



# ROCKINGHAM COUNTY

## BOARD OF ELECTIONS

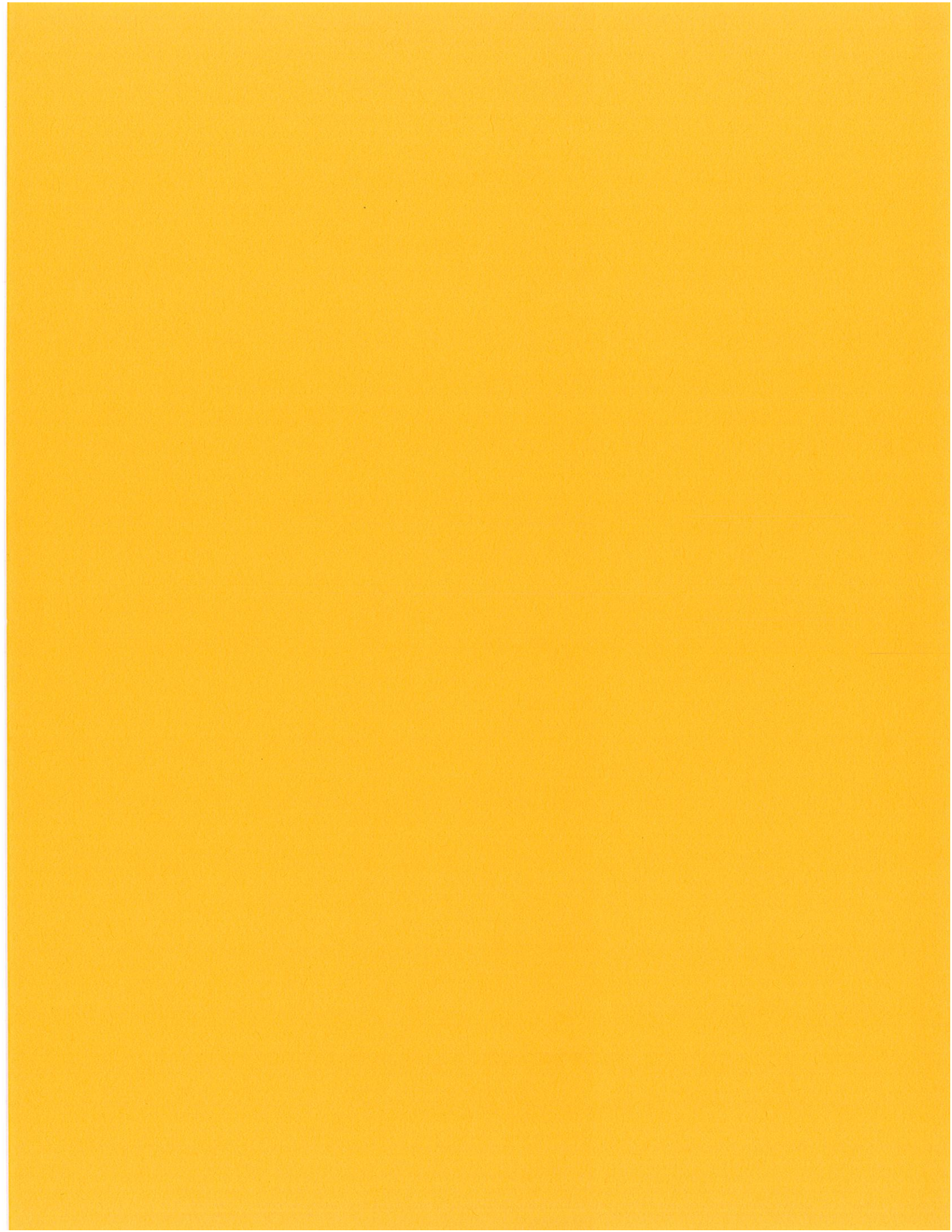
### Agenda

**Regular Meeting**  
**October 17, 2023 @ 5:30 p.m.**

**Rockingham County Board of Elections**  
**240 Cherokee Camp Road**  
**Reidsville, NC 27320**

<https://www.rockinghamcountync.gov/mediacenter.aspx?id=21335&catid=70>

1. Welcome / Call to Order Chair Wright
2. Pledge of Allegiance
3. Invocation – Pastor Donald DeLancey  
Resurrection Life Church, Eden
4. Approval of Agenda
5. Approval of Board Minutes
  - a. September 19, 2023 Regular Meeting Minutes
6. Public Comments
7. Photo ID Training Member Schoolfield
8. Provisional Ballot/Photo ID Exception Form Member Schoolfield
9. Electioneering Area Discussion Paula Seamster
10. 2023 Municipal Elections Preparations Paula Seamster
  - a. Logic and Accuracy Testing on Voting Machines
  - b. Mock Election
  - c. One Stop (Early) Voting
  - d. Election Day
  - e. Canvass
11. Director's Update
  - a. Election Day Compliance Checklist
  - b. Events / Speaking Engagements
  - c. SB 747 & SB 749
12. Adjournment



**BOARD MEETING MINUTES  
SEPTEMBER 19, 2023 – 10:00 AM  
REGULAR MEETING**

The Rockingham County Board of Elections met Tuesday, September 19, 2023 at 10:00 a.m. at the Rockingham County Governmental Center Commissioners Chambers.

Board Members Present: Ophelia Wright, Chair; Sarah Totten, Secretary; Nelson Cole, Member; Thurman Hampton, Member; and Tom Schoolfield, Member.

Staff Members Present: Paula Seamster, Director.

**ITEM #1 – MEETING CALLED TO ORDER**

Chair Wright called the Board meeting to order at 10:00 a.m. Chair Wright welcomed the Board members and the guests that were present and those online.

**ITEM #2 – PLEDGE OF ALLEGIANCE**

Diane Parnell led the Pledge of Allegiance.

**ITEM #3 – INVOCATION**

Invocation was given by Dr. Ron Tuck, Lawsonville Road Baptist Church in Reidsville.

**ITEM #4 – APPROVAL OF THE AGENDA**

**Member Cole moved, seconded by Secretary Totten to approve the agenda. The motion carried unanimously.**

**ITEM #5 – APPROVAL OF MINUTES**

**Secretary Totten moved, seconded by Member Hampton to approve the August 17, 2023 Regular Meeting minutes. The motion carried unanimously.**

**ITEM #6 – PUBLIC COMMENTS**

Chair Wright opened Public Comments and asked the Director to read the Public Comments policy.

Royce Richardson –

“Madam Chairman and Board, I just wanted to come today to say thank you for what you all do. I’ve watched you over the last two or three years and I really believe that you all work together to get the things done that you need to get done in a fair and professional manner and I appreciate that. I hope the voters in the county realize what you do and also to your staff, Paula Seamster and her staff. You have a great staff and they stay busy, I know. The average voter probably thinks that the voting happens, a lot of them, once every four years or once every two years but as you all know the staff stays busy as you all do, stays busy all the time going from one election, getting ready for the next election and they do stay really busy. I really appreciate what the staff do and what you all do and I wanted to let you know that. Thank you.”

Diane Parnell –

“Madam Chairman, Board Members, thank you for letting me come and speak to you today. I am Diane Parnell, I live at 220 Woodland Drive and my issue, I think all of you are familiar with. I am just here to remind you that I would like to see something done before the next election comes up and I realize kindness and decorum can’t be legislated but you can set policy as to no animals in the corral, the size of the tent and do we share it, a table that is used not for lunch but to put material on.

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I am speaking of our party, I would like to have some way that you can remove somebody from campaigning there if they are not behaving properly. So if you folks can meet with your minds and do something along these lines I assure you we will obey those rules. Thank you so much.”

Chair Wright closed Public Comments.

**ITEM #7 – VOTER PHOTO ID REQUIREMENT**

Chair Wright stated that the Voter Photo ID was a hot topic at the annual State Board of Elections State Conference in Concord. She stated that all of the up to date information on the Voter Photo ID can be found on the Rockingham County Board of Elections website, there is a link that connects to the State Board of Elections website. Chair Wright went through the acceptable photo IDs. She stated that the Rockingham County Board of Elections has and will continue to issue Voter Identification Cards. Chair Wright stated that every voter will have the opportunity to vote even if they do not have an ID but it will be Provisional. Chair Wright asked if the Board had any questions or comments.

Member Schoolfield stated after going through the list, Rockingham County was not well represented because the IDs for the county employees nor the community college were on the list and he wanted to know the process to get these approved. The Director responded that all of the counties, municipalities, community colleges and universities were contacted directly from the State Board of Elections on how to get their IDs approved. She stated that one of the requirements for the approval of the IDs is to have an expiration date on the ID. The Director stated that if a county or college would like to get there ID approved they can submit their information to the State Board of Elections for approval.

**ITEM #8 – ELECTIONEERING AREA**

Chair Wright stated that the next item on the agenda was the Electioneering Area.

Member Cole stated that this issue was brought before the Board at the last Board meeting by Ms. Parnell as well as others that the Board has had conversations which dictates that this is a big issue that could not be resolved in the meeting and he suggested forming two committees with a republican board member and a democrat board member on each committee to research this issue and to compile recommendations to be discussed at the next Board meeting.

Chair Wright asked Member Cole what it was that he wanted researched. Member Cole responded to research the issues that exist at the electioneer corrals such as intimidation, unauthorized pets, as well as comments that have been made regarding candidates and to candidates, as well as eating in the area. He stated that the issues needed to be researched in view of the state requirements and make recommendation for the county.

**Member Cole moved, seconded by Member Schoolfield that Chair Wright make an appointment of two committees, each with a republican and a democrat, to research this issue and come back at the next meeting for discussion and hopefully a vote.**

Member Schoolfield stated that he did not think Board had enough information to move forward with this issue and that this issue needed to be discussed with other individuals especially the

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parties involved to get their input and check the legal aspect with the State Board. He added that this will need to be enforced by the political parties.

Secretary Totten asked the Director if there were any state regulations regarding this issue. The Director responded that the only state regulation is the buffer zone regulations as far as how far the electioneers have to be located from the voting area. She added that the Board of Elections has a brochure that outlines this information. The Director stated that she had asked the State Board of Elections about this issue and there are not general statutes on this issue other than the buffer zones. Secretary Totten asked what the State Board of Elections recommendation. The Director responded that each county can approve their own rules or policy.

Chair Wright asked Member Cole what the purpose was for two committees versus one committee. Member Cole responded that the more people involved in the input would create a better policy and make for a faster resolution to the issues.

**Upon a vote of the motion, the motion carried unanimously.**

Chair Wright stated that she would make the appointments however not at the meeting.

Chair Wright read the “Electioneering Laws and Information” brochure to the Board and public. She stated that the brochure can be found on the Board of Elections website or it can be picked up at the Board of Elections office.

**ITEM #10 – 2023 PRECINCT JUDGE APPOINTMENTS**

The Director stated that at the last Board meeting on August 17, 2023 the Board approved the Chief Judges for the 2023 Municipal Election and the Precinct Officials for the 2023-2025 Election years. She stated that included in the Board’s packet was a list of the approved Chief Judges as well as the Democrat Judge and the Republican Judge for each Municipal Precinct. The Director asked for approval of the Judges for the 2023 Municipal Election.

Member Schoolfield stated that the Board approved the Chief Judges for the General Election and he asked how it stood for the Judges for the General Election. The Director responded that staff was still working on those appointments and the Board would approve the Judges for the Primary Election once it gets closer to that election.

**Member Schoolfield moved, seconded by Member Cole to approve the 2023 Precinct Judge Appointments for the 2023 Municipal Election. The motion carried unanimously.**

**ITEM #10 – 2023 MUNICIPAL ELECTIONS PREPARATIONS**

**a. Training**

The Director stated that the Precinct Officials started their Precinct Trainings on Tuesday, September 12<sup>th</sup>. The Chief Judges are conducting these training with the assistance of Staff. Photo ID requirements, Provisional changes, etc. have been discussed extensively in these trainings as well as other things that may come up during the Municipal Election. There will be additional training for Provisional ballots and the ExpressVote training will take place on the same day as the Logic and Accuracy Testing on the voting machines.

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**b. Logic and Accuracy Testing on the Voting Machines**

The Director stated that the Logic and Accuracy Testing (L & A) on the voting machines will take place on Tuesday, October 3<sup>rd</sup>. The time has not been set for this testing as of yet. A notice will be sent out to the public when the time has been set. This is open to the public however she did asked that the Board of Elections be notified so that ample room can be made available to view the testing. The Director asked the Board if there were any questions.

Chair Wright stated that she was at the Board of Elections while some of the training was taking place and the officials were conducting the training. The Director stated that the Chief Judge training took place earlier. She added that every precinct handles things a little bit different. The Director commended the precinct officials and their dedication to the citizens of Rockingham County in ensuring that everyone gets the opportunity to vote.

**c. Mock Election**

The Director stated that the Mock Election with the State Board will take place on Thursday, October 5<sup>th</sup>. She stated that the results that are received from the Logic and Accuracy testing is what will be used to conduct the Mock Election.

Member Schoolfield asked the Director to run through the process of the mock election and how many machines are tested. The Director responded that all of the voting machines that will be used during the Municipal Election will be tested and she went through the process of the Mock Election.

**d. One Stop (Early) Voting**

The Director stated that One Stop (Early) Voting will begin on Thursday, October 19<sup>th</sup> and run through Saturday, November 4<sup>th</sup>. Early Voting will be held at the Board of Elections office only. The hours of operation are Monday through Friday from 8:00 am to 5:00 p.m. and then on Saturday, November 4<sup>th</sup> from 8:00 am to 3:00 p.m.

**e. Election Day**

The Director stated that Election Day will be Tuesday, November 7<sup>th</sup>. Polls will open at 6:30 a.m. and close at 7:30 p.m. The 9 Municipal Voting Precincts will be open and these locations can be found on the Board of Elections website. The Sample Ballots are posted on the Board of Elections website as well as they are available for pick up at the Board of Elections office. Voting will not be conducted at the Board of Elections Office.

**f. County Canvass**

The Director stated that County Canvass will take place on Friday, November 17<sup>th</sup> at 11:00 a.m. at the Board of Elections office. This will be an open meeting and the public is invited to attend that meeting.

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The Director asked if the Board had any questions on the 2023 Municipal Elections preparations.

**ITEM #11 – DIRECTOR’S UPDATES**

**a. Resolution to Allow Annexed Voters of the City of Reidsville – Southeast Precinct – Privileges to Vote in an Adjacent Precinct for Elections for the City of Reidsville – Legal Update**

The Director stated that at the last Board meeting the Resolution to Allow Annexed Voters for the City of Reidsville – Southeast Precinct – Privileges to Vote in an Adjacent Precinct for Elections for the City of Reidsville. She stated that she was asked by the Board to send this information to the Elections attorney for an explanation. The Director read the response from the Elections attorney explaining the need for the resolution to allow the annexed voters to vote at an adjacent precinct for the municipal election.

Chair Wright stated that one of the Board members questioned at the last meeting why the Board has to continue to approve this resolution and the response from the attorney explained the purpose of the resolution before each municipal election. She asked the Board if the explanation was sufficient.

Member Schoolfield asked if the Board were to make a permanent change for these 5 voters how it would affect the general election. The Director responded that the voters would permanently be moved to another precinct.

Member Thurman asked as a follow up to Member Schoolfield question, would these 5 voters be moved to another voting place. The Director responded yes it would move them permanently. Member Thurman stated that the 5 voters are voting in the McCoy precinct. The Director responded that the 5 voters are temporarily voting in the McCoy precinct for the Municipal Election.

Member Schoolfield asked if the 5 voters were notified of the change for the municipal election every time. The Director responded yes.

Member Thurman asked how many people would be affected if the Board modified the precinct boundaries. The Director responded that it would depend on how the boundaries are modified.

