

December 2024

AN IN-DEPTH REVIEW OF AIKEN COUNTY'S BALLOT RECONCILIATION WORKSHEETS FROM THE NOVEMBER 2022 GENERAL ELECTION



The mission of the South Carolina State Election Commission (SEC) is to ensure every eligible citizen can register to vote and participate in fair and impartial elections, knowing that every vote counts and every vote matters.

Pursuant to S.C. Code §7-3-20(D)(3), the SEC is authorized to conduct audits of county boards of voter registration and elections to ensure those boards' compliance with applicable state or federal laws or SEC policies, procedures, or standardized processes regarding the conduct of elections or the voter registration process by all persons involved. These audits are conducted by the SEC's Audit Division.

Additionally, S.C. Code §7-3-25(A) authorizes the SEC to identify any compliance failures and establish and implement a corrective action to remedy such failures. Recommendations in this report will require implementation of a corrective action plan that is developed by the county and approved by the SEC's Audit Division.

SOUTH CAROLINA STATE ELECTION COMMISSION 1122 Lady Street Suite 500 Columbia, SC 29201

scvotes.gov

COMMISSIONERS Hon. Dennis W. Shedd Chairman

JoAnne Day

Clifford J. Edler

Linda McCall

Scott Moseley

Howard M. Knapp *Executive Director*

Thomas Nicholson General Counsel

Courtney Phillips Director of Audit

Hugo Albergaria *Audit Manager*

Samara Castleberry *Auditor*

Table of Contents

Summary of Results	1
Rackground	1
Dackground	
State Law and SEC Requirements	3
Figure 1: S.C. State Election Commission's Election Day Ballot Reconciliation Worksheet	3
Sample and Results	
Recommendations	13
Figures	
Figure 1: S.C. State Election Commission's Election Day Ballot Reconciliation World	ksheet2
Figure 5: Reconciliation Status of Line 2	12
Appendices	
Appendix A: Objective, Scope, and Methodology	
Appendix B: Aiken County Comments	16

Summary of Results

For the November 2022 General Election, 94% of the ballot reconciliation worksheets in our sample for Aiken County were available for review. Of the sample, 54% were completed, 16% were reconciled, and 6% were not available for review. Of the worksheets that were incomplete, this was likely due to the lack of a requirement from the State Election Commission (SEC) to fill every field, even if zero. For the unreconciled worksheets, counting individual ballot cards, incorporating a hands-on ballot reconciliation exercise during training for poll clerks—the lead poll managers—and training them on the worksheet's terms may improve the reconciliation of these worksheets. Adequately completing and reconciling the ballot reconciliation worksheets for each polling location may give greater assurance that the results include all valid ballots cast.

Background

As defined by the U.S. Election Assistance Commission, ballot reconciliation is the method in which election officials keep track of each ballot that has been printed or issued to a voter. Tracking the number of ballots printed, used, and unused during an election cycle ensures election officials have accounted for every ballot created and the election results include every valid ballot cast.

In South Carolina, printed paper ballots were not common until the state's current voting equipment was implemented in all 46 counties in 2020. Prior to then, the state used a direct recording electronic, or DRE, as part of its voting system. A DRE is a vote capture device, in which ballots are displayed, selections are made, and results are stored all via electronic format. The exceptions to this were the ballots printed for voters whose right to vote had been challenged at the precinct or who had moved but were still allowed to vote and the printed ballots used in emergency situations. Since these ballots were the only ballots in paper form, these were the only ballots that could be accounted for at the time.

South Carolina's transition in February 2020 to a paper-based voting system, with 100% printed paper ballots, significantly altered the process of accounting for ballots. In preparation for the change to this new system, the SEC developed a ballot reconciliation worksheet in September 2019 to account for and reconcile ballots supplied, used, not used, and lost and the number of voters who voted. Over the last five years, there have been minor updates to the worksheet, but it remains generally the same as the September 2019 version. Figure 1 below is an image of the ballot reconciliation worksheet used during the 2022 November General Election. It is important to note that a description of the worksheet and the terms used within are included in the analysis that follows.

