



Cecil County Board of Elections

April 17, 2024

MINUTES

PUBLIC NOTICE OF THE MEETING

Public notice of the Board meeting was provided by displaying the meeting information and agenda on the bulletin board (wall) outside of the Cecil County Board of Elections office located in Suite 1900 of the Cecil County Administration Building, and by posting on the Election agency website and Election agency social media platforms. A copy of the agenda was made available.

MINUTES of the Cecil County Board of Elections meeting held on the 17th day of April 2024 in the Rising Sun Room on the 2nd Floor of the Cecil County Administration Building located at 200 Chesapeake Boulevard in Elkton, Maryland. Public viewing of this meeting was available in person. Board member attendance was in person, as noted below.

ATTENDEES:	Jennifer Graham	President
	Stephen Stiles	Vice President
	Krista Moretz	Secretary
	Bradley Moore	Board Counsel
	Eunice Grant	Board Member
	Holcombe Grier	Board Member
	Gary Holmes	Director
	Karen Benecewicz	Deputy Director
	Sheri Woodruff	Election Supervisor
	Duane Powell	Regional Manager, SBE
	Mary Nelson	Public

DECLARATION OF QUORUM

The meeting was called to order by President Jennifer Graham at 3:22 pm. Quorum was established with five (5) Board Members.

AGENDA

The Board Members and Attorney were sworn in as the Board of Canvasser by the Clerk of Courts for Cecil County, prior the start on the meeting.

PRESIDENT'S REMARKS

President Jennifer Graham thanked the staff and board members for attending election judge training. In addition, she thanked Sheri for sharing the movie "No Time to Fail". She asked the board to inform us of their availability or changes when it came to picking up ballots from the drop boxes.

She wanted to send well wishes to Holcombe as he is recovering from COVID and Stephen who has a knee injury. Lastly, she reminded the Board to begin use of their newly set up Gmail accounts for any correspondence related to the Board.

APPROVAL OF MINUTES

The Minutes of the March 20, 2024, Board meeting were provided to the Board a copy in each of their folders.

MOTION: Vice President, Cecil County Board of Elections Stephen Stiles motioned to approve Minutes for March 20, 2024.
SECOND: Eunice Grant, Member Cecil County Board of Elections
ACTION: Minutes approved and signed by Jennifer Graham, Board President and Krista Moretz, Board Secretary.

DIRECTOR' S REPORT

Gary enclosed his director report in the folder along with the statics reported from MDVOTERS. The specimen ballots were going to be mailed to voters on April 18, 2024. Drop Box pick up was going to be covered Wednesday April 17 through Sunday April 21 by Holcombe and Stephen, because Dave will be on vacation.

Gary attended the council budget meeting on Tuesday regarding funding for FY 2025. He stressed our need for a new building/ warehouse. He mentioned the roof leaks that had been reported to the state as well as the county.

All but 5 election judges for the 2024 Primary were trained. Those 5 would be attending the Open House on April 20th, along with any other judges that are interested. We had a total of 42 training sessions which were all very well attended.

Voting system update: L& A continues to progress and should be completed in the next few days along with the Supply Verification for the state. Board Members are to sign off on the form after reviewing the contents of the election day supply carts. The transportation company will be coming on Monday to pick up the training equipment from the EMS location and return it to the warehouse. The Public Display of L&A documents will be taking place in the Elk Room on Friday April 26, 2024, from 10a – 2p. Election Day polling sites. Jennifer raised concerns over the type of questions we might receive and how to be prepared. Duane suggested having the contact information for the State Board of Elections available to handout.

The legislative session recently closed and the election-related legislation that would be taking effect was included in the folders as well.

The staff had a few outreach events for the month. Gary and Krista had attended the Community Fair. Sheri attended an event at Holly Hall Elementary and will be returning for a second event. Ashira and Brenda attended an event at Thomson Estates Elementary.

Gary discussed that he, Karen, and Sheri had reviewed some of the elements of canvassing when Stephanie Taylor, Harford County Director last visited. She invited anyone who was interested to attend the canvass to get an idea of the process. Gary and Sheri made plans to attend the first day Monday April 22, 2024, and Jasmine will attend on Tuesday April 23, 2024.

Active Voters: 72,487 – Dem 19,355/ Rep 34,149 / Other 17,563

Election Judge Count: 281

COUNSEL' S REPORT

Bradley had attended the second of three meetings as board counsel, scheduled by the State Board of Elections. The meeting focused on the current pending litigation that other counties were involved in.

