



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

BOARD MEETING

Tuesday, July 2, 2024
General Assembly Building
Senate Room A – 3rd Floor
Richmond, VA
Video and Teleconference

Videoconference:

<https://covaconf.webex.com/covaconf/j.php?MTID=m25c1db0b02707e66393a19c2aac38f45>

Meeting password: iUTRbjnJ394

Teleconference:

1-517-466-2023 US Toll
1-866-692-4530 US Toll-Free
Access Code: 2430 194 7103

1:00 P.M.



**STATE BOARD OF ELECTIONS
AGENDA**

DATE: Tuesday, July 2, 2024

LOCATION: General Assembly Building

201 N. Ninth St. Richmond, VA 23219

Senate Room A – 3rd Floor

TELECONFERENCE:

+1-517-466-2023 US Toll

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VIDEO CONFERENCE:

<https://covaconf.webex.com/covaconf/j.php?MTID=m2>

[5c1db0b02707e66393a19c2aac38f45](https://covaconf.webex.com/join/5c1db0b02707e66393a19c2aac38f45)

Password: iUTRbjnJ394

TIME: 1:00 P.M.

I. CALL TO ORDER

John O'Bannon, Chairman

II. APPROVAL OF MINUTES

Georgia Alvis-Long, Secretary

A. May 28, 2024

B. June 18, 2024

III. PUBLIC COMMENT

IV. COMMISSIONER'S REPORT

Susan Beals

Commissioner

V. OLD BUSINESS

**A. Request for Petition for Removal of an
Electoral Board Member**

Steven Koski

Compliance Advisor

B. Closed Session

VI. NEW BUSINESS

A. RCV Regulations

Steven Koski

Compliance Advisor

**B. Campaign Finance Report, Record, and Review
Introduction to SBE**

*Tammy Alexander
Campaign Finance Compliance and
Training Supervisor*

**C. Split Precinct
a. Chesapeake**

*Claire Scott
ELECT Policy Analyst*

D. Delegation of Authority

*Claire Scott
ELECT Policy Analyst*

E. RLA Manual

*Rachel Lawless
Confidential Policy Advisor*

F. Drawing for Party Ballot Order

*Matthew Abell
Election Service Senior Advisor*

G. Certification of June 18, 2024 Primary Election

*Matthew Abell
Election Service Senior Advisor*

VII. CLOSED SESSION

VIII. ADJOURNMENT

NOTE: <https://townhall.virginia.gov/L/ViewMeeting.cfm?MeetingID=39263>

Re. Entrance to the General Assembly Building

All members of the public visiting the General Assembly Building may enter the building through the doors marked public entrance on the south side of the building (Broad Street Entrance). Visitors with special needs may use the wheelchair accessible entrance.

To ensure the safety of employees and visitors, all non-credentialed visitors are required to pass through a security screening and have their personal items screened by an x-ray machine prior to entry to the building. Please note that all packages and bags are subject to physical search.

All State employees must have on his/her state ID badge on at all times while in the building. Each employee will go through the x-ray machine and follow the Expect the Check rules.

Re. public comment

Public comment will first be heard from those persons participating in person as per the sign-up list. Next, we will hear from the persons who requested to speak via chat on the WebEx. Last, we will hear from persons who provided their name and phone number to FOIA@elections.virginia.gov.

Citizens **MUST** activate their camera, with their face fully visible, before they will be given the opportunity to participate in public comment. Face coverings, which are not worn for religious reasons, are prohibited.

Re. limitation on individual participation in public comment

Due to the large number of persons who may wish to speak, we encourage you to be as brief as possible, with a maximum of **THREE** minutes per person. We also ask that you be prepared to approach the podium or unmute yourself if you hear your name announced as the next participant.

Re. individual requests for additional information

Citizens seeking additional information related to matters on this agenda may submit questions to info@elections.virginia.gov

Re. How to Participate in Public Comment

If you are a member of the public and wish to participate, you must sign up in order to be recognized to speak. Please note the following:

If you are attending in person, please ensure your name is on the sign-up list at the front door.

If you are participating virtually using WebEx, sign up using the chat feature, located on the bottom right part of the WebEx application, to add your participant name.

If you are participating virtually using a phone and cannot access WebEx's chat feature, please send an email with your name and your phone number to FOIA@elections.virginia.gov. You will need to provide your first and last name and the phone num



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Approval of Minutes

BOARD WORKING PAPERS

1 The State Board of Elections (“the Board”) meeting was held on Tuesday,
2 May 28, 2024 in Senate Room A of the General Assembly Building in Richmond,
3 Virginia. The meeting also offered public participation through electronic
4 communication so the remote public could view and hear the meeting. In
5 attendance: John O’Bannon, Chairman; Rosalyn R. Dance, Vice Chair; Georgia
6 Alvis-Long, Secretary and Delegate Donald Merricks, member; and Matthew
7 Weinstein; member represented the State Board of Elections (“the Board”). Susan
8 J. Beals, Commissioner, represented the Department of Elections (“ELECT”), and
9 Andrew Murphy and Dennis Polio represented the Office of the Attorney General
10 (“OAG”). Chairman O’Bannon called the meeting to order at 1:02 P.M.

11 The first item of business was the Approval of the Minutes from the April
12 10, 2024 and May 2, 2024 Board Meeting, presented by Secretary Alvis-Long.
13 Vice Chair Dance moved *to approve the minutes from the April 10, 2024 and May*
14 *2, 2024.* Mr. Weinstein seconded the motion and the motion passed unanimously. A
15 roll call vote was taken:

16 Chairman O’Bannon – Aye

17 Vice Chair Dance – Aye

18 Secretary Alvis-Long – Aye

19 Delegate Merricks – Aye

20 Mr. Weinstein – Aye

21 The Chairman opened the floor to public comment. Sheila Furey, Cindy
22 Morris-Scruggs, Richard Lister, Andrea Bayer, Douglas Clark, Roxanna Gray, Ann
23 Grigorian, Thomas Kasperek, Jim Buttolph, Ned Jones, Rahul Maitra, and Kenneth
24 Vande Vrede addressed the Board.

25 The second item of business was the Commissioner’s Report, presented by
26 Commissioner Beals. Commissioner Beals advised the Board that on May 3rd
27 early voting started for the June Primary Election. The Commissioner stated that
28 every locality in Virginia has a primary election, including a Republican Primary
29 for Senate, and some have Congressional and local primaries. Commissioner Beals
30 explained that voters will be asked which ballot and which primary they would like
31 to vote in, which allows the voter to vote in the primary they choose.

32

33 The Commissioner informed the Board that she spoke to the Cyber
34 Navigator Interns at University of Virginia. Commissioner Beals stated that the
35 Cyber Navigator program is funded by a federal grant and involves five
36 universities across Virginia. The Commissioner stated that the program allows 4th
37 year college students to be trained in a 3-day boot camp in cyber security. After the
38 boot camp the interns are sent out to local election offices for the summer to assist
39 the General Registrars.

40 The third item of business is the Voting System Certification for Clear Ballot
41 presented by Brandon Smith, Chief Technology Officer. *This certification is in the*
42 *Working Papers for the May 28, 2024 meeting.* Vice Chair Dance moved *that the*
43 *Board certify the use of Clear Ballot voting system – ClearVote 2.4 in elections in*
44 *the Commonwealth of Virginia, pursuant to the State Certification of Voting*
45 *Systems.* Mr. Weinstein seconded the motion and the motion passed unanimously.

46 A roll call vote was taken:

47 Chairman O’Bannon – Aye

48 Vice Chair Dance – Aye

49 Secretary Alvis-Long – Aye

50 Delegate Merricks – Aye

51 Mr. Weinstein – Aye

52 The fourth item of business is the KNOWiNK Electronic Pollbook
53 Certification presented by Brandon Smith, Chief Technology Officer. *This*
54 *certification is in the Working Papers for the May 28, 2024 meeting.* Vice Chair
55 Dance moved *that the Board certify the use of KNOWiNK electronic pollbook*
56 *system – Pollpad 3.4.8, in elections in the Commonwealth of Virginia, pursuant to*
57 *the State Certification of Electronic Pollbooks.* Mr. Weinstein seconded the motion
58 and the motion passed unanimously. A roll call vote was taken:

59 Chairman O'Bannon – Aye

60 Vice Chair Dance – Aye

61 Secretary Alvis-Long – Aye

62 Delegate Merricks – Aye

63 Mr. Weinstein – Aye

64 The fifth item of business is the Elections Systems & Software Electronic

65 Pollbook Certification presented by Brandon Smith, Chief Technology Officer.

66 *This certification is in the Working Papers for the May 28, 2024 meeting. Vice*

67 *Chair Dance moved that the Board certify the use of Election Systems & Software*

68 *(ES&S) electronic pollbook system – ExpressPoll 7.2.6.0, in elections in the*

69 *Commonwealth of Virginia, pursuant to the State Certification of Electronic*

70 *Pollbooks. Mr. Weinstein seconded the motion and the motion passed. A roll call*

71 *vote was taken:*

72 Chairman O'Bannon – Aye

73 Vice Chair Dance – Aye

74 Secretary Alvis-Long – No

75 Delegate Merricks – No

76 Mr. Weinstein – Aye

77 The sixth item of business is the Locality Electronic System Standard
78 (“LESS”) Closed Session presented by Brandon Smith, Chief Technology Officer.
79 At 1:50 P.M., Delegate Merricks moved *pursuant to Virginia Code Section 2.2-*
80 *3711(A)(34), that the Board go into closed session for the purpose of discussing*
81 *voting security matters made confidential pursuant to 24.2-410.2. In accordance*
82 *with Section 2.2-3712(F), Susan Beals, Commissioner of Elections, Andrew*
83 *Murphy and Dennis Polio of the Office of the Attorney General, and Brandon*
84 *Smith, Chief Technology Officer, will attend the closed session because their*
85 *presence will reasonably aid the Board in its consideration of the subject of the*
86 *meeting.* Mr. Weinstein seconded the motion and the motion passed unanimously.

87 A roll call vote was:

88 Chairman O’Bannon – Aye

89 Vice Chair Dance – Aye

90 Secretary Alvis-Long – Aye

91 Delegate Merricks – Aye

92 Mr. Weinstein – Aye

93 At 2:10 P.M., Delegate Merricks moved *to reconvene the meeting in open*
94 *session, and take a roll call vote certifying that to the best of each member’s*
95 *knowledge (i) only such public business matters lawfully exempted from open*

96 *meeting requirements under this chapter and (ii) only such public business matters*
97 *as were identified in the motion by which the closed meeting was convened were*
98 *heard or discussed by the State Board of Elections.* Mr. Weinstein seconded the
99 motion and the motion passed unanimously. A roll call vote was taken:

100 Chairman O'Bannon – Aye

101 Vice Chair Dance – Aye

102 Secretary Alvis-Long – Aye

103 Delegate Merricks – Aye

104 Mr. Weinstein – Aye

105 The seventh item of business is the Finalization of Stand By Your Ad
106 Decision from the April 10th Meeting presented by Tammy Alexander, Campaign
107 Finance Compliance and Training Supervisor. *This memo is in the Working Papers*
108 *for the May 28, 2024 meeting.* Delegate Merricks moved *that the Board finalize the*
109 *decision made on the Williamsburg – James City County Republican Committee –*
110 *PAC-12-00611 Stand By Your Ad (SBYA) violation assessed at the April 10, 2024*
111 *State Board of Elections (SBE) meeting.* Vice Chair Dance seconded the motion
112 and the motion passed unanimously. A roll call vote was taken:

113 Chairman O'Bannon – Aye

114 Vice Chair Dance – Aye

115 Secretary Alvis-Long – Aye

116 Delegate Merricks – Aye

117 Mr. Weinstein – Aye

118 The eighth item of business is the Campaign Finance Regulations for Print
119 Media Advertisement presented by Steven Koski, ELECT Policy Analyst. *This*
120 *memo is in the Working Papers for the May 28, 2024 meeting.* Vice Chair Dance
121 moved pursuant to § 2.2-4011 of the Code of Virginia, I move that the Board
122 approve IVAC-20-90-40 as presented. Further, I move that the Board direct
123 ELECT to delay enforcement of the regulation, aside from clear violations of the
124 general requirements also stated in the Code, until January 1, 2025. Delegate
125 Merricks seconded the motion. The motion was withdrawn and readdressed after
126 closed session.

127 The ninth item of business was the SBE Policy 2022-001 Electronic
128 Participation in Meetings presented by Catherine McFarland, FOIA and Record
129 Retention Officer. *This memo is in the Working Papers for the May 28, 2024*
130 *meeting.* Vice Chair Dance moved that the Board adopt the amended policy to
131 conduct meetings through electronic communication means in compliance with
132 §2.2-3708.3(D) of the Code of Virginia to be effective July 1, 2024. Mr. Weinstein
133 seconded the motion and the motion passed unanimously. A roll call vote was
134 taken:

135 Chairman O'Bannon – Aye

136 Vice Chair Dance – Aye

137 Secretary Alvis-Long – Aye

138 Delegate Merricks – Aye

139 Mr. Weinstein – Aye

140 The tenth item of business was the Request for Petition for the Removal of
141 an Electoral Board Member presented by Matthew Abell, Elections Services Senior
142 Advisor. *This memo is in the Working Papers for the May 28, 2024 meeting.*

143 Chairman O'Bannon opened the floor to public comment. Maria Anne Kinney,
144 Gerald Barnes, Clara Belle Wheeler, and Irene Churins addressed the Board. The
145 motion was addressed after the closed session.

146 At 3:00 P.M., Delegate Merricks moved *pursuant to Virginia Code Section*
147 *2.2-3711(A)(7), that the Board go into closed session for the purpose of discussing*
148 *pending threatened litigation. In accordance with Section 2.2-3712(F), Susan*
149 *Beals, Commissioner of Elections, Steve Koski, ELECT Policy Analyst and Andrew*
150 *Murphy and Dennis Polio of the Office of the Attorney General, will attend the*
151 *closed session because their presence will reasonably aid the Board in its*
152 *consideration of the subject of the meeting.* Mr. Weinstein seconded the motion and
153 the motion passed unanimously. A roll call vote was taken:

154 Chairman O'Bannon – Aye

155 Vice Chair Dance – Aye

156 Secretary Alvis-Long – Aye

157 Delegate Merricks – Aye

158 Mr. Weinstein – Aye

159 At 3:37 P.M., Delegate Merricks *move to reconvene the meeting in open*
160 *session, and take a roll call vote certifying that to the best of each member's*
161 *knowledge (i) only such public business matters lawfully exempted from open*
162 *meeting requirements under this chapter and (ii) only such public business matters*
163 *as were identified in the motion by which the closed meeting was convened were*
164 *heard or discussed by the State Board of Elections.* Mr. Weinstein seconded the
165 motion and the motion passed unanimously. A roll call vote was taken:

166 Chairman O'Bannon – Aye

167 Vice Chair Dance – Aye

168 Secretary Alvis-Long – Aye

169 Delegate Merricks – Aye

170 Mr. Weinstein – Aye

171 Chairman O'Bannon referred to the eighth item on the agenda Campaign
172 Finance Regulations for Print Media Advertisement. Mr. Weinstein moved
173 pursuant to § 2.2-4011 of the Code of Virginia, *that the Board approve IVAC-20-*
174 *90-40. Further, I move that the Board direct ELECT to delay enforcement of the*
175 *regulation, until January 1, 2025.* Delegate Merricks seconded the motion and the
176 motion passed unanimously. A roll call vote was taken:

177 Chairman O'Bannon – Aye

178 Vice Chair Dance – Aye

179 Secretary Alvis-Long – Aye

180 Delegate Merricks – Aye

181 Mr. Weinstein – Aye

182 Chairman O'Bannon referred to the tenth item on the agenda the Request for
183 Petition for the Removal of an Electoral Board Member. Vice Chair Dance moved
184 *to defer to the July 2, 2024 State Board of Elections Meeting.* Mr. Weinstein
185 seconded the motion and the motion passed unanimously. A roll call vote was
186 taken:

187 Chairman O'Bannon – Aye

188 Vice Chair Dance – Aye

189 Secretary Alvis-Long – Aye

190 Delegate Merricks – Aye

191 Mr. Weinstein – Aye

192 The meeting adjourned at 3:40 P.M.

193 _____
194 Chairman

195 _____
196 Vice-Chair

197 _____
198 Secretary

199 _____
200 Board Member

201 _____
202 Board Member

1 The State Board of Elections (“the Board”) meeting was held by electronic
2 communication Tuesday, June 18, 2024. In attendance: John O’Bannon, Chairman; Rosalyn R.
3 Dance, Vice Chairman; Delegate Merricks and Matthew Weinstein members; represented the
4 State Board of Elections (“the Board”). Susan J. Beals, Commissioner, represented the
5 Department of Elections (“ELECT”), and Andrew Murphy and Dennis Polio represented the
6 Office of the Attorney General (“OAG”). Chairman O’Bannon called the meeting to order at
7 10:00 A.M.

8 Chairman O’Bannon informed the Board that the only item on the agenda was oversight
9 of the Primary Election and that there would be no opportunity for public comment. At 10:01
10 A.M., the Board went into recess.

11 Chairman O’Bannon opened the meeting from recess at 7:00 P.M. Secretary Alvis-Long
12 is now in attendance. No business was conducted during this meeting.

13 The meeting adjourned at approximately 7:00 P.M.

14
15
16 _____
17 Chairman

18
19 _____
20 Vice Chairman

21
22 _____
23 Secretary

24
25 _____
26 Board Member

27
28 _____
29 Board Member



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Public Comment

BOARD WORKING PAPERS



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Commissioner's Report

BOARD WORKING PAPERS

Susan Beals
Commissioner



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Request for Petition for the Removal of an Electoral Board Member

BOARD WORKING PAPERS
Steve Koski
Compliance Advisor



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice-Chair Dance, Secretary Alvis-Long, Delegate Merricks, and Mr. Weinstein

From: Steve Koski, Compliance Advisor

Date: July 2, 2024

Re: Charles City County Electoral Board Removal Petition

Suggested Motions

- **Removal:** “Pursuant to § 24.2-103 of the Code of Virginia, I move that the State Board of Elections direct its legal representation to prepare a petition to the Circuit Court of Charles City County for the removal of Maria A. Kinney from the Charles City County Electoral Board for failure to discharge her official duties under Virginia law.”
- **Dismissal of Petition:** “I move that the State Board of Elections dismiss the submitted petition for its failure to provide a sufficient basis to warrant State Board action pursuant to § 24.2-103 of the Code of Virginia.”

Applicable Code Sections

§ 24.2-103(E) – “The State Board may institute proceedings pursuant to § 24.2-234.1 for the removal of any member of an electoral board or general registrar who fails to discharge the duties of his office in accordance with law. Such action shall require a recorded majority vote of the Board.”

§ 24.2-234.1(A) – “Any member of a local electoral board may be removed from office by the circuit court in whose jurisdiction he resides upon a petition signed by a majority of the members of the State Board as provided in § 24.2-103. The circuit court shall proceed with such removal in accordance with the provisions of § 24.2-235.”

Background

A petition was submitted to the State Board for the removal of Charles City County Electoral Board Secretary Maria Anne Kinney. Based upon the narrative in the petition and the supporting documentation and statements provided, Petitioners appear to be seeking removal of Kinney for the following reasons:

1. Refusal to Accept Role of Electoral Board Secretary
2. Failure to Complete and Post Minutes in Accordance with Law

3. Refusal to Sign Election Abstracts
4. Allowing Party Observer to Improperly View and Document Information During Logic and Accuracy Testing
5. Failure to Act in a Nonpartisan Manner
6. Refusal to Cooperate with other Electoral Board Members, Registrar Staff, and County Staff to Execute Duties

After the State Board initially heard this matter at its May 28, 2024 meeting, an additional allegation arose related to a pre-processing meeting at the Registrar's office on June 11, 2024.

The State Board must now determine whether the allegations and supporting documents and testimony warrant the instituting of removal proceedings.

Attachments

Petition Summary with Appendices

From: Steve Koski, ELECT Legal and Compliance Advisor
To: State Board of Elections
Re: Summary of Petition to Remove Charles City County Electoral Board Member Maria A. Kinney

Executive Summary

A Petition was submitted to the State Board for the removal of Charles City County Electoral Board Secretary Maria Anne Kinney. Based upon the narrative in the petition and the supporting documentation and statements provided, Petitioners appear to be seeking removal of Kinney for the following reasons:

1. Refusal to Accept Role of Electoral Board Secretary
2. Failure to Complete and Post Minutes in Accordance with Law
3. Refusal to Sign Election Abstracts
4. Allowing Party Observer to Improperly View and Document Information During Logic and Accuracy Testing
5. Failure to Act in a Nonpartisan Manner
6. Refusal to Cooperate with other Electoral Board Members, Registrar Staff, and County Staff to Execute Duties

After the State Board initially heard this matter at its May 28, 2024 meeting, an additional allegation arose related to a pre-processing meeting at the Registrar's office on June 11, 2024. Petitioners allege that Kinney disrupted the proceedings and assaulted a member of the Registrar's staff. This incident resulted in a Preliminary Protective Order being issued against Kinney which, on advice of counsel, appears to have led to her non-participation on Election Day and at the canvass (based upon correspondence received by ELECT).

The State Board must now determine whether the allegations and supporting documents and testimony warrant the instituting of removal proceedings.

Background

A petition for the removal of Charles City County ("CCC") Electoral Board Secretary Maria Anne Kinney ("Respondent"), pursuant to § 24.2-103 of the Code of Virginia, was submitted on May 14, 2024 ("Petition"). (*Appendix A1*). The Petition was signed by Kermit White, CCCEB Chair, Gerald Barnes, CCCEB Vice Chair, and DeNay Harris, CCC Director of Elections & General Registrar (collectively referred to as "Petitioners").

The Petition cites "neglect of duty" as the basis for removal. The Petition includes a narrative of the alleged conduct by Secretary Kinney. Attached to the Petition were two pieces of correspondence from the 4th Congressional District Republican Committee to Registrar Harris: one regarding Secretary Kinney (*Appendix A2*) and the other regarding former CCC Republican Party Chairman, Irene Churins (*Appendix A3*).

Testimony was provided by the Petitioners, Respondent, and other individuals at the State Board of Elections meeting on May 28, 2024. Written testimony was also submitted by Secretary Kinney. (*Appendix B1*). Kinney subsequently submitted supporting emails and documents on June 17, 2024. (*Appendix B2*).

On June 4, 2024, Chief Deputy Registrar Cosby submitted her description of the events related to the Petition to Commissioner Beals (*Appendix C*) with attached zip files containing correspondence between Cosby and Kinney. Correspondence from Cosby relevant to the allegations has been attached. (*Appendix D, Appendix E, and Appendix F1*). Deputy Davis submitted her narrative of events and supporting documentation on June 15, 2024. (*Appendix H*).

Petitioners provided additional statements and documentation related to an alleged disruption of the June 11, 2024 pre-processing meeting by Kinney. (*Appendix G and Appendix H*).

Decision to Institute Removal Proceedings

The State Board has broad discretion in determining whether to institute proceedings for the removal of an electoral board member. Pursuant to § 24.2-103(E) of the Code, “[t]he State Board may institute proceedings ... for the removal of any member of an electoral board ... who fails to discharge the duties of his office in accordance with law.” In other words, the Code does not provide specific findings that the State Board must make in order to institute removal proceedings.

While the Board has broad discretion, ELECT recommends that the State Board consider the following questions in determining whether the allegations and evidence support a finding that removal proceedings should be instituted:

- Does the alleged conduct violate a duty of the office under the Code?
- Has sufficient evidence and/or testimony of the alleged conduct been presented?
- Did the alleged violation have a material adverse impact on the conduct of the office to warrant removal proceedings?
 - *And/or*, Is the alleged conduct likely to reoccur and have a material adverse impact on the conduct of the office?

If the State Board institutes removal proceedings, the attorney for the Commonwealth will review the petition to determine if valid grounds exist to remove the officer.¹ If the process moves forward, the circuit court will ultimately decide whether, by clear and convincing evidence, removal is warranted under § 24.2-103.²

Attached Documents

- Appendix A
 - Appendix A1 – Petition and Narrative
 - Appendix A2 – 4th District GOP Chair Email to Harris
 - Appendix A3 – 4th District GOP Chair Letter to Harris
- Appendix B
 - Appendix B1 – Kinney Testimony
 - Appendix B2 – Kinney Supporting Documentation
- Appendix C – Cosby Narrative
- Appendix D – Cosby-Provided Communications Related to Resignation as Secretary
- Appendix E – Cosby-Provided Communications Related to Minutes

¹ Code of Virginia § 24.2-235(C).

² Code of Virginia § 24.2-235(E).

- Appendix F
 - Appendix F1 – Cosby-Provided Communications Related to Abstracts
 - Appendix F2 – Signed Abstracts
- Appendix G
 - Appendix G1 – Harris Communication Related to Pre-Processing Disturbance
 - Appendix G2 – Police Report and Statement
 - Appendix G3 – Preliminary Protective Order
 - Appendix G4 – Communications between Harris and Attorney for Kinney
- Appendix H – Davis Narrative and Supporting Communications
- Appendix I – Electoral Board Member Job Description

Allegations

Allegation I: Refusal to Accept Role of Electoral Board Secretary

1. Petitioners' Statements:

- a. Petitioner's state that Secretary Kinney stated that she "did not want to be legally tied to anything." (*Appendix A*).
- b. Petitioners provided communications from Secretary Kinney indicating that, as of May 15, she no longer considers herself to be the secretary of the Electoral Board. (*Appendix D*).
- c. Petitioners have sought clarification from Kinney regarding her statement and have informed Kinney that changes to officers would need to be accomplished at a meeting. (*Appendix D*).
- d. Petitioners indicate that the electoral board seal, in possession of Kinney, has not yet been returned. (*Appendix D*).

2. Respondent Testimony:

- a. Acknowledges that she did not want the job of secretary since she was new to the Electoral Board, but that neither of the other members were willing to take the position. (*Appendix B*).

3. Relevant Law:

- a. Electoral Board Selection of Officers
 - i. 24.2-106(B) - *The board shall elect one of its members as chairman and another as secretary. The chairman and the secretary shall represent different political parties, unless the representative of the second-ranked political party declines in writing to accept the unfilled office. At any time that the secretary is incapacitated in such a way that makes it impossible for the secretary to carry out the duties of the position, the board may designate one of its other members as acting secretary. Any such designation shall be made in an open meeting and recorded in the minutes of the board.*
- b. Electoral Board Job Description
 - i. § 24.2-106.01(A) - *The State Board, with the cooperation of the local electoral boards and general registrars, shall develop a description of the duties and responsibilities of the local electoral boards*

- ii. § 24.2-106.01(C) - *Each person nominated for appointment to a local electoral board shall certify ... that he will faithfully discharge all duties and responsibilities set forth in that description.*
- iii. Relevant Job Description Provisions
 - 1. Summary – *Generally, the work of the Electoral Board should be shared equally by all three members, although the Secretary has additional responsibilities.*
 - 2. Section I(B)(7) - *The Secretary of the Electoral Board has specific tasks and responsibilities according to the Code and must take and keep accurate minutes of all board meetings.*

4. ELECT Comment:

- a. It is unclear if a meeting has been held at which Kinney’s resignation as secretary was discussed and an attempt was made for one of the other members to assume the role.
- b. It is unclear if either member is willing to assume the role of secretary, or if it remains the decision of the electoral board that Kinney remain secretary.
- c. It is unclear if Kinney, after being informed that the resignation must be handled at a meeting, intends to continue performing her duties as secretary or has simply ceased performance.

Allegation II: Failure to Complete and Post Minutes in Accordance with Law

5. Petitioner’s Statements:

- a. Electoral Board informed Secretary Kinney that minutes must be posted before the next board meeting, pursuant to § 24.2-107 of the Code. (*Appendix A*).
- b. From February 8 through February 26, Chair White and Vice Chair Barnes requested review of minutes that had been drafted during that period. (*Appendix A*).
- c. Kinney was not responsive to requests for edits to the draft minutes. (*Appendix A*).
- d. On February 26, draft minutes were provided to the Registrar, Chief Deputy, Chair, and Vice Chair. (*Appendix A*).
- e. Kinney was informed that the submitted minutes needed edits because the official Electoral Board letterhead was not used, there were not signature lines, and the minutes were all compiled into one document instead of being in separate documents. (*Appendix A and Appendix C*).
- f. Cosby states that Secretary Kinney was provided a digital version of the county’s letterhead by Dr. Davis via email on February 9, 2024. (*Appendix C*).
- g. On March 12, 2024, Kinney submitted minutes for meetings dated February 8, February 12, March 6, March 8, and March 11. (*Appendix A*).
- h. After disagreement about how Kinney prepared the minutes, Kinney stated that she would abdicate her position as secretary if they did not like how she did the job. (*Appendix A*).
- i. When told she must submit the minutes to the Registrar’s office for posting on the website in accordance with § 24.2-107, Kinney objected and insisted on uploading the minutes herself. (*Appendix A*)
- j. Chief Deputy Cosby provides the following communication from Kinney upon being told that the the Electoral Board was out of compliance related to posting of minutes: “I was

informed that the minutes should not be sent to the GR/office until the members had a chance to view and conditionally approve them. I was told that once they are sent to the GR the office is required to post them (with draft over them), and they could then be FOIA'd, thus possibly posting something that is incorrect. When I questioned the timing of posting verses approval I was told that they must be posted within 7 days AFTER approval which can only happen at a meeting. I was directed to 2.2-3707.2 At this time we are not in violation of the law. We have not had a meeting to approve any minutes.” (Appendix C).

- k. Kinney refused to provide the submitted minutes to the Registrar’s office for posting until they were conditionally approved by the Electoral Board. (Appendix A).
 - l. Kinney met with the county’s IT Director, who informed her that a designated employee in the Registrar’s office was required to post things on the website. (Appendix A).
 - m. On April 24, 2024, the Electoral Board refused to approve minutes submitted by Kinney because no suggested edits were included. (Appendix C).
 - n. Chief Deputy Cosby states that the minutes cannot be posted at this time as the Registrar’s office has not yet to receive the official minutes from Kinney as approved by the Electoral Board. (Appendix C).
6. **Respondent Testimony:**
- a. Only two sets of minutes were posted for all of last year by the Electoral Board, so she did not have a large enough sample from which to learn. (Appendix B).
 - b. Sought advice of friend who is secretary for a business in learning to record minutes. (Appendix B).
 - c. Attended VEBA annual meeting and asked questions regarding how to take minutes. (Appendix B).
 - d. Was told by other electoral board members at VEBA that the process for creating minutes is for draft minutes to be emailed to the other members, other members provide revisions via email, revisions are incorporated into the draft minutes, and the draft minutes are brought to the next meeting for approval. (Appendix B).
 - e. After discussion with her VEBA district representative, she started sending draft minutes to the Registrar requesting that she sends them to the other members; she expects to hear back from the Registrar regarding requesting revisions from the members. (Appendix B).
 - f. She did not have the draft county letterhead to use in formatting her prepared minutes. (Appendix B).
 - g. Emailed draft minutes to the other two electoral board members multiple times, with no response received. (Appendix B).
 - h. Fixed alleged issues with the minutes she prepared with the hope of having them approved at the Electoral Board’s April 24, 2024 meeting. (Appendix B).
 - i. Vice Chair Barnes responded “no” when asked if he reviewed the minutes. (Appendix B).
 - j. Chair White refused to approve the minutes “because of the timeline he was told by our Registrar.” (Appendix B).
 - k. Vice Chair Barnes refused to approve minutes because they were “too wordy.” (Appendix B).
 - l. She has been completing minutes since she was appointed secretary, but that the Registrar has refused to post them to the website. (Appendix B).

7. Relevant Law:

- a. Secretary Duties in Code
 - i. § 24.2-107: *The secretary shall keep an accurate account of all board proceedings in a minute book, including all appointments and removals of general registrars and officers of election Minutes ... shall be posted on the website of the electoral board or the official website for the county or city, when such means are available. Minutes of meetings shall be posted as soon as possible but no later than one week prior to the following meeting of the electoral board.*
- b. Secretary Duties in Electoral Board Job Description
 - i. § 24.2-106.01(A) - *The State Board, with the cooperation of the local electoral boards and general registrars, shall develop a description of the duties and responsibilities of the local electoral boards*
 - ii. § 24.2-106.01(C) - *Each person nominated for appointment to a local electoral board shall certify ... that he will faithfully discharge all duties and responsibilities set forth in that description.*
 - iii. Electoral Board Job Description
 - 1. Summary – *Generally, the work of the Electoral Board should be shared equally by all three members, although the Secretary has additional responsibilities.*
 - 2. Section I(B)(7) - *The Secretary of the Electoral Board has specific tasks and responsibilities according to the Code and must take and keep accurate minutes of all board meetings.*

8. ELECT Comment:

- a. In reviewing the CCC website, as of June 11, 2024, it appears that the last posted minutes are from a meeting of the Electoral Board on January 12, 2024.

Allegation III: Refusal to Sign Abstracts

9. Petitioners' Statements:

- a. On March 15, 2024, Secretary Kinney refused to sign the election abstracts for the March 5 Presidential Primary. (*Appendix A*).
- b. Kinney refused to sign the abstracts because (i) she was not present on March 2, 2024, when the voting system malfunctioned and (ii) she did not see the tapes or the Statement of Results in her hands. (*Appendix A*).
- c. Secretary Kinney signed the Statement of Results during the canvass period. (*Appendix A*).
- d. ELECT reviewed the abstract submitted by the Electoral Board and required edits to made; all members were required to sign the edited abstracts. (*Appendix A*).
- e. Petitioners state that Respondent had to be contacted by the Commissioner to fulfill her duty as an electoral board member of signing the abstract. (*Appendix A*).

10. Respondent Testimony:

- a. Did not refuse to sign the abstract but that, prior to signing, she had questions that she states were answered in a conversation with Commissioner Beals. (*Appendix B*).

- b. Asked to see the voting system tapes and the Statements of Results, but was told by Deputy Cosby that she could not see them as they were stapled together and that Kinney would not understand them anyway. (*Appendix B*).
- c. Ultimately, she signed and sealed the abstracts. (*Appendix B*).

11. Relevant Law:

- a. Secretary Duties Related to Abstract
 - i. § 24.2-675 - *[T]he secretary shall make out an abstract of the votes The abstracts shall be certified and signed by the electoral board, attested by the secretary, and retained by the electoral board as part of its records.*
- b. Secretary Duties in Electoral Board Job Description
 - i. § 24.2-106.01(A) - *The State Board, with the cooperation of the local electoral boards and general registrars, shall develop a description of the duties and responsibilities of the local electoral boards*
 - ii. § 24.2-106.01(C) - *Each person nominated for appointment to a local electoral board shall certify ... that he will faithfully discharge all duties and responsibilities set forth in that description.*
 - iii. Electoral Board Job Description
 - 1. Summary – *Generally, the work of the Electoral Board should be shared equally by all three members, although the Secretary has additional responsibilities.*
 - 2. Section I(B)(7) - *The Secretary of the Electoral Board has specific tasks and responsibilities according to the Code and must take and keep accurate minutes of all board meetings.*

12. ELECT Comments:

- a. The first abstract sent to ELECT by CCC was not signed by any of the Electoral Board members.
- b. The amended abstract was signed by all members and included the county seal. (*Appendix F2*).

Allegation IV: Allowing Observer to Improperly View and Document Information During Logic and Accuracy Testing

13. Petitioners’ Statements:

- a. At Logic and Accuracy Testing (“L&A Testing”) held on January 18, 2024, Secretary Kinney allowed Former CCC Republican Party Chair Churins to improperly view and document sensitive information, including allowing her to “write serial numbers ... what polling places the equipment was assigned to, and the passwords she was viewing” (*Appendix A*).
- b. Vice Chair Barnes states that he met privately in the hallway with Kinney to inform her that it was not permissible to share such information with Ms. Churins, to which Ms. Churins responded that Vice Chair Barnes could not tell her what to do. (*Appendix A*).
- c. Chief Deputy Crosby states that she had to continuously remove paperwork provided to Kinney from the view of Churins. (*Appendix C*).
- d. While returning tabulators to the storage area, Kinney allowed Churins to follow her into the storage area. (*Appendix A*).

- e. Kinney provided Churins with the cell phone number for the county’s voting system vendor. (*Appendix A*).

14. Respondent Testimony:

- a. Acknowledges that Churins was behind her while she was entering the password into the voting system at the L&A Testing. (*Appendix B*).
- b. Disputes that Churins could view the password, stating that Churins could not have seen through her. (*Appendix B*).
- c. She was not paying attention to the fact that Churins was standing behind her because she was focused on her task. (*Appendix B*).
- d. Acknowledges that she should not have made this error and agreed that she needed to pay closer attention in the future. (*Appendix B*).
- e. No papers had to removed from L&A Testing, as stated by Petitioners. (*Appendix B*).
- f. Did not provide vendor’s cell phone to Churins; vendor gave his business card to Churins. (*Appendix B*).

15. Relevant Law:

- a. Duty to Follow State Board Instructions
 - i. § 24.2-103 – *The State Board ... shall make rules and regulations and issue instructions and provide information consistent with the election laws to the electoral boards ... to promote the proper administration of election laws. Electoral boards ... shall follow ... the rules and regulations of the State Board insofar as they do not conflict with Virginia or federal law.*
- b. State Board of Elections Voting Systems Management Policy – *It is the policy of the State Board of Elections that each electoral board is responsible for the security of ALL voting systems under their control*

16. ELECT Comments:

- a. ELECT has previously advised that information regarding voting systems such as brand name, manufacturer’s name, type, model, and general software used are considered a public record.
- b. ELECT has advised that voting system serial numbers are eligible for release.
- c. Voting system passwords are not eligible for release.

Allegation V: Failure to Act in a Nonpartisan Manner

17. Petitioners’ Statements:

- a. Petitioners allege an inappropriate relationship between Secretary Kinney and Former CCC Republican Party Chair Churins. (*Appendix A*).
- b. Petitioners assert that, while this does not violate a clear Code requirement, the relationship with Churins had a detrimental effect on the office because it impeded Kinney’s ability to carry out her duties in an impartial manner. (*Appendix A*).
- c. Petitioners further state that Kinney attended the Virginia Electoral Board Association (“VEBA”) Boot Camp with Ms. Churins, who was still the chair of the CCC Republican Party at the time. (*Appendix A*).

18. Respondent Testimony:

- a. No testimony provided directly related to the allegation.

19. Relevant Law:

- a. Nonpartisanship Requirements in Electoral Board Job Description
 - i. § 24.2-106.01(A) - *The State Board, with the cooperation of the local electoral boards and general registrars, shall develop a description of the duties and responsibilities of the local electoral boards*
 - ii. § 24.2-106.01(C) - *Each person nominated for appointment to a local electoral board shall certify ... that he will faithfully discharge all duties and responsibilities set forth in that description.*
 - iii. Electoral Board Job Description
 - 1. Summary: *[E]ach member must carry out official duties in a nonpartisan manner.*
 - 2. Section II(B): *May not engage in political activities when performing official duties.*

Allegation VI: Refusal to Cooperate with other Electoral Board Members, Registrar Staff, and County Staff to Execute Duties

20. Petitioners' Statements:

- a. Secretary Kinney has demonstrated "combative behavior" toward the Electoral Board, Registrar, and Registrar's staff. (*Appendix A*).
- b. Chief Deputy Cosby states that multiple attempts were made to establish contact with Secretary Kinney, which included phone calls and emails, after Secretary Kinney indicated she was not available to meeting with human resources at the scheduled time. (*Appendix C*).
- c. Cosby states the Registrar's staff left her a detailed voicemail message requesting a return call, Kinney did not respond. (*Appendix C*).
- d. Cosby states that when Kinney eventually contacted the office and asked to speak with the Registrar, Kinney was dissatisfied with the explanation provided by the Registrar related to the necessity of Kinney completing HR documents, which led her to seeking advice from ELECT. (*Appendix C*).
- e. Cosby states that Kinney confronted her at a January 12, 2024 meeting of the Electoral Board "informing me with her hands and being irate that I do not schedule appoints for her" and stating that it was acceptable to speak to Crosby that way "because this is how she talks to her children." (*Appendix C*).
- f. Cosby states that, when informed by Dr. Sharon Davis that she still needed to complete SBE Form 106 (Electoral Board Information Form), Kinney stated that she did not feel comfortable legally associating her name with SBE Form 106. (*Appendix C*).
- g. Cosby states that at the February 8, 2024, meeting of the Electoral Board, when informed again as her position of secretary, Kinney stated that she did not want her name legally tied to documents. (*Appendix C*).
- h. Her conduct has consistently bypassed the established communication protocols of the Office of Elections/Voter Registration. (*Appendix C*).
- i. Attached to the Petition is an email from Carey L. Allen, 4th Congressional District Republican Committee Chair, to Registrar Harris, stating that actions by Kinney raised questions about her commitment to fulfilling the duties of her position. (*Appendix A*).

- j. Ms. Allen stated that Secretary Kinney’s initial refusal to take the oath and reluctance to provide human resources with her information relates to a comment made by Kinney to an unidentified electoral board member from another county that she considers her a “Sovereign Citizen” and does not have to take the oath of office for her position nor comply with the county’s human resources requirements to provide her personal information (address, date of birth, and social security number). (*Appendix A*).
- k. At L&A Testing, Kinney continuously informed attendees that she had retained a private attorney. (*Appendix A*).³
- l. Registrar Harris states that she removed herself from the L&A Testing due to Secretary Kinney’s repeated statements about retaining an attorney. (*Appendix A*).
- m. Chief Deputy Cosby and Deputy Registrar Davis state that they felt threatened due to Secretary Kinney’s repeated statements about retaining an attorney. (*Appendix A*).
- n. Deputy Registrar Davis alleges that absentee-by-mail ballots were sent out late due to a delay in L&A Testing caused by Kinney’s delay in completing her onboarding paperwork. (*Appendix H*).

21. Respondent Testimony:

- a. Respondent states that she has been dealing with open hostility as she has learned her job. (*Appendix B*).
- b. Registrar made multiple appointments for Respondent on days that Registrar knew Respondent was not available. (*Appendix B*).
- c. Registrar instructed Kinney to sit in the public at Respondent’s first Electoral Board meeting since Respondent had not yet completed human resources paperwork. (*Appendix B*).
- d. She was actively attempting to complete human resources paperwork, but that Registrar’s office was not cooperative in scheduling a time. (*Appendix B*).
- e. She has never called herself a “sovereign citizen” and was not aware of the term. (*Appendix B*).
- f. She did not refuse to take the oath, and that she actually took the oath twice. (*Appendix B*).
- g. She did not refuse to give the county her personal information and has a receipt indicating that the county direct deposited money into her bank account. (*Appendix B*).
- h. She has requested various meetings with her colleagues to discuss the budget, the VEBA annual meeting, officer of election training, and other security issues, but has not received responses. (*Appendix B*).
- i. She has not been informed about compliance related to ADA site visits nor LESS. (*Appendix B*).
- j. Other Electoral Board members communicated with the Department of Justice related to security concerns without her knowledge and without providing her any of the correspondence. (*Appendix B*).
- k. Other Electoral Board members have communicated with the County Board without advising her. (*Appendix B*).
- l. There was no conversation about her hiring a personal lawyer during the L&A Testing. (*Appendix B*).

³ The Petition does not state a given reason by Secretary Kinney for obtaining an attorney.

22. Relevant Law:

- a. General Obligation to Faithfully Execute Duties in Oath
 - i. Virginia Constitution Art. II Sec. 7 Oath of Office - *"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as [an electoral board member], according to the best of my ability (so help me God)."*

Allegation VII: Disrupting Administrative Process of Registrar's Office and Assaulting Registrar's Staff Member

23. Petitioner's Statements:

- a. Registrar Harris states that, on June 11, 2024, voters appeared to observe pre-processing at the Registrar's office as they were advised it was a meeting open to the public. (*Appendix G*).
- b. After voters were informed that they were not permitted to attend pre-processing by the Registrar's staff, Kinney responded that the Registrar was wrong and that the voters did not have to go anywhere. (*Appendix G*).
- c. Harris states that Kinney was antagonizing officers of election and caused her staff to leave pre-processing. (*Appendix G*).
- d. Harris states that Kinney was arguing with Vice Chair Barnes and that the shouting in the argument led to staff from the fire department and sheriff's department to check in on the situation. (*Appendix G*).
- e. Harris states that two officers of election walked out and planned to leave pre-processing, but that I got them back into the office while she mediated the situation. (*Appendix G*).
- f. According to the attached police report, Cosby stated that when Kinney was informed by Cosby that she was not permitted into the Registrar's office, Kinney pushed Cosby and forced her way back into the room. (*Appendix H*).
- g. An assault & battery summons was issued for Kinney on June 12, 2024. (*Appendix H*).
- h. A summons was issued on June 17, 2024 (Cosby as Petitioner and Kinney as Respondent). (*Appendix G3*).
- i. In correspondence with Registrar Harris, Kinney's counsel suggested that Harris and Cosby should avoid going to the precinct at the primary election to which Kinney is assigned. (*Appendix G4*).
- j. Registrar Harris has indicated to ELECT that, due to the ongoing tension and the pending protective order proceedings resulting in critical parties being unable to be in the same location (or advised not to), she has serious concerns about being able to perform the functions of her office.
- k. Based upon correspondence from Harris, it appears that Kinney did not participate in Election Day activities. (*Appendix G4*).

24. Respondent's Testimony:

- a. Respondent has not had an opportunity to respond to this allegation, though in a June 14 email to Commissioner Beals, Kinney states that she will not be attending the next scheduled pre-processing meeting on the advice of counsel.

25. Relevant Law:

- a. Code Provisions Governing Absentee Ballot Pre-Processing
 - i. § 24.2-109(B) - *The electoral board shall perform the duties assigned by this title including, but not limited to, ... the administration of absentee ballot provisions ... [and] ... the conduct of the election*
 - ii. § 24.2-709.1(B) - *At least two officers of election, one representing each political party, shall be present during all hours when sealed ballot envelopes are opened as authorized in or required by this subsection. No person present while sealed ballot envelopes are opened and ballots are inserted into counting equipment shall disclose any information concerning the ballots.*
 - iii. 1VAC20-70-40 - *[In preparation for pre-processing], [e]ach general registrar ... shall ensure that ... [n]otice is given to the local political party chairs of the times and places for processing absentee ballots in sufficient time to allow for the authorized party representatives to be present.*
- b. SBE CAP Policy - Pre-Processing General Requirements - I(A)(3)(a-c)
 - i. Officers of Election attendance requirement: At least two officers of election must be present at all pre-processing meetings. If a locality is having dual primaries or hosting a general election, they must have at least one officer of election representing each political party.
 - ii. Political Party Chairs attendance requirement: Even if localities are having a primary for only one party, they must give notice to both political party chairs of the times and places for each pre-processing meeting in sufficient time to allow for the authorized party representatives to be present.
 - iii. No person present while sealed ballot envelopes are opened and ballots are inserted into scanning equipment shall disclose any information concerning the ballots.
- c. Absentee Duties in Electoral Board Job Description
 - i. § 24.2-106.01(A) - *The State Board, with the cooperation of the local electoral boards and general registrars, shall develop a description of the duties and responsibilities of the local electoral boards*
 - ii. § 24.2-106.01(C) - *Each person nominated for appointment to a local electoral board shall certify ... that he will faithfully discharge all duties and responsibilities set forth in that description.*
 - iii. Electoral Board Job Description – I(A)(4) - *Assist in conducting absentee voting when requested by the Director of Elections.*

26. ELECT Comment:

- a. There is no provision in the Code that declares pre-processing an event open to the public and ELECT does not advise that this process is open to the public.
- b. This incident occurred after the submission of the Petition and the State Board’s May 28 meeting, therefore it was listed as a separate allegation. The alleged conduct, though, may relate to the previously stated allegations.
- c. Based upon discussions between ELECT staff and the Registrar’s office, it appears that Kinney did not participate in the canvass proceedings.

Appendix A1



Office of Elections
10900 Courthouse Rd.
Charles City County, VA 23030
P: 804-652-4606

May 14, 2024

Dr. John O'Bannon

Chairman Virginia State Board of Elections
1100 Bank Street, First Floor
Richmond, VA 23219

Ms. Susan Beals

Commissioner Virginia State Board of Elections
1100 Bank Street, First Floor
Richmond, VA 23219

Re: Petition to Remove Charles City County Electoral Board Member Maria A. Kinney

Dear Dr. O'Bannon and Commissioner Beals:

We write to formally request review and acceptance of the petition below to remove Mrs. Maria A. Kinney, a member of the Charles City County Electoral Board, for severe dereliction of duties as cited in § 24.2-103 E. Below is a list of reasons we believe the removal is necessary.

-Neglect of Duty

Respectfully Submitted,

Kermit White, CCCEB Chair

Gerald Barnes, CCCEB Vice-Chair

*DeNay L. Harris, CCC Director of Elections
& General Registrar*



§ 24.2-234.1. Removal of members of local electoral boards and general registrars.

- A. Any member of a local electoral board may be removed from office by the circuit court in whose jurisdiction he resides upon a petition signed by a majority of the members of the State Board as provided in § 24.2-103. The circuit court shall proceed with such removal in accordance with the provisions of § 24.2-235.

On January 18, 2024, Logic and Accuracy testing was scheduled. Secretary Kinney attended the Logic & Accuracy testing with Charles City County's then-Republican Chair Irene Churins. Upon Secretary Kinney's arrival, she continuously informed us that she had a private attorney to the point that Registrar Harris removed herself. Chief Deputy Cosby and Deputy Davis felt threatened due to her continued talk of her private attorney. Chief Deputy Cosby had to continuously remove paperwork provided to Secretary Kinney from the view of the former Republican Chair Irene Churins (in respect of the decision made by the Republican Party, the former Chair will now be addressed as Irene Churins). During the completion of the L&A, Secretary Kinney wanted to input the passwords for the equipment as we were zeroing the machines. As we watched, Secretary Kinney allowed Mrs. Churins to write seal numbers, serial numbers, what polling places the equipment was assigned to, and the passwords she was viewing as we were wrapping up Logic and Accuracy. Vice-Chair Barnes asked Secretary Kinney to meet with him in the hallway, where he informed her that some of the information she was allowing Irene Churins to oversee was not permitted to be shared with her or the public. Secretary Kinney told Vice-Chair Barnes that she wasn't aware Irene Churins was doing that and then proceeded to tell him that he could not tell her what she could and could not do. While returning the tabulators to the storage area, Secretary Kinney allowed Mrs. Churins to follow her into the storage area. Following the Logic & Accuracy testing, I received a call from our Election vendor notifying me that Secretary Kinney provided Irene Churins with his cell phone number and that she had been contacting him. The representative assigned to us by our vendor PrintElect, who assisted with Logic & Accuracy, stated that he would answer questions from our Board members but would not be responsible for answering questions for Mrs. Churins.

Before Secretary Kinney's first duty as Secretary, she stated that she did not want to be legally tied to anything. Electoral Board Secretaries are responsible for the minutes; on February 8, 2024, Charles City County's Electoral Board first met with Mrs. Kinney as Secretary. Secretary Kinney was informed that the minutes must be posted before the next board meeting, as outlined in Virginia Code § 24.2-107. Secretary Kinney asked how she would upload the minutes to the website and was told by Chief Deputy Cosby that she (Secretary Kinney) would need to send the minutes to her and that she would upload them since she is responsible for the office website. Secretary Kinney said she was not going to do that and that she needed access to the site.



Secretary Kinney met with the County Administrator, Michelle Johnson, who directed her to speak with the IT Director, Wendy Payne, who concluded to Secretary Kinney that she would need to have the designated person in the Office of Elections upload them on her behalf. Chair White and Vice-Chair Barnes requested that the minutes be reviewed several times during this period. On February 26, it was sent to the Registrar, Chief, Deputy, Chair, and Vice-Chair. Vice-Chair Barnes informed Secretary Kinney that edits needed to be made. The Registrar noted that something written in the minutes did not take place and was ignored. Vice-Chair Barnes also requested that the change requested by the Registrar be made. The poor communication went on for several weeks and occurred after each board meeting since Secretary Kinney became a member of the Electoral Board. On March 12, Secretary Kinney finally submitted minutes from meetings dated February 8, February 12, March 6, March 8, and March 11. Chief Deputy Cosby reached out to Secretary Kinney as instructed by the EB Chair, Vice-Chair, and Registrar and informed Secretary Kinney that the minutes submitted needed edits; the edits that needed to be made were that each meeting needed to have its minutes, the minutes were all compiled into one. Secretary Kinney was also informed that she had to use the Electoral Board letterhead and that she needed to add signature lines. On March 25, Secretary Kinney emailed Chief Deputy Cosby and told her that minutes should not be sent to the GR/Office until the board members can view and conditionally approve them. Chief Deputy Cosby informed her that the other Electoral Board members wanted to see the minutes beforehand because she refused to use the letterhead. During this time, the Chair and Vice-Chair continuously tried to reach her by email and phone, but to no avail. On April 24, the Electoral Board met to address these issues. Ms. Kinney referenced §2.2-3707, and Registrar Harris asked her also to consider §24.2-107, but she refuses to acknowledge anything written in the 2023 Edition of Virginia Election Laws. Secretary Kinney stated that if we did not like how she did her job, she would be more than happy to abdicate her position as Secretary.

On March 15, 2024, Secretary Kinney refused to sign the abstracts. Secretary Kinney said she wouldn't sign because she was not present on March 2, 2024, when the tabulator malfunctioned. Secretary Kinney stated that she would not sign because she did not see the tapes or have SOR in her hands. However, Secretary Kinney attended and signed the SORs for Canvass, Provisional, and Post Election meetings. Elect reviewed the abstracts the Office of Elections submitted to them and notified them that an edit needed to be made, and the change would require all EB members to come in to sign the edited abstract. Secretary Kinney had the EB seal and was informed by the Registrar that signing the abstracts took precedence over attending VEBA. Secretary Kinney had to be contacted by the Commissioner to fulfill her duty as an EB member.

Secretary Kinney refuses to work with the other members of the Electoral Board, the Registrar, and her staff. She is unable to act in a nonpartisan manner. When asked to separate her secretary duties from her personal beliefs, Secretary Kinney responded that no one would tell her not to be friends with Irene Churins (former Charles City County Republican Chair).



Office of Elections
10900 Courthouse Rd.
Charles City County, VA 23030
P: 804-652-4606

On March 22, 2024, the Secretary informed the Registrar that after VEBA, there are many things we need to go over. Secretary Kinney stated that the VEBA President said we needed to prepare for a recount because one will be called. The Registrar informed her that there is no way anyone can predict a recount ahead of time since the Election's outcome determines this. Secretary Kinney also stated that they were taught in VEBA that EB members should refrain from carrying out or assisting with Election Day setup. Secretary Kinney noted that this is because it looks like they (Electoral Board Members) are stealing the Election.

Secretary Kinney attended VEBA boot camp with the former Republican Chair of Charles City County. Although no specific code was broken, being an election official should elevate our ethical principles; this is why we take an oath to faithfully and impartially discharge ALL of the duties incumbent upon us, not all of the responsibilities an Electoral Board member believes in. On May 9th 2024, the 4th Congressional District Republican Committee met and voted to remove Irene Churins from her duties and the Charles City County Committee. Carey Allen, Chairman of the 4th Congressional District Republican Party, reported Secretary Kinney's egregious behavior, which now has our Electoral Board and Office of Elections concerned for their safety. Chairman Allen's letter and email will be attached.

How we treat others directly reflects us, not one person but the Electoral Board as a whole. The manner in which Secretary Kinney handles the Board, the Registrar, and the Registrar's team is unacceptable. Charles City County's elections are crucial, no matter how small we are. When we walk through the door to uphold our duties, all personal and party-related beliefs should be set aside. Secretary Kinney's combative behavior compromises the integrity of Charles City County's Election.



Office of Elections
10900 Courthouse Rd.
Charles City County, VA 23030
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With all listed above, we, the Chair and Vice-Chair of the Charles City County Electoral Board, the Director of Elections, and the General Registrar, respectfully request the removal of Secretary Kinney from the Charles City County Electoral Board based on the information detailed in this letter. We kindly ask the Virginia State Board of Elections to consider this petition before the upcoming Election.

Respectfully submitted,

Handwritten signature of Kermit White in black ink.

Kermit White – D, Chair

Handwritten signature of Gerald Barnes in black ink.

Gerald Barnes – R, Vice-Chair

Handwritten signature of DeNay L. Harris in black ink.

DeNay L. Harris Director of Elections &
General Registrar

CC: Richard L. Anderson - Republican Party of Virginia

Susan Swecker - Democratic Party of Virginia

Appendix A2



DeNay Harris <denayl.harris@gmail.com>

Anne Kinney

2 messages

Carey Allen <careybrace@gmail.com>
To: DeNay Harris <denayl.harris@gmail.com>

Mon, May 13, 2024 at 3:38 PM

Ms. DeNay Harris,

I am writing to bring to your attention a matter concerning Mrs. Anne Kinney, a member of the Charles City County electoral board, whose recent actions raise significant questions about her commitment to fulfilling the duties of her position within Charles City County.

During a conversation with another electoral board member from a different locality, Mrs. Kinney said she considers herself a Sovereign Citizen. Consequently, she believed she didn't have to take the oath of office. Additionally, she asserted that she is not obliged to comply with the Charles City County Human Resources requirement of providing personal information such as her address, date of birth, or social security number on a form to reimburse time and mileage.

This revelation is deeply concerning, as it suggests a fundamental misunderstanding or disregard for the responsibilities and obligations of serving as a member of the electoral board. Mrs. Kinney's initial refusal to take the oath of office and reluctance to provide essential personal information undermine her role's integrity and raise questions about her suitability to continue in this capacity.

Furthermore, Mrs. Kinney's purported understanding of these matters, as allegedly conveyed by Dr. Clara Bell Wheeler of the Electoral Board in Albemarle County, only adds to the complexity of this situation. The appropriate measures must be taken to address these issues promptly and effectively.

If necessary, I am prepared to provide further details or expand upon my knowledge of the conversation in question. I sincerely hope this matter will be addressed with the seriousness and urgency it warrants to uphold the integrity of our electoral process and the trust of the community.

Thank you for your attention to this matter.

Sincerely,

--

Carey L. Allen

DeNay Harris <denayl.harris@gmail.com>
To: Lisa Cosby <lbecon35@gmail.com>

Mon, May 13, 2024 at 3:42 PM

[Quoted text hidden]



Sender notified by
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Appendix A3



4th Congressional District Republican Committee

5939 E Stonepath Garden Dr
Chester, VA 23831
careyallen69@gmail.com

May 13, 2024

Ms. DeNay Harris, Registrar
Charles City County
10900 Courthouse Rd
Charles City, VA 23030

Dear Ms. Harris,

I am writing to inform you of a recent development within the RPV Fourth Congressional District Republican Committee that necessitates your attention.

Effective May 9, 2024, at approximately 8:30 pm, the RPV Fourth Congressional District Republican Committee conducted a vote, resulting in an overwhelming majority decision to defunct Mrs. Irene Churins and her committee in accordance with RPV State Party Plan Article IV, section d, point e. This decision was made due to a determination by the District Committee that Mrs. Churins' committee had failed to function as required.

As per the aforementioned section of the RPV State Party Plan, it is mandated that in such instances, the District Committee shall appoint a new Committee or a new Chairman. Therefore, until a new committee chair has been duly elected, I am the party's contact as the Chairman of the 4th Congressional District Republican Committee.

I kindly request that you direct any Republican Party business in Charles City County to me. You can reach me at 804-640-3510 or via email at careyallen69@gmail.com. I am committed to ensuring the smooth continuation of Republican Party affairs in the area during this transitional period.

Thank you for your attention to this matter. Please do not hesitate to contact me if you require any further information or clarification.

Sincerely,



Carey L. Allen

Appendix B1

From the moment I was appointed as an Electoral Board member I have been dealing with open hostility as I have tried to learn all that my position requires and to do the job I swore to do.

I have attended 2 Boot Camps, completed the entire ELECT/MyAbsorb online training - which included another Boot Camp - and attended the VEBA Annual meeting.

I have asked questions when confused and looked for guidance from John Nunnally and Gloria Chittum at VEBA, as well as Matt Abel and the State AG as directed.

