

1 MINUTES

2
3 The State Board of Elections board meeting was held on Wednesday, April 25,
4 2018. The meeting was held in Senate Room 3 in the Virginia State Capitol in Richmond,
5 Virginia.

6 In attendance, representing the State Board of Elections (“the Board”) were James
7 Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary.
8 Also in attendance, representing the Department of Elections (“ELECT”) was Christopher
9 E. “Chris” Piper, Commissioner, and Jessica Bowman, Deputy Commissioner. In
10 attendance, representing the Office of the Attorney General, (“OAG”) was Anna
11 Birkenheier, Assistant Attorney General. Chairman Alcorn called the meeting to order at
12 11:37 AM.

13 The first order of business was to approve the minutes from the March 23 and April
14 4, 2018 State Board of Elections meetings. Secretary McAllister *moved the Board approve*
15 *in block the minutes as presented for the March 23 and April 4, 2018 meetings.* Vice Chair
16 Wheeler seconded the motion, and the motion passed unanimously.

17 The next order of business was the Commissioner’s report, presented by
18 Commissioner Piper. The Commissioner reviewed ELECT’s three main areas of focus:
19 communication, Virginia Election and Registration System (“VERIS”), and training.
20 Commissioner Piper said ELECT was using the liaison division to communicate more
21 directly and personally with the elections community, and is directing communication to
22 the localities affected by the communication rather than the entire community. ELECT
23 was also utilizing a new template for all communications to make it clearer and easier to
24 reference. The Commissioner restated the policy implemented for all staff to reply to
25 communications within 24 hours of receipt. ELECT also implemented a new schedule to
26 ensure build notes on regular Wednesday night VERIS builds reach the elections
27 community by at least noon on the previous Tuesday, so the community could understand
28 and review changes, as well as raise any concerns. Commissioner Piper shared all the
29 liaisons were Virginia Registered Election Official (“VREO”) certified, and that Deputy
30 Secretary of Administration Grindly Johnson was also VREO certified. The Commissioner
31 urged any locality with problems regarding the liaison program contact the Commissioner

32 directly, and acknowledged the concerns regarding what to do if a liaison was unavailable.
33 Commissioner Piper said the liaisons were instructed to inform their regions if they would
34 be unavailable and who to contact in their stead; their voicemail and emails would also be
35 updated to reflect new contact information.

36 The Commissioner gave an update on VERIS, noting the system is a complex one
37 that the last three administrations focused on, bringing in quality staff and contractors to
38 work on the renewal process. VERIS had online registration, online absentee applications,
39 and DMV voter registration added to it, and as the system grew larger, staff had to shift
40 priorities to work on those updates rather than their original jobs. Commissioner Piper
41 stated the current administration would focus on stability, and that ELECT was slowing
42 down on enhancement request work that could threaten stability. The Commissioner noted
43 that slowing down on these items allowed ELECT to focus on the ITIM (Information
44 Technology Investment Management) portfolio, which would allow ELECT to monitor
45 and implement IT projects that are in line with the overall IT strategic plan and objectives.
46 Moving forward, this portfolio will also include recommendations from the Voter Registrar
47 Association of Virginia ("VRAV")'s technology committee. ELECT's technology
48 priorities would shift to security, the stability of VERIS, and long term improvements to
49 the system using the additional funding granted by the General Assembly. Once these
50 changes were fully implemented, ELECT would have a shareable plan that outlined what
51 priorities were being worked on and were upcoming. Commissioner Piper said there was
52 also a developing plan to communicate with localities on continuing problems, and that the
53 biggest change localities would see was a halt on side projects in VERIS so ELECT could
54 focus on security and stability.

55 Chairman Alcorn agreed stability is more important than constant enhancement,
56 and asked if there is any concern ELECT will not have the resources necessary to make the
57 system stable, along with resources that may be needed for necessary changes and updates.
58 The Commissioner said two years ago, the previous administration worked with the
59 General Assembly to identify funding for these projects. The General Assembly is
60 currently waiting on a budget, but the Commissioner was confident that the funding
61 discussed would continue as promised.

62 Commissioner Piper then updated the Board on training, stating ELECT's goal to
63 enhance training internally and externally. ELECT was talking with the Virginia Electoral
64 Board Association ("VEBA") and VRAV about combining annual training with the
65 associations' annual meetings in order to save money for the Commonwealth as well as
66 localities, in addition to avoiding repetitive training. The Commissioner shared ELECT
67 was working closely with a workgroup of Electoral Board ("EB") members and General
68 Registrars ("GR") to ensure training was timely and relevant, and that experts on different
69 subject matters were being utilized. Commissioner Piper said that part of training also
70 included reviewing every document, form, policy, and regulation to ensure they are all up
71 to date. ELECT worked with a forms workgroup of EBs and GRs, as well as the Center
72 for Civic Design ("CCD"). Commissioner Piper also discussed using more data analysis
73 to set benchmarks to measure how the agency was performing and to determine what areas
74 needed improvement in order to help direct training.