OLD BUSINESS

The legislation was covered under the directors' report as were important dates.

OFFICE REPORT

Regarding canvassing dates (May 16, 22, and 24) and times (start 9AM) it was decided that we would prefer to have a late night that have the canvass roll into another day. Krista Moretz will take on the responsibility of recording the minutes for the board during the canvass. The Board was given a packet with the polling site evaluation forms and a list of sites that they should cover on Election Day. Eunice and Holcombe were each asked to review an Early Voting site in addition to sites on Election Day. On Election Day the board will be supplied with a variety of supplies that may be requested by the judges on Election Day.

NEW BUSINESS

There was no new business discussed.

ANNOUNCEMENTS AND DISCLOSURES

Jennifer Graham, Board President, reminded that board that the deadline for financial disclosure was due to the Maryland State Ethics Commission by April 30, 2024 and they could be reached at (410)260-7770.

QUESTIONS AND CONCERNS

There were no questions or concerns from the public.

Board Folders:

April 17, 2024 – Board Meeting Agenda

- Directors Report
- Polling Site evaluation forms
- Copy of the 2025 Budget
- List of the election related legislation that had passed.

March 20, 2024 -Board Meeting Minutes

NEXT BOARD MEETING

The next Board Meeting is scheduled for June 19, 2024, at 3PM in the North East Room on the 1st floor of the Cecil County Administration Bldg.

ADJOURNMENT

Holcombe Grier, moved to adjourn meeting.


Seconded by Eunice Grant.

Meeting adjourned at 4:18 pm.

Respectfully submitted,



Krista Moretz, Secretary



Jennifer Graham, President 6/26/24

Meetings, Trainings, and Important Dates:

April 23, 2024 – Voter registration deadline (includes updates and changes)

April 26, 2024 – Public Viewing of L&A testing documents 10a-2p

April 30, 2024- Early Voting equipment delivered to sites.

May 8, 2024 – Election day equipment delivered to sites

May 2-9, 2024, Early Voting

May 7, 2024- Last day to request mail in ballot by mail and have it delivered via mail 8 PM

 Last day to request a mailed ballot by email and have it delivered via mail 11:59PM

May 10, 2024 – Last day to request a web delivered ballot via mail by 5PM

 Last day to request a web delivered ballot via email 11:59PM

May 14, 2024- Election Day

 Mail in Ballot must be requested in person and delivered in person by 8PM

May 16, 17,20, &22-24 – Canvass Dates 8 AM start time

June 19, 2024 – Board Meeting 3PM North East Room of Cecil Co. Administrative Bldg.

ASSISTANT ATTORNEY GENERAL'S REPORT

June 25, 2024

1. *Sullivan, et al., v. Summers, et al.*, No. 1:24-CV-00172 (D. Md.). Katherine Strauch Sullivan and David Morsberger, two registered voters from Maryland, filed suit against SBE in the federal district court in Maryland alleging that the Board's current regulation defining "electoral process" for voter registration list purposes violates the National Voter Registration Act and First Amendment. The complaint, filed January 18, 2024, seeks declaratory and injunctive relief restricting enforcement of the regulation.

On March 8, 2024, OAG filed a motion to dismiss on behalf of SBE. The plaintiffs filed a response in opposition on March 29, 2024. OAG filed a final reply on April 12, 2024. The motion remains pending before the district court.

3. *Wicomico County Branch of the NAACP, et al. v. Wicomico County, et al.*, 1:23-CV-03325 (D. Md.). The Wicomico County branch of the NAACP and named registered voters in Wicomico County filed suit against the county, the county board of elections, and county board of education alleging that the county's current apportionment for its councilmanic and board of education districts violates Section Two of the Voting Rights Act of 1965. On January 30, 2024, the plaintiffs filed an amended complaint naming SBE as a defendant in the suit and alleging that SBE conducts elections in accordance with the unlawful apportionment. The amended complaint seeks reapportionment of Wicomico County from a hybrid/at large system (five geographic districts plus two at-large seats) to a seven-district system with no at-large seats.

On March 29, 2024, OAG filed an answer to the plaintiffs' amended complaint. Co-defendants' answers are currently due to be filed on or before June 15, 2024.

