



BERTIE COUNTY BOARD OF ELECTIONS

Second Primary Election Day Meeting

Tuesday, May 14, 2024

7:30 pm

The Bertie County Board of Elections held a Second Primary Election Day Meeting on Tuesday, May 14, 2024 at 7:30 pm. The meeting was held at 210 W. Watson Street, Windsor, NC.

The meeting was called to order by Chairman Wm. Michael Freeman. Mr. James Lee gave the invocation.

Present were Wm. Michael Freeman, Timothy Davis, James Lee, Pamela Staneski, LaToya R. Peele, Synesta Freeman and Angela Watson.

Business

Director Peele informed the Board that an Absentee Ballot was returned today. Director Peele stated the returned Supplemental Absentee ballot will be considered at Canvass.

Close the Poll of Early Voting

Director Peele closed the polls of Early Voting Lobby at 7:30 pm and the Board signed the results tapes and completed the Statement of Return Forms.

Next Board Meetings

Sample Hand and Eye Count

Director Peele informed the Board that the State Board of Elections will randomly select Precincts for the Sample Audit count on Wednesday, May 15th.

Chair Freeman suggested using the Early Voting workers for the Sample Audit Count.

Director Peele suggested having the Sample Hand and Eye Meeting on Monday, May 20th at 10:00 am. The meeting date was approved by the Board.

Canvass

Director Peele informed the Board that Canvass is Friday, May 24th at 11:00 am.

Election Night Reporting Results

Shortly before the polls closed, Director Peele informed the Board that Executive Director Brinson- Bell sent out a directive regarding ballot secrecy for the Second Primary.

Director Peele stated the memo described how the low voter turnout of contests would increase the possibility for voters to vote for the same candidate. This in turn would make it possible to identify the ballot selections of voters which would be a violation of N.C.G.S. § 163-165.1(e). The memo further stated that all precincts with the same voter candidate selections would have to be transferred to an administrative precinct.

There was much discussion regarding this matter and Director Peele contacted Executive Director Brinson-Bell for her to explain her intentions of the directive to both her and the Board.

The Board along with Director Peele voiced their concerns to Executive Director Brinson-Bell. General Council, Paul Cox and Certification Manager, Neil Baddour were also on the call and provided further clarity. Neil Baddour informed Director Peele that he would walk her through the ballot secrecy process.

Through guidance, Director Peele performed the Ballot Secretary procedure and uploaded the Elections Results for the Second Primary.

Associated Press Stringer, Lewis Hoggard, received a copy of the Elections Results once the process was complete.

Respectfully submitted,


Wm. Michael Freeman, Chairman



Timothy Davis, Secretary



James Lee, Member



Pamela Staneski, Member



Vacant, Member

LaToya Peele

From: Bell, Karen B
Sent: Tuesday, May 14, 2024 6:23 PM
To: SBOE_Grp - Directors.BOE; SBOE_Grp - SEIMS.ADD.BOE
Subject: Steps to ensure confidentiality of voters' second primary ballot selections
Attachments: Steps Which May Be Necessary to Preserve Ballot Secrecy - Second Primary 2024.pdf

Importance: High

Good evening NC Elections Team,

As referenced in my email earlier today, when you are uploading your results tonight, you may need to take steps to ensure the confidentiality of voters' second primary ballot selections.

Considering the low turnout and small number of contests, the possibility is greater than usual that all voters who voted in person at a voting site, or absentee by mail, cast a ballot for one candidate on the ballot. This, in combination with voter history records, would make it possible to identify the ballot selections of specific voters. This could violate N.C.G.S. § 163-165.1(e), which states, in relevant part: "Voted ballots and paper and electronic records of individual voted ballots shall not be disclosed to members of the public in such a way as to disclose how a particular voter voted, unless a court orders otherwise. Any person who has access to an official voted ballot or record and knowingly discloses in violation of this section how an individual has voted that ballot is guilty of a Class 1 misdemeanor."

To comply with this statute, the process described in the attached document must be followed to avoid revealing voters' second primary ballot choices when all voters in a precinct vote in a contest and all of those voters choose the same candidate.

In that scenario, vote count totals will need to be reported with either an administrative precinct or a neighboring precinct that does not have the same uniformity in vote count. You will only be combining reported votes from different precincts. The number of ballots cast will remain associated with the proper precincts.

The attached document also includes instructions for the process to follow when this scenario occurs with the absentee-by-mail ballots in a county.

Note that if a contest has an undervote, meaning a voter voted in the election but not in the contest, then even if all of the remaining voters voted the same way, it would not reveal those voter's choice. In other words, if 20 voters in the precinct vote in the second primary, with 19 voting for one candidate and 1 voter not voting in the contest, then there is no need to follow this process. The same applies for absentee ballots.

Additionally, we recommend, as a good practice, that the steps described in the attached document be performed under the supervision of at least two board members or staff who are not of the same political party. We realize, however, that it may not be possible to arrange for such attendance after the polls close, especially for smaller county offices. Regardless of whether this is possible, you must: (1) inform your board that you will be combining vote totals from precincts, where necessary, to maintain ballot secrecy; (2) have at least one person observing the process; and (3) maintain a clear written audit trail concerning these procedures that your board may consult during canvass. This documentation, which would reveal an individual's ballot selections, must be kept confidential with the county board, "unless a court orders otherwise," pursuant to an election protest. N.C.G.S. § 163-165.1(e).



NORTH CAROLINA STATE BOARD OF ELECTIONS

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Steps to Preserve Ballot Secrecy in Results Reporting

Follow the steps below, depending on the scenario that applies, along with Part IV of the ERM Manual, which is attached to this document.