**b. Events/Speaking Engagements**

- On Saturday, September 9<sup>th</sup> the Johnson’s Sporting Goods – Ruffin Fall Festival took place. Precinct Officials Clara Chappell and Deborah Moore represented the Board of Elections. The event closed early due to a bad storm that came through. No registration forms were received.
- On Friday, September 15<sup>th</sup> and Saturday, September 16<sup>th</sup>, the Riverfest in Eden was held. Precinct Officials Marilyn Watkins, John Harris, Tonya Evans, Frank Wilson, Terry Davis and Bret Hart represented the Board of Elections. 8 Voter registration forms were received.
- On Saturday, September 16<sup>th</sup> the Rockingham Community College Community Day was held. Precinct Officials Marilyn Watkins and Roger Shelton represented the Board of Elections.
- Tuesday, September 19<sup>th</sup> is National Voter Registration Day and the Board of Elections will have tables set up at the Rockingham County Libraries to register individuals. Precinct Official Bret Hart will be at the Eden Library from 1:00 p.m. to 5:00 p.m. Precinct Official Joyce

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Webster will be at the Madison/Mayodan Library from 9:00 a.m. to 1:00 p.m. Precinct Official Stacey Joyce will be at the Reidsville Library from 12:00 p.m. to 4:00 p.m. And Precinct Official Cyndy Hayworth will be at the Stoneville Library from 1:00 p.m. to 5:00 p.m.

- On Saturday, October 21<sup>st</sup> from 10:00 a.m. to 5:00 p.m., Fall into Madison Event. There will be a tent set up with Precinct Officials Jenny Sharp and Melanie Harrington will be representing the Board of Elections.

**c. Election Security**

The Director stated that Election Security was one of the items that was discussed in detail at the Summer Conference in Concord. The Board of Elections has been preparing for any type of problem, disaster, ext. that may happen during the Municipal Elections. We have generators and battery backups if the power goes out as well as other provisions. We hope that we have everything covered and that everything will go well.

**d. Board of Elections Parking Lot**

The Director informed the Board and the public that the Board of Elections parking lot has been paved and striped and that the staff and precinct officials were very grateful for this. She thanked Ronnie Tate, Engineering Director; all of the Maintenance staff; Lance Metzler, County Manager; and the Board of Commissioners for making this possible. She stated that the parking lot had been extended on the side for staff parking and for curbside voting during the elections. The Director also thanked the residents of Rockingham County because the tax dollars made it possible to have the parking lot paved.

**e. New Deputy Director**

The Director informed the public that a new Deputy Director had been hired, Polly Makins started on Monday, September 11<sup>th</sup>. She stated that Wendy Powell is retiring. The Director stated that Wendy will be missed but welcomed Polly to the Board of Elections.

**f. SB 747 & SB 749**

The Director stated that at the last Board meeting she had informed the Board that SB 747 had passed the House and since then SB 747 was vetoed by the Governor. She stated that on August 28<sup>th</sup> this bill was referred to the Committee on Rules and Operations of the Senate. The Director stated that SB 749 had been placed on the calendar for September 19<sup>th</sup> for the House of Representatives.

The Director informed the Board that at their seats she provided them with calendars for September, October, and November. She added that she also provided the 2024 Employee Holiday Schedule for the County as well as the updated Numbered Memo 2020-25 Absentee Board Meetings. The Director stated that the numbered memo goes over the changes of how to conduct absentee board meeting due to the new photo ID regulation changes.



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Chair Wright asked the Director if she wanted to go over the items that she had recommended for the Electioneering Area. The Director responded that she could share those with the two committees that will be formed to conduct research on the issues in the electioneering area. She stated that staff had met and discussed a few things that staff would like to see included in the rules and guidelines for the electioneering areas. The Director provided the suggested items to all of the Board members. The Board reviewed the suggested items.

Secretary Totten stated that she had reviewed the suggested items from staff and the only thing she saw missing was the issue of food being eaten in the electioneering area. Chair Wright asked Secretary Totten if the committees would just add to these suggestions. Secretary Totten responded that would be the sensible thing to do.

The Director stated that with the new paving of the parking lot at the Board of Elections office now there will be 2 electioneering areas. She stated that she did not want this to be used to separate parties and she hoped that all parties would be in both of the areas. Secretary Totten asked the Director how the groups in the electioneering areas will be a mixed group and not separated by parties. The Director responded that she was going to depend on the parties themselves to police this.

**ITEM #12 – ADJOURNMENT**

At 11:12 a.m. **Member Hampton moved, seconded by Member Schoolfield to adjourn. The motion carried unanimously.**

Respectfully submitted,

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Paula P. Seamster, Director

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Ophelia Wright, Chair





# NORTH CAROLINA'S NEW VOTER ID REQUIREMENT

Rockingham County  
Board of Elections

# Getting Your ID



Does a voter have to provide any documentation when requesting a Voter Photo ID Card?

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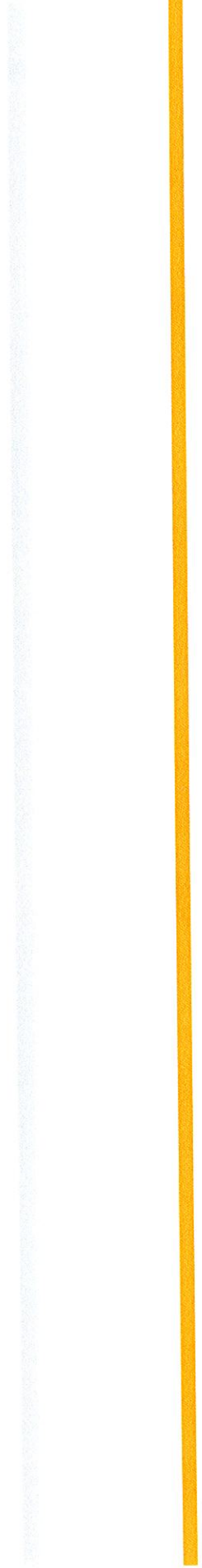
No

- No documents are needed. Simply provide **your name, date of birth, and the last four digits of your Social Security number** using the request form provided by your county board of elections.



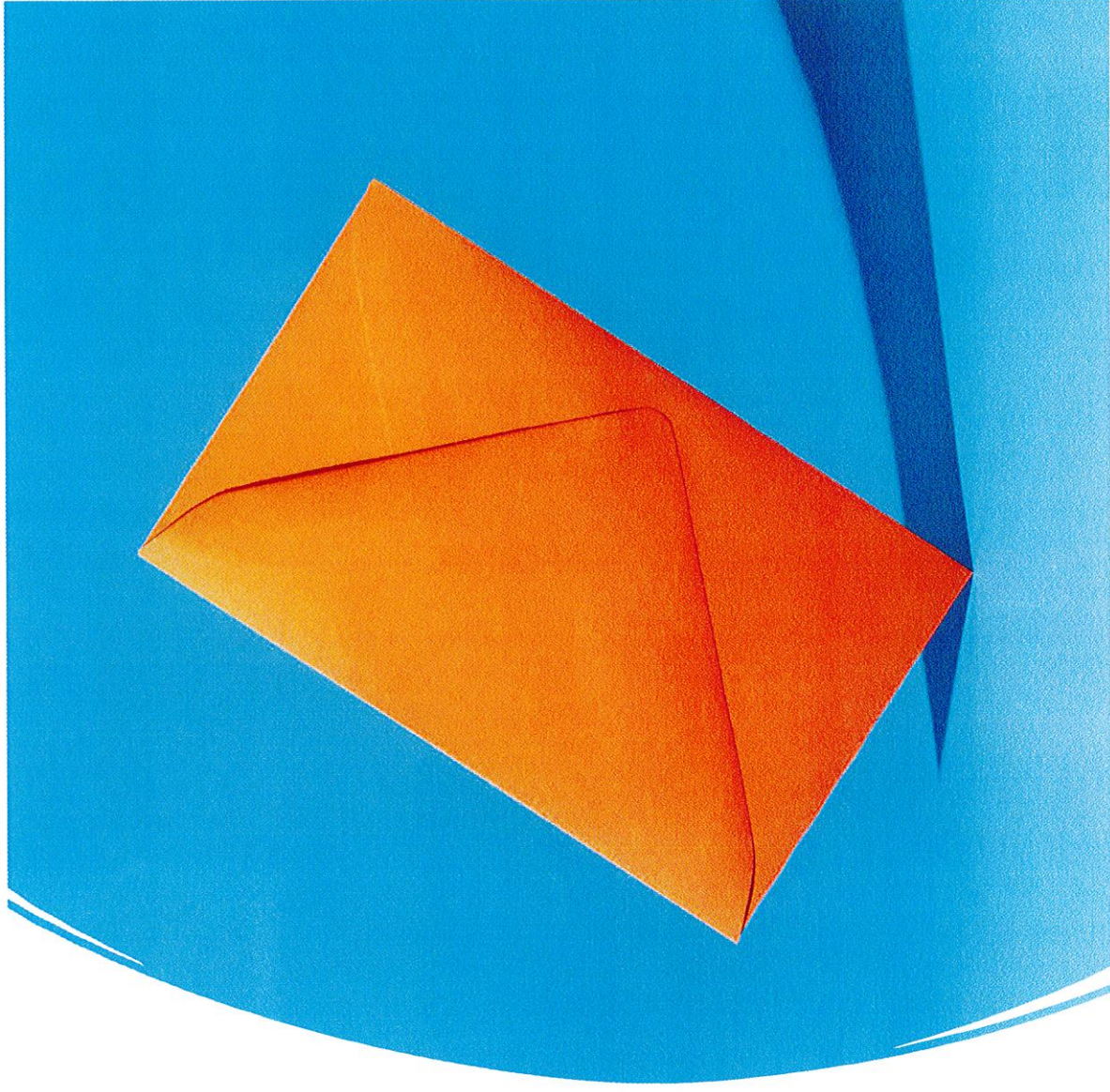
Can I still get an ID from the BOE even if I'm not registered to vote?

Can a person register to vote for the first time in a county and be issued a Voter Photo ID Card at the same time?



# No

Unregistered eligible voters may register and request a Voter Photo ID Card at the same time but cannot be issued that card until their registration is verified. Once verified, the voter can pick up their ID or have it mailed to them.





I recently got a voter ID card from the Board of Elections but lost it. May I request another one?

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# Under Certain Circumstances

A replacement ID may be issued if:

- Voter ID is lost or defaced
- You have changed your name and updated your registration
- Original ID was printed with incorrect information or photo

Change in appearance is not an acceptable reason to get a new voter ID

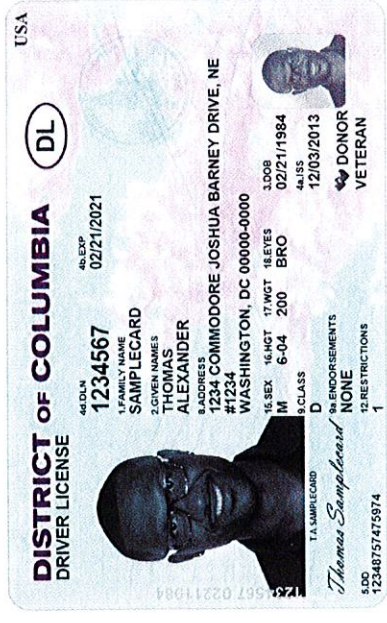
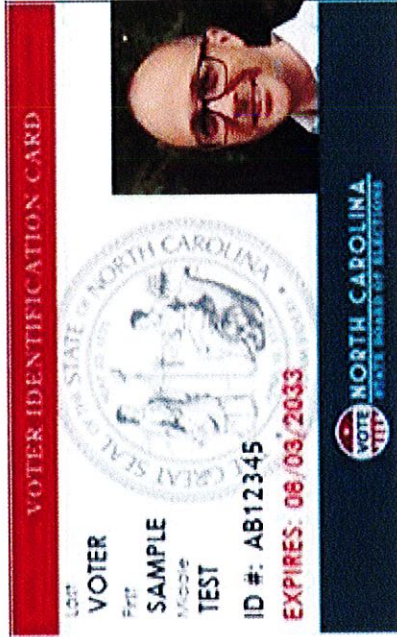
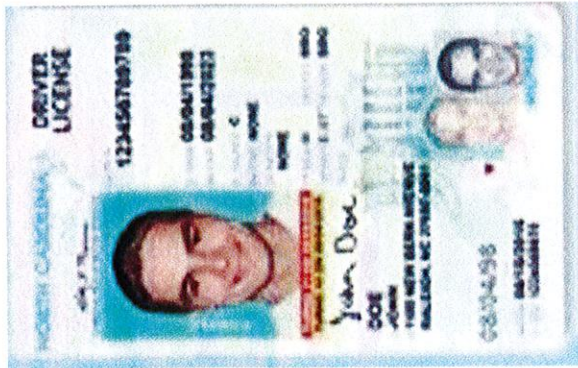
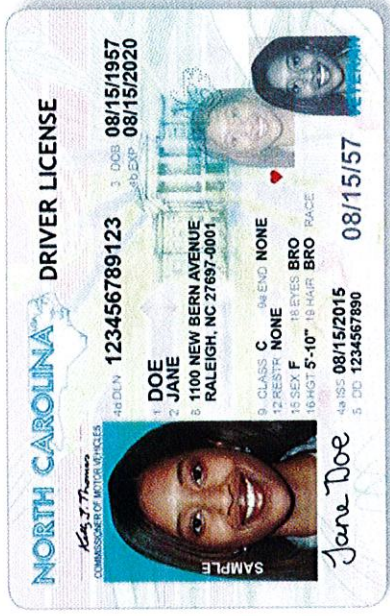
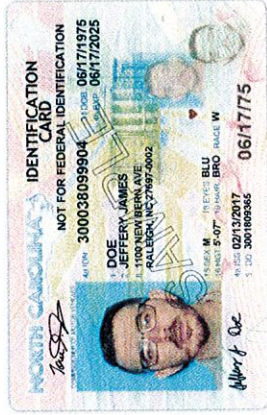


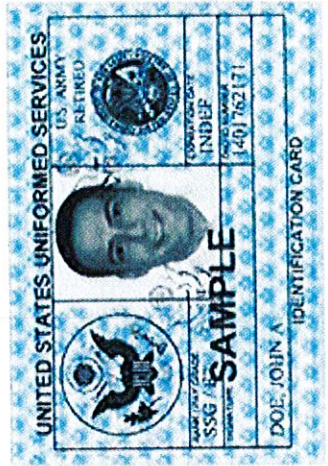
# Voting With Your ID



What are  
acceptable forms  
of ID?





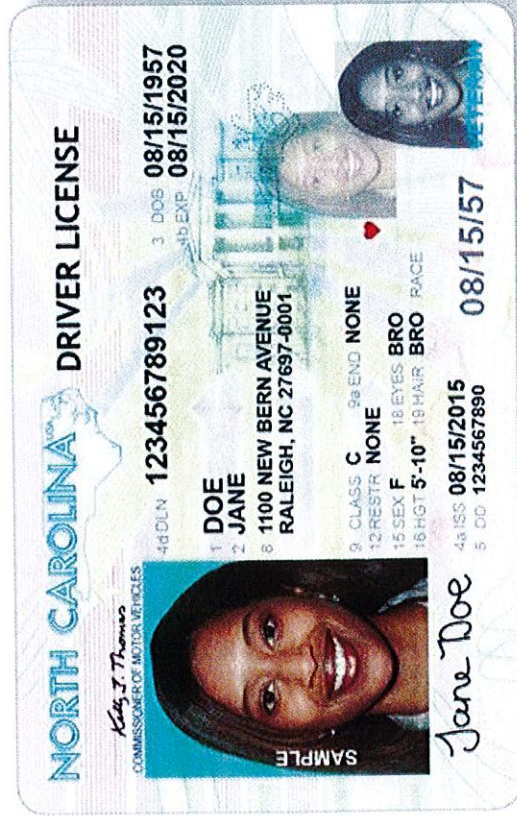


When I show up at my polling place to vote, what will the poll workers be checking for on my photo ID?



# E.A.R.S.

- Expiration Date
- Acceptable ID
- Reasonable Resemblance
- Substantial Equivalence (name similarity)





I recently got a voter ID card from the BOE but had cosmetic changes to my appearance. Will I need to get a new card?

