★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

November 6, 2018
Post-Election Report

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Introduction

Each election in the Commonwealth of Virginia tells a story of anticipation, polls, results, candidates, voters, and election administration. As election officials, we are tasked with ensuring fairness and uniformity in our practices. While the story of any election is filled with anecdotes of specific instances both good and bad, the real story of administering the election is told in the data.

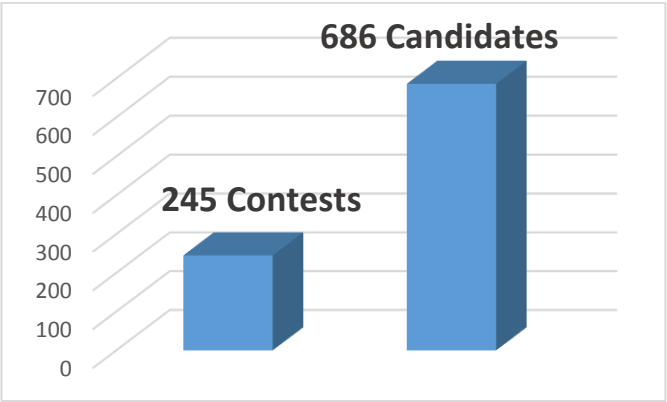
This report seeks to tell the story of the 2018 General Election through its data. By presenting the broad picture, we can see trends and find areas for improvement in future elections. As we look at different aspects of the election, we can identify areas of concern for additional training and issues where we can work together to develop best practices.

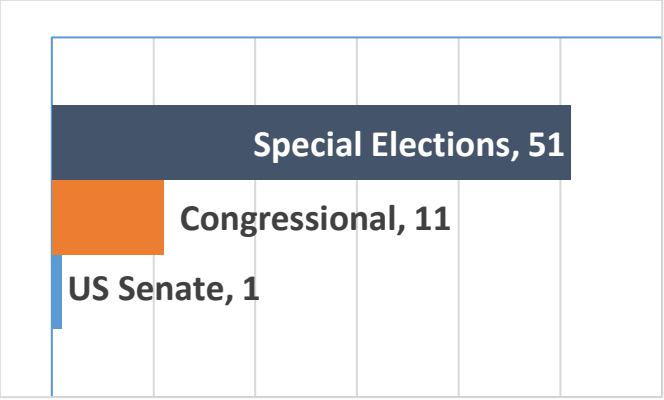
Contests and Candidates

November 2018 saw a variety of office contests, two constitutional amendments, and local issues on voters' ballots. The election for United States Senate included three (3) candidates. There were 11 contests for United States House of Representatives and multiple local and constitutional offices on the ballot.

Candidate processing at the state and localities was managed without incident with one exception. In Virginia's 2nd Congressional District, a candidate had qualified to run as an independent. A Richmond Circuit Court Judge determined there were multiple issues negatively impacting the candidate's petition-gathering process, invalidated all of the candidate's petition pages, and ordered the candidate's name removed from the ballot.

The State Board of Elections saw its first instance of a candidate availing himself of the qualification appeal process prescribed in Code of Virginia § 24.2-506(C) and further detailed in 1 VAC 20-50-30. It had been determined that a candidate had failed to provide a sufficient number of valid signatures in order to qualify as a candidate for Virginia's 4th Congressional District. The candidate appealed under § 24.2-506(C), the State Board met to hear his appeal, further considered disputed signatures, and ultimately found the candidate had collected the required number of signatures to qualify to have his name printed on the ballot.

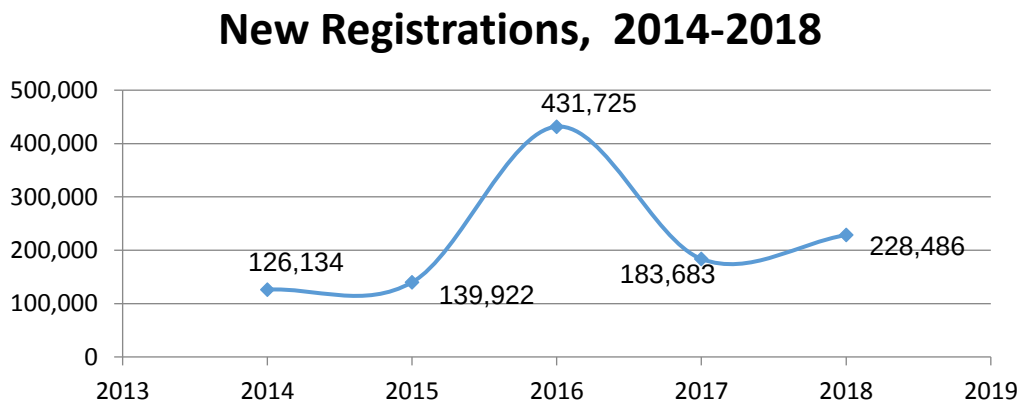


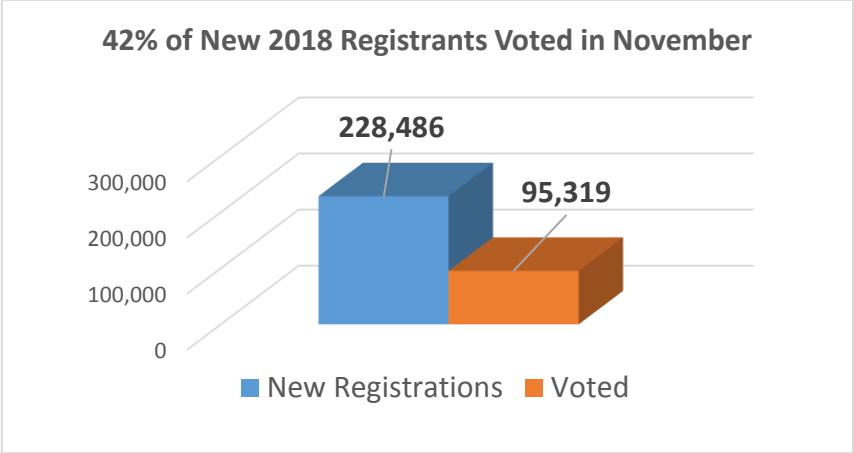


Participation

Newly Registered Voters

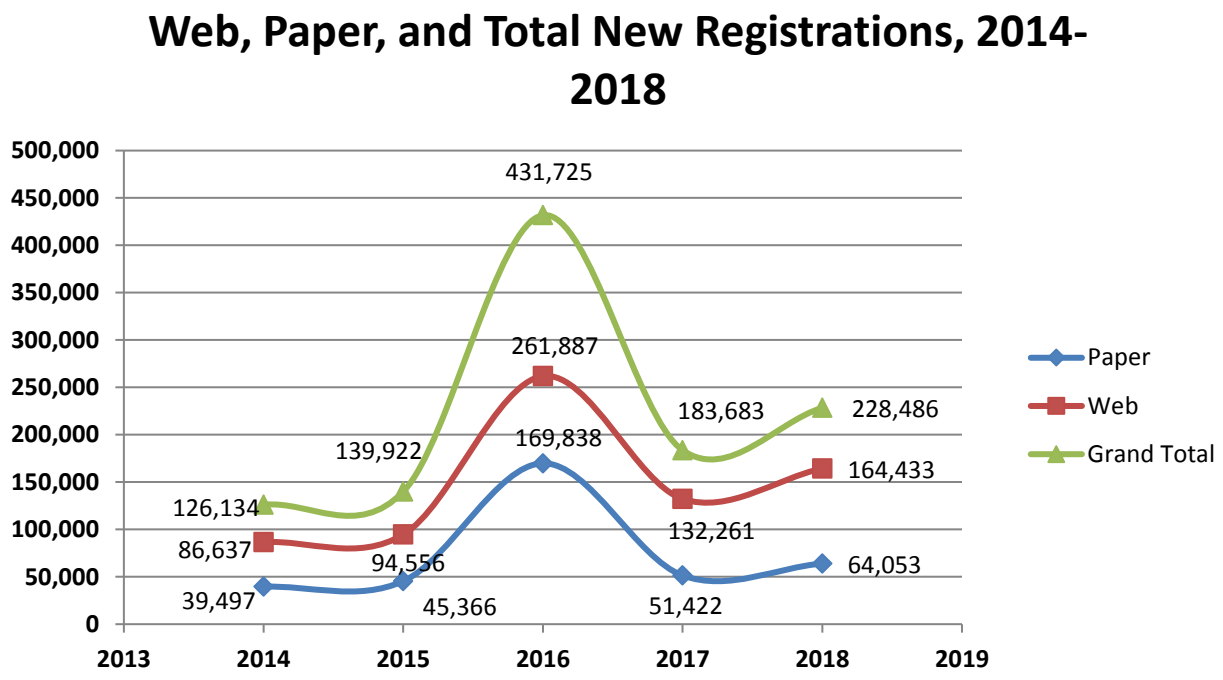
One of the recurring stories of 2018 involved people registering to vote in greater numbers than in previous non-presidential election years. While new registrations did not equal the numbers seen in the most recent presidential election year, the overall trend in non-presidential years is clear: more people are registering to vote. When the data is compared to the most recent comparable election (November 2014), the Commonwealth saw an 80% increase in the number of new registrations. Forty-two percent (42%) of these newly registered voters cast a ballot in the 2018 General Election.





Method Use to Register

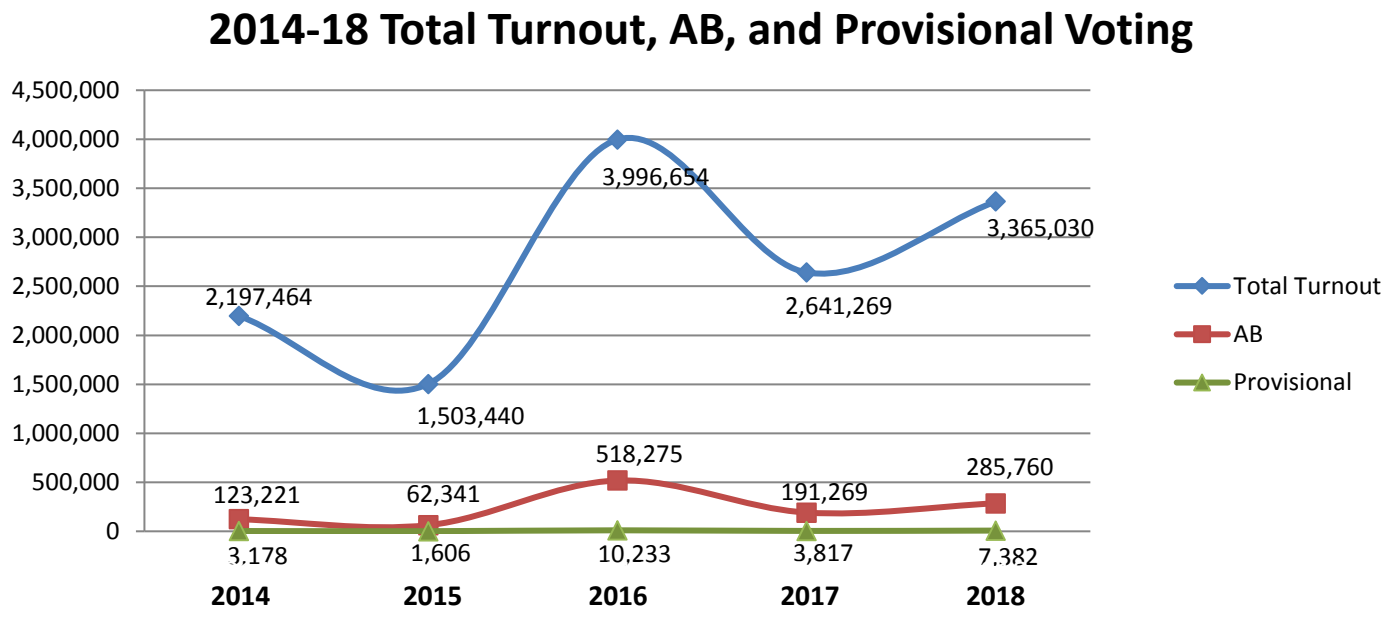
Since the implementation of electronic registration at the Department of Motor Vehicles and the online voter registration portal in 2014, the percentage of people registering to vote electronically instead of by paper application has increased. The number of registrations submitted electronically as a percentage of the overall number levelled off in 2018 at 72% when compared to 2017 (also 72%). This will be an important figure to monitor over the next four years.



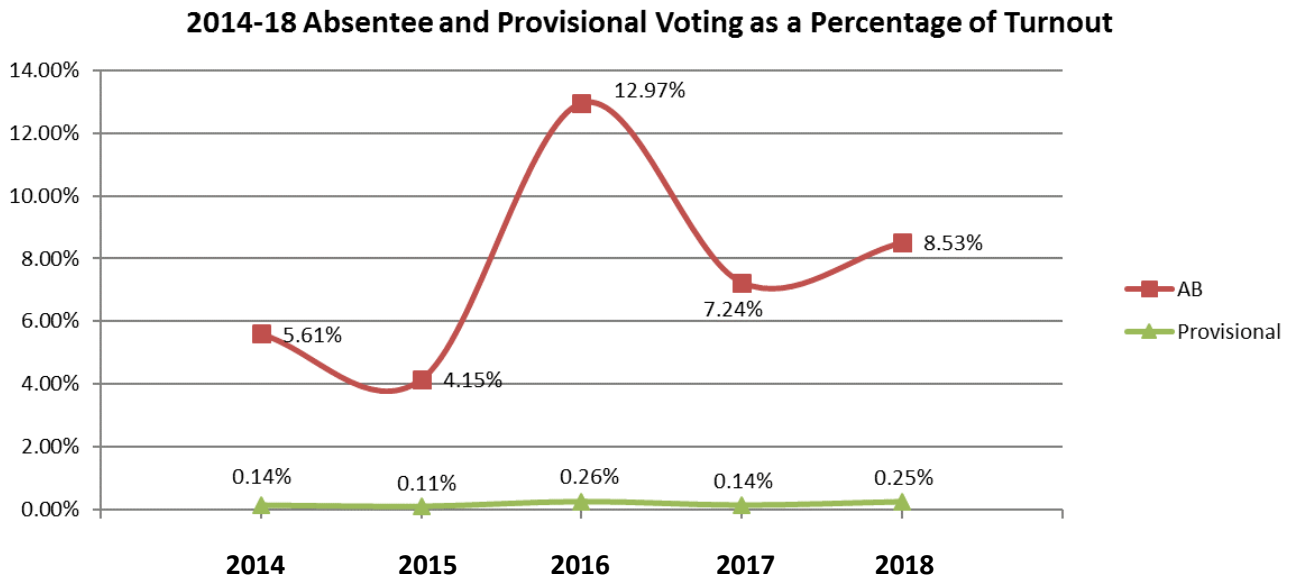
2018 November Turnout

The other major story of the 2018 election is voter turnout. As was seen all across the United States, voter turnout in the Commonwealth was higher than in any recent non-presidential election. Total voter turnout in 2018 was

- 153% of 2014,
- 224% of 2015,
- 85% of 2016, and
- 127% of 2017.



Virginia continues to see a rise in both the number and percentage of voters choosing to vote absentee over previous non-presidential election years. The chart above provides the actual numbers, and the chart below shows the percentage of absentee voting and provisional ballots cast as a portion of the overall vote total.



A total of 374,308 Virginia voters requested an absentee ballot for the 2018 General Election – a record for non-presidential election years. Of those requests, 338,415 voters returned their ballots in time to be counted using the methods shown in the chart below.

Total number of absentee ballots requested for the 2018 November General Election:

374,308

Absentee ballots returned on or before Election Day (November 6, 2018) grouped by return method:

Return Method	Count	%
Designated Representative	137	0.04%
In Person	195,409	57.74%
Mail	142,602	42.14%
Mail (Non-USPS)	267	0.08%
Grand Total	**338,415**	**100%**

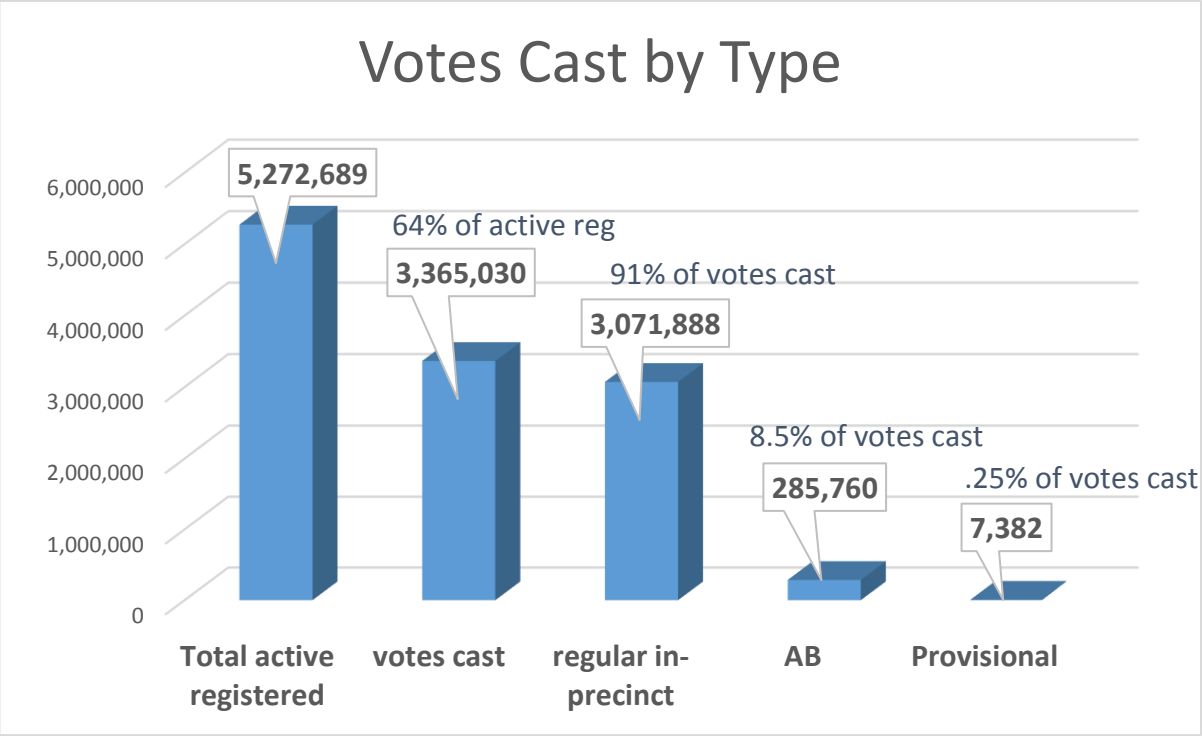
Even though the ballots are not eligible to be counted, general registrars and the Department of Elections continued to track returned absentee ballots from the day after Election Day through November 30th. The results of that data are troubling. A full 6,771 absentee ballots were returned to general registrars after the Election Day deadline. The method of return can be seen in the chart below. The Department will work with general registrars in an attempt to determine if there are patterns that exist preventing the timely return of ballots.

Absentee ballots returned after Election Day, grouped by return method:

Return Method	Count	%
In Person	11	0.16%
Mail	6,755	99.76%
Mail (Non-USPS)	5	0.07%
Grand Total	**6,771**	**100%**

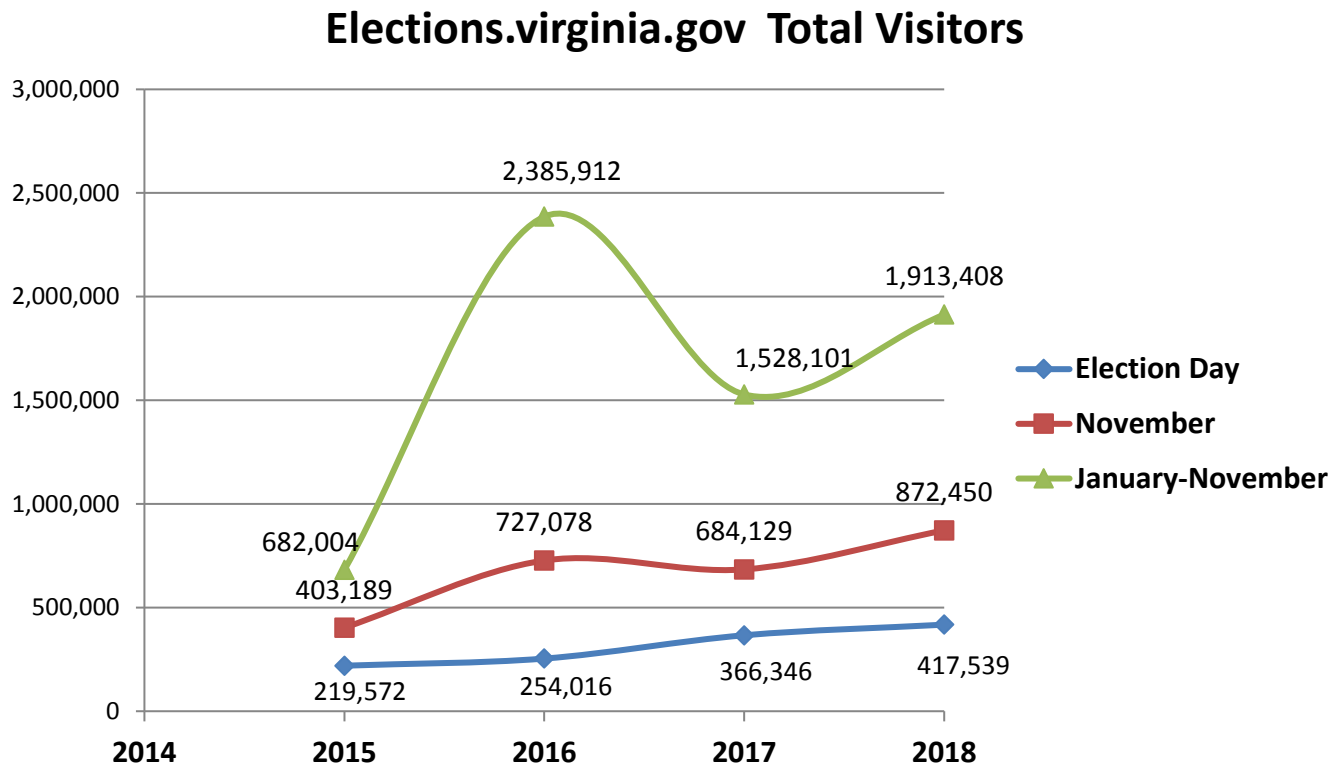
Voters and Votes Cast

Sixty-four percent of Virginia's active registered voters cast a ballot in the November midterms. Of those voting, 91% cast their ballot in-person in a precinct on Election Day, and 8.5% cast absentee ballots.



Web Traffic

The Department of Elections web site had more traffic on Election Day and in the whole month of November than we did for the same time periods last year and in 2016. In a trend similar to new voter registration and voter turnout, web site traffic increased over previous non-presidential election years. This trend further reflects increased interest in the election from the general public.

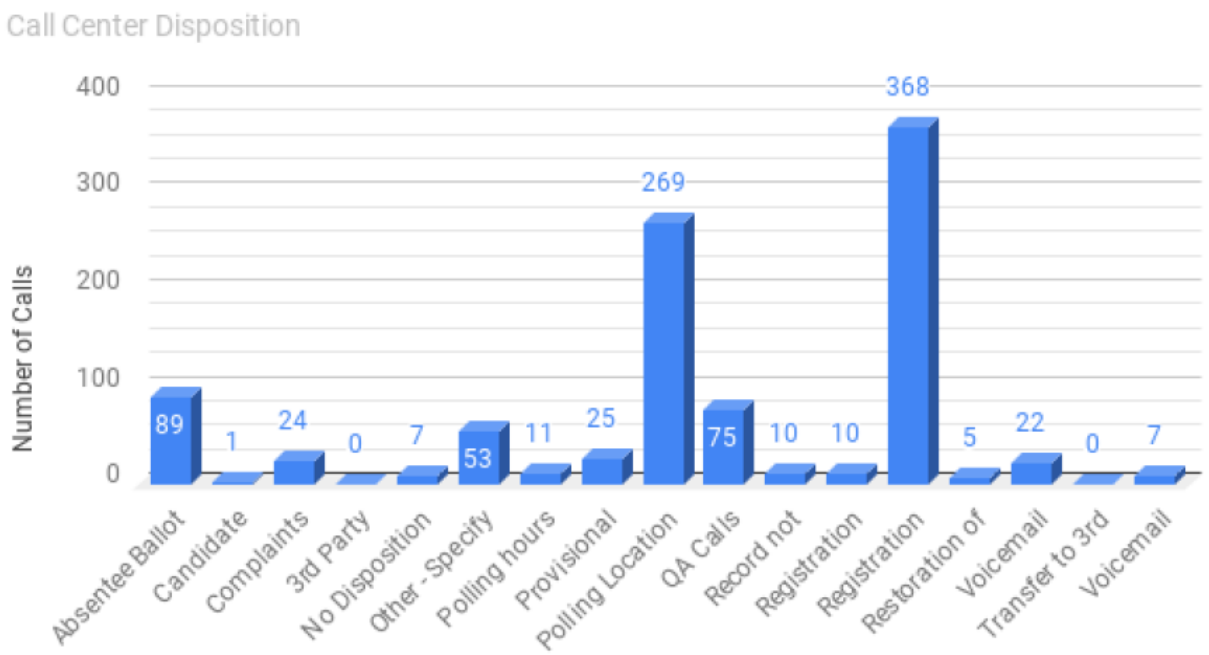


Call Center and Online Complaints

Call Center

In addition to providing information to voters, media, and the general public through the web site, the Department of Elections receives a large number of telephone calls. These calls allow us to interact directly with voters to provide information and services. As part of the effort to ensure timely management of these calls, beginning in September, the Department employed a call center. Customer service representatives were given information on some of the most frequently asked questions and instructions on when to escalate a call to staff at the Department. The first chart below shows the disposition of the 976 calls handled by the call center on Election Day. It's easy to see from the data that callers on Election Day are most interested in checking their voter registration status and locating their polling place.

ELECTION DAY: 11/6



The call center also provides the Department with information on the caller's customer service experience. The information below shows statistics for Election Day phone calls.

Election Day

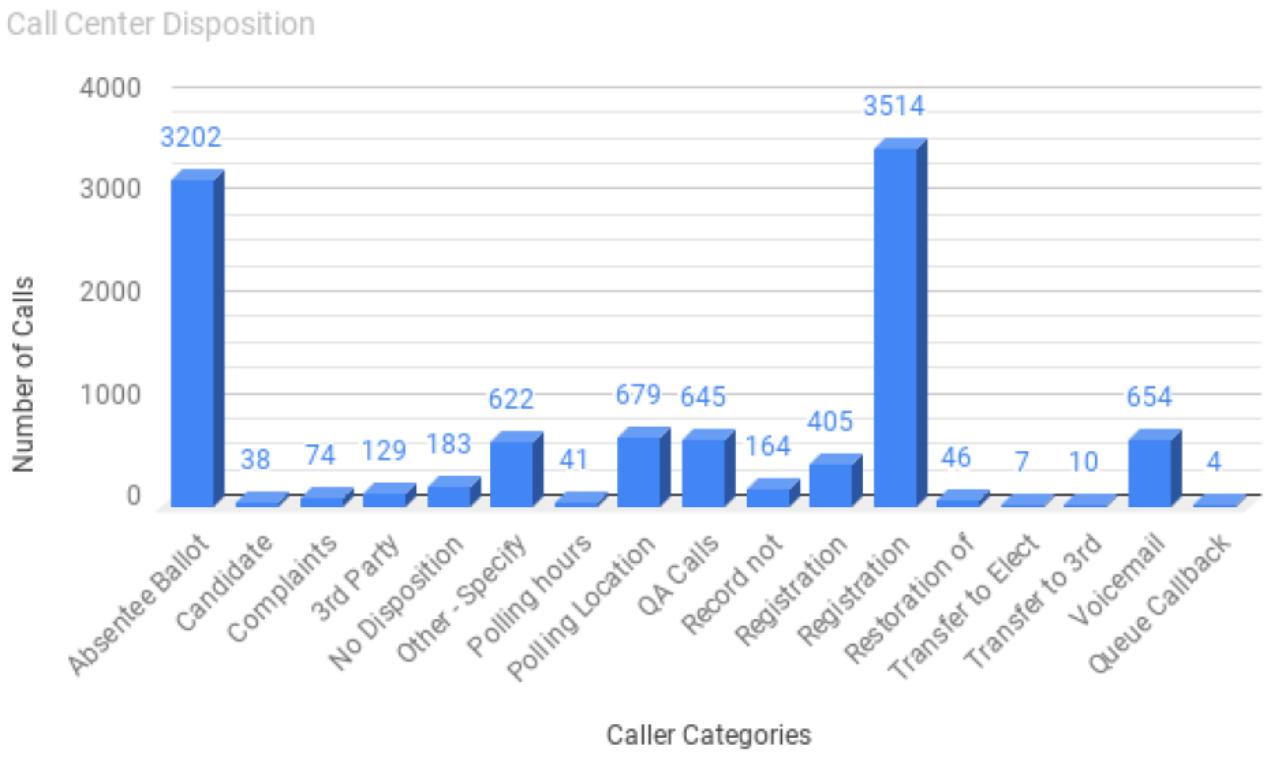
STATISTICS

- TOTAL CALLS HANDLED: 976
- Average Handle Time (Talk+Notes) : 2:03mins
- Average Talk Time: 1.58mins
- Average Call Wait: 20sec
- Average Queue Callback Wait Time : 15sec
- Average Voicemail Callback Wait Time: 1:56 mins

The following chart provides information on the types of questions handled by the call center in the two months leading up to and including Election Day. The majority of questions in the days leading up to Election Day are on absentee ballots and voter registration.

September 9 – November 7

Call Center Total Calls: 10,417



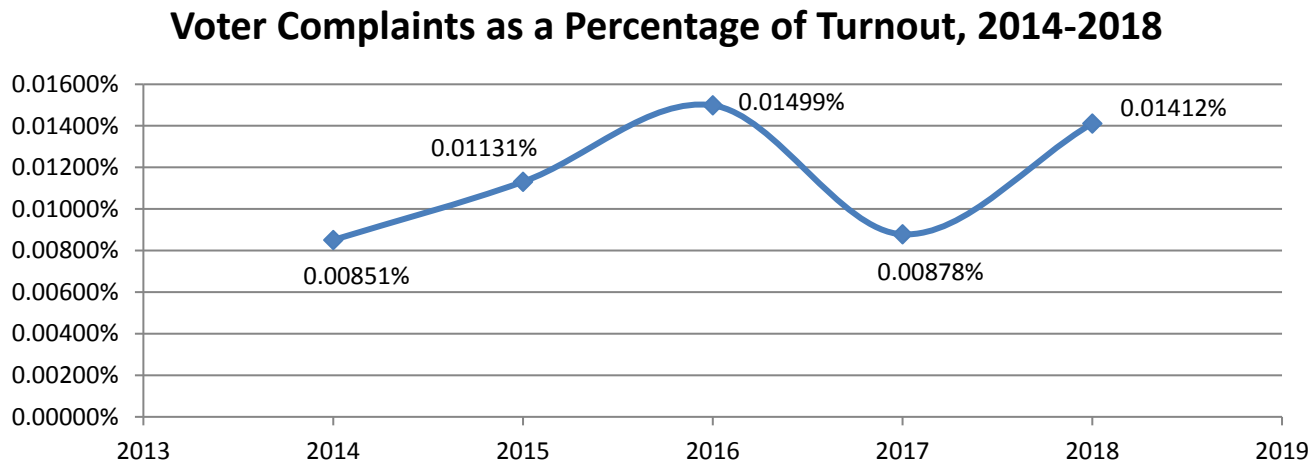
Online Complaints

For several years, the Department of Elections has provided an online tool for voters to voice their concerns about an election. In most cases, election officials in the voter's locality best mitigate these issues and the Department forwards the issue to the local general registrar (with follow-up from the Department to determine the outcome). A few of the issues are more urgent and require immediate attention from Department of Elections' staff. These issues most often involve whether someone is registered to vote, finding a voter's correct polling place, or other factors that may limit a voter's right to cast a ballot.

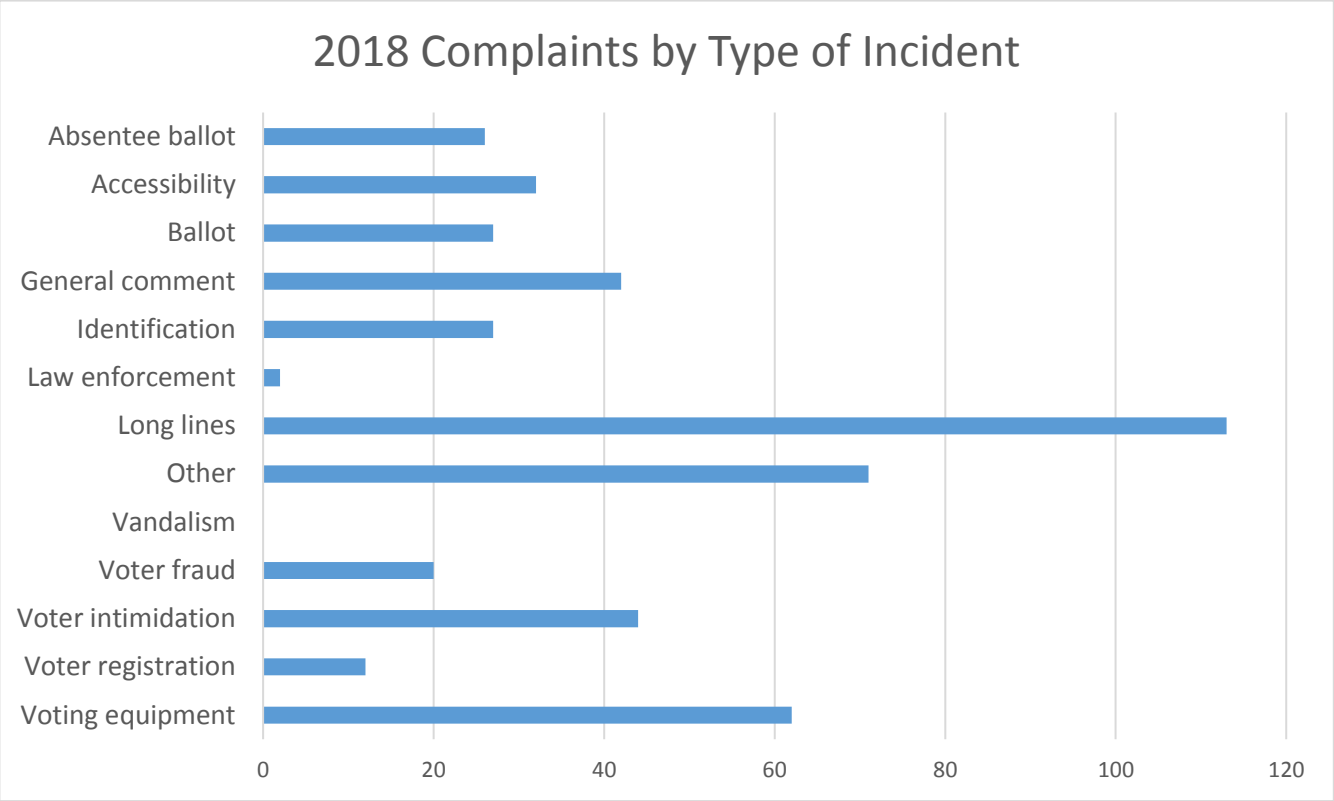
By providing a high-level overview of the patterns of voter complaints, the system sometimes alerts the Department staff to analyze complaint data and monitor what may be a situation developing in a locality or precinct. In the majority of cases, the general registrar or Officers of Election are already aware of a particular situation (e.g. long lines, voting machines issues, etc.), are working on mitigation, and simply have not had time to contact the Department. In rare cases, the Department will reach out to the locality and be the first to report a problem or pattern of issues to the general registrar. Either way, the voter complaint system, when monitored and used correctly, allows the Department and general registrars to quickly recognize and work to resolve Election Day issues.

The Department of Elections' voter complaint website received a total of 475 complaints on Election Day 2018. While that may sound like a large number, it's important to keep it in the context of the election as a whole. As a percentage of turnout, voter complaints came from 0.014% of the Commonwealth's electorate. While this is a small percentage in the overall scope of Election Day, that does not diminish the importance of solving the voter's issue and learning to better anticipate and prepare for problems should they arise in future elections. Some key takeaways from this year's complaints compared with prior years are:

- Voter complaints in 2016 and 2018 totaled less than 1/100th of a percent of turnout
- 2018 complaints regarding long lines and voting equipment surpassed previous years
- There were fewer complaints in 2018 about voter registration than in previous years
- Over 50% of complaints were from three localities



The largest number of complaints were regarding long lines and voting equipment.



Type of Incident	Total	2014	2015	2016	2017	2018
Absentee Ballot	114	6	3	61	18	26
Accessibility	101	12	15	27	15	32
Ballot	140	18	23	46	26	27
General Comment	159	16	24	51	26	42
Identification	95	19	9	28	12	27
Law Enforcement	9	2	2	2	1	2
Long Lines	131	0	1	15	2	113
Other	296	37	44	101	45	69
Vandalism	1	0	1	0	0	0
Voter Intimidation	167	14	17	58	34	44
Voter Registration	223	18	12	153	29	11
Voter-Fraud	63	6	4	21	12	20
Voting Equipment	164	39	15	36	12	62
	1,663	**187**	**170**	**599**	**232**	**475**

Localities with the Highest Number of Complaints

Chesterfield County, Prince William County, Henrico County

- Over 50% of all complaints came from three localities
  - NOTE: The localities are three of the top five in terms of number of registered voters, so higher total number of complaints is to be expected.
- Even so, the percent of active registered voters complaining was extremely low
- Chesterfield had the highest number of complaints, but that number still translates to less than ½ percent of the number of active registered voters in the county

	475 total complaints	% of Total Complaints	% of Active Registered Voters
Chesterfield County	165	35%	0.068%
Prince William County	69	15%	0.024%
Henrico County	41	9%	0.018%

Chesterfield

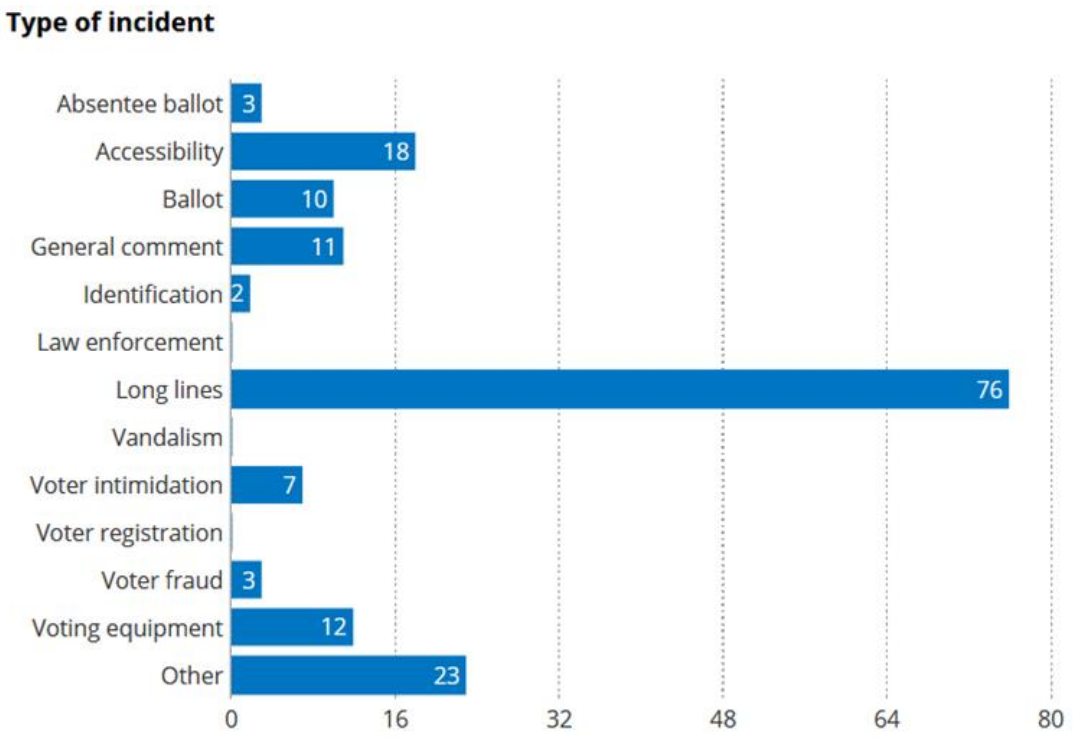
Fully 46% of the complaints from Chesterfield County involved long lines at polling places. In fact, a combination of issues, including long lines, led a judge to order two of Chesterfield County's polling places to remain open to voters after the normal closing time. There were also reports that one or more polling locations opened late, and one or more polling locations ran out of ballots. Additionally, it was reported that there was confusion over the two precincts ordered to remain open and a lack of training in administering the polling places in those situations.

Chesterfield County election officials are conducting their own review and will report their findings to their Board of Supervisors in early 2019. However, from conversations with the general registrar both on Election Day and after, and data involving logistics of polling place staffing and equipment planning, some patterns emerge:

- While the general registrar's plan for staffing polling places was adequate for efficient management, many Officers of Election failed to report on Election Day leaving staffing shortages in some polling places adding to the delay in processing and creating longer lines.
- The number of electronic poll books originally deployed was short of the number needed to facilitate efficient voter check-in at some polling places due to high turnout creating longer lines.

Once Chesterfield County has completed their report, the Department of Elections will review and discuss it with them. Depending on the findings, the Department will offer assistance to prevent the reoccurrence of issues such as this in future elections including additional training for the general registrar and staff, and facilitating dialog between Chesterfield County and other localities of similar size to promote the sharing and use of best practices.

Chesterfield County (165)



Prince William

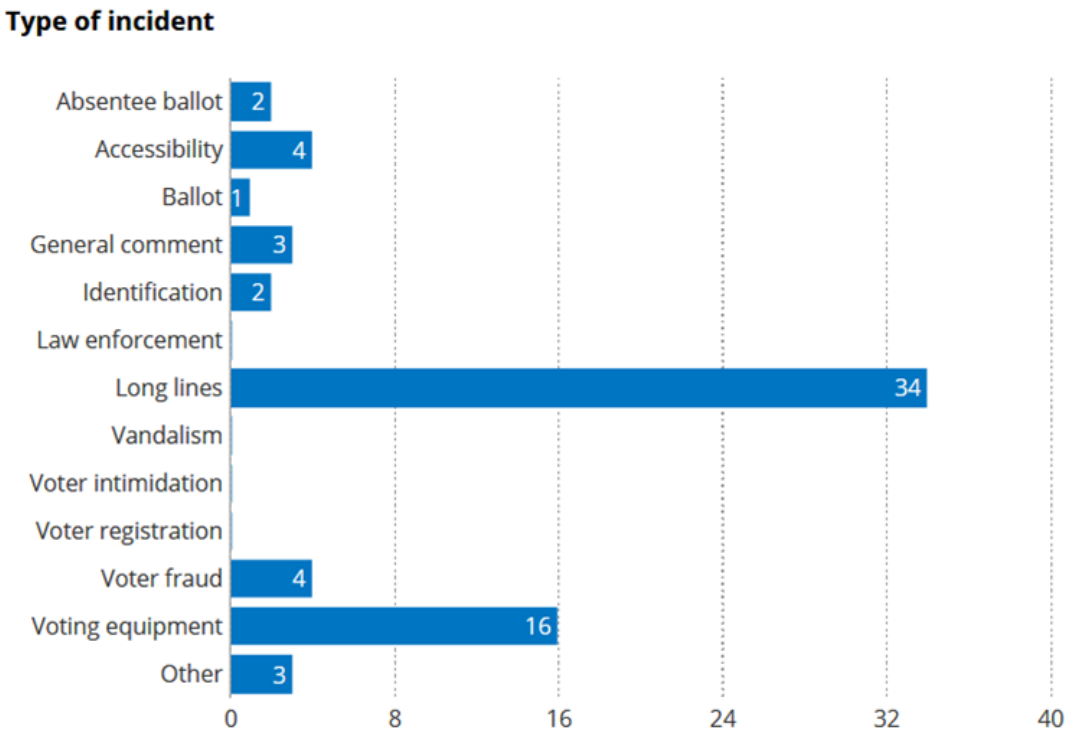
Complaints from Prince William County voters were mostly about long lines (49%) while the second-highest number of concerns involved voting equipment (23%). In reality, it seems two factors combined to lead to these complaints.

Prince William County's staffing at polling places seems to be outside the norm. While other localities with a similar number of registered voters report using at least eight (8) Officers of Election in polling locations with less than 2,000 registered voters, Prince William County uses five (5) in precincts with less than 3,000 registered voters. Additionally, Prince William County plans for six (6) Officers of Election in precincts with 3,000-4,000 voters, and seven (7) in precincts with more than 4,000 voters. By contrast, other localities report using no less than ten (10) Officers of Election in similarly-situated precincts. Inadequate staffing at polling locations can, and in November 2018, did contribute to long lines.

An insufficient number of voting machines and electronic poll books can also lead to complaints about equipment and long lines. Having only one voting machine/scanner in each polling location (as Prince William County did) combined with a high voter turnout created a situation where voters were waiting to cast their ballots after having marked them. The wait at the scanner resulted in a wait at voter check-in, thus resulting in long lines.

The Prince William County general registrar reports that she would like to provide additional staff and voting equipment at each polling location and recognizes the need for these improvements, but does not currently have adequate funding to do so.

Prince William County (69)



Henrico

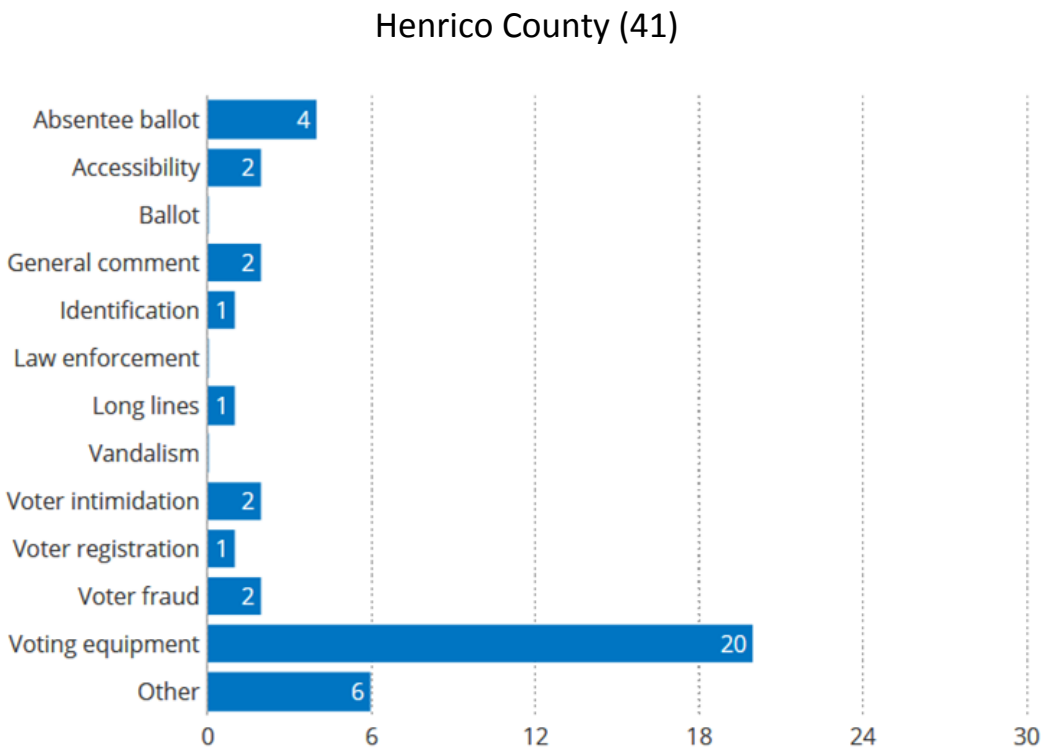
In contrast to Chesterfield and Prince William Counties, roughly half of the complaints from Henrico County voters involved voting equipment. The general registrar reports that the issues involving voting equipment centered on paper jams.

According to the voting system vendor, the high number of paper jams may have been due to the weather as it was rainy and humid in Henrico County on Election Day. When it is humid, paper ballots absorb some of the surrounding moisture causing them to expand in size. Voting machines are calibrated to accept a very specific thickness of paper in order to prevent multiple ballots from accidentally being processed through the scanner at one time. When the paper is thicker than expected, the machine will reject the ballot and/or jam.

Unlike most other localities, Henrico County does not train or permit their Officers of Election to clear paper jams in the machine. Until a technician can arrive at the polling location, Officers of Election continue to process voters by placing voted ballots in the emergency ballot box associated with the voting machine. This can create a perception among voters that either their ballot will not be processed correctly or their votes will not be accurately tabulated.

There are a couple of best practices Henrico County can adopt that could help mitigate this issue in future elections. First, they could train Officers of Election to clear simple paper jams while leaving more complex machine issues to the work of technicians. Second, they could work with their vendor to have ballots packaged and sealed in smaller numbers. By working with smaller numbers of ballots at a time in each package, it leaves others sealed and protected from humidity longer.

It is important to note here that Henrico County is not the only locality to have issues with paper jams due to high humidity on Election Day. Many other localities experienced the same issue, but received fewer complaints because Officers of Election immediately worked to clear paper jams.

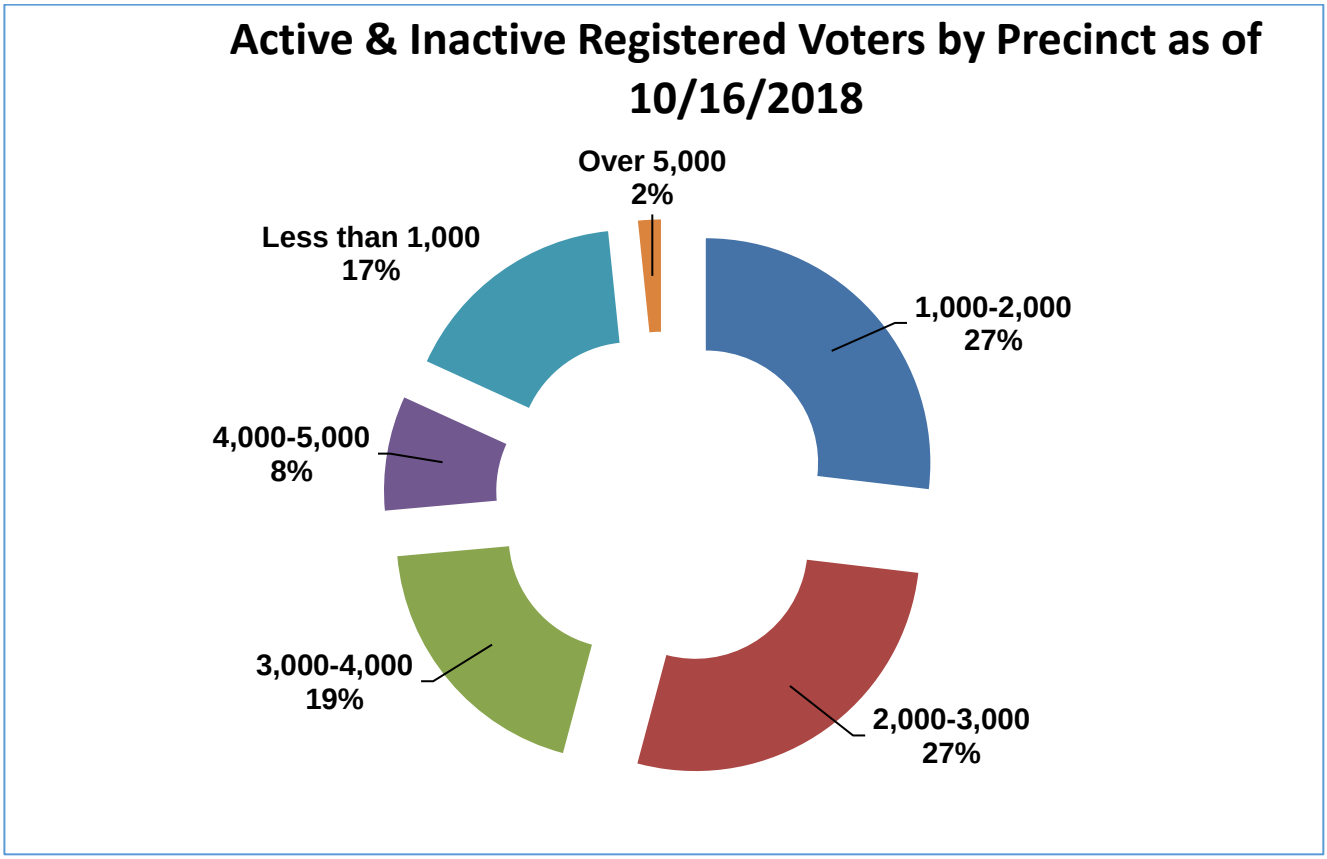


Special Topics

Precinct Sizes

Localities across the Commonwealth employ a total of 2,441 precincts in a statewide election. From rural to suburban to urban, these precincts and their polling places are designed to provide voters with the ability to cast their ballots in an efficient manner. Code of Virginia § 24.2-307 requires precincts to have no more than 5,000 active registered voters at the time the precinct is established. The Code also requires a general registrar to report to their governing body anytime the number of registered voters who cast a ballot in a presidential election exceeds 4,000.

As of November 2018, 40 precincts have grown to more than 5,000 active and inactive registered voters and an additional 201 precincts are closing in on that number. Because of the expected greater turnout in the 2020 presidential election and the higher likelihood that an inactive voter may participate in a presidential election, the Department monitors all voters registered in a precinct (both active and inactive). The Department will provide additional support to general registrars and local Electoral Boards to ensure that all precincts are prepared to manage the increased turnout efficiently.

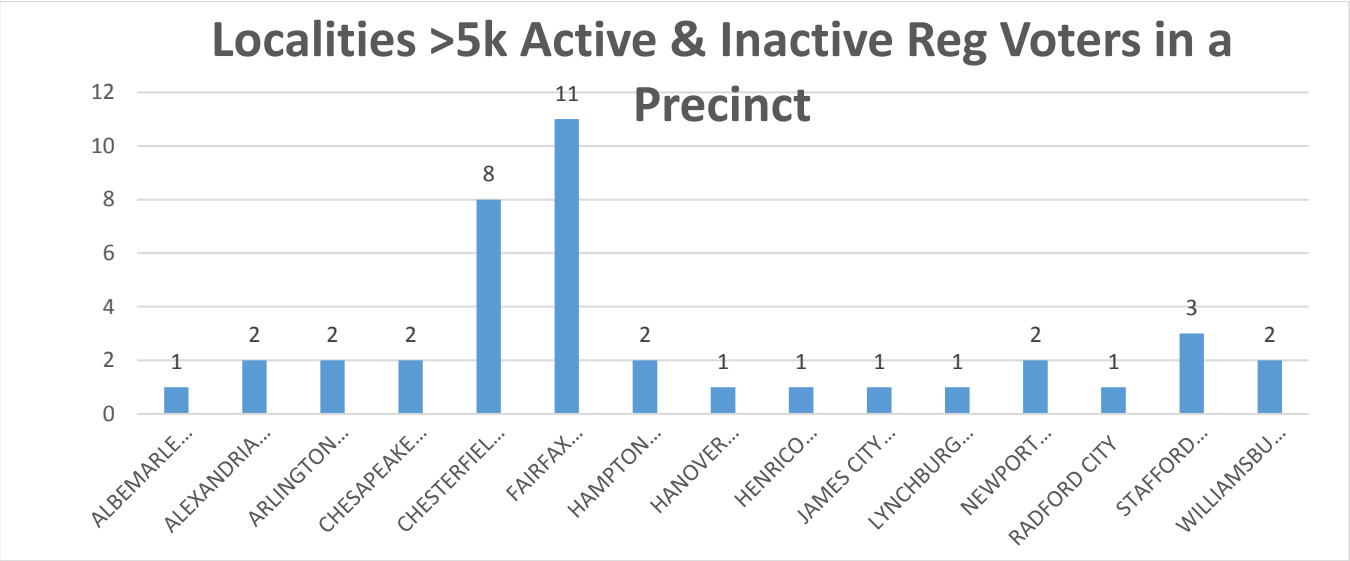


All Reg Voters in Precinct	Precinct Count
Less than 1,000	404
1,000-2,000	656
2,000-3,000	666
3,000-4,000	474
4,000-5,000	201
Over 5,000	40
Grand Total	2441

Precincts Close to Max

All Reg Voters in Precinct	Precinct Count
4,000-4,500	144
4,500-5,000	57
Over 5,000	40
Grand Total	241

40 precincts in 15 localities have > 5k active and inactive registered voters



57 Precincts in 17 Localities Are Approaching 5,000

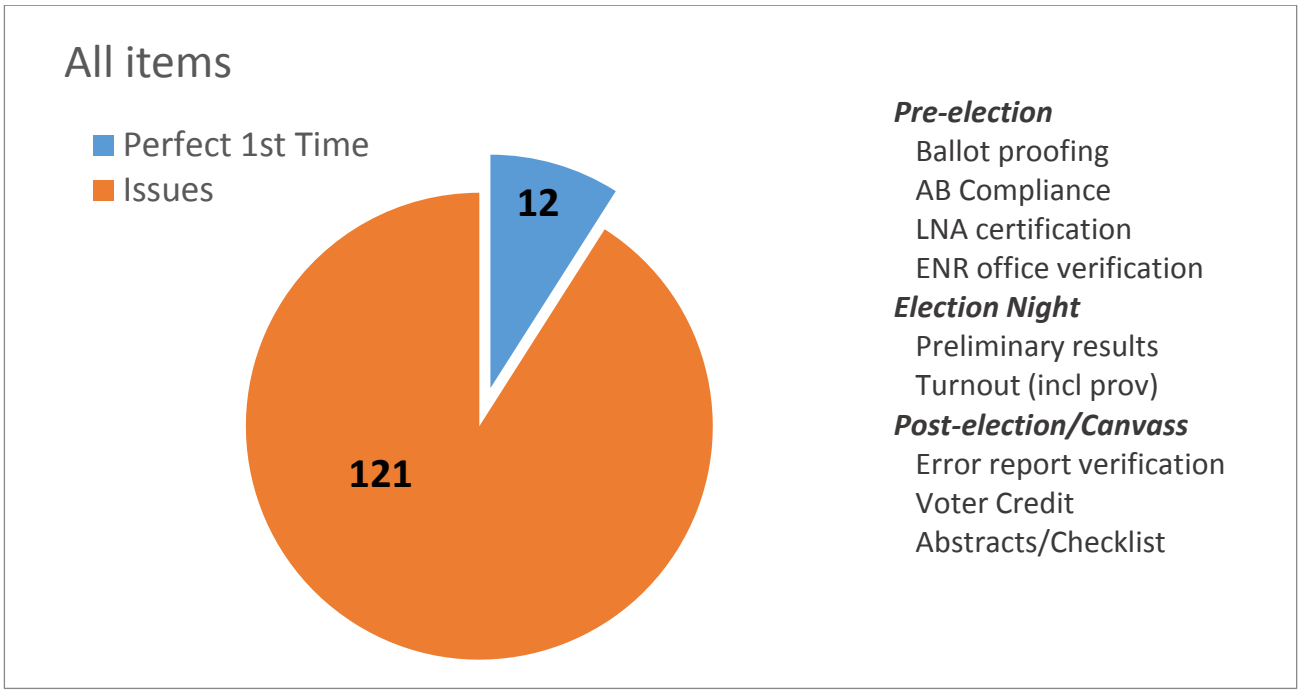
Locality	Precincts w/4,500-5,000 voters
Alexandria City	5
Arlington County	1
Chesapeake City	2
Chesterfield County	5
Fairfax County	18
Fredericksburg City	1
Hampton City	2
Henrico County	1
James City County	1
Lynchburg City	2
Newport News City	4
Norfolk City	1
Prince William County	5
Shenandoah County	2
Spotsylvania County	4
Tazewell County	1
York County	2
Grand Total	**57**

Election Administration Tasks

There are several election administration tasks for which the Department requires reports, information, or certification of completion from the general registrars. The tasks include the following:

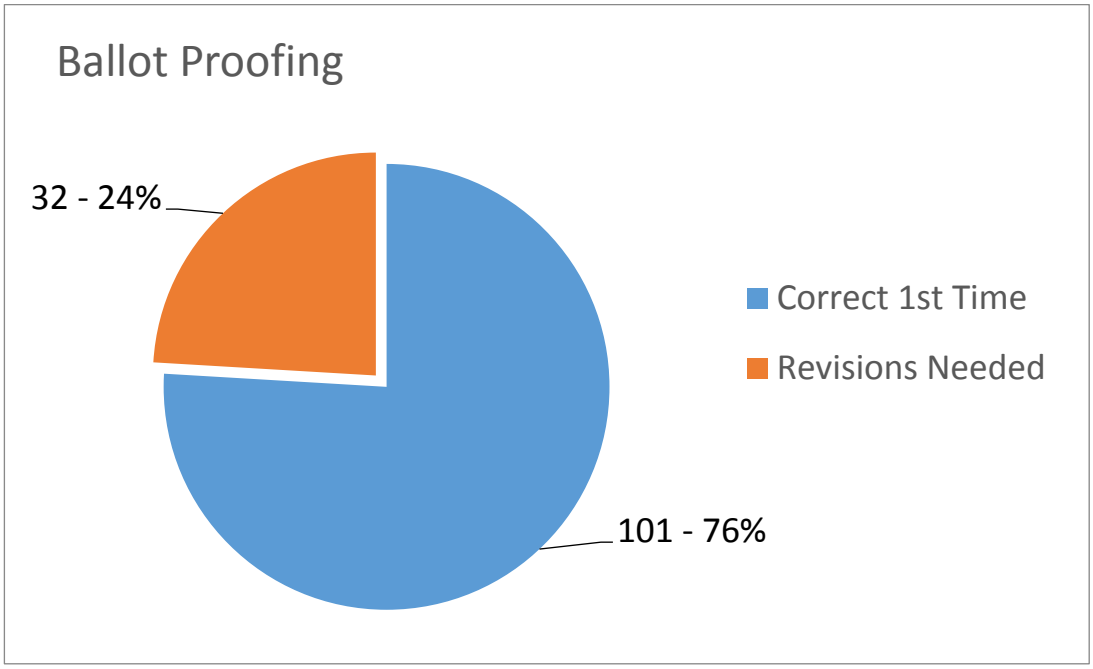
- Ballot Proofing
- Absentee Ballot Mailing Compliance (AB compliance)
- Logic and Accuracy Testing Certification (L&A Certification)
- Election Night Reporting (ENR) Office Verification
- Election Night Preliminary Results including estimated provisional turnout numbers
- Actual Voter Turnout including Provisional Ballots
- Error Report Verification
- Voter Credit
- Election Abstracts/Checklist

These tasks serve a variety of functions. Some are certification that legal requirements have been met, while others serve to make election night reporting and abstract production more accurate.



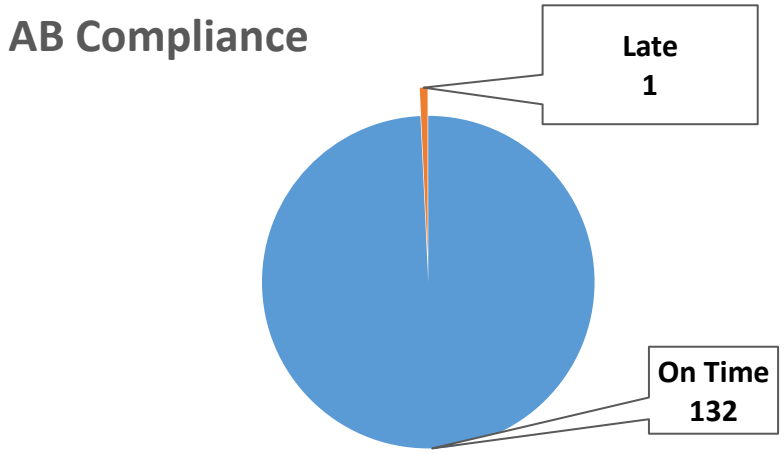
Ballot Proofing

All ballots must be approved by the Department of Elections prior to their use in any election (VA Code § 24.2-612). For the 2018 General Election, 101 localities submitted proofs of their ballot that did not require revisions.



Absentee Compliance

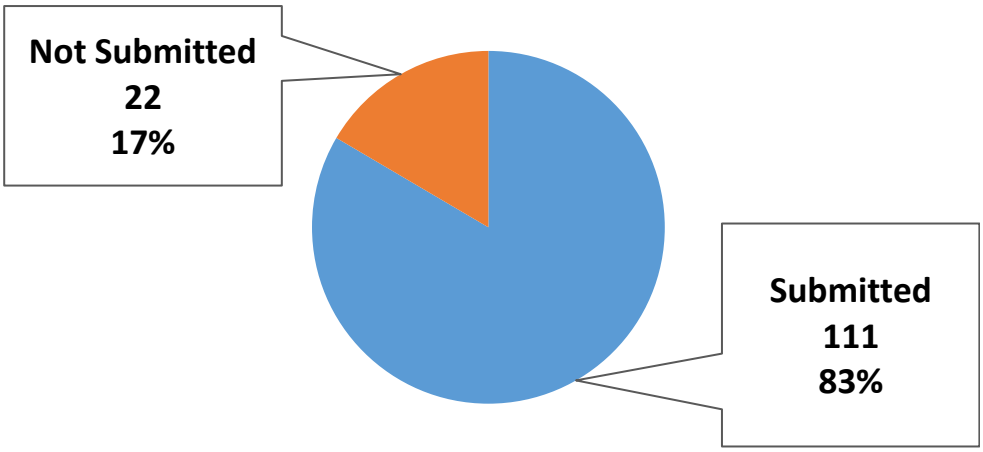
Virginia Code § 24.2-612 requires general registrars to report to the Department of Elections that absentee ballots were available for both absentee voting by mail and in-person at least 45 days before Election Day. For this election, 132 localities reported on time to the Department, and one (1) locality was late in its reporting.



Logic and Accuracy Testing

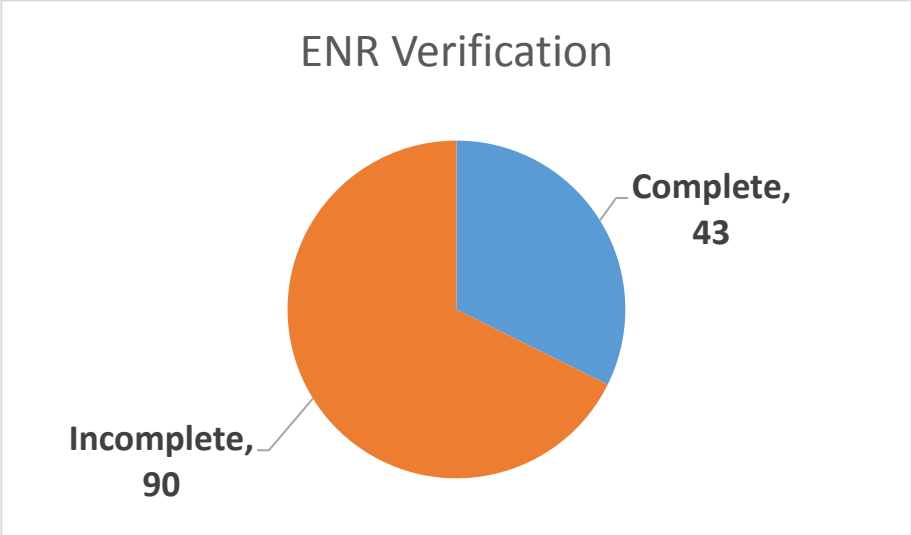
Prior to each election, voting machines must be tested for logic and accuracy. The Logic and Accuracy (L&A) Testing ensures that the vote tabulators are correctly recording the votes from each ballot cast. L&A Testing is required to be performed on each machine that will be used for absentee voting and Election Day and must be completed before the machine is used. The Department of Elections requires that each locality certify that testing has been completed.

Logic & Accuracy Certification



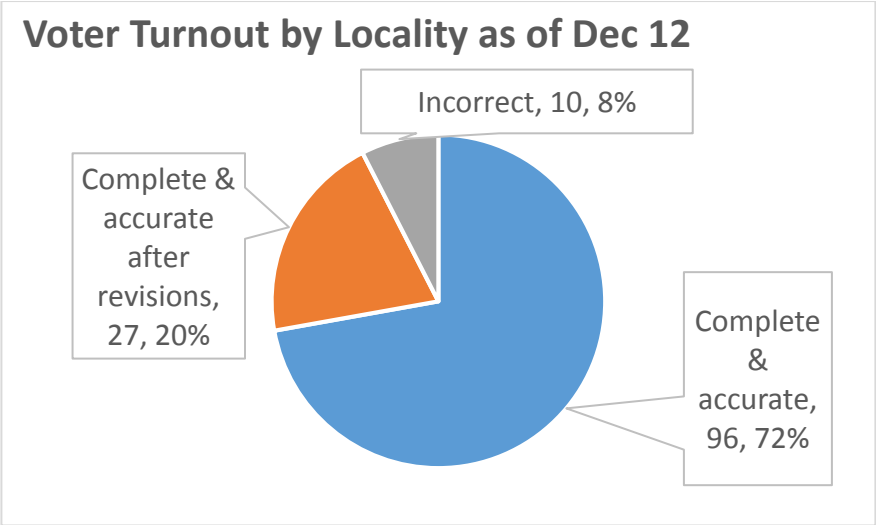
Confirm Offices Using Election Night Reporting Web Site

Prior to Election Day, the Department sends notice to all localities asking them to review the information presented in their Election Night Reporting (ENR) web site screens. By verifying this information prior to the election, the Department can ensure all necessary elements (contests, candidates, ballot issues, precincts, etc.) are represented in order to present accurate information to the public on election night. Verifying the information in advance can reduce errors and delays in reporting. For future elections, the Department will begin this process earlier and provide additional time for localities to confirm the data fields and for Department staff to follow up with those who haven't confirmed.



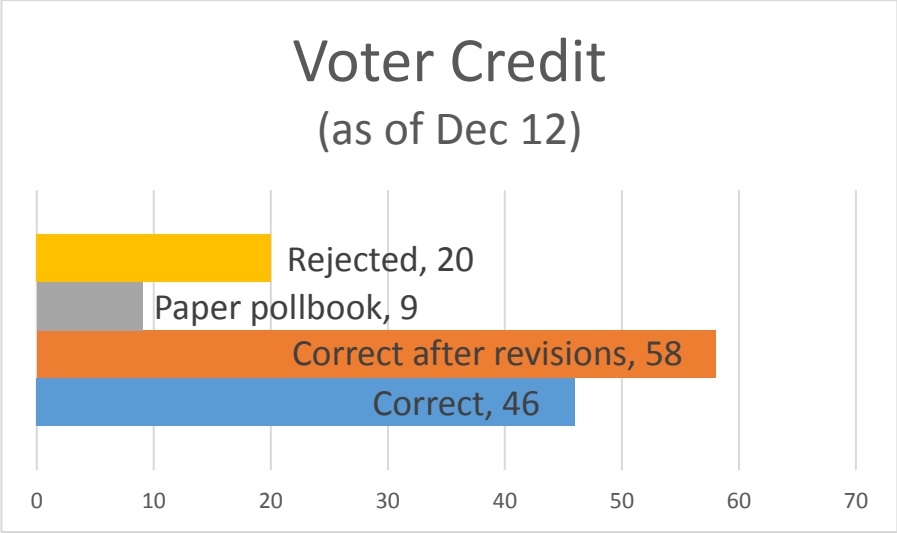
Voter Turnout Data

Voter turnout involves a combination of factors including, but not limited to, Election Day precinct voters, in-person and by mail absentee voters, and provisional voters. Presenting an accurate picture of the electorate by the end of canvass allows the general registrars, Electoral Board members, the State Board of Elections, Department of Elections, parties, candidates, media, and the general public insight into the activities of voters for one election. The data from that information can be helpful in planning for future elections.



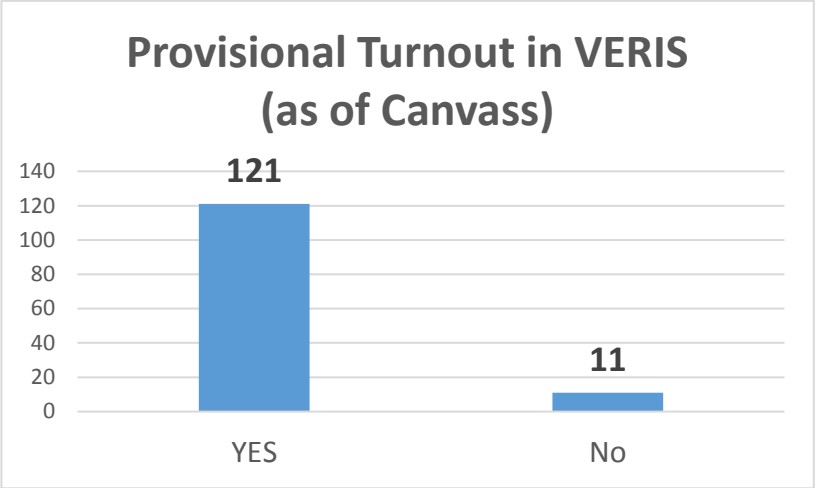
Voter Credit

Localities across the Commonwealth use either electronic or paper poll books to verify that a voter is registered and voting in the correct precinct. Localities who utilize paper poll books are provided with an extended deadline to enter the information into voters' records in VERIS. The chart below presents the success of the localities in applying voter credit to records after Election Day, but does not include reference to the nine (9) localities who use paper poll books.



Provisional Voter Turnout

Another aspect of presenting accurate election information is providing provisional voter turnout. Provisional voter turnout completes the reporting of overall turnout and helps present patterns in provisional voting that may indicate a more widespread problem within a locality or throughout the Commonwealth.

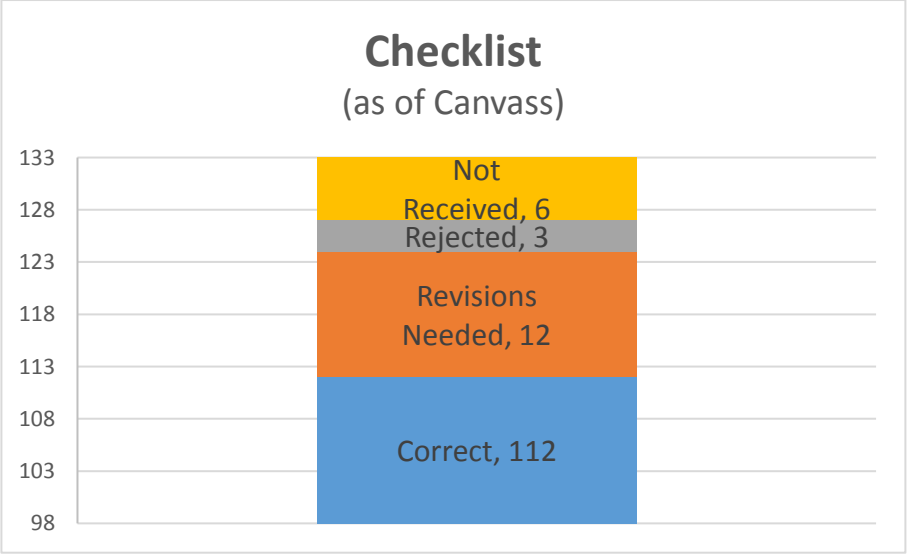


Election Results Verification

After previous elections, it was sometimes the case that data entered into VERIS and presented on the Department's website did not fully reflect Election Day. This issue was brought before the State Board of Elections by a member of the Virginia Electoral Board Association (VEBA). In response to these concerns, and with additional staffing in place, the Department instituted a new process for verifying locality election data in VERIS.

Prior to Election Day, the Department sends detailed instructions to all general registrars reminding them of the reports already available in VERIS that allow them to check and crosscheck data to ensure their entries are correct. The Department runs these same reports when verifying a locality's abstracts prior to State Board certification.

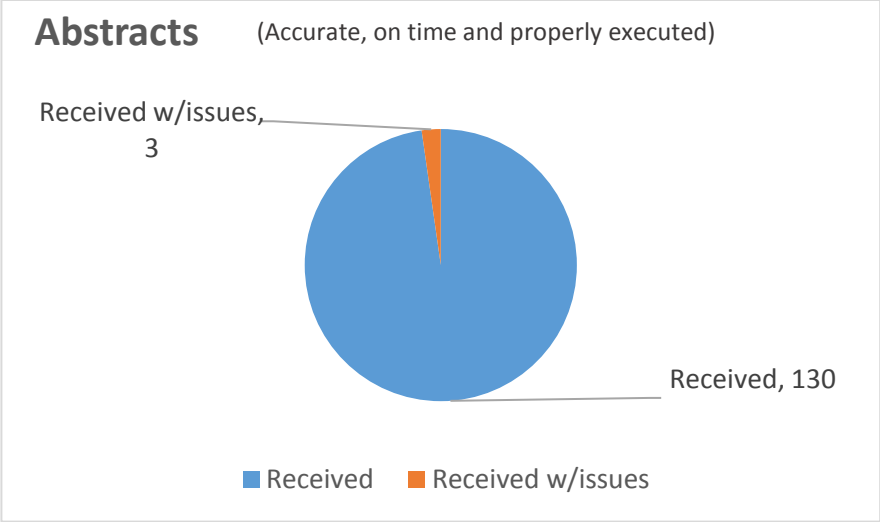
The Department instituted use of a Checklist as a means of reminding localities to run the reports as well as providing an easily accessible list of items to submit to the Department after canvass. In most cases, the Checklist has worked well and been helpful to both the locality and the Department. However, some localities refuse to provide the checklist because they are not required to do so by law or regulation.



Abstracts of Votes

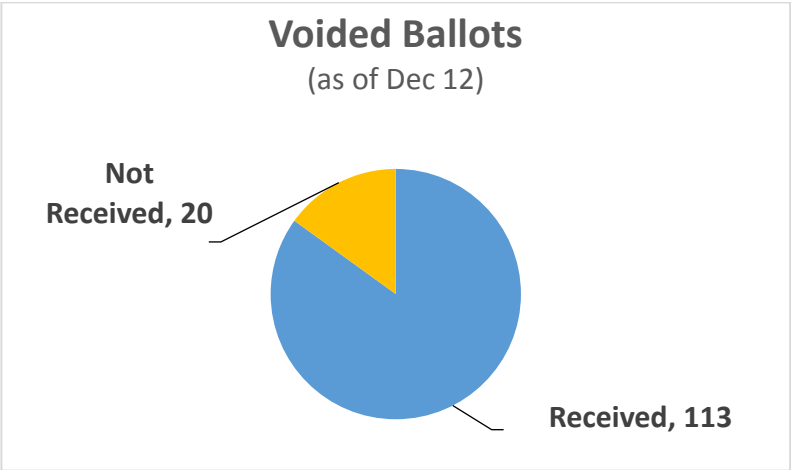
Abstracts are the ultimate result of any election. It is essential that election abstracts are correct, because they are the official record of the votes cast for candidates, constitutional amendments, and referenda. The Department works closely with localities to ensure abstracts submitted to the State Board of Elections accurately reflect vote totals. For the 2018 General Election, abstracts submitted to the Department were accurate and on time with three exceptions.

- Buena Vista – changed results on the day of certification
    - Running the recommended reports would have detected the error
- Prince William – US House 11: one precinct has 19 more votes than voters voting
    - Libertarian got 19 votes
    - Write-in was 19
    - Staff suspect that 19 on the write-in certification was wrong/accidental
- Hopewell – did not produce and certify abstracts for constitutional amendment questions



Voided Ballots

The Code of Virginia § 24.2-612 requires general registrars to submit a copy of each ballot used in an election for historical record purposes.



Areas Identified for Training

As discussed previously, the Department of Elections recently improved its results verification process. This change has highlighted some areas ripe for training, especially on entering data into VERIS. Vote count results are being entered accurately. However, it is apparent that not all general registrars understand how to utilize post-election results verification reports to catch errors.

These reports can help catch human errors such as entering a number into the wrong field or transposing numbers. The Department ran these reports for all localities and worked with general registrars during canvass to identify and correct issues. We tracked the kinds of issues found during this process and will build future training around these.

- 23 localities did not enter provisional counts correctly. They either:
  - reported the election night provisional count correctly, but then reported provisional voter turnout only including counted provisional ballots; or
  - reported zero provisionals on election night, and then reported provisional turnout with numbers;
    - one locality didn't enter provisional turnout at all.
- Absentee
  - A few localities had gaps between absentee voter credit and Central Absentee Precinct voter turnout
    - Due to not properly acknowledging receipt of absentee ballots in VERIS prior to Election Day

City of Hopewell

This report would be incomplete without at least a brief discussion of issues in the City of Hopewell. The Hopewell Electoral Board appointed a new general registrar prior to the June 2018 Primary Election. In September, the State Board of Elections formally requested the Hopewell Circuit Court to remove two members of the Electoral Board. The circuit court replaced the two members with interim appointments while the case is pending. A jury trial has been set for the end of February or the beginning of March to determine whether the two members will be removed permanently.

Many members of the Department of Elections staff have worked very closely with the Hopewell general registrar to help ensure understanding of and compliance with Virginia election laws and regulations. Despite attempts by the Department and many members of the Virginia elections community to assist, answer questions, and introduce best practices, the following is a listing of issues discovered through VERIS and other reports:

- Hopewell did not provide accurate and properly executed abstracts for constitutional amendments until thirty minutes before the State Board was to certify the election.

- According to VERIS records, Hopewell issued an emergency absentee ballot on Election Day in violation of Code (§24.2-705).

- Hopewell did not properly process absentee ballots in VERIS.
  - No absentee ballots returned to the Hopewell office had their status changed from "Issued". This prevents voter credit from being properly applied.
  - One Federal Write-In Absentee Ballot (FWAB) shows returned, but voter credit was not applied.
  - Voter credit was applied to a voter for an absentee ballot whose VERIS status indicates it was not returned.

- Hopewell may not have properly entered results into VERIS.
  - Hopewell did not enter provisional results for either of the proposed constitutional amendments. It is difficult to determine if this is legitimate.

- Hopewell did not keep a copy of the SORs in the office for public inspection in violation of §24.2-668(B).

- According to reports, some precincts did not use SORs.

- Suspect Precinct Change.
  - On October 27, 2018, a voter registered in precinct 601 voted absentee in precinct 601. Later the same day, the Hopewell office manually changed the voter's precinct to 201. From precinct boundary maps, it appears the voter should be registered in precinct 601.

Summary and Suggested Best Practices

As noted in the introduction, the data presented here tells the story of the 2018 General Election. Ultimately, the story is a good one. With well over 3.3 million people casting a ballot and the vast majority of those doing so between the hours of 6AM and 7PM in a single day, there are always likely to be issues that come up. However, by working together, planning in advance, and knowing and implementing best practices, the vast majority of problems are solved quickly and in a manner that improves the voter's experience.

General registrars, Electoral Board members, and the Department of Elections will take the story of 2018, learn its lessons, and plan for improvements going into the 2019 General Assembly elections and the presidential election in 2020.

It is with the information presented the Department's staff recommends the following to improve election administration in the Commonwealth for future elections:

- Work with local election officials to determine how to improve absentee system to ensure more timely delivery of absentee ballots;
- Keep precinct sizes as small as possible, certainly within legal limits;
- Train officers of election to clear paper jams so they don't have to wait for a technician;
- Plan for more officers of election than the minimum required;
- Work with the governing body of the locality to procure spare equipment; and
- Have trained technicians with a car, truck or van loaded with spare equipment, forms, ballots, and envelopes available to deploy on Election Day.

Appendix A – Vendor Reports

Voting System Vendors

The Department of Elections communicated with voting equipment vendors on and after Election Day to get their perspective on the performance of voting equipment across the Commonwealth. The vendors have provided their thoughts and data in their own format and words. For future elections, the Department will collaborate with vendors prior to Election Day to develop a standard format for reporting similar information.

DOMINION

Atlantic Elections Calls
(Dominion)

Locality	Issues reported	actions taken
Amelia	None	
Bedford Co.	None	
Buena Vista	None	
Buchanan	None	
Charlotte	None	
Charles City	None	
Craig	Bad Screen	replaced machine with back-up unit before 1st Voter arrived.
Cumberland	Paper Jam	Talked them through ballot removal procedure on phone, and they continued voting.
Dickenson	None	
Franklin Co.	Paper Jam	on Duty tech cleared jam and they continued voting.
Greensville	None	
Gloucester	None	
Lee	Error Message	Machine was not plugged in – battery warning – plugged machine into working outlet.
Louisa	None	
Mecklenburg	None	
Nottoway	None	
Page	None	
Radford	None	
Russell	None	
Scott	None	
Salem	None	
Smyth	None	
Staunton	Paper Jam	on Duty tech cleared jam and they continued voting.
Suffolk	Paper Jam	on Duty tech cleared jam and they continued voting.
Sussex	None	
Waynesboro	None	
Washington	Paper Jam/ Power issue	Talked them through ballot removal procedure on phone, and they continued voting. Got low power warning message, power strip had been turned off by mistake.
Caroline	None	Print vendor only
Rapphannock	None	Print vendor only

ES&S

Gary Fox was on site in Petersburg. Petersburg currently uses M100s and tested the DS200 in November. There were no voting equipment issues on Election Day that disrupted the voters in Petersburg. In addition, Gary reached out to Colonial Heights, Covington, Hopewell, Isle of Wight, Buckingham, or Pulaski. None of these localities reported issues.

Tyler Lincks reported Henrico had no voting system equipment failures. Delays were attributed to paper jams. A higher than normal number of ballot jams occurred due to damp weather.

According to Tyler:

> *Clearing jammed ballots is quick and easy on the DS200 with the Officers able to access the ballot either from the ballot tray on the scanner, behind the scanner at the beginning of the path into the ballot box, or at the end of the path as the ballots drop into the Lower Bin of the ballot box. The DS200 gives a clear message on the screen if a jammed ballot either has or has not been counted so the Officers know whether, once cleared, the ballot should be rescanned. It takes a few seconds for a ballot jam to be cleared.*
>
> *The Officers in Henrico are specifically directed to not clear ballot jams. They are instructed to wait for a Henrico technician to arrive; only the technician is allowed to clear a ballot jam. This is a policy decision made by and specific to Henrico County. Waiting for a technician to arrive can lead to significant delays in getting the scanner back to successfully scanning ballots. It is my understanding that voters were directed to leave their voted ballots in the Emergency Bin or some other receptacle to be scanned later. As I stated on Tuesday, this may have caused a perception among some voters or observers that the scanner was experiencing an operative failure when in fact it was not.*
>
> *The jams were caused by the distinctly wet weather. Ballots taken out for curbside voting were quite wet when they were brought in and scanned. Also voters waiting to scan their ballots in the polling place were hiding them from view by holding them against themselves in contact with wet rainwear. As I stated in my email on Tuesday, wet ballots are prone to cause jams. I don't have firm numbers about the number of precincts in which jams occurred; the Printelect deployed on-site support person observed it in five precincts. There may have been others that were visited by Henrico technicians.*
>
> *With a single scanner present in all Henrico precincts, any interruption of normal scanning caused by a jam would have an immediate impact on the rate of processing voters through the line. It is becoming increasingly apparent that it might be prudent for larger precincts to deploy more than one scanner comprehensively in higher-turnout elections order to avoid a single pinch point should a jam or other minor interruption occur.*
>
> *The information in this report is gleaned from consultations with the on-site support person who visited about 15% of the Henrico precincts and spoke to Officers. Officers consistently cited the causes I have enumerated above. I have also consulted with staff at the Henrico Registrar's office and there is a consensus about the causes. All systems in a polling place could be operating optimally and there still be long lines of voters and a long wait to complete the voting process. While dissatisfaction with this experience among voters or observers is understandable, it does not mean that there were any failures of equipment or processes.*

Hart

Falls Church, VA	Virginia, Commonwealth of	Verity Question					Falls Church, VA: Password required to read vDrives in Count	called: She for got the Verity Key password.	Information/Training/How to	Hart helped them remember the password.	
Norfolk, VA	Virginia, Commonwealth of	Verity Problem	Norfolk VA-No power and battery is dead, can we use vdrive in another Scanner		No power and battery is dead, can we use vdrive in another Scanner		Information/Training/How to	No. Must use new vdrive	No. Must use new vdrive		
Chesapeake, VA	Virginia, Commonwealth of	Verity Problem	Chesapeake VA-needs more ballots	needs more ballots	Other	Hart sent pdf's					
Floyd County, VA	Virginia, Commonwealth of	Verity Problem	Floyd VA-running out of ballots	running out of ballots	Other	Hart sent pdfs					
Campbell County, VA	Virginia, Commonwealth of	Verity Problem	Campbell VA-Scnner error unable to accept this ballot	Scnner error unable to accept this ballot	Information/Training/How to	Customer was using the wrong ballot, Hart sent correct pdf					

Unisyn

Reported swapping out five voting systems in different localities. All other calls were reported to be operator error.

Location	Date/Time	Type	Description	Resolved
Loudoun	11/6/2018 6:42am	OVO	On for 10 minutes, then turns off. When turned back on, the OVO shuts off again.	Swapped out and will be looked at for repair
Lynchburg	11/6/2018 6:45am	OVI	Printer not connected. Power brick may be dead.	Swapped Needs Repair
Rockingham	11/6/2018 7:37am	OVI	OVI on for a bit, then screen shuts off. When turned off/on the screen won't turn on.	Swapped Needs Repair
Orange	11/6/2018 8:20am	OVO	Invalid ballot. Won't accept ballot.	Swapped Needs Repair - might be dirty glass

City of Manassas	11/6/2018 2:00pm	OVO	Running slow. Then presented an error code 907. Walked her though replacing a scanner with a spare. All counts came up correct when replaced with a spare. Voting continued.	Swapped machine Needs Repair - appears to be hard drive issue where the protective counter was not matching, so it threw an error code.

Electronic Pollbook Vendors

DemTech

Mike Brown reported:

Below is a list of calls that I received on Election Day.

Carla: Mathews County

- Carla's reports were wrong due to her Computers time zone being on PST instead of EST. I helped her change the Time zone and she was able to continue on.

Marie Muir: Norton County –

- Marie had an error show up "Side By Side configuration is incorrect" We are not sure what this is. Marie was using the old Data Card software Version - 2.1.0.2453. I have sent her the Advocate Version that we tested through the State and she will be upgrading.

Mike Edwards: Scott County

Two of there laptops would not sync. I talked with the IT person and determined the drivers were not installed for the Network Adapter.

Joyce Pace: Fluvanna County

- Joyce's problems with her Syncing at first had to do with her IT person turning off IP6 on her new laptops. I guess they had never tested syncing prior to the Election and it is difficult to debug and test during a live election. I am not sure what other changes the IT person did. I will be flying into Virginia to do a complete review of her laptops and set them up properly.

Lisa Betterton: Isle of Wight County:

- Lisa had set up a CAP precinct and did not understand that you would need an Admin override on each person you check in Absentee, because they were Absentee and the system needs an Admin override to check them in.

Anna Cloeter: Roanoke County

- Anna seemed to have a few issues with her machines. I will be flying in to review them and set them all up properly. Anna went to paper Poll Books because she said her older machines were not performing and needed to be upgraded.

KnowINK

We currently support nine (9) election jurisdictions; Augusta, Danville, Fairfax County, Falls Church, Halifax, Lancaster,

Norfolk, City of Richmond, Waynesboro. On Election Day our call center received zero (0) calls from any of our Virginia clients. However our team was proactive with each out to each county speaking with most of our clients on election day. If we did not hear or speak with them yesterday - we spoke with each of them today as we begin our post election support. All the issues that were reported once we contacted the jurisdiction were as follows:

- August - No issues to report
- Danville - Three (3) separate precincts experienced a singular app crash on one pad. Multiple pads were deployed in each of those locations /no voting was disrupted while EPB issue was being resolved. No impact on polling location flow / functionality. No other reported issues.
- Fairfax County - Reported zero (0) crashes. Just minor Election Day issues regarding EBP's, nothing that impacted voters or election workers at polling location on election day.
- Falls Church - No issues to report
- Halifax - No issues to report
- Lancaster - No Issues to report
- Norfolk - No Issues to report
- Richmond - Reported app crashes in 5 or 6 precincts. Backup EPB's were deployed prior to Election Day as a precaution and used as needed until issue was resolve. Richmond reported no issues that significantly impacted/impeded their election day.
- Waynesboro - No issues to report

Robis

David Davoust reported, "We are aware of no AskED ePollbook issues in the election."

VR Systems

Kevin White reported, "We were on site at Franklin County, City of Charlottesville and Albemarle County. We did not have any data issues or hardware issues that would have caused delays. All precincts opened on _me and closed as scheduled without issues. We provided our customers with several phone numbers for our in state techs and VR Systems for 24/7 support."

Appendix B - HAVA Administrative Hearing and Final Determination

The purpose of this document is to provide record of the final determination from a formal complaint filed pursuant to Help American Vote Act of 2002 (HAVA). The purpose of HAVA was to reform the US's election administration and voting process.

Help America Vote Act Administrative Hearing

HAVA requires states to have a complaint procedure for citizens to report alleged violations of Title III of HAVA. The purpose of the administrative hearing is to determine whether any procedure required by Title III of HAVA was not correctly followed and to develop a plan to make sure the violation, if any, does not happen again.

What was the violation asserted?

The Voter asserted they were not provided a provisional vote notice as required by HAVA Section 302 during a federal election cycle.

What is a provisional vote?

In simplest terms, provisional voting represents the right of an individual to reserve their right to vote, and postpone the voter eligibility determination to a time when more perfect or complete information may be provided. A person who offers to vote may have their eligibility questioned by the election official; if so, the election official is to provide the individual a provisional ballot as required by federal law during federal election cycles. HAVA Section 302 also requires the election official to provide the voter a provisional ballot notice, which provides information regarding the process of counting a provisional ballot.

Final Determination of the HAVA administrative hearing

On January 17, 2018, the Department of Elections held an administrative hearing with the Voter and the General Registrar of Chesterfield County to review the Voter's assertion of HAVA Section 302 violation. From the meeting, ELECT staff determined that the Chesterfield election official was required to provide notice relevant to the provisional ballot offered to the Voter. The Chesterfield General Registrar discussed solutions to mitigate the potential of a provisional voter not receiving notice in future elections. Solutions included: changing training for election officials, change to the provisional ballot procedure for election officials, and increasing public information regarding provisional ballots.