



AGENDA

Washington County Board of Elections August 12, 2025

Board Meeting to be held on Tuesday, August 12, 2025 at **3:00PM**. Meeting will be held in person but may also be attended virtually. Call in information is provided below.

Pursuant to Maryland Code Ann., Election Law Article, § 2-208, all meetings of the Washington County Board of Elections are livestreamed and recorded, and those recordings will be posted online and archived as required by law. Livestream broadcasts and recordings may consist of video, audio or any combination thereof. By participating in any meeting, you consent to be recorded.

Call Meeting to Order/Pledge of Allegiance:

Declaration of Quorum Present:

Record Those Present:

Approval of Draft Agenda:

Approval of Draft Minutes of June 10, 2025 executive session:

Approval of Draft Minutes of July 8, 2025 executive session:

Approval of Draft Minutes of July 8, 2025 regular session:

Correspondence:

Reports:

- I. Election Director
- II. Attorney

Unfinished Business:

- I. Report on MAEO Local Board Committee Meeting
- II. Early Voting Sites for 2026

New Business:

None

Members Remarks:

Guest Remarks:

Scheduling of Next Meeting:

Distributed Information:

Board Packet

Future Events:

August 26, 2025 – Congressional tour of Board of Elections

September 9, 2025, 7:00pm - Public Hearing to discuss Early Voting sites

Adjournment of Regular Session:

Public Participation: Members of the public may address the Board. Pursuant to §3.2B of the Board's bylaws, public participation at a meeting must be pre-scheduled and pre-approved by the President. To request approval to speak at a board meeting, contact Barry Jackson at 240.313.2054 or by Email at barry.jackson@maryland.gov no later than 5 pm the day before the meeting.

Call In Instructions for the Meeting:

Join with Google Meet

meet.google.com/fka-dqpi-hqr

Dial-in: (US) +1 314-649-0991

PIN: 777 022 545#

Director's Report – August 12, 2025

- A. Personnel –
 - 1. Voter Outreach position was offered to a candidate today.
 - 2. IT/Warehouse Clerk positions posted last week, Training Coordinator position still waiting to be posted.
- B. Meetings:
 - 1. SBE/LBE Collaboration Meeting:
 - a) No July meeting:.
 - b) Next Meeting: August 21, 2025.
 - 2. MAEO Meeting in Dorchester County, August 19, 2025
 - 3. Maryland Certified Election Administrator Program, August 28, 2025
- C. Legislative Update: N/A.
- D. Voter Registration Activities and Statistics:
 - 1. Registration Statistics for July 2025 were distributed to the Board.
- E. Candidate Filings: Candidate Filing for 2026 Gubernatorial Election began February 25, 2025. There have been 15 filings so far:
 - 1. 2 for County Commissioner
 - 2. 1 for Clerk of the Circuit Court
 - 3. 1 for Register of Wills
 - 4. 4 for Democratic Central Committee
 - 5. 2 for Republican Central Committee
 - 6. 2 for Sheriff
 - 7. 2 for States Attorney
 - 8. 1 for Board of Education
- F. Voting System Activities:
 - 1. Quarterly charging of equipment completed.
 - 2. SBE to schedule battery tests before the end of the year
- G. Projects:
 - 1. New Website
 - 2. "I Voted" Sticker Contest
 - 3. Election Management Software and Services
 - 4. Election Operations Center

Monthly Statistical Report

Last Transaction Date From: 07/01/2025 To: 07/31/2025

ADDITIONS TO COUNTY REGISTRATION

METHOD	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL	EXACT DUPES
By Mail	2	0	0	0	2	0	4	0
Confirmation Notice	0	0	0	0	1	0	1	0
Jury Notice	1	2	0	0	2	0	5	0
Motor Vehicle Administration	118	125	5	7	161	6	422	1
Online Voter Registration	4	1	0	0	0	0	5	0
Social Security Administration	1	1	0	0	1	1	4	0
State Designated Agencies	3	1	0	0	1	1	6	0
USPS Sticker	8	0	0	0	2	0	10	0
Voter Notification Card	0	0	0	0	0	0	0	1
TOTAL	137	130	5	7	170	8	457	2