Figure 1: S.C. State Election Commission's Election Day Ballot Reconciliation Worksheet

Co	ounty	Precinct	Dat	e	
Ba	Ballots Supplied				
Α	Ballot Cards (Com	pleted by County Office)			
В		oer Ballots (Completed by County Office) onal + Failsafe Provisional)			
С	Additional Ballot	Cards			
D		Marked Paper Ballots onal + Failsafe Provisional)			
			Total 1		
Ba	llots Used				
E	1	Ballot Cards and Emergency Ballots) on the Scanner/DS200)			
F		S (Hand-Marked Paper Ballots/Envelopes)			
G	Spoiled Ballots (B	allot Cards + Hand-Marked Paper Ballots			
_			Total 2		
Ba	llots Not Used				
Н	Ballot Cards				
I	Hand-Marked Paper Ballots (Emergency/Provisional + Failsafe Provisional)				
_			Total 3		
Vo	ters Checked In				
J	Electronic Poll Bo	• •			
к	Paper Poll List (In Include Curbside P	clude Provisionals NOT entered in the EPB) (DO oll List)	NOT		
			Total 4		
To	Total 2 + Total 3 = (Should equal Total 1)				
To	otal 4	+ G =	(Should	l equal Total 2)	
Explain any discrepancies:					
Are you returning any Emergency ballots that have not been scanned? Yes \(\square\) No \(\square\) (Do NOT include Provisional or Failsafe Provisional ballots)					
SEC FRM 1150-202208					
every vote matters. every vote counts.					

Source: S.C. State Election Commission

State Law and SEC Requirements

While state law only requires ballot reconciliation for election day, the SEC's standardized operating procedures mandate this process for absentee and early voting as well. However, the scope of our audit was limited to election day ballot reconciliation, specifically for the 2022 November General Election. Therefore, the following sections provide an overview of the legal requirements for ballot reconciliation and the SEC's ballot reconciliation worksheet as they pertain to election day.

Overview

S.C. Code §7-13-1150 requires poll clerks—the lead poll managers—to account for all ballots delivered to them and return the number of ballots supplied, spoiled—ballots that were defaced or marked in error—unused, voted, and lost, if any. S.C. Code §7-13-1410 requires poll managers to count the number of individuals who voted as well as unused and spoiled ballots. Between the two sections of the law, a poll clerk must account for ballots supplied, ballots used—including spoiled and lost ballots—ballots unused, and voters who voted. This accounting of ballots is also referred to as ballot reconciliation.

By Voting Type and Election Type

In the abovementioned sections of state law, the use of the terms poll clerk and precinct suggest that ballot reconciliation is performed by a clerk at a precinct, which only occurs on election day. As for election type, Title 7 of the S.C. Code of Laws applies to all types of elections—primary, general, special, and runoff. As such, ballot reconciliation is required to be performed for all types of elections. Because these worksheets are intended to ensure all valid ballots in an election have been cast, they are to be completed prior to a county's certification—a statement by the county's board of canvassers that election results are a true and accurate accounting of all votes cast in a particular election.

Overview of the Ballot Reconciliation Worksheet

The SEC's ballot reconciliation worksheet is intended to be used by poll clerks to document, by precinct, the total ballots supplied, used, unused, and voters who voted. This worksheet accounts for these required components and contains two formulas, which are meant to ensure the appropriate values reconcile with each other. The following describes each section of the worksheets and the terms used.

Ballot Reconciliation Worksheet Top Portion

The top three-fourths of the worksheet contains 11 rows labeled A–K to record ballots supplied, used, and not used and voters checked in. Note, the worksheet accounts for voters who voted in the section "Voters Checked In," as only voters who voted are checked in at a polling location; see Figure 1. Specifically, rows A–K include the following:

Row	ACCOUNTS FOR	INCLUDES		
A		Ballot Cards		
В	D-11-4- C1:1	Hand-Marked Paper Ballots		
С	Ballots Supplied Additional Ballot Cards			
D		Additional Hand-Marked Paper Ballots		
Е		Ballots Scanned		
F	Ballots Used	Ballots Used Provisional Ballots		
G		Spoiled Ballots		
Н	D.11.4. N.4.II 1	Ballot Cards		
I	Ballots Not Used	Hand-Marked Paper Ballots		
J	Voters Checked In	Electronic Pollbook		
K	voters checked in	Paper Poll List		

Rows A–B are completed by county election officials, and rows C–K are completed by the poll clerk after the polls close. The terms used on the worksheet and referenced in the table above are defined below.

