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REPRESENTATIVE WM. WESTON J. NEWTON
THE HOUSE OF REPRESENTATIVES
STATE OF SOUTH CAROLINA
District No. 120 - Beaufort and Jasper Counties

COMMITTEES:
Judiciary
Legislative Oversight, Chairman

LEGISLATIVE DELEGATION OFFICES:
Beaufort: (843) 255-2260 Fax: (843) 255-9425
Jasper: (843) 726-6019 Fax: (843) 726-5068

House Legislative Oversight Committee
Post Office Box 11867
Columbia, South Carolina 29211
Delivered Via Email

March 11, 2021

Dear Colleagues:

The conduct of elections is a core function of government. Over the past four months, I have been in contact with constituents alleging, based upon their research, significant numbers of deceased individuals in the first congressional district remain on the state's active voter registration list, including some with an indication that post-death voting in their name has occurred. Additionally, the constituents voiced frustration about the State Election Commission's process in maintaining accurate voter rolls.

As part of my due diligence in responding to this constituent inquiry, I wrote the State Election Commission seeking information about the process for removing deceased voters from the state's active voter registration list. The substantive response was a three-line update to materials submitted during our Committee's study of the agency in 2017. Enclosed for your review is a copy of my correspondence with the State Election Commission and the agency's response.

This week I spoke with the constituents again about their research and, from an initial observation, their research appears to be credible. Accordingly, I invited the constituents to testify before the Committee, as public input is a cornerstone of our process.

Additionally, this week Representative Bill Hixon approached me about similar concerns. Enclosed please find a copy of correspondence outlining his concerns about the process of removing deceased people from the state's voter rolls and incomplete responses to his inquiries by the State Election Commission.

Given these concerns about a core function of government are surfacing in multiple areas of the state, I question if these are isolated issues or a broader one indicating opportunities for improvement to the State Election Commission's procedures. While I am mindful discussion of election issues has the potential to devolve into partisan rhetoric, I am confident our bi-partisan legislative oversight process will continue to focus on fact-finding and program improvements no matter the issue under review.

Sincerely,

A handwritten signature in cursive script that reads "Wm. Weston J. Newton".

Wm. Weston J. Newton

Enclosures

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February 2, 2021

Director Marci Andino
State Election Commission
Post Office Box 5987
Columbia, South Carolina 29250

Via Email: marci@elections.sc.gov

Dear Director Andino:

Many of my constituents are inquiring about the safeguards that are in place to maintain the integrity and security of South Carolina elections. A purpose of this letter is to inquire, generally, as to the process for removing deceased individuals from the list of active, registered voters.

As I recall, information on this topic was discussed during the 2017 House Legislative Oversight Committee's Study of the State Election Commission. Enclosed please find the information shared by the agency on May 24, 2017 (see page two) to the Committee. Has the process changed? If yes, please explain. More importantly is the process of timely removing deceased persons from the voter rolls followed and are there any concerns that it may not be working as well as it should? Please advise if there are any legislative actions that may improve either the process or adherence to the process.

I look forward to your response. Thank you for your service to the citizens of South Carolina.

Sincerely,

A handwritten signature in cursive script that reads "Wm. Weston J. Newton".

Wm. Weston J. Newton

SEC Attachment #5

Verification of Voter Qualifications

SEC = State Election Commission

County Board = County Board of Voter Registration and Elections

Initial Registration – All Qualifications Verified by County Board at Time of Registration	
All applicants must complete a voter registration application. The applicant must attest to all qualifications on the voter registration application and by signing the application, takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.	
Qualification	Verification Method
Identity	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Required Method 2 (in person and by mail): Individual provides a copy of any current, valid photo ID or a copy of a utility bill, bank statement, paycheck or any government document showing the individual's name and address in the county.</p> <p>Required Method 3 (online): Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p>Required Method 4 (National Voter Registration Act Agencies): Voter registration agencies confirm an individual's identity through their client identification process during registration for services.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual submitting the application is not the person he/she claims to be.</p>
U.S. Citizen	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Required Method 2 (by mail): Individual must check box indicating they are a U.S. Citizen.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual is not a U.S. Citizen. Acceptable documents to prove citizenship include: (1) Birth certificate (issued by a U.S. State or U.S. Department of State); (2) U.S. Passport (issued by U.S. Department of State); (3) Certificate of Citizenship; and (4) Naturalization Certificate.</p>
18 Years of Age (or will be 18 years of age by the date of an upcoming election if the voter is applying within 150 days of the voter registration deadline for that election or an associated primary)	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Required Method 2 (online): Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p>Required Method 3 (National Voter Registration Act Agencies): Voter registration agencies confirm an individual's age through their client identification process during registration for services.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual is not (or will not be) 18 years of age.</p>
Resident of County and Precinct	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

SEC Attachment #5

Qualification	Verification Method
	<p>Required Method 2 (online): Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p>Required Method 3 (National Voter Registration Act Agencies): Voter registration agencies confirm an individual's address through their client identification process during registration for services.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual is not a resident of the county and precinct in which the individual is registering.</p>
Not in Jail or Prison Serving Sentence for Conviction of a Crime	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual is in jail or prison serving a sentence for conviction of a crime.</p>
Not Convicted of a Felony or Offense Against the Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual has been convicted of a disqualifying offense and has not served the sentence or been pardoned.</p>
Not Adjudicated by Court to be Mentally Incompetent	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