75 The Commissioner addressed the concern in the community regarding protected
76 voter applications coming from the Department of Motor Vehicles ("DMV").
77 Commissioner Piper spoke with the Commissioner of the DMV, and ELECT reviewed and
78 was working on the issue. The Commissioner clarified that the issue was not a DMV issue;
79 the applications were coming from the DMV, but the voter registration process was
80 something that ELECT worked on in tandem with the DMV to make the process as
81 seamless as possible. Commissioner Piper stated that working with DMV on the
82 application process was one of the highest priorities for the current administration.

83 Commissioner Piper discussed election materials, and clarified that ELECT was
84 not supplying materials as in the past, with no plans to supply in the future. The
85 Commissioner also discussed that on April 12 there was a contingency plan workgroup
86 that met with the Virginia Department of Emergency Management. The workgroup was
87 to help localities develop contingency plans in case of an emergency in the days leading
88 up to the election. The Commissioner also covered legislation passed in the 2018 session,
89 noting there were no major changes but that ELECT would be communicating with
90 localities on bills that could effect them. ELECT would give a thorough update before any
91 bills were implemented, as well as a legislative update during annual training.

92 Chairman Alcorn asked if there was any legislation that would affect the Board or
93 change its regulations. Commissioner Piper replied no, but informed the Board ELECT
94 was reviewing the regulations as soon as other policies and forms are approved. The
95 Commissioner also informed the Board of a change in the Freedom of Information Act
96 (“FOIA”), regarding electronic participation in meetings. Beginning on July 1, 2018, the
97 Board could have two members attend a meeting, with the remaining member attending
98 electronically or by phone. Previous law dictated the member attending electronically must
99 attend in a public place, but the law was updated to allow the member to attend in other
100 ways. Secretary McAllister noted the previous law limited the Board members to three
101 electronic meetings, and asked if that number changed. Commissioner Piper said he would
102 need to research it, but didn’t believe it had.

103 Vice Chair Wheeler asked if there was a way for Board meetings to be livestreamed
104 or webcast so that EBs, GRs, and the public could watch the meeting if unable to physically
105 attend it. Chairman Alcorn supported the idea. Commissioner Piper stated ELECT’s
106 interest, but said once legislative session was over, rooms like Senate Room 3 had the
107 communication system discontinued. The Commissioner said staff would work to see if
108 they could get the system set up, but raised concerns of the room being unavailable during
109 the General Assembly. Vice Chair Wheeler asked if the Board could be of any assistance.
110 Commissioner Piper said ELECT could take the first steps and give a progress update as
111 soon as possible.

112 The Commissioner discussed post-election audits, stating the Board would be
113 hearing a request during the meeting from the City of Norfolk to conduct an audit; the
114 Commissioner also noted that Prince William County was approved for a post-election
115 pilot during the March 23, 2018 Board meeting. The Board members would be receiving
116 invitations, but the Norfolk audit would take place on May 9, 2018 and the Prince William
117 County audit would take place on May 10, 2018. The Commissioner reminded the Board
118 that on July 1, §24.2-671.1 went into effect, which required localities to conduct post-
119 election audits annually. On May 9 and May 10, ELECT staff would observe the audits in
120 the localities, then consult with the Election Assistance Commission (“EAC”)’s new post-
121 election audit division. ELECT would work with localities to develop a workgroup to
122 develop procedures following the November election. ELECT would then make

123 recommendations to the General Assembly about how to proceed with legislation and
124 procedures. Commissioner Piper noted staff worked with the leadership of VEBA, VRAV,
125 and legislators to learn areas of need. Chairman Alcorn thanked the Commissioner, and
126 applauded the focus on communication with the entire elections community.

127 The next order of business was a presentation on list maintenance, specifically on
128 Virginia's participation in the Interstate Crosscheck Program ("Crosscheck") and the
129 Electronic Registration Information Center ("ERIC"), presented by Matthew Davis, Chief
130 Information Officer of ELECT. Mr. Davis stated at the last meeting, the Board requested
131 ELECT to do a presentation on the ERIC and Crosscheck processes. Mr. Davis directed
132 the Board to a chart in the working papers, noting that more data was coming to ELECT
133 through the ERIC process. Mr. Davis explained that rather than having a contract with the
134 Social Security Administration ("SSA"), ERIC has a contract with the SSA, along with
135 other organizations and agencies, and provided ELECT with that information.

136 Chairman Alcorn asked what the future data sources ELECT was looking at
137 utilizing. Mr. Davis explained there were two systems, "STEVE," and "EVVE," that have
138 the potential for ELECT to access additional death record information from other states.
139 There were no current plans for ELECT to participate in either program, but there is the
140 potential. Mr. Davis also explained the potential for more sources for felony information
141 from the Department of Corrections ("DOC"). During the felon restoration of rights project
142 that launched in 2016 after former Virginia Governor McAuliffe restored the rights of
143 former felons— which was then contested— ELECT discovered significant lag time in the
144 transfer of felon information for voter registration eligibility. Mr. Davis said ELECT
145 wanted to begin data collection in tandem with DOC to get closer to real time data, if
146 possible.