BALLOT CARD

The paper cardstock provided to a voter for the purpose of recording his vote selections using a ballot-marking device (definition below).

BALLOT-MARKING DEVICE

A piece of voting equipment that allows a voter to electronically select valid contest options and then produces a human-readable paper ballot. Ballots are not cast on this device.

HAND-MARKED PAPER BALLOT

A paper ballot marked by hand by a voter using a blue or black pen. A hand-marked paper ballot is used at the polling location for emergency voting, via an emergency ballot, and provisional voting, via a provisional or failsafe provisional ballot (definitions below).

EMERGENCY BALLOT

A hand-marked paper ballot used in the event the ballot-marking device is inoperable or otherwise unavailable. Generally, these ballots are cast at the polling location.

PROVISIONAL BALLOT

A hand-marked paper ballot used when a voter's eligibility to vote is challenged, which may occur, for instance, if he has already received a ballot in the mail but insists on voting at a polling location.

FAILSAFE PROVISIONAL BALLOT

A hand-marked paper ballot used when a voter has moved from one precinct to another within the same county and failed to update his address or has moved from one South Carolina county to another within 30 days of the election.

Provisional and failsafe provisional ballots are not counted on election day. Instead, they are stored in individual sealed envelopes and kept separate from ballots that have been cast; these are the envelopes referred to in row F on the worksheet. After the polls close but prior to certification, the voter's eligibility is reviewed, and a determination is made to either accept or reject these ballots based on this review by the county board of canvassers. Accepted ballots are then counted.

SCANNER/DS200

A piece of voting equipment used to read the voter selections from a ballot card or a hand-marked paper ballot. Ballots are cast on this device.

SPOILED BALLOT

A ballot that has been defaced or marked in error. For example, a voter may make a selection by mistake and then return the ballot to a poll clerk for a second ballot. The term "spoiled" is then written on the back of the ballot and retained for records. State law also refers to a spoiled ballot as a soiled, marred, and defaced ballot.

ELECTRONIC POLLBOOK

A piece of election equipment in the form of a tablet that contains the electronic version of the voter registration list, which is used to determine whether a person is eligible to vote in an election and in the precinct. These pollbooks also have the ability to capture a voter's signature, which is evidence that a voter took the voter's oath. Ballots are not cast on this device.

PAPER POLL LIST

A form containing the voter's oath and signatures of voters who have taken the voter's oath. Paper poll lists are used when the electronic pollbooks are not available or when voters must be checked in manually.

Ballot Reconciliation Worksheet Bottom Portion

The bottom one-fourth of the worksheet contains the reconciliation portion, which is also to be completed by the poll clerk. Line 1, as follows, is intended to reconcile the number of used and unused ballots with the total ballots supplied.

Line 1:
$$\frac{\text{Total 2}}{\text{(Ballots Used)}} + \frac{\text{Total 3}}{\text{(Ballots Not Used)}} = \frac{\text{Total 1}}{\text{(Ballots Supplied)}}$$

Line 2 below is intended to reconcile the number of voters checked in with the number of ballots used.

Beneath the reconciliation formulas, there is a space to address any issues, including ballots that were lost or unscanned.

Worksheet Color Coding

For ease of completion, ballot reconciliation worksheets are meant to be printed in color. Four different colors are used for Totals 2 through 4 as well as for spoiled ballots:

Color	Corresponds to		
None	Total 1	Ballots Supplied	
Yellow	Total 2	Ballots Used	
Blue	Total 3	Ballot Not Used	
Orange	Total 4	Voters Checked In	
Green	Row G	Spoiled Ballots	

Each color on the top of the worksheet has a corresponding color on the bottom, where reconciliation is performed. These colors are meant to assist the user in transferring the data from the top to the correct field at the bottom. It is important to note that the color yellow for Total 2 and the color orange for Total 4 can often appear similar in appearance when printed.

