

## SUMMARY

# A LIMITED REVIEW OF CLARENDON COUNTY VOTER REGISTRATION AND ELECTIONS

### WHY WE DID THIS REVIEW

A member of the S.C. General Assembly requested an audit of the Board of Voter Registration and Elections of Clarendon County pursuant to S.C. Code §7-3-20(D)(3).

### OBJECTIVES REVIEWED

- Determine if absentee ballots for elections in June 2024 and November 2024 were issued and accepted in accordance with state law and SEC policy.
- Determine if ballot reconciliation worksheets for elections between June 2024 through January 2025 were adequately completed and reconciled.
- Review the process for obtaining poll clerks and managers for elections over the past two years.
- Determine if voting equipment contracts over the last two years were in compliance with state law.
- Determine whether the board has adhered to the South Carolina Freedom of Information Act as it relates to its meetings.
- Determine whether the board and its members have adhered to Title 7 requirements in the S.C. Code of Laws.

### 36 TOTAL RECOMMENDATIONS:

- 18 to the county office.
- 10 to the board.
- 8 to State Election Commission (SEC).

Clarendon County is in east-central South Carolina. For the 2024 November General, there were 21,665 registered voters and 25 precincts, which the county office consolidated into 24 polling locations. The county has a nine-member body, called the Board of Voter Registration and Elections of Clarendon County, with seven seats currently filled.

### BOARD MEMBER RESPONSIBILITIES

#### MEETINGS: AGENDAS AND MINUTES

S.C. Freedom of Information Act provisions were not always followed for the board's meeting agendas and minutes. Issues included:

- Not posting all agendas to its website.
- Improperly noting specific purposes on agendas and minutes.
- Posting agendas and minutes that contained inaccuracies.
- Not creating agendas for all proposed meetings.
- Not following legal requirements for agenda changes.
- Missing meeting minutes.
- Failing to indicate quorum on minutes.
- Insufficiently detailing minutes.
- Not indicating on minutes compliance with external requestor requirements.

#### VOTING MACHINE CUSTODIANS

The board contracted with a voting machine custodian for the 2024 November General, which is an uncommon practice across the state. Usually, in-office staff perform this role. Also, not all voting machine custodian signatures were present for the elections under review.

#### NAMING

The board did not always use the correct title for itself. This title, Board of Voter Registration and Elections of Clarendon County, is required by law.

### OFFICE

#### ABSENTEE PROCESS

While the county office followed state law permitting an individual to request no more than five applications or to return no more than five ballots for other voters in the 2024 June Primary and November General elections, there were various other issues in the absentee process, including:

- Impermissible request methods by authorized representatives and missing authorized representative forms.
- Impermissible ballot issuance and return methods.
- Wrongly rejecting one ballot.
- Accepting ballots despite missing authorization to return absentee ballot forms.
- Accepting ballots despite incomplete return-addressed envelopes.
- Labeling one attention envelope with the wrong attention reason.
- Failing to provide requested Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) ballot information.

## POLL MANAGER

### POLL MANAGER RECRUITMENT

The county had a robust if informal recruitment program. However, more than one-third of poll manager applicants did not work in an election. Of the roughly two-thirds of the applicants who did work, approximately 60% only worked one or two days. Most applicants were over the age of 52, while a third of applicants were between 17 and 45 years old.

### REQUIRED NUMBER OF POLL MANAGERS NOT MET

The county was generally found to have insufficient numbers of poll managers in most polling locations in most elections, with municipal elections having fewer poll managers working than in statewide elections.

### POLL MANAGER REIMBURSEMENTS

Reimbursement requests for poll clerk and manager trainings for the 2024 June Primary and November General Elections did not match documented attendance at those trainings, resulting in approximately \$7,000 in overpayments from the SEC to the county.

Further, two clerks were paid for working at the same polling location in the same election. State law restricts one clerk to work per each polling location with payment limited to that one clerk.

## BALLOT RECONCILIATION

The following topics were found during the review of ballot reconciliation worksheets.

### PROVISIONAL BALLOT ENVELOPES

Poll managers did not always properly complete provisional ballot envelopes. A provisional ballot is a hand-marked paper ballot used when a voter's eligibility to vote is challenged. 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. Accepted ballots are then counted. An SEC policy requires that poll managers complete the provisional ballot envelopes at the time the voter completes the provisional ballot to determine acceptability. In several instances, it was noted the poll managers did not properly complete the provisional ballot envelopes.

### PAPER POLL AND CURBSIDE POLL LISTS

Paper poll lists were used interchangeably with curbside poll lists during several elections. Paper poll and curbside poll lists contain 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. Curbside poll lists are used for voters that voted via the curbside process. Incorrect use of these lists resulted in an inaccurate record of participants' voting methods.

### VOTER'S OATH

In several instances, poll managers did not have individual voters sign the voter's oath. State law requires individual voters to sign as affirmation that the voter has read and understands the oath. Further, the statute allows for assistance from the poll manager in cases in which the voter is not capable of signing. The voter's oath is shown on the screen of the electronic pollbook and on the top of the paper poll list. In several instances it appeared that the poll manager wrote down the names of voters who were to sign the paper poll list.

### LEGAL HOLIDAYS

The SEC has not provided formal written guidance to clarify the term "legal holiday" and the statute's application to ensure compliance for early voting. State law defines "legal holiday" as a holiday recognized by state or federal law. One instance was noted where the county's early voting center was closed for a county holiday, which is not considered a "legal holiday" under state law.