

1. Announcements & Important Meetings

Personnel

Please join us in welcoming Lisa Hanzook to the auditing department of our Candidacy & Campaign Finance Division at SBE. Lisa comes to us from the Comptroller's Office where she enhanced her knowledge of finance and auditing for four years. She will help candidates and their campaigns to ensure reports are filed timely and monies are recorded correctly. This newlywed and her husband reside on the eastern shore.

U.S. Election Assistance Commission's (EAC) Board of Advisors - 2019 Meeting

As mentioned at last month's meeting, the EAC's Board of Advisors met on April 24th and 25th in Salt Lake City. Linda Lamone and Alysoun McLoughlin, the Deputy Director for the Montgomery County Board of Elections, are members of this board.

Since the agenda of this meeting was substantially similar to the agenda for the Standards Board meeting, the summary Nikki Charlson provided at last month's meeting also summarizes the Board of Advisors' meeting.

League of Women Voters – Kent, Queen Anne's and Mid-Shore Chapters

The Kent County Chapter of the League of Women Voters invited Nikki Charlson to its annual meeting to discuss how Maryland's election officials secure our election systems and data. Approximately 50 individuals, including local election officials from Caroline, Kent, and Worcester Counties, attend this presentation. A copy of a "Letter to the Editor" published in the May 1st edition of the *Kent County News* is included in the meeting folder.

Maryland Association of Election Officials (MAEO) - 2019 Annual Meeting

MAEO's 2019 Annual Meeting is scheduled for May 22nd and May 23rd in Ocean City. Several SBE staff members and Andrea Trento are participating in the conference. We will provide an overview at next month's meeting.

SBE Biennial Conference

SBE's Biennial Conference will be held on Thursday, October 17th at the Crowne Plaza Hotel located at 173 Jennifer Road, Annapolis. Reservation information and a draft agenda will be distributed soon. Attendance is mandatory for board members, board counsel, election directors, and designated staff members unless excused by the State Administrator. If someone cannot attend the conference, the individual must submit to Mary Wagner a waiver request.

Baltimore City - Ransomware Attack

During the afternoon of May 8th, we learned that the Baltimore City government fell victim to a ransomware attack. After speaking with the Baltimore City Board of Elections, we disconnected their access to our network and notified our vendors. Each vendor reviewed its system and equipment looking for any indications of unusual activity, and none were found. We also alerted the local boards to be cautious with emails sent from a Baltimore City email address. We and the employees of the Howard County Board of Elections have processed the City's MDVOTERS work.

Based on recent reports, we understand that it will take up to four weeks for the City to restore access to various City systems. In the meantime, Mary Wagner arranged for employees of the Baltimore City Board of Elections to use computers in Baltimore and

Harford Counties to process MDVOTERS work. SBE will also serve as an alternate site for candidates for Baltimore City offices to file for office.

2. Election Reform and Management

New Social Media Accounts

We are happy to announce that the Baltimore and Cecil Boards of Elections now have Twitter and Facebook accounts. Social media continues to be a main source of information for our voters. Cortnee Bryant works closely with representatives from Twitter, Facebook, and the National Association of State Election Directors to get social media accounts verified.

Survey to Assess the Accessibility of Voting Locations

Cortnee Bryant revised the survey used by the local boards to evaluate a new early voting center or polling place to determine whether the new location is accessible for voters with disabilities. Ms. Bryant worked with Joelle Ridgeway, Director of Disability and Community Services in Anne Arundel County, to ensure the survey included the most recent changes to the federal Americans with Disabilities Act. The improved form will be available to the local boards by the end of May.

Informational Videos

Cortnee Bryant has been working on numerous informational videos to assist voters and election judges. Currently, she is working on a series of absentee videos, including how to complete the request for an absentee ballot for military and overseas voters, domestic voters, and college students and how to use the online ballot delivery system. Ms. Bryant will also be working on interactive videos for election judges. Finally, she will be working on an informational video showing voters what to expect when they vote during early voting or on election day.

Election Judges' Manual

Erin Perrone received from the local boards minimal edits to Chapters 1 through 4 of the Election Judges' Manual. Chapters 1 through 4 cover basic information, such as the dates and times of the election, how election judges should interact with voters with disabilities and cross-cultural communication, and the roles and responsibilities of election judges. These chapters will be sent to SBE's Assistant Attorney General for approval and then posted to our Online Library for the local boards to begin customizing. Work on the remaining chapters continues and must be posted to the Online Library by the beginning of September so that local boards can customize the chapters, submit them to SBE for approval, and then begin printing for training classes.

Senate Bill 364 - Election Law - Election Day Page Program - Establishment

During the 2019 Legislative Session, SB364 was passed. SB364, now Chapter 468 requires SBE to establish an Election Day Page Program, develop and implement a training program for use by the local boards, and adopt regulations. The Page Program is for 14 and 15-year old students who are interested in assisting a local board and election judges in performing duties in a polling place on election day. Erin Perrone is working with a number of local boards who already have young persons assisting election judges on election day to formulate the training program and regulations.