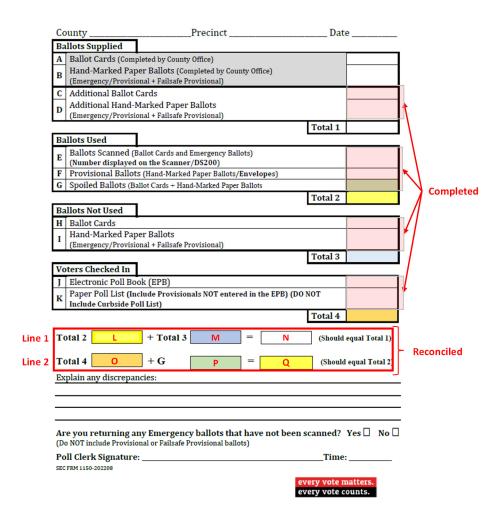
Sample and Results

We reviewed a sample of ballot reconciliation worksheets from the November 2022 General Election for Aiken County to determine whether they were adequately completed and reconciled. For this election, Aiken County completed its ballot reconciliation worksheets by precinct and polling location. Per S.C. Code §7-13-1150, ballot reconciliation worksheets are to be completed by precinct (see Appendix A). However, since counties, at times, consolidate multiple precincts into a single polling location, we conducted our analysis by polling location. For this election, Aiken County had 71 polling locations. The sample included 50 of the 71 polling locations, and the results were calculated at a 99% confidence level ±10 percentage points. Therefore, these results can be generalized about all Aiken County polling locations during the 2022 General Election.

For this review, the term "completed" meant rows C–K contained values. If a field in rows C–K was blank, zero was assumed unless zeroes were used elsewhere on the worksheet. The total boxes for each section (Total 1, Total 2, Total 3, and Total 4) were not included within the definition of completed, as they were a separate method of counting ballots and voters to what was presented in rows C–K. Additionally, the term "reconciled" meant the addition in Line 1 and the resulting value in N equaled the value in Total 1 (Total Ballots Supplied), and the addition in Line 2 and the resulting value in Q equaled the value in Total 2 (Total Ballots Used).

Figure 2 below provides a diagram of what was considered completed and reconciled on the worksheet. Note, information in red was added to the diagram to distinguish otherwise unidentified fields and sections of the worksheet.

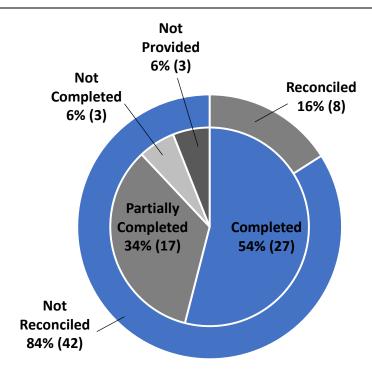
Figure 2: Worksheet Diagram for the Definition of Completed and Reconciled



Source: S.C. State Election Commission

For Aiken County, 6% (3/50) of the worksheets were not provided. Most of the worksheets were completed to an extent, with 54% (27/50) fully completed, 34% (17/50) partially completed, and 6% (3/50) not completed. Overall, the worksheets did not reconcile, with 16% (8/50) reconciled and 84% (42/50) not reconciled. Figure 3 below provides a breakdown of completed and reconciled worksheets for Aiken County.

Figure 3: Overall Completion and Reconciliation Status of the Worksheets



Source: Analysis of Aiken County's Ballot Reconciliation Worksheets, 2022 General Election

Retention of the Worksheets

As indicated above, worksheets for three polling locations in the sample were not provided. According to county staff, although they have a dedicated intake process for election night, it does not include a ballot reconciliation worksheet review. This gap in the process may explain why the worksheets were not available. S.C. Regulation 12-517.5 requires counties maintain election-related documents for two years after an election. Implementing a precinct checklist or other similar process would likely ensure that all worksheets are collected and retained.

