

Buncombe County Board of Elections – Sample Audit Asheville/Buncombe County League of Women Voters

Note: this was not a Board Meeting but a part of the post-election audit process that precedes canvass

Monitor Name: Cheryl and Scott Williams

Meeting Date & Time: November 14, 2022 10:00 am

Names of Board Members Attending:

Jake Quinn, Chairman

Steven Aceto, Board Member

Names of Staff Attending:

Corinne Duncan, Director

Morgan, a new staff person formerly with Wake County Board of Elections

Also Attending:

3 Bipartisan Audit Teams each consisting 2 Democrats and 2 Republicans

Audit work began at 10:00 am following orientation and instructions from Ms. Duncan

A total of 4 observers, including one from Common Cause, two from LWV-AB, and Mr. Jan Black (organizational affiliation unknown), attended the meeting.

Background: Before the canvass meeting, each county board must ensure that the sample hand-to-eye audit count and any discretionary or mandatory recounts have been completed. The state and county boards of elections conduct audits after every election. Audits can detect problems such as equipment tampering, ballot stuffing, and voting machine or counting errors.

One type of post-election audit is a sample audit. Per SBOE directions, the sample audit count is a test to ensure voting equipment read the voter's choices accurately. It compares the machine counts with hand-to-eye counts conducted by elections officials in randomly selected voting sites. The sample audit count is open to the public and is completed before canvass. The hand-to-eye counts required for this process are not recounts, although they are similar processes. The day after the election, the State Board of Elections informs each county of their assigned contest and the two randomly selected samples (Election Day precinct, one-stop site, or absentee by mail ballots) to audit. Selected ballots are hand-counted by a bipartisan team of trained volunteers. The hand-counted results are compared to the tabulated results and any variances are noted. The county sends the machine counts and hand counts to the state along with an

explanation of any discrepancies. The county sends the machine counts and hand counts to the state along with an explanation of any discrepancies.

Permitted variances include the following situations: the write-in oval was not filled in, but a candidate's name was written in, or the machine did not count a choice that was represented by check marks or Xs or that was poorly shaded.

Audit Assignment: Buncombe County was assigned the US senate race in precinct 13.1 (Calvary Baptist Church, at 531 Haywood Road) for Election Day and Early Voting at Longview Branch Library (1 Taylor Road).

This observer is not clear on the specific dates for early voting but heard 3 mentioned: October 24 or 25 and November 5, the last day of early voting. The State Board of Elections assignment spread sheet only specified early voting at Longview, not specific dates. (see the November 8, press release from the State Board at <https://www.ncsbe.gov/news/press-releases/2022/11/08/state-board-randomly-select-precincts-post-election-accuracy-checks>)

Audit Steps:

It appeared that each 4-person team was given a single audit assignment as follows: one team for a day of early voting and one for election day. First, each team counted the ballots to ensure the total counted matched the tabulated total. The ballots were counted in batches and each time a team's total did not match the tabulated total they had to recount.

Once each team had confirmed the batch total, they began to count the votes for each US Senate candidate as follows: one person of a given party read the voted candidate's name while another person of the other party confirmed the name was properly read while the other two people of different party affiliations tabulated votes by candidate independently and said "tally" each time 5 votes for a given candidate or write in had been read. To avoid confusion since the early voting teams were in the same room, one team read only the candidate's first name and the other team read only the candidate's last name.

The overall early voting results for US Senate candidates were as follows:

Matthew Hoh, Green Party –	34
Cheri Beasley, Democratic Party –	2,776
Shannon Bray, Libertarian Party –	57
Ted Budd, Republican Party -	2,155
Overvotes (voted for more than allowed) -	4
Write in votes -	3
Total early voting ballots reviewed	5,029

Two discrepancies were found in early voting totals as follows:

- One vote was counted for Cheri Beasley when it should have been counted for Ted Budd
- A lightly shaded bubble had been counted as a no vote when it should have been counted

The count for precinct 13.1 on Election Day matched the machine tabulation with no discrepancies.

Buncombe County Election Services staff asked the teams to recount the early voting ballots and resolved the discrepancy related to the votes for the Senate race. The write-in discrepancy was not resolved.

The Buncombe County Election Services staff asked that the teams reconvene on Tuesday, November 15 at 10:00 am to resolve the remaining discrepancy related to the write in ballot. All team members agreed. The plan is to focus on write in ballots in an attempt to quickly resolve the discrepancy. If that does not work, the teams will recount all the ballots.

These observers cannot attend the November 15 meeting.

The work session ended at 3:40 pm

Other observations:

Prior to the start of work, one observer chatted with Ms. Duncan and reported that his organization (unknown to this observer) had evidence to support the notion that poll workers on Election Day were holding or otherwise displaying to voters materials about a/the Buncombe County ballot measure. The observer did not state the nature of the evidence or identify a precinct.

Ms. Duncan noted that the ballot measure was nonpartisan but that the County had published materials about it. Regardless, she said, poll workers should not have been displaying such materials to voters and had been trained not to do such things. She also said the issue should be raised formally so that it can be examined and needs to be supported by evidence stronger than the testimony of a single person.

The observer talking with Ms. Duncan seemed uncertain whether a formal protest about the issue had been raised by members of their organization at the time the materials were displayed by poll workers. The other observer also appeared to be uncertain whether a formal protest was made at the time the possible indiscretion was noted.