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## Elections Bureaucrats Ran Amok

Posted on February 19, 2013 by Susan Myrick in Elections & Voting

In a blatantly partisan move, the staff of the North Carolina State Board of Elections (SBE) successfully subverted state law to facilitate online voter registration in North Carolina by the 2012 Barack Obama campaign. In doing so they coordinated with partisans behind closed doors, lied about the NC Attorney General's Office concurring with the SBE staff on the issue, and dodged oversight by their own board and the legislature. The end result was to add thousands of people to the North Carolina voter rolls illegally.

The SBE staff's audacity is so breath-taking that it's hard to believe, so let us emphasize: The Civitas Institute has documented how SBE bureaucrats conspired with a private company, working for the Obama campaign[i], to facilitate a form of online voter registration for the 2012 General Election – in violation of state law. It's a classic example of how bureaucrats ignore the democratic process and hijack an agency for partisan purposes.

### Breaking the Law

Civitas initiated a series of public records requests to uncover this scheme concerning online registration in defiance of state law.

NCGS 163-82.6(b) clearly states that the only form where an electronically captured signature can be used is one offered by a state agency:

NCGS 163-82.6 (b) Signature – The form shall be valid only if signed by the applicant. An electronically captured image of the signature of a voter on an electronic voter registration form offered by a State agency shall be considered a valid signature for all purposes for which a signature on a paper voter registration form is used. [Emphasis added]

The major use for this is for voter registration when people get their drivers licenses.

Yet the SBE staff set in motion a scheme that in the last two months of the election resulted in more than 11,000 people being allowed to register online. Civitas has confirmed this by a public records request to all 100 counties and is still compiling the total number of registrations as counties comply with the request. Thus far, 68 percent of the registrations we have received were Democratic voters, 10 percent were Republican voters and 21 percent from unaffiliated voters.

Don Wright, SBE General Counsel, played word games when answering inquires about the Obama campaign's own re-election site Gottaregister.com, which utilized the technology that SBE staff approved. Wright repeatedly denied that the SBE allowed online voter registration, insisting that it was "web-based voter registration"[ii] instead, as if there could be a "web-based" process that wasn't online.

The technology from Allpoint Voter Services uses remote-control pens to transmit "signatures" over the Internet, according to *techpresident.com*[iii]. After entering voter information in an online form, the citizen "signs" it with a stylus or a finger. The Allpoint technology records the signature and then transmits it to one of two autopens – one in California, the other in Nevada[iv]. One of the pens transcribes the signature on to a paper voter registration form. Allpoint then mails the documents to local election boards – or is supposed to, a point we'll come back to.

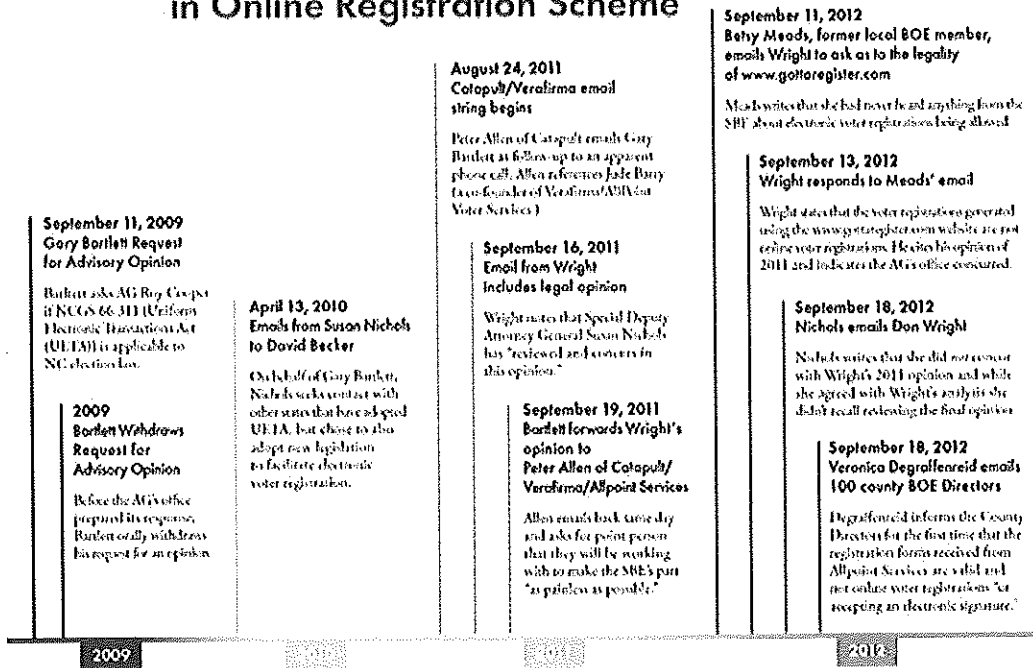
To say this is not "online" registration but "web-based" is like saying a certain vehicle is not a car, it's an automobile. The point of having a "wet signature" – one in ink – is to provide a universally accepted way proving that a prospective voter is affirming in person all the facts on the form. To have an auto pen inserted at one point in

this long computerized process is a far different thing. Even the Obama campaign called it online voter registration. Because, no matter how you twist words around, that's what it is.

North Carolina law does not authorize any kind of online voter registration, however "wet" or "web-based" it might be. Neither the term "wet signatures" nor the phrase "reduced to paper" appear in the NC General Statutes. The term "wet signature[v]" was put in use in the context of elections by Allpoint Voter Services promoting the product it was providing to the Obama campaign. "Wet signature" is a term that Wright returns to often, even in the legal opinion he authored to support the staff decision.

Following the Paper Trail

## Key Moments in Online Registration Scheme



Click the image above for a larger version.

The scheme appears to go back at least three years, beginning with cautious probes into the topic. The oldest document found pertaining to online voter registration was uncovered in a previous, unrelated Civitas records request to the SBE. It is a letter to Attorney General Roy Cooper[vi] from Gary Bartlett, Executive Director of the SBE, dated September 11, 2009, formally requesting an advisory opinion of the "effect NCGS 66-311 Uniform Electronic Transactions Act (UETA) upon possible electronic voter registration." That in itself is a bit odd, as UETA is the state law governing commercial transactions in general, and is in a totally different section of the state's legal code from the election laws. Bartlett asked specifically whether UETA would make it permissible for a county board of elections to accept an electronically submitted voter registration application that has been electronically signed. Bartlett also asked the AG if voter registration is outside the scope of UETA.

Since we did not have a reply to Bartlett's request, we submitted a records request on January 16, 2013, to the Attorney General's Office. In answer to our request, Special Deputy Attorney General Susan Nichols informed Civitas that Bartlett orally withdrew the written request in question before a response was prepared.

The next documents[vii] in the timeline can be attributed to the Attorney General's Office also. Nichols forwarded to Civitas a string of emails dated April 12 – 13, 2010. The emails were a conversation between Nichols and David Becker, Director of Election Initiatives for the Pew Center on the States. Nichols, on behalf of Gary Bartlett, was seeking contact with other states that had adopted UETA. Bartlett wanted to know if the other states chose to also

adopt new legislation to facilitate electronic voter registration. Yet why would Bartlett need the AG's Office to be the go-between? Did he want to keep his profile low?

This inquiry into UETA also appeared to die after an email from Becker to Ms. Nichols. He included a list of states that had passed some form of online voter registration: Arizona, California, Colorado, Kansas, Oregon, Utah and Washington.

We could surmise from these two tentative inquiries that the SBE was hoping UETA would supersede NCGS 163-82.6, the only North Carolina election statute that speaks to the use of electronic voter registrations. We might also suspect that the conversation stopped abruptly with both these inquiries because the SBE could not risk a written decision that would prevent it from forging ahead with its online voter registration scheme.

### Party Politics

The SBE staff's following move shows their deep collaboration with Obama allies. The next document pertaining to online voter registration was dated more than a year later, on **August 23, 2011**. Gary Bartlett was forwarded an email from Veronica Degraffenreid[viii], SBE Elections Liaison, with the link to consulting firm Catapult Strategies, specifically the page that introduces Jude Barry. Barry is Catapult's CEO and co-founder and is co-founder of Verafirma and Allpoint Strategies.

Jude Barry's political credentials would be considered stellar in Democratic/liberal circles. According to the Catapult site; "In December 2006, he created the Obama for America Draft Committee, the first political committee to raise thousands of dollars online to encourage then-Senator Obama to run for the Presidency." The Catapult website elaborates on Barry's political accomplishments[ix] by noting that he began his career in politics as Senator Edward Kennedy's press aide and later deputy political director. He also worked on presidential bids by liberal Democrats Gary Hart, Richard Gephardt and Howard Dean.

The next day, **August 24, 2011**, Peter Allen, Lead Organizer for Verafirma, contacted Gary Bartlett by email[x] in reference to a phone call he had with the SBE staff. Note that Allen is also an Associate on the Catapult Strategies team.

Catapult Strategies, Inc. describes itself as "a Silicon Valley-based social media, public relations, and political consulting firm with strong ties to and extensive knowledge of Silicon Valley business and political communities." Verafirma is a technology company whose projects include the use of electronic signatures for politics. The firm is featured on Catapult Strategies' website as a "related company."

On the Catapult site, Allen's bio refers[xi] to Democratic connections too, "Peter has dedicated the past few years developing a rich understanding of online social media tools and how they can be used to empower and mobilize people on behalf of a candidate or cause. He saw this potential come to fruition as an organizer on Barack Obama's historic 2008 presidential campaign ...." Allen was on the Obama campaign's payroll in May 2008.

It is important to note that in a **September 26, 2012** email to Civitas[xii], Don Wright insisted that the SBE had not been contacted by any campaign, candidate, legislator, or political party. That looks like another word game. Catapult Strategies could easily pass for the outreach and new media wings of the Obama Campaign.

There's a money trail too: from **October 2, 2012** to **October 24, 2012**, according to Federal Elections Commission data, there were 12 separate payments from the Obama campaign to Allpoint Voter Services, Inc. (See table below.)

Moreover, the number of payments raises another question. That is, there isn't a single fee or two, but a series of fees of varying sizes as Allpoint collected signatures. Was the Obama campaign paying Allpoint Voter Services for each registration collected? Doing so would be a violation of NCGS 163-82.6 (a) (2), which states "To sell or attempt to sell a completed voter registration form or to condition its delivery upon payment" is a class 2 misdemeanor.

SBE attorney Don Wright, in response to inquiries as to whether there was any discussion with Allpoint Voter Services in reference to payments for registrations, said that he had no direct contact with the company but Gary Bartlett, Veronica Degraffenreid and Marc Burris were the staff members who talked directly with the company. According to Wright, the company was never asked if they were being paid for each registration delivered.

We do know that not all forms completed on the site were accepted. Some users were told to print and mail the form on their own. This shows that they were not intending to serve all citizens, but only ones that met a preselected criterion.

After a few short emails over a matter of a few days, but without ever having talked to the company himself, Wright produced a legal opinion approving the Allpoint Voter Services voter registration technology in North Carolina. His opinion dated **September 16, 2011 [xiii]** claimed it was reviewed by the North Carolina Attorney's General Office, which concurred in it. That statement is untrue (as you will see later), but since this appears to be an internal SBE staff document it went unchallenged at the time.

On **September 19, 2011**, Bartlett forwarded Wright's opinion to Peter Allen. The same day, Allen emailed back and asked for the point person they will be working with to make the SBE's part "as painless as possible." Bartlett responded that Degraffenreid and Burris would be the points of contact going forward.[xiv]

### Election Year Revelations

A year went by without evidence of discussion about the new voter registration technology, however. No documents for the period from **September 19, 2011 to September 11, 2012** were turned over as part of our public records request, almost a year of silence on this by the SBE staff. This silence was broken with less than two months to go before the General Election.

Betsy Meads, a former Pasquotank County BOE member, was the first person to ask about the online voter registration process. It was a happenstance that her son ran across the gottaregister.com website. The next day, **September 11, 2012**, Betsy Meads sent an email[xv] questioning Don Wright as to the legality of the President's online voter registration site. She wrote, "This is contrary to the Statute as I read it, and as I was just in Chapel Hill at training for local board members August 14<sup>th</sup>, I'm sure I didn't hear anything about electronic registrations in NC being allowed." The SBE held the Annual Training for Elections Officials on **August 13-14, 2012**.[xvi]

On **September 13, 2012**, Wright delivered an answer to Meads – which was also the answer he gave later to Civitas and one other person who would ask the question about registering to vote online in North Carolina: "There is no online voter registration[xvii] allowed in North Carolina ...." He also forwarded Ms. Meads the legal opinion he had written in **2011** which stated that the North Carolina Attorney's General Office had concurred in it.

As previously referenced, the statement that the AG's office had concurred is false. In an email I received from the Attorney General's office, dated **September 18, 2012**, Susan Nichols informed Don Wright that she did *not* concur [xviii] in that decision. In fact, before she had taken her post with the AG, the AG's office ended the procedure of allowing attorneys to state they concur in an opinion they did not author.

By the time Wright received Nichols' email, revelations about the online registrations were breaking into the open.

In what appeared to be a move to head off any problems at the local level, on **September 18, 2012** the SBE notified the 100 counties to expect a new kind of voter registration. Veronica Degraffenreid sent the email to the County Directors[xix], explaining, describing and defending the new registrations. This email explanation went out just over a month after the SBE had election representatives from across the state at a training session in Chapel Hill – at which they never mentioned this new kind of registration.

Her email went out a day after Gary Bartlett received an email from George Gilbert, Guilford County BOE Director, reporting that they had received "a good number of registration forms from Allpoint Voter Services." Gilbert went on to say they contained signatures that were "immediately suspect.[xx]" The timing of the responses to Meads and

to the counties raises the question of when, if ever, the state SBE would have brought the online registrations to the notice of the counties. Were SBE bureaucrats hoping no one would bring up the online registrations until after all the votes were certified?