I have been sworn in twice - first on 1/3 and again on 1/4 due the Deputy on 1/3 miss dating the official paper.

After being sworn in on 1/3 I immediately went to the registrar's office to make sure they had all my correct contact information and to explain that my schedule had good flexibility with the exception of Tuesdays.

The first interactions I had with the Registrar office as an Electoral Board member consisted of them making appointments for me 3 Tuesdays in a row (1/9, 1/16 and 1/23) after I had explained that I could meet any day except Tuesdays.

I live 30 minutes from Williamsburg and for the last 17 years I have used Tuesdays to schedule most of my appointments and meetings.

At my first Electoral Board meeting (1/12) the Registrar instructed me that I had to sit in the public chairs and that I was not allowed in the closed session of the meeting as I was not an actual Electoral Board member since I had not completed the County HR paperwork.

I was actively attempting to complete the paperwork and had stated that I could do the Tuesdays of 1/16 and 1/23, but only after 1 PM. The registrar's office said that they did not have time to meet with me on the afternoon of the 16th or 23rd.

There is no reason for the Registrar to meet with HR while the Electoral Board member completes their paperwork nor was it necessary for me to immediately fill out paperwork in the Registrar's office.

I spoke with Mr. Nunnally and Mrs. Chittum from VEBA , as well as Matt Abel from ELECT (1/16 and 1/17) in an effort to find someone who could explain to the Registrar that I was a duly appointed and sworn in Electoral Board member and therefor was allowed to attend all Electoral Board meetings and functions including the L&A to be held on 1/18.

At the L&A testing I asked for the county emails addresses of the other two Electoral Board members. They were reluctant to give me their email addresses. I believe they

had not changed things over to the new CharlesCityVA.us county emails. I never received any other contact information from either member.

It was at this meeting that the password incident occurred. I was being taught by the ES&S salesman (Tyler Lincks) how to close out a machine.

Mrs. Churins was in attendance as the Republican Chair and was filling in her form with the Machine Serial numbers, Public Ballot Count numbers, Protected Ballot Count numbers and seal numbers for each of the 6 machines.

Mr. Lincks, who was seated at the table with his laptop, was calling out the numbers to Mrs. Churins so that he could double check that he had entered them correctly into his computer's form.

I put the password into the machine while Mrs. Churins was standing behind me and to my left.

I was paying close attention to the sequence I was supposed to follow and not to who was near me. She would not have been able to see through my chest wall to note the numbers I was entering.

When informed that I had made this error I agreed that I needed to pay closer attention in the future and that I would do just that.

As to my giving Mr. Lincks contact information to Mrs. Churins, that did not happen. Mr. Lincks is a salesman and as such he passes out his business card. He personally gave Mrs. Churins his card. He has also given one to me.

There was no conversation about a personal lawyer and no papers that had to be removed from the L&A. This NEVER happened!

On 1/29 I completed my paperwork with the county HR. It consisted of the W-2 form, a direct deposit form for which I had to give them a canceled check and the "In Case of Emergency" form. The entire process took less than 10 minutes.

I immediately went to the Registrar's office to let them know that the process was complete and to handle the paperwork they said I needed to do for them. I was told by Deputy Davis that Deputy Cosby and Registrar Harris were in a meeting and that she would inform them.

As to my being secretary, it is true that I did not want the job. I explained that I had never been a secretary and was new to the Electoral Board. Neither Mr. White nor Mr. Barnes were willing to take the job.

I asked a friend, who is a secretary for a business and therefor keeps the minutes of their yearly meeting, how to take minutes. She agreed to help me but as we got deeper into the laws, she suggested that I find an actual Electoral Board secretary as it was very different from what was required of her.

I attended the VEBA annual meeting and asked questions there. I have had a discussion with my VEBA district representative, Mrs. Gloria Chittum, about the confusion concerning minutes, uploading and timelines. She agreed that clarity from VEBA would help.

I do not have the authority to upload minutes to our webpage and as such have sent minutes to our registrar's office.

I do not have the "draft" county letterhead.

I have emailed the draft minutes to the other 2 board members multiple times, with no response.

I have fixed the issues mentioned and printed the minutes in the hopes of getting approval at the meeting on April 24th.

I was dismayed when Mr. White asked Mr. Barnes if he had read the minutes that I sent, and Mr. Barnes replied "no."

I was discouraged when Mr. White refused to approve the minutes because of the timeline he was told by our Registrar.

I also was discouraged when Mr. Barnes refused to approve the minutes because he felt they were "too wordy."

Mr. Barnes suggested that I look to the past year's minutes for guidance. I noted that there were too few minutes posted to learn from.

Last year we had 3 elections and only 2 sets of minutes were posted for the entire year. Our past secretary did not post minutes for all the meetings held.

Turning to the signing of the Abstract, I did not refuse to sign the abstract however, I did have questions which were answered in my conversation with Commissioner Beals.

Deputy Davis had been calling on the morning of the 15th but she was calling the wrong number which was confirmed when I arrived at the office.

Once alerted to the issue via email, I arrived at the office as soon as I could with the seal which I had to pick up from my home safe.

In my conversation with Commissioner Beals she explained that I could print what was listed online and check that against the abstract. She also said I could ask to see the tapes and SORs.

I did ask to see these and was informed by Deputy Cosby, over speaker phone, that I could not see them as they were not stapled together and that I wouldn't understand them anyway.

I signed and sealed the abstracts.

I was called later that day and informed that we would need to come back the next morning (Saturday 3/16) as there was an issue and we needed to sign the corrected abstract, the registrar had not added the 1 provisional vote into the abstract that we signed the on Friday the 15th.

The registrar made a point about my coming in to sign the corrected abstract taking precedence over the VEBA annual meeting. I was scheduled to check in to the hotel on Sunday 3/17, I had no issue with coming in early on Saturday the 16th.

I attended the annual meeting and learned a lot. I attempted to share this information with my other Board members who had not attended but, they refused to meet with me.

During the VEBA Boot Camp there was confusion over minutes and posting. There was a group around me that discussed this issue, and I participated in the discussion.

The guidance I received from fellow Electoral Board members was that minutes are sent to each Electoral Board member for revisions. The email revisions are added to the minutes, the minutes are printed and brought to the next meeting for approval. After approval at the meeting they are given/sent to the registrar for posting.

After discussing this with Mrs. Chittum I now send the draft minutes to the registrar requesting she send them to the other board members for revisions.

I was expecting to hear back from them via the registrar. Once I hear back, I will make the revisions and send them back to the registrar to be uploaded as draft minutes at least 1 week before the next meeting.

Another issue mentioned often at the VEBA annual meeting was the upcoming General Election and the extra focus we might see on voting day. Many people explained that it would be a good idea to be prepared in case a recount was required. On March 19th at 9:15 AM I attended VEBA president John Nunnally's session on Conducting a Recount.

As I said before, I have emailed multiple times asking for meetings to discuss the budget, the VEBA annual meeting, Officers of Election training and other security issues. I have never received a response.

I know that ADA site visits were to have been held but have not heard if they were. I know that we were supposed to have seen/signed off on LESS but I have not been informed of the completion.

Chairman White and Vice Chair Barnes have stated in a meeting that they will not meet with our County Administrator and the County Board of Supervisors until they hear back from the DOJ.

In the April Electoral Board meeting they stated that they had written to the DOJ concerning security issues. They said it was about 3 months ago which would make it in January of 2024. They did not involve me in the discussion, and I have no knowledge of what was written, nor have I seen, any letter sent to the DOJ.

They have also discussed issues with the county as a board. I was not aware of this until our County Administrator showed me an email to "jog my memory" and then she realized that I was not on the thread. Again, I have no knowledge of any emails or letters sent by the other two Electoral Board members to the County.

Registrar Harris sent an email stating that I had met with the county and discussed the Registrar's budget. THIS NEVER HAPPENED!

As a result of the Registrar's email, Vice Chair Barnes left an angry message on my phone. He also had a conversation with one member of our Board of Supervisors that he discussed in the county Board of Supervisors meeting.

I have emails from the county stating that the only budget they ever received was the one sent in December of 2023. It was presented again in January of 2024 by Deputy Cosby and Registrar Harris at which time they stated that it had not been approved by the EB. I never have had any knowledge of the contents of this budget except for what I saw on the county page on-line.

The code of Virginia 24.2-106.B requires that the Electoral Board elect one member as Chairman, and another as Secretary. At the January meeting the other two members of the Board refused to acknowledge that I was a Board member. Neither of those members wanted to be secretary. At the February meeting the Board voted that I be the Secretary.

I have been writing minutes since that time and the Registrar has refused to post them to the website. I am unable to post anything on the website.

I should not be held responsible for her inaction.

As to the letter from Mrs. Allen

I can only hope that it is a case of mistaken identity.

I have never called myself a sovereign citizen and had to look up what it means, I'm not sure I understand it.

I did not refuse to take the oath and in fact have taken it twice, proudly.

I did not refuse to give the county my personal information and have a receipt showing that they direct deposited money into my bank account.

I would hope that in the future Mrs. Allen check her facts before she commits slanderous things to paper.

Finally, based on past actions of our registrar and her staff to intimidate with police I do not feel comfortable voting in the office. I am not the only citizen who feels this way.

It is well known what is written in the last paragraph of the 2024 incident report on Mrs. Churins and how Mrs. Harris tried to set her up.

I have tried my best to follow the law and to communicate with the other Electoral Board members and the registrar's office. I have been met with silence to my requests and been on the receiving end of angry calls and lying emails.

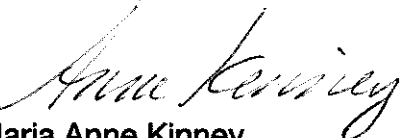
I do not believe that it is my actions that need to be curtailed.

It should be noted that an Electoral Board member wrote a letter to the RPV Chair using the County Office of Elections stationary.

This coupled with the fact that the email address for the current temporary Charles City County Republican Chair was the registrar's personal county email, until it was pointed out to Chris Marston, signals a need to educate the group on the separation of responsibilities.

Again, I can provide exact dates and emails to back up everything I have said.

Respectfully submitted,



Maria Anne Kinney
Secretary, Charles City County Electoral Board

Appendix B2

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CHARLES CITY

IN RE: APPOINTMENT OF MARIA ANNE KINNEY AS A MEMBER
OF THE ELECTORIAL BOARD OF CHARLES CITY
COUNTY

AMENDED ORDER

It appears to the Court that the term of Barbara Hayes, as a member of the Electoral Board of Charles City County expired on December 31, 2023.

Pursuant to Virginia Code Section §24.2-106, the Court appoints Maria Anne Kinney to the Electoral Board of Charles City County for a term of three years, beginning January 1, 2024, and expiring on the last day of December 2026.

Before the said Maria Anne Kinney shall enter upon her duties, she shall take and subscribe the oath prescribed by law before the Clerk of this Court.

The Clerk shall forward a copy of this Order to the State Board of Elections, to the Electoral Board of Charles City County.

Enter: 1/3/24

B. Elliott Bondurant
B. Elliott Bondurant, Judge

A COPY TESTE
[Signature] Clerk
Deputy Clerk

COMMONWEALTH OF VIRGINIA
COUNTY OF CHARLES CITY

OATH AND QUALIFICATIONS
MEMBER OF CHARLES CITY COUNTY ELECTORAL

I Maria Anne Brounley Digges Kinney, Do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Electoral Board for the County of Charles City, Virginia for a term of office commencing on January 3, 2024, and expiring on January 3, 2027, according to the best of my ability.

Maria Anne Brounley Digges Kinney

I Sherry N. Cox, Clerk/Deputy Clerk of Charles City County Circuit Court, certify that Maria Anne Brounley Digges Kinney, having been appointed to be member of the Charles City County Electoral Board, appeared before me in my office on January 3, 2024, and qualified for that office by taking and subscribing the above oath.

Sherry N. Cox (Chief Deputy Clerk)

CERTIFIED TO BE A TRUE &
EXACT COPY OF ORIGINAL

Sherry N. Cox



Electoral Board Member Oath and Qualification

I, Maria A. Kinney, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Electoral Board for the County of Charles City, Virginia, for a term of office commencing on January 1, 2024, and terminating on December 31, 2026, according to the best of my ability (so help me God).

Maria A. Kinney
Signature

Jan. 4, 2024
Date

I, Victoria E. Washington, Clerk of the Circuit Court for the County of Charles City of Virginia, certify that Maria A. Kinney, having been appointed to be a member of the Electoral Board of the County of Charles City of Virginia, by the Judges of the 9th Judicial Circuit, appeared before me in this Court on January 4, 2024 and qualified for that office by taking and subscribing the above oath.

Victoria E. Washington
Signature

1.4.24
Date

A COPY TESTE
Victoria E. Washington Clerk
Deputy Clerk

Scheduled dates and times for County paperwork - all on Tuesday

January 9 at 10 AM

January 16 at 11 AM

January 23 at 10 AM

When they informed me that my paperwork had been sent to the Registrar I called HR to ask what information I would have to provide. I was not comfortable with giving my bank account, canceled check and social security to the Registrar.

I was informed by phone about the January 9 appointment and I stated that I would try and move my 2 appointments for that day but that I was doubtful I would be able to reschedule them in a timely manner.

From: Lisa Cosby lcosby@charlescityva.us
Subject: Electoral Board Onboarding
Date: January 9, 2024 at 10:27 AM
To: cladafarm@ymail.com
Cc: Gerald Barnes gbarnes@charlescityva.us, Sharon Davis sdavis@charlescityva.us

LC

Greetings,

You are scheduled to meet with Human Resources on Tuesday, January 16th, 2024, at 11:00 am. Human resources were able to get you in this past Monday but have no more availability until the date and time inserted above. Please bring a valid ID, social security card, and a voided check to set up your direct deposit. The County will cover the cost of the drug test and background check. In your email dated 1/7/2024, you stated that you did not require reimbursement and wanted the payment waived; unfortunately, that is impossible. After careful review, the Director of Elections for Charles City County and the State Board of Elections have determined that the law requires you to be compensated. The Code of Virginia states the following:

§ 24.2-108. Compensation and expenses of members.

The General Assembly shall establish a compensation and expense plan in the General Appropriation Act for the secretaries and members of the electoral boards. The governing body for the County or city of each electoral board shall pay compensation, expenses, and mileage in accordance with the plan and be reimbursed annually as authorized by the act.

In order to receive a County email, Information Technology will be awaiting the completion of your onboarding. Once received, IT will contact the Office of Elections to set your appointment. Once Human Resources notifies us of your completed onboarding, they will notify the Director of Elections or myself, and you will be able to assume your duties on the Electoral Board.

If you have any questions or concerns, feel free to email me.

Thank You
Lisa A Cosby
Chief Deputy Registrar/VRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030

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From: Lisa Cosby lcosby@charlescityva.us

Subject: Onboarding Paperwork

Date: January 11, 2024 at 5:22 PM

To: cladafarm@ymail.com

Cc: Gerald Barnes gbarnes@charlescityva.us, Kermit White kwhite@charlescityva.us, Sharon Davis sdavis@charlescityva.us

LC

Mrs. Kinney,

I have received your request regarding changing your onboarding paperwork. Unfortunately, we cannot make that change as the Director of Elections, and I will not be available. Scheduling appointments with HR must go through the Office Of Elections unless it is a direct HR issue. Although you are an Electoral Board member, you must adhere to the county's policies and procedures. I was informed that you already signed up for the boot camp. Please provide it to me as soon as possible so we can add it to your employee file along with your Oath and SBE paperwork. Your file would need to remain updated so we can verify that training is complete and your dues and any associated fees during your appointment are accounted for

Thank You

Lisa A Cosby


Chief Deputy Registrar/VRAV/VEBA

Office of Elections

10900 Courthouse RD

Charles City, VA 23030

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From: Lisa Cosby lcosby@charlescityva.us 
Subject: Onboarding Paperwork
Date: January 16, 2024 at 2:01 PM
To: cladafarm@ymail.com
Cc: Denay Harris DHarris@charlescityva.us

LC

Good afternoon,

*According to the voicemail left 1/16/24 @1:50 P.M., Human Resources has sent your onboarding paperwork to the Office of Elections.
My availability will be Tuesday, 1/23/24 @ 10 A.M.*

Thank You
Lisa A Cosby
Chief Deputy Registrar/VRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030

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From: owner mkceboard@outlook.com
Subject: Re: Change of email
Date: January 17, 2024 at 1:18 PM
To: Lisa Cosby lcosby@charlescityva.us



Mrs. Cosby, I am unavailable at 10 AM on the 23rd however I have a free schedule from 1 PM to 5:30 PM the rest of that day. If that does not fit in to your schedule I am also available all day 1/19 and 1/22 or before noon on 1/24.

Maria Anne Kinney

On Jan 17, 2024, at 10:27 AM, Lisa Cosby <lcosby@charlescityva.us> wrote:

Mrs. Kinney,

I've attached the previous email communications about your onboarding. As we discussed at the 1/12/24 Friday EB meeting, you said you would call the Office of Elections and give your availability.

But you have not followed through with calling. You have done this independently, and HR has let you know that this is scheduled through the Director of Elections/General Registrar's Office. Yes, you are appointed as the Electoral Board Member, but you are still required to onboard by the Charles City County Policy.

24.2-122. Status of members of electoral boards, registrars, and officers of election.

Members of electoral boards, registrars, and election officers shall serve the Commonwealth and its localities in administering the election laws.

They

shall be deemed to be employees of the county or city in which they serve.

The onboarding will be able to be done on 1/23/2024 @ 10:00 A.M. In the Office of Elections.

I have received information from the VEBA President regarding the mandatory training that will be held on 2/3/24 in Caroline County.

Per their records, there is no information on your attendance for this training. I have ensured that you and the other Charles City County EB members are enrolled in this mandatory training. I will forward your workshop information when it becomes available.

§ 24.2-106. Appointment, terms; vacancies; chairman and secretary; certain prohibitions; training, and will forward your details, just like I have

certain prohibitions, training, and will forward your details, just like I have done for all the Electoral Board members. Each member of the electoral board shall attend an annual training program provided by the State Board during the first year of his appointment and the first year of any subsequent reappointment.

Feel free to email me if you have any questions.

Thank You

Lisa A Cosby

Chief Deputy Registrar/VRAV/VEBA

Office of Elections

10900 Courthouse RD

Charles City, VA 23030

-----Original Message-----

From: Anne Kinney <mkcceboard@outlook.com>

Sent: Wednesday, January 17, 2024 7:01 AM

To: Lisa Cosby <lc Cosby@charlescityva.us>; Denay Harris

<DHarris@charlescityva.us>

Subject: Change of email

Good morning Mrs. Cosby and Mrs. Harris, I have a new email that I will be using for Electoral Board correspondence. Please immediately change any previous contact email you have for me to mkcceboard@outlook.com Thank you, Maria Anne Kinney

Sent from my iPhone

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From: owner mkcosboard@outlook.com
Subject: Registrations
Date: January 29, 2024 at 3:35 PM
To: DHarris@charlescityva.us, Lisa Cosby lcosby@charlescityva.us



Dear Mrs. Harris and Mrs. Cosby, I am requesting that you cease making appointments in my name as well as registering me for anything we have not discussed. Thank you, Maria Kinney

Boot Camps

Caroline County 2/3/24
VEBA Conference 3/17/24
ELECT/MyAbsorb 3/17/24

EB Training 3/11/24

I have completed everything on the ELECT/MyAbsorb website

From: VEBA NEWS admin@vebanews.org
Subject: VEBA Boot Camp Registration 02-2024
Date: January 4, 2024 at 8:49 AM
To: cladafarm@gmail.com



VEBA Boot Camp Registration
Caroline Country - Saturday, 2/3/2024
Registration ID: 32

First Name

Maria Anne

Email

cladafarm@gmail.com

Locality

Charles City County

Last Name

Kinney

Phone

+18043572461

Status

New Appointment

Sent from VEBA NEWS

From: **Lisa Cosby** lcosby@charlescityva.us
Subject: Re: Email
Date: January 17, 2024 at 4:32 PM
To: owner mkceboard@outlook.com



Mrs.Kinney, I do not handle the EB list.
Sent from my iPhone

On Jan 17, 2024, at 2:57PM, owner <mkceboard@outlook.com> wrote:

Mrs. Cosby, As per a suggestion from JoAnne Speiden, I am requesting that you make sure my new email address is changed with the EBList site maintained by the Department of Elections. Thank you, Maria Kinney

have changed your email address for correspondence from VEBA, however make sure that your GR changes it on the EBList site which is administered by the Department of Elections.

*JoAnne Speiden
VEBA President
434-531-3865*

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Caroline Boot Camp issue

1/29/24

Greetings,

This is Josepha, the VEBA Website Manager. We have two similar registrations for the February Boot camp with different email addresses.:

1. Anne Kinney, Charles City County voteccc@charlescityva.us 01-17-24
2. Maria Anne Kinney, Charles City County, cladafarm@gmail.com 01-04-24

Would someone please clarify which record to remove (if any) so that our database can be accurate for planning purposes?

Thanks so much and have a super day.

Josepha

Josepha B. Thompson
Electoral Board, Galax City
VEBA Website Manager

Hello, I am Maria Kinney and I registered on January 4th. My email is cladafarm@gmail.com. I do not know why my registrar (voteccc@charlescityva.com) signed me up as well, I told her I had registered on the 4th. I will be there this Saturday and have already communicated that to Mr. Nunnally and Mrs. Chittum. Thank you, Maria Kinney

Excellent. Thanks for letting me know, Maria. I have removed the extra record and you are all set for the Saturday Boot Camp In Caroline County. Take care.

Josepha

Thanks, Maria

From: owner mkceboard@outlook.com
Subject: EB
Date: January 31, 2024 at 11:05 AM
To: Denay Harris DHarris@charlottesvilleva.us



Dear Mrs. Harris,

Please inform me if there is any more paperwork that is required for me to complete as I have finished with HR.

Also, please give me a date as to when my GREB handbook will be provided, as well as any other papers or books that I may need to perform my duty.

Thank you, Maria Kinney

From: owner mkcboard@outlook.com
Subject: Re: Registrations
Date: January 29, 2024 at 3:55 PM
To: Denay Harris DHarris@charlescityva.us
Cc: Lisa Cosby lcosby@charlescityva.us, Gerald Barnes cavs18@outlook.com, Kermit White kwhite@charlescityva.us, Sharon Davis sdavis@charlescityva.us, Harris, Deaundre (ELECT) deaundre.harris@elections.virginia.gov, chris.marston@gmail.com

Mrs. Harris,

I'm confused. I have only registered myself, not anyone else. I have made appointments for myself, not anyone else. I have represented myself, not anyone else. I would ask that you consult me before you sign me up for anything as it is my time to schedule not yours.

I would also appreciate you responding to my emails in a timely manner. I am still waiting for a response to an email that I sent to your office on January 17th.

I would love to communicate with my other Electoral Board members however, they also have not responded to the 2 emails (1/18 and 1/25) I have sent.

Please let me know what needs to be done in your office to complete my "on-boarding" as I have completed the paperwork for the county HR.

Thank you, Maria Kinney

On Jan 29, 2024, at 3:39 PM, Denay Harris <DHarris@charlescityva.us> wrote:

I ask that you consult with other Electoral Board members before standing on their behalf or behalf of the Office of Elections.

-----Original Message-----

From: owner <mkcboard@outlook.com>
Sent: Monday, January 29, 2024 3:35 PM
To: Denay Harris <DHarris@charlescityva.us>; Lisa Cosby <lcosby@charlescityva.us>
Subject: Registrations

Dear Mrs. Harris and Mrs. Cosby, I am requesting that you cease making

From: owner mkcosboard@outlook.com

Subject: Re: EB

Date: January 31, 2024 at 3:50 PM

To: Lisa Cosby lcosby@charlescityva.us

Cc: Denay Harris DHarris@charlescityva.us, Sharon Davis sdavis@charlescityva.us, Gerald Barnes cavs18@outlook.com, Kermit White kwhite@charlescityva.us

Good afternoon,

I left the meeting on Jan.12th having been wrongly informed that I was not an Electoral Board member because I had not filled out the county paperwork which consisted of the standard IRS withholding papers, the direct deposit form and the "In Case of Emergency" form. I later learned that I was correct in my assumption that once I had been appointed by Judge Bondurant and his order written (January 1, 2024), I was in fact an Electoral Board member and you had no legal right to keep me from the meeting.

The board members may have agreed to their positions, but I have not agreed to be secretary and will not until we have the required meeting as stated on the bottom of the SBE-106 form. Just as you may not make appointments for me, you may not assign me positions.

I did attend the county budget meeting as a county citizen. In the meeting I stated that there had not been the required meeting to set the positions of our board however, I was asked to be secretary. I said that I would likely be the secretary once we had the official meeting. I stated emphatically that the minutes of said meeting must state who held what position and that all agreed.

In this budget meeting it was mentioned multiple times that the Registrar would be presenting her budget to the county the next morning at 10 AM. I was then informed that the budget actually comes from the Electoral Board but is presented by the registrar and/or the Electoral Board members. I stated that I had no knowledge of the budget, not having been in the registrar budget meeting, and that there currently was not a secretary to sign off on anything, once again reiterating that we had not had the important meeting setting the positions of the board.

I never claimed to anyone that I was the current secretary only that after our meeting it was very likely that I would be, but that is still to be determined.

As it is mandatory that new Electoral Board members attend a boot camp **only** in their first year, I assumed both gentlemen, Mr. Barnes and Mr. White, had already fulfilled their obligation. The email from Mrs. Harris yesterday leads me to believe that they have not attended the requisite boot camp and will therefore be attending this Saturday. If so, I am hopeful that we can set a date to have a quick meeting thereby settling all the issues and properly assigning positions.

Sincerely, Maria Kinney

On Jan 31, 2024, at 2:54 PM, Lisa Cosby <lcosby@charlescityva.us> wrote:

Good Afternoon,

I wanted to inform you that on January 12th, Electoral Board Meeting the Board reorganization process was implemented, the Board had a closed session in which you and the Republican Chair Mrs. Irene Churins. was asked to wait outside but instead you left

Uploading minutes and letterhead

I did not receive the DRAFT County letterhead, only the official clear letterhead.

Also, please note the correspondence where the IT Department states I do not have authority to upload or add anything to the website.

From: **Maria Anne Kinney** makinney@charlescityva.us
Subject: Letter head
Date: June 16, 2024 at 9:55 AM
To: ciadafarm@gmail.com

MK

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 Gmail

Electoral Board Letterhead

1 message

Sharon Davis <sdavis@charlescityva.us>

Fri, Feb 9, 2024 at 15:55

To: Maria Anne Kinney <makinney@charlescityva.us>

Cc: Denay Harris <DHarris@charlescityva.us>, Gerald Barnes <cavs18@outlook.com>, Lisa Cosby <lcosby@charlescityva.us>

Good Evening, Mrs. Kinney:

Attached is a copy of the Electoral Board letterhead, which I am hopeful will be useful for minutes, correspondence, etc. Please do not hesitate to call me if I can be of further assistance.

Have a wonderful and safe weekend.

Dr. Sharon V. Davis

Deputy Registrar III

Office of Elections

10900 Charles City Road

Charles City, Va. 23030

Phone: 804/652-4606

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ELECTORAL BOARD.LETTERHEAD.docx
446 KB

Charles City County

Charles City, Virginia 23030



Electoral Board

Kermit White

Chair

Gerald Barnes

Vice-Chair

Maria Kinney

Secretary

Government Administration Building - 10900 Courthouse Road, Charles City, Virginia 23030

From: Maria Anne Kinney <makinney@charlescityva.us>
Subject: Fwd: Charles City County Website
Date: June 16, 2024 at 10:00 AM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Lisa Cosby <lcosby@charlescityva.us>
Date: Feb 14, 2024 10:00
Subject: Charles City County Website
To: Maria Anne Kinney <makinney@charlescityva.us>
Cc: Kermit White <kwhite@charlescityva.us>, gbarnes@charlescityva.us, Denay Harris <DHarris@charlescityva.us>

Good morning, Mrs. Kinney,

I am pleased to respond to your request submitted to the Department of Information Technology regarding the Charles City County website.

I have received your request to upload the Draft minutes of the previous Electoral Board meeting to the Voter Registration, General Registrar & Elections website.

Please be informed that our office closely monitors the website, and I have been designated and trained to handle any information uploads. Unfortunately, due to security reasons and the policies and protocols in place, the IT department cannot grant website access to you.

All website modifications must be reviewed by the other Electoral Board members and the Registrar first, and you may cc me on them so when the approval is given, I will be able to upload them onto the website.

Thank You
Lisa A Cosby
Chief Deputy /VRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030

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From: Maria Anne Kinney <makinney@charlescityva.us>
Subject: Fwd: RE: Security clearance
Date: February 27, 2024 at 1:53 PM
To: cladafarm@gmail.com

----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Feb 26, 2024 09:42
Subject: Fwd: RE: Security clearance
To: Wendy Payne <wpayne@charlescityva.us>
Cc:

Good morning Mrs. Payne,

I understand the county's position and thank you for your time and effort on this matter.

I will be asking the Registrars office to handle all the necessary website changes.

Have a great day. Anne Kinney

----- Forwarded message -----

From: Wendy Payne <wpayne@charlescityva.us>
Date: Feb 22, 2024 10:10
Subject: RE: Security clearance
To: Maria Anne Kinney <makinney@charlescityva.us>
Cc: Michelle Johnson <mjohnson@charlescityva.us>, Denay Harris <DHarris@charlescityva.us>

Good morning, Ms. Kinney

Usually, a member of the Electoral Board does not possess the authority to upload minutes or any other content representing the locality onto a local government website. The responsibility for posting such information rests with the county's full-time employees, who are assigned specific tasks within particular departments or roles. These procedures are established and enforced by the policies and procedures of each locality.

Regretfully, we cannot fulfill your request to publish minutes on the Charles City County Website. Our decision is grounded in concerns regarding security and liability associated with accessing our government platforms and publications. We recommend collaborating with our General Registrar's office to post agendas, minutes, and any other materials about the General Registrar's office and the Electoral Board.

First attempt at getting the February 8th draft minutes uploaded

Also, no response from other EB members to emails concerning a machine malfunction and the possibility of a meeting.

When asked if we had an SOP I was told it was within the LESS documents and that nothing else was needed.

Our 1 Early Voting Machine shut down while in use. Another machine was brought in and the thumb drive from the malfunctioning machine was pulled and inserted into the new machine.

Despite asking multiple times, no one has ever explained the situation fully.

From: Maria Anne Kinney <makinney@charlescityva.us>
Subject: Fwd: Re: Draft minutes from 2/8/24
Date: June 18, 2024 at 10:01 AM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Kermit White <kwhite@charlescityva.us>
Date: Feb 23, 2024 13:09
Subject: Re: Draft minutes from 2/8/24
To: Maria Anne Kinney <makinney@charlescityva.us>
Cc:

Thanks

Get [Outlook for iOS](#)

From: Maria Anne Kinney <makinney@charlescityva.us>
Sent: Friday, February 23, 2024 9:08:17 AM
To: Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>
Subject: Draft minutes from 2/8/24

Good morning gentlemen,

Attached please find the DRAFT minutes from the past meeting. If you have no objections to them I will send them on for posting this coming Monday 2/26.

Have a great weekend, Anne

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CHARLES CITY COUNTY ELECTORAL BOARD
MEETING MINUTES
FEBRUARY 8, 2024
11:00 A.M.

Present: Chair White, Vice-Chair Barnes, Secretary Kinney

Others present: Registrar Harris, Deputy Registrar Davis, Irene Churins

The Chair called the meeting to order at 11:05 AM and determined that a quorum was present.

APPROVAL OF MINUTES:

Mrs. Harris presented the minutes of the last meeting (1/12/24) for approval. Revisions were suggested.

APPROVAL OF ELECTION OFFICERS:

The list of Election Officers was presented. Registrar Harris suggested certain changes. Phillip Robinson 201 - moved out of Charles City

Barbara Hayes moved back to 201

Secretary Kinney asked that final placement list be forwarded after the Precinct Chiefs have made their placements in the last week of February.

Registrar Harris stated that she had emails from State Board with new EO applications. Motion to approve EO list by White, seconded by Kinney, approved by all.

Discussion on the work of uploading minutes and IT

Registrar Harris said that she would forward the letter head to Secretary Kinney. She also suggested that IT could explain the minutes uploading process.

SBE-106 PRESENTED FOR SIGNATURES:

SBE-106 was presented by Registrar Harris. Information was not correct so it was amended. New SBE-106 presented and checked by everyone, signed by secretary and given to Registrar Harris to upload to SBE.

Discussion on county emails

A discussion was held about the county email addresses and Registrar Harris suggested that people go to IT to get everything updated.

Discussion on term endings

Mrs. Harris discussed the fact that Chair White and Vice Chair Barnes term endings need to be addressed. As it stands they end their terms on the same date of December 31, 2024.

Discussion of stickers

It was determined that our county did not have a need to have 3 different stickers, (I Voted, 1* Time Voter and Future Voter), All agreed to stick with the "I Voted" sticker we have.

Discussion of space needed for Registrar Office

Vice Chair Barnes discussed the space for the Registrar/Office of Elections and suggested the empty school space might be a good option. He said that currently the requirement for security is not being met.

Registrar Harris returned with new SBE-106 and asked for a closed session.

Meeting was moved to closed session

Chair White moved to return to open session, seconded by Kinney, all proved. Returned to open

Closed meeting - SECURITY

Approved minutes with corrections

Discussion on EO's positions

Registrar Harris mentioned that the EOs assigned to precinct 201 need to remain as stated. She said that many are somewhat older and can't go in and out as well. Precinct 201 is more accessible for them. She suggested that we leave positions as they are because if we moved people around we could lose some workers and we are at the bare minimum now. She mentioned that Deputy Cosby and Davis are now EO.

New Business:

Discussion on maintenance of ballot bins

Secretary Kinney asked about the broken ballot bins and was told someone from the company will stop by when they are here in Virginia. There were 2 bins with missing screws noted at the L&A.

Discussion of seal

Secretary Kinney asked Registrar Harris about the seal. She was told that it was expensive and that it was only used for abstracts. Registrar Harris said that she signs the abstracts and then attaches the seal and uses her stamp to impress it. She said that either the Registrar or the EB Secretary could certify the abstract.

Discussion of VEBA training and meetings

Vice Chair Barnes said that he would be gone for the month of March, Chair White will be gone for May & June. Registrar Harris said that dues were paid for 3 board members. She mentioned that we have a separate EB budget.

Motion to adjourn

Motion made by Vice Chair Barnes, Seconded by Secretary Kinney - all agreed

Next meeting will be the Canvas on March 6, 2024 at 11 AM

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Saturday issue
Date: June 16, 2024 at 12:41 PM
To: cladefarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Feb 27, 2024 12:55
Subject: Saturday issue
To: Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

Hello gentleman,

Yesterday I was told of an issue with the early in person AB voting machine that occurred on saturday. I was wondering if either of you was informed about this by the general registrar or one of her deputies?

Anne

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From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: March meeting
Date: June 16, 2024 at 12:40 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Feb 28, 2024 18:11
Subject: March meeting
To: Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

Good evening, I have two requests:

1. Can someone please explain to me what happened last Saturday, February 24, with the ballot machine.
2. After speaking with the ELECT liaison, DeAundre Harris, it was suggested that we have an emergency SOP. He suggested that we could put something together at our March meeting and that he would be more than happy to assist us. Would you like to have a March meeting? §24.2-107

Anne Kinney

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March

Still no explanation from Registrar's office as to machine issue.

CAP, Canvas, Provisional

Minutes attempt to get uploaded

Abstract signature issue and VEBA and OMNI/Homestead
Reservation dates

Attempt at ADA site visits

I printed out the amended minutes from 2/8 and the CAP/
Canvas/Provisional for hopeful signature that the other 2 EB
members refused to sign



214-924-5924
800-682-4500
tylerlincks@printelect.com
11762 Triple Notch Terrace
Henrico, Virginia 23233

Tyler Lincks
VIRGINIA ACCOUNT MANAGER

WWW.PRINTELECT.COM

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Still waiting for an answer from the GR.
Date: June 16, 2024 at 12:41 PM
To: ciadafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Mar 1, 2024 19:31
Subject: Still waiting for an answer from the GR.
To: DeAundre Harris <deaundre.harris@elections.virginia.gov>
Cc:

Good evening, I am still waiting for our registrar to send an explanation as to what happened last Saturday in Charles City. I have emailed the other EBs twice and no one will respond. Have you had any luck finding out what the issue was? I am concerned that we may not be prepared properly for this election next Tuesday. I am not confident that we have enough properly working ballot counting machines. Anne Kinney

Sent from my iPhone

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From: **Maria Anne Kinney** makinney@charlescityva.us
Subject: Fwd: RE: Minutes
Date: June 16, 2024 at 12:42 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: **Maria Anne Kinney** <makinney@charlescityva.us>
Date: Mar 12, 2024 14:52
Subject: RE: Minutes
To: **Lisa Cosby** <licosby@charlescityva.us>
Cc: **Kermit White** <kwhite@charlescityva.us>, **Gerald Barnes** <gbarnes@charlescityva.us>, **Denay Harris** <DHarris@charlescityva.us>, **Sharon Davis** <sdavis@charlescityva.us>

Hello,

I have the minutes for the Canvas, Cap and Provisional. I'm not sure if you want me to copy and paste them on the letterhead or if it is better for uploading that you do it. If you want me to do it just let me know and I will resend.

Also, I didn't get word from anyone about edits to the Feb. 8th minutes. Please send me the edit notes so I can adjust the minutes and resend them.

Thank you, Anne Kinney

On Mar 12, 2024 14:20, **Lisa Cosby** <licosby@charlescityva.us> wrote:
Updated, Thank you.

Thank You
Lisa A Cosby
Chief Deputy /VRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030

From: **Anne Kinney** <mkcceboard@outlook.com>
Sent: Tuesday, March 12, 2024 2:15 PM
To: **Lisa Cosby** <licosby@charlescityva.us>
Cc: **Kermit White** <kwhite@charlescityva.us>; **Gerald Barnes** <gbarnes@charlescityva.us>; **Denay Harris** <DHarris@charlescityva.us>
Subject: Re: Minutes

Good afternoon,

Please change my email to my county EB email Makinney@charlescityva.us

Thank you, Anne Kinney

Sent from my iPhone

On Mar 12, 2024, at 1:44 PM, **Lisa Cosby** <licosby@charlescityva.us> wrote:

From: Maria Anne Kinney makinney@charlescityva.us
Subject: Fwd: Sending again
Date: June 16, 2024 at 10:18 AM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Mar 12, 2024 15:01
Subject: Sending again
To: Lisa Cosby <licosby@charlescityva.us>, Denay Harris <DHarris@charlescityva.us>, Sharon Davis <sdavis@charlescityva.us>, Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

My apologies everyone, I just realized that I sent the attachment in PAGE form and not everyone has that. I am resending in WORD form now. Thanks, Anne
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contact Wendy J. Payne at wpayne@charlescityva.us. Thank you. CAP CANVAS
PROVI...4.docx

3/6/24 Minutes of EB Canvas meeting

At 11:37 AM Kermit White called the meeting to order

Those present: Kermit White - EB Chairman, Gerald Barnes - EB Chair, Maria Kinney - EB Secretary, DeNay Harris - Registrar, Lisa Cosby - Deputy Registrar, Sharon Davis - Deputy Registrar, And Officers of Election - Jane Barnes, Yvonne W Bradby, Shelia Crump, Mary Adams

Canvas:

The Officers of Election present were instructed to place the yellow return sheets from each precinct into the corresponding 2A envelope. Seals were signed and placed on the 2A envelopes to close. Each of the three 2A envelopes were placed into a larger manilla envelope which was left open. It was then handed to Secretary Kinney and she was told that she need to leave and deliver this to the Clerk of Courts, which she did.

Each EB member was handed a manilla envelope which had been already opened and held all the tapes (opening and closing, poll books) as well as the tally sheets for that particular precinct. They proceeded to check that all numbers were correct, and all Officers of Elections signed. Upon completion they placed all the paperwork back into the proper envelope and handed them to Deputy Cosby.

White - Precinct 201 Barnes - Precinct 101 Kinney - Precinct 301

Other business: Registrar Harris explained that she would need to send the secretary the proper letter to post in the Chronicle for

the next election with dates and that it would need to be posted by tomorrow. Secretary asked if special county permission was needed as there would be a cost and she said no.

Registrar Harris said she would send the info tomorrow.

Registrar Harris went over the list of people who the secretary would need to send the abstract via certified mail. She also gave the seal and stamps to the secretary. When asked if the registrar had the list with addresses and such of the places and people the registrar said no, they are on the elect website.

Registrar Harris said that a gold seal copy needed to be sent to the State and that the Secretary could find the address on the State website.

Registrar Harris explained that Rich Anderson (R) & and Susan Swecker (D) would receive a copy with the gold seal as well.

Registrar Harris said that the County Clerk and the Republican Chair for Charles City also receive copies of the abstract. When asked who the Democrat Chairperson for Charles City was the Registrar said that she didn't know. She calls around until she finds someone who she can send it to because there doesn't seem to be a party chair in Charles City. She suggested that Donald Charity might be a good contact.

Repeated that these need to be sent certified mail.

12:09 PM Went in to closed session - personnel matters

12:56 PM Chairman White called for a motion to close the Canvas, seconded by Secretary Kinney. All agreed Canvas closed

3-8-24 CAP minutes

Present: Kermit White - Chair Gerald Barnes - Vice Chair
Maria Anne Kinney - secretary

Officers of Elections: Jane Barnes and Yvonne Bradby

Others present: DeNay Harris - registrar, Sharon Davis - Deputy Registrar, Lisa Cosby - Deputy Registrar, and Irene Churins - Republican Chair

Lisa Cosby ran the meeting

12:06 PM the group came in and Cap called to order

CAP started

Some of the mail in ballots were having an issue going through the machine (possible fold issue) DeNay Harris fixed it.

No hand count issue

Sharon Davis closed the machine at 1:23 PM

2:10 PM CAP complete

3/11/24 PROVISIONAL MEETING MINUTES

11:18 AM Chairman Kermit White called the meeting to order
Present: Kermit White, Gerald Barnes, Maria Anne Kinney
DeNay Harris and Irene Churins

We had 1 republican provisional ballot

1 green envelope was opened
All 3 EB members read the name and the sheet that the General Registrar
had printed showing the back and forth of registration

Electoral Board agreed all was in order and we counted the vote

We placed all the papers and green envelope into the white envelope and
we each signed the 4 stickers.

The Registrar did not seal the envelope, as she said she needed to put this
info into the abstract.

She told Secretary Kinney that she had the abstract almost all written and
that once it was written she would contact her so that she could pick it up,
place the seal and send them out.

The EB went into closed session

At 11:32 AM Vice Chair Gerald Barnes moved we close the meeting,
Chairman Kermit White seconded, and we all agreed.

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Emergency meeting
Date: June 16, 2024 at 12:43 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Mar 14, 2024 10:07
Subject: Emergency meeting
To: Kermit White <kwhite@charlescityva.us>, Gerald Barnes
<gbarnes@charlescityva.us>, Maria Anne Kinney <maikinney@charlescityva.us>
Cc:

Good morning gentlemen,


I have not been asked to sign the abstract, have either of you been asked? Have either of you seen it?

Anne

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The Omni Homestead Resort

 [1766 Homestead Drive, Hot Springs VA 24445](#)

 Phone: [540-839-1766](tel:540-839-1766)

 [Driving Directions To Hotel](#) ▶

Your Reservation

Status: **Confirmed** | Confirmation # **40054789806**

[VIEW/MODIFY RESERVATION](#)



CHECK IN:

03/17/2024
(after 4:00 PM)




CHECK OUT:

03/19/2024
(before 11:00 AM)

Welcome Maria Kinney,

We are pleased to inform you that the following reservation has been confirmed but not linked to a Select Guest member account. [Join now](#) or [log in](#) to add this to your account.

Thank you for booking with Omni Hotels & Resorts. As part of our *Say Goodnight to Hunger* initiative, we will make a donation to a local Feeding America network food bank with every direct booking.

From: **VEBA 2024 Annual Meeting** eventmail@events.vebanews.org 
Subject: New Entry: 2024 VEBA Annual Meeting Registration
Date: January 16, 2024 at 1:26 PM
To: mkceboard@outlook.com



REGISTRATION DETAILS TO BE MAILED:

PRINT this email and mail it with a check made payable to: VEBA. Mail

Forms and Payment to:

Virginia Electoral Board Association, c/o Voter Registration Office, 300
Park Ave, Room 206C, Falls Church, Virginia 22046

Registration is not final until payment is received.

Locality

Charles City County

Badge Type

Electoral Board

Meeting Fees

Fee for VEBA members (includes 4 meals) - \$450.00

First Name

Maria

Last Name



VEBA ANNUAL MEETING – MARCH 18-19, 2024

Received From: KINNEY, Maria

Locality: Charles City County

District: North Central Locality Size: Small

Meeting Fee: \$450.00

Renee Bergmann Andrews

Treasurer, VEBA

★★★ INCLUDES ALL 4 MEALS ★★★

Monday ★ March 18 (cont'd.)

District Meetings (11:10 AM – 12:10 PM)

DISTRICT	ROOM
North Central	TBD
Northern	TBD
South Central	TBD
Southern	TBD
Southwest	TBD
Tidewater	TBD
Western	TBD

Tuesday ★ March 19

TIME	EVENT
7:00 AM – 8:00 AM	Breakfast
7:00 AM – 12:00 PM	Vendor area open – break down by 1:00
8:00 AM – 9:00 AM	Size locality meetings (see locations listed below)
9:15 AM – 10:00 AM	Conducting a recount – John Nunnally
10:00 AM – 11:00 AM	RCV Panel – Chris Hughes, Kimberly Phillip, Rachel Lawless
11:00 AM – 12:00 PM+	VEBA business meeting and election

Tuesday ★ March 19

Size Locality Meetings

SIZE	ROOM
Extra Large	TBD
Large	TBD
Medium	TBD
Small	TBD

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Meeting
Date: June 16, 2024 at 12:44 PM
To: cladefarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Mar 21, 2024 11:41
Subject: Meeting
To: Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

Gentlemen, After attending the VEBA conference I believe that we need to have a meeting as soon as possible. Please provide me with your available dates for the next 14 days. Thank you, Anne

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From: Maria Anne Kinney <makinney@charlescityva.us>
Subject: Fwd: Re: Security Standards
Date: June 16, 2024 at 12:45 PM
To: cladsfam@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Mar 21, 2024 16:10
Subject: Re: Security Standards
To: Denay Harris <DHarris@charlescityva.us>
Cc: Gerald Barnes <gbarnes@charlescityva.us>, Kermit White <kwhite@charlescityva.us>, Lisa Cosby <lcosby@charlescityva.us>, Sharon Davis <sdavis@charlescityva.us>

Just replying so you have it in writing. I am fine with split days. Anne

Sent from my iPhone

On Mar 21, 2024, at 2:51 PM, Denay Harris <DHarris@charlescityva.us> wrote:

Are you ok with splitting the days? Just in case we need to work around the court's schedule? How was VEBA?

From: Maria Anne Kinney <makinney@charlescityva.us>
Sent: Thursday, March 21, 2024 2:30 PM
To: Denay Harris <DHarris@charlescityva.us>
Cc: Gerald Barnes <gbarnes@charlescityva.us>; Kermit White <kwhite@charlescityva.us>; Lisa Cosby <lcosby@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>
Subject: Re: Security Standards

Good afternoon, I am available all day Monday (3/25), Thursday (3/28) after 2 PM and all day Friday (3/29).

Anne

On Mar 21, 2024 13:16, Denay Harris <DHarris@charlescityva.us> wrote:
Greetings,

It's that time of the year again. I am asking that the electoral board look over these documents. The goal is always to make it to the platinum category; however, we never make it. Last year, the County didn't complete its portion even after we met with them several times. We will see how this year goes. Mrs. Kinney, please let me know your availability so we can complete site visits and compliance.

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Abstract
Date: June 16, 2024 at 12:46 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Mar 25, 2024 11:11
Subject: Abstract
To: Denay Harris <DHarris@charlescityva.us>, Lisa Cosby <licosby@charlescityva.us>, Sharon Davis <sdavis@charlescityva.us>, Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

Good morning,

I was told when I signed and sealed the Abstract that I would receive a copy of it once it had been uploaded and approved. I have not received anything. Has it been approved? If so. Can you please forward me a copy of the approved Abstract. If it hasn't been approved, do you have an estimated time for it's completion?

I also need the contact information for the Chronicle and any account number necessary to get the June Election notice in the paper.

Thank you, Anne Kinney

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From: Maria Anne Kinney <makinney@charlescityva.us>
Subject: Fwd: Re: Meeting
Date: June 16, 2024 at 12:47 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Mar 26, 2024 13:10
Subject: Re: Meeting
To: Gerald Barnes <gbarnes@charlescityva.us>
Cc: Kermit White <kwhite@charlescityva.us>

Gentlemen,

We must post our meetings 3 working days in advance so having our basic meeting this Friday is not possible.

I am currently trying to ascertain if an ADA site visit must be posted as well. If it does not need to be posted than hopefully we can get that done this Friday. I will email when I have the info. That being said, I have not had confirmation from Registrar Harris as to the Friday availability of the sites for the visits. Have either of you heard anything from her?

As for our meeting, I am available next Thursday and Friday 9 AM to 5 PM. Do either of those days work for you both?

Anne

On Mar 26, 2024 11:53, Gerald Barnes <gbarnes@charlescityva.us> wrote:
I am available this Friday after 9:00am until 6pm. Jerry

Get [Outlook for iOS](#)

From: Kermit White <kwhite@charlescityva.us>
Sent: Friday, March 22, 2024 1:42:32 PM
To: Maria Anne Kinney <makinney@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>
Subject: Re: Meeting

I will be available whenever you and Jerry can meet.

Get [Outlook for iOS](#)

From: Maria Anne Kinney <makinney@charlescityva.us>
Sent: Thursday, March 21, 2024 11:41:57 AM
To: Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>
Subject: Meeting

Gentlemen, After attending the VEBA conference I believe that we need to have a meeting as soon as possible. Please provide me with your available dates for the next 14 days. Thank you, Anne

Charles City County Domain User's Disclaimer (charlescityva.us) Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachment(s) is intended

From: Maria Anne Kinney <makinney@charlescityva.us>
Subject: Fwd: ADA visits
Date: June 16, 2024 at 12:47 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Mar 26, 2024 14:45
Subject: ADA visits
To: Denay Harris <DHarris@charlescityva.us>, Lisa Cosby <lcosby@charlescityva.us>, Sharon Davis <sdavis@charlescityva.us>, Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

Good afternoon, Have we received confirmation for the Friday ADA visits? Anne
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----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>

Date: Mar 28, 2024 09:34

Subject: Meeting

To: Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>

Cc:

Good morning gentlemen,

I am attaching a preliminary agenda as well as the minutes from the previous meetings.

I believe I fixed the issues from the February meeting but would appreciate it if you could double check things.

Also, I am resending the Cap/Canvas/Provisional minutes. I did not get any suggested changes last time I sent them but you may find an error on the second go round.

I did not receive any communication as to why our agreed meeting date and time is tentative so if I missed something can one of you please fill me in.

Thanks, Anne

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contact Wendy J. Payne at wpayne@charlescityva.us. Thank you.

xx EB 4 4 24
agenda.docx



xx CAP CANVAS
PROVI...d.docx



xx 2 8 24
minute...d.docx

EB March agenda

1. Call to order - Kermit White
2. Accept minutes from all meetings
3. Discuss summation of VEBA conference
4. List of designated duties
5. Discuss precinct voting sites
6. Emergency SOP
7. OE training
8. Meeting with County/BOS - posted
9. On demand ballot printing
10. Monthly meetings
11. Primary election meeting
12. Public comment
13. Ballot order

Next Meeting - TBD

CHARLES CITY COUNTY ELECTORAL BOARD
MEETING MINUTES
FEBRUARY 8, 2024
11:00 A.M.

Present: Chair White, Vice-Chair Barnes, Secretary Kinney

Others present: Registrar Harris, Deputy Registrar Davis, Irene Churins

The Chair called the meeting to order at 11:05 AM and determined that a quorum was present.

APPROVAL OF MINUTES:

Mrs. Harris presented the minutes of the last meeting (1/12/24) for approval. Revisions were suggested.

APPROVAL OF ELECTION OFFICERS:

The list of Election Officers was presented. Registrar Harris suggested certain changes.

Phillip Robinson Precinct 201 - moved out of Charles City

Barbara Hayes moved back to work Precinct 201

Secretary Kinney asked that final placement list be forwarded after the Precinct Chiefs have made their placements in the last week of February. Registrar Harris stated that she had emails from State Board with new EO applications.

Motion to approve EO list by White, seconded by Kinney, approved by all.

Discussion on the work of uploading minutes and IT

Registrar Harris said that she would forward the letter head to Secretary Kinney. She also suggested that IT could explain the minutes uploading process.

SBE-106 PRESENTED FOR SIGNATURES:

SBE-106 was presented by Registrar Harris. Information was not correct, so it was amended. New SBE-106 presented and checked by everyone, signed by secretary, and given to Registrar Harris to upload to SBE.

Discussion on county emails

A discussion was held about the county email addresses and Registrar Harris suggested that people go to IT to get everything updated.

Discussion on term endings

Mrs. Harris discussed the fact that Chair White and Vice Chair Barnes term endings need to be addressed. As it stands, they end their terms on the same date of December 31, 2024.

Discussion of stickers

It was determined that our county did not have a need to have 3 different stickers, (I Voted, 1st Time Voter and Future Voter), All agreed to stick with the "I Voted" sticker we have.

Discussion of space needed for Registrar Office

Vice Chair Barnes discussed the space for the Registrar/Office of Elections and suggested the empty school space might be a good option. He said that currently the requirement for security is not being met.

Registrar Harris returned with new SBE-106 and asked for a closed session.

Meeting was moved to closed session

Chair White moved to return to open session, seconded by Kinney, all proved. Returned to open

Closed meeting - SECURITY

Approved minutes with corrections

Discussion on EO's positions

Registrar Harris mentioned that the EOs assigned to precinct 201 need to remain as stated. She said that many are somewhat older and can't go in and out as well. Precinct 201 is more accessible for them. She suggested that we leave positions as they are because if we moved people around, we could lose some workers and we are at the bare minimum now. She mentioned that Deputy Cosby and Davis are now EO.

New Business:

Discussion on maintenance of ballot bins

Secretary Kinney asked about the broken ballot bins and was told someone from the company will stop by when they are here in Virginia. There were 2 bins with missing screws noted at the L&A.

Discussion of seal

Secretary Kinney asked Registrar Harris about the seal. She was told that it was expensive and that it was only used for abstracts. Registrar Harris said that she signs the abstracts and then attaches the seal and uses her stamp to impress it. She said that either the Registrar or the EB Secretary could certify the abstract.

Discussion of VEBA training and meetings

Vice Chair Barnes said that he would be gone for the month of March, Chair White will be gone for May & June. Registrar Harris said that dues were paid for 3 board members. She mentioned that we have a separate EB budget.

Motion to adjourn

Motion made by Vice Chair Barnes, Seconded by Secretary Kinney - all agreed

Next meeting will be the Canvas on March 6, 2024, at 11 AM

3/6/24 Minutes of EB Canvas meeting

At 11:37 AM Chairman Kermit White called the meeting to order

Those present: Kermit White - EB Chairman, Gerald Barnes - EB Chair, Maria Kinney - EB Secretary, DeNay Harris - Registrar, Lisa Cosby - Deputy Registrar, Sharon Davis - Deputy Registrar, And Officers of Election - Jane Barnes, Yvonne W Bradby, Shelia Crump, Mary Adams

Canvas:

The Officers of Election present were instructed to place the yellow return sheets from each precinct into the corresponding 2A envelope. Seals were signed and placed on the 2A envelopes to close. Each of the three 2A envelopes were placed into a larger manilla envelope which was left open. It was then handed to Secretary Kinney, and she was told that she needed to leave and deliver this to the Clerk of Courts, which she did.

Each EB member was handed a manilla envelope which had been already opened and held all the tapes (opening and closing, poll books) as well as the tally sheets for that particular precinct. They proceeded to check that all numbers were correct, and all Officers of Elections signed. Upon completion they placed all the paperwork back into the proper envelope and handed them to Deputy Cosby.

White - Precinct 201

Barnes - Precinct - 101

Kinney - Precinct 301

Other business: Registrar Harris explained that she would need to send the secretary the proper letter to post in the Chronicle for the next election with dates and that it would need to be posted by tomorrow. Secretary asked if special county permission was needed as there would be a cost and she said no.

Registrar Harris said she would send the info tomorrow.

Registrar Harris went over the list of people who the secretary would need to send the abstract via certified mail. She also gave the seal and stamps to the secretary. When asked if the registrar had the list with addresses and such of the places and people the registrar said no, they are on the elect website.

Registrar Harris said that a gold seal copy needed to be sent to the State and that the Secretary could find the address on the State website.

Registrar Harris explained that Rich Anderson (R) & and Susan Swecker (D) would receive a copy with the gold seal as well.

Registrar Harris said that the County Clerk and the Republican Chair for Charles City also receive copies of the abstract. When asked who the Democrat Chairperson for Charles City was the Registrar said that she didn't know. She calls around until she finds someone who she can send it to because there doesn't seem to be a party chair in Charles City. She suggested that Donald Charity might be a good contact.

Repeated that these need to be sent certified mail.

12:09 PM Went in to closed session - personnel matters

12:56 PM Chairman White called for a motion to close the Canvas, seconded by Secretary Kinney. All agreed Canvas closed

3-8-24 CAP minutes

Present: Kermit White - Chair Gerald Barnes - Vice Chair
Maria Anne Kinney - secretary

Officers of Elections: Jane Barnes and Yvonne Bradby

Others present: DeNay Harris - registrar, Sharon Davis - Deputy Registrar, Lisa Cosby - Deputy Registrar, and Irene Churins - Republican Chair

Lisa Cosby ran the meeting

12:06 PM the group came in and Cap called to order

CAP started

Some of the mail in ballots were having an issue going through the machine (possible fold issue) DeNay Harris fixed it.

No hand count issue

Sharon Davis closed the machine at 1:23 PM

2:10 PM CAP complete

3/11/24 PROVISIONAL MEETING MINUTES

11:18 AM Chairman Kermit White called the meeting to order
Present: Kermit White, Gerald Barnes, Maria Anne Kinney
DeNay Harris and Irene Churins

We had 1 republican provisional ballot

1 green envelope was opened

All 3 EB members read the name and the sheet that the General Registrar had printed showing the back and forth of registration

Electoral Board agreed all was in order and we counted the vote

We placed all the papers and green envelope into the white envelope and we each signed the 4 stickers.

The Registrar did not seal the envelope, as she said she needed to put this info into the abstract.

She told Secretary Kinney that she had the abstract almost all written and that once it was written she would contact her so that she could pick it up, place the seal and send them out.

The EB went into closed session

At 11:32 AM Vice Chair Gerald Barnes moved we close the meeting, Chairman Kermit White seconded, and we all agreed.

April & May

Tried 2 more times to get minutes posted - 4/19 & 3/3

Still trying to get the other EB members to discuss ADA, LESS and the information from VEBA Conference. I was told they didn't have time in the 2 hour meeting that was scheduled.

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: RE: L&A
Date: June 16, 2024 at 12:51 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: **Maria Anne Kinney** <maikinney@charlescityva.us>
Date: Apr 11, 2024 17:49
Subject: RE: L&A
To: **Denay Harris** <DHarris@charlescityva.us>
Cc: **Kermit White** <kwhite@charlescityva.us>, **Gerald Barnes** <gbarnes@charlescityva.us>, **Lisa Cosby** <lc Cosby@charlescityva.us>, **Sharon Davis** <sdavis@charlescityva.us>

Hello. I can do April 24th. I am free the entire day. Anne

On Apr 11, 2024 15:57, **Denay Harris** <DHarris@charlescityva.us> wrote:
I have received a response from both Chair White and Vice-Chair Barnes. I have let Print Elect know on April 24 at noon. Since we are having our L&A, we can have our Board meeting for election prep at 10 am. Would that work for you all?