Post-Election Tabulation Audit Legislative Report

In accordance with § 2-1246 of the State Government Article, we submitted to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee a report that describes the resources required to complete the audit required

under this Act following the 2018 General Election. The report includes the amount of time, the number of personnel required, and any other costs incurred by SBE or the local boards of elections to complete the audit. The report also lists other administrative obstacles to completing the audit. A copy of the report is in the board members' meeting folder, and a PDF of the report can be found by clicking on "Ballot Audit Plan" under the "Hot Topics" side menu on SBE's website.

3. Voter Registration

MDVOTERS - Joint Application Design (JAD) session

We want to thank all that participated in the recent two-day JAD session. Issues were prioritized and assigned to upcoming software releases.

MVA Transactions

During the month of April, MVA collected the following voter registration transactions:

New Registration - 11,773	Residential Address Changes - 19,191
Last name changes - 2,238	Political Party Changes - 5,728

Non-Citizens: This will be updated next month.

Submitted to the Office of the State Prosecutor – 0

Removal of non-citizens – 11

Removal of non-citizens who voted - update to come

Removal of non-citizens who voted multiple times - update to come

Non-citizens forwarded to the Office of the State Prosecutor – update to come

Non-citizens reported by Immigration & Customs Enforcement – 0

Change in status from Office of the State Prosecutor - 0

4. Candidacy and Campaign Finance (CCF) Division

Candidacy

The 2020 candidate filing period opened in February. Currently, 16 candidates have filed at SBE for the 2020 election cycle.

Campaign Finance

The Contribution Disclosure Statement is due on May 31, 2019, for persons doing public business and persons who employ a lobbyist and make applicable contributions. Over 810 statements were filed in November 2018. Since the last report was due, 45 new businesses have registered.

Since October 1, 2017, governmental entities are required to forward on a quarterly basis contact information for any vendors with contracts of \$200,000 or more to SBE. SBE receives quarterly information from only a few governmental entities, notably the Office of the Secretary of State, Montgomery County Pensions System, and the Maryland State Retirement and Pension System.

Enforcement Actions

The CCF Division received the payments for the following civil penalties:

1. Palko, Barb 4 CCBOE paid a civil penalty of \$ 50.00 on 04/23/2019 for failing to maintain a campaign bank account.
2. Osorio, Dalbin 4MoCo Council paid a civil penalty of \$ 100.00 on 04/18/2019 for making a cash disbursement greater than \$25.00.

3. Gannon, (Holton) Joe Friends of paid a civil penalty of \$ 100.00 on 04/04/2019 for making a cash disbursement greater than \$25.00.
4. Taylor, Rodney C. Citizens for paid a civil penalty of \$ 100.00 on 04/26/2019 for making a cash disbursement greater than \$25.00.

5. Project Management office (PMO)

Inventory Management

The FY2019 Annual Inventory Audit for equipment and supplies continues at SBE and at the local boards. June 30th is the deadline for everyone to complete their inventory audit. At present, 63.79% of equipment and supplies across the state have been inventoried. This includes the 14 local boards that are 100% compliant with their inventory audits.

Additional Space

The PMO continued coordinating and scheduling work with the additional office space in addition to the work that is required in the existing office space per the newly signed lease.

6. Voting System

Electronic Pollbooks

SBE continues to work with ES&S on the software update for the implementation of same day registration on election day and have finalized the specifications. We are still looking to have a testable version of the updated software in late summer, with an intermediate release to demonstrate update screenshots for election judges' documentation.

Electionware Update

SBE continues the planning process for a possible software and firmware upgrade that will include all components of the voting system. SBE received a beta version on May 1st, for review and familiarization - including updates to the ballot scanners and the ballot marking device. ES&S has submitted the software to the voting system testing lab for examination for federal certification.

ASSISTANT ATTORNEY GENERAL'S REPORT

May 16, 2019

1. *Benisek v. Lamone*, No. 1:13-cv-03233 (U.S. District Court, D. Md.). No change from the last update. This case involves claims that the State's congressional districting map is an unconstitutional political gerrymander. On November 7, 2018, the court granted the plaintiffs' motion for summary judgment, denied that of the defendants, and awarded judgment to the plaintiffs. Defendants appealed to the Supreme Court, and the ruling was stayed during the pendency of the appeal. On March 26, 2019, the appeal was argued to the Supreme Court, which should rule on the appeal by the end of June 2019.

2. *Fusaro v. Davitt et al.*, No: 1:17-cv-03582 (U.S. District Court, D. Md.). No change from the last update. 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. The Fourth Circuit heard argument on the appeal on March 20, 2019. The court has not yet ruled.

3. *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.

4. *Barber v. Maryland Board of Elections*, No. C-02-CV-17-001691 (Cir. Ct. Anne Arundel Cnty.) No change from the last update. On January 25, Ms. Barber appealed from the Circuit Court's January 11 dismissal of her complaint. Ms. Barber sought damages and judicial review of, among other things, the State Board's decision not to issue a declaratory ruling permitting her to use campaign funds to pay for litigation costs she incurred in her unsuccessful attempt to retain her position as an administrative

law judge in the District of Columbia. Ms. Barber was ruled ineligible for that position due to her candidacy in 2016 for Judge of the Circuit Court for Prince George’s County, Maryland. The appeal is fully briefed, and on December 18, 2018 the Court of Special Appeals ordered that the appeal would be adjudicated without oral argument.