Subsequently other counties questioned these forms and offered some observations about problems with them. For example, the Duplin County BOE Director said, "The part we find the most questionable is the similarity of all the signatures ...." Rockingham County wrote, "The forms have info typed in and the signatures all resemble each other and it appears the envelope was addressed with the same marking pen." Rockingham County also noted one signature did not match the voter's registration with the DMV.

There are many problems and questions about the decision that the SBE bureaucrats' made in relation to registering to vote online. For instance, Betsy Meads used gottaregister.com to change her party affiliation from Republican to unaffiliated. Once she "signed" her iPhone, she was informed that her registration would be forwarded to her local BOE. That didn't happen: 36 hours later she received an email with a link to her registration. She was told to print the form, sign it and then mail it to the SBE. Did the Obama Campaign prioritize registrations? Did they send some registrations directly to the elections board and decide that others could be sent to the voters?

Perhaps most disturbing, the SBE staff apparently tried to keep this all from the view of the public and even county elections boards until mere weeks before the election, which raises the disturbing question of whether those involved were aiding a last-minute registration surge planned by the Obama campaign.

This is not an isolated incident[xxi], but just one more example of how the SBE staff flouts the law, the legislature and their own board in order to further a partisan agenda. All North Carolina citizens should be aware of the importance of reforming the SBE so that it carries on its duties in a transparent manner, with full regard for the democratic process and in a way that instills trust in the North Carolina election system.

cand_nm	recipient_nm	disb_amt	disb_dt	recipient_city	disb_desc
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$5,932.50	10/2/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$4,886.00	10/2/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$7,091.00	10/5/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$10,076.50	10/5/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$10,591.00	10/10/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$7,840.00	10/12/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$9,355.50	10/15/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$9,345.00	10/18/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$11,725.00	10/18/12	OAKLAND	COMPUTER SOFTWARE
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	\$15,512.00	10/18/12	OAKLAND	COMPUTER SOFTWARE

Obama, Barack	ALLPOINT VOTER SERVICES, INC.	OAKLAND COMPUTER SOFTWARE
	\$1,568.00	10/22/12
Obama, Barack	ALLPOINT VOTER SERVICES, INC.	OAKLAND COMPUTER SOFTWARE
	\$973.00	10/24/12

- [i] August 2011 – SBE introduction to Allpoint Voter Services
- [ii] September 13, 2012 email from Don Wright with initial explanation of online voting
- [iii] “Tech President” October 26, 2012
- [iv] Email from Veronica Degraffenreid about the location of the two pens
- [v] “Government Technology” September 21, 2012
- [vi] September 11, 2009 letter from Gary Bartlett to Attorney General asking for “Advisory Opinion”
- [vii] Susan Nichols letter to Civitas, email to Don Wright and email string to Pew Center on the States on behalf of Gary Bartlett
- [viii] August – September 2011 – SBE and Allpoint Voter Services communications
- [ix] Catapult Website – Jude Barry
- [x] August, 2011 – Peter Allen emails
- [xi] Catapult Website – Peter Allen
- [xii] Don Wright Email to Civitas in response to inquiry
- [xiii] Don Wright’s legal opinion dated September 16, 2011 – Susan Nichols concurs
- [xiv] August 2011 – SBE introduction to Allpoint Voter Services
- [xv] September 11, 2012 email from Betsy Meads to Don Wright
- [xvi] August 13-14, 2012 Annual Training for Elections Officials –Agenda
- [xvii] September 13, 2012 email from Don Wright explaining that there is no online registration in North Carolina
- [xviii] September 18, 2012 email from Susan Nichols to Don Wright explaining that she did not concur in his legal
- [xix] September 18, 2012 email from Degraffenreid to 100 County BOE Directors registrations from Allpoint Voter Services
- [xx] September 17, 18 and 24, 2012 emails from local Boards reporting that they had received suspicious registrations
- [xxi] Bob Hall and the SBE

*This article was posted in Elections & Voting by Susan Myrick on February 19, 2013 at 4:21 PM.*

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This article can be found at <http://www.nccivitas.org/2013/elections-bureaucrats-ran-amok/>

**RE: Barry information**

Burris, Marc  
To: Degraffenreid, Veronica;  
Cc:  
Bcc:  
Attachment: [image001.jpg](#)

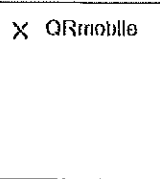
---

<http://democracy.verafirma.com/features.htm>

It looks like this is what he's going to pitch

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**Marc Burris, CGCIO**  
Chief Information Officer  
[NC State Board of Elections](#)  
Ph: (919) 715 - 1673  
[MARC.BURRIS@NCSBE.GOV](mailto:MARC.BURRIS@NCSBE.GOV)



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**From:** Bartlett, Gary  
**Sent:** Tuesday, August 23, 2011 1:46 PM  
**To:** Degraffenreid, Veronica; Burris, Marc  
**Subject:** RE: Barry Information

Iphone and ipod toys

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**From:** Degraffenreid, Veronica  
**Sent:** Tuesday, August 23, 2011 1:42 PM  
**To:** Bartlett, Gary  
**Subject:** Barry Information

<http://www.getcatapult.com/team/jude-barry>

VERONICA DEGRAFFENREID | N.C. State Board of Elections | Elections Liaison |  
919.715.1830 | [veronica.degraffenreid@ncsbe.gov](mailto:veronica.degraffenreid@ncsbe.gov) | [www.NCSBE.gov](http://www.NCSBE.gov)  
E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

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**FW: Modernizing voter registration**

Degraffenreid, Veronica

To: Wright, Don; Susan Nichols;

Cc:

Bcc:

Attachment: [Allpoint.pdf](#)

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The remote signing does purport to take into account pressure, etc. See video link . . .

**From:** peter@getcatapult.com [mailto:peter@getcatapult.com] **On Behalf Of** Peter Allen

**Sent:** Wednesday, August 24, 2011 12:30 PM

**To:** Bartlett, Gary

**Subject:** Modernizing voter registration

Mr. Bartlett,

Thanks for taking the time to talk with us today at 1 pm Eastern. On the call from our end will be co-founders Jude Barry and Michael Marubio.

As a manner of introduction to our technology, please have a look at this [2-minute video demonstration](#) and read the [attached pdf](#). We believe that this method of voter registration is not only acceptable in all 50 states but that election officials have no choice but to accept it since the individual is signing the National Voter Registration form.

Thanks once again for your time.

Cheers,  
Peter

--  
Peter Allen  
Lead Organizer  
[Verafirma](#)

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**Thank you and follow up**

peter@getcatapult.com

To: Bartlett, Gary;

Cc: Jude Barry; Michael Marubio;

Bcc:

Attachment:

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Mr. Bartlett,

Thanks once again to you and your staff for taking the time to talk with us about modernizing voter registration in North Carolina. We're excited about moving forward — and hopefully saving you from the "sea of paper" you referenced on our call.

I've cut and pasted a message we received from the state of Washington regarding our technology (see below). We've just received a similar message from officials in Oregon. Would you please review this and let us know if you concur with these states that there is no basis to reject National Voter Registration Forms completed using the Allpoint Pen.

Per your request, we'll drop a sample of a completed form in the mail which should reach your office in the next few days.

We're very glad to hear that you're interested in entirely **electronic submission**, and as Michael said on the call, we'd be happy to implement that process in North Carolina. If the consensus on your end is that this can be done, we can send you more details about the process and even walk you through a live demo.

Again, we appreciate your time, vision, and prompt attention to these matters.

Regards,  
Peter

--  
**Peter Allen**  
Lead Organizer  
[Verafirma](#)

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----- Forwarded message -----  
From: Murphy, Patty  
Date: Wed, Aug 17, 2011 at 5:20 PM  
Subject: RE: Online Voter Registration Questions  
To: Michael Marubio <[michael@verafirma.com](mailto:michael@verafirma.com)>

Dear Mr. Marubio,

If a Washington State voter used an electronic pen to fill out and sign a voter registration form, and then mailed the form to the Washington State Secretary of State, the application would be processed. We have no legal basis to reject the application.

In addition, if the registration application, filled in and signed by the voter using an electronic pen, were emailed to the Washington State Secretary of State or county jurisdiction, we would process the application. As a matter of fact, this method would be preferable to printing the application after signing, and then mailing it to our office.

We would prefer that our state voter registration form were used for this process, but would accept the national form. Our state form is found at --

<http://wv1.secstate.wa.gov/osos/en/voterinformation/Pages/ReglstertoVote.aspx>

Let me know if you have any questions.

*Patty Murphy* | Voting Systems Specialist

Elections Division | Office of the Secretary of State

(360) 902-4188 | helpdesk (360) 902-4194

520 Union Ave SE, Olympia 98501

PO Box 40229, Olympia 98504

[patty.murphy@sos.wa.gov](mailto:patty.murphy@sos.wa.gov) | [yrsupport@sos.wa.gov](mailto:yrsupport@sos.wa.gov) | [weisupport@sos.wa.gov](mailto:weisupport@sos.wa.gov)

*Innovative Technology Solutions ... because Accuracy, Access and Direct Democracy Matter.*

□□

**RE: Electronic Signature**

Bartlett, Gary

To: Peter Allen;

Cc: Degraffenreid, Veronica; Burris, Marc; McLean, Johnnie;

Bcc:

Attachment:

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Voter Registration – Veronica Degraffenreid; IT – Marc Burris

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**From:** peter@getcatapult.com [mailto:peter@getcatapult.com] **On Behalf Of** Peter Allen

**Sent:** Monday, September 19, 2011 2:17 PM

**To:** Bartlett, Gary

**Subject:** Re: FW: Electronic Signature

Gary,

This is tremendous news. Thanks so much for your diligence.

As we mentioned in our conversation, we want to make this as painless a process as possible on your end. With that in mind, who should be our point person for working with the state BOE as we move forward and begin submitting registrations?

Regards,

Peter

On Mon, Sep 19, 2011 at 7:26 AM, Bartlett, Gary <[Gary.Bartlett@ncsbe.gov](mailto:Gary.Bartlett@ncsbe.gov)> wrote:  
FYI

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**From:** Wright, Don

**Sent:** Monday, September 19, 2011 10:01 AM

**To:** Bartlett, Gary; McLean, Johnnie

**Cc:** Degraffenreid, Veronica; Burris, Marc; Susan Nichols

**Subject:** Electronic Signature

The attached opinion states the use of a remote electronic signature on a VR form that is reduced to paper and then delivered to a CBE is legal. It has been thoroughly reviewed and edited.

--

**Peter Allen**

Lead Organizer

[Verafirma](#)

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ii

**Wright, Don**

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**From:** Wright, Don  
**Sent:** Thursday, September 13, 2012 4:00 PM  
**To:** 'betsy@harborwholesaleandpromotions.com'  
**Cc:** Bartlett, Gary; Johnie.McLean@ncsbe.gov  
**Subject:** RE: Urgent - Registering Online in NC -  
**Attachments:** VWD 053.PNG; VWD 054.PNG

Dear Ms. Meads,

We have checked this website and found that the voter registration application that would be generated using the Gottoregister.com website is a form that is signed by the applicant using a remote pen that is controlled by the user on the device's screen, and a voter registration form with a "wet" signature is sent directly to a county board of elections for processing. This is not online voter registration. Online voter registration involves a web user entering their voter registration information into a web application and then having that data uploaded or fed into a state's statewide voter registration database system. With online voter registration, the applicant does not have to sign a paper application and a paper application with a wet signature is never delivered to the election official. Applicants utilizing the Gottoregister.com site have the option of printing their voter registration application themselves for signing and personal delivery to their county board of elections, or they can sign a paper application remotely and have their signed form delivered to their appropriate election official by a third party. Essentially, this is a web-based voter registration drive. State and federal law permit groups or organizations to offer voter registration forms to individuals and these groups or organizations can then accept the forms and deliver them to election officials by the voter registration deadline. For further clarification, please see the attachments which show screenshots taken from the gottoregister.com website.

We have not found that there is anything unlawful in the use of a printed voter registration form that is signed remotely by the applicant and is subsequently delivered to a board of elections by non-electronic means. There is a "wet" signature on the application that was generated using a pen that is remotely controlled by the voter registration applicant. Electronic remote signing is commonly used in commercial transactions, governmental documents, and other transactions. Further, county election officials carefully review all voter registration forms that are submitted to them for processing. The applicant's ID information will be validated through the DMV, and if ID information is not provided or does not validate, the applicant will need to show ID the first time he or she presents to vote.

This legal opinion of the lawfulness of remote signing was reached by myself several months ago and was reviewed at that time by the North Carolina Attorney's General Office which concurred in it. If you have a legal opinion tendered to you to the contrary, please forward it to us.

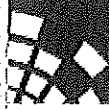
Sincerely,

Don Wright  
General Counsel

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**From:** Betsy Meads [mailto:betsymeads@roadrunner.com]  
**Sent:** Tuesday, September 11, 2012 7:41 AM  
**To:** Wright, Don  
**Cc:** Bartlett, Gary; Johnie.McLean@ncsbe.gov  
**Subject:** Urgent - Registering Online in NC -

Electronic Registrations in NC – The President has an APP for THAT!



## Thousands of People Have Used Remote-Controlled Pens Over The Internet To Register To Vote

BY SARAH LAI STIRLAND | Friday, October 26 2012

While it's a drop in the bucket in numbers, this election cycle has seen one science-fiction like innovation in an area that might seem dry as dust, yet holds significance for the future of voter engagement: Voter registration. This year, more than 100,000 people have used remote-controlled pens over the Internet to sign and complete their voter-registration forms.

