

# A Look Back at North Carolina's Historic 2020 Election & Looking Ahead at 2021

Presentation to House Election Law & Campaign Finance Reform Committee

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**NORTH CAROLINA**  
STATE BOARD OF ELECTIONS

# Historic Election

- First Super Tuesday Primary
- 2<sup>nd</sup> Primary & New Election held June 23 with pandemic protocols
- Launch of Democracy Heroes
- Online Absentee Request Form
- Redesign of Absentee By Mail Envelope
- Intelligent Mail Barcoding and BallotTrax
- Secure electronic ballot option for military, overseas, & visually impaired
- Completely new design and platform for SBE website
  - More data than ever provided (more than 140 reports published)
- More than 14 million PPE items delivered, plus 6 million single-use pens

# Historic Election

Old Design

## Absentee Application and Certificate

**Fraudulently or Falsely completing this form is a Class I felony under Chapter 163 of the N.C. General Statutes**

**The following people are PROHIBITED from signing the Witness Certification:**

**For all voters:** a candidate, UNLESS the candidate is the voter's near relative;  
**For voters who are patients or residents of a hospital, clinic, nursing home, or adult care home:** (1) an owner, manager, director, or employee of that facility; (2) an individual who holds any federal, State, or local elective office; and (3) an individual who holds office in a State, congressional district, county or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party.

### Voter's Certification (Required)

I attest that I am currently registered to vote in this county and I will have resided at the address on this application for 30 days immediately prior to this election. I am a United States citizen and I am at least 18 years old, or will be by the date of the general election. I understand that it is a felony to vote more than one time in an election. I have not been convicted of a felony, or if I have been convicted of a felony, I have completed my sentence, including any probation or parole.

I further certify that I marked the enclosed ballot (or it was marked for me according to my instructions) in the presence of:

two (2) witnesses who are at least 18 years of age and who are not disqualified by law to witness the casting of my absentee ballot (the witnesses must complete Option 1 of the Witness Certification)

OR

a notary public (the notary must complete Option 2 of the Witness Certification)

Signature of Voter (Required) \_\_\_\_\_ Date \_\_\_\_\_

Name Correction (if applicable) \_\_\_\_\_

### Voter Assistant Certification (if applicable)

I certify that: • the Voter requested my assistance • I assisted by marking the ballot and/or the Absentee Application and Certificate according to the Voter's instruction only • I assisted only while in the Voter's presence • I am the Voter's near relative or verifiable legal guardian, or I am providing assistance because a near relative or legal guardian is unavailable to assist the voter and I am not disqualified from assisting the Voter under G.S. 163-226.3(a)(4) or G.S. 163-237(c).

I certify that: • Due to a disability the Voter requested my assistance placing the sealed absentee return envelope in the closest U.S. Mail depository or mailbox • I mailed the ballot as directed by the Voter • I am not disqualified from assisting the Voter under G.S. 163-226.3(a)(4) or G.S. 163-237(c).

Name of Assistant \_\_\_\_\_ Address of Assistant \_\_\_\_\_

Assistant's Signature \_\_\_\_\_ Date \_\_\_\_\_

### Witness Certification

**Option 1: Two (2) Witnesses**  
 (Required Unless a Notary Public is the Witness)

I certify that: • I am at least 18 years old • I am not disqualified from witnessing the ballot as described in the WARNING on the flap of this envelope • The Voter marked the enclosed ballot in my presence, or caused it to be marked in the Voter's presence according to his/her instruction • The Voter signed this Absentee Application and Certificate, or caused it to be signed • I respected the secrecy of the ballot and the Voter's privacy, unless I assisted the Voter at his/her request [complete Voter Assistant Certification section].

Witness #1	Witness #2
Signature (Required) _____	Signature (Required) _____
Street Address (Required) _____	Street Address (Required) _____
City, State and Zip (Required) _____	City, State and Zip (Required) _____
Date _____	Date _____

**Option 2: Notary Public as Witness**  
 (Required Unless Two Witnesses Provided)

I certify that: on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Voter: \_\_\_\_\_ personally appeared before me, was positively identified and in my presence, the Voter marked the enclosed ballot, or caused it to be marked in the Voter's presence according to his/her instruction • The Voter signed this Absentee Application and Certificate, or caused it to be signed • I am at least 18 years old • I am not disqualified for witnessing the ballot as described in the WARNING on the flap of this envelope • I respected the secrecy of the ballot and the privacy of the Voter, unless I assisted the Voter at his/her request [complete Voter Assistant Certification section].

NOTE: A notary may not charge any fee for witnessing and affixing a notarial seal to an absentee ballot application or certificate. [G.S. § 10B-30]

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 Notary Public \_\_\_\_\_ Commission Expiration Date \_\_\_\_\_

SEAL

Affix NON-BARCODE

Label HERE

Affix BARCODE

Label HERE

Date Ballot Received:		Voter Certification Signed:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Receipt Method:		Witness Certification Signed:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Board Meeting Date:		Reviewer Initials:	
Board Signature:		Board Approval Date:	

### Second Primary Request or Runoff Request

In the event that a Second Primary (or Runoff Election) is called, I request that an absentee application and ballot be issued to me and mailed to me.

