



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

BOARD MEETING

Monday, November 16, 2020
James Monroe Building
Conference Room C, D, & E
Video and Teleconference

Videoconference:

<https://covaconf.webex.com/covaconf/j.php?MTID=mefe93d6a5c95b82c4abf3362c7f440ca>

Meeting password: qU3WG3Ar3C9

Teleconference:

1-517-466-2023 US Toll
1-866-692-4530 US Toll-Free
Access Code: 171 885 7277

Richmond, VA

1:00 P.M.



**STATE BOARD OF ELECTIONS
AGENDA**

DATE: Monday, November 16, 2020
LOCATION: James Monroe Building
101 N. 14th St., Richmond, VA
Conference room C, D, & E

TELECONFERENCE:
+1-517-466-2023 US Toll
+1-866-692-4530 US Toll Free
Access code: 171 885 7277

VIDEO CONFERENCE:
**[https://covaconf.webex.com/covaconf/j.php?MTID=mef
e93d6a5c95b82c4abf3362c7f440ca](https://covaconf.webex.com/covaconf/j.php?MTID=mef
e93d6a5c95b82c4abf3362c7f440ca)**
Password: qU3WG3Ar3C9
TIME: 1:00 P.M.

I. CALL TO ORDER

Robert Brink, Chairman

II. APPROVAL OF MINUTES

Jamilah LeCruise, Secretary

A. October 20, 2020

III. COMMISSIONER'S REPORT

*Christopher E. Piper
Commissioner*

IV. CERTIFICATION OF GENERAL ELECTION – November 3, 2020

*David Nichols
Elections Service Director*

V. PUBLIC COMMENT

VI. CLOSED SESSION

**A. VOTER REGISTRATION SYSTEM SECURITY ANNUAL
UPDATE**

*Daniel Persico
Chief Information Officer*

VII. ADJOURNMENT

NOTE: Public comment will be offered prior to Board action, but comments will be limited to the specific agenda item in question. An open public comment period will be offered prior to adjournment. Members of the public participating virtually who wish to give public comment on any of the agenda items may do so; if using WebEx, by using the raise hands feature, or if by phone, identifying themselves when the Chair opens the floor to those members of the public attending via telephone. **Due to Social distancing guidelines, we are limited to 24 seats to the public. A face mask is required to enter the building.**

<https://townhall.virginia.gov/L/ViewMeeting.cfm?MeetingID=30350>



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Approval of Minutes

BOARD WORKING PAPERS
Secretary LeCruise

1 The State Board of Elections (“the Board”) public hearing on 1VAC20-70-20:
2 Materials Omission from Absentee ballots was held on Tuesday, October 20, 2020, in
3 Conference Rooms C, D, and E of the James Monroe Building. The meeting was also
4 conducted electronically so the public could view and hear the meeting. In attendance:
5 Robert Brink, Chairman, John O’Bannon, Vice Chairman, and Jamilah LeCruise,
6 Secretary, represented the State Board of Elections (“the Board”). Christopher E. “Chris”
7 Piper, Commissioner and Jessica Bowman, Deputy Commissioner, represented the
8 Department of Elections (“ELECT”) and Carol Lewis represented the Office of the
9 Attorney General (“OAG”). Chairman Brink called the meeting to order at 1:03 P.M.

10 Chairman Brink informed the Board that on March 12, 2020, Governor Ralph S.
11 Northam declared that a state of emergency exists in the Commonwealth as the result of
12 the potential spread of COVID-19, a communicable disease presenting a threat to public
13 health. On March 30, 2020, the Governor issued an executive order requiring all
14 individuals in Virginia to remain at their place of residence, with certain enumerated
15 exceptions.

16 This meeting was conducted consistent with the requirements for electronic
17 meetings by public bodies set forth in Items 4-0.01 of House Bills 29 and 30, as passed
18 by the General Assembly (“GA”) and signed by the Governor in April of this year. The
19 purpose of the meeting is to transact the statutorily required business of the Board.

