

STATE BOARD OF ELECTIONS

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

Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

State Board of Elections' Meeting
151 West Street, Suite 200, Annapolis, MD 21401
December 4, 2020 – 2:00 pm
By Video Conference Call
Agenda-Revised 12/2/20

1. Declaration of Quorum Present
2. Additions to the Agenda
3. Approval of Meeting Minutes: August 5, August 7, August 12, August 19, August 28, September 4, September 11, September 24, and October 8.
4. Administrator' Report
5. Assistant Attorney General's Report
6. Approval of Final Regulations – Subtitle 19 – Same Day Registration and Address Change (Public Notice)
7. Approval of Amendments to Bylaws- Baltimore County
8. November 3 Election Discussion
 - a. Member's Remarks
9. Approval of Late Fee Waivers
10. Old Business
11. New Business
12. Approved Speakers
13. Disclosure of Campaign Contributions
14. Schedule Next Meeting
15. Closed Session – Legal Advice and Personnel
16. Adjournment

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

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

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

Announcements & Important Meetings

Board of State Canvassers

Earlier today, the Board of State Canvassers met to certify the results of the 2020 Presidential General Election.

2020 General Election Overview

General Election Statistics

- 4,109,762 voters were eligible to vote.
- Over 3 million voters (3,057,486 or about 74.5%) voted.
- 1,518,989 voters voted and returned a mail-in ballot.
 - 1,685,042 ballots sent to requesting voters.
 - 89% - over 1.5 million - of these voters received their ballots by mail. Almost 164,000 - 9.7% - received their ballots via web delivery.
 - 90% of voters returned a voted ballot. Typically, 78% of voters return a voted ballot.
 - About 2/3 of the mail-in ballots were returned at a ballot drop box.
- 1,538,497 voters (34.71%) voted in person (includes provisional voters)
 - 987,029 voters (24.02%) voted during early voting. The first and third day of early voting were the busiest of the eight days of early voting, and the first day was the busiest early voting day ever. 152,030 votes voted on Day 1, and 150,350 votes voted on Day 3.
 - 439,468 voters (10.7%) voted on election day.
 - Over 112,000 voters cast a provisional ballot.
- The same day registration and address process was well used.
 - 26,568 individuals used the same day registration process during early voting or on election day. This represents a 60% increase from the 2016 General Election data for early voting. Same day registration on election day was new for this election, and over 13,500 individuals used this process to register and vote.
 - 7,311 voters updated their address during early voting.

More data about the election will be available over the next several weeks.

Data Processing Center

The Motor Vehicle Administration (MVA) data center processed more than 171,988 requests for mail-in ballots. Thank you to MVA for hosting local election officials and SBE for this monumental endeavor.

Use of Online Voter Services

Our online services were in high demand in this election. In the two weeks before the voter registration deadline (October 13), over 83,400 transactions were submitted via the online voter registration system. Over 133,000 requests for mail-in ballots were submitted via the online ballot request system between October 6 and October 20. On election day, there were about 370,000 searches on our [voter look-up tool](#) and [vote center locator](#).

Of the voters who received their mail-in ballots via web delivery, 61% of voters downloaded a blank ballot and marked their ballot by hand. The remaining voters used the online ballot marking tool to mark their ballots. These voters either returned their ballots by mail or at a ballot drop box.

Ballot Drop Boxes

Just over 1 million voters (1,031,376) returned their ballots at a ballot drop box.

Safe In-Person Voting

381 individuals served as Health Ambassadors during this election. These individuals were recruited by the Maryland Department of Health (MDH) Maryland Responds - Medical Reserve Corps (MRC) and contributed approximately 9,100 volunteer hours in 27 early voting centers and 98 election day vote centers in Baltimore City and Carroll, Harford, Montgomery, Prince George's, and Worcester Counties. The Health Ambassador volunteers distributed face masks and hand sanitizer to voters as needed, sanitized surfaces, provided health information, and helped voters maintain 6-foot social distancing while waiting in line. We would like to thank the MDH Maryland Responds - MRC for supplying the volunteer support to help Marylanders vote safely in-person in these 6 counties that requested assistance!

Public Awareness Campaign - Highlights and Measurements

The campaign was led by KO Public Affairs with Mission Media, Sandy Hillman Communications, GriebO, Cool and Associates, and Campfire Communications playing critical roles.

Highlights from the 3½ month statewide campaign demonstrate the campaign's reach and voters' interest in the election-related information.

- The digital campaign received 65,849,393 impressions, 870,707 clicks, and 2,417,030 plays of campaign videos (not including the ads viewed on TV).
- 547,868 unique users were directed to SBE's landing page directly from the digital campaign (not including those who may have seen an ad and came back later to the website). The average user remained on the landing page for 0:40 seconds.
- Google Search ads received a click-through-rate of 32.16%, meaning the ads were extremely effective answering user queries and directing them to the [MD Votes webpage](#).
- The campaign included more than 6,000 TV spots (primarily during news and prime-time programming), more than 3,700 radio spots on stations throughout the state, and 104 print ads in publications throughout the state.
- The campaign engaged more than 1900 business, civic, community and faith-based organizations throughout the campaign, providing messaging, social media toolkits and summaries of SBE announcements.
- 28 proactive [press releases](#) were distributed during the campaign to approximately 750 media outlets and reporters generating just over 1400 media placements. Many of these releases were translated into Spanish and distributed to Hispanic media outlets.
- SBE staff participated in over 25 special community events, including webinars and town halls, to inform voters about the election process.
- SBE's videos about mail-in voting were well used. The *Requesting a Mail-in Ballot* video had approximately 13,000 views, and the *Receiving and Returning Your Ballot* video had approximately 7,500 views. Both videos were posted on SBE's YouTube Account.

The campaign delivered several key messages, and there are data points associated with each of those key messages. The key messages and the associated data points are listed below, and the data demonstrate the desired voter response.

- Sharing information about how to register to vote and update existing registrations. This message was delivered in August and September, and voters listened. Typically, voter registration activity peaks around the voter registration deadline in October, but in this election, new voter registrations and updates to existing records peaked in September. Moving the peak earlier gives the local boards more time to process the forms.

- Promoting voting by mail as the safest way to vote in a pandemic. This message resonated with voters as shown by the dramatic increase in the percentage of voters who voted by mail. Almost 1.7 million voters asked for a mail-in ballot, and almost 50% of voters who participated in this election voted by mail. In prior elections, this percentage has been 4-5%.
- Reminding voters to return their mail-in ballots. Typically, 78% of voters who request a mail-in ballot return it. In this election, it was over 90%.
- Informing voters about using a ballot drop box to return voted ballots. Since this is the first election cycle using ballot drop boxes, we only have data from the 2020 Primary Election. In that election, 13% of voters used a ballot drop box to return their ballots. In this election, about two-thirds of voters - over 1 million voters - who received a mail-in ballot used a ballot drop box to return their voted ballot.
- Asking voters who wanted to vote in person to vote early - that is, vote during early voting and vote early during the early voting period. Over 987,000 voters voted during early voting, and over 439,000 voters voted on election day. This is the first election where more voters voted during early voting than on election day. This is also the first election where the two busiest early voting days were early in the voting window (the 1st and 3rd days) rather than the last two days.
- Inform voters about the same day registration and address change process. 26,568 individuals used the same day registration process during early voting or on election day. This represents a 60% increase from the 2016 General Election data for early voting. Same day registration on election day was new for this election, and over 13,500 individuals used this process to register and vote.
- Promoting our [voter look-up tool](#) as a place to find out where to vote and how to track your ballot. Over 370,000 voters used our voter look-up tool on election day. The election day usage is significantly greater than in prior elections. In the 2016 General Election, over 170,000 voters used this tool on election day. In the 2018 General Election, over 200,000 voters used it.

Social Media

There were over 4 million combined views of SBE's Facebook and Twitter platforms. In November, SBE's Facebook page earned 825 likes, 910 new followers, and reached 585,870 people. We published 271 posts¹, and received 400 Facebook private messages sent to SBE for the 2020 General Election. SBE tweeted approximately 1,900 times (including retweets and replies)² and gained 1,373 new followers for 3.221 million total impressions on Twitter for the 2020 General Election.

Voter Support

Email Support: Two main email accounts - info.sbe@maryland.gov and absentee.sbe@maryland.gov - were heavily used. From June 4 to November 20, there were approximately 3,300 email conversations in the absentee.SBE account and 10,500 email conversations in the info.sbe account.

Call Center: The call center service ended on November 25. During the 3 months of handling calls, more than 182,600 calls were processed.

Voting Equipment Performance

Overall our equipment performed well. We will be able to provide a more detailed accounting in our next briefing.

¹ These posts did not include the 18 paid Facebook or Instagram posts or ads purchased as part of the statewide voter education campaign.

² This data excludes retweets of 56 bilingual tweets by Cool & Associates.

Post Election Audits

After each general election, we perform an automated ballot tabulation audit, a manual tabulation audit, and a comprehensive audit of election processes.

Automated Tabulation Audit

The automated audit of ballot images from the 2020 General Election is complete. Before certifying election results, each local board received five reports comparing the voting system's results against the results from the independent tabulation performed by the automated audit software for all ballots cast during early voting, on election day, and all mail in ballots canvassing prior to election day.