Removal from List of Active, Registered Voters – Voters are removed at various times by SEC. Removal means the voter's status is changed from "Active" to "Inactive." Voter records remain in the statewide voter registration system permanently.		
Reason for Removal	Source of Information	Frequency
Death	DHEC's Bureau of Vital Statistics sends the SEC an electronic file of all those over 18 who are deceased (file includes records of only those who die in South Carolina, someone could be registered to vote here, but die in another state).	Monthly
	Social Security Administration Death File	Program under development and testing
	Correspondence from family	As received
U.S. Citizen	Voter request, information from courts	Varies
Resident of County and Precinct	Confirmation card mailing	Approximately every 4 years
	Returned mail sent by county boards to voters that has been returned as undeliverable.	As received
	Voter request received by the SEC	As received
	Information from other states/jurisdictions received by the SEC	As received

SEC Attachment #5

Reason for Removal	Source of Information	Frequency
	Information received from the Interstate Crosscheck Program with other states. Upon receipt of information showing a voter has a later registration date in another state, the SEC sends voter a postcard to confirm their status.	Biennially in odd-numbered years
	DMV notifies the SEC of SC Driver's Licenses surrendered in other states at which time the SEC sends voter a postcard to confirm their status.	Program under development and testing
	Information received from the courts including undeliverable jury summons, returned jury summons indicated voter has moved, and court rulings.	As received
Voter Convicted of a Felony or Offense Against Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	Information received from Court Administration or the US Attorney	Monthly
Adjudicated by Court to be Mentally Incompetent	Court documents received by the SEC	As received

February 24, 2021

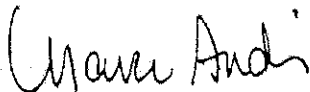
The Honorable Wm. Weston J. Newton, Chairman
House Legislative Oversight Committee
228 Blatt Building
Columbia, SC 29201

Dear Chairman Newton:

Thank you for your letter dated February 2, 2021, inquiring as to any changes in the process for removing deceased voters from the active voter registration list since this topic was addressed before the House Legislative Oversight Committee (HLOC) in 2017. Since joining the Electronic Registration Information Center (ERIC), the State Election Commission now receives monthly reports on deceased voters from a second source which uses information obtained from the Social Security Administration Death Master File. This additional source helps ensure the timely receipt and processing of available information on deceased voters. For your reference, I have enclosed an updated version of the Verification of Voter Qualifications attachment previously submitted to the HLOC.

Please feel free to contact me with any additional questions or concerns.

Sincerely,



Marci Andino
Executive Director

Enclosure

COMMISSIONERS

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Chairperson

JOANNE DAY

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Verification of Voter Qualifications

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Qualification	Verification Method
Identity	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Required Method 2 (in person and by mail): Individual provides a copy of any current, valid photo ID or a copy of a utility bill, bank statement, paycheck or any government document showing the individual’s name and address in the county.</p> <p>Required Method 3 (online): Individual provides S.C. Driver’s License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p>Required Method 4 (National Voter Registration Act Agencies): Voter registration agencies confirm an individual’s identity through their client identification process during registration for services.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual submitting the application is not the person he/she claims to be.</p>
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18 Years of Age (or will be 18 years of age by the date of an upcoming election if the voter is applying within 150 days of the voter registration deadline for that election or an associated primary)	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p>Required Method 2 (online): Individual provides S.C. Driver’s License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p>Required Method 3 (National Voter Registration Act Agencies): Voter registration agencies confirm an individual’s age through their client identification process during registration for services.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual is not (or will not be) 18 years of age.</p>
Resident of County and Precinct	<p>Required Method 1: Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

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Qualification	Verification Method
	<p>Required Method 2 (online): Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p>Required Method 3 (National Voter Registration Act Agencies): Voter registration agencies confirm an individual's address through their client identification process during registration for services.</p> <p>Optional Method 1: County Boards may request additional information from an individual if the board has reason to believe the individual is not a resident of the county and precinct in which the individual is registering.</p>
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Removal from List of Active, Registered Voters – Voters are removed at various times by SEC. Removal means the voter's status is changed from "Active" to "Inactive." Voter records remain in the statewide voter registration system permanently.

Reason for Removal	Source of Information	Frequency
Death	DHEC's Bureau of Vital Statistics sends the SEC an electronic file of all those over 18 who are deceased (file includes records of only those who die in South Carolina, someone could be registered to vote here, but die in another state).	Monthly
	Information received from ERIC (Electronic Registration Information Center) based on Social Security Administration Death File	Monthly
	Correspondence containing death information (i.e., death certificates or obituaries)	As received
Non-U.S. Citizen	Voter request, information from courts	As received
No Longer Resident of County and Precinct	Confirmation card mailing	Approximately every 2 years in odd-numbered years
	Returned mail sent by county boards to voters that has been returned as undeliverable.	As received
	Information from other states/jurisdictions received by the SEC	As received

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Reason for Removal	Source of Information	Frequency
	Information received from various sources and national databases via ERIC. Upon receipt of information showing a voter has a later registration date in another state, the SEC sends voter a postcard to confirm their status.	Program under development. Will be conducted monthly
	DMV notifies the SEC of SC Driver's Licenses surrendered in other states at which time the SEC sends voter a postcard to confirm their status.	Monthly
	Information received from the courts including undeliverable jury summons, returned jury summons indicated voter has moved, and court rulings.	As received
Voter Convicted of a Felony or Offense Against Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	SC Court Administration, US Attorney's Office and US Department of Justice	Monthly or as received
Adjudicated by Court to be Mentally Incompetent	Court documents received by the SEC	As received
Voter Request	Written request received from voter to be removed from registration list	As received.