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road
Charles City, VA 23030
State Certified General Registrar, 2023
P:804-652-4606
C:804-687-8641

From: Denay Harris
Sent: Thursday, April 11, 2024 11:21 AM
To: Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>; Maria Anne Kinney <maikinney@charlescityva.us>
Subject: L&A
Importance: High

Greetings,

To assist with L&A for the June Primary, the Printelect Field Services team will be available Wednesday, April 24. I will request our typical afternoon L&A. If this works, I will inform them and invite them.

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County

From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Re: Agenda
Date: June 16, 2024 at 12:51 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: Apr 12, 2024 18:52
Subject: Re: Agenda
To: Kermit White <kwhite@charlescityva.us>
Cc: Gerald Barnes <gbarnes@charlescityva.us>


You bet. As soon as I get it written up, I will send it to y'all for the ok. Have a great weekend.
Anne

On Apr 12, 2024 17:29, Kermit White <kwhite@charlescityva.us> wrote:
Greetings! I hope you're having a great day. Please send me a copy of the agenda for the meeting scheduled for April 24th.

Thanks,
Kermit

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From: **Maria Anne Kinney** maikinney@charlescityva.us 
Subject: Fwd: Meeting minutes
Date: June 16, 2024 at 12:52 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: **Maria Anne Kinney** <maikinney@charlescityva.us>
Date: Apr 19, 2024 08:23
Subject: Meeting minutes
To: **Kermit White** <kwhite@charlescityva.us>, **Gerald Barnes** <gbarnes@charlescityva.us>
Cc:

Good morning gentlemen, I am attaching the minutes from the CAP, Canvas and Provisional meetings. Please let me know if you see anything that needs to be fixed before I send this on to the registrar's office. I have previously sent the minutes from our past meeting and, since I did not hear from either of you, I assume you found no issues. Thank you, Anne Kinney
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contact Wendy J. Payne at wpayne@charlescityva.us. Thank you. xx CAP CANVAS
PROVI...d.docx

From: **Maria Anne Kinney** makinney@charlescityva.us
Subject: Fwd: Agenda
Date: June 16, 2024 at 12:52 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Apr 22, 2024 10:41
Subject: Agenda
To: Kermit White <kwhite@charlescityva.us>, Gerald Barnes <gbarnes@charlescityva.us>
Cc:

Good morning,

I am fine with pairing down the agenda however, I have been trying to have a meeting to discuss these things for quite some time. Would you two like to set up a date for that meeting now since it is obvious there is a lot to go over?

Please tell me what you would like for me to remove and if there is anything you want me to add. I have added the items that the GR sent already.

Anne

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From: Kermit White kwhite@charlescityva.us

Subject: Agenda

Date: April 23, 2024 at 8:47 AM

To: Anne Kinney mkccboard@outlook.com, Gerald Barnes gbarnes@charlescityva.us, Denay Harris DHarris@charlescityva.us, Sharon Davis sdavis@charlescityva.us, Lisa Cosby lcosby@charlescityva.us

KW

Anne, here is a list of topics we need to discuss for the upcoming election. The other topics you have on the agenda can be discussed after we complete the planning for this election.

I will see you all at 10:00a.m. On Thursday April 24, 2024.

Have an awesome day!

1. CALL TO ORDER – Chairman White
2. June Republican Primary Election 2024 Update-Logic and Accuracy, Prep and Early voting
3. New Election Officers
4. Training and Election Calendar
5. Ballot order update review of sample ballots (Tentative upon Approval From Department of Elections)
6. Adjourn to L&A
7. After L&A Next Meeting to be determined

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From: **Maria Anne Kinney** makinney@charlescityva.us
Subject: Fwd: WE FORGOT
Date: June 16, 2024 at 12:38 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Denay Harris <DHarris@charlescityva.us>
Date: Apr 24, 2024 21:50
Subject: WE FORGOT
To: Maria Anne Kinney <makinney@charlescityva.us>
Cc: Gerald Barnes <gbarnes@charlescityva.us>, Kermit White <kwhite@charlescityva.us>

Ms. Kinney,

I remember what it was, we needed to call the meeting to place the new officers. We spoke to the gentleman from Richmond he can come on Wednesday. Since he has experience I need him at New Vine. Do you want me to contact them and then email you all once I swear them in?

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road
Charles City, VA 23030
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P:804-652-4606
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From: **Maria Anne Kinney** makinney@charlescityva.us
Subject: Fwd: Re: WE FORGOT
Date: June 16, 2024 at 12:53 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <makinney@charlescityva.us>
Date: Apr 25, 2024 08:37
Subject: Re: WE FORGOT
To: Denay Harris <DHarris@charlescityva.us>
Cc: Gerald Barnes <gbarnes@charlescityva.us>, Kermit White <kwhite@charlescityva.us>

Good morning,
I'll go along with whatever the others decide. I guess we need to have another meeting for placement of the new EOs.
Also, do you have a date for the training? Anne

On Apr 24, 2024 21:50, Denay Harris <DHarris@charlescityva.us> wrote:
Ms. Kinney,

I remember what it was, we needed to call the meeting to place the new officers. We spoke to the gentleman from Richmond he can come on Wednesday. Since he has experience I need him at New Vine. Do you want me to contact them and then email you all once I swear them in?

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road
Charles City, VA 23030
State Certified General Registrar, 2023
P:804-652-4606
C:804-687-8641

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From: **Maria Anne Kinney** maikinney@charlescityva.us
Subject: Fwd: Minutes
Date: June 16, 2024 at 12:53 PM
To: cladafarm@gmail.com



----- Forwarded message -----

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: May 3, 2024 14:24
Subject: Minutes
To: Denay Harris <DHarris@charlescityva.us>
Cc:

Good afternoon,

Please send these minutes on to the other Electoral Board members for approval.

Also, do we have a date set for placement of the new EOs?

Anne

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contact Wendy J. Payne at wpayne@charlescityva.us. Thank you. CCEB 2 8 24
minutes.docx



CCEB Cap
Canvas...v.docx

May

County budget emails

From: Anne Kinney cladafarm@gmail.com
Subject: EB/Registrar
Date: May 7, 2024 at 2:17 PM
To: Michelle Johnson Mjohnson@charlescityva.us



Good afternoon Mrs. Johnson,

I was wondering if I could get some information on the EB/Registrar budget. Specifically I would like to get a copy of what was submitted to you as the authorized budget along with the date it was submitted and who signed off on it for the Electoral Board. Thanks Much, Anne

PS: Perfectly fine with you calling me Anne

From: Michelle Johnson mjohanson@charlescityva.us
Subject: Re: EB/Registrar
Date: May 7, 2024 at 4:08 PM
To: Anne Kinney cladafarm@gmail.com, Christina Crawley-Jones ccjones@charlescityva.us

Mrs. Kinney,

Christina will send you what was submitted.

"Success is not measured by what you accomplish, but by the obstacles you overcome. Keep striving, stay focused, and let your determination lead the way to your goals."



From: Anne Kinney <cladafarm@gmail.com>
Date: Tuesday, May 7, 2024 at 2:17PM
To: Michelle Johnson <mjohanson@charlescityva.us>
Subject: EB/Registrar

Good afternoon Mrs. Johnson,

I was wondering if I could get some information on the EB/Registrar budget. Specifically I would like to get a copy of what was submitted to you as the authorized budget along with the date it was submitted and who signed off on it for the Electoral Board. Thanks Much, Anne

PS: Perfectly fine with you calling me Anne

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From: **Christina Crawley-Jones** ccjones@charlescityva.us
Subject: RE: EB/Registrar
Date: May 7, 2024 at 4:37 PM
To: **Michelle Johnson** mjohnson@charlescityva.us, **Anne Kinney** cladafarm@gmail.com



Good Afternoon, Mrs. Kinney,

During the budget discussion period, Denay provided the attached document. This document was provided on December 18, 2023. If you have any questions, please don't hesitate to ask.

Best Regards,

Christina C. Jones

Director of Finance
Charles City County
10900 Courthouse Road
P.O. Box 128
Charles City, VA 23030

O: (804)652-4705
Email: ccjones@charlescityva.us

From: Michelle Johnson <mjohnson@charlescityva.us>
Sent: Tuesday, May 7, 2024 4:09 PM
To: Anne Kinney <cladafarm@gmail.com>; Christina Crawley-Jones <ccjones@charlescityva.us>
Subject: Re: EB/Registrar

Mrs. Kinney,

Christina will send you what was submitted.

"Success is not measured by what you accomplish, but by the obstacles you overcome. Keep striving, stay focused, and let your determination lead the way to your goals."



Thank you!

From: **Anne Kinney** cladafarm@gmail.com
Subject: Re: EB/Registrar
Date: May 7, 2024 at 4:50 PM
To: Christina Crawley-Jones ccjones@charlescityva.us



Dear Mrs. Jones, Thank you for the quick response. Is this December 2023 budget different from the unofficial one she submitted in January of this year? Anne

On May 7, 2024, at 4:37 PM, Christina Crawley-Jones <ccjones@charlescityva.us> wrote:

Good Afternoon, Mrs. Kinney,

During the budget discussion period, Denay provided the attached document. This document was provided on December 18, 2023. If you have any questions, please don't hesitate to ask.

Best Regards,

Christina C. Jones

Director of Finance
Charles City County
10900 Courthouse Road
P.O. Box 128
Charles City, VA 23030

O: (804)652-4705
Email: ccjones@charlescityva.us

From: Michelle Johnson <mjohnson@charlescityva.us>
Sent: Tuesday, May 7, 2024 4:09 PM
To: Anne Kinney <cladafarm@gmail.com>; Christina Crawley-Jones <ccjones@charlescityva.us>
Subject: Re: EB/Registrar

Mrs. Kinney,

Christina will send you what was submitted.

<image001.png>

From: Anne Kinney <cladafarm@gmail.com>
Date: Tuesday, May 7, 2024 at 2:17PM
To: Michelle Johnson <mjohnson@charlescityva.us>
Subject: EB/Registrar

Good afternoon Mrs. Johnson,

From: **Christina Crawley-Jones** ccjones@charlescityva.us
Subject: RE: EB/Registrar
Date: May 7, 2024 at 4:57 PM
To: Anne Kinney cladafarm@gmail.com
Cc: Michelle Johnson mjohnson@charlescityva.us



Mrs. Kinney,

The budget that Denay provided in December 2023 is the same one that we discussed with her in January during our meeting and is also what we used for the FY25 budget.

Best Regards,

Christina C. Jones

Director of Finance
Charles City County
10900 Courthouse Road
P.O. Box 128
Charles City, VA 23030

O: (804)652-4705
Email: ccjones@charlescityva.us

From: Anne Kinney <cladafarm@gmail.com>
Sent: Tuesday, May 7, 2024 4:50 PM
To: Christina Crawley-Jones <ccjones@charlescityva.us>
Subject: Re: EB/Registrar

Dear Mrs. Jones, Thank you for the quick response. Is this December 2023 budget different from the unofficial one she submitted in January of this year? Anne

On May 7, 2024, at 4:37 PM, Christina Crawley-Jones <ccjones@charlescityva.us> wrote:

Good Afternoon, Mrs. Kinney,

During the budget discussion period, Denay provided the attached document. This document was provided on December 18, 2023. If you have any questions, please don't hesitate to ask.

Best Regards,

Charles City County Department Budget Request Form

Fiscal Year 2025

Department: [Voter Registration/ Office of Elections]

Submitted By: [DeNay Harris] Date: [12/14/2023]

Section 1: General Information

1. **Mission Statement:** We are committed to ensuring fair and impartial elections and voter registration access in Charles City County, promoting democracy and public trust.
2. **Department Head:** [DeNay Harris]
3. **Contact Information:**
 - o Phone: [804-652-4606]
 - o Email: [dharris@charlescityva.us]

Section 2: Budget Overview

4. Budget Request Summary:

Category	FY24 Budget	FY25 Requested	Justification
Personnel	\$ _____	\$ _____	[Explain any changes or additional personnel needs]
Operating Expenses	\$ _____	\$ _____	[Explain changes or new expenses] Need to add GL line for Absentee
Capital Expenditures	\$ _____	\$ _____	[Outline any capital projects and associated costs]
Other (Specify)	\$ <u>7500</u>	\$ <u>7500</u>	[Specify and justify other budgetary needs]
Total	\$ _____	\$ _____	

Section 3: Justification

5. **Personnel:** [Provide a breakdown of personnel needs, including new positions or changes in staffing levels. Justify the need for each position.]
6. **Operating Expenses:** [Detail any changes in operating expenses, such as increases or decreases in specific budget categories. Explain the rationale for these changes.] **We need increases in Operating Expenses and add a GL line for Absentee.**
7. **Capital Expenditures:** [Outline any planned capital projects or major purchases. Justify the need for these expenditures and how they align with the department's goals.]

Section 4: Performance Measures

8. **Key Performance Indicators:** [Specify the key performance indicators (KPIs) that will be used to measure the department's success in FY25.] **Completing Elections without any errors.**
9. **Goals and Objectives:** [List the department's goals and objectives for FY25 and explain how the proposed budget will support the achievement of these goals.]

Our objective for FY25 is to establish a larger Vote/Center to accommodate more space. Our goal is to ensure that elections remain fair and transparent. The proposed budget will enable us to conduct elections as the law evolves each year.

Section 5: Additional Comments

10. Additional Comments: [Include any additional comments or information relevant to the budget request.] **The proposed election budget increase is necessary for the upcoming Presidential and Gubernatorial elections.**

Section 6: Approval

11. Approval:

- Department Head: _____ Date: _____
- Finance Director: _____ Date: _____
- County Administrator: _____ Date: _____

Section 7: Attachments

Attached to this packet is the spreadsheet with approved budget, remaining balance and increased amount.

****ALL BUDGET REQUEST ARE DUE BACK TO THE FINANCE DEPARTMENT ON DECEMBER 15, 2023*****

		FY/2024 ADOPTED	REMAINING AVAILABLE	Increase request
13000	*** BOARD OF ELECTIONS ***			
013100 -0	** ELECTORAL BOARD OFFICIALS			
013100-1011-0	Board Members	\$ 4,431	\$ 4,431	
013100-1700-1	Election Officials	\$ 36,000	\$ 17,158	
013100-3310-0	Repair & Maint.	\$ 10,307	\$ (113)	\$ 5,127.50
013100-3500-0	Printing (Ballots)	\$ 12,000	\$ 8,537	\$ 6,000.00
013100-5420-0	Voting Precinct Rental	\$ 450	\$ 150	\$ 225.00
013100-5540-0	Travel (Conv. and Ed)	\$ 1,185	\$ 1,185	\$ 592.50
013100-5810-0	Dues & Assoc. Memberships	\$ 240	\$ (75)	\$ 120.00
013100-6001-0	Office Supplies	\$ 1,360	\$ 1,360	\$ 680.00
	Other (Absentee)			\$ 3,500.00
	TOTAL DEPARTMENT	\$ 34,669	\$ 32,633	\$ 16,245.00
13200	** REGISTRAR **			
013200-1101-0	Salaries-Regular	\$ 173,148	\$ 94,382.74	
013200-1301-0	Salaries - Part-Time	\$ 3,000	\$ 3,000	
013200-2100-0	FICA	\$ 13,475	\$ 7,649	
013200-2210-0	Retirement	\$ 18,544	\$ 12,123	
013200-2220-0	VRS-Hybrid	\$ -	\$ -	
013200-2300-0	Hospitalization	\$ 39,295	\$ 39,295	
013200-2400-0	Life Insurance	\$ 935	\$ 935	
013200-2500-0	Short Term Disability	\$ 658	\$ 658	
013200-2720-0	Workmans Comp.	\$ 60	\$ 60	
013200-3320-0	Maintenance Ser. Contract	\$ 200	\$ 200	\$ 400.00
013200-3600-0	Advertising	\$ 2,500	\$ 2,500	\$ 1,250.00
013200-5210-0	Postal Services	\$ 3,000	\$ 3,000	\$ 1,500.00
013200-5540-0	Travel (Con. & Ed.)	\$ 4,190	\$ 4,190	\$ 1,000.00
013200-5810-0	Dues & Assoc. Memberships	\$ 2,000	\$ 2,000	\$ 1,000.00
013200-6001-0	Office Supplies	\$ 2,000	\$ 2,000	\$ 1,000.00
013200-6001-1	Cyber Security & Disposal	\$ 4,500	\$ 4,500	\$ 2,250.00
	Other(Election Bonus)			\$ 7,500.00
	TOTAL DEPARTMENT	\$	\$ 176,493	\$ 15,900.00

Appendix C

May 30, 2024

Lisa A Cosby, Chief Deputy
10900 Courthouse RD
Charles City, VA 23030

Susan Beals, Commissioner of Elections
11 W Bank St.
Richmond, VA 23219

To: Commissioner Beals

I am writing to address the communication issues stated by Mrs. Anne Kinney, the Charles City County Electoral Board secretary.

Throughout the course of recent communications, multiple attempts have been made to establish contact with Mrs. Kinney. These efforts included phone calls and emails, commencing with a phone call on January 8, 2024, following instructions from Registrar Harris. The initial call was prompted by Mrs. Kinney's message to the Registrar on January 7, at 6 pm, indicating her unavailability for the scheduled morning meeting with HR. It was noted that her service on the Electoral Board was voluntary and did not involve remuneration. Despite leaving a detailed voicemail message and requesting Mrs. Kinney to return the call, her response was not forthcoming. Later, when Mrs. Kinney did contact the office and asked to speak with the Registrar, the conversation ended abruptly after she expressed dissatisfaction with the explanation provided by the Registrar regarding the necessity of her visit to HR, leading to the Registrar seeking guidance from the Elect Liaison (Deaundre Harris). Subsequently, it was advised that Mrs. Kinney's communication be transitioned to me and that I correspond through email with the efforts to schedule her HR onboarding paperwork appointments. Our first email correspondence commenced on January 9th. With dates and times for Human Resources paperwork to be completed.

January 12, 2024, Mrs. Kinney confronted me at an Electoral Board meeting, informing me with her hands and being irate that I do not schedule appointments for her; I replied to Mrs. Kinney that she would not speak to me with her hands and her reply was she does not see anything wrong with it because this is how she talks to her children. Meeting On January 16th. Mrs. Kinney interrupted an interview with the HR Director and was informed again that the onboarding was communicated through the Office of Elections/ Voter Registration. The Director brought the papers to me so I could give them to Mrs. Kinney and then take them to HR, despite multiple email communications, starting from the 16th and 17th of January. Mrs. Kinney went to the County Administrator and bypassed the Office. On the 17th of January, Mrs. Kinney informed us that she had changed her email address to mkcceboard@outlook.com, which in turn became her 2nd change of email. On January 31, 2024, I replied to Mrs. Kinney's email to the Registrar, Mrs. Harris, asking whether she had any further paperwork for HR that needed to be signed. I informed her that she would receive additional instructions from Dr. Davis regarding SBE 106. I got an email from Dr. Sharon Davis that same day. In the email, Dr. Davis mentioned that Mrs. Kinney had told her over the phone that she did not feel comfortable legally associating her name with the SBE 106 form. As there was no

meeting in reply, I forwarded the Code § 24.2-107. The meeting with Mrs. Kinney on February 8, 2024, was the Electoral Board meeting, during which Mrs. Kinney was again informed of her position as Secretary of the Electoral Board. In this meeting, Mrs. Kinney said she did not want her name legally tied to documents. The Vice-Chair and The Registrars responded that all documents signed by the Board are legal. On February 9th, Dr. Davis, via email, gave Mrs. Kinney the proper letterhead for the Electoral Board minutes. On February 26, 2024, Mrs. Kinney submitted her first set of minutes. In reply to the submitted email, Mrs. Kinney was given edited instructions from the Chair, Vice-Chair members, and the Registrar because she had included information that had not been factored correctly. Some of the information was not presented as needed by the public. She was instructed to use the proper letterhead and signature lines for Minute submissions. On February 27, 2024, I compiled an email with previous emails attached to Mrs. Kinney regarding the change of her emails, which is the third updated email address provided by Mrs. Kinney. On February 28, 2024, I sent a reminder email to the Charles City Electoral Board about Ballot pick up for the Precincts. Mrs. Kinney responded, "Got it. I will see you all Tuesday morning". There were several email communications on March 5, 2024 (Election Day) between the Registrar and Mrs. Kinney about Precinct 101, and Mrs. Kinney is the Board member assigned to Precinct 201. She tried to chastise the Board member for Precinct 101 about Code **§ 24.2-607. Prohibited conduct; intimidation of voters; disturbance of election; how prevented; penalties.** On March 6, 2024, Mrs. Kinney's first Canvass. I sat with her and gave her the instructions on conducting Canvass. She was also given the number 2A envelopes to take over to the Clerk of Court before the beginning of Canvass for the March 5, 2024, Election wrap-up held on March 8, 2024. Mrs. Kinney participated in the wrap-up canvass of watching the CAP team's Absentee by Mail wrap-up. She was present as the Statement of Results was filled out, witnessed the closing of the machines, and viewed the Closed Tapes against the Statement of Results. After the wrap-up, an email I had composed was sent to all three board members with the announcement of the June primaries, and attached was the Order sent by the State Board of Elections and my next time communicating with Mrs. Kinney included confirming that I was coming for the resigning of the Republican Abstracts on March 15th, 2024. It was confirmed that I would be in the Office of Charles City County Office of Elections for the resigning. Mrs. Kinney contacted me on March 25, 2024 requesting copies of the Abstracts. In which I replied immediately and sent them to her. I also contacted Mrs. *Kinney, to ask what the status of EB minutes is. So that I can attach them to the Charles City County Website. And included 24.2-107. into the email, and her response is below, which also came by email.*

Mrs. Cosby,

I was informed that the minutes should not be sent to the GR/office until the members had a chance to view and conditionally approve them.

I was told that once they are sent to the GR the office is required to post them (with draft over them), and they could then be FOIA'd, thus possibly posting something that is incorrect.

When I questioned the timing of posting verses approval I was told that they must be posted within 7 days AFTER approval which can only happen at a meeting. I was directed to 2.2-3707.2

At this time we are not in violation of the law. We have not had a meeting to approve any minutes.

Anne Kinney

Upon receiving the initial email, Mrs. Kinney's email was responded to by the Registrar. Subsequent correspondence took place via email and centered on the forthcoming June 18, 2024, Election, and the Electoral Board meetings for Election Prep. None of the correspondence originated directly from me. This email exchange spanned from March 28, 2024, to April 1, 2024. On April 3, 2024, Dr. Davis and I raised concerns regarding the Registrar's absence from the email threads. Mrs. Kinney informed us that the Registrar was out of the office. In response, I emphasized the importance of including the Registrar in all email communications, noting that being out of the office does not preclude timely responses. Also, email communications from April 4th – April 23rd, all email communications were done between the Electoral Board members and the Director of Elections/ Registrar. On April 24, 2024, we had our Electoral Board meeting where the topic of Electoral Board minutes was discussed and not approved by the Board as Mrs. Kinney had not included any edits suggested by the Board or the Registrar. After the Board meeting, L&A was conducted for the June Primary Election. On 4/25/24, Mrs. Kinney emailed the Office of Elections Registrar, stating that she was informed that Candidates were supposed to be notified about L&A. She also stated that EO needed to be interviewed and assigned in another email after stating in the Electoral Board meeting that she was leaving the Election Officers placement up to the Registrar. The Registrar knew where the greater needs were for Election Officers. On 4/27/2024 the email exchange to the Charles City Electoral Board about the non-Posting of Minutes was when I attached all email communications to and from Mrs. Kinney about the editing of Minutes. Mrs. Kinney was trying to insinuate that minutes were not posted due to approval. Unfortunately, the minutes cannot be posted at this time as we have yet to receive the official minutes from the Secretary of the Electoral Board. Moreover, our edits and suggestions have been consistently disregarded. Mrs. Kinney has explicitly conveyed her refusal to consider, adopt, or entertain the proposed recommendations concerning the management of the electoral process from our office. Her conduct has consistently bypassed the established communication protocols of the Office of Elections/Voter Registration.

Correspondence from Mrs. Kinney has been archived into zip files, encompassing emails from three different email addresses used since her onboarding. In all correspondence with Mrs. Kinney, neither Dr. Davis nor I have been requested to arrange an appointment with the Registrar, and there has been no telephonic communication regarding this matter. It is not our practice to schedule meetings between the Registrar and the Electoral Board or any other Director for Charles City County. Nonetheless, additional Board members, colleagues, and officials from Charles City County have frequented the office to partake in dialogues with the Registrar, who upholds an open-door policy. This accessibility extends not only to the Electoral Board but also to anyone seeking clarification or expressing apprehensions regarding the Office of Elections/Voter Registration.

Thank you.

Lisa Ann Cosby

Chief Deputy

Appendix D

FW: Resent Post URGENT

Beals, Susan (ELECT) <susan.beals@elections.virginia.gov>

Mon 6/10/2024 9:59 AM

To: Koski, Steven (ELECT) <Steve.Koski@elections.virginia.gov>; Lawless, Rachel (ELECT) <Rachel.Lawless@elections.virginia.gov>

From: Denay Harris <DHarris@charlescityva.us>

Sent: Thursday, June 6, 2024 11:10 AM

To: Nichols, David (ELECT) <David.Nichols@elections.virginia.gov>; Beals, Susan (ELECT) <susan.beals@elections.virginia.gov>

Subject: FW: Resent Post URGENT

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Good morning,

Even after the Chairmans email Ms. Kinney is refusing to be the Secretary.

From: Maria Anne Kinney <makinney@charlescityva.us>

Sent: Thursday, June 6, 2024 11:06 AM

To: Denay Harris <DHarris@charlescityva.us>

Cc: Kermit White <kermitwhite8221@gmail.com>; Lisa Cosby <lcosby@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>

Subject: RE: Resent Post URGENT

Good morning Chairman White,

I plan on coming in to vote soon and will bring the stamp and seals to the office at that time.

As of May 15th, I am no longer the secretary for our electoral board. According to 24.2 - 106B, you or Vice-chair Barnes need to be designated as acting secretary until such time as we have a meeting and vote.

Just an FYI, whomever is the new secretary is supposed to keep the seal in their custody according to 24.2 - 107 paragraph 2, last sentence.

See you next tuesday, Anne

On Jun 5, 2024 19:13, Denay Harris <DHarris@charlescityva.us> wrote:
I have forwarded the email to all and BCC the state

From: Kermit White <kermitwhite8221@gmail.com>
Sent: Wednesday, June 5, 2024 7:07 PM
To: Maria Anne Kinney <makinney@charlescityva.us>
Cc: Denay Harris <DHarris@charlescityva.us>
Subject: Resent Post URGENT

Please ignore the last paragraph stating to Please BCC David and Susan in the original email. Thanks!

Secretary Kinney,

I apologize for the late response. As stated in our last meeting, I was on vacation. As you know, Election Day is approaching. In our board meeting held on April 24th, we asked that you return the seal of the Electoral Board to the Registrar's Office, but it has not been received yet. It is the practice to remain in the office in case of an emergency.

I also received your email requesting to no longer serve as secretary of the electoral board, but this will require a meeting to be held. Since we are at the tail end of an election, I suggest including this in our meeting for election wrap-up. If you have any questions, feel free to contact me.

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FW: Resignation from Secretarial Duties

Beals, Susan (ELECT) <susan.beals@elections.virginia.gov>

Mon 6/10/2024 9:58 AM

To: Koski, Steven (ELECT) <Steve.Koski@elections.virginia.gov>; Lawless, Rachel (ELECT) <Rachel.Lawless@elections.virginia.gov>

From: Denay Harris <DHarris@charlescityva.us>

Sent: Saturday, June 8, 2024 5:18 PM

To: Nichols, David (ELECT) <David.Nichols@elections.virginia.gov>; Beals, Susan (ELECT) <susan.beals@elections.virginia.gov>

Subject: FW: Resignation from Secretarial Duties

Importance: High

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Happy end of the 1st Absentee Saturday.

Mr. Barnes wanted me to forward the email I sent to Secretary Kinney following Chairman White's email. I forwarded Chairman White's email to Dave. I think he is nervous. Can we go ahead and order another EB stamp?

Best,

DeNay L. Harris

Director of Elections & General Registrar

Charles City County

10900 Courthouse Road

Charles City, VA 23030

State Certified General Registrar, 2023

P:804-652-4606

C:804-687-8641

From: Denay Harris

Sent: Thursday, June 6, 2024 5:33 PM

To: Maria Anne Kinney <makinney@charlescityva.us>

Cc: Lisa Cosby <lcosby@charlescityva.us>

Subject: Resignation from Secretarial Duties

Importance: High

Secretary Kinney,

Can you please clarify your request to no longer act as the Secretary of the Electoral Board?

Respectfully, the reorganization meeting was held. You also informed us that you would be getting assistance from your friends, who could help you with the minutes. I also told you we will all work together to build election officer training.

The code you referenced in your previous email is below,

§ 24.2-106. Appointment and terms; vacancies; chairman and Secretary; certain prohibitions; training.

B. The board shall elect one of its members as chairman and another as Secretary. The chairman and the Secretary shall represent different political parties unless the representative of the second-ranked political party declines in writing to accept the unfilled office. At any time that the Secretary is incapacitated in such a way that makes it impossible for the Secretary to carry out the duties of the position, the board may designate one of its other members as acting Secretary. Any such designation shall be made in an open meeting and recorded in the minutes of the board.

My interpretation of the code you provided states that the board member representing the second-ranked political party can decline the position in writing. The second-ranked party is the Democrats. The cited code also states that if the Secretary is incapacitated and can't carry out their duties at any time, the board may designate one of its members as acting. Is there a time frame for when you will be able to return to your duties? What Tuesday are you referring to? Will this be the Tuesday you will be returning the stamp?

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road
Charles City, VA 23030
State Certified General Registrar, 2023
P:804-652-4606
C:804-687-8641

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Appendix E

From: [Maria Anne Kinney](#)
To: [Gerald Barnes](#)
Cc: [Lisa Cosby](#); [Kermit White](#); [Gerald Barnes](#); [Sharon Davis](#); [Denay Harris](#)
Subject: RE: Draft minutes
Date: Monday, February 26, 2024 1:34:23 PM

Hi Jerry, The reference to 201 is Precinct 201. I will add that distinction for the final approval.
Anne

On Feb 26, 2024 12:17, Gerald Barnes <cavs18@outlook.com> wrote:
In the draft it references the Election/Registrar Office as 201. We need to reference it in it's proper title as most citizens reading the minutes have no idea what 201 means.

Regards,
Jerry

Sent from [Mail](#) for Windows

From: Denay Harris <DHarris@charlescityva.us>
Sent: Monday, February 26, 2024 10:33:09 AM
To: Maria Anne Kinney <makinney@charlescityva.us>
Cc: Lisa Cosby <lcosby@charlescityva.us>; Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>
Subject: Re: Draft minutes

Greetings,

Maybe there needs to be a better way with communication. The office of Elections has been trying to reach you for sometime now and you haven't responded but you have been in contact with Information Technology many times. Also the officer of Election will not be posted in the hallway it will be posted in our office as it has been. Your county email would have been added to the website if we knew you had one prior to the changes. Lastly please remember we are grown women and we work as a team your email comes off as a demand and rude.

Best,
DeNay

On Feb 26, 2024, at 9:28 AM, Maria Anne Kinney <makinney@charlescityva.us> wrote:

Good morning ladies,

I have a few items that I need for you to take care of at your earliest convenience.

1. Upload the attached draft minutes of the last EB meeting to the EB website.

2. Put the EB dates on the county website calendar.
3. Amend the EB list to state my position of secretary and add my county email to it via a link.
4. Add your advertisement for Officers of Election (currently playing on the screen at the entrance to the county administration building), to the county website. I would suggest the "county news" page.

Thank you, Anne Kinney

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From: [Maria Anne Kinney](#)
To: [Lisa Cosby](#)
Cc: [Kermit White](#); [Gerald Barnes](#); [Denay Harris](#); [Sharon Davis](#)
Subject: RE: Minutes
Date: Tuesday, March 12, 2024 2:52:35 PM
Attachments: [Canvas, CAP and provisional minutes.pages](#)

Hello,

I have the minutes for the Canvas, Cap and Provisional. I'm not sure if you want me to copy and paste them on the letterhead or if it is better for uploading that you do it. If you want me to do it just let me know and I will resend.

Also. I didn't get word from anyone about edits to the Feb. 8th minutes. Please send me the edit notes so I can adjust the minutes and resend them.

Thank you, Anne Kinney

On Mar 12, 2024 14:20, Lisa Cosby <licosby@charlescityva.us> wrote:
Updated, Thank you.

*Thank You
Lisa A Cosby
Chief Deputy NRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030*

From: Anne Kinney <mkcceboard@outlook.com>
Sent: Tuesday, March 12, 2024 2:15 PM
To: Lisa Cosby <licosby@charlescityva.us>
Cc: Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>; Denay Harris <DHarris@charlescityva.us>
Subject: Re: Minutes

Good afternoon,
Please change my email to my county EB email Makinney@charlescityva.us

Thank you, Anne Kinney

Sent from my iPhone

On Mar 12, 2024, at 1:44 PM, Lisa Cosby <licosby@charlescityva.us> wrote:

<.gif>

Good Afternoon, Charles City County Electoral Board.

May I kindly request for the edited draft copy of the minutes from the previous three meetings? As per the standard protocol, the minutes should have been uploaded on the website before each board meeting. However, I am still awaiting their release since the notification that the February minutes required editing. I am sharing the code pertaining to minutes and meetings for the benefit of all concerned parties. I'm referring to the minutes of the February EB meeting, canvas, and the provisional meeting. Mrs. Kinney, kindly ensure that the draft watermark is added to the minutes until the next board meeting, upon which the EB members will sign off on the minutes. Afterward, I will upload the signed minutes onto the website, and you may keep a copy for your minute's book.

§ 24.2-107. Meetings; quorum; notice; account of proceedings; seal; records open to inspection.

*Thank You
Lisa A Cosby
Chief Deputy NRAV/NEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030*

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From: [Lisa Cosby](#)
To: [Maria Anne Kinney](#); [Denay Harris](#); [Sharon Davis](#); [Kermit White](#); [Gerald Barnes](#)
Subject: RE: Sending again
Date: Tuesday, March 12, 2024 3:29:00 PM

Good afternoon, Mrs. Kinney,

For the 2/8/24 edits, there were edits where Mr. Barnes instructed that you need to use the name of the precinct along with precinct numbers—for example, 101-New Vine Baptist Church. In the minutes, you need to separate each meeting onto the letterhead that was provided for the minutes. And attach the draft watermark. In all minutes, you have to use everyone's titles. Kermit White- Chair, Gerald Barnes- Vice-Chair, Maria Anne Kinney- Secretary, DeNay Harris-General Registrar/Director of Elections, Lisa Cosby- Chief Deputy, Sharon Davis- Deputy. There cannot be any abbreviations in Minutes. Reference the website for previous examples of minutes. What have given you are just a few pointers the Board and the Registrar will be sending you the edits that need to be made.

*Thank You
Lisa A Cosby
Chief Deputy /VRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030*

From: Maria Anne Kinney <makinney@charlescityva.us>
Sent: Tuesday, March 12, 2024 3:02 PM
To: Lisa Cosby <lc Cosby@charlescityva.us>; Denay Harris <DHarris@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>; Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>
Subject: Sending again

My apologies everyone, I just realized that I sent the attachment in PAGE form and not everyone has that. I am resending in WORD form now. Thanks, Anne
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From: [Lisa Cosby](#)
To: [Denay Harris](#); [Kermit White](#); [Gerald Barnes](#); [Maria Anne Kinney](#)
Cc: [Sharon Davis](#)
Subject: RE: New Officers, Training , Oath and EOB Minutes
Date: Saturday, April 27, 2024 2:09:00 PM
Attachments: [RE Minutes.msg](#)
[RE Minutes.msg](#)
[RE Minutes.msg](#)
[RE Sending again.msg](#)
[RE Abstract.msg](#)

Good afternoon, All,

I'm sharing all the correspondence with Mrs. Kinney regarding the minutes, from February to the present date. The minutes not being published due to pending approval is not the reason. Mrs. Kinney was requested to make specific revisions but ceased communication with the office. We never saw or heard the revisions until the EB meeting on 4/24/24. The last email I communicated with Mrs. Kinney about minutes was on 3/25/24.

*Thank You
Lisa A Cosby
Chief Deputy NRAV/NEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030*

From: Denay Harris <DHarris@charlescityva.us>
Sent: Saturday, April 27, 2024 1:35 PM
To: Lisa Cosby <lcosby@charlescityva.us>
Subject: Fwd: New Officers, Training , Oath and EOB Minutes

Sent from my iPhone

Begin forwarded message:

From: Maria Anne Kinney <maikinney@charlescityva.us>
Date: April 27, 2024 at 12:52:24 PM EDT
To: Gerald Barnes <cavs18@outlook.com>
Cc: Kermit White <kwhite@charlescityva.us>, Denay Harris <DHarris@charlescityva.us>, Maria Anne Kinney <maikinney@charlescityva.us>
Subject: **Re: New Officers, Training , Oath and EOB Minutes**

Gerald,

I was confused too, that is why I asked the question at the VEBA Conference. Here is how it was explained to me:

- * You only post minutes that have been approved by the Electoral Board.
- * Minutes get approved at the next public meeting.
- * You then send them to the registrar, who has access to the website, and they upload them.

Just FYI, our registrar had the February minutes since 2/26 and the CAP, Canvas and Provisional minutes since 3/12, (in pages and word form). I am guessing that they did not post the minutes I supplied because they had not been approved by the Electoral Board. I have fulfilled my obligations.

As to the vetting of the EOs, it is most definitely our (the Electoral Board) responsibility. What you were referring to is strictly the paperwork portion not the appointing portion. It is one of the 3 items that cannot be delegated.

Anne

On Apr 26, 2024 12:11, Gerald Barnes <cavs18@outlook.com> wrote:

You can quote the **VEBA Hand Book** all you want, however the Charles City Electoral Board operators under the **Laws of Virginia Election Laws 2023 Edition**.

Article 5 Officers of Election 24.2-11 Para 8: States the secretary of the electoral board or the **general registrar shall prepare a list of officers** of the election that shall be available for inspection and posted in the general registrar's office prior to March 1 each year. (Done)

Whenever substitute or additional officers are appointed, the secretary of the electoral board or the general registrar shall promptly add the names to the list. At no time did I use the word **interviews and none are required in the Code**. All that is required of a volunteer is that he or she be a **Commonwealth of Virginia Voter**.

Article 3 Local Electoral Boards 24.2-107 Para 3 ... Minutes of meetings shall be posted as soon as possible but **no later that one week prior to the following meeting of the electoral board**. There is no provision in the code for seven working days of final approval.

As I understand it the VABA Hand Book is only to be used as a guide and should I be wrong I stand corrected.

Jerry

From: Maria Anne Kinney <makinney@charlescityva.us>
Sent: Friday, April 26, 2024 9:56 AM
To: Gerald Barnes <cavs18@outlook.com>
Cc: Kermit White <kwhite@charlescityva.us>; Denay Harris <DHarris@charlescityva.us>; Maria Anne Kinney <makinney@charlescityva.us>
Subject: Re: New Officers, Training , Oath and EOB Minutes

Good morning,

For clarification, it is the Electoral Board's responsibility to interview the candidates. We were supposed to have been given copies of their applications so that we could vet them before the interview process. I have requested these copies and hope to receive them soon. I expect to be given advance notice of the interviews so that I can attend, as I have questions I would like to ask each candidate. Once the interview process is done we will need to have a Board meeting to discuss placement.

2.5 in the VEBA handbook states, "The core supervisory functions of the Electoral Board, such as protecting ballots, appointing officers, and evaluating the general registrar, **cannot be delegated.**"

Also, 2.2-3707.2 posting of minutes for local public bodies.

Except as provided in subsection one of 2.2-3707, any local public body subject to the provisions of this chapter shall post minutes of its meetings on its official public government website, if any, **within seven working days of final approval of the minutes.**

I hope this clears up any confusion.
Anne

On Apr 26, 2024 08:27, Gerald Barnes <cavs18@outlook.com> wrote:
Good Morning,

We need to delay any meeting until DeNay has contacted each of the five new officers to get to know them and see what their availability is for attending a training session and the administering of the oath at the same event. She said she will be getting back with us when she has completed her contacts. We could also address the minutes at the same meeting allowing for the three day notice. Remember we are on their time not on ours, as they are volunteers and we can't demand their presents. We still have plenty of time before the election.

Regards,

Jerry

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Appendix F

From: [Maria Anne Kinney](#)
To: [Denay Harris](#)
Cc: [Kermit White](#); [Gerald Barnes](#); [Nichols, David](#); [Harris, Deandre \(ELECT\)](#); [Lisa Cosby](#); [Sharon Davis](#)
Subject: Re: Abstracts
Date: Friday, March 15, 2024 5:19:44 PM

Mrs. Harris, Are you saying that Mrs. Cosby will be in the office at 8 AM tomorrow or on Monday? Anne

Sent from my iPhone

On Mar 15, 2024, at 4:56 PM, Denay Harris <DHarris@charlescityva.us> wrote:

<image001.gif>
Good Evening,

Unfortunately, we need new signatures for the Republican Abstracts. There was an error, and we needed to remove one vote due to Clerical error. Lisa will be in the office by 8 am. We need the signatures of all three board members and the EB secretary to seal the abstracts. Mrs. Kinney, I understand You were going to VEBA, but this takes precedence over VEBA Should you require any further clarifications, kindly follow up with your previous instructors for further guidance. We advise that you reach out to them directly to ensure that you receive the necessary answers to your queries.

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road
Charles City, VA 23030
State Certified General Registrar, 2023
P:804-652-4606
C:804-687-8641

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please contact Wendy J. Payne at wpayne@charlescityva.us Thank You

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From: [Maria Anne Kinney](#)
To: [Denay Harris](#); [Lisa Cosby](#); [Sharon Davis](#); [Kermit White](#); [Gerald Barnes](#)
Subject: Abstract
Date: Monday, March 25, 2024 11:11:03 AM

Good morning,

I was told when I signed and sealed the Abstract that I would receive a copy of it once it had been uploaded and approved. I have not received anything. Has it been approved? If so. Can you please forward me a copy of the approved Abstract. If it hasn't been approved, do you have an estimated time for it's completion?

I also need the contact information for the Chronicle and any account number necessary to get the June Election notice in the paper.

Thank you, Anne Kinney

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From: [Maria Anne Kinney](#)
To: [Lisa Cosby](#)
Cc: [Denay Harris](#); [Sharon Davis](#); [Kermit White](#); [Gerald Barnes](#)
Subject: RE: Abstract
Date: Monday, March 25, 2024 5:06:20 PM

Mrs. Cosby,

I was informed that the minutes should not be sent to the GR/office until the members had a chance to view and conditionally approve them.

I was told that once they are sent to the GR the office is required to post them (with draft over them), and they could then be FOIA'd, thus possibly posting something that is incorrect.

When I questioned the timing of posting verses approval I was told that they must be posted within 7 days AFTER approval which can only happen at a meeting. I was directed to 2.2-3707.2

At this time we are not in violation of the law. We have not had a meeting to approve any minutes.

Anne Kinney

On Mar 25, 2024 16:50, Lisa Cosby <licosby@charlescityva.us> wrote:
Good Afternoon, Charles City County EB Members,

I've attached the signed and sealed abstracts. That was given to the Department of Elections and State Board of Elections.

Mrs. Kinney, I wanted to ask what is the status of EB minutes? So that I can attach them to the Charles City County Website.

At this present time § 24.2-107 is in Violation.

Thank You

Lisa A Cosby

Chief Deputy NRAV/VEBA

Office of Elections

10900 Courthouse RD

Charles City, VA 23030

From: Denay Harris <DHarris@charlescityva.us>

Sent: Monday, March 25, 2024 4:17 PM

To: Maria Anne Kinney <makinney@charlescityva.us>; Lisa Cosby <licosby@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>; Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>

Subject: RE: Abstract

Good morning,

Abstracts are sent to the state; if there are issues, they will reach out. You can also check on the status on the state's website. However, I'll have Lisa send them over to you. Also, I will continue working with the newspaper ads since I cannot provide you with the PCARD, and invoices are completed within. Also, can you provide me with some of the information you provided me regarding your VEBA meeting? We had a GR/EB meet-up this weekend, and most of the GRs and EB in our region that attended VEBA were there. I reviewed what we talked about, and they wildly looked at me.

Also, Jessie hasn't reached out regarding the serial numbers; however, I have confirmed that GRs do not provide serial numbers for election equipment; we only have to give the public count.

Tina in Williamsburg has provided me with the codes and guidance the SBE supplied in 2020.

Mr. White and Mr. Barnes, the material from VEBA has been uploaded to the VEBA website; from there, you can access documents and videos and see what went on in the breakout rooms. Lisa and Sharon, absorb will reflect VEBA tonight.

I can't remember if it was Mr. Barnes on Mr. White, but an emergency meeting has to be conducted under 2.2-3707.

Also, Mrs. Kinney informed me that minutes are the secretary's responsibility, but the GR can review and suggest edits, as done in many localities. Lastly, EB members are responsible for Election Day. I surveyed many localities and was given a list of Election Day tasks their Board members handle. We can go over that in our next meeting.

Those interested in my duties can be found under 24.2-114 and in the GREB Handbook Chapter 1.

Best,

DeNay L. Harris
Director of Elections & General Registrar
Charles City County
10900 Courthouse Road
Charles City, VA 23030
State Certified General Registrar, 2023
P:804-652-4606
C:804-687-8641

From: Maria Anne Kinney <maikinney@charlescitivityva.us>

Appendix F2

ABSTRACT of VOTES

Cast in CHARLES CITY COUNTY, VIRGINIA
at the 2024 March Democratic Primary held on March 05, 2024 for,

President

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED
(IN FIGURES)

Marianne Williamson - Democratic	17
Joseph R. Biden, Jr. - Democratic	512
Dean Benson Phillips - Democratic	20
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 March 05, 2024, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the President.

Given under our hands this 15th day of March, 2024



Hermit G. White, Chairman
Edward S. Barnes, Vice Chairman
Maria Ann Kinney, Secretary
_____, Acting Secretary

ABSTRACT of VOTES

Cast in CHARLES CITY COUNTY, VIRGINIA
at the 2024 March Republican Primary held on March 05, 2024 for,

President

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED
(IN FIGURES)

Chris Christie - Republican	0
Ryan L. Binkley - Republican	1
Vivek Ramaswamy - Republican	0
Donald J. Trump - Republican	414
Ron D. DeSantis - Republican	4
Nikki R. Haley - Republican	120
Total Number of Overvotes for Office	1

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on March 05, 2024, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the President.

Given under our hands this 15th day of March, 2024

Kermit G. White, Chairman

Gregory S. Barnes, Vice Chairman

Maria Ann Lanning, Secretary

_____, Acting Secretary



Appendix G1

Fw: Pre-Processing

Nichols, David (ELECT) <David.Nichols@elections.virginia.gov>

Wed 6/12/2024 8:08 AM

To: Koski, Steven (ELECT) <Steve.Koski@elections.virginia.gov>

For your records.

-dave

Dave Nichols (he/him)

Election Services Manager

Virginia Department of Elections

1100 Bank St 1st Floor

Richmond, VA 23219

804.864.8952 (office)

804-389-8901 (mobile)

elections.virginia.gov | Follow us @vaElect

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From: Denay Harris <DHarris@charlescityva.us>

Sent: Tuesday, June 11, 2024 6:39 PM

To: Nichols, David (ELECT) <David.Nichols@elections.virginia.gov>

Cc: Beals, Susan (ELECT) <susan.beals@elections.virginia.gov>; Lisa Cosby <licosby@charlescityva.us>

Subject: Pre-Processing

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Greetings,

As you know, pre-processing occurred today; we had 16 ballots and completed pre-processing.

Pre-processing was scheduled to begin at 3:00 pm; however, starting at 2:45, an observer named Patricia Davis came in with a letter signed by Chuck Smith; she stated that Irene Churins

sent her to retrieve the numbers for the Republican Party. I informed her that Ms. Churins was no longer the Charles City Republican Party Chair, but since the candidate signed the letter, she could observe early voting. Ms. Patrica Davis then argued with everyone, stating that Anne knew we would say that, that she would wait until Anne came out of the restroom, and that it was her human right. I went into the office to contact SBE for assistance; during that time, Anne informed Ms. Patricia Davis that the Registrar was wrong, that pre-processing is open to the public, and that she didn't have to go anywhere. While speaking to SBE, another voter said she had been invited to pre-processing.

The voter was also informed that this meeting was open to the public, and the document she read said pre-processing was open. I provided her with the administrative code, and she apologized and left. When that situation was remedied, I called the Sheriff's Department; Anne began antagonizing the election officers and pushing her way through Chief Deputy Cosby, causing Lisa to leave pre-processing. Ms. Kinney started arguing with Vice-Chair Barnes, and the shouting got so bad that the fire department and the Sheriff's department had to run over to the area we were utilizing on the other side of the building. Chairman White asked Ms. Kinney why it is always confusing when we all have to meet with you regarding elections; we have new election officers here, which isn't right.

Anne's response to him was do you read the law. I told Ms. Patrica Davis that she would have to leave because the meeting was not open to the public, and I don't know which one of them said what, but it was asked who am I; I stated the Registrar and pre-processing was not open to the public Ms. Kinney went on and on and then stated that she didn't know and asked where did it say that. I am bothered by the fact that she is disrespectful to our Chairman, asking if he reads the law but forgets it when it comes to what she wants. Ms. Kinney also stated several times that when it was convenient for her to be the secretary, it contradicted her emails that she had abdicated her role. Ms. Kinney also stopped the pre-processing meeting to present me the "thief" of the Electoral Board Stamp back. Two election officers walked out and were going to leave; I got them back into the office while I mediated the situation. I also want to apologize because I know what I am doing, and so does my team. I think the part of thinking on your toes when someone is being combative, aggressive, and rude goes out the window when you are trying to protect your election, and ensuring everyone is remaining calm makes you forget the codes you are used to rattling off. Today, I watched a board member seek reactions from election officers, staff, board members, and the Registrar, and Anne did not attempt to help in pre-processing at any given time. So, Dave, thanks for pointing me back to my advisories.

Best,

DeNay L. Harris

Director of Elections & General Registrar

Charles City County

10900 Courthouse Road

Charles City, VA 23030

State Certified General Registrar, 2023

P:804-652-4606

C:804-687-8641

Charles City County Domain User's Disclaimer (charlescityva.us) Confidentiality Notice: This email and any attachments are intended for the recipient only and may be confidential. If you are not the intended recipient, please notify the sender and delete this message. For questions, contact Wendy J. Payne at wpayne@charlescityva.us. Thank you.

Appendix G2



CHARLES CITY COUNTY SHERIFF'S OFFICE
 10780 COURTHOUSE RD
 P.O. BOX 87
 CHARLES CITY, VA 23030
 (804) 829-9265

Incident No. **2024-000115**
 Call for Service No. **#CCSO2024-006236**
 Occurred From Date: **06-11-2024** Time: **14:55**
 Occurred To Date: **06-11-2024** Time: **15:05**
 Reported Date: **06-12-2024** Time: **09:22**

INCIDENT PAGE 1

DETAILS	Location Address 10900 COURTHOUSE RD; CHARLES CITY VA 23030																
	Location Name REGISTRAR OFFICE						Beat CCSO	Sub Beat CCSO	Geo Code	Latitude 37.340395	Longitude -77.075405						
	Response RR - REPORT REQUIRED			Shift DAYPWR - 0600 - 1800			Weather Conditions 01 - No Adverse Condition (...)			Lighting Conditions 02 - Daylight							
	Agency Status 3 - Pending			<input type="checkbox"/> Arrest(s) Made <input type="checkbox"/> Evidence Collected <input type="checkbox"/> Gang Related <input type="checkbox"/> Photo(s) Taken <input type="checkbox"/> Unknown Offender						Source			Exceptional Clearance		Cleared By		Clearance Date
OFFENSE	Seq 1	Description [18.2-57] ASSAULT: (MISDEMEANOR)				A/C C	Location 11	Bias Motives 99		Usings N	<input type="checkbox"/> Domestic		Securities O				
	Category 13B	VCC: ASL-1313-M1				# of Premises	Entry Method	Entry Locs.	Exit Method	Exit Locs.	Activities	Weapons 40					
OFFENSE	Seq	Description				A/C	Location	Bias Motives		Usings	<input type="checkbox"/> Domestic		Securities				
	Category					# of Premises	Entry Method	Entry Locs.	Exit Method	Exit Locs.	Activities	Weapons					
VICTIM	Seq 1	Victim Type Individual	Victim (Last, First Middle - Business) COBBY, LISA ANN				DOB	SSN	DL#/ID#	State							
	Resident Status Non-Resident of Local Agency's Jurisdiction		Address 1334 COALTER ST; RICHMOND VA 23223				Telephone 804-247-8994	Mobile	Work								
	Occupation REGISTRAR		Employer COMMONWEALTH OF VIRGINIA				Employment Address										
	Offense Link 1	Age <input checked="" type="checkbox"/> Unknown	Age Range -	Sex F	Race B	Height 5' 6"	Weight 150	Hair BLK	Eyes BRO	Ethnicity N							
	Offender Link/Relationship 1 RU		Injuries N				Treated By			Transported To							
	<input type="checkbox"/> Discovered Crime		<input checked="" type="checkbox"/> Can ID Suspect		<input type="checkbox"/> Victim Crime Rights Served		Circumstances			Justified Homicide Circumstances							
	LEOKA Assignment		LEOKA Circumstance		LEOKA Other ORI			LEOKA Status									
State Entry # - Date - By		State Cancellation # - Date - By		NCIC Entry # - Date - By			NCIC Cancellation # - Date - By										
SUSPECT / OFFENDER	Seq 1	Offender Type Suspect	Offender (Last, First Middle) KINNEY, MARIA ANNE				DOB 06-27-1962	SSN	DL#/ID#	State VA							
	Resident Status Resident of Local Agency's Jurisdiction		Address				Telephone	Mobile	Work								
	Occupation UNKNOWN		Employer				Employment Address										
	Place of Birth UNKNOWN		Age 61	<input type="checkbox"/> Unknown	Age Range -	Sex F	Race W	Height 5' 4"	Weight 180	Hair BLN	Eyes GRY	Ethnicity N					
	Injury N		Gang Affiliation		Aliases		Clothing Description										
	Offense Link 1		Scars/Marks/Tattoos/Other		Hair Style	Facial Hair	Complexion	Build	Speech	Handed							
	Treated By		Transported To		Master Name #		Arrest										
State Entry # - Date - By		State Cancellation # - Date - By		NCIC Entry # - Date - By			NCIC Cancellation # - Date - By										
ADMIN	Assisting Officers 27 - CRAWLEY, FRANK						<input type="checkbox"/> Custody Rel. Death		<input type="checkbox"/> Ofc. Non-Fatal Shooting		<input type="checkbox"/> School Related						
	Follow Up Assignment				Assigned		Related Case Number(s)										
	Reported By CRAWLEY, FRANK - 27			Submitted for Review 06-12-2024 16:49			Supervisor 11 - COMER, LESLIE			Supervisor Approved 06-12-2024 16:58							



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INCIDENT PAGE 2

PERSON

Seq	Person Type	Name (Last, First Middle - Business)				DOB	SSN	DL#/ID#	State
Resident Status		Address				Telephone	Mobile	Work	
Occupation		Employer		Employment Address					
Offense Link	Age	Age Range	Sex	Race	Height	Weight	Hair	Eyes	Ethnicity
Victim Link	Offender Link	Injury				Treated By		Transported To	
<input type="checkbox"/> Discovered Crime <input type="checkbox"/> Can ID Suspect <input type="checkbox"/> Statement Taken									
State Entry # - Date - By			State Cancellation # - Date - By			NCIC Entry # - Date - By		NCIC Cancellation # - Date - By	

VEHICLE

Seq	Vehicle Type	Color	Year	Make	Model	Style	State	Registration
VIN		Value	<input type="checkbox"/> Value Unknown		Classification	Towed By		Tow Reason
Offense Link	Victim Link	Offender Link	Person Link	Loss Type		Stored At		
Ownership Verified By		Owner (Last, First Middle - Business)			Owner Address		Owner Telephone	Owner Mobile
Insurance Company		Insurance Address		Ins. Telephone	Notes/Remarks			
<input type="checkbox"/> Reg. Current <input type="checkbox"/> Doors Locked <input type="checkbox"/> Key in Vehicle <input type="checkbox"/> Hold Vehicle <input type="checkbox"/> Damage <input type="checkbox"/> Theft from Vehicle <input type="checkbox"/> Evidence <input type="checkbox"/> Vehicle is Cargo								
Recovered Date	Time	Recovered Location				Recovered By		Recovered Value
Released Date	Time	Released Location				Released By		<input type="checkbox"/> Released Contents
State Entry # - Date - By		State Cancellation # - Date - By			NCIC Entry # - Date - By		NCIC Cancellation # - Date - By	

PROPERTY

Seq	Property Type	Quantity	Description					
Make / Brand		Model		Color	Serial Number		Classification	
Drug Quantity	Drug Measurement	Drug Type Suspected		Value	<input type="checkbox"/> Value Unknown	<input type="checkbox"/> Evidence	<input type="checkbox"/> Cargo	
Offense Link	Victim Link	Offender Link	Person Link	Loss Type		Stored At		
Ownership Verified By		Owner (Last, First Middle - Business)			Owner Address		Owner Telephone	Owner Mobile
Notes/Remarks								
Recovered Date	Time	Recovered Location				Recovered By		Recovered Value
Released Date	Time	Released Location				Released By		
State Entry # - Date - By		State Cancellation # - Date - By			NCIC Entry # - Date - By		NCIC Cancellation # - Date - By	

NARRATIVE

Seq	Narrative Date	Time	Narrative By		<input type="checkbox"/> Investigative
1	06-12-2024	15:00	CRAWLEY, FRANK - 27		
<p>On 06/12/2024 @ 0924, I was dispatched to the Charles City County Administration Building for a report of an assault. I made contact with the Charles City County Registrar Staff Member Lisa Cosby and she stated that she had a brief verbal encounter with Maria Anne Kinney on 06/11/2024 in the Registrar's Office. Kinney left the room and returned moments later insisting that she be allowed back into the room. Cosby stated to Kinney that she was not permitted back into the room. Kinney pushed into the left side of Cosby's body forcing her way back into the room. This offense occurred the day prior to the report of the incident therefore I advised Lisa Cosby to seek a warrant/summons from the Magistrate's Office. An assault & batter summons was issued for Maria Anne Kinney on 06/12/2024 @ 1114. At time of report, the</p>					



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NARRATIVE #1

Seq	Narrative Date	Time	Narrative By	
1	06-12-2024	15:00	CRAWLEY, FRANK - 27	<input type="checkbox"/> Investigative

summons has not been served.

NARRATIVE



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APPROVALS

<input checked="" type="checkbox"/>	Reporting Officer (27) CRAWLEY, FRANK	
<input checked="" type="checkbox"/>	Submitted By (27) CRAWLEY, FRANK	Submitted On 06-12-2024 16:49
<input checked="" type="checkbox"/>	Supervisor Approved By (11) COMER, LESLIE	Supervisor Approved On 06-12-2024 16:58
<input type="checkbox"/>	Final Approved By	Final Approved On (pending)

SUMMARY

June 12, 2024

My name is Deirdre Renee Jackson-Blair. I have been an Election Officer and Chief for Richmond City for ten years. On June 11, 2024, was my second day working for Charles City County Elections.

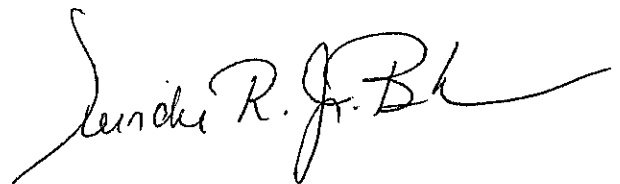
I came from Richmond City, approximately 42 miles away, at the request of the Director of Elections/ Registrar.

My experience on this day was scary, I felt like the people did on January 6th, 2021. We have just finished training in Pre-Processing for CAP and are setting up to proceed with Pre-processing. We were attacked by two women, Anne Kinney and Patricia Davis, who were invited by the EB Member Kinney.