These reports showed that:

1. The voting system and audit system tabulated the same number of ballots (cards cast).
2. Any differences between the two systems' results were less than 0.5%.
3. The voting system accurately tabulated the results.

After the completion of the canvasses and prior to the State Board of Canvassers' certification of the election results, all ballot images, including provisional ballots and the remaining mail in ballots, were re-tabulated and a second set of reports were issued. These reports confirmed that the voting system accurately tabulated the ballot images from all canvasses. The comparison reports and automated audit results (generated before we provided the voting system's results) are posted on SBE's website. The public portal of ballot images and reports will be published soon.

Manual Tabulation Audit

On October 23, Nikki Charlson and Tracey Hartman met virtually to randomly select an early voting center for each county with more than one early voting center. (If a county only had one early voting center, that early voting center was selected.) Due to the pandemic, the members of the State Board delegated to Nikki the selection of the early voting centers. We notified each election director of the selected early voting center and provided instructions on how to select a scanning unit in the selected early voting center, generate results for that unit, and secure the results and ballots for the audit.

On November 13, Chairman Michael Cogan, Vice-Chairman P. J. Hogan, Nikki, and Tracey, met to randomly select one election day vote center in each county to audit. We notified each election director of the election day vote center to be audited, and all ballots cast at that election day vote center will be manually audited.

The local boards of elections selected absentee and provisional ballots for the audit. During the absentee and provisional canvasses, the ballots selected for the audit were scanned and results were printed. The results and selected ballots are secured for the audit.

We expect that the local boards will conduct the manual audits in January and February 2021. After all manual audits are completed, SBE will produce a report within 14 days of the conclusion of the last audit.

Comprehensive Audit

Work has begun on the comprehensive audit for the 2020 General Election. Staff is collecting and reviewing various documentation from the local boards to complete their auditing tasks. The Voting System Division reviews data associated with the pre-election logic and accuracy testing, opening times of the election day polling places, reviewing discrepancies between the number of voters

checked in to vote and the number of ballots cast, and performing the voting system verification. Cortnee Bryant is collecting various documentation from the local boards to complete other auditing tasks, including the polling place evaluation forms and ballot accounting forms. Tracey collects the canvassing minutes from each local board and compares information in the minutes against absentee and provisional data in MDVOTERS and the voting system data. New for 2020, Tracey also collects ballot drop box transportation and acceptance logs for randomly selected ballot drop boxes.

Once all of the data is collected and analyzed, each local board receives a report of findings and corrective actions to resolve any findings. A full report for each local board will be completed in the spring.

Voter Registration

MDVOTERS

Welcome Nikodimus (Niko) Kassa to the voter registration team. Niko joins us from the Candidate and Campaign Finance Division and like others in that Division, during this last election took on the extra duty of responding to the overwhelming number of emails. Niko will be working closely performing user acceptance testing for upcoming MDVOTERS releases among other voter registration related responsibilities.

Joint Application Design (JAD)

SBE is planning a JAD meeting for January 25 - 28th. JAD meetings are conducted to prioritize MDVOTERS issues and enhancements for the upcoming calendar year.

User Acceptance Testing (UAT)

UAT is currently underway for the 7.4 MDVOTERS release. This release primarily focuses on issues identified in the candidacy module as well as enhancements.

This release is scheduled to go into production in January of 2021.

MVA Transactions

During October, MVA collected the following voter registration transactions:

New Registration - 6,448 Residential Address Changes - 10,319
Last name changes - 1,147 Political Party Changes - 2,484

During November, MVA collected the following voter registration transactions:

New Registration - 1,583 Residential Address Changes - 3,868
Last name changes - 487 Political Party Changes - 1,066

Non-Citizens

As a result of all resources focusing on election operations, no information is available at this time.

Candidacy and Campaign Finance (CCF) Division

Candidacy - 2022

In less than three months, candidates may begin to file for the 2022 elections. We are undergoing planning and program development for SBE and the LBE's to be ready to accept candidates in late February.

On December 14, the Electoral College meets at the Statehouse. We are working with the Governor's office and Democratic State Party coordinating the event.

Campaign Finance

The contribution disclosure statement was due on November 30 for entities with government contracts of \$200,000 or more and entities that employ a lobbyist and make applicable contributions. Over 90% of the statements were filed timely. Late fees are occurring against the non-filers. The late fee penalty is the same as for political committees; up to \$1,000.

The Presidential Post-General campaign finance report was due on November 17. Nearly 90% of committees filed timely. An individual may not assume elective office if the candidate has failed to file a campaign finance report. Failure to file includes not paying the late fee.

Enforcement

The CCF Division received payment for the following civil penalties:

1. Baltimore City Fraternal Order of Police PAC Fund committee paid \$250.00 on October 7, 2020 for the failure to include an authority line.
2. Friends of Zoran (Z) Stephen Horvat For Judge committee paid \$250.00 on October 7, 2020 for the failure to include an authority line.
3. Friends of Elizabeth (Betsy) Gardner committee paid \$600.00 on October 9, 2020 for the failure to record all contributions and expenditures.
4. Friends of Anthony Robert "Rob" Warren committee paid \$500.00 on October 30, 2020 for the failure to record all contributions and expenditures.
5. Friends of Glen Glass committee paid \$200.00 on October 30, 2020 for the failure to record all contributions and expenditures.
6. Bridgette Johnson for Harford committee paid \$200.00 on November 11, 2020 for the failure to record all contributions and expenditures.
7. Pet Lovers for Effective Advocacy for Maryland's Animals PAC paid \$100.00 on November 12, 2020 for disbursement by unauthorized method - cash greater than \$25.00.
8. Orphans Court for Fred McNeil committee paid \$1,000.00 on November 16, 2020 for the failure to record all contributions and expenditures.
9. Friends of Cindy Rose committee paid \$100.00 on November 25, 2020 for disbursement by unauthorized method - cash greater than \$25.00.
10. Friends of Ryan Turner committee paid \$300.00 on November 19, 2020 for the failure to record all contributions and expenditures.

Project Management Office (PMO)

Operational support for the 2020 General Election is nearly complete with a couple of close-out tasks needing to be completed.

The on-site operations support went very well with a number of individuals recording voter calls and updating and maintaining the Election Operations Support dashboard that was accessed by SBE employees and local board management and staff during early voting and on election day. Frederick County also used the SBE helpdesk application to capture their calls.

Inventory Management

Work with the Department of General Services (DGS) resumed on the active disposal of equipment and supplies located at the Central Warehouse. Disposal includes the auctioning, trashing, recycling, and destruction of equipment and supplies.

Work continued on the inventory recording requirements for the new equipment and supply items received by SBE and the local boards for the general election.

FY2022 Pollbook Project

The PMO continued working on tasks related to the project. They include:

- Having internal and external (e.g., with the Department of Information Technology (DoIT)) information gathering and status meetings.
- Continued to work on the several Major Information Technology Development Project documentation requirements
- The Request for Proposals (RFP) for the pollbook solution was completed and approved by DGS and DoIT for release for responses from vendors. The pre-proposal conference was held on November 30, and the current due date for responses is January 18, 2021.
- Continued work with the pollbook project team on the governance, financial, and technical aspects of the project and the increased involvement of SBE and local board management and staff.

Other

The Central Warehouse team continued to work on a number of activities and events taking place at the facility. Activities and events included:

- Shipping out and receiving back the 292 ballot dropboxes. Upon receipt, quality checks were performed to verify the condition of the boxes before storing them.
- Receiving and shipping of personal protective equipment (PPE) supplies, and
- Managing the equipment from local boards being stored temporarily for storage.

Information Technology and Security

Data Processing Centers

SBE's Information Systems and Technology (IST) Division provided IT management coordination and oversight and network and application security direction and support in setting up three temporary data processing centers (DPCs) throughout the State of Maryland to assist with the processing of mail-in ballot requests using MDVOTERS to insure that ballots were mailed.

The primary DPC was located at the Motor Vehicle Administration (MVA) headquarters and Office of Information Resources (OIR) in Glen Burnie, MD. The MVA DPC processed over 171,988 requests for mail-in ballots. A secondary DPC was configured and reserved at the University of Maryland Global Campus (UMGC) Marriott in Hyattsville, MD to provide a contingency site if the primary site became inaccessible or to expand capacity if needed. The third DPC was established at the request of the Prince George's Board of Elections to increase their MDVOTERS processing capacity.

All three DPCs were taken offline shortly after the deadline for receiving ballot requests.

Email Notifications

IST created a data-driven voter notification process to keep voters informed on their mail-in ballot status. Examples include ballot request processed, ballot request is untimely, ballot received, and ballot has been counted. 4,575,675 of these email notifications were sent during this election to help keep the public informed.

Graphical Information Systems (GIS)

IST utilized several GIS tools to provide easy-to-understand maps to assist board members and staff in the approval of early voting centers, election day voting centers, and ballot drop boxes for this election. Population density data was visually incorporated to help insure coverage.

IST also developed and posted mobile friendly custom google maps to the SBE website to provide location information and driving directions for all Maryland early voting centers, election day voting centers and ballot drop boxes. Visitors to the SBE website viewed these maps a total of 10,427,936 times. Ballot drop box maps were viewed 3,266,015 times. Early voting location maps were viewed 3,702,165 times, and election day locations were viewed 3,459,756 times.