# Reasonable Resemblance

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- Election workers are looking to see if the photo “reasonably resembles” the voter.
- They are trained to understand that appearances may change over time.
- Even if there is an apparent discrepancy in resemblance, the voter will still be allowed to vote a regular ballot unless the judges of election at the polling place unanimously agree that the photo does not reasonably resemble the voter, in which case the voter can vote a provisional ballot.

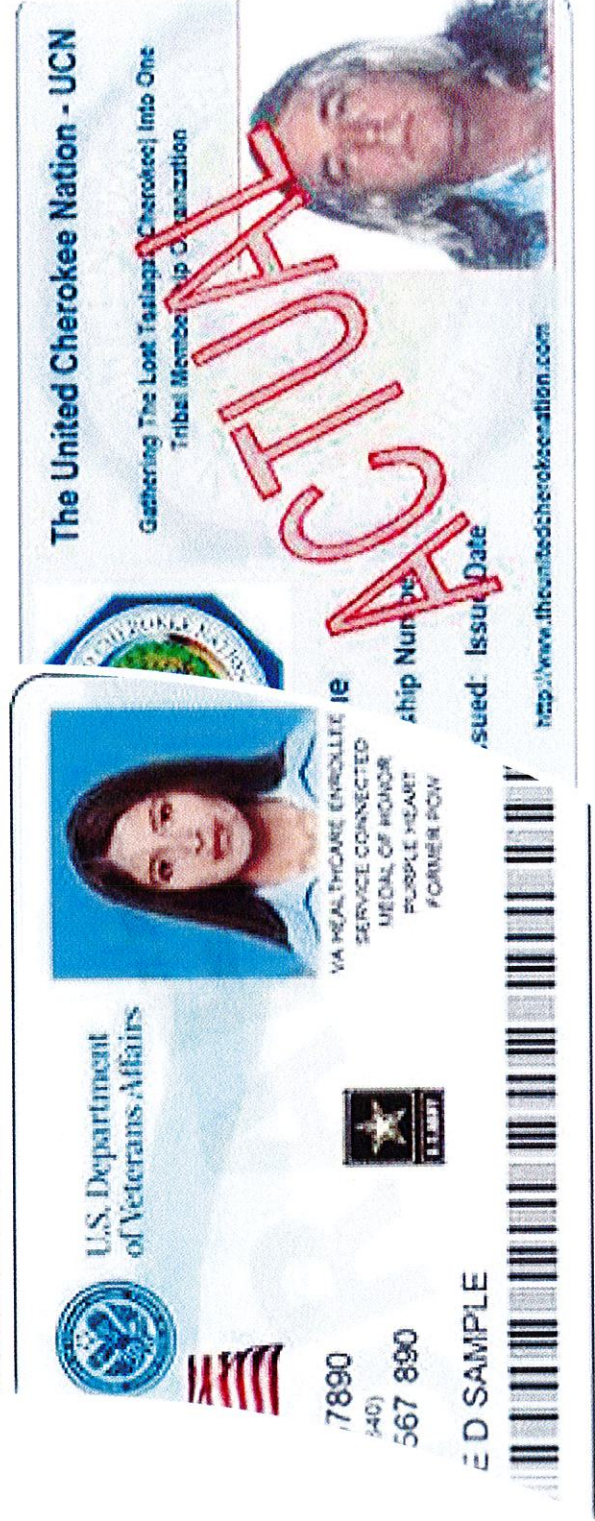




What if I'm 72 years old  
but my driver's license  
has expired?

## Valid Expired IDs

- Any acceptable photo ID can still be used to vote if expired for one year or less.
- A voter 65 or older may use an expired form of acceptable ID if the ID was unexpired on their 65th birthday.
- Several types of Photo ID can be used by any voter regardless of expiration
  - Military or veterans ID
  - Tribal Enrollment card recognized by the state or federal government
  - U.S. or North Carolina public assistance program ID



The United Cherokee Nation - UCN  
 Gathering The Lost Tsalagi (Cherokee) Into One  
 Tribal Membership Organization



Membership Number: [Redacted]  
 Issued: [Redacted] Date: [Redacted]



I just moved from Washington D.C. to NC and haven't gotten a NC driver's license. Is my DC driver's license still acceptable?

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## 90 Day Exception

If a voter has registered in North Carolina for the first time within ninety days of an election, an out of state ID can be accepted for voting.

### DRIVER LICENSE

4d.DLN **1234567** 4b.EXP **03/23/2031** **South Carolina**

**SAMPLECARD**

1. **SAMUEL DANIEL, JR**

8. **123 RAILROAD AVE SE  
WASHINGTON, DC 20001-0000**

15.SEX **M** 16.HGT **6' 0"** 18.EYES **BLK** 3.DOB **03/23/1965**

9.CLASS **D** 9a.ENDORSEMENTS **NONE** 4a.ISSUE **06/19/2023**

12.RESTRICTIONS **D1**



**RIVER'S LICENSE**



**ORGAN DONOR**  
**EVELYN T. SAMPLE**  
**1101 S. FRONT STREET**

No: **99 999 999** Dups: **00**

DOB: **04/25/1974** Sex: **F**

Class: **C** Eyes: **BRO**

Endorse: **----** Height: **5'04"**

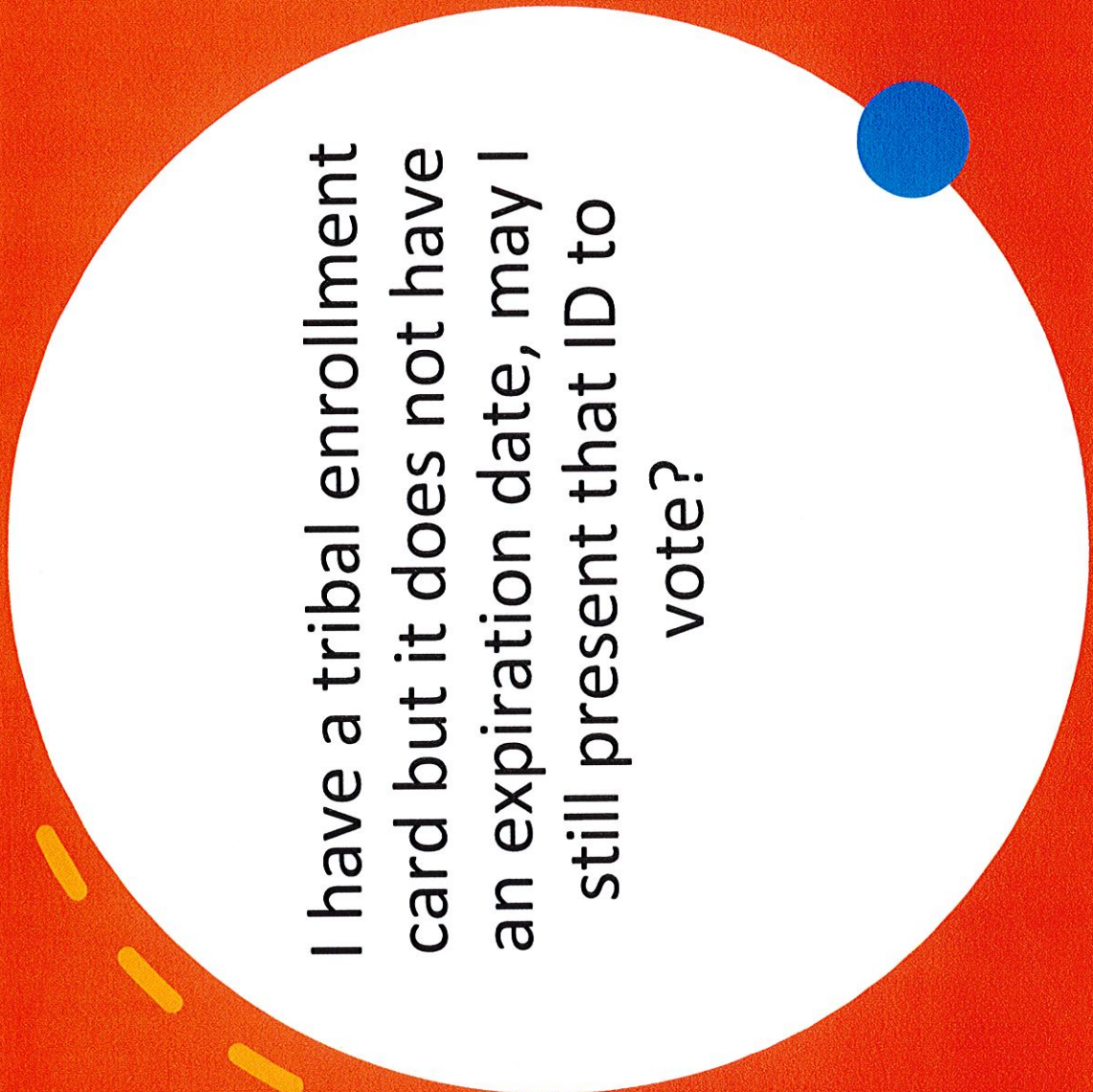
Com/Med Retr: **"P"**

Issued: **04/26/2012**

Expires: **04/26/2016**

*Evelyn T. Sample*



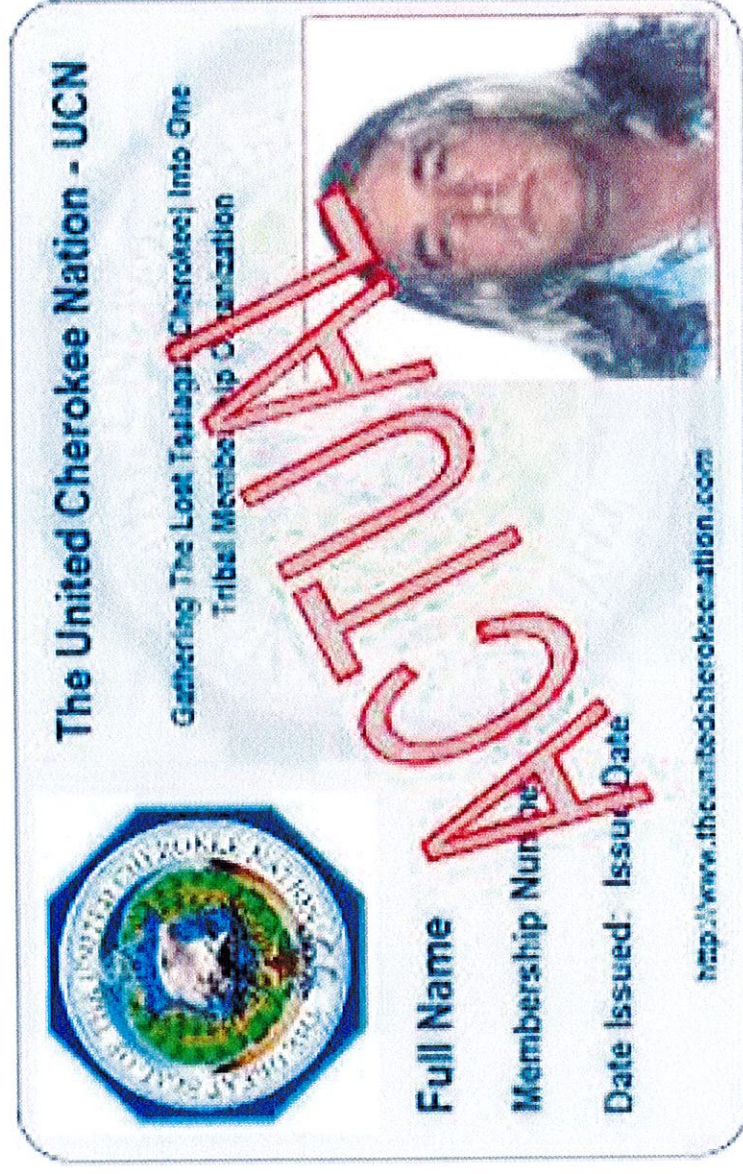


I have a tribal enrollment  
card but it does not have  
an expiration date, may I  
still present that ID to  
vote?

# Yes

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- As long as the tribal enrollment card is a photo ID from a tribe recognized by the United States or North Carolina, it can be presented to vote regardless of whether it contains an expiration or issuance date.






**If I forgot my ID, will I  
need to go back to get it  
and come back to vote?**

## Three Options

If you forget your ID:

- Voters may simply decide not to request a ballot at that time, go get an ID, and then return to vote.
- Vote by filling out an ID exception form
- Vote with a provisional ballot and then bring an acceptable ID to the county elections office by the day before the canvass





I have a religious objection  
in having my picture taken.  
How will I be able to vote?

# ID Exception Form

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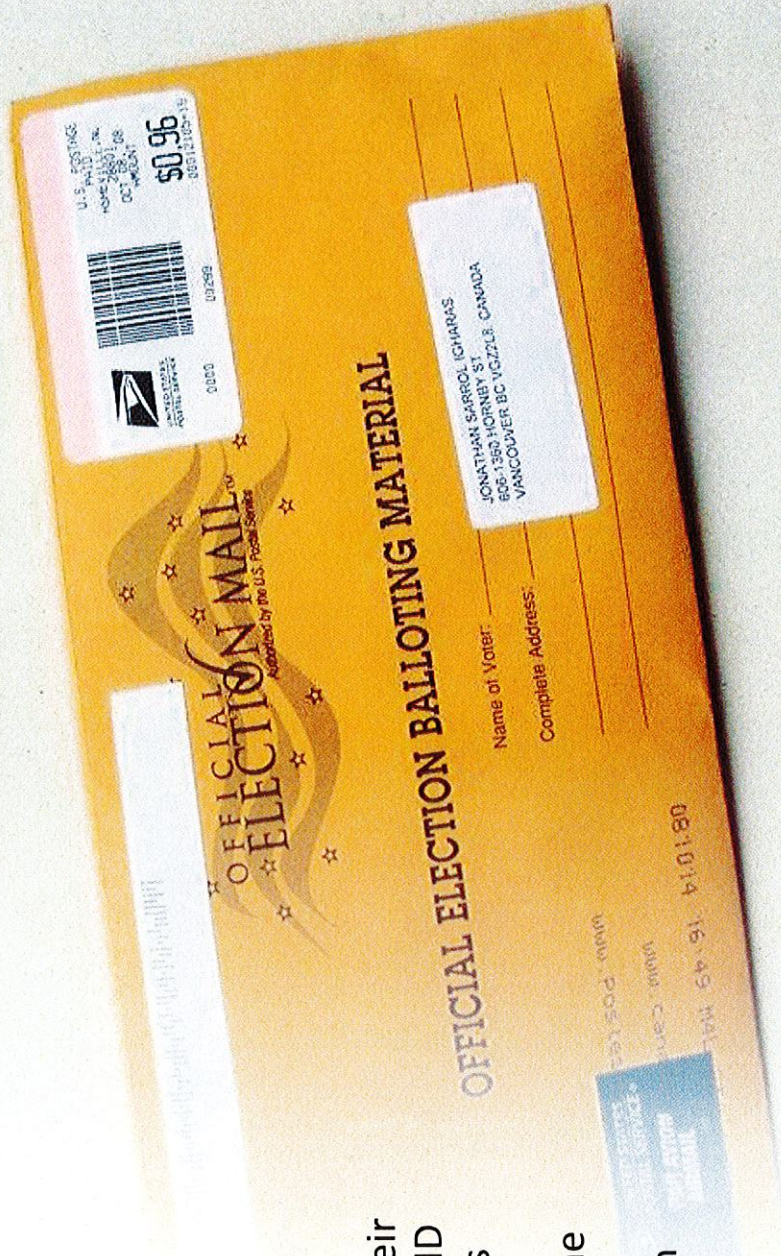
- Reasonable Impediments
  - Lack of transportation
  - Disability or illness
  - Lack of birth certificate or other documents needed to obtain ID
  - Work or school schedule
  - Family responsibilities
  - Photo ID is lost, stolen, or misplaced
  - Applied for photo ID but have not received it
  - (For mail voters only) Unable to attach a copy of photo ID (Voter must include driver's license number or last four digits of Social Security number)
  - Other reasonable impediment (if selected, the voter must write the reason on the form)
  - State or federal law prohibits voter from listing the reason
- Religious Objections
- The voter was a victim of a natural disaster within 100 days before Election Day that resulted in a disaster declaration by the President of the United States or the Governor of North Carolina.


