Combined Provisional and Mail-In Canvass Minutes

2022 General Gubernatorial Election

The canvass began on October 15, 2022, at 9:00 a.m. and the 2022 Gubernatorial General Election results were certified at the meeting of the Montgomery County Board of Canvassers held on November 30, 2022, at 1:00 p.m. The Certification meeting took place at the Montgomery County Board of Elections, 18753 N. Frederick Avenue, Suite 210-Board Room, Gaithersburg, Maryland 20879.

ATTENDEES AT THE CERTIFICATION ON NOVEMBER 30, 2022:

Nahid Khozeimeh	Chairwoman	Republican	Virtually
Diane Nash Dillon	Vice Chairwoman	Republican	Virtually
David Naimon	Secretary	Democrat	In Person
Amoretta H. Hoeber	Member	Republican	Virtually
Elisse W. Barnes	Member	Democrat	Virtually
Alexander C. Vincent	Substitute	Republican	Virtually
Alan Banov	Substitute	Democrat	Virtually
Kevin Karpinski	Legal Counsel		

Montgomery County Board of Elections staff that participated in-person:

Name	Position
Alysoun McLaughlin	Acting Election Director
Janet Ross	Acting Deputy Election Director
Mindy Williams	Operations Manager
Boris Brajkovic	Voter Services Manager
Lisa Merino-Dean	Administrative Specialist
Michelle Gonda	Vote By Mail Specialist
Gilberto Zelaya	Public Outreach Officer

The names, party affiliation and workdays of all Election Judges who were canvassers and duplicating team members are presented in the attached document titled *Canvass Participants - Names, Party Affiliation and Participation*. Permanent and temporary staff members of Montgomery County Board of Elections took part in all aspects of the 2022 Gubernatorial General Election canvass.

The ballot scanner operating teams are presented in the table below:

	Names of Ballot Scanner Operating Team
Team#1	Tim Gartrell, Bryan Geyer
Team#2	Davit Boyajyan, Danielle Dean

Team#3	Darlington Brima, Fawad Shaikh
Team#4	Antonio Dean, Greg Hume, Sheron Holland
Team#5	Andre Johnson, Leo Thompson (this team packed the ballots after scanning)

CANVASS MEETINGS

The canvass for 2022 General Gubernatorial Election took place during the period of October 15, 2022, to November 29, 2022, and included a total of 18 canvass days (for a more detailed overview of Canvass days please see attached document titled *Overview of Canvass Days*).

Canvass was conducted at three locations to accommodate canvassing the volume of mail- in and provisional ballots:

1. Montgomery County Board of Elections, 18753 N. Frederick Avenue, Suite 210 Voting Area, Gaithersburg, Maryland 20879 (four canvass days)

2. Montgomery County Fairgrounds – Heritage Building 16 Chestnut Street, Gaithersburg, MD 20877 (three canvass days)

3. Montgomery College Germantown Campus at 20200 Observation Drive, BE 151/152, Germantown, Maryland 20876 (eleven canvass days).

DECLARATION OF QUORUM PRESENT

The meeting of the Board of Canvassers began at 10:00 a.m. on Saturday, October 15, 2022, at the Montgomery County Board of Elections, 18753 N. Frederick Avenue, Suite 210 Voting Area, Gaithersburg, Maryland 20879. A quorum of the Board of Canvassers was present, with a majority of the Board and at least one member of the Board of Canvassers who is a registered voter of the principal minority party present.

CONFIRMATION OF OATH

Stephanie Kim, the Deputy Clerk of the Circuit Court, administered and recorded the oath of each member of the Board of Canvassers on July 19, 2022. The Board of Canvassers included all regular and substitute members of the Board of Elections.

ANNOUNCEMENT OF OFFICERS

Election of officers occurred on July 19, 2022, and the following were elected:
- Nahid Khozeimeh was elected to serve as Chairwoman of the Board of Canvassers.
- Diane Nash Dillon was elected to serve as Vice Chairwoman of the Board of Canvassers.
- David Naimon was elected to serve as Secretary for the Board of Canvassers.

Montgomery County Board of Canvassers
18753 N. Frederick Avenue, Suite 210
Gaithersburg, Maryland 20879
Combined Provisional and Mail-In Canvass Minutes

PUBLIC NOTICE OF CANVASS

Public notice of the canvass was posted on October 5, 2022 (a Media Advisory was issued and information was presented on the Montgomery County BOE website). A supplemental Public Notice was issued on November 19, 2022, to announce canvassing and tabulating of remaining mail-in and provisional ballots. On the first day of the canvass on October 15, 2022, and all subsequent canvass days, a quorum of the Board of Canvassers was present, with a majority of the Board and at least one member of the Board of Canvassers who is a registered voter of the principal minority party present.

On the first day of canvass, Nahid Khozeimeh, Chairwoman of the Board of Canvassers, welcomed the canvassers and introduced the members of Board of Canvassers, who separately addressed canvassers, observers, and the general public.

Kevin Karpinski, the Legal Counsel to the Board of Canvassers, administered the oath for all canvass workers. Mr. Karpinski also explained in-person for public observation rules of the canvass process and further presented public observation through livestreaming (with the links to the canvass schedule provided on the BOE website). Mr. Karpinski explained the rules of conduct (for canvassers, observers and visitors) and introduced the Board of Elections canvass team.

Mr. Karpinski presented, in detail, the canvass process and announced Board plans to have Board referral sessions at 1:00 p.m. and 5:00 p.m. each day of the canvass. If there were changes to the time for Board referrals due to scheduling issues, the change in time was to be posted on the BOE website and announced when the canvass commences on that date.

CANVASSING OF BALLOTS

The 2022 Gubernatorial General Election Canvass was divided in three segments - Canvass I, Canvass II and Provisional Ballot Canvass.

Canvass I was conducted at the Board of Elections, Montgomery County Fairgrounds and at the Montgomery College Germantown Campus on October 15, October 19, October 22, October 26, October 29, November 2, November 5 and November 10. Canvass I included canvassing of standard mail-in ballots and web delivery ballots.

Canvass II was conducted at the Montgomery College Germantown Campus during the period of November 11, 2022, through November 19, 2022. Regular mail-in ballots and web delivery ballots were canvassed over the following canvass days: November 11, November 12, November 15, November 16, and November 19.

Provisional Canvass was opened on November 16, 2022, at 10:00 a.m. and recessed after the opening. The Provisional ballot canvass was reconvened on November 21, 2022, and provisional ballots were canvassed on November 21, November 22, November 23, November

26 at the Montgomery College Germantown Campus and on November 29 at the Board of Elections in Gaithersburg.

CANVASSING STATISTICS

Mail-In and Provisional Canvass Statistics	Number of Ballots
Total Ballots Presented in Canvass	**132,393**
Total Provisional Ballots Presented	13,879
Total Mail-in Ballots Presented	118,514
Total Accepted Ballots	**131,454**
Accepted in Full Provisional Ballots	11,467[1]
Accepted in Part Provisional Ballots	2,153
Accepted Mail-in Ballots	117,834
Total Rejected Ballots	**939**
Rejected Provisional Ballots	259
Rejected Mail-in Ballots	680

2022 Gubernatorial General Election - Provisional Ballots Breakdown:	
	MDVoters
Accepted In Full	11,467
Accepted In Part	2,153
Rejected	259
Total	**13,879**
Reject Breakdown by Code	
1	Applicant is not registered to vote	0
2	**Applicant returned an absentee ballot or already voted**	**110**
3	Applicant voted the wrong party primary ballot	0
4	**No signature on application**	**12**
5	**Applicant not eligible to receive a provisional ballot**	**2**
6	**Identification or DL# or SS# was not timely received**	**17**
7	**Incomplete information was provided on the application**	**3**
8	**DL# or SS# was received but was not verified**	**3**
9	Identification was received but did not satisfy the identification requirements	0
10	**No provisional ballot or more than one provisional ballot in envelope**	**3**
11	No evidence to support voting unit malfunction	0
12	Identity challenge was upheld	0

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[1] The number includes 27 mail-in ballots

13	Order extending voting hours was invalidated	0
14	Identifying mark on ballot	0
15	Applicant is not 18 years old by the general election	0
16	**Proof of residency was not timely received**	**109**
17	Proof of residency was timely received but did not satisfy the requirements	0
	TOTAL	**259**

RELEASE OF OFFICIAL RESULTS

The Certification document announced the results from the combined mail-in and provisional ballots canvasses.

VERIFICATION OF VOTE COUNT

On November 30, 2022, the Acting Election Director McLaughlin explained that BOE staff conducted several post-election verifications and audits. The Acting Election Director informed the Board of all the steps taken as prescribed by the relevant processes.

The Logic & Accuracy demonstration was open to public and livestreamed and was completed on October 10, 2022. Documents were submitted timely to SBE. 100% Verification was completed, and all data was transmitted to SBE and Clear Ballot.

Voting Unit and Pollbook Allocation was in conformance with SBE allocation recommendations.

Mail-In Drop Box Integrity Transportation Reports were submitted to SBE from randomly selected Drop Box locations: East County Community Recreation Center, Sandy Spring Volunteer Fire Department and Walt Whitman High School.

BOE staff timely submitted to SBE the Ballot Accounting forms.

As a part of the post-election audit process, BOE staff conducted a Precinct Audit - which includes comparison of Pollbook check-ins to ballots cast and post-election Audit of Mail-in Ballots and Provisional Ballots.

POST ELECTION AUDITS

The Acting Election Director presented the Board of Canvassers with the Precertification Audit Report and the Clear Ballot Report for the 2022 Gubernatorial General Election during the Board of Canvassers meeting on November 30, 2022.

The Acting Election Director informed the Board that the staff conducted a manual audit of 5% of precincts randomly selected, including a hand count of the number of voter authority cards from each precinct, as well as manually entering the votes for each candidate from the printout of election night results from each scanner into a spreadsheet and comparing that information with the reported results.

Staff compared the number of voters who checked-in with the number of ballots cast at every voting location and investigated all discrepancies. For any location with a variance of five or more, the State Board of Elections requires an investigation and an explanation of the variance. The audit confirmed that there were five polling places with a discrepancy outside of the allowable threshold for audit (+/- 5):

1. Polling Place 03-01 Poolesville Elementary School: number of voters checked-in was greater than the number of ballots cast. Investigation determined that four voters checked-in without casting their ballots. In case of two voters, the Election Judges incorrectly handled the check-in process.
2. Polling Place 04-30 St. Elizabeth Catholic School: number of cast ballots was greater than the number of regular check-ins. The investigation concluded that five voters cast their provisional ballots in the polling place scanners.
3. Polling Place 05-23 Marilyn J. Praisner Community Recreation Center: the investigation concluded that ballots were scanned multiple times by an Election Judge who mishandled a jammed scanner problem.
4. Polling Place 06-04 Nancy H. Dacek N. Potomac Community Recreation Center: the investigation concluded that ballots were scanned multiple times by an Election Judge who mishandled a jammed scanner.
5. Polling Place 09-27 Rachel Carson Elementary School: number of voters checked-in was greater than the number of ballots cast. The investigation concluded that discrepancy resulted from improper cancellation of check-ins of voters who were instructed to proceed to vote provisional ballot without properly cancelling their regular check-in.

The Acting Election Director also presented a single case of a voter who voted twice, both mail-in and provisional. This was the result of a processing error.

The Acting Election Director explained that a sample of accepted mail-in ballots was reviewed to determine whether the mail-in ballot was received timely and if the voter signed the oath. A sample of rejected mail-in ballots was reviewed to determine whether the voter's mail-in ballot was received timely, the required signature was provided, the required ID was provided or if the voter had voted multiple ballots.

The Acting Election Director explained that a sample of accepted in full provisional ballots and a sample of partially accepted provisional ballots were reviewed to determine whether the provisional voter was registered to vote at the time of the election, voted the ballot for the

precinct in which the voter resides, provisional oath was signed, voter has not already voted, and all other applicable criteria were met. Staff also reviewed a sample of rejected provisional ballots to confirm that the voter was not registered to vote at the time of the election, the voter returned a voted mail-in ballot or already voted, or the voter's ballot was rejected for another valid reason.

The Acting Election Director explained that all ballot images from Early Voting and Election Day were sent to Clear Ballot, a third-party vendor, for re-tabulation. The vendor produced reports comparing precinct-level results from the voting system against the precinct-level results from the re-tabulation, and these reports show any differences between the two sets of results. The Montgomery County BOE received a confirmation that for Early Voting and Election Day, Clear Ballot tabulated the same number of ballots as the voting system.

CERTIFICATION OF ELECTION RESULTS

The Board of Canvassers met on November 30, 2022, at 1:00 p.m. in the Board Room of the Montgomery County Board of Elections, 18753 N. Frederick Avenue, Gaithersburg, Maryland 20879 to certify the 2022 Gubernatorial General Election results. Present in-person was David Naimon, Secretary of the Board of Canvassers. Nahid Khozeimeh, Chairwoman of the Board of Canvassers and other Board members and the Board's Legal Counsel participated virtually. There was a quorum of the Board of Canvassers, with a majority of the Board and at least one member of the Board of Canvassers who is a registered voter of the principal minority party present.

Alysoun McLaughlin, Acting Election Director, Janet Ross, Acting Deputy Election Director, Boris Brajkovic, Voter Services Manager, Gilberto Zelaya, Public Outreach Officer, Melinda Williams, Operations Manager, Michelle Gonda, Vote By Mail Specialist and Lisa Merino-Dean, Administrative Specialist were present in person while other BOE staff and guests participated virtually.

Nahid Khozeimeh, Chairwoman of the Board of Canvassers, presented the motion to certify the 2022 Gubernatorial General Election results for Montgomery County. The motion passed unanimously.

NEXT BOARD OF CANVASSERS' MEETING

If untimely ballots are received, the Board of Canvassers will reconvene to reject them.

ADJOURNMENT

The 2022 Gubernatorial General Election Certification documents were signed on November 30, 2022, and the meeting was adjourned.