



January 8, 2019

The Honorable Tim Moore
Speaker of the House, North Carolina House of Representatives
16 West Jones Street, Rm. 2304
Raleigh, NC 27601-1096

Dear Mr. Speaker;

Today the NC Values Coalition filed with the Clerk of the North Carolina House of Representatives a memorandum and supporting evidence of absentee ballot irregularities that occurred in the 2018 general election in House District 103 (HD103). Along with this memorandum and supporting evidence, we are requesting that you refuse to seat Rachel Hunt as the duly elected Representative of HD103, while the House conducts a full investigation into voting irregularities that occurred in HD103 using absentee by mail ballots.

The State Board of Elections committed malfeasance when it instructed county boards of elections to ignore the law clearly requiring absentee by mail voters to mark and affirm their ballots in the presence of two witnesses or a notary. At least 300 voters improperly marked and affirmed their ballots in HD-103 and NC-9 and many other ballots were improperly or illegally cast. Many voters and witnesses involved in these irregularities have signed sworn affidavits. Proper application of the law could result in Bill Brawley's re-election to HD-103 and almost certainly would have increased Mark Harris' lead in NC-9. Given these improprieties, the negligence of the now-defunct board of elections, and the clear conflicts of its past two chairmen, it is clear that the board mishandled these two elections and who knows how many others. The State House of Representatives should follow the lead of the United States House of Representative and decline to seat Rachel Hunt until it has thoroughly investigated this matter and determined which candidate won the most legal votes. The results of every close election in the State should be in question.

Sincerely,

Tami Fitzgerald
Executive Director of NC Values Coalition

Background: Following December allegations of absentee by mail voting irregularities in Bladen and Robeson Counties, the NC Values Coalition (NCVC) began to look for other signs of irregularities in absentee by mail voting in other counties in North Carolina’s 9th Congressional District (NC9). The research was conducted by NCVC’s sister organization, the Institute for Faith & Family (IFF), because it is a non-partisan research organization. IFF uncovered substantial evidence of absentee ballot irregularities and questionable conduct by the State Board of Elections in that portion of NC9 that lies within HD103 beyond the previously reported irregularities in Bladen and Robeson Counties.

- Statewide, absentee by mail ballots made up 2.6% of all votes in the general election of 2018. After examining voting methods by county in NC9, it became clear that six NC9 counties had absentee by mail ballot voting utilization in line with the statewide numbers. Two counties, Mecklenburg and Bladen, had anomalous utilization of absentee by mail ballots. Since the alleged irregularities in Bladen County were being closely examined by many people, IFF decided to focus its attention on that part of NC9 located in Mecklenburg County, where voting absentee by mail made up 5.8% of the votes which is more than double the average statewide.
- Hand examination of the absentee by mail ballot envelopes found over 300 absentee by mail ballots cast in NC9 that had discrepancies between the date the voter signed the ballot envelope and one or both of the witnesses or notary signed the envelope. This indicates that the voter failed to comply with N.C.G.S. 163A-1310A requiring that the voter mark his/her ballot in the presence of the witnesses or a notary and sign the certificate. Discrepancies in the dates indicates that the ballot was not marked and attested in the presence of the witnesses.
- Even more disturbing, a State Board of Elections memo in April appears to direct county boards of elections to disregard state law on absentee by mail ballot witnesses and to count votes that were illegally cast outside of the presence of two witnesses or a notary.
- **If these illegal ballots were thrown out, Rep. Bill Brawley would most likely have won re-election, instead of Rachel Hunt.**

Registration of Voter	# Ballots with Date Irregularity	Estimated Percentage of Votes for Democratic Candidate	Estimated Percentage of Votes for Republican Candidate	Estimated Democratic Votes	Estimated GOP Votes
Democratic	133	7.5%	92.5%	123	10
Republican	92	85.0%	15.0%	14	78
Unaffiliated	77	35.0%	65.0%	50	27
Libertarian	3	50.0%	50.0%	1	2
				188	117
				Estimated Brawley Vote Gain: 71	

- IFF was able to obtain 11 affidavits from witnesses and voters attesting to various irregularities including voters marking their ballots outside the presence of witnesses, people who were listed as witnesses to ballots that attest they did not witness the ballot, voters who voted by absentee ballot but no longer live at the address where they are registered to vote, and other significant irregularities.
- Although they refused to sign affidavits, many voters whose ballots had date discrepancies talked candidly with IFF's canvassers at their doors and admitted that they had not marked their ballots in the presence of the witnesses or notary and that the attestation on the ballot envelope was false.
- IFF has asked the Mecklenburg County Board of Elections for public records since December 7th and board has insisted the organization pay up to \$10,000 before the board would provide redacted copies of the records. The board also has refused IFF access to visually inspect some of the records. NC Statute § 163A-1306 requires the register of absentee requests, applications and ballots issued shall constitute a public inspection of any registered voter of the county within 60 days however the County Board has refused IFF access to ballot request forms.
- Another problem uncovered by IFF during its canvassing operation is that numerous absentee by mail ballots were cast by voters who were registered at an address where they no longer live. One particularly disturbing case is a voter who moved to New York City 5 years ago, requested an absentee ballot disclosing on the request form that she no longer lived at the address at which she was registered in Matthews, and yet the voter received an absentee ballot and voted in the 2018 general election.