I would like to vote absentee by-mail.  
What are the ID requirements?



# Photocopy or Exception Form

Voters who vote by mail must include a photocopy of an acceptable ID when returning their ballot, or they may complete an ID Exception Form. The voter places the photocopy of ID or ID Exception Form in a pocket on the outside of the ballot container envelope, which is then placed in an outer return envelope to protect the privacy of the voter.

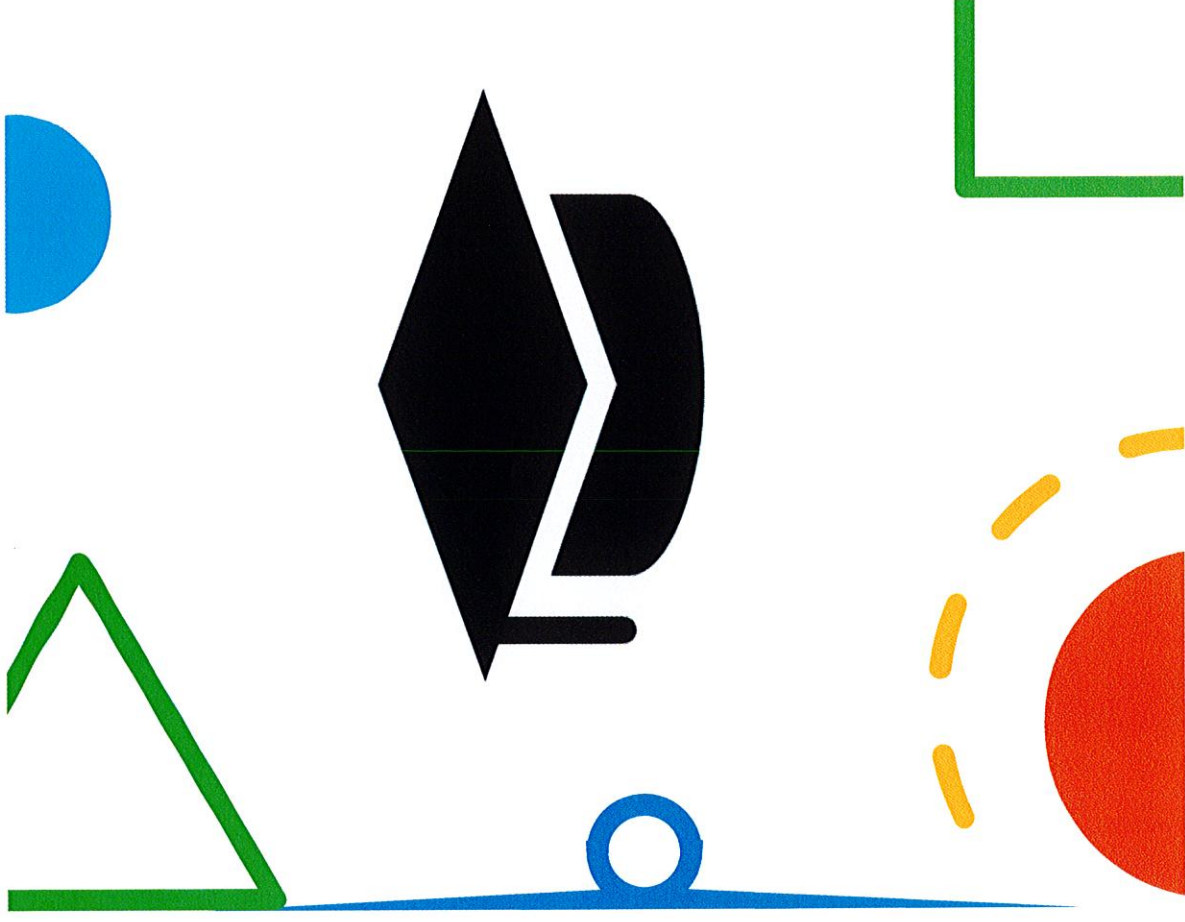




I'm a registered voter in Rockingham County but attend school at Auburn University. May I use my Tiger Card student ID to cast an absentee by-mail ballot?

# University/College IDs

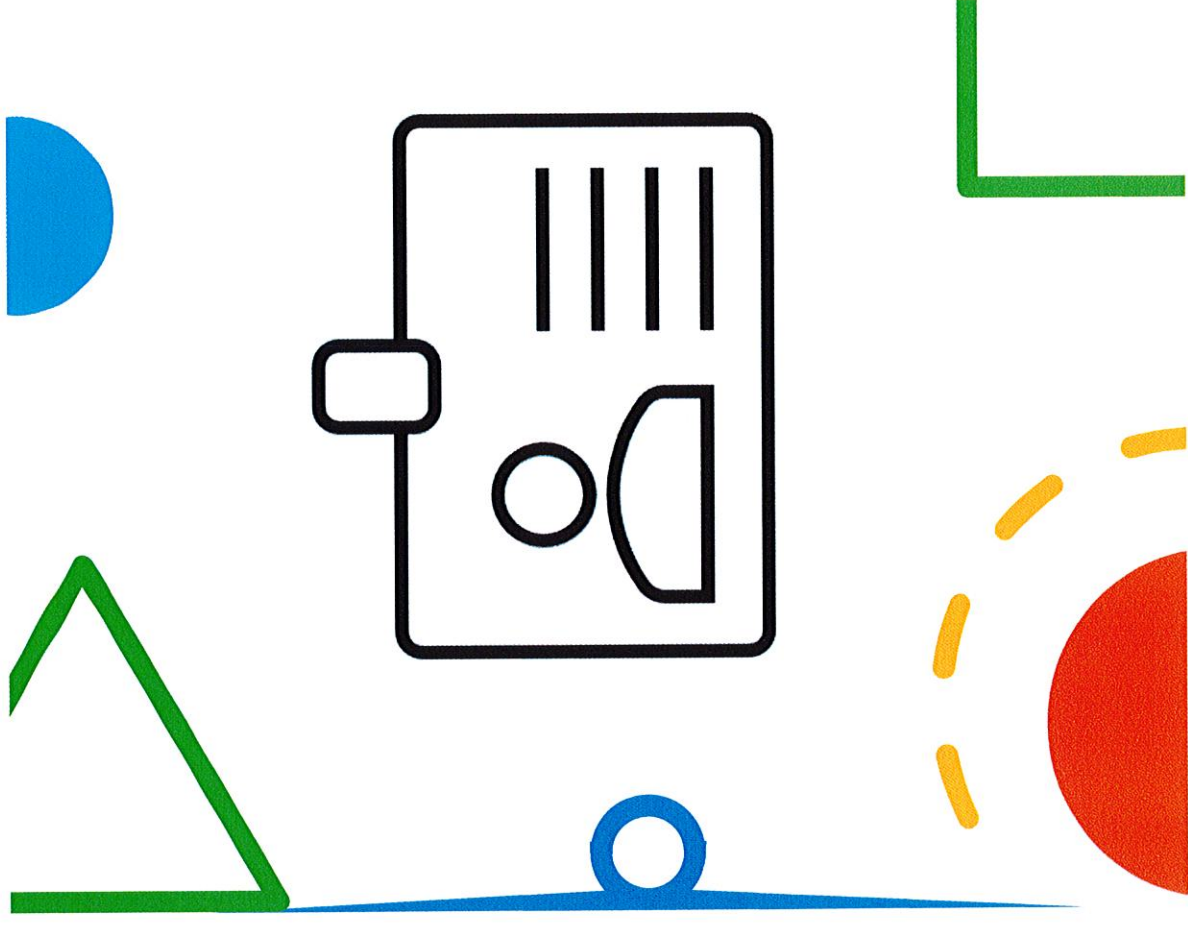
The State Board of Elections has approved a list of student and employee university identification cards across the state for use in the 2023 municipal elections and 2024 primary and general elections. The list includes most state institutions and more will be approved in the coming months.





# Public Employee IDs

The State Board of Elections has also approved several government employee identification cards across the state for use in the 2023 municipal elections and 2024 primary and general elections.



# Voter ID Flow Chart

## EXPIRATION DATE

IS THE PHOTO ID UNEXPIRED OR EXPIRED FOR ONE YEAR OR LESS?

**YES**

1. Any of the following ID types, regardless of whether the ID contains an expiration or issuance date must be accepted:
  - Military or Veteran ID card issued by the U.S. Government
  - Tribal enrollment card issued by the State or federally recognized tribe
  - ID card issued by a U.S. Government agency or the State of North Carolina for a public assistance program
2. Voter ages 65+ may use an expired photo ID if it was unexpired on their 65th birthday
3. Voters may use an acceptable photo ID that has been expired one year or less

**NO**

All voters will be allowed to vote with or without a photo ID. Make sure to complete the Help Station Referral form. Give the form and their ATV to the voter and direct the voter to the Help Desk.

## ACCEPTABLE PHOTO ID TYPE

DID THE VOTER PROVIDE AN ACCEPTABLE PHOTO ID?

**YES**

- North Carolina driver's license
- State ID from the NCDMV (also called "non-operator ID")
- Driver's license or non-driver ID from another state, District of Columbia or U.S. territory (only if voter registered in North Carolina within 90 days of the election)
- U.S. Passport or U.S. Passport card
- North Carolina voter photo ID card issued by a county board of elections
- College or university student ID approved by the State Board of Elections
- State or local government or charter school employee ID approved by the State Board of Elections

**NO**

All voters will be allowed to vote with or without a photo ID. Make sure to complete the Help Station Referral form. Give the form and their ATV to the voter and direct the voter to the Help Desk.

## REASONABLE RESEMBLANCE OF PICTURE

DOES THE PHOTO ID BEAR REASONABLE RESEMBLANCE?

**YES**

- Check for:
1. Similarity in appearance to the voter (i.e. changes in hair, facial hair, weight, effects of a medical condition, etc.)
  2. The voter shall not be required to remove apparel (i.e. hijabs, hats, sunglasses, etc.) for the purpose of determining reasonable resemblance
  3. Accept all evidence, including verbal explanation or documentation voluntarily offered by the voter

**NO**

Inform the 3 judges for them to evaluate reasonable resemblance and complete the Help Station Referral Form.

## SUBSTANTIAL EQUIVALENCE OF NAME

DOES THE NAME ON THE PHOTO ID MATCH THE VOTER'S ATV?

**YES**

- Accept all evidence, including verbal explanation or documentation voluntarily offered by the voter.
1. Hyphen or accent (Mary B. Smith vs. Mary Beth Smith)
  2. Nickname vs. given name (Bill vs. William)
  3. Former name (maiden) (Emily Jones vs. Emily Gibson)
  4. Name ordering (Maria Eva Garcia Lopez Vs. Maria Eva Lopez Garcia)
  5. Spelling or typo (Dennis Smith vs. Denis Smith)

If all four requirements have been met, the voter will sign and precinct official will initial the ATV. Send voter to the Ballot Table.

**NO**

Inform the 3 judges for them to evaluate substantial equivalence of name and complete the Help Station Referral form.

- If the voter has an ID but not available to present at the time of voting, they may vote a provisional ballot and should appear at the BOE office to present the acceptable photo ID by the close of business on the day before canvass in order for their provisional ballot to count. Precinct officials shall inform that voter of this information.
- If any voter is unable to show photo ID due to a reasonable impediment, religious objection, or due to a natural disaster, they may fill out an ID Exception Form and vote a provisional ballot.
- If the photo ID does not comply with the acceptable type of ID requirement, then the voter shall be asked to provide another form of acceptable photo ID. But if they're still unable to provide an acceptable type of photo ID, then offer a provisional ballot.

**IF THE PHOTO ID DOES NOT COMPLY WITH REASONABLE RESEMBLANCE AND/OR SUBSTANTIAL EQUIVALENCE OF NAME, THE THREE JUDGES MUST CONDUCT THE PROCESS BELOW AND COMPLETE THE HELP STATION REFERRAL FORM**

1. Each judge shall apply E.A.R.S. to evaluate the presented photo ID.
2. Each judge shall record the judge's findings in writing on the Help Station Referral Form.
3. Only if the judges unanimously determine there is NO reasonable resemblance and/or substantial equivalence of name, then the voter shall vote a provisional ballot. Otherwise, even if just one judge determines reasonable resemblance/substantial equivalence, the voter must vote a regular ballot.

The first part of the document discusses the importance of maintaining accurate records in a business setting. It highlights how proper record-keeping can help in decision-making, legal compliance, and financial management. The text emphasizes that records should be organized, up-to-date, and easily accessible.

Next, the document addresses the challenges of data management in the digital age. It notes that while digital storage offers convenience, it also introduces risks such as data loss, security breaches, and information overload. Solutions like cloud storage, encryption, and regular backups are suggested to mitigate these risks.

The third section focuses on the role of technology in streamlining business processes. It describes how automation and software tools can reduce manual errors, save time, and improve overall efficiency. Examples include using accounting software for invoicing and project management tools for task delegation.

Finally, the document concludes by stressing the importance of employee training and awareness. It suggests that regular training sessions can help employees understand the value of data and the correct procedures for handling information. This, in turn, leads to a more professional and data-driven organization.



# NORTH CAROLINA STATE BOARD OF ELECTIONS

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## Numbered Memo 2020-25

**TO:** County Boards of Elections  
**FROM:** Karen Brinson Bell, Executive Director  
**RE:** Absentee Board Meetings  
**DATE:** September 22, 2020 (updated September 23, 2020, and September 18, 2023)

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This numbered memo addresses the requirements and procedures for conducting absentee ballot meetings, as set forth in state law. It also addresses questions that are commonly asked in connection with absentee meetings or the review and custody of absentee ballots.

### Legal Requirements for Absentee Meetings

#### General Requirements

Beginning every Tuesday on the fifth Tuesday before Election Day, county boards of elections must hold a public meeting at 5:00 p.m. to review and act upon absentee ballots.<sup>1</sup> The county board of elections may change the time of these meetings (to an earlier or later time) and may provide for additional meetings. However, absentee meetings may not be held prior to the fifth Tuesday before Election Day. Any meetings that are held at a different time on Tuesdays and any additional meetings must be noticed in a county newspaper at least 30 days prior to the election. You must also send notice of absentee meetings to your regular notice list, including to the county political parties.

At each absentee board meeting, the board must act upon all absentee container-return envelopes received prior to that meeting and after the previous absentee meeting.<sup>2</sup> An absentee meeting must be held if there are any absentee ballots (absentee by mail or one-stop early voting ballots) for the board to review. Absentee meetings should only be cancelled if the board has not

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<sup>1</sup> G.S. § 163-230.1(f).

<sup>2</sup> See G.S. § 163-230.1(e): “*At its next official meeting after return of the completed container-return envelope with the voter’s ballots, the county board of elections shall determine whether the container-return envelope has been properly executed.*” (Emphasis added.)

received any absentee container-return envelopes since the last absentee meeting.<sup>3</sup> If you anticipate a high volume of absentee ballots returned, it is strongly recommended that your board schedule additional absentee board meetings and/or begin meetings earlier than 5:00 p.m.

A county board may recess an absentee board meeting to a date and time certain if it is not possible to complete review of absentee ballots during the specified meeting period. The notice should be sent as soon as possible but it is not required to be sent 48 hours in advance of the reconvened meeting if that is not possible based on when the meeting was recessed from.

