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LWV of South Carolina Files Lawsuit to Establish Fair Ballot Absentee Signature Procedures

Voters Must Be Given Opportunity to Fix Signature Errors and Ensure Their Votes Will Be Counted

CHARLESTON, SC—Today, the League of Women Voters of South Carolina filed a federal lawsuit against the state’s Election Commission, asking the court to establish a notice and cure process for absentee ballots flagged for rejection due to a missing signature. Currently, voters who submit a ballot with a missing signature are not notified of the issue or given an opportunity to fix it before their ballot is tossed out.

“Because of the state of emergency in South Carolina, more voters than ever are choosing to cast absentee ballots for the first time in this election. With so many voters new to the absentee ballot process, there’s a danger that small mistakes like leaving off a signature could result in widespread ballot rejection,” said **Christe McCoy-Lawrence**, co-president of the League of Women Voters of South Carolina. “Our Election Commission can take steps to ensure voter confidence right now, by establishing a mechanism to notify voters of their missing signature and give them a chance to fix it.”

In the 2018 general election, South Carolina rejected 6.2% of ballots due to missing signatures. Due to COVID-19, all South Carolina voters are eligible to vote absentee under the State of Emergency reason. With the number of absentee ballots expected to be several times higher in 2020 than in 2018, the rate of rejection would be significant without a notice and cure process.

“Voters will not know if their ballot was counted until after the election if there is not a notice and cure process in place,” said **Dr. Deborah Ann Turner**, president of the board of directors of the League of Women Voters of the United States. “A notice and cure process means a state will notify a voter of ballot issues and offer them the opportunity to fix them. Many states across the country have adopted these processes and so should South Carolina. This is the best way to ensure voters’ voices are not silenced and their vote will be counted.”

The League of Women Voters is joined in the case by The Family Unit, Inc., and an individual voter, George Hopkins. Plaintiffs are represented in the case, *League of Women Voters of South Carolina v. Andino*, by the Lawyers' Committee for Civil Rights Under Law, ACLU of South Carolina, and Debevoise & Plimpton LLP.

“The right to vote empowers, and this lawsuit is necessary to protect that right in the November election,” said **Dr. Brenda Williams**, CEO of The Family Unit, Inc. “Voting raises self-esteem and increases a sense of self-worth. Voters make change happen.”

“South Carolina has already seen a record number of absentee ballot requests this year, but that does not mean there needs to be a record number of disenfranchised voters,” said **John Powers**, an attorney with the Lawyers’ Committee for Civil Rights Under Law. “The failure to give voters an opportunity to correct minor or technical mistakes is a clear violation of the fundamental right to vote. We are asking for common sense protections that can be implemented before the election.”

“With so many prevented from voting in person this year, the need to protect the rights of absentee voters could not be more critical,” said **Julianne J. Marley**, associate for Debevoise & Plimpton. “This case seeks to help ensure that absentee voters in South Carolina are not deprived of their fundamental right to vote due to minor ballot errors.”

All South Carolina voters are encouraged to request an absentee ballot before the deadline of 5pm on Saturday, October 24th, in order to receive their absentee ballot on time. Absentee ballots must be received by 7pm on Tuesday, November 3rd, to be counted.

[Read this press release online here.](#)