Signature of Voter (if applicable) \_\_\_\_\_ Date \_\_\_\_\_

Address where application and ballots should be mailed \_\_\_\_\_

NCSBE v2020.01



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 STATE BOARD OF ELECTIONS

County Board use only

## Absentee application and certificate

### Step 1: Get your witness ready.

You must have one witness. Anyone who is 18 years of age or older can be a witness except a candidate (unless they are your near relative or legal guardian).

- An owner, manager, director, or employee, of a hospital, clinic, nursing home or rest home in which you are a patient or resident.
- A person who holds any federal, state, or local elective office.
- A person who holds office in a state, congressional district, county or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party.

If you are a patient or resident in a hospital, clinic, nursing home or adult care home, your witness certifies they are not:

### Step 2: Voter, sign and complete below.

My signature below means I certify that I:

- am registered to vote in this county.
- will have lived at my address listed here at least 30 days before this election.
- am a US citizen.
- am 18, or will be by this election.
- have not been convicted of a felony or if I have been convicted of a felony I have completed my sentence, including probation, post release supervision and parole.
- understand it is a felony to vote more than once in an election.

I marked the enclosed ballot or it was marked for me according to my instructions.

Voter, sign here.

X

Name correction (if applicable)

### Step 3: Witness, sign and complete below.

My signature below means I certify that I:

- meet the qualifications outlined in Step 1.
- confirm the Voter marked the enclosed ballot in my presence, or caused it to be marked in my presence according to their instructions.
- respected the secrecy of the ballot and the Voter's privacy, unless I assisted the Voter at their request.

Witness, print name:

Address:

Witness signature: x

### If needed, Voter assistant certification.

Only required if the Voter has received assistance in marking the ballot or needs assistance mailing the ballot.

My signature below means I certify that:

- the Voter asked for my help.
- I helped mark the ballot and/or the Absentee Application and Certificate according to the Voter's instruction.
- I assisted only while in the Voter's presence.
- I am the Voter's near relative or verifiable legal guardian, or I am providing assistance because a near relative or legal guardian is unavailable to assist the Voter and I am not disqualified from assisting the Voter.
- I understand that individuals who are disqualified from serving as a witness as described in Step 1 are also disqualified from serving as the Voter's assistant.
- If the Voter indicated they have a disability that prevents them from mailing the ballot, I will place the sealed absentee return envelope in the closest U.S. Mail depository or mailbox.

Assistant, print name:

Address:

Assistant signature: x

Before you return your ballot, make sure:

- Your ballot is marked and inside the envelope.
- You signed and completed Step 2.
- Your witness signed and completed Step 3.
- If an assistant helped with voting or mailing, they signed and completed the Voter Assistant Certification.
- If mailing, you have applied your postage stamp.

In the event that a second ballot is needed, please automatically mail me an absentee ballot for that election.

fraudulently or falsely completing this form is a Class 1 felony under Chapter 153 of the N.C. General Statutes. If you have questions about completing your absentee ballot, you may call xxx-xxx-xxxx.

# Historic Election

## New Design



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STATE BOARD OF ELECTIONS

# Historic Election

- Most registered voters: 7.3+ million
- September 4: First in the nation to send out absentee by mail ballots
  - 1.4+ million requests
  - 1+ million ballots cast
- October 15-31: One-stop early voting period
  - Most sites ever (471)
  - Most hours ever (77,887)
  - Most voters in a single day (348,000)
  - 3.6+ million votes cast

# Historic Election

- November 3: Election Day
  - 2,660 sites open
  - Approximately 900,000 ballots cast
  - Last results upload: 12:28 a.m., 11/4
- 75.4% voter turnout (5.54 million ballots cast)
  - 18% absentee by mail (4% in 2016)
  - 65% one-stop early voting (62% in 2016)
  - 16% Election Day in-person (33% in 2016)
- Civitas Institute Poll: 68% of North Carolinians think the election was conducted “fairly”
- No COVID case spread linked to voting

# Historic Election

## Chief Justice of State Supreme Court Recount

- Closest statewide contest in modern history
- At time of state canvass, separated by 416 votes and pending protests; could not certify
- Statewide machine recount of all ballots cast (401-vote difference)
- Sample hand-to-eye recount
  - Beasley gained 28 votes; Newby gained 39 votes
  - Beasley conceded; candidates withdrew protests
- December 18: SBE certified the contest results; Newby prevailed



