



NORTH CAROLINA

State Board of Elections

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KIM WESTBROOK STRACH
Executive Director

NUMBERED MEMO 2016-05

TO: County Boards of Elections
FROM: Kim Strach, Executive Director
RE: Post-Election Processes
DATE: March 16, 2016

North Carolina voters turned out and cast ballots in record numbers during this primary. The value of your tireless efforts to make that possible cannot be overstated. Many believe work ends after Election Day, but we all understand that much work remains to officially make the voices of primary voters heard. County canvass will take place on Tuesday, March 22nd. By that time, the processes that ensure election integrity must be complete. State Board staff is reviewing data and is ready to help in any way needed.

Provisional Research

Please ensure all provisional information is entered into SEIMS. If you do not believe you will be able to complete this task prior to Friday at 10 a.m., please let me know immediately. As we have discussed, DMV is now offering voter registration for some online transactions. DMV research will include these transactions, so it is important to get the information entered as soon as possible to allow additional DMV research to be completed.

Voters may challenge the provisional ballot of any voter who completed a reasonable impediment declaration if the challenger has evidence that the reason provided is factually false. This challenge must be made prior to 5 p.m. on Friday, March 18. All challenges must be heard by your Board in accordance with the specific instructions contained in *Numbered Memo 2016-01*.

When no challenge is entered by the deadline, remember that your board cannot reject the reasonable impediment ballot if there is any possible question of fact. There must be a timely challenge, meaningful notice, and an opportunity to be heard.

If there are specific questions on provisional research or more guidance is needed for your county to complete its provisional research, please let me know.

Reconciliation

There are multiple levels of reconciliation that take place before the final certification of results are concluded. This process begins with early voting and Election Day precinct reconciliation. Please ensure these initial reconciliations have been completed. We will assist in the reconciliation process after all provisional information has been entered. As soon as you have finalized voter history, we will conduct additional audit processes in advance of the State Board canvass.

Voter History

Voter history must be entered prior to canvass. Our agency and the public use voter history to conduct a number of important audits. It is imperative that you prioritize the voter history update, especially given the need to begin geocoding after canvass.

Sample Audit Count

Today, counties received assignments for the sample audit for the March 15 Primary. The contest being sampled is the Presidential Preference Primary (for all three parties). Please make plans to conduct public hand-counts using a team representing the political parties. Please ensure the counts are conducted in advance of county canvass. Report the results to the survey link provided by e-mail along with the sample assignments. Remember, unlike recounts, sample audit counts should not change results; they are simply a check to demonstrate that the voting system performed accurately.

Discretionary Recounts

Another audit tool at your disposal is the discretionary recount. Even if a recount is not mandated by statute, a county board may conduct a discretionary recount if it believes the accuracy of the results are in question. If a county intends to conduct any discretionary recount or if a statutory mandated recount is required, please notify me in advance of conducting the recount.

Election Protests

Counties that have any election protests filed must send notice to the State Board by e-mailing legal@ncsbe.gov and including a copy of the protest, addresses for all parties, and the date of the county board meeting to consider the matter. Be sure to review the statutes on election protests and request that your county attorney attend proceedings.

If a party chooses to appeal from the county-level decision, direct the appealing party to file their materials by mail or personal delivery. It is not sufficient for a party to email its appeal to the State Board or to file the appeal at the county board office.

Redistricting and Voter Registration

In order to ensure accurate provisional research and audit outcomes, please do not make any changes to geocode to implement new congressional districts until after canvass. We will provide specific guidance on the process after canvass is completed next week. Additionally, do not process new voter registrations (other than any same day registrations that might not already have been processed) until after your board has completed canvass.

Post-election reconciliations and audits are critical components of our election process. Please do not hesitate to let us know if you have any questions, concerns or need additional guidance. Thank you for your dedication.