



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County

Electoral Board

Amb. (ret.) Christopher Henzel
Chairman

Bettina M. Lawton
Vice Chairman

Katherine K. Hanley
Secretary

**General Registrar/
Director of Elections**

Eric L. Spicer

ELECTORAL BOARD MEETING

Date: October 27, 2022
Time: 4:00 p.m.
Location: Conference Room 315

AGENDA

- I. Call to Order, Welcome, and Introduction
- II. Adoption of the Agenda
- III. Approval of the Minutes
 - September 6, 2022
 - September 27, 2022
- IV. Appointment of Election Officers
- V. General Registrar's Report
- VI. Electoral Board Reports
- VII. New Business
 - Authorization of General Registrar to Access Election Materials
- VIII. Public Comment
- IX. Adjourn

MINUTES
Fairfax County Electoral Board
September 6, 2022

The Fairfax County Electoral Board (Board) met on Tuesday, September 6, 2022, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Amb. (ret.) Christopher P. Henzel; Vice Chairman Bettina M. Lawton; Secretary Katherine K. Hanley; General Registrar Eric L. Spicer; Deputy Registrar Cheryl Jones; and Clerk to the Electoral Board Beth Dixon Methfessel were present.

IT Manager Cord Whitehouse; Assistant Registrar for Voter Satellite Offices Helen Chaikovsky; Election Operations Manager Ravi Udeshi; Election Equipment and Logistics Manager Tyrone Allen; Voter Registration Supervisor Bushra Ardan; Absentee Voting Manager Sean Stewart; Supply Manager Kay Garrison; Election Officer Assistant Coordinator Alina Selnick-Escobar; Office of Elections staff Nazila Arefi and Todd Strelow; Jeffrey Shapiro (Fairfax County Republican Committee (FCRC) Liaison to the Electoral Board); Christine Brim (Chairman, Fairfax County Election Integrity Task Force); Andrea Bayer, Judy Flaig and Barbara Palmer-Tengs (members FCRC); Jack Kiraly (Executive Director, Fairfax County Democratic Committee (FCDC)); Gregory Brandon (FCDC Central Communications); Richard Weiss (FCDC Voter Registration and Education); Maggi Luca (Fairfax, League of Women Voters – (Fairfax LWV)); Robert Maggi, Jill Mobley, Jean Thoensen, Cheryl Reidy, Sam Walker, and Regina Zinzer (Fairfax County election officers and/or residents of Fairfax County) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Assistant to the General Registrar Pat Ferguson; IT Business Analysts George Panagakos and Khamthakone Betts; Office of Elections (Office) staff and/or rovers Therese Antonio, Steve Barch, Mark Beale, Florence Brown, Peter Chewning, Larry Danforth, Lulu Hicks, Lisa Hogle, Don Howell, Ben Jarratt, Gary Klinger, Bill Lewers, Kathryn Martin, Mike Martin, Jessica Pryor, Claudia Stallings, Jerald Taylor, and William Turley; Janice Yohai (FCDC Voter Registration and Education); Donna Rostant and Stephen Spitz (members FCDC); Deb Wake (President, LWV-VA); Arina van Breda (Fairfax LWV); Sandra Bellinghoven, William Denk, Betty Hartmann, John K. Keane, Jr., David Lopez, Peggy Morrison, Laurie Moore, Janos Nagy, and Kelly Price (Fairfax County election officers and/or residents of Fairfax County or neighboring jurisdictions).

Mr. Henzel called the meeting to order at 5:00 p.m., and the Board members introduced themselves. Mr. Henzel requested that those who wish to comment introduce themselves along with the organization, if any, that they represent.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the September 6, 2022, meeting agenda was adopted.

Ms. Hanley moved approval of the Draft Minutes of the Board meeting held on July 21, 2022. By a vote of 3-0, the Minutes of the Board meeting held on July 21, 2022, were adopted.

Ms. Hanley moved the appointment of 278 election officers (EO) (104 Democrats, 59 Independents, and 115 Republicans) for a term ending February 28, 2023. The motion passed by a vote of 3-0.

Under the General Registrar’s (GR) report dated August 31, 2022 (attached and made a part of this record), Mr. Spicer updated the voter registration numbers since the last Electoral Board meeting:

Registered Voters	As of August 31, 2022	Change from 7/18
Active registered voters	730,714	-21,011
Inactive registered voters	50,690	+13,340
TOTAL	781,404	-7,671

During the week of May 9, 2022, redistricting notices were sent to all voters in Fairfax County with information about the redistricting process. Over the next two months, more than 72,000 of those notices were returned by the USPS as undeliverable. The statewide voter registration system (VERIS) was updated for each voter to indicate election mail had been returned, and the envelope scanned into the voter’s record. Ms. Hanley pointed out that this election mail was not forwardable so was returned if it was undeliverable.

On August 12, 2022, a Change of Address Update was mailed to 67,481 voters from the redistricting mailing for whom mail had been returned undeliverable but included a yellow Nixie label with updated address information. This included 38,019 voters with updated addresses outside of the state. The purpose of this mailing was to provide these individuals an opportunity to update their addresses if they moved within Fairfax County or to other jurisdictions in Virginia, or to give them the opportunity to be removed from the voter list if they moved out of state.

