



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

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KIM WESTBROOK STRACH
Executive Director

NUMBERED MEMO 2018-04

TO: County Boards of Elections
FROM: Kim Westbrook Strach, Executive Director
RE: Absentee Witness Certification and 2016 Election Records Retention
DATE: April 20, 2018

Absentee Witness Certification

The Agency revised its Absentee Application and Certificate Form in response to feedback and investigation activities following the 2016 general election cycle. The Form now provides clearer notice of applicable legal requirements. Among other things, the Witnesses' Certification section now permits each witness to provide the date on which he or she affixed a signature—an opportunity already provided to voters.

County boards have inquired what procedures are appropriate if they identify a discrepancy between the date of the Voter's Certification and the date of the Witnesses' Certification. Under statute, county boards are required to meet and consider all Absentee Applications and Certificates, rejecting an Application if it is facially defective or if the voter has been successfully challenged. Board members are encouraged to consider that date fields are not required by statute, that each witness has certified that the "Voter marked the enclosed ballot in my presence," and that it is possible a witness may have simply written the wrong date. Agency investigators request that Forms displaying date discrepancies be uploaded to <https://goo.gl/forms/muFT2Y79XTebKO1d2>.

2016 General Election Records Retention

Due to a series of ongoing investigations, county boards are hereby directed to retain the following records from the 2016 general elections until otherwise instructed:

- Voted ballots (including Election Day, absentee/one-stop, and provisional ballots)
- iVotronic tapes and tabulator tapes
- Provisional voting applications/envelopes
- Absentee ballot applications/envelopes