To determine how many additional absentee meetings you need to schedule, consider how many absentee ballot requests your county has received to date, how many total requests your county received for a similar election in the past, and estimate how many requests you anticipate based on the county's current rate of requests. For example, if your county received 6,000 requests in November 2016 and you anticipate a 50% increase for the November 2024 election, that would be 9,000 requests total. If you have six absentee board meetings and everyone who requested a ballot returned one, your board would need to consider approximately 1,500 ballots per meeting. If your board scheduled ten absentee meetings, your board would consider around 900 ballots per meeting.

### County Board Member Attendance

Absentee board meetings require a quorum of members present. A quorum is three members.<sup>4</sup>

If at all possible, at least one member from each political party should be represented at each absentee meeting when the board is approving absentee applications. **Because board members must be able to view absentee envelopes in order to approve or disapprove the ballot, a quorum of board members must be physically present during each absentee board meeting.**

Once a quorum is physically present, remaining board members may attend the meetings via live video feed, but they must have a secure way to view the meeting and to participate. They must be able to view all materials that board members are reviewing to make decisions on the absentee envelopes.

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<sup>3</sup> See G.S. § 163-230.1(f), entitled “*Required Meeting of County Board of Elections*”: “During the period commencing on the fifth Tuesday before an election . . . the county board of elections *shall hold* one or more public meetings each Tuesday at 5:00 p.m. for the purpose of action on applications for absentee ballots.” (Emphasis added.)

<sup>4</sup> G.S. § 163-31(d): “A majority of the members shall constitute a quorum for the transaction of board business.”

A majority of board members present at a meeting must vote for an action for it to pass.

### Public Attendance

Absentee board meetings are public meetings and are subject to North Carolina's open meetings laws. For absentee meetings, it is recommended that the county board locate a meeting room large enough to accommodate members of the public. If it is not possible to procure a sufficiently large space for those who may want to attend in person, the county board of elections should consider broadcasting the absentee board meetings via video feed using a service such as WebEx or Microsoft Teams.

The public in attendance must be able to see and hear the proceedings without compromising the secrecy of any voter's ballot. Staff must ensure that the public cannot view any voted ballots or other confidential information, such as a photocopy of a voter's photo ID included with their ballot or a ballot identifier number (CIV, MIL, etc.), either in person or on a video feed. County board members and staff must be particularly mindful of ballot secrecy when duplicating ballots and inserting ballots into the tabulator.

The public is not permitted to disrupt the process of adjudicating the validity of absentee applications by the board and is not part of the deliberation process during absentee board meetings. The decision of the county board of elections as to the validity of an envelope is final and is not subject to public comment, objection, or review.<sup>5</sup>

### Confidentiality of Absentee Register

G.S. § 163-228 requires county boards of elections to keep a register of absentee ballot requests that includes information about the request, the address to which the ballot should be sent, the date of the request, the voter's precinct, and other information. The absentee request register is confidential and not a public record until Election Day.<sup>6</sup> County boards of elections are not permitted to release copies of absentee request forms or identifying information that could be used to determine that a voter requested an absentee ballot.

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<sup>5</sup> G.S. § 163-230.1(f): "At these meetings, the county board of elections shall pass upon applications for absentee ballots. . . . The decision of the board on the validity of an application for absentee ballots shall be final subject only to such review as may be necessary in the event of an election contest."

<sup>6</sup> G.S. § 163-228(c).

Absentee request data is no longer confidential when the ballot is returned to the county board of elections office.<sup>7</sup> Therefore, names of absentee voters may be read aloud during the absentee board meetings, as the ballot has been returned to the county board office at that point. If, however, a ballot has been delivered but there is a deficiency requiring the ballot to be spoiled and reissued, that voter's name cannot be read aloud or otherwise disclosed, because that voter's ballot is still outstanding. Reading from lists of voters who have requested absentee ballots or otherwise releasing the names of voters with outstanding requests is prohibited until the ballot is returned or until Election Day. It is a Class G felony for a person to "steal[], release[], or possess[] the official register of absentee requests for mail-in absentee ballots as provided in G.S. 163-228 prior to the opening of the voting place."<sup>8</sup> This does not apply to a ballot that has been received by the county board and is in a pending cure status, because at that point the ballot has been returned and it is only the cure certification for the voter's signature deficiency or the voter's photo ID cure documentation that must be submitted for the absentee application to be complete.

#### Confidentiality of Copies of Photo ID and Information on a Photo ID Exception Form

The photocopy of a voter's photo ID is confidential and not a public record subject to disclosure.<sup>9</sup> This means that the photocopy of the photo ID cannot be redacted and disclosed, because the entire photocopy is a confidential record under the law. The public is not permitted to view or receive copies of a voter's copy of their photo ID submitted with their absentee ballot.

A Photo ID Exception Form is a public record. However, **the Form is likely to contain confidential information that must be redacted**, when submitted with an absentee ballot. The most common reason for submitting a Photo ID Exception Form with an absentee ballot is likely to be that the voter is unable to make a photocopy of their ID to include with their ballot, which is a "reasonable impediment" specifically identified in the law.<sup>10</sup> When choosing this option, the voter is required to write on the Form their North Carolina driver's license number, DMV ID

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<sup>7</sup> See G.S. § 163-233(b), which makes the list of absentee applications received by the county board a public record.

<sup>8</sup> G.S. § 163-237(d6).

<sup>9</sup> G.S. §§ 163-82.10(a1) and 163-233(a).

<sup>10</sup> G.S. § 163-230.1(g)(2).

number, or last 4 digits of their social security number.<sup>11</sup> The public is not permitted to view this confidential information during an absentee meeting.<sup>12</sup>

## Procedures for Review of Absentee Ballot Materials

At each absentee board meeting, the county board of elections will review each absentee ballot container-return envelope (ballot envelope) to determine whether it has been properly executed and is accompanied by either a photocopy of the voter’s photo ID or a completed Photo ID Exception Form (photo ID documentation), and if so, to approve the application and ballot.<sup>13</sup> Given the volume of absentee ballots the county board is required to review and act upon at each meeting, certain preparatory work should be performed by staff in advance, and the board should consider ways to streamline the process.

### Delegation of Preparatory Work

The county board of elections has the authority to delegate to its director “so much of the administrative detail of the election functions, duties, and work of the board, its officers and members, as is now, or may hereafter be vested in the board or its members as the county board of elections may see fit.”<sup>14</sup> However, the board may not delegate to a director or other staff any of its quasi-judicial or policymaking duties and authority.

Based on the volume of absentee ballots a county board anticipates receiving, the county board should determine which preparatory tasks staff can complete prior to absentee board meetings. **A delegation of administrative duties by the board to the director or staff should occur by majority vote.** The delegation may be by resolution or the approved motion should be documented in the minutes. It should delegate specific preparatory steps that staff can perform prior to absentee board meetings, and the delegation must provide for oversight by the board.

Preparatory steps include:

- Inspecting ballot envelopes and return envelopes for deficiencies and contacting voters as required by [Numbered Memo 2021-03](#). Please note that voters must be contacted within one business day of when staff identify the deficiency. It is not permissible to wait for the absentee board meeting to contact the voter about a deficiency.

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<sup>11</sup> G.S. § 163-230.1(g)(2).

<sup>12</sup> Similarly, in the rare situation when a voter writes confidential information in the “Other” line on the Photo ID Exception Form, the county board would need to redact that information too.

<sup>13</sup> G.S. § 163-230.1(e), (f), and (f1).

<sup>14</sup> G.S. § 163-35(d).



- Sorting ballot envelopes with accompanying photo ID documentation into categories for the board to review and take action (*e.g.*, approve or reject).
- Verifying the list of ballot envelopes against the absentee pollbook.
- Performing ballot duplication with a bipartisan team.

A delegation of administrative duties to the director or staff does not need to include a preliminary review of photo ID documentation for deficiencies because this has already been tasked to staff by an administrative rule adopted by the State Board.<sup>15</sup>

### Staff Review of Envelopes

Upon receipt of an absentee ballot at the county board office, staff must review the materials accompanying the ballot—the photo ID documentation and the ballot envelope/application—to ensure there are no deficiencies.

*First*, staff must confirm that the voter has included the necessary photo ID documentation and, if so, review that documentation to ensure that it meets the requirements of the administrative code provisions governing the approval of photo ID for absentee ballots, [08 NCAC 17.0109\(a\)](#) & (b).

If the voter has included a photocopy of their photo ID, then staff should make an initial determination that:

- The ID is a type of ID that is acceptable for voting purposes;
- The ID meets any applicable expiration requirements;
- The name on the ID can be read;
- The photograph on the ID depicts a person (not a shadow or outline of a person); and
- The name on the ID is the same as or substantially equivalent to the voter’s name in their voter record.

If the voter has included a Photo ID Exception Form, then staff should make an initial determination that the voter has:

- printed their name;
- checked the box for at least one claimed exception from the photo ID requirements; and
- signed the Form.<sup>16</sup>

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<sup>15</sup> 08 NCAC 17.0109(b).

<sup>16</sup> If a voter is unable to sign the Photo ID Exception Form due to a disability, the person of the voter’s choice who is assisting them can sign the Form on the voter’s behalf and must complete the assistant certification on the envelope. See [Numbered Memo 2022-11](#), p. 3 (Court Order Regarding Assistance for Absentee Voters with Disabilities).

If any deficiency exists with either a photocopy of the voter's photo ID or a voter's Photo ID Exception Form, staff must follow the photo ID cure process in 08 NCAC 17 .0109(b) and as described in [Numbered Memo 2021-03](#).

*Second*, staff must inspect the absentee ballot envelope to make an initial determination as to whether the envelope was properly executed, and if there is a deficiency with the envelope, whether that deficiency can be cured by the voter. If a voter signature deficiency exists, staff must follow the cure process in [Numbered Memo 2021-03](#).

*Third*, staff should perform an initial sort of ballot envelopes into categories upon initial review and to present those recommendations to the board at each absentee board meeting. Those categories may include designations for recommended approval, recommended disapproval, envelopes awaiting a cure certification or photo ID cure documentation, and those that staff have questions about that require deliberation by the board. The delegation may also require staff to prepare a report to the board indicating the number of ballot envelopes in each category for reconciliation purposes.

### **Board Review of Envelopes**

The board may, by majority vote, accept staff's recommendation for absentee ballot envelopes that staff have reviewed and recommended for approval. The delegation must include a process for the board to spot-check the envelopes and photo ID documentation to ensure accuracy and consistency. However, the board must individually review all ballot envelopes that: (1) have been recommended for disapproval by staff, (2) have a cure certification associated with that ballot envelope, or (3) where staff need further guidance from the board as to whether the envelope was properly executed or the photo ID documentation meets all legal requirements.

It is also permissible for bipartisan teams of board members to pair off to review absentee ballot envelopes during each meeting, if the board votes to allow this.

Whether the county board delegates the initial review of absentee envelopes to staff or chooses to have a bipartisan team of board members review envelopes during the meeting, all board members present at the meeting must approve or disapprove the ballots. A decision as to whether an envelope is properly executed and whether the photo ID documentation meets all requirements must be decided by a vote of the board as a whole and not by individual members.<sup>17</sup> A board's decision to disapprove a ballot based on a finding that a voter's Photo ID

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<sup>17</sup> G.S. § 163-230.1(f) ("The county board of elections shall constitute the proper official body to pass upon the validity of all applications for absentee ballots received in the county; this function shall not be performed by the chairman or any other member of the board individually."); *see also* 08 NCAC 17 .0109(c) ("Final Review by County Board").

Exception Form is false can only be made by unanimous decision of all members of the board participating in the vote, and that decision must be in writing.<sup>18</sup> A decision to disapprove a ballot for any other reason, or to approve the ballot, is by majority vote.

#### *Review of Photo ID Exception Forms*

The board must also individually review all completed Photo ID Exception Forms where staff has indicated that available information may lead the board to conclude that the Form is false. When staff has given this indication to the board, or if a board member raises a question as to the falsity of the Form after staff review, the voter must be given notice and an opportunity to be heard on the information that will be considered by the board, *unless* one or more board members disagree that there are grounds to believe the affidavit is false (in which case there is no need to notify the voter, since a finding of falsity on the Form must be unanimous).<sup>19</sup> If the board is considering a finding of falsity, the board's review of the envelope should remain in a pending status until the absentee meeting at which the voter has the opportunity to be heard, and the board can only make a final decision on the approval or disapproval of the envelope after the voter has that opportunity to be heard regarding their Form. [Numbered Memo 2023-03](#) contains guidance as to what may be considered by a county board when reviewing a voter's Photo ID Exception Form.

#### *Review of Photo ID Photocopies*

If the board reviews a photocopy of a voter's photo ID that staff have identified as being acceptable, but unanimously determines that the photocopy of ID does not meet all legal requirements, staff are required to notify the voter.<sup>20</sup> If this determination is made at an absentee meeting prior to the county canvass, the board's review of the envelope should remain in a pending status until the county canvass, because in this instance the voter can still submit a new photocopy of their photo ID, or a Photo ID Exception Form if they are unable to submit a photocopy of their photo ID.

#### *Review of Deficient Photo ID Documentation that Is Uncured*

If staff has indicated that a voter's photocopy of their photo ID or Photo ID Exception Form is deficient, and the photo ID documentation remains uncured, the board must reserve its *final* decision on the approval of the envelope until the county canvass and, when doing so, must individually review the photo ID documentation that has not been cured.<sup>21</sup> An uncured

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<sup>18</sup> 08 NCAC 17 .0109(c)(2).

<sup>19</sup> 08 NCAC 17 .0109(c).

<sup>20</sup> 08 NCAC 17 .0109(c)(1).

<sup>21</sup> 08 NCAC 17 .0109(c)(3).

deficiency with the photo ID documentation does not prevent the board from making a *preliminary* determination on the envelope when staff has indicated further guidance is needed as to a potential deficiency, so that any envelope-related deficiencies can also be identified and the voter notified.

#### *Formalizing Approval of Envelopes*

After absentee envelopes and accompanying photo ID documentation are approved by the board, the task of stamping every envelope with “Approved” and stamping or otherwise affixing the chair’s signature or initials to the ballot envelopes may be delegated to staff. Alternatively, the board’s delegation may authorize the board to sign a cover sheet containing a list of envelopes that were acted upon during the meeting and indicating whether those envelopes were approved or disapproved in lieu of signing the individual envelopes. The delegation may also apply to review and approval of one-stop absentee applications.

### **Scanning Absentee Ballots at Absentee Board Meetings**

It is important to distinguish between *scanning* and *tabulating* approved ballots, because the law permits each task to occur at different times. “Scanning” is a preparatory step that occurs when the approved absentee ballots are opened, removed from the envelope, and inserted into the tabulator. The tabulator reads the ballots but does not print the totals at that time, and no election returns are released. “Tabulating” or “counting” occurs on Election Day and involves closing the polls on a tabulator and printing tabulated results from ballots that have been previously scanned.

A county board of elections may, by majority vote, decide to scan absentee ballots during each absentee meeting.<sup>22</sup> **If a county board anticipates a large volume of absentee ballots, it is strongly recommended that the board authorize the scanning of approved ballots during absentee board meetings instead of waiting until Election Day.**

The scanning cannot begin until a majority of the board members and at least one board member of each political party is in attendance. If a board member of each political party is not available, the chair or other member of the executive committee of the county political party of the absent member must be present. The political party representative shall act as an official witness to the scanning and shall sign the absentee ballot abstract as an “observer.”<sup>23</sup>

Staff may enter the approved ballots into the tabulator, but each board member present is responsible for and must observe and supervise the opening of the envelopes and scanning of the

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<sup>22</sup> G.S. § 163-234(3).

<sup>23</sup> G.S. § 163-234(9).

ballots.<sup>24</sup> **It is not permissible for approved ballot envelopes to be opened, for ballots to be removed from the envelope, or for ballots to be inserted into the tabulator outside of a board meeting. These tasks cannot be delegated to staff to complete outside of a board meeting.**

If the board chooses to scan approved ballots during absentee meetings, it should consider ways to make the process as efficient and streamlined as possible. For example, the board could approve staff-recommended ballots first, then direct the staff to open those envelopes and enter the ballots into the tabulator while the board reviews the envelopes that require further consideration and those that staff have recommended be disapproved.