147 Vice Chair Wheeler asked where the lag time came from. Mr. Davis was unsure,
148 but noted complications that came from former felons who had varying statuses of
149 eligibility and people who were listed in the police's system. Mr. Davis said it was a data
150 sharing problem for the federal government as well, and pointed out that the system utilized
151 by DOC was not originally designed to be used for voter registration, which requires factors
152 like an accurate social security number and date of birth. Because of the nature of the
153 criminal justice system, there are often false social security numbers and birthdays

154 provided, which makes working in terms of voter registration difficult. Mr. Davis hoped
155 to use other data sources in the future that may help get a cleaner data set.

156 Mr. Davis then discussed ERIC, which was initially funded by the Pew Foundation
157 in 2010. ERIC has a membership of 25 states; to be a member, states must pay an annual
158 membership fee, and provide a list of registered voters and DMV ID holders at least every
159 60 days. DMV provides ELECT with their data, and ELECT transmits the anonymized
160 and encrypted data into ERIC's secure environment. Mr. Davis stated ERIC has no
161 sensitive information on the system, and that all participating states deposit their data in
162 the system. Mr. Davis shared ELECT sends information to ERIC every 30 days rather than
163 every 60, which allows ELECT to receive two reports: the death file and in state duplicates
164 file. Mr. Davis explained the ERIC system was built on software from IBM that's a
165 complex data matching software, used by banks and corporations, to match individuals.
166 ERIC takes the data from ELECT and other states and sends out the two reports. The death
167 report is based off of the SSA's master death file. ELECT compares their records to these
168 reports once every month, loads them into localities' hoppers on VERIS, along with a
169 confidence factor that rates how closely a possible individual's name/date of birth/social
170 security number match. The in-state duplicate file works in a similar manner, and once the
171 data is transmitted to the locality, the locality checks if that person is a duplicate or not,
172 and depending on the result, cancels the registration. Mr. Davis explained VERIS had a
173 built in system to prevent duplicate voter registrations, but because of the variance in social
174 security numbers people may provide, ELECT also utilized the in state duplicate report
175 from ERIC to find other possible duplicates and provide the report to the localities.

176 Vice Chair Wheeler clarified that every month ELECT received a list of social
177 security numbers from ERIC that may be registered to one or more states that participate
178 in ERIC. Mr. Davis said no, correcting the statement by saying that ERIC matches
179 potential duplicate registrations in Virginia. Mr. Davis was unable to produce the exact
180 number of duplicate records that were found, but noted there were not many of these
181 duplications in the reports on an average basis. Chairman Alcorn credited the dearth of
182 duplications to VERIS's duplication prevention system that Mr. Davis discussed.

183 Mr. Davis then reviewed the annual processes ELECT goes through, including
184 cross-state matches. Mr. Davis stated ERIC reports are generated from both voter

185 registration records and DMV records in participating states to identify people who may
186 have newer records in other states. ELECT specifically looks at the last activity records
187 on a voter registration record, and takes into account if the individual has voted, has
188 updated their registration, and any other kind of touchpoint where a voter confirmed their
189 address with ELECT. ELECT requests this report once a year. If the report shows an
190 individual has a newer voter record or DMV record in another state, ELECT flags the
191 individual for confirmation in VERIS. If the individual shows up at a polling place in
192 Virginia, they will be questioned by the poll worker who will see that they have been
193 flagged in the poll book. ELECT also sends an out-of-state letter to individuals who have
194 been flagged, notifying them that Virginia law requires an individual be registered to vote
195 in only one state and to cancel their voter registration. The letter contains a section for the
196 individual to sign to cancel their registration, along with a pre-paid envelope to send the
197 section to their local registrar.

198 Vice Chair Wheeler asked if the out-of-state letter was sent by ELECT, and Mr.
199 Davis confirmed it is. The Vice Chair asked if ELECT also sends that information to the
200 local registrar, and Mr. Davis replied it does not. ELECT notifies localities when the letters
201 are sent out in bulk, but does not tell them about specific individuals who may be sent the
202 letter. ELECT also receives an in-state update report from ERIC, which gives a list of
203 individuals who have a newer residence address with the DMV than the voter registration
204 address in VERIS. Mr. Davis said ELECT predicts this number will drop with electronic
205 voter registration at DMV. In the case an individual is on this list, ELECT flags their voter
206 registration record in VERIS for confirmation. Secretary McAllister asked if the DMV
207 process the Commissioner discussed during his report was the same process being
208 discussed currently. Mr. Davis said it was not.