The mailing asked voters to complete and return a form to update their information on the voter rolls. A signature was required to comply with statutory requirements. This was not a confirmation mailing because voters were not required to respond to this mailing, and no voters were moved to an “Inactive” status because of this mailing. A postage pre-paid return envelope was included.

Of the 11,000 responses received so far, 8,183 asked to change their address, to send their information to another jurisdiction, or to remove them from the voter list because they moved to another state. The following table summarizes the results of this mailing as of August 31, 2022.

Actions Taken as of August 31, 2022	Quantity
Moved within Fairfax County - Address updated on voter list	1,178
Moved outside Fairfax County within Virginia – sent to another jurisdiction	812
Moved out of the state – Removed from the voter list	5,595
No Change	598
TOTAL	8,183

The Department of Elections (ELECT) received funding for a second redistricting mailing that will be sent in September to all voters, active and inactive, in the localities that completed their redistricting process. This mailing will likely result in a large quantity of undeliverable mail which will be scanned and processed one piece at a time like the more than 72,000 pieces of undeliverable mail associated with the first redistricting mailing.

On or before September 23, 2022, sample ballot brochures will be sent to all active registered voters in Fairfax County. This mailing will include updated information on the voter's polling place and will also provide information on the voter satellite office locations as well as a sample ballot with the contests applicable to each voter.

Ms. Jones gave a Same Day Registration presentation (attached and made a part of this record) and available on the Office of Elections website [September 6, 2022 Electoral Board Meeting Documents - SDR Presentation \(fairfaxcounty.gov\)](#). All same-day registrants are required to vote at the time of registration, and the ballot must be provisional. It will be processed and voted on by the Electoral Board in the same manner as provisional ballots cast on Election Day. Ms. Hanley commented that all the same-day applications must be processed in VERIS before the provisional adjudication meeting. Mr. Henzel acknowledged this challenge and expressed concern about meeting the election certification deadline on Tuesday, November 15 with the Veteran's Day holiday on Friday, November 11. Ms. Jones commented that there will be a staff of eighty working in two shifts on the provisional ballots to meet the required November 15 deadline.

Mr. Henzel asked if a same-day registrant must provide evidence that they live at the address they state on their application. Ms. Jones answered that because they are also required to vote, they must complete the application and sign it as well as provide an acceptable identification. Mr. Henzel pointed at that a same-day registrant can also sign an Affirmation of Identity. Ms. Jones confirmed that an Affirmation of Identity is acceptable for same-day registrants. In August, certain key staff attended a same-day registration workshop given by the ELECT, and official guidelines and policies are expected in early October.

Mr. Henzel confirmed that for the adjudication meeting, the Board will receive a print-out of certain information regarding provisional ballots. Ms. Hanley added that the Board has access to the provisional ballot envelopes because they are retained in the office until the adjudication process is completed. Mr. Henzel confirmed that the provisional envelope would *not* (emphasis added) indicate if the voter signed an Affirmation of Identity. He asked if the provisional ballot logs would identify same-day registration provisional ballots. Mr. Henzel indicated that he would like to know the number of provisional ballots cast by same-day registrants as well as those who signed an Affirmation of Identity. Staff will follow up on information that can be captured regarding same-day registration provisional ballots.

Mr. Udeshi presented the Resource Allocation for the November 2022 election (attached and made a part of this record). Each precinct will receive ballots for at least 65% of its active registered voters. The ballot order will cover 75% of active registered voters for the precincts with the highest in-person turn-out one year ago, new precincts created because of redistricting, and all eight precincts in the 10th Congressional District. Each precinct will also receive 2 to 3 Poll Pads, 2 ExpressVote ballot marking devices, and 2 DS200 scanners. Between seven and eleven election officers will be assigned to serve in most precincts.

In accordance with the Code of Virginia and Electoral Board policy, more than 300 Republican Chief EOs and reserve Chief EOs have been assigned and confirmed for the November 2022 election. A Republican Chief EO will serve in all 264 precincts. If a Chief EO cancels, more than forty backups are ready to accept an assignment anywhere in the county. Ms. Selnick-Escobar added that while the prospective Chief EOs may have not served as a Chief EO, they have served as Assistant Chief EOs or have comparable EO experience. Ms. Hanley confirmed that an adequate number of backup Assistant Chief EOs are also available.

Three hundred Apple iPads were purchased to use as administrative tablets at each satellite voting location and polling place. These devices will be locked down with remote management software that controls access, permissions, and content on the device. These tablets do not have the Poll Pad application installed nor is there any voter data on the device. Their primary purpose is for filling out web forms to improve the provisional process, report turnout during the day, and to provide an improved method for recording and reporting unofficial results.

For Election Day, the Poll Pads will be stored in the gray equipment cart and delivered to each polling place. I-Syncs will be prepared by the IT Team on Sunday, November 6, and delivered to the Chief EO in the Sheriff's envelopes on Monday, November 7. Chief EOs will be instructed to update the Poll Pads with the latest voter file in the evening during pre-election set up on Monday, November 7. If the update of the Poll Pads is not possible on Monday, the election team will update them at 5:00 a.m. on Election Day. Backup Poll Pads will be available.

