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Response to Calls for a Forensic Audit, Random Opening of Voting Machines

North Carolina State Board of Elections staff prepared this document in response to questions about whether it will conduct a "forensic audit" of the 2020 general election or allow the opening of random voting machines to see if they contain modems.

Forensic Audit

The State Board and 100 county boards of elections conducted audits of results after the 2020 general election, as they do after every election. In one type of audit (<u>Download the results of the 2020 hand-to-eye sample audit</u>), bipartisan officials in every county counted every ballot by hand in two randomly selected precincts or early voting sites or absentee by-mail ballots. Statewide, the audits showed that machine counts of ballots were accurate. (<u>November 3</u>, 2020, general election audit report (<u>PDF</u>).

Also, every ballot in the close NC Supreme Court Chief Justice contest – about 5.4 million statewide – was re-run through a tabulator as part of a statewide recount, which confirmed the original results. A subsequent partial hand-to-eye recount also confirmed the winner in that contest.

After all audits and other post-election processes were completed to ensure accurate counts, the State Board certified the 2020 election results in a bipartisan vote. ("State Board Certifies Election Results from Historic 2020 General Election")

There is no evidence that the certified results of the 2020 general election are not accurate.

Federal election security officials have deemed the 2020 election the "most secure in American history" and stated that there is "no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised." ("Joint Statement from Elections Infrastructure Government Coordinating Council & the Election Infrastructure Sector Coordinating Executive Committees")

Former Attorney General William Barr has stated that there is no evidence of widespread fraud in the election. And in March 2021, the U.S. intelligence community issued a report stating that there is no evidence that any foreign actor attempted to interfere in the 2020 elections by altering any technical aspect of the voting process, including voter registration, ballot casting, vote tabulation, or reporting results. ("Intelligence Community Assessment, Foreign Threats to the 2020 U.S. Federal Elections")

In North Carolina, elected officials from both sides of the aisle have stated North Carolina's election was conducted fairly. In a fundraising email before a visit to North Carolina in June, for example, former President Donald Trump said: "North Carolina produced a big victory for us, without a fraudulent outcome..."

North Carolina elections officials have no evidence that any voting system in the state has *ever* been the target of a successful cyberattack.

The 2020 general election has been certified. There is no evidence of widespread fraud. No additional audits are necessary.

Public Inspection of Voting Machines

Recently, election officials have been asked to allow random inspections of North Carolina voting machines to ensure they do not contain modems.

The State Board will follow the guidance of our federal security partners and will not permit random public inspections of voting equipment, which is considered "critical infrastructure" in the United States.

Geoff Hale, director of the Election Security Initiative at the <u>Cybersecurity and Infrastructure Security Agency (CISA)</u>, said: "Allowing unknown, unauthorized, or inexpert actors physical access to critical infrastructure assets increases the risk of accidental or intentional damage, manipulation, or theft of assets and the data housed on or accessible via those assets. In such cases, the reliability, accuracy, and security of associated equipment and/or data cannot be guaranteed."

There is no evidence that North Carolina voting equipment has been tampered with, is connected to the internet, or is not in compliance with North Carolina law, which prohibits modem use.

The State Board oversees acceptance testing when counties purchase new voting equipment to ensure the equipment delivered to the county is the certified equipment ordered by the county. (See "<u>Getting the facts straight about modems and North Carolina</u>," ES&S) (See also "<u>SLI Compliance Verity Voting Wireless Bluetooth Connectivity Letter</u>," Hart InterCivic)

The state and county boards of elections must continue to safeguard critical voting infrastructure for all voters. As such, the State Board prohibits random inspections by unauthorized individuals.

Misinformation about Election Security

Mis- and disinformation about the 2020 general election are rampant. To that end, the State Board published <u>Combating Misinformation</u> to respond to inaccuracies about elections. For more information about election security in North Carolina, please visit the <u>Election Security</u> section of the State Board website, <u>NCSBE.gov</u>.

We encourage all North Carolinians to trust the hard work and the words of elections officials at the county, state, and federal levels who take oaths to uphold the Constitution and to conduct accessible, fair, and secure elections. We encourage voters to listen to the bipartisan election workers – often their friends and neighbors – who safeguard the voting process at every polling place, in every election. We urge voters to treat with skepticism the words of partisans with political and personal agendas who spread falsehoods about election processes and integrity.

We also encourage all voters to read the resources contained in this document and cited below. If you have questions, please consider getting involved in the process by working as an election official in your county or by attending county board of elections meetings. We cannot allow mis- and disinformation to undermine voter confidence in our election system.

Resources

Forensic Audit

NCSBE.gov, North Carolina State Board of Elections website

2020 Election Certification, NCSBE.gov

Results of 2020 Sample Hand-to-Eye Audit (XLS)

"County Boards of Elections Complete Post-Election Audits" (press release)

November 3, 2020 General Election Audit Results (PDF)

Post-Election Procedures and Audits, NCSBE.gov

"State Board Certifies Election Results from Historic 2020 General Election" (press release)

"State Board Certifies Supreme Court Contest, Removes County Board Member During Final Meeting of 2020" (press release)

"Joint Statement from Elections Infrastructure Government Coordinating Council & the Election Infrastructure Sector Coordinating Executive Committees" (CISA.gov)

"Intelligence Community Assessment, Foreign Threats to the 2020 US Federal Elections" (Office of the Director of National Intelligence)" (Press release, DHS.gov)

"Joint Statement from the Departments of Justice and Homeland Security Assessing the Impact of Foreign Interference During the 2020 U.S. Elections" (press release)

Election Security, NCSBE.gov

10 Facts About Election Security in North Carolina, NCSBE.gov

Public Inspection of Voting Machines

Election Security, DHS.gov

Letter re: Request for Access to Voting Systems, July 7, 2021

Letter to Representative Keith Kidwell, July 28, 2021

Voting Equipment, NCSBE.gov

"Getting the facts straight about modems and North Carolina," Election Systems & Software

"SLI Compliance: Hart InterCivic Verity Voting/Bluetooth Connectivity," Hart InterCivic