20 Daniel Davenport, ELECT Policy Analyst, presented the 1VAC20-70-20:
21 Materials Omission from Absentee ballots. *This report is in the Working Papers for the*

22 *October 20, 2020 meeting.* Chairman Brink informed the Board that the public hearing
23 would last up to 1 hour to allow the public to offer comments regarding the regulatory
24 action making a missing postmark a material omission from absentee ballots. The
25 Chairman explained that the Board first considered the regulatory action at the August 4,
26 2020 Board meeting. ELECT then posted the regulatory action onto Town Hall for 30
27 days of public comment that ended on October 2, 2020. Chairman Brink informed the
28 Board that 751 Virginians provided a comment on the regulatory action. The Chairman
29 stated that as a result of the 751 comments, the Board has considered an amendment to
30 the regulatory text, as offered by ELECT.

31 Chairman Brink announced at 1:13 P.M.; the Board would go into a 10-minute
32 recess to give the public time to sign up, stating “If you are a member of the public and
33 wish to participate, you must sign up in order to be recognized to speak. Please note the
34 following: If you are attending in person, please ensure your name is on the sign up list
35 on the podium. If you are participating virtually using WebEx, sign up using the chat
36 feature, located on the bottom right part of the WebEx application, to add your participant
37 name. If you are participating virtually using a phone and cannot access WebEx’s chat
38 feature, please send an email with your name and your phone number to
39 FOIA@elections.virginia.gov. You will need to provide your first and last name and the
40 phone number you’ve used to call in. Again, the email address is
41 FOIA@elections.virginia.gov. That is "f as in Frank", "o as in Oscar, i as in Igloo, and a
42 as in Apple" at elections plural dot Virginia spelled out dot gov. The order of events will

43 be as follows: After I conclude this statement, the Board will take a 10 minute recess to
44 allow time for the public to sign up in person, chat or by email, after which point the
45 Board will resume the public hearing and invite the first person to participate. Public
46 comment will first be heard from those persons participating in person as per the sign up
47 list. Next, we will hear from the persons who requested to speak via chat on the WebEx.
48 Last, we will hear from persons who provided their name and phone number to
49 FOIA@elections.virginia.gov. Staff will announce the name of the speaker and the
50 following person will be announced in between comments. Each participant may speak
51 for up to two (2) minutes, at which point the staff will indicate that your time is up and
52 will call the next person to give comments. Due to the large number of persons who wish
53 to speak, we encourage you to be as brief as possible. We also ask that you be prepared
54 to approach the podium or unmute yourself when you hear your name announced as the
55 next participant. Whether in person or participating electronically, staff will allow a short
56 period of time to begin after your name is called. If for some reason you are unable to
57 speak when you are called upon, we will move to the next speaker, but you may still
58 provide your comments by email to policy@elections.virginia.gov."

59 At 1:23 P.M., the Chairman opened the floor to public comment. Catharine Trauernicht,
60 participating electronically, was recognized to speak and addressed the Board. Ms.
61 Trauernicht stated, "the proposed regulation is illegal and a front to the honest Virginia
62 voters and it must not stand." She asked whether the amendment would require
63 additional time for public comment and whether the intelligent barcode would indicate

64 when a ballot has moved through the postal service. Secretary LeCruise moved *that the*
65 *Board amend IVAC20-70-20 as proposed in the October 20, 2020, State Board of*
66 *Elections working papers effective October 21, 2020.* Chairman Brink seconded the
67 motion and the motion passed 2-1. A roll call vote was taken:

68 Chairman Brink – Aye

69 Vice Chair O’Bannon – Nay

70 Secretary LeCruise – Aye

71 (October 20, 2020, State Board of Elections continued from the public hearing
72 scheduled at 1:00 P.M.; Chairman Brink directed the next order of business.)

73 The first item on the agenda was the approval of the minutes presented by
74 Secretary LeCruise. Vice Chair O’Bannon moved *that the Board approve the minutes*
75 *from the September 18, 2020 Board meeting.* Chairman Brink seconded the motion and
76 the motion passed unanimously. A roll call vote was taken:

77 Chairman Brink – Aye

78 Vice Chair O’Bannon – Aye

79 Secretary LeCruise – Aye

80 The next item of business was the Commissioner’s Report presented by
81 Commissioner Piper. Commissioner Piper informed the Board that no-excuse absentee
82 voting has been going smoothly. The Commissioner informed the Board that voters are
83 happy to have the option to vote at a time that is convenient for them. Commissioner
84 Piper stated that voters expressed appreciation for the local elections officials’ efforts to

85 ensure voter safety. The Commissioner informed the Board that as of October 19, 2020,
86 there were 812, 000 votes cast in person, 628,000 votes cast by mail, and 1.1 Million
87 absentee ballots requested by mail overall.