Completion of the Worksheets

For 24% (12/50) of the worksheets considered partially completed, one or more rows were left blank, but other rows on the same sheet contained zeros. The most common rows left blank were C (Additional Ballot Cards), D (Additional Hand-Marked Paper Ballots), and K (Paper Poll List). If the user had filled in zeroes in these rows, then 76% (38/50) of the worksheets would have been completed. The SEC's instructions for the worksheet do not require a user to fill all rows. However, as a third-party reviewer, it was difficult to discern if an empty row was an oversight or intentional. Requiring a value for all rows on the worksheet will likely improve clarity to all users. In December 2024, a recommendation was made to the SEC to require a value, even if zero, be written in each of the worksheet's rows.

One worksheet was missing a single value; had this row been filled out with the correct value the worksheet would have been considered

completed. The other 10% (5/50) of the worksheets partially completed were missing between 2–6 data points. In these cases, enough rows had been filled out with values and/or zeroes that they were considered partially completed, but not enough rows had been filled out to where reconciliation of the worksheet could be determined.

The remaining 6% (3/50) of the worksheets had been filled out by the county office and contained values in rows A (Ballot Cards) and B (Hand-Marked Paper Ballots) but were blank on the rest of the worksheet and so were considered incomplete. As indicated, having a dedicated ballot reconciliation worksheet review process prior to certification would likely improve the completion status of the worksheets.

Reconciliation of Line 1

As for reconciliation, 32% (16/50) of the worksheets reconciled on Line 1 and 38% (19/50) did not. Furthermore, 22% (11/50) of the worksheets were not completed, and 2% (1/50) were not legible. Reconciliation could not be determined for the three worksheets not provided. Of the sample, 22% (11/50) were off by 10 or fewer ballots, 10% (5/50) were off by between 20–85 ballots, 4% (2/50) were off by more than 100 ballots, and 2% (1/50) was off by 380 ballots. Figure 4 below provides a breakdown of the reconciliation status for Line 1.

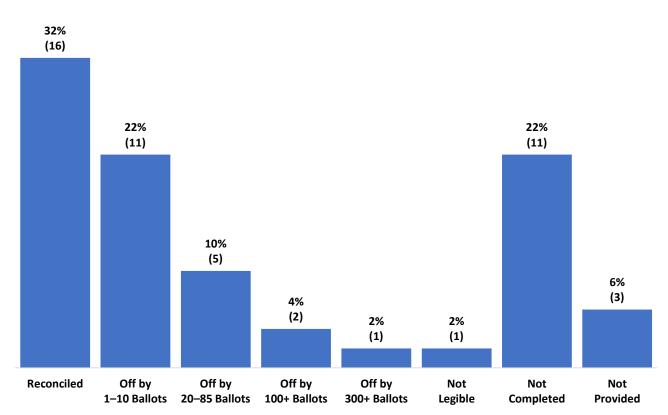


Figure 4: Reconciliation Status of Line 1

Source: Analysis of Aiken County's Ballot Reconciliation Worksheets, 2022 General Election For the worksheets off by 10 or fewer ballots and 1 of the 5 worksheets off by 20–85 ballots, this may be due to the ballot packaging process. During this process, the ballots are weighed rather than counted and could, therefore, be off by $\pm 2\%$; a package of 250 ballot cards could be over or under by as many as 5. If county staff and poll clerks count the ballot packages and not the individual ballot cards, the values in rows A–D could be incorrect and therefore cause Total 1 (Ballots Supplied) to be incorrect.

Per a county election official, they do not count the individual ballot cards before sending them out to polling locations, but they train their poll clerks to count them and ensure the totals listed in rows A–D are correct. On 12% (6/50) of the worksheets, there was evidence that the poll clerk counted the blank ballot cards and found the values in rows A and B to be incorrect. Aiken County does have a DS450—a high-speed tabulation device which counts ballots at a rate of 75 ballot cards per minute—in its county office, which could be used to count individual ballot cards before sending them out to the polling locations. Counting ballot cards in the office and again at the polling location by a clerk will likely reduce miscounts in the number of ballots supplied. Additionally, poll clerk training that continues to highlight the importance of counting individual ballot cards may ensure this practice is employed by all poll clerks.