President Obama's re-election campaign and Rock the Vote have both used the new service from the five-person startup Allpoint Voter Services in Oakland, Calif. The Obama campaign made the service available through its [GottaRegister.com](http://GottaRegister.com) Web site to voters in North Carolina, 10 other states and the District of Columbia. Campaign finance records show that the campaign spent almost \$43,000 from August through last week to use the service. Allpoint provided the service to Rock the Vote for free so that they could prove that the model works and can scale, says company spokesman Jude Barry. He claims that the system could potentially process a million voter registration forms a month.

For now, the total number is a fraction of that, yet it's been used in all 50 states, he says. The system works by capturing the motion of an individual's signature on a filled-out voter registration form online through a tablet device. Allpoint's system transmits the captured data from the motion of the signature and sends that information over the internet to a pen, which then renders the individual's signature in ink on a paper voter registration form in Allpoint's offices in Oakland. The staff then mail those forms off to the relevant local elections boards within 72 hours. Allpoint uses federal voter registration forms, which all states are bound by law to accept. Allpoint has received written opinions on the acceptability of the forms and their wet signatures from the District of Columbia, Cook County, Ill., Minnesota, North Carolina, New Mexico, Nevada, Oregon, Santa Clara County in California and Washington State. So far, no election authorities have challenged the validity of any of the submitted voter registration forms in any other jurisdiction, Barry says.

TechPresident [first reported on tests of this system](#) in February.

It's an interesting hack around the byzantine voter registration system in the United States that takes into consideration the needs and requirements of registrars and the existing legal system,

but also tackles the problem from the end-user point of view of having to complete and send off paper forms. The process of making voters fill out bits of paper and finding an envelope and stamp to send off their information has historically stymied voter registration levels. (Earlier this year in fact, the Pew Center on the States issued a report that said that a quarter of people in the United States who are eligible to vote were not registered.) This hack is meant to remove that process and have the company do it for them, while retaining the paper and the wet signature that state laws require.

"If you're asking people these days, particularly people under 40, to mail a piece of paper, which involves finding an envelope and finding a stamp, you're not going to get good results," he says.

Barry points to news articles about voter registration form completion rates and notes that other programs that ask voters to mail in the forms also have historically low completion rates. He claims that Allpoint's online system has an almost 84 percent completion rate.

"If you start the process with us, whether it's someone walking up to you, or someone sending you an e-mail link, or someone sending you a link through Facebook, our completion rate -- meaning people who actually get registered -- is 83.5 percent," he says.

He also claims that this system is more reliable, less labor intensive and more efficient than a volunteer-driven effort to register voters with in-person physical voter registration forms, and cheaper than paid voter registration drives, which can cost between \$2 to \$10 apiece.

"We started with the premise that we could help voter registration if we could make it easier for the user by using the touchscreen device, and getting rid of paper, but keeping it simple for the registrar, who is accustomed to using paper, and must legally accept the national voter registration form if it has a wet signature," Barry says. "We have now established a national, mobile, online registration system."

**FW: Opinion: Remote Signing of Voter Registration Applications**

Degraffenreid, Veronica

**To:** Bartlett, Gary; McLean, Johnnie;**Cc:** Wright, Don; Burris, Marc; Susan Nichols;**Bcc:****Attachment:** [Inquiry E-signature 2 .pdf](#)

Spoke with Michael of Allpoint Voter Services this morning. This process has been approved in writing from several other states: Nevada, Washington State, Oregon, Minnesota, Illinois and Massachusetts. A few other states gave verbal agreement and a few neither affirmed or rejected the process. No state rejected the process outright. 15 states in total reviewed this process.

Right now only the Obama Campaign and Rock the Vote are using this process. Allpoint is in discussion with other groups (maybe Republican party??), but they cannot announce their participation right now.

Allpoint is based out of Oakland, CA. There are two "pens." One is in Nevada and the other one in California.

---

**From:** Degraffenreid, Veronica
**Sent:** Tuesday, September 18, 2012 11:23 AM**To:** SBOE\_Grp - Directors.BOE**Cc:** SEIMS.ADD,BOE**Subject:** Opinion: Remote Signing of Voter Registration Applications

The opinion expressed in this email was reviewed by SBOE and AG counsel, as well as senior management of the State Board of Elections.

Recently, county boards of elections in North Carolina began receiving mailed voter registration forms from Allpoint Voter Services. Please note that these forms were signed by a voter registration applicant using a remote pen that is controlled by the user on an Apple or Android device. The person will sign the touch screen on the device and the person's finger or stylus movements then controls a remote pen that applies an actual "wet" signature directly onto the national voter registration application. The signed voter registration application is then mailed directly to the appropriate county board of elections.

Please note that although the applicant is using a web-based tool or application to complete a voter registration form, this process is not online voter registration or accepting an electronic signature. Online voter registration involves a web user entering their voter registration information into a web application and then having that data uploaded or transmitted into our state's statewide voter registration database system. With online voter registration, the applicant does not have to sign a paper application and a paper application with a panned signature is never delivered to the election official.

Persons using this remote signing process have the option of printing their voter registration application themselves, for signing and personal delivery to their county board of elections, or they can sign (pen to paper) a voter registration form *remotely* using a touch screen device and have their signed form delivered to their appropriate election official by a third party. Essentially, this is a web-based voter registration drive. State and federal law permit groups or organizations to offer voter registration forms to individuals and these groups or organizations can then accept the forms and deliver them to election officials by the voter registration deadline.

Our attorneys have researched this matter and agree that the use of a printed voter registration form that is signed remotely by the applicant and is subsequently delivered to a board of elections by non-electronic means is permissible. These forms should be accepted as valid voter registration forms. For the applications that you

OVER

receive from Allpoint Voter Services, there is a "wet" signature on the application that was generated using a pen that is remotely controlled by the voter registration applicant. As an election official, you should continue to carefully review all voter registration applications, regardless of source. You must ensure that all required fields are completed on these forms. As you know, when voter registration applications are processed, the applicant's ID information will be validated through the DMV, and if ID information is not provided or does not validate, the applicant will need to show ID the first time he or she presents to vote.



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# GOVERNMENT TECHNOLOGY

SOLUTIONS FOR STATE AND LOCAL GOVERNMENT

*September 21, 2012 By News Staff*

Voter registration forms can be found online, but they still need to be printed, signed and mailed, so a new technology being used by the Obama campaign is taking things one step further. A new website allows residents of Washington, D.C., North Carolina and 10 other states to register to vote using “wet signature” technology. The new technology automates most of the voting registration process, making it faster and easier than usual, reported PilotOnline.com

By visiting [GottaRegister.com](http://GottaRegister.com), users can register to vote and then use their finger or stylus on a mobile device to remotely direct a mechanical pen at an office that physically signs a registration form. The completed form is automatically mailed to the elections office in the applicant's county for review.

Youth-oriented pro-voting group Rock the Vote uses the same technology in North Carolina and two other states to encourage voter participation, said spokesperson Chrissy Faessen. “We need a voting system that works for the 21st-century electorate,” she said

More states will likely adopt wet signature technology eventually because it's “good for the voter,” said spokesperson Jude Barry, who works for Allpoint Voter Services, the company providing the technology for Obama's campaign.

*You may use or reference this story with attribution and a link to  
<http://www.govtech.com/technology/Obama-Campaign-Adopts-Wet-Signature-Tech-to-Entice-New-Voters.html>*

V

**Wright, Don**

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**From:** Wright, Don  
**Sent:** Thursday, September 13, 2012 4:00 PM  
**To:** 'betsy@harborwholesaleandpromotions.com'  
**Cc:** Bartlett, Gary; Johnle.McLean@ncsbe.gov  
**Subject:** RE: Urgent - Registering Online in NC -  
**Attachments:** VWD 053.PNG; VWD 054.PNG

Dear Ms. Meads,

We have checked this website and found that the voter registration application that would be generated using the Gottoregister.com website is a form that is signed by the applicant using a remote pen that is controlled by the user on the device's screen, and a voter registration form with a "wet" signature is sent directly to a county board of elections for processing. This is not online voter registration. Online voter registration involves a web user entering their voter registration information into a web application and then having that data uploaded or fed into a state's statewide voter registration database system. With online voter registration, the applicant does not have to sign a paper application and a paper application with a wet signature is never delivered to the election official. Applicants utilizing the Gottoregister.com site have the option of printing their voter registration application themselves for signing and personal delivery to their county board of elections, or they can sign a paper application remotely and have their signed form delivered to their appropriate election official by a third party. Essentially, this is a web-based voter registration drive. State and federal law permit groups or organizations to offer voter registration forms to individuals and these groups or organizations can then accept the forms and deliver them to election officials by the voter registration deadline. For further clarification, please see the attachments which show screenshots taken from the gottoregister.com website.

We have not found that there is anything unlawful in the use of a printed voter registration form that is signed remotely by the applicant and is subsequently delivered to a board of elections by non-electronic means. There is a "wet" signature on the application that was generated using a pen that is remotely controlled by the voter registration applicant. Electronic remote signing is commonly used in commercial transactions, governmental documents, and other transactions. Further, county election officials carefully review all voter registration forms that are submitted to them for processing. The applicant's ID information will be validated through the DMV, and if ID information is not provided or does not validate, the applicant will need to show ID the first time he or she presents to vote.

This legal opinion of the lawfulness of remote signing was reached by myself several months ago and was reviewed at that time by the North Carolina Attorney's General Office which concurred in it. If you have a legal opinion tendered to you to the contrary, please forward it to us.

Sincerely,

Don Wright  
General Counsel

---

**From:** Betsy Meads [mailto:betsymeads@roadrunner.com]  
**Sent:** Tuesday, September 11, 2012 7:41 AM  
**To:** Wright, Don  
**Cc:** Bartlett, Gary; Johnle.McLean@ncsbe.gov  
**Subject:** Urgent - Registering Online in NC -

Electronic Registrations in NC – The President has an APP for THAT!



State of North Carolina  
Department of Justice

ROY COOPER  
ATTORNEY GENERAL

P.O. Box 629  
RALEIGH, NC  
27602-0629

REPLY TO:  
SUSAN KELLY NICHOLS  
ELECTIONS SECTION  
PHONE: (919) 716-6890  
FAX: (919) 716-6755  
E-MAIL: SNICHOLS@NCDOJ.GOV

January 29, 2013

Ms. Susan Myrick  
Election Policy Analyst  
The Civitas Institute  
100 South Harrington St.  
Raleigh, NC 27603

Dear Ms. Myrick:

This letter is in response to your public records request of January 16, 2013. You requested two categories of documents. Your request was triggered by a 2009 document produced by the State Board of Elections in response to your earlier request of that agency.

First, you request "all documents, emails, or files ever produced in relation to the issue of electronic/online voter registration whether directed to the N.C. State Board of Elections, the N.C. General Assembly or any other organization or person." No advisory opinions or similar documents were ever produced for another agency by me or anyone in this office in response to a written request from Mr. Bartlett on September 11, 2009 because he orally withdrew his request before a response was prepared. I did locate a copy of email correspondence between me and David Becker, Director of Election Initiatives for the Pew Center on the States, seeking contact with other states that had adopted the Uniform Electronic Transactions Act ("UETA"), as has North Carolina, but chose to also adopt new legislation to facilitate electronic voter registration. Also attached is a copy of the Utah Supreme Court decision in *Anderson v. Bell*, 2010 UT 47 (June 22, 2010), dealing with UETA and electronic signatures in an elections context, that I shared with the staff at the State Board of Elections.

Second, you request "any documents emails or files that reference 'wet signatures.'" Attached are emails and one article responsive to that request. I am separately sending you by email another article referencing "wet signatures" that I was unable to print.

Sincerely,

Susan Kelly Nichols  
Special Deputy Attorney General

**Nichols, Susan**

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**From:** Wright, Don [don.wright@ncsbe.gov]  
**Sent:** Tuesday, September 18, 2012 12:49 PM  
**To:** Nichols, Susan; Degraffenreid, Veronica; Bartlett, Gary; McLean, Johnnie; Burris, Marc  
**Subject:** RE: Opinion: Remote Signing of Voter Registration Applications  
**Attachments:** remote signing.pdf

Susan,

See the attached to refresh your memory on your input on the issue. I note the change that says you had "reviewed and concurred" as opposed to "consulted". I do not recall why the final wording was used. I will make sure not to use that wording again.

Don

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**From:** Nichols, Susan [mailto:snichols@ncdoj.gov]  
**Sent:** Tuesday, September 18, 2012 12:33 PM  
**To:** Degraffenreid, Veronica; Bartlett, Gary; McLean, Johnnie; Wright, Don; Burris, Marc  
**Subject:** RE: Opinion: Remote Signing of Voter Registration Applications

Don,

As you know, the AG's office ended the procedure of allowing attorneys to state they concur in an opinion they did not author before I became a member of the staff. While Charlie Hensey used to do that with some regularity, I have tried to avoid it per my instructions. In the future, I would appreciate it if opinions don't state "Special Deputy Attorney General Susan Nichols has reviewed and concurs in this opinion."

I know we talked about the issue of the remote signing and I agreed with your analysis, although I don't specifically recall reviewing the final opinion. Could your opinions state instead: "Special Deputy Attorney General Susan Nichols was consulted in the preparation of this opinion." ? Then it won't sound as if your opinion is in fact one of the AG when it hasn't been run through the process for an AG Opinion.

Thanks,

*Suzanne Kelly Nichols*  
Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

Note: Pursuant to Executive Order No. 150, all electronic mail messages in connection with State business which are sent to or received by this address are subject to the Public Records Law and may be disclosed to third parties.