209 The third annual report ELECT receives is the National Change of Address
210 ("NCOA") report from ERIC. ERIC receives data from USPS and matches it against voter
211 registration information. ERIC then provides ELECT with a list of voters who have moved
212 and updated their address with USPS, but not with ELECT. The National Voter
213 Registration Act ("NVRA") and state law requires ELECT to do a NCOA match annually,
214 which ELECT does by utilizing the information received from ERIC. Any individual
215 found on this list is also flagged for confirmation.

216 Once all of these reports and lists have been run through VERIS, ELECT has about
217 250,000 voters who have been flagged for confirmation. A NCOA letter is then sent to the
218 voter's registration address, as required by law, with first class postage and paid
219 forwarding, asking the voter to update their registration record. The bottom of the letter
220 has a section for the voter to fill out and send back to the registrar in a pre-paid envelope.
221 Mr. Davis stated any voter who does not respond to the mailer within thirty days, and who
222 does not take any other action to update their registration, will have their active registration
223 status changed to inactive. Voters with the inactive status remain in that status for two
224 federal election cycles, and after voter credit is applied for that November general election
225 after the two cycles, voters who remain inactive are cancelled. Chairman Alcorn clarified
226 that these processes are those laid out in federal and state law, and Mr. Davis said that was
227 correct.

228 Vice Chair Wheeler asked if the NCOA list that ERIC provides includes voters who
229 may have changed their Virginia address to an address in any other state, including those
230 that don't participate in ERIC. Mr. Davis responded that if a voter changes their address
231 through a change-of-address form at the DMV, then ELECT will be notified regardless of
232 what state they change their address to. Vice Chair Wheeler asked, for clarification, if
233 ELECT sends the NCOA letter to the Virginia address of the voter, to be responded to
234 within 30 days before the voter is switched to inactive status. When two federal elections
235 have passed, the Vice Chair asked, is the voter cancelled or sent another notice? Mr. Davis
236 replied that the voter is cancelled. The Vice Chair inquired if ELECT does the cancellation,
237 and if so, if a list of cancelled voters is sent to the appropriate localities. Mr. Davis said
238 ELECT does not, but there are reports in VERIS that localities could run to provide them
239 with those lists; ELECT also sends localities notes to run the report to ascertain the list.

240 Mr. Davis covered the biannual process of contacting every eligible citizen of the
241 Commonwealth that is not registered to vote to offer the opportunity to register, as required
242 by ERIC membership. ELECT sends a postcard to the address provided by ERIC, inviting
243 the individual to register to vote via ELECT's online registration. Those who are ineligible,
244 including felons without the right to vote, those who are adjudicated mentally
245 incapacitated, and others, are not sent a letter. Mr. Davis explained this mailer does not
246 need to go to an unregistered citizen more than once. The Chairman shared his appreciation

247 for the plethora of information gathered from ERIC and for the balance between providing
248 information on citizens that are registered and citizens that are not.

249 Vice Chair Wheeler inquired the cost to send out the letters required by ERIC
250 membership. Mr. Davis responded that printing costs were around 1 cent per postcard,
251 with an approximate mailing cost of 14-17 cents per postcard. Vice Chair Wheeler asked
252 how many postcards were sent per year, and Mr. Davis said he could not remember at the
253 moment but that the number was included in the annual list maintenance report ELECT
254 provides. Vice Chair Wheeler clarified that the mailings are a requirement of ERIC
255 membership, as opposed to a requirement of federal or state code. Mr. Davis said that
256 ERIC is a non-partisan project, and that ELECT has to certify that the mailings were
257 completed every two years.

258 Mr. Davis covered ELECT's participation in the Crosscheck program, a process
259 with a number of member states. Every January, ELECT submits a registered voter list to
260 the Crosscheck system, and Crosscheck sends a list of potential matches a month or two
261 later. Mr. Davis stated Crosscheck does not have sophisticated matching software, but
262 looks at information from the Commonwealth and finds any people with similar names and
263 dates of birth. Mr. Davis said Crosscheck does not look at social security numbers or
264 middle names; consequentially, ELECT receives a massive list of possible matches to other
265 states. ELECT then searches for individuals' social security numbers and other validation
266 information. Once staff has received workable data, ELECT follows a process similar to
267 ERIC, including flagging voters and sending notices.

268 Mr. Davis noted that ELECT had not received notification from Crosscheck for
269 2018 list maintenance. Mr. Davis shared that he reached out to the Director of Elections
270 in Kansas, with no response; Mr. Davis further said that Virginia law requires ELECT to
271 compare the registered voter list with neighboring states. ELECT relied on Crosscheck
272 and ERIC to comply with this law every year. States, including Kentucky and Tennessee,
273 did not participate in ERIC, and without Crosscheck, Mr. Davis raised concerns about
274 comparing lists, stating efforts to reach out to both states in an attempt to ascertain a list of
275 voters for comparison. Mr. Davis said he received no response from either state. Chairman
276 Alcorn noted North Carolina did not participate in ERIC, and asked if that would be an
277 issue as well. Mr. Davis agreed to reach out to North Carolina.