For 3 of the worksheets off by 20–85 ballots, and the 2 worksheets off by more than 100 ballots, the issue appeared to be that the hand-marked paper ballots supplied (row B) were not accounted for in the unused hand-marked paper ballots field (row I) of the worksheet. Proper accounting of the number of unused hand-marked paper ballots would have resulted in the reconciliation of Line 1.

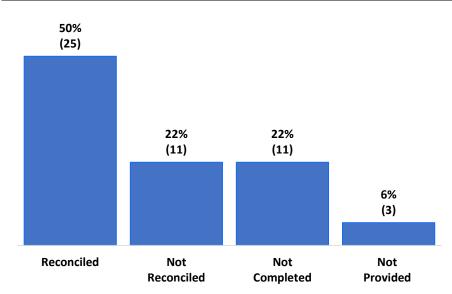
For the remaining worksheet off by 20–85 ballots, the addition was done incorrectly on the line. Also, the hand-marked paper ballots supplied (row B) were not properly accounted for in the unused hand-marked paper ballots field (row I) of the worksheet. Had the addition been done correctly and the unused hand-marked paper ballots been properly accounted for, Line 1 would have reconciled on this worksheet.

For the worksheet off by 380 ballots, the addition was done incorrectly on the line. Furthermore, a counting error occurred in the section for Ballots Not Used. Specifically, the number of unused ballots cards was off by a value of 20 either because the county office or poll clerk undercounted the ballots supplied by 20. It is likely that if the ballot cards had been counted correctly, Line 1 would have reconciled.

Reconciliation of Line 2

On Line 2, 50% (25/50) of the worksheets reconciled, and 22% (11/50) did not. Another 22% (11/50) were not completed. Reconciliation could not be determined for the three worksheets not provided. On the worksheets that did not reconcile, all were off by 7 or fewer ballots. Figure 5 below provides a breakdown of the reconciliation status of Line 2.

Figure 5: Reconciliation Status of Line 2



Source: Analysis of Aiken County's Ballot Reconciliation Worksheets, 2022 General Election

For 4% (2/50) of the worksheets, the issue was due to ballots that could not be scanned at the polling location. Both worksheets explained this in the notes section at the bottom of the worksheet. When ballots cannot be scanned, they are to be returned to the county office for tabulation. Although the line did not reconcile, this was the proper procedure to account for these ballots.

For 6% (3/50) of the worksheets, the issue appeared to be due to provisional voters not being accounted for. Although provisional ballots are not scanned on election day and must be returned to the county office, they are still accounted for on the worksheet. This is done by checking the provisional voter in on the electronic poll book (row J) or listed on the paper poll list (row K). In the case of these worksheets, it does not appear that this procedure was followed. Had the provisional voters been entered into the electronic pollbook or paper poll list, the worksheets would have reconciled on Line 2.

On another 4% (2/50) of the worksheets, the issue appeared to be due to provisional ballots not being properly accounted for. In both cases, the number of voters checked into the electronic poll book (row J) was higher than the number of ballots scanned (row E). However, the provisional ballots appeared to be counted with the spoiled ballots (row G). Had they been properly accounted for as provisional ballots (row F), the line would have reconciled.

For the remaining 8% (4/50) of worksheets not reconciled on Line 2, the issues varied by worksheet, but all had some explanation in the notes section:

• One appeared to be a user error with the DS200. The explanation given by the poll clerk stated that when one voter scanned her

ballot, the DS200 gave an "Error" message but did not reject the ballot. In cases where a ballot does not scan, the DS200 will alert the poll clerk that further action is required to count or return the ballot. However, the poll clerk noted they were extremely busy at the time, and it appears this was missed. While the note suggests the ballot was scanned but not counted, this is likely not a possible scenario.