Scanning of ballots must be performed during a board meeting, and if scanning occurs before Election Day, ballots must be scanned at the same meeting during which they were approved.<sup>25</sup> The number of approved absentee ballots must be reconciled with the number of ballots inserted into the tabulator. Reconciliation should be completed at each board meeting. If it is not possible to scan all approved ballots at that meeting, the board may recess the scanning to a time and date certain, which could be the next absentee board meeting. The county board should send out the notice as soon as possible but it is not required to be sent 48 hours in advance of the reconvened meeting. Ballots should be processed in groups, so that ballots from all opened ballot envelopes are processed in the same meeting.

### Election Day Meeting

County boards are strongly encouraged to begin counting ballots at 2 p.m. rather than 5 p.m. on Election Day to avoid a delay in absentee results being released on election night.<sup>26</sup> County boards may begin counting UOCAVA ballots beginning at 9 a.m. on Election Day.

To begin counting ballots prior to 5 p.m., a county board must adopt a resolution at least two weeks prior to the election stating the hour and place of the counting of absentee ballots. The resolution also may provide for an additional meeting following the day of the election and prior to the day of canvass to count absentee ballots received pursuant to G.S. 163-231(b)(ii) or (iii) as provided in subdivision (11) of G.S. § 163-234. A copy of the resolutions shall be published

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<sup>24</sup> G.S. § 163-234(5).

<sup>25</sup> G.S. § 163-234(3): “Notwithstanding the provisions of subdivision (2) of this section, a county board of elections may, at each meeting at which it approves absentee ballot applications pursuant to G.S. 163-230.1(c) and (c1), remove those ballots from their envelopes and have them read by an optical scanning machine, without printing the totals on the scanner.” (Emphasis added).

<sup>26</sup> G.S. § 163-234(2).

once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but such notice shall be in addition to the newspaper and other required notice.

At its meeting on Election Day, county boards must count all absentee ballots that have come in prior to 5 p.m. on the day before Election Day. **No absentee ballot counting results may be released until after the polls close.**

## **Ballot Duplication**

UOCAVA ballots and ballots that have been damaged or otherwise cannot be read by the tabulator must be duplicated in order to be scanned by the machine and to avoid having to manually enter the voter's selections into the reporting software. County boards may adopt a policy to authorize a bipartisan team of staff members or poll workers to duplicate ballots outside of an absentee board meeting. The policy must include the following:

- Each bipartisan duplication team must consist of at least three staff members, with no more than two members being of the same political affiliation. It is a best practice to have at least four members, two of each political party, to ensure accuracy.
- The director must supervise and train all members of the duplication team and assign the following roles:
  - Ballot Caller – Announces the voter's selections listed on the original ballot to the Ballot Duplicator and Ballot Reviewer.
  - Ballot Duplicator – Replicates the voter's selections from the original ballot onto the machine-readable ballot as instructed by the Ballot Caller.
  - Ballot Reviewer – Reviews the Ballot Caller's readings from the original ballot and compares it to the selections recorded on the machine-readable ballot by the Ballot Duplicator to ensure accuracy. It is a best practice to have two ballot reviewers, one who will review the selection announced by the Ballot Caller and one who will review the selection made by the Ballot Duplicator.
- Prior to the start of the ballot duplication process, each member of the bipartisan duplication team must complete a participation log noting the date, time, and their name, role, and party affiliation.
- During the ballot duplication process, the duplication team is not permitted to leave each other's immediate presence until the process has been completed, unless authorized by the director.
- All duplicated ballots must contain the following in the blank box at the top of each ballot:
  - A notation (for example, "DUP") to indicate the ballot is a duplicate of the original.
  - The ballot number assigned to the voter.
  - The precinct of the voter.

- Upon completion of the process, the team must do the following:
  - Ensure that the duplicated ballots are attached to the corresponding original ballots for the Board to verify at its next scheduled meeting.
  - Enter the time of completion and their signatures to the ballot duplication log.
  - Provide the completed duplication log and the ballots to the director.
- The director must ensure that the ballots are kept in a secured container until the next absentee board meeting.
- The board must review each duplicated ballot at its next scheduled board meeting prior to approval of the ballots.

It is a best practice to have a duplication team present at every meeting to duplicate any damaged ballots that are identified during the board meeting. Duplicating ballots at the board meeting when the ballot envelope was approved reduces the likelihood of mistakes.

## **Control of Board Meeting**

The county board of elections is responsible for maintaining control at its absentee board meetings. The county board must ensure that the public receives proper notice of the board meeting and is given the opportunity to attend. However, because state law vests members of the county board with the duty to approve absentee ballots and the board’s decision is final, the county board should not permit public comment while absentee envelopes and the accompanying photo ID documentation are being adjudicated, or while ballots are being duplicated, sorted, or tabulated. The board also should not permit questions from the public as the board approves absentee envelopes and photo ID documentation, to avoid disruption of proceedings which must be carefully managed, the potential for outside influence of the board’s decisions, and the potential for nonuniform review of ballots. G.S. 163-234 is very clear that others shall be permitted to attend the meeting during which absentee ballots are counted and observe the process, but may not interfere with the election officials in the discharge of their duties.<sup>27</sup>

It is recommended that the board chair explain the process at the beginning of the board meeting and state that public comment is not permitted during the approval and scanning of absentee ballots. The board may, but is not required to, designate a separate part of the meeting for public comment.

At the end of each board meeting, the goal is total reconciliation of all envelopes, photo ID documentation, and ballots. To do that requires careful control of every document in the room. It

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<sup>27</sup> G.S. § 163-234(2): “Any elector of the county shall be permitted to attend the meeting and allowed to observe the counting process, provided the elector shall not in any manner interfere with the election officials in the discharge of their duties.”

also requires ensuring that the board members focus on the task at hand and that the public remains in an observer rather than a participant role. Envelopes, photo ID documentation, and ballots must not be allowed to be removed from assigned areas. A voter's photo ID documentation must also be retained with the voter's corresponding envelope. The reconciliation process shall ensure the number of ballot envelopes in each stack is tracked, and that the number of envelopes approved at the meeting is equal the number of ballots entered into the tabulator. The county board shall record the count on the tabulator at the start and end of each absentee meeting. A sample reconciliation log that you may use for process is available [here](#).

## **Public Records Requests for Envelopes**

Some county boards may have received public records requests for absentee ballot return envelopes. Ballot return envelopes are public records under North Carolina's Public Records Act, with exceptions for voter signatures and CIV number.<sup>28</sup> Public records requests should not be fulfilled during a board meeting, but must be fulfilled as promptly as possible. Photo ID photocopies and Photo ID Exception Forms are technically separate documents from absentee ballot envelopes, so each are addressed separately below, even though these are retained with the envelopes. Photo ID photocopies are confidential and should never be provided, and Photo ID Exception Forms may need to be redacted due to confidential information included on the forms.<sup>29</sup>

### **Providing Copies of Envelopes**

Prior to providing a copy of the envelope to the requestor, the voter signature and CIV number must be redacted, as the number links the envelope to a particular voter's ballot. Witness or assistant information may not be redacted.

To redact the voter signature and CIV number, you may copy the envelope, mark through the confidential information on the copy, and then copy it again. Some counties have used removable tape or a cardboard or other thick paper cutout to cover the confidential information when making a copy. Digital copies may also be provided using a template redaction tool in a PDF editing program like Adobe.

### **Viewing Envelopes**

Unredacted envelopes may be viewed by the public in your office, though no copy, photo, or tracing may be made. A county board must ensure that the requestor is monitored while

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<sup>28</sup> G.S. §§ 132-1.2(4), 163-82.10(a), 163-165.1(e). See also [Numbered Memo 2016-25](#) and [Numbered Memo 2022-01](#).

<sup>29</sup> G.S. § 163-82.10(a1), 163-233(a).



reviewing the envelopes in the office to ensure the voter's signature is not retained. Absentee ballot return envelopes contain an identifier that is linked to the ballot, so this identifier must also be redacted from public view to protect the secrecy of the ballot.

### Photo ID Documentation

Photo ID documentation must be retained with the envelope because it is reviewed as part of the absentee application. For this reason, the photocopy of photo ID or Photo ID Exception Form must be retained for as long as the county retains that voter's corresponding absentee envelope.<sup>30</sup>

As noted above, the photocopy of a voter's photo ID is *not* a public record, and therefore a county board should not provide a copy of the photocopy of photo ID or allow viewing of the photocopy of photo ID in response to a public records request. The photocopy of photo ID must be retained with the voter's corresponding envelope through at least the end of canvass and the certification of all elections in the county. After that time, for efficiency in responding to public records requests and to reduce the likelihood of a mistaken disclosure, a county board can separate the photocopy of photo ID from the corresponding envelopes and securely store them in a separate container—so long as the photocopies of photo ID are still stored in the same secure location as the envelopes.

Unlike the photocopy of photo ID, a Photo ID Exception Form is a public record. If a public records request seeks copies or viewing of Photo ID Exception Forms, the county board will need to redact any confidential information from the Form before allowing the requestor to view the form or receive a copy.

Finally, if allowing a requestor to review an envelope in person and the photo ID documentation has not been separated from the envelope, a county board should first separate the photocopies of photo ID from their respective envelopes and redact confidential information on Photo ID Exception Forms before allowing the public to review the envelopes.

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<sup>30</sup> This period is at least 22 months for primaries and elections involving a contest for federal office, 52 U.S.C. § 20701, and at least one year for primaries and elections not involving a contest for federal office, G.S. § 163-233(c).

# PHOTO ID EXCEPTION FORM

**Voter, please complete this form to explain why you cannot show photo ID.  
Your vote will count if you truthfully complete and sign this form.**

Name: \_\_\_\_\_  
Last Name First Name Middle Name Suffix

Contact: \_\_\_\_\_  
Email Address (if available) Phone

**I AFFIRM that I am the registered voter identified above, that I am casting a provisional ballot while voting in person, and that: (choose from the exceptions below)**

### EXCEPTION 1: REASONABLE IMPEDIMENT

- I suffer from a reasonable impediment that prevents me from presenting photo ID.  
**(CHOOSE ONE OR MORE REASONS BELOW)**
- I cannot get photo ID due to:
    - Lack of transportation
    - Disability or illness
    - Lack of birth certificate or other documents needed to get photo ID
    - Work or school schedule
    - Family responsibilities
  - My photo ID is lost, stolen, or misplaced
  - I applied for photo ID but have not received it
  - Other reasonable impediment to presenting photo ID (*you **must** write the reason if choosing this option*):  
\_\_\_\_\_  
\_\_\_\_\_
  - State or federal law prohibits me from listing my reason

### EXCEPTION 2: RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED

I have a religious objection to being photographed.

### EXCEPTION 3: VICTIM OF A NATURAL DISASTER

I was a victim of a natural disaster occurring within 100 days before election day that resulted in a disaster declaration by the President of the United States or the Governor of North Carolina.

**VOTER, SIGN BELOW** FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES.

**X** \_\_\_\_\_  
VOTER'S SIGNATURE (**REQUIRED**)

### ELECTION OFFICIAL TO COMPLETE

Voting Site: \_\_\_\_\_ VRN: \_\_\_\_\_ Official's Name: \_\_\_\_\_

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be recorded to ensure the integrity of the financial statements. This includes not only sales and purchases but also expenses and income. The document also highlights the need for regular reconciliation of bank statements and the company's records to identify any discrepancies early on.

In addition, the document provides a detailed breakdown of the accounting cycle, from identifying the accounting entity to preparing financial statements. It explains how each step contributes to the overall accuracy and reliability of the financial data. The document also includes a section on the classification of assets and liabilities, providing examples and explanations for each category.

The second part of the document focuses on the practical application of accounting principles. It includes a series of exercises designed to help students understand how to record transactions in the general ledger and how to prepare a trial balance. These exercises cover a wide range of scenarios, from simple sales and purchases to more complex transactions involving multiple accounts and adjustments.

Finally, the document concludes with a summary of the key concepts covered and a list of resources for further study. It encourages students to continue to practice their accounting skills and to seek help when needed. The document is intended to be a comprehensive guide for anyone studying accounting, providing both theoretical background and practical examples.

## **Board of Elections Electioneering Area Rules & Guidelines**

- No candidates or electioneers should park in the Board of Elections parking lot during One Stop (Early) Voting. The parking spaces are for voters. Parking is available in the gravel parking lot adjacent to the Board of Elections office or at the Animal Shelter.
- No political signs can be left overnight during One Stop (Early) Voting in the Electioneering corral area.
- The Board of Elections will not store electioneers' tables, chairs, tents, etc.
- Political campaign literature, brochures, and/or pamphlets can be requested from the Greeter inside the voting area. The Greeter will set the trash can or cans containing the political campaign literature, brochures, and/or pamphlets outside for electioneers to go through and pull out.
- Electioneers are permitted to use the restroom in the Board of Elections office. Please get with the Greeter and he or she will escort you to the restroom area.
- Tents are allowed in the electioneering corral area, however if a tent is set up everyone should be allowed to use it.
- ADA requires that service animals are allowed in any polling place. The ADA requirement is limited to service animals, not comfort animals. The service animal may wear a vest, harness or display an ID, but this is not required. You may not ask the handler about the nature of his or her disability. You may ask "Is that a service animal?" and "What has the animal been trained to do?"

**Rockingham County  
Board of Elections**

**Electioneering Area Rules & Guidelines**

**General Elections Areas - Electioneering Rules & Guidelines**

All electioneering **must** be done within the area assigned By The County Board of Elections for that specific Voting Place. Electioneers **must remove or cover** all campaign items (badges, shirts, etc.) before entering the Voting Place.

Tents **are allowed** in the assigned Electioneering Area, however, if a tent is set up, everyone should be allowed to use it. Chairs are also allowed.

Two small tables **are permitted (size not to exceed 3ft. by 3ft.--card table size)** in each Electioneering Area for the purpose of holding Campaign Materials. The table should be shared by all electioneers.

General food items and sandwiches are **not allowed** in the Electioneering Area. Drinks and snacks **are permitted**.

NAME TAGS-candidates are to provide name tags for electioneers to wear in the Electioneering Area. In addition, they are to provide a list of electioneers to the Director of the BOE for distribution to Voting Places

Electioneers **are permitted** to use the restroom in the Board of Elections office or the Voting Places as available . Please contact the greeter and he or she will escort you to the restroom area.

**Pet animals are not allowed** in the Electioneering Area. However, ADA requires that **all service animals are allowed** (not comfort animals)in any polling area space. We ask that **service animals** wear a vest, harness, or an **ID tag** to indicate that they are service animals.

Salvaged political campaign literature, (brochures, pamphlets, etc.) **can be requested** from the Greeter inside the voting area.

The Greeter will place these in cans designated for political campaign literature, (brochures, pamphlets, etc.) outside for electioneers to salvage them.

**Early Voting at the Board of Elections office - Electioneering Rules & Guidelines**

- Due to limited parking space at the Board of Elections Office, all marked spaces are **reserved for voters only**. BOE staff/workers, candidates, electioneers & observers may park in the graveled parking lot, the lot near the Animal Shelter or on the edge of Cherokee Road.

No political signs or political literature can be left overnight in the Electioneering Area.

The Board of Elections Office **will not** store electioneers' tables, chairs, tents, etc. If you leave them, you do so at the owner's risk.

To address rising concerns over activity occurring in or around areas adjacent to statutorily defined buffer zones at each polling place, the Rockingham County Board of Elections, the Rockingham County Democrat Party, the Rockingham County Republican Party and the Rockingham County Libertarian Party mutually have agreed upon the following principles of conduct for electioneering activity. Unaffiliated candidates and individual campaigns are invited to join and participate in the implementation of these principles.

**P1. Good Behavior.** Everyone is expected to demonstrate good behavior. We recognize that political campaigns and those supporting them may disagree with others. Disagreeing does not mean being disagreeable. Good behavior includes control and management of anger; showing respect to others in speech and deed; and, empathy or consideration for others.