SUBTRACTIONS FROM COUNTY ACTIVE STATUS

REASON	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL
Confirmation Mail Process-NVRA	19	21	0	0	16	2	58
Death Notice	39	42	0	0	13	1	95
Moved Out of State	4	3	0	0	2	1	10
Non-Citizen	0	1	0	0	2	0	3
Voter Request	0	2	0	0	1	0	3
Duplicate/Merged	1	1	0	0	0	0	2
County Transfer Out	46	28	0	0	23	3	100
TOTAL	109	98	0	0	57	7	271

AFFILIATION CHANGES

CHANGE	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL
From	41	36	2	0	22	8	109
To	26	25	0	3	51	4	109
TOTAL	-15	-11	-2	3	29	-4	0

Monthly Statistical Report

Last Transaction Date From: 07/01/2025 To: 07/31/2025

CURRENT ACTIVE REGISTRATION

ACTIVITY	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL
BEGINNING OF REPORT	30605	45440	138	103	25067	1677	103030
ADDITIONS (+)	137	130	5	7	170	8	457
REINSTATED (+)	8	9	1	0	12	1	31
CANCELLED (-)	-44	-49	0	0	-18	-2	-113
COUNTY TRANSFER OUT (-)	-46	-28	0	0	-23	-3	-100
AFFILIATION CHANGES (+ OR -)	-15	-11	-2	3	29	-4	0
* INACTIVATED (-)	-19	-21	0	0	-16	-2	-58
* REACTIVATED (+)	20	10	0	0	17	1	48
END OF REPORT TOTALS	30646	45480	142	113	25238	1676	103295

Monthly Statistical Report

Last Transaction Date From: 07/01/2025 To: 07/31/2025

INACTIVE REGISTRATION SUBTRACTIONS FROM COUNTY INACTIVE STATUS

REASON	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL
Confirmation Notice	1	1	0	0	0	0	2
Death Notice	2	2	0	0	1	0	5
Motor Vehicle Administration	19	8	0	0	16	1	44
Moved Out of State	4	6	0	0	1	0	11
Non-Citizen	0	1	0	0	0	0	1
State Designated Agencies	2	0	0	0	0	0	2
Duplicate/Merged	0	0	0	0	0	0	0
County Transfer Out	5	1	0	0	3	0	9
TOTAL	33	19	0	0	21	1	74

CURRENT INACTIVE REGISTRATION

ACTIVITY	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL
BEGINNING OF REPORT	2316	2525	16	16	2220	193	7286
* INACTIVATED (+)	19	21	0	0	16	2	58
*REACTIVATED (-)	-22	-9	0	0	-16	-1	-48
COUNTY TRANSFER OUT (-)	-5	-1	0	0	-3	0	-9
AFFILIATION CHANGES (+ OR -)	0	0	0	0	0	0	0
CANCELLED FROM INACTIVE (-)	-6	-9	0	0	-2	0	-17
PENDING FROM INACTIVE (-)	0	0	0	0	0	0	0
TOTAL INACTIVE	2302	2527	16	16	2215	194	7270

TOTAL REGISTRATION RECORDS ACTIVE AND INACTIVE REGISTRATION

ACTIVITY	DEM	REP	GRN	WCP	UNA	OTHERS	TOTAL
ACTIVE REGISTRATION	30646	45480	142	113	25238	1676	103295
INACTIVE REGISTRATION	2302	2527	16	16	2215	194	7270
TOTAL RECORDS	32948	48007	158	129	27453	1870	110565

Address Changes Within Jurisdiction

297

Address Changes Statewide

21340

Confirmation Mailings Sent

63

Monthly Statistical Report

Last Transaction Date From: 07/01/2025 To: 07/31/2025

Name Changes

274

Confirmation Responses

6

Number of current Statewide voter registration application on hand

Number of NVRA Agency voter registration Applications on hand

Signature of person who prepared the report

Date report completed

Other = Those individuals designating affiliation with a party that is not established under Maryland Law.