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**From:** Degraffenreid, Veronica [mailto:Veronica.Degraffenreid@ncsbe.gov]  
**Sent:** Tuesday, September 18, 2012 11:38 AM  
**To:** Bartlett, Gary; McLean, Johnnie  
**Cc:** Wright, Don; Burris, Marc; Nichols, Susan  
**Subject:** FW: Opinion: Remote Signing of Voter Registration Applications

**From:** David Becker [DBecker@pewtrusts.org]  
**Sent:** Tuesday, April 13, 2010 3:12 PM  
**To:** Nichols, Susan  
**Subject:** RE: UETA and Online Voter Registration

That's probably a better idea. Here are the states where I have contacts you could talk to (though I can't guarantee they'll know the answer):

Arizona: Amy Bjelland, state election director, [Abjelland@azsos.gov](mailto:Abjelland@azsos.gov) (I don't think she's a lawyer – AZ implemented online registration 8 years ago, and she wasn't there then)  
California: Evan Goldberg, deputy secretary of state, [EGoldberg@sos.ca.gov](mailto:EGoldberg@sos.ca.gov)  
Colorado: Hilary Rudy, attorney in secretary of state's office, [Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)  
Indiana: none  
Kansas: Brad Bryant, state election director, [BradB@kssos.org](mailto:BradB@kssos.org) (I don't know if he's a lawyer)  
Louisiana: none  
Oregon: Steve Trout, state election director, [steve.trout@state.or.us](mailto:steve.trout@state.or.us) (I think he's a lawyer)  
Utah: Mark Thomas, he does policy in the Lt. Gov's office, [Mlthomas@utah.gov](mailto:Mlthomas@utah.gov) (don't know if he's a lawyer)  
Washington: Nick Handy, state election director, [nhandy@secstate.wa.gov](mailto:nhandy@secstate.wa.gov)

Like I said, many of these folks might not know what UETA is, or have direct knowledge, but they'd be a good place to start. Good luck!

David

David J. Becker  
Project Director, Election Initiatives  
The Pew Center on the States  
901 E Street NW | 10th Floor  
Washington, DC 20004  
p: 202.552.2136 | f: 202.552.2299  
e: [dbecker@pewtrusts.org](mailto:dbecker@pewtrusts.org) | [www.pewtrusts.org](http://www.pewtrusts.org)

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**From:** Nichols, Susan [<mailto:snichols@ncdoj.gov>]  
**Sent:** Tuesday, April 13, 2010 11:44 AM  
**To:** David Becker  
**Subject:** RE: UETA and Online Voter Registration

Maybe we shouldn't do it as a call at all. Could you share the names and contact info of attorneys in any of the states familiar with the implementation of on-line registration that I could contact just to discuss this issue? That would allow me to talk with them and see if UETA was a factor at all in their implementation strategy. What do you think?

*Susan Kelly Nichols*  
Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

---

**From:** David Becker [<mailto:DBecker@pewtrusts.org>]

**Sent:** Tuesday, April 13, 2010 11:22 AM  
**To:** Nichols, Susan  
**Subject:** RE: UETA and Online Voter Registration

That's a lot of states. It might be particularly challenging to arrange for a call with all these states for so soon. In particular, it might be very difficult to find if there's anyone in each of these states who knows why they didn't rely upon UETA, or if they even thought about it. Does this call have to happen this month?

**David J. Becker**  
Project Director, Election Initiatives  
The Pew Center on the States  
901 E Street NW | 10th Floor  
Washington, DC 20004  
p: 202.552.2136 | f: 202.552.2299  
e: [dbecker@pewtrusts.org](mailto:dbecker@pewtrusts.org) | [www.pewtrusts.org](http://www.pewtrusts.org)

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**From:** Nichols, Susan [<mailto:snichols@ncdoj.gov>]  
**Sent:** Tuesday, April 13, 2010 10:02 AM  
**To:** David Becker  
**Subject:** RE: UETA and Online Voter Registration

I'll check on Tuesday with Gary Bartlett. He is out today, but I will get back with you as soon as I can. All the states you listed have adopted UETA except California, which adopted a substantially similar version, and Washington, which had not adopted it as of September 30, 2009.

Thanks for your help.

*Susan Kelly Nichols*  
Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

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**From:** David Becker [<mailto:DBecker@pewtrusts.org>]  
**Sent:** Tuesday, April 13, 2010 9:28 AM  
**To:** Nichols, Susan  
**Subject:** RE: UETA and Online Voter Registration

Susan,

Hi -- my apologies for not getting back to you sooner -- I've been traveling up a storm lately. Can't schedule a call this week -- I'm traveling most of the week. I might be able to schedule something for next Tuesday, April 20, if we can get everyone on the line. I'm going to need some help identifying the states -- as I mentioned we didn't look into the UETA issue at all. The states that have currently passed online registration legislation are: Arizona, California, Colorado, Indiana, Kansas, Louisiana, Oregon, Utah, and Washington. Which of these adopted UETA?

David

**David J. Becker**  
Project Director, Election Initiatives  
The Pew Center on the States

901 E Street NW | 10th Floor  
Washington, DC 20004  
p: 202.552.2136 | f: 202.552.2299  
e: [dbecker@pewtrusts.org](mailto:dbecker@pewtrusts.org) | [www.pewtrusts.org](http://www.pewtrusts.org)

---

**From:** Nichols, Susan [mailto:[snichols@ncdoj.gov](mailto:snichols@ncdoj.gov)]  
**Sent:** Monday, April 12, 2010 4:28 PM  
**To:** David Becker  
**Subject:** UETA and Online Voter Registration

David,

Gary Bartlett and his staff would like to take you up on your offer to arrange a conference call of other states that had adopted UETA, but chose to adopt new legislation to facilitate online voter registration. Could you suggest some dates from Wednesday-Friday this week and next week when you would be available for such a call?

Thanks,

*Susan Kelly Nichols*

Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

**RE: Barry information**

Burris, Marc

**To:** Degraffenreid, Veronica;**Cc:****Bcc:****Attachment:** [image001.jpg](#)

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<http://democracy.verafirma.com/features.htm>

It looks like this is what he's going to pitch

---

**Marc Burris, CGCIO**  
Chief Information Officer  
[NC State Board of Elections](#)  
Ph: (919) 715 - 1673  
[MARC.BURRIS@NCSBE.GOV](mailto:MARC.BURRIS@NCSBE.GOV)

A square box containing the text "X QRmobile".

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**From:** Bartlett, Gary**Sent:** Tuesday, August 23, 2011 1:46 PM**To:** Degraffenreid, Veronica; Burris, Marc**Subject:** RE: Barry Information

Iphone and ipod toys

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**From:** Degraffenreid, Veronica**Sent:** Tuesday, August 23, 2011 1:42 PM**To:** Bartlett, Gary**Subject:** Barry Information<http://www.getcatapult.com/team/jude-barry>

VERONICA DEGRAFFENREID | N.C. State Board of Elections | Elections Liaison |

919.715.1830 | [veronica.degraffenreid@ncsbe.gov](mailto:veronica.degraffenreid@ncsbe.gov) | [www.NCSBE.gov](http://www.NCSBE.gov)

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

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**FW: Modernizing voter registration**

Degraffenreid, Veronica

To: Wright, Don; Susan Nichols;

Cc:

Bcc:

Attachment: [Allpoint.pdf](#)

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The remote signing does purport to take into account pressure, etc. See video link . . .

**From:** peter@getcatapult.com [mailto:peter@getcatapult.com] On Behalf Of Peter Allen

**Sent:** Wednesday, August 24, 2011 12:30 PM

**To:** Bartlett, Gary

**Subject:** Modernizing voter registration

Mr. Bartlett,

Thanks for taking the time to talk with us today at 1 pm Eastern. On the call from our end will be co-founders Jude Barry and Michael Marubio.

As a manner of introduction to our technology, please have a look at this 2-minute video demonstration and read the attached pdf. We believe that this method of voter registration is not only acceptable in all 50 states but that election officials have no choice but to accept it since the individual is signing the National Voter Registration form.

Thanks once again for your time.

Cheers,  
Peter

--  
Peter Allen  
Lead Organizer  
Verafirma

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◆◆

**Thank you and follow up**

peter@getcatapult.com

To: Bartlett, Gary;

Cc: Jude Barry; Michael Marubio;

Bcc:

Attachment:

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Mr. Bartlett,

Thanks once again to you and your staff for taking the time to talk with us about modernizing voter registration in North Carolina. We're excited about moving forward — and hopefully saving you from the "sea of paper" you referenced on our call.

I've cut and pasted a message we received from the state of Washington regarding our technology (see below). We've just received a similar message from officials in Oregon. Would you please review this and let us know if you concur with these states that there is no basis to reject National Voter Registration Forms completed using the Allpoint Pen.

Per your request, we'll drop a sample of a completed form in the mail which should reach your office in the next few days.

We're very glad to hear that you're interested in entirely electronic submission, and as Michael said on the call, we'd be happy to implement that process in North Carolina. If the consensus on your end is that this can be done, we can send you more details about the process and even walk you through a live demo.

Again, we appreciate your time, vision, and prompt attention to these matters.

Regards,  
Peter

--  
Peter Allen  
Lead Organizer  
[Verafirma](#)

Find us on [Facebook](#) | Follow us on [Twitter](#)

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----- Forwarded message -----  
From: Murphy, Patty  
Date: Wed, Aug 17, 2011 at 5:20 PM  
Subject: RE: Online Voter Registration Questions  
To: Michael Marubio <[michael@verafirma.com](mailto:michael@verafirma.com)>

Dear Mr. Marubio,

If a Washington State voter used an electronic pen to fill out and sign a voter registration form, and then mailed the form to the Washington State Secretary of State, the application would be processed. We have no legal basis to reject the application.

In addition, if the registration application, filled in and signed by the voter using an electronic pen, were emailed to the Washington State Secretary of State or county jurisdiction, we would process the application. As a matter of fact, this method would be preferable to printing the application after signing, and then mailing it to our office.

We would prefer that our state voter registration form were used for this process, but would accept the national form. Our state form is found at –

<http://wv1.secstate.wa.gov/osos/en/voterinformation/Pages/RegisterToVote.aspx>

Let me know if you have any questions.

*Patty Murphy* | Voting Systems Specialist

Electons Division | Office of the Secretary of State

(360) 902-4188 | helpdesk (360) 902-4194

520 Union Ave SE, Olympia 98501

PO Box 40229, Olympia 98504

[patty.murphy@sos.wa.gov](mailto:patty.murphy@sos.wa.gov) | [vrsupport@sos.wa.gov](mailto:vrsupport@sos.wa.gov) | [wv1support@sos.wa.gov](mailto:wv1support@sos.wa.gov)

*Innovative Technology Solutions ... because Accuracy, Access and Direct Democracy Matter.*

□□

**RE: Electronic Signature**

Bartlett, Gary

To: Peter Allen;

Cc: Degraffenreid, Veronica; Burris, Marc; McLean, Johnnie;

Bcc:

Attachment:

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Voter Registration – Veronica Degraffenreid; IT – Marc Burris

---

**From:** peter@getcatapult.com [mailto:peter@getcatapult.com] **On Behalf Of** Peter Allen

**Sent:** Monday, September 19, 2011 2:17 PM

**To:** Bartlett, Gary

**Subject:** Re: FW: Electronic Signature

Gary,

This is tremendous news. Thanks so much for your diligence.

As we mentioned in our conversation, we want to make this as painless a process as possible on your end. With that in mind, who should be our point person for working with the state BOE as we move forward and begin submitting registrations?

Regards,

Peter

On Mon, Sep 19, 2011 at 7:26 AM, Bartlett, Gary <Gary.Bartlett@ncsbe.gov> wrote:  
FYI

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**From:** Wright, Don

**Sent:** Monday, September 19, 2011 10:01 AM

**To:** Bartlett, Gary; McLean, Johnnie

**Cc:** Degraffenreid, Veronica; Burris, Marc; Susan Nichols

**Subject:** Electronic Signature

The attached opinion states the use of a remote electronic signature on a VR form that is reduced to paper and then delivered to a CBE is legal. It has been thoroughly reviewed and edited.

--

Peter Allen

Lead Organizer

Verafirma

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i X



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[Team](#) >

## Jude Barry

### Chief Executive Officer

Jude Barry founded **Catapult Strategies** in 2001. He has worked in national politics, California campaigns, and local government as a top-level strategist and manager. In addition, he has advised Fortune 500 companies, political candidates, non-profit organizations, and an NFL football team — his beloved San Francisco 49ers.

Because of his expertise in politics, policy, technology, and social networking, Jude is a regular and respected source for local, state, and national news reporters.

Jude is also the co-founder of **Verafirma**, a technology company that is pioneering the use of electronic signatures for government and politics. The company introduced the technology that allows voters to register to vote or sign initiatives on an iPhone or iPad. Its technology has been called the "next big thing" in grassroots politics.

### Washington, DC

Jude's career began in Washington, DC, in the office of **Senator Edward Kennedy** where he served as a press aide and deputy political director. He later worked on the **Gary Hart** presidential campaign, and in 1988 Jude served as the national budget director for **Richard Gephardt's** presidential bid.

### California

In the 2006 elections, Jude earned state and national recognition as the campaign manager of the **Westly for Governor** race in California. In one of the closest California democratic gubernatorial primary contests in recent history, the Westly campaign narrowly lost to an opponent who had garnered major institutional support, including the official Democratic party endorsement. A hallmark of the campaign was its use of the Internet to organize campaign announcement and house parties throughout California, engaging new and younger voters.

During the 2004 presidential cycle, Jude served as California Director for former Vermont **Governor Howard Dean's** campaign. He helped develop the cutting-edge technology strategy that allowed the Dean campaign to recruit and organize an unprecedented 100,000 volunteers in the state. In addition, he managed the political strategy that garnered the most impressive support for the 2004 presidential primary campaign in California: 3 statewide elected officials, over 100 state and local office holders, and the Latino Legislative Caucus.

### Silicon Valley

Prior to founding Catapult Strategies, Inc., Jude was **chief of staff to a San José Mayor and Santa Clara County Supervisor**. He led the effort to expand the Norman Y. Mineta San Jose International Airport and extend the Bay Area Rapid Transit (BART) System to Silicon Valley. He developed San José's strategy to maintain its standing as the "Capital of Silicon Valley" and the "Internet Capital of the World."