5. *Judicial Watch v. Lamone*, No. 1:17-cv-02006-ELH (U.S. District Court, D. Md.). This case involves the denial of access to Maryland’s voter registration database. Under Maryland law, access to the voter registration list is limited to Maryland registered voters and only for non-commercial, election-related uses. Judicial Watch—an elections watchdog group located in Tennessee—requested Maryland’s voter registration “database” and was denied because it was not a Maryland registered voter. Judicial Watch filed suit, arguing that the database was required to be disclosed under the federal National Voter Registration Act. On April 24, 2019, Judicial Watch filed a reply in support of its motion for summary judgment. On May 8, 2019, the defendants filed a reply in support of their cross-motion for summary judgment. The motions for summary judgment are now fully briefed.

6. *The Washington Post, et al. v. McManus, et al.*, No. 1:18-cv-02527 (U.S. District Court, D. Md.). This case presents a First Amendment challenge by a coalition of newspaper publishers that maintain an online presence to certain provisions of the recently-passed Online Electioneering Transparency and Accountability Act (the “Act”). On January 4, 2019, the district court granted the plaintiffs’ motion for preliminary injunction on the ground that the plaintiffs’ “as applied” constitutional challenge to the statute was likely to succeed. On February 2, 2019, the defendants appealed that ruling to the Fourth Circuit. On April 12, 2019, the defendants filed their opening appellate brief. On April 19, 2019, the Campaign Legal Center and Brennan Center for Justice filed *amicus curiae* briefs in support of the appellants. The plaintiffs’ response brief is due May 31, 2019.

7. *Segal v. Maryland State Board of Elections*, No. 1:18-cv-2731 (U.S. District Court, D. Md.). No change from the last update. On September 5, 2018, Jerome Segal filed a complaint seeking a preliminary and permanent injunction requiring the State Board of Elections to accept the petition filed in support of the creation of the Bread and Roses party, and to include plaintiff’s name on the general election ballot as the Bread and Roses Party’s nominee for the U.S. Senate contest. On September 18, 2018, the court denied plaintiff’s requested preliminary injunction, on October 11, 2018 the court of appeals affirmed that ruling, and on November 14, 2018, the court of appeals denied plaintiff’s request for *en banc* review. On January 4, 2019, the district court

ordered plaintiff to submit a status report by January 18, 2019, indicating if the case can be dismissed as moot. The court reissued the order on April 9, 2019.

8. *Johnston, et al., v. Lamone*, No. 18-cv-3988-ADC (D. Md.). No change from the last update. On December 28, 2018, the Libertarian Party of Maryland (the “Party”) and its Chairman, Robert Johnston, filed a lawsuit alleging that the statutory scheme governing the official recognition of minor parties in Maryland, as applied to the Party, was unconstitutional in at least two ways. They alleged that the scheme violates their First Amendment speech and association rights by requiring the Party to undertake the petition process to re-obtain formal recognition under State law, when there are already over 22,000 Maryland voters currently registered as Libertarians. They also alleged that the standard by which Maryland verifies petition signatures is unconstitutionally strict, in that it requires the rejection of signatures of known Maryland voters due to technical noncompliance with the statutory standard. Plaintiffs moved for a preliminary injunction, which was denied at a hearing on January 31, 2019. Subsequently, the defendant filed a motion to dismiss, which is fully briefed and pending before the court.

9. *Phukan v. Maryland State Board of Elections*, No. C-2-CV-19-000192 (Cir. Ct. Anne Arundel Cnty.). On January 23, 2019, Anjali Reed Phukan, who was the Republican nominee for Comptroller in the 2018 election, filed a lawsuit against the State Board of Elections seeking a writ of mandamus directing the State Board of Elections to decertify Comptroller Peter Franchot’s campaign committee, an injunction requiring Mr. Franchot and his campaign committee to file corrected campaign finance reports, a declaratory judgment that Ms. Phukan is entitled to examine the documentation supporting any corrected campaign finance reports that Mr. Franchot or his committee files, and a declaratory judgment that Ms. Phukan be issued the oath of office as Comptroller and be awarded back pay and the costs of suit, should Mr. Franchot or his committee fail to file corrected campaign finance reports. On March 22, 2019, the defendant filed a motion to dismiss the complaint. On April 5, 2019, the plaintiff filed an opposition to the motion to dismiss, and a motion for summary judgment. On April 15, 2019, the court granted the defendant’s motion to dismiss and dismissed the complaint with prejudice. On April 24, 2019, Ms. Phukan filed a motion to vacate the court’s dismissal order and a motion for a new trial.

10. *Women Against Private Police, et al. v. State Board of Elections*, No. C-2-CV-19-001327 (Cir. Ct. Anne Arundel Cnty.). On April 29, 2019, plaintiffs Women Against Private Police and its chairperson, Jillian Aldebron, filed a complaint for judicial review and declaratory judgment against the State Board of Elections and the

Administrator of Elections regarding an advance determination issued by Administrator as to the sufficiency of the format of a proposed petition seeking to place that portion of SB 793, the Community Safety and Strengthening Act, authorizing Johns Hopkins University to establish a private police force, to the voters at referendum. The defendants have filed a motion to dismiss. That motion will be argued May 21, 2019. The plaintiffs have filed a motion for summary judgment, a brief on the merits of their petition for judicial review, and a motion for preliminary injunction, to which the defendants' responses (if the case is not dismissed) will be due May 23, 2019. The merits hearing, as well as the hearing on plaintiffs' motions for summary judgment and preliminary injunction (again, if the case is not dismissed), will take place on May 28, 2019.