Based on the successful results of the Ballot on Demand pilot at the in-person satellite voting locations in June, forty (40) Ballot on Demand systems/printers were purchased for use at all satellite voting locations and for emergency voting. This will provide at least two Ballot on Demand Printers at each satellite voting location. Ballot on Demand will not be used on Election Day.

The Voting Equipment team is in process of purchasing 300 new voting equipment carts. The new carts will each hold two DS200 voting machines that will be locked within the cart. Ms. Lawton confirmed with Mr. Allen that most of the polling places can accommodate the size specifications of the new carts with a few exceptions. These locations will continue to use the current gray carts.

The warehouse transition to the Morrisette Operation Center is complete with all materials and machines now transferred to the new facility.

Mr. Allen presented the Logic and Accuracy testing schedules for the Poll Pads, the voting equipment, and the Ballot on Demand system for the November 2022 election.

Two valued members of the Office of Elections team were recently promoted. Bushra Ardalan was promoted to Voter Services Manager, and Todd Strelow was promoted to serve as Tyrone Allen's full-time assistant.

When the Board of Supervisors approves the one-time funding in the October 11 carryover package, Fairfax County election officers will receive the first pay increase in almost ten years. The stipend for Chief EOs will be \$350, \$300 for Assistant Chiefs, and \$250 for

regular EOs. These increases are scheduled to go into effect for the November 2022 General Election.

Preparations are underway for the opening of sixteen in-person absentee satellite voting locations. Three locations (Government Center, Mount Vernon, and North County) will be open starting on Friday, September 23. An additional thirteen locations will open on Thursday, October 27. After October 27, all locations will be open for ten days in a row until Saturday, November 5.

Under the Secretary's report, Ms. Hanley recognized and thanked the staff who worked so diligently to process the tens of thousands of pieces of mail returned as undeliverable.

Ms. Hanley explained that it has been almost ten years since the private organizations that host a polling place have received an increase in the stipend offered for the use of their facilities. She moved that the stipend for precincts located in private facilities be increased from \$250 to \$350 if the current budget, after review, can accommodate the proposed increase. The motion passed by a vote of 3-0.

Ms. Hanley moved that the Provisional Ballot Envelope Access policy adopted on May 5, 2012, and amended and readopted by the Board on June 13, 2022, to permit the General Registrar access to the 1A, 1B, and any other provisional envelopes that may be added by ELECT, be expanded from "beginning on election night" to "beginning at the start of Same Day Voter Registration" and continuing for the duration of the provisional process. This motion also reconfirms that this delegation of custody from the Electoral Board to the General Registrar and authorized staff allows for provisional research to begin immediately and grants access to any provisional ballot envelopes as needed without the physical presence and supervision of the Electoral Board. The motion passed by a vote of 3-0.

Ms. Hanley explained that the mail that was returned from the most recent follow-up mailing included a form for the voters to sign confirming their move or change of address. The office has received about 120 responses from relatives of people who are deceased. Some included urgent notes asking that their loved one's registration be removed from the database. Unfortunately, the voter rolls cannot be cancelled based on this form because it requires the voter's signature. The office could and did cancel those few who sent a copy of the official death certificate. Since the office has contact information from these families, Ms. Hanley moved to ask ELECT, if, based on these responses, the office can contact by letter or phone, the person who returned the form, explain the law, and ask if they could send a copy of the official death certificate after which the registration would be cancelled. Ms. Lawton stressed the need for action to handle this sensitive issue. Mr. Henzel commented favorably on the attempts of the Mr. Spicer to do more to remove deceased voters, however, ELECT has issued guidance that certain actions by the General Registrar, such as reviewing local obituaries, are restricted. The motion passed by a vote of 3-0.

There was no Vice Chairman's report.

Under the Chairman's report, Mr. Henzel remarked that based on discussions from Electoral Board meetings as well as briefings with Mr. Spicer, there are "cracks in the state system for maintaining the voter rolls." He welcomed Mr. Spicer's initiatives to address some of these inefficiencies at the local level. He stated that more can be done at the state level with

some issues requiring legislation, but ELECT could do more, and for some reason, has not done so. He expressed concern about “unwise legislation,” specifically, the ability to vote without an identification by using the Affirmation of Identity, as well as no real capability to confirm the address an individual provides on the voter registration application. These two elements now intersect with same-day registration. Mr. Henzel stated that he hoped the November election will run smoothly, but at some future election, some political element may find the temptation to exploit these vulnerabilities too hard to resist.

Under New Business, the Board acknowledge without objection the Resource Allocation for the November 2022 election (attached and made a part of this record).

Ms. Hanley moved that the Electoral Board authorize forty-four (44) additional deputy registrar designated positions for the period September 23, 2022, through November 5, 2022. These positions will provide supervision at the fifteen (15) voter satellite offices and the extension of the Office of Elections at the Government Center. The motion passed by a vote of 3-0.

Ms. Hanley moved that Todd Strelow be appointed as the Deputy Machine Custodian and that Ben Jarratt and Dan Per-Lee be designated as Electoral Board representatives. The motion passed by a vote of 3-0.

