



CERTIFIED FRAUD EXAMINER

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Representative Murrell Smith
Speaker of the House – SC House of Representatives
506 Blatt Building
Columbia, SC 29201

Dear Speaker Smith,

In reviewing the Legislative Audit Council (LAC)'s January 2024 A REVIEW OF THE SOUTH CAROLINA ELECTION PROCESS, several major issues have been identified and require immediate action. This report contains much information that will be read by few, but wise governance dictates that critical faults in the administration of South Carolina elections be addressed.

- 1) Voter Roll issues - Ineligible voters on roll and casting votes, erroneous voters active
- 2) Audits done by SEC and counties not consistent and documented properly
- 3) How precincts and races selected – not random, but judgmental selection
- 4) SEC's HC process "missing important elements"
- 5) Voting equipment malfunctions – Electronic Poll Book and Tabulator/Scanner
- 6) Lack of transparency in election process and auditing of same
- 7) \$5m of voting equipment has been misplaced
- 8) Previous audit recommendations and findings have gone unaddressed
- 9) Spending of funds on asset management system \$450k+ improperly done in 2021 and not implemented yet
- 10) SEC was not providing ERIC with data from other state agencies in SC and was not implementing their recommendations
- 11) There was a failure to effectively utilize ERIC information
- 12) No proper asset management system being used to administer voting equipment assets
- 13) Only 27/46 counties replied for this audit - 58%
- 14) Only high-level description of audit procedures available to public
- 15) TEN additional SUVs purchased and added to a fleet of EIGHT already owned and underutilized. \$488k for TEN additional vehicles for a workforce of 29 FTEs
- 16) Public – Not allowed, No notice
- 17) Did not audit chain of custody at county level
- 18) DEF CON findings proving machine vulnerabilities, but no action taken
- 19) Funds from HAVA not requested, documented, and spent properly
- 20) Physical storage and access issues. Last DHS physical security audit 5/2021>6/2021
- 21) Very little documentation and analysis of machines – hardware & software. Critical infrastructure requires
- 22) Provisional ballots issued for "an equipment error"
- 23) SEC provided 5 counties' Policies & Procedures – "insufficient in content, outdated, and/or incoherent". Zero of ten counties which said they have P&P provided them

- 24) Alternatives to ERIC exist, but no research
- 25) Issues sent to SLED for action have resulted in no action
- 26) Whiteboard at Richland County Election Office's storage facility had passwords to the voting machines on it and the phrase, "Don't give this code out", during a public tour
- 27) Security issues at some county locations – seals not used properly
- 28) Information security within and among voting systems has not been addressed
- 29) SEC's election security guide has not been updated
- 30) County election officials are missing certifications and education credits
- 31) Receipt of more than \$6.5 million from outside organizations paid directly to SEC, counties, and individuals without proper approval and documentation

The information included in the LAC's report identifies issues that are allowing risk to election integrity in South Carolina. Act 150 in 2022 did some really good things to decrease election risk, but there is much more to do. The addition of an audit division and 52 new SEC employees by the end of 2024 will not answer the problems above; only process changes will. Complexity and volume of information make it easy to dismiss the need for change.

This is a request for you to address the issues identified by the LAC concerning the administration of our elections.

Sincere Thanks,



Laura W. Downing
Certified Fraud Examiner