STATE BOARD OF ELECTIONS

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

David J. McManus, Chairman
Patrick J. Hogan, Vice Chairman
Michael R. Cogan
Malcolm L. Funn
Kelley Howells



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members
FROM: Jared DeMarinis, Director
Division of Candidacy and Campaign Finance
DATE: May 16, 2019
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 one waiver request, for the month of April. No Board action is required on the denials. Late fees collected year to date for Late Fee Waivers are \$44968.42

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

Waiver Request

1. Goldberg, Scott Friends of
2. Lipscomb, Lauren Friends of
3. Young, Calvin Supporters of

Denied

1. Bagley Jr., Charles D. Friends of
2. Mincey Thompson, Rochelle Citizens for

Waiver Request Information Page

General

Account Name	Goldberg, Scott Friends of	
CCF ID:	01012029	Status: Active
Date Established	11/14/17	
Date Waiver Requested	5/07/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Andre Smotherman	Start Date: 11/14/17
Responsible Treasurer		
Current Chairman	Scott Goldberg	11/14/17
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior Waiver and fees
1/16/19		4/18/19	\$500	\$500	
			\$	\$	
					Waived
					Reduced
				Total: \$500.00	Referred OSP

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

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
1/16/19	\$0	\$0	\$1,086	\$0
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Upon reviewing the report we discovered we filed the 2020 report instead of the 2019

Division Comments

Grant

Administrator's Decision

May 7, 2019

Maryland State Board of Elections
P.O. Box 6486
Annapolis, MD 21401

Friends of Scott Goldberg
706 Guilford St.
Silver Spring, MD 20901

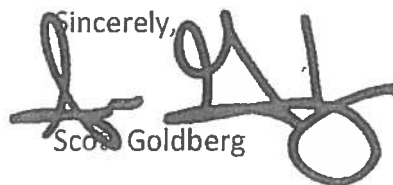
Dear Maryland State Board of Elections,

We recently received a letter dated April 18, 2019 advising that the Board had not received the 2019 Annual Report that was due on or before January 16, 2019. Our committee was reasonably confident that the Report had been submitted and we began to research the matter.

Upon reviewing all the filed reports for this campaign finance committee, we discovered that the Annual 2020 report was filed instead of the Annual 2019 report. This was purely an administrative error. At this time, we are seeking both the Board's guidance in amending the report or remedying the filings to be in compliance as well as reducing the \$500 fine to the amount that would be due when the Report was filed on January 23, 2019.

We are happy to take any action that you recommend and apologize for the inconvenience. Please feel free to contact us with question and/or resolutions to this matter.

Sincerely,



Scott Goldberg

Waiver Request Information Page

General

Account Name	Lipscomb, Lauren Friends of	
CCF ID:	01012377	Status: Active
Date Established	2/5/18	
Date Waiver Requested	4/24/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Tara Taylor	Start Date: 2/05/18
Responsible Treasurer		
Current Chairman	Adam Shuster	2/05/18
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior Waiver and fees
1/16/19		4/18/19	\$500	\$500	
			\$	\$	
					Waived
					Reduced
				Total: \$500.00	Referred OSP

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

Recent Financial Activity History

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

Reason for Waiver

Our committee has been inactive since August, for some reason we missed notification of the January deadline, we are requesting a waiver.

Division Comments

Grant

Administrator's Decision



Ebony Parran -SBE- <ebony.parran@maryland.gov>

Fwd: Friends of Lauren Lipscomb

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

Wed, Apr 24, 2019 at 2:15 PM

Sent from my iPhone

Begin forwarded message:

From: Lauren Lipscomb <lrlipscomb2009@gmail.com>
Date: April 18, 2019 at 12:37:04 PM EDT
To: ebony.parran@maryland.gov
Cc: Adam Shuster <ashuster2009@gmail.com>
Subject: Friends of Lauren Lipscomb

Good afternoon Ms. Parran -

This morning, I received an email that our committee has been fined for reporting non-compliance. Our committee has been inactive since August and we have filed an affidavit. For some reason, we missed notifications that there was a deadline in January and this morning was the first notice received. This morning, the committee filed the affidavit. We are writing in hopes that we are able to obtain a waiver for some of the fees facing us which total \$500. We are also having a difficult time determining how to deactivate the committee, we will call separately for advice in that area.

Thank you in advance,
Lauren Lipscomb and Adam Shuster, Chair

RECEIVED

APR 25 2019

STATE BOARD OF ELECTIONS

Waiver Request Information Page

General

Account Name	Young, Calvin Supporters of	
CCF ID:	01011153	Status: Active
Date Established	7/08/15	
Date Waiver Requested	4/18/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Lisa Portee	Start Date: 7/08/15
Responsible Treasurer		
Current Chairman	Calvin Young	7/08/15
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior Waiver and fees
6/15/18		6/22/18	\$130	\$130	1/20/16-\$10 paid
			\$	\$	1/18/17 \$80 paid
					Waived
					Reduced
				\$Total:	Referred OSP 8/30/16

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

Recent Financial Activity History

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

Reason for Waiver

Per OSP we have determined that prosecution is not warranted.