Ms. Hanley explained that several years ago, the Electoral Board adopted one of the first policies in Virginia to allow remote participation by an Electoral Board member. She said that new legislation with respect to remote participation went into effect in 2022, and the Fairfax County Electoral Board should update their current policy to reflect the statutory changes. Ms. Hanley moved that, pursuant to Section 2.2-3708.2 of the Code of Virginia, the Electoral Board amend and readopt its *POLICY TO PERMIT PARTICIPATION IN BOARD MEETINGS BY A MEMBER FROM A REMOTE LOCATION* as reflected in the redline draft dated September 1, 2022, and distributed with the Board documents for this meeting. The motion passed by a vote of 3-0.

Ms. Hanley explained that the Covid pandemic and the subsequent state of emergency that ensued allowed most public bodies to conduct all-virtual meetings. She said that the Code of Virginia now permits all-virtual meetings under certain circumstances without a declared state of emergency. Although the Board did not hold any all-virtual meetings during the Covid state of emergency, the County Attorney’s office recommended that the Fairfax County Electoral Board adopt an all-virtual meeting policy. Ms. Hanley moved that, pursuant to Section 2.2-3708.3 of the Code of Virginia, the Electoral Board adopt a *POLICY TO PERMIT ALL-VIRTUAL PUBLIC MEETINGS* as reflected in the draft dated September 1, 2022, and distributed with the Board documents for this meeting. Mr. Henzel remarked that while he supports in-person meetings almost always, this policy would cover an exceptional situation. The motion passed by a vote of 3-0.

Under Public Comments, Mr. Henzel asked those wishing to offer a comment to identify themselves and the organization they represent, if any. He explained that the Board may or may not respond to the comments offered.

Ms. Bayer asked several questions to clarify the application of existing laws and qualifications to same-day registration, specifically for third-party registration. Mr. Spicer

replied that although same-day registration takes effect on October 1, the voter rolls are still open until October 17. The existing options to register will be offered until this date. On October 18, individuals may continue to register to vote (and vote a provisional ballot) in the Office of the General Registrar, and at any voter satellite office. Same-day registration will not be offered to voters prior to October 17 and will not be offered on Monday, November 7. Same-day registration will also be offered on Election Day. Mr. Henzel reiterated that formal policies for same-day registration are expected from ELECT.

Ms. Reidy, a Republican election officer for eleven years, objected to the receipt of an unsolicited December email from the FCRC regarding EO training and completion of a survey. She received two additional unsolicited emails unrelated to EO service from FCRC using her professional email address. She wrote to the Board in January and August to address these concerns but received no response. She spoke with Mr. Udeshi who assured her that the FCRC will not offer EO training. She expressed concern that if political parties begin to involve themselves in EO training, it compromises the integrity of the election officers who pledge to serve in a non-political manner. Mr. Henzel asked if Ms. Reidy wanted to continue to serve as a Republican EO. Ms. Reidy explained that while she prefers to be an Independent, she cannot serve as a Chief EO, and therefore has remained affiliated as a Republican. Mr. Henzel thanked her for her service and suggested she contact the FCRC if she prefers not to receive emails from them. Ms. Lawton appreciated her comments and added that the only legally required training is that offered by the Office of Elections. Ms. Reidy commented that the EO application form might be modified to ensure that only the information required by law is shared with the political parties and allow the EOs to opt-in to give permission for their contact information to be shared for any other purpose. Ms. Hanley welcomed the suggestion and asked staff to consider pursuing this modification on the application. Mr. Henzel commented that the strength of the current system is that at most stages of the electoral process, the parties can observe one another. He further stated that this is not effective if the parties do not know if an election officer is their representative and as such, must remain in touch with them. Ms. Lawton emphasized that on Election Days, election officers must conform to the County's training and also conduct themselves in a non-partisan manner.

Ms. Brim submitted a memo to the Electoral Board titled "Konnech Links to Chinese Software Engineers, Chinese Companies, and Chinese 'People's Congress'" (attached and make a part of this record). Given that Fairfax County utilizes Konnech's PollChief for their election officer and polling location management system, she requested a response from the Board. Mr. Henzel requested the staff to consider the memo carefully. Mr. Spicer commented that the memo will be reviewed given the concerns raised. He stated that at this time there is no evidence that the information in Fairfax County's PollChief was compromised. Additionally, based on recent guidance from ELECT permitting the copying of the statement of results and the possibly the machine tapes, Ms. Brim asked that volunteers be permitted to obtain this information as soon as possible.

Mr. Denk asked for an explanation regarding the jump in the number of out-of-state voter registration cancellations. Mr. Spicer responded that this was due to the response to the recent mailing from Fairfax County and to a lesser extent, ELECT's confirmation mailing. Mr. Denk asked if there was any response regarding his request for notional VERIS screen shots of training materials from the last Board meeting. Mr. Spicer said that he has not yet received a response from ELECT.

Ms. Yohai asked when the What Ifs will be updated. Mr. Udeshi responded that the current What Ifs are found in ELECT's Forms Warehouse.