- One stated that two ballots were reissued; when ballots are reissued, the originals must be spoiled. The worksheet, however, only noted one spoiled ballot and it is unclear if the one noted was related to or separate from this issue.
- One involved technical issues with the electronic pollbook not working. In these instances, voters are to sign the paper poll list. However, there was a zero on the worksheet for voters checked in on the paper poll list.
- One involved a voter check-in issue that was a result of clerk error.
 Even if this issue was resolved, the line would not have reconciled.
 We did not have sufficient information on the worksheet to identify the cause of the separate issue.

Per a county election official, they did not provide any focused training on the ballot reconciliation worksheets beyond what was provided by the SEC. The SEC's poll clerk training before the 2022 General Election provided an overview of the ballot reconciliation worksheets, as well as information on how to use the paper poll lists if the electronic pollbooks became unavailable. This training also recommended the county provide its own hands-on training involving the worksheets. This information was also reiterated during the 2022 General Election workshop, which was attended by Aiken County staff. Hands-on training could improve reconciliation on both lines of these worksheets.

Due to the range of errors on these worksheets, a comprehensive training that explains the terminology, provides emphasis on the procedures for addressing technical issues, and incorporates a hands-on exercise on how to complete and reconcile these worksheets may resolve these errors. Adequately completing and reconciling these worksheets for each polling location may give greater assurance that all valid ballots were included in the election results.

Recommendations

- 1. The Aiken County Voter Registration and Elections Office should retain all ballot reconciliation worksheets for two years after an election, as required by state regulation.
- 2. The Aiken County Voter Registration and Elections Office should count individual ballot cards before supplying them to the precincts or polling locations.
- 3. The Aiken County Voter Registration and Elections Office should ensure poll clerks count individual ballot cards to verify the total ballots supplied.

- 4. The Aiken County Voter Registration and Elections Office should train poll clerks on how to address ballot reconciliation when impacted by technical issues, including the use of the paper poll list and following procedures for handling jammed ballots.
- 5. The Aiken County Voter Registration and Elections Office should incorporate a hands-on exercise on how to complete and reconcile ballot reconciliation worksheets during poll clerk trainings. This training should explain the terms used on the worksheet.

Appendix A: Objective, Scope, and Methodology

This report provides the results of our compliance audit of Aiken County's Voter Registration and Elections Office and its use of the ballot reconciliation worksheet. We conducted this audit under the provision of S.C. Code §7-3-20(D)(3). The review period for the audit was for the November 2022 General Election, and the objective was to determine whether precinct ballot reconciliation worksheets from this election were adequately completed and reconciled. To conduct this audit, we used a variety of sources of evidence, including:

- Federal and state laws.
- S.C. State Election Commission (SEC) policies and procedures.
- SEC training materials.
- Interviews with and surveys of county election officials.
- Information from South Carolina and other state agencies as well as the U.S. Election Assistance Commission.
- Contracts and information from Election Systems & Software and its vendor Printelect.
- Ballot reconciliation worksheets.

Criteria used to evaluate compliance was based on federal and state laws and agency policies, procedures, and training materials. We reviewed internal controls in several areas, including SEC policies and procedures; county policies, procedures, and practices; and agency training. Our findings are detailed in this report.

Issue for Further Review

During our examination of the ballot reconciliation worksheets, we identified a potential legal compliance issue that requires further review. Specifically, in the November 2022 General Election, several counties consolidated multiple precincts into a single polling location.

Pursuant to S.C. Code §7-7-10, while counties are authorized to establish multiple polling places within a precinct, the statute does not grant authority to consolidate multiple precincts into a single polling location. Additionally, under S.C. Code §7-13-1150, ballot reconciliation worksheets must be completed at the precinct level.

Due to time constraints, we were unable to conduct a comprehensive analysis of this issue. However, it is briefly addressed here and is the reason our analysis was conducted by polling location rather than by individual precinct.

A	ppendix	B:	Aiken	County	Comments
---	---------	----	-------	--------	----------

No comments.