### 75th District

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED</i>
Roslyn C. Tyler	16245
Write-in	1099
Total Number of Overvotes for Office	1

We, the undersigned State Board of Elections, upon examination of the official abstracts of votes filed with the Department of Elections for the election held on 11/07/2017, do hereby certify that the above is a true and correct abstract of votes cast at said election for the Member House of Delegates and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member House of Delegates.

**Roslyn C. Tyler**

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, Chairman

\_\_\_\_\_, Vice Chairman

\_\_\_\_\_, Secretary

# ABSTRACT of VOTES

Cast in AMHERST COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Governor

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
(IN FIGURES)

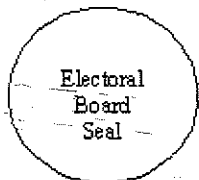
Edward W. "Ed" Gillespie - Republican	6431
Ralph S. Northam - Democratic	3258
Clifford D. Hyra - Libertarian	83
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	14
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Governor.

Edward W. "Ed" Gillespie - Republican

Given under our hands this 6 day of June, 2018

[Signature], Chairman  
Kenneth Brasher, Vice Chairman  
Wanda Spradley, Secretary  
Wanda Spradley, Secretary, Electoral Board



# ABSTRACT of VOTES

Cast in BRUNSWICK COUNTY, VIRGINIA  
 at the 2017 November General Election held on November 07, 2017 for,

## Attorney General

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
 (IN FIGURES)

Mark R. Herring - Democratic	2698
John D. Adams - Republican	2011
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	0
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Attorney General.

**Mark R. Herring - Democratic**

Given under our hands this 2 day of MARCH, 2018



[Signature], Chairman  
[Signature], Vice Chairman  
[Signature], Secretary  
[Signature], Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in BRUNSWICK COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Lieutenant Governor

NAMES OF CANDIDATES ON THE BALLOT

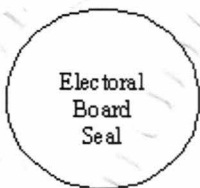
TOTAL VOTES RECEIVED  
(IN FIGURES)

Justin E. Fairfax - Democratic	2709
Jill H. Vogel - Republican	2039
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	1
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Lieutenant Governor.

**Justin E. Fairfax - Democratic**

Given under our hands this 2 day of MARCH, 2018



W. Kayser, Chairman  
Barbara J. Jones, Vice Chairman  
Maughan, Secretary  
Maughan, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in BRUNSWICK COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Member House of Delegates

District: 075

NAMES OF CANDIDATES ON THE BALLOT

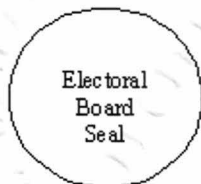
TOTAL VOTES RECEIVED  
(IN FIGURES)

Roslyn C. Tyler - Democratic	3595
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes] ** Please submit a Write-Ins Certification **	231
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Delegates.

Roslyn C. Tyler - Democratic

Given under our hands this 2 day of MARCH, 2018



W. Gayke, Chairman  
Barbara Sparto, Vice Chairman  
Marydian, Secretary  
Marydian, Secretary, Electoral Board

# WRITE-INS CERTIFICATION

COMPLETE THIS FORM **ONLY** IF (i) THE TOTAL NUMBER OF WRITE-INS IS 5% OR MORE OF THE TOTAL NUMBER OF VOTES CAST FOR THE OFFICE, **OR** (ii) A WRITE-IN CANDIDATE WAS ELECTED TO THE OFFICE.

Brunswick

**General Election**     **Special Election**

COUNTY     CITY     TOWN

Member House of Delegates

November 7, 2017

OFFICE TITLE

ELECTION DATE

75th Distict

Page 1 of 6

DISTRICT NAME OR NUMBER, IF APPLICABLE

## WRITE-INS – SUMMARY

	TOTAL VOTES RECEIVED (IN FIGURES)
1. Invalid Write-Ins .....	<u>80</u>
	ENTER TOTAL INVALID
2. Valid Write-Ins .....	<u>151</u>
	ENTER TOTAL VALID
3. Total Write-Ins .....	<u>231</u>
[ENTER THIS FIGURE ON THE "TOTAL WRITE-IN VOTES" LINE ON THE ABSTRACT FOR THIS OFFICE.]	ADD LINES 1 AND 2

## VALID WRITE-INS – DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 ABOVE.

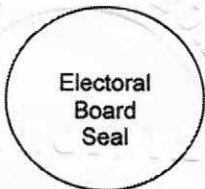
	TOTAL VOTES RECEIVED (IN FIGURES)
<u>Al Bush</u> .....	<u>1</u>
<u>Alton Owen, Jr.</u> .....	<u>1</u>
<u>Ann Nielsen</u> .....	<u>1</u>

CONTINUED ON PAGES 2 THROUGH 6

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 7th, 2017, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 2 day of MARCH, 2018

A copy teste:



[Signature] , Chairman  
[Signature] , Vice Chairman  
[Signature] , Secretary  
[Signature] , Secretary, Electoral Board

# WRITE-INS CERTIFICATION – CONTINUATION

Brunswick

COUNTY     CITY     TOWN

Member House of Delegates

OFFICE TITLE

75th Distict

DISTRICT NAME OR NUMBER, IF APPLICABLE

General Election

Special Election

November 7, 2017

ELECTION DATE

Page 2 of 6

## VALID WRITE-INS – DETAIL (continued)

CONTINUE TO LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON ADDITIONAL CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 OF PAGE 1.