Division Comments

Grant

Administrator's Decision

STATE OF MARYLAND



Emmet C. Davitt
STATE PROSECUTOR

OFFICE OF
THE STATE PROSECUTOR

Hampton Plaza
Suite 410
300 East Joppa Road
Towson, MD 21286-3152
Telephone (410) 321-4067
Fax (410) 321-3851

April 8, 2019

Jared DeMarinis
Director - Division of Candidacy and Campaign Finance
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Re: Supporters of Calvin Young, CCF ID: 01011153
OSP File No.: 19-5540

Dear Mr. DeMarinis:

Based on our review of the file, we have determined that prosecution is not warranted for the failure to timely and accurately file campaign finance report(s) and pay the associated late fee(s) as the 2018 Gubernatorial Pre-Primary 2 campaign finance report has been filed and the late fees of \$130.00, for said violation is *de minimis*.

Please feel free to contact me with any questions.

Sincerely,

Stephannie Krulevitz
Stephannie Krulevitz
Assistant State Prosecutor

RECONSIDERATION Waiver Request Information Page

General

Account Name	Bagley Jr., Charles D. Friends of	
CCF ID:	01012492	Status: Active
Date Established	2/23/18	
Date Waiver Requested	4/26/19	
Account Type	Candidate Account	

Officers

Current Treasurer		Start Date: 2/23/18
Responsible Treasurer	Ralph Lusk	
Current Chairman	Roger Olsen	2/23/18
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior Waiver and fees
1/16/19			\$90	\$90	
11/20/18			\$400	\$400	
					Waived: 10/26/18
					Reduced
				\$Total:490	Referred OSP

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

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
1/16/19	\$0	\$0	\$265	\$0
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

Officers misfiled the 11/20/18 report and filed the 1/16/19 late.

Division Comments

Denied

Administrator's Decision

RECEIVED

APR 26 2019

2nd Reconsideration

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 Charles D Bagley Jr Account Number: 0112492

Date of Request: 4-26-19 Total Amount of late fees: \$ 490⁰⁰

Name of the Requestor(s)*: Charles D. Bagley Jr.

The Requestor is the: Chairman Treasurer Candidate

Waiver of late fees for the following Campaign Finance Report(s): 2019 Annual
2018. Post General Report

The basis for the request: 2nd. Reconsideration. - In addition to
my Chairman + Treasurer misfiling the 2018. Post
General Report; as well as filing a Late 2019 Annual
Report - they have both quit, and will no longer have
anything to do with the campaign. I'm trying to
close to account, The bank account has been closed
with a zero balance, no surplus and no loan. I
Have no problem. Paying whatever fine that's due
I just want the former Chairman + Treasurer
to stop being harassed. And the Campaign Acct closed.

Charles D Bagley Jr.
(Signature)

4/26/19
(Date)

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	Mincey Thompson, Rochelle Citizens for	
CCF ID:	01011990	Status: Active
Date Established	10/26/17	
Date Waiver Requested	4/18/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Kay Mincey	Start Date: 10/26/17
Responsible Treasurer		
Current Chairman	Rochelle Thompson	10/26/17
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior Waiver and fees
1/16/19			\$20	\$20	
			\$	\$	
					Waived 10/26/18
					Reduced
				\$Total:\$20	Referred OSP 8/28/18, 6/15/18, 5/22/18

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

Recent Financial Activity History

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

Reason for Waiver

I'm requesting a waiver of fee for this, as I went on line and it was filed.

Division Comments

Denied

Administrator's Decision



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

Fwd: Notice to Show Cause for the report due 1/16/2019 Annual

1 message

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

Thu, Apr 18, 2019 at 10:23 AM

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

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

From: **Rochelle Mincey-Thompson** <rochelleminceythompson@gmail.com>

Date: Thu, Apr 18, 2019 at 10:13 AM

Subject: Re: Notice to Show Cause for the report due 1/16/2019 Annual

To: info.sbe@maryland.gov <info.sbe@maryland.gov>

Good morning,

I'm request a waiver of fees for this, as I went online to close out the account and it was filed.

If there is anything missing, I will be glad to update. I can not sustain paying any more fees to the State of Md for this campaign.

Please advise.

Rochelle

On Thursday, April 18, 2019, <info.sbe@maryland.gov> wrote:

To Candidate, Chair, and Treasurer,

This is to notify you that the 1/16/2019 Annual Report was not filed and that the campaign committee has late fees assessed for this report.

Attached you will find a copy of the Notice To Show Cause and a hardcopy of the bill will be followed up to you in the mail. You can call and pay over the phone with a credit card if MasterCard or Visa.