Election Cybersecurity Recap

Threat and vulnerability management and incident response were highly effective. The procedures for both made the real-time implementation of tracking and defense to adapt to constantly changing attack sources and methods go very smoothly.

SBE teams updated defenses in real time, adding detection and blocking for over 2000 new addresses and types of attacks in an 18-hour period, allowing us to detect and respond to active attacks from foreign actors. The SBE use of real-time dashboards at SBE headquarters, data center and security operations center allowed easy response and tracking. SBE also participated in CISA's Election Security Situation Room, which was a helpful tool to communicate and stay up to date with cyber security alerts across the country. Plans also included notification, consultation, and coordination with local and federal partners (CISA, Maryland Coordination and Analysis Center, etc.).

Social Media Defense: The cybersecurity and communications social media defense approach was successful. We focused on monitoring and media response, requesting "take downs" of misinformation only in limited, specific cases (e.g. impersonation, fraudulent activity, serious threats). SBE's response and escalation plans worked very well - these plans also include notification, consultation, and coordination with partners (CISA, Maryland Coordination and Analysis Center, etc.).

Ongoing monitoring by our social media defense vendor (ZeroFox) was extremely helpful and went smoothly. We received regular, helpful updates throughout the day. The vendor analyzed in real time 51,400 posts, 659,300 links, 29,300 social media accounts, and 23,600 images (Maryland had a lower amount of chatter than many other states). The vendor team's integration with, and response to SBE was particularly good, especially in the investigation and monitoring of suspicious activity and misinformation throughout the day.

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Memorandum

To: State Board Members
From: Tracey Hartman
Date: November 20, 2020
Re: Final Adoption of Regulations – Subtitle 19

At the next board meeting, I will present for final adoption the regulation approved for publication at the July 23, 2020 meeting. During that meeting, you adopted identical regulations for emergency status. The emergency regulations were approved by AELR and will expire on December 31. Attached to this memo is the proposed regulation as published in the *Maryland Register* and my July 2020 memo explaining the proposed change. The proposed amendment changes the timeframe of the required public notice of the same day registration process.

The proposed regulation was published in the September 11, 2020, edition of the *Maryland Register* (Vol. 47, Issue 19). The public comment period closed on October 11, 2020. No comments were received.

The specific regulation ready for final adoption at the December 4 meeting is:

1. 33.19.02.01 – Same Day Registration and Address Changes – Public Notice – Minimum Requirements

At the upcoming meeting, I will recommend that the board provide final approval of these regulations. If you have any questions about these regulations before the meeting, please do not hesitate to contact me. I will be at the next meeting to answer any questions.

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Memorandum

To: State Board Members
From: Tracey Hartman
Date: July 9, 2020
Re: Proposed Emergency Regulations – Subtitle 19

At the next board meeting, I will propose emergency changes to Subtitle 19 – Same Day Registration and Address Changes. The proposed emergency amendment changes the timeframe of the required public notice of the same day registration process. At the same time, I will also be submitting the same proposed regulations under the normal promulgation process. The emergency regulations are needed because the normal promulgation process will not be completed by the time the postcards would need to be printed and mailed.

Same Day Registration and Address Changes – Public Notice (33.19.02.01(A))

This amendment changes the requirement for the pre-election mailing to each pre-qualified voter be sent after voter registration but before election day. Moving the timeframe of the mailing to after the close of voter registration will allow the information about the same day registration process to be fresh in the minds of pre-qualified voters.

If you have questions, please don't hesitate to ask. Thank you.

TITLE 33 – STATE BOARD OF ELECTIONS

Subtitle 19 SAME DAY REGISTRATION AND ADDRESS CHANGES

Chapter 02 Public Notice

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-305(d) and (e), 3-306(d) and (e), Annotated Code of Maryland

.01 Minimum Requirements.

A. State Board. [Before] *After* the close of registration for each election, *but prior to election day*, the State Administrator shall send a pre-election mailing to each pre-qualified voter, which shall either:

(1)—(2) (text unchanged)

B. (text unchanged)

LINDA H. LAMONE
State Administrator of Elections

Baltimore County- Amendments to Bylaws

Amendment #1

Article 2- Organization of the Board
Section 2.2 Organization of the Board – Officers
Subsection C- Duties- President

- Addition of text to the duties of the President allowing for other members of the Board as the point of contact for the Election Director:

*“3. Acting as the Board’s primary, **BUT NOT ONLY**, point of contact for the Election Director.”*

Amendment #2

Article 3- Meetings
Section 3.1- Time and Location
Section D- Cancellation of Regular Meeting

- Added requirement that if the President is to cancel a meeting because there is no new business to discuss, that the remaining members of the Board must give unanimous consent:

*“The President may cancel a regular meeting of the Board, **WITH UNANIMOUS CONSENT OF THE REMAINDER OF THE BOARD** if [he or she] **THEY** determine[s] that there is no new business that needs to be shared with or acted upon by the Board.”*

Amendment #3

Article 3- Meetings
Section 3.1- Time and Location
Section E- Special Meetings

- Changes the requirement that only the President can call a special meeting.

*“The President **OR A MAJORITY OF THE BOARD MAKING APPLICATION TO THE PRESIDENT** may call a special meeting.”*

Amendment #4

Article 3- Meetings
Section 3.2- Rules of Order
Section B- Participation in Meetings

- Changes the requirement of in-person meeting attendance, unless requested and approved by the President beforehand, to allow for attendance to be in person, via phone, or via video conference.

“[Participation at meetings should be in person, not via phone or video conferencing. Any request by a member to attend a meeting via phone or video conferencing must be made to

the President.] PARTICIPATION AT A MEETING SHALL BE IN PERSON, VIA PHONE, OR VIA VIDEO CONFERENCE."

These amendments were voted on and approved by the Baltimore County Board of Elections at its July 22, 2020 meeting. Each amendment passed with a 4-1 vote.

SBE Recommendation: Approve

ASSISTANT ATTORNEY GENERAL'S REPORT

December 4, 2020

1. *Fusaro v. Davitt et al.*, No. 20-1879 (U.S.C.A. for the 4th Cir.). Plaintiff Dennis Fusaro brought a complaint in federal court alleging that Maryland violates the First and Fourteenth Amendments by limiting access to the voter list to Maryland voters and only for purposes related to the electoral process. On September 4, 2018, the State defendants' motion to dismiss the complaint was granted, and the plaintiff appealed. On July 12, 2019, the Fourth Circuit vacated the dismissal order, and remanded the case for further proceedings. The parties then conducted discovery and briefed dispositive summary judgment motions. On July 14, 2020, the Court awarded Summary Judgment to the defendants on the issue of whether the "electoral process" requirement was unconstitutionally vague, and declined to reach the issue of whether Maryland's registered voter requirement violates the First Amendment. Plaintiff has appealed to the United States Court of Appeals for the Fourth Circuit, and filed his opening brief on September 22, 2020. On November 23, 2020, the defendants filed their response brief. Plaintiff's reply brief is currently due December 24, 2020. Oral argument has not yet been scheduled.

2. *Johnson v. Prince George's County Board of Elections*, No. CAL16-42799 (Cir. Ct. Prince Georges Cnty.). No change from the last update. This case involves a challenge under the U.S. Constitution and Maryland Constitution and Declaration of Rights to the SBE's alleged failure to provide information and access to voter registration and voting resources to eligible voters detained by the Prince Georges County Department of Correction during the 2016 election. The case had been originally filed in the Circuit Court for Prince Georges County but was removed on the basis of the federal claims asserted by the Plaintiffs. On February 27, 2018, the U.S. District Court for the District of Maryland granted SBE's motion to dismiss the Plaintiffs' federal claims, declined to exercise jurisdiction over the state claims, and remanded the case to the Circuit Court for further proceedings. The parties are awaiting further direction from the court.

3. *National Federation of the Blind, Inc., et al. v. Lamone et al.*, No. 1:19-CV-02228-ELH (U.S. District Court, D. Md.). No change from the last update. On August 1, 2019, the National Federation of the Blind ("NFB"), NFB's Maryland chapter, and three individual plaintiffs filed a lawsuit against the State Administrator and the individual members of the State Board of Elections alleging that SBE's BMD policy has, in practice, violated the rights of voters with disabilities "to an equal opportunity vote in

person by a secret ballot,” in violation of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. Plaintiffs seek an order requiring the State Board “in all future elections to offer BMDs to every in-person voter as the default method of voting, with paper ballots offered only to those voters who affirmatively opt out of using the BMD or in cases where there are long lines of people waiting to vote.” On September 3, 2019, defendants filed a motion to dismiss the complaint, and on September 20, 2019, plaintiffs filed a motion for a preliminary injunction, seeking relief in time for the November 2020 election. On February 10, 2020, the court denied the defendants’ motion to dismiss, and denied the plaintiffs’ motion for preliminary injunction, and the parties proceeded to discovery. On October 6, 2020, the parties filed a joint motion to extend the discovery deadline to December 9, 2020, which was granted by the Court. On November 12, 2020, the parties filed a joint motion to stay the case for 60 days to allow for a focused period of settlement discussions, which was also granted by the Court. The stay is set to expire on January 11, 2021.