Mr. Nagy asked what assurances can be given to ensure that the vote tallies will be valid and how can citizens verify the results. Mr. Henzel responded that the strength of the system is that at every stage of the election, representatives from both political parties are present. Ms. Hanley added that risk limiting audits are now required every year from randomly selected jurisdictions before the State Board of Elections (SBE) certifies the election.

Mr. Lopez asked for any response from ELECT regarding permission to use the jury questionnaires to update the voter rolls. Mr. Spicer responded that no response has been received. Mr. Henzel confirmed that at present no information from jury questionnaires is being used. Mr. Lopez agreed with Mr. Henzel's concern that no address verification is required when an individual registers to vote.

Mr. Keane responded that as a cyber security specialist, he recommends reviewing CISA's (Cybersecurity and Infrastructure Security Agency) active and aggressive program to ensure the integrity of elections. He stated that most of the claims that elections are flawed are incorrect.

There being no further business, Ms. Lawton moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 6:50 p.m.

Attachments

Amb. (ret.) Christopher P. Henzel, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

MINUTES
Fairfax County Electoral Board
September 27, 2022

The Fairfax County Electoral Board (Board) met on Tuesday, September 27, 2022, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Amb. (ret.) Christopher P. Henzel; Vice Chairman Bettina M. Lawton; General Registrar Eric L. Spicer; and Clerk to the Electoral Board Beth Dixon Methfessel were present.

Supply Manager Kay Garrison; IT Business Analyst Khamthakone Betts; and Robert Maggi (Fairfax County resident) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Secretary Katherine K. Hanley; and William Denk and Audrey Dutton (Fairfax County residents).

Mr. Henzel called the meeting to order at 8:00 a.m. Mr. Henzel explained that the only item on the agenda is the appointment of election officers.

Ms. Hanley stated that she was calling in from her residence because of a temporary medical condition, specifically a broken arm and shoulder, that prevents her from attending in person.

Mr. Henzel asked for a motion that Secretary Hanley's voice can be adequately heard and that her remote participation comports with the Board's Remote Participation Policy. Ms. Lawton moved that Ms. Hanley's voice can be adequately heard and that her remote participation comports with the Board's Remote Participation Policy. The motion passed by a vote of 2-0. Ms. Hanley did not vote on the motion.

Mr. Henzel expressed his concern and on behalf of the Board, extended Ms. Hanley best wishes for a quick recovery.

Ms. Lawton moved the appointment of 332 election officers (EO) (143 Democrats, 107 Independents, and 82 Republicans) for a term ending February 28, 2023. The motion passed by a vote of 3-0.

There being no further business, Ms. Lawton moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 8:02 a.m.

Attachments

Amb. (ret.) Christopher P. Henzel, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

DRAFT



County of Fairfax, Virginia

GENERAL REGISTRAR'S REPORT

DATE: October 25, 2022

TO: Amb. (ret.) Christopher Henzel, Chairman of the Fairfax County Electoral Board
Bettina M. Lawton, Vice Chairman of the Fairfax County Electoral Board
Katherine K. Hanley, Secretary of the Fairfax County Electoral Board

FROM: Eric L. Spicer, General Registrar and Director of the Office of Elections

CC: Beth Dixon Methfessel, Clerk to the Electoral Board
Office of Elections – All staff

SUBJECT: General Registrar's Report for the October 27, 2022, Electoral Board meeting

Voter Registration

Registered Voters	As of October 24, 2022	Change from 9/1
Active registered voters	735,521	+4,807
Inactive registered voters	45,812	-4,878
TOTAL	781,333	-71

Registration Transactions	(9/1 to 10/24)	Year-to-Date (1/1 to 10/24)
DMV online voter registration transactions	48,330	151,549
Web voter registration transactions	12,535	23,191
Third-party voter transactions	1,394	3,964
Other voter registration transactions	9,304	27,390
TOTAL	71,563	206,094

Voter Cancellations	Sept. – Oct. 2022 (9/1 to 10/24)	Year-to-Date (1/1 to 10/24)
Deceased	655	3,828
Out-of-state	5,405	17,073
Other	297	1,111
TOTAL	6,357	22,012

Fairfax County Office of Elections

12000 Government Center Parkway, Suite 323, Fairfax, Virginia 22035
Phone: 703-222-0776 | Fax: 703-324-4706 | TTY: 711 | voting@fairfaxcounty.gov
<https://www.fairfaxcounty.gov/elections>

Change of Address Update Mailing – Sent by Fairfax County Office of Elections - August 12, 2022

On August 12, 2022, we sent a Change of Address Update Mailing to 67,481 voters from the redistricting mailing for whom mail had been returned undeliverable and updated address information provided by the U.S. Post Office was available. The following table reflects the updated results of this mailing.

Actions Taken as of October 24, 2022	Quantity
Moved within Fairfax County - Address updated on voter list	3,506
Moved outside Fairfax County within Virginia – sent to other jurisdiction	1,728
Moved out of the state – Removed from the voter list	10,570
No Change	1,819
TOTAL	17,623

Redistricting Mailing #2 – Sent by Virginia Department of Elections – September 2022

In September, the Virginia Department of Elections (ELECT) sent a redistricting mailing to voters in the Commonwealth of Virginia residing in localities that had completed their redistricting process. The fields on the mailer regarding towns (town name and voting location) were left blank. (The Office of Elections had mailed redistricting information to all voters prior to the June 21, 2022, Democratic Party Primary Election)

Sample Ballot Mailing – Sent by Fairfax County Office – September 23, 2022

In late September, we mailed sample ballot brochures to all active registered voters in Fairfax County. This brochure included the current information for the voter’s precinct, congressional district, and polling place, early voting locations, and a sample ballot showing the contest/s applicable to the voter.