Unaffiliated = those individuals declining to affiliate with a party.

Maryland board: Washington County Commissioners violated Open Meetings Act



Julie E. Greene

The Herald-Mail

The Maryland Open Meetings Compliance Board recently ruled that the Washington County Board of Commissioners violated the state's Open Meetings Act by banning a free-speech activist — who uses foul language and has mooned county officials — from commissioner meetings for six months.

The ruling was issued July 17.

Reacting to the part of the compliance board's opinion stating the county board violated the Open Meetings Act by banning Shaun Porter from future meetings, Porter told The Herald-Mail via email, "They knew what they were doing was illegal and a violation of my civil rights yet they did it anyway."

The Herald-Mail also asked if the county had comment on either issue the compliance board ruled on in the case.

"The County has no comment at this time," county government spokesperson Danielle Weaver wrote in a July 28 email.

County government officials have been struggling for several months with decorum by some public commenters, including Porter, at its

public meetings. The problems with decorum include the use of foul language.

The county temporarily suspended the airing of the comments portions of commissioner meetings earlier this year. In April, those airings resumed after the county [announced new conduct rules](#) for meeting visitors.

In addition to using foul language, Porter also has mooned Washington County officials during commissioner meetings, according to the compliance board's July 17 opinion and video of county meetings. Porter has worn a bikini bottom when mooning county officials.

A large sign Porter had with him at some county meetings, and that was displayed publicly, led Commissioners President John Barr to [file a defamation and invasion of privacy lawsuit](#) against Porter in March.

The defamation suit is scheduled for trial in May 2026.

Porter, after the compliance board's opinion was issued, filed what he described as a counter claim in the defamation suit. That claim is against numerous public officials. Among his complaints, he is seeking \$90 million in compensatory damages for nine instances in which he claims he was "thrown out without any possible excuse for claiming there was a disruption."

All five commissioner seats are up for election in 2026. The primary election is June 23, with early voting earlier that month.

The Maryland open meetings ruling

The Open Meetings Compliance Board's July 17 opinion issued two findings in response to six complaints filed by Porter.

The state board stated the county commissioners didn't violate the Open Meetings Act by warning Porter, via a March 20 email, not to engage in harassing or offensive behavior.

The compliance did not interpret the county's letter as "improperly discouraging" the public from attending a meeting. The county, in its letter, said it would explore legal options available to protect employees and citizens if Porter continued "to act in a harassing and offensive manner."

But the state board found the county commissioners violated the Open Meetings Act "by prospectively banning" Porter from its open meetings for six months.

Porter's complaints included a copy of an April 8 letter from County Attorney Zachary J. Kieffer to Porter to "confirm the verbal notice" Porter was given April 8 and to notify Porter that he is not to attend county commissioner meetings for six months.

The letter states Porter "did not follow instructions of the presiding officer, you used profanity and exposed your buttocks to the Board, County staff, and citizens in attendance. You acted in a manner that was disruptive to and disturbing of the conduct of normal business of the Board of County Commissioners. As a result of your actions and unwillingness to abide by the meeting rules of the Board, you are not to attend (commissioner) meetings" for six months, the letter states.

The compliance board hadn't previously addressed the question of whether the Open Meetings Act allows a public body to ban someone from attending a meeting based on the person's past disruptive behavior, according to the opinion.

To support its ruling, the compliance board says the statute talks about a public body removing a person who is disrupting an open meeting, but doesn't talk about prohibiting someone from entering a meeting.

