

HULL & CHANDLER
ATTORNEYS AT LAW

October 2, 2026

VIA UNITED STATES MAIL

ATTN: Board of Directors
The Liberian Community Association of Greater Charlotte
c/o Francis K. Sio, Registered Agent
P.O. Box 44381
Charlotte, NC 28215

VIA ELECTRONIC MAIL

ATTN: Mr. Ricks Mensah
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Re: Concerns Regarding Potential Violations of the Bylaws for
The Liberian Community Association of Metropolitan Charlotte
(a/k/a Liberian Association of Charlotte, "LIBAC").

Dear Board of Directors:

I am writing to you on behalf of the Team TUSI campaign ("Team TUSI") in order to bring your attention to serious concerns regarding the TapVoter software (the "Software") that is currently planned for use in the upcoming election. After reviewing the Software, including its implementation, Team TUSI has concluded that the Software, as currently configured, does not keep each member's vote fully secret.

Team TUSI raises this issue in a spirit of cooperation, not accusation. Team TUSI recognizes that the Board's decision to move toward electronic voting was made with the aim of promoting accessibility and voter-participation. This letter should not be construed to suggest that any director, officer, member, or other individual has misused or intends to misuse the Software. The concern is with the design of the system itself and whether it satisfies the secret ballot requirement contained in Section 11 of the bylaws.

Since 1999, LIBAC has served as a cornerstone of the Liberian community in the Charlotte area. For over twenty-five (25) years, its elections have been conducted in person, by paper ballot. Under that system, a voter marked a ballot privately and placed it in a closed ballot box. Each of the ballots were mixed together and counted only after voting closed.

The result was that no one, including those running the election, could determine how any individual voted. Election officials could confirm *that* a member voted and could tally *how many* votes each candidate received, but nothing connected a particular ballot to a particular member. This separation between the voter and the vote is what made the ballot secret, and it what members have come to rely on.

Secrecy matters; it protects a member's freedom to vote his or her conscience. When a vote can be traced, members may feel pressure to vote the way a friend, relative, employer, or community leader expects. Some may even choose not to vote at all.

Section 11:4 of LIBAC's bylaws is short and straightforward:

All voting will be exercised by means of secret ballots.

Team TUSI does not interpret Section 11:4 as forbidding electronic voting. A ballot can be cast on paper or on a screen and still be secret. The question is whether the method chosen preserves the same separation between voter and vote that the paper ballot box has always provided.

The Board need not rely on Team TUSI's characterization of the Software. TapVoter's own website addresses this issue directly. In describing whom the ballot is secret from, it states:

Not fully secret from an election administrator. Voter exports deliberately carry no voting time, so the ballot log cannot be joined against them. But the administrator's own voter screen still shows roughly when each person voted, and the ballot log carries timestamps, so a determined administrator could still narrow it down. If your vote must be secret from the people running it, you need a platform that separates those roles cryptographically.¹

¹ <https://tapvoter.com/anonymous-voting/>

TapVoter has taken some steps to protect voter privacy. It strips voting times from voter exports so that a downloaded voter list cannot simply be matched against the ballot log. TapVoter is also commendably candid about the limits of that protection. It tells users that its platform is not the right choice where a vote must be secret from the people running the election. Section 11:4 presents exactly that situation.

The vulnerability TapVoter describes is simple. The Software keeps two records. One shows who voted and roughly when. The other shows what each ballot said and when it was cast. Anyone who has access to both, such as an administrator, can line them up by time.

Likewise, an administrator may further maintain access to a live vote count for each candidate, in real time. While the Software does not explicitly show whom a person voted for, such remains easily ascertainable by checking the live count after issuing a code to a member voting electronically.

No voting method is perfect, and Team TUSI does not contend that the Board must guarantee secrecy against every conceivable risk. The point is narrower. Under the paper system, tracing a vote required breaking the rules. Under the Software as configured, the information needed to trace a vote is available to anyone with administrator access as part of the system's ordinary operation. Section 11 does not permit a ballot whose secrecy depends on the restraining of the people who can see it.

Perhaps other electronic voting methods should be considered; perhaps the Software should be administered by a non-member third-party with no interest in the election. In any event, the current par for the course dances around the bylaws and established precedent, regardless of how one may interpret the meaning of "secret."

As a North Carolina nonprofit corporation, LIBAC is governed by the North Carolina Nonprofit Corporation Act, together with its articles of incorporation and bylaws. Pursuant to N.C.G.S. 55A-8-30, each director must discharge his or her duties i) in good faith; with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and iii) in a manner the director reasonably believes to be in the best interests of the corporation. Now that such issues have been brought to the Board's attention, Team TUSI respectfully submits that a prudent director, acting in LIBAC's best interests, will address such concerns before the election, rather than after.

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Following the bylaws must be done at the cost of convenience. The cost is modest compared to compromising the secrecy of one's vote. If the Board concludes that the bylaws, as written, are an obstacle to electronic voting, an appropriate path would be to amend them, rather than to proceed with a method that falls short of what the bylaws require.

Nothing contained in this letter is or shall be deemed to be, a full statement of the facts or applicable law, an admission of any fact, or a waiver or limitation of any of Team TUSI's rights or remedies, all of which are expressly reserved.

Respectfully,

HULL & CHANDLER, P.A.



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