**P2. Election Activity.** All election related activity must be conducted in the area designated by the Board of Elections. Election related activity includes distribution of campaign literature, placement of political advertising, soliciting votes, or otherwise engaging in election-related activity..

**P3. Participant Lists.** Each party and all candidate campaigns are encouraged to develop and make available to the Board of Elections prior to election day a list of the names of every person who will be engaged in election related activity for that party or candidate. Those engaged in election related activity are encouraged to wear a name tag and/or a button or tag identifying the candidate or party they support.

**P4. Tents.** A tent may be placed at each polling place where the Board of Elections has determined that sufficient space exists to allow a tent. The size and placement of a tent must not interfere with access to the polling place. The Chief Judge of the precinct will determine the appropriateness of the tent size and its placement. Parties are encouraged to share their tent space with all other electioneers.

**P5. Tables.** No more than two tables ( to hold electioneering materials) are permitted in the electioneering area.. Tables may not exceed 3 feet by 3 feet in size and must not interfere with access to the polling place. Participants are encouraged to share these tables with all other participants. Chairs are also permitted where appropriate.

**P6. Food.** Food items such as sandwiches are not allowed in the election activity areas. Snacks are permitted. All trash must be removed by the end of the day.

**P7. Animals.** Animals, except service dogs, are not allowed in the election activity area. Per the ADA, a service animal is a *dog* that is individually trained to do work or perform tasks for a person with a disability. Dogs (or other animals) whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Service animals should always be under the handler's control. Although not required, service animals should wear a vest, harness or ID tag identifying them as a service animal.

**P8. Signs and Campaign Materials.** Political signs may be posted in the election related activity area 36 hours prior to the opening of the voting place and at least 36 hours after the close of the voting place. NCGS. 163.129(d). Each party and candidate will ensure that signs and campaign materials are removed within the allotted times. The Board of Elections will not store tables, chairs, tents or materials.

**P9. Parking.** At all precincts, election related activity participants must not park in spaces immediately adjacent to the elections activity areas to ensure that those spaces are left for potential voters. This may mean use of remote parking lots such as nearby businesses, churches, schools, *etc.*

**P10. Salvaged Campaign Materials.** Voters will be allowed to deposit campaign materials in a receptacle provided by the Board of Elections. Campaign workers may retrieve these materials from *(O.K. Didn't understand this one. Notes say they can get this stuff by asking the greeter. Then say that material will be placed in cans designated for campaign materials "outside.")*

**P11. Incident Management.** Nothing herein is intended to limit or usurp the authority granted the Chief Judge under NCGS 163-48. Upon being notified of an actual or potential incident in violation of these principles, the Chief Judge of the precinct will assess the situation and determine an appropriate course of action. The Chief Judge may, in his/her discretion elect to notify the party chair or the appropriate candidate to request assistance. Once notified, the party chair or candidate will act immediately to support the Chief Judge and resolve the incident.



# NORTH CAROLINA STATE BOARD OF ELECTIONS

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## Numbered Memo 2022-12

**TO:** County Boards of Elections  
**FROM:** Karen Brinson Bell, Executive Director  
**RE:** Maintaining Order at the Polls  
**DATE:** October 7, 2022

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This numbered memo is intended as guidance to election officials in carrying out their duty to maintain order at the polls. It updates and replaces Numbered Memos 2016-20, 2018-15, 2020-09, and 2020-30.

### Protecting Voters and Election Procedures at the Polls

The State Board is committed to ensuring all voters have a safe experience, free from unlawful interference, and that election officials are able to carry out their duties free from interference.

Both state and federal laws forbid intimidation or interference with the right of a voter to participate in an election, including hindering access to the voting place, whether inside or outside the buffer zone.<sup>1</sup> The law also makes it a crime to interfere with election officials carrying out their duties.<sup>2</sup> Penalties for violations include prison time, a fine, or both.

Interference can take many forms. This memo identifies examples of scenarios elections officials may encounter during early voting and on Election Day, and identifies the authority county boards and poll workers have to maintain order at the polls and address misconduct.

### Buffer Zone Protections

State law provides special protections for voters inside the buffer zone at voting sites. The buffer zone is measured from the door of the entrance to the voting place—the building or area of the

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<sup>1</sup> 18 U.S.C. § 594: “Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for [federal office] at any election held solely or in part for the purpose of electing such candidate, shall be fined under this title or imprisoned not more than one year, or both.” See also 18 U.S.C. §§ 241, 245; 52 U.S.C. § 20511; N.C.G.S. §§ 163-274(a)(7), 163-275(17).

<sup>2</sup> N.C.G.S. § 163-274(a)(4); N.C.G.S. §§ 163-275(10) & (11).



building that contains the voting enclosure. If practical, the buffer zone shall be 50 feet from the entrance to the voting place, when the door is closed, but in no event shall it be more than 50 feet or less than 25 feet.<sup>3</sup> If a separate exit is used for the voting enclosure, the law does not provide for an additional buffer zone from the exit door. To ensure ADA compliance and accessibility, exit areas may be marked to ensure they remain clear and do not impede a voter’s mobility.

The area in the buffer zone exists so that voters can freely access the voting place without being harassed or intimidated. Electioneering activity and all forms of interference are prohibited in the buffer zone and in the voting place itself:

No person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in a buffer zone which shall be prescribed by the county board of elections around the voting place.<sup>4</sup>

For activities outside the buffer zone, county boards must carefully weigh and consider any limitations on speech, including the display of signs or symbols, by private individuals. The area outside the buffer zone is a type of public forum, and the First Amendment provides strong protection for political activity in public forums. We must balance the right of every voter to enter the voting place freely with these First Amendment protections. Consistent with this balance, county boards may enforce reasonable regulations ensuring safe and unobstructed access to parking lots, parking spaces, the voting place itself, and curbside voting, while also accommodating electioneering activity adjacent to the buffer zone—e.g., traffic controls, stanchions, gates, or other tools.<sup>5</sup>

### Voting Enclosure Protections

As noted above, the conduct prohibited in the buffer zone—including hindering voter access, harassing voters, and electioneering—is also prohibited inside the voting place and at curbside

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<sup>3</sup> N.C.G.S. § 163-166.4.

<sup>4</sup> N.C.G.S. § 163-166.4(a).

<sup>5</sup> County boards are authorized to “make and issue such rules, regulations, and instructions, not inconsistent with law, with directives promulgated under the provisions of G.S. 163-132.4, or with the rules, orders, and directives established by the State Board of Elections, as it may deem necessary for the guidance of election officers and voters.” N.C.G.S. § 163-33(1). At each voting site, the county board must “provide an area adjacent to the buffer zone” for electioneering, except where there is an approved agreement with a nonpublic facility to limit electioneering. N.C.G.S. § 163-166.4(b).

voting.<sup>6</sup> Various other rules are also in place to promote order and protect voters where voting is being conducted.

Generally, the only individuals permitted inside the voting enclosure during voting are (1) elections officials, (2) voters who are in the process of voting (with any minor children), (3) properly appointed election observers and runners, (4) individuals who are assisting voters based on voter request, and (5) a voter lodging a lawful challenge.<sup>7</sup>

It is a crime to “interfere with, or attempt to interfere with, any voter when inside the voting enclosure” or with “any voter when marking his [or her] ballots.”<sup>8</sup> No person may attempt to induce a voter to show how they marked their ballot.<sup>9</sup> State law requires the arrest of any person violating these criminal laws.<sup>10</sup>

State law also prohibits the interference with election officials who are carrying out the election. It is a crime “[f]or any person to break up or by force or violence to stay or interfere with the holding of any primary or election, to interfere with the possession of any ballot box, election book, ballot, or return sheet by those entitled to possession of the same under the law, or to interfere in any manner with the performance of any duty imposed by law upon any election officer or member of any board of elections.”<sup>11</sup> And it is a crime “[f]or any person to be guilty of any boisterous conduct so as to disturb any member of any election board or any chief judge or judge of election in the performance of that person’s duties as imposed by law.”<sup>12</sup> Finally, it is a felony to threaten, menace, intimidate, or assault an election official when they are carrying out their duties.<sup>13</sup>

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<sup>6</sup> A curbside voter’s vehicle is considered a voting enclosure, and the buffer zone shall be at least six feet from the vehicle. See [Numbered Memo 2020-20](#).

<sup>7</sup> N.C.G.S. §§ 163-166.3, 163-166.8. In an emergency, of course, first responders may need to access the voting enclosure.

<sup>8</sup> N.C.G.S. § 163-273(a)(3) & (4).

<sup>9</sup> N.C.G.S. § 163-273(a)(6).

<sup>10</sup> N.C.G.S. § 163-273(b): “Election officers shall cause any person committing any of the offenses set forth in subsection (a) of this section to be arrested and shall cause charges to be preferred against the person so offending in a court of competent jurisdiction.”

<sup>11</sup> N.C.G.S. § 163-274(a)(4).

<sup>12</sup> N.C.G.S. § 163-274(a)(5).

<sup>13</sup> N.C.G.S. § 163-275(10) & (11).

## Enforcing the Rules at a Voting Site

**The chief judge or one-stop site manager is responsible for ensuring voters have unimpeded access into the buffer zone and voting enclosure, and to maintain order at the polls.** They must ensure that voters are able to freely access the voting place without fear of harassment or intimidation. And they must take actions required to “prevent riots, violence, tumult, or disorder” at the voting place.<sup>14</sup>

County boards have a responsibility to ensure their poll workers are equipped to maintain order at the polls. State law requires county boards to “[e]nsure that adequate procedures are in place at each voting place for a safe, secure, fair, and honest election,” and to “[r]espond to precinct officials’ questions and problems where necessary.”<sup>15</sup> County boards should ensure that all elections officials are familiar with the county board’s emergency plan and know who to contact if a problem arises.

As set forth in the Administrative Code, the chief judge at a polling place is required to:

(19) ensure peace and good order at the voting place as required by G.S. 163-48.

Examples of peace and good order include:

- (A) keeping open and unobstructed the place at which voters or persons seeking to register or vote have access to the place of registration and voting;
- (B) preventing and stopping attempts to obstruct, intimidate, or interfere with any person in registering or voting;
- (C) protecting challengers and witnesses against molestation and violence in the performance of their duties; and
- (D) ejecting from the place of registration or voting any challenger or witness for violation of any provisions of the election laws or rules.<sup>16</sup>

Consistent with these rules, the chief judge or one-stop site manager should monitor conduct both inside and outside the voting place for potential interference or disorder. **Complaints or indications of harassment, interference, or intimidation must be addressed immediately.**

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<sup>14</sup> N.C.G.S. § 163-48.

<sup>15</sup> N.C.G.S. § 163-166.1(2) & (3).

<sup>16</sup> 08 NCAC 10B .0101(b)(19). The rule was adopted to implement G.S. § 163-48, which requires the chief judge and judges to “enforce peace and good order in and about the place of registration and voting.”

The chief judge or one-stop site manager must use their sound discretion to attempt to deescalate any potential disturbance and to issue verbal warnings about behaviors that could lead to a person's ejection or arrest, if warranted.

**If the chief judge or one-stop site manager is unable to successfully ensure that voters are able access to the polls free from interference, they shall immediately contact their county board of elections or law enforcement, depending on the urgency of the situation.** Election officials should contact local law enforcement as soon as a situation begins to escalate beyond their ability to control the situation. Officials should contact law enforcement immediately if there is a reasonable concern for anyone's safety or officials believe the situation may get out of control. On-site election officials have the authority to "order the arrest of any person violating any provision of the election laws," including laws mentioned above that prohibit interference with voters or election officials; and responding peace officers are required to "aid in the enforcement" of such orders.<sup>17</sup>

If your office becomes aware in advance of an event that has the potential to cause a disruption at the polls, notify the State Board right away. We will work to monitor the situation and provide support as needed, including by involving federal or state law enforcement partners.

**The presence of law enforcement officers at a voting site must always be balanced against the potential for some voters to feel intimidated if law enforcement is perceived as monitoring voters.** As election officials, we have a responsibility to make the voting site welcoming to all eligible voters. To this end, county boards should avoid having law enforcement officers stationed at a voting place while voting is occurring, and more generally avoid situations where law enforcement could be perceived as monitoring voters. This does not preclude law enforcement assisting with parking or vehicle traffic issues to ensure the voting site is safely accessible, periodically and unobtrusively patrolling near the outside of a voting location in the event heightened security is needed, or responding to an incident—all of which may be appropriate measures to ensure an orderly election, depending on the circumstances. And, of course, law enforcement officers must be permitted to vote while wearing their

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<sup>17</sup> N.C.G.S. § 163-48: "[T]he chief judge and judges may call upon the sheriff, the police, or other peace officers to aid them in enforcing the law. They may order the arrest of any person violating any provision of the election laws, but such arrest shall not prevent the person arrested from registering or voting if he is entitled to do so. The sheriff, police officers, and other officers of the peace shall immediately obey and aid in the enforcement of any lawful order made by the precinct election officials in the enforcement of the election laws."

uniforms. County boards may also request law enforcement to escort election officials to and from the voting site.

If a county board uses private security, the security guards must be unarmed and may not be stationed inside the voting enclosure. They may wear uniforms. They should always avoid the impression of monitoring voters.

Each county board is encouraged to meet with local law enforcement, including the sheriff's department and any municipal police departments, to alert them of upcoming election dates, election laws related to voting places, and to share any information about possible threats or gatherings. Partnerships and information sharing with local law enforcement are important to ensure a swift and appropriate response to any significant incidents at the polls.

To aid in the enforcement of election laws and the maintenance of order at the polls, the State Board has partnered with the North Carolina Sheriffs' Association and the North Carolina Association of Chiefs of Police to produce the [Elections Reference Guide for North Carolina Law Enforcement](#). County boards may share this guide with their law enforcement contacts and refer to it, as needed.

## Examples of Prohibited Acts

State Board staff have prepared the following non-exhaustive list of scenarios that illustrate prohibited behavior:

1. *Individuals outside the buffer zone wear "SECURITY" insignia and inform voters that they are "monitoring" the polling place.*

**Federal law prohibits those around the polling place from displaying badges, uniforms, or credentials that reasonable individuals would interpret to mean that the person is a law-enforcement officer.<sup>18</sup>**

2. *Individuals in the parking lot physically prevent multiple cars from parking at the only parking lot in the voting place. Voters in the cars turn around and leave.*

**It is a crime to interfere with the ability of any voter to access the voting place.<sup>19</sup>**

3. *Individuals intentionally distribute misleading information about the time, date or place of an election, or about the qualifications required to vote.*

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<sup>18</sup> 18 U.S.C. § 241; *see also Williams v. United States*, 341 U.S. 97 (1951).

<sup>19</sup> N.C.G.S. § 163-274(4).

**It is a felony to misrepresent the law to the public in any communication “where the intent and effect is to intimidate or discourage potential voters from exercising the lawful right to vote.”<sup>20</sup>**

4. *A radio station is played over speakers inside the voting enclosure, and the broadcast includes political discussion or commentary.*

**No person may engage in election-related activity within the buffer zone.<sup>21</sup>**

5. *An individual in the polling place threatens to choke and kill the precinct official because they have a disagreement about whether a voter is eligible to vote the assigned ballot. The individual also curses and tells the precinct official to get out of the room.*

**It is a crime for any person to threaten, menace, intimidate, or assault any election official when carrying out their duties.<sup>22</sup>**

6. *An observer at a polling place stands between a voter and a tabulator, blocking the voter from inserting their ballot in the tabulator.*

**It is a crime to interfere with, or attempt to interfere with, any voter when inside the voting enclosure.<sup>23</sup>**

7. *After the closing of the polls and when election supplies are being returned, an individual closely follows a chief judge to their car, and then tails their car on the way to the county board office, making the chief judge reasonably fear for their safety.*

**It is a crime for any person to threaten, menace, intimidate, or assault any election official when carrying out their duties.<sup>24</sup>**

8. *An observer opens the emergency ballot bin located beneath the tabulator and looks through its contents.*

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<sup>20</sup> N.C.G.S. § 163-275(17): It is a Class I felony “For any person, directly or indirectly, to misrepresent the law to the public through mass mailing or any other means of communication where the intent and the effect is to intimidate or discourage potential voters from exercising their lawful right to vote.”