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

Division of Candidacy and Campaign Finance
410.269.2880
info.sbe@maryland.gov

STATE BOARD OF ELECTIONS

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

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Administrator

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Memorandum

TO: State Board Members
FROM: Jared DeMarinis, Director
Division Candidacy and Campaign Finance
SUBJECT: Administrative Closure of Campaign Accounts
DATE: May 16, 2019

Pursuant to §13-313 of the Election Law Article, the State Board has the authority to administratively close a political committee upon determination that good cause exists and when other criteria are met:

1. The campaign finance entity could be terminated under §13-309 (b) (4) of this subtitle except for the existence of one or more outstanding obligations and each of those obligations is more than 5 years old;
2. No responsible officer currently is appointed and serving; or
3. Other extenuating circumstances exist to justify terminating the campaign finance entity.

(b.) The termination of a campaign finance entity under this section does not limit the right of:

- (1) The State Board, or the State Prosecutor or the State's Attorney, to pursue an enforcement action against the former responsible officers of, or any candidate formerly affiliated with, the campaign finance entity; or
- (2) A creditor to bring an action against the former responsible officers of, or any candidate affiliated with, the campaign finance entity

Attached are forms, which have been prepared for the Board's review of accounts that meet the requirements for administrative closure.

If you have any questions, please do not hesitate to contact me at 410-269-2853.

REQUEST TO ADMINISTRATIVELY CLOSE CAMPAIGN ACCOUNT

Account Name	Parker, Richard M. Committee to Elect
CCF ID Number	01002401
Account Established Date	3/15/2013
Outstanding Debts/Loans	\$5,000.00 (candidate loan)
Cash Balance	\$36,125.00
Last Filed Campaign Finance Report	2014 Gubernatorial Pre-Primary1 (NOT marked Final Report)
Outstanding Late Fees *	\$2,500.00
Office of the State Prosecutor (OSP) Action/s Taken:	
<p>The OSP subpoenaed the campaign bank account for the bank records of Committee to Elect Richard M. Parker. Based on reviews made, the OSP determined that the committee has no funds with which to pay for the late fees. The bank balance was \$0.00 on 8/29/2014 and there were no transactions since August 2014. The OSP also stated that any allegations violations that may have occurred in May to June 2014 would be outside the statute of limitations.</p>	
List name and address of last known officers:	
Candidate Richard Marcellus Parker 911 W. Barre Street Baltimore, MD 21230	Chairman Same as Candidate
Treasurer Marquita K. Holmes 1 Nakota Ct. Baltimore, MD 21220	
Briefly describe why this committee should be closed:	
<p>This committee should be closed due to the following:</p> <ol style="list-style-type: none"> 1. The OSP requests for administrative closure of the committee. The committee has no funds to pay for late fees. 2. The Treasurer has resigned on 8/20/2015. 3. The statute of limitation exist. 4. A judgment on the Affidavit was entered for \$1,000.00 on 12/18/2015 in the District Court for Anne Arundel County. <p>Election Law Article § 13-313 (a) (3) requires the termination of campaign finance entity by the State Board when other extenuating circumstances exist to justify terminating the campaign finance entity.</p>	

*If additional space is required, attach a breakdown of outstanding late fees, include report due dates and outstanding late fees.

Breakdown for Outstanding Late Fees

Filing Period Name	Reporting due Date	Referred to OSP	Violation Amount
2017 Annual	01/18/2017	Yes	\$500.00
2016 Annual	01/20/2016	Yes	\$500.00
2015 Annual	01/21/2015	Yes	\$500.00
2014 Post General	11/18/2014	Yes	\$250.00
2014 Pre General 2	10/24/2014	Yes	\$250.00
2014 Pre General 1	08/26/2014	Yes	\$250.00
2014 Pre Primary 2	06/13/2014	Yes	\$250.00
Total			\$2,500.00



Maryland Campaign Reporting Information System



MENU REMINDERS LOGOUT

View / Edit Candidate Committee Registration

(Mequanenet Abaineh) ?

Expand

Committee Information

Committee Name* (Must include candidate's last name)

CCF ID: 01002401

ELECTrack C#: C3460

Status: Inactive

Established Date: 03/15/2013

End Date:

Election Participation

Election Type*

Election Year*

Participation Frequency*

Office Sought Information (Optional)

Office Type

Office Sought

Jurisdiction

Party Affiliation

Save Election Cancel

Election Type	Office Type	Office Sought	Jurisdiction	Party Affiliation	Election Year	Participation Frequency	Start Date	End Date	Action
Gubernatorial	County Office	Sheriff	Baltimore City	Democratic	2014	Recurring	01/13/2014		
Gubernatorial					2014	Recurring	03/15/2013		

Committee Name Amended Information

Committee Name	Updated By	Updated Date
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Committee to Elect	PARKER RICHARD MARCELLUS	08/05/2013
Parker, Richard M. Friends Of	Admin User	11/12/2011

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Candidate Information

Name	Date of Birth	Email	Mailing Address	Public Phone	Edit
RICHARD MARCELLUS PARKER	12/21/1977	therichardparker@gmail.com	901 W. Barre Street, Baltimore, MD, 21230	410-336-4215	

Chairperson Information Same as Candidate

Name	Date of Birth	Email	Mailing Address	Public Phone	Start Date	End Date	Actions
RICHARD MARCELLUS PARKER	12/21/1977	therichardparker@gmail.com	901 W. Barre Street, Baltimore, MD, 21230	410-336-4215	03/15/2013		

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Treasurer Information

Add New Treasurer

Name	Date of Birth	Email	Mailing Address	Public Phone	Start Date	End Date	Actions
MARQUITA K HOLMES	09/12/1983	marquithah2001@yahoo.com	1 Nakota Ct., Baltimore, MD, 21220	410-456-8347	08/06/2013	08/20/2015	
Geraldine Faye Parker	09/04/1950		233 S. Gilmor Street, Baltimore, MD, 21223	410-233-5128	03/15/2013	08/05/2013	

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Additional Contacts (Optional)

Add New Contact



Role	Name	Mailing Address	Public Phone	Contact Phone	Email	Start Date	End Date	Receive Notices	For Public	Actions
No records to view.										

