

**To:** The Voters of Hudson, New Hampshire  
David Scanlan, New Hampshire Secretary of State  
John Formella, New Hampshire Attorney General

**From:** Patricia Lovejoy, Senior Deputy Secretary of State and Election Co-Monitor  
Bonnie Winona MacKinnon, Election Co-Monitor

**Date:** December 5, 2024

**RE:** Report Prepared Pursuant to RSA 659:77 Regarding the November 5, 2024 General Election in Hudson

The Town of Hudson self-reported to the Secretary of State's Office that the Town inadvertently failed to count 181 absentee ballots in the January 23, 2024 New Hampshire Presidential Primary Election ("the Presidential Primary"). While this error was not outcome determinative to either the Democratic or Republican results, this was a significant failure that disenfranchised 181 voters in the Town of Hudson. The Attorney General's investigation of this incident concluded that Hudson officials did not include 181 absentee votes in Hudson's final vote tally, contrary to their lawful responsibilities, even though all ballots were properly stored, sealed, and included in the final count of all ballots at the end of the night. This is an error that could have, and should have, been detected in the reconciliation process at the end of the election. The Attorney General's Office determined that these issues were due to lack of training, lack of established procedures, or negligence.

In accordance with RSA 659:77, The Attorney General's Office recommended that the Secretary of State's Office appoint an election monitor to monitor the State General Election that Hudson held on November 5, 2024. Patricia Lovejoy, Senior Deputy Secretary of State, and Bonnie Winona MacKinnon, former town moderator of Nottingham, were appointed to monitor the Hudson, State General Election. This is their report.

Assistant Attorney General Matthew G. Conley's letter to the Town of Hudson is attached.

Election Monitor Report:

Pursuant to the letter of appointment and RSA 659:77(IV) we were given full access to the polling place, including authority to directly observe the registration of voters on election day, the checking in of voters by inspectors of elections, assistance to voters with disabilities, the processing of absentee ballots, and the counting of ballots and were given authority to handle marked ballots for the purposes of instruction during the counting and tabulating process.

Hudson has two polling locations – Ward 1 Memorial School and Ward 2 at Alverine High School. Our monitor team was at Ward 1 where the absentee ballots were being processed. The polls were opened at 7 AM and closed at 8 PM. One of the co-monitors were always present from 6:15 AM until all ballots and election materials were properly sealed in the appropriate boxes and numbered.

Hudson appointed Michelle Brewster, as the new Town Clerk at the beginning of August 2024. The State Primary Election in September was the first election that Ms. Brewster was involved with. Paul Inderbitzin had been the long-term Moderator and retired from the position in March 2024. The newly elected Moderator resigned after a few months and Mr. Inderbitzen stepped back into the moderator role until the March 2025 election. Ms. Brewster along with Assistant Moderator Deb Stoddard were present at the Memorial School location. Mr. Inderbitzen was at the Alverine school location during polling hours then came to the Memorial School location to oversee the vote reconciliation process.

We attended the October 25, 2024 testing of the AccuVote machines. Town Moderator and Town Clerk were present. The clerk had properly marked test ballots including 15 absentee ballots. Each machine's seals were checked and properly recorded. All machines tested passed the testing.

Discussions regarding procedures to be used at the election revealed that Hudson had not previously been utilizing two ballot clerks at each voter check-in station. The Moderator agreed to utilize two ballot Clerks, one Democrat and one Republican, at each station including the absentee processing teams.

#### Observations:

- Hudson uses E-Poll books. There were initially three assigned for check-in of voters previously registered and three assigned for same day registration and one assigned to absentee ballot processing. As the lines for voting for previously registered voters grew longer than one hour, two of the E-Poll books assigned to same day registration were transferred to check-in. As needed throughout the voting day these two E-Poll Books were used to manage the lines for check-in and same day registrations.
- All pre-election procedures including running “zero tapes” and completing the pre-election certificate were properly completed prior to the opening of polls at 7 AM.
- Absentee vote processing began at 9 AM as posted at the location and announced at the opening of the polls. There was adequate space for election observers to see and hear the process. There were four teams of two opening the envelopes and ensuring the affidavit envelopes were present and signed. The envelopes were then transferred to the team that was entering them into the E Poll Pads. Once entered

in the poll pads the ballots were removed from the envelopes and given to one person who fed them into the AccuVote machine. There was one AccuVote machine dedicated to absentee ballots. There were only three ballots that could not be read by the AccuVote machine due to ballots having been torn when the envelopes were opened and required taping. Those ballots were removed from the side pocket after the polls were closed and added to the hand count ballots from the three machines used for same day voters. The number of absentee ballots processed were reconciled with the number of absentee ballots returned per the statewide voter registration system, plus absentee ballots that included new voter registration, non-public voters less rejected ballots.

- The nine signs that must be posted per 658:29 were initially posted on a wall that voters did not pass in front of. When this was brought to the clerk's attention the signs were moved to a more appropriate location.
- Hudson Ward 1 had 9351 voters on the checklist as of the opening of the polls. This would necessitate the need for 93 voting booths per the RSA's. Hudson only had 53 booths including the assessable voting booth. Even though voting turnout was high there rarely appeared to be voters waiting to use a booth. The Assistant Moderator had poll workers directing voters to open booths. With some rearranging of the booth layout more booths could be added to the room where the voting occurs.
- The polls closed at 8 PM and the ballots and machine tapes from the Alverine School location were brought to the Memorial School location.
- The reconciliation process went smoothly which included the tallying of votes from the ballots requiring hand counts.
- It appeared that poll workers were well trained and that the Clerk, Moderator and Assistant Moderator were all well trained and strived to deliver a fair and accurate election.
- The Hudson Police Department should be commended for how well they controlled the traffic – both on the main road and within the school property.

We would like to thank the Clerk, Moderator and Assistant Clerk for their planning and attention to detail which resulted in a well-run, accurate election. The Clerk and Moderator were planning to have an "All Hands" meeting the week after the election to plan improvements for the next election.

Respectfully submitted,

Patricia Lovejoy

Bonnie Winona