88 Commissioner Piper stated that in total, 1.44 Million votes have been cast, which
89 is 34.3% higher than the total turnout in 2016. The Commissioner informed the Board
90 that for the 2016 Election, the total number of absentee ballots cast prior to the election
91 was 566 ballots. Commissioner Piper stated that Virginia is currently averaging about
92 50,000 voters a day. The Commissioner informed the Board that there are 6 Million
93 registered voters this year, whereas, in 2016, there were 5.5 Million registered voters.

94 Commissioner Piper informed the Board that on October 13, 2020, ELECT was
95 unable to accept any voter registration through the citizen portal because a construction
96 crew in Chesterfield County inadvertently cut a fiber cable that disrupted service to
97 multiple Commonwealth of Virginia agency operations, including ELECT and the
98 Department of Motor Vehicles. Commissioner Piper stated that the disruption paused
99 access to the local GR's office, causing them to provide provisional ballots to voters that
100 showed up to vote. The Commissioner stated that the outage was quickly discovered and
101 resolved by 4:00 P.M. that day. Commissioner Piper informed the Board that Governor
102 Northam stated he would support any lawsuit extending the voter registration deadline.

103 The Commissioner stated that shortly thereafter, a lawsuit was presented, and a
104 consent decree was entered to extend the deadline from Tuesday, October 13, 2020;
105 11:59 P.M. to Thursday, October 15, 2020; 11:59 P.M. Commissioner Piper stated that

106 over during that time over 24,000 Virginians registered to vote. The Commissioner
107 informed the Board that Friday, October 23, 2020, is the last day to request an absentee
108 ballot to be sent by mail. Commissioner Piper informed the Board Saturday, October 24,
109 2020, the first Saturday that all voter registration offices must be open for in-person
110 voting. The Commissioner informed the Board that Saturday, October 31, 2020, is the
111 last day to vote early in person.

112 Commissioner Piper stated on Monday, November 2, 2020, an absentee ballot can
113 be requested if a qualifying emergency is presented, and Tuesday, November 3, 2020, is
114 Election Day. The Commissioner stated the polling locations be open from 6:00 A.M. to
115 7:00 P.M. If you are in line at 7:00 P.M., you would be able to vote. Commissioner Piper
116 informed the Board that the General Assembly extended the timeframe for a ballot to be
117 received through the mail. The Commissioner stated that a ballot mailed/postmarked on
118 Tuesday, November 3, 2020, would be counted if received in a local general registrar's
119 office by noon, Friday, November 6, 2020.

120 Commissioner Piper informed the Board that the reporting of Election results
121 would be conducted differently this year than previous years. The Commissioner
122 explained that the various Central Absentee Precincts located around the Commonwealth
123 would count all early absentee ballots cast in person, by dropbox, or by mail.

124 Commissioner Piper stated that on Election Night after the polls have closed, the
125 localities will start to tabulate the results and enter them into ELECT's website. The
126 Commissioner stated the Central Absentee Precincts will be receiving mail in ballots

127 throughout Election night, and have been advised to continue to count/process the
128 absentee ballots from the mail through 11:00 P.M. Commissioner Piper explained that
129 once the mailed absentee ballots and early in-person votes are tabulated, the GRs would
130 upload the result onto ELECT's website.

131 The Commissioner informed the Board that over the next 2 ½ days after the
132 election, the GRs will continue to process the ballots being received. Commissioner Piper
133 informed the Board that some localities will be continuing to process ballots over the
134 weekend due to the processing time it takes to count the ballots. The Commissioner
135 stated that official results have never been provided on Election night, but instead
136 unofficial results. Commissioner Piper informed the Board that Tuesday, November 10,
137 2020, is the last day for localities to complete their canvases and submit their results to
138 ELECT for review. The Commissioner stated that once ELECT reviews the results, the
139 Board will certify them and complete the election. Commissioner Piper informed the
140 Board that the elected candidates will meet on Monday, December 14, 2020, to vote for
141 the President and Vice President. The Commissioner expressed his appreciation to the
142 ELECT staff and Election Officials for all the hard work everyone has been putting forth
143 for this election.