[Email Jude](#)



[Find Jude on Facebook](#)



[Follow Jude on Twitter](#)

While at the County, Jude helped write **Santa Clara County's first ever ethics ordinance**, which established contribution limits and increased transparency in supervisorial elections. He also served on the Markkula Center for Applied Ethics at Santa Clara University.

Jude was an early supporter of President Barack Obama. In December of 2006, he created the **Obama for America Draft Committee**, the first political committee to raise thousands of dollars online to encourage then-Senator Obama to run for the Presidency.

Jude has assisted or advised numerous political leaders including: **Congresswoman Zoe Lofgren, Lieutenant Governor John Garamendi; State Senator Elaine Alquist; former Assembly Speaker Bob Hertzberg; Assemblyman Joe Coto; County Supervisors Dave Cortese, George Shirakawa, and Ken Yeager; former San Jose Mayors Susan Hammer and Tom McEnery; and San Jose City Councilman Sam Liccardo.**

### Personal Highlights

Jude is currently a member of the Board of Directors of the **University of San Francisco** and Chairman of the Board of Advisors for the **Leo McCarthy Center for Public Service and Common Good** at USF. He previously served on the boards of the Hakone Society, KTEH public television, and the San Jose Cathedral Foundation. In 2002, Jude served on the Bishop's Task Force on Sexual Abuse and authored the much-heralded final report.

Jude is a graduate of **Bellarmino College Prep** (San Jose, CA) and the **College of the Holy Cross** (Worcester, MA), both premiere Jesuit institutions. He has finished numerous marathons and is frequently seen on the streets of San Jose running with his dog – always on leash.

---

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X

**RE: Barry information**

Burris, Marc

To: Degraffenreid, Veronica;

Cc:

Bcc:

Attachment: [image001.jpg](#)

---

<http://democracy.verafirma.com/features.htm>

It looks like this is what he's going to pitch

---

**Marc Burris, CGCIO**  
Chief Information Officer  
[NC State Board of Elections](#)  
Ph: (919) 715 - 1673  
[MARC.BURRIS@NCSBE.GOV](mailto:MARC.BURRIS@NCSBE.GOV)

X QRmobile

---

**From:** Bartlett, Gary

**Sent:** Tuesday, August 23, 2011 1:46 PM

**To:** Degraffenreid, Veronica; Burris, Marc

**Subject:** RE: Barry Information

Iphone and ipod toys

---

**From:** Degraffenreid, Veronica

**Sent:** Tuesday, August 23, 2011 1:42 PM

**To:** Bartlett, Gary

**Subject:** Barry Information

<http://www.getcatapult.com/team/jude-barry>

VERONICA DEGRAFFENREID | N.C. State Board of Elections | Elections Liaison |

919.715.1830 | [veronica.degraffenreid@ncsbe.gov](mailto:veronica.degraffenreid@ncsbe.gov) | [www.NCSBE.gov](http://www.NCSBE.gov)

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

◆◆

**FW: Modernizing voter registration**

Degraffenreid, Veronica

To: Wright, Don; Susan Nichols;

Cc:

Bcc:

Attachment: [Allpoint.pdf](#)

---

The remote signing does purport to take into account pressure, etc. See video link . . .

**From:** peter@getcatapult.com [mailto:peter@getcatapult.com] **On Behalf Of** Peter Allen

**Sent:** Wednesday, August 24, 2011 12:30 PM

**To:** Bartlett, Gary

**Subject:** Modernizing voter registration

Mr. Bartlett,

Thanks for taking the time to talk with us today at 1 pm Eastern. On the call from our end will be co-founders Jude Barry and Michael Marubio.

As a manner of introduction to our technology, please have a look at this [2-minute video demonstration](#) and read the [attached pdf](#). We believe that this method of voter registration is not only acceptable in all 50 states but that election officials have no choice but to accept it since the individual is signing the National Voter Registration form.

Thanks once again for your time.

Cheers,  
Peter

--  
Peter Allen  
Lead Organizer  
[Verafirma](#)

Find us on [Facebook](#) | Follow us on [Twitter](#)

◆◆



**Thank you and follow up**

peter@getcatapult.com

To: Bartlett, Gary;

Cc: Jude Barry; Michael Marubio;

Bcc:

Attachment:

---

Mr. Bartlett,

Thanks once again to you and your staff for taking the time to talk with us about modernizing voter registration in North Carolina. We're excited about moving forward — and hopefully saving you from the "sea of paper" you referenced on our call.

I've cut and pasted a message we received from the state of Washington regarding our technology (see below). We've just received a similar message from officials in Oregon. Would you please review this and let us know if you concur with these states that there is no basis to reject National Voter Registration Forms completed using the Allpoint Pen.

Per your request, we'll drop a sample of a completed form in the mail which should reach your office in the next few days.

We're very glad to hear that you're interested in entirely electronic submission, and as Michael said on the call, we'd be happy to implement that process in North Carolina. If the consensus on your end is that this can be done, we can send you more details about the process and even walk you through a live demo.

Again, we appreciate your time, vision, and prompt attention to these matters.

Regards,  
Peter

--  
Peter Allen  
Lead Organizer  
[Verafirma](#)

Find us on [Facebook](#) | Follow us on [Twitter](#)

---

----- Forwarded message -----  
From: Murphy, Patty  
Date: Wed, Aug 17, 2011 at 5:20 PM  
Subject: RE: Online Voter Registration Questions  
To: Michael Marubio <[michael@verafirma.com](mailto:michael@verafirma.com)>

Dear Mr. Marubio,

If a Washington State voter used an electronic pen to fill out and sign a voter registration form, and then mailed the form to the Washington State Secretary of State, the application would be processed. We have no legal basis to reject the application.

In addition, if the registration application, filled in and signed by the voter using an electronic pen, were emailed to the Washington State Secretary of State or county jurisdiction, we would process the application. As a matter of fact, this method would be preferable to printing the application after signing, and then mailing it to our office.

We would prefer that our state voter registration form were used for this process, but would accept the national form. Our state form is found at –

<http://wv1.secstate.wa.gov/osos/en/voter/information/Pages/RegisterToVote.aspx>

Let me know if you have any questions.

*Patty Murphy* | Voting Systems Specialist  
Elections Division | Office of the Secretary of State  
[\(360\) 902-4188](tel:3609024188) | helpdesk [\(360\) 902-4194](tel:3609024194)  
520 Union Ave SE, Olympia 98501  
PO Box 40229, Olympia 98504  
[patty.murphy@sos.wa.gov](mailto:patty.murphy@sos.wa.gov) | [vrsupport@sos.wa.gov](mailto:vrsupport@sos.wa.gov) | [wv1support@sos.wa.gov](mailto:wv1support@sos.wa.gov)

*Innovative Technology Solutions ... because Accuracy, Access and Direct Democracy Matter.*

□□

**RE: Electronic Signature**

Bartlett, Gary

To: Peter Allen;

Cc: Degraffenreid, Veronica; Burris, Marc; McLean, Johnnie;

Bcc:

Attachment:

---

Voter Registration – Veronica Degraffenreid; IT – Marc Burrris

---

**From:** peter@getcatapult.com [mailto:peter@getcatapult.com] **On Behalf Of** Peter Allen

**Sent:** Monday, September 19, 2011 2:17 PM

**To:** Bartlett, Gary

**Subject:** Re: FW: Electronic Signature

Gary,

This is tremendous news. Thanks so much for your diligence.

As we mentioned in our conversation, we want to make this as painless a process as possible on your end. With that in mind, who should be our point person for working with the state BOE as we move forward and begin submitting registrations?

Regards,

Peter

On Mon, Sep 19, 2011 at 7:26 AM, Bartlett, Gary <Gary.Bartlett@ncsbe.gov> wrote:  
FYI

---

**From:** Wright, Don

**Sent:** Monday, September 19, 2011 10:01 AM

**To:** Bartlett, Gary; McLean, Johnnie

**Cc:** Degraffenreid, Veronica; Burris, Marc; Susan Nichols

**Subject:** Electronic Signature

The attached opinion states the use of a remote electronic signature on a VR form that is reduced to paper and then delivered to a CBE is legal. It has been thoroughly reviewed and edited.

--

**Peter Allen**

Lead Organizer

Verafirma

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## Peter Allen

### Associate

Peter Allen came to Catapult Strategies directly from the campaign trail in the Spring of 2009, having spent the previous two years working as a political organizer at the local and national level. Most recently, he worked on **President Barack Obama's** historic 2008 primary campaign and helped elect **Ash Kalra** and **Rose Herrera** to the San José City Council and **Dave Cortese** to the Santa Clara County Board of Supervisors. He also played a key role in organizing volunteer efforts for the successful campaign to defeat the recall of San José Councilmember **Madison Nguyen**.

Prior to entering his political career, Peter spent several years on the sports desk at the **San José Mercury News**, fulfilling the dream of a life-long writer and sports aficionado. He's had politics on the brain from an early age, but his passion for the power of communication is what drew him to Catapult.

Peter has spent the past few years developing a rich understanding of online **social networking** tools and how they can be used to empower and mobilize large blocks of people on behalf of a candidate or cause. He saw this potential come to fruition on the Obama campaign, when average citizens — particularly young people — who had never participated in the political process were tapped to form a web of millions of contributors and volunteers that collectively changed the face of American politics.

Peter uses the tools and skills he's developed to create robust social networking campaigns for Catapult's diverse clients.

Peter was born in Mountain View and raised in San José. He received a Bachelor of Fine Arts in Filmmaking from the **University of Southern California School of Cinema-Television** and — like Jude — is a graduate of **Bellarmino College Prep** in San José.

When he's not at work, you can find Peter playing bass with popular local band **Usurper Vong**, working on one of several unfinished screenplays, or watching the 2010 World Series Champion **San Francisco Giants** at AT&T Park.



Find Peter on Facebook



Follow Peter on Twitter

[Email Peter](#)

[Sign In](#) | [Report Abuse](#) | [Print Page](#) | [Remove Access](#) | Powered By [Google Sites](#)



Don Wright  
General

Counsel

---

**From:** Susan Myrick [mailto:[Susan.Myrick@nccivitas.org](mailto:Susan.Myrick@nccivitas.org)]  
**Sent:** Tuesday, September 25, 2012 9:26 AM  
**To:** Wright, Don  
**Subject:** FW: Voter Registration Online  
**Importance:** High

Mr. Wright,

Since I have not received any response from you regarding my requests and questions below, I assume you never received my first email. I am forwarding the initial email and look forward to your response.

Susan Myrick

---

**From:** Susan Myrick  
**Sent:** Wednesday, September 19, 2012 10:28 AM  
**To:** 'Wright, Don'  
**Subject:** Voter Registration Online

Mr. Wright,

I am researching the use of voter registration online in NC. I understand that some counties are already receiving registration forms generated by this process that have a signature generated by finger to phone.

How was the SBE approached about this new process and when did the Board approve the process? According to an article in Personal Democracy Media, the state of Nevada was contacted by a company called Verifirma to discuss their new technology and to seek guidance on whether it could work in Nevada. Was NC contacted by Verifirma or any other company, campaign, candidate or legislator looking for approval?

Please provide all documents, emails, any other types of communications generated and received by SBE or intra-state board communications concerning this new technology and its use in NC. Please be specific on a timeline and describe how the SBE came to the decision to approve these forms.

Also, please define "wet signature" and who you rely on for the definition and where in the NC General Statutes there is a reference to a "wet signature." I understand that technology claims to be directly connected to a pen when the users sign their phones, etc – did the SBE gain proof to this claim through personal visits or video?

Thank you.

Susan Myrick  
Election Policy Analyst  
[www.nccivitas.org](http://www.nccivitas.org)  
919-834-2099 (Main)  
919-747-8053 (Direct)

**Susan Myrick**

---

**From:** Wright, Don [don.wright@ncsbe.gov]  
**Sent:** Wednesday, September 26, 2012 1:48 PM  
**To:** Susan Myrick  
**Subject:** RE: Voter Registration Online  
**Attachments:** Controller Memo.pdf; 2011 e-mail.pdf; 2012 e-mail.pdf; Bowling e-mail.pdf; Laster e-mail.pdf; Robertson.pdf; Meads.pdf

Dear Ms. Myrick,

There is no online voter registration (VR) in North Carolina. South Carolina could become the 13th state nationwide to implement online voter registration, if the Justice Department pre-clears its' pending submission, and California became state No. 12 recently.

The current laws of North Carolina allows all public agencies to use and accept electronic signatures. See GS 66-58.4 below.

#### **§ 66-58.4. Use of electronic signatures.**

All public agencies may use and accept electronic signatures pursuant to this Article, pursuant to Article 40 of this Chapter (the Uniform Electronic Transactions Act), or pursuant to other law. (1998-127, s. 1; 2003-233, s. 1; 2007-119, s. 1.)

The last session of the General Assembly mandated the Office of the State Controller to obtain digital signature capacity for state agencies as you can see in the attached recent memo.

And specifically, GS 163-82.6 allows an electronically captured signature on an electronic VR form offered by a state agency.

#### **§ 163-82.6. Acceptance of application forms.**

(b) Signature. – The form shall be valid only if signed by the applicant. An electronically captured image of the signature of a voter on an electronic voter registration form offered by a State agency shall be considered a valid signature for all purposes for which a signature on a paper voter registration form is used.

The trend in N.C. state government is to go to electronic processing, forms and signatures. But as stated above, there is no current online VR in North Carolina.

This agency was contacted by Verafirma by phone in 2011. Some of our staff observed a on-line video of the proposed procedure. Attached are documents related to that contact. We were not contacted by any campaign, candidate, legislator, or political party as to this issue. An opinion as to the use of the procedure and technology was prepared by myself and given to Executive Director Bartlett. See attached. FYI, Chairman Bowling in the attachment above is the Guilford County Republican Party Chairman.