(Anne Kinney). When Ms. Davis first came into the room, she was asked by Mrs. Cosby, the Chief Deputy, what she needed assistance with. Ms. Davis's response was she was there to see the numbers. Mrs. Cosby and the Director of Elections told her that Pre-Processing was not open to the public. She gave the Director of Elections her letter from the Candidate and made the statement that she was sent by Mrs. Churins for the numbers. The Director of Elections/Registrar (DeNay Harris) proceeded into the hallway with Ms. Davis. Approximately 5 minutes later, Ms. Kinney forcibly entered the room and physically propelled Mrs. Cosby, asserting that she could remain. Mrs. Cosby vacated the room after her remark, "Did she just push me?"

Upon Mrs. Cosby's departure, the conduct of the two women became increasingly confrontational, prompting a verbal assault on the officers present. Furthermore, Ms. Davis's assertion to another Election officer conversation told the Election Officer that she needed to be home reading a book instead of looking at TV for the ratings. Ms. Yvonne responded, "This is a free country," their demeanor caused the election officer to react defensively. Observing such behavior was disconcerting, particularly emanating from an Electoral Board member who has sworn to uphold the principles of a fair and secure democracy. I came to do my Civic duty as a citizen and greatly enjoy working for Elections. The Chair of the Electoral Board asked Ms. Kinney "Why are you doing this in front of the New Election Officers?" He stated it is embarrassing, and every time you come, you cause confusion. And her response was to leave me alone. I don't want to talk to you.

Ms. Kinney told DeNay that she would give her the Electoral Board Seals. To do that, she had to reach over to me and say, "Let me give this to you in front of everybody." Then, Ms. Kinney called the Director of Elections/Registrar a thief. From the beginning of their presence in the room, this all looked like a plan to attack. This is a small County, and Ms. Harris needs Security. Anytime you can come into a proceeding and don't know what will happen, that's not good. People are taking this job personally.

A handwritten signature in black ink, reading "Deirdre R. Jackson-Blair". The signature is written in a cursive, flowing style with a long horizontal flourish extending to the right.

My name is Shelia Crump, I work in Cap and I also work in the office as needed. I am writing this letter because I have never seen this type of behavior and I have lived in Charles City all my life. I was going down to the training area and met Ms. Cosby almost in tears, now this has become a normal thing since Ms. Kenny has come become a Board member. When I walked into the place we were meeting for pre-processing another election officer walked out stating that they have no respect. When I walked into the room Ms Kenny was saying to this lady telling her that she didn't have to go to anywhere that pre-processing was open to the public.

Ms. Cosby again asked the lady to leave because the meeting was not open to the public and pushed Ms. Cosby between the table and the voting machine intentionally and walked the lady in with a smirk on her face.

Lisa walked out of the area and Ms Kenny kept on talking to the lady telling her that she didn't have to worry about anything because she knew the law and what she could do and what she couldn't be told.

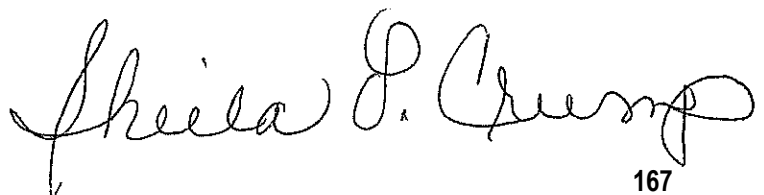
Chairman White was disrespected he said how are you sitting here embarrassing us like this? How are you caring on in this meeting like this fighting with this grown man when he is the chair and telling her to stop she going to tell him leave me alone don't talk to me I don't have anything to say to you. Kenny got mad and argued so bad the way she talked to Mr. Barnes and Mr. White the fire department and sheriff's office had to run back over.

Registrar Harris came back in the room with her codes and her computers and her words and got that lady out of there. The lady said you didn't have to call all these people and the registrar said I did when I explained it to you three times and provided you with the codes and a response from the state. Kenny and the lady are going to say who is she and DeNay said I'm the Registrar an Director of Elections. Ms. Kenny was in pre-processing humming over the process and making it difficult to even hear. Ms. Kenny argued with the new officers we barely had election officers and they may not come back.

I have worked with DeNay and Lisa since they came in and helped Charles City when Ms. Katrina left us. They have been so much fun when they teach us they teach us with care they show us how important we are when it comes to these elections.

I'm an ordained Clergy man, and I can not believe I'm old enough to be this woman's mother to be talking to me, Mr. Barnes or the other members in my age group is disgusting; she is an angry, entitled, pushy, whiny person who has little regard for others and she is willing to risk and demean any election to prove her point that she don't listen to anyone.

I just know this yall need to get this lady some where and its not safe for us being here. I know us elderly will not have another election under these conditons.

A handwritten signature in black ink that reads "Shelia P. Crump". The signature is written in a cursive, flowing style with a large initial 'S'.

Appendix G3

PRELIMINARY PROTECTIVE ORDER

Case No. GV24000113-00

Commonwealth of Virginia VA. CODE § 19.2-152.9

Hearing Date and Time:

General District Court [] Circuit Court [] Extension of Preliminary Protective Order
[] Juvenile and Domestic Relations District Court

CHARLES CITY GEN DIST - CIVIL

PETITIONER

PETITIONER'S DATE OF BIRTH

COSBY, LISA

11/5/1968

LAST FIRST MIDDLE

And on behalf of minor family or household members:
(list each name and date of birth)

Other protected family or household members:
(list each name and date of birth)

V.

RESPONDENT

RESPONDENT IDENTIFIERS (IF KNOWN)

KINNEY, MARIA ANNE

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	F	06	27	62	5	05	160		RD

LAST FIRST MIDDLE

10401 WILCOX NECK RD

RESPONDENT'S ADDRESS

CHARLES CITY, VA 23030

SSN -

DRIVER'S LICENSE NO. STATE EXP.

CAUTION: Weapon Involved

Distinguishing features:

SUMMONS FOR HEARING

TO ANY AUTHORIZED OFFICER: Summon the Respondent as provided below:

TO THE RESPONDENT: You are commanded to appear before this Court on July 1st, 2024 @ 2:00 PM

at CHARLES CITY GEN DIST - CIVIL 10780 COURTHOUSE ROAD, CHARLES CITY, VA 23030 for a hearing on this Petition.

NAME AND ADDRESS OF COURT

06/17/24
DATE ISSUED

[Signature]
CLERK [] DEPUTY CLERK

THE COURT FINDS that it has jurisdiction over the parties and subject matter, and that

- The Petitioner is, or has been, within a reasonable period of time, subjected to an act of violence, force or threat, OR
[] A warrant or petition has been issued charging the Respondent with a criminal offense resulting from the commission of an act of violence, force, or threat as defined in Va. Code § 19.2-152.7:1; and
 - In order to protect the health and safety of the Petitioner or any family or household member of the Petitioner, a preliminary protective order is warranted.
- Ex Parte Proceeding Only:** The petition has been supported by an affidavit or sworn testimony before the judge or intake officer, and either the Petitioner is in immediate and present danger of any act of violence, force, or threat or there is sufficient evidence to establish probable cause that an act of violence, force, or threat has recently occurred so as to justify an *ex parte* proceeding.
- [] As this order was entered without a separate affidavit or an attested petition, or without a form pursuant to Va. Code § 16.1-253.4(D) being presented, the basis upon which this order is entered, including a summary of the allegations made and the court's findings, is as follows:

[] Pursuant to Va. Code § 19.2-152.10(B), a written motion requesting a hearing to extend a protective order was filed prior to the expiration of the protective order without alleging an act of violence, force or threat. This order was issued in an *ex parte* proceeding.

THE COURT ORDERS that:

- The Respondent shall not commit acts of violence, force, or threat or criminal offenses that may result in injury to person or property.
- The Respondent shall have no contact of any kind with the Petitioner
[] except as follows:
- [] The Respondent shall have no contact of any kind with the family or household members of the Petitioner named above
[] except as follows:
- [] The Petitioner is granted possession of the companion animal described as

NAME/TYPE

It is further ordered that

It is further ORDERED that a full hearing on the request for a protective order be held at this Court on JULY 1, 2024 at 2:00PM * and that service of this Order will constitute notice to the parties for that hearing.

*** If the court is closed on the above date because the conditions constitute a threat to the health or safety of the general public or for another reason set forth in Va. Code § 16.1-69.35 or § 17.1-207, the full hearing will be held on the next day that the court is open, and this Preliminary Protective Order will remain in full force and effect until this order is dissolved by the court, another preliminary protective order is entered or a protective order is entered.**

It is ORDERED that the Preliminary Protective Order is extended

- as the Respondent failed to appear at the protective order hearing set for because the Respondent was not personally served.
- upon good cause shown by the Respondent.
- pursuant to Va. Code § 19.2-152.10(B)(2), as the Respondent was personally served but the Petitioner showed by clear and convincing evidence that a continuance is necessary to meet the ends of justice.

Supplemental Sheet to Protective Order, Form DC-653, attached and incorporated by reference. No. of supplemental sheets

6/17/24
DATE

[Signature]
JUDGE

WARNINGS TO RESPONDENT:

Pursuant to Code of Virginia § 18.2-308.1:4, Respondent shall not purchase or transport any firearm while this order is in effect. If Respondent has a concealed handgun permit, Respondent must immediately surrender that permit to the court issuing this order. If Respondent violates the conditions of this order, Respondent may be sentenced to jail and/or ordered to pay a fine.

This order will be entered into the Virginia Criminal Information Network. Either party may at any time file a motion with the court requesting a hearing to dissolve or modify this order; however, this order remains in full force and effect unless and until dissolved or modified by the court. Only the court can change this order.

RETURNS: Each person was served according to law, as indicated below, unless not found.

RESPONDENT:	
NAME	
ADDRESS	
<input type="checkbox"/> PERSONAL SERVICE	TELEPHONE NUMBER
<input type="checkbox"/> NOT FOUND	
SERVING OFFICER	
for	
DATE AND TIME	
RESPONDENT'S DESCRIPTION (for VCIN entry):	
RACE	SEX
DOB:	
HGT	WGT
EYES	HAIR
SSN	
Relationship to Petitioner/Plaintiff	
Distinguishing features	

PETITIONER: (See form DC-621, NON-DISCLOSURE ADDENDUM)	
NAME <u>Cosby, Lisa</u>	
<input checked="" type="checkbox"/> PERSONAL SERVICE	
<input type="checkbox"/> NOT FOUND	
<u>W.C. [Signature]</u> SERVING OFFICER	
for <u>J. Crawley Sheriff</u>	
<u>06-17-2024</u> <u>2:23 PM</u> DATE AND TIME	
<input type="checkbox"/> Copy delivered to	
by	
TITLE	
SIGNATURE	

DEFINITIONS:

“Act of violence, force, or threat” means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et. seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

“Family or household member” means (i) the person’s spouse, whether or not he or she resides in the same home with the person, (ii) the person’s former spouse, whether or not he or she resides in the same home with the person, (iii) the person’s parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren regardless of whether such persons reside in the same home with the person, (iv) the person’s mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, or (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous twelve (12) months, cohabitated with the person, and any children of either of them residing in the same home with the person.

“Companion animal” means any domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. No agricultural animal or game species, or animal actively involved in bona fide scientific or medical experimentation shall be considered a companion animal.

Appendix G4

Denay Harris

From: Norment, Thomas K., Jr. <tknorment@kaufcan.com>
Sent: Friday, June 14, 2024 4:10 PM
To: Denay Harris
Subject: RE: Anne Kinney

I did not intend to bully you and if you felt that way, I apologize.

Thomas K. Norment Jr.
Kaufman & Canoles, P.C.
4801 Courthouse Street, Suite 300
Williamsburg, VA 23188

T (757) 259.3835
F (888) 360.9092
tknorment@kaufcan.com
www.kaufCAN.com

Are you complying with the Corporate Transparency Act that went into effect on January 1, 2024?
[Click here to learn more.](#)

From: Denay Harris <DHarris@charlescityva.us>
Sent: Friday, June 14, 2024 3:49 PM
To: Norment, Thomas K., Jr. <tknorment@kaufcan.com>
Cc: Karen A. Mortensen <kamortensen@newkent-va.us>; cjames@bklawva.com; Tyler Klink <tklink@charlescityva.us>
Subject: FW: Anne Kinney

I guess thanks for acknowledging my feelings. You didn't irritate me; you bullied us, unintentionally or intentionally; that's what took place, but I agree no communication is the best at this point. CA Klink can take it from here.

Be Well

From: Norment, Thomas K., Jr. <tknorment@kaufcan.com>
Sent: Friday, June 14, 2024 3:19 PM
To: Denay Harris <DHarris@charlescityva.us>
Subject: RE: Anne Kinney

Thank you for your courteous email.
I really did not intend to irritate you and if I offended you, I apologize.
I appreciate your public service and know you have a job to fulfill.
I think Anne intends to complete her responsibilities on election day which we should be able to do if everyone is civil and just does their job.
Have a nice and very warm weekend.

Thomas K. Norment Jr.
Kaufman & Canoles, P.C.
4801 Courthouse Street, Suite 300
Williamsburg, VA 23188

T (757) 259.3835
F (888) 360.9092
tknorment@kaufcan.com

Are you complying with the Corporate Transparency Act that went into effect on January 1, 2024?

[Click here to learn more.](#)

From: Denay Harris <DHarris@charlescityva.us>

Sent: Friday, June 14, 2024 3:13 PM

To: Norment, Thomas K., Jr. <tknorment@kaufcan.com>

Cc: Tyler Klink <tklink@charlescityva.us>; Karen A. Mortensen <kamortensen@newkent-va.us>; cjames@bklawva.com;

Lisa Cosby <lc Cosby@charlescityva.us>

Subject: RE: Anne Kinney

Importance: High

I appreciate your concern for me, but I am not the one who is overreacting. I responded to an email from a very seasoned Attorney who contacted me and the victim, which is very intimidating when we are already scared and have issues with what happened. So, I apologize if you believe my response to your demand was what seemed to be overreacting.

I will reassure you that contact with your client will remain limited, as it always is. I will make sure that I always have a deputy with me. However, I must ensure I can fulfill my duties as the Director of Elections and General Registrar.

Please get in touch with the Commonwealth Attorney to inform him how the Defendant will retrieve her ballots on Election Day.

Be Well, and have a wonderful weekend.

DeNay

From: Norment, Thomas K., Jr. <tknorment@kaufcan.com>

Sent: Friday, June 14, 2024 3:01 PM

To: Denay Harris <DHarris@charlescityva.us>

Subject: RE: Anne Kinney

Thank you for your email.

I was merely trying to avoid any further interactions that might exacerbate the situation.

I am not going to debate or discuss the underlying issue with you where you are not involved.

I respect your position and your right to do what you think is appropriate.

I will not contact you again as I think you have overreacted.

Thomas K. Norment Jr.

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From: Denay Harris <DHarris@charlescityva.us>

Sent: Friday, June 14, 2024 2:53 PM

To: Norment, Thomas K., Jr. <tknorment@kaufcan.com>; Lisa Cosby <licosby@charlescityva.us>
Cc: Tyler Klink <tklink@charlescityva.us>; Karen A. Mortensen <kamortensen@newkent-va.us>; cjames@bklawva.com
Subject: RE: Anne Kinney
Importance: High

Greetings,

As you are Ms. Kinney's Attorney and Mrs. Cosby is the Victim, I believe you should have contacted the court first instead of contacting the Victim. I will be reaching out to the VSB about that one.

I also do not think so, as I am the Registrar; I don't believe you can tell me not to attend the polling place when it is my job. Ms. Kinney is the individual listed in the complaint. I think she may not want to attend. Ms. Kinney has already abdicated her duties so that she wouldn't miss much; she is untitled on the Electoral Board and only sits for business, deeming herself incapacitated. Also, please do not contact me, especially with the defendant copied in your email.

Yes, deputies are always with me at check-ins.

Attorneys will be in touch.

Thanks.

From: Norment, Thomas K., Jr. <tknorment@kaufcan.com>
Sent: Friday, June 14, 2024 2:13 PM
To: Denay Harris <DHarris@charlescityva.us>; Lisa Cosby <licosby@charlescityva.us>; lbecon35@gmail.com
Cc: cladafarm@gmail.com
Subject: Anne Kinney
Importance: High

Dear MS Harris and MS Cosby:

Please be advised I represent Anne Kinney who as you well know is a member of the Charles City Co. Electoral Board appointed by the Circuit Court judge.

Unfortunately an incident has purportedly occurred between Mrs. Kenney and MS Cosby that has resulted in a legal matter set in the Charles City County General District Court on July 3, 2024, that I will be representing Mrs. Kinney.

This Saturday there is tentatively set a CAP Count. If that count goes forward I have directed Mrs. Kinney to not attend in light of the current legal circumstances. This in no way should be misinterpreted as an abdication of her responsibilities.

Also, this coming Tuesday is primary election, and as I understand it there are 3 precinct in Charles City County and one member of the Electoral Board is assigned a precinct. Mrs. Kenney fully intends to be present at her assigned precinct. However, I have directed her to have no direct contact with either of you in the event you just stop by. Of course, it is my strong preference you do NOT go to her precinct to avoid any contact whatsoever. If you insist on stopping at her precinct in spite of my respectful request, please do NOT approach her or speak to her in any manner whatsoever. I have asked Mrs. Kinney to call my cell phone if you do come to her assigned precinct. If need be I will dispatch a sheriff's deputy to the precinct to insure there is not interaction initiated on your behalf. We do not need to escalate this situation.

If you have any questions or concerns I suggest you contact an attorney of your choosing. I appreciate your anticipated courtesies.

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Kaufman & Canoles, P.C.
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From: Anne Kinney <cladafarm@gmail.com>
Sent: Friday, June 14, 2024 1:14 PM
To: Norment, Thomas K., Jr. <tknorment@kaufcan.com>
Subject: Emails

CAP Pre-processing Saturday at 2 PM

DeNay Harris - DHarris@Charlescitivityva.us DeNayl.harris@gmail.com

Lisa Cosby - LCosby@Charlescitivityva.us Lbecon35@gmail.com

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Fw: Canvas on June 20, 2024: Anne Kinney

Nichols, David (ELECT) <David.Nichols@elections.virginia.gov>

Wed 6/19/2024 2:15 PM

To: Koski, Steven (ELECT) <Steve.Koski@elections.virginia.gov>

Steve,

Another piece of information from Charles City County.

-dave

Dave Nichols (he/him)

Election Services Manager

Virginia Department of Elections

1100 Bank St 1st Floor

Richmond, VA 23219

804.864.8952 (office)

804-389-8901 (mobile)

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From: Denay Harris <DHarris@charlescityva.us>

Sent: Wednesday, June 19, 2024 1:09 PM

To: Nichols, David (ELECT) <David.Nichols@elections.virginia.gov>; Beals, Susan (ELECT)

<susan.beals@elections.virginia.gov>

Subject: Fwd: Canvas on June 20, 2024: Anne Kinney

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Greetings,

Attached you will find another email from Ms. Kinney attorney. I believe her attorney is trying to say she was unable to fulfill her duties because of this situation however that is not the case. I rearranged the polling places to accommodate her, I had a Deputy with me at all times I also called ahead of time when I needed to go to her assigned locations. The duties the EB members normally handle on Election day were completed by the Chief. Ms. Kinney did not show up at all. Lisa does not go to any of the polling places ever. I am not named in the case nor do I have an order of protection. Ms. Kinney is still able to participate in canvass, Lisa does not take part in canvass unless something is needed but I can of course get up and do it on my own.

Just getting in front of this.

From: "Norment, Thomas K., Jr." <tknorment@kaufcan.com>

Date: June 19, 2024 at 11:50:08 AM EDT

To: Denay Harris <DHarris@charlescivva.us>

Subject: Canvas on June 20, 2024: Anne Kinney

MS Harris:

As a matter of courtesy, based on my legal advice MS Kinney will NOT be participating in the canvass tomorrow in light of the Protective Order in place which requires the parties cannot be within 100 feet of one another. I do not even want the opportunity for a technical violation.

I appreciate your courtesies.

Thomas K. Norment Jr.

Kaufman & Canoles, P.C.

4801 Courthouse Street, Suite 300

Williamsburg, VA 23188

T (757) 259.3835

F (888) 360.9092

tknorment@kaufcan.com

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Appendix H

June 14, 2024

Ms. Susan Beale, Commissioner
State Board of Elections
Richmond, Virginia 23219

Re: *Maria Anne Kinney (Secretary, Charles City County Electoral Board)*

Dear Commissioner Beale:

First and foremost, I would like to take this opportunity to thank Mrs. DeNay Harris, Charles City County Director of Elections/General Registrar (“Registrar Harris), for allowing me the opportunity to be a part of this team. However, we live in a time where registrars and election workers throughout the United States of America are being directly attacked – simply because we choose to adhere to election codes as defined in respective State election laws. For Charles City County (the “County”) these attacks have now escalated from verbal abuse to physical assault – during business hours while in pre-processing. For the past two (2) years I have worked with Registrar Harris, I give testament that she has always gone that extra mile to ensure that all Team members are working in accordance with the *Virginia Election Laws* (“Codes”) while ensuring a safe, pleasant, and professional place of employment – which, oftentimes simply means learning to agree to disagree in a respectful manner.

I attended the SBE’s May 28, 2024 meeting; Maria Anne Kinney (“Mrs. Kinney”) chose to make statements that were, in my opinion, incorrect, unprofessional, and disrespectful. Even though I have previously sent correspondence to the County’s HR Director (attached) regarding concerns I had, as it pertains to the way Mrs. Kinney chooses to communicate with Office staff, I remain surprised and disappointed that Mrs. Kinney referenced Mrs. Lisa Cosby (“Chief Cosby”) and Dr. Sharon Davis (“Deputy”) as being “gatekeepers to Registrar Harris.” I am thankful to work with Registrar. Haris and take pride in every task I am asked to take on.

As a proud mother, grandmother, and great-grandmother who holds a Doctorate in Divinity, an Associate Pastor, licensed Professor, and one who would still remain humbled if I were asked to do the duties included in being a “gatekeeper to Registrar Harris.” In my opinion, Mrs. Kinney sometimes uses words that she feel may offend people; however, as I look at Psalm

141 as written in God’s Word, the context of the word “gatekeeper” is used as a plea to God to guard our mouths – which Mrs. Kinney is in need of. Registrar Harris has always maintained an open-door policy to all – therefore, there is no need for “gatekeepers.”

Below are just a few dates when communications between Mrs. Kinney and this Office have been almost like pulling teeth.

1. **January 7, 2024** – Mrs. Kinney advised Registrar Harris that she “have decided that [she] not require reimbursement for any of [my] expenses occurred as an Electoral Board member. It will not be necessary for me to come in on Monday the 8th to fill out all the County employee paperwork.” This statement was the result of multiple attempts by Registrar Harris, Chief Cosby, and Deputy Davis to advise her of the Election Code (24.2-108 Compensation and Expenses of Members). This communication went on day after day, causing us to get even further behind with Election matters (i.e., sending out Absentee Ballots via mail, etc.).

2. **January 8, 2024:** I advised Mrs. Kinney, in accordance with State Code 24.2, it was imperative that Mrs. Kinney come to the Office to complete “onboarding” papers, in which I made several attempts to contact Mrs. Kinney requesting “as soon as possible” to please advise me a day and time she would be “available to come to the Office to sign various documents.” Mrs. Kinney responded that she “was not onboard with the County.” I reminded Mrs. Kinney that these “onboarding” papers “must be arranged through the Office of Elections, and due to Early Voting starting within a few days . . . this matter [should] be taken care of ASAP – as **TIME IS OF THE ESSENCE.**” Mrs. Kinney’s e-mail stated “as per [her] conversation with Mrs. Cosby at 11:40 this morning, [she] is willing to come down to the Office, but questioned whether it would be too close to a lunch break for HR, and Chief Deputy Cosby stated she would be in touch with [her] as soon as she heard something from HR...” Ultimately, Mrs. Kinney did not come to the Office but visited HR (unannounced) regarding “Onboarding papers.”

3. **January 11, 2024** – Chief Cosby communicated with Mrs. Kinney informing her that Registrar Harris and Chief Cosby were unavailable at the time being requested – once again reminded her that “scheduling appointments with HR must go through the Office of Elections, unless it is a direct HR issue.” Mrs. Kinney was reminded that although she is an EB Member, County policy/ procedure(s) must be adhered to.”

4. **January 12, 2024** – During a conversation between the EB and Chief Cosby, Mrs. Kinney became argumentative and confrontational – and began pointing her fingers at Chief Cosby; Chief Cosby asked Mrs. Kinney not to point her fingers at her when speaking to her; at which point Mrs. Kinney began waiving her arms in the air as if she were determined to make her point to Chief Cosby; Mrs. Kinney remarked that she “didn’t see anything wrong with” the hand gesture since that’s the way she “talk to her children..” **Totally unacceptable – we are all adults!**

5. **January 16, 2024:** Advised Mrs. Kinney (cladafarm@gmail.com) that HR had sent her “Onboarding” paperwork to the Office. Instead of Mrs. Kinney coming to the Office to pick up her “Onboarding” paperwork from Chief Cosby, she bypassed the Registrar’s office and proceeded to HR – even after being instructed that her paperwork could be picked up from this Office.

6. **January 17, 2024:** Advised by Mrs. Kinney for the second time of her new e-mail address (mkccreboard@outlook.com), which she “will be using for EB correspondence.”

7. **January 24, 2024**—Logic & Accuracy (“L&A”) is normally completed within a week before Early Voting, but due to constant back-and-forth with e-mail after e-mail attempting to have Mrs. Kinney sign “Onboarding” paperwork, L&A was completed only one day before Early Voting (January 18, 2024) – resulting in lateness in sending out Absentee Ballots by Mail.

During L&A, Mrs. Kinney also allowed the Republican Chair (Irene Churins) to observe as she entered DS-200 passwords. As Mrs. Kinney assisted in closing out Election equipment, Mrs. Churins was allowed to write down passwords, etc. Unfortunately, because L&A was already complete, Registrar Harris couldn’t change equipment passwords.

Lastly, at the completion of L&A, Mrs. Kinney assisted the Election team with returning the equipment to our Secured Storage Area, and allowed Mrs. Churins to follow her.

8. **January 26, 2024** – Mrs. Kinney visited the Office (without notice), stating she was “here to fill out her paperwork.” I informed her, “because she had been rescheduled three previous times, I would have to speak with Registrar Harris for further direction.” Ultimately, Mrs. Kinney was asked to provide us with her availability, where she began mumbling that she

“had rescheduled all on Tuesdays, and...,” at which point I interrupted her and stated, “I don’t know anything about what you are talking about” and proceeded to ask her for her availability.

9. **January 27, 2024:** I sent an e-mail to Mrs. Kinney (mkcceboard@outlook.com) congratulating her on recent appointment as Secretary to the EB (but no response).

10. **January 29, 2024:** E-mail from VoteCCC, requesting that Ms. Kinney be reached out to using cladafarm@gmail.com or mkcceboard@outlook.com; and that Mrs. Kinney requests “us to cease making appointments in her name.”

11. **January 31, 2024:** Mrs. Kinney sent an e-mail advising that “please change my e-mail to my County address: (Makinney@charlescityva.us).

12. **February 1, 2024:** Correspondence to Mrs. Jessica Poe concerning Mrs. Kinney.

13. **February 8, 2024:** There was an EB meeting, whereby Mrs. Kinney was reminded of her duties as Secretary (i.e., particular, drafting of meeting minutes, followed by forwarding to EB and Registrar, etc.). Mrs. Kinney mentioned that she did “not want [my] name legally tied to the SBE-106.” Further, Mrs. Kinney inquired of the format of sending minutes, of which Registrar Harris assured her that I would be forwarding her a copy of the EB letterhead via e-mail.

14. **February 9, 2024:** As requested by Registrar Harris, I forwarded Mrs. Kinney a copy of the letterhead to be used regarding EB minutes and correspondence and assistance if necessary – of which there was no response.

15. **April 24-25, 2024:** I attended the EB meeting, where discussions ensued around EB Meeting Minutes. At this meeting, Registrar Harris submitted new election officer candidates to the Board. While there was no disagreement, Mrs. Kinney agreed that she would leave the precinct assignment of these Candidates up to Registrar Harris – since Registrar Harris knows where the greater need(s) are for the various precincts.

Further, on April 25, 2024, Mrs. Kinney stated that she “was told that candidates were supposed to be notified of L&A, and that the Election Officers needed to be interviewed and assigned in another email.” Not only had the aforementioned Candidates been approved at the

April 24, 2024 EB meeting, but it was also established that Registrar Harris knows where the greatest precinct need(s) are.

In terms of the taking meeting minutes, Mrs. Kinney stated that she “has never done this before, yet Harris offered to help any way she can; even as Mrs. Kinney continuously ignores any suggestions and/or edits being offered/made by Registrar Harris.

16. **May 15, 2024:** Because I am part of this Team (and was omitted from Mrs. Kinney’s group e-mail, Registrar Harris forwarded me a copy of an e-mail from Mrs. Kinney giving notice that she “resign, [my] position as secretary, effectively immediately.”

17. **June 11, 2024:** Pre-processing was held at 3:00pm. Mrs. Kinney chose to bring a member of the public – which was not allowed. As Registrar Harris and Chief Cosby attempted to pull the Code for Pre-processing, Mrs. Kinney was very disruptive, argumentative to another Board member, and went as far as telling Vice Chair Barnes (in a loud voice) that she did not want to talk to him.

It appears that every task this Office attempts to complete, Mrs. Kinney has always found reason to say that the Code is misinterpreted, we’ve given the wrong code, or even that “somebody don’t know what they’re doing” (even when Code is presented to her).

I could go on and on, but I close in saying the following: Here we are six (6) months later and as hard as we’ve tried, there appears to be no workable solution with Mrs. Kinney. The racial undertones in which we are still working hard to arrive at a mutual working relationship with Mrs. Kinney, and I feel we are no closer now to that resolution than we were in January – when we first began working with her.

How much longer are we expected to work under these harsh, disrespectful and sometimes challenged with racial undertones – from disagreeing with every Code to refusing to acknowledge/respond to correspondence generated by Registrar Harris’ Team, to having the audacity to point your finger at a grown adult, and then joke it off as to be the same manner “that you have with [your kids] – this is so disrespectful.”

While Charles City is a smaller county, if I were an outsider looking in and perhaps contemplating one day living in the County, there's no way I would make myself or my family a part of this difficult vicinity as a place to call home.

Further, given their level of experience within the Office, Mrs. Kinney continues at times to make derogatory comments which indicate that this Office does not know what its doing to leaving the public to think that because of her title as "Secretary," she can decide to hire/fire folk in this Office. It is very interesting that there have been so many negative comments by the County Secretary for the Electoral Board when, in fact, even the EB Secretary has no clue about the level of our daily responsibilities.

As we have been short of Election Officers, we will have even fewer if an interviewing procedure is implemented —especially if the EB (majority) approves the submitted candidates.

Additionally, Mrs. Kinney claims to have never been sent EB letterhead. However, on February 9, 2024, at 3:55 p.m., Deputy Davis forwarded Mrs. Kinney an e-mail attaching the EB letterhead and offered assistance if needed.

Who wants to hear an EB member throw around her/his title of what she can or cannot do—in terms of hiring and firing? Mrs. Kinney's constant reminder of her position as Secretary of the EB has gotten old and out of season. The EB consists of three (3) members sitting on the EB, not two(2).

In Conclusion, Registrar Harris, Electoral Board Members, and this Office are being treated as if we are the "A" students who will always make an "F"— simply because, in my opinion, we are African Americans. I would suggest that Mrs. Kinney make an attempt to put her personal feelings aside for the benefit of this County as a whole.

At this same meeting Mrs. Kinney brought at least two (2) people from the outside to during Pre-Processing. Her decision to invite the public to Pre-processing has once again left Registrar Harris having to explain why a resident is not invited to this process. A constant back and forth, arguing, disagreeable, and even making disrespectful remarks, thereby delaying this process. During this session, and in the presence of Election Officer, Board members, and staff spoke in a louder voice of referencing a letter from Mrs. Carey, which Mrs. Kinney says "she

outright lied.” As Mrs. Kinney was in outright rage, she even asked the Chairman of the EB if he “reads the law,” and then somewhat calmed down to say “I am just trying to follow the law.

How much longer are we expected to work under these disrespectful, unprofessional, uneasy, and oft times under racial undertones type environment? Whether we want to acknowledge it or not – regardless the color of ones skin, how you are able to receive another person’s cultural, spiritual background, we are all human and deserve to be treated as we would have to treat us.

Last, as I’ve watched Mrs. Kinney mimick folk (i.e., humming during a discussion, constantly interrupting when folk are speaking (especially when Registrar Harris is speaking) it is my opinion that Mrs. Kinney treats us in a racial-toned manner.

outright lied.” As Mrs. Kinney was in outright rage, she even asked the Chairman of the EB if he “reads the law” and then somewhat calmed down to say, “I am just trying to follow the law.

How much longer are we expected to work in this disrespectful, unprofessional, cruel , and oftentimes racial undertones-type environment? Whether we want to acknowledge it or not – regardless of the color of one's skin, creed, or how we may perceive another person’s cultural or spiritual background, we are all human and deserve to be treated as we would want another person to treat us.

Last, as I’ve watched Mrs. Kinney mimic folk (i.e., humming during a discussion, constantly interrupting when folk are speaking (especially when Registrar Harris is speaking) it is my opinion that Mrs. Kinney treats us in a racial-toned manner, and seems to enjoy starting chaos.

My prayer is that you will review my thoughts and offer a solution that workable for all of us, so that we may continue to put our best forth, as we stand for the betterment of Charles City County.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dr. Sharon V. Davis". The signature is written in black ink and is positioned above the printed name.

Dr. Sharon V. Davis, Deputy Registrar, III

Sharon Davis

From: Sharon Davis
Sent: Monday, January 8, 2024 2:26 PM
To: cladafarm@gmail.com
Cc: Lisa Cosby
Subject: RE: Scheduling

Mrs. Kinney:

When we spoke this morning, you indicated that you are “not on board with the County.” However, keeping in mind that the Electoral Board is for Charles City County, which requires you to sign various County HR documents (i.e., setting up email addresses, etc.), which must be arranged thru the Office of Elections. You will need to bring with you your identifiers (i.e., Social Security Card or VA Driver’s License). Therefore, as we are quickly approaching Early Voting – which begins on Friday, January 19, 2024, it is imperative that this matter be taking care ASAP – as **TIME IS OF THE ESSENCE**.

Thanking you in advance for your prompt attention to this communication.

Mrs. Sharon Davis
Deputy Registrar
Office of Elections
10900 Charles City Road
Charles City, Virginia 23030

From: Sharon Davis <sdavis@charlescityva.us>
Sent: Monday, January 8, 2024 10:28 AM
To: cladafarm@gmail.com
Cc: Denay Harris <DHarris@charlescityva.us>; Lisa Cosby <lcosby@charlescityva.us>
Subject: Scheduling

Good Morning Mrs. Kinney:

I was unsuccessful in trying to reach you this morning by phone but left you a voice message. Mrs. Harris has just notified me that you will not be in the office today. Therefore, **as soon as possible**, please advise me a day and time you will be available to come to the office so that you can sign various documents, be given instructions as an Electoral Board member, as well as payroll signage.

Please feel free to contact me at 804/652-4606 regarding this request. Thanking you in advance for your prompt attention to this communication.

Mrs. Sharon Davis
Deputy Registrar
Office of Elections
10900 Charles City Road
Charles City, Virginia 23030

Sharon Davis

From: cladafarm@gmail.com
Sent: Monday, January 8, 2024 2:35 PM
To: Sharon Davis
Subject: Re: Scheduling

Hello Mrs. Davis, As per my conversation with Mrs. Cosby at 11:40 AM this morning, I am willing to come down to the office but was questioning whether it would be too close to a lunch break for HR. Mrs. Cosby stated that she would be in touch with me as soon as she heard something from HR. Thank you, Maria Anne Kinney

Sent from my iPhone

On Jan 8, 2024, at 2:26 PM, Sharon Davis <sdavis@charlescityva.us> wrote:

Mrs. Kinney:

When we spoke this morning, you indicated that you are “not on board with the County.” However, keeping in mind that the Electoral Board is for Charles City County, which requires you to sign various County HR documents (i.e., setting up email addresses, etc.), which must be arranged thru the Office of Elections. You will need to bring with you your identifiers (i.e., Social Security Card or VA Driver’s License). Therefore, as we are quickly approaching Early Voting – which begins on Friday, January 19, 2024, it is imperative that this matter be taking care ASAP – as **TIME IS OF THE ESSENCE**.

Thanking you in advance for your prompt attention to this communication.

Mrs. Sharon Davis
Deputy Registrar
Office of Elections
10900 Charles City Road
Charles City, Virginia 23030

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Sent: Monday, January 8, 2024 10:28 AM
To: cladafarm@gmail.com
Cc: Denay Harris <DHarris@charlescityva.us>; Lisa Cosby <lcosby@charlescityva.us>
Subject: Scheduling

Good Morning Mrs. Kinney:

I was unsuccessful in trying to reach you this morning by phone but left you a voice message. Mrs. Harris has just notified me that you will not be in the office today. Therefore, **as soon as possible**, please advise me a day and time you will be available to come to the office so that you can sign various documents, be given instructions as an Electoral Board member, as well as payroll signage.

Please feel free to contact me at 804/652-4606 regarding this request. Thanking you in advance for your prompt attention to this communication.

Mrs. Sharon Davis
Deputy Registrar
Office of Elections
10900 Charles City Road
Charles City, Virginia 23030

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Sharon Davis

From: Denay Harris
Sent: Wednesday, January 17, 2024 8:13 AM
To: Sharon Davis
Subject: Fwd: Change of email

Sent from my iPhone

Begin forwarded message:

From: Denay Harris <DHarris@charlescityva.us>
Date: January 17, 2024 at 7:24:42 AM EST
To: Anne Kinney <mkcceboard@outlook.com>
Cc: Lisa Cosby <lcosby@charlescityva.us>
Subject: Re: Change of email



On Jan 17, 2024, at 7:01 AM, Anne Kinney <mkcceboard@outlook.com> wrote:

Good morning Mrs. Cosby and Mrs. Harris, I have a new email that I will be using for Electoral Board correspondence. Please immediately change any previous contact email you have for me to mkcceboard@outlook.com
Thank you, Maria Anne Kinney

Sent from my iPhone

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Sharon Davis

From: Sharon Davis
Sent: Friday, January 26, 2024 2:06 PM
To: Lisa Cosby
Cc: Denay Harris
Subject: Maria Anne Kinney

Mrs. Cosby:

Maria Anne Kinney stopped by the office around 1:15pm indicating that she was "here to fill out her paperwork." However, I told her that because of she had been rescheduled three previous times that I would have to speak with Mrs. Harris for further information. Upon reaching Mrs. Harris I was instructed to contact Mrs. Cosby for her availability. However, Mrs. Kinney went on to say that she had rescheduled all on Tuesdays, and... at which I interrupted her and said "I don't know anything about, and proceeded to ask her availability.

Mrs. Kinney's indicated at she is available:

Monday, after noon

Wednesday and Friday – all day

Thursday between 10:00am and 2:00pm.

Mrs. Cosby, just as a reminder – you pretty much have standing tasks that are normally taken care of on Wednesdays and Fridays. The phone number I have for her on file is: 804/357-2461.

Thx.

Ms. Sharon

Sharon Davis

From: Sharon Davis
Sent: Monday, January 29, 2024 8:40 AM
To: Denay Harris
Subject: Communication between Maria Kinney and Sharon Davis
Attachments: Jan 8 2024.Kinney Communication.Sharon Davis.pdf

Good Morning Mrs. Harris:

I've attached a copy of communication (via-email) I've had with Mrs. Kinney. Please let me know if there is anything else you may require.

Thx.

Ms.Sharon

Sharon Davis

From: cladafarm@gmail.com
Sent: Monday, January 8, 2024 2:35 PM
To: Sharon Davis
Subject: Re: Scheduling

Hello Mrs. Davis, As per my conversation with Mrs. Cosby at 11:40 AM this morning, I am willing to come down to the office but was questioning whether it would be too close to a lunch break for HR. Mrs. Cosby stated that she would be in touch with me as soon as she heard something from HR. Thank you, Maria Anne Kinney

Sent from my iPhone

On Jan 8, 2024, at 2:26 PM, Sharon Davis <sdavis@charlescityva.us> wrote:

Mrs. Kinney:

When we spoke this morning, you indicated that you are "not on board with the County." However, keeping in mind that the Electoral Board is for Charles City County, which requires you to sign various County HR documents (i.e., setting up email addresses, etc.), which must be arranged thru the Office of Elections. You will need to bring with you your identifiers (i.e., Social Security Card or VA Driver's License). Therefore, as we are quickly approaching Early Voting – which begins on Friday, January 19, 2024, it is imperative that this matter be taking care ASAP – as **TIME IS OF THE ESSENCE**.

Thanking you in advance for your prompt attention to this communication.

Mrs. Sharon Davis
Deputy Registrar
Office of Elections
10900 Charles City Road
Charles City, Virginia 23030

From: Sharon Davis <sdavis@charlescityva.us>
Sent: Monday, January 8, 2024 10:28 AM
To: cladafarm@gmail.com
Cc: Denay Harris <DHarris@charlescityva.us>; Lisa Cosby <lcosby@charlescityva.us>
Subject: Scheduling

Good Morning Mrs. Kinney:

I was unsuccessful in trying to reach you this morning by phone but left you a voice message. Mrs. Harris has just notified me that you will not be in the office today. Therefore, as soon as possible, please advise me a day and time you will be available to come to the office so that you can sign various documents, be given instructions as an Electoral Board member, as well as payroll signage.

Please feel free to contact me at 804/652-4606 regarding this request. Thanking you in advance for your prompt attention to this communication.

Mrs. Sharon Davis
Deputy Registrar
Office of Elections
10900 Charles City Road
Charles City, Virginia 23030

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Sharon Davis

From: Sharon Davis
Sent: Monday, January 8, 2024 9:38 AM
To: Denay Harris
Subject: Anne Kinney

Mrs. Harris:

At 9:36am, I left a message for Anne Kinney asking that she give you a call at her earliest convenience.

Ms. Sharon

Sharon Davis

From: Sharon Davis
Sent: Monday, January 29, 2024 5:07 PM
To: Lisa Cosby; Denay Harris; owner
Cc: Kermit White; Harris, Deaundre (ELECT); chris.marston@gmail.com; Gerald Barnes
Subject: RE: Registrations

Mrs. Harris, thank you kindly for the clarification.

Mrs. Kinney, Congratulations on your recent appointment as Secretary to the Charles City County Electoral Board. I look forward to working with you throughout your term. Therefore, please do not hesitate to let me know if I can be of assistance to you.

Have a wonderful evening.

Dr. Sharon Davis,
Deputy Registrar III
Office of Elections
10900 Courthouse Road
Charles City, Va. 23030

-----Original Message-----

From: Lisa Cosby <lcosby@charlescityva.us>
Sent: Monday, January 29, 2024 4:43 PM
To: Denay Harris <DHarris@charlescityva.us>; owner <mkcceboard@outlook.com>
Cc: Kermit White <kwhite@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>; Harris, Deaundre (ELECT) <deaundre.harris@elections.virginia.gov>; chris.marston@gmail.com; Gerald Barnes <gbarnes@charlescityva.us>
Subject: RE: Registrations

"Thank you, Mrs. Harris.

Thank You
Lisa A Cosby
Chief Deputy /VRAV/VEBA
Office of Elections
10900 Courthouse RD
Charles City, VA 23030

-----Original Message-----

From: Denay Harris <DHarris@charlescityva.us>
Sent: Monday, January 29, 2024 4:36 PM
To: owner <mkcceboard@outlook.com>
Cc: Lisa Cosby <lcosby@charlescityva.us>; Kermit White <kwhite@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>; Harris, Deaundre (ELECT) <deaundre.harris@elections.virginia.gov>; chris.marston@gmail.com; Gerald Barnes <gbarnes@charlescityva.us>
Subject: RE: Registrations

Importance: High

Mrs. Kinney,

Well, I am guessing we are both just confused. I reached out to congratulate you and asked if you could provide your availability for the next three months, and your words were that you were completely available. However, after being scheduled, you emailed stating you wouldn't need to come in.

I did not need to respond to your email because there was no need to once my Chief Deputy contacted you. Also, in the same way you are asking to be communicated with in a timely manner, I ask that you do the same for those who reach out to you. We have contacted you several times, but you have not responded. You have the contact information for the other board members so that you can speak to them about that. Furthermore, when you sign up for training, we ask that you let our office and the other Board members know so that you can attend training together since you are all part of a team.

Best,
DeNay L. Harris
Director of Elections & General Registrar Charles City County
10900 Courthouse Road
Charles City, VA 23030
State Certified General Registrar, 2023
P:804-652-4606
C:804-687-8641

-----Original Message-----

From: owner <mkcceboard@outlook.com>
Sent: Monday, January 29, 2024 3:56 PM
To: Denay Harris <DHarris@charlescityva.us>
Cc: Lisa Cosby <licosby@charlescityva.us>; Gerald Barnes <cavs18@outlook.com>; Kermit White <kwhite@charlescityva.us>; Sharon Davis <sdavis@charlescityva.us>; Harris, Deaundre (ELECT) <deaundre.harris@elections.virginia.gov>; chris.marston@gmail.com
Subject: Re: Registrations
Importance: High

Mrs. Harris,

I'm confused. I have only registered myself, not anyone else. I have made appointments for myself, not anyone else. I have represented myself, not anyone else. I would ask that you consult me before you sign me up for anything as it is my time to schedule not yours.

I would also appreciate you responding to my emails in a timely manner. I am still waiting for a response to an email that I sent to your office on January 17th.

I would love to communicate with my other Electoral Board members however, they also have not responded to the 2 emails (1/18 and 1/25) I have sent.

Please let me know what needs to be done in your office to complete my "on-boarding" as I have completed the paperwork for the county HR.

Thank you, Maria Kinney

> On Jan 29, 2024, at 3:39 PM, Denay Harris <DHarris@charlescityva.us> wrote:
>
> I ask that you consult with other Electoral Board members before standing on their behalf or behalf of the Office of Elections.
>
> -----Original Message-----
> From: owner <mkcceboard@outlook.com>
> Sent: Monday, January 29, 2024 3:35 PM
> To: Denay Harris <DHarris@charlescityva.us>; Lisa Cosby
> <lcosby@charlescityva.us>
> Subject: Registrations
>
> Dear Mrs. Harris and Mrs. Cosby, I am requesting that you cease making
> appointments in my name as well as registering me for anything we have
> not discussed. Thank you, Maria Kinney Charles City County Domain
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> and all copies from your system. Should you have questions please
> contact Wendy J. Payne at wpayne@charlescityva.us Thank You Charles
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> Thank You

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Sharon Davis

From: Sharon Davis
Sent: Monday, January 29, 2024 8:40 AM
To: Denay Harris
Subject: Communication between Maria Kinney and Sharon Davis
Attachments: Jan 8 2024.Kinney Communication.Sharon Davis.pdf

Good Morning Mrs. Harris:

I've attached a copy of communication (via-email) I've had with Mrs. Kinney. Please let me know if there is anything else you may require.

Thx.

Ms.Sharon

Sharon Davis

From: owner <mkcceboard@outlook.com>
Sent: Monday, January 29, 2024 3:35 PM
To: Denay Harris; Lisa Cosby
Subject: Registrations

Dear Mrs. Harris and Mrs. Cosby, I am requesting that you cease making appointments in my name as well as registering me for anything we have not discussed. Thank you, Maria Kinney Charles City County Domain User's Disclaimer (charlescityva.us) Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachment(s) is intended only for the use of the intended recipient and may be confidential and/or privileged. If any reader of this communication is not the intended recipient, unauthorized use, disclosure, or copying is strictly prohibited, and may be unlawful. If you have received this communication in error, please immediately notify the sender by return e-mail, and delete the original message and all copies from your system. Should you have questions please contact Wendy J. Payne at wpayne@charlescityva.us Thank You

Sharon Davis

From: VoteCCC
Sent: Monday, January 29, 2024 4:07 PM
To: Josepha Bolling-Thompson
Cc: Denay Harris; Kermit White; Gerald Barnes; Sharon Davis
Subject: RE: Two Boot Camp Registrations
Attachments: Registrations

Good Afternoon,

Kindly note that we have been provided with two email addresses of Mrs. Maria Anne Kinney. Therefore, we request you reach out to her via either of the email addresses provided. cladafarm@gmail.com or mkcceboard@outlook.com. Please be informed that Mrs. Kinney has requested us to cease making appointments in her name. For your reference and record, we have attached her email regarding this matter to this message.

Thank you,

Lisa A Cosby

Chief Deputy Registrar

VA/VEBA

Certified VA Notary

10900 Courthouse RD Charles City Co., VA

804-652-4606 / lc Cosby@charlescityva.us



***Intelligence plus character – that is the goal of true education.
- Martin Luther King Jr***

From: Josepha Bolling-Thompson <vebajosepha@gmail.com>
Sent: Monday, January 29, 2024 3:26 PM
To: VoteCCC <VoteCCC@charlescityva.us>; cladafarm@gmail.com
Subject: Two Boot Camp Registrations

Greetings,

This is Josepha, the VEBA Website Manager. We have two similar registrations for the February Boot camp

with different email addresses.:

1. Anne Kinney, Charles City County voteccc@charlescivitya.us 01-17-24
2. Maria Anne Kinney, Charles City County, cladafarm@gmail.com 01-04-24

Would someone please clarify which record to remove (if any) so that our database can be accurate for planning purposes?

Thanks so much and have a super day.

Josepha

Josepha B.Thompson

Electoral Board, Galax City

VEBA Website Manager

Owner, [Fresh Brewed Solutions](#)
Website Development, Computer Training, Consultation
Mobile: (276) 920-9119

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Sharon Davis

From: Sharon Davis
Sent: Wednesday, January 31, 2024 2:06 PM
To: Lisa Cosby
Cc: Sharon Davis
Subject: Maria Anne Kinney

Mrs. Cosby:

FYI: at 1:28pm today, I spoke with Maria Anne Kinney regarding scheduling her to come to the Office of Elections to sign the SBE-106 form. Mrs. Kinney says she is "not comfortable signing her name to the form," because the guidelines state that there should have been an Electoral Board meeting immediately after the appointment to establish who the official Board Members are/will be. She further indicated that "this has not been done, but as soon as a meeting is scheduled", she would proceed. After a couple of times of going back and forth, Mrs. Kinney again says, she "does not feel comfortable putting her name on the form," when in fact no meeting has been scheduled to establish Board positions. Therefore, I have referred this to you, as Chief Deputy, because the going back and forth is much too time consuming – especially, since we are in Early Voting mode.

Would you please give her a call to further instruct her on what to do, if anything??? I appreciate your assistance in this matter.

Thanks for your help!

Sharon V. Davis

Deputy Registrar III
Office of Elections
10900 Charles City Road
Charles City, Va. 23030
Phone: 804/652-4606

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Sharon Davis

From: Jessica Poe
Sent: Thursday, February 1, 2024 10:34 AM
To: Sharon Davis
Cc: Lisa Cosby
Subject: Re: Anne Kinney

Good Morning Ms. Sharon,

Thank you for informing me of your concerns as we do not support or condone such behaviors.

I will take the necessary steps of action to investigate this matter further.

Please let me know if you have any questions.

I look forward to hearing from you.

Have an Excellent Thursday!

Respectfully,

Jessica Poe
Human Resources Director
Charles City County
10900 Courthouse Road
P.O. Box 128
Charles City, VA 23030

O: [804-652-4725](tel:804-652-4725)

F: [804-829-5819](tel:804-829-5819)

Email: jpoe@charlescityva.us

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From: Sharon Davis <sdavis@charlescityva.us>
Sent: Wednesday, January 31, 2024 4:33 PM
To: Jessica Poe <jpoe@charlescityva.us>
Cc: Lisa Cosby <licosby@charlescityva.us>
Subject: Anne Kinney

Respectfully submitted,

Dr. Sharon V. Davis

Deputy Registrar III
Office of Elections
10900 Charles City Road
Charles City, Va. 23030
Phone: 804/652-4606

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Good Afternoon Mrs. Poe:

I hope all is well, and you are having a productive day. However, I am reaching out to you regarding the recent matter which has taken place in the Office of Elections. I am aware that Mrs. Maria Anne Kinney (Secretary, Electoral Board), at one of the recent County board meetings, has made a couple of alarming statements, which I would like to address as it pertains to me and my employment with the County.

The statement made by Mrs. Kinney – “there are too many people working” in this office is alarming and is extremely concerning in reference to my job security. Such state has created a working environment which is definitely not one that I am use to working in, especially over the past year. While I take pride in all I do as Deputy Registrar III in the Office of Elections, I am a woman, a mother, grand/great grandmother, a Pastor, hold a Doctorate, a Charles City County resident, and a County employee, I would rather avoid such an uncomfortable environment.

The manner/tone in which I have witnessed Mrs. Kinney as she addresses staff, the Electoral Board, and others around me, is extremely disturbing. The one thing that I was happy about when I first started working in this Department was the level of communication and respect between this Office, the Electoral Board, Election Officers, the Director of Elections and General Registrar. Up and until now, Board members have always appeared to have respect for each other – without being reminded of their respective positions/title.

A couple of weeks ago, to assist with the signage of Mrs. Kinney’s onboarding paperwork, I had to reach out to her several times to obtain her scheduling, which only resulted in nothing less than a headache, as well as an insult to what I know in terms of working habits.

The confrontational manner which she chooses in addressing various issues is also disrespectful. While in attendance at a recent Electoral Board meeting Mrs. Kinney indirectly advised attendees that she has a private attorney. Coming from a 35-year background in Government Contracts/Real Estate/Medical law, Mrs. Kinney’s oft times displays condescending mannerisms. Such mannerisms has caused me to cease, when possible, any communication with her – and ultimately has resulted in my feeling extremely uncomfortable with completing the assigned

task(s) which involves her. Furthermore, such an uncomfortable feeling requires me to check, re-check, and check again anything involving her. Please note, however, the aforementioned-feelings are not in lieu of saying I am “scared”, but one which I would rather avoid even in the most minute task, for fear of arguing with her; every assignment involving her is always like climbing a mountain without climbing shoes.

While this Office adheres to policies/procedures as set forth in the Virginia Election Laws, 2023 Edition, published by the Department of Elections, I believe it to be a form of highway robbery that an assignment involving Mrs. Kinney, which normally takes all but five (5) minutes to complete results in a delay, delay, delay.

Even today (Wednesday, January 31, 2024), in an attempt to reach Mrs. Kinney to sign a required document – the going back and forth as to why she does not feel comfortable signing – caused me to spend unnecessary time for signage of a document which requires signature by the Board Secretary.

Lastly, there’s been chatter going around behind Mrs. Kinney’s comments pertaining to this Office. Whenever Mrs. Kinney has called and/or visited this Office, I have always greeted her in a professional manner and offered to assist in any way. It grieves my heart to hear that this Office has been described as one who does “nothing.”

While I remain confident in completing the many tasks/assignments, the security of my job is one of my grave concerns. If Mrs. Kinney, alone, is now allowed to decide the fate of my job/position, in my opinion, is alarming. While I remain uncomfortable when it comes to completing my tasks involving Mrs. Kinney, I remain unsettled that this may be a first stage in eliminating my position – especially, since Board members (excluding Mrs. Kinney) has witnessed on several occasions the level of my responsibilities and completion of day-to-day assignment(s) as Deputy Registrar III.

I love my job, but am concerned over job security, since Mrs. Kinney has made the statement that there are “too many working” in this office. Therefore, I would have never thought in a million years that I would be left daily wondering if I will have a job tomorrow, if I said this or that even if the language was quote within Virginia Election Laws.

Sharon Davis

From: Denay Harris
Sent: Friday, February 9, 2024 8:21 AM
To: Sharon Davis
Subject: Letterhead

Good morning,

Please send Anne the electoral board letter head.

Sent from my iPhone

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Sharon Davis

From: Sharon Davis
Sent: Friday, February 9, 2024 3:55 PM
To: Maria Anne Kinney
Cc: Denay Harris; Gerald Barnes; Lisa Cosby
Subject: Electoral Board Letterhead
Attachments: ELECTORAL BOARD.LETTERHEAD.docx

Good Evening, Mrs. Kinney:

Attached is a copy of the Electoral Board letterhead, which I am hopeful will be useful for minutes, correspondence, etc. Please do not hesitate to call me if I can be of further assistance.

Have a wonderful and safe weekend.

Dr. Sharon V. Davis

Deputy Registrar III
Office of Elections
10900 Charles City Road
Charles City, Va. 23030
Phone: 804/652-4606

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Charles City County

Charles City, Virginia 23030

Electoral Board

Kermit White

Chair

Gerald Barnes

Vice-Chair

Maria Kinney

Secretary

Government Administration Building - 10900 Courthouse Road, Charles City, Virginia 23030

Sharon Davis

From: Denay Harris
Sent: Tuesday, May 21, 2024 11:58 AM
To: DeNay Harris
Cc: Sharon Davis
Subject: FW: Secretary position

From: Gerald Barnes <gbarnes@charlescityva.us>
Sent: Tuesday, May 21, 2024 11:54 AM
To: Denay Harris <DHarris@charlescityva.us>; cavs18@outlook.com.DeNay; Lisa Cosby <lcosby@charlescityva.us>
Subject: Fwd: Secretary position

Get [Outlook for iOS](#)

From: Maria Anne Kinney <makinney@charlescityva.us>
Sent: Wednesday, May 15, 2024 12:44:08 PM
To: Kermit White <kwhite@charlescityva.us>; Gerald Barnes <gbarnes@charlescityva.us>; gloriaangel@cox.net <gloriaangel@cox.net>
Subject: Secretary position

Dear all,

Due to unforeseen circumstances I am hereby resigning my position as secretary, effective immediately.

I will continue in my capacity as a member of the Charles City Electoral Board for the remainder of my term.

Signed, Maria Anne Kinney

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Charles City County Domain User's Disclaimer (charlescityva.us) Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachment(s) is intended only for the use of the intended recipient and may be confidential and/or privileged. If any reader of this communication is not the intended recipient, unauthorized use, disclosure, or copying is strictly prohibited, and may be unlawful. If you have received this communication in error, please immediately notify the sender by return e-mail, and delete the original message and all copies from your system. Should you have questions please contact Wendy J. Payne at wpayne@charlescityva.us Thank You

Appendix I

Electoral Board Job Description

Summary:

The Electoral Board of each County and City in Virginia is made up of three members who serve three-year staggered terms. Two members are members of the political party of the most recently elected governor. The chair and secretary must represent different political parties unless the position is declined. Although the bipartisan board is appointed by the Circuit Court based upon local party recommendations, each member must carry out official duties in a nonpartisan manner. The authority for the administration of many aspects of elections for the locality remains with the Electoral Board, including oversight of the General Registrar/Director of Elections, and is responsible to the State Board of Elections for that administration. It appoints the General Registrar, who handles voter records. Generally, the work of the Electoral Board should be shared equally by all three members, although the Secretary has additional responsibilities.

I. Responsibilities:

A. Election administration includes:

1. Approval of voting equipment to be used, and development and approval of a security plan to keep all equipment and materials secure.
2. Ensure the creation, production and proper custody of ballots.
3. Ensure the proper conduct of Logic and Accuracy (L&A) test to be sure equipment is programmed correctly for each election.
4. Assist in conducting absentee voting when requested by the Director of Elections.
5. Appointment of officers of election and ensuring that training, assignment and review of precinct officers of election occurs.
6. Ensure coordination with other local government departments (e.g., police, sheriff, public works, IT, schools) to ensure smooth conduct of each election.
7. Assistance in procuring, packing and delivering supplies to polling places.
8. Ensure proper setup of polling places prior to each election.
9. Assistance in polling places and offices as needed on Election Day. Availability to respond to inquiries from media, voters and political parties
10. Conduct of post-election canvass to ascertain that all precinct results are accurate and complete.
11. Based on input from the General Registrar, determination of validity and counting of provisional ballots.
12. The Electoral Board's signatures on the certification of results following the canvass is the ultimate declaration of the truth, accuracy and dependability of the vote totals being submitted to the Commonwealth and is thus the foundation of the democratic process.