4. *Gibson, et al. v. Frederick County*, No. 23-1369 (4th Cir.) On July 5, 2022, Lois Ann Gibson and plaintiff-organizations filed suit against Maryland entities seeking injunctive relief. The complaint alleges that 22 jurisdictions in Maryland engaged in a RICO conspiracy with a Chicago non-profit organization to fund election fraud. The suit seeks a preliminary injunction enjoining the destruction of records of the 2020 Presidential Election. Under federal law, the records of the 2020 election were to be retained until September 3, 2022.

On December 16, 2022, the district court granted motions to dismiss as to all defendants and closed the case.

On January 13, 2023, plaintiffs filed a motion to amend or alter the judgment of dismissal under Federal Rule 59(e). The district court denied the motion to amend on March 29, 2023. The plaintiffs thereafter noted an appeal to the Fourth Circuit on April 1, 2023.

After multiple motions to postpone, the Gibson plaintiffs filed their appellants' brief on July 31, 2023. OAG filed Appellees' Brief on behalf of all Appellees on August 30, 2023. Appellants filed a Reply Brief on October 31, 2023.

On January 16, 2024, Appellants requested the Fourth Circuit permit oral argument on the appeal. That request is pending before the Court.

5. *Maryland Election Integrity, LLC, et al. v. Maryland State Board of Elections*, No. 24-1419 (4th Cir.) On March 7, 2024, two advocacy groups filed suit in the federal district court in Maryland asking the court to enjoin the State from holding an election until alleged maladministration of the state voter registration list and voting system was ameliorated. The advocacy groups are Maryland Election Integrity, LLC (a Maryland entity), and United Sovereign Americans (a Missouri entity). The complaint specifically alleges that there are currently tens of thousands of errors in Maryland's voter registration list, tens of thousands separate "ballot errors" in the results of the 2020 and 2022 elections, and that Maryland's voting system is currently being used in a manner that violates EAC certification requirements.

On April 8, 2024, the advocacy groups filed an amended complaint. A week later, on April 15, 2024, the advocacy groups filed a request for a preliminary injunction, seeking to stop Maryland from holding any election until the resolution of the litigation. OAG filed a motion to dismiss and opposition to the preliminary injunction, and on May 8, 2024, the federal district court dismissed the case without prejudice.

On May 17, the advocacy groups appealed the order of dismissal to the Fourth Circuit. Their brief, as appellants, is due to the Court by July 9, 2024. OAG will file a brief in response thereafter.

Announcements & Important Meetings

On June 14, 2024 Mel Franklin resigned from his position as at-large county council member in Prince George's County. Pursuant to the County Charter, Prince George's County will hold a special election to fill the vacancy. SBE is working closely with the LBE to support the election and ensure that both the special election and general election will be successfully administered.

Beginning in July, SBE will have a new division led by a Director of Audits. This division will perform monthly audits, as well as pre-election and post-election audits in the registration system. SBE will recruit for a Chief Information Security Officer (CISO) as well.

Election Reform & Management

Updated Mail-in Voting Statistics for the Primary Election:

2024PP Mail in Ballots sent: 594,699

2024PP Mail in Ballots received back to the Local Boards of Election: 396,123

Mail in voting accounted for 39% of total voter turnout.

Preparation for Mail-in Voting for the General Election

Preparation has begun for mail-in voting for the General Election. The mail-in ballot packets will look largely the same as they did in the primary election, but will include several minor enhancements requested by the LBEs.

Curing By Text

For the Primary Election, 68 voters used the curing by text option to provide a signature for their ballot, so that it could be counted by the local board. Preparations have begun to offer curing by text for the General Election. SBE hopes to use the same solution used for the Primary Election.

Election Judge Recruitment

Recruitment for the general election has begun. We are working closely with Power the Polls to maximize our reach to the public and receiving lists weekly from them. In the Primary Election, over 75% of the election judges hired were returning from a previous election judge experience. Nearly 20,000 people were hired to work on Election Day and nearly 15,000 were hired to work during Early Voting.

Post-Election Audits

The automated tabulation audit, performed with Clear Ballot, is complete and the comprehensive audit review will continue for several more weeks. The comprehensive audit covers the voting system, polling place operations, canvassing and post-election reconciliation.

In the automated tabulation audit, Clear Ballot conducted an automated tabulation of all ballot images from the 2024 Primary Election and compared the results to the tabulation performed by our own system. This tabulation comparison serves to verify the accuracy of the voting system and provide confidence in the election results.