4. *Chong Su Yi v. Hogan*, Nos. 480720, 480721, 480722, 480723 (Cir. Ct. Montgomery Cty.). On March 6, 2020, plaintiff Chong Su Yi filed four apparently identical complaints in the Circuit Court for Montgomery County challenging the results of Maryland’s 2018 elections, and naming Governor Larry Hogan as defendant. Specifically, Mr. Chong appears to be arguing that the results are invalid because of the use of religious facilities as polling places, that the State’s use of “scanners” to tabulate ballots is unconstitutional and/or not permitted by federal law, and that the State’s identification of candidates’ party affiliations on the general election ballot is not permitted by State law. The complaints are substantially identical to complaints Mr. Chong filed in 2019, which the court dismissed with prejudice earlier this year. Defendant moved to dismiss the complaints on May 3, 2020. Beginning on May 15, 2020, Mr. Chong filed substantially identical amended complaints in these actions, this time adding the State of Maryland as a Defendant in addition to Governor Hogan. The Defendants have moved to dismiss these complaints, or in the alternative have sought summary judgment on plaintiff’s claims. The Court held a hearing on Defendants’ motions in all four matters on August 25, 2020, and at the conclusion of the hearing granted the Defendants’ motions. On August 26, 2020, the plaintiff filed motions for reconsideration of the Court’s dismissal order. On September 17, 2020, those motions were denied. On October 9, 2020, plaintiff filed notices of appeal to the Court of Special Appeals in each of these matters. No briefing schedule has been set.

5. *Swain et al. v. Slusar, et al.*, No. C-12-CV-20-00757 (Cir. Ct., Harford Cty.). On Tuesday, October 27, 2020, plaintiffs Daniel Swain and Luke Swain filed a

complaint in the Circuit Court for Harford County seeking a statewide injunction against the enforcement of the Governor's order requiring the use of facial coverings as applied to polling places. Over the next few days, plaintiffs amended their complaint several times to include claims that the enforcement of the mask order violated several provisions of the Election Law Article and Health General Article of the Maryland Code, and the Maryland Constitution and Declaration of Rights. On Thursday, October 29, 2020, the Harford County Board of Elections filed an opposition to plaintiffs' request for preliminary injunctive relief. On Friday, October 30, 2020, after a hearing, the Circuit Court denied plaintiffs' request for preliminary relief.

Article from the Sun paper

Not quite old enough to vote, so I worked the polls instead

By Rebecca Nason

When my alarm went off at 5 a.m. on that Saturday morning, I began to question my life choices. “How important is it really for you to do this?” my warm, comfortable bed asked. The freezing bedroom answered with a decisive “not very.” Still, I dragged myself out of bed, knowing that this was, in fact, very important.

I was born on Nov. 12, 2002. I will turn 18 on Thursday — nine days after voting ends in the 2020 general election. Anyone who knows me will tell you that I’ve been complaining for years about the fact that I can’t yet vote, which brings us back to 5 a.m.

Working as an election judge gave me the opportunity to get involved in the process, despite my age. I had studied extra all week to give me Saturday, Sunday and Tuesday — Election Day — off. I had stocked up on snacks to keep me fed from 6 a.m. until 9 p.m. (I had begged my friends to bring me food).

The night before, I felt ready.

The morning of, not so much.

I was working at the scanning machines. Still blinking the sleep out of my eyes, I couldn’t help wondering who I was, as a 17-years-and-356-days-old teen, to be responsible for this vital part of the election process. But I soon realized that I wasn’t responsible alone.

Each election site has two chief judges — one is a Democrat, and one is a Republican. The remaining 33 judges (everyone from the person who greets you at the front door to the person who checks you in to the person who scans your ballot) are a mixture of the parties and extensively trained.

Still, when the first voter walked up to my machine, I was grateful for the mask hiding the nervousness on my face. I made sure not to touch his ballot when I took his voter authority card and stared at the ceiling as he inserted his ballot into the machine — following every rule in the inch-and-a-half thick judges’ manual.

During elections, everything is done meticulously to the point of near-absurdity. The blank ballots are counted in the morning and then again in the evening. Those numbers are matched with the number of voters for each ballot type (there are over a hundred)

and the number of votes on the scanning machine. The votes on the scanning machines are matched with the number of voter authority cards, the numbers at the check-in desk, the number of provisional voters and the number of ballots issued. All these numbers are checked periodically throughout the day by multiple people with different political affiliations. I was just one person in a painstaking electoral process.

“Ah, this is where the ballots get shredded,” a man said. He grinned like it was both funny and original — neither of which was true. Throughout the three days I worked the polls, countless people joked about ballots being trashed, claimed voter fraud and expressed a general distrust in the whole process.

I read the news a lot, and there’s a lot of discussion regarding voter fraud. However, having been a part of the process, I have a lot of confidence in the system’s ability to be fair, nonpartisan and accurate. Anyone who participates in the 15-hour marathon that is working as an election judge in Maryland would probably tell you the same thing.

Working the polls isn’t easy, and at 9 p.m., 15 hours after I arrived that Saturday, I saw the result of our labors. Four tiny receipt-like slips of paper with tiny numbers representing a tiny portion of the decision about the next members of the Board of Education, House of Representatives members, judges and, of course, the president.

The next day I got another result — this time an email from the Department of Health telling me I’d been exposed to COVID-19 while working as an election judge.

Was it really worth it to get out of my warm bed, work for 15-hours straight, being exposed to COVID-19 and having a stick shoved up my nose for a paycheck of just \$195?

Honestly? No.

However, it wasn’t about the money.

It was about the pride on the faces of the elderly couple who’d just become citizens and were voting for the first time. It was about the girl who turned 18 on Nov. 2, the man who had never missed an election in his life, and the mother voting with her four young children.

It was about the man who asked me where the ballots were shredded.

It was about learning to trust the election process by seeing firsthand just how meticulous it is.

Rebecca Nason is a student at Wilde Lake High School. Her email is rbccnason@gmail.com.

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

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Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members
FROM: Jared DeMarinis, Director
Division of Candidacy and Campaign Finance
DATE: December 4, 2020
SUBJECT: Waiver of late filing fees standards

Enclosed are the waiver requests, which were submitted by campaign committees that have been assessed late filing fees. The attached Waiver Request Information Page contains an overview of each committee as well as the Administrator's recommendation for Board approval on granting a waiver request.

In the past the Board has considered the following facts in determining whether just cause exists to grant a waiver.

- Administrative error of any kind on the part of the Division.
- The lateness is due to extenuating circumstances, i.e. physical illness or death in the family.
- The late report is the first late report and allows the committee to close, or contains minimal financial activity.
- The fee will cause undue financial hardship, if the liability of the fine is the personal responsibility of the officers.
- Computer problems occurred which made timely filing impossible. However, the filer still must have demonstrated a good faith effort to timely file.

Prior to the meeting please review each waiver request. Note the recommendations that you may disagree with or have questions on that you would like to discuss.

Pursuant to Election Law Article §13-337 (b) (3), the State Administrator has denied eight waiver request, for the month of December. No Board action is required on the denials. Late fees collected year to date for Late Fee Waivers are \$87,567.00.

Please feel free to contact me at 410-269-2853 if you have any questions.

Waiver Request December 4, 2020

1. Addison, Jackie Citizens to Elect
2. Anderson, Christopher (Chris) 2020 People For
3. Brittingham, Troy Jr. Citizens for
4. Committee to Restore Term Limits
5. Reynolds, Ehren Friends of
6. Roland, Jenna State Senate Campaign Committee
7. Serrette, Cathy H. Friends of Judge

Denied

1. Burroughs, Leo W. Citizens for
2. Carter, Carlton Citizens for
3. Gonzalez, Ivan Friends of
4. Keen, Dawn Citizens for on BOE
5. Maryland Physical Therapy PAC
6. Ottaviani, Tony Friends of
7. Fazenbaker, (Timothy) Tim Citizens for
8. Williams Jr., Duane Friends of

Waiver Request Information Page

General

Account Name	Addison, Jackie Citizens to Elect	
CCF ID:	01013346	Status: Active
Date Established	1/16/20	
Date Waiver Requested	10/8/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Tanisha Estep	Start Date: 1/16/20
Responsible Treasurer		
Current Chairman	Joe Richards	4/28/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		9/05/20		\$280.00
			\$	\$
				Total: \$280.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
8/25/20	\$0	\$510	\$2583	\$0
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Our campaign attempted several times to upload and submit this report at the prescribed period; however, MDCRIS was not operating optimally. After speaking with other campaign managers, I have learned that this experience was not uniquely ours alone.

Division Comments

Grant 1st request.

Administrator's Decision

--



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: 8/25/20 Pre General 1 Report

1 message

ccf sbe -SBE- <ccf.sbe@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Thu, Oct 8, 2020 at 12:07 PM

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

From: **Joe Richards** <joerichardsbmore@gmail.com>

Date: Thu, Oct 8, 2020 at 11:52 AM

Subject: 8/25/20 Pre General 1 Report

To: <ccf.sbe@maryland.gov>

Dear Campaign Finance division;

I appeal to you for waiver of this penalty. Our campaign attempted several times to upload and submit this report at the prescribed period; however, MDCRIS was not operating optimally.

After speaking with other campaign managers, I've learned that this experience was not uniquely ours alone.

I thank you in advance, as I await your response.