Redistricting Mailing to Towns – Sent by Virginia Department of Elections – October 2022

Because ELECT did not include the town name and polling place for incorporated towns on their September redistricting notices, they sent a separate mailing to voters in towns to correct this. We learned on October 20 that these notices, sent to approximately 25,000 voters in Herndon, Clifton, and Vienna, inaccurately identified for all precincts a location in the City of Fairfax as their polling place, and their precinct as “English.”



Correction Mailing for Towns – Sent by Fairfax County Office Elections – October 24

On October 24, we mailed a letter to voters in the towns of Herndon, Clifton, and Vienna, providing their correct polling place location, and directing their attention to the (green) sample ballot brochure they received from us in late September that included the correct information. We also provided our contact information (phone and email) and the URL for the citizen portal at the ELECT's website to look up their precinct and polling place. Information about this issue was placed on our website and the many emails from concerned voters have been answered.

Delayed DMV Registration Applications

On Wednesday, October 5 – 12 days before the registration deadline -- ELECT informed us that more than 11,789 Fairfax County voter registration applications completed at the DMV from May to September had not been transferred to VERIS for our action. We received this backlog of applications on October 7 and scheduled additional staff working nights and weekends to process them by the following Wednesday, October 12, five days before the "close of books."

Inaccurate DMV Non-citizen Information

ELECT requested an additional review of Virginia DMV data concerning an inaccurate transfer of non-citizen data for March, April, and May of this year. DMV completed its review and provided ELECT with a list of additional records.

These voters marked the box in their DMV transactions indicating they are citizens, however, the records transferred to ELECT indicated that no answer had been given. Therefore, these voters were incorrectly recorded in VERIS as non-citizens, then the records were provided to localities.

Over the past three months, we received advisories from ELECT concerning three batches of DMV non-citizen errors. In total we needed to correct the records of 145 voters in Fairfax County who had been canceled or received an affirmation of citizenship in error.

Issues with VERIS and Backup Plans

Among the many ongoing performance issues we have experienced with VERIS, not importing voter credit daily from early voting is a critical one. The diligent work by our IT Manager, Cord Whitehouse, has enabled us to get through these issues and ensure that election operations have not been compromised. Additionally, over the course of several days, the initial download of the data needed to mail absentee ballots continually failed prior to the first mailout of ballots. However, perseverance by Absentee Division staff enabled us to mail the ballots by the deadline.

VERIS outages, severe slowdowns, hopper issues, and inability to produce accurate reports appear to be increasing in frequency. We have communicated these issues with staff at ELECT and with Commissioner Beals and are planning backup procedures to conduct election operations if we experience VERIS outages at critical times.



Implementation of Pre-registration Effective October 1

Effective October 1, 2022, we began processing preregistrations for 16- and 17-year-olds. Pursuant to § 24.2-403.1 of the Code of Virginia, any person who is otherwise qualified and is 16 years of age or older, but who will not be 18 years of age on or before the day of the next general election, may preregister to vote. As of today, we have processed 621 preregistration applications.

Same Day Registration and Provisional Ballot Process

As of October 24, we received 30 Same Day Registration applications. We are processing these registration forms daily as we receive them and have plans for expediently processing applications received on the last day of early voting and on Election Day. Likewise, we are planning for a larger than normal number of provisional ballots.

Updated Voter ID Requirements – Driver Privilege Cards

On October 14, ELECT issued a technical advisory relating to acceptable voter identification documents. We requested clarification from ELECT to enable us to comply with the advisory and Virginia law, and properly train our election officers on the acceptable forms of voter identification for ongoing early voting as well as on Election Day.

The revised “Voter Identification” chart provided with the October 14 Advisory states that the following documents cannot be accepted as valid voter identification:

Virginia Driver privilege card (limited-duration license, permit, or special identification card)

However, Virginia Code § 24.2-643(A) permits a voter to present:

his valid Virginia driver's license, ... or any other identification issued by the Commonwealth...other than a driver privilege card issued under § 46.2-328.3 or an identification privilege card issued under § 46.2-345.3....

Comparing the statute to the technical advisory, § 46.2-328.3 addresses “driver privilege cards” while § 46.2-345.3 addresses “identification privilege cards.” As a result, we understand that both “driver privilege cards” and “identification privilege cards” are not permissible as voter identification documents, consistent with the October 14 Advisory.

However, a “limited-duration license” and “limited-duration permit” are authorized under Va. Code § 46.2-328.1, and we could not identify any statute that bars or limits those documents from being used as voter IDs given § 24.2-643(A)’s requirement that we accept a “valid Virginia driver’s license” or “any other identification issued by the Commonwealth.”