	.....	TOTAL VOTES RECEIVED (IN FIGURES)
Barack Obama	.....	1
Berline Strickland	.....	2
Bernard Knox Nunnally	.....	2
Bill Hudson	.....	1
Bladen Finch	.....	21
Brenda Reed	.....	1
Brian Roberts	.....	1
C. D. Tucker	.....	1
Camm McAden	.....	1
Carl Leckner	.....	1
Carl S. Murphy	.....	1
Carsen Saunders	.....	1
Cathy Simms	.....	1
Charles T. Bateman	.....	2
Chris Thompson	.....	1
Clyde J. Eacho	.....	3
Curtis Berry	.....	1
Curtis Waller	.....	1
Dale Manning	.....	1
David Clary	.....	1
David Mead Fuller	.....	1

# WRITE-INS CERTIFICATION – CONTINUATION

Brunswick

COUNTY     CITY     TOWN

Member House of Delegates

OFFICE TITLE

75th Distict

DISTRICT NAME OR NUMBER, IF APPLICABLE

General Election     Special Election

November 7, 2017

ELECTION DATE

Page 3 of 6

## VALID WRITE-INS – DETAIL (continued)

CONTINUE TO LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON ADDITIONAL CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 OF PAGE 1.

	TOTAL VOTES RECEIVED (IN FIGURES)
David Peterson	1
David W. Ressler	1
Dennis Gaynes	1
Dennis Roberts	1
DeWitt T. Rogers	1
Diamond Lee	1
Dixie Cline	1
Eric Brazell	12
Everette E. Washburn	1
Frances Abernathy	1
Greg Hein	1
Gregory Kellett	1
Harold Conover	1
Herman Sadler	1
Jack Elmore	1
Jack Valentine	1
James Edmond	1
James Garber	1
Jeff Allgood	1
Jeff Zimmerman	1
Jefferson Davis	1



# WRITE-INS CERTIFICATION – CONTINUATION

Brunswick

COUNTY     CITY     TOWN

Member House of Delegates

OFFICE TITLE

75th Distict

DISTRICT NAME OR NUMBER, IF APPLICABLE

General Election     Special Election

November 7, 2017

ELECTION DATE

Page 4 of 6

## VALID WRITE-INS – DETAIL (continued)

CONTINUE TO LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON ADDITIONAL CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 OF PAGE 1.

	TOTAL VOTES RECEIVED (IN FIGURES)
Jerry Mitchell	1
Jessica Lucy	1
Jim Gilmore	1
Jim Wright	1
Joe W. Walton	1
John A. Rogers, Sr.	1
John Allen	1
John Harris	1
John L. Starke, Sr.	1
John Q. Irby	2
John Randolph Johnen	1
John Rector	1
Johnathan phillips	1
Justing Harrman	1
Kent Wright	1
Kevin Irby	1
Kim Steffey	1
Kristen Gulbronsen	1
Larry Rush	1
Lillian Kepics	1
Lonnie Powell	1

# WRITE-INS CERTIFICATION – CONTINUATION

Brunswick

COUNTY     CITY     TOWN

Member House of Delegates

OFFICE TITLE

75th Distict

DISTRICT NAME OR NUMBER, IF APPLICABLE

General Election     Special Election

November 7, 2017

ELECTION DATE

Page 5 of 6

## VALID WRITE-INS – DETAIL (continued)

CONTINUE TO LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON ADDITIONAL CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 OF PAGE 1.

	TOTAL VOTES RECEIVED (IN FIGURES)
Louise Lucas	1
Marcus W. Bridges	1
Mark Richardson	1
Monty Ray Tharpe, Jr.	1
Nancy Avery	2
Norman C. Parker, Jr.	1
Norman F. Smith	2
Pat Robertson	1
Paul Surry	1
Randy Bowen	2
Raymond Thomas	2
Richard Stiltner	1
Rick Gallaglen	1
Rita Baird	1
Robert E. Lee	2
Robert Howerton	2
Robert Jones	1
Robert Moss	1
Roger Owens	2
Ronald Johnson	1
Ronnie Brewer	4

# WRITE-INS CERTIFICATION – CONTINUATION

Brunswick

COUNTY     CITY     TOWN

Member House of Delegates

OFFICE TITLE

75th Distict

DISTRICT NAME OR NUMBER, IF APPLICABLE

General Election     Special Election

November 7, 2017

ELECTION DATE

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## VALID WRITE-INS – DETAIL (continued)

CONTINUE TO LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON ADDITIONAL CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 OF PAGE 1.

