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**Basic Petition-Checking Process and Information**

When we receive a batch of petitions, we first number each page consecutively, which helps assist with issues down the line.

We check to verify the circulator is eligible to register and vote for the issue (usually done as we check each page). Virginia law does not require the person circulating to be a registered voter, just qualified to register and vote for the issue. In this case, the circulator must provide an Arlington residence address. We do not check any further than this, as the circulator must sign, under penalty of perjury, that the information is true and correct. If the circulator lists an address that is not in Arlington, we would disqualify the entire petition page. Also, the affidavit must be completed and notarized, or the page will be disqualified.

We use the Virginia Election and Registration Information System (VERIS) database to check names. VERIS has a module for petition checking, in which we set up the question and the required number of valid signatures.

**For referendum petitions, § 24.2-684.1(7) requires the person signing to be a qualified registered voter at BOTH the time the petition was signed AND at the time the signatures are being validated.** We check first to see if the person is an Active registered voter in Arlington, and second to see if the registration date was on or before the date he signed.

If so, we mark the name as accepted for the petition on VERIS, via a check-box. The cumulative number increases with each accepted name and is displayed at the top of the page, so at any time we can see how many names were accepted. These names are marked with a red **R** on the petition page.

If we encounter a duplicate name, we will see the check-box already checked. We will mark this duplicate on the sheet in red with **DUP**.

If the person is not registered to vote, the name is marked with **NR** in red on the sheet.

If the person is not qualified (not registered in Arlington, or registered in Arlington on VERIS but provided a non-Arlington address on the petition), we mark the name with **RNQ** in red.

We mark the names of voters who are Inactive on our rolls at the time we check the petition pages with **I** in red. Inactive means their eligibility status cannot be determined, even if they provide a different Arlington address on the petition. These are voters for whom a change of

address has been noted, typically via USPS or a mail return, and who have not responded to a notice to verify their address. They cannot be counted as valid petition signatures.

Names that we simply can't identify are marked with **CI** in red. This includes illegible signatures and other situations where we just can't identify either the name or the address.

We will accept partial names or nicknames provided we can identify the voter. Sometimes this is difficult because a voter will commonly use a middle name instead of his legal first name, or the person may be registered under a different last name (marriage or divorce). If we can't initially find a name, we'll do a lookup by address, which often helps.

If a voter is registered at a different Arlington address and the record is listed as Active on VERIS, we will accept the name, provided a valid Arlington address is listed on the petition. Anyone in this situation is also sent a letter following the completion of the validation process, asking for confirmation of his or her current residence address.

We do not check voter signatures against their applications as a general rule, unless there is some question about the name and we can't immediately identify it. For example, if we have two Mary Stevensons and none registered at the address provided on the petition page, we might check signatures. As long as Mary has moved within Arlington, we'll accept her if we determine the signature is the same as an already-registered voter.

If we have any reason to believe that fraud may have been committed, such as multiple names and signatures in the same handwriting, we will reject the page. This is rare, however.

### *To recap --*

We will accept the following:

- Voter is registered at the address listed on petition, both at time of signing and at time of validation.
- Voter lists one Arlington address on petition but is Active registered at a different Arlington address.
- Name listed on petition is not quite the same (married women, nickname, etc.) but we can identify the individual as a voter on our rolls.
- Information on the petition is incomplete or slightly irregular, as long as we can reasonably identify the person as our eligible voter.

We will reject the following:

- Person is not registered in Virginia (Not Registered or NR)
- Person is registered in Virginia but not in Arlington (Registered Not Qualified or RNQ)
- Address provided on petition page is not in Arlington, although person is Active registered (RNQ)
- Voter has moved from Arlington since petition was signed, is deceased or has otherwise become ineligible since signing (i.e. felony conviction) (RNQ or NR, as appropriate)
- Voter is Inactive on our rolls (I)
- Voter's name has already been counted (DUP)

- Person was not registered at the time he signed the petition (RNQ)

There are no appeals or challenge processes under current law regarding the validation of petition signatures or the registrar's determination of validity.

We do, however, use a "three sets of eyes" approach, time and deadlines permitting. The first person to work on a page will skip questionable names that can't immediately be identified. Another staff member will go through the completed page and do whatever research necessary on the names the first person couldn't identify. The second person may be able to decipher a name the first one could not. Or they may need to look up the person by address to try to identify them. We catch a lot of names this way.

If there are still questionable names, we try to have yet a third staff member go through the page, again time and deadlines permitting. If possible, we also have someone review records marked as NR, again because a second or third person might be able to find the person when the first could not. The initial person working on a page does not spend time researching names but instead tries to identify and count as many as possible.

### **Public Information**

Typically, we would photocopy completed petition pages (with any Social Security information provided redacted), which would then be available for public inspection.

However, the Policy Division of the Virginia State Board of Elections, in response to a query from us on the extent to which petitions are public information, responded as follows:

**This matter is currently being decided by the US Supreme Court. Until that decision is handed down (possibly in June), the petitions may not be made available upon request. (*Doe v. Reed*)**

**Additionally, this is supported under FOIA, 2.2-3705.1(10) discretionary as to personal information defined in 2.2-3801 to include record of registration or presence. So you would have discretion to withhold. The AG opinion supporting this:**

**<http://www.oag.state.va.us/OPINIONS/2007opns/Apr07opnndx.html>**

Once the validation process begins, the only information we can make available to the public is the number of names validated.

The petition validation process is not subject to public observation because of the secure nature of the data involved.

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