# How This Was Achieved

- Direct field support – 8 Security & Support Technicians
  - 4 interim directors; 14 new directors
  - Operations continued through quarantine
- 143 enhancements completed in our legacy SEIMS system
- Certified voting systems (first since 2012) procured, delivered, tested, and implemented in 30+ counties in 8 weeks
- More than 6,000 ballot styles coded and proofed
- Ballot on demand and highspeed scanners strategically deployed statewide
- 32 Numbered Memoranda issued as guidance to county boards of elections
- 80+ press releases and 100+ tv/radio/podcast interviews; 7 press conferences
- Completed 470 campaign finance audits
  - 13,062 items scanned (2020); 2,287 items scanned (January 2021)
- Administration of \$26 million in HAVA and CARES Act for elections



# Meeting the Challenges

- Continued Growth in Voter Registration
  - 2008 – 6.2 million
  - 2012 – 6.6 million
  - 2016 – 6.9 million
  - 2020 – 7.3 million
- Growth in campaign committees and reporting
- Main phone line, central email, & mail processing:
  - Highest calls in a week: 2,102; highest in a day: 453; Election Day: 600+ calls
  - 5,930 voter registration forms received & distributed to CBEs in a single week
- 33 lawsuits (25 currently)
- Jan. 2017 – Critical Infrastructure designation
  - Assessments by DHS, National Guard, DIT, and cyber advisors yielded Security Roadmap to protect our systems from cyber and physical attacks
  - Mis- and disinformation (#YourVoteCountsNC)
  - 6 regional cybersecurity workshops, 2 state conference presentations, 3 CISA webinars, & online learning modules
  - Supported 3 separate counties through ransomware attacks that occurred in county government during election periods
  - Hosted Acting DHS Secretary Chad Wolf



# Securing the Election: Pre-Election Processes & Audits

- Certified voting systems – all paper ballot system
  - Election Systems & Software (ES&S)
  - Hart InterCivic
  - Rigorous certification process: federal and state standards, independent review by certified lab, public demonstrations, acceptance testing, and \$17 million bond
- By law, voting machines and tabulation software are NOT connected to the internet
- Logic & accuracy testing before every election on every component
- Chain of custody and reconciliation checks
- Bipartisan, trained election officials
- Criminal background checks of SBE employees and CBE directors



# Securing the Election: Post-Election Processes & Audits

## Election Night Results:

- Clean transfer of data with each upload
- Monitoring
- Unofficial until canvass complete

## County canvass process for each election:

- Sample hand-to-eye audit
- Reconciliation
- Confirm all eligible ballots have been counted
  - Ballots that were unable to be read in the precinct (ballot jams, torn ballots, etc.)
  - Absentee ballots
  - Provisional ballots

## Audits before State canvass:

- Voter history audit
- Manual edit audit
- Sample audit
- Close contest audit

# Key Agency Initiatives in 2021

- IT/Voting Systems
  - Reconciliation audit tools for counties
  - Migration of legacy SEIMS to new system; complete several phases of SEIMS modernization
  - Risk-limiting audits
  - Vulnerability scanning
  - Voting Systems Certification (new systems & modifications)
  - Help Desk software to build knowledge base, provide consistent guidance to counties (currently receive 10,000-14,000 Help Desk tickets annually)
- Election Administration
  - County board wellness checks to ensure compliance
  - Pollworker e-pollbook training
  - County board member orientation and training (new appointments in June 2021)
  - Preparing for redistricting and upcoming elections
- Operations
  - County physical security (HAVA grants)
- Communications
  - SEIMS/Voter Tools working changes/updates to make more voter friendly
- Campaign Finance
  - Modernizing campaign finance reporting software

*66 initiatives or projects identified to begin or complete in the next 6 months*



# Legislative Priorities

- Budget requests
  - Secure physical building
  - Authorization to use HAVA funds:
    - SEIMS modernization development
    - SSTs and voting systems admins
    - Security and infrastructure improvement
    - Consultant to create ePollbook standards
    - ERIC membership to improve list maintenance and cross check efforts
  - Campaign finance modernization
  - Historical data project
- Review of IT consolidation with DIT
- Conform state law to ADA for blind voters, add compliance attorney
- Require disclaimer for mailers sent by third parties
- Campaign finance:
  - Waiver requests considered by State Board prior to filing a contested case with OAH
  - Remove reference to April for reporting schedule for odd-numbered year filing
  - Clarify that 48-hour reports in even-numbered years are only required for candidates on the ballot in even-numbered years
  - Create (judicial) and adjust (non-statewide) campaign finance threshold to \$3,000



# Legislative Priorities

Election schedule changes due to census delay (eta September) and redistricting:

- Municipal Elections
- 2022 Primary
- 2-month process for geocode changes for filing and ballot styles
- Municipal filing currently set for July
  - Census data needed to address municipal district & ward elections (62 municipalities)
  - Other municipalities may require districts or wards
- Recommendations:
  - Move all 2021 municipal elections to 2022
    - Address redistricting
    - Reduce voter confusion
    - Reduce municipal expenses
  - Move 2022 elections to May 3 primary, July 12 second primary, and November 8 general

**Thank You!**



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