The Maryland board also cited an opinion from the Delaware attorney general's office that examined Delaware's Freedom of Information Act. That statute, like the Maryland one, allows for someone who is disrupting an open meeting to be removed. But the Delaware attorney general's office concluded the Delaware Act doesn't allow a "public body to exclude a citizen from attending the meeting if it believes that the citizen *may* be disruptive," the Maryland opinion states.

In its response to Porter's complaints, the county wrote the compliance board that it was prohibiting Porter's attendance "for the sole purpose of ensuring an orderly meeting" and to give him time to "reflect upon and modify his conduct."

The county also stated that commissioner meetings are streamed and posted on YouTube and Facebook so Porter can still observe the meetings. In stating that, the county referenced a 2022 compliance board opinion.

But the compliance board, in its July 17 opinion, said that the 2022 case involved "a statutorily authorized no-trespassing order" that precluded that person from attending a meeting in person.

No active trespassing charges were listed against Porter in Washington County in the Maryland online case search.

County commissioners discontinued public comments in June

The commissioners first public meeting since the July 17 compliance board opinion was issued is Tuesday, July 29.

The agenda for the commissioners' morning meeting at the Washington County Administration Building in downtown Hagerstown does not include an opportunity for public comment.

Nor will "citizens participation" be on the agenda for the commissioners July 29 evening meeting with the Town of Hancock, Weaver wrote.

The last time the county board listed "citizens participation" on its agenda was for the June 3 meeting, according to Weaver.

There have been three county commissioners meetings since then — on June 10, June 24 and July 15.

"The Open Meetings Act does not require the Board to have a citizen's comment period in public meetings," the email from Weaver states.

The July 17 compliance board opinion notes that, referencing earlier opinions of the compliance board:

"We hasten to add that the Act does not require the County Board to allow the Complainant (or any member of the public) to curse or

expose their buttocks during Board meetings. 'Although members of the public have the right to *observe* meetings, the Act does not afford the public the right to *participate* in a meeting.' 19 *OMCB Opinions* 5, 6 (2025). Thus, as we have often said, a 'public body's handling of public comments is simply not within the Act's ambit.' 18 *OMCB Opinions* 70, 74 (2024). As such, a public body's decisions regarding if or how members of the public may express themselves are generally not subject to the Act."

The commissioners meeting has, on multiple occasions, gone into recess this year when presiding officers determined disruption was occurring.

One such example was during the July 15 meeting when Vice President Jeff Cline could be heard saying "we have a trespasser in the audience," according to a [county video of the meeting posted on YouTube](#). Then Barr addressed "Mr. Porter," saying there was a no-trespass letter for the county meetings and asked if Porter was going to honor it.

Shortly after that, the meeting went into recess for about 6 minutes.

There has been at least one instance where the commissioners went into recess during a meeting due to a different person's comments to the board.

"The County has not maintained a running tally of meeting recesses. However, recesses have occurred during various meetings for different reasons, including maintaining order in the meetings," Weaver said in an email.

Shaun Porter's behavior at public meetings

Porter has a history of confronting government officials at public meetings, including in Washington and Frederick counties, with language and behavior that tests the usual standards of decorum.

During a June 12 motions hearing in Barr's defamation case, Porter told the judge that his mooning the county board and wearing underwear while doing it was obviously theater. He said mooning Barr was "artistic expression."

"My free speech is meant to be shocking," Porter told the judge during the motions hearing.

Porter also told the judge he was trying to get certain members of the commissioners out of office, referring to folks "entrenched" in county government.

Porter called himself an Independent during the motions hearing, saying he didn't like to be " beholden to either side." In an email to The Herald-Mail, Porter clarified that he is unaffiliated with any political party.

Asked via email about his foul language at county meetings, Porter told The Herald-Mail on July 23 that "cussing at them is what level of respect I feel they deserve. I didn't cuss at the City of Hagerstown at my speech last night because I like them. I think the county is completely corrupt."

Documents in the open meetings case list two addresses for Porter, one in Washington County and one in Frederick County.

Porter said he primarily resides in Frederick County, but soon will be "all" Washington County.