

April 7, 2021

The Honorable Wm. Weston Newton, Chairman  
House Legislative Oversight Committee  
228 Blatt Building  
Columbia, SC 29201

Dear Chairman Newton,

I am writing to provide additional details regarding the removal of deceased individuals from the state's voter registration database. My February 24, 2021 response to your February 2, 2021 inquiry was composed with the belief you wanted a simple update on any changes to the process for removing deceased individuals from the database. I now understand based on your March 11, 2021 letter, as well as on Rep. William Hixon's letter included with it, the Committee seeks more details regarding this process.

State law requires the Executive Director of the S.C. State Election Commission (SEC) to conduct a general program that makes a reasonable effort to remove the name of any voter who is deceased (S.C. Code §7-3-20, §7-5-340). State law establishes one source by requiring the Bureau of Vital Statistics (BVS) to furnish the SEC with a monthly report of all persons 18 years of age or older who have died in the state since the previous report (S.C. Code §7-3-40). This source of information has been in place for decades. The SEC may also act on information from other credible sources, which are processed on a case-by-case basis. In May 2020, the SEC instituted an additional source through the Electronic Registration Information Center (ERIC). ERIC provides the SEC monthly data on South Carolina voters who are deceased according to the federal Social Security Administration (SSA). Over the past year, more than 66,000 voter registration records have been made inactive based on information from these various sources.

One of the long-standing limitations of the data provided by BVS is the lack of information on any individual who dies outside the State of South Carolina. ERIC data has significantly closed this gap. Since implementation, nearly 20,000 records have been made inactive based on this data. Even so, the process remains imperfect. The BVS and SSA data is only as good as information provided by their sources. Further, BVS and SSA data cannot always be matched satisfactorily to voter registration data to warrant removal. A data matching algorithm is applied to each potential match resulting in a match score. Only matches meeting a certain threshold are removed. This process is in place to protect voters from erroneous removal from the database.

The case of Ms. Elizabeth Hixon, the details of which were provided by Rep. Hixon in his letter, provides an illustration of the shortcomings of the data. In reviewing data provided to the SEC by BVS and ERIC, we could find no record of Ms. Hixon's death. In regard to the BVS data, this was not surprising as Ms. Hixon apparently died in Georgia. We inquired with ERIC staff, who searched their source records from SSA and found no record of Ms. Hixon's death. According to ERIC, SSA data is not perfect, and there are records they do not receive from SSA. The reasons vary but are usually related to when and how the death is reported to SSA and the completeness of the data report by the state, in this case, Georgia. Ultimately, Ms. Hixon's record was made inactive based on information provided by Rep. Hixon.

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In August and September of 2020, Ms. Laurie Zapp, a Beaufort County voter, and Ms. Hope Walker, Executive Director of the S.C. Republican Party, began providing the SEC with lists of voters that, according to their research, had died but remained active in the statewide voter registration database. In all, the names of approximately 600 voters from six counties (Allendale, Beaufort, Charleston, Hampton, Lancaster, and Lexington) were provided to the SEC.

SEC staff reviewed each case with various outcomes:

- Some records had already been made inactive based on BVS or ERIC data
- Some records were made inactive if information in the obituary could be matched with reasonable certainty
- A few records were not made inactive because the obituary information could not be matched with reasonable certainty

This process resulted in nearly all names provided being made inactive.

Included in the information provided were six voters whose voter registration records show a date voted after the date of death indicated in the obituary. In our experience, similar instances have not proven to be fraudulent votes but rather had more benign explanations such as poll manger errors, data matching errors, errors in assigning voter participation in the voter registration system, and voters who return absentee-by-mail ballots then die before election day. Nevertheless, if even one vote has been cast fraudulently, it is one too many. The SEC is in the process of reviewing voter registration, absentee and polling place records to shed more light on each instance.

We appreciate the information provided and the opportunity to share information about this important agency function. The SEC strives to keep the voter registration database as accurate as possible. To that end, we will continue to take all reasonable measures to remove deceased voters from the rolls.

Feel free to contact me with any additional questions or concerns.

Sincerely,



Marci Andino  
Executive Director