Slate Information

Slate Name	Slate Chairperson	Submitted Date	Candidate Verified	End Date	Delete
No records to view.					

Depository Information


























Add New Depository

Name of Financial Institution	Address	Account Type	Account Number	Start Date	End Date	Actions
CAPITAL ONE BANK	1241 W PRATT ST, BALTIMORE, MD, 21223	Checking	1000068509198	01/15/2014		 

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Documents / Correspondence

Add Correspondence Add Document

Document Date	Document Type	Document Description	Added By	Actions
06/27/2017	Letter from OSP	OSP recommends administrative closure	Sullivan Patricia	 
05/24/2017	Returned Mail	Returned 01/18/2017 NTSC for Chairperson	Perkins Jessica	 
04/18/2017	Officer Vacancy	Vacancy of office	Smith Victorica	 
04/11/2017	Show Cause Letter_2 - (2017 ANNUAL)	Show Cause Letter_2 - (2017 ANNUAL)	Molina Vicki	 
01/26/2017	Fee Running Notice - (2017 ANNUAL)	Fee Running Notice - (2017 ANNUAL)	Molina Vicki	 
01/03/2017	Pre-Report Notice - (2017 ANNUAL)	Pre-Report Notice - (2017 ANNUAL)	Molina Vicki	 
01/03/2017	Officer Vacancy		Smith Victorica	 
11/04/2016	Civil Citation	Citation #5Z41220044	Sullivan Patricia	 
06/23/2016	ReferrallInfo_01002401(2016 Annual)	ReferrallInfo_01002401(2016 Annual)	Smith Victorica	 
04/14/2016	Show Cause Letter_2 - (2016 ANNUAL)	Show Cause Letter_2 - (2016 ANNUAL)	Molina Vicki	 
01/20/2016	Order for Judgment		Dewit Alex	 
01/04/2016	Pre-Report Notice - (2016 ANNUAL)	Pre-Report Notice - (2016 ANNUAL)	Molina Vicki	 
10/01/2015	ReferrallInfo_01002401(2015 Annual)	ReferrallInfo_01002401(2015 Annual)	Smith Victorica	 
08/26/2015	Statement of Organization		Jennings Tarsha	 
06/09/2015	Show Cause Letter_2 - (2015 ANNUAL)	Show Cause Letter_2 - (2015 ANNUAL)	Molina Vicki	 

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Filing Information

Election Cycle	Filing Period Name	Filing Method	Report Due Date	Original Filed Date	Amendment Filed Date	UploadedBy
2011-2014	2014 Gubernatorial Pre-Primary1	Original Campaign Statement	05/27/2014	05/27/2014		RICHARD PARKER
2011-2014	2014 Annual	Amended Campaign Statement	01/15/2014	01/15/2014	01/15/2014	MARQUITA HOLMES

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Citation Violation Information

Violation Status	Violation Date	Violation Amount	Waived Amount	Outstanding Balance	Violation
No records to view.					

SBE Audit Filing Information

Election Cycle	Filing Period Name	Filing Method	Report Due Date	SBE Amendment Filed Date	Amended Filed Reports	UploadedBy
No records to view.						

Violations

Filing Period Name	Report Due Date	Filed Date	Violation Status	Violation Date	Violation Amount	Waived Amount	Outstanding Balance	Violation
2017 Annual	01/18/2017		Referred to OSP	01/19/2017	\$500.00	\$0.00	\$500.00	Failure to file
2016 Annual	01/20/2016		Referred to OSP	01/21/2016	\$500.00	\$0.00	\$500.00	Failure to file
2015 Annual	01/21/2015		Referred to OSP	01/22/2015	\$500.00	\$0.00	\$500.00	Failure to file
2014 Gubernatorial Post-General	11/18/2014		Referred to OSP	11/19/2014	\$250.00	\$0.00	\$250.00	Failure to file
2014 Gubernatorial Pre-General2 Report	10/24/2014		Referred to OSP	10/27/2014	\$250.00	\$0.00	\$250.00	Failure to file
2014 Gubernatorial Pre-General1 Report	08/26/2014		Referred to OSP	08/27/2014	\$250.00	\$0.00	\$250.00	Failure to file
2014 Gubernatorial Pre-Primary2	06/13/2014		Referred to OSP	06/16/2014	\$250.00	\$0.00	\$250.00	Failure to file

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Submit MaintainFlags Enter Comments / Problem Tracking Cancel

EMMET C. DAVITT
STATE PROSECUTOR



OFFICE OF
THE STATE PROSECUTOR

June 26, 2017

Suite 410
Hampton Plaza
300 East Joppa Road
Towson, MD 21286-3152

Telephone (410) 321-4067
1 (800) 695-4058
Fax (410) 321-3851

Jared DeMarinis
Director - Division of Candidacy and Campaign Finance
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401-0486

Re: Committee to Elect Richard M. Parker, CCF ID: 01002401

Dear Mr. DeMarinis:

The above-referenced file for the Campaign Finance Entity known as the Committee to Elect Richard M. Parker was referred to the Office of the State Prosecutor for the failure to timely and accurately file and failure to pay the associated late fee.

