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Vice Chair
Education, Energy, and
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Joint Audit and Evaluation Committee

Joint Committee on Federal Relations



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THE SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401

June 26, 2026

Michael G. Summers, Chair
c/o State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Chair Summers:

I am writing to express my surprise and disappointment regarding yesterday's Board meeting. After presenting her testimony, Susan Greenhalgh, Senior Advisor on Election Security for Free Speech For People (who also represented concerns raised by the League of Women Voters and Common Cause) was not permitted to answer questions directed to her during the live-streamed public meeting. Instead, she was instructed to submit written responses to the Board.

While a follow-up email may have some value to SBE, it cannot substitute for an interactive discussion that allows Board members, stakeholders, members of the press, and the public to hear questions and answers in real time. This is particularly important given that the conversation was related to the upcoming Board of Public Works (BPW) meeting. Because the BPW will consider the SBE agenda item in **less than a week**, it is unclear whether her written responses would be available to Board members or the general public in time to be relevant.

A few points for your consideration:

- If Ms. Greenhalgh's responses are to be submitted in a letter to the Board, how would the public access her email and the Board's response?
- If it would be posted online, how would interested parties be notified?

These are not merely procedural questions. They go directly to whether substantive information will be available to the public before election-related decisions are made.

As you may know, Del. Marc Korman and I have spent almost a decade strengthening transparency laws governing Maryland's State and local agencies. We enacted legislation requiring that the State Board and all Local Boards of Elections operate openly and accountably. Indeed, these exact transparency and public access requirements were referenced during yesterday's meeting! Against that backdrop, it is difficult to reconcile those principles with a process that moves important discussion from a public forum into a closed session and correspondence that will likely be invisible to the public.

When questions are raised during an open, live-streamed meeting, it is reasonable to expect that responses are provided in a timely manner whenever possible. We should not be required to wait and

hope that answers eventually appear after the fact-- particularly when they may influence imminent action.

I respectfully request clarification regarding how Ms. Greenhalgh's written responses will be distributed; how far in advance they will be made publicly available before the BPW meeting on July 1; and what steps the Board intends to take to ensure that all interested parties have timely access to the same information provided to Board members. In addition, I encourage you to reconsider your practice of being insufficiently accessible to interested parties with valid inquiries. (I do acknowledge-- especially in these contentious times-- that there is a danger of disruptive witnesses seeking an audience. Surely, we can have open meetings that will not be hijacked by a three-minute rant.)

Marylanders deserve a transparent process, especially when the Board is debating the procurement of more than \$100,000,000 in election equipment-- an item that directly affects public trust in our elections. I look forward to hearing back from you prior to the July 1 meeting.

Sincerely,



Cheryl C. Kagan
State Senator, District 17 (Gaithersburg & Rockville)
Vice Chair, Education Energy & Environment (& Elections!) Committee

cc: Hon. Anthony G. Brown, Attorney General
Dan Kobrin, Assistant Attorney General
Jared DeMarinis, State Administrator of Elections
Sareesh Rawat, Esq., Chair, Public Information Act Compliance Board
Del. Marc Korman, Chair, House Environment and Transportation Committee
Susan Greenhalgh, Senior Advisor on Election Security, Free Speech For People
Jim Shalleck, Vice Chair, State Board of Elections
Victoria Jackson-Stanley, Board Member, State Board of Elections
Diane Butler, Board Member, State Board of Elections
Eric Bryant, Board Member, State Board of Elections
Linda Kohn, President, League of Women Voters Maryland
Joanne Antoine, Executive Director, Common Cause Maryland