“Wet signature” is an term commonly used that means a signature on a piece of paper as opposed to an electronic signature. I am unaware of any statutory definition of “wet signature”



September 16, 2011

To: Gary Bartlett, Executive Director

From: Don Wright, General Counsel

Inquiry.....May a paper VR form be signed remotely by an electronic device and later delivered to a county board of elections for processing?

Background.....A company has approached the State Board of Elections and demonstrated an electronic process that allows a citizen to view a NVRA national VR form online, fill it out electronically, and use a mobile digital device to sign the form remotely. The steps in the process would be as follows:

- (1) The eligible voter sees the start page on the computer screen and is informed that they are about to register to vote online using an electronic signature. The person clicks the "Continue" button on the screen;
- (2) The eligible voter views the National Voter Registration Act form – in the format dictated by the NVRA – and reads the instructions for their state;
- (3) The person fills out the blank lines on the form on the computer screen;
- (4) The eligible voter enters the telephone number or email address of his or her mobile device and instantly receives an email with a link that opens a browser on the mobile device;
- (5) The eligible voter is given instruction on how to sign the registration form, then signs their name on the mobile device screen using their finger or stylus;
- (6) Before adding the signature to document, the person must agree to the affirmation on the form, and then click "Agree and Sign";
- (7) A remote mobile device prints the applicant's electronically scribed signature on a paper copy of the voter registration form that the applicant has completed; and
- (8) The signed paper registration form is delivered to a county board of elections for processing.

This would not be online Voter Registration, but a remote signing of a paper VR form to allow it to be delivered and processed as an original "wet signature" VR form.



It would appear that the North Carolina Electronic Transactions Act found in Article 40 (GS 66-311 through GS 66-330) of Chapter 66 of the General Statutes would control this inquiry. It appears to cover the scope of the VR application (GS 66-313). GS 66-317 appears to allow the use of an electronic signature to satisfy a legal requirement of a signature. I see no illegality in the use of the electronic signature as set out in the procedure above.

However, the paper VR form is the form that must be produced to a county board of elections for processing. Until the "wet signature" paper VR form is received, there is no processing of the voter registration. Processing of an electronic form even with a signature is currently not allowed by North Carolina law as it would be tantamount to online voter registration.

Special Deputy Attorney General Susan Nichols has reviewed and concurs in this opinion.

Cc: Johnnie McLean, Deputy Director

Veronica Degraffenreid, Elections Liaison

Marc Burris, IS Director

**RE: Barry information**

Burris, Marc  
To: Degraffenreid, Veronica;  
Cc:  
Bcc:  
Attachment: [image001.jpg](#)

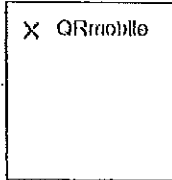
---

<http://democracy.verafirma.com/features.htm>

It looks like this is what he's going to pitch

---

**Marc Burris, CGCIO**  
Chief Information Officer  
NC State Board of Elections  
Ph: (919) 715 - 1673  
[MARC.BURRIS@NCSBE.GOV](mailto:MARC.BURRIS@NCSBE.GOV)



---

**From:** Bartlett, Gary  
**Sent:** Tuesday, August 23, 2011 1:46 PM  
**To:** Degraffenreid, Veronica; Burris, Marc  
**Subject:** RE: Barry Information

Iphone and ipod toys

---

**From:** Degraffenreid, Veronica  
**Sent:** Tuesday, August 23, 2011 1:42 PM  
**To:** Bartlett, Gary  
**Subject:** Barry Information

<http://www.getcatapult.com/team/jude-barry>

VERONICA DEGRAFFENREID | N.C. State Board of Elections | Elections Liaison |  
919.715.1830 | [veronica.degraffenreid@ncsbe.gov](mailto:veronica.degraffenreid@ncsbe.gov) | [www.NCSBE.gov](http://www.NCSBE.gov)  
E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

◆◆

**FW: Modernizing voter registration**

Degraffenreid, Veronica

To: Wright, Don; Susan Nichols;

Cc:

Bcc:

Attachment: [Allpoint.pdf](#)

---

The remote signing does purport to take into account pressure, etc. See video link . . .

From: peter@getcatapult.com [mailto:peter@getcatapult.com] On Behalf Of Peter Allen

Sent: Wednesday, August 24, 2011 12:30 PM

To: Bartlett, Gary

Subject: Modernizing voter registration

Mr. Bartlett,

Thanks for taking the time to talk with us today at 1 pm Eastern. On the call from our end will be co-founders Jude Barry and Michael Marubio.

As a manner of introduction to our technology, please have a look at this 2-minute video demonstration and read the attached pdf. We believe that this method of voter registration is not only acceptable in all 50 states but that election officials have no choice but to accept it since the individual is signing the National Voter Registration form.

Thanks once again for your time.

Cheers,  
Peter

--  
Peter Allen  
Lead Organizer  
Verafirma

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**Thank you and follow up**

peter@getcatapult.com

To: Bartlett, Gary;

Cc: Jude Barry; Michael Marubio;

Bcc:

Attachment:

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Mr. Bartlett,

Thanks once again to you and your staff for taking the time to talk with us about modernizing voter registration in North Carolina. We're excited about moving forward — and hopefully saving you from the "sea of paper" you referenced on our call.

I've cut and pasted a message we received from the state of Washington regarding our technology (see below). We've just received a similar message from officials in Oregon. Would you please review this and let us know if you concur with these states that there is no basis to reject National Voter Registration Forms completed using the Allpoint Pen.

Per your request, we'll drop a sample of a completed form in the mail which should reach your office in the next few days.

We're very glad to hear that you're interested in entirely electronic submission, and as Michael said on the call, we'd be happy to implement that process in North Carolina. If the consensus on your end is that this can be done, we can send you more details about the process and even walk you through a live demo.

Again, we appreciate your time, vision, and prompt attention to these matters.

Regards,  
Peter

---  
**Peter Allen**  
Lead Organizer  
[Verafirma](#)

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---

----- Forwarded message -----

From: Murphy, Patty

Date: Wed, Aug 17, 2011 at 5:20 PM

Subject: RE: Online Voter Registration Questions

To: Michael Marubio <[michael@verafirma.com](mailto:michael@verafirma.com)>

Dear Mr. Marubio,

If a Washington State voter used an electronic pen to fill out and sign a voter registration form, and then mailed the form to the Washington State Secretary of State, the application would be processed. We have no legal basis to reject the application.

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We would prefer that our state voter registration form were used for this process, but would accept the national form. Our state form is found at –

<http://wv1.secstate.wa.gov/osos/en/voterinformation/Pages/RegistertoVote.aspx>

Let me know if you have any questions.

*Patty Murphy* | Voting Systems Specialist

Electons Division | Office of the Secretary of State

(360) 902-4188 | helpdesk (360) 902-4194

520 Union Ave SE, Olympia 98501

PO Box 40229, Olympia 98504

[patty.murphy@sos.wa.gov](mailto:patty.murphy@sos.wa.gov) | [vrsupport@sos.wa.gov](mailto:vrsupport@sos.wa.gov) | [welssupport@sos.wa.gov](mailto:welssupport@sos.wa.gov)

*Innovative Technology Solutions ... because Accuracy, Access and Direct Democracy Matter.*

□□

**RE: Electronic Signature**

**Bartlett, Gary**

To: Peter Allen;

Cc: Degraffenreid, Veronica; Burris, Marc; McLean, Johnnie;

Bcc:

Attachment:

---

Voter Registration – Veronica Degraffenreid; IT – Marc Burris

---

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**Sent:** Monday, September 19, 2011 2:17 PM

**To:** Bartlett, Gary

**Subject:** Re: FW: Electronic Signature

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As we mentioned in our conversation, we want to make this as painless a process as possible on your end. With that in mind, who should be our point person for working with the state BOE as we move forward and begin submitting registrations?

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FYI

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**Sent:** Monday, September 19, 2011 10:01 AM

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**Cc:** Degraffenreid, Veronica; Burris, Marc; Susan Nichols

**Subject:** Electronic Signature

The attached opinion states the use of a remote electronic signature on a VR form that is reduced to paper and then delivered to a CBE is legal. It has been thoroughly reviewed and edited.

--

**Peter Allen**

Lead Organizer

Verafirma

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XV

Wright, Don

---

**From:** Betsy Meads [betsymeads@roadrunner.com]  
**Sent:** Tuesday, September 11, 2012 7:41 AM  
**To:** Wright, Don  
**Cc:** Bartlett, Gary; Johnle.McLean@ncsb.org  
**Subject:** Urgent - Registering Online In NC -  
**Attachments:** 163-82.3-4 Registration and forms.docx; signature and completion.pdf; NC register online.pdf; beingbarack\_com\_weekend\_update\_gotta\_register.pdf; Obama video in OHIO.pdf; thephotographer4you\_com\_politics\_happening\_around\_town\_g.pdf

Electronic Registrations in NC – The President has an APP for THAT!

Imagine my surprise, as a former NC county board of elections member, when my son asked me about a website that lets you register online to vote in NC.

*According to NCGA 163-82.6(b) as pulled from the state website, the only entity that can capture an electronic image of a voter signature is on an electronic voter registration form OFFERED BY A STATE AGENCY.*

Yet, last night I went to [www.Gottaregister.com/NC](http://www.Gottaregister.com/NC) on my son's phone and changed my party affiliation, as I am already a registered voter. PLEASE SEE ATTACHED. The whole time I was doing this I kept thinking surely there will be a screen advising me that Electronic registrations are not accepted in NC and advising me to print the form and mail it to my local board. But that didn't happen as evidenced by my attachments.

This is contrary to the Statute as I read it, and as I was just in Chapel Hill at a training for local board members August 14<sup>th</sup>, I'm sure I didn't hear anything about electronic registrations in NC being allowed. What I did hear was that board members and staff were to be very careful when reviewing voter registrations, in other words to police them for accuracy.

The Obama Campaign is advertising, encouraging and collecting Online Registrations across the country, including in North Carolina where it is ILLEGAL!

Please answer the following questions :

- Can local boards recognize these registrations? I can tell you, many online signatures look nothing like they should.
- How do you plan to notify local boards about this issue.
- How will you keep from disenfranchising voters who use this source, confident that they are following the rule of the State of North Carolina, after all, it's the President's website.
- What steps will you take to protect all parties hurt by this campaign's actions of not verifying State Laws? This website could have easily said that electronic registration is not legal in NC and offered a form that the person could fill in and mail just like RegisterToVote.org.
- Are you going to recognize these registrations as official registrations?

Please find below related links.

1. Register to Vote in NC - Get started now to support Pres.

[www.gottaregister.com/NC](http://www.gottaregister.com/NC)  
Obama and local Democrats.

## Sign your registration from your iPhone

If you have an iPad, iPhone, Android, or any other touch screen device, you can complete the entire process right now — no paper forms or stamps necessary.

Whether you just need to update your registration or you're planning to vote for the first time, try out our one-stop solution with your touch screen device now at [m.GolfaRegister.com](http://m.GolfaRegister.com).

To finish your registration by mail, continue below.

Please see attachments for how it's done and the advertising that the President is doing about this site.



# STATE BOARD OF ELECTIONS

6400 Mail Service Center • Raleigh, North Carolina 27699-6400

**GARY O. BARTLETT**  
Executive Director

**Mailing Address:**  
**P.O. BOX 27255**  
**RALEIGH, NC 27611-7255**  
**(919) 733-7173**  
**FAX (919) 715-0135**

**Annual Training For County Elections Officials**  
**Monday, August 13, Pre Registration from 3:00PM – 5:00PM**  
**Tuesday, August 14, 2012**

7:30 a.m.–8:45 a.m.	<b>REGISTRATION &amp; BREAKFAST</b>	
9:00 a.m. - 9:20 a.m.	Welcome, Pledge, Moment of Silence, Board remarks	Larry Leake & Board Members
9:20 a.m. - 9:35 a.m.	What to expect in a Presidential Election	Larry Leake
9:35 a.m.- 10:00 a.m.	Primary Elections Lessons Learned	Gary Bartlett
10:10 a.m. - 10:40 a.m.	Recounts What is a Vote?	Johnnie McLean
10:40 a.m.-11:00 a.m.	<b>BREAK</b>	
10:40 a.m. – 11:00 a.m. 11:00 a.m. – 11:20 a.m. 11:20 a.m. – 11:40 a.m.  11:40 a.m.- 12:00	Provisional Voting Canvass Voter Assistance: a) Observers b) c) Litigation	Veronica Degraffenreid Veronica Degraffenreid Don Wright  Aggressive  Challenges Media Bob Joyce
12:00 p.m.–1:15 p.m.	<b>LUNCH</b>	
1:15 p.m.–1:30 p.m. 1:30 p.m. – 1:45 p.m.	Groups Impacting Elections Fraud-what it is & isn't	Johnnie, Marshall & George Gary Bartlett
1:45 p.m.–2:20 p.m.  2:20 p.m. – 2:45 p.m.	Campaign Finance • Report notices • Report reviews/audits • Reporting noncompliance to our office • When and how to close committees • How "inactive" status works • Complaints and dealing with the media/public • IEs/ECs/CSCs  SuperPaacs	Amy Strange & Jane Steffens        Susan Nichols
2:45 p.m.–3: 05 p.m.	<b>BREAK</b>	
3:05 p.m.–3:20 p.m. 3:20 p.m. -3:30 p.m.	HAVA-History & Current Status DHHS Funds/Grants	Bob Cordle Neil Baddour
3:30 p.m.- 3:34 p.m.	New Laws: Maintenance of Voting Equipment	Gary Bartlett
3:45 p.m. – 4:00 p.m.	Certification Awards	
4:00 p.m. 5:00 p.m.	- Meetings: NCADE - Board Members Association	Association  County  Dogwood Grumman

5:00 p.m.	Adjourn	
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**Annual Training for County Elections Officials**