144 The next item of business was the Revised Schedule of Penalties presented by
145 Arielle A. Schneider, Privacy Officer. *This report is in the Working Papers for the*
146 *October 20, 2020 meeting.* Vice Chair O'Bannon moved *that the State Board of Elections*
147 *adopt the revised Schedule of Penalties for the purpose of assessing penalties for*

148 *violations of Stand By Your Ad pursuant to the Code of Virginia § 24.2-955.3(A),*
149 *effective immediately.* Secretary LeCruise seconded the motion and the motion passed
150 unanimously. A roll call vote was taken:

151 Chairman Brink – Aye

152 Vice Chair O’Bannon – Aye

153 Secretary LeCruise – Aye

154 The next item of business was the Stand By Your Ad (“SBYA”) presented by
155 Arielle A. Schneider, Privacy Officer. The first complaint was against Arika Phillips for
156 CCPS School Board. Ms. Schneider informed the Board that one complaint was
157 submitted with four yard signs, one banner, and a flyer. She stated that the violation was
158 made on November 5, 2019, Election Day. Ms. Schneider informed the Board that Ms.
159 Phillips provided a response letter and video informing them of the remedial action taken
160 to correct the signs. She explained that this would be a second time violation for Ms.
161 Phillips and due to the time of the violation, the penalty would be doubled. Vice Chair
162 O’Bannon moved *that the Board subject to the Board’s authority under the Code of*
163 *Virginia §24.2-955.3, to find Arika Phillips in violation of §24.2-956 Stand By Your Ad*
164 *print media disclosure requirements with regard to six print media advertisements, and*
165 *to assess a \$1200 civil penalty.* Secretary LeCruise seconded the motion and the motion
166 passed unanimously. A roll call vote was taken:

167 Chairman Brink – Aye

168 Vice Chair O’Bannon – Aye

169 Secretary LeCruise – Aye

170 The next complaint was against Linda Devito Kuchenbuch Election Campaign.

171 Ms. Schneider informed the Board that there were two complaints submitted with one

172 banner and two yard signs. She explained that the violations were made on November 3,

173 2019, and November 5, 2019, Election Day. Ms. Schneider informed the Board that Ms.

174 Kuchenbuch provided a response and invoice informing them of the remedial action

175 taken to correct the sign. She informed the Board that this would be a first time violation

176 for Ms. Kuchenbuch. Ms. Schneider explained to the Board that the banner was properly

177 disclosed, so there would be no penalty. Secretary LeCruise *moved subject to the Board's*

178 *authority under the Code of Virginia §24.2-955.3, to find Linda Devito Kuchenbuch in*

179 *violation of §24.2-956 Stand By Your Ad print media disclosure requirements with*

180 *regard to two advertisements, and assess a \$25 civil penalty.* Vice Chair O'Bannon

181 seconded the motion and the motion passed unanimously. A roll call vote was taken:

182 Chairman Brink – Aye

183 Vice Chair O'Bannon – Aye

184 Secretary LeCruise – Aye

185 The next complaint was against Floyd Miles. Ms. Schneider informed the Board

186 that there was one complaint submitted for one pamphlet. She informed the Board that

187 this is a first time violation and it did not occur within the 14-day prior to the election.

188 Vice Chair O'Bannon *moved subject to the Board's authority under the Code of Virginia*

189 *§24.2-955.3, to find Floyd Miles in violation of §24.2-956 Stand By Your Ad print media*

190 *disclosure requirements, and assess a \$25 civil penalty.* Secretary LeCruise seconded the
191 motion and the motion passed unanimously. A roll call vote was taken:

192 Chairman Brink – Aye

193 Vice Chair O’Bannon – Aye

194 Secretary LeCruise – Aye

195 The next complaint was against Friends of Virginia. Ms. Schneider informed the
196 Board that there was one complaint submitted for one yard sign. She explained that the
197 violation was made on November 5, 2019, Election Day. Ms. Smith addressed the Board.
198 She explained to the Board that the sign was found in Charlotte County, Virginia and she
199 resides in Prince George, Virginia. Ms. Virginia stated that the sign presented was
200 provided from the first violation, and purposely withheld, and placed out on Election
201 Day. Mr. William Pace addressed the Board. Vice Chair O’Bannon moved *subject to the*
202 *Board’s authority under the Code of Virginia §24.2-955.3, to find Virginia Smith in*
203 *violation of §24.2-956 Stand By Your Ad print media disclosure requirements, and assess*
204 *a \$600 civil penalty.* Secretary LeCruise seconded the motion and the motion passed
205 unanimously. A roll call vote was taken:

206 Chairman Brink – Aye

207 Vice Chair O’Bannon – Aye

208 Secretary LeCruise – Aye

209 The next complaint was against Gilbert A. Smith. Ms. Schneider informed the
210 Board that one complaint was submitted for one pamphlet missing a disclosure. She

211 explained to the Board that there was ambiguity regarding the date when the violation
212 was made. Mr. Smith addressed the Board. He stated that the pamphlet was presented to
213 him at a previous SBYA hearing. Ms. Tammy Alexander addressed the Board, informing
214 them that Campaign Finance received two complaints about the pamphlet, but one missed
215 the previous SBYA meeting deadline. Ms. Schneider informed the Board that there was a
216 postcard in the working paper, but it was removed after learning that there was a
217 disclosure. Secretary LeCruise moved *subject to the Board's authority under the Code of*
218 *Virginia §24.2-955.3, to find Gilbert Smith in violation of §24.2-956 Stand By Your Ad*
219 *print media disclosure requirements, and assess a \$25 civil penalty.* Vice Chair
220 O'Bannon seconded the motion and the motion passed unanimously. A roll call vote was
221 taken:

222 Chairman Brink – Aye

223 Vice Chair O'Bannon – Aye

224 Secretary LeCruise – Aye

225 The next complaint was against Larry Snow. Ms. Schneider informed the Board
226 that one complaint was submitted for one letter missing a disclosure. She explained to the
227 Board that the letter was previously before the Board in 2019 for Spurgeon “Billy” Wade
228 for Greene County Sheriff. Ms. Schneider informed the Board that the letter was
229 sponsored by Larry Snow and not Spurgeon “Billy” Wade. She informed the Board that
230 this is a first time violation and Mr. Snow provided a response apologizing for the error.
231 Vice Chair O'Bannon moved *subject to the Board's authority under the Code of Virginia*

232 *§24.2-955.3, to find Larry Snow in violation of §24.2-956 Stand By Your Ad print media*
233 *disclosure requirements, and assess a \$25 civil penalty.* Secretary LeCruise seconded the
234 motion and the motion passed unanimously. A roll call vote was taken:

235 Chairman Brink – Aye

236 Vice Chair O’Bannon – Aye

237 Secretary LeCruise – Aye

238 The next complaint was against Rob Tyler for Charles City Commonwealth’s
239 Attorney. Ms. Schneider informed the Board that one complaint was submitted for one
240 postcard missing a disclosure. She informed the Board that this is a first time violation
241 made on Election Day. Ms. Schneider stated that Mr. Tyler provided a response
242 apologizing for the oversight. Secretary LeCruise moved *subject to the Board’s authority*
243 *under the Code of Virginia §24.2-955.3, to find Rob Tyler in violation of §24.2-956 Stand*
244 *By Your Ad print media disclosure requirements, and assess a \$25 civil penalty.* Vice
245 Chair O’Bannon seconded the motion and the motion passed unanimously. A roll call
246 vote was taken:

247 Chairman Brink – Aye

248 Vice Chair O’Bannon – Aye

249 Secretary LeCruise – Aye

250 The next complaint was against Southampton County Democratic Committee. Ms.
251 Schneider informed the Board that one complaint was submitted for two sample ballots
252 with an incorrect disclosure. She informed the Board that the violation was made on

253 Election Day. Ms. Schneider informed the Board that the Committee provided a response
254 stating they did not have the budget to do mass copying and was not aware that someone
255 reproduced the sample ballots. Vice Chair O’Bannon moved *subject to the Board’s*
256 *authority under the Code of Virginia §24.2-955.3, to find Southampton County*
257 *Democratic Committee in violation of §24.2-956 Stand By Your Ad print media*
258 *disclosure requirements, and assess a \$400 civil penalty.* Secretary LeCruise seconded
259 the motion and the motion passed unanimously. A roll call vote was taken:

260 Chairman Brink – Aye

261 Vice Chair O’Bannon – Aye

262 Secretary LeCruise – Aye

263 The next complaint was against Tyler House of Delegates. Ms. Schneider
264 informed the Board that one complaint was submitted for two sample ballots. She advised
265 the Board that the sample ballots were distributed on Election Day. Ms. Schneider stated
266 that the sample ballot with “Paid for & Authorized by the candidate” has an incomplete
267 disclosure. Mr. Tyler addressed the Board. He apologized to the Board and asked for the
268 fees to be waived. Mr. Tyler explained that before printing out the sample ballots, Mrs.
269 Tyler went to the GR office in Emporia and was informed that “Paid for & Authorized by
270 Candidate” was acceptable. He stated that they were informed that the information they
271 received from the GR’s office was incorrect. Vice Chair O’Bannon moved *subject to the*
272 *Board’s authority under the Code of Virginia §24.2-955.3, to find Roslyn Tyler, House of*
273 *Delegates in violation of §24.2-956 Stand By Your Ad print media disclosure*

274 *requirements, and assess a \$200 civil penalty.* Secretary LeCruise seconded the motion
275 and the motion passed unanimously. A roll call vote was taken:

276 Chairman Brink – Aye

277 Vice Chair O’Bannon – Aye

278 Secretary LeCruise – Aye

279 The next complaint was against Gayle M. Gilmore. Ms. Schneider informed the
280 Board that one complaint was submitted for one yard sign missing a disclosure. She
281 stated that Ms. Gilmore provided a written response apologizing and included a picture of
282 the corrected yard sign. Ms. Schneider informed the Board this is Ms. Gilmore's first time
283 before the Board. Secretary LeCruise moved *subject to the Board’s authority under the*
284 *Code of Virginia §24.2-955.3, to find Gayle Gilmore in violation of §24.2-956 Stand By*
285 *Your Ad print media disclosure requirements, and assess a \$25 civil penalty.* Vice Chair
286 O’Bannon seconded the motion and the motion passed unanimously. A roll call vote was
287 taken:

288 Chairman Brink – Aye

289 Vice Chair O’Bannon – Aye

290 Secretary LeCruise – Aye

291 The next complaint was against Linwood W. Johnson, III. Ms. Schneider informed
292 the Board that one complaint was submitted for one yard sign. She stated that Mr.
293 Johnson provided a response with an image of the corrected signs. Vice Chair O’Bannon
294 moved *subject to the Board’s authority under the Code of Virginia §24.2-955.3, to find*

295 *Linwood Johnson III in violation of §24.2-956 Stand By Your Ad print media disclosure*
296 *requirements, and assess a \$25 civil penalty.* Secretary LeCruise seconded the motion
297 and the motion passed unanimously. A roll call vote was taken:

298 Chairman Brink – Aye

299 Vice Chair O’Bannon – Aye

300 Secretary LeCruise – Aye

301 The last complaint was against Tony Buffington. Ms. Schneider informed the
302 Board that one complaint was submitted for two signs with incomplete disclosures. She
303 explained to the Board that Mr. Buffington sponsored the advertisement for three
304 candidates running for Town Council in the Town of Purcellville. Ms. Schneider stated
305 that Mr. Buffington provided a response apologizing for the violation and taking full
306 responsibility for the error. Secretary LeCruise moved *subject to the Board’s authority*
307 *under the Code of Virginia §24.2-955.3, to find Friends of Tony Buffington in violation of*
308 *§24.2-956 Stand By Your Ad print media disclosure requirements, and assess a \$25 civil*
309 *penalty.* Vice Chair O’Bannon seconded the motion and the motion passed unanimously.

310 A roll call vote was taken:

311 Chairman Brink – Aye

312 Vice Chair O’Bannon – Aye

313 Secretary LeCruise – Aye

314 Chairman Brink opened the floor to Public Comment. Clara Bell Wheeler
315 addressed the Board.

316 Vice Chair O'Bannon moved *to adjourn the meeting*. Secretary LeCruise
317 seconded the motion and the motion passed unanimously. A roll call vote was taken:

318 Chairman Brink – Aye

319 Vice Chair O'Bannon – Aye

320 Secretary LeCruise – Aye

321 The meeting adjourned at 3:02 P.M.

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323 Chairman

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326 Vice Chair

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329 Secretary

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★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Commissioner's Report

BOARD WORKING PAPERS
Christopher E. Piper
Commissioner



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Certification
Of
General and
Special Elections
November 3,
2020

BOARD WORKING PAPERS
David Nichols
Elections Services Manager



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Chairman Brink, Vice-Chair O'Bannon, and
Secretary LeCruise

From: David Nichols, Elections Services Manager

Date: November 16, 2020

Re: Certification of the November 3, 2020 General and Special Elections

Applicable Code Sections: §§ 24.2-675, 24.2-679, 24.2-680 and 24.2-948.2.

