

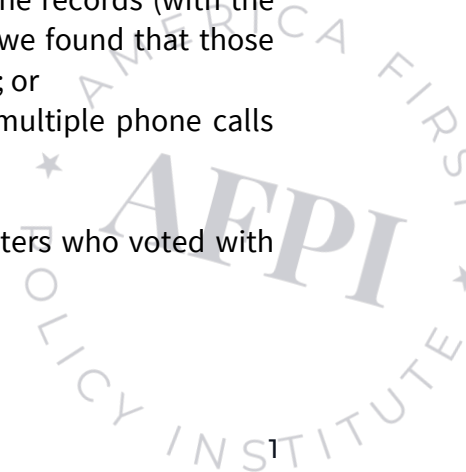


FREQUENTLY ASKED QUESTIONS | Center for Election Integrity

# NATIONAL REVIEW OF RETAINING ELECTION RECORDS FROM THE 2020 ELECTION

## FREQUENTLY ASKED QUESTIONS

- **What were the goals of this national review of retaining election records?**
  - The goals of this study were to determine whether the traditional 14 swing states were following the Civil Rights Act of 1960 and, if they had data from the 2020 general election, to determine whether the number of people who voted matched the number of ballots cast. Those numbers should be the same.
- **What are the biggest takeaways from this report?**
  - 94% of counties (94 of 100) contacted failed to provide voter data from the 2020 general election, which showed they are not complying with the Civil Rights Act of 1960. This law requires unaltered voting information for federal elections to be kept for 22 months following a general election.
  - The six counties that did retain their voter files had an average discrepancy of 2.89%.
- **What reasons did these 94 counties give for not retaining the information?**
  - The most common responses we received were:
    - Counties had not kept the records;
    - Counties only had “current data files,” meaning they updated their records when people moved or died;
    - Counties would redirect us to the Secretary of State or another election office who they claimed were the custodians of the records (with the exception of New Hampshire and North Carolina, we found that those officials also did not maintain the records properly); or
    - The counties just refused to respond, even after multiple phone calls confirming the request was received.
- **What is a discrepancy?**
  - A discrepancy is the difference between the number of voters who voted with the number of ballots cast.



- **What could count as a discrepancy?**
  - A ballot being counted multiple times (so that there could be more ballots cast than voters who voted);
  - A ballot getting destroyed (so that there could be more voters who voted than ballots cast);
  - Counties that claimed they had kept track of who voted in an election had not kept an accurate list.
  
- **Is there any legal/logical reason for the discrepancies you identified?**
  - As noted, there are three possibilities for these discrepancies. The most likely reason is that the few counties that claimed they had accurately kept a record of who voted had not actually done so.
  
- **What is a normal or traditional discrepancy rate?**
  - A normal or traditional discrepancy rate should be zero. While some differences might arise simply due to human error, the number of voters should precisely match the number of ballots cast.
  
- **Do you know if these discrepancies are overvotes or undervotes?**
  - All the counties that claimed they had a list of voters from the November 3, 2020, general election had both precincts that had more votes than voters and precincts that had more voters than votes. We calculated the precincts together to show the total discrepancy for the entire county.
  
- **Would provisional ballots that were rejected or absentee ballots that were returned late or not returned at all account for the discrepancy?**
  - No. If a provisional ballot is rejected, it will not be counted as a ballot cast.
  
- **Did Cobb County have more votes than voters or more voters than votes?**
  - Both. The data from Cobb County showed a split, and we found precincts that had more votes than voters and precincts with more voters than votes. Overall, more precincts in Cobb County had more voters listed as voting than ballots cast.
  
- **Do these discrepancies prove that Donald Trump possibly won a state such as Georgia or Arizona in 2020?**
  - We do not and will not ever know how a voter cast his or her ballot in a specific race. The question is whether that ballot was counted, not counted, or counted



more than once. Eliminating discrepancies will provide transparency and restore confidence in the election system.

- **For Cobb County (or any others listed), what was the overall net +/- of votes compared to voters?**
  - The overall net +/- of votes compared to voters was as follows:
    - Miami-Dade County, FL: 1.6% (12% of the precincts are missing)
    - Orange County, FL: 3.82%
    - Cobb County, GA: 8.8% (Secretary of State data 0.68%)
    - Woodbury County, IA: 3.06%
    - Buncombe County, NC: 0.14%
    - Johnston County, NC: 0.07%
- **If the discrepancy is more votes than voters, wouldn't that prove the case being made about organizations stuffing ballot boxes?**
  - No. These errors only deal with how the ballots are counted once they are recorded. The issue of ballot harvesting is a separate concern.
- **What race did you use to compare the total ballots cast versus the total number of voters?**
  - No particular race was used. Our review looked at the entirety of the last general election.
- **What does the term "ballot cast" mean?**
  - The term "ballot cast" means that the ballot was turned in and recorded. It is possible that someone cast a ballot that did not include any votes for any office or that he or she voted in some races but not in others.
- **What do you want to happen in the future?**
  - We want to ensure that federal law is adhered to and enforced. Counties and states should be properly keeping records of the general election. Doing so will enable our country to accomplish the simple task of matching the number of voters with the number of ballots cast.
- **Who is supposed to be in charge of making sure states/counties retain this information?**
  - The Attorney General of the United States and the Department of Justice are responsible for enforcing this law. However, all election officials are responsible for retaining this information for 22 months unless an officer passes on his or her custodial duties to another officer.



- **If you truly care about every vote and every voter, why did you only look at the largest counties in swing states and not the rest of the state or the rest of the country?**
  - We identified states that have been traditional swing states in presidential elections. Our review also selected counties with the largest population in their respective states because they represent the most votes in that state.