**Wednesday, August 15, 2012**

**Core Courses**

**Breakfast: 7:30AM–8:45 AM**

<b>Time</b>	<b>Core Course # 2</b> Absentee Voting Dogwood	<b>Core Course # 10</b> SEIMS Redbud	<b>Core Course # 6</b> Precinct Management Grumman Preparation and Check List Emergency Plan Canvass
8:45 a.m.–10:10 a.m.	Veronica Degraffenreid SEIMS Help Desk	Marc Burris & Team	George & Bob Joyce
<b>10:10 a.m.–10:30 a.m.</b>	<b>BREAK</b>	<b>BREAK</b>	<b>BREAK</b>
10:30 a.m.–12:00 p.m.	<b>Core Course # 2</b> Absentee Voting Dogwood	<b>Core Course # 10</b> SEIMS Redbud	<b>Core Course # 6</b> Precinct Management Grumman Preparation and Check List Emergency Plan Canvass
	Veronica Degraffenreid SEIMS Help desk	Marc Burris & Team	George & Bob Joyce
<b>12:00</b>	<b>ADJOURN</b>	<b>ADJOURN</b>	<b>ADJOURN</b>

**Wright, Don**

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**From:** Wright, Don  
**Sent:** Thursday, September 13, 2012 4:00 PM  
**To:** 'betsy@harborwholesaleandpromotions.com'  
**Cc:** Bartlett, Gary; Johnie.McLean@ncsbe.gov  
**Subject:** RE: Urgent - Registering Online In NC -  
**Attachments:** VWD 053.PNG; VWD 054.PNG

Dear Ms. Meads,

We have checked this website and found that the voter registration application that would be generated using the Gottoregister.com website is a form that is signed by the applicant using a remote pen that is controlled by the user on the device's screen, and a voter registration form with a "wet" signature is sent directly to a county board of elections for processing. This is not online voter registration. Online voter registration involves a web user entering their voter registration information into a web application and then having that data uploaded or fed into a state's statewide voter registration database system. With online voter registration, the applicant does not have to sign a paper application and a paper application with a wet signature is never delivered to the election official. Applicants utilizing the Gottoregister.com site have the option of printing their voter registration application themselves for signing and personal delivery to their county board of elections, or they can sign a paper application remotely and have their signed form delivered to their appropriate election official by a third party. Essentially, this is a web-based voter registration drive. State and federal law permit groups or organizations to offer voter registration forms to individuals and these groups or organizations can then accept the forms and deliver them to election officials by the voter registration deadline. For further clarification, please see the attachments which show screenshots taken from the gottoregister.com website.

We have not found that there is anything unlawful in the use of a printed voter registration form that is signed remotely by the applicant and is subsequently delivered to a board of elections by non-electronic means. There is a "wet" signature on the application that was generated using a pen that is remotely controlled by the voter registration applicant. Electronic remote signing is commonly used in commercial transactions, governmental documents, and other transactions. Further, county election officials carefully review all voter registration forms that are submitted to them for processing. The applicant's ID information will be validated through the DMV, and if ID information is not provided or does not validate, the applicant will need to show ID the first time he or she presents to vote.

This legal opinion of the lawfulness of remote signing was reached by myself several months ago and was reviewed at that time by the North Carolina Attorney's General Office which concurred in it. If you have a legal opinion tendered to you to the contrary, please forward it to us.

Sincerely,

Don Wright  
 General Counsel

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**From:** Betsy Meads [mailto:betsymeads@roadrunner.com]  
**Sent:** Tuesday, September 11, 2012 7:41 AM  
**To:** Wright, Don  
**Cc:** Bartlett, Gary; Johnie.McLean@ncsbe.gov  
**Subject:** Urgent - Registering Online In NC -

Electronic Registrations in NC – The President has an APP for THAT!



State of North Carolina  
Department of Justice

ROY COOPER  
ATTORNEY GENERAL

P.O. Box 629  
RALPH, NC  
27602-0629

REPLY TO:  
SUSAN KELLY NICHOLS  
ELECTIONS SECTION  
PHONE: (919) 716-6890  
FAX: (919) 716-6755  
E-MAIL: SNICHOLS@NCDOJ.GOV

January 29, 2013

Ms. Susan Myrick  
Election Policy Analyst  
The Civitas Institute  
100 South Harrington St.  
Raleigh, NC 27603

Dear Ms. Myrick:

This letter is in response to your public records request of January 16, 2013. You requested two categories of documents. Your request was triggered by a 2009 document produced by the State Board of Elections in response to your earlier request of that agency.

First, you request "all documents, emails, or files ever produced in relation to the issue of electronic/online voter registration whether directed to the N.C. State Board of Elections, the N.C. General Assembly or any other organization or person." No advisory opinions or similar documents were ever produced for another agency by me or anyone in this office in response to a written request from Mr. Bartlett on September 11, 2009 because he orally withdrew his request before a response was prepared. I did locate a copy of email correspondence between me and David Becker, Director of Election Initiatives for the Pew Center on the States, seeking contact with other states that had adopted the Uniform Electronic Transactions Act ("UETA"), as has North Carolina, but chose to also adopt new legislation to facilitate electronic voter registration. Also attached is a copy of the Utah Supreme Court decision in *Anderson v. Bell*, 2010 UT 47 (June 22, 2010), dealing with UETA and electronic signatures in an elections context, that I shared with the staff at the State Board of Elections.

Second, you request "any documents emails or files that reference 'wet signatures.'" Attached are emails and one article responsive to that request. I am separately sending you by email another article referencing "wet signatures" that I was unable to print.

Sincerely,

Susan Kelly Nichols  
Special Deputy Attorney General

Nichols, Susan

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From: Wright, Don (don.wright@ncsbe.gov)  
Sent: Tuesday, September 18, 2012 12:49 PM  
To: Nichols, Susan; Degraffenreid, Veronica; Bartlett, Gary; McLean, Johnnie; Burris, Marc  
Subject: RE: Opinion: Remote Signing of Voter Registration Applications  
Attachments: remote signing.pdf

Susan,

See the attached to refresh your memory on your input on the issue. I note the change that says you had "reviewed and concurred" as opposed to "consulted". I do not recall why the final wording was used. I will make sure not to use that wording again.

Don

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From: Nichols, Susan [mailto:snichols@ncdoj.gov]  
Sent: Tuesday, September 18, 2012 12:33 PM  
To: Degraffenreid, Veronica; Bartlett, Gary; McLean, Johnnie; Wright, Don; Burris, Marc  
Subject: RE: Opinion: Remote Signing of Voter Registration Applications

Don,

As you know, the AG's office ended the procedure of allowing attorneys to state they concur in an opinion they did not author before I became a member of the staff. While Charlie Hensey used to do that with some regularity, I have tried to avoid it per my instructions. In the future, I would appreciate it if opinions don't state "Special Deputy Attorney General Susan Nichols has reviewed and concurs in this opinion."

I know we talked about the issue of the remote signing and I agreed with your analysis, although I don't specifically recall reviewing the final opinion. Could your opinions state instead: "Special Deputy Attorney General Susan Nichols was consulted in the preparation of this opinion." ? Then it won't sound as if your opinion is in fact one of the AG when it hasn't been run through the process for an AG Opinion.

Thanks,

*Sue Kelly Hicks*

Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

Note: Pursuant to Executive Order No. 150, all electronic mail messages in connection with State business which are sent to or received by this address are subject to the Public Records Law and may be disclosed to third parties.

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From: Degraffenreid, Veronica [mailto:Veronica.Degraffenreid@ncsbe.gov]  
Sent: Tuesday, September 18, 2012 11:38 AM  
To: Bartlett, Gary; McLean, Johnnie  
Cc: Wright, Don; Burris, Marc; Nichols, Susan  
Subject: FW: Opinion: Remote Signing of Voter Registration Applications

**From:** David Becker [DBecker@pewtrusts.org]  
**Sent:** Tuesday, April 13, 2010 3:12 PM  
**To:** Nichols, Susan  
**Subject:** RE: UETA and Online Voter Registration

That's probably a better idea. Here are the states where I have contacts you could talk to (though I can't guarantee they'll know the answer):

Arizona: Amy Bjelland, state election director, [Abjelland@azsos.gov](mailto:Abjelland@azsos.gov) (I don't think she's a lawyer – AZ implemented online registration 8 years ago, and she wasn't there then)  
California: Evan Goldberg, deputy secretary of state, [EGoldberg@sos.ca.gov](mailto:EGoldberg@sos.ca.gov)  
Colorado: Hilary Rudy, attorney in secretary of state's office, [Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)  
Indiana: none  
Kansas: Brad Bryant, state election director, [BradB@kssos.org](mailto:BradB@kssos.org) (I don't know if he's a lawyer)  
Louisiana: none  
Oregon: Steve Trout, state election director, [steve.trout@state.or.us](mailto:steve.trout@state.or.us) (I think he's a lawyer)  
Utah: Mark Thomas, he does policy in the Lt. Gov's office, [Mlthomas@utah.gov](mailto:Mlthomas@utah.gov) (don't know if he's a lawyer)  
Washington: Nick Handy, state election director, [nhandy@secstate.wa.gov](mailto:nhandy@secstate.wa.gov)

Like I said, many of these folks might not know what UETA is, or have direct knowledge, but they'd be a good place to start. Good luck!

David

David J. Becker  
Project Director, Election Initiatives  
The Pew Center on the States  
901 E Street NW | 10th Floor  
Washington, DC 20004  
p: 202.552.2136 | f: 202.552.2299  
e: [dbecker@pewtrusts.org](mailto:dbecker@pewtrusts.org) | [www.pewtrusts.org](http://www.pewtrusts.org)

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**From:** Nichols, Susan [mailto:snichols@ncdoj.gov]  
**Sent:** Tuesday, April 13, 2010 11:44 AM  
**To:** David Becker  
**Subject:** RE: UETA and Online Voter Registration

Maybe we shouldn't do it as a call at all. Could you share the names and contact info of attorneys in any of the states familiar with the implementation of on-line registration that I could contact just to discuss this issue? That would allow me to talk with them and see if UETA was a factor at all in their implementation strategy. What do you think?

*Susan Kelly Nichols*  
Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

---

**From:** David Becker [mailto:DBecker@pewtrusts.org]

**Sent:** Tuesday, April 13, 2010 11:22 AM  
**To:** Nichols, Susan  
**Subject:** RE: UETA and Online Voter Registration

That's a lot of states. It might be particularly challenging to arrange for a call with all these states for so soon. In particular, it might be very difficult to find if there's anyone in each of these states who knows why they didn't rely upon UETA, or if they even thought about it. Does this call have to happen this month?

**David J. Becker**  
Project Director, Election Initiatives  
The Pew Center on the States  
901 E Street NW | 10th Floor  
Washington, DC 20004  
p: 202.552.2136 | f: 202.552.2299  
e: [dbecker@pewtrusts.org](mailto:dbecker@pewtrusts.org) | [www.pewtrusts.org](http://www.pewtrusts.org)

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**From:** Nichols, Susan [<mailto:snichols@ncdoj.gov>]  
**Sent:** Tuesday, April 13, 2010 10:02 AM  
**To:** David Becker  
**Subject:** RE: UETA and Online Voter Registration

I'll check on Tuesday with Gary Bartlett. He is out today, but I will get back with you as soon as I can. All the states you listed have adopted UETA except California, which adopted a substantially similar version, and Washington, which had not adopted it as of September 30, 2009.

Thanks for your help.

*Susan Kelly Nichols*  
Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755

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**From:** David Becker [<mailto:DBecker@pewtrusts.org>]  
**Sent:** Tuesday, April 13, 2010 9:28 AM  
**To:** Nichols, Susan  
**Subject:** RE: UETA and Online Voter Registration

Susan,

Hi – my apologies for not getting back to you sooner – I've been traveling up a storm lately. Can't schedule a call this week – I'm traveling most of the week. I might be able to schedule something for next Tuesday, April 20, if we can get everyone on the line. I'm going to need some help identifying the states – as I mentioned we didn't look into the UETA issue at all. The states that have currently passed online registration legislation are: Arizona, California, Colorado, Indiana, Kansas, Louisiana, Oregon, Utah, and Washington. Which of these adopted UETA?

David

**David J. Becker**  
Project Director, Election Initiatives  
The Pew Center on the States

901 E Street NW | 10th Floor  
Washington, DC 20004  
p: 202.552.2136 | f: 202.552.2299  
e: [dbecker@pewtrusts.org](mailto:dbecker@pewtrusts.org) | [www.pewtrusts.org](http://www.pewtrusts.org)

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**From:** Nichols, Susan [mailto:[snichols@ncdoj.gov](mailto:snichols@ncdoj.gov)]  
**Sent:** Monday, April 12, 2010 4:28 PM  
**To:** David Becker  
**Subject:** UETA and Online Voter Registration

David,

Gary Bartlett and his staff would like to take you up on your offer to arrange a conference call of other states that had adopted UETA, but chose to adopt new legislation to facilitate online voter registration. Could you suggest some dates from Wednesday-Friday this week and next week when you would be available for such a call?

Thanks,

*Susan Kelly Nichols*

Special Deputy Attorney General  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890  
Facsimile: 919/716-6755



**FW: Opinion: Remote Signing of Voter Registration Applications**

Degraffenreid, Veronica

**To:** Bartlett, Gary; McLean, Johnnie;**Cc:** Wright, Don; Burris, Marc; Susan Nichols;**Bcc:****Attachment:** [Inquiry E-signature 2 .pdf](#)

---

Spoke with Michael of Allpoint Voter Services this morning. This process has been approved in writing from several other states: Nevada, Washington State, Oregon, Minnesota, Illinois and Massachusetts. A few other states gave verbal agreement and a few neither affirmed or rejected the process. No state rejected the process outright. 15 states in total reviewed this process.