Background: In preparation for this State Board of Elections meeting, at which election results from the 2020 November General and Special Elections will be certified, staff members at the Department of Elections (“ELECT”) complete a number of verification procedures to ensure that all relevant election data entered into the Virginia Election and Registration System (VERIS) by the localities appear to accurately reflect the results of November 2020 General Election (§ 24.2-679). ELECT staff verify that voter turnout and provisional voter turnout values have been entered for each precinct. When voter turnout has not been entered by a locality, ELECT staff ask for the voter turnout to be entered by the locality as quickly as possible. ELECT staff verify that a locality’s abstract vote totals for each candidate thereon match the election results that have been entered into VERIS. When the voter turnout and election results have been entered, ELECT staff run several VERIS election results error check reports to verify the apparent accuracy of the local data entered. When it becomes apparent that a corrected abstract is needed through this error review process, ELECT staff request that the locality complete an amended abstract per § 24.2-675. This verification by ELECT staff positions the State Board to better understand and be confident in the election results reported by each jurisdiction.

ELECT staff brings copies of each locality’s abstract of votes for each office being certified by the State Board. ELECT staff also prepares a written statement document for the Board Members to sign once the abstract totals have been read and confirmed to be accurately reflected on the written statement.

ELECT staff also prepares certificates of elections for those apparent winners. After the election results are

confirmed, the three Members of the State Board sign the certificates of election for each successful candidate.

ELECT staff must review the requirements of § 24.2-948.2, if applicable, before issuing certificates to the successful candidates.

Suggested Motion:

“After reviewing the Abstracts of Votes Cast in the 2020 November General and Special Elections for Electors for President and Vice President of the United States, Member of the United States Senate, Members of the United States House of Representatives, Member of the Virginia House of Delegates, and the votes cast for and against Constitutional Amendment Question One, and Constitutional Amendment Question Two, I move that the Board certify the statements to be correct and sign the statements and certificates of election.”

Offices certified by the State Board of Elections: The 2020 November General and Special Elections included races for fourteen offices and two proposed constitutional amendments, the results of which must be endorsed and subscribed on a certified statement from the State Board of Elections. § 24.2-679.

The offices and referendums certified by the State Board of Elections are:

1. Thirteen Electors for President and Vice President of the United States of America

Elected by votes cast in all 133 cities and counties in Virginia.

2. Member, United States House of Representatives, Congressional District One

Elected by votes cast in:

CAROLINE COUNTY	KING GEORGE COUNTY	PRINCE WILLIAM COUNTY
ESSEX COUNTY	KING WILLIAM COUNTY	RICHMOND COUNTY
FREDERICKSBURG CITY	LANCASTER COUNTY	SPOTSYLVANIA COUNTY
FAUQUIER COUNTY	MATHEWS COUNTY	STAFFORD COUNTY
GLOUCESTER COUNTY	MIDDLESEX COUNTY	WESTMORELAND COUNTY
HANOVER COUNTY	NEW KENT COUNTY	
JAMES CITY COUNTY	NORTHUMBERLAND COUNTY	

3. Member, United States House of Representatives, Congressional District Two

Elected by votes cast in:

ACCOMACK COUNTY	NORFOLK CITY	VIRGINIA BEACH CITY
HAMPTON CITY	NORTHAMPTON COUNTY	WILLIAMSBURG CITY
JAMES CITY COUNTY	POQUOSON CITY	YORK COUNTY

4. Member, United States House of Representatives, Congressional District Three

Elected by votes cast in:

CHESAPEAKE CITY	ISLE OF WIGHT COUNTY	PORTSMOUTH CITY
FRANKLIN CITY	NEWPORT NEWS CITY	SUFFOLK CITY
HAMPTON CITY	NORFOLK CITY	

5. Member, United States House of Representatives, Congressional District Four

Elected by votes cast in:

CHARLES CITY COUNTY	GREENSVILLE COUNTY	SOUTHAMPTON COUNTY
CHESAPEAKE CITY	HENRICO COUNTY	SUFFOLK CITY
CHESTERFIELD COUNTY	HOPEWELL CITY	SURRY COUNTY
COLONIAL HEIGHTS CITY	PETERSBURG CITY	SUSSEX COUNTY
DINWIDDIE COUNTY	PRINCE GEORGE COUNTY	
EMPORIA CITY	RICHMOND CITY	