278 Commissioner Piper added that ELECT was recently recognized by the Pew
279 Foundation for their list maintenance program, and credited Mr. Davis and his team for the
280 work that has been done to ensure those who need to be on the voter rolls are, and those
281 who are ineligible are removed in a timely manner that's consistent with the law. Mr.
282 Davis shared that Florida recently passed legislation enabling the state to participate in
283 ERIC; Mr. Davis said they would not receive Florida information until 2019, but that he
284 was looking forward to their participation. Mr. Davis said he had the chance to go to
285 Michigan with the Bipartisan Policy Center to explain the ERIC program, and encourage
286 the state join. Similarly, Mr. Davis encouraged Alabama to join, with the state now serving
287 as one of ERIC's largest proponents. Mr. Davis pointed out that list maintenance reports
288 going back to 2013 are available on ELECT's website.

289 Vice Chair Wheeler asked if the only program that offered verification via social
290 security numbers was ERIC. Mr. Davis said no, explaining that when most voter
291 registrations were entered into VERIS, the dates of birth and social security numbers were
292 submitted to the DMV for validation against their system. If the dates and numbers do not
293 match, the record was flagged. Mr. Davis shared he was contacted about working with the
294 SSA, but was not able to find out if ELECT was able to check a social security number of
295 a living citizen. Vice Chair Wheeler confirmed that ELECT is using DMV's records, and
296 asked if the DMV checked their social security numbers with the SSA. Sandy Jack, an
297 employee at the DMV, confirmed that when a customer receives a new driver's license,
298 they must provide a social security number which was then checked against the SSA. That
299 social security number is the one that was then sent to ELECT. The Vice Chair confirmed
300 that DMV has access to national social security records. Ms. Jack said yes. Chairman
301 Alcorn asked if this was in place since VERIS was started, and Mr. Davis replied yes. Vice
302 Chair Wheeler asked that if an individual filling out a voter application form had no record
303 with the DMV, is there a way to validate that individual's social security number. Mr.
304 Davis said no. Ms. Jack said the social security numbers from ELECT were only checked
305 against DMV records, not SSA records. The Vice Chair asked if they could be, and Ms.
306 Jack replied she was not sure of the legality, but that the topic was brought up.

307 Mr. Davis then addressed the Systematic Alien Verification for Entitlements
308 ("SAVE") program, another list maintenance program ELECT was required to participate

309 in by Virginia law. Mr. Davis said SAVE was a document verification system for alien
310 documentation, which would require Mr. Davis to request documents like green cards and
311 document alien numbers. Mr. Davis stated state law does not give him the right to request
312 those documents, and further noted that if someone willingly gave documents verifying
313 they were not a citizen, and therefore ineligible to register to vote, then SAVE is redundant.

314 The next order of business was the review of the GREB Workgroup reports from
315 2016 and 2017. During the March 23 meeting, the Board asked ELECT to provide a review
316 of the reports and recommendations. Commissioner Piper reviewed the first charge in the
317 2016 report, regarding staffing, noting that progress was made in the last year including:
318 SB556 permitting a GR to be a qualified voter from an adjoining county or city; SB379
319 providing GR offices to be open 5 days a week; and SB152 clarifying that assistant
320 registrars could be full time. The second charge of the report discussed continuing
321 education, which ELECT supported. The third and fourth charges discussed funding; the
322 Commissioner restated that the General Assembly had not yet passed a budget but was
323 providing funding as a replacement for Help America Vote Act (“HAVA”) funds, in
324 addition to additional budgeting for VERIS. The fifth charge discussed EB roles and
325 responsibilities. Commissioner Piper recognized that in 2017, ELECT was required to
326 coordinate a definition of their rules and responsibilities and distribute it publicly. This
327 definition was available in the working papers. The sixth charge discussed the
328 recodification of 24.2 in the Virginia code. Commissioner Piper shared that ELECT
329 supports recodification, but noted it would likely not happen until after redistricting.

330 The Commissioner then reviewed the 2017 GREB Workgroup report. The first
331 charge discussed VERIS transactions that ELECT was working on. The second charge
332 provided a revision of the GR annual evaluation form, which ELECT supported. The third
333 charge discussed the upcoming audit procedures, which Commissioner Piper touched on
334 during the Commissioner’s report. The fourth charge discussed the restructuring of the
335 Board and ELECT; the Commissioner recognized that SB825 and HB1405 were proposed,
336 but were not passed. The fifth charge discussed list maintenance and list management with
337 reference to signature capture and the accessibility of federal databases. The
338 Commissioner acknowledged the issues brought to ELECT and stated ELECT is working
339 on them, including voter turnout certification at the local level. The goal was to have voter

340 turnout certified by electoral boards in a way similar to abstracts of votes. The
341 Commissioner stated ELECT was working closely with VEBA on the initiative.
342 Commissioner Piper also discussed ELECT's intentions to use data analysis, including a
343 program to identify anomalies in list maintenance reports so ELECT could communicate
344 with the affected locality before the information was made public. The Commissioner
345 stated it would be beneficial for staff to research the information further and to work with
346 localities to correct any issues. Commissioner Piper said he met with the GREB
347 Workgroup, and found the original charge of the Workgroup beneficial to the community.