Scenario 1 – Election coded by style, all voters selected a single candidate in an Election Day precinct

In this case, you should have a TRANSFER administrative precinct in your coding (regardless of what that precinct is actually named). To do this:

1. Read the tabulator data into the proper groups and verify the totals.
2. Print out an election summary report with group detail.
3. For each appropriate precinct, deduct the votes, overvotes, and undervotes; then add those same totals to the TRANSFER precinct instead; leave the BALLOTS CAST in the original precinct.
 - a. If the TRANSFER precinct only has votes for the same candidate or no votes at all, and therefore cannot be utilized for this process, publish results Internal Only and then submit a help desk ticket to receive further options.
4. After completing manual edits, print out another election summary report with group detail.
5. **Check the numbers.** Each total on each of these election summary reports should match the corresponding total on the other report.

Scenario 2 – Election coded by precinct, all voters selected a single candidate in an Election Day precinct

In this case you will not have any administrative precincts to work with, so it may be necessary to move votes/overvotes/undervotes to a different reporting group or to a different precinct. Similar to scenario 1 above:

1. Print out an election summary report with group detail.
2. Leave the BALLOTS CAST totals where they are.
3. If possible to ensure secrecy by moving votes, overvotes, and undervotes to the same precinct in a different reporting group, do that.
4. If necessary to move totals to a different precinct but in the same group, do that instead.
5. **Check the numbers.** Print out another summary report and verify that each total matches the corresponding total on the earlier report.

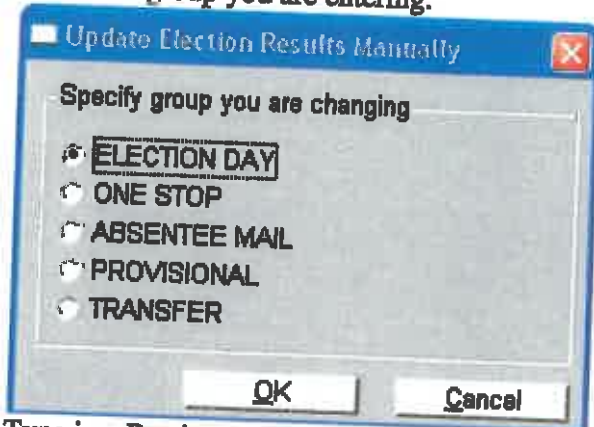
Scenario 3 – All absentee-by-mail ballots include a vote for a single candidate
In this case, the simple solution will likely be to change the group mapping in SEIMS Election Reporting. To do this:

1. Read the tabulator data (via the USB drives) into the proper reporting groups in your voting system.
2. Before importing a results file into SEIMS Election Reporting, change the voting method associated with the Mail group to a different voting method (In-Person Early Voting, most likely).
3. Import, Review, and Publish as normal.

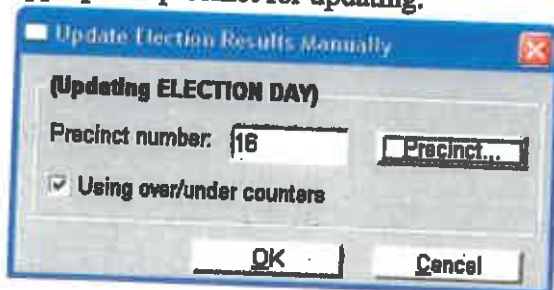
The three scenarios presented here do not account for every possible situation. If your circumstances require more detailed instructions, please submit a help ticket.

PART IV IF You Need to Adjust Results Manually

- a. From the ERM menu bar, go to the "Update" menu.
- b. Select "Update Election Results Manually".
- c. Select the group you are entering.



- d. Type in a Precinct number or click on the box labeled "Precinct" to select the appropriate precinct for updating.



Select "Using Over/Under Counters" to edit over-vote and under-vote totals as well as your election totals. Click OK to update your results or Click Cancel to return to the main screen without updating.

- e. You will see a window appear asking you to select "Change (+ or -)" or "Replace". Select "Change (+ or -)" to add to your adjust your totals. If using this selection, use the + or - sign in front of the number value entered in the white box next to the ballot item. Click OK to update the totals.

Updating ELECTION DAY
Precinct number: 0016 WACCAMAW

| | |
|--|----|
| REGISTERED VOTERS - TOTAL | |
| REGISTERED VOTERS - DEMOCRATIC | |
| REGISTERED VOTERS - REPUBLICAN | |
| REGISTERED VOTERS - NONPARTISAN | |
| BALLOTS CAST - TOTAL | |
| BALLOTS CAST - DEMOCRATIC | |
| BALLOTS CAST - REPUBLICAN | |
| BALLOTS CAST - NONPARTISAN | |
| DEM-DISTRICT ATTORNEY 13 | |
| Alexis Jane Prease | |
| Rex Gore | |
| OVER VOTES | |
| UNDER VOTES | |
| REP-NC STATE SENATE 08 | |
| Bill Fairley | |
| Shirley C. Babson | |
| OVER VOTES | |
| UNDER VOTES | |
| SUPREME COURT ASSOCIATE JUSTICE | |
| Robin Hudson | +1 |
| Bill Gore | +1 |

Next Page Prev Page Update All Upd. Reg Voters Cancel

- Select "Replace" to replace your total with manually entered values. Enter vote totals in the boxes next to each ballot item from your election. (If using replace, continue with lines f & g to save data)
- f. Click "Next Page" or "Prev Page" to move through the frames of ballot items. Click "Update All" when all entries are complete.
- g. Click "Cancel" to exit.