We asked ELECT to provide clarifying guidance on what the advisory was referring to when it stated that a “limited-duration license” or permit was not acceptable, and/or provide the basis for its determination that licenses and permits issued under Va. Code § 46.2-328.1 were not valid voter identification documents. We have not received a reply. We have learned from the DMV that limited-duration licenses and driver permit cards are visually indistinguishable.

Termination of Konnech PollChief Contract

On Wednesday, October 5, we terminated our contract with Konnech, the Michigan-based company that owns the PollChief election officer management software we have used for several years. We took this action out of an abundance of caution after learning from Konnech late in the day on Tuesday, October 4, that the Los Angeles County District Attorney had detained their CEO for breach of contract -- allegedly storing poll worker data outside of the United States.

It is important to note that Fairfax County never used software from this company to collect or store sensitive personal data such as social security numbers or banking information. Furthermore, this software was never connected to the county’s voting systems or the state voter registration system.

We backed up our election officer data and we are using an Airtable software for the current election. We will explore other alternatives for future elections.

Absentee by Mail

As of October 24, we have received 72,319 absentee ballot applications for the November 2022 Election. This includes 55,829 permanent applications, 2,167 overseas applications, and 14,323 one-time applications for the November general election only. Beginning on July 1, 2021, voters could choose to be added to the permanent absentee list so they would receive a ballot for each election without submitting a new application. Currently, we have 55,829 voters on the permanent absentee list.

Additionally, we have received 29,417 voted absentee ballots. This represents 40% of our current absentee mail out, including 26,489 ballots returned by mail and 2,928 ballots returned by drop box.

Early Voting

As of October 24, 16,595 people have voted at the 3 early voting satellite voting locations. On Thursday, October 27, the remaining 13 satellites open.



ID Confirmation Statements – Early Voting (through October 24)

As of October 24, 19 voters out of 16,595 used ID Confirmation Statements in lieu of IDs to cast their ballots at early voting satellite locations.

Election Officers at Satellites

We have secured election officer oaths and electoral board appointments for all individuals staffing early voting satellites, and supervisors represent the Republican and Democratic parties. For future elections, each satellite will have a chief officer representing the Republican party (or party of the governor) and an assistant chief representing the Democratic (or other) party.

Explanation of Central Absentee Precinct and Pre-Processing

The following is an outline of the Central Absentee Precinct, pre-processing, and administrative functions associated with processing returned absentee ballots.

Central Absentee Precinct:

- Election Day operations as defined by state law
- Staffed with election officers
- Chief officer represents the Republican Party
- Assistant chief represents the Democratic Party

Administrative Functions:

- Administrative tasks including check-in and “curing” that begin as soon as absentee mail ballots are received from voters
- Staff perform all administrative functions

Pre-Processing:

- Opening the return envelopes, and extracting and scanning absentee by mail ballots
- Legally required to begin no later than the Tuesday prior to the election. We began pre-processing on October 26
- Staffed with two election officers as required by state law, supplemented by staff
- Chief Officer represents the Republican Party
- Assistant Chief represents the Democratic Party

Voting Equipment, Logistics, and Supplies and Materials Division

October 14: Our office’s voting equipment staff completed the logic and accuracy (L&A) testing for satellite and precinct voting equipment, including the ballot-on-demand system.

October 20: Delivery of voting equipment and carts to the 13, 10-day early voting satellites began.

October 24: Delivery of voting equipment and carts to precinct polling places began.

Supply and materials staff have prepared 264 sets of signs and posters for the precincts and are preparing sets of election day forms and other critical supplies.



Office Personnel

Blanca Arciniega Maldonado, our HR generalist, accepted a promotional opportunity with the county. Her last day working for us was October 7, however she continues to assist us a couple days a week during this transitional period as we prepare to fill the now-vacant HR position.

Antemira Elliot has accepted a full-time Financial Administrative Assistant V position with our department and will begin on November 7.

Carryover Package Approved by Board of Supervisors on October 11

On October 11, the Board of Supervisors approved a carryover package that included the following funding for the Office of Elections:

1. \$5 million for the first portion of the funding required to replace the county's 8-yr old voting equipment in late 2023 or early 2025, and to purchase Poll Pads (electronic poll books) in early 2025.
2. \$335,700 for election officer pay raises that take effect with the November 2022 election. This is the first raise that election officers in Fairfax County have received in over 8 years, and will result in the following changes to election officer pay:
 - Election officers: \$175 to \$250
 - Assistant chief officers: \$225 to \$300
 - Chief officers: \$250 to \$350
3. \$300,000 for shelving, security, and infrastructure improvements at the new Morrisette warehouse.

FOIA

We received 53 VFOIA requests between September 1 to October 24.

High School Pages

We have assigned 473 high school pages for the upcoming election, including 255 pages for the a.m. shift and 218 pages for the p.m. shift. At least one page will serve in each of 208 precincts and 145 precincts will have one or two pages assigned. Students from 23 county high schools and four private high schools, as well as those being homeschooled are participating in the page program. Approximately 15% of the pages speak a second language. The page program is designated by Virginia Code § 24.2-604.3.



Election Officers

Election Officer Assignments

All assignments have been made and confirmed and we are in the process of filling daily cancellations with replacements. All chiefs represent the Republican party, and all assistant chiefs represent the Democratic party. We have sufficient reserves to ensure this remains the case through Election Day.

Election Officer Training

We have hosted numerous in-person classes in September and October, including workshops for first-time chiefs and equipment practice sessions for first-time officers. More than 400 officers have attended these sessions.

In the final week before the election, we are providing additional training specifically for chiefs and assistant chiefs, including a review of procedural and legal updates and a live online question-and-answer session with senior office staff.

Security Meeting

On October 20, we conducted an online security meeting for the election that included representatives from the county and town police departments, the county's IT department, county security staff, FCPS, and representatives from other departments that support election operations.

Election Results Reporting

A few important notes concerning the election results reporting process:

- All satellite voting machines will be closed, and tapes run on election morning in the Central Absentee Precinct in Room 251, where authorized representatives may observe the process. Results tapes will be secured until 7:00 p.m. The election media (thumb drives) from satellite voting machines will be uploaded in the Election Results Management (ERM) system after 7:00 p.m.
- Chiefs will enter election results on an administrative tablet after polls close rather than call them in.
- Beginning at 7:00 p.m., election results will be uploaded in ERM in this order
 - Early voting satellites
 - Mailed absentee ballots
 - Precincts
- Results will not be loaded on VERIS or on our website until staff have double-checked the results, comparing results from the administrative tablets with results from the ERM upload process.



Election Results Reporting Processes

- If it is necessary due to a machine or media (thumb drive) failure to re-scan ballots, this will be conducted at the precinct (for Election Day locations) or in the Central Absentee Precinct (for satellites). Ballots will not be re-scanned if a results tape has been printed. In that case, we will manually enter the results from the tapes for that precinct or satellite in the ERM (election results management) system. Authorized party representatives may observe the process. At least two staff members will perform any manual entry of election results in the ERM system.
- Teams of two staff members will enter results in VERIS for satellites, mail ballots, and precincts.
- Results from hand counted ballots will be manually entered in the ERM system by at least two staff. Authorized representatives may observe the process.
- If it is necessary to make any changes in VERIS after Election Day, two staff members will make the changes and the deputy registrar will maintain a report of any changes and provide that report to the Electoral Board and General Registrar.

Timeline

The following is a timeline reflecting some of the key election functions for the next 3 weeks:

Thursday, October 27	13 In-person absentee satellites open, bringing the total to 16.
Saturday, October 29	All satellites open for voting from 9:00 a.m. to 5:00 p.m.
Saturday, October 29	Chief/Asst. Chief Briefing/Training will be recorded and published
Sunday, October 30	All satellites open for voting from 1:00 p.m. to 5:00 p.m.
Friday, November 4	1:00 p.m. – Chief/Asst. Chief Question and Answer Zoom Session
Saturday, November 5	All satellites open for voting from 9:00 a.m. to 5:00 p.m.
Sunday, November 6	8:00 a.m. - Testing and preparation of Isync for electronic Poll Pads
Monday, November 7	Election officer setup (excluding voting machines) at precincts
Tuesday, November 8	Election Day
Wednesday, November 9	Canvass, Same Day Registrations, and provisional ballots
Thursday, November 10	Hand-counting of ballots (primarily overseas) begins, Same Day Registrations and provisional ballots
Friday, November 11	Holiday – Office will be open, Same Day Registrations, and provisional ballots
Saturday, November 12	Staff finalizes the processing of provisional requests
Sunday, November 13	Electoral Board’s Provisional Ballot Adjudication Begins
Monday, November 14	Deadline for submitting absentee mail ballots, Provisional Ballot Adjudication, Central Absentee Canvass
Monday, November 15	Manually enter hand-counted ballots on ERM system



January 10, 2023, Special Election

A special election for the House of Delegates District 35 is scheduled for January 10, 2023, which will involve 20 precincts. As required by state law, voting will occur using the precinct and district boundaries that were in place prior to redistricting. The precinct boundaries did change for 18 precincts, and these still reside within the redistricted HD35 (renumbered as 11). The challenge, however, is that Penderbrook precinct was divided into two precincts, Penderbrook and Island Pond, which are now outside of new borders of HD 35/HD 11. We are working with ELECT to ensure that they can establish the election in VERIS so qualified voters are identified correctly, and the processes for the election, in-person and absentee voting, and reporting elections results are accomplished without problems.

We have already begun preparing for the special election and are confident that we have sufficient voting equipment, election officers, staffing, and supplies. Some key dates:

Monday, November 14	Candidate Filing Deadline
Tuesday, November 15	Projected Date for Completing Ballot
Wednesday, November 23	Start of absentee mail and in-person voting
November 24-November 25	Holiday – Office Closed
December 31	In-person Absentee Voting
January 7	In-person Absentee Voting
January 10	Special Election

Notes:

1. In-person absentee voting will primarily take place at Government Center, at the front desk in the Office of Elections, staffed by a Chief Officer representing the Republican Party, an Assistant Chief Officer representing the Democratic Party, and one election officer.
2. We will open an additional absentee in-person voting location for the two Saturdays before the Special Election, December 31 and January 7, at the Providence Community Center.