348 Chairman Alcorn thanked the Workgroup for the recommendations. Robin Lind,
349 Secretary of the GREB Workgroup, thanked ELECT for its review. Mr. Lind discussed
350 HB28, which was passed in 2018 and required the Commissioner to certify the accuracy
351 of voter turnout, considering EB members could not access VERIS, and therefore could
352 not certify accuracy. Mr. Lind also discussed changing the language regarding the charge
353 about the annual evaluation form to make it clearer to GRs and EBs how to correctly enter
354 information in VERIS so the Commissioner could certify results as accurate.
355 Commissioner Piper thanked Mr. Lind and acknowledged the Commissioner was
356 responsible for certifying the report, and noted he also did not have access to VERIS. The
357 Commissioner discussed the difficulty of certifying if data was entered correctly from the
358 state level, stating the benefits of having the EB members do it and a willingness to talk
359 about the process moving forward. Commissioner Piper stated that a data analyst would
360 be brought on, but pointed out the benefits of a local perspective on the accuracy of this
361 data. The Commissioner also acknowledged the need to identify areas of need for training,
362 as Mr. Lind suggested.

363 Chairman Alcorn stated it should be incumbent on localities to verify data accuracy,
364 since localities could do a comparison against source records that the state didn't have
365 access to. The Chairman recognized the state could do data analysis across the
366 Commonwealth for anomalies, as well as the help that a staff data analyst could provide.
367 The Chairman also discussed the annual evaluation and the proposed revisions the GREB
368 Workgroup suggested. Chairman Alcorn noted the evaluation spoke to what localities do
369 and how they do what they do, but suggested tying in the legislative requirements expected
370 of localities. Tying in legislative responsibilities would keep evaluations as objective as

371 possible. The Chairman also discussed the core value of nonpartisanship, and suggested
372 bringing the topic up in other places in the evaluation. Chairman Alcorn suggested
373 reviewing the form with ELECT policy staff and OAG to be sure it was as objective as
374 possible. Mr. Lind agreed, noting that the evaluation is an ongoing process.

375 Vice Chair Wheeler asked for a clear definition of the term “voter turnout.”
376 Commissioner Piper noted there are several types of turnout, including the number of
377 people who showed up at the polls, the number of people that cast ballots, the number of
378 people who voted absentee, and a number of other factors that a GR has to take into account
379 when calculating “turnout.” The Commissioner recognized the term could be confusing,
380 and recognized the need for training and evaluation. Vice Chair Wheeler agreed, and
381 suggested a clear understanding be established in regards to the term. Walt Latham, York
382 County GR, voiced frustration since the turnout number could be difficult to provide
383 considering factors including absentee ballots, rejected provisional ballots, and more. Mr.
384 Latham said looking at those numbers would be a challenge for the to-be-staffed data
385 analyst. Mr. Lind voiced approval at the impending hiring of a data analyst.

386 The next order of business was the approval of the provisional ballot suite,
387 presented by Samantha Buckley, ELECT Policy Analyst. Ms. Buckley presented the Board
388 with revised provisional ballot-related documents, including: the provisional vote
389 envelope, the provisional vote envelope (ID only), the voter notices for each envelope, and
390 the provisional ballot log. Ms. Buckley shared that ELECT worked with CCD on the
391 revisions to ensure the envelopes continue keep ballots private and give clear instructions
392 to both voters and poll workers; that the notices give voters clear instructions on how to be
393 sure their votes counted; and that the provisional ballot log was clear and concise so poll
394 workers could easily take inventory and keep track of ballots. Ms. Buckley said with Board
395 approval, ELECT would provide training during annual training on the revisions so that
396 the elections community could be familiar with the provisional documents. Ms. Buckley
397 clarified the new materials would not go into use until the November general election,
398 giving localities time to order supplies or materials to conduct an election.

399 Vice Chair Wheeler asked for time to review the proposal, and suggested the Board
400 table voting until they had time to hear from the elections community. Secretary
401 McAllister asked if ELECT worked with the community on the redesigns. Ms. Buckley

402 informed the Board that CCD worked closely with localities, observed elections, discussed
403 the subject with poll workers, and talked with others who utilized the forms. Secretary
404 McAllister asked if there would be a negative effect to delaying approval until the next
405 meeting. Mr. Latham spoke, sharing his enthusiasm for the redesigns. Mr. Latham pointed
406 out the benefits of the new ballot suite and thanked ELECT and CCD for the work done on
407 them. Michele White, Prince William County GR, asked the Board to approve the ballot
408 suite during this meeting, stating her locality had a summer series of training prepared for
409 June on the new materials.