Over the last few weeks, Clear Ballot tabulated all ballot images of ballots cast in person, during early voting and on election day, as well as all mail-in and provisional ballots. These ballot images were provided on hard drives sent by local elections' offices, shipped to Clear Ballot in two phases.

Following Clear Ballot's initial independent tabulation of the ballot images, Clear Ballot and SBE exchanged results reports. Clear Ballot finished comparing its data against the voting system's data and generated five reports for each county for Phase 1, which were shared with each local board prior to the local certification of the election, and five reports for Phase 2, which were shared prior to the state's certification. These reports show:

1. That Clear Ballot tabulated the same number of ballots (cards cast) as was tabulated by the voting system.
2. Any differences in the results between the two systems are less than 0.5%.
3. Clear Ballot's tabulation verified the accuracy of the voting system's results.

This information was also presented to the Board of State Canvassers when it convened prior to its certifying the election.

Voter Registration

Reopening of MDVOTERS

MDOVOTERS transactions that were held during the close of registration and the close of the 2024 primary election have been released to the local boards of elections for processing. These include paper transactions and transactions from automatic voter registration agencies.

Retroactive Death Records from MDH

A retroactive file of out-of-state death records was sent to the local boards of elections for processing on June 12, 2024.

Implementation of HB14

Voter registration staff has been working closely with staff from the Administrative Office (AOC) of the Courts to implement HB14, which changes the information sent by AOC to SBE to reflect the current voter registration eligibility requirements.

MDVOTERS Audits

Monthly audits of voter registration data continue to verify compliance with federal and State laws governing voter registration. The monthly audits include review of the local boards of elections' processing of ERIC reports, Department of Health's death records, AOC felony records, and the processing of overall voter registration records. Follow up continues to be conducted with the local boards to ensure all corrections are completed and to address any training issues. General training sessions for LBE staff will be held periodically throughout the rest of the 2024 calendar year.

Electronic Registration Information Center (ERIC)

Maryland receives ERIC data on a monthly basis. On even-numbered months (February, April, etc.) we receive the In-State Updates, Cross-State, and NCOA (National Change of Address) reports for processing. Odd months we receive In-State Duplicate and Social Security Administration Death files for processing. Since voter registration was closed for the primary election, we received Cross State, NCOA, In-State Duplicates and Deceased reports for processing in June.

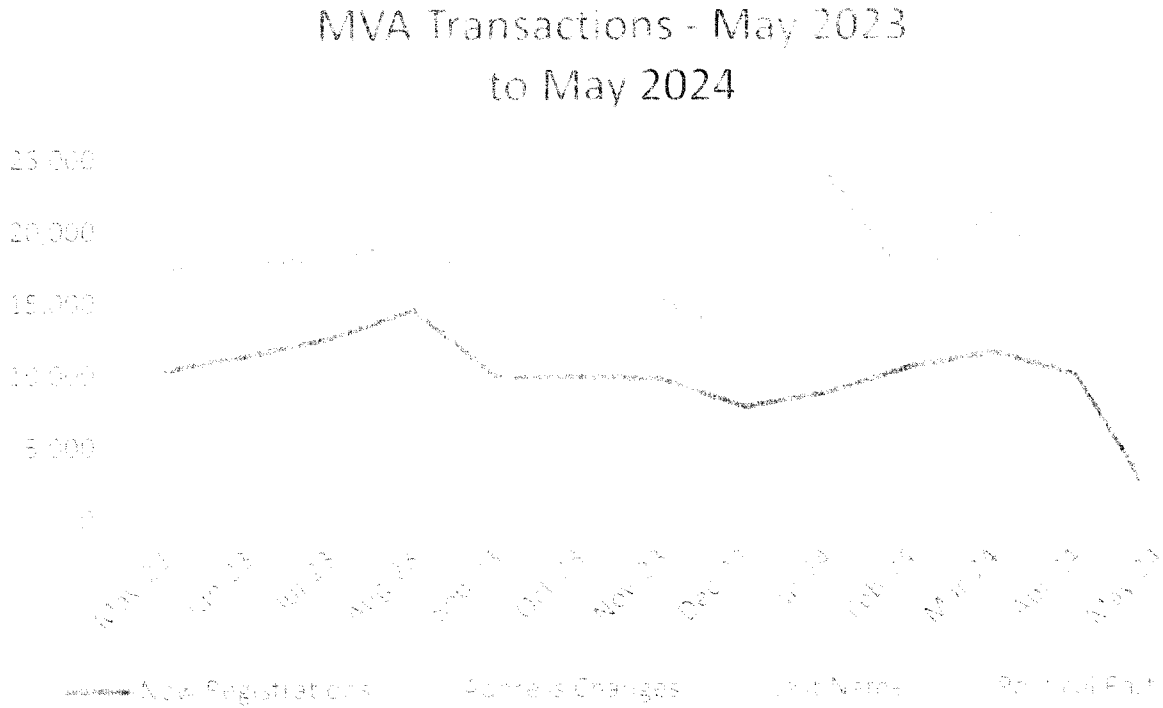
Recently, MVA changed the data being sent to SBE to provide to ERIC. As a result, SBE, ERIC and MVA have been working closely to ensure that the data MVA provides to SBE meets the needs of the ERIC program.