Respectfully,
Joe Richards

Waiver Request Information Page

General

Account Name	Anderson, Christopher (Chris) 2020 People For	
CCF ID:	01013317	Status: Active
Date Established	12/30/19	
Date Waiver Requested	10/2/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Ed Berlett	Start Date: 3/25/20
Responsible Treasurer		
Current Chairman	Chris Anderson	12/30/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		8/26/20	\$	\$20.00
			\$	\$
				Total:\$20.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
8/25/20	\$1,428	\$306	\$1,121	\$0
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

It was impossible to get any assistance from your office on the days previous to the filing deadline. It was only possible to leave a message and calls were not returned. 2. I thought I had filed earlier in the day and was just lucky to run into treasurers from other campaigns, They informed me that I should have received confirmation. Knowing that I had not received the confirmation I rushed to complete it. 3. I was still able to get the report filed. If it was late it was only by a few seconds.

Division Comments

Grant

Administrator's Decision

--



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: FIne for People for Chris Anderson

1 message

ccf sbe -SBE- <ccf.sbe@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fri, Oct 2, 2020 at 1:22 PM

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

From: **Edward Berlett** <edberlett@gmail.com>
Date: Fri, Oct 2, 2020 at 1:18 PM
Subject: FIne for People for Chris Anderson
To: <ccf.sbe@maryland.gov>

I have received a letter about a fine for late filing for the People for Chris Anderson 2020 Campaign. CCF ID: 01013317.

There are several reasons this is an unjust charge and should be rescinded.

1. It was impossible to get any assistance from your office on the days previous to the filing deadline. It was only possible to leave a message and calls were not returned.
2. I thought I had filed earlier in the day and was just lucky to run into treasurers from other campaigns, They informed me that I should have received confirmation. Knowing that I had not received the confirmation I rushed to complete it.
3. I was still able to get the report filed. If it was late it was only by a few seconds.

Please cancel this fine.

Thanks

Edward Berlet
Treasurer, People for Chris Anderson 2020

Waiver Request Information Page

General

Account Name	Brittingham, Troy Jr. Citizens for	
CCF ID:	01011335	Status: Active
Date Established	2/03/16	
Date Waiver Requested	9/21/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Angela Brittingham	Start Date: 2/3/16
Responsible Treasurer		
Current Chairman	Troy Brittingham	2/3/16
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/01/20	\$	\$60
			\$	\$
				Total: \$60.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			4/28/20

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I was having technical difficulties which is why the report was late. I stay in a secluded area without good internet. Is there any way to get this waived?

Division Comments

Grant 1st request.

Administrator's Decision

Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Notice to Show Cause Letter for the 4/28/20 Pre Primary 1 Report

1 message

info sbe -SBE- <info.sbe@maryland.gov>

Fri, Aug 21, 2020 at 1:24 PM

To: Victorica Smith -SBE- <victorica.smith@maryland.gov>, Ebony Parran -SBE- <ebony.parran@maryland.gov>

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

From: **Troy Brittingham, Jr.** <troy.s.brittingham@gmail.com>

Date: Fri, Aug 21, 2020 at 11:51 AM

Subject: Re: Notice to Show Cause Letter for the 4/28/20 Pre Primary 1 Report

To: <info.sbe@maryland.gov>

Good Morning,

I was having technical difficulties which is why the report was late. I stay in a secluded area without good internet. Is there any way to get this waived?

Thank you,

On Tue, Jul 28, 2020 at 8:53 AM <info.sbe@maryland.gov> wrote:

To Candidate, Chair, and Treasurer,

This is to notify you that the 4/28/20 Pre Primary 1 Report was received late and that the campaign committee has a late fee assessed for this report.

Attached you will find a copy of the Notice to Show Cause and a hard copy of the bill will be followed up to you in the mail. You can pay over the phone with a credit card if MasterCard or Visa by calling Vicky Smith at 410.269.2871 or Ebony Parran at 410.269.2922.

If you have any questions, please feel free to contact us.

Thank you.

Waiver Request Information Page

General

Account Name	Committee to Restore Term Limits	
CCF ID:	04013245	Status: Active
Date Established	9/23/19	
Date Waiver Requested	10/19/20	
Account Type	Ballot Account	

Officers

Current Treasurer	Warren Sharon	Start Date: 9/23/19
Responsible Treasurer		
Current Chairman	Corryne Carter	9/23/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
10/09/20		10/19/20	\$	\$245
			\$	\$
				Total: \$245.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
10/23/20	80.00	Outstanding	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Today, I received a letter in the mail saying that I had not yet filed my 10/09/20 report and I immediately called Ebony Parran to have her check the system. She guided me through the process again to submit, but it was the same exact process I had already completed on 10/11/20 when I believed the process was complete.

Division Comments

Grant

Administrator's Decision



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Waiver of fees after 10/11/2020 for Committee to Restore Term Limits

1 message

ccf sbe -SBE- <ccf.sbe@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Mon, Oct 19, 2020 at 4:49 PM

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

From: **Warren Sharon** <disneman@gmail.com>
Date: Mon, Oct 19, 2020 at 4:26 PM
Subject: Waiver of fees after 10/11/2020 for Committee to Restore Term Limits
To: <info.sbe@maryland.gov>, <ccf.sbe@maryland.gov>

To whom it may concern,

I am writing to ask that you please waive the extended fees associated with the 10/09/20 reporting for the Committee to Restore Term Limits. I completed the report which consisted of three small transactions and submitted them on 10/11/20, two days late. I went through the entire process of checking both boxes and clicking the "submit" button and was well aware that I would owe \$40 in late fees for the two days I was late.

Today, I received a letter in the mail saying that I had not yet filed my 10/09/20 report and I immediately called Ebony Parran to have her check the system. She guided me through the process again to submit, but it was the same exact process I had already completed on 10/11/20 when I believed the process was complete. In fact, even today on the phone with Ebony, the first two times I clicked the "submit" button, nothing happened. Finally on the third attempt, it processed.

Ebony advised me that I will always receive an email when the report has properly transmitted and that I should write this email to request a waiver of the fees associated with this technical error. I am happy to pay the \$40 for the two days late that I actually was in filing.

Best,

Warren Sharon
Treasurer, Committee to Restore Term Limits

Waiver Request Information Page

General

Account Name	Reynolds, Ehren Friends of	
CCF ID:	01013373	Status: Active
Date Established	1/23/20	
Date Waiver Requested	11/02/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Asha Reynolds	Start Date: 1/23/20
Responsible Treasurer		
Current Chairman	Ehren Reynolds	1/23/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
10/23/20		11/17/20	\$	\$935.00
8/25/20		11/17/20	\$	\$1000.00
				Total: \$1935.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	\$40.00	Paid	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I thought my account was closed with the 4/28/20 report. Our family was hit hard by the COVID 19 virus. My family moved twice during this period to accommodate vulnerable family members and we missed several notifications. The fine would be an enormous burden on my family.

Division Comments

Grant upon closing out the committee.

Administrator's Decision

State of Maryland

Late Fee Waiver Request Form

Instructions: Please print clearly or type. If you assert as the basis for the request that you were personally unable to file the report, please explain why the other responsible parties could not file the report. Please limit your request to this document only. *Requests may only be made by the committee chairman, treasurer or candidate.

Campaign Account Name: FRIENDS OF EHREN REYNOLDS Account Number: 01013373

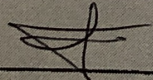
Date of Request: 11/17/20 Total Amount of late fees: \$ 1,935.00

Name of the Requestor(s)*: EHREN REYNOLDS

The Requestor is the: Chairman Treasurer Candidate

Waiver of late fees for the following Campaign Finance Report(s): 2020 PRESIDENTIAL PRE-GENERAL 1
2020 PRESIDENTIAL PRE-GENERAL 2

The basis for the request: I RESPECTFULLY REQUEST A WAIVER, AS THIS ACCOUNT HAS HAD NO ACTIVITY,
AND NO FUNDS HAVE EVER BEEN RAISED FOR IT, SINCE I WITHDREW FROM THE MONT. CO. BOE RACE
IN MARCH 2020. IN JULY 2020, I WAS NOTIFIED THAT I NEEDED TO FILE ONE MORE ALCE,
AND I DID SO, ALONG WITH A \$40 FINE, AND UNFORTUNATELY I DID NOT CHECK THE "FINAL"
BOX, MEANING THAT THE ACCOUNT WAS LEFT OPEN. I HAD MEANT TO CLOSE IT IN JULY 2020.
A FINE OF \$1,935.00 RELATING TO AN ACCOUNT THAT NEVER HAD ANY ACTIVITY, AND WAS
LEFT OPEN IN ERROR, WOULD BE AN ENORMOUS BURDEN ON MY FAMILY, AND BE GROSSLY DISPROPORTIONATE.
I WITHDREW IN MARCH 2020 DUE TO THE INCREDIBLE DISRUPTION OF HAVING TWO SCHOOL-AGED
KIDS (6 AND 4, ONE OF WHOM HAS A DISABILITY MAKING HER VULNERABLE TO COVID), WITH NO SCHOOL TO
SEND THEM TO, AND TWO WORKING PARENTS. MY FAMILY MOVED TWICE DURING THIS PERIOD TO


(Signature)

11/17/20
(Date) ACCOMMODATE VULNERABLE FAMILY MEMBERS

For Board Use Only
Date Rcvd: _____ Date Heard: _____
Verification: _____
Bd. Decision: _____

AND DUE TO ERROR, WE MISSED SEVERAL NOTIFICATIONS THAT THE ACCOUNT WAS STILL OPEN AFTER JULY 2020.
THANK YOU FOR WHAT YOU DO IN SUPPORT OF DEMOCRACY, AND FOR YOUR
CONSIDERATION.