On May 22, 2017, Cynthia Thomas, an Investigator at the Office of the State Prosecutor, subpoenaed Capital One for the bank records for the Committee to Elect Richard M. Parker. Upon receipt and review of those records on June 20, 2017, including statements from April 15, 2014 through August 29, 2014 as well as several checks deposited between April and June of 2014, it was determined that the Committee has no funds with which to pay a late filing fee. The bank records specifically showed that no transactions have been made since August of 2014 and the ending balance on August 29, 2014 was \$0.00. Additionally it should be noted that a judgment on the affidavit was entered in the amount of \$1,000.00 on December 18, 2015 in the District Court for Anne Arundel County. At that time, the campaign committee should have been closed in order to avoid incurring further fees and/or fines.

Based on the above information, we will exercise prosecutorial discretion and will not be pursuing any of the outstanding violations. This Office further recommends that the Committee to Elect Richard M. Parker be immediately administratively closed.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Stephanie Krulevitz'.

Stephanie A. Krulevitz
Assistant State Prosecutor

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MARYLAND STATE BOARD OF ELECTIONS

CHILD CARE EXPENSES

Issue Date: May 16, 2019

The State Board of Elections issues this guidance for publication and inclusion as a section in the Summary Guide reaffirming its legal understanding of the permissible expenditures. The Assistant Attorney General assigned as counsel to this agency has reviewed this guidance and agrees with it.

Certain child care expenses can be personal or have an electoral purpose. The determination of the purpose for the expense will decide whether campaign funds are permissible.

Maryland law requires campaign funds to be used solely for the purpose of supporting or opposing a candidate, question, or political committee. See Election Law Article §1-101(aa). Moreover, there must exist a nexus between the expenditure and the candidacy for which the expenditure relates. In other words, the expenditure is permissible if it would not have occurred but for the fact a candidacy is being promoted, supported or opposed. Therefore, child care expenses would have to have an electoral purpose in order for them to be permissible. For example, a candidate hires a babysitter to care for the candidate's children while the candidate attends a fundraiser event. This expenditure would not have occurred but for the candidacy and the event has a nexus to enhancing the success of the candidacy. As result of this analysis, the expenditure for the babysitter in this scenario would be a permissible expenditure.

Furthermore, it is important to keep in mind that contributors give to campaign committees for one important reason – they want to support the committee's candidate, question, or political party. When campaign funds are spent for a non-campaign related purpose, it frustrates the intent of the contributor. There are instances when child care expenses would not be permissible because they are incurred for a personal or non-electoral purpose. For example, a candidate goes to see a movie or attend a school function. In these cases, the nexus to being a candidate is tenuous at best or nonexistent. The attendance at the school function occurred because the candidate is a parent; not because he or she is a candidate. Additionally, going to the movies is personal in nature. In both cases, the need to hire a babysitter would have been present regardless of whether the individual was a candidate or not. Therefore, campaign funds may not be used in circumstances like these.

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MARYLAND STATE BOARD OF ELECTIONS
CYBERSECURITY EXPENDITURES

Issue Date: May 16, 2019

The State Board of Elections issues this guidance for publication and inclusion as a section in the Summary Guide reaffirming its legal understanding of permissible expenditures. The Assistant Attorney General assigned as counsel to this agency has reviewed this guidance and agrees with it.

Cybersecurity has become more important in recent years. Additionally, the events of the 2016 elections underscore that foreign nationals attempted to break into campaign accounts and steal priority campaign strategies and information. Campaigns are a potential cyber target.

Maryland law requires campaign funds to be used solely for the purpose of supporting or opposing a candidate, question, or political committee. See Election Law Article §1-101(aa). Moreover, there must exist a nexus between the expenditure and the candidacy or ballot question to which the expenditure relates. In other words, the expenditure is permissible if it would not have occurred but for the fact a candidacy or ballot question is being promoted, supported or opposed. Therefore, expenditures in support of cybersecurity countermeasures to protect emails, storage of voter data and other campaign information would have to have an electoral purpose in order for them to be permissible. For example, a campaign that hires an IT specialist to activate two-factor authentication to the campaign email system makes an expenditure that would not have occurred but for the candidacy. Moreover, the expenditure has a nexus to enhancing the success of the candidacy. As result of this analysis, the expenditure for the IT specialist would be a permissible expenditure. However, securing personal accounts of the candidate would not be.

Furthermore, it is permissible for a political party or a legislative party caucus committee to provide cybersecurity protection for candidate campaigns. The political party can allocate the resources used as a coordinated in-kind contribution to the campaign in order to keep expenses at a minimum for a small campaign. Since the expenditures in this scenario would have a campaign purpose, administrative funds may not be used.