Motor Vehicle Administration (MVA) Transactions

During April 2024, MVA collected the following voter registration transactions:

New Registration - 9,947	Residential Address Changes - 15,562
Last Name Changes - 2,780	Political Party - 5,443

Last 13 Months of MVA Transactions - Chart:



MVA Transactions - Monthly Changes:

	New Registrations	Address Changes	Last Name	Political Party
Apr-2024				
Month-to-Month - Change	-15.5%	-37.1%	-22.7%	-46.9%
Same Month - 2 Years Ago - Change	-5.5%	-0.3%	23.3%	83.3%

	New Registrations	Address Changes	Last Name	Political Party
May-2024				
Month-to-Month - Change	-1520%	-7381.7%	9166.7%	-747.8%
Same Month - 2 Years Ago - Change	-94.6%	-98.9%	-98.9%	-82.4%

Current Total Registered Voters

As of June 17, 2024, there were 4,194,108 active voters in Maryland.

Candidacy and Campaign Finance (CCF) Division

The 2024 Spring Business Contribution Disclosure Report was due on May 31, 2024.

Businesses that file late are assessed a late fee penalty of \$20 per day for the first 7 days, \$35 per day for the next 7 days, and then \$50 per day thereafter up to \$1,000. Fee running notices were sent to the committee that failed to file.

The next campaign report for the Presidential/Baltimore City cycle is due on August 27, 2024.

Public Financing

Baltimore City

The Baltimore City Public Financing Commission is still waiting for 3 more appointments from the City Council President to join the 8 confirmed committee members. One publicly financed candidate won in the primary. Since that candidate has already received the maximum public contribution, all additional contributions in the General Election will not be matched. In total, the program disbursed \$1,137,726.75 including one-time bonus payments.

Baltimore County

The Baltimore County Fair Election Fund Commission has appointed 7 out of 9 members. Two council members have yet to nominate their members. A budget recommendation of \$1,000,000 is now in the Fiscal Year 2025 budget.

Prince George's County

The Prince George's County's Fair Election Fund has appointed all seven of the Fund's Commissioners. \$400,000 was appropriated to the Fair Election Fund in Fiscal Year 2024. As of now, no additional funding has been appropriated for Fiscal Year 2025. Per County legislation, the earliest that matching fund disbursements could be made to qualified candidates would be July 1, 2025. The Notice of Intent language has been approved by the County's Office of Law. The program will not be applicable for the special election.

State

As of June 11, 2024, there is \$9,403,380.25 in the Fair Campaign Fund.

Website Activity

In May 2024, the MD Campaign Reporting Information System (MD CRIS) website was visited by 431,663 individuals for an average of 13,924 per day. Additionally, it had 3,398,657 hits. Each viewer looked at an average of approximately 7.6 page views per day. The Business Contribution Disclosure System (BCDS) website had 1,122,462 hits, with 1,069,217 visitors with an average of nearly 3.43 page views per day.

Enforcement

Listed below are the civil penalties paid in May 2024. Total amount collected is \$4,250.

- a) Duyile, Remi Friends of - contribution by unauthorized method - \$1,000, disbursement by unauthorized method - \$1,000, disbursement made by unauthorized individual - \$500
- b) Williams, Lawrence Friends of - failure to report contributions and expenditures - \$1,000, disbursement by unauthorized method - \$500
- c) Keifer, Michael for School Board - missing authority line - \$250

Information Systems & Technology, Cybersecurity

New Pollbook Project & Contingency

SBE successfully implemented its contingency plan of using the current EP5000 pollbooks for the 2024 Presidential Primary and will continue this plan through the Presidential General and the 2026 Gubernatorial election cycle.