- B. The Electoral Board has additional responsibilities, including:
1. Appointment, removal and annual performance evaluation of General Registrar.
 2. Certification of candidates, when required.
 3. Conduct of meetings in accordance with the Freedom of Information Act (FOIA).
 4. Familiarity with federal and state laws that must be followed in conducting elections.
 5. Attendance at training programs provided by Virginia Department of Elections (ELECT).
 6. Together with the General Registrar, administration of the Office of Elections, including budgeting and dealing with local government officials, as needed.
 7. The Secretary of the Electoral Board has specific tasks and responsibilities according to the Code and must take and keep accurate minutes of all board meetings.

II. Electoral Board Activity Prohibitions:

- A. May not collect any fee as a notary during the time of such appointment.
- B. May not engage in political activities when performing official duties.
- C. May not solicit signatures for candidate petitions in a public building.

III. Qualifications:

The following qualification is required by law:

- Must be a qualified voter of the County or City, in good legal standing.

IV. Disqualifications:

- A. Must not be directly related to another Electoral Board member or General Registrar or to a candidate or holder of elected office.
- B. May not serve as chair of a political party, at local, district or state level, and may not hold elected office or offer to be a candidate for elected office
- C. May not be employed by or hold incompatible office under federal, state or local government (ELECT will provide a list of incompatible offices)

V. Additional desirable characteristics:

- A. Customer-service orientation in dealing with voters.
- B. Computer literacy, as much business is conducted via email.
- C. Ability to travel around the County or City.
- D. Public speaking ability to conduct training or address groups.
- E. Writing ability to write training materials, legislative positions, or analyses.
- F. Basic budgeting skills.
- G. Knowledge of basic legal concepts and judicial proceedings; willingness to become deeply familiar with United States Code Title 52 and Virginia Code Title 24.2 governing Elections and administrative regulations thereunder.
- H. Assertive manner when needed to enforce compliance with code or regulations.

Conditions:

Service on the Electoral Board is a year-round obligation. There is a general election every year in November and a primary election most years in June. In addition, there may be City or Town elections in May and special elections whenever called. From six to two weeks prior to each election, the board may need to be available a few times per week for a few hours. The week prior to and the week of the election, the board needs to be available most of the time, including 5am-10pm or later on Election Day. At other times the board may meet monthly and may attend training or networking meetings or conferences. Members may be asked to address local groups or attend meetings of interest.



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BOARD WORKING PAPERS



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RCV Regulations

BOARD WORKING PAPERS

Steven Koski

Compliance Advisor



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STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice-Chair Dance, Secretary Alvis-Long, Delegate Merricks, and Mr. Weinstein

From: Steve Koski, Compliance Advisor

Date: July 2, 2024

Re: Regulation for RCV Batch Elimination

Suggested Motions

"I move that the State Board of Elections approve the proposed amendments to regulatory actions 1VAC20-100-10 and 1VAC20-100-50."

Applicable Code Sections

§24.2-103(A): [The State Board of Elections] shall make rules and regulations and issue instructions and provide information consistent with the election laws to the electoral boards and registrars to promote the proper administration of election laws.

§24.2-673.1(C): The State Board of Elections may promulgate regulations for the proper and efficient administration of elections determined by ranked choice voting, including ... procedures for tabulating votes in rounds

Background

Currently, the ranked choice voting ("RCV") regulations (1VAC20-100-10 *et seq.*) require the elimination of one candidate in each round of the RCV tabulation process. In races with many candidates, including independents and write-ins, this could lead to extended tabulation during the canvass. To address this issue, many jurisdictions utilize batch elimination of multiple candidates for whom it is mathematically impossible to be elected.

The proposed additions to the existing RCV regulations will add the option for batch elimination of multiple candidates in a round of instant runoff (single winner) RCV races where it is mathematically impossible for the eliminated candidates to be elected.

Recommendation

ELECT staff recommends the State Board of Elections approve the proposed amendments to 1VAC20-100-10, 1VAC20-100-40, 1VAC20-100-50.

Attachments

Proposed amendments to 1VAC20-100-10 and 1VAC20-100-50

1VAC20-100-10:

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Active ballot" means a ballot that counts toward an active candidate in the current round of counting.

"Active candidate" means a candidate or person who has not been defeated during a round-by-round vote count. In a count that lasts multiple rounds, the number of active candidates will decrease with each round.

"Batch elimination" means the simultaneous defeat of multiple candidates for whom it is mathematically impossible to be elected.

"Duplicate ranking" means a voter has assigned one candidate multiple rankings.

"Election threshold" means the number of votes sufficient for a candidate to be elected in a multi-winner, single transferable vote contest, except in the first-choice ranking tabulation round. The election threshold equals the total valid votes cast for active candidates in the first round of tabulation, pursuant to 1VAC20-100-50 C, divided by the sum of one plus the number of offices to be filled, then adding one, disregarding any fractions. Election threshold = $((\text{Total valid votes cast for active candidates in the first round}) / (\text{Seats to be elected} + 1)) + 1$, with any fraction disregarded.

"First-choice ranking tabulation round" means the stage of tabulation of first-choice rankings completed at each precinct on the voting system, pursuant to 1VAC20-100-50 A.

"Highest-ranked active candidate" means the active candidate assigned to a higher ranking than any other active candidates.

"Inactive ballot" means a ballot that can no longer be counted due to the ballot having no rankings remaining for active candidates.

"Instant runoff voting" means no more than one seat in the office must be filled by the election.

"Mathematically impossible to be elected," with respect to a candidate, means either:

(i) The candidate cannot be elected because the sum total of all votes credited to that candidate and to all candidates with the same number or fewer number of votes in that round is less than the number of votes credited to the candidate with the next greatest number of votes in that round; or

(ii) The candidate has a lower vote total than a candidate described in subparagraph (i).

"Maximum possible threshold" means the number of first-choice rankings from active ballots received in the first-choice ranking tabulation round sufficient for a candidate to be elected. The maximum possible threshold equals the total ballots cast for the office, including valid first-choice rankings, undervotes, skipped rankings, or overvotes for the office, divided by the sum of one plus the number of offices to be filled, then adding one, disregarding any fractions. Maximum possible threshold = $((\text{Total ballots cast for the office}) / (\text{Seats to be elected} + 1)) + 1$, with any fraction disregarded.

"Ranked choice overvote" means a voter assigned more than one candidate the same ranking.

"Ranked choice undervote" means a voter has left a ranking unassigned.

"Ranked choice voting" means a method of casting and tabulating votes in which (i) voters rank candidates in order of preference; (ii) tabulation of first-choice rankings and votes cast at other rankings is conducted; (iii) if the number of candidates elected after first-choice ranking tabulation is less than the number of offices to be filled, tabulation proceeds in rounds such that in each round either a candidate is elected or the last-place candidate is defeated; (iv) votes for voters' next-ranked candidates are transferred from elected or defeated candidates; and (v) tabulation ends when the number of candidates elected equals the number of offices to be filled. Ranked choice voting is known as "instant runoff voting" when electing a single office and "single transferable vote" when electing multiple offices.

"Ranking" means the ordinal number assigned on a ballot to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking, ranking number two is the next-highest ranking, and so on, consecutively, up to the number of candidates indicated on the ballot.

"Round" means a stage of the vote tabulation, pursuant to 1VAC20-100-50 B or C, in which a person may be elected or the last ranked person defeated.

"Single transferable vote" means more than one seat in the office must be filled by the election.

"Skipped ranking" means an undervote on a ballot where a voter validly ranks a candidate at a subsequent ranking treated as provided in subdivision 2 of 1VAC20-100-40.

"Surplus fraction" is a number equal to the quotient of the difference between an elected candidate's vote total and the election threshold, divided by the candidate's vote total, (or $(V-T)/V$, in which "V" is the elected candidate's vote total and "T" is the election threshold), truncated after four decimal places.

"Surplus vote" means the number of votes a candidate receives beyond the election threshold set for a single transferable vote race.

"Tabulation" means the counting and, where necessary, transferring of votes cast in a ranked choice voting election that occurs in two stages:

1. Determination by voting system in the first-choice ranking tabulation round of first-choice ranking votes cast for each candidate and the creation of a record of votes cast at all ranking choices for each ballot cast.
2. Determination in a round, using the record of votes cast created by the voting system in the first-choice ranking tabulation round, of the votes to be transferred from eliminated candidates to active candidates, of the vote totals for active candidates after vote transfers, and of whether a candidate has received the number of votes sufficient to be elected.

"Transfer value" means the proportion of a vote that a ballot will contribute to its highest-ranked active candidate. Each ballot begins with a transfer value of one. If a ballot contributes to the election of a candidate under 1VAC20-100-50 C, it receives a new transfer value.

1VAC20-100-50

A. First-choice ranking tabulation round. For all elections for an office conducted by ranked choice voting, only first-choice rankings shall be counted in the first-choice ranking tabulation round. If any candidate has a vote total greater than or equal to the maximum possible threshold, that person shall be designated as elected. If the number of candidates whose vote total is equal to or greater than the

maximum possible threshold is equal to the number of seats to be filled, those candidates are declared elected and tabulation in additional rounds shall not be conducted. If the number of candidates whose vote total is equal to or greater than the maximum possible threshold is less than the number of seats to be filled, tabulation shall proceed as set forth in subsections B and C of this section.

B. Instant runoff voting round. For any election for one office conducted by ranked choice voting, each active ballot shall count as one vote in each round for the highest-ranked active candidate on that ballot. Tabulation shall proceed in rounds with each round proceeding sequentially as follows:

1. If any active candidate has a majority of votes from active ballots in a round of tabulation, that person shall be designated as elected and the tabulation is complete.

2. If two or fewer active candidates remain, the candidate with the greatest number of votes is elected and tabulation is complete.

3. If more than two active candidates remain and no candidate has a majority of votes on active ballots in a round of tabulation, the active candidate with the fewest votes is defeated, votes for the defeated candidate are transferred to each ballot's highest-ranked active candidate, and a new round begins with subdivision 1 of this subsection.

4. More than one candidate may be defeated in a round by batch elimination, unless such batch elimination would result in only one continuing candidate, in which case no such batch elimination shall occur.

C. Single transferable vote round. For any election for more than one office conducted by ranked choice voting, each active ballot shall count, at its current transfer value, for the highest-ranked active candidate on that ballot. Tabulation shall proceed in rounds. Each round proceeds sequentially, until tabulation is complete, as follows:

1. If the sum of the number of elected persons and the number of active candidates is less than or equal to the number of office seats to be filled, then all active candidates are designated as elected, and tabulation is complete. Otherwise, the tabulation proceeds pursuant to subdivision 2 of this subsection.

2. If any active candidate has a number of votes greater than or equal to the election threshold for the contest, that person shall be designated as elected. Each ballot counting for an elected person is assigned a new transfer value by multiplying the ballot's current transfer value by the surplus fraction for the elected person, truncated after the fourth decimal place. The transfer value of each ballot cast for an elected candidate must be transferred to the highest-ranked active candidate on that ballot. Each person elected under this subdivision is deemed to have a number of votes equal to the election threshold for the contest in all future rounds and a new round begins pursuant to subdivision 1 of this subsection.

3. If no candidate or person is elected pursuant to subdivision 2 of this subsection, the candidate with the fewest votes is defeated and votes for the defeated candidates shall be transferred at their current transfer value to each ballot's next-ranked active candidate and a new round begins pursuant to subdivision 1 of this subsection.

D. Surplus transfer. If in a round of counting conducted under subsection C of this section, two or more active candidates have a number of surplus votes greater than the election threshold for the contest, the

surpluses shall be distributed in rounds in which the largest surplus is distributed first, with any ties resolved by lot as required by § 24.2-674 of the Code of Virginia.

E. Tools, including software, used for tabulation in subsections B and C must be approved for use by the Department of Elections.



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Campaign Finance Report, Record, and Review Introduction to SBE

BOARD WORKING PAPERS
Tammy Alexander
Campaign Finance Compliance and
Training Supervisor



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Memorandum

To: Chairman O'Bannon, Vice-Chair Dance, Secretary Alvis-Long, Delegate Merricks, and Mr. Weinstein

From: Tammy Alexander, Campaign Finance Compliance and Training Supervisor

Date: July 2, 2024

Re: Campaign Finance Reports and Records Review (CFR³) §24.2-948.5

Suggested Motion

No Action needed. Informational update for SBE members.

Applicable Code Sections

§24.2-948.5. Reviews of campaign finance reports and records.

Background

In 2022 HB492 passed creating §24.2-948.5. Reviews of campaign finance reports and records. This gives the Department the authority to review the reports and records of the campaign committees.

ELECT staff has been working with a GME to create the framework for completing the reviews required by §24.2-948.5. This includes email notifications to candidate campaign committees which will begin the first week of August 2024. Email reminders will be issued in the first week of August, September, October, and November. These reminders will be sent to the contacts on Statements of Organization for the offices for the November general election. This will include losing primary candidates. These reminders will simply state what the committees need to have ready in the event they are chosen for review.

The State Board will draw the candidate campaign committees at same meeting when the RLA drawing takes place.

After the drawing, the chosen committees will be contacted and instructed on how to submit their documents for review. Once the documents are received the reviews will begin. A report on those reviews will be made available to the State Board, the Governor, and the General Assembly by July 1, 2025.

This will be an annual event.

Recommendation

No action needed.

§ 24.2-948.5. Reviews of campaign finance reports and records.

A. The Department shall have the authority to review the reports and records of the campaign committees. The purposes of the review shall be to (i) reconcile the balance in the campaign depository with the amounts reported in the candidate's reports of receipts and expenditures and (ii) review the reports for mathematical accuracy and facial completeness including the reporting of specific information required by law. In the performance of its review, the Department is authorized to request the production of monthly bank statements for, and copies of checks issued on, campaign depositories and itemized bills, invoices, and receipts for any expenditure of campaign funds in an amount greater than \$500.

B. The Department shall review the reports and records of the campaign committees within 180 days following the general election. The Department shall review the reports and records of all of the campaign committees for candidates, including losing primary candidates, for statewide office; 10 percent of the campaign committees for candidates, including losing primary candidates, for the Senate and House of Delegates; and one percent of candidates, including losing primary candidates, for all other offices in any year in which such offices are elected. The State Board shall meet publicly to select the campaign committees to be reviewed by a drawing that ensures selection on a random basis.

C. No review shall be conducted of a campaign committee for any office that has received less than \$25,000 in contributions during the campaign, including the transfer of surplus funds from a prior campaign. Campaign committees for candidates that are exempt from review pursuant to this subsection shall not be included in the drawing provided for in subsection B or counted in determining the number that equals the relevant percentage of the campaign committees to be reviewed.

D. In the performance of its duties under this section, the Department may employ the services of additional personnel to the extent that appropriated funds are available to the Department for such purpose.

E. The Department shall make a report of the results of its reviews available to the State Board, the Governor, and the General Assembly by July 1 of each year following the election year for the office to which the review pertains and the same shall be posted to the Department's website.



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Split Precinct

BOARD WORKING PAPERS

Claire Scott

ELECT Policy Analyst



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Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Matthew Weinstein, and Delegate Merricks
From: Claire Scott, Policy Analyst
Date: July 2, 2024
Re: Chesapeake City Split Precinct Waiver

Suggested Motion:

"I move that the State Board of Elections approve the split precinct waiver for Chesapeake City."

Applicable Code Sections:

§24.2-307 Requirements for county and city precincts

Split Precinct Background:

Pursuant to §24.2-307 of the Code of Virginia authorizes the State Board of Elections (SBE) to grant a waiver to administer a split precinct, if the governing body of a locality is unable to establish a precinct with the minimum number of registered voters without splitting the precinct. Pursuant to the same statute, the minimum number of registered voters for a county precinct is 100, and the minimum for a city precinct is 500.

Waivers must be requested by the governing body of a locality. This is often accomplished by a formal resolution passed by The governing body or by documenting the approval to request a waiver in the governing body's signed meeting minutes. These documents are submitted to ELECT by the general registrar of the locality along with the *SBE-307 Split Precinct Waiver* form. A locality may only administer a split precinct for elections held in the year the waiver is granted; therefore, a new waiver is required each calendar year.

Attachments:

- Chesapeake City Split Precinct Waiver Request and Resolution

ELECT Staff Recommendation:

Staff recommends approving the Chesapeake City Split Precinct Waiver.



Pursuant to Virginia Code § 24.2-307, split precincts must be eliminated in any congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city, unless a waiver is granted by the State Board.

A locality may only administer a split precinct for elections held in the year the waiver is granted (i.e. you must request a new waiver each year), and the governing body of the locality must approve to apply for a waiver to administer a split precinct.

Please type the information below. **Requests must be received at least two (2) weeks before the next scheduled State Board meeting to be heard at that meeting.**

Locality: _____ Chesapeake _____ Date: _____ 06/03/2024 _____

Contact Name/Title: _Mary Lynn Pinkerman/General Registrar _____ Phone Number: ___757-382-8000_____

Email Address:
_____mlpinkerman@cityofchesapeake.net_____

Date the Governing Body’s Meeting Occurred: _____ 05/28/2024 _____

Supporting Documentation (Please Attach):

- Governing Body’s Resolution
- Governing Body’s Meeting Minutes

Any Previous Waiver Requests Submitted? Yes No

If Yes, When? 02/24/22 and 4/25/23

Was it Granted? Yes No

Precinct #	Precinct Name/District	Please explain the reason for the waiver request and include the number of voters impacted.
0054	Pughsville	Split Congressional 02/03, Senate 17/18, and House 84/89 cannot be healed as it sits on the Suffolk city line and does not have enough voters to create a new precinct. While the majority of the voters are in the 03/18/89 districts, approximately 319 voters are in the 02/17/84.

**You may add additional pages/rows if more space is required.*

24-0-056

AN ORDINANCE AUTHORIZING THE CHESAPEAKE ELECTORAL BOARD AND GENERAL REGISTRAR TO RE-APPLY TO THE DEPARTMENT OF ELECTIONS FOR A WAIVER TO ADMINISTER A SPLIT PRECINCT IN PRECINCT 0054 – PUGHSVILLE.

WHEREAS, the Final Order establishing voting districts for the Senate of Virginia, the House of Delegates of Virginia, and Virginia’s Representatives to the United States House of Representatives and approving and adopting the Final Redistricting Maps was entered by the Supreme Court of Virginia on December 28, 2021; and

WHEREAS, Virginia Code Section 24.2-307 states that there shall be no precinct not wholly contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city (hereafter, a “split precinct” or “congressional split”), unless a waiver is granted by the State Board of Elections; and

WHEREAS, the splits in Precinct 0054 – Pughsville cannot be healed as the boundary line is the Suffolk and Chesapeake city line. Virginia Code Section 24.2-307 does not allow the two sections to be separated, as there are not enough voters to meet the minimum requirement to create a new precinct. A previous waiver to administer a split precinct was granted by the Department of Elections in 2022. The Chesapeake Electoral Board and the General Registrar are seeking approval of the City Council of the City of Chesapeake, Virginia, to re-apply to the Department of Elections for a waiver to administer a split precinct in Precinct 0054-Pughsville.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Chesapeake, Virginia as follows:

1. That the splits created in Precinct 0054 – Pughsville cannot be healed as the boundary line is the Suffolk – Chesapeake city line. Virginia Code Section 24.2-307 does not allow the two sections to be separated, as there are not

enough voters to meet the minimum requirement to create a new precinct. Therefore, the Chesapeake Electoral Board and General Registrar are **AUTHORIZED** to re-apply for a waiver to administer a split precinct from the State Department of Elections.

An emergency is deemed to exist, and this ordinance shall become effective upon its adoption.

ADOPTED by the Council of the City of Chesapeake, Virginia, this 28th day of May, 2024.

APPROVED:



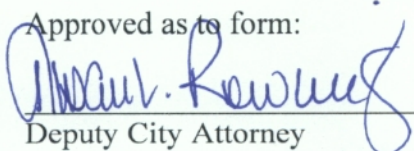
Mayor

ATTEST:



Clerk of the Council

Approved as to form:



Deputy City Attorney



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Delegation of Authority

BOARD WORKING PAPERS

Claire Scott

ELECT Policy Analyst



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STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Matthew Weinstein, and Delegate Merricks
From: Claire Scott, Policy Analyst
Date: July 2, 2024
Re: Updates to the Delegations of Authority

Proposed motion:

"I move that the Board approve the proposed 2024 Delegations of Authority, pursuant to the Virginia Administrative Process Act, and I further move that all prior Delegations of Authority be rescinded."

Applicable Code Sections:

2024 Governor's Acts of Assembly: Chapter 166, Chapter 801, Chapter 406; Code of Virginia §24.2-307

Executive Summary:

Each year following every General Assembly session, the Department of Elections (ELECT) updates the Delegations of Authority to incorporate legislative changes to the document and review any sections for clarity or necessary revisions as directed by the State Board of Elections.

Background:

The State Board of Elections (SBE) is authorized to prescribe standard forms for voter registration and elections and to supervise, coordinate, and adopt regulations governing local electoral boards, registrars, and officers of election. The Department of Elections (ELECT or "the Department") is authorized to establish and maintain a statewide automated voter registration system to include procedures for ascertaining current addresses of registrants; to require cancellation of records for registrants no longer qualified; to provide electronic applications for voter registration and absentee ballots; and to provide electronic delivery of absentee ballots to eligible military and overseas voters. ELECT conducts the SBE's administrative and programmatic operations and discharges the SBE's duties consistent with delegated authority. The Delegations of Authority captures the duties assigned by Virginia code and those that are delegated by the SBE to ELECT. It can be found on Townhall.

Revisions:

During the 2024 General Assembly Session, 116 election-related bills were introduced; 35 bills were passed by the General Assembly. Governor Youngkin vetoed 13 of those bills and signed 22 bills into law. These changes impacted Chapters 1, 2.1, and 5. In addition to addressing legislative changes, the SBE has directed ELECT to review Chapter 3 regarding the approval of split precinct waivers. A brief overview of these revisions is listed below by chapter and contained in the corresponding memos:

Chapter 1 Revisions

This chapter's delegation revisions are due to the 2024 Governor's Acts of Assembly Chapter 406, which specifically directs ELECT to maintain a website with information regarding voting, registration, and other election information. Chapter 406 also directs ELECT to translate certain election materials for those languages covered under §24.2-128. Since this responsibility is statutorily assigned to ELECT, the delegation for §24.2-105.1 is no longer needed.

Chapter 2.1 Delegations

This is a new delegation chapter. 2024 Governor's Acts of Assembly Chapter 801 reenacts and amends portions of Title 24.2 regarding presidential electors and creates Chapter 2.1 Presidential Electors. Specifically, §§24.202 through 24.2-205, 24.542, 24.2-542.1, and 24.2-543 are reenacted in the new Chapter 2.1 of Title 24.2, consolidating the presidential elector provisions of Title 24.2 into a single chapter.

Chapter 3 Revisions

This chapter's delegation revision is recommended to promote the efficiency and efficacy of the SBE's and ELECT's time and resources. This revision delegates the authority to approve split precinct waivers when local governing bodies have properly submitted such a waiver with appropriate supporting documentation to ELECT.

Chapter 5 Revisions

This chapter's delegation revisions are due to the 2024 Governor's Acts of Assembly Chapter 166 and Chapter 801. Chapter 166 provides a procedure for when a primary election candidate withdraws and results in a primary with a single candidate running unopposed. Chapter 801 reenacts portions of Chapter 5 of Title 24.2 into a new Chapter 2.1, as stated above.

Attachments:

Included with this memo are the following attachments:

- Supporting memos for proposed delegations in Title 24.2, Chapters 1, 2.1, 3, and 5
- Proposed 2024 Delegations of Authority

Recommendation of Staff:

Staff recommends the SBE adopt the revisions to the Delegations of Authority as presented, and a suggested motion has been provided.



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Matthew Weinstein, and Delegate Merricks
From: Claire Scott, Policy Analyst
Date: July 2, 2024
Re: 2024 Delegations of Authority, Chapter 1 of Title 24.2

Chapter 1: Delegations of Authority (regarding new and amended Code provisions)

The below delegations of authorities are being removed due to the passage of the 2024 Governor's Acts of Assembly Chapter 406, which assigns these authorities to ELECT.

24.2-105.1	Beginning with the general election in November 1998, the State Board shall implement a system by which it shall furnish lists of candidates for all elections in the Commonwealth, and information on proposed constitutional amendments and statewide referenda prepared pursuant to §§ 30-19.9 and 30-19.10, electronically through the Internet.	Delegated to ELECT
24.2-105.1	The Board may list other referenda issues on the Internet.	Delegated to ELECT
24.2-105.1	The State Board shall provide election results and statistical information on its website. The information shall include voter turnout information which shall be calculated as the percentage of active voters who voted excluding voters assigned to inactive status pursuant to Chapter 4 (§ 24.2-400 et seq.)	Delegated to ELECT



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Mr. Weinstein, and Delegate Merricks

From: Claire Scott, Policy Analyst

Date: July 2, 2024

Re: 2024 Delegations of Authority, Chapter 2.1 of Title 24.2

Chapter 2.1: Delegations of Authority (regarding new and amended Code provisions)

The below authorities are recommended for delegation to ELECT due to the passage of the 2024 Governor's Acts of Assembly Chapter 801. These authorities were previously found in Chapter 5 of Title 24.2.

24.2-240	The State Board shall also be furnished, if it requests, with satisfactory evidence <u>that any individual undertaking to act as an elector under this chapter is, in fact, qualified and duly and properly authorized to do so.</u>	Delegated to ELECT (Previously 24.2-542)
24.2-241	A. In elections for President and Vice President of the United States, the appropriate chairman or secretary of each political party as defined in § 24.2-101 shall furnish to the State Board <u>by noon on the seventy-fourth day before the presidential election (i) the names of the individuals nominated to be electors by the party at its convention held for that purpose, with the total number of its nominated electors equaling the whole number of senators and representatives to which the Commonwealth at that time is entitled in the Congress of the United States, together with the names of the political party and of the candidates for President and Vice President for whom the nominated electors are required to vote in the Electoral College, and (ii) a copy of the subscribed and notarized oath required by § 24.2-240.</u>	Delegated to ELECT (Previously 24.2-542)
24.2-241	B. (ii) the State Board <u>shall certify candidates to the local electoral boards, and ballot preparation shall proceed on the basis of the state party chairman's certifications;</u>	Delegated to ELECT (Previously 24.2-542.1)
24.2-241	<u>and (iii) the candidates for President and Vice President nominated by the party at its national convention shall be certified to the State Board no later than 5:00 p.m. on the sixtieth day before the presidential election</u>	Delegated to ELECT (Previously 24.2-542.1)
24.2-241	C. <u>In the event of the death, withdrawal, or disqualification of a candidate of a political party for President or Vice President, or of a nominated elector of a political party, that party may substitute the name of a different candidate or nominated elector, as applicable, before the State Board certifies to the county</u>	Delegated to ELECT (Previously 24.2-543)

	<u>and city electoral boards the form of the official ballots.</u>	
24.2-242	C. <u>The petition shall be filed with the State Board by noon of the seventy-fourth day before the presidential election.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	<u>The State Board may require proof that the petitioners meet these requirements before permitting use of a party name on the ballot.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	D. In the event that a group of qualified voters meets the requirements set forth in this section except that they cannot utilize a party name, the electors selected and the candidates for President and Vice President shall be identified and designated as "Independent" on the ballot. <u>Substitution of a different candidate for Vice President may be made by the candidate for President before the State Board certifies to the county and city electoral boards the form of the official ballot.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	E. In the event of the death, withdrawal, or disqualification of a candidate for President or Vice President qualified to appear on the ballot pursuant to this section, <u>the petitioner may substitute the name of a different candidate before the State Board certifies to the county and city electoral boards the form of the official ballots.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	In the event of the death or disqualification of any person listed as an elector for candidates for President and Vice President on a petition filed pursuant to this section, the party or candidate for President, as applicable, may substitute the name of a different elector. Such substitution shall not invalidate any petition of qualified voters circulated with the name of the deceased or disqualified elector provided that <u>notice of the substitution is filed with the State Board by noon of the seventy-fourth day before the presidential election.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	<u>Notice of the substitution and the name of any substitute candidate or nominated elector shall be submitted on a form prepared by the State Board.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	F. If the State Board determines that a candidate for President does not qualify to have his name appear on the ballot pursuant to this section by reason of the group of qualified voters' filed petition not containing the minimum number of signatures of qualified voters for the office sought, the candidate may appeal the determination to the State Board <u>within seven calendar days of the issuance of the notice of disqualification.</u>	Delegated to ELECT (Previously 24.2-543)
24.2-242	The notice of disqualification shall be sent by email or regular mail to the address on file for the candidate, and such notice shall be deemed sufficient.	Delegated to ELECT (Previously 24.2-543)
24.2-242	Immediately after the conclusion of the appeal hearing, the State Board <u>shall notify the candidate of its decision in writing.</u> The decision on appeal shall be final and not subject to further appeal.	Delegated to ELECT (Previously 24.2-543)

The below authorities are recommended for retention by the SBE due to the passage of the 2024 Governor's Acts of Assembly Chapter 801. These authorities were previously found in Chapter 5 of Title 24.2.

24.2-242(F)	The State Board shall hear the appeal within three business days of the filing of <u>the appeal.</u>	Retained by the State Board of Elections (Previously 24.2-543)
24.2-242	The State Board shall develop procedures for the conduct of such an <u>appeal.</u>	Retained by the State Board of Elections (Previously 24.2-543)



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Matthew Weinstein, and Delegate Merricks
From: Claire Scott, Policy Analyst
Date: July 2, 2024
Re: 2024 Delegations of Authority, Chapter 3 of Title 24.2

Chapter 3: Delegations of Authority (regarding new and amended Code provisions)

The below authority is recommended for delegation to ELECT to promote the efficiency and efficacy of both the SBE's and ELECT's time and resources.

24.2-307	<u>If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it shall apply to the State Board for a waiver to administer a split precinct. The State Board may grant the waiver or direct the governing body to establish a precinct with less than the minimum number of registered voters as permitted by § 24.2-309.</u>	Delegated to ELECT
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★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Matthew Weinstein, and Delegate Merricks
From: Claire Scott, Policy Analyst
Date: July 2, 2024
Re: 2024 Delegations of Authority, Chapter 5 of Title 24.2

Chapter 5: Delegations of Authority (regarding new and amended Code provisions)

The below authorities are recommended for retention by the State Board of Elections due to the passage of the 2024 Governor's Acts of Assembly Chapter 166.

24.2-538.1	B. Upon receipt of a candidate's signed and notarized notice of withdrawal made pursuant to § 24.2-612.2, the general registrar shall immediately <u>transmit such notice to the local electoral board and the State Board</u> and certify that the remaining candidate, identified by name, is now unopposed for nomination by the political party for the office sought.	Retained by the State Board of Elections
24.2-538.1	Within one calendar day of receiving such notice and certification, the State Board <u>shall declare the remaining candidate to be the nominee</u> of such political party for the office sought. As soon as possible thereafter, the local electoral board shall petition the circuit court for the cancellation of the primary election.	Retained by the State Board of Elections
24.2-538.1	C. The State Board <u>shall prescribe the procedures for canceling a primary election</u> pursuant to this section, including instructions for locking and securing voting systems, the disposition of marked and unmarked absentee ballots, and voter notification.	Retained by the State Board of Elections

The below authorities have been reenacted and consolidated into Chapter 2.1 of Title 24.2 pursuant to the 2024 Governor's Acts of Assembly Chapter 801. A separate chapter of delegations for Chapter 2.1 can be found in the 2024 Delegations of Authority Chapter 2.1 of Title 24.2 memorandum as well as the Proposed 2024 Delegations of Authority.

24.2-542	In elections for President and Vice President of the United States, the appropriate chairman or secretary of each political party shall furnish to the State Board by noon of the seventy-fourth day before the presidential election (i) <u>the names of the electors selected by the party at its convention held for that purpose, together with the names of the political party and of the candidates for President and Vice President for whom the electors are</u>	Reenacted into Chapter 2.1 of Title 24.2 243
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	required to vote in the Electoral College and (ii) a copy of a subscribed and notarized oath by each elector stating that he will, if elected, cast his ballot for the candidates for President and Vice President nominated by the party that selected the elector, or as the party may direct in the event of death, withdrawal or disqualification of the party nominee.	
24.2-543	A. A group of qualified voters, not constituting a political party as defined in § 24.2-101, may have the names of electors selected by them, including one elector residing in each congressional district and two from the Commonwealth at large, printed upon the official ballot to be used in the election of electors for President and Vice President by filing a petition pursuant to this section. <u>The petition shall be filed with the State Board by noon of the seventy fourth day before the presidential election.</u>	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	The State Board may require proof that the petitioners meet these requirements before permitting use of a party name on the ballot. The party name shall not be identical with or substantially similar to the name of any political party qualifying under § 24.2-101 and then in existence.	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	In the event of the death or withdrawal of a candidate for President or Vice President qualified to appear on the ballot by party name, <u>that party may substitute the name of a different candidate before the State Board certifies to the county and city electoral boards the form of the official ballots.</u>	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	In the event that a group of qualified voters meets the requirements set forth in this section except that they cannot utilize a party name, the electors selected and the candidates for President and Vice President shall be identified and designated as "Independent" on the ballot. <u>Substitution of a different candidate for Vice President may be made by the candidate for President before the State Board certifies to the county and city electoral boards the form of the official ballot.</u>	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	In the event of the death or disqualification of any person listed as an elector for candidates for President and Vice President on a petition filed pursuant to this section, the party or candidate for President, as applicable, may substitute the name of a different elector. Such substitution shall not invalidate any petition of qualified voters circulated with the name of the deceased or disqualified elector provided that <u>notice of the substitution is filed with the State Board by noon of the seventy fourth day before the presidential election.</u>	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	Notice of the substitution and the name of any substitute elector shall be submitted on <u>a form prepared by the State Board.</u>	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	B. If the State Board determines that a candidate for President does not qualify to have his name appear on the ballot pursuant to this section by reason of the candidate's filed petition not containing the minimum number of signatures of qualified voters for the office sought, the candidate may appeal the determination to the State Board within seven calendar days of the issuance of the notice of disqualification.	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	The notice of disqualification shall be sent by email or regular mail to the address on file for the candidate, and such notice shall be deemed sufficient.	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	The State Board shall hear the appeal within three business days of its filing.	Reenacted into Chapter 2.1 of Title 24.2

		Title 24.2
24.2-543	The State Board shall develop procedures for the conduct of such an appeal. The consideration on appeal shall be limited to whether or not the signatures on the petitions that were filed were reasonably rejected according to the requirements of this title and the rules and procedures set forth by the State Board for checking petitions.	Reenacted into Chapter 2.1 of Title 24.2
24.2-543	Immediately after the conclusion of the appeal hearing, the State Board shall notify the candidate of its decision in writing. The decision on appeal shall be final and not subject to further appeal.	Reenacted into Chapter 2.1 of Title 24.2

Virginia State Board of Elections: Delegation of Authority 2024

<u>Code §</u>	<u>Code Responsibility</u>	<u>Authority</u> B=Board D=ELECT	<u>Date</u>	<u>Comments</u>
24.2-103	A. The State Board , through the Department of Elections, <u>shall supervise and coordinate the work of the county and city electoral boards and of the registrars to obtain uniformity in their practices and proceedings and legality and purity in all elections.</u> Its supervision shall ensure that major risks to election integrity are (i) identified and assessed and (ii) addressed as necessary to promote election uniformity, legality, and purity. It shall make rules and regulations and issue instructions and provide information consistent with the election laws to the electoral boards and registrars to promote the proper administration of election laws.	B	6/22/21	
24.2-103	Electoral boards and registrars <u>shall provide information requested by the State Board</u> and shall follow (a) the elections laws and (b) the rules and regulations of the State Board insofar as they do not conflict with Virginia or federal law.	D	6/22/21	
24.2-103	A.The State Board shall post on the Internet within three business days any rules or regulations made by the State Board .	D	10/29/19	
24.2-103	Upon request and at a reasonable charge not to exceed the actual cost incurred, the State Board shall provide to any requesting political party or candidate, within three days of the receipt of the request, copies of any instructions or information provided by the State Board to the local electoral boards and registrars.	D	10/29/19	
24.2-103	B. The State Board , <u>through the Department of Elections, shall ensure that the members of the electoral boards are properly trained to carry out their duties by offering training annually, or more often, as it deems appropriate, and without charging any fees to the electoral boards for the training.</u>	B	6/22/21	
24.2-103	C. The State Board , <u>through the Department of Elections, shall conduct a certification program for the general registrars and shall require each general registrar to receive certification through such program from the Department within 12 months of his initial appointment or any subsequent reappointment. The State Board may grant a waiver requested by a local electoral board to extend, on a case-by-case basis, this deadline by up to three months. The State Board shall develop a training curriculum for the certification program and standards for completing the program and maintaining certification, including required hours of annual training. No fees shall be charged to a general registrar for any required training as part of the</u>	B	6/22/21	

	certification program. The State Board shall review the certification program every four years, or more often as it deems appropriate.			
24.2-103	<u>D. The State Board shall set the training standards for the officers of election and shall develop standardized training programs for the officers of election to be conducted by the local electoral boards and the general registrars.</u>	B	10/29/19	
24.2-103	The State Board shall provide standardized training materials for such training and shall also offer on the Department of Elections website a training course for officers of election.	D	10/29/19	
24.2-103	The State Board shall review the standardized training materials and the content of the online training course every two years in the year immediately following a general election for federal office.	B	10/29/19	
24.2-103	<u>E. The State Board may institute proceedings pursuant to § 24.2-234.1 for the removal of any member of an electoral board or general registrar who fails to discharge the duties of his office in accordance with law. Such action shall require a recorded majority vote of the Board.</u>	B	7/5/23	Amended in 2023
24.2-103	<u>F. The Board may petition a circuit court or the Supreme Court, whichever is appropriate, for a writ of mandamus or prohibition, or other available legal relief, for the purpose of ensuring that elections are conducted as provided by law.</u>	B	10/29/19	
24.2-103	<u>H. The Board shall adopt a seal for its use and bylaws for its own proceedings.</u>	B	10/29/19	
24.2-103	<u>J. The State Board shall submit an annual report to the Governor and the General Assembly on the activities of the State Board and the Department of Elections in the previous year. Such report shall be governed by the provisions of § 2.2-608.</u>	B	6/22/2021	
24.2-104	<u>When the State Board is of the opinion that the public interest will be served, it may request the Attorney General, or other attorney designated by the Governor for the purpose, to assist the attorney for the Commonwealth of any jurisdiction in which election laws have been violated.</u>	B	10/29/19	
24.2-104	<u>When the State Board makes its request pursuant to a unanimous vote of all members, the Attorney General or other attorney designated by the Governor shall exercise the authority granted by this section to conduct an investigation, prosecute a violation, assure the enforcement of the elections laws, and report the results of the investigation to the State Board.</u>	B	10/29/19	
24.2-105	<u>A. The State Board shall prescribe appropriate forms and records for the registration of voters, conduct of elections, and implementation of this title, which shall be used throughout the Commonwealth.</u>	B	10/29/19	

24.2-105	B. The State Board shall prescribe voting and election materials in languages other than English for use by a county, city, or town that is subject to the requirements of § 24.2-124	D		
24.2-105	The State Board may make available voting and election materials in any additional languages other than those required by subsection A of § 24.2-124 as it deems necessary and appropriate. The State Board may accept voting and election materials translated by volunteers but shall verify the accuracy of such translations prior to making the translated materials available to a county, city, or town, or any voter.	D	6/22/2021	
24.2-105	B. The State Board shall prescribe voting and election materials in languages other than English for use by a county, city, or town that is subject to the requirements of § 24.2-124. For purposes of this subsection, voting and election materials mean registration or voting notices, forms, and instructions. For purposes of this subsection, registration notices mean any notice of voter registration approval, denial, or cancellation, required by the provisions of Chapter 4 (§ 24.2-400 et seq.).	D	6/22/2021	
24.2-106	D. Each member of the electoral board shall attend an annual training program provided by the State Board during the first year of his appointment and the first year of any subsequent reappointment.	B	6/21/2021	
24.2-106.01	The State Board shall develop a description of the duties and responsibilities of the local electoral boards and update such description as needed. Such description shall include the statutory and regulatory duties and responsibilities of the electoral boards, prohibited activities of the electoral boards and members of electoral boards, and the qualifications and disqualifications of members of electoral boards.	D	10/29/19	
24.2-107	No election record containing an individual's social security number shall be made available for inspection or copying by anyone. The State Board of Elections shall prescribe procedures for local electoral boards and general registrars to make the information in certificates of candidate qualification available in a manner that does not reveal social security numbers.	D	10/29/19	
24.2-109	The electoral board shall remove from office, on notice, any general registrar who fails to receive or maintain certification as required by the State Board pursuant to subsection C of § 24.2-103.	B	6/21/2021	
24.2-109.1	The electoral board shall conduct an annual performance review of the general registrar for years ending June 30, 2006, and thereafter. The electoral board shall complete the review by August 1 of each year, retain a copy of the performance review, and provide a copy of the review to the State Board .	D	10/29/19	

24.2-109.1	The performance review shall be conducted in accordance with the format and forms provided by the State Board	B	10/29/19	
24.2-111	Each locality shall pay the reasonable expenses of the general registrar, including reimbursement for mileage at the rate payable to members of the General Assembly. In case of a dispute, the State Board shall approve or disapprove the reimbursement.	D	10/29/19	
24.2-114	3. Perform his duties within the county or city he was appointed to serve, except that a registrar may (i) go into a county or city in the Commonwealth contiguous to his county or city to register voters of his county or city when conducting registration jointly with the registrar of the contiguous county or city or (ii) notwithstanding any other provision of law, participate in <u>multijurisdictional staffing for voter registration offices, approved by the State Board</u> , that are located at facilities of the Department of Motor Vehicles.	B	10/29/19	
24.2-114	5. Indicate on the registration records for each accepted mail voter registration application form returned by mail pursuant to Article 3.1 (§ 24.2-416.1 et seq.) of Chapter 4 that the registrant has registered by mail. <u>The general registrar shall fulfill this duty in accordance with the instructions of the State Board so that those persons who registered by mail are identified on the registration records, lists of registered voters furnished pursuant to § 24.2-405, lists of persons who voted furnished pursuant to § 24.2-406, and pollbooks used for the conduct of elections.</u>	D	10/29/19	
24.2-114	6. Accept a registration application or request for transfer or change of address submitted by or for a resident of any other county or city in the Commonwealth. <u>Registrars shall process registration applications and requests for transfer or change of address from residents of other counties and cities in accordance with written instructions from the State Board</u> and shall forward the completed application or request to the registrar of the applicant's residence.	D	10/29/19	
24.2-114	8. <u>Maintain the official registration records for his county or city in the system approved by, and in accordance with the instructions of, the State Board</u> ; preserve the written applications of all persons who are registered; and preserve for a period of four years the written applications of all persons who are denied registration or whose registration is cancelled.	D	10/29/19	
24.2-114	10. Verify the accuracy of the <u>pollbooks provided for each election by the State Board</u> , make the pollbooks available to the precincts,	D	10/29/19	
24.2-114	<u>And according to the instructions of the State Board return the pollbooks, or transfer a copy of the data from any electronic pollbooks, to the State Board</u> after each election for voting credit purposes.	D	10/29/19	

24.2-114	19. Attend an annual training program provided by the State Board . A general registrar may designate one member of his staff to attend such training program if he is unable to attend because of a personal or family emergency.	D	10/29/19	
24.2-115.2	A. Each officer of election shall receive training consistent with the standards set by the State Board pursuant to 24.2-103.	B	10/29/19	
24.2-115.2	This training shall be conducted by the electoral boards and general registrars, using the <u>standardized training programs and materials developed by the State Board</u> for this purpose.	D	10/29/19	
24.2-115.2	C. Following any training conducted pursuant to this section, the electoral boards shall certify to the State Board that the officers of election in its jurisdiction have received the required training. Such certification shall include the dates of each completed training.	D	10/29/19	
24.2-128	A. The State Board shall designate a county, city, or town as a covered locality if it determines, in consultation with the Director of the Census, on the basis of the 2010 American Community Survey census data and subsequent American Community Survey data in five-year increments, or comparable census data, that (i) more than five percent of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; (ii) more than 10,000 of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; or (iii) in the case of a county, city, or town containing all or any part of an Indian reservation, more than five percent of the American Indian citizens of voting age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process.	B	6/22/2021	
24.2-234	<u>The circuit court also shall proceed pursuant to § 24.2-235 for the removal of a member of a local electoral board or general registrar upon a petition signed by a majority of the members of the State Board of Elections as provided in § 24.2-103.</u>	B	10/29/19	
24.2-234.1	A. Any member of a local electoral board may be removed from office by the circuit court in whose jurisdiction he resides <u>upon a petition signed by a majority of the members of the State Board</u> as provided in § 24.2-103.	B	7/5/23	New Code Provision in 2023
24.2-234.1	B. Any general registrar may be removed from office by the circuit court in whose jurisdiction he serves <u>upon a petition signed by a majority of the members of the State Board</u> as provided in § 24.2-103 or a majority of the members of his local			

	electoral board as provided in § 24.2-109.	B	7/5/23	New Code Provision in 2023
24.2-235	<u>A. A petition for the removal of an officer shall be on a form prescribed by the State Board of Elections and shall state with reasonable accuracy and detail the grounds or reasons for removal and shall be signed by the person or persons making it under penalties of perjury.</u>	B	7/5/23	Amended in 2023
24.2-235	<u>B. The general registrar shall review a petition filed pursuant to § 24.2-233 and determine its sufficiency in accordance with the uniform standards approved by the State Board of Elections.</u>	B	7/5/23	Amended in 2023
24.2-240	<u>The State Board shall also be furnished, if it requests, with satisfactory evidence that any individual undertaking to act as an elector under this chapter is, in fact, qualified and duly and properly authorized to do so.</u>	D	7/2/24	New Chapter
24.2-241	<u>A. In elections for President and Vice President of the United States, the appropriate chairman or secretary of each political party as defined in § 24.2-101 shall furnish to the State Board by noon on the seventy-fourth day before the presidential election (i) the names of the individuals nominated to be electors by the party at its convention held for that purpose, with the total number of its nominated electors equaling the whole number of senators and representatives to which the Commonwealth at that time is entitled in the Congress of the United States, together with the names of the political party and of the candidates for President and Vice President for whom the nominated electors are required to vote in the Electoral College, and (ii) a copy of the subscribed and notarized oath required by § 24.2-240.</u>	D	7/2/24	New Chapter
24.2-241	<u>B. (ii) the State Board shall certify candidates to the local electoral boards, and ballot preparation shall proceed on the basis of the state party chairman's certifications;</u>	D	7/2/24	New Chapter
24.2-241	<u>and (iii) the candidates for President and Vice President nominated by the party at its national convention shall be certified to the State Board no later than 5:00 p.m. on the sixtieth day before the presidential election</u>	D	7/2/24	New Chapter
24.2-241	<u>C. In the event of the death, withdrawal, or disqualification of a candidate of a political party for President or Vice President, or of a nominated elector of a political party, that party may substitute the name of a different candidate or nominated elector, as applicable, before the State Board certifies to the county and city electoral boards the form of the official ballots.</u>	D	7/2/24	New Chapter
24.2-242	<u>The petition shall be filed with the State Board by noon of the seventy-fourth day before the presidential election.</u>	D	7/2/24	New Chapter

24.2-242	The State Board may require proof that the petitioners meet these requirements before <u>permitting use of a party name on the ballot.</u>	D	7/2/24	New Chapter
24.2-242	D. In the event that a group of qualified voters meets the requirements set forth in this section except that they cannot utilize a party name, the electors selected and the candidates for President and Vice President shall be identified and designated as "Independent" on the ballot. <u>Substitution of a different candidate for Vice President may be made by the candidate for President before the State Board certifies to the county and city electoral boards the form of the official ballot.</u>	D	7/2/24	New Chapter
24.2-242	E. In the event of the death, withdrawal, or disqualification of a candidate for President or Vice President qualified to appear on the ballot pursuant to this section, <u>the petitioner may substitute the name of a different candidate before the State Board certifies to the county and city electoral boards the form of the official ballots.</u>	D	7/2/24	New Chapter
24.2-242	In the event of the death or disqualification of any person listed as an elector for candidates for President and Vice President on a petition filed pursuant to this section, the party or candidate for President, as applicable, may substitute the name of a different elector. Such substitution shall not invalidate any petition of qualified voters circulated with the name of the deceased or disqualified elector provided that <u>notice of the substitution is filed with the State Board by noon of the seventy-fourth day before the presidential election.</u>	D	7/2/24	New Chapter
24.2-242	<u>Notice of the substitution and the name of any substitute candidate or nominated elector shall be submitted on a form prepared by the State Board.</u>	D	7/2/24	New Chapter
24.2-242	F. If the State Board determines that a candidate for President does not qualify to have his name appear on the ballot pursuant to this section by reason of the group of qualified voters' filed petition not containing the minimum number of signatures of qualified voters for the office sought, the candidate may appeal the determination to the State Board <u>within seven calendar days of the issuance of the notice of disqualification.</u>	D	7/2/24	New Chapter
24.2-242	The notice of disqualification shall be sent by email or regular mail to the address on file for the candidate, and such notice shall be deemed sufficient.	D	7/2/24	New Chapter
24.2-242	The State Board <u>shall hear the appeal within three business days of the filing of the appeal.</u>	B	7/2/24	New Chapter
24.2-242	The State Board <u>shall develop procedures for the conduct of such an appeal.</u>	B	7/2/24	New Chapter

24.2-242	Immediately after the conclusion of the appeal hearing, the State Board shall notify the <u>candidate of its decision in writing</u> . The decision on appeal shall be final and not subject to further appeal.	D	7/2/24	New Chapter
24.2-307	<u>If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it shall apply to the State Board for a waiver to administer a split precinct. The State Board may grant the waiver or direct the governing body to establish a precinct with less than the minimum number of registered voters as permitted by § 24.2-309.</u>	D	7/2/24	
24.2-309	The State Board shall make <u>regulations setting procedures by which elections may be conducted in precincts in which all voters do not have the same choice of candidates at a general election.</u>	B	10/29/19	
24.2-309.2	If a change in the boundaries of a precinct is required pursuant to clause (i), (ii), (iii), or (iv), the county, city, or town shall comply with the applicable requirements of law, including §§ <u>24.2-304.3 and 30-264</u> , and <u>send copies of the ordered or enacted changes to the State Board</u> of Elections and the Division of Legislative Services.	D	10/29/19	
24.2-310	C. Polling places shall be accessible to qualified voters as required by the provisions of the Virginians with Disabilities Act (§ 51.5-1 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. § 1973ee et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.). The State Board shall <u>provide instructions to the local electoral boards and general registrars to assist the localities in complying with the requirements of the Acts.</u>	D	10/29/19	
24.2-310	D. If an emergency makes a polling place unusable or inaccessible, the electoral board or the general registrar shall provide an alternative polling place and give notice of the change in polling place, including to all candidates, or such candidate's campaign, appearing on the ballot to be voted at the alternative polling place, <u>subject to the prior approval of the State Board.</u>	D	10/29/19	
24.2-310	F. Any local government, local electoral board, or the State Board may make monetary grants to any non-governmental entity furnishing facilities under the provisions of 24.2-307 or 24.2-308 for use as a polling place. Such grants shall be made for the sole purpose of meeting the accessibility requirements of this section.	D	10/29/19	

	Nothing in this subsection shall be construed to obligate any local government, local electoral board or the State Board to appropriate funds to any non-governmental entity,			
24.2-404	C. The State Board shall institute procedures to ensure that each requirement of this section is fulfilled.	B	10/29/19	
24.2-404	As part of its procedures, the State Board shall provide that the general registrar shall mail notice of any cancellation pursuant to clause (v) of subdivision A 4 to the person whose registration is cancelled.	B	10/29/19	
24.2-404	D. The State Board shall promulgate rules and regulations to ensure the uniform application of the law for determining a person's residence.	B	10/29/19	
24.2-404	E. The Department shall apply to participate in the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security for the purposes of verifying that voters listed in the Virginia voter registration system are United States citizens. Upon approval of the application, the Department shall enter into any required memorandum of agreement with U.S. Citizenship and Immigration Services. The State Board shall promulgate rules and regulations governing the use of the immigration status and citizenship status information received from the SAVE Program.	B	10/29/19	
24.2-406	B. The Department of Elections shall furnish to the Chief Election Officer of another state, on request and at a reasonable price, lists of persons who voted at any primary, special, or general election held for the four preceding years. Such lists shall be used only for the purpose of maintenance of voter registration systems and shall be transmitted in accordance with <u>security policies approved by the State Board of Elections</u> .	B	10/29/19	"New" legislation amended 2007. Should remain a Board authority.
24.2-410.2	A. The State Board shall promulgate regulations and standards necessary to ensure the security and integrity of the Virginia voter registration system and the supporting technologies utilized by the counties and cities to maintain and record registrant information.	B	10/29/19	2019 legislation. Board authority
24.2-410.2	The State Board shall, in consultation with representatives of local government information technology professionals and general registrars, update the security standards at least annually.	B	10/29/19	2019 legislation. Board authority

24.2-410.2	In accordance with the process prescribed by the State Board , the Department of Elections may limit access to the Virginia voter registration system by any county or city that has failed to comply with the provisions of subsection B or the security standards established by the State Board pursuant to subsection A.	B	10/29/19	2019 legislation. Board authority
24.2-411.3	C. The Department of Motor Vehicles shall electronically transmit to the Department of Elections, in accordance with the standards set by the State Board , the information collected pursuant to subsection B for any person who (i) has indicated that he is a United States citizen, (ii) has indicated that he is 17 years of age or older, and (iii) at the time of such transaction did not decline to have his information transmitted to the Department of Elections for voter registration purposes.	D	6/22/2021	
24.2-416.2	Notwithstanding the provisions of § 24.2-418, the national mail voter registration application form promulgated by the Election Assistance Commission pursuant to the National Voter Registration Act (52 U.S.C. § 20501 et seq.) shall be accepted for the registration of otherwise qualified voters to vote in federal, state, and local elections. In addition to the national form promulgated by the Election Assistance Commission, the State Board of Elections shall design	B	10/29/19	
24.2-416.2	<u>And distribute a state mail voter registration application form.</u> Such state form shall include the eligibility requirements for registration as provided in this title, shall provide for a receipt for the applicant pursuant to § 24.2-418.1, and shall require each applicant to provide the information required subject to felony penalties for making false statements pursuant to § 24.2-1016.	D	10/29/19	
24.2-416.6	Such individuals or agents representing a group shall be required to receive training as approved by the State Board and sign a sworn affidavit on a form prescribed by the State Board attesting that such individuals or organizations will abide by all Virginia laws and rules regarding the registration of voters.	D	10/29/19	
24.2-416.7	A. Notwithstanding any other provision of law, a person who is qualified to register to vote may apply to register to vote by electronic means as authorized by the State Board by completing an electronic registration application.	B	10/29/19	
24.2-416.7	B. Notwithstanding any other provision of law, a registered voter may satisfy the requirements of §§ 24.2-423 and 24.2-424 to notify the general registrar of a change of legal name or place of residence within the Commonwealth by electronic means as authorized by the State Board by completing an electronic registration application.	B	10/29/19	
24.2-416.7	H. The Department of Elections may use additional security measures approved by the State Board to ensure the accuracy and integrity of registration transactions performed under this article.	B	10/29/19	

24.2-418	Each applicant to register shall provide, subject to felony penalties for making false statements pursuant to § 24.2-1016, the information necessary to complete the application to register. Unless physically disabled, he shall sign the application. <u>The application to register shall be only on a form or forms prescribed by the State Board.</u>	B	10/29/19	
24.2-422	<u>The petitioner may file his petition by completing and filing a form which shall be prescribed by the State Board and which shall be used by the general registrar to notify an applicant of the denial of his application to register and of the reasons for the denial.</u>	B	10/29/19	
24.2-423	Whenever a registered voter changes his legal name, either by marriage, divorce, order of court, or otherwise, the voter shall promptly notify the general registrar of the jurisdiction where he is registered. Such notice may be made in writing or on a form approved by the State Board of Elections , which may be <u>electronic</u> . The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature.	B	10/29/19	
24.2-423	Notice may be provided by electronic means as authorized by the State Board and signed by the voter in a manner consistent with the provisions of § 24.2-416.7 and the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The general registrar shall enter the new name on the registration records and issue the voter a new voter registration card.	B	10/29/19	
24.2-424	A. Whenever a registered voter changes his place of residence within the Commonwealth, he shall promptly notify any general registrar of the address of his new residence. <u>Such notice may be made in person, in writing, by return of the voter registration card noting the new address, or on a form approved by the State Board of Elections, which may be electronic.</u> The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature.	B	10/29/19	
24.2-424	Notice may be provided by electronic means as authorized by the State Board and signed by the voter in a manner consistent with the provisions of § 24.2-416.7 and the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The fact that a voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system shall not be sufficient notice to change the voter's registration address. Any statements made by any voter applying for transfer are subject to felony penalties for making a false statement pursuant to § 24.2-1016.	B	10/29/19	

24.2-501	It shall be a requirement of candidacy for any office of the Commonwealth, or of its governmental units, that a person must <u>file a written statement under oath, on a form prescribed by the State Board, that he is qualified to vote for and hold the office for which he is a candidate.</u>	D	10/29/19	
24.2-501	Every candidate for election to statewide office, the United States House of Representatives, or the General Assembly shall <u>file the statement with the State Board</u> . Every candidate for any other office shall file the statement with the general registrar of the county or city where he resides.	D	10/29/19	
24.2-501	Each <u>general registrar shall transmit to the State Board</u> , immediately after the filing deadline, <u>a list of the candidates</u> who have filed statements of qualification	D	10/29/19	
24.2-501	The candidate may state, as part of his statement of qualification, how he would like his name to appear on the ballot; however, <u>all names printed on the ballot shall meet the criteria established by the State Board</u> .	B	10/29/19	
24.2-502	It shall be a requirement of candidacy that a written statement of economic interests shall be filed by (i) a candidate for Governor, Lieutenant Governor, or Attorney General and a candidate for the Senate or House of Delegates with the State Board , (ii) a candidate for a constitutional office with the general registrar for the county or city, and (iii) a candidate for member of the governing body or elected school board of any county, city, or town with a population in excess of 3,500 persons with the general registrar for the county or city.	D	10/29/19	
24.2-503	The State Board may grant an extension of any deadline for filing either or both written statements and	B	10/29/19	
24.2-503	<u>Shall notify all candidates who have not filed their statements of the extension.</u> Any extension shall be granted for a fixed period of time of ten days from the date of the mailing of the notice of the extension.	D	10/29/19	
24.2-505	A. Any person, other than a candidate for a party nomination or a party nominee, who intends to be a candidate for any office to be elected by the qualified voters of the Commonwealth at large or of a congressional district shall <u>file a declaration of candidacy with the State Board</u> .	D	10/29/19	
24.2-505	<u>On a form prescribed by the Board</u> , designating the office for which he is a candidate. The written declaration shall be attested by two witnesses who are qualified voters of the Commonwealth or of the congressional district, or acknowledged before some officer authorized to take acknowledgements to deeds. The declaration shall be signed	D	10/29/19	

	by the candidate, but if he is incapable of writing his proper signature then some mark adopted by him as his signature shall be acknowledged before some officer authorized to take acknowledgments			
24.2-505	The State Board shall notify the respective secretaries of the appropriate electoral boards of the qualified candidates who have so filed.	D	10/29/19	
24.2-505	B. Any person, other than a candidate for a party nomination or party nominee, who intends to be a candidate for election to the General Assembly shall file a declaration of candidacy with the general registrar of the county or city where he resides. The declaration shall be in all respects the same as that required to be given to the State Board by statewide and congressional district candidates. The general registrar shall, within three days after receiving the declaration, (i) deliver it in person or transmit it by certified mail, along with the petitions required by § 24.2-506 or copies thereof, to the general registrars of the other counties or cities, if any, in the legislative district for delivery to the secretaries of the electoral boards and (ii) deliver the declaration and such petitions to the secretary of his electoral board. <u>He shall transmit the names of the candidates who have filed with him to the State Board Immediately after the filing deadline.</u>	D	10/29/19	
24.2-505	C. Any person, other than a candidate for a party nomination or party nominee, who intends to be a candidate at any election for any other office shall file a declaration of candidacy with the general registrar of the county or city where he resides. The declaration shall be in all respects the same as that required to be given to the State Board by statewide and congressional district candidates. The general registrar shall, within three days after receiving the declaration, deliver it in person or transmit it by certified mail, along with the petitions required by § 24.2-506 or copies thereof, to the secretaries of the electoral boards of the counties or cities whose electors vote for the office. <u>He shall transmit the names of the candidates who have filed with him to the State Board immediately after the filing deadline.</u>	D	10/29/19	
24.2-506	A. The name of any candidate for any office, other than a party nominee, shall not be printed upon any official ballots provided for the election unless <u>he shall file along with his declaration of candidacy a petition therefore, on a form prescribed by the State Board, signed by the number of qualified voters specified in this subsection after January 1 of the year in which the election is held and listing the residence address of each such voter. Each signature on the petition shall have been witnessed by a person who is not a minor or a felon whose voting rights have not been restored</u>	D	6/22/2021	

	and whose affidavit to that effect appears on each page of the petition.			
24.2-506	B. The State Board shall approve uniform standards by which petitions filed by a candidate for office, other than a party nominee, are reviewed to determine if the petitions contain sufficient signatures of qualified voters as required in subsection A.	B	10/29/19	
24.2-506	The State Board of Elections, on or before January 1, 2020, shall revise its processes and associated regulations for reviewing and processing candidate petitions. Such revisions shall provide a process for checking petition signatures that includes a method for determining if a petition signature belongs to an individual whose prior registration has been canceled and the reason for such cancellation. The process shall provide for the tracking of such information associated with each petition. The process shall provide for the escalation of cases of suspected fraud to the electoral board, the State Board , or the office of the attorney for the Commonwealth, as appropriate.	B	10/29/19	
24.2-506	C. If a candidate, other than a party nominee, does not qualify to have his name appear on the ballot by reason of the candidate's filed petition not containing the minimum number of signatures of qualified voters for the office sought, the candidate may appeal that determination within five calendar days of the issuance of the notice of disqualification pursuant to § 24.2-612 or notice from the State Board that the candidate did not meet the requirements to have his name appear on the ballot.	D	10/29/19	
24.2-506	Appeals made by candidates for a county, city, or town office shall be filed with the electoral board. Appeals made by candidates for all other offices shall be filed with the State Board .	D	10/29/19	
24.2-506	The appeal shall be heard by the State Board or the electoral board, as appropriate, within five business days of its filing.	B	10/29/19	
24.2-506	The electoral board shall notify the State Board of any appeal that is filed with the electoral board.	D	10/29/19	

24.2-506	The State Board shall develop procedures for the conduct of such an appeal. The consideration on appeal shall be limited to whether or not the signatures on the petitions that were filed were reasonably rejected according to the requirements of this title and the uniform standards approved by the State Board for the review of petitions.	B	10/29/19	
24.2-506	Immediately after the conclusion of the appeal hearing, the entity conducting the appeal shall notify the candidate and, if applicable, the State Board , of its decision in writing. The decision on appeal shall be final and not subject to further appeal.	D	10/29/19	
24.2-511	A. <u>The state, district, or other appropriate party chairman shall certify the name of any candidate who has been nominated by his party by a method other than a primary for any office to be elected by the qualified voters of (i) the Commonwealth at large, (ii) a congressional district or a General Assembly district, or (iii) political subdivisions jointly electing a shared constitutional officer, along with the date of the nomination of the candidate, to the State Board not later than five days after the last day for nominations to be made.</u>	D	10/29/19	
24.2-511	The State Board shall notify the general registrars of the names of the candidates to appear on the ballot for such offices.	D	10/29/19	
24.2-511	B. The <u>party chairman</u> of the district or political subdivision in which any other office is to be filled shall certify the name of any candidate for that office who has been nominated by his party by a method other than a primary to the State Board and to the general registrars of the cities and counties in which the name of the candidate will appear on the ballot not later than five days after the last day for nominations to be made.	D	10/29/19	
24.2-511	<u>Should the party chairman fail to make such certification, the State Board shall declare that the candidate is the nominee of the particular party and direct that his name be treated as if certified by the party chairman.</u>	D	10/29/19	
24.-516	<u>Each political party within the Commonwealth shall furnish to the State Board the names and addresses of its state, county, and city party chairmen in January of each year, and during the remainder of the year it shall notify the Board of any changes in such names and addresses.</u>	D	10/29/19	

24.2-516	At least 135 days prior to the regular date for a primary, the Board shall inquire of each state chairman and each county and city chairman whether a direct primary has been adopted.	D	10/29/19	
24.2-516	The Board shall advise each chairman that notification to the Board of the adoption of a direct primary is required and must be filed with the Board not more than 125 days and not less than 105 days before the date set for the primaries.	D	10/29/19	
24.2-516	<u>Each chairman shall file timely written notice with the Board</u> whether or not a primary has been adopted and identify each office for which a primary has been adopted.	D	10/29/19	
24.2-516	<u>The requirement to notify the Board of the adoption of a direct primary shall be satisfied when the Board receives by the deadline</u> (i) written notice from the appropriate party chairman or (ii) a copy of the written notice from an incumbent officeholder to his party chairman of the incumbent's selection, pursuant to § 24.2-509, of the primary as the method of nomination.	D	10/29/19	
24.2-517	The State Board shall order the holding of a primary election in any county, city, or other district of the Commonwealth in which it is notified pursuant to § 24.2-516 that a primary is intended to be held.	D	10/29/19	
24.2-517	<u>The notice ordering the primary shall be sent to the secretary of the electoral board. Within five days of the issuance of the order by the State Board,</u> each secretary shall forthwith post a copy of the notice on the official website of the county or city, or have notice of the election published at least once in a newspaper of general circulation in the county or city.	D	10/29/19	
24.2-520	A candidate for nomination by primary for any office shall be required to file a <u>written declaration of candidacy on a form prescribed by the State Board.</u> The declaration shall include the name of the political party of which the candidate is a member, a designation of the office for which he is a candidate, and a statement that, if defeated in the primary, his name is not to be printed on the ballots for that office in the succeeding general election. The declaration shall be acknowledged before some officer who has the authority to take acknowledgments to deeds, or attested by two witnesses who are qualified voters of the election district.	D	10/29/19	

24.2-521	A. A candidate for nomination by primary for any office <u>shall be required to file with his declaration of candidacy a petition for his name to be printed on the official primary ballot, on a form prescribed by the State Board</u> , signed by the number of qualified voters specified in this section after January 1 of the year in which the election is held or before or after said date in the case of a March primary, and listing the residence address of each such voter. Each signature on the petition shall have been witnessed by a person who is not a minor or a felon whose voting rights have not been restored and whose affidavit to that effect appears on each page of the petition.	D	6/22/2021	
24.2-522	C. Any candidate for nomination for United States Senator, Governor, Lieutenant Governor, or Attorney General <u>shall file with the State Board</u> (i) his declaration of candidacy, (ii) the petitions for his candidacy, sealed in one or more containers to which is attached a written statement under oath by the candidate giving his name and the number of signatures on the petitions contained in the containers, and (iii) a receipt indicating the payment of his filing fee.	D	10/29/19	
24.2-522	The State Board shall transmit the material so filed to the state chairman of the party of the candidate within 72 hours and not later than the seventy-fourth day. The sealed containers containing the petitions for a candidate may be opened only by the state chairman of the party of the candidate.	D	10/29/19	
24.2-524	A. Candidates for United States Senators, for representatives in Congress, and for the offices of Governor, Lieutenant Governor, and Attorney General shall pay the primary fee to the State Board of Elections.	D	10/29/19	
24.2-524	The primary fees shall be credited by the Board to a fund to be known as the "state primary fee fund." The Board shall refund the fee by warrant upon the state primary fee fund in the event the prospective candidate does not become a candidate, becomes a candidate and is not opposed, or must refile for any reason. All other primary fees paid to the Board shall be paid or placed to the credit of the fund out of which the Board pays the Commonwealth's expenses for the primary.	D	10/29/19	
24.2-524	B. All other candidates shall pay the fee to the treasurer, or director of finance if there is no treasurer, of the city or county in which they reside. The treasurer or director of finance shall pay back the fee in the event the prospective candidate does not become a candidate, or becomes a candidate and must refile for any reason. In the event the candidate is unopposed, the State Board <u>or the local electoral board, as appropriate, shall notify, no less than 60 days before the primary, the treasurer or director of finance to whom the fee was paid that the candidate is unopposed and shall provide the name and mailing address for returning the fee to the candidate.</u>	D	10/29/19	

	The treasurer or director of finance promptly shall return the fee to the candidate. All other primary fees paid a county or city treasurer or director of finance shall be paid or placed to the credit of the fund of the county or city out of which the expenses of the primary were paid by the county or city.			
24.2-527	It shall be the duty of the chairman or chairmen of the several committees of the <u>respective parties to furnish the name of any candidate for nomination</u> for any office to be elected by the qualified voters of the Commonwealth at large or of a congressional district or of a General Assembly district <u>to the State Board, and to furnish the name of any candidate for any other office to the State Board</u> and to the general registrars charged with the duty of preparing and printing the primary ballots.	D	10/29/19	
24.2-527	In furnishing the name of any such candidate, the chairman shall certify that a review of the filed candidate petitions found the required minimum number of signatures of qualified voters for that office to have been met. The chairman shall also certify the order and date and time of filing for purposes of printing the ballots as prescribed in § 24.2-528, provided that the State Board shall determine the order and date and time of filing for candidates for United States Senator, Governor, Lieutenant Governor, and Attorney General for such purposes. Each chairman shall comply with the provisions of this section not less than 70 days before the primary	D	10/29/19	
24.2-529	The primary ballots for the several parties taking part in a primary shall be composed, arranged, printed, delivered, and provided in the same manner as the general election ballots except that at the top of each official primary ballot shall be printed in plain black type the name of the political party and the words "Primary Election." The names of the candidates for various offices shall appear on the ballot in an order determined by the priority of the time of filing for the office. <u>In the event two or more candidates file simultaneously, the order of filing shall then be determined by lot by the electoral board or the State Board</u> as in the case of a tie vote for the office. No write-in shall be permitted on ballots in Primary elections.	B	10/29/19	
24.2-532	As soon as the electoral board shall determine the persons who have received the highest number of votes for nomination to any such office, the secretary of the board shall immediately make out abstracts and certificates of the votes cast as provided in § 24.2-675 and <u>forward certified copies thereof to the State Board.</u> The secretary in addition shall place certified copies thereof in an envelope and forward them in person or by certified mail (i) for members of the House of Representatives of the United States, to the chairman of the congressional district committee, (ii) for members of the General Assembly, to the chairman of the Senate or House of Delegates district committee, and (iii) for county and city and district officers, to the	D	10/29/19	

	chairman of the county or city. "Chairman" means the chairman of the political party under whose auspices the primary is held.			
24.2-532	<u>If the abstract of votes shall not have been received by the State Board from any county or city within six days after any state primary election, the Board shall dispatch a law-enforcement officer to obtain them</u> as provided in § 24.2-678.	D	10/29/19	
24.2-534	As soon as possible after receipt of the certified abstract and not later than fourteen days after the day of the election, the State Board <u>shall open and tabulate the returns.</u>	D	10/29/19	
24.2-534	<u>Upon completion of the tabulation the Board shall declare the nominee in the manner and form as it does in general elections.</u>	B	10/29/19	
24.2-536	<u>If more than one person qualifies, the party chairman shall promptly certify their names to the State Board and the appropriate electoral boards as having qualified under the provisions of this section. The electoral boards having charge of the printing of the official ballots for the primary election shall either...</u>	D	10/29/19	
24.2-537	If more than one person qualifies, <u>the party chairman shall promptly certify their names to the State Board</u> and the appropriate electoral boards as having qualified under the provisions of this section. The electoral boards having charge of the printing of the official ballots for the primary election shall either: ...	D	10/29/19	
24.2-538	The party chairman or chairmen shall promptly certify the names of every such <u>person to the State Board</u> and appropriate electoral boards as having qualified under the provisions of this section.	D	10/29/19	
24.2-538.1	B. Upon receipt of a candidate's signed and notarized notice of withdrawal made pursuant to § 24.2-612.2, the general registrar shall immediately <u>transmit such notice to the local electoral board and the State Board</u> and certify that the remaining candidate, identified by name, is now unopposed for nomination by the political party for the office sought.	B	7/2/24	

24.2-538.1	Within one calendar day of receiving such notice and certification, the State Board shall declare the remaining candidate to be the nominee of such political party for the office sought. As soon as possible thereafter, the local electoral board shall petition the circuit court for the cancellation of the primary election.	B	7/2/24	
24.2-538.1	C. The State Board shall prescribe the procedures for canceling a primary election pursuant to this section, including instructions for locking and securing voting systems, the disposition of marked and unmarked absentee ballots, and voter notification.	B	7/2/24	
24.2-544	B. The provisions of this title shall apply to the conduct of presidential year primaries including the time limits applicable to notices and candidate filing deadlines and the closing of registration records before the primary. The State Board shall provide a schedule for the notices and filing deadlines by the <u>August 1 prior to the March primary including a campaign finance disclosure report filing schedule</u> adjusted to reflect the differences between the June date for other primaries and the March date for the presidential primary, and primaries for the nomination of candidates for offices to be voted on at the general election date in May.	B	10/29/19	
24.2-545	A. The duly constituted authorities of the state political party shall have the right to determine the method by which the state party will select its delegates to the national convention to choose the party's nominees for President and Vice-President of the United States including a presidential primary or another method determined by the party. <u>The state chairman shall notify the State Board of the party's determination at least 90 days before the primary date.</u> If the party has determined that it will hold a presidential primary, each registered voter of the Commonwealth shall be given an opportunity to participate in the presidential primary of the political party, as defined in § 24.2-101, subject to requirements determined by the political party for participation in its presidential primary.	D	10/29/19	
24.2-545	The requirements may include, but shall not be limited to, the signing of a pledge by the voter of his intention to support the party's candidate when offering to vote in the primary. <u>The requirements applicable to a party's primary shall be determined at least 90 days prior to the primary date and certified to, and approved by, the State Board.</u>	B	10/29/19	
24.2-545	B. Any person seeking the nomination of the national political party for the office of President of the United States, or any group organized in this Commonwealth on behalf of, and with the consent of such person, <u>may file with the State Board petitions</u> signed by at least 10,000 qualified voters, including at least 400 qualified voters from each congressional district in the Commonwealth, who attest that they intend to participate in the primary of the same political party as the candidate for whom the petitions are filed. <u>Such petitions shall be filed with the State Board by the</u>	D	10/29/19	

	<u>primary filing deadline.</u>			
24.2-545	The petitions shall be on a form prescribed by the State Board and shall be sealed in one or more containers to which is attached a written statement giving the name of the presidential candidate and the number of signatures on the petitions contained in the containers. Such person or group shall also attach a list of the names of persons who would be elected delegates and alternate delegates to the political party's national convention if the person wins the primary and the party has determined that its delegates will be selected pursuant to the primary. The slate of delegates and alternates shall comply with the rules of the national and state party.	D	10/29/19	
24.2-545	The State Board shall transmit the material so filed to the state chairman of the party of the candidate immediately after the primary filing deadline. The sealed containers containing the petitions for a candidate may be opened only by the state chairman of the party of the candidate.	D	10/29/19	
24.2-545	The state chairman of the party shall, by the deadline set by the State Board ,	B	10/29/19	
24.2-545	Furnish to the State Board the names of all candidates who have satisfied the requirements of this section. In furnishing the name of each such candidate, the state chairman shall certify that a review of the filed candidate petitions found the required minimum number of signatures of qualified voters for that office to have been met. Whenever only one candidate for a party's nomination for President of the United States has met the requirements to have his name on the ballot, he will be declared the winner and no presidential primary for that party will be held.	D	10/29/19	
24.2-545	C. <u>The names of all candidates in the presidential primary of each political party shall appear on the ballot in an order determined by lot by the State Board.</u>	B	10/29/19	
24.2-545	D. The State Board shall certify the results of the presidential primary to the state chairman. If the party has determined that its delegates and alternates will be selected pursuant to the primary, the slate of delegates and alternates of the candidate receiving the most votes in the primary shall be deemed elected by the state party unless the party has determined another method for allocation of delegates and alternates. If the party has determined to use another method for selecting delegates	B	10/29/19	

	and alternates, those delegates and alternates shall be bound to vote on the first ballot at the national convention for the candidate receiving the most votes in the primary unless that candidate releases those delegates and alternates from such vote.			
24.2-603.1	The State Board shall <u>prescribe appropriate procedures to implement this section</u>	D	10/29/19	
24.2-604.2	<u>If an emergency causes the dimensions of the prohibited area for a polling place to be perceived as increasing the risk of danger for persons outside the polling place, the electoral board may modify the distance requirements for the prohibited area, subject to the prior approval of the State Board.</u> For purposes of this section, an "emergency" includes a state of emergency declared by the Governor pursuant to Chapter 3.2 (§ 44-146.13 et seq.) of Title 44 or declared by the President of the United States.	D	10/29/19	
24.2-610	C. <u>The electoral board, general registrar, and officers of election shall comply with the requirements of this title and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys, and other materials and supplies required to conduct the election are delivered to the polling place before 6:00 a.m. on the day of the election and delivered to the proper official following the election.</u>	D	10/29/19	
24.2-611	A. <u>The following oath shall be on a form prescribed by the State Board, administered to all officers of election, and kept by the officers of election with the pollbook:</u>	D	10/29/19	
24.2-611	D. Any locality may expend its own funds to purchase electronic pollbooks that have been <u>approved for use in elections by the State Board.</u>	B	10/29/19	
24.2-611	E. In the event that the electronic pollbooks for a precinct fail to operate properly and no alternative voter list or pollbook is available, the officers of election, in accordance with the instructions and materials approved by the State Board, shall (i) maintain a written list of the persons voting and (ii) provide to each person	D	10/29/19	

	voting a provisional ballot to be cast as provided in § 24.2-653.			
24.2-613	A. <u>The ballots shall comply with the requirements of this title and the standards prescribed by the State Board.</u>	B	10/29/19	
24.2-613	<u>For the purpose of this section, any Independent candidate may, by producing sufficient and appropriate evidence of nomination by a "recognized political party" to the State Board, have the term "Independent" on the ballot converted to that of a "recognized political party" on the ballot and be treated on the ballot in a manner consistent with the candidates nominated by political parties.</u> For the purpose of this section, a "recognized political party" is defined as an organization that, for at least six months preceding the filing of its nominee for the office, has had in continual existence a state central committee composed of registered voters residing in each congressional district of the Commonwealth, a party plan and bylaws, and a duly elected state chairman and secretary. A letter from the state chairman of a recognized political party certifying that a candidate is the nominee of that party and also signed by such candidate accepting that nomination shall constitute sufficient and appropriate evidence of nomination by a recognized political party. The name of the political party, the name of the "recognized political party," or term "Independent" may be shown by an initial or abbreviation to meet ballot requirements.	D	10/29/19	
24.2-613	C. Except as provided for primary elections, <u>the State Board shall determine by lot the order of the political parties</u> , and the names of all candidates for a particular office shall appear together in the order determined for their parties. In an election district in which more than one person is nominated by one political party for the same office, the candidates' names shall appear alphabetically in their party groups under the name of the office, with sufficient space between party groups to indicate them as such. For the purpose of this section, except as provided for presidential elections in § 24.2-614, "recognized political parties" shall be treated as a class; the order of the recognized political parties within the class shall be determined by lot by the State Board ; and the class shall follow the political parties as defined by § 24.2-101 and precede the independent class. Independent candidates shall be treated as a class under "Independent", and their names shall be placed on the ballot after the political parties and recognized political parties. Where there is more than one independent candidate for an office, their names shall appear on the ballot in an order determined by the	B	10/29/19	

	priority of time of filing for the office. In the event two or more candidates file simultaneously, the order of filing shall then be determined by lot by the electoral board as in the case of a tie vote for the office.			
24.2-613	D. In preparing the printed ballots for general, special, and primary elections, <u>the State Board</u> and general registrars shall cause to be printed in not less than 10-point type, immediately below the title of any office, a statement of the number of candidates for whom votes may be cast for that office. For any office to which only one candidate can be elected, the following language shall be used: "Vote for only one." For any office to which more than one candidate can be elected, the following language shall be used: "Vote for not more than ____."	D	10/29/19	
24.2-613	F. Any locality that uses machine-readable ballots at one or more precincts, including any central absentee precinct, may, with the approval of the State Board , use a printed reproduction of the machine-readable ballot in lieu of the official machine-readable ballot. Such reproductions shall be printed and otherwise handled in accordance with all laws and procedures that apply to official paper ballots.	D	10/29/19	
24.2-614	As soon as practicable after the seventy-fourth day before the presidential election, <u>the State Board shall certify</u> to the general registrar of each county and city the form of official ballot for the presidential election which shall be uniform throughout the Commonwealth. Each general registrar shall have the official ballot printed at least 45 days preceding the election.	D	10/29/19	
24.2-614	<u>Groups of petitioners qualifying for a party name under § 24.2-543 shall be treated as a class; the order of the groups shall be determined by lot by the State Board;</u> and the groups shall immediately precede the independent class on the ballot. The names of the candidates within the independent class shall be listed alphabetically.	B	10/29/19	
24.2-625.1	The general registrar and the State Board shall provide the electoral board assistance, upon request.	D	10/29/19	
24.2-625.1	D. The electoral board of each county and city that utilizes electronic voting systems shall develop and annually update written plans and procedures to ensure the security and integrity of its electronic voting systems. <u>The general registrar and the State Board shall provide the electoral board assistance, upon request.</u>	D	10/29/19	

24.2-626 (eff. 07/01/2020)	A. <u>The governing body of each county and city shall provide for the use of electronic voting systems, of a kind approved by the State Board, at every precinct and for all elections held in the county, the city, or any part of the county or city.</u>	B	10/29/19	2017: SBE decertifies DREs making current 24.2-626 obsolete.
24.2-626	Each county and city governing body shall purchase, lease, lease purchase, or otherwise acquire such systems and may provide for the payment therefore in the manner it deems proper. <u>Systems of different kinds may be adopted for use and be used in different precincts of the same county or city, or within a precinct or precincts in a county or city, subject to the approval of the State Board.</u>	D	10/29/19	
24.2-627	C. For purposes of applying this section, a general registrar may exclude persons voting absentee in his calculations, and if he does so shall send to the Department a statement of the number of voting systems to be used in each precinct. <u>If the State Board finds that the number of voting systems is not sufficient, it may direct the general registrar to use more voting systems.</u>	D	10/29/19	
24.2-629	A. <u>Any person, firm, or corporation hereinafter referred to as the "vendor," manufacturing, owning, or offering for sale any electronic voting or counting system and ballots designed to be used with such equipment may apply to the State Board,</u>	D	10/29/19	
24.2-629	<u>In the manner prescribed by the Board, to have examined a production model of such equipment and the ballots used with it.</u>	B	10/29/19	
24.2-629	The Board <u>may require the vendor to pay a reasonable application fee</u> when he files his request for testing or certification of new or upgraded voting equipment	B	10/29/19	
24.2-629	<u>Receipts from such fees shall be credited to the Board for reimbursement of testing and certification expenses.</u>	D	10/29/19	
24.2-629	In addition to any other materials that may be required, <u>a current statement of the financial status of the vendor, including any assets and liabilities, shall be filed with the Board</u> ; if the vendor is not the manufacturer of the equipment for which application is made, such a statement shall also be filed for the manufacturer. These statements shall be exempt from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). The Board <u>shall require, at a site of its</u>	B	10/29/19	

	<u>choosing, a demonstration of such equipment and ballots and may require that a production model of the system and a supply of ballots</u>			
24.2-629	<u>be provided to the Board for testing purposes.</u>	D	10/29/19	
24.2-629	<u>The Board shall also require the vendor to provide documentation of the practices recommended by the vendor to ensure the optimum security and functionality of the system.</u>	B	10/29/19	
24.2-629	<p><u>B. The Board may approve any kind of electronic voting system that meets the following requirements:</u></p> <ol style="list-style-type: none"> 1. It shall provide clear instructions for voters on how to mark or select their choice and cast that vote. 2. It shall provide facilities for voting for all offices at any election and on as many questions as may be submitted at any election. 3. It shall be capable of processing ballots for all parties holding a primary election on the same day, but programmable in such a way that an individual ballot cast by a voter is limited to the party primary election in which the voter chooses to participate. 4. It shall require votes for presidential and vice presidential electors to be cast for the presidential and vice presidential electors of one party by one operation. The ballot shall contain the words "Electors for" preceded by the name of the party or other authorized designation and followed by the names of the candidates for the offices of President and Vice President. 5. It shall enable the voter to cast votes for as many persons for an office as lawfully permitted, but no more. It shall prevent the voter from casting a vote for the same person more than once for the same office. However, ballot scanner machines shall not be required to prevent a voter from voting for a greater number of candidates than he is lawfully entitled to. 6. It shall enable the voter to cast a vote on any question on which he is lawfully permitted to vote, but no other. 7. It shall provide the voter with an opportunity to correct any error before a ballot is 	B	10/29/19	

	<p>cast.</p> <p>8. It shall correctly register or record and accurately count all votes cast for candidates and on questions.</p> <p>9. It shall be provided with a "protective counter," whereby any operation of the machine before or after the election will be detected.</p> <p>10. It shall be provided with a counter that at all times during an election shall show how many persons have voted.</p> <p>11. It shall ensure voting in absolute secrecy. Ballot scanner machines shall provide for the secrecy of the ballot and a method to conceal the voted ballot.</p> <p>12. It shall be programmable to allow ballots to be separated when necessary.</p> <p>13. Ballot scanner machines shall report, if possible, the number of ballots on which a voter under voted or over voted.</p>			
24.2-629	<p>C. After its examination of the equipment, ballots, and other materials submitted by the vendors, the Board shall prepare and file in its office a report of its finding as to <u>(i) the apparent capability of such equipment to accurately count, register, and report votes; (ii) whether the system can be conveniently used without undue confusion to the voter; (iii) its accessibility to voters with disabilities; (iv) whether the system can be safely used without undue potential for fraud; (v) the ease of its operation and transportation by voting equipment custodians and officers of election; (vi) the financial stability of the vendor and manufacturer; (vii) whether the system meets the requirements of this title; (viii) whether the system meets federal requirements;</u></p>	D	10/29/19	
24.2-629	<p>(ix) Whether issues of reliability and security identified with the system by other state governments have been adequately addressed by the vendor; and (x) whether, in the opinion of the Board, the potential for approval of such system is such as to justify further examination and testing.</p>	B	10/29/19	
24.2-629	<p>D. If the Board determines that there is such potential and prior to its final determination as to <u>approval or disapproval of such system, the Board shall obtain a report by an independent electronics or engineering consultant as to (i) whether the system accurately counts, registers, and reports votes; (ii) whether it is capable of storing and retaining existing votes in a permanent memory in the event of power failure during and after the election; (iii) the number of separate memory capabilities for the storage of recorded votes; (iv) its mechanical and electronic perfections and imperfections; (v) the audit trail provided by the system; (vi) the anticipated frequency of repair; (vii) the ease of repair; (viii) the anticipated life of the equipment;(ix) its potential for fraudulent use; (x) its accessibility to voters with</u></p>	D	10/29/19	

	disabilities; (xi) the ease of its programming, transportation, and operation by voting equipment custodians and officers of election;			
24.2-629	And (xii) any other matters deemed necessary by the Board .	B	10/29/19	Board delegated authority to obtain report but retained authority to determine "any other matters deemed necessary by the Board.
24.2-629	<u>The report of the consultant shall be filed in the office of the Board.</u>	D	10/29/19	
24.2-629	E. In preparing the reports cited in subsections C and D, <u>the Board shall require, as a condition of certification, that the system is comprehensively examined by individuals including at least one expert in election management and one in computer system security. The Board shall develop, in conjunction with the above listed individuals, a specific set of items to be examined and tested as part of the certification process to further elaborate on the requirements identified in this section.</u>	B	10/29/19	
24.2-629	F. <u>If the Board determines that there is potential for approval of the system and prior to its final determination, the Board shall also require that the system be tested in an actual election in one or more counties or cities. Its use at such election shall be as valid for all purposes as if it had been legally approved by the Board and adopted by the counties or cities.</u>	B	10/29/19	
24.2-629	G. <u>If, following testing, the Board approves any voting system and its ballots for use,</u>	B	10/29/19	
24.2-629	<u>The Board shall so notify the electoral boards of each county and city. Systems so approved may be adopted for use at elections as herein provided. No form of electronic system and ballots not so approved shall be adopted by any county or city.</u>	D	10/29/19	

24.2-629	<u>Any electronic system and ballots approved for use by the Board shall be deemed to meet the requirements of this title and any applicable federal laws, and their use in any election shall be valid.</u>	B	10/29/19	
24.2-629	I. <u>The Board shall have the authority to investigate, at its discretion, any voting system certified in Virginia to ensure that it continues to meet the standards outlined in subsections C and D.</u>	B	10/29/19	
24.2-629	<u>The Board may, at its discretion, decertify any voting system based on significant problems detected with the voting system in Virginia or on reports provided by federal authorities or other state election officials.</u>	B	10/29/19	
24.2-630	<u>With the approval of the State Board, the governing body of any county, city, or town may provide for the experimental use at an election in one or more election districts or precincts of a voting or counting system which it might legally adopt without a formal adoption thereof, and its use at such election shall be valid for all purposes.</u>	B	10/29/19	
24.2-631	<u>The State Board is authorized to approve the experimental use of voting or counting systems and ballots for the purpose of casting and counting absentee ballots in one or more counties and cities designated by the Board (i) that have established central absentee voter election districts</u>	B	10/29/19	
4.2-631	<u>and (ii) whose electoral board submits to the Board for approval a plan for the use of such system and ballots.</u>	D	10/29/19	
24.2-631	<u>The Board is also authorized to approve the experimental use of voting or counting systems and ballots in one or more precincts in any county or city whose electoral board</u>	B	10/29/19	
24.2-631	<u>Submits to the Board for approval a plan for such use. The use of such systems and ballots at an election shall be valid for all purposes.</u>	D	10/29/19	

24.2-632	A. For the purpose of programming and preparing voting and counting equipment, including the programming of any electronic activation devices or data storage media used to program or operate the equipment, and maintaining, testing, calibrating, and delivering it, the electoral board shall employ one or more persons, to be known as custodians of voting equipment. The custodians shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least 30 days before each election. <u>With the approval of the State Board, the electoral board may contract with the voting equipment vendor or another contractor for the purpose of programming, preparing and maintaining the voting equipment.</u>	D	10/29/19	
24.2-643	A voter who does not show one of the forms of identification specified in this subsection and does not sign this statement shall be offered a provisional ballot under the provisions of § <u>24.2-653</u> . The State Board of Elections <u>shall provide an ID-ONLY provisional ballot envelope that requires no follow-up action by the registrar or electoral board other than matching submitted identification documents from the voter for the electoral board to make a determination on whether to count the ballot.</u>	D	6/21/2021	
24.2-643	If the voter's name is found on the pollbook, if he presents one of the forms of identification listed above, if he is qualified to vote in the election, and if no objection is made, <u>an officer shall enter, opposite the voter's name on the pollbook, the first or next consecutive number from the voter count form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic form; an officer shall provide the voter with the official ballot; and another officer shall admit him to the voting booth.</u>	D	10/29/19	
24.2-643	C. If the current residence address stated by the voter is different from the address shown on the pollbook, the officer of election <u>shall furnish the voter with a change of address form prescribed by the State Board</u> . Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making false statements pursuant to § 24.2-1016, which the officer of election shall then place in an envelope provided for such forms for transmission to the general registrar who shall then transfer or cancel the registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.) of this title.	D	10/29/19	
24.2-643	D. At the time the voter is asked his full name and current residence address, the officer of election shall ask any voter for whom the pollbook indicates that an identification number other than a social security number is recorded on the Virginia voter registration system if he presently has a social security number. If the voter is able to provide his social security number, <u>he shall be furnished with a voter</u>	B	10/29/19	

	registration form prescribed by the State Board to update his registration information. Upon its completion, the form shall be placed by the officer of election in an envelope provided for such forms for transmission to the general registrar. Any social security numbers so provided shall be entered by the general registrar in the voter's record on the voter registration system.			
24.2-644	The declaration of intent shall be <u>on a form prescribed by the State Board</u> and shall include a list of presidential electors pledged to those candidates which equals the whole number of senators and representatives to which the Commonwealth at that time is entitled in the Congress of the United States. A write-in vote cast for candidates for President and Vice-President, or for a candidate for President only, shall be counted for the individual electors listed on the declaration of intent as pledged to those candidates.	D	10/29/19	
24.2-649	The officer shall immediately return to the polling place and shall deposit a paper ballot in the ballot container in accordance with § <u>24.2-646</u> or a machine-readable ballot in the ballot scanner machine in accordance with the instructions of the State Board .	D	10/29/19	
24.2-649	The officer of election or other person so designated shall not enter the booth with the voter unless (i) the voter signs a request stating that he requires assistance by reason of physical disability or inability to read or write and (ii) the officer of election or other person signs a statement that he is not the voter's employer or an agent of that employer, or an officer or agent of the voter's union, and that he will act in accordance with the requirements of this section. <u>The request and statement shall be on a single form furnished by the State Board</u> . If the voter is unable to sign the request, his own mark acknowledged by him before an officer of election shall be sufficient signature. If the voter being assisted is blind, neither the request nor the statement shall be required to be signed and an officer of election shall advise the voter and person assisting the voter of the requirements of this section and record the name of the voter and the name and address of the person assisting him	D	10/29/19	
24.2-649	<u>If a printed ballot is used, the officer or other person so designated shall deposit the ballot in the ballot container in accordance with § 24.2-646 or in the ballot scanner machine in accordance with the instructions of the State Board</u> .	D	10/29/19	
24.2-649.1	(a) The machine number, (b) the time that the machine was removed and the time that it was returned, (c) the number on the machine's public counter before the machine was removed and the number on the same counter when it was returned, (d) the names of the voters who used the machine while it was removed <u>provided that secrecy of the ballot is maintained in accordance with guidance from the State Board</u> , and the name	D	6/22/2021	

	or names of the officer or officers who accompanied the machine shall be recorded on the statement of results.			
24.2-649.1	The officer shall immediately return to the polling place and shall deposit a paper ballot in the ballot container in accordance with § 24.2-646 or a machine-readable ballot in the ballot scanner machine in accordance <u>with the instructions of the State Board.</u>	D	6/22/2021	
24.2-651	The individual making the challenge shall complete and sign the following statement on a form provided by the State Board :	D	10/29/19	
24.2-651	When the voter has signed the statement and is permitted to vote, the officers of election shall mark his name on the pollbook with the first or next consecutive number from the voter count form, or shall enter that the voter has voted if the pollbook is in electronic form, <u>and shall indicate on the pollbook that he has signed the required statement in accordance with the instructions of the State Board.</u>	D	10/29/19	
24.2-651.1	The State Board of Elections shall provide instructions to the electoral boards for the handling and counting of such provisional ballots.	D	10/29/19	
24.2-652	When the voter has signed the statement and is permitted to vote, the officers of election shall mark his name on the pollbook with the next consecutive number from the voter count form, or shall enter that the voter has voted if the pollbook is in electronic form, and <u>shall indicate on the pollbook that he has signed the required statement in accordance with the instructions of the State Board.</u>	D	10/29/19	
24.2-652	B. If the general registrar is not available or cannot state that the person is registered to vote, such person shall be allowed to vote by provisional ballot pursuant to § 24.2-653. The officers of election shall provide to him an application for registration. The State Board of Elections <u>shall provide instructions to the electoral boards for the handling and counting of such provisional ballots.</u>	D	6/21/2021	
24.2-653	<u>The officers of election shall enter the appropriate information for the person precinct provisional ballot log in accordance with the instructions of the State Board</u> but shall not enter a consecutive number for the voter nor otherwise mark his name as having voted.	D	10/29/19	

24.2-653.1	B. Such person shall be given a printed ballot and be permitted to vote the provisional ballot in accordance with the provisions of § <u>24.2-653</u> and the instructions of the State Board .	D	10/29/19	
24.2-653.1	The electoral board shall process the ballot in accordance with the provisions of § <u>24.2-653</u> and the instructions of the State Board .	D	10/29/19	
24.2-654	<u>In ascertaining the vote, the officers of election shall complete a statement of results in duplicate on the form and in the manner prescribed by the State Board.</u>	D	10/29/19	
24.2-659	F. The voting systems described in subsections A, B, C, and D shall remain locked and sealed until the deadline to request a recount under Chapter 8 (§ <u>24.2-800</u> et seq.) has passed and, if any contest or recount is pending thereafter, until it has been concluded. <u>Such machines and any envelope containing data storage devices shall be opened and all data examined only (i) on the order of a court of competent jurisdiction or (ii) on the request of an authorized representative of the State Board, or the electoral board or general registrar at the direction of the State Board,</u> in order to ensure the accuracy of the returns. In the event that machines and data storage devices are examined under clause (ii), each political party and each independent candidate on the ballot, or each primary candidate, shall be entitled to have a representative present during such examination. The representatives and observers lawfully present shall be prohibited from interfering with the officers of election in any way. The State Board, local electoral board, or general registrar shall provide such parties and candidates reasonable advance notice of the examination.	D	10/29/19	
24.2-666	<u>The State Board shall prescribe appropriate forms and procedures for use by the local electoral boards, general registrars, and officers of election to account for all paper ballots, used and unused.</u>	D	10/29/19	
24.2-668	A. After ascertaining the results and before adjourning, the officers shall put the pollbooks, the duplicate statements of results, and any printed inspection and return sheets <u>in the envelopes provided by the State Board</u> . The officers shall seal the envelopes and direct them to the clerk of the circuit court for the county or city. The pollbooks, statements, and sheets thus sealed and directed, the sealed counted ballots envelope or container, and the unused, defaced, spoiled and set aside ballots properly accounted for, packaged and sealed, shall be conveyed by one of the officers to be determined by lot, if they cannot otherwise agree, to the clerk of court by noon on the day following the election.	D	10/29/19	

24.2-668	The clerk shall retain custody of the pollbooks until the time has expired for initiating a recount, contest, or other proceeding in which the pollbooks may be needed as evidence and there is no proceeding pending. After that time the clerk shall deliver the pollbooks to <u>the general registrar who shall return the pollbooks or transfer a copy of the electronic data to the State Board</u> as directed by § 24.2-114 for voting credit purposes.	D	10/29/19	
24.2-668	After the pollbooks are returned by the State Board , the general registrar shall retain the pollbooks in his principal office for two years from the date of the election. The clerk shall retain the statement of results and any printed inspection and return sheets for two years and may then destroy them.	D	10/29/19	
24.2-668	C. If an electronic pollbook is used, the data disc or cartridge containing the electronic records of the election, or, alternately, a printed copy of the pollbook records of those who voted, shall be transmitted, sealed and retained as required by this section, and otherwise treated as the pollbook for that election for all purposes subsequent to the election. Nothing in this title shall be construed to require that the equipment or software used to produce the electronic pollbook be sealed or retained along with the pollbook, <u>provided that the records for the election have been transferred or printed according to the instructions of the State Board.</u>	D	10/29/19	
24.2-669	The clerk to whom the counted and uncounted ballots are delivered shall, without breaking the seal, deposit them in a secure place in his office, where they shall be kept for the time required by this section. <u>He shall not allow the ballots to be inspected except (i) by an authorized representative of the State Board</u>	D	10/29/19	
24.2-669	<u>or by the electoral board at the direction of the State Board to ensure the accuracy of the returns or the purity of the election,</u> (ii) by the officers of election, and then only at the direction of the electoral board in accordance with § 24.2-672 when the provisions of § 24.2-662 have not been followed, or (iii) on the order of a court before which there is pending a proceeding for a contest or recount under Chapter 8 (§ 24.2-800 et seq.) of this title or before whom there is then pending a proceeding in which the ballots are necessary for use in evidence, , or (iv) for the purpose of conducting an audit as part of a post-election pilot program pursuant to § 24.2-671.1. In the event that ballots are inspected under clause (i), (ii), or (iv) of this paragraph, each political party and each independent candidate on the ballot, or each primary candidate, shall be entitled to have a representative present during such inspection. The representatives and observers lawfully present shall be prohibited from interfering with the officers of election in any way. The State Board or local electoral board shall provide such parties and candidates reasonable advance notice of the inspection.	D	10/29/19	

24.2-671	Beginning with the general election in November 2007, a report of any changes made by the local electoral board to the unofficial results ascertained by the officers of election or any subsequent change to the official abstract of votes made by the local electoral board shall be <u>forwarded to the State Board of Elections and the explanation of such change shall be posted on the State Board website.</u>	D	10/29/19	
§24.2-671.2	B. Risk-limiting audits conducted pursuant to this section shall be performed by the local electoral boards and general registrars under the supervision of the Department and <u>in accordance with the procedures prescribed by the State Board...</u>	D	12/05/22	24.2-671.2 replaced 24.2-671.1
§24.2-671.2	D. The State Board <u>shall promulgate regulations for submitting such requests.</u>	B	12/05/22	24.2-671.2 replaced 24.2-671.1
§24.2-671.2	D. The State Board <u>shall grant an extension of the local electoral board's certification deadline under § 24.2-671 as necessary to accommodate the conduct of a risk-limiting audit conducted pursuant to this subsection.</u>	B	12/05/22	24.2-671.2 replaced 24.2-671.1
§24.2-671.2	F. Upon the tabulation of the unofficial results of an election, the State Board <u>shall determine, in accordance with subsection C, all the contested races for that election that will receive a risk-limiting audit and shall set the risk limit to be applied in such audits.</u>	B	12/05/22	24.2-671.2 replaced 24.2-671.1
24.2-673.1	D. The State Board <u>may administer or prescribe standards for a voter outreach and public information program for use by any locality conducting ranked choice voting pursuant to this section.</u>	B	6/22/21	

24.2-674	If, prior to a recount, any two or more persons have an equal number of votes and a higher number than any other person for member of the General Assembly or of the Congress of the United States, or if any two or more persons have an equal number of votes and a higher number than any other person for elector of President and Vice President of the United States, the State Board of Elections <u>shall proceed publicly to determine by lot which of them shall be declared elected. Reasonable notice shall be given to such candidates of the time when such elections shall be so determined; and if they, or either of them, shall fail to appear in accordance with such notice, the Board shall proceed so as to determine the election in their absence.</u>	B	6/22/2021	
24.2-675	The abstracts shall be certified and signed by the electoral board, attested by the secretary, and retained by the electoral board as part of its records. <u>A copy of each, certified under the official seal of the electoral board, shall immediately be mailed or delivered by hand to the State Board.</u>	D	10/29/19	
24.2-675	The State Board <u>shall require the electoral board of any county or city to correct any errors found on such abstracts prior to completing the requirements of § 24.2-679.</u>	D	10/29/19	
24.2-677	The State Board , <u>on receipt of the certified abstracts of the votes given in the several counties and cities, shall open the abstracts and record and carefully preserve them.</u>	D	10/29/19	
24.2-678	<u>If the State Board has not received the abstracts of votes from any county or city within seven days after any election, it shall dispatch a law-enforcement officer to obtain a copy of the abstract from the official having charge thereof.</u>	D	10/29/19	
24.2-678	That official shall immediately, on demand of the officer, make out and deliver to him the copy required, and <u>the officer shall deliver the abstract to the State Board</u> without delay.	D	10/29/19	
24.2-679	A. The State Board <u>shall meet on the third Monday in November to ascertain the results of the November election.</u> If a majority of the Board is not present or if, for any other reason, the Board is unable to ascertain the results on that day, the meeting shall stand adjourned from day to day for not more than three days until a quorum is present and the Board has ascertained the results as provided in this section.	B	10/29/19	
24.2-679	The Board <u>shall examine the certified abstracts on file in its office and make statements of the whole number of votes given at any such election</u> for members of the General Assembly, Governor, Lieutenant Governor and Attorney General, members of the United States Congress and electors of President and Vice-President of the United States, and any officer shared by more than one county or city, or any combination thereof, or for so many of such officers as have been voted for at the election.	B	10/29/19	

24.2-679	The statement shall show, for each office and each county, city, and election district, the whole number of votes given to each candidate and to any other person elected to office. The Board <u>members shall certify the statements to be correct and sign the statements.</u>	B	10/29/19	
24.2-679	The Board <u>shall then determine those persons who received the greatest number of votes and have been duly elected to each office.</u>	B	10/29/19	
24.2-679	The Board <u>members shall endorse and subscribe on such statements a certificate of their determination.</u>	B	10/29/19	
24.2-679	The Board <u>shall record each certified statement and determination in a suitable book to be kept by it in its office.</u>	D	10/29/19	
24.2-679	B. The State Board <u>shall meet as soon as possible after it receives the returns for any special election held at a time other than the November general election to ascertain the results of the special election in the manner prescribed in subsection A. If the returns have not been received within seven days of the election, the Board shall meet and adjourn from day to day until it receives the returns, ascertains the results, and makes its determination.</u>	B	10/29/19	
24.2-680	Subject to the requirements of § 24.2-922, the State Board <u>shall without delay complete and transmit to each of the persons declared to be elected a certificate of his election, certified by it under its seal of office.</u>	B D	10/29/19	Board to complete certificates and Department to transmit certificates.
24.2-680	<u>In the election of a member of the United States Congress, it shall also forward a certificate of election to the clerk of the United States Senate or House of Representatives, as appropriate.</u>	D	10/29/19	
24.2-680	<u>The names of members elected to the General Assembly shall be certified by the State Board to the clerk of the House of Delegates or Senate, as appropriate.</u>	B	10/29/19	
24.2-680	<u>The names of the persons elected Governor, Lieutenant Governor, and Attorney General shall be certified by the State Board to the clerks of the House of Delegates and Senate.</u>	B	10/29/19	
24.2-680	<u>The name of any officer shared by more than one county or city, or any combination thereof, shall be certified by the State Board to the clerk of the circuit court having jurisdiction in each affected county or city.</u>	B	10/29/19	
24.2-680	<u>The names of the persons elected to soil and water conservation districts shall be certified by the State Board to the Director of the Department of Conservation and</u>	B	10/29/19	

	<u>Recreation.</u>			
24.2-701	<u>Electronic absentee ballot applications shall be in a form approved by the State Board.</u>	B	10/29/19	
24.2-701	B. The State Board of Elections <u>shall provide instructions to the electoral boards for the handling and counting of such provisional ballots</u> pursuant to subsection B of § 24.2-653 and this section.	B	10/29/19	Board approved Procedures on 4/26/05
24.2-701.1	The State Board shall provide instructions to the general registrar for the handling and counting of such provisional ballots pursuant to subsection B of § <u>24.2-653</u> and this section.	B	10/29/19	
24.2-701.2	C. The State Board <u>shall provide instructions to the local electoral boards and general registrars to assist the localities in complying with the requirements of the acts.</u>	D	6/21/2021	
24.2-701.2	F. If an emergency makes a voter satellite office unusable or inaccessible, the electoral board or the general registrar <u>shall provide an alternative voter satellite office, subject to the approval of the State Board</u> , and shall give notice of the change in the location of the voter satellite office	D	6/21/2021	
24.2-703	<u>The general registrar shall retain the application and process the applicant's request for an absentee ballot for each election in accordance with procedures established by the State Board.</u> The applicant shall specify by party designation the primary ballots he is requesting.	D	10/29/19	
24.2-703.1	A. Any registered voter shall be eligible to file a special application to receive absentee ballots for all elections in which he is eligible to vote. <u>Such application shall be on a form approved by the State Board.</u> The absentee ballots sent to a voter on the permanent absentee voter list shall be sent to the address in the voter's registration record, except as provided in subdivision C 1.	B	6/21/2021	

24.2-703.1	B. In accordance with procedures established by the State Board , the general registrar shall retain the application, enroll the applicant on a permanent absentee voter list, and process the applicant's request for an absentee ballot for each succeeding election. The applicant shall specify by party designation the primary ballots he is requesting.	D	6/21/2021	
24.2-703.1	C. The State Board shall prescribe the process by which a voter on the permanent absentee voter list may: (1) Request that his absentee ballot for (i) a single election or (ii) a primary election and the following general election be sent to an address other than the address on his voter registration record. (2) Request a primary ballot for a political party other than the one he specified on his application for permanent absentee voter status for a single primary election. (3) Change his political party selection for all succeeding primary elections.	B	6/21/2021	
24.2-703.2	The voter and representative shall complete the form prescribed by the State Board to implement the provisions of this section. The form shall include a statement signed by the voter that he did not receive the ballot or has lost the ballot. Statements on the form shall be subject to felony penalties for making false statements pursuant to § 24.2-1016.	D	10/29/19	
24.2-704	<u>On receipt of an application from an applicant marked to indicate he will require assistance, the general registrar shall deliver, with the items required by § 24.2-706, the voter assistance form furnished by the State Board pursuant to § 24.2-649.</u>	D	10/29/19	
24.2-705	The application shall be on a form prescribed by the State Board and shall require the applicant (i) to state the cause of his incapacity, (ii) to state that he is unable to be present at the polls on election day, and that he was either incapacitated on or after the seventh day preceding the election or hospitalized on or after the fourteenth day preceding the election and unable to request the application earlier than the seventh day preceding the election, (iii) to designate a representative to receive, deliver and return the ballot, and (iv) to provide other information required by law for an absentee ballot application.	B	10/29/19	
15.2-705.1	C. The State Board may promulgate regulations for the proper and efficient administration of elections determined by instant runoff voting, including (i) procedures for tabulating votes in rounds, (ii) procedures for determining winners in elections for offices to which only one candidate is being elected and for offices to which more than one candidate is being elected, and (iii) standards for ballots pursuant to § 24.2-613, notwithstanding the provisions of subsection E of that section	B	6/22/2021	

15.2-705.1	D. The State Board <u>may administer or prescribe standards for a voter outreach and public information program for use by any locality conducting instant runoff voting pursuant to this section.</u>	B	6/22/2021	
24.2-706	The State Board of Elections may prescribe by regulation the format of the email address used for transmitting ballots to eligible voters. A general registrar may also use electronic transmission facilities provided by the Federal Voting Assistance Program. The voted ballot shall be returned to the general registrar as otherwise required by this chapter.	B	10/29/19	
24.2-706	2. That the State Board of Elections shall <u>promulgate regulations to implement the provisions of this act to be effective within 60 days of its enactment.</u> Such regulations shall include processes that ensure secure and timely delivery of voter information to contractors and reports of mailed absentee ballots from contractors.	B	6/22/2021	
24.2-709	C. <u>Notwithstanding the provisions of subsection A, any absentee ballot (i) received after the close of the polls on any election day, (ii) received before 5:00 p.m. on the second business day before the State Board meets to ascertain the results of the election pursuant to this title, (iii) requested on or before but not sent by the deadline for making absentee ballots available under § 24.2-612, and (iv) cast by a covered voter, as defined in § 24.2-452, shall be counted pursuant to the procedures set forth in this chapter if the voter is found entitled to vote.</u>	B	6/22/2021	
24.2-709	<u>The electoral board shall prepare an amended certified abstract, which shall include the results of such ballots, and shall deliver such abstract to the State Board by the business day prior to its meeting pursuant to this title, and shall deliver a copy of such abstract to the general registrar to be available for inspection when his office is open for business.</u>	D	10/29/19	
24.2-710	On the day before the election, the general registrar shall (i) <u>make out in triplicate on a form prescribed by the State Board</u> the absentee voter applicant list containing the names of all persons who applied for an absentee ballot through the third day before the election and (ii) by noon on the day before the election, deliver two copies of the list to the electoral board. The general registrar shall make out a supplementary list containing the names of all persons voting absentee in person or applying to vote absentee pursuant to § 24.2-705 for delivery by 5:00 p.m. on the day before the election. <u>The supplementary list shall be deemed part of the absentee voter applicant list and shall be prepared and delivered in accordance with the instructions of the State Board.</u> The general registrar shall maintain one copy of the list in his office for two years as a public record open for inspection upon request during regular office hours.	D	6/22/2021	

24.2-710	Upon request, the State Board shall provide an electronic copy of the absentee voter applicant list to any political party or candidate. Such lists shall be used only for campaign and political purposes. In no event shall any list furnished under this section contain (i) any voter's social security number or any part thereof, (ii) any voter's day and month of birth, or (iii) the residence address of any voter who has provided a post office box address to be used on public lists pursuant to § 24.2-418.	D	10/29/19	
24.2-711	Before the polls open, the officers of election at each precinct shall mark, for each person on the absentee voter applicant list, the letters "AB" (meaning absentee ballot) in the voting record column on the pollbook. The pollbook may be so marked prior to election day by the general registrar, the secretary of the electoral board, or staff under the direction of the general registrar or the secretary, or when the pollbook is produced by the State Board pursuant to § 24.2-404. If the pollbook has been marked prior to election day, before the polls open the officers of election at each precinct shall check the marks for accuracy and make any additions or corrections required.	D	10/29/19	
24.2-711.1	The electoral board of each county and city shall send a written explanation of the reason for rejection of an absentee ballot to the voter whose absentee ballot is rejected within ninety days of the date on which the ballot is rejected. <u>The State Board of Elections shall promulgate instructions to implement the provisions of this section.</u>	D	10/29/19	
24.2-800	B. When there is between any candidate apparently nominated or elected and any candidate apparently defeated a difference of not more than one percent of the total vote cast for the two such candidates <u>as determined by the State Board</u> or the electoral board, the defeated candidate may appeal from the determination of the State Board or the electoral board for a recount of the vote as set forth in this article. When there is between any write-in candidate apparently nominated or elected and any candidate apparently defeated, or between any candidate apparently nominated or elected and any write-in candidate apparently defeated, a difference of not more than five percent of the total vote cast for the two such candidates <u>as determined by the State Board</u> or the electoral board, the defeated candidate may appeal <u>from the determination of the State Board</u> or the electoral board for a recount of the vote as set forth in this article. In an election of electors for the President and Vice President of the United States, the presidential candidate shall represent the vice presidential	B		

	candidate and slate of electors and be the party to the recount for purposes of this article.			
24.2-801.1	Presidential candidates who anticipate the possibility of asking for a recount are encouraged to so <u>notify the State Board</u> by letter as soon as possible after election day.	D	10/29/19	
24.2-801.1	If any presidential candidate is eligible to seek a recount of the results of the election for presidential electors under § 24.2-800 <u>the State Board shall</u> , within 24 hours of the certification of the results, <u>notify the Circuit Court of the City of Richmond and the Supreme Court of Virginia</u> (i) that a recount is possible, (ii) which presidential candidate is eligible to seek a recount, and (iii) of the date the results were certified.	D	10/29/19	
24.2-802	A. The State Board of Elections <u>shall promulgate standards for</u> (i) <u>the proper handling and security of voting systems, ballots, and other materials required for a recount,</u> (ii) <u>accurate counting of votes based upon objective evidence and taking into account the voting system and form of ballots approved for use in the Commonwealth,</u> and (iii) <u>any other matters that will promote a timely and accurate resolution of the recount.</u>	B	6/21/2021	
24.2-802	B. The State Board <u>shall promulgate additional standards and instructions for the conduct of simultaneous recounts of two or more elections in a single election district.</u>	B	2020	
24.2-802	B. After the full court is appointed under § 24.2-801 or § 24.2-801.1, it shall call a hearing at which all motions shall be disposed of and the rules of procedure shall be fixed finally. <u>The court shall call for the advice and cooperation of the Department, the State Board,</u> or any local electoral board, as appropriate, and <u>such boards or agency shall have the duty and authority to assist the court.</u> The court shall fix procedures that shall provide for the accurate determination of votes in the election.	D	10/29/19	
24.2-802	C. <u>The State Board shall promulgate additional standards and instructions for the conduct of recounts in elections for any office to which more than one candidate can be elected. Such standards and instructions shall include which candidates apparently nominated or elected are required to be named in the petition for a recount or served a copy of the petition for a recount.</u>	B	7/5/23	New Code Provision in 2023

24.2-813	In deciding any contest of a primary election, if the court can determine the candidate who has received a plurality of valid votes in the primary, it shall certify the name of that candidate to the State Board and the proper electoral board or boards.	B	10/29/19	
24.2-813	In deciding any contest of a primary election, if the court can determine the candidate who has received a plurality of valid votes in the primary, <u>it shall certify the name of that candidate to the State Board</u> and the proper electoral board or boards.	B	10/29/19	
24.2-900 through 24.2-944	<i>Repealed by Acts 2006. Everything moved to 24.2-945 through 959.1.</i>			<i>Added to list 3/2019</i>
24.2-945.2	B. Independent expenditure reports shall be due (i) within 24 hours of the time when the funds were expended or (ii) within 24 hours of the time when materials, as described in subsection A of this section, are published or broadcast to the public, whichever (i) or (ii) first occurs. <u>The reports shall be filed with the State Board if the funds were expended to support or oppose a candidate for statewide office or the General Assembly or with the general registrar of the county or city in which the candidate resides if the funds were expended to support or oppose a candidate for local office.</u>	D	10/29/19	
24.2-945.2	C. Independent expenditure reports required by this section may be filed electronically pursuant to § 24.2-946.1 or in writing <u>on a form developed by the State Board</u> . If the report is filed in writing, the report shall be (i) <u>received by the State Board</u> or the general registrar, as appropriate, within 24 hours of the time when the funds were expended or (ii) <u>transmitted to the State Board</u> or the general registrar, as appropriate, by telephonic transmission to a facsimile device within 24 hours of the time when the funds were expended with an original copy of the report <u>mailed to the State Board</u> or the general registrar, as appropriate, and postmarked within 24 hours of the time when the funds were expended.	D	10/29/19	
24.2-946	A. <u>The State Board shall summarize the provisions of the election laws relating to the Campaign Finance Disclosure Act of 2006 and provide for distribution of this summary and prescribed forms to each candidate, person, or committee on request or upon their first filing with the State Board pursuant to this chapter, whichever occurs</u>	D	10/29/19	

	first.			
24.2-946	B. The Board shall designate the forms required for complying with this chapter which shall be the only such forms used in complying with the provisions of this chapter.	D	10/29/19	
24.2-946	C <u>The Board shall provide, with the summary required by this section, instructions for persons filing reports pursuant to this chapter</u> to assist them in completing the reports. The instructions shall include directions for the reporting of filing fees for any party nomination method.	D	10/29/19	
24.2-946	D. <u>The Board shall provide instructions for candidates who seek election for successive terms in the same office</u> for the filing of reports within each appropriate election cycle for the office and for the aggregation of contributions within each election cycle.	D	10/29/19	
24.2-946	E. The Board shall provide, with the summary required by this section, to each candidate, person, or committee on request or upon their first filing with the State Board pursuant to this chapter, whichever occurs first, <u>a copy of a written explanation prepared by the Attorney General</u> of the provisions of the Act that prohibit the personal use of campaign funds.	D	10/29/19	
24.2-946.1	A. <u>The State Board of Elections shall review or cause to be developed and shall approve standards</u> for the preparation, production, and transmittal by computer or electronic means of the campaign finance reports required by this chapter.	B	10/29/19	
24.2-946.1	A ... <u>The State Board may prescribe the method of execution and certification of ... electronically filed campaign finance reports required by this chapter in the office of the State Board or any local electoral board.</u>	D	10/29/19	
24.2-946.1	A ... <u>The State Board may prescribe ...the procedures for receiving</u> electronically filed campaign finance reports required by this chapter in the office of the State Board or any local electoral board.	D	10/29/19	