410 Commissioner Piper voiced staff concern on delaying a vote, given that localities
411 could not train on materials that did not have Board approval. Vice Chair Wheeler asked
412 why the elections community was included in the redesign but the Board was not, even
413 though the Board was expected to vote on the documents during the meeting. The Vice
414 Chair asked for time to review it, noting the next meeting would be in May, leaving time
415 to train before implementation. Commissioner Piper noted that all materials, including the
416 provisional ballot suite, were sent to the Board for their review on April 11, so that the
417 Board could be prepared to vote during this meeting. The Commissioner recognized the
418 Vice Chair's request for more time to review, and said only the ballot log would need to
419 be approved during this meeting, if the Vice Chair wanted to delay approving the rest.

420 Chairman Alcorn asked what the timeline for implementation would be. Deputy
421 Commissioner Bowman discussed staff concern regarding a session for training on the
422 materials during annual training in June. The Deputy Commissioner pointed out that
423 presentations would need to be prepared prior to training, and voiced concern about having
424 enough time to train the entire community as much and completely as possible during
425 annual training. Vice Chair Wheeler pointed out that the educational seminars were in
426 June, whereas the next Board meeting would be in May, which would give enough time
427 for presentations and proper training to be implemented. Chairman Alcorn suggested
428 approving the provisional ballot suite, given the Board had the materials since April 11.
429 The Chairman suggested the Board review the materials over the next month and bring
430 forward any concerns during the next Board meeting. Chairman Alcorn *moved that the*
431 *Board approve the proposed revision to the instructions of the Provisional Ballot Log for*
432 *all elections in the Commonwealth starting November 2018.* Secretary McAllister

433 seconded the motion. Vice Chair Wheeler voiced hesitation, as she was not aware they
434 were voting on approval during this meeting. Secretary McAllister recognized her
435 concerns, but upon hearing that the elections community was actively engaged in the
436 redesigns, felt comfortable voting, especially given the Chairman's compromise to bring
437 up any concerns at the next meeting.

438 Ms. Birkenheier asked Ms. Buckley if the motion needed to include language about
439 any other proposed forms than the ballot log. Ms. Buckley stated that §24.2-653 stated the
440 Board was only responsible for the ballot log, not the provisional ballot envelopes or
441 notices. Commissioner Piper suggested if there were additional concerns regarding the
442 envelopes or notices, that the concerns be brought to his attention and worked through with
443 the forms workgroup. The Chairman then called for a vote. Chairman Alcorn voted yea.
444 Secretary McAllister voted yea. Vice Chair Wheeler voted nay, since she had not fully
445 reviewed the materials.

446 The next order of business concerned the creation of the Virginia Elections
447 Benchmark Index Workgroup. The Workgroup would consist of the Commissioner, one
448 classified employee, four GRs, and three EBs. The duties of the Workgroup would be to
449 develop benchmarks to represent a successful election. The Workgroup would do a
450 thorough review of elections in the Commonwealth and develop metrics to measure
451 successful elections, as well as how to reach those benchmarks. Commissioner Piper
452 expressed a need for more data for more quantifiable analysis on how localities and ELECT
453 perform and what areas may need improvement. The Workgroup would create a strategic
454 plan for the elections community as a whole, and use that information to conduct even
455 more successful elections in Virginia. Commissioner Piper worked with the GR in
456 Richmond City, Mr. Latham, and VEBA, to review the resolution presented to the Board.
457 The Commissioner outlined the clear instructions for the Workgroup to meet at least four
458 times over the next year, and for the group to consult a data scientist, Virginia Performs,
459 other state agencies that have similar benchmarks, and the Supreme Court. The Workgroup
460 would provide a final update to the Board no later than June 30, 2019, which would
461 hopefully include documents to use in evaluations moving forward.

462 Chairman Alcorn voiced approval for the Workgroup, finding the project to be
463 perhaps the most far-reaching thing the Board may accomplish during their tenure.

464 Chairman Alcorn said other industries and professions use objective and evidence based
465 measures to determine how to make improvements and it would benefit elections to as
466 well. Secretary McAllister commended the Commissioner on the Workgroup, and asked
467 if there would be proper diversity of thought from within the Commonwealth represented
468 in the Workgroup's members. Commissioner Piper said they would include election
469 officials from both large and small localities, as well as from urban and rural localities.
470 Vice Chair Wheeler asked why there would be four GRs and only three EBs, and suggested
471 there be a balance in the numbers. Commissioner Piper said originally there were more
472 GRs proposed because GRs were more responsible for the day-to-day processing that
473 would be discussed by the Workgroup, but that he was open to changing the number of
474 members.

