

Testimony of Mr. Howard M. Knapp
Executive Director, South Carolina State Election Commission
U.S. Senate Committee on Rules and Administration
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Chairwoman Klobuchar, Ranking Member Fischer, and Members of the Committee:

Thank you for inviting me to present the South Carolina perspective on election administration and discuss the ways my state has kept our elections accurate, secure, credible, and accessible.

I am a firm believer that elections play a vital role in a free and fair society and are the cornerstone of our republic. There is an important link between the trust in our election process and the confidence our citizens place in all government functions.

Since being appointed in January 2021 to my post as Executive Director of the South Carolina State Election Commission (SEC), a five-member bipartisan committee appointed by the Governor to oversee election operations, and subsequently being confirmed by the South Carolina Senate, I have strived to improve and protect the security and resilience of our state's election infrastructure while implementing the reforms needed to move South Carolina forward.

South Carolina has long been a national leader in election operations. We were the first state to have a statewide voter registration system and the first to make our application system available on the internet. It is in this vein that the S.C. General Assembly introduced, unanimously passed, and the SEC ultimately implemented sweeping, bipartisan election reform legislation in May of 2022.

The most substantial election reform legislation in modern South Carolina history, Act 150 of 2022 established no-excuse early voting two weeks prior to an election, amended absentee ballot processes, and modified election crime penalties. Any registered South Carolina voter can now visit early voting locations and vote like they would at their polling place on Election Day, replacing the need for in-person absentee voting. Election law violations including fraudulent voting or attempting to fraudulently vote are now felonies with heightened penalties that hold those that wish to interfere with our elections accountable.

While the process to implement early voting has taken other states more than six months, the SEC managed to do it successfully in 10 days, just in time for statewide primaries in June. As a result of quick action to implement the new legislation, early voting was used for the first time in the state's history, and more than 100,000 voters chose to vote early throughout the state. The SEC spent June through October helping counties prepare for the general election, which was even more successful than the primaries. Over half of all registered voters voted and almost half of all votes cast were cast before the general election either via early voting or absentee. We credit this remarkable turnout, during early voting and on Election Day, to a robust voter education campaign that informed the public of the new laws and election changes through frequent statewide messaging with a multitude of touchpoints to reach every eligible voter.

In a statewide survey conducted after the passage of Act 150, 85% of voters indicated they felt confident in the accuracy of South Carolina elections, compared with only 66% in those carried out nationally. 97% of South Carolina voters felt registering to vote was easy and 93% felt their local polling place was organized and well run.

While election reform legislation undoubtedly positively impacted our election processes during the 2022 cycle, so did the annual work that the SEC and county election officials carry out to maintain the integrity of our election system. This starts with accurately maintaining South Carolina's list of registered voters.

When a person registers to vote, the person remains registered until disqualified for moving outside their county, being convicted of a disqualifying crime or ruled mentally incompetent, requesting their name be removed from the list, or death. Approximately every two years, confirmation cards requesting voters to confirm their registration status are mailed to voters who have not voted in the last two general election cycles. Voters who return the card indicating they have moved, voters whose cards are returned undeliverable by the U.S. Postal Service, and voters who do not respond are made inactive. Notices are sent to voters when they are made inactive giving voters a chance to let us know if the removal was in error. This process not only provides a systematic process for removing disqualified voters but also protects qualified voters from erroneous removal and ensures qualified voters are not prevented from voting.

If there is ever any question about a voter's qualifications to vote, the voter can always cast a provisional ballot. This allows county election officials time to research the facts specific to the voter so the county board of voter registration and elections can decide whether to count the ballot.

In addition to maintaining accurate voter lists, the SEC has developed an unprecedented partnership of state, federal, and private cybersecurity professionals as well as state and federal law enforcement and intelligence agencies that are tasked with protecting the security of our elections and investigating misconduct.

After Election Night and before certification of state and federal elections, South Carolina requires hand count audits to be conducted in every county. At the state level, we select the precincts and offices to audit in each county for state and federal races while local officials select the same for local elections. During this process, election officials publicly open the ballot box for the selected precincts and hand count the votes for the selected office on the voter-verified paper ballots.

The SEC also conducts independent results-verification audits which allow election officials to maximize the technological functions of the voting system while minimizing human error and eliminating chain of custody issues by using securely stored ballot images, rather than voted paper ballots.

Recently, I successfully advocated for additional state appropriations that have allowed the SEC to establish a dedicated audit division with the agency. This division will soon be tasked with conducting county compliance audits in addition to overseeing the aforementioned auditing procedures. These compliance audits will ensure that County Boards of Voter Registration and Elections follow federal law, state law, and SEC policies and procedures.

As we look forward to the future, including leading off the nation in the 2024 presidential primaries, the SEC is confident in our election processes and procedures that have delivered accurate election results for our citizens for countless election cycles. South Carolina will continue to be a national model and leader in election administrations, and we remain committed to being transparent with the public at every turn. We stand ready to assist and provide feedback to the U.S. Congress as it contemplates national reform efforts. South Carolina's election success can serve as a framework for

other states as they look to improve upon the cornerstone of American democracy and instill greater trust in the outcome of our elections.

Thank you.