A new statewide pollbook modernization project has been submitted for DoIT approval and is scheduled to begin procurement by July 1, 2024 for implementation in the 2028 elections.

New Voting System (NVS) Project

This project is fully staffed. The draft RFP is currently under review by SBE's procurement department.

New Campaign Reporting Information System (NCRIS) Project

This project is fully staffed. The RFP has been reviewed by OSP and returned with comments. Edits are underway.

Cyber Security

Security Operations Center (SOC)

SBE's Security Operations Center (SOC) continues to operate 24/7/365 providing one layer of multiple layers of independent threat monitoring and managed security services for SBE election systems. SBE's contracted team of security analysts continues to develop and refine SBE's cyber security policies, and risk mitigation plan towards maintaining its well-defined security posture for all Maryland elections.

Election Security

Briefings are scheduled between now and the General Election with our election cybersecurity partners and federal agencies to make all parties aware of emerging cybersecurity threats, foreign and domestic, along with mitigation and avoidance strategies.

Procurement

In Development:

The Maryland Campaign Finance Online Reporting System Task Order was published on May 24, 2024 after SBE obtained Office of State Procurement (OSP) and DoIT approval, and proposals are due on July 10th. The current contract expires on March 31, 2025.

Active Procurements:

The Election Support Resources Task Order Request for Proposals (TORFP) draft using the CATS Plus master contract offered by DoIT has been reviewed by the Office of State Procurement (OSP) and was published on January 4, 2024. 19 proposals were received on 2/20/2024 and SBE has down-selected the proposal number to 10 as of 4/15/2024. Oral presentations have taken place, and the technical evaluation is complete. SBE has requested Best and Final Offers (BAFOs) due June 20th. The Task Order includes a wide variety of labor categories to offer support for IT, warehouse, pollbook, and MDVOTERS. It is a Small Business Reserve (SBR) designated contract with a 30% Minority Business Enterprise (MBE) goal. Contract #: D38B4600002.

Modifications:

Voting System Solution:

- Voting System Solution (VSS) Modification #44 was approved April 3, 2024 BPW Agenda (Item 81-IT-MOD). This modification extends this contract through the 2026 Election Cycle. This is the contingency plan if the new voting system procurement is not completed and the system is not implemented in time for the 2026 Election Cycle.
- Voting System Solution (VSS) Modification #45 was approved by BPW on 6/5/2024 for a quantity of 250 ADA compliant voting equipment tables for the 2024 General Election. The agenda date is to be determined.

Pollbook Contract with ES&S:

- The extension for the EZ Roster licensing contract with ES&S to ensure SBE has use of a viable pollbook product for any special elections in 2025 and the 2026 election cycle is on the 7/3/2024 BPW Agenda.
- This was SBE's contingency plan in the case Demtech Voting Systems defaulted on their contract with us, which took place when SBE terminated the contract for default on 2/13/2024.

Requests for Information (RFIs):

- On March 14th, SBE received 11 responses to our RFI for the Electronic Statewide Voter Registration System.
- SBE published its pollbook solution RFI on 4/29/2024 and responses were due on 5/29/2024. SBE received 4 responses.
- SBE intends to publish an RFI for a new voting system the week of June 17th, 2024.

Cure Requests:

- SBE intends to send a cure letter to our election surge staffing vendor, Abacus, following the primary election to address some recruitment shortfalls in various labor categories and to ensure all temporary staff are reimbursed for fingerprinting. SBE is currently gathering the final retention and recruitment percentages from the Primary Election as data for the cure letter.

Project Management Office (PMO)

Statewide inventory is to be completed by June 30, 2024 for the fiscal year. Our Regional Manager team is working closely with the local boards who have not yet completed their inventory.

Local Board News

Local boards will begin conducting post-election maintenance and continue to clean up from the primary election and prepare for the general election. SBE/LBE Collaboration meetings continue to be held monthly. We will be having a micro-tabletop exercise in August with Maryland Emergency Management.

Exercise of Delegated Duties

We will use this section of the Administrator's Report to report when we have exercised duties assigned to the State Board of Elections but delegated to the Administrator and staff.

Since the last Administrator's Report:

No delegated duties were exercised.

The following delegated duties were exercised: