



Special Meeting Agenda
Monday, October 30, 2023, 4:00 pm

- I. Call to order
- II. Purpose of Special Meeting
- III. Relevant Items of Note
- IV. Update on Status of Early Voting Sites
- V. Public Comment – Rules of Conduct
- VI. Public Comment – Speakers

Barry Jackson, Board of Elections Executive Director will serve as time keeper.

- VII. Next Steps
- VIII. Adjournment

Executive Session

Part of the meeting may be closed in accordance with Open Meeting Act Procedures.



October 26, 2023
(Revised October 30, 2023)

Notice
(Revised)

The Washington County Board of Elections (Board) will hold a special session on Monday, October 30, 2023 at 4:00 pm.

The purpose of the meeting is to discuss the October 26, 2023 failure of the Board's designation of Hancock Town Hall as an Early Voting Site to receive State Board of Elections (SBE) approval and to take any necessary action related thereto.

The meeting is open to the public and will be held at the Board's headquarters, 17718 Virginia Avenue, Hagerstown, MD 21740. Live streaming will be available for those who cannot attend in person. The instructions are below. A public comment period will appear on the agenda.

Any questions regarding this public notice can be directed to Election Director Barry Jackson at barry.jackson@maryland.gov or 240-313-2050.

Call In Instructions for the Meeting:

Meeting ID

meet.google.com/xjw-ptjb-tmj

Join by phone

1 585-491-8674

PIN: 449 461 788##

At least 48 hours notice given in accordance with Election Law Article, §1-305, Change in Administrative Policy Affecting Voting Rights.

17718 Virginia Avenue | Hagerstown, MD 21740 | P: 240.313.2050 | F: 240.313.2062 | TDD: 711

WWW.WASHCO-MDELECTIONS.ORG



October 26, 2023

Notice

The Washington County Board of Elections (Board) will hold a vote session on Monday, October 30, 2023 at 4:00 pm to select a new Early Voting Site.

At its October 26, 2023 meeting, The State Board of Elections (SBE) did not approve the Board's selection of Hancock Town Hall as an Early Voting Site and charged the Board with selecting a new site to present to SBE at a future meeting. The two (2) sites the Board will be considering at its October 30 meeting are:

Washington County Free Library, Fletcher Branch
100 S. Potomac Street
Hagerstown, MD 21740

Community Volunteer Fire Company of District 12
18002 Tilghmanton Road
Fairplay, MD 21733

The meeting is open to the public and will be held at the Board's headquarters, 17718 Virginia Avenue, Hagerstown, MD 21740. Live streaming will be available for those who cannot attend in person. The instructions are below. Public comments will be taken before the vote occurs.

Any questions regarding this public notice can be directed to Election Director Barry Jackson at barry.jackson@maryland.gov or 240-313-2050.

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EARLY VOTING CENTER PROPOSALS



PURPOSE

Included in this packet is a list of counties and their proposed Early Voting Centers for the 2024 elections. The State Board of Elections recommends these Early Voting Centers be approved according to the governing laws and regulations. Early Voting is governed by [Md. Election Law Code Ann. § 10-301.1](#) (full law on page 2) and COMAR 33.17.02.02 (full regulation on pages 3-4).

OVERVIEW

ALLEGANY

Required EVCs: 1
Proposed EVCs: 1

Recommendation:
Approve

Page 4-8

CAROLINE

Required EVCs: 1
Proposed EVCs: 1

Recommendation:
Approve

Page 9-12

CARROLL

Required EVCs: 3
Proposed EVCs: 3

Recommendation:
Approve

Page 13-18

CECIL

Required EVCs: 2
Proposed EVCs: 2

Recommendation:
Approve

Page 19-23

CHARLES

Required EVCs: 3
Proposed EVCs: 3

Recommendation:
Approve

Page 24-29

DORCESTER

Required EVCs: 1
Proposed EVCs: 1

Recommendation:
Approve

Page 30-32

HARFORD

Required EVCs: 3
Proposed EVCs: 4
Optional EVCs: 1

Recommendation:
Approve

Page 33-39

HOWARD

Required EVCs: 5
Proposed EVCs: 5

Recommendation:
Approve

Page 40-47

ST. MARY'S

Required EVCs: 2
Proposed EVCs: 3
Optional EVCs: 1

Recommendation:
Approve

Page 48-53

WORCESTER

Required EVCs: 1
Proposed EVCs: 1

Recommendation:
Approve

Page 54-57

WASHINGTON

Required EVCs: 2
Proposed EVCs: 3
Optional EVCs: 1

Several Public Comments
Received
Recommendation: Board
discussion

Page 57-63

MD. ELECTION LAW CODE ANN. § 10-301.1

§ 10-301.1. Early voting and early voting centers.

(a) Except as provided under Title 9, Subtitle 3 of this article, during any regularly scheduled primary or general election a voter may vote:

- (1) in the voter's assigned precinct on election day; or
- (2) at an early voting center in the voter's county of residence on any early voting day in accordance with this section.

(b)

- (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.
- (2) A county with fewer than 50,000 registered voters shall have one early voting center established in the county.
- (3) A county with at least 50,000 registered voters but fewer than 100,000 registered voters shall have two early voting centers established in the county.
- (4) A county with at least 100,000 registered voters but fewer than 200,000 registered voters shall have three early voting centers established in the county.
- (5) A county with at least 200,000 registered voters but fewer than 300,000 registered voters shall have five early voting centers established in the county.
- (6) A county with at least 300,000 registered voters but fewer than 400,000 registered voters shall have seven early voting centers established in the county.
- (7) A county with at least 400,000 registered voters but fewer than 500,000 registered voters shall have nine early voting centers established in the county.
- (8) A county with at least 500,000 registered voters but fewer than 600,000 registered voters shall have 11 early voting centers established in the county.
- (9) A county with at least 600,000 registered voters shall have 13 early voting centers established in the county.
- (10) In addition to the early voting centers required in this subsection, each county may establish one additional early voting center if:
 - (i) first, the local board and the governing body of the county agree to establish an additional early voting center; and
 - (ii) then, the State Board approves the establishment of the additional early voting center.

(c)

- (1) No later than 6 months before a primary election, the local board in each county shall, subject to the approval of the State Board, designate each early voting center in that county.
- (2) A local board shall take into account the following factors when determining the location of an early voting center:
 - (i) accessibility of the early voting center to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups;
 - (ii) proximity of the early voting center to dense concentrations of voters;
 - (iii) accessibility of the early voting center by public transportation;
 - (iv) ensuring equitable distribution of early voting centers throughout the county; and
 - (v) maximizing voter participation, including through the use of community centers and public gathering places as locations for early voting centers.

(d) Each early voting center shall be open for voting as follows:

- (1) beginning the second Thursday before a primary or general election through the Thursday before the election; and
- (2) during the hours between 7 a.m. and 8 p.m. each early voting day.

(e) Each early voting center shall satisfy the requirements of § 10-101 of this title.

(f) Beginning 30 days prior to each early voting period the State Board and each local board shall undertake steps to inform the public about early voting and the location of early voting centers in each county, including:

- (1) a series of public service media announcements;
- (2) mailings to all registered voters in each county; and
- (3) other measures as appropriate.

(g) Except as expressly provided in this section, any provision of this article that applies to voting on election day also applies to early voting.

(h) The State Board shall adopt regulations and guidelines in accordance with the requirements of this section for the conduct of early voting.

COMAR 33.17.02.02

.02 Selecting Early Voting Centers.

A. Considerations for Early Voting Centers. A local board shall consider the following factors when determining the location of an early voting center:

- (1) Accessibility of the early voting center to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups;
- (2) Proximity of the early voting center to dense concentrations of voters such that:
 - (a) If a county is required by Regulation .01 of this chapter to have one or two early voting centers, 50 percent of the registered voters in the county live within 10 miles of one of the proposed early voting center; or
 - (b) If a county is required by Regulation .01 of this chapter to have three or more early voting centers, 80 percent of the registered voters live within 5 miles of one of the early voting centers;
- (3) Accessibility of the early voting center by public transportation;
- (4) Ensuring equitable distribution of early voting centers throughout the county;
- (5) Maximizing voter participation, including through the use of community centers and public gathering places as locations for early voting centers;
- (6) Whether the early voting center can accommodate long lines of voters, including taking into consideration how voters waiting in line are protected against inclement weather; and
- (7) Whether the early voting center has parking facilities sufficient for early voting, taking into consideration the normal business activities of the proposed early voting center.

B. Requirements for Early Voting Centers. A local board shall propose early voting center locations that:

- (1) Allow a local board to install the required telecommunication needs;
- (2) Are of sufficient size and layout to conduct early voting, including adequate access to electricity;
- (3) Are accessible or can be made accessible for voters with disabilities;
- (4) Can store voting equipment and supplies in a secure location during non-early voting hours;
- (5) Have sufficient and reliable heating and air-conditioning capabilities; and
- (6) Can accommodate a no electioneering zone as required by Election Law Article, §16-206, Annotated Code of Maryland, exit polling as required by COMAR 33.07.08, and electioneering outside of the no-electioneering zone.

C. Form for Proposed Early Voting Center.

- (1) The State Board shall:
 - (a) Prescribe a form for a local board to use to provide information about a proposed early voting center; and
 - (b) Provide each local board with the form at least 1 year before a primary election.
- (2) Form Submission for Early Voting Center.
 - (a) At least 7 months before a primary election, a local board shall submit a form for each proposed early voting center.
 - (b) If a local board is required to have more than one early voting center, the local board shall:
 - (i) Complete a form for each proposed early voting center; and
 - (ii) Submit the forms for each proposed early voting centers at the same time.

D. Contents of Form. The form shall include questions related to whether the proposed early voting center meets the considerations and requirements defined in §§A and B of this Regulation.

E. Additional Information. For each proposed early voting center, a local board shall submit with the form required in §C of this regulation:

- (1) A diagram of the facility, including the proposed layout of the voting equipment and electrical and telecommunications connections in the voting area and the proposed locations of the election judges;
- (2) The State of Maryland's Accessibility Survey form;
- (3) Digital photographs of the outside of and entrance to the proposed early voting center; and
- (4) The security plan required by Regulation .04 of this chapter.

F. Inability to Identify Proposed Early Voting Center. If the proposed early voting center does not meet all of the criteria listed on the form required in §C of this regulation, a local board shall provide on the form:

- (1) A list of other facilities that were considered, and why those facilities are not being proposed as early voting centers; and
- (2) A description of the factors that mitigate the fact that the proposed early voting center does not meet all of the criteria listed on the form required in §C of this regulation.

COMAR 33.17.02.02 (cont.)

G. Use of Local Board Office. If a local board proposes to use the offices of the local board as an early voting center, the local board shall:

(1) Have a clearly marked space for early voting that is distinct and separate from absentee voting that occurs at the office; and

(2) Post signs and include in all election-specific materials the business hours of the local board and the early voting hours.

H. Approval of Early Voting Centers.

(1) Upon receipt of a form for a proposed early voting center, the State Administrator shall review and make a recommendation to the State Board as to whether to accept or reject the proposed early voting center.

(2) The State Board shall:

(a) Vote on a local board's proposed early voting center within 30 days of receipt of the form required in §C of this regulation;

(b) Give deference to a proposed early voting center for which a local board considered the factors required in §A of this regulation and the requirements of §B of this regulation; and

(c) Within 2 days after its vote on a proposed early voting center, notify the local board of this outcome of the State Board's vote.

(3) Upon approval by the State Board, a local board shall include in its disaster recovery plan the name, address, and contact information for the early voting center.

I. Alternate Early Voting Centers.

(1) A local board shall identify an alternate early voting center for use if an approved early voting center becomes unavailable.

(2) A local board shall give preference to the offices of the local board or a government facility when considering the location of an alternate early voting center.

(3) A local board shall identify:

(a) One alternate early voting center if the local board is required to establish one, two, or three early voting centers; or

(b) Two alternate early voting centers if the local board is required to establish four or more early voting centers.

(4) A local board shall:

(a) At least 3 months before a primary election, complete and submit to the State Administrator the form required by §C of this regulation for each proposed alternate early voting center; and

(b) Upon approval by the State Administrator of the alternate early voting center:

(i) Submit the form to the appropriate local government agencies; and

(ii) Include in its disaster recovery plan the name, address, and contact information for each alternate early voting center, a plan for notifying the public if the alternate center is needed, and a plan for transitioning operations to an alternate center.



WASHINGTON

Location (1 of 3)

Washington County Election Center
 17718 Virginia Avenue, Hagerstown, MD 21740
 *This is an old location from a previous election

Site Survey

Site is in compliance.

Turnout Estimate

Site is of sufficient size to handle voter traffic.

Site Agreement

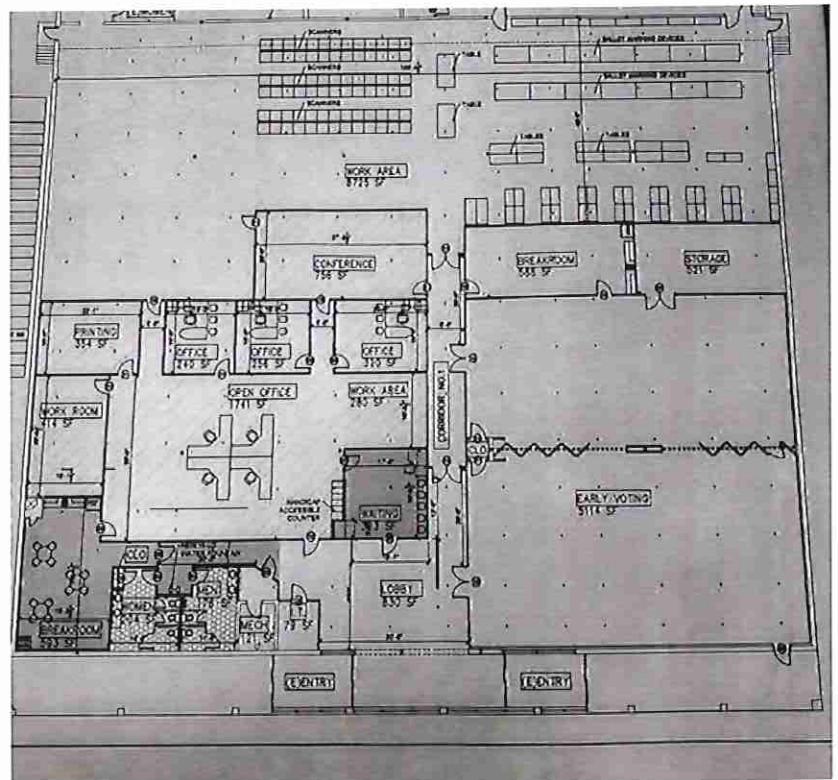
Signed and submitted

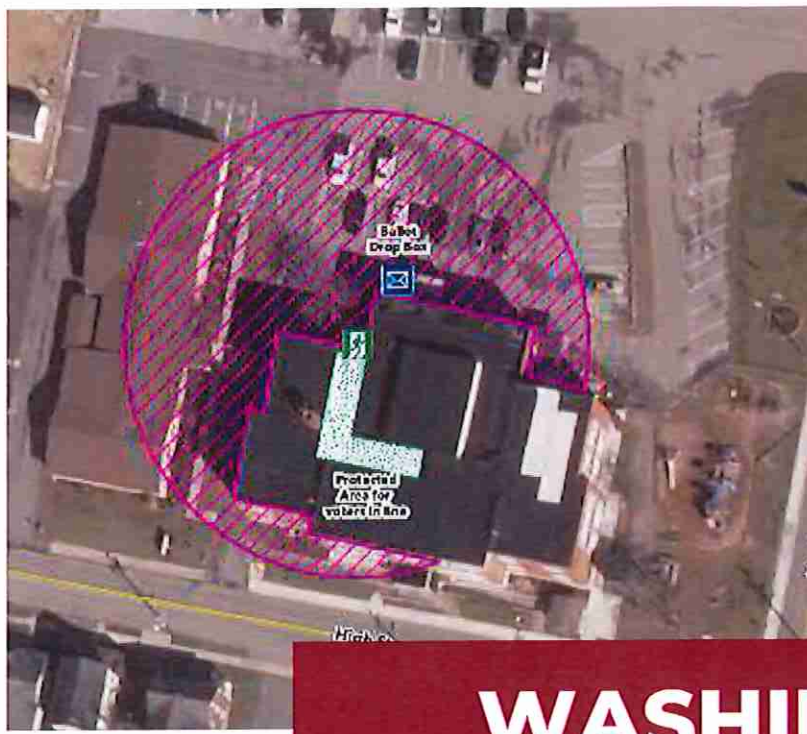
ADA Survey

Site is in full compliance.

Signal Strength and Security Plan

Submitted for review.





WASHINGTON

Location (2 of 3)

Hancock Town Hall
126 W. High Street, Hancock MD 21750

Site Survey

Site is not in compliance. Site will only serve a population of 3,021 and does not meet the criteria for site selection.

Turnout Estimate

Site is of sufficient size to handle voter traffic.

Site Agreement

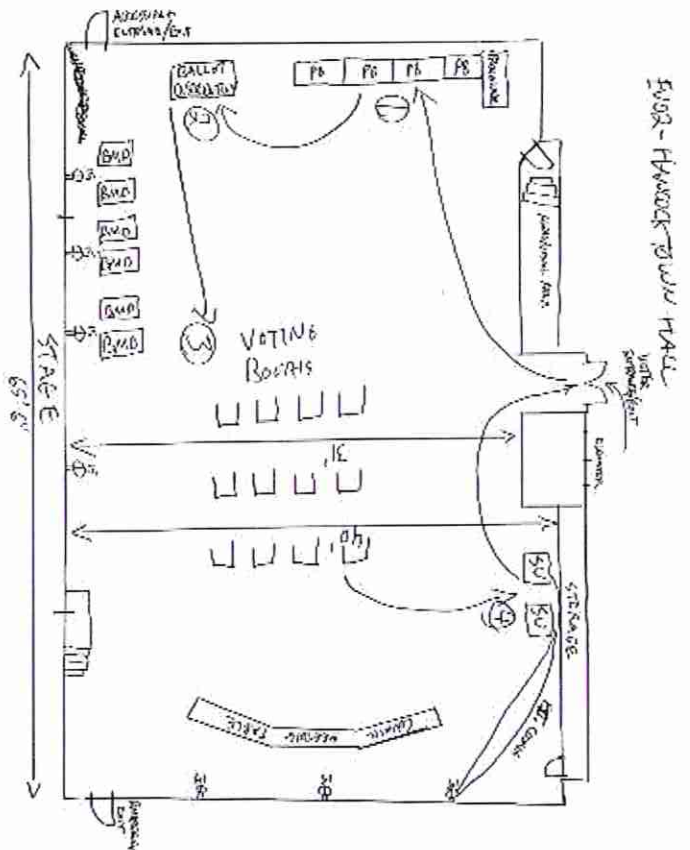
Signed and submitted

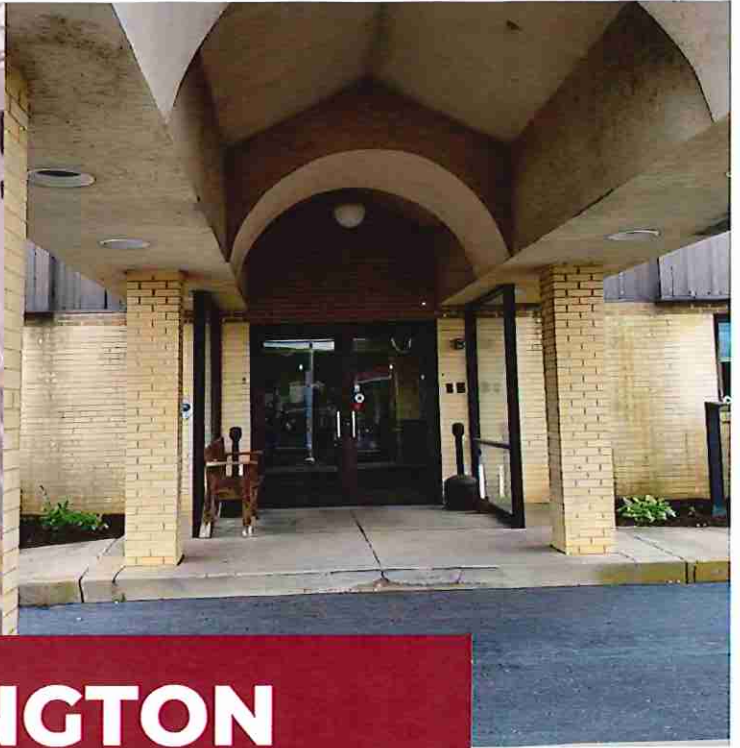
ADA Survey

Site will be accessible after corrective measures to walkway.

Signal Strength and Security Plan

Submitted for review.





WASHINGTON

Location (3 of 3)

Boonsboro American Legion
710 N. Main Street, Boonsboro, MD 21713

Site Survey

Site is in compliance. Note: there is no generator

Turnout Estimate

Site is of sufficient size to handle voter traffic.

Site Agreement

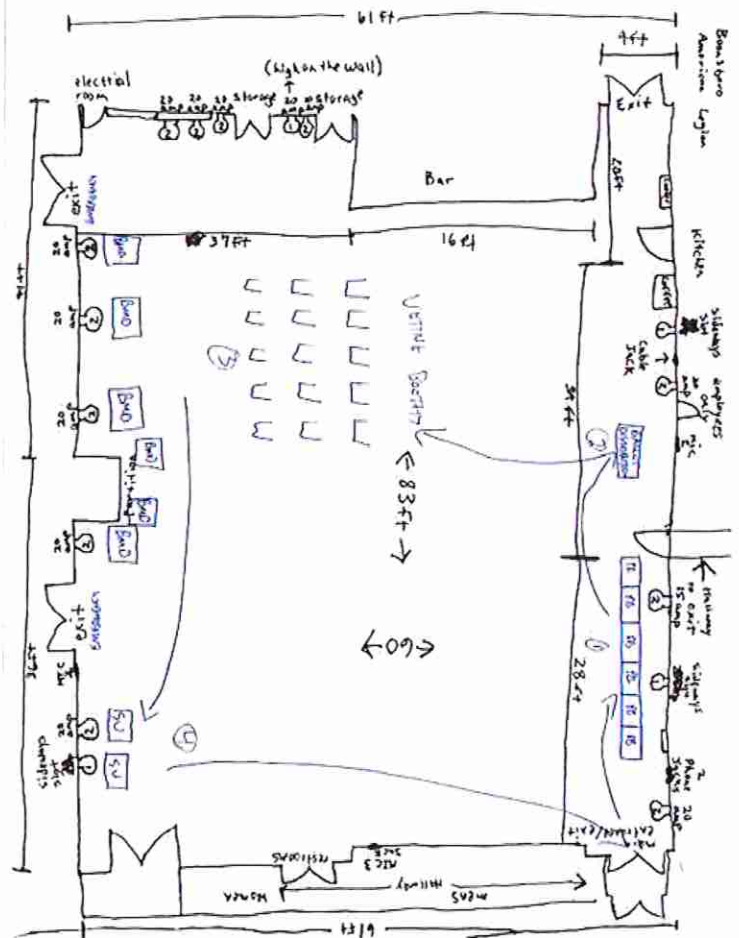
Signed and submitted

ADA Survey

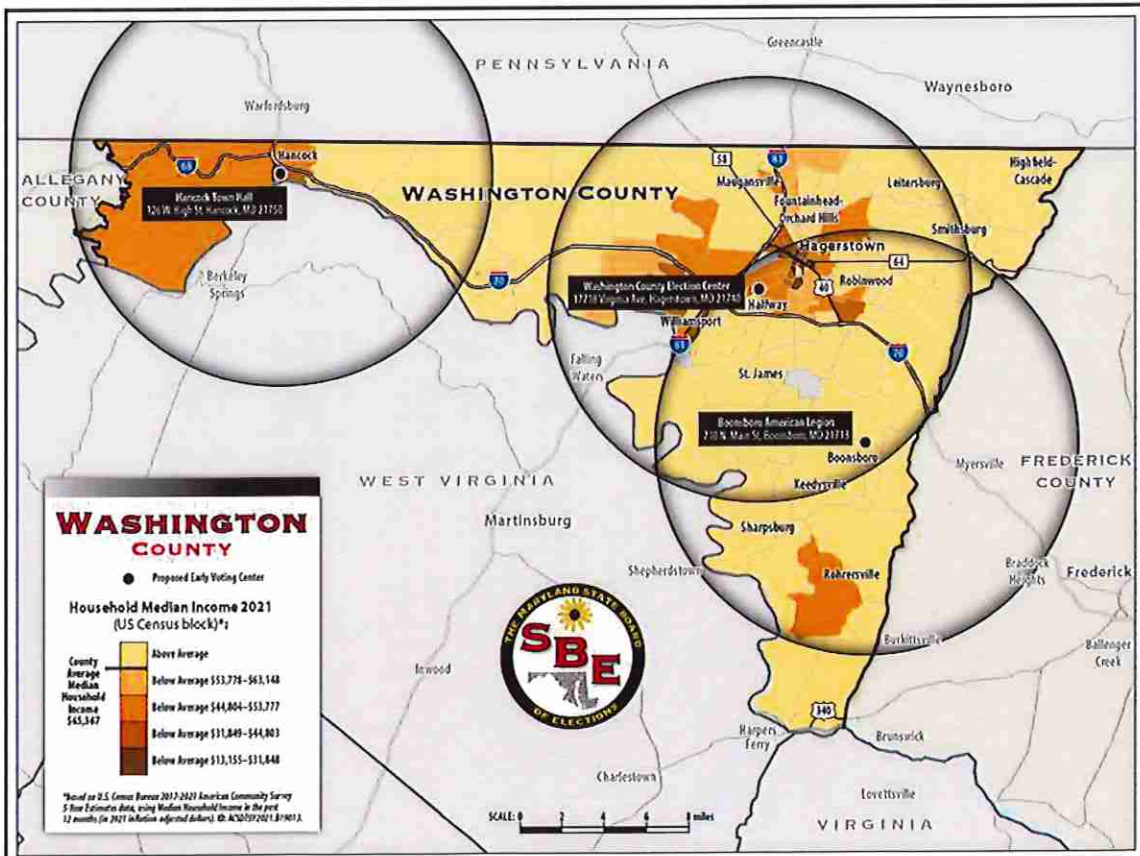
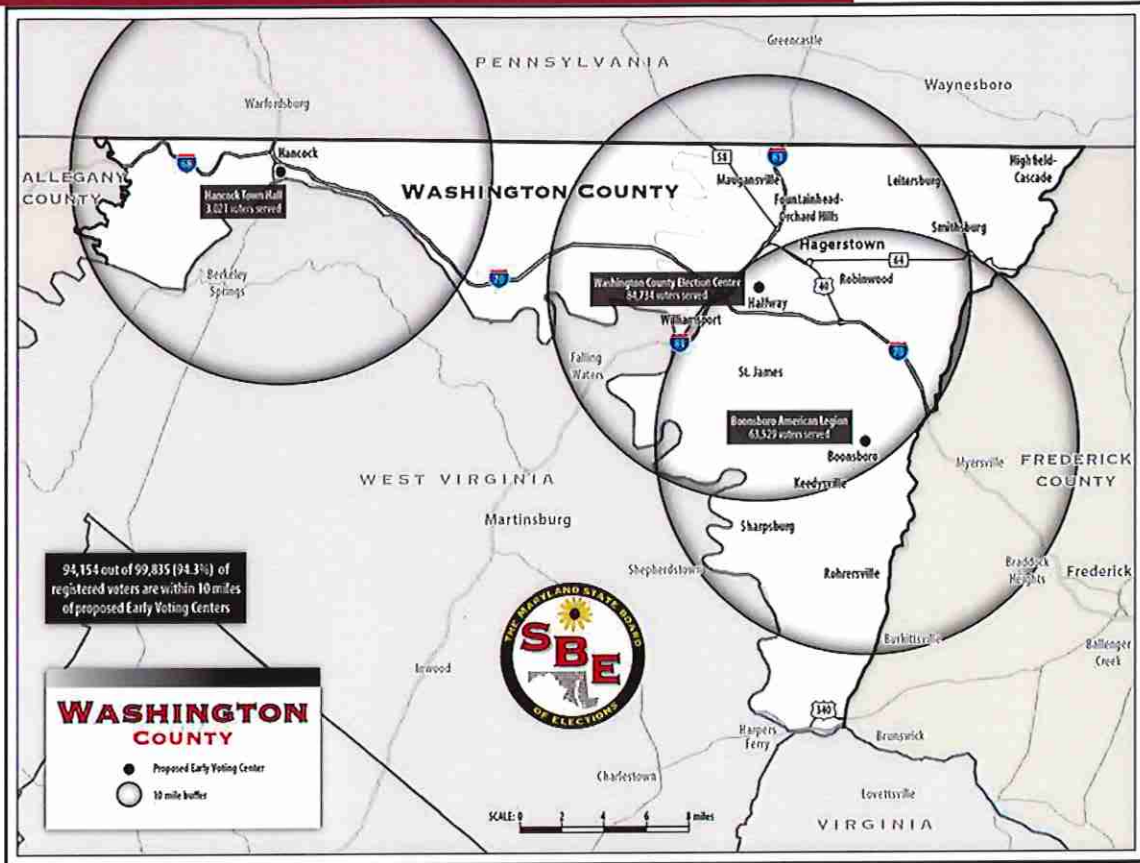
Site is in full compliance once designated parking is created and surfaces are evened.

Signal Strength and Security Plan

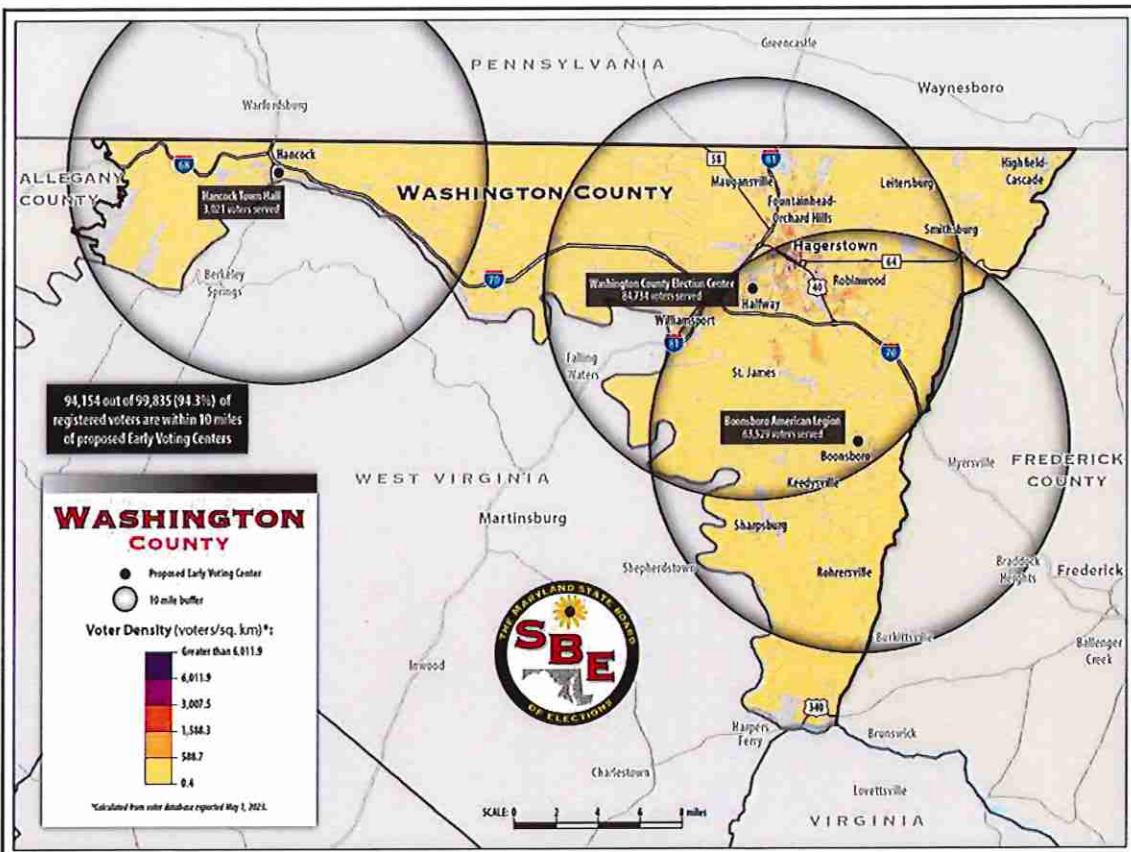
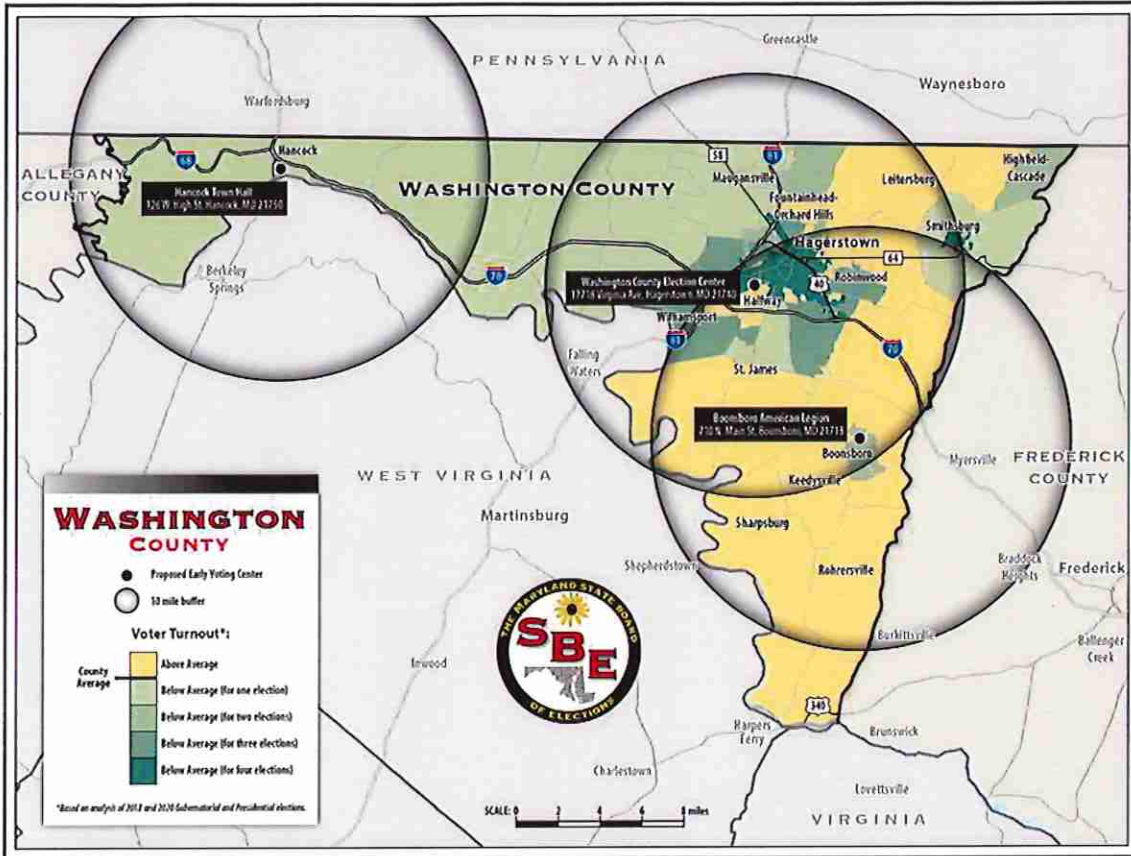
Submitted for review.



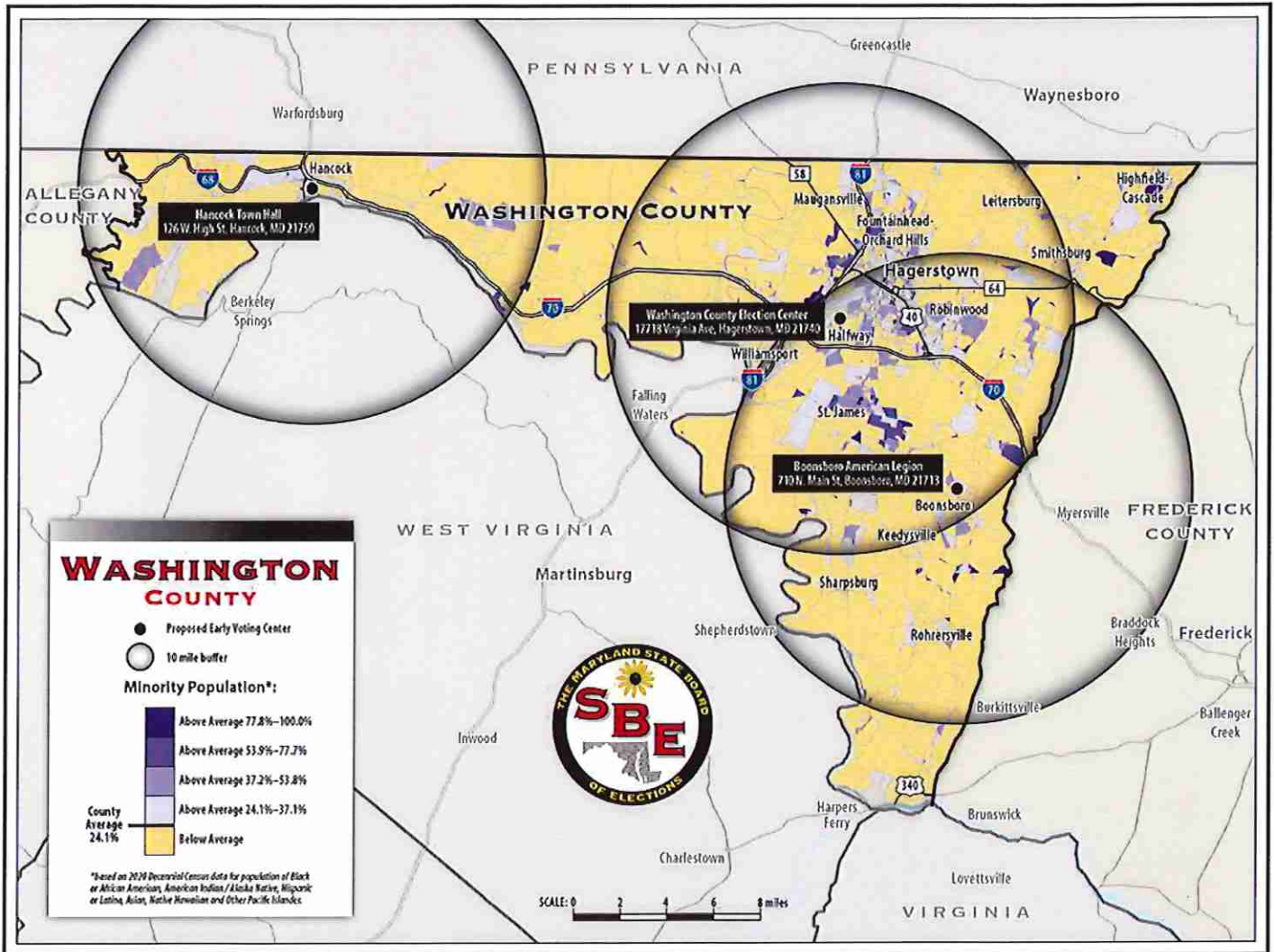
WASHINGTON MAPS



WASHINGTON MAPS



WASHINGTON MAPS



Created 2013-09-26



October 10, 2023

Katherine Berry
Deputy Administrator
State Board of Elections
151 West Street
Annapolis, MD 21401

SUBJECT: RESPONSE TO DELEGATE BROOKE GROSSMAN LETTER, DATED
10/4/2023

Ms. Berry:

I am writing in response to a letter you shared with me from Delegate Brooke Grossman, in which there are several inaccuracies. Delegate Grossman expressed her disappointment in the Washington County Board of Elections' (Board) selection of Early Voting sites. My responses to her claims are shown, one by one, below.

In paragraph one, Del. Grossman expressed her "disappointment in the recent recommendation made by the Washington County Board of Elections to eliminate the Fletcher Branch of the Washington County Free Library as an early voting location in favor of the addition of a location in the town of Hancock."

The Board did not simply swap one for the other. Over a period of months, the Board and staff painstakingly poured over multiple sources of data and settled on three sites that best meet ALL the requirements and considerations set out in Election Law and COMAR. One of those three sites was the Hancock Town Hall. The Fletcher Branch of the Washington County Free Library was not selected because of its almost identical proximity to the Washington County Election Center.

In paragraph two, Del. Grossman said that many of the residents of the City of Hagerstown "lack access to safe reliable transportation to vote."

The Washington County Transit County Commuter covers the entire City of Hagerstown and several areas outside the city. All residents of Hagerstown are a short walk from a bus stop. I, myself, rode the County Commuter, round trip, from the downtown transfer station to the Election Center and found it to be very safe, reliable, and clean.

The county also offers ParaTransit to disabled residents, which will take them door to door.

In paragraph three, Del. Grossman says, "My understanding of Maryland Election Law Title 10 Section 10-301.1 is that an early voting location must meet the follow criteria;" then goes on to list the five (5) factors to be taken into account. For clarification, COMAR 33.17.02.02.A goes on to list seven (7) factors to be considered, and these are the factors the Board considered when selecting its Early Voting sites.

As election officials, we understand that these are factors to be taken into account, not requirements. Del. Grossman incorrectly stated that an Early Voting site "must meet" these "criteria." What an election board "must" do is take the factors into consideration, which is what the Board did.

Del. Grossman argues that the Hancock Town Hall only meets one of those factors. The Board determined that the Hancock Town Hall meets all but two (2) of the seven (7) factors, those being (1) accessibility to disenfranchised communities and (2) access to public transportation.

(1) The vast majority of the disenfranchised communities of Washington County are located in the City of Hagerstown, which EV01, The Election Center, serves.

(2) While there is no public transportation in the Town of Hancock, the Town Hall is located in the town center, and all residents of Hancock have access to the Town Hall to take advantage of services provided.

On page two, paragraph one, Del. Grossman said it had been reported to her "that comments were made by a sitting Washington County Commissioner that if the Fletcher Branch of the Washington County Free Library was chosen by the body as an early voting site for the upcoming election cycle that there would be consequences for the members of the Board of Elections."

While a threat was clearly made by a sitting County Commissioner, the details in Del. Grossman's account are not accurate.

The Commissioner stated that if the Board would not consider using the Election Center as an Early Voting Site, "there will likely be consequences."

He made this comment, because the Washington County Government spent approximately \$2M to put a centrally located Early Voting Center in Washington County that met all requirements and factors under consideration, and some would consider not using it as an Early Voting site as a "slap in the face" of the County Government.

This comment was not directed at the usage of the Library, but rather the non-usage of the Election Center.

On page two, paragraph two, Del. Grossman said, "One member of the board made comment several times alluding to appeasing the Washington County Commissioners with their decision."

I listened to the recording of the meeting. This is a mischaracterization of what occurred. A couple Board members (representing both parties) entered into a discussion into how the selection of the first two Early Voting sites could affect our chances of getting a third site

approved by the Commissioners. It was a discussion of how realistic the chances were in different scenarios, not a discussion of appeasing the Commissioners.

I did, however, hear one board member say if we didn't select the Library, there would be backlash. Another member answered that there will be lawsuits. Yet another member said if we DO select the Library, she would "guarantee" there would be a lawsuit, and she could probably name the person who would sue us.

Also on page two, paragraph two, Del. Grossman said, "this board is appointed to make decisions in the best interest of the voters of Washington County, not elected officials.

And yet, Del. Grossman sat in the front row of the gallery during the vote session, glaring at the Board members and staff, apparently in an effort to influence the vote. And when she didn't get the vote she wanted, she sent this letter.

I maintain that the Board did, in fact, make decisions in the best interest of ALL the voters of Washington County. Del. Grossman would do well to acknowledge and appreciate, publicly, the good work the Washington County Board of Elections does for ALL its voters.

I put this information down, for the record, so that the State Board of Elections knows the facts. A Maryland State Delegate sending a letter on General Assembly letterhead holds a lot of weight, even if it is filled with mis-, dis- and malinformation. I would be happy to answer any questions or clarify anything in my responses to Del. Grossman's letter.

Sincerely,

A handwritten signature in blue ink that reads "Barry E. Jackson". The signature is written in a cursive, flowing style.

Barry E. Jackson
Election Director

BROOKE GROSSMAN
Legislative District 2B
Washington County

Ways and Means Committee



The Maryland House of Delegates
6 Bladen Street, Room 306
Annapolis, Maryland 21401
410-841-3125 · 301-858-3125
800-492-7122 Ext. 3125
Brooke.Grossman@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

10/4/2023

Mr. DeMarinis,

I hope that this letter finds you well. I am writing to express my disappointment in the recent recommendation made by the Washington County Board of Elections to eliminate the Fletcher Branch of the Washington County Free Library as an early voting location in favor of the addition of a location in the town of Hancock.

The City of Hagerstown is home to the highest number of registered voters (41,000) in the County, many of whom lack access to safe reliable transportation to vote. The Washington County Board of Elections location on Virginia Ave is 2.6 miles from the City Center and Hancock 30 miles away. While there is public transportation access to the Washington County Board of Elections location there is no public transportation option to access a voting site in Hancock.

My understanding of Maryland Election Law Title 10 Section 10-301.1 is that an early voting location must meet the follow criteria:

- (i) accessibility of the early voting center to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups;**
- (ii) proximity of the early voting center to dense concentrations of voters;**
- (iii) accessibility of the early voting center by public transportation;**
- (iv) ensuring equitable distribution of early voting centers throughout the county; and**
- (v) maximizing voter participation, including through the use of community centers and public gathering places as locations for early voting centers.**

Outside of the potential use of a community center/public gathering place for polling, the Hancock location does not meet the minimum requirements to be an early voting site.

In addition to the fact that this site does not meet requirements outlined in Maryland Law I would like to raise my concerns to the State Board of Elections of comments made at the two (2) most recent Washington County Board of Elections meetings discussing this action.

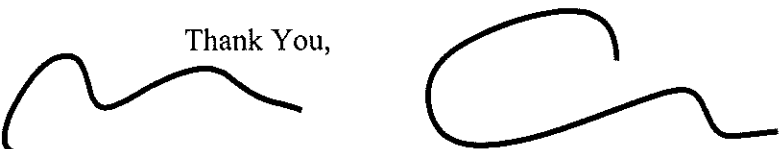
I was unable to attend the September 12th meeting as I was participating in a Ways and Means Committee Briefing in Cambridge, Maryland. It was reported to me by several persons in attendance that comments were made by a sitting Washington County Commissioner that if the Fletcher Branch of the Washington County Free Library was chosen by the body as an early voting site for the upcoming election cycle that there would be consequences for the members of the Board of Elections. Unfortunately, I am not able to verify this comment as the recording of this meeting is not available, unlike all previous and subsequent meetings on the Washington County Board of Elections site.

I was in attendance on September 19th when the board completed their debate and voted on the two sites sent to your office for consideration. One member of the board made comment several times alluding to appeasing the Washington County Commissioners with their decision. When discussing access to transportation access to the early voting locations one board member stated that in her line of work, she is familiar with individuals who walk back to town from the County Detention Center, "why can't they walk to vote?". As you can imagine I was concerned to hear such statements as this board is appointed to make decisions in the best interest of the voters of Washington County, not elected officials.

At the conclusion of the meeting expressed my disappointment in statements from Board Members in the meeting to the Director of the Washington County Board of Elections related to satisfaction of location for Commissioners. As well as the statement made about walking to a voting location on a road without sidewalk access.

I am aware that State Board of Elections will consider the recommendation from the Washington County Board of Elections in the coming weeks, I hope that you will take into consideration my feedback related to the process and not approve the elimination of the Fletcher Branch of the Washington County Free Library as an early voting site for 2024 election.

Thank You,



Delegate Brooke Grossman, District 2B

(240) 313-5797



CITY OF HAGERSTOWN, MARYLAND

Councilmember Matthew J. Schindler
Hagerstown City Council

One East Franklin Street • Hagerstown, MD 21740

E-mail: MayorAndCouncil@hagerstownmd.org

Telephone: 301.766.4175 • TDD: 301.797.6617 • Website: www.hagerstownmd.org

October 9th, 2023

RE: Recommendation to Decline Washington County Board of Education Early Voting Location

Dear Mr. DeMarinis,

I am writing to implore you to please consider declining the recommendation of the Washington County Board of Election to remove the Washington County Free Library – Fletcher Location in downtown Hagerstown as an early voting site.

The Free Library location in downtown Hagerstown was removed in favor of Hancock Town Hall.

In my opinion this change ignores 4 of the 5 considerations of an early voting site, as stated by Maryland Election Law Title 10-301.1.

(2) A local board shall take into account the following factors when determining the location of an early voting center:

- (i) accessibility of the early voting center to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups;
- (ii) proximity of the early voting center to dense concentrations of voters;
- (iii) accessibility of the early voting center by public transportation;
- (iv) ensuring equitable distribution of early voting centers throughout the county; and
- (v) maximizing voter participation, including through the use of community centers and public gathering places as locations for early voting centers.

Washington County serves over 99,000 registered voters. Hagerstown is home to a population of over 43,000 citizens. The town of Hancock has a population of just over 1,500 citizens. The overwhelming majority of registered voters is in Hagerstown, with over 41,000 registered voters.

It is my belief that this change is an undue obstacle to our citizens that lack the means of transportation and might otherwise exclude a large population.

My hope is that this recommendation be denied, or amended to add an additional site so that the Fletcher Free Library can continue to serve our disenfranchised communities.

Sincerely,

Matthew J. Schindler

Matthew J. Schindler
Hagerstown City Councilmember





PO BOX 2451
Hagerstown, MD 21740

September 25, 2023

Maryland State Board of Elections
PO BOX 6486
Annapolis, MD 21401

Subject: Disagreement with the Decision to Eliminate Washington County Library Site for Early Voting

Dear Members of the State Board of Elections,

I am writing to you as the President of the Washington County NAACP Branch 7030B. Our organization is dedicated to advocating for the civil rights and equal representation of all residents in our county. It is with great concern that I write to express our strong disagreement with the recent decision made by the Washington County Board of Elections to eliminate the Washington County Library location as an early voting site and replace it with a site in Hancock.

While we understand the need to adjust early voting locations based on various factors, we firmly believe that this decision fails to consider the demographics and needs of minority voters in our county, as required by election law. According to the presentation given by the Board of Elections, 41k of the county's voters are in Hagerstown. The Washington County Library location is an accessible and convenient site for early voting, particularly for residents in Hagerstown city, where the highest concentration of registered voters resides within the county. The library site is conveniently located for our city's population who are homeless or do not have access to transportation.

According to recent demographic data, Hagerstown city has a much larger minority population than Hancock. The minority population of Hagerstown is significantly higher at approximately 13%, whereas Hancock is around 2%. The Library site, in conjunction with the Boonsboro site, according to the board's presentation, is the combination that accommodates the highest concentration of voters in our county. This combination also allows for accessibility to disenfranchised, cultural, ethnic, and minority groups. By eliminating the Library site and instead opting for the Virginia Avenue and Hancock locations, the Washington County Board of Elections is neglecting its obligation to prioritize the accessibility and inclusivity of the early voting process.

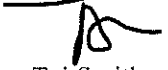
It is crucial to acknowledge that the Hancock location does not adequately serve the needs of the highest concentration of voters or the minority population within our county. We urge the State Board of Elections to consider the importance of providing equal access to early voting for all citizens, especially those from marginalized communities. By eliminating the Library site, you risk disenfranchising a larger number of voters than you will reach with having the Hancock location.

Furthermore, it is disheartening to note that during the public hearing, County Commissioner Derek Harvey openly threatened the Board, stating that if they did not align with his personal views, they would face consequences. Commissioner Harvey specifically opposed the Virginia Avenue library site, which suggests a potential ulterior motive behind the decision to eliminate the Washington County Library site. Such intimidation tactics have no place in our democratic process and only serve to undermine the integrity of fair and unbiased decision-making. The State Board of Elections must ensure that the decision-making process remains impartial and free from any undue influence or coercion.

We respectfully request that the State Board of Elections review the decision made by the Washington County Board of Elections and reinstate the Washington County Library as an early voting site. Our goal is to ensure that every eligible voter has an equal opportunity to exercise their right to vote.

Thank you for your attention to this matter. We trust in the State Board of Elections' commitment to fair and equitable elections, and we appreciate your efforts in upholding the democratic values that are the foundation of our great nation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Taj Smith', written over a horizontal line.

Taj Smith
President
Washington County NAACP
tajsmith.naACP@gmail.com



P.O. Box 1136
Hagerstown, MD 21741

September 25, 2023

Mr. Jared DeMarinis
State Administrator of Elections
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Re: Washington Co. 2024 Early Voting Sites

Dear Mr. DeMarinis,

I am writing to you on behalf of the Washington County Democratic Central Committee to make a formal complaint to the Maryland State Board of Elections about the early voting center locations that were recently voted on by the Washington County Board of Elections (WC-LB) for the 2024 primary and general elections. Specifically, this complaint is about the Hancock location.

For the previous 2022 elections, the WC-LBE had selected two early voting locations, the Washington County Election Center and the Washington County Free Library. Statistics show the library did better with early voting turnout than most other second mandatory early voting locations around the State. The location gave access to early voting to the highest percentage of historically disenfranchised voters in the county, is within 10 miles of the dense concentration of voters and is accessible with public transportation.

For the 2024 primary and general elections the WC-LBE is recommending the Election Center and the Hancock Town Hall as the two mandatory early voting centers, and the Boonsboro American Legion as the optional third early voting center.

I am filing this formal complaint against the decision of the WC-LBE for several reasons: (i) the

Hancock location (or any location in the sparsely populated, far west part of Washington County) does not meet the required considerations, (ii) The Washington County Free Library meets all or most of the considerations required in, and the intention of the new law, and (iii) I believe that the WC-LBE members were coerced and intimidated by one or more of the County Commissioners.

Regarding the proposed location in Hancock, of the considerations given in COMAR

33.17.02.02, the proposed early voting center location does NOT meet most of them:

- The Hancock location does NOT give consideration to historically disenfranchised communities.
- The Hancock location is NOT within 10 miles of the dense concentration of voters.
- The Hancock location is NOT accessible by public transportation.
- The Hancock location does NOT maximize voter participation in Washington County given the total population of Hancock is 1,543, which is 0.1 percent of the population of Washington County and is made up of less than 5 percent of minorities.

I am of the belief that the members of the WC-LBE and staff were coerced to approve the Hancock location instead of the Washington County Free Library by one or more of the County Commissioners. On September 12, 2023, at 7:00 PM, the WC-LBE held a special meeting to obtain public comment on the early voting center location selection process. During that meeting, a County Commissioner openly threatened the WC-LBE stating there would be consequences should the board not side with the commissioners.

The goal of this complaint is to ensure and promote fully accessible voting opportunities. I have been in communication with the NAACP and the local activists as we believe in a true community built on equity and justice. We cannot stand by and watch voter suppression and racism create obstacles in our voting process. We respectfully request that the SBE deny the proposed location in Hancock as the second mandatory location and instead utilize the Washington County Free Library location which had already been previously vetted and approved by the WC-LBE, the SBE and the State Courts. Thank you for your consideration.

Sincerely,



Angela Batista

Chairwoman, Washington County Democratic Central Committee

(by authority: Delia Zielinski, WCDCC Treasurer)





Katherine Berry -SBE- <katherine.berry@maryland.gov>

Fwd: Statement of Objection-Washington County

info sbe -SBE- <info.sbe@maryland.gov>
To: Brittany Mason [REDACTED]
Cc: Katherine Berry -SBE- <katherine.berry@maryland.gov>

Thu, Sep 28, 2023 at 1:08 PM

Hi, Brittany.

Thank you for your email. This matter will be presented to the State Board for their review.

Best,
Erin W. Dennis
Candidacy and Campaign Finance Division
Maryland State Board of Elections
151 West Street, Suite 200 | P.O. Box 6486
Annapolis, Maryland 21401
(P) 410.269.2928 | 410.279.3386
(P) 800.222.8683
(F) 410.974.5415
<http://www.elections.maryland.gov/>

On Tue, Sep 26, 2023 at 10:51 AM Brittany Mason [REDACTED] wrote:

Hello,

I would like to register an objection to the selection of an early voting site (1 of 2 in the county) in Hancock for Washington County. Though our citizens in Hancock are indeed far from other early voting sites, the selection of only 1 of 2 early voting sites in Hancock disproportionately affects the rest of the citizens of Washington County. It is important that population density, as well as all other law and guidance for the siting of early voting locations, be accounted for to ensure that that largest proportion of Washington County voters have the ability to submit their votes early. The moving of the early voting site to Hancock reduces that ability or places undue burdens on a very large percentage of Washington County voters and I encourage the State Board of Elections to reconsider this choice. Please facilitate the rights of many citizens of Washington County to vote.

Sincerely,
Brittany Mason-Mah
Boonsboro, Washington County



Katherine Berry -SBE- <katherine.berry@maryland.gov>

Fwd: Washington County early voting site

Katherine Berry <katherine.berry@maryland.gov>

Wed, Sep 27, 2023 at 10:16 AM

To: [REDACTED]
Bcc: info sbe -SBE- <info.sbe@maryland.gov>, Melissia Dorsey -SBE- <melissia.dorsey1@maryland.gov>, Barry Jackson -SBE- <barry.jackson@maryland.gov>

Good Morning,

Thank you for this email. This issue will be presented to the State Board for their review.

Kind Regards,

Katherine Berry

Deputy State Administrator

Maryland State Board of Elections

(410)269-2843 (w)/ (667)314-5015 (c)

elections.maryland.govOn Wed, Sep 27, 2023 at 8:20 AM info sbe -SBE- <info.sbe@maryland.gov> wrote:

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

From: Kelly Esslinger [REDACTED]
Date: Tue, Sep 26, 2023 at 9:07 PM
Subject: Washington County early voting site
To: <info.sbe@maryland.gov>

Dear Maryland State Board of Elections,

Every eligible voter deserves convenient and equitable access to exercise their democratic right.

The recent selection of sites made by the Washington County Board of Elections does not account for the highest concentration of voters in the county, and does not adequately consider the diverse minority population in Washington County that resides within Hagerstown City limits.

Potential early voting site locations such as the Washington County Library have already been shared and are being overlooked. Early voting eases the influx of voters visiting polling sites on the singular Election Day. Considering the proximity of the library to the highest concentration of voting residents in Washington County makes the Washington County Library an easy choice.

Please reconsider the Washington County Board of Elections' declaration of early voting sites to increase equitable access for all eligible voters of the county it represents.

Thank you,
Kelly Esslinger (she, her)
Resident of Frederick, MD, 21702
[REDACTED]



Katherine Berry -SBE- <katherine.berry@maryland.gov>

Re: Washington County Board of Elections

1 message

Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>

Tue, Sep 26, 2023 at 10:18 AM

To: liberation@fredchavis.com

Bcc: katherine.berry@maryland.gov

Mr. Chaivs:

Thank you for your email. The matter will be presented to the State Board for review.

Jared DeMarinis
State Administrator of Elections
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401
410-269-2840
X - @jareddemarinis

On Tue, Sep 26, 2023 at 9:44 AM Fredrick Chavis <liberation@fredchavis.com> wrote:

Good Morning Mr. DeMarinis,

I hope this email finds you well. I am Fred Chavis, the former President of the Washington County NAACP and a member of the Caucus of African American Leaders. I am reaching out to you out of concern for our early voting sites in Washington County, MD.

Our library has always been an important site for early voting and general elections due to its location. It provided much-needed access to our large minority communities and those that have been disenfranchised throughout history. I believe this site was removed with the intention of suppressing the votes of a diverse county. As an educator and activist, I fight for equity and justice.

This decision was not an example of equity or good intentions. I have had my experience in Hancock as a football coach and was forced to step down from my role due to the hostile environment even with such a small population.

I hope you take a further look at this and deny the request to remove our library as an early voting site.

Peace and Love,

Fred Chavis

--

Fred Chavis
Chairman/Owner, Liberation Inc
Former President, Washington Co. NAACP 7030
liberation@fredchavis.com
www.facebook.com/RevoltLiberation/
P: 240-818-1728



Katherine Berry -SBE- <katherine.berry@maryland.gov>

Re: Washington County early voting sites

Kristin Aleshire <KAleshire@hagerstownmd.org>

Wed, Oct 11, 2023 at 4:14 PM

To: Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>, "Grossman, Brooke Delegate" <Brooke.Grossman@house.state.md.us>

Cc: Tekesha Martinez <tmartinez@hagerstownmd.org>, Shelley McIntire <SMcIntire@hagerstownmd.org>, Matthew Schindler <mschindler@hagerstownmd.org>, Tiara Burnett <tburnett@hagerstownmd.org>, Scott Nicewarner <SNicewarner@hagerstownmd.org>, Katie Berry <katherine.berry@maryland.gov>

Mr. DeMarinis,

I would like to first thank Delegate Grossman for voicing these concerns to your office, which the Mayor and Council for the City of Hagerstown certainly share.

As you may be aware the Washington County Board of Elections was relocated in recent years from its former location in downtown Hagerstown, to its new location on Virginia Avenue and Halfway Boulevard. I understand the need that was present for the move as County governments grows and further the desire and convenience of placing the early voting option for the greater Hagerstown area at the election board main office. However, the process of ease of access for voters to exercise this right should not be weighed by the convenience of government staff but rather the citizenry which chooses to participate in this process.

While it may not appear that this move has a significant geographical impact, the reality is that shifting the convenience of this site more than 15 blocks to the south of City center has shifted it well beyond the reasonable convenience of the largest concentration of the county's citizenry that is for other purposes most benefited by placement of services within direct reasonable reach.

First and foremost, it should be noted that while the senior population in Washington County is estimated at 9%, The City of Hagerstown is closer to 20%, more than double and making up most of that County number. By moving this location away from the Library, which is located in City center, the process is immediately removing from walking distance of more than 500 senior housing units located in the downtown where 100s of senior citizens with limited resources and especially transportation reside. To my knowledge, the County Commuter bus system which many seniors would utilize at a cost to their already limited resources does not include a convenient and secure stop at the new election board office, thus severely limiting access by seniors to vote and by default creating the very real possibility that will otherwise force seniors to wait in long lines on election day.

Second, I believe it equally important to convey that of the more than 10,000 residential rentals which exist in the City, nearly 1,500 are for public housing and more than 5,000 include some form of rental subsidy, many of which are again located in and around the walkable urban core of the City. It is for this reason that hundreds of private non profit, County, State and Federal entities have long used the premise of choosing to locate their offices in this easily accessible area of downtown Hagerstown. Thus it appears an inexplicable contradiction that in this single instance of affording the public the most reasonably convenient and affordable access to this most critical of government functions, it would suddenly be deemed to be best placed out of the convenient reach of that same public.

Lastly I will reiterate my comments on the matter from some weeks ago in public session. I do not know who is in charge making this decision, but given the facts about the make up of the greater Hagerstown community and especially our typical approach to placement of services nothing about this decision feels

right, and contrary to what those using politics to drive the matter believe, our citizens understand what is going on and they see through it.

If the State does have final say on which locations are selected, I would urge you to review the sites selected, and if for noones sake than our many seniors, make the logical decision to restore a site within their walking distance downtown.

Kristin Aleshire
Hagerstown City Council member

From: Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>

Sent: Wednesday, October 11, 2023 8:48 AM

To: Grossman, Brooke Delegate <Brooke.Grossman@house.state.md.us>

Cc: Tekesha Martinez <tmartinez@hagerstownmd.org>; Kristin Aleshire <KAleshire@hagerstownmd.org>; Shelley McIntire <SMcIntire@hagerstownmd.org>; Matthew Schindler <mschindler@hagerstownmd.org>; Tiara Burnett <tburnett@hagerstownmd.org>; Scott Nicewarner <SNicewarner@hagerstownmd.org>; Katie Berry <katherine.berry@maryland.gov>

Subject: Re: Washington County early voting sites

[Quoted text hidden]



CITY OF HAGERSTOWN, MARYLAND

The Honorable Tiara Burnett
Hagerstown City Council

One East Franklin Street • Hagerstown, MD 21740

E-mail: tburnett@hagerstownmd.org

Telephone: 301.766.4175 • TDD: 301.797.6617 • Website: www.hagerstownmd.org

October 09, 2023

RE: Recommendation to Decline Washington County Board of Elections Early Voting Location

Dear Mr. DeMarinis,

I trust this letter finds you well. I am writing to express my disappointment regarding the recent recommendation by the Washington County Board of Elections to remove the Fletcher Branch of the Washington County Free Library as an early voting center for the upcoming 2024 election. Situated in downtown Hagerstown, this library has been a vital resource for our community.

As an advocate for voter registration, rights, and participation, I have consistently encouraged citizens to actively engage in the voting process. It is crucial for us, as leaders, to prioritize the establishment of accessible early voting locations to ensure that every citizen, particularly those in disenfranchised communities, has the opportunity to cast their vote.

The decision to eliminate the downtown library contradicts the very cause we champion. Hagerstown boasts the highest number of registered voters in Washington County, totaling 41,000 individuals. Many of these voters lack reliable transportation options to access voting centers, particularly our senior citizen population.

The proposed early voting locations, namely the Washington County Board of Elections building on Virginia Avenue in Hagerstown, MD (2.6 miles from the City Center) and Hancock, MD (30 miles away), present significant challenges, especially for those without access to private transportation. Furthermore, the lack of public transportation to the Hancock location exacerbates this issue.

According to Maryland Election Law Title 10 Section 10-301.1, the decision to replace the downtown library with the Hancock location fails to meet the required criteria and is therefore noncompliant.

I implore the State Board of Elections to reconsider and not approve the recommendation put forth by the Washington County Board of Elections to eliminate the Fletcher Branch of the Washington County Free Library as an early voting center for the 2024 election. It is essential that we uphold the principles of accessible and inclusive voting for all citizens.

Sincerely,

Tiara Burnett

Tiara Burnett
Councilmember





Katherine Berry -SBE- <katherine.berry@maryland.gov>

Fwd: Request from SBE's website

Melissia Dorsey -SBE- <melissia.dorsey1@maryland.gov>

Sat, Sep 23, 2023 at 8:30 AM

To: [REDACTED]
Bcc: katherine.berry@maryland.gov

Good Morning,

Thank you for reaching out to the Maryland State Board of Elections. I was forwarded your question for follow up. At this time, the State Board has not yet reviewed Washington County's proposed early voting center locations. When it does review the proposal, the State Board, like Washington County Board of Elections, will consider many factors in its decision to approve or not approve each county's early voting centers. As you note, location to dense concentrations of voters and historically disenfranchised communities are among the factors that will be considered. I am sharing with you the other factors that must legally be considered by the local boards and the State Board when selecting and approving the centers.

Election Law §10-301.1(c)(2) required the local and State Board to take into account the following factors: (i) accessibility of the early voting center to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups; (ii) proximity of the early voting center to dense concentrations of voters; (iii) accessibility of the early voting center by public transportation; (iv) ensuring equitable distribution of early voting centers throughout the county; and (v) maximizing voter participation, including through the use of community centers and public gathering places as locations for early voting centers.

In addition, COMAR §33.17.02.02 sets forth the following requirements and considerations when selecting an early voting center location:

A. Considerations for Early Voting Centers. A local board shall consider the following factors when determining the location of an early voting center:

- (1) Accessibility of the early voting center to historically disenfranchised communities, including cultural groups, ethnic groups, and minority groups;
- (2) Proximity of the early voting center to dense concentrations of voters such that:
 - (a) If a county is required by Regulation .01 of this chapter to have one or two early voting centers, 50 percent of the registered voters in the county live within 10 miles of one of the proposed early voting center; or
 - (b) If a county is required by Regulation .01 of this chapter to have three or more early voting centers, 80 percent of the registered voters live within 5 miles of one of the early voting centers;
- (3) Accessibility of the early voting center by public transportation;
- (4) Ensuring equitable distribution of early voting centers throughout the county;
- (5) Maximizing voter participation, including through the use of community centers and public gathering places as locations for early voting centers;
- (6) Whether the early voting center can accommodate long lines of voters, including taking into consideration how voters waiting in line are protected against inclement weather; and
- (7) Whether the early voting center has parking facilities sufficient for early voting, taking into consideration the normal business activities of the proposed early voting center.

B. Requirements for Early Voting Centers. A local board shall propose early voting center locations that:

- (1) Allow a local board to install the required telecommunication needs;
- (2) Are of sufficient size and layout to conduct early voting, including adequate access to electricity;
- (3) Are accessible or can be made accessible for voters with disabilities;
- (4) Can store voting equipment and supplies in a secure location during non-early voting hours;
- (5) Have sufficient and reliable heating and air-conditioning capabilities; and
- (6) Can accommodate a no electioneering zone as required by Election Law Article, §16-206, Annotated Code of Maryland, exit polling as required by COMAR 33.07.08, and electioneering outside of the no-electioneering zone.

Once the State Board receives the early voting center proposal from Washington County Board of Elections, it will ensure that all legal requirements are met and those factors that are required to be considered by law have been considered. I hope that this information was helpful. I am more than happy to answer any other questions you may have.

Best,

Melissia

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

From: Dale Ruby [REDACTED]
Date: Fri, Sep 22, 2023 at 12:09 PM
Subject: Request from SBE's website
To: <info.sbe@maryland.gov>
Cc: Taj Smith <tajsmith@gmail.com>

If you are requesting an application to register to vote or request an absentee ballot, please include how (mail, fax, or email) you would like to receive this application and your appropriate contact information (mailing address, fax number, or email address).

The Washington County Board of elections just announced their choice for a 2nd early voting site, Hancock Md.

I fail to see how this site in anyway meets the guidelines of the State Board of Election. It is located in the least populated portion of the county, and is almost entirely white. The bulk of the County's population is within several miles of the County seat, Hagerstown Md. This site is nearly 32 miles from Hagerstown and will in no way relieve pressure on the County's only other early voting center located in Halfway Md, just outside the city limits.

This is entirely partisan decision meant to reduce the ease of voting for the majority of the County's population.

Dale F. Ruby
Hagerstown, Md