

From: Bell, Karen B <Karen.Bell@ncsbe.gov>
Sent: Wednesday, April 15, 2020 4:05 PM
To: Rep. George Cleveland <George.Cleveland@ncleg.net>
Cc: Charles Collicut <ccollic@guilfordcountync.gov>; Love, Katelyn <Katelyn.Love@ncsbe.gov>
Subject: RE: [External] Primary

Good afternoon Representative Cleveland,

I reached out to Guilford County Elections Director Charlie Collicut and SBE General Counsel Katelyn Love (both copied to this email) to learn any details they were aware since I have very limited knowledge of any problem as you outlined.

Here is what I have learned:

The Guilford County Board of Elections Director received a call from a one stop worker during the one stop period to discuss if any procedures were not done properly after a student presented to vote and same day register with a voter registration form that had been prefilled for the student. The student wished to register as a Republican and vote a Republican ballot. The one stop worker processed the paperwork and issued the ballot. Once the student began voting, there may have been confusion over whether she received the right ballot. A faculty member from her school became aware of the ballot, and became involved and requested a different party's ballot for the voter. He was in the room as a qualified assistant for one or more students with disabilities in the process of voting. When the one stop worker explained to the student/voter and teacher why the Republican ballot was issued, the student voted his/her ballot and nothing further occurred. Because voting went as it should no incident report was filed, so other than the director's conversation, there is no record of names or further detail. The director notified the school board since a student and school personnel were involved, but could only provide the basic details outlined here.

No complaint was filed by the voter, his/her parents, or any other individual. We are not aware whether any further action was taken by the school board.

Please let me know if I can assist further.

Thank you,

Karen

Karen Brinson Bell

Executive Director

(919) 814-0700

Counties should note that these processes are the only approved processes for removing voters from the registration rolls due to a change in residency. A state statute permits challenges to an individual voters' registration due to a purported change in residency (G.S. 163-85(c)), but a federal court has forbidden the State and county boards of elections from allowing such challenges. The court concluded that removing voters who change address through the challenge process violates federal law—the NVRA. See Numbered Memo 2018-07.

1. **No voter challenges based on change of residency.** Do not remove a voter from the rolls when a voter challenge is brought based on change of residency. Do not hold a hearing or take any other action to consider a voter challenge based on a voter's change of residency.¹
2. **No voter challenges based on other qualifications without individualized knowledge within the 90 days before an election.** Do not remove a voter from the rolls within the 90 days preceding a federal election based on a voter challenge brought without an "individualized inquiry as to the circumstances of each voter." Do not hold a hearing or take any other action to consider a voter challenge that is brought without an individualized inquiry by the challenger.





**READ MY LIPS...
NO MORE HIDING**



HB 259 Primary Sponsors



George G.
Cleveland (R)



Kyle Hall (R)



Keith Kidwell (R)



Jeffrey C.
McNeely (R)