475 Mr. Latham did not object to the idea of an equal number of GRs and EBs, but
476 raised concerns that the Workgroup would find GRs guilty of any downfalls or bad data.
477 Mr. Latham warned against adding too many additional responsibilities to GRs as the needs
478 arose in the Workgroup's work, especially without consummate pay increases.
479 Commissioner Piper agreed, noting the goal was to have a measurable objective tool so no
480 single individual could be blamed. Chairman Alcorn agreed, and said the Workgroup
481 should focus on metrics. Mr. Latham clarified that he was not opposed the Workgroup,
482 but wanted to raise concerns in defense of GRs. Ms. White spoke in support of the
483 Workgroup and asked to be a member. Mr. Lind spoke on behalf of VEBA, and given his
484 respect for both VEBA and VRAV, was fine with the current number of EBs as part of the
485 group due to the competence of all members to be chosen.

486 Vice Chair Wheeler stated in light of Mr. Lind's comments that perhaps a Board
487 member should be involved as well. Chairman Alcorn encouraged ELECT manage the
488 Workgroup without Board influence for the time being in order to give more flexibility.
489 Chairman Alcorn then *moved that the Board approve the resolution creating the Virginia*
490 *Elections Benchmark Index Workgroup.* Vice Chair Wheeler seconded the motion and the
491 motion passed unanimously.

492 The next order of business was a request to run a post-election audit in Norfolk
493 City. Commissioner Piper explained that Norfolk was requesting approval to conduct a
494 post-election audit, similar to Prince William County requested in the previous Board

495 meeting on March 23. The Commissioner recommended the Board provide approval given
496 his confidence in a successful pilot. Chairman Alcorn *moved the Board delegate authority*
497 *to the Commissioner to approve the procedures which will allow the City of Norfolk*
498 *Electoral Board to conduct a pilot audit following the certification of the May Town*
499 *Elections and that the City return to the Board at their next meeting following the audit to*
500 *report on the results of the audit.* Secretary McAllister seconded the motion, and asked for
501 clarity on when this would go into effect. Commissioner Piper clarified that this would be
502 a post-election audit in Norfolk, taking place following the May elections. The
503 Commissioner explained the pilot audits would be opportunities for procedures to be
504 developed so they could be implemented when the law goes into effect on July 1.

505 Chairman Alcorn clarified that the Board was delegating the authority to approve
506 procedures to the Commissioner. Vice Chair Wheeler asked if there were any procedures
507 developed yet. Commissioner Piper replied there were draft procedures that were not yet
508 prepared for Board review, but expressed confidence in the localities to run a successful
509 audit. Vice Chair Wheeler asked to see the draft protocols, and the Commissioner agreed
510 to send them to the Board for comments and suggestions. The motion passed unanimously.

511 Vice Chair Wheeler asked about the online voter registration issue, asking if
512 ELECT was deferring the subject pursuant to direction from OAG. Commissioner Piper
513 stated ELECT was not in a position to elaborate on it, as they were still reviewing guidance
514 on it and procedures. ELECT's goal was to provide fully vetted, correct guidance when
515 possible.

516 Vice Chair Wheeler asked if there would be a Board meeting during annual
517 training. Commissioner Piper said yes, as the Board would need to certify the June primary
518 elections. Chairman Alcorn shared that the Board would have a longer meeting before
519 training, and have a shorter meeting during annual training. The meeting during training
520 would more brief be so election officials could get as much training as possible; therefore,
521 all the policies and forms that would need to be reviewed by the Board would be done at
522 the earlier June meeting.


523 Vice Chair Wheeler discussed the issue of access to VERIS, noting that anyone
524 with access to VERIS has access to a lot of personal information for every person in the
525 system. The Vice Chair asked if there should be security discussions, including a

526 discussion about state police conducting security checks on anyone with access to VERIS.
527 Chairman Alcorn asked if the state had standards for who has access to VERIS, and the
528 Commissioner responded there was no background check or security measure like that for
529 access. Commissioner Piper suggested the Board have a security briefing before deciding
530 if they would like to see more steps in terms of security. The Commissioner voiced concern
531 about background checks without doing previous research on it and questioned its
532 possibility. Vice Chair Wheeler discussed speaking with GRs on the issue and the need
533 for security checks on people with access to VERIS. Chairman Alcorn also brought up the
534 topic of practical and employment law issues in terms of security checks, and noted the
535 Board could not resolve the question at the current meeting.

536 Chairman Alcorn then moved to adjourn the meeting. Secretary McAllister
537 seconded the motion, and the motion passed unanimously. The meeting was adjourned at
538 approximately 2:04 PM. The Board did not set the time and date of its next meeting.

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Secretary

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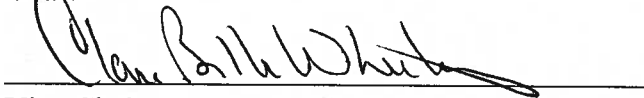
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Chair

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Vice Chair