Maryland State Board of Elections
Division of Candidacy and Campaign Finance
P.O. Box 6486 • 151 West Street, Suite 200 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683 • MD Relay 800-735-2258 • www.elections.state.md.us

Waiver Request Information Page

General

Account Name	Roland, Jenna State Senate Campaign Committee	
CCF ID:	01013032	Status: Inactive
Date Established	6/12/18	
Date Waiver Requested	9/16/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Cody Baker	Start Date: 6/12/18
Responsible Treasurer		
Current Chairman	Jenna Roland	6/12/18
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/15/20		1/24/20	\$	\$210.00
			\$	\$
				Total: \$210.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
11/20/18	\$60.00	paid	N/A
10/26/18	140.00	paid	yes

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

It has taken me this long to get back to you due to displacement during COVID 19. I have 2 special needs children that require a lot of attention.

Division Comments

Grant

Administrator's Decision

RECEIVED

SEP 16 2020

STATE BOARD OF ELECTIONS

Mr DeMarinis,

Hello, I hope you are well during this difficult time. I am writing to address campaign finance reports, late fees, and the increasingly concerning messages I am receiving from your office.

I called and spoke to someone there in 2019, after my Campaign Treasurer had abandoned my campaign, and whom I have no further contact or ability to contact, in order to close out my campaign (Jenna Roland State Senate Committee). I closed out my campaign bank account, send the late fee (no receipt was ever mailed), and confirmed it was received and closed out the committee. Over the phone I was told no further steps were required, and in good faith assumed I was finished with my responsibilities towards this. I assumed the first notice I got was by mistake due to it being automatically sent out before all the paperwork was handled. When I received another at the end of the year, I reached back out in early 2020. At this point I was informed that apparently it had NOT been closed out properly, despite assurances the previous year that it had been. While on the phone with the agent, we went through and finished the paperwork to correctly close the campaign.

It has taken me this long to get back to you due to displacement during the Covid lockdown and since. I have two special needs children that currently require all of my time and attention. Wrestling with State benefits, interventions, and medical appointments every day has been difficult without income or unemployment insurance.

I would like to request my current late fees be waived and my campaign closed out, due to these unusual circumstances, and as I have done my best to fulfill all of my obligations. Please contact me if I am going to have to figure out how to pay for the fees without any income, childcare, or child support, while struggling to maintain SNAP benefits to feed my children.

Thank you for your time and consideration.

Jenna Roland

240-671-8139

"JENNA ROLAND STATE SENATE COMMITTEE"

Waiver Request Information Page

General

Account Name	Serrette, Cathy H. Friends of Judge	
CCF ID:	01013166	Status: Active
Date Established	2/14/19	
Date Waiver Requested	9/28/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Karren Onwukwe	Start Date: 2/14/19
Responsible Treasurer		
Current Chairman	Manuel Geraldo	2/14/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		9/10/20	\$	\$485.00
			\$	\$
				Total: \$485.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I filed the incorrect report and did not notice the error.

Division Comments

Grant

Administrator's Decision

LAW OFFICE OF KARREN POPE-ONWUKWE, LLC
P.O. BOX 205
HYATTSVILLE, MARYLAND 20781
301-927-3145

September 28, 2020

**VIA FIRST CLASS MAIL AND
ELECTRONIC MAIL**

MD Board of Elections
Attn: Victoria Molina
P. O. Box 6486
Annapolis, MD 21401-0486

RE: CCF ID: 01013166

Dear Ms. Molina:

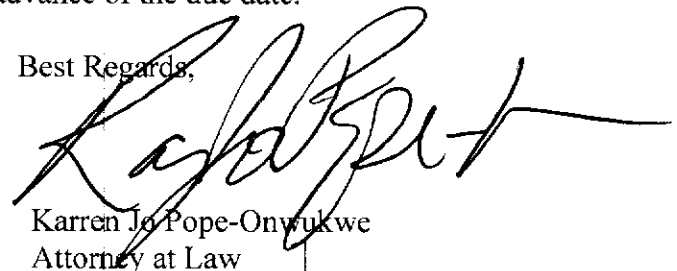
I am writing pursuant to a letter from your office dated September 25, 2020 wherein you request payment of \$485.00 for late fees assessed on the filing of the 08/25/2020 Pre-General1 Report Presidential Report that was due to be filed on or before August 25, 2020. I am requesting that the late fees be waived. Your letter states that the fee must be paid directly from campaign funds. The campaign has no funds. Additionally, as set out below, the campaign believes that were it not for a clerical error the report would have been timely filed.

I have attached a copy of the August 20, 2020 receipt that I received from your office for the 10/23/2020 Pre-General2 Report Presidential Report. Apparently, I filed the incorrect report and did not notice the error and neither did the computer.

I attempted to call your office to dispute the late filing and was unable to contact your office via telephone, finally during an e-mail exchange with your office, I realized what the error was and promptly filed the 08/25/2020 Pre-General1 Report Presidential Report as evidenced by the attached copy of the September 10, 2020 receipt.

My understanding is that our campaign currently has on file an accepted Affidavit for both the 08/25/2020 Pre-General1 Report and the 10/23/2020 Pre-General2 Report which has been filed approximately two months in advance of the due date.

Best Regards,



Karren Jo Pope-Onwukwe
Attorney at Law

CC: CATHY H SERRETTE, CANDIDATE

12150 ANNAPOLIS ROAD, SUITE 314
GLENN DALE, MARYLAND 20769
301-464-9600 * 301-464-9601 (FAX)
www.kpopeatty.com

Waiver Request Information Page

General

Account Name	Burroughs, Leo W. Citizens for	
CCF ID:	01013337	Status: Active
Date Established	1/08/20	
Date Waiver Requested	10/23/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Sylvia Harris	Start Date: 1/08/20
Responsible Treasurer		
Current Chairman	Leo Burroughs	1/08/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		N/A		\$1000
10/23/20		N/A		\$935
				Total: \$1935.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Due to chronic arthritis condition of my treasurer we ask for an extension for 2 weeks to file the report.

Division Comments

Deny report has not been filed.

Administrator's Decision



Victoria Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Request for Reconsideration for Waiver of Late Fees Denial

2 messages

info sbe -SBE- <info.sbe@maryland.gov>
To: Victoria Smith -SBE- <victorica.smith@maryland.gov>

Fri, Oct 23, 2020 at 2:53 PM

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

From: **Leo Burroughs** <citizensforleoboroughs@gmail.com>
Date: Fri, Oct 23, 2020 at 2:48 PM
Subject: Request for Reconsideration for Waiver of Late Fees Denial
To: <info.sbe@maryland.gov>, <linda.lamone@maryland.gov>, <jared.demarinis@maryland.gov>

Pursuant to my telephone conversation with Ms. Victoria Molina on October 13, 2020; I am submitting this request for reconsideration to Jared DeMarinis, Director Division of Candidacy and Campaign Finance, and to Linda H. Lamone, Administrator State Board of Elections. Affidavit of Limited Contributions and Expenditures included.

Note: Please advise me of my appeal options to the Board of Directors, the governor and the courts. Being assessed a \$1140.00 late fee has created a terrible fundraising hardship.

The September 29th letter sent to me by Victoria Smith Molina used the wrong email address (lwbury11@gmail.com). The correct email is lwburj11@gmail.com.

The health challenges of my treasurer and the COVID-19 pandemic were major impediments to the successful conduct and timely efficiency of my campaign responsibilities.

Thank you for your consideration,

Leo W Burroughs, Jr

Campaign Chairperson

2 attachments

CampaignFinance_FeeWaiverRequest.pdf
5074K

Burroughs Affidavit.pdf
677K

info sbe -SBE- <info.sbe@maryland.gov>
To: Vicki Molina -SBE- <vicki.molina@maryland.gov>, Victoria Smith -SBE- <victorica.smith@maryland.gov>

Sat, Oct 24, 2020 at 2:03 PM

[Quoted text hidden]

2 attachments

CampaignFinance_FeeWaiverRequest.pdf
5074K

Burroughs Affidavit.pdf
677K

Waiver Request Information Page

General

Account Name	Carter, Carlton Citizens for	
CCF ID:	01011184	Status: Active
Date Established	9/28/15	
Date Waiver Requested	11/0/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Kamau Harris	Start Date: 3/2/18
Responsible Treasurer		
Current Chairman	Carlton Carter	9/28/15
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20	Yes	9/5/20	\$	\$280.00
			\$	\$
				Total: \$280.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	385.00	outstanding	Yes
1/15/20	210.00	paid	N/A
1/16/19	10.00	Paid	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I Carlton Carter did not run for public office this election cycle, thus having no campaign contributions and the account is depleted. Therefore, I am asking for a Waiver of the 280.00 late fee to be removed from my campaign finance report.