	.....	TOTAL VOTES RECEIVED (IN FIGURES)
Ronnie Brockwell	.....	2
Stanley Bright	.....	1
Steve King	.....	1
Thomas W. Edwards	.....	1
Thomas Wright	.....	2
Thurston L. Vann	.....	1
Trena D. Peebles	.....	1
W. A. Hudson	.....	1
William B. Brewer	.....	2
William C. Bennett	.....	1
William L. Rogers	.....	1
William P. Shumate	.....	1
Willie Hammack	.....	1
Zane P. Abernathy	.....	1
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# ABSTRACT of VOTES

Cast in NELSON COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,


## Attorney General

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
John D. Adams - Republican	3081
Mark R. Herring - Democratic	3023
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-ins = Total Write In Votes]	7
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Attorney General.

**John D. Adams - Republican**

Given under our hands this 22nd day of May, 2018



Ronald H Bailey

, Chairman

, Vice Chairman

Karen Catron

, Secretary

Karen Catron

, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in NELSON COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Governor

### NAMES OF CANDIDATES ON THE BALLOT

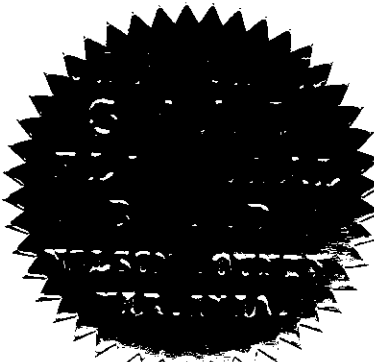
### TOTAL VOTES RECEIVED (IN FIGURES)

Edward W. "Ed" Gillespie - Republican	3020
Ralph S. Northam - Democratic	3015
Clifford D. Hyra - Libertarian	130
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	9
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Governor.

**Edward W. "Ed" Gillespie - Republican**

Given under our hands this 22nd day of May, 2018

  
Donald H. Bailey

, Chairman

, Vice Chairman

James Catron

, Secretary

James Catron

, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in NELSON COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Lieutenant Governor

NAMES OF CANDIDATES ON THE BALLOT

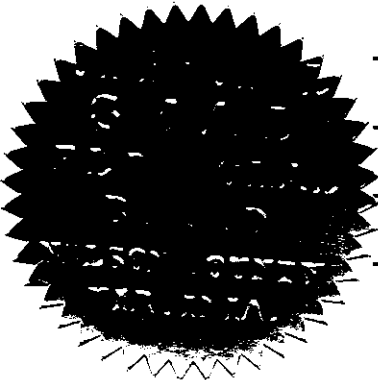
TOTAL VOTES RECEIVED  
(IN FIGURES)

Jill H. Vogel - Republican	3157
Justin E. Fairfax - Democratic	2956
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	4
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Lieutenant Governor.

Jill H. Vogel - Republican

Given under our hands this 22nd day of May, 2018



Donald H. Bailey, Chairman

\_\_\_\_\_, Vice Chairman

Karen Catron, Secretary

Karen Catron, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in NELSON COUNTY, VIRGINIA  
 at the 2017 November General Election held on November 07, 2017 for,

## Member House of Delegates

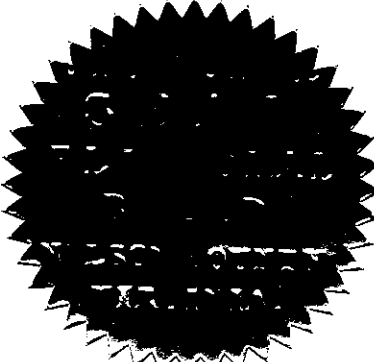
District: 020

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Michele Dixon Edwards - Democratic	1773
Richard P. "Dickie" Bell - Republican	1759
William M. "Will" Hammer - Libertarian	88
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	2
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Delegates.

**Michele Dixon Edwards - Democratic**

Given under our hands this 22nd day of May, 2018


  
Donald H. Bailey, Chairman  
 \_\_\_\_\_, Vice Chairman  
Haru Catron, Secretary  
Haru Catron, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in NELSON COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Member Board of Supervisors

District: CENTRAL

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
(IN FIGURES)

Ernie Q. Reed, Jr.	950
Shelby R. Bruguiera	652
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	55
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Board of Supervisors.

Ernie Q. Reed, Jr.

Given under our hands this 22nd day of May, 2018

Donald H. Bailey

, Chairman

, Vice Chairman

Karen Cotton

, Secretary

Karen Cotton

, Secretary, Electoral Board





# ABSTRACT of VOTES

Cast in NELSON COUNTY, VIRGINIA  
at the 2017 November General Election held on November 07, 2017 for,

## Member School Board

District: CENTRAL

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
(IN FIGURES)

David S. Francis	1274
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	44
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 07, 2017, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member School Board.

**David S. Francis**

Given under our hands this 22nd day of May, 2018

Donald H. Bailey, Chairman

\_\_\_\_\_, Vice Chairman

David Catron, Secretary

David Catron, Secretary, Electoral Board