24.2-946.1	A ... <u>The State Board may provide campaign finance report-creation software to filers without charge or at a reasonable cost.</u>	D	10/29/19	
24.2-946.1	B. <u>The State Board shall accept any campaign finance report filed by candidates for the General Assembly and statewide office by computer or electronic means in accordance with the standards approved by the Board and using software meeting standards approved by it.</u>	D	10/29/19	
24.2-946.1	B. ... <u>This information shall be made available to the public promptly by the Board through the Internet.</u>	D	10/29/19	
24.2-946.1	C. <u>The State Board of Elections shall develop and implement a centralized system to accept reports from any candidate for local or constitutional office. Such reports shall be filed in accordance with, and using software that meets, standards approved by the State Board.</u>	B	10/29/19	
24.2-946.1	C. ... <u>The State Board shall promptly notify the general registrar of the locality in which a candidate resides and make the information contained in the report available to the general registrar.</u>	D	10/29/19	
24.2-946.1	C. ... In the case of a former candidate who is no longer seeking election but has not yet filed a final report as required by § 24.2-948.4, <u>the State Board shall promptly notify the general registrar of the locality in which he sought office and make the information contained in the report available to such general registrar.</u>	D	10/29/19	
24.2-946.1	D. <u>The State Board shall enter or cause to be entered into a campaign finance database, available to the public through the Internet, the information from required campaign finance reports filed by computer, electronic, or other means by candidates for the General Assembly and statewide office.</u>	D	10/29/19	
24.2-946.1	E. <u>Other campaign finance reports required by this chapter to be filed by a committee with the State Board or a general registrar, or both, may be filed electronically on terms agreed to by the committee and the Board.</u>	D	10/29/19	
24.2-946.2	A ... Upon request from an individual granted protected voter status under the provisions of subsection B of § 24.2-418, <u>the State Board shall replace the individual's residence address in copies of campaign finance reports available to the public with the individual's alternative mailing address found in the Virginia voter</u>	D	10/29/19	

	registration system.			
24.2-946.2	B. The following applies to campaign finance reports filed by candidate campaign committees: 2. <u>The State Board shall file and preserve as part of its records the reports required to be filed with it by this chapter for at least one year after the final report is filed, or through the next general election for the office to which they pertain, whichever is later; or in the case of a candidate who has not filed a final report and seeks election to the same office in a successive election, through the next general election for the office to which they pertain. Thereafter, the State Board shall forward the reports it preserves to The Library of Virginia for preservation under the Virginia Public Records Act (§ 42.1-76 et seq.).</u>	D	10/29/19	
24.2-946.2	C. The following applies to campaign finance reports filed by political committees: 2. <u>The State Board shall file and preserve as part of its records the reports required to be filed with it by this chapter for at least four years after the reporting deadline or one year after the final report is filed. Thereafter, the State Board shall forward the reports it preserves to The Library of Virginia for preservation under the Virginia Public Records Act (§ 42.1-76 et seq.).</u>	D	10/29/19	
24.2-946.3	A. <u>It shall be the duty of the State Board to report any violation of the provisions of this chapter to the appropriate attorney for the Commonwealth. The State Board shall report to the attorney for the Commonwealth of the City of Richmond in the case of reporting requirements for campaign committees for statewide office and to the attorney for the Commonwealth of the county or city of the residence of a candidate for the General Assembly. For political committees, the State Board shall report the violation to the attorney for the Commonwealth of the City of Richmond. If all the officers of a political committee are residents of one county or city as shown on the statement of organization required by this chapter, the State Board shall report violations for that political committee to the attorney for the Commonwealth of that county or city.</u>	D	10/29/19	
24.2-946.3	C. In order to fulfill the duty to report violations pursuant to subsections A and B, <u>the Board shall establish and implement a system for receiving, cataloging, and reviewing reports filed pursuant to the provisions of this chapter and for verifying that reports are complete and submitted on time.</u> As part of the system referred to in this subsection, the general registrar for each county and city shall be required, in accordance with instructions provided by the Board , to receive, catalog, and review the reports filed with the general registrar and to verify that the reports are complete	D	10/29/19	

	and submitted on time.			
24.2-946.3	D. The State Board , and the general registrar in accordance with the instructions of the State Board , (i) shall assess and collect the civil penalties provided in Article 8 (§ 24.2-953 et seq.) and (ii) if unable to collect the penalty, shall report the violation to the appropriate attorney for the Commonwealth for enforcement.	D	10/29/19	
24.2-946.3	E. The State Board , or the general registrar in accordance with the instructions of the State Board , shall <u>notify, no later than 21 days after the report due date, any person submitting an incomplete report of the need for additional information.</u> The State Board , or the general registrar in accordance with the instructions of the State Board , <u>may request additional information</u> to correct obvious mathematical errors and to fulfill the requirements for information on the reports.	D	10/29/19	
24.2-946.3	F. Upon notice of a violation of this chapter, <u>the State Board</u> or the general registrar shall <u>within 90 days of the report deadline notify the appropriate attorney for the Commonwealth</u> , who shall initiate civil proceedings to enforce the civil penalties assessed by the State Board or the general registrar as provided herein. Any civil penalties collected pursuant to action by the State Board shall be payable to the State Treasurer for deposit to the general fund, and any civil penalties collected pursuant to action by a general registrar shall be payable to the treasurer of the locality for deposit to its general fund.	B	10/29/19	
24.2-946.3	G. In the case of any political committee that is required to file a statement of organization pursuant to this chapter, <u>the State Board shall be authorized to waive a penalty</u> that has been assessed if the filer demonstrates that there exists good cause to waive the penalty.	B	10/29/19	
24.2-946.3	H. The State Board shall <u>notify the public</u> through its official Internet website of any violation based on the failure to file a required report by a candidate for statewide office or the General Assembly and the identity of the violator.	D	10/29/19	
24.2-946.3	I. The State Board shall <u>determine the schedule of civil penalties required to be followed</u> by its staff and general registrars in assessing penalties under this chapter. No election official or staff may waive or reduce such penalties, except as provided in 24.2-946.4.	B	10/29/19	

24.2-946.4	A. <u>The State Board shall provide instructions to filers for delivery of campaign finance reports within the time periods prescribed by law.</u>	D	10/29/19	
24.2-946.4	B. Notwithstanding any other provision of law, any candidate or treasurer required to file a report pursuant to this chapter shall be entitled to a 72-hour extension of the filing deadline if his spouse, parent, grandparent, child, grandchild, or sibling died within the 72 hours before the deadline. <u>The State Board or the general registrar shall be authorized to grant an extension of the filing deadline for a period not to exceed five days for good cause shown by the filer and found by the Board or registrar sufficient to justify the granting of the extension.</u>	D	10/29/19	
24.2-946.4	E. <u>The State Board shall have authority to extend any deadline applicable to reports required to be filed by computer or electronic means in the event of a failure of the computer or electronic filing system that prevents timely filing. The extension shall not exceed a period of up to five days after restoration of the filing system to operating order.</u>	D	10/29/19	
24.2-946.4	F. <u>The State Board shall have authority also to grant extensions as provided in §§ 24.2-503 and 24.2-948.3.</u>	B	10/29/19	
24.2-946.5	A. <u>The State Board or the general registrar of any county or city may close the file of any candidate campaign committee or political committee required to file with it provided the committee and the Board or registrar cannot locate either the candidate or his campaign treasurer, or in the case of any political committee, the Board or registrar cannot locate the treasurer or custodian of the books of the committee. A candidate campaign committee file shall not be closed if the candidate has filed a report with the Board or registrar for any campaign for any office within the prior five years. A political committee file shall not be closed if the committee has filed a report within the prior five years.</u>	B	10/29/19	
24.2-946.5	B. Once the committee's file has been closed, no more reports will be due and no additional penalties for failure to file will accrue. However, if the whereabouts of the candidate or his campaign treasurer, or in the case of any political committee, the treasurer or custodian of the books of the committee, later becomes known to <u>the Board or registrar, it may reopen the file and send notice to the candidate, or in the case of any political committee, the treasurer or custodian of the books of the committee, requesting that he file the appropriate reports and pay any penalties that were levied before the file was closed by it.</u>	B	10/29/19	

24.2-947.1	A. Any single contribution of \$1,000 or more for a statewide office or the General Assembly knowingly received or reported by the candidate or his treasurer on behalf of his candidacy during the period beginning January 1 and ending on the day immediately before the first day of a regular session of the General Assembly shall be reported as provided in § 24.2-947.5, and the <u>report shall be received by the State Board</u> not later than January 15.	D	6/22/2021	
24.2-947.1	B. <u>Candidates for statewide office shall file the statement with the State Board.</u> <u>Candidates for the General Assembly shall file the statement with the State Board</u> and a copy of the statement with the general registrar of the locality of the candidate's residence. <u>Candidates for local or constitutional office shall file the statement with the general registrar and, if the statement indicates that the candidate committee will be filing electronically, a copy with the State Board.</u>	D	10/29/19	
24.2-947.1	D. In the case of any candidate who seeks election for successive terms in the same office, the statement of organization filed by the candidate shall continue in effect for such successive elections, but the <u>candidate shall file notice of any changes in the information provided on the form within 10 days of the change with the State Board,</u> local electoral board, or both, as appropriate.	D	10/29/19	
24.2-947.3	B. In the event of the death, resignation, removal, or change of the treasurer, <u>the candidate shall designate a successor and file the name and address of the successor within 10 days of the change with the State Board,</u> general registrar, or both, as provided in subsection B of 24.2-947.1.	D	10/29/19	
24.2-947.3:1	Prior to accepting contributions of \$10,000 or more in the aggregate in any calendar year from any one federal political action committee or out-of-state political committee, <u>the candidate campaign committee shall</u> (i) request the federal political action committees or out-of-state political committee's State Board of Elections registration number from the committee and (ii) <u>verify that number with the State Board.</u>	D	10/29/19	
24.2-947.4	A. <u>The reports required by this article shall be filed on a form prescribed by the State Board</u> and shall include all financial activity of the campaign committee. All completed forms shall be submitted in typed, printed, or legibly hand printed format or electronically as provided in § 24.2-946.1. Persons submitting the forms shall do so subject to felony penalties for making false statements pursuant to § 24.2-1016.	D	10/29/19	
24.2-947.4	F. <u>The State Board shall provide for a "no activity" report that may be filed for any reporting period in which the filer has no activity to report.</u>	D	10/29/19	

24.2-947.5	A. Candidates for statewide office and for the General Assembly shall file the reports required by this article by computer or electronic means in accordance with the standards approved by the State Board .	D	10/29/19	
24.2-947.5	B. Candidates for local or constitutional office in any locality <u>shall file reports required by this article with the State Board by computer or electronic means in accordance with the standards approved by the State Board</u> and shall not be required to file reports with the general registrar of the locality in which the candidate resides. Required to file reports with the general registrar of the locality in which the candidate resides.	D	6/22/2021	
24.2-947.5	E. Any report that may be filed with the State Board by mail shall be (i) received by the State Board by the deadline for filing the report or (ii) transmitted to the State Board by telephonic transmission to a facsimile device by the deadline for filing the report with an original copy of the report mailed to the State Board and postmarked by the deadline for filing the report.	D	10/29/19	
24.2-947.9	B. Except as provided in subsection C, any single contribution of \$5,000 or more for a statewide office, \$1,000 or more for the General Assembly, or \$500 or more for any other office, knowingly received or reported by the candidate or his treasurer on behalf of his candidacy on and after the eleventh day preceding (i) a primary and before the primary date, (ii) a general election and before the general election date, or (iii) any other election in which the individual is a candidate and before the election day, shall be reported in writing as provided in 24.2-947.4 and 24.2-947.5 or electronically pursuant to 24.2-946.1, and the report shall be received by the State Board or general registrar, as appropriate, by 11:59 p.m. on the following day or for a contribution received on a Saturday by 11:59 p.m. on the following Monday.	D	10/29/19	
24.2-948.1	A ... The request for an exemption shall be filed with the general registrar of the county or city where the candidate resides <u>on a form prescribed by the State Board</u> and in accordance with <u>instructions by the State Board</u> for the time for filing and the process for approval by the general registrar.	D	10/29/19	
24.2-948.1	D. A candidate who has a current exemption under the provisions of this section, or who is otherwise exempt from reporting contributions and expenditures under this chapter, <u>may purchase voter lists from the State Board</u> under the provisions of §§ <u>24.2-405</u> and <u>24.2-406</u> with a check drawn on the candidate's personal account.	D	10/29/19	

24.2-948.3	A ... For the purposes of this section, the candidate shall be presumed to have complied with the candidate disclosure reporting requirements unless (i) the State Board or general registrar, whichever is appropriate, <u>has notified the candidate, at least 60 days prior to the applicable deadline for him to file his written statement of qualification</u> set out in § 24.2-503, that he has failed to file a required report or reports and (ii) the candidate fails to file the specified report or reports by the applicable deadline for filing his written statement of qualification.	D	10/29/19	
24.2-948.3	B. <u>The authority of the State Board to grant an extension</u> of the deadline established in § 24.2-503 shall include the authority to grant such extension with respect to the requirements of this section.	B	10/29/19	
24.2-948.5	B. <u>The State Board shall meet publicly to select the campaign committees to be reviewed by a drawing that ensures selection on a random basis.</u>	B	12/05/22	Added 2022
24.2-949.2	A. Except as provided in subsection B or C, <u>each political action committee</u> that anticipates receiving contributions or making expenditures in excess of \$200 in a calendar year <u>shall file with the State Board a statement of organization</u> within 10 days after its organization, or if later, within 10 days after the date on which it has information that causes the committee to anticipate it will receive contributions or make expenditures in excess of \$200 or on which it otherwise becomes subject to the provisions of this chapter. Any change in information previously submitted in a statement of organization shall be reported to the State Board within 10 days following the change.	D	10/29/19	
24.2-949.2	A ... <u>The State Board shall not register or issue a registration number to any political action committee that fails to state pursuant to subdivision 3 that its primary purpose is to influence the outcome of nonfederal elections in Virginia.</u>	D	10/29/19	
24.2-949.2	C. ... The State Board shall be required to provide a link from its Internet website to the federal political action committee's electronically displayed Federal Election Commission campaign finance disclosure reports.	D	10/29/19	
24.2-949.5	A. <u>The reports required by this article shall be filed on a form prescribed by the State Board</u> and shall include all financial activity of the political action committee. All completed forms shall be submitted in typed, printed, or legibly hand printed format or electronically as provided in § 24.2-946.1. Persons submitting the forms shall do so subject to felony penalties for making false statements pursuant to § 24.2-1016.	D	10/29/19	

24.2-949.5	G. <u>The State Board shall provide for a "no activity" report that may be filed for any reporting period in which the filer has no activity to report.</u>	D	10/29/19	
24.2-949.6	A. <u>Political action committees shall file the prescribed campaign finance reports with the State Board in accordance with the applicable provisions of this section.</u>	D	10/29/19	
24.2-949.7	In addition to the quarterly reports required by § 24.2-949.6, political action committees shall report any single contribution or loan of \$10,000 or more received at any time during the calendar year within three business days of receipt of the contribution or loan. 1. <u>The report shall be filed on a "large dollar contribution report" form prescribed by the State Board and shall be filed in writing or electronically in the same manner as the political action committee files its quarterly disclosure reports.</u>	D	10/29/19	
24.2-949.7:1	B. ... <u>Such contribution or expenditure shall be reported electronically pursuant to § 24.2-946.1, and the report shall be received by the State Board by 11:59 p.m. on the following day or, for a contribution received or expenditure made on a Saturday, by 11:59 p.m. on the following Monday.</u>	D	7/5/23	New Code Provision in 2023
24.2-949.7:1	C. ... <u>Such contribution or expenditure shall be reported electronically pursuant to § 24.2-946.1, and the report shall be received by the State Board by 11:59 p.m. on the following day or, for a contribution received or expenditure made on a Saturday, by 11:59 p.m. on the following Monday.</u>	D	7/5/23	New Code Provision in 2023
24.2-949.8	A. <u>Political action committees required to file reports by this article shall file all statements and campaign finance reports with the State Board.</u>	D	10/29/19	
24.2-949.8	B. <u>A political action committee that is required by this chapter to file reports with the State Board, and that accepts contributions or makes expenditures in excess of \$10,000 in any calendar year, or that accepted contributions or made expenditures in excess of \$10,000 in the previous calendar year, shall file its reports with the State Board by computer or electronic means in accordance with the standards approved by the State Board until such time as the political action committee files a final report.</u>	D	10/29/19	
24.2-949.8	C. For political action committees that are not subject to the provisions of subsection B, any report required to be filed with the State Board shall be deemed to be filed by the deadline for the report if it is mailed and postmarked not later than the deadline for filing the report.	D	10/29/19	

24.2-949.8	B. ... <u>Any political action committee that has been filing electronically, but does not anticipate accepting contributions or making expenditures in excess of \$10,000 in the upcoming calendar year, may sign a waiver, on a form prescribed by the State Board, to exempt the committee from the electronic filing requirement for the calendar year.</u>	D	10/29/19	
24.2-949.9	A. <u>Any political action committee that, after having filed a statement of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$200 shall so notify the State Board.</u>	D	10/29/19	
24.2-949.9:1	D. On the same day that an <u>out-of-state political committee submits its statement of organization to the State Board,</u> (i) it shall file a list of each contributor who has contributed to the committee \$2,500 or more in the aggregate between the immediately preceding January 1 and the date on which the statement of organization is filed with the contributor's name, address, occupation, employer, and place of business and the dates and amounts of the contributor's contributions during the period covered by the report; and (ii) it shall file a report of the contributions it has made to candidate campaign committees or political committees registered with the State Board between the immediately preceding January 1 and the date on which the statement of organization is filed.	D	10/29/19	
24.2-949.9:2	B. After the committee has met the requirements of § <u>24.2-949.9:1</u> and upon making any contribution to a candidate campaign committee or political committee registered in Virginia, <u>the committee shall report its contributions and contributors in accordance with subsection C to the State Board of Elections</u> by computer or electronic means as prescribed in § <u>24.2-946.1</u> .	D	10/29/19	
24.2-949.9:3	Prior to accepting contributions of \$10,000 or more in the aggregate in any calendar year from any other out-of-state political committee, an <u>out-of-state political committee shall (i) request its State Board of Elections registration number from that other out-of-state political committee and (ii) verify that number with the State Board.</u>	D	10/29/19	
24.2-949.9:4	Prior to accepting contributions of \$10,000 or more in the aggregate in any calendar year from any one federal political action committee or out-of-state political committee, a <u>political committee shall (i) request the federal political action committee's or out-of-state political committee's State Board of Elections registration number from the committee and (ii) verify that number with the State Board.</u>	D	10/29/19	

24.2-950.2	Except as provided in § 24.2-950.1, <u>each political party committee that anticipates receiving contributions or making expenditures in excess of \$200 in a calendar year shall file with the State Board a statement of organization</u> within 10 days after its organization, or if later, within 10 days after the date on which it has information that causes the committee to anticipate it will receive contributions or make expenditures in excess of \$200 or on which it otherwise becomes subject to the provisions of this article. <u>Any change in information previously submitted in a statement of organization shall be reported to the State Board within 10 days following the change.</u>	D	10/29/19	
24.2-950.4	A. <u>The reports required by this article shall be filed on a form prescribed by the State Board</u> and shall include all financial activity of the political party committee. All completed forms shall be submitted in typed, printed, or legibly hand printed format or electronically as provided in § 24.2-946.1. Persons submitting the forms shall do so subject to felony penalties for making false statements pursuant to § 24.2-1016.	D	10/29/19	
24.2-950.4	G. <u>The State Board shall provide for a "no activity" report that may be filed for any reporting period in which the filer has no activity to report.</u>	D	10/29/19	
24.2-950.7	In addition to the quarterly reports required by § 24.2-950.6, political party committees shall report any single contribution or loan of \$10,000 or more received at any time during the calendar year within three business days of receipt of the contribution or loan. 1. <u>The report shall be filed on a "large dollar contribution report" form prescribed by the State Board</u> and shall be filed in writing or electronically in the same manner as the person or committee files its quarterly disclosure reports.	D	10/29/19	
24.2-950.8	A ... <u>Any political party committee that has been filing electronically, but does not anticipate accepting contributions or making expenditures in excess of \$10,000 in the upcoming calendar year, may sign a waiver, on a form prescribed by the State Board, to exempt the committee from the electronic filing requirement for the calendar year. Such waiver form shall be submitted and received no later than the date the first report is due covering activity for that calendar year.</u>	D	10/29/19	
24.2-950.8	C. Other political party committees required to file reports by this article shall file all campaign finance reports with the State Board , if filing by electronic means, or with the State Board and the general registrar for its jurisdiction if filing campaign finance reports by nonelectronic means.	D	10/29/19	

24.2-950.9	A. <u>Any political party committee that, after having filed a statement of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$200 shall so notify the State Board.</u>	D	10/29/19	
24.2-951.1	A. <u>Any referendum committee subject to the provisions of this article shall file with the State Board a statement of organization within 10 days after its organization, or if later, within 10 days after the date on which it has information that causes the committee to anticipate it will receive contributions or make expenditures in excess of the pertinent amounts stated in the definition of referendum committee in § 24.2-945.1. Any change in information previously submitted in a statement of organization shall be reported to the State Board within 10 days following the change.</u>	D	10/29/19	
24.2-951.3	A. <u>The reports required by this article shall be filed on a form prescribed by the State Board and shall include all financial activity of the referendum committee. All completed forms shall be submitted in typed, printed, or legibly hand printed format or electronically as provided in § 24.2-946.1. Persons submitting the forms shall do so subject to felony penalties for making false statements pursuant to § 24.2-1016.</u>	D	10/29/19	
24.2-951.3	F. <u>The State Board shall provide for a "no activity" report that may be filed for any reporting period in which the filer has no activity to report.</u>	D	10/29/19	
24.2-951.7	In addition to the reports required by §§ <u>24.2-951.4, 24.2-951.5 and 24.2-951.6,</u> referendum committees shall report any single contribution or loan of \$10,000 or more received at any time during the calendar year within three business days of receipt of the contribution or loan. 1. <u>The report shall be filed on a "large dollar contribution report" form prescribed by the State Board and shall be filed in writing or electronically in the same manner as the person or committee files its quarterly disclosure reports.</u>	D	10/29/19	
24.2-951.8	A. <u>Referendum committees required to file statements or reports by this article shall file all reports with the State Board.</u>	D	10/29/19	
24.2-951.8	B. A referendum committee that is required by this chapter to file reports with the State Board , and that accepts contributions or makes expenditures in excess of \$10,000 in any calendar year, or that accepted contributions or made expenditures in excess of \$10,000 in the previous calendar year, shall file its reports with the State Board by computer or electronic means in accordance with the standards approved by	D	10/29/19	

	the State Board until such time as the referendum committee files a final report or until subject to the provisions of subsection B of § <u>24.2-951.1</u> .			
24.2-951.8	C. <u>Any referendum committee that has been filing electronically, but does not anticipate accepting contributions or making expenditures in excess of \$10,000 in the upcoming calendar year, may sign a waiver, on a form prescribed by the State Board, to exempt the committee from the electronic filing requirement for the calendar year. Such waiver form shall be submitted and received no later than the date the first report is due covering activity for that calendar year.</u>	D	10/29/19	
24.2-951.9	A. <u>Any referendum committee that disbands after having filed a statement of organization shall so notify the State Board.</u>	D	10/29/19	
24.2-952.1	<u>Each inaugural committee shall file with the State Board a statement of organization within 10 days after its organization. Any change in information previously submitted in a statement of organization shall be reported to the State Board within 10 days following the change.</u>	D	10/29/19	
24.2-952.3	A. <u>The reports required by this article shall be filed on a form prescribed by the State Board and shall include all financial activity of the inaugural committee. All completed forms shall be submitted in typed, printed, or legibly hand printed format or electronically as provided in § <u>24.2-946.1</u>. Persons submitting the forms shall do so subject to felony penalties for making false statements pursuant to § <u>24.2-1016</u>.</u>	D	10/29/19	
24.2-952.3	F. <u>The State Board shall provide for a "no activity" report that may be filed for any reporting period in which the filer has no activity to report.</u>	D	10/29/19	
24.2-952.5	<u>In addition to the reports required by § <u>24.2-952.4</u>, inaugural committees shall report any single contribution or loan of \$10,000 or more received at any time during the calendar year within three business days of receipt of the contribution or loan. 1. <u>The report shall be filed on a "large dollar contribution report" form prescribed by the State Board and shall be filed in writing or electronically in the same manner as the committee files its quarterly disclosure reports.</u></u>	D	10/29/19	
24.2-952.6	A. <u>Inaugural committees required to file reports by this chapter shall file all campaign finance reports with the State Board.</u>	D	10/29/19	

24.2-952.6	B. <u>An inaugural committee that is required by this chapter to file reports with the State Board, and that accepts contributions or makes expenditures in excess of \$10,000 in any calendar year, or that accepted contributions or made expenditures in excess of \$10,000 in the previous calendar year, shall file its reports with the State Board by computer or electronic means in accordance with the standards approved by the State Board until such time as the committee files a final report.</u>	D	10/29/19	
24.2-952.6	C. <u>Any inaugural committee that has been filing electronically, but does not anticipate accepting contributions or making expenditures in excess of \$10,000 in the upcoming calendar year, may sign a waiver, on a form prescribed by the State Board, to exempt the committee from the electronic filing requirement for the calendar year. Such waiver form shall be submitted and received no later than the date the first report is due covering activity for that calendar year.</u>	D	10/29/19	
24.2-952.7	A. <u>Any inaugural committee that, after having filed a statement of organization, disbands shall so notify the State Board.</u>	D	10/29/19	
24.2-953	D. In the case of a willful violation, the violator shall be guilty of a Class 1 misdemeanor. There shall be a rebuttable presumption that the violation of this chapter was willful if the violation is based on a person's failure to file a report required by this chapter and his failure to file continues for more than 60 days following his actual receipt of written notice of his failure to file sent to him by certified mail, return receipt requested, by the State Board or a general registrar. Such notice shall be sent to the most recent mailing address provided by the candidate or committee.	B	10/29/19	
24.2-953.3	G. <u>The State Board shall notify the public through its official Internet website of a failure to file a complete report by a candidate for statewide office or the General Assembly and the identity of the violator following the date for compliance established pursuant to this section.</u>	D	10/29/19	
24.2-953.4	C. If the report or information required to complete the report is not filed within the seven-day period, the Commissioner shall assess against the candidate and treasurer, who shall be jointly and severally liable, a civil penalty of \$500 for each day that the violation continues on and after the eighth day following the date of mailing the written notice. The Commissioner may grant an additional period for compliance, not to exceed two weeks, for good cause shown and in response to a request filed within the seven-day period. However, no additional period shall be granted for compliance with the requirement under subdivision A 8 of § 24.2-947.6 to file a report not later than the eighth day before the election. <u>The State Board shall notify the public through its official Internet website of the violation and identity of the violator.</u>	D	10/29/19	

24.2-953.5	C. <u>The State Board of Elections shall institute proceedings pursuant to § 24.2-104 against any committee that fails to comply with the provisions of § 24.2-947.3:1, 24.2-949.2, 24.2-949.9:1, 24.2-949.9:2, 24.2-949.9:3, or 24.2-949.9:4 and, after notice by the State Board, continues for more than five days to remain noncompliant.</u>	B	10/29/19	
24.2-955.3	D. <u>The State Board, in a public hearing, shall determine whether to find a violation of this chapter and to assess a civil penalty.</u>	B	10/29/19	
24.2-955.3	D. ... At least 10 days prior to such hearing, <u>the State Board shall send notice by certified mail to persons whose actions will be reviewed at such meeting and may be subject to civil penalty. Notice shall include the time and date of the meeting, an explanation of the violation, and the maximum civil penalty that may be assessed.</u>	D	10/29/19	
24.2-956.1	5. (Effective until January 1, 2024) Any disclosure statement required by this section shall be displayed in a conspicuous manner in a minimum font size of seven point. <u>The State Board of Elections shall promulgate standards for meeting the requirements of this subdivision.</u>	B	6/22/2021	
24.2-959.1	<u>The person making the telephone call shall disclose the following identifying information: the name of the political committee if the calls are authorized by that committee or an agent of that committee; and in the case of a committee that has filed a statement of organization under Chapter 9.3 (§ 24.2-945 et seq.), the full name of the committee and a registration number provided by the State Board; or in any other case, the full name and residence address of the individual responsible for the campaign telephone calls.</u>	D	10/29/19	
24.2-959.1	<u>The person making the telephone call shall disclose the following identifying information: the name of the political committee if the calls are authorized by that committee or an agent of that committee; and in the case of a committee that has filed a statement of organization under Chapter 9.3 (§ 24.2-945 et seq.), the full name of the committee and a registration number provided by the State Board; or in any other case, the full name and residence address of the individual responsible for the campaign telephone calls.</u>	D	10/29/19	

10.1-528	The expenses of such elections shall be paid by the counties or cities concerned. <u>The State Board of Elections shall publish, or have published within the district, the results of the election.</u>	D	10/29/19	
15.2-705.1	C. The State Board <u>may promulgate regulations for the proper and efficient administration of elections determined by instant runoff voting, including (i) procedures for tabulating votes in rounds, (ii) procedures for determining winners in elections for offices to which only one candidate is being elected and for offices to which more than one candidate is being elected, and (iii) standards for ballots pursuant to § 24.2-613, notwithstanding the provisions of subsection E of that section</u>	B	6/21/2021	
15.2-705.1	D. The State Board <u>may administer or prescribe standards for a voter outreach and public information program for use by any locality conducting instant runoff voting pursuant to this section.</u>	B	6/21/2021	
30-19.9	When a proposed amendment is to be submitted to the people for their approval and ratification pursuant to Article XII, Section 1 of the Constitution of Virginia and § 30-19, <u>the State Board of Elections shall cause to be printed and distributed to the general registrar of each county and city, not less than ninety days prior to the election, copies of an explanation of such amendment to be placed at each registration site in sufficient number to provide a copy to any interested person, and to election officials to be posted at the polling places on the day of the election. The State Board shall post the explanation on its site on the Internet. It also shall cause such explanation to be published by paid advertisement in each daily newspaper with an average daily circulation of more than 50,000 in Virginia, and published in Virginia or in a contiguous state or district, once during the week preceding the final day for registration and once during the week preceding the election at which the proposed amendment is to be presented to the people.</u>	D	10/29/19	

30-19.10	Whenever a statewide referendum on a matter other than a constitutional amendment is submitted to the voters by the General Assembly, <u>the State Board of Elections shall cause to be printed and distributed</u> to the general registrar of each county and city, not less than ninety days prior to the election, copies of information about the referendum to be placed at each registration site in sufficient number to provide a copy to any interested person, and to election officials to be posted at the polling places on the day of the election. <u>The State Board of Elections also shall cause the information to be published</u> by paid advertisement in each daily newspaper with an average daily circulation of more than 50,000 in Virginia, and published in Virginia or in a contiguous state or district, once during the week preceding the final day for registration and once during the week preceding the referendum.	D	10/29/19	
30-19.10	The State Board of Elections <u>also shall cause the explanation to be published by paid advertisement in each daily newspaper with an average daily circulation of more than 50,000 in Virginia, and published in Virginia or in a contiguous state or district, once during the week preceding the final day for registration and once during the week preceding the referendum.</u>	D	10/29/19	
30-19.9	When a proposed amendment is to be submitted to the people for their approval and ratification pursuant to Article XII, Section 1 of the Constitution of Virginia and § 30-19, the State Board of Elections shall cause to be printed and distributed to the <u>general registrar of each county and city, not less than ninety days prior to the election, copies of an explanation of such amendment to be placed at each registration site in sufficient number to provide a copy to any interested person, and to election officials to be posted at the polling places on the day of the election.</u>	D	10/29/19	
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★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

RLA Manual

BOARD WORKING PAPERS
Rachel Lawless
Confidential Policy Advisor



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O’Bannon, Vice Chair Dance, Secretary Alvis-Long, Delegate Merricks, Mr. Weinstein
From: Rachel Lawless, Confidential Policy Advisor
Date: July 2, 2024
Re: Proposed Amendments to the Risk-Limiting Audit Manual

Proposed Motion:

“I move the State Board of Elections adopt the proposed amendments to the Risk-Limiting Audit Manual.”

Applicable Code Section:

- §24.2-671.2 Risk-Limiting Audits
- 2024 Virginia Acts of Assembly Chapter 738

Attachments:

- 2024 Risk-Limiting Audit Manual

Background:

Pursuant to §24.2-671.2(B) of the Code of Virginia, local Electoral Boards and general registrars are required to conduct RLAs in accordance with procedures prescribed by the State Board of Elections (SBE) and under the supervision of the Department (ELECT). The RLA Manual (“Manual”) sets out these procedures, any updates, revisions, or clarifications must be approved by the SBE.

Summary of Revisions:

The Manual is updated annually to reflect legislative changes as well as procedural improvements recommended by ELECT staff, the SBE, and local election officials. This year’s changes include:

Legislative Changes

- Pursuant to Chapter 738 of the 2024 Virginia Acts of the General Assembly, the November SBE RLA Meeting will be moved to the third Monday in November to accommodate the extension of canvass.¹
- Per the 2024 Virginia State Budget, the 2024 Presidential contest is not eligible for an RLA.

New Provisions

- “Under §24.2-671.2 (4) of the Code of Virginia, the SBE has the right to request an RLA of any race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the SBE deems appropriate.² If the SBE decides to audit a race

¹

² See [Code of Virginia §24.2-641.2](#).

pursuant to §24.2-671.2 (4.) of the Code of Virginia, the SBE must approve such audit by two-thirds majority vote. The approval of this contest will take place at a SBE meeting held no-later than September for the November General Election or two months prior to the June Primary, where the risk limit as well as method of the RLA will also be determined and voted on by the SBE. The approval of such races will be contingent on the outcome of the race, as no race may be audited that has a margin of less than 1%.”

Clarification

- Adds clarifying language that the method and risk limit for conducting all statutorily required RLAs will require a vote by the SBE at a meeting held no-later than September for the November General Election.

ELECT Staff Recommendation:

ELECT staff recommends adopting the amendments to the Manual as presented and make it effective immediately.



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Risk Limiting Audit Manual

VIRGINIA DEPARTMENT OF ELECTIONS

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1. Introduction

1.1 Background on Risk Limiting Audits (RLA) in Virginia

1.1.1 Definition of an RLA

A Risk Limiting Audit (RLA) is a type of post-election audit that utilizes statistical methods and a manual review of paper ballots to confirm that the electronic voting system accurately reported the correct outcome of an election. RLAs analyze a random sample of hand-counted ballots to confirm election results. If the margin of an election is wide, fewer votes are audited; if the margin is narrow, more votes are audited until enough evidence can confirm the results of the contest.¹

1.1.2 History of RLAs in Virginia

RLAs provide strong statistical evidence that the declared winner of a contest received the most votes. In 2017, the Virginia General Assembly passed legislation that amended the Code of Virginia to include RLAs of ballot scanner machines in use in the Commonwealth and the changes went into effect on July 1, 2018. During the 2022 General Assembly Session, §24.2-671.1 was repealed and replaced with §24.2-671.2, which took effect on July 1, 2022. With these changes, the Code now requires that RLAs be performed by the local electoral boards (EB) and general registrars (GR) under the supervision of ELECT following the procedures prescribed by the State Board of Elections (SBE).

This document outlines the SBE procedures and includes guidance on the following:

- Randomly selecting contested races and determining the risk limit.
- Preparing for an RLA, including guidelines for organizing ballots, selecting venues, and securing appropriate materials by EBs and GRs.
- Ballot custody, accounting, security, and written record retention procedures that ensure a complete and accurate collection of cast ballots from which samples are drawn.
- Hand counting of the audited ballots.
- Methods for conducting the RLA.
- Ensuring transparency and understanding of the process by participants and the public, including guidelines for direct observation by members of the public, representatives of the candidates involved in the RLA, and representatives of the political parties.

¹ See [National Conference of State Legislatures, Risk-Limiting Audits](#)

2. RLA Basics

2.1 Methods

There are two RLA methods approved for use in the Commonwealth of Virginia: *ballot-polling* and *batch-comparison methods*. Ballot-polling audits manually review a randomly selected, sufficiently large sample of ballots to determine if the overall outcome of an election contest was correctly reported. Batch-comparison audits manually review randomly selected physical batches of ballots, such as those cast in one precinct, and compare those results with corresponding machine counts.²

Although the ballot polling and batch comparison methods differ in their sampling methodology, both methods achieve the same purpose. Pursuant to §24.2-671.2(B), the SBE is required to set the processes and procedures for each RLA performed.³ The SBE will vote on the method for statutorily required RLAs and RLAs requested by the SBE by two-thirds majority vote by no-later than September for the November General Election.

Since 2022, local electoral boards (EB) have the option to apply for RLAs of contested races that are wholly contained within their jurisdiction. Local electoral boards may choose to utilize either the *ballot-polling* or *batch-comparison* methods for conducting their RLA, subject to the approval of the SBE.

2.2 RLA Selection and Notification Process

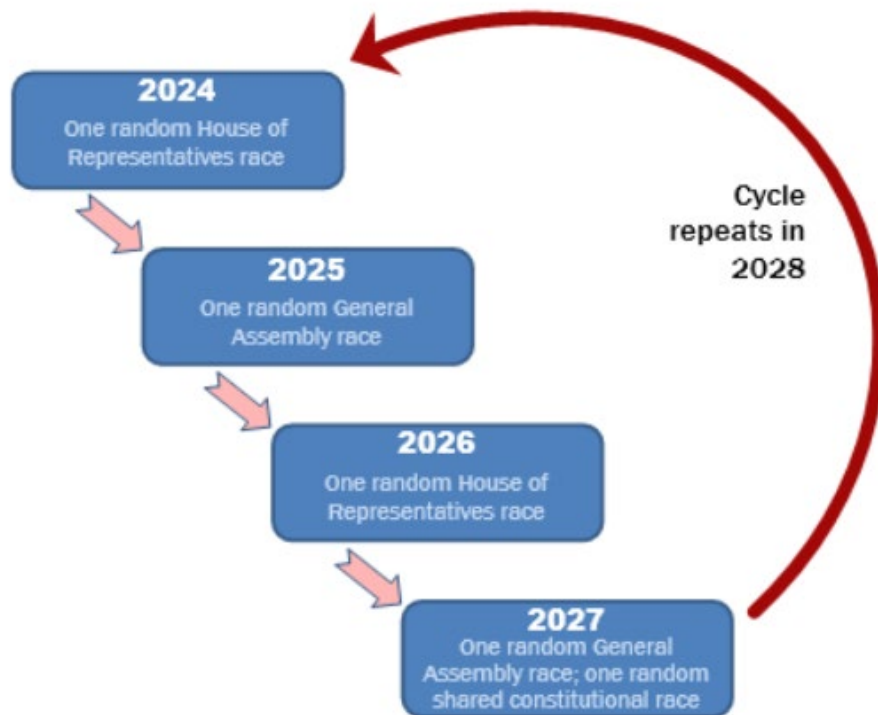
Pursuant to § 24.2-671.2, RLAs must be conducted **before** a race has been certified.⁴ ELECT must ensure that an RLA is conducted for at least one randomly selected contest each year. The Code of Virginia provides the contests eligible for selection for an RLA depending on the election cycle, as outlined in §24.2-671.2(C) and illustrated below.⁵

² *Id.*

³ See Code of Virginia [§24.2-671.2\(B\)](#).

⁴ See [Code of Virginia, § 24.2-671.2](#).

⁵ *Id.*



The SBE may also choose to audit a race in any other year that ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate. The SBE defines participation in an RLA by the uploading of a ballot manifest. Every locality in the Commonwealth participated in RLA of the 2020 Presidential and 2020 U.S. Senate races, which is explained in greater detail in the March 31, 2021, Risk-Limiting Audit Report found on ELECT’s website.⁶

Additionally, §24.2-671.2(D) allows local electoral boards to *request* a risk-limiting audit of a contested race within the EB’s jurisdiction. Using *SBE-671.2(D) Form: Request for Risk Limiting Audit*, a locality may submit their request to the SBE for approval.⁷ Examples of races wholly contained within a locality’s jurisdiction *may* include but are not limited to: mayoral, school board, city council, clerk of court, treasurer, or sheriff. Localities that have portions of House of Delegate, State Senate, U.S. Senate, or U.S. House of Representative races located within their localities are not able to request to audit just their jurisdiction in those races. Section 2.2.3 of this manual details how to apply for an RLA.



Applying for an RLA and the Yearly Random Selection of Races

If a locality opts for an RLA of a race wholly contained within its jurisdiction, it is not exempted from the required yearly, randomly selected RLA.

⁶ See [ELECT, Risk-Limiting Audit Report, March 31, 2021](#)

⁷ See [ELECT, SBE-671.2\(D\) Form](#)

2.2.1 Selecting a Contest for Statutorily Mandated RLAs

For those contests eligible for an RLA as designated by the year in §24.2-671.2(C), the SBE will only consider races with margins greater than 1%.⁸ All races that meet that threshold will be placed in the selection pool and will be drawn at the SBE meeting held on the third Monday in November. There is no statutory requirement to audit a primary election, although the SBE may vote to do so (see 2.2.2 of this Manual).

DRAWING

For those contests eligible for an RLA each year under 24.2-671.2(C), the SBE Chair or designated representative will randomly draw one race(s) to audit from this pool. Before the random selection takes place, a member of ELECT staff will explain the selection method. Examples of random selection methods may include drawing a contest from a bowl or rolling dice to determine the audited contest. The selection will be held and recorded during a public meeting held on third Monday in November to ensure that the chosen race is completely random.

2.2.2 SBE Requested RLAs

Under §24.2-671.2(C)(4) of the Code of Virginia, the SBE has the right to require an RLA of any race to ensure that each locality participates in an RLA at least once every five years *or* that the SBE otherwise deems appropriate.⁹ If the SBE decides to audit a race pursuant to §24.2-671.2(C)(4) of the Code of Virginia, the SBE must approve such audit by two-thirds majority vote. The approval of this contest will take place at a SBE meeting held two months prior to the June primary, and no-later than September prior to the November General Election. This will allow localities time to plan for the audit ahead of the start of early voting. The approval of such races will be contingent on the outcome of the race, as no race may be audited that has a margin of less than 1%. The SBE will request ELECT to add this item to the Board agenda prior to the SBE meeting where the vote will take place.

2.2.3 Applying for an RLA of a Local Contest

An EB may request SBE approval for an RLA of a contested local race wholly contained within the EB's jurisdiction. The SBE has promulgated both a regulation to guide EBs in selecting a race for an RLA as well as the *SBE-671.2(D) Form* that localities must use to request a race for an RLA. As of March 2022, EBs may choose between utilizing the *ballot-polling* or *batch-comparison* method of conducting a Risk-Limiting Audit upon approval of the SBE.

An electoral board must cast a majority vote at a public meeting to request an RLA for a particular contested local race, wholly contained within the jurisdiction of the electoral board. Further, an electoral board must sign and complete the current *SBE-671.2(D) Form* and identify the local race(s) subject to the requested RLA. All board members should sign and date the

⁸ See Va. Admin. Code, 1VAC20-60-80.

⁹ See [Code of Virginia §24.2-641.2](#).

form. Once completed, the secretary of the electoral board must send the form to ELECT via the locality's Elections and Registration Specialist. An ideal time for electoral board members to select a race for audit is during the canvass. These forms must be submitted to ELECT no later than close of business the day prior to the publicly noticed RLA SBE meeting (the date will vary depending on the election cycle.)

The SBE will grant an RLA request if the form is properly completed, all statutory requirements are met, and the request is submitted on time. Finally, the regulation specifies that, as needed, the SBE will grant a two-week extension to an electoral board's certification deadline under § 24.2-671 to accommodate the completion of the RLA.¹⁰

KEY FACTORS

When considering applying for an RLA of a race wholly contained within the jurisdiction of the electoral board, ELECT recommends considering several aspects:

METHOD CHOICE

The SBE gives EBs the option to choose between the use of two RLA methods for applications submitted pursuant to §24.2-671.2(D): ballot-polling and batch-comparison.

Ballot-polling typically requires the smallest number of ballots to produce strong evidence that a reported outcome was correct. This method has been used by the Commonwealth since RLAs were first required by statute. It is the easiest method for the public to observe the interpretation of ballots. A ballot-polling audit is like an exit poll, where a statistically significant number voters are sampled to make inferences about the outcome of a race. In the case of ballot-polling RLAs, a statistically significant number of ballots are sampled to test the accuracy of the voting system's counts in the election.

Batch-comparison is an audit where batches of ballots (e.g., all ballots cast in a precinct) are randomly selected, counted, and compared to test the accuracy of the voting system's count in the election. This method tends to use the most ballots of either method, causing a greater workload than ballot-polling and the need for more resources. Additionally, when Arlo, the RLA software, is set up for a batch-comparison audit it tends to select, although random, the precincts with more ballots. Therefore, localities should expect to review over a thousand ballots.

¹⁰ See [Code of Virginia, §24.2-671](#).



Tip

You can use the Arlo Planner Tool to create an *estimate* of the number of ballots or batches that may be required to conduct an RLA for your race. The Arlo Planner Tool can be found here: [Arlo Planner Tool, by VotingWorks](#). This tool is available to the public and does not require a login to access.

AN EXAMPLE OF SAMPLE SIZES FOR BOTH METHODS

ELECT estimated the number of ballots that may have needed to be sampled for the 2022 General Election RLA, U.S. Congressional District 9, using both the ballot-polling method and the batch-comparison method, with the risk limit set to 10%, to provide a real-world example of the amount of work required for each method. This race had 248,792 ballots cast with a margin of 47% between the candidate with the most votes and the candidate with the second most votes.

Batch-comparison Estimate for District 9	Ballot-Polling Estimate for District 9
7 Batches or ~5,600 total ballots*	60 ballots



Note about Performing Both a Ballot-polling RLA and a Batch-comparison RLA

If your locality must perform both a ballot-polling RLA and a batch-comparison RLA, can you use the same ballot manifest for both? Yes, the ballot manifest for one may be used for the other. *However*, in this event, the batches listed in the ballot manifest **must** be the same as your precincts. For example, if 100 ballots were cast in Precinct 1, then Batch 1 would have 100 ballots. The candidate by batch file must match with the ballot manifest for a batch-comparison method RLA. This is discussed in greater detail in 5.2.2 Creating a Candidate Total by Batch File. You may also choose to create two separate ballot manifests for greater ease in locating ballots.



Reminder

ELECT reminds localities that should an EB choose to apply for an RLA the batches or ballots used to perform the RLA will be randomly chosen by Arlo, no matter which RLA method is chosen, and will not be chosen by the applying EB.

TIME

Pursuant to the Code of Virginia §24.2-671.2, ELECT is required to ensure that certain RLAs are conducted. The SBE announces those races, approved applications from localities requesting an RLA, and any other RLAs ordered by the SBE during a meeting held on the third Monday in November. This creates a very tight timeline for the RLAs, which must be completed before certification, that overlaps with the Thanksgiving holiday. This means localities will have approximately 8 business days to complete the RLA process during a general election, i.e., 6 days in 2024, 6 days in 2025, 11 days in 2026, 11 days in 2027, and 6 days in 2028.

This timeline may be further compounded during a November general election by choosing a

different method than the SBE for an RLA of a local contest. For example, the SBE may choose to conduct an RLA using the ballot-polling method in a jurisdiction. If an EB chooses to utilize a batch-comparison method for a local race, then the EB would be running two different types of RLAs at the same time, which may take additional time to complete.

If an EB applies for an RLA of a primary, the timeline is even more compressed. For a June primary, an electoral board will have 3 business days from the time of approval of the RLA to the date for the SBE to declare a nominee. This timeline may also include the 4th of July, depending on the year. Given these time constraints, an RLA of a primary, while not prohibited by statute, is not recommended.

STAFFING

As part of the RLA, EBs must recruit audit review boards (see section 3.4 for more information about audit review boards). An audit review board is a two-person team assigned to review ballots and record a hand tally of the results. The required number of audit review boards is based on the number of batches that are needed for an RLA. However, when a single batch contains a large number of ballots, additional audit review boards may be assigned to the batch to tally the ballots more effectively and efficiently. For example, a batch-comparison method RLAs must have batches that are the size of your precincts. Your locality may have only a few batches, but those batches may be large based on the number of ballots cast in a precinct.

Thus, more audit review boards may be needed to tally those ballots effectively and efficiently.

- On average, an audit review board can pull 20-25 ballots per hour utilizing the ballot-polling method. If many ballot containers must be retrieved, this average decreases to about 15-20 ballots per hour. It may take longer to locate a specific ballot within a stack of ballots utilizing the ballot-polling method, which accounts for the additional time.
- On average, an audit review board utilizing the batch-comparison method could approximately audit about 220 ballots per hour. Batch-comparison audit review boards can work more quickly because they are not searching for specific, random ballots but instead working through all ballots in a “batch”. That being said, the review board or boards have substantially more ballots to review. This may be further complicated when the Central Absentee Precinct (CAP) is chosen for audit as not every ballot will contain the chosen race.

COST

As noted above, audit review boards will need to be recruited to process the ballots or batches that will be hand counted. Each audit review board consists of two individuals; if more ballots or batches are sampled, more people will need to be compensated to complete the RLA process on time.

2.3 SBE Administrative Tasks

In addition to the SBE's role in selecting and approving races for audit, the SBE plays a role in setting the risk-limit, choosing the method of conducting the RLA, and generating the random seed number. These tasks are outlined below and performed at one of two SBE meetings held prior to the RLA.

2.2.2 Setting the Risk Limit

A *risk limit* is the maximum chance that the RLA will fail to correct an incorrectly reported outcome. For example, a 10% risk-limit means that there is a 90% chance that the RLA will correct an incorrect outcome. To date, every RLA in Virginia has used a 10% risk-limit. A 5% risk limit has been used in other states, such as Georgia, although has yet to be tested in Virginia. The lower the risk limit the more batches or ballots that are likely to be pulled.

The SBE will set the *risk limit* of any RLA following industry best practices and will announce the risk limit of each RLA at a public meeting held prior to the RLA. The approval of the risk limit will take place at a SBE meeting held no-later than the September prior to the November General Election.

2.2.3 Choosing the RLA Method

The approval of the method for the RLA of a statutorily mandated contest will take place at a SBE meeting held no-later than the September prior to the November General Election.

2.2.4 Generating the Random Seed Number

For each audited race, the RLA software uses a 20-digit random seed number to select ballots for retrieval. A random seed number specifies the starting point of a computer-generated random sequence of numbers. The 20-digit random seed number is generated during a SBE meeting.

To create this random number, the SBE Chair or designated representative(s) rolls twenty, ten-sided dice (numbered zero through nine), one time each. As each dice is rolled, the resulting number is recorded on a whiteboard. Any person may be designated by the SBE Chair to roll the dice; it may be done by one person or multiple people. Alternatively, the 20-digit random seed number may also be generated using an electronic random number generator.

If there are applications approved by the SBE from electoral boards pursuant to Title 24.2-671.2(D), a new, additional 20-digit seed number will be generated via the process explained above.

The 20-digit number generated by this activity will be inputted into the RLA software by the RLA *Administrator* on ELECT's staff. Once this number is inputted, the auditing software will randomly select and generate a list of ballots to be retrieved based on the sample size. For an

illustrated example of this process, please review the *Random Seed Number Generation* video on ELECT’s YouTube channel.¹¹

3. RLA Preparation

3.1 Overview

Due to the compressed timeline for RLAs, localities can take actions before Election Day to set themselves up for a successful RLA should they be chosen or approved by the SBE, including:¹²

- Determining RLA location;
- Scheduling the public meeting;
- Recruiting Audit Review Boards;
- Reviewing ballot accounting and storage practices; and,
- Logging ballot manifest quantities produced from early voting and pre-processing.

3.2 Determining the Location of the RLA

A locality must consider a space for the RLA that can accommodate the public and that is ADA-compliant. The facility where an RLA takes place must also have an internet connection to download and print retrieval lists, placeholder pages, RLA board credentials, and labels.

If only a few ballots are required for an RLA, it may be possible to conduct the RLA at the courthouse. If more space is needed or if no workspace is available, the RLA may take place in another suitable location, such as: the GR’s office, a library, a firehouse, a school, etc. Localities should work with their Clerks of Court to consult on the physical space of the RLA.

3.3 Scheduling the Public Meeting

Pursuant to § 2.2-3707¹³ and §24.2-671.2(G), an RLA must be conducted as a public meeting. An EB and the GR shall conduct an RLA within their jurisdiction. Once the electoral board has selected a location for the RLA, it must provide the location to ELECT; ELECT will select the date and time for the RLA to begin. ELECT will publish the list of contested races along with the date, time, and location of the RLA as soon as practical. Local party chairpersons and the candidates involved in the race being audited must also be notified of the RLA public meeting by the general registrar.

Authorized representatives may be sent by parties and candidates to observe the RLA. As the RLA is a public meeting, authorized representatives are allowed to attend. Authorized representatives should be provided the same level of observance as they would during the

¹¹ See [ELECT YouTube Channel, Random Seed Number Generation](#).

¹² See the Appendix for an example of the timeline for the November General Election

¹³ See [Code of Virginia, § 2.2-3707](#).

Canvass. Local electoral boards should set up the location of the RLA to allow the public and authorized representatives the ability to observe the RLA.

Additionally, at least one member of the electoral board representing each party must participate in, and be present for the duration of, the RLA.¹⁴ In addition to electoral board members and the GR, meeting attendees may include:

- Clerk of Court
- Audit Board members;
- General public;
- Representatives from political parties;
- Candidates;
- Campaign staff; *and*,
- Local party chairs.

Localities should plan for at least one full day to conduct the RLA. As a best practice, it is recommended that the public meeting begins in the morning so the afternoon may be free if a second round of ballot retrieval is required. Since the sample is random, there is no way to predetermine the number of ballots a locality must retrieve.

3.4 Recruiting RLA Audit Review Boards

An *Audit Review Board* is a two-person team that retrieves specified ballots, records the results of the ballot, and inputs the results into the ballot software. GRs and/or the electoral board determine the audit board(s). Audit board members can be: staff, officers of election, electoral board members, GRs, or representatives from each party and/or candidates. Audit boards do not have to declare a party affiliation. As a best practice, it is recommended the audit board consist of one Democrat and one Republican to ensure balanced representation.

The number of *Audit Review Boards* is based on the number of ballot storage containers that must be opened and not on the number of ballots to be retrieved. The average numbers for both the ballot-polling and the batch-comparison method are provided below.

- Ballot-polling: On average, an audit board can pull 20-25 ballots per hour. If many ballot containers must be retrieved, this average decreases to about 15-20 ballots per hour.
- Batch-comparison: On average, an audit board could audit about 220 ballots per hour.

Since localities retrieve random ballots when utilizing the ballot-polling method, it can take

¹⁴ See [Code of Virginia §24.2-641.2](#).

audit boards longer to locate the appropriate ballot in a stack of ballots, which results in fewer ballots being retrieved per hour. Whereas in the batch-comparison method, every ballot in a stack is counted in a precinct. While this may be quicker than locating random ballots, more ballots need to be reviewed using the batch-comparison method.

3.5 Reviewing Ballot Accounting and Storage Practices

When preparing for an RLA, it is a good time to review ballot accounting practices, which include ballot tracking, ballot reconciliation, and chain of custody forms and procedures. Ballot accounting forms the basis of a ballot manifest by providing the number of ballots in an envelope/box/container (ballot manifests are explained in greater detail for *ballot-polling* in section 4.3 Creating a Ballot Manifest and for *batch-comparison* in section 5.2.1 Creating a Ballot Manifest.) It is imperative that the ballots remain organized and clearly marked within the contents of the box. It is important to consider both methods when storing your ballots, having a strategic plan for organizing ballots can save a lot of time when conducting an RLA.

ELECT has designed a sample chain of custody form to document the control, transfer, and disposition of ballots during an RLA. Localities may choose to utilize this form or design their own to suit their specific needs. This sample form can be found in Forms Warehouse under the RLA section.

3.6 Suggested Supplies

While not required, the following is a list of helpful supplies for a successful RLA:

- Table and chairs for each audit board;
- Bright colored paper;
- Bright-colored removable labels;
- Tally sheets;
- Pens;
- Rubber fingers;
- Device to open containers;
- Materials to reseal containers, if necessary;
- Device with Wi-Fi/cellular to enter ballot tallies (laptop, smartphone, etc.); *and*,
- Printer.

4. The Ballot-Polling Method of the Risk-Limiting Audit

4.1 Overview

Once a locality is selected for an RLA or the electoral board has requested an RLA, it must do the following:

- Notify the public and participants identified in section 3.2 and 3.4 of this manual;
- Submit an ELECT 659-Request to Inspect Sealed Election Material form;
- Create and upload the ballot manifest; *and*,
- Gather supplies.

For the purpose of this manual, a batch is a documented set of ballots created by a voting system, an officer of election, or other election official.

4.2 Submitting an ELECT 659-Request to Inspect Sealed Election Material Form

Pursuant to Va. Code § 24.2-659, a locality must receive permission from the ELECT to unseal ballots cast on Election Day for a post-election audit. Localities are required to submit an *ELECT 659-Request to Inspect Sealed Election Material* form to obtain permission. The form is submitted to ELECT for signature authorization and then presented to the Clerk of the Circuit Court to access ballots from the election. This form may be found in Forms Warehouse under the RLA section.

4.3 Creating a Ballot Manifest

A *ballot manifest* is a two-column Excel spreadsheet created by localities that includes a list of the “Batch Name” (Column A) and the “Number of Ballots” (Column B).

	A	B
1	Batch Name	Number of Ballots
2	Precinct 1	301
3	Precinct 2	302

The ballot manifest creates an inventory of every ballot cast in a locality. Depending on the size of the locality, a ballot manifest should take one hour or less to complete. As a best practice, localities are encouraged to build their ballot manifest as they go. To select random ballots or batches, *all* participating localities must upload a ballot manifest before the audit can begin.



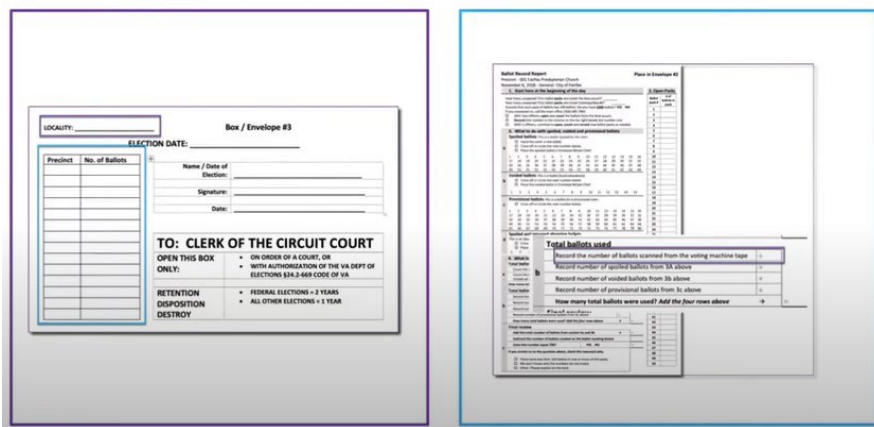
Note about Performing Both a Ballot-polling RLA and a Batch-comparison RLA

In the event that your locality has to perform *both* a ballot-polling RLA and a batch-comparison RLA, pay attention to the design of your ballot manifest for each method. While the ballot manifest for one may be used for the other, the batches listed in the ballot manifest **must** be the same as your precincts. For example, if 100 ballots were cast in Precinct 1, then Batch 1 would have 100 ballots. This is not only for consistency but also so that the candidate by batch file matches with the ballot manifest for a batch-comparison method RLA, discussed in 5.2.2 Creating a Candidate Total by Batch File. You may also choose to create two separate ballot manifests for each separate method for greater ease in locating ballots.

Batch information can be found on Ballot Record Reports or on Label #3. ELECT encourages localities to have discussions with their Clerk of Court prior to the election. During these conversations, localities should work with their Clerk of Court to discuss storage limitations, the location of the RLA, and chain of custody concerns.¹⁵

The number of ballots in each batch should be verified independent of the tabulator. The information to create a ballot manifest may be found in the following places:

- Ballot Record Reports from precincts
- Inventory the ballot boxes at the Clerk of Court. Label #3 should contain the information needed.