Division Comments

Deny

Administrator's Decision



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Requesting Waiver

2 messages

Ebony Parran -SBE- <ebony.parran@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Mon, Nov 9, 2020 at 3:17 PM

FYI

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

From: **Carlton Carter** <carlton.carter92@yahoo.com>
Date: Mon, Nov 9, 2020 at 2:45 PM
Subject: Requesting Waiver
To: Ebony.Parran@Maryland.gov <Ebony.Parran@maryland.gov>

Good Afternoon Ms. Parran,

I Carlton Carter did not run for public office this election cycle, thus having no campaign contributions and the account is depleted. Therefore I am asking for a Waiver of the 280.00 late fee to be removed from my campaign finance report.

Sincerely,

Carlton Carter
301.832.0968

--

Ebony R. Sherbert-Parran

Maryland State Board of Elections

Division of Candidacy and Campaign Finance

151 West Street, Suite 200, P.O. Box 6486

Annapolis, Maryland 21401-0486

410-269-2922

Waiver Request Information Page

General

Account Name	Gonzalez, Ivan Friends of	
CCF ID:	01013434	Status: Inactive
Date Established	1/24/20	
Date Waiver Requested	10/17/20	
Account Type	Candidate Account	

Officers

Current Treasurer	John Strosia	Start Date: 1/24/20
Responsible Treasurer		
Current Chairman	Ivan Gonzalez	1/24/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		10/15/20	\$1000	\$1000.00
5/22/20		10/15/20	\$1000	\$1000.00
				Total: \$2000.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	1000.00	outstanding	yes

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Please accept my profound apology for the late campaign finance reporting. This is the first time I ran for Mayor and I must say that that reporting for the campaign was very stressful. Myself and my Treasurer did try to figure out the website reporting and found it to be too complicated.

Division Comments

Deny

Administrator's Decision



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Request for waver of fine

1 message

Ebony Parran -SBE- <ebony.parran@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Sat, Oct 17, 2020 at 9:47 AM

FYI:Waiver

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

From: Ivan Gonzalez <i164gonzalez@gmail.com>
Date: Fri, Oct 16, 2020 at 4:05 PM
Subject: Request for waver of fine
To: <Ebony.Parran@maryland.gov>**To:** Maryland State Board of Elections
From: Ivan Gonzalez

To whom it may concern:

Please accept my profound apology for the late campaign finance reporting. This is the first time I ran for Mayor and I must say that that reporting for the campaign was very stressful. Myself and my Treasurer did try to figure out the website reporting and found it to be too complicated.

The YouTube video that is used to assist in the finance reporting is just as complicated as the website. I have called the Board of Elections and have requested to walk into the facility and report "zero" contributions, and I was told that due to the covid-19 pandemic the building is closed.

I at the time have understanding of the closure, and have made additional calls requesting for help. I have requested someone to plug the info in for me because I was disparate to the expiring timeline.

Once I was late, I did speak with a lady at the State board of elections whom I have expressed the hardship of reporting zero percent. She advised that she can send me an email with an attachment for printing the affidavit and mailing reporting. God bless her heart, If it wasn't for her I would be late again.

Once I lost the election, did report the finances (which was always zero) with the paper affidavit, and was under the impression that since I lost, that would end the reporting. Then I get another notification to report the finance before the 23 of October..

Ms. Arron Dennis (SBE) was very nice, helping me out and sending me to Ms.Cindy Thomas from the State Prosecutors Office. And after explaining the continued hardship to Ms. Thomas then referred me to Ms. Ebony Parran who bailed me out and assisted me in completing all the delinquent reports. Thank God for Ms. Parran.

In totality, the website is too complicated and the youtube video is almost impossible to follow. The help only arrived after several phone calls and only limited staff helped me out in good faith. I am requesting to waive the \$2,000.00 fee because the system is not simple enough to do the financial report filing. I am positive I am not the only one with this same hardship. Please waive the \$2000.00 violation fee.

Ivan Gonzalez
443-764-7607

Waiver Request Information Page

General

Account Name	Keen, Dawn Citizens for on BOE	
CCF ID:	01013446	Status: Active
Date Established	1/17/20	
Date Waiver Requested	9/20/20	
Account Type	Candidate Account	

Officers

Current Treasurer	John Keen	Start Date: 9/20/20
Responsible Treasurer		
Current Chairman	Dawn Keen	1/17/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		9/14/20	\$	\$485.00
			\$	\$
				Total: \$485.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	\$245	Waived	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
8/25/20	\$0	\$0	\$ 0	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I expected my treasurer to be more in tune but that was my expectation. It turns out I chose the improper treasurer as she was derelict in her duties. If I could please get a pardon on this, I have my forms all filed and prepared for final closeout.

Division Comments

Deny, committee was granted a waiver for 4/28/20 report.

Administrator's Decision

--

September 20, 2020

Maryland State Administrator of Elections

Mrs. Linsa Lamone or whom it may concern:

Hello. My treasurer missed deadline with my [affidavit of Limited Contributions and Expenditures](#). I expected to not have to re-file it until final closeout. We have not raised more than \$10. I expected my treasurer to be more in tune but that was my expectation. It turns out I chose the improper treasurer as she was derelict in her duties. If I could please get a pardon on this, I have my forms all filed and prepared for final closeout. I do not expect to raise any funds for this campaign beyond the \$9, which I would donate to whatever fund I can to be rid of the duties of this filing. I have since replaced my treasurer and expect to keep abreast of any emails from your board

Thank you for considering the circumstances, especially that of a pandemic with 2 small children and an education emergency. Thank you.

Respectfully,

Dawn Keen

Candidate for School Board, Calvert County

Waiver Request Information Page

General

Account Name	Maryland Physical Therapy PAC	
CCF ID:	03007862	Status: Active
Date Established	3/16/84	
Date Waiver Requested	10/27/20	
Account Type	PAC Account	

Officers

Current Treasurer	Lauren Melito	Start Date: 8/3/20
Responsible Treasurer		
Current Chairman	Mary Miller	7/8/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
10/23/20		10/27/20	\$	\$80.00
			\$	\$
				Total: \$80.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	\$485.00	Waived	
11/27/12	250	paid	

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

The Maryland PT PAC is requesting a waiver of penalty fee for late filing We really appreciate your consideration of our request.

Division Comments

Deny

Administrator's Decision



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Penalty Fee Waiver for Maryland Physical Therapy PAC

1 message

Vicki Molina -SBE- <vicki.molina@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Tue, Oct 27, 2020 at 4:51 PM

Vicki
Victoria Molina
State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401
410.269.2874
vicki.molina@maryland.gov - please note this is my new email address

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

From: **APTA of Maryland** <aptamd@aptamd.org>
Date: Tue, Oct 27, 2020 at 3:22 PM
Subject: Penalty Fee Waiver for Maryland Physical Therapy PAC
To: Vicki Molina <vicki.molina@maryland.gov>

To whom it may concern,

The Maryland PT PAC is requesting a waiver of penalty fee for late filing of \$80. I apologize that we are new to this system and misunderstood what to file. We filed the post vs the pre report.

We really appreciate your consideration of our request.

Lauri

Lauri Jacobson
Executive Director
APTA Maryland

Ph. 800-306-5596
aptamd@aptamd.org

www.aptamd.org

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Waiver Request Information Page

General

Account Name	Ottaviani, Tony Friends of	
CCF ID:	01013411	Status: Inactive
Date Established	1/24/20	
Date Waiver Requested	11/2/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Tanya Ottaviani	Start Date: 1/24/20
Responsible Treasurer		
Current Chairman	Tony Ottaviani	1/24/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		9/11/20	\$	\$535.00
4/28/20		5/11/20	\$	\$350
				Total: \$885.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	350.00	outstanding	yes

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Once COVID hit our lives were turned upside down with having a restaurant and me being a nurse, election stuff was not a priority.

Division Comments

Deny 4/28/20 report referred to OSP

Administrator's Decision

RECEIVED

NOV 02 2020

State of Maryland



STATE BOARD OF ELECTIONS

Late Fee Waiver Request Form

Instructions: Please print clearly or type. If you assert as the basis for the request that you were personally unable to file the report, please explain why the other responsible parties could not file the report. Please limit your request to this document only. *Requests may only be made by the committee chairman, treasurer or candidate.

Campaign Account Name: Friends of Tony Ottaviani Account Number: 0103411

Date of Request: 10/16/20 Total Amount of late fees: \$ 850.00

Name of the Requestor(s)*: Tanya Ottaviani

The Requestor is the: [] Chairman [x] Treasurer [] Candidate

Waiver of late fees for the following Campaign Finance Report(s): Pre Primary 1, Pre Primary 2

The basis for the request:

My husband Tony Ottaviani didn't make it into the general election. We never created a bank account never received donations. I thought I reported pre primary 2. I did try to close out our account. Once Covid hit our lives were turned upside down having a restaurant and me becoming a nurse and kids at home. Anything regarding elections was no longer a priority.

(Signature)

Tanya Ottaviani

(Date)

10/16/20

For Board Use Only
Date Rcvd: _____ Date Heard: _____
Verification: _____
Bd. Decision. _____

Maryland State Board of Elections
Division of Candidacy and Campaign Finance

P.O. Box 6486 • 151 West Street, Suite 200 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683 • MD Relay 800-735-2258 • www.elections.state.md.us

Waiver Request Information Page

General

Account Name	Fazenbaker, (Timothy) Tim Citizens for	
CCF ID:	01013077	Status: Active
Date Established	7/09/18	
Date Waiver Requested	11/18/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Lisa Fazenbaker	Start Date: 7/9/18
Responsible Treasurer		
Current Chairman	Tim Fazenbaker	7/9/18
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		8/31/20	\$	\$1000.00
			\$	\$
				Total: \$ 1000.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	\$60.00	Paid	Yes

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	\$0	\$0	\$ 1,051	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

We believed we had submitted the required report at the time due, but later realized it was the wrong report.

Division Comments

Deny

Administrator's Decision

From: Timothy Fazenbaker/Lisa Fazenbaker

CCF ID# 01013077

To: Board of Elections

Hello,

We received a fine for \$1000 due to an issue with filing a report. We are asking that you please forgive the fine due to my and my husband's/candidate's confusion. We believed we had submitted the required report at the time it was due but later found out it was a prior report that we submitted. We have been trying to remedy the misunderstanding and are requesting a reprieve of the \$1000 fine. This was our first time familiarizing ourselves with a campaign and your reporting system. We have been trying to close this account for approximately one year. We kindly ask if this can be forgiven. We appreciate your time in reviewing our request. Please feel free to reach out to us if you have any questions.

Sincerely

Lisa Fazenbaker/Treasurer

Timothy Fazenbaker/Candidate

Waiver Request Information Page

General

Account Name	Williams Jr., Duane Friends of	
CCF ID:	01013263	Status: Inactive
Date Established	10/23/19	
Date Waiver Requested	10/20/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Arnette Johnson	Start Date: 10/23/19
Responsible Treasurer		
Current Chairman	Duane Williams	10/23/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
8/25/20		10/20/20	\$	\$1000.00
5/22/20		10/20/20	\$	\$1000.00
				Total: \$2000.00

All required notices were sent to this campaign account for the above listed report(s).

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
4/28/20	1000.00		yes
1/15/20	1000.00		yes

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I am writing this letter asking for a waiver of the financial fees for my campaign because I was unaware of a few processes concerning the campaign. I was unaware or did not understand that if you did not take any funds in for your campaign that you still had to file.

Division Comments

Deny

Administrator's Decision



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fwd: Friends of Duane Williams Jr Campaign

1 message

ccf sbe -SBE- <ccf.sbe@maryland.gov>
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Tue, Oct 20, 2020 at 1:09 PM

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

From: **Duane Williams Jr** <duanewilliamsjr11@gmail.com>
Date: Tue, Oct 20, 2020 at 1:08 PM
Subject: Friends of Duane Williams Jr Campaign
To: <ccf.sbe@maryland.gov>

Great afternoon!

I hope all is well and that your families or family is safe and sound in our current conditions.

I am writing this letter asking for a waiver of the financial fees for my campaign because I was unaware of a few processes concerning the campaign. I was unaware or did not understand that if you didn't take any funds in for your campaign that you still had to file. So on today's date October 20, 2020 I completed the affidavit for all dates in connecting with this campaign. I also filed to close out this campaign once I was made aware of the proper protocol for filing. My campaign took in no funds and as a result I dropped out of the race long before we entered into the 2020 year.

Thank you for your concern about this matter and look forward to hearing from you soon. Thank you so much and have a great day.

STATE BOARD OF ELECTIONS

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

Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

November 11, 2020

The Honorable Nicholas R. Kipke
Minority Leader
Maryland House Republican Caucus
6 Bladen Street, Room 212
Annapolis MD 21401

The Honorable Kathy Szeliga
Minority Whip
Maryland House Republican Caucus
6 Bladen Street, Room 212
Annapolis MD 21401

Dear Delegates Kipke and Szeliga:

Thank you for your letter dated November 9, 2020, and the opportunity to share how election results are aggregated and posted on the website and the timeline of posting unofficial results for this election.

The process of generating unofficial election day results starts with a pair of bipartisan election judges. After voting is complete, election judges remove from the scanners the thumb drives with encrypted results. A bipartisan pair of election judges takes the thumb drives to the local board of elections, where the thumb drives are logged in and uploaded into the voting system's central database. (The paper ballots marked by voters are the ultimate back-up to the data on the thumb drives.) Once uploaded, the thumb drives are securely stored at the local board of elections.

In a traditional election, the data from the thumb drives is uploaded into that precinct in the database. Maryland, however, used a vote center model on election day, which meant that the scanners tabulated all ballots from that county. When the thumb drives were uploaded, the database looked for ballots from each precinct in the county. When the database did not see a ballot from a specific precinct in the county, it required the user to manually confirm that it was OK to proceed. This manual confirmation for each precinct without a ballot added several minutes to the upload process for each precinct, as the manual confirmation process could require over 100 clicks to finish transferring the data from one stick. (The typical time to upload a thumb drive is 2-3 minutes, but this process was taking 8-10 minutes in the larger counties.)

While the local boards of elections have performed the manual confirmation when uploading thumb drives used in early voting, it was infrequent because there are fewer early voting centers and more voting days for early voting. This means that it is more likely that there

November 10, 2020

are ballots from all precincts on each thumb drive used during early voting and the manual confirmation is not required.

Late on election night, we contacted the voting system vendor for assistance with this issue, and they shared a process for expediting the transfer of data from the thumb drive to the database. Using this expedited process, local boards returned to the expected transfer time of 2-3 minutes per thumb drive and completed the transfer process on November 4 and 5.

Unofficial election results were posted shortly after the last voting center in the State was closed. These unofficial results were early voting results and results of counted mail-in ballots from all 24 counties. We then started to post results from election day as we received the results from the local boards of elections. Complete but unofficial election day results were posted for 19 counties on November 3.

Unofficial election day results for Anne Arundel County were posted on November 4, and unofficial election day results for Baltimore City and the other three impacted counties – Baltimore, Montgomery and Prince George’s Counties – were posted on November 5.

If you have any additional questions about this process, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Linda H. Lamone".

Linda H. Lamone
State Administrator

cc: The Honorable Lawrence H. Hogan, Jr., Governor of Maryland
The Honorable Andy Harris, United States House of Representatives



MARYLAND HOUSE REPUBLICAN CAUCUS

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MINORITY WHIP

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JAY A. JACOBS, DISTRICT 36

TRENT KITTLEMAN, DISTRICT 9A

SUSAN W. KREBS, DISTRICT 5

ROBERT B. LONG, DISTRICT 6

MICHAEL E. MALONE, DISTRICT 33

NINO MANGIONE, DISTRICT 42B

JOHNNY MAUTZ, DISTRICT 37B

SUSAN K. MCCOMAS, DISTRICT 34B

MIKE MCKAY, DISTRICT 1C

RIC METZGAR, DISTRICT 6

WARREN E. MILLER, DISTRICT 9A

MATTHEW MORGAN, DISTRICT 29A

CHARLES J. OTTO, DISTRICT 38A

NEIL PARROTT, DISTRICT 2A

JESSE PIPPY, DISTRICT 4

TERESA E. REILLY, DISTRICT 35B

APRIL ROSE, DISTRICT 5

SID SAAB, DISTRICT 33

HAVEN SHOEMAKER, DISTRICT 5

BRENDA J. THIAM, DISTRICT 2B

WILLIAM J. WIVELL, DISTRICT 2A

November 9, 2020

Sent via electronic communication

Linda H. Lamone
State Administrator
Maryland Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Administrator Lamone:

As we communicated via email on Wednesday, November 4, we have a number of questions and concerns regarding the delay in counting votes that occurred during this year's Presidential Election.

According to the media reports, and information provided on the Board of Election's website, the vote counting software was not designed for the switch from individual precincts to larger county voting centers necessitating a manual override to tabulate votes. The votes are stored on flash drives before they are counted.

When our office first contacted you, it was nearly 24 hours since polls had closed and the vast majority of votes in Maryland's largest jurisdictions had yet to be counted. Finally, as of the 10:30am update today, all of the votes cast at Maryland's 318 vote centers have been reported. This long delay in counting begs a number of questions about the security and integrity of Maryland's voting system.

First, with regards to the security and integrity of Maryland's elections, the use of flash drives does cause concern. The polls closed at 8:00pm on Tuesday, November 3rd. The remaining votes cast on that day (that were not provisional) were not reported until 10:30am today. How were those flash drives secured over that time period and who had access to them? What would have been the operating procedure had any of those flash drives malfunctioned or gone missing? What, if any, safeguards are in place to prevent tampering with the data on these flash drives?

With regard to the overall process for the 2020 General Election, we are aware that a number of changes had to be made because of the COVID-19 pandemic. Were the complications with the software that necessitated the manual override anticipated in advance? If so, was any attempt made to reach out to the software vendor for solutions to mitigate the issue? If these problems were not anticipated in advance, when were they discovered?

As we are certain you will agree, the security and integrity of our elections is paramount to our democracy. It is an enormous responsibility that we all share. We look forward to your timely, written response to these questions and thank you in advance for your attention to this significant matter.

Sincerely,



Nic Kipke
Minority Leader



Kathy Szeliga
Minority Whip

cc: The Honorable Lawrence J. Hogan, Jr., Governor of Maryland
The Honorable Andy Harris, United States House of Representatives