Right now only the Obama Campaign and Rock the Vote are using this process. Allpoint is in discussion with other groups (maybe Republican party???), but they cannot announce their participation right now.

Allpoint is based out of Oakland, CA. There are two "pens." One is in Nevada and the other one in California.

---

**From:** Degraffenreid, Veronica**Sent:** Tuesday, September 18, 2012 11:23 AM**To:** SBOE\_Grp - Directors.BOE**Cc:** SEIMS.ADD.BOE**Subject:** Opinion: Remote Signing of Voter Registration Applications

The opinion expressed in this email was reviewed by SBOE and AG counsel, as well as senior management of the State Board of Elections.

Recently, county boards of elections in North Carolina began receiving mailed voter registration forms from Allpoint Voter Services. Please note that these forms were signed by a voter registration applicant using a remote pen that is controlled by the user on an Apple or Android device. The person will sign the touch screen on the device and the person's finger or stylus movements then controls a remote pen that applies an actual "wet" signature directly onto the national voter registration application. The signed voter registration application is then mailed directly to the appropriate county board of elections.

Please note that although the applicant is using a web-based tool or application to complete a voter registration form, this process is not online voter registration or accepting an electronic signature. Online voter registration involves a web user entering their voter registration information into a web application and then having that data uploaded or transmitted into our state's statewide voter registration database system. With online voter registration, the applicant does not have to sign a paper application and a paper application with a penned signature is never delivered to the election official.

Persons using this remote signing process have the option of printing their voter registration application themselves, for signing and personal delivery to their county board of elections, or they can sign (pen to paper) a voter registration form *remotely* using a touch screen device and have their signed form delivered to their appropriate election official by a third party. Essentially, this is a web-based voter registration drive. State and federal law permit groups or organizations to offer voter registration forms to individuals and these groups or organizations can then accept the forms and deliver them to election officials by the voter registration deadline.

Our attorneys have researched this matter and agree that the use of a printed voter registration form that is signed remotely by the applicant and is subsequently delivered to a board of elections by non-electronic means is permissible. These forms should be accepted as valid voter registration forms. For the applications that you

receive from Allpoint Voter Services, there is a "wet" signature on the application that was generated using a pen that is remotely controlled by the voter registration applicant. As an election official, you should continue to carefully review all voter registration applications, regardless of source. You must ensure that all required fields are completed on these forms. As you know, when voter registration applications are processed, the applicant's ID information will be validated through the DMV, and if ID information is not provided or does not validate, the applicant will need to show ID the first time he or she presents to vote.

XX

Page 1 of 1

**FW: fraudulent registration forms**

Bartlett, Gary

To: Tutor, Marshall; Degraffenreid, Veronica; McLean, Johnnie;

Cc:

Deei

Attachment:

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**From:** George Gilbert [mailto:GGILBER@co.gulford.nc.us]

**Sent:** Monday, September 17, 2012 3:07 PM

**To:** Bartlett, Gary

**Cc:** Charles Collicut

**Subject:** fraudulent registration forms

We have receive a good number of registration forms (Federal form) from "Allpoint Voter Services" (510-393-4441) (according to the USPS Priority Mail envelop.) All these contain signatures that were immediately suspect. We are investigating the status and records of these voters in our current registration file and will provide the state with whatever information we find as well as copies, at least a sample, of the forms.

To whom would you like us to direct this information?

George Gilbert  
Director of Elections  
Gulford County Board of Elections  
PO Box 3427  
Greensboro, NC 27408  
301 W Market St, Rm 115  
336-641-3836 O  
336-906-0047 M

---

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized county official. If you have received this communication in error, please do not distribute it. Please notify the sender by E-mail at the address shown and delete the original message.

◆◆

**RE: Question about attached VR apps**

Suzanne Southerland

To: Degraffenreid, Veronica;

Cc: Pat Williams;

Bcc:

Attachment

---

Signed in bright blue that bleeds through the back of the paper??

---

**From:** Degraffenreid, Veronica [mailto:Veronica.Degraffenreid@ncsbe.gov]

**Sent:** Monday, September 24, 2012 2:17 PM

**To:** Suzanne Southerland

**Cc:** Wright, Don; Pat Williams

**Subject:** RE: Question about attached VR apps

These are the ones from Allpoint Voter Services – they were signed using an iPhone/iPad or other touch device. Process as usual.

---

**From:** Suzanne Southerland [mailto:dcboe@duplincountync.com]

**Sent:** Monday, September 24, 2012 1:35 PM

**To:** Degraffenreid, Veronica

**Cc:** Wright, Don; Pat Williams

**Subject:** Question about attached VR apps

Hi Ronnie,

I've attached a group of VR applications that we received today. They all came in the same envelope, one without any kind of return address. The part we find the most questionable is the similarity of all the signatures - they all appear to have been signed with a blue, sharpie-type marker. We also recognize that several of these are not for Duplin County which gives us even more cause for concern. The first page was in the same envelope as a cover page but doesn't mean anything to us??

Could you please advise as to how you recommend they be processed?

*Suzanne W. Southerland*, Director  
Duplin County Elections Department  
Voice 910-296-2170; Fax 910-296-2167  
[www.duplincountync.com](http://www.duplincountync.com)  
160 Mallard St/PO Box 975  
Kenansville, NC 28349

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

**RE: stamped signature**

Degraffenreid, Veronica

To: Julie Hall;

Cc:

Dcc:

Attachment

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No problem. Glad that you asked.

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**From:** clay boe [mailto:clay.boe@gmail.com]

**Sent:** Tuesday, September 25, 2012 11:12 AM

**To:** Degraffenreid, Veronica

**Subject:** Re: stamped signature

Okay I read that email but I was thinking that this was a stamp but it could be a remote pen I haven't seen any of those before. As usual I am second guessing myself. Thanks Julie

On Tue, Sep 25, 2012 at 10:36 AM, Degraffenreid, Veronica <Veronica.Degraffenreid@ncsbo.gov> wrote;

These are likely the ones from Allpoint Voter Services that were signed with the remote pen. Please see my email to CBEs send a week or so ago.

---

**From:** clay boe [mailto:clay.boe@gmail.com]

**Sent:** Tuesday, September 25, 2012 10:22 AM

**To:** Degraffenreid, Veronica

**Subject:** stamped signature

Veronica: Today we received in themail a voter registration application this application has a stamped sinature on it instead of physically signed with a pen I have attached it. Is this allowed? Julie

--

Clay County Board of Elections

54 Church St

Hayesville, NC 28904

828-389-6812

[www.claycountyboardofelections.com](http://www.claycountyboardofelections.com)

--

Clay County Board of Elections

54 Church St

Hayesville, NC 28904

828-389-6812

[www.claycountyboardofelections.com](http://www.claycountyboardofelections.com)

◆◆

RE: Questionable Registration forms

Degraffenreid, Veronica

To: Susan Barker

CC:

Box:

Attachments

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These are likely from Allpoint Voter Services. See the email that I sent to couniles today. For the one where the signature does not match, you may incomplete it. Call if you have questions.

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From: Susan Barker (mailto:sbarker@co.rockingham.nc.us)

Sent: Tuesday, September 18, 2012 3:41 PM

To: Degraffenreid, Veronica

Subject: Questionable Registration forms

Hi Ronnie,

We received 13 generic voter registration forms in the mail, all in one envelope, with no return address. The postmark is Oakland, CA. I can not determine if these forms came from an organization or not. The forms have info typed in and the signatures all resemble each other and it appears the envelope was addressed with the same marking pen. There was one application for a person who is already registered here. Her middle name was not provided and the signature does not match her registration we have from the DMV.

I will scan the forms for that voter to your email. I am holding these applications until I hear from you.

Thank you,

Susan

Susan Barker

Deputy Director

Rockingham County Board of Elections

240 Cherokee Camp Rd.

P.O. Box 22

Wentworth, NC 27375

(336) 342-8107

(336) 342-8228 fax

If you are not the intended recipient, you must destroy this message and inform the sender immediately. This electronic mail message and any

Xxi

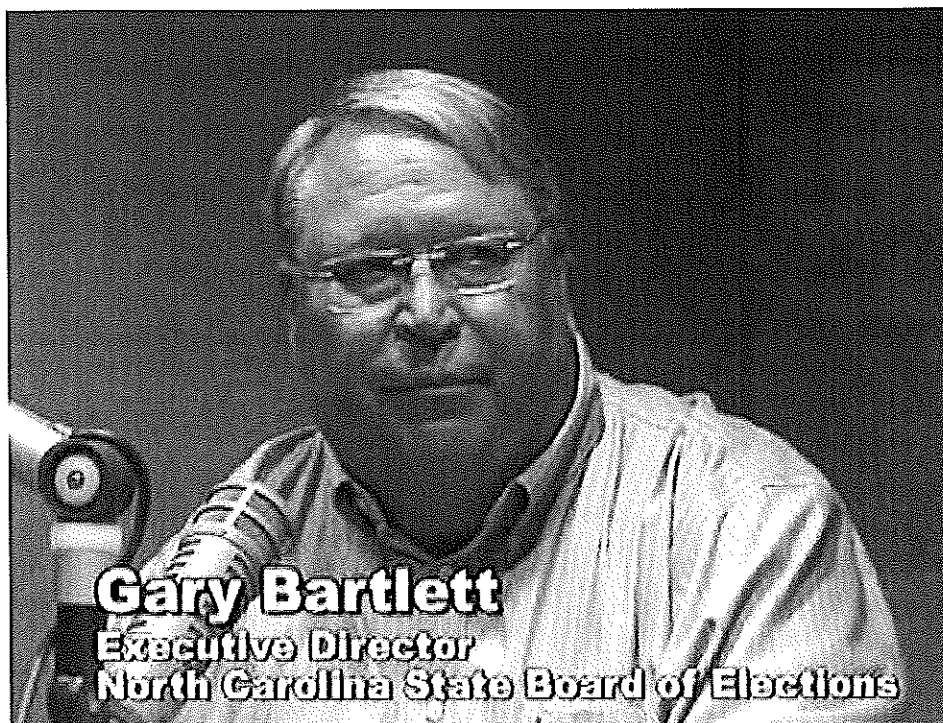
# Lobbyist Bob Hall and Gary Bartlett Planned Attack on Republican Legislature

Posted on December 14, 2012 by Susan Myrick in Corruption & Ethics, Elections & Voting

A Civitas investigation has revealed how lobbyist Bob Hall, Director of the liberal advocacy group Democracy North Carolina, is a behind-the-scenes driving force at the State Board of Elections (SBE) – even to mapping out partisan attacks on Republican legislators to the extent that it is hard to tell where the SBE ends and Democracy NC begins.

In 2012 Hall, a registered lobbyist led an attack on Republican legislators over a budget issue. In planning the lobbying campaign, Hall coordinated with the State Board of Elections staff on tactics and information. Although the actual planning of the legislative campaign began in earnest in January 2012, the public campaign and coordination started in 2011, as seen in this AP article . The article was attached to an email from a vendor sent to the State Controller’s Office, from which it was enthusiastically forwarded to the SBE. The article gives SBE Executive Director Gary Bartlett and lobbyist Hall a platform to push the story that the state-passed budget may cause an election “train wreck,” in the words of Hall.

A January 5, 2012 email from Neil Baddour of the SBE staff gave information to Bartlett, which he forwarded to Hall on Saturday, January 14, 2012. Fifty-six minutes later the real effort got



under way when Hall sent a “confidential” email and attached strategy memo to Bartlett, which Bartlett forwarded on January 17 to SBE Deputy Director Johnnie McLean. What was the memo that was attached? It was the game plan from Hall for trying to get the legislature to spend an extra \$660,000, and the political strategy for attacking Republicans in the media. The very same day McLean responded via email directly to Hall saying: “We have reviewed your document and identified a few changes you may want to make.”

We know that at least two SBE employees (Bartlett and McLean) reviewed the memo and it is likely that others also contributed to the edited memo attached. For state employees to conduct partisan political work on state time and equipment is a clear violation of the law (NCGS 126.13). To have state employees do it at the behest and direction of a lobbyist is even worse.

The memo itself contains two direct partisan mentions, one complimenting the 2008 Democratic-controlled legislature and the other critical of the Republican leaders in the current General Assembly. And to make it clear that staff had no doubt that this was a partisan effort; the memo itself contained strategy language at the bottom of the memo that includes the following partisan strategy items:

- *Media/Editorials: ... exposes the selfish partisan agenda of Republicans; fits into the larger story of voter suppression, etc.*
- *We win even if we lose: Even if we don't get the money, this fight hits the GOP where they are most vulnerable to voter anger over appearing to suppress voting; it will help with the ID fight.*

Hall's involvement with governmental agencies does not stop with the SBE. He forwarded an email (from Director Bartlett to Rep. David Lewis) on November 15, 2011 to Amy Bason, General Counsel to the North Carolina Association of County Commissioners (NCACC), to enlist their help to “release the funds.” In the email to Bason, Hall says he gained access to the forwarded email through a public records request. But Civitas has found no evidence of any public records requests made by Hall to the SBE for emails from Lewis specifically or legislators in general. It appears that Bartlett just forwards his email from legislators to a lobbyist for their review and use.

So to summarize, lobbyist Bob Hall and SBE Director Gary Bartlett conspired on a strategy to boost funding for Bartlett's agency and directly attack the Republican legislature. All of this was done at the direction of Hall with SBE staff assistance and with Bartlett the conduit. The legislative fight over the HAVA (Help America Vote Act) funds actually happened later in 2012 after the legislature convened in May.

The HAVA fight played out as the budget was being crafted, Hall led the attack and the SBE played a supporting role. In the end, fortunately, sound budgeting won the day and despite the gloomy predictions of Hall and his allies the 2012 election went smoothly without the additional money.



The collaboration between Hall and the SBE raises serious questions about who really runs North Carolina's election system: Officials representing the people, or unelected liberal special-interest lobbyists working out of the public's sight?

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