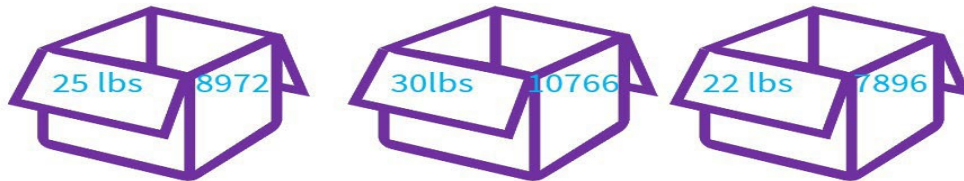


- Electronic Pollbook Data
 - **Reminder:** Check Incident Reports or Officer of Election notes for occurrences of failing to check-in voters. This will allow the EPB number to be increased to the correct number.)
- VERIS data from the Final Absentee Report
- Calculating the Number of Ballots in a container by weight.

¹⁵ See Democracy Fund, Knowing It's Right, Part Three, Planning and Conducting a Risk-Limiting Audit Pilot, Jennifer Morrell, June 2020.

- If the number of ballots in a specific container is unknown, a locality can perform a simple equation to approximate the number of ballots in each box. To do this, each container box must be weighed. The weight of each box is added together. The total of this sum is then divided by the total number of ballots cast. The result of this equation is then multiplied by the weight of the corresponding box to get the number of ballots (see graphic.)

Calculating Ballots by Weight



Total Weight = 77lbs

Total ballots from vote history/credit = 27,634

$27634/77 = 358.88$

Box 1 = 25lb * 358.88 = 8972

Box 2 = 30lb * 358.88 = 10766

Box 3 = 22lb * 358.88 = 7895


Helpful Tips and Reminders:

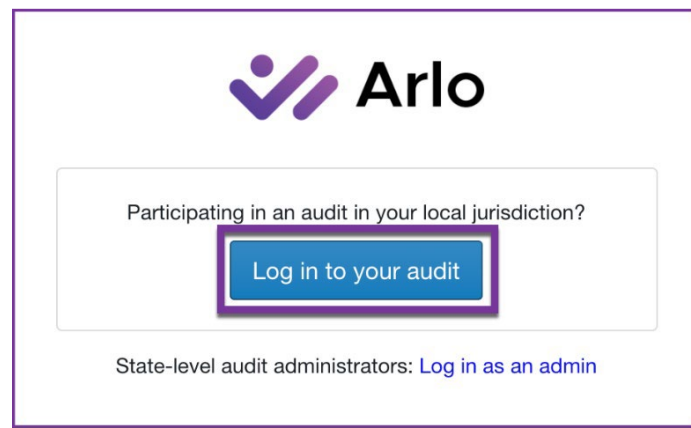
- All types of ballots are included (in-person, mail-in, provisional, etc.) in the manifest.
- Localities may label the “Batch Name” in any way that helps keep them organized (example: Precinct 101, Box 26, Container 8, etc.). Batch names are unique to each locality.
- Boxes/Containers/Envelopes that contain large amounts of ballots may be grouped into smaller units to ease the physical challenges of conducting the RLA, if it is reflected in the batch name (example of “batch names”: Precinct 101 Unit 1; Box 26 Unit 2; Container 8 Unit 3 etc.).
- Keep the spreadsheet simple; avoid color coding and bold, so the ballot auditing software can read it.
- Run a quick equation in Excel to check that all ballots have been accounted for in a locality. After performing this check, make sure to **delete** this sum before uploading the manifest into the RLA software.
- Build a ballot manifest as the ballots are being stored after an election in preparation for future RLAs.
- ELECT staff is available to troubleshoot specific challenges and provide support.

4.4 Uploading a Ballot Manifest

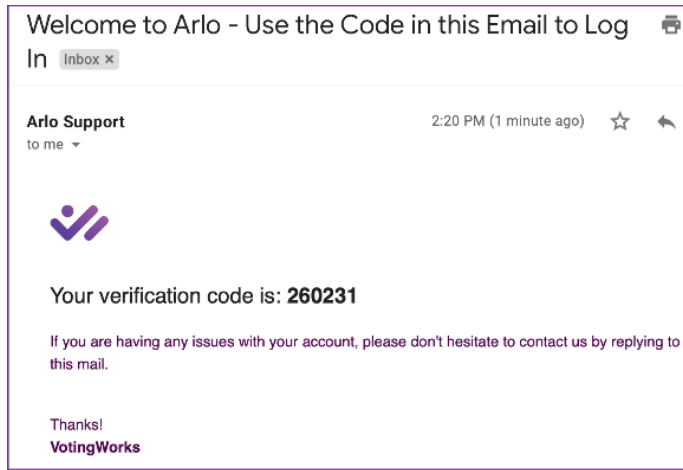
Once the ballot manifest is created, it is saved as a **.csv file** (CSV UTF-8, CSV (Macintosh) and CSV (MS-DOS) are all acceptable) and uploaded into the auditing software. The RLA software lets participants know if a mistake has been made when creating or uploading the manifest by generating an error message. Mistakes may include: empty rows, incorrect file formats (the manifest must be saved as a .csv file), or ballot totals in any rows or columns. All ballot manifests must be submitted by all participating localities to start the RLA.

Once the software receives all the ballot manifests, it will compile them into one large ballot list. This master list will be used to select random ballots across participating localities. Ballot manifests must be uploaded no later than the Thursday after the SBE's random draw. Once all ballot manifests are uploaded the RLA can begin. Detailed instructions, on how to upload a ballot manifest into the current auditing software, are listed below:

1. Using Google Chrome  or Safari as your browser, go to this link: <https://arlo.voting.works>
2. Click Log in to your audit.



3. Enter your email address. Check your email for a new email with the subject.
4. "Welcome to Arlo - Use the Code in this Email to Log In" - enter the verification code.



5. Click on the button with the locality name.



6. Click the Browse button and navigate to the ballot manifest .csv file that was created. Once selected, click Upload File.



The audit has not started.
Ballot manifest not uploaded.

Audit Source Data

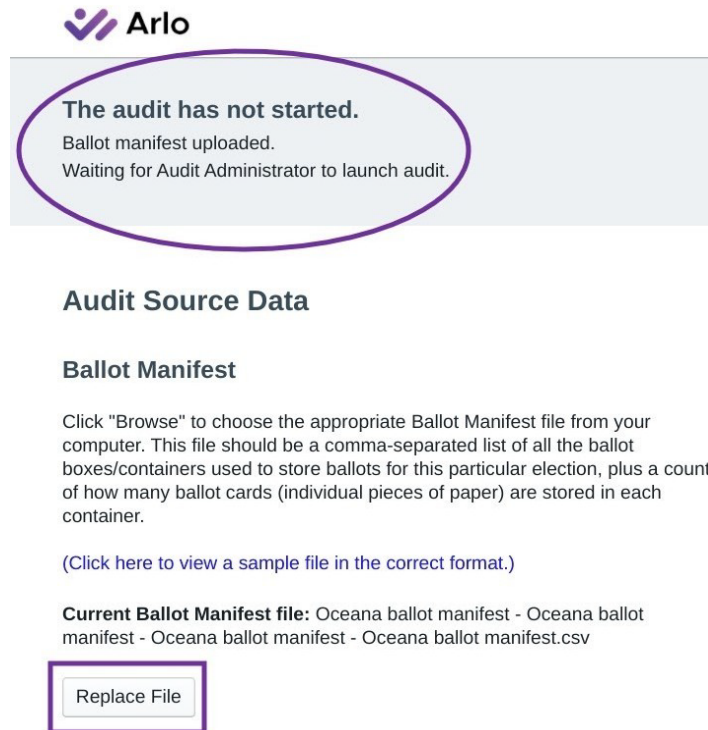
Ballot Manifest

Click "Browse" to choose the appropriate Ballot Manifest file from your computer. This file should be a comma-separated list of all the ballot boxes/containers used to store ballots for this particular election, plus a count of how many ballot cards (individual pieces of paper) are stored in each container.

[\(Click here to view a sample file in the correct format.\)](#)

A file upload interface. It features a text input field with the placeholder 'Select a CSV...' and a 'Browse' button to its right. Below this is a blue 'Upload File' button.

7. When the upload is successful, a message will appear at the top of the screen that says, "Ballot manifest uploaded." If a mistake is found after a ballot manifest has been uploaded, participants have the option to log back in and use the **Replace File** button to update the file.




8. Once the steps for uploading your ballot manifest have been completed, log out before exiting the screen.

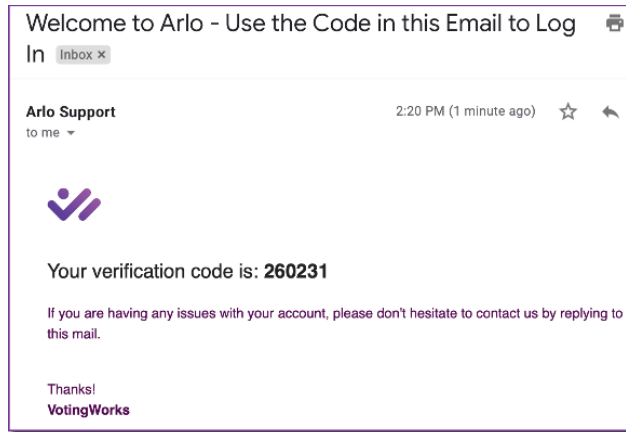
4.6 The Public Meeting

4.6.1 Ballot Retrieval Process

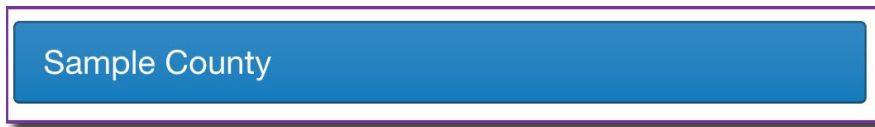
4.6.1.1 Log In to RLA Software

Once the list of ballots to be audited has been generated by the RLA software, participants will log into the RLA software to review the list of ballots they must retrieve to complete the RLA.

1. Using Google Chrome  or Safari as your browser, go to this link: <https://arlo.voting.works>
2. Click Log in to your RLA.
3. Enter email address.
4. Check your email for a new email with the subject "Welcome to Arlo - Use the Code in this Email to Log In" - enter the verification code.

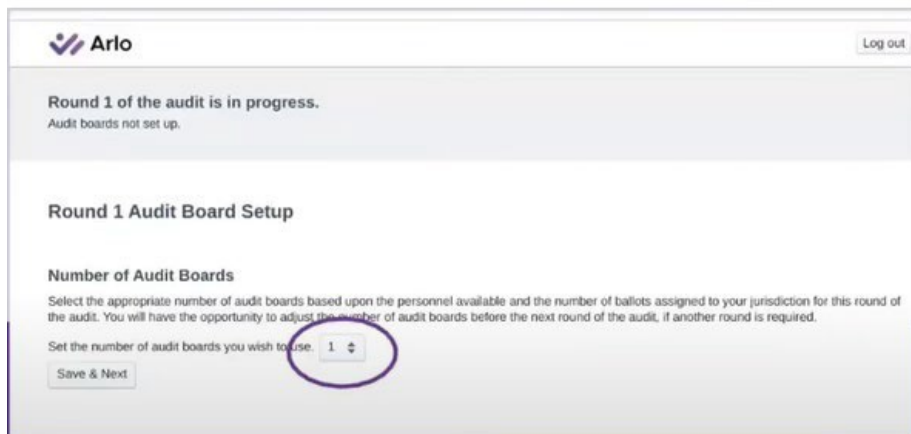


5. Click on the button with the locality name.



4.6.1.2 Audit Boards

The RLA software will ask how many audit boards will be participating in the RLA.



4.6.1.3 Download and Print

The RLA software will sort ballot retrieval lists, placeholder sheets, ballot labels, and audit board credentials for every audit board. Print each item for each audit board.

TEST RLA ELECTION - April 8, 2021



Round 1 of the audit is in progress.

1 of 1 audit boards complete.

Waiting for all jurisdictions to complete Round 1.

Round 1 Data Entry

0 ballots to audit in Round 1

 Download Aggregated Ballot Retrieval List
 Download Placeholder Sheets
 Download Ballot Labels
 Download Audit Board Credentials

Audit Board Progress

0 of 0 ballots audited



Audit Board #1: no ballots to audit

- **Ballot Retrieval List:** A ballot retrieval list is a list of ballots to be retrieved by a locality. The “Batch Name” will be the naming convention used in the ballot manifest. Since the selection is random, precincts may have multiple ballots to be retrieved and some precincts may have none.

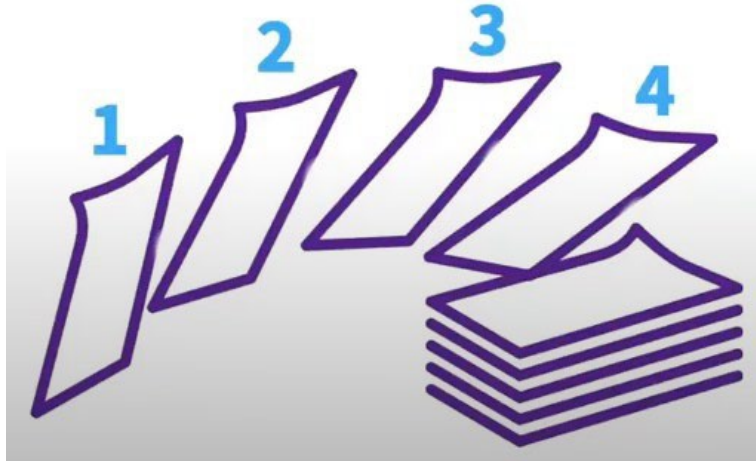
	A	B
1	Batch Name	Ballot Number
2	Precinct 1	90
3	Precinct 2	2
4	Precinct 2	197
5	Precinct 4	27
6	Precinct 5	313
7	Precinct 5	578
8	Precinct 5	587

- The ballot number reflects the numerical order of a specific ballot. To audit ballot number 90 in Precinct 1, for example, a member of the audit board must count from the top, each stored ballot until they reach the 90th ballot in the batch.
- **Placeholder sheets:** Placeholder sheets are individual sheets that contain each batch name and number (ex. Precinct 1, Ballot Number 90). They come in the form of a pdf and are printed on brightly colored paper. These sheets will be used to mark the place of the ballot that is being retrieved in the stack of ballots.

- **Ballot Labels:** Ballot Labels should be placed on ballots when retrieved. A bright-colored removable label is recommended but not required.
- **Audit Board Credentials for Data:** The RLA software will create a username and password for the audit board members. The link at the bottom of the audit board credentials or QR code will direct audit board members to the site to enter in the ballot totals.

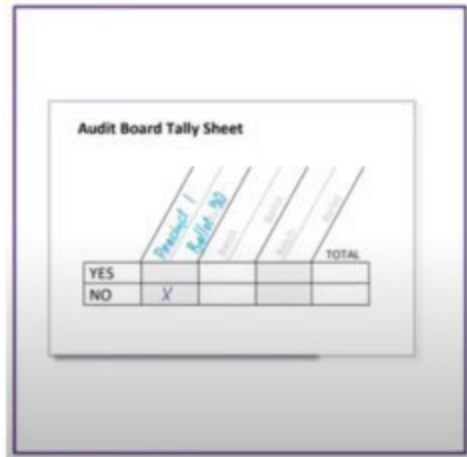
4.6.2 Retrieving and Tallying Ballots

1. Review the list of ballots and retrieve the necessary containers.
2. Perform any change of custody that may be required by the Clerk of Court. The chain of custody needs to be documented. ELECT has a sample form that may be used to document the chain of custody, or a locality may design their own form.
3. Remove ballots from the box and place them in a neat stack.
4. Review the *Ballot Retrieval List* to determine what ballot to select.
5. Starting at the top of the stack, count ballots until the desired ballot is reached.



6. Once the ballot needed to be retrieved is reached, pull it out of the stack and insert the placeholder sheet in the stack to mark its position. Place the removable label on the ballot. The placeholder sheets and ballot labels are generated by the RLA software.
7. Once all ballots have been pulled from the containers, the audit board will use the procedures established by ELECT for conducting hand counts of ballots.¹⁶ These procedures are outlined in Forms Warehouse under Election Management, Election Day Instruction and Forms, *Hand Counting-Ballots-Examples*. Include the batch name, ballot number, and the vote on the tally sheet. ELECT has sample tally sheets available for use during an RLA, but a locality may choose to create their own.

¹⁶ See [ELECT, Commonwealth of Virginia, Hand Counting Guide](#).



8. Localities may return ballot(s) to the appropriate container(s) or keep all the ballots from the RLA in a designated envelope/container.
9. The containers should be resealed and returned to the Clerk of the Circuit Courts following the Chain of Custody procedures.

4.6.2.1 Alternative Methods to “Counting Down the Stack”

If a locality has a batch that is too large to locate a single ballot efficiently by counting down the stack of ballots, the locality may perform the **K-Cut Method** to locate the ballot or utilize a **Commercial Scale**. The methods are explained in more detail below:

K-Cut Method

To make a k-cut of a given stack of ballots:

- Cut the stack into two parts at *random*, designated a “top” part and a “bottom” part.
- Switch the order of the parts by moving the “bottom” part to the top and the “top” part to the bottom.
- The two parts are placed together.
- Cut the stack at least five times.
- The ballot at the top of the new stack is selected.¹⁷

A locality must perform a k-cut five times before selecting the top ballot. A random number must be used to dictate the percentage of the cut. One way to randomize the percentage of the cut is to utilize a random number generator set to 1-100.¹⁸ The number generated then becomes the percentage of the cut (*example* 23=23% of the stack is moved to the bottom.) After performing the cut five times the top ballot becomes the retrieved ballot. The k-cut method is repeated for each random ballot that must be extracted from the stack of ballots.

¹⁷ See [k-Cut: A Simple Approximately-Uniform Method for Sampling Ballots in Post-Election Audits, Mayuri Sridhar and Ronald L. Rivest, Massachusetts Institute of Technology](#)

¹⁸ See [Sample Random Number Generator](#)

The Department’s k-cut method demonstration video is available on Forms Warehouse.¹⁹

Commercial Scale

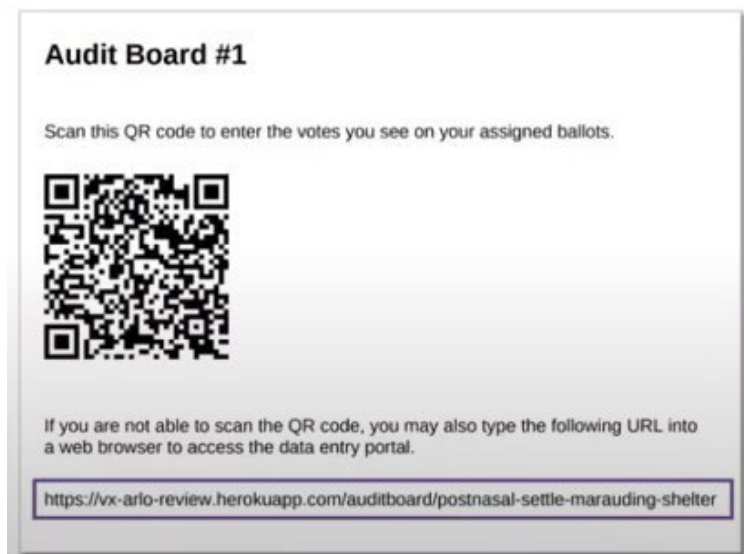
Localities may utilize a commercial scale to locate a ballot. Using a ballot scale is highly accurate, saves time, and places less stress on a locality’s audit board. By calculating the average weight of the ballots, a scale can easily identify the corresponding ballot in a ballot retrieval list.²⁰ The Department’s scale method demonstration video is available on Forms Warehouse > Risk Limiting Audit.

Helpful Tips and Reminders:

- ELECT has a limited number of counting scales to loan. Localities may send an email to their Elections and Registration Specialist to request the use of a scale.
- ELECT has sample Chain of Custody forms and Tally Sheets available for use in Forms Warehouse.

4.7 Ballot Entry into the RLA Software

The link and/or QR code found at the bottom of the audit board credentials will take audit board members to the data entry portal to input the results of the RLA. A device with a Wi-Fi connection is needed to record the paper tally sheet. This may include a laptop or a smartphone. If using a smartphone, scan the QR code or type in the URL into the web browser.



1. The audit board members will be prompted to sign in. The audit board will see the list of ballots. Audit board members will “key in” results from the list of ballots. If a

¹⁹ See Formwarehouse, [Virginia Dept. of Elections: Risk Limiting Audit](#).

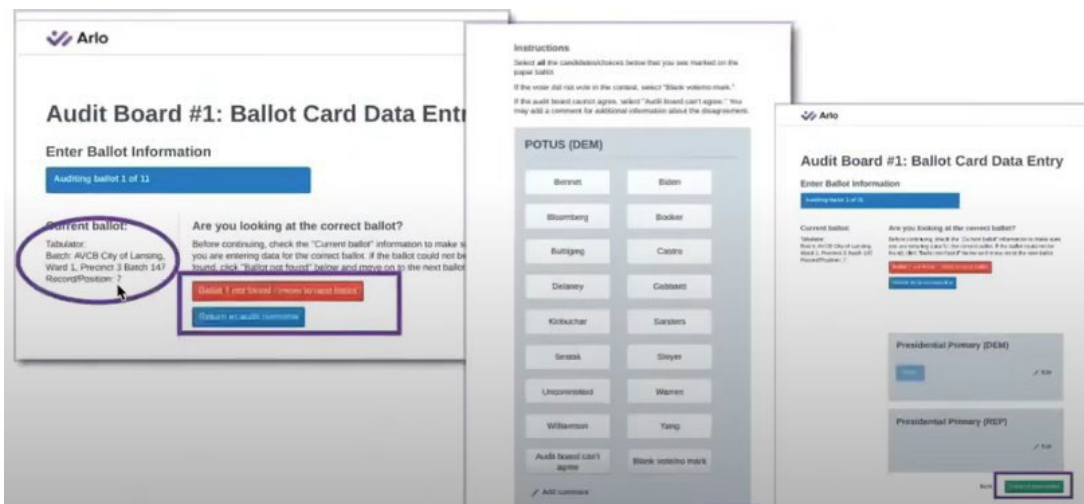
²⁰ See [Weight, Weight, Don’t Tell Me: Using Scales to Select Ballots for Auditing](#), Cynthia Sturton, Eric Recorla, and David Wanger, University California Berkeley

locality has 22 ballots to retrieve, there will be 22 separate fields to record each ballot. ELECT recommends both audit board members participate with one audit board member reading the results and one audit board member entering the results. Audit board members must **both** agree on the results of each ballot.

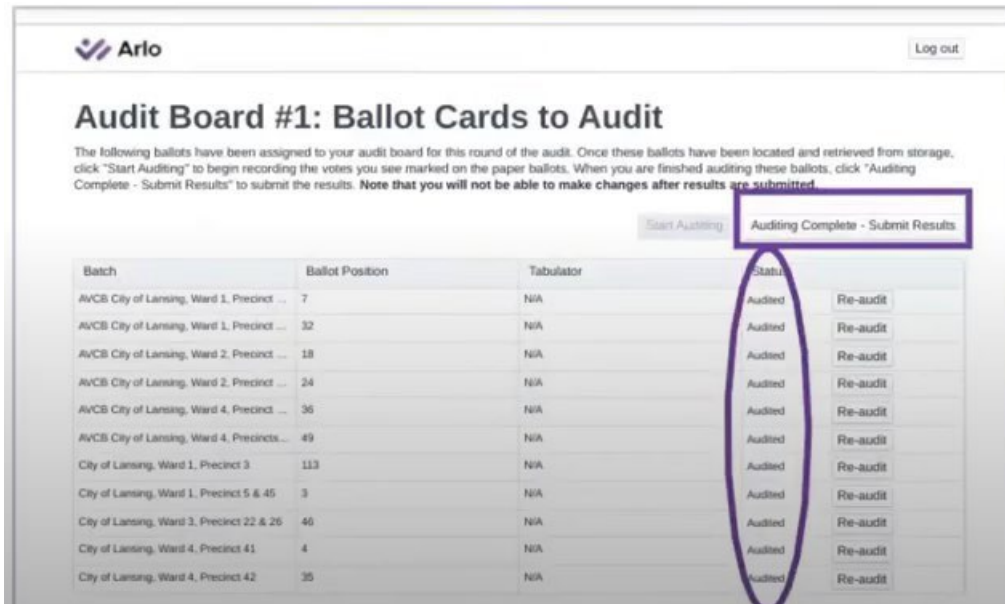
2. Click the **Start Auditing** button to begin.



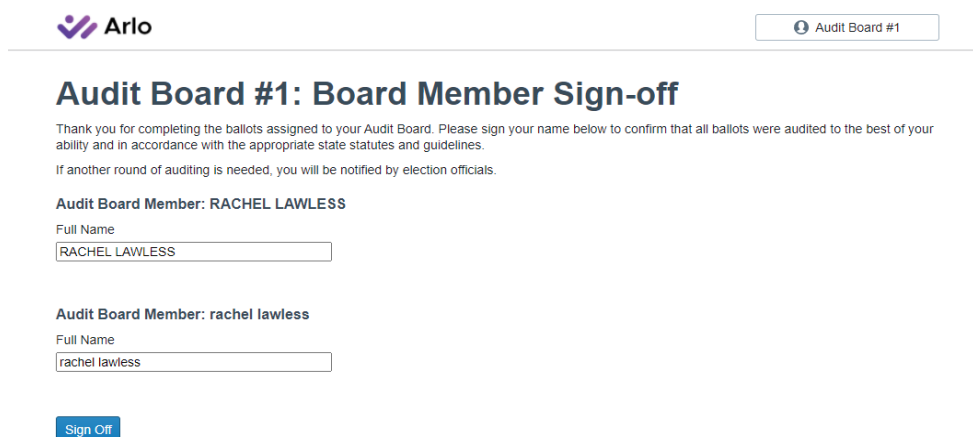
3. Go through the ballots in order.
4. Select the candidate marked on the ballot, both audit board members need to agree with the results. Click Review. Verify accuracy before clicking Submit & Next Ballot button.



5. When all ballots have been inputted, audit boards should return to the audit overview screen to verify every ballot has been entered into the audit software. Once everything has been verified, click the **“Auditing Complete-Submit Results”** button.



- Audit board members will sign off. Names must be keyed in exactly how the audit board member signed in. For example, if the caps lock was on when the audit board member signed in, then the caps lock must be on when the audit board member signs out.



4.8 Completion of the Ballot-Polling RLA

When all audit boards have completed their ballot entry and the risk limit has been met, the *Audit Progress* screen will display the message "Congratulations - the audit is complete!"

If the risk limit was not met after all the ballots have been audited for the contest, the audit software will initiate another round of sampling. A new ballot retrieval list, placeholders, labels, and audit board credentials will be generated for an additional round of ballot retrieval. If more than one locality is auditing for the same office, both localities must complete before the software will determine the need for the second round and subsequently generate the new retrieval list(s)

Audit Completion

Completed

The screenshot shows the Arlo software interface. At the top, there are navigation links: 'Audit Setup', 'Audit Progress', 'View Audits', 'New Audit', and 'Log out'. A green banner at the top reads 'Congratulations - the audit is complete!' with a 'Download Audit Report' button. Below this, there are two sections: 'Audit Progress' and 'Audit Progress by Jurisdiction'. The 'Audit Progress by Jurisdiction' section contains a table with the following data:

Jurisdictions	Jurisdiction Name	Status	Total Audited	Remaining in Round
	Kathleen County	Complete	0	0
	Kathleen County	Complete	0	0
	Kent County	Complete	0	0
	Kennecott County	Complete	0	0

Additional Sampling

The screenshot shows the Arlo software interface. At the top, there are navigation links: 'Audit Setup', 'Audit Progress', 'View Audits', 'New Audit', and 'Log out'. A green banner at the top reads 'Round 2 of the audit is complete - another round is needed' with a 'Start Round 3' button. Below this, there is a smaller text: 'When you are ready, start Round 3'.

Pursuant to § 24.2-671.2 (I), if an RLA of a contested race escalates to a full hand count, the results of the hand count shall be used to certify the election in lieu of the tabulation of the unofficial results obtained prior to the conduct of the RLA.²¹²⁰ After a certain number of rounds of RLA and the risk limit has yet to be met, Arlo will indicate that a full hand count is required if it finds the sample size needed is the same as the actual amount of ballots.

²¹ See [Code of Virginia, §24.2-671.2.](#)

5. The Batch-comparison Method of the Risk-Limiting Audit

Once a locality has been approved for a batch-comparison RLA, it must do the following:

- Notify the public and participants identified in section 3.2 and 3.4 of this manual;
- Submit an ELECT 659-Request to Inspect Sealed Election Material form;
- Create and upload the ballot manifest as described in section 5.2.1;
- Create and upload the candidate totals by batch file as described 5.2.2; and,
- Gather Supplies for the RLA

5.1 Submitting an ELECT 659-Request to Inspect Sealed Election Material Form

Pursuant to Va. Code § 24.2-659, a locality must receive permission from the ELECT to unseal ballots cast on Election Day for a post-election audit. Localities are required to submit an *ELECT 659-Request to Inspect Sealed Election Material* form to obtain permission. Once submitted, the form is sent to ELECT for signature authorization and then presented to the Clerk of the Circuit Court to access ballots from the election. This form may be found in Forms Warehouse under the RLA section.

5.2 Create the RLA Documents

For a batch-comparison RLA, Arlo requires two documents, a *Ballot Manifest* and a *Candidate Totals by Batch* file. Both documents are discussed below. For the purpose of this manual, a batch is a documented set of ballots created by a voting system, an officer of election, or other election official. In Virginia, a batch is the equivalent of a precinct when utilizing the batch-comparison RLA Method.

5.2.1 Creating a Ballot Manifest

The ballot manifest is an inventory of every ballot cast in a locality for a particular race. A ballot manifest is a two-column Excel spreadsheet created by localities that includes a list of the “Batch Name” (Column A) and the “Number of Ballots” (Column B). Unlike in a ballot-polling ballot manifest, the batches listed in the ballot manifest for a batch comparison audit must be the size of your precincts. For example, if precinct 1 had 100 ballots cast then precinct 1 would be entered under Column A and 100 would be entered under Column B (*see below*).

	A	B
1	Batch Name	Number of Ballots
2	Precinct 1	301
3	Precinct 2	302



Note about Performing Both a Ballot-polling RLA and a Batch-comparison RLA

In the event that your locality has to perform both a ballot-polling RLA and a batch-comparison RLA, the ballot manifest for one may be used for the other. However, in this event, the batches listed in the ballot manifest **must** be the same as your precincts. For example, if 100 ballots were cast in Precinct 1, then Batch 1 would have 100 ballots. This is not only for consistency but also so that the candidate by batch file matches with the ballot manifest for a batch-comparison method RLA, discussed in 5.2.2 Creating a Candidate Totals by Batch File. You may also choose to create two separate ballot manifests for each separate method for greater ease in locating ballots.

5.2.2 Creating a Candidate Totals by Batch File

Unlike a ballot-polling method RLA, a batch-comparison RLA needs the number of ballots cast for each candidate from each batch. Due to various voting systems capabilities and for the purposes of uniformity across the Commonwealth, the size of a batch must be the size of a precinct as that is the only way to get the total number of ballots cast for any candidate. The total number of ballots cast for any candidate must, then, be placed into a spreadsheet called the *Candidate Totals by Batch File*, which outlines each batch of ballots and how many ballots were cast for each candidate in a particular batch.

To create a *Candidate Totals by Batch File*, open a spreadsheet program to create a simple spreadsheet.

- Column A labeled “Batch Name” is for your batch name. The batch names in column A must match the batch names in your ballot manifest.
- Additional columns should be labeled with the names of the candidates. You should use the names on the ballot. Write-ins may be lumped together unless they have reached the threshold for a write-in certification.


	A	B	C	D
1	Batch Name	John Doe	Jane Smith	Write-in
2	Precinct 1	100	200	1
3	Precinct 2	200	100	2

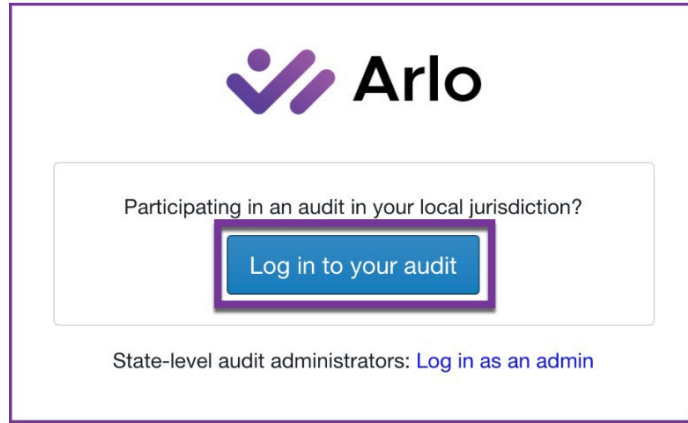
Enter the data for your locality from your statements of results. When you're finished, review the spreadsheet to ensure the total number of batches matches the number of batches in your ballot manifest and that the candidate totals are correct. Then, save the file as a .csv file.

5.3 Uploading the Ballot Manifest and Candidate Totals by Batch files

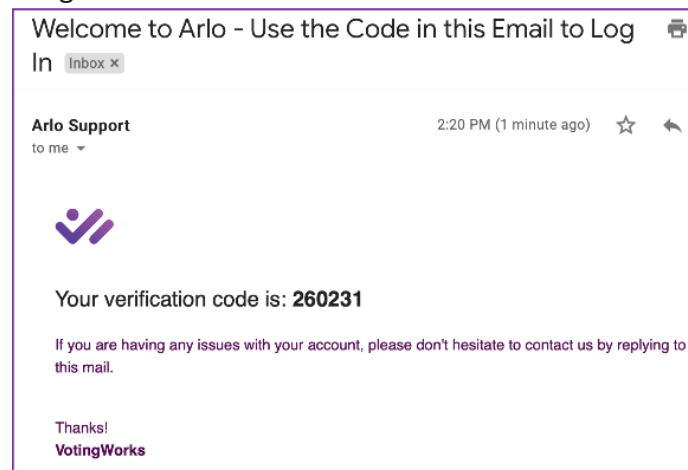
Once the ballot manifest and the candidate totals by batch files are created, participants will save the ballot manifest and candidate totals by batch files as **.csv files** (CSV UTF-8, CSV (Macintosh) or CSV (MS-DOS) are all acceptable) and upload the spreadsheets into the auditing software. The RLA software will let participants know if a mistake has been made when creating or uploading the files by generating an error message. Mistakes can include: empty rows, incorrect file formats (the manifest must be saved as a .csv file), or ballot totals in any rows or

columns. The ballot manifest and the candidate total by batch files must be uploaded no later than the Thursday after the SBE’s random draw. Once the files are uploaded the RLA can begin. Detailed instructions, on how to upload a ballot manifest and the candidate totals by batch into the current auditing software, are listed below:

1. Using Google Chrome  or Safari as your browser, go to this link: <https://arlo.voting.works>
2. Click Log in to your audit.



3. Enter email address.
4. Check your email for a new email with the subject “Welcome to Arlo - Use the Code in this Email to Log In” - enter the verification code.



5. Click on the button with the locality name.



6. Click the Browse button and navigate to the ballot manifest .csv file that was created.

Once selected, click Upload File.



The audit has not started.
Ballot manifest not uploaded.

Audit Source Data

Ballot Manifest

Click "Browse" to choose the appropriate Ballot Manifest file from your computer. This file should be a comma-separated list of all the ballot boxes/containers used to store ballots for this particular election, plus a count of how many ballot cards (individual pieces of paper) are stored in each container.

[\(Click here to view a sample file in the correct format.\)](#)

- 7. When the upload is successful, a message will appear at the top of the screen that says, "Ballot manifest uploaded." If a mistake is found after a ballot manifest has been uploaded, participants have the option to log back in and use the **Replace File** button to update the file.



The audit has not started.
Ballot manifest uploaded.
Waiting for Audit Administrator to launch audit.

Audit Source Data

Ballot Manifest

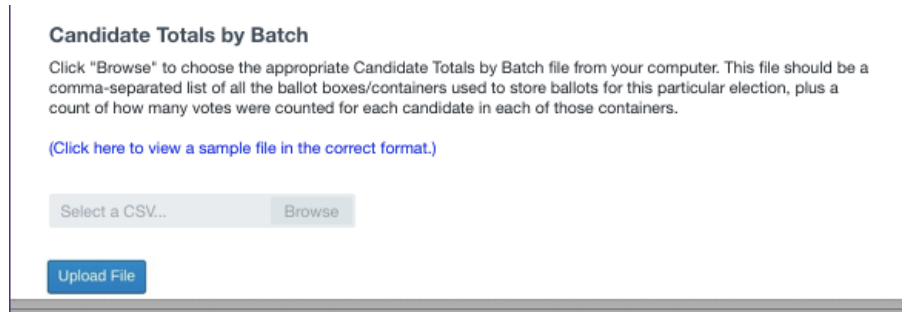
Click "Browse" to choose the appropriate Ballot Manifest file from your computer. This file should be a comma-separated list of all the ballot boxes/containers used to store ballots for this particular election, plus a count of how many ballot cards (individual pieces of paper) are stored in each container.

[\(Click here to view a sample file in the correct format.\)](#)

Current Ballot Manifest file: Oceana ballot manifest - Oceana ballot manifest - Oceana ballot manifest - Oceana ballot manifest.csv

- 8. Next, a prompt will appear below the Ballot Manifest section to upload the Candidate

Totals by Batch. click the Browse button to navigate to the candidate totals by batch .csv file. Once selected, click the Upload File button. Remember, the batch names in the Candidate Totals by Batch file must match the batch names in the ballot manifest and the totals listed in the Candidate Totals by Batch match your statements of results.



The screenshot shows a web interface titled "Candidate Totals by Batch". Below the title is a paragraph of instructions: "Click 'Browse' to choose the appropriate Candidate Totals by Batch file from your computer. This file should be a comma-separated list of all the ballot boxes/containers used to store ballots for this particular election, plus a count of how many votes were counted for each candidate in each of those containers." Below this is a link: "(Click here to view a sample file in the correct format.)". At the bottom, there is a text input field with the placeholder "Select a CSV...", a "Browse" button to its right, and an "Upload File" button below the input field.

5.4 Retrieving and Tallying

After the audit begins, the locality will receive a batch retrieval list. To retrieve batches, refer to your batch retrieval list to determine what batches are needed.



Best Practice

Unlike in the ballot polling method, Arlo does not assign the audit review boards to specific batches on the batch retrieval list. ELECT recommends assigning more experienced officers of election or staff to audit review boards who will review the larger batches on the batch retrieval list.

- Retrieve the correct container(s) using the required chain of custody verification steps.
- Pull the entire batch of ballots out of the storage container and organize it into a neat stack of ballots. If the container contains more than 1000 ballots, ballots should be removed from the container and sorted in manageable stacks, leaving the rest of the ballots in the container until the previous stack is tallied.²²

5.4.1 Methods for Retrieving Ballots

There are two methods for retrieving and tallying during a batch-comparison RLA. For larger batches, multiple audit review boards may be assigned. Audit review boards should be encouraged to prioritize accuracy over speed; it is better to have the correct count the first time and it take more time than to have to redo the count.

²² See [VotingWorks, Batch Retrieval & Tally](#)

The Sort-and-Stack Method²³

- a. For each ballot: one audit board member picks up a single ballot from the stack and reads the vote for the contest being audited aloud, then hands the ballot to the second audit board member.
 - i. The second audit board member verifies the vote that is on the ballot is indeed what the first audit board member read, then places the ballot in the “stack” that corresponds to the vote.
 - ii. The first audit board member should watch to make sure the ballot is placed in the correct stack.
 - iii. A stack should be created for each contest choice (including write-in), overvoted/blank/undervoted ballots, duplicated ballots, and ballots where the audit board cannot agree on the voter’s intent.
- b. Count the ballots in each stack by having one member of the audit board verbally count the ballot while handing it to the other member for verification.
 - i. Count the ballots in groups of 10, stacking the groups at right angles to each other, so you can easily count the complete groups when you are done. For instance, if you have seven groups of 10 ballots each plus an extra 3 ballots, the total tally would be 73.
 - ii. Record the total tally for each candidate on the Audit Board Batch Tally Sheet.

The Hashmarking Method²⁴

- a. Prepare a Tally Sheet
 - i. For this method, a tally sheet should be prepared. The tally sheet should:
 1. be organized in the same order as the ballot.
 2. list each contest and associated choices (including write-ins when applicable) to be audited.
 3. include a space for overvotes and blank/undervotes for each contest.
 4. have space for tally marks after each choice.
- b. Tally the Votes: One audit board member reads the choice for the first contest being audited to the second audit board member who makes a tally mark on the tally sheet. Repeat for all contests being audited. Ideally, a third audit board member should observe the ballot marks and tally sheet tallies.
 - i. Completing this process in groups of 20, 50, 100, or some other set number allows for verification checks throughout the process. Once the set number is completed, add up the tally marks to ensure the same number was tallied for each contest.
- c. Complete Audit Board Batch Tally Sheet: When all ballots are tallied, total the tally marks and complete the Audit Board Batch Tally Sheet.

²³ *Id*

²⁴ *Id.*

5.5 Batch Tally Entry into Arlo

All tallies from the batches selected must be uploaded into Arlo; the audit will remain open until all tallies have been uploaded. Tallies can be entered by audit boards, a specified member of the staff, an electoral board member, or the GR.

To create tally entry accounts for audit boards or for a specified individual, select Set Up Tally Entry Accounts on the Set Up Tally Entry Accounts screen. If only one designated participant will be entering tallies, select Skip.²⁵

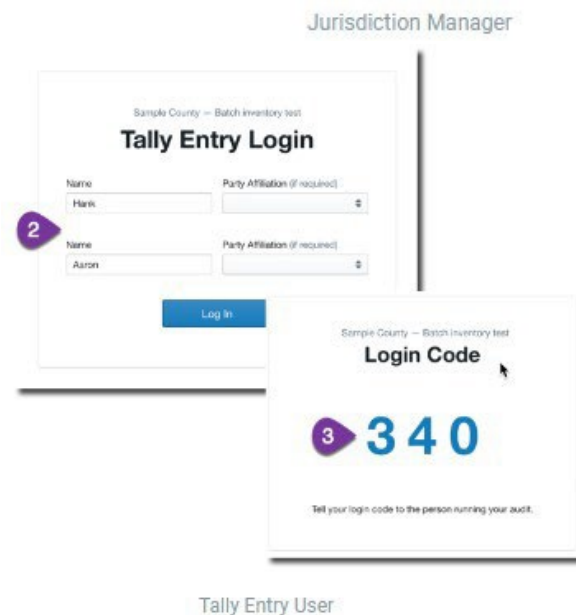
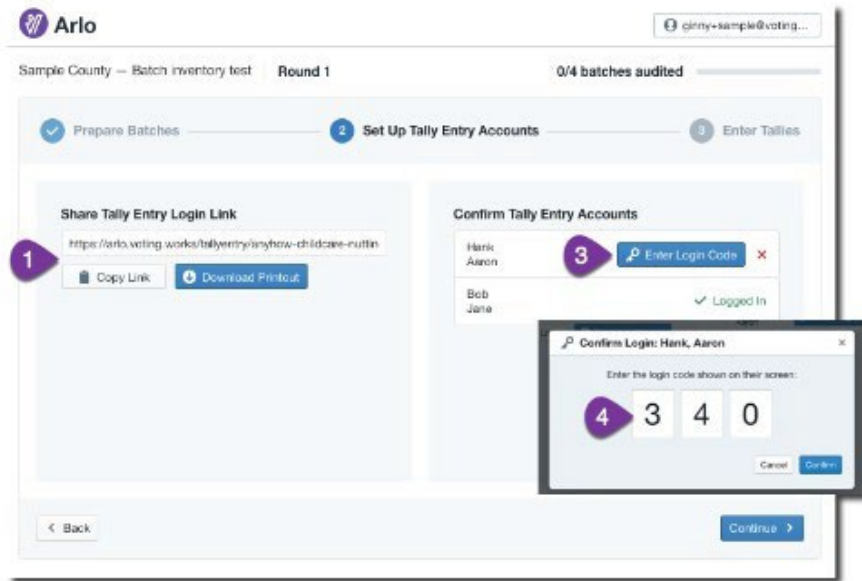
The image displays two screenshots of the Arlo web application interface, showing the 'Set Up Tally Entry Accounts' step in a three-step process.

Top Screenshot: The interface shows the 'Set Up Tally Entry Accounts' step (Step 2) highlighted. The progress bar indicates '0/4 batches audited'. The steps are: 1. Prepare Batches, 2. Set Up Tally Entry Accounts, and 3. Enter Tallies. Two callouts are present: Callout 1 points to the 'Download Batch Retrieval List' button under the heading 'Retrieve Batches from Storage'. Below this heading, instructions state: 'For each batch in the retrieval list: Find the container in storage, Perform the required chain of custody verification steps, Take the batch of ballots out of the container and stack them'. Callout 2 points to the 'Download Batch Tally Sheets' button under the heading 'Print Batch Tally Sheets'. Below this heading, instructions state: 'There will be one tally sheet for each batch. Use these tally sheets when recording the audited votes in each batch.' A 'Continue' button is visible at the bottom right.

Bottom Screenshot: The interface shows the 'Set Up Tally Entry Accounts' step (Step 2) highlighted. The progress bar indicates '0/4 batches audited'. The steps are: 1. Prepare Batches, 2. Set Up Tally Entry Accounts, and 3. Enter Tallies. A question is displayed: 'Do you want to set up additional tally entry accounts?'. Below the question, instructions state: 'If you want to have multiple people entering tallies at the same time, set up tally entry accounts for them. Otherwise, use your account to enter the tally for each batch you audit.' Two buttons are visible: 'Set Up Tally Entry Accounts' and 'Skip'. A 'Back' button is at the bottom left, and a 'Continue' button is at the bottom right.

²⁵ See [VotingWorks, Batch Tally Entry into Arlo, Voting Works](#)

A designated participant should provide the audit boards or the specified individual with the login link displayed on the screen (each link is unique). Then, the audit board or specified individual should Log In by entering their name(s) and party affiliation, if provided. A login code will be provided, the participants enter that code to authenticate the Tally Entry User(s) by selecting Enter Login Code, entering the code, and selecting Confirm to complete the login process.²⁶



To enter the candidate totals for a batch, select the batch from the list on the left-hand side of the Enter Tallies screen or use the search batches function, and, then, click Edit Tallies, enter

²⁶ *Id.*

the vote totals from the Batch Tally Sheet, and select Save Results.²⁷ Once all batches have been entered and reviewed, a designated participant can select Finalize Tallies.²⁷

Arlo

Test County — General Election | Round 1 | 0/4 batches audited

Prepare Batches | Set Up Tally Entry Accounts | **3 Enter Tallies**

Search batches...

Tabulator A - Batch 1
Tabulator A - Batch 2
Tabulator A - Batch 3
Tabulator A - Batch 4

Tabulator A - Batch 1

Vote Totals

Choice	Votes
Alice Adams	12
Bob Bates	8
Carol Copeland	

Edit Tallies

< Back | Finalize Tallies

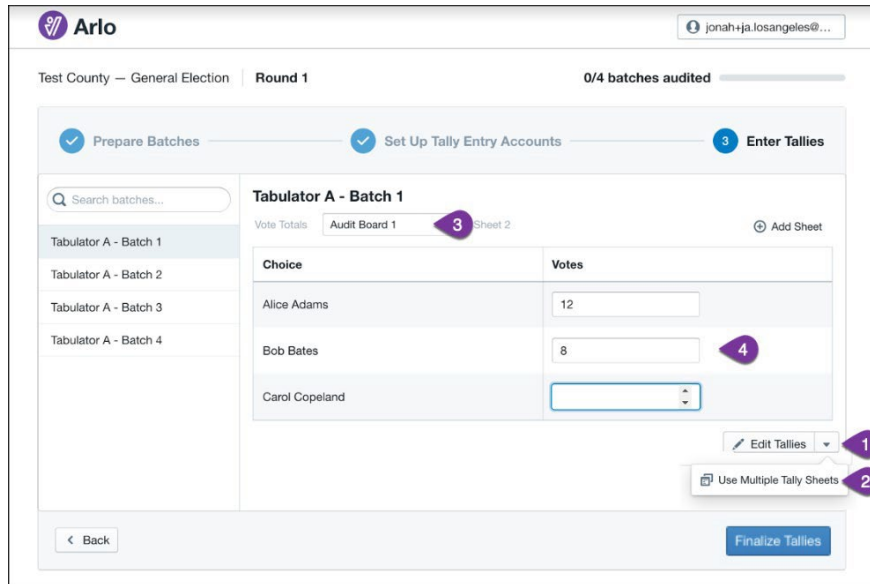
If multiple Audit Board Batch Tally Sheets were used to tally a batch, select the drop-down next to Edit Tallies and select Use Multiple Tally Sheets to enter more than one tally sheet. The individual who enters the tally sheet should edit the name at the top to identify who completed the entry of the Batch Tally Sheet; this helps keep a chain of custody for the data entered. Next, enter the votes, and select Save Sheet (the Edit Tallies button changes to Save Sheet after selection).²⁸ Select Sheet 2 to add another Batch Tally Sheet, and Select +Add Sheet to add another Tally Sheet as needed.²⁹ The Vote Totals tab is the sum of votes for all sheets entered.³⁰

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

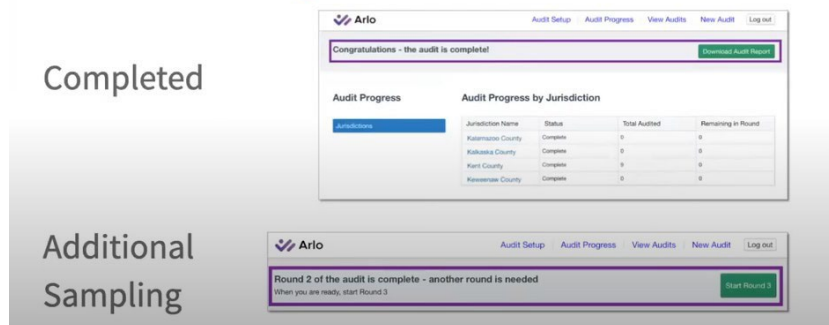


5.6 Completion of a Batch-comparison RLA

When all audit boards have completed their tally entry and the risk limit has been met, the *Audit Progress* screen will display the message “Congratulations - the audit is complete!”

If the risk limit was not met after all the batches have been audited for the contest, the audit software will initiate another round of sampling. A new batch retrieval list, placeholders, labels, and audit board credentials will be generated for an additional round of batch retrieval.

Audit Completion



Pursuant to § 24.2-671.2 (I), if an RLA of a contested race escalates to a full hand count, the results of the hand count shall be used to certify the election in lieu of the tabulation of the unofficial results obtained prior to the conduct of the RLA.³¹ After a certain number of rounds of RLA and the risk limit has yet to be met, Arlo will indicate that a full hand count is required if it finds the sample size needed is the same as the actual amount of ballots.

³¹ See [Code of Virginia, §24.2-671.2 Risk-Limiting Audits](#)

6. Results

At the conclusion of the RLA, ELECT will submit a report to the SBE on the findings of the RLA. If your locality is participating in an RLA and would like to provide feedback to be included in the report, contact your RLA Administrator from ELECT with your findings. The report will include the results of the RLA as well as an analysis of any detected discrepancies. ELECT has also created a sample press release template that localities may utilize. This press release is found in the RLA section in Forms Warehouse.

7. APPENDIX

7.1 Glossary

Administrator: a member of ELECT staff that adds elections to be audited, sets the risk-limit, adds participants, inputs the random seed number, and reviews the progress of the RLA.

Arlo: the RLA software supported by VotingWorks and leased by ELECT to administer the RLA
Audit Review Boards: a two-person team that retrieves specific ballots, records the results on a tally sheet, and uploads the results into the auditing software.

Ballot Manifest: a two-column Excel spreadsheet that creates an inventory of every ballot cast in a locality during a contest.

Ballot-Polling: one of two methods for conducting an RLA that relies on manually reviewing a random sample of ballots across localities to determine if the overall outcome of an election was correctly reported.

Batch: a documented set of ballots created by a voting system, an officer of election, or other election official.

Batch-comparison: one of two methods for conducting an RLA that relies on manually counting all ballots in a random selection of precinct batches to determine if the overall outcome of an election was correctly reported. This method is only available to those RLAs applied for pursuant to §24.2-671.2(D).

Candidate Totals by Batch: a file that outlines each batch of ballots and how many votes were cast for each candidate in a particular batch.

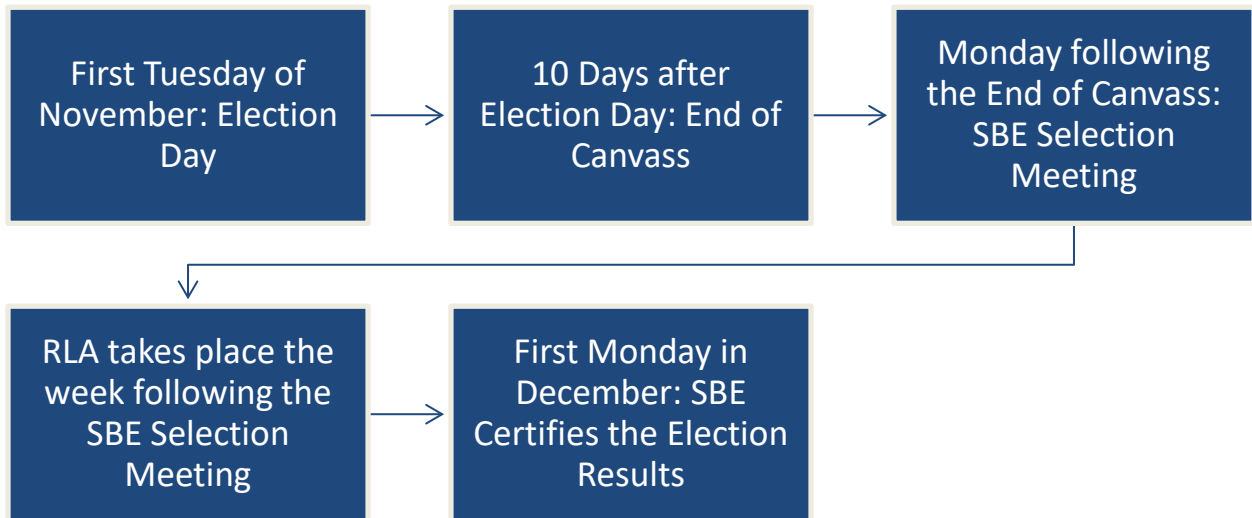
Participants: a GR or appointed person that will be responsible for coordinating the audit in their locality. Participants are responsible for uploading a ballot manifest, entering audit review boards, and downloading ballot retrieval lists from the audit software.

Random Seed Number: a 20-digit number randomly generated during an SBE Meeting. This number is used to generate the ballot or batch retrieval list by Arlo.

Risk Limit: the maximum chance that the audit will fail to correct an incorrectly reported outcome. For example, a 10% risk limit means there is a 90% chance that the audit will correct an incorrectly reported outcome.

Risk Limiting Audit: a type of post-election audit that utilizes statistical methods and a manual review of paper ballots to check that the voting equipment accurately reported the correct outcome of an election.

7.2 General Timeline for a Risk-Limiting Audit after a General Election





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STATE BOARD *of* ELECTIONS

Drawing for Party Ballot Order

BOARD WORKING PAPERS
Matthew Abell
Election Service Senior Advisor



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O'Bannon, Vice Chair Dance, Secretary Alvis-Long, Matthew Weinstein, and Delegate Merricks
From: Matthew Abell Elections Services Senior Advisor
Date: July 2, 2024
Re: Ballot Order Drawing for elections occurring August 1, 2024 through July 31, 2025

Suggested motion for a Board member to make:

"I move that the Board certify the determination by lot of the ballot order for all general and special elections being held August 1, 2024 through July 31, 2025."

Background: The Board will conduct two separate drawings. The first will be for "political parties" (Republican and Democratic). The second will be for "recognized parties" (Libertarian, Constitution, Forward, Green, Independent Green, and Socialist Equality (US)). While not all of the recognized parties have a candidate who has achieved ballot access, the purpose of the drawing at this point is to prevent the need for the Board to meet in an emergency setting to draw the order for these parties.

Applicable Code Sections:

Va. Code § 24.2-613.B – "For elections for federal, statewide, and General Assembly offices only, each candidate who has been nominated by a political party or in a primary election shall be identified by the name of his political party. Independent candidates shall be identified by the term "Independent." For the purpose of this section, any Independent candidate may, by producing sufficient and appropriate evidence of nomination by a "recognized political party" to the State Board, have the term "Independent" on the ballot converted to that of a "recognized political party" on the ballot and be treated on the ballot in a manner consistent with the candidates nominated by political parties."

Va. Code § 24.2-613.C – "... the State Board shall determine by lot the order of the political parties... 'recognized political parties' shall be treated as a class; the order of the recognized political parties within the class shall be determined by lot by the State Board..."

Applicable Dates:

All general and special elections between July 1, 2024 and July 31, 2025.

ELECT Staff Recommendation:

ELECT staff recommends that the Board determine by lot and then certify the ballot order for all general and special elections being held between August 1, 2024 and July 31, 2025.

Democratic

Republican

Libertarian

Constitution

Forward

Green

Independent
Green

Socialist
Equality (US)



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STATE BOARD *of* ELECTIONS

Certification of
June 18, 2024
Primary Election

BOARD WORKING PAPERS
Matthew Abell
Election Service Senior Advisor



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Memorandum

To: Chairman O’Bannon, Vice Chair Dance, Secretary Alvis-Long, Delegate Merricks, and Matthew Weinstein
From: Matthew J. Abell, Election Services Senior Advisor
Date: July 2, 2024
Re: Certification of Election Results for the June 18, 2024 Republican and Democratic Primary Elections

Suggested motion for a Board member to make:

“I move that the Board certify the results of the June 18, 2024 Republican and Democratic Primary Elections as presented and declare the winners of each primary to be that party’s nominee for the November 5, 2024 General Election.”

Applicable Code Section:

Va. Code § 24.2-534 – As soon as possible after receipt of the certified abstract and not later than fourteen days after the day of the election, the State Board shall open and tabulate the returns. Upon completion of the tabulation the Board shall declare the nominee in the manner and form as it does in general elections.

Attachments:

Abstracts of Votes for the following:

Republican Party Primary Offices	Winners
United States Senate	Hung Cao
United States House of Representatives, 5th District	John J. McGuire III
United States House of Representatives, 7th District	Derrick M. Anderson
United States House of Representatives, 10th District	Mike W. Clancy
Democratic Party Primary Offices	
United States House of Representatives, 1st District	Leslie C. Mehta
United States House of Representatives, 2nd District	Missy Cotter Smasal
United States House of Representatives, 5th District	Gloria Tinsley Witt
United States House of Representatives, 7th District	Eugene S. Vindman
United States House of Representatives, 10th District	Suhas Subramanyam
United States House of Representatives, 11th District	Gerald E. “Gerry” Connolly

Background:

Two primary elections, a Republican and a Democratic, were held on June 18, 2024 for the purpose of selecting candidates to be the Virginia political parties’ nominees for the November 5, 2024 election.

- Upon completion of the election, local general registrars (GRs) entered all relevant election data into the Election Night Reporting System (ENR) and the Virginia Election and Registration Information System (VERIS)
- In accordance with Va. Code § 24.2-532, within six days after the election, local electoral boards conducted provisional ballot meetings and canvasses to ascertain and certify election results for their localities. Upon completion of canvass, the GRs forwarded their localities' certified Abstracts of Votes (Abstracts) to the Department of Elections (ELECT).
- To ensure accuracy of the results, ELECT staff performed the procedures below. Staff worked with localities to resolve and/or explain any issues identified. ELECT staff:
 - confirmed all required Abstracts were properly completed and submitted;
 - compared turnout to votes cast; and
 - compared results listed in the Abstracts to the results entered in ENR and VERIS.

ELECT Staff Recommendation:

ELECT staff recommends that the Board vote to certify the results of the June 18, 2024 Republican and Democratic Primaries as presented and declare the winners of each primary to be that party's nominee for the November 5, 2024 election.



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STATE BOARD *of* ELECTIONS

Closed Session

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