<sup>21</sup> N.C.G.S. § 163-166.4(a).

<sup>22</sup> N.C.G.S. § 163-275(11). See also *State v. Hines*, 122 N.C. App. 545, 471 S.E.2d 109 (1996).

<sup>23</sup> N.C.G.S. § 163-273(a)(3).

<sup>24</sup> N.C.G.S. § 163-275(11). “Clearly, in G.S. 163–275(11) the legislature intended to prohibit anyone from frightening an individual while conducting election duties.” *State v. Hines*, 122 N.C. App. 545, 552, 471 S.E.2d 109, 114 (1996).

**No person other than elections officials performing their duties may have access to voted ballots or paper or electronic records of individual voted ballots.<sup>25</sup> And no person other than election officials and voters inserting their ballots may access a voting machine.<sup>26</sup> State law requires that a county’s “voting system remains secure throughout the period voting is being conducted.”<sup>27</sup>**

9. *An observer stations herself directly behind the ballot tabulator and refuses the chief judge’s instruction to keep appropriate distance from the tabulator.*

**Poll workers must ensure that the voting machines cannot be tampered with during the conduct of voting,<sup>28</sup> and that observers cannot be close enough to view a voter’s completed ballot.<sup>29</sup>**

10. *An observer films or photographs curbside voters while in the act of voting.*

**The curbside vehicle serves as the voting enclosure for curbside voters. No one may film or photograph a voter in the act of voting without the consent of the voter and chief judge, and under no circumstances may a voted ballot be filmed or photographed.<sup>30</sup> Additionally, an observer “shall in no manner . . . observe any voter in casting a ballot,” nor may they position themselves in a way to see the contents of a ballot or attempt to view voted ballots.<sup>31</sup>**

11. *During the closing of the polls and vote count at the precinct, an observer persistently interrupts the poll workers and asks them questions, despite being warned that the poll workers must conduct closing procedures without disruption.*

**Under state law, “[n]o witness shall interfere with the orderly counting of the official ballots. Witnesses shall not participate in the official counting of official**

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<sup>25</sup> N.C.G.S. § 163-165.1(e). There are exceptions, which are not applicable to an observer at a voting place.

<sup>26</sup> 08 NCAC 04 .0306. See also 08 NCAC 10B .0101(g)(5), requiring precinct officials to “ensure that the voting system cannot be tampered with throughout the period voting is being conducted.”

<sup>27</sup> N.C.G.S. § 163-166.7(c)(1).

<sup>28</sup> 08 NCAC 10B .0101(g)(5).

<sup>29</sup> 08 NCAC 20 .0101(d)(3).

<sup>30</sup> N.C.G.S. § 163-166.3(b) & (c).

<sup>31</sup> N.C.G.S. § 163-45(c); 08 NCAC 20 .0101(d)(3) & (7).

ballots.”<sup>32</sup> Observers may “observe the count” and the closing of the polls, but “observers shall not interfere with the counting of the ballots.”<sup>33</sup>

12. *Individuals outside the buffer zone threaten a voter with physical harm if the voter does not vote for or against a particular candidate or party.*

**It is a federal crime to intimidate, threaten, or coerce anyone in order to interfere with an individual’s right to vote or not vote in an election; this includes conduct intended to force prospective voters to vote against their preferences.<sup>34</sup> It is also a state crime to “intimidate or oppose any legally qualified voter on account of any vote such voter may cast or consider or intend to cast, or not to cast, or which that voter may have failed to cast.”<sup>35</sup>**

13. *Individuals attempt to enter voter challenges without a proper basis.*

**State law prohibits challenges made indiscriminately or based on speculation.<sup>36</sup> It is also a violation of federal law, which may result in civil or criminal penalties, for any individual to challenge a voter for an impermissible basis.<sup>37</sup>**

14. *An electioneer outside the buffer zone stands within one foot of voters walking into the voting place and repeatedly ignores requests to maintain a reasonable distance from voters. The electioneer uses this tactic as a way to intimidate voters from voting.*

**It is a federal and state crime to intimidate voters for the purpose of interfering with their right to vote.<sup>38</sup>**

Whether certain activity amounts to voter intimidation or a threat to an election official is often specific to the circumstances of the incident. The following represent additional examples of conduct that may demonstrate efforts to intimidate voters or threaten an election official:

- Verbal threats of violence or threatening behaviors inside or outside the polling site.

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<sup>32</sup> N.C.G.S. § 163-182.2(a)(3).

<sup>33</sup> 08 NCAC 10B .0105(h).

<sup>34</sup> 18 U.S.C. § 594.

<sup>35</sup> N.C.G.S. § 163-274(a)(7).

<sup>36</sup> N.C.G.S. § 163-90.1(a): “Challenges shall not be made indiscriminately and may only be made if the challenger knows, suspects or reasonably believes such a person not to be qualified and entitled to vote.”

<sup>37</sup> 18 U.S.C. § 241. See [Federal Prosecution of Election Offenses](#) (Dec. 2017) for additional information.

<sup>38</sup> 18 U.S.C. § 594; N.C.G.S. § 163-274(a)(7).



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- Bringing firearms inside a polling place that otherwise prohibits them by law,<sup>39</sup> or brandishing weapons outside the polling place in a threatening manner.
  - Aggressively approaching voters' or election officials' vehicles, recording their license plate numbers, or following them to, from, or within the voting site.
  - Harassing voters by aggressively questioning their eligibility to vote or voting intentions.

## Documenting Incidents at the Polls

**County boards must instruct poll workers to document any disturbances at the polls in an Incident Report.** Any significant incidents should be immediately reported to the State Board by the county board. After Election Day, all Incident Reports must be uploaded to the Secure FTP at CountyUploads\_SBE\[Year]\[ElectionDate]\Incidents. Having proper documentation for voting site incidents helps investigators who may be called upon to investigate potential violations or irregularities, and it protects polls workers against unfounded allegations if complaints are made for actions taken to maintain order at the polls. Proper documentation also ensures transparency and accountability in the conduct of elections.

## Outside Observers at the Polls

Anyone has the right to watch or observe the election outside the voting place. To promote the orderly administration of elections, protect voter privacy, and to ensure the integrity of the election process, state law prescribes specific rules and procedures governing monitors who may enter the buffer zone and the voting place. County boards are encouraged to make available at voting sites the State Board's [Tips for Monitoring or Observing the Election at Polling Sites](#).

### Party-Appointed Observers

Observers are appointed by the political parties according to the requirements in the law.<sup>40</sup> Only lawfully appointed observers are permitted to be present in the voting place during voting. Observers must be registered to vote in the county.<sup>41</sup> A county board chair, or the chief judge and judges, may “for good cause” reject any observer appointment and require the county party

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<sup>39</sup> All schools and courthouses, as well as many other government buildings and certain private facilities, including some churches and sports arenas, prohibit firearms. Those prohibitions apply when the facility is used as a voting place.

<sup>40</sup> N.C.G.S. § 163-45; 08 NCAC 20 .0101.

<sup>41</sup> In 2018, the law was revised to permit 100 additional at-large observers to be appointed by each statewide political party, and those observers need only be registered voters of the state. However, this provision is not currently in effect because of a North Carolina Superior Court decision issued in 2021 that enjoined the voter photo identification law, S.B. 824—a law that included this observer provision.

to appoint another in their place.<sup>42</sup> “Good cause” could include a history of disruptive activity in past elections (or a past election), in violation of the law governing observers. For more details about appointment, see [N.C.G.S. § 163-45](#) and [08 NCAC 20 .0101](#).

Observers may observe and take notes. They may possess personal electronic devices as long as they do not disrupt voters or election officials. Any problems must be reported to the chief judge or county board of elections. An observer may not speak with voters or assistants. Additional prohibited activities by observers include:

- (1) Wearing or distributing campaign material or electioneering;
- (2) Impeding or disrupting the voting process or speaking with voters or election assistants;
- (3) Interfering with the privacy of the voter, including positioning themselves in such a way that they can view confidential voter information on poll books or laptops or standing in such a way that they can view the contents of ballots inserted into a tabulator;
- (4) Using an electronic device to film or take photographs inside the voting enclosure;
- (5) Taking photographs, videos, or recording a voter without the consent of the voter and the chief judge;
- (6) Entering the voting booth area or attempting to view voted ballots;
- (7) Boarding a vehicle containing curbside voters; and
- (8) Providing voter assistance.<sup>43</sup>

All observers, whether precinct-specific or at-large, may be relieved after serving no less than four hours. An observer may leave the voting place without having served for four hours, but the observer cannot be replaced by a new observer until at least four hours have passed since the first observer began serving. An observer who leaves the voting place for any reason may be prohibited by the chief judge from returning if the observer’s return would cause a disruption in the voting enclosure.<sup>44</sup>

### Other Individuals Witnessing the Election

Members of the public may watch or observe the election outside the voting place. Such activity must remain outside of the buffer zone. Members of the public, campaigners, candidates,

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<sup>42</sup> N.C.G.S. § 163-45(b).

<sup>43</sup> 08 NCAC 20 .0101(d).

<sup>44</sup> 08 NCAC 20 .0101(c).

advocates, and “poll watchers” who are not properly appointed observers may not enter the buffer zone or voting enclosure during voting unless they are voting.<sup>45</sup>

Individuals may be present outside the voting place for purposes unrelated to voting, such as encouraging voters to get flu shots or publicizing products or services, as long as such presence does not hinder voters’ access to the polls. We discourage county boards from partnering with such groups because this is not within the county board’s mission and such partnerships could be construed by the public as encouraging or supporting certain services and products over others.

Individuals or groups may not give away free items such as food, drink, or other things of value if the giveaway is conditioned on the person having voted. It is a federal and state crime to make or offer to make any expenditure to any person based on whether they choose to vote or not to vote, or to vote for or against any candidate.<sup>46</sup> It is permissible for individuals or groups to give away items to all persons they encounter, regardless of whether they have voted or plan to vote.

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<sup>45</sup> N.C.G.S. § 163-166.3(a).

<sup>46</sup> 18 U.S.C. § 597; N.C.G.S. § 163-275(2).



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# Guidelines for Campaign Volunteers and Electioneers at the Polling Place

## Conduct Outside Voting Sites

North Carolinians deserve to be treated with courtesy and respect at the polls. Elections officials are committed to facilitating a safe voting experience. And, the State Board of Elections is asking private citizens, campaigners, and advocates to help us promote a positive experience during early voting and on Election Day. Conduct at the voting place should conform to the following guidance: Respect the right of all voters to participate in the election without fear of intimidation or violence. Intimidating any voter is a state and federal crime. Be courteous towards those at the voting place, regardless of any difference of opinion. Remain civil and calm at all times. While differences of opinion are expected and should be respected, resolve any disagreements or disputes amicably. Disagreements or disputes should not involve profanity or provocative gestures. Confine electioneering and issue advocacy to designated areas outside of the voting place. Election officials strictly enforce the marked line beyond which no electioneering or loitering is permitted. We understand certain individuals are interested in observing the election process, though only appointed observers and runners will be permitted within the voting place. Please contact your local political party or county elections officials for more information about the appointment process under G.S. § 163-45.

## Maintaining Order at Voting Sites

The following behaviors will not be tolerated. The Board of Elections has a duty to enforce peace and good order in and about all polling places. This includes the voting enclosure and the buffer zone.

- \* Breaching the Buffer Zone and approaching voters in the designated buffer zone.
  - \* Moving the buffer zone barriers
  - \* Approaching voters in their vehicles in the curbside voting area.
- \* Use of profanity and/or aggressive behavior to those of with a different party view.

## Buffer Zones

G.S § 163-166.4(a)

- \* No person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activities inside the voting place or within a buffer zone which shall be prescribed by the county board of elections around the voting place.
- \* Dimensions of the buffer zone at each polling place shall be no more than 50 feet and no less than 25 feet from the entrance to the polling place.



## Area for Election Related Activity

G.S. § 163-166.4(b)

- \* Volunteers/Electioneers may distribute *campaign literature*, place *political advertising, or signage*, solicit votes, or otherwise engage in election-related activity in the designated area outside the buffer zone. Please be aware that not all polling locations allow for political signage or literature.
- \* For information about Restricted Voting Places for restrictions on campaign literature or placing signage on Election Day please visit: <http://www.forsyth.cc/Elections/assets/documents/RestrictedVotingPlaces.pdf>
- \* Volunteers/Electioneers are not permitted within the buffer zone or voting enclosure.
- \* Volunteers/Electioneers must not disturb the voting enclosure or any voter within the voting enclosure.

## Party Observers/Runners

G.S. § 163-45

- \* The party chair must provide observer or runners names to the Board of Elections before 10:00 a.m. five days prior to Election Day. G.S. § 163-45(b)
- \* Observers/Runners are allowed in each polling place to make observations and to take notes; they are not permitted to do any electioneering, observe any voter casting their ballot, or impede the voting process in any manner. Impeding also includes communicating with the voters. G.S. § 163-45(c)

## Questions or Concerns

- \* For questions or concerns regarding buffer zones, electioneering, voting enclosures, distribution of campaign materials, or signage please contact the Forsyth County Board of Elections at 336.703.2800.

Please make copies to distribute to your Observers, Runners, Electioneers, and Volunteers

# FAQ's for Campaign Volunteers and Electioneers at the Polling Place

Examples of prohibited acts scenarios that illustrate prohibited behavior:

1. Individuals outside the buffer zone wear "SECURITY" insignia and inform voters that they are "monitoring" the polling place. Federal law prohibits those around the polling place from displaying badges, uniforms, or credentials that reasonable individuals would interpret to mean that the person is a law-enforcement officer. See 18 U.S.C. § 241 and *Williams v. United States*, 341 U.S. 97 (1951).
2. Individuals in the parking lot physically delay or prevent cars from parking. It is a crime to interfere with the ability of a voter to access the voting place. This is true for any voter.
3. Individuals intentionally distribute misleading information about the time, date or place of an election. It is a felony to misrepresent the law to the public in any communication "where the intent and effect is to intimidate or discourage potential voters from exercising the lawful right to vote." G.S. § 163-275(17)
4. A radio station is played over speakers inside the voting enclosure, and the broadcast includes political discussion or commentary. No person may engage in election-related activity within the buffer zone. G.S. § 163-166.4(a)
5. Individuals use sound amplification to make racial slurs or otherwise insult those presenting to vote for their preferred candidate, and the chief judge has told the individual that their noise is causing a disruption inside the voting enclosure. It is a crime for any person to commit any boisterous act that disturbs any elections official in the performance of his or her statutory duties. G.S. § 163-274(a)(5)
6. Individuals outside the buffer zone threaten a voter if the voter does not vote for or against a particular candidate or party. It is a federal crime to intimidate, threaten, or coerce anyone in order to interfere with an individual's right to vote or not vote in an election; this includes conduct intended to force prospective voters to vote against their preferences. 18 U.S.C. § 594
7. Individuals attempt to enter voter challenges without a proper basis. State law prohibits challenges made indiscriminately or based on speculation. G.S. § 163-90.1(a). It is both a violation of state and federal law for any voter to challenge an individual on the basis of their ethnicity, religion, language fluency, or national origin.
8. Individuals who direct any of the above noted actions against individuals or groups based upon ethnicity, religion, language fluency or national origin are in violation of state and federal law.

The following represent additional examples of conduct that may unlawfully intimidate voters:

- An individual or individuals outside the buffer zone approach only voters who appear to be of a certain ethnic group to ask whether they speak English or to demand that they verify their citizenship.
- An individual or individuals outside the buffer zone follow a non-English speaker who is receiving assistance from a person of their choice and accuse them of committing voter fraud.
- An individual or individuals outside the buffer zone yell insults or profanity at people who received assistance in the voting enclosure.