6. Member, United States House of Representatives, Congressional District Five

Elected by votes cast in:

ALBEMARLE COUNTY	CUMBERLAND COUNTY	LUNENBURG COUNTY
APPOMATTOX COUNTY	DANVILLE CITY	MADISON COUNTY
BEDFORD COUNTY	FAUQUIER COUNTY	MECKLENBURG COUNTY
BRUNSWICK COUNTY	FLUVANNA COUNTY	NELSON COUNTY
BUCKINGHAM COUNTY	FRANKLIN COUNTY	PITTSYLVANIA COUNTY
CAMPBELL COUNTY	GREENE COUNTY	PRINCE EDWARD COUNTY
CHARLOTTE COUNTY	HALIFAX COUNTY	RAPPAHANNOCK COUNTY
CHARLOTTESVILLE CITY	HENRY COUNTY	

7. Member, United States House of Representatives, Congressional District Six

Elected by votes cast in:

AMHERST COUNTY	HIGHLAND COUNTY	ROCKINGHAM COUNTY
AUGUSTA COUNTY	LEXINGTON CITY	SHENANDOAH COUNTY
BATH COUNTY	LYNCHBURG CITY	STAUNTON CITY
BEDFORD COUNTY	PAGE COUNTY	WARREN COUNTY
BOTETOURT COUNTY	ROANOKE CITY	WAYNESBORO CITY
BUENA VISTA CITY	ROANOKE COUNTY	
HARRISONBURG CITY	ROCKBRIDGE COUNTY	

8. Member, United States House of Representatives, Congressional District Seven

Elected by votes cast in:

AMELIA COUNTY	HENRICO COUNTY	POWHATAN COUNTY
CHESTERFIELD COUNTY	LOUISA COUNTY	SPOTSYLVANIA COUNTY
CULPEPER COUNTY	NOTTOWAY COUNTY	
GOOCHLAND COUNTY	ORANGE COUNTY	

9. Member, United States House of Representatives, Congressional District Eight

Elected by votes cast in:

ALEXANDRIA CITY	FAIRFAX COUNTY
ARLINGTON COUNTY	FALLS CHURCH CITY

10. Member, United States House of Representatives, Congressional District Nine

Elected by votes cast in:

ALLEGHANY COUNTY	GILES COUNTY	ROANOKE COUNTY
BLAND COUNTY	GRAYSON COUNTY	RUSSELL COUNTY
BRISTOL CITY	HENRY COUNTY	SALEM CITY
BUCHANAN COUNTY	LEE COUNTY	SCOTT COUNTY
CARROLL COUNTY	MARTINSVILLE CITY	SMYTH COUNTY
COVINGTON CITY	MONTGOMERY COUNTY	TAZEWELL COUNTY
CRAIG COUNTY	NORTON CITY	WASHINGTON COUNTY
DICKENSON COUNTY	PATRICK COUNTY	WISE COUNTY
FLOYD COUNTY	PULASKI COUNTY	WYTHE COUNTY
GALAX CITY	RADFORD CITY	

11. Member, United States House of Representatives, Congressional District Ten

Elected by votes cast in:

CLARKE COUNTY	LOUDOUN COUNTY	PRINCE WILLIAM COUNTY
FAIRFAX COUNTY	MANASSAS CITY	WINCHESTER CITY
FREDERICK COUNTY	MANASSAS PARK CITY	

12. Member, United States House of Representatives, Congressional District Eleven

Elected by votes cast in:

FAIRFAX CITY	FAIRFAX COUNTY	PRINCE WILLIAM COUNTY
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13. Member, United States Senate

Elected by votes cast in all 133 cities and counties in the Virginia.

14. Special election for Member, Virginia House of Delegates, Twenty Ninth District

Elected by votes cast in:

FREDERICK COUNTY

WARREN COUNTY

WINCHESTER CITY

15. Proposed Constitutional Amendment Question 1

Answered by votes cast in all 133 cities and counties in Virginia.

16. Proposed Constitutional Amendment Question 2

Answered by votes cast in all 133 cities and counties in Virginia.



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Public Comment

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Closed Session

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Voter Registration System Security Annual Update

BOARD WORKING PAPERS
Daniel Persico
Chief Information Officer