

Don Wright  
General

Counsel

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**From:** Susan Myrick [<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

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**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 Verafirma to discuss their new technology and to seek guidance on whether it could work in Nevada. Was NC contacted by Verafirma 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  
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## Susan Myrick

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**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”