



September 9, 2022

Via Electronic Mail

To: North Carolina State Board of Elections
430 N. Salisbury St.
Raleigh, NC 27603

From: Taxpayers For Honest Elections *on behalf of Moore County Voters*

CC: Sammy McNeill

Re: Memo in Support of Alternative Plan for Moore County 2022 General Election

North Carolina State Board of Elections:

Like the majority of Americans, North Carolinians recognize the significance of voting in person in our democracy. As you are well aware, a majority of votes in this State are now cast before Election Day. However, a great number of eligible voters may be dissuaded from participating in America's democratic decision-making due to unnecessary obstacles. One such obstacle is the lack of reasonable access to polling sites during the Early Voting period.

Taxpayers for Honest Elections¹ ("TFHE") and the Moore County voters we have spoken to believe the addition of early voting sites (1) is required to meet the North Carolina State Board of Elections ("State Board") statutory mandate and (2) will vastly improve voters' opportunities to cast a ballot in Moore County. Whether a voting site is reasonably close in proximity makes a real difference to voters when considering when, where, and if they are going to cast their ballots. It is for those reasons that TFHE launched an initiative entitled the Equal Voting Access Project.

As part of the Project, TFHE conducted an Analysis of the Moore BOE Proposed Early Voting Plan ("Moore BOE Proposed Plan") for the 2022 General Election. *See* Exhibit 1, Moore Analysis. The Analysis shows the use of the Moore BOE's

¹ Taxpayers for Honest Elections is a non-profit 501(c)(4) organization incorporated in the State of North Carolina. Learn more about TFHE at <https://www.taxpayersforhonestelections.com/>.

Proposed Plan would result in inadequate coverage of the Moore County electorate. Specifically, the Moore BOE's Proposed Plan places only 8.7% of the county's registered voters within a 5-minute drive of the voting site, 37.8% within a 10-minute drive, and 70.6% within a 15-minute drive.

INTRODUCTION

One of the greatest barriers to voting is simply getting to the polls. Although absentee by-mail voting is an option, the majority of voters in North Carolina cast their ballots in person. Various studies have shown a decrease in voter likelihood between .64% – 5% per mile that a voter resides from a voting site.²

A fundamental component of a strong democracy is to encourage voter participation in elections and make access to voting suitable for all registered voters. Unfortunately, participatory inequalities have been reflected in policies that are biased against those who live a greater distance from the polls. Justin de Benedictis-Kessner & Maxwell Palmer, *Driving turnout: the effect of car ownership on electoral participation*, *Political Science Research and Methods* 1–9 (2021).

Although we will not address this issue in depth here—the effects of car access are exacerbated by the burden of longer travel time between potential voters' homes and polling locations. *Id.* Indeed, voters who lack automobile access or reliable/quick public transportation face a significant barrier to in-person voting, compared to those with a functional automobile at their disposal.

In North Carolina, every eligible citizen deserves the opportunity to cast their ballot in person and should have the opportunity to do so during the early voting period, regardless of their zip code, socioeconomic status, or lack of access to reliable transportation.

For these reasons, TFHE and voters in Moore County propose the attached Alternative Plan that would include the Moore BOE's two sites plus an additional

² See McGuire, W., Gonzalez O'Brien, B., Baird, K., Corbett, B. and Collingwood, L. (2020), Does Distance Matter? Evaluating the Impact of Drop Boxes on Voter Turnout. *Social Science Quarterly*, 101: 1789-1809; See also Voting Rights Lab, *Polling Place Consolidation: Negative Impacts on Turnout and Equity*, (2020).

three sites throughout the county. See Exhibit 1 at 5. The additional sites in the Alternative Plan have been used before as voting locations in Moore County. The addition of those sites would increase the number of voters within a 5-minute drive from 8.7% to 11%, voters within the 10-minute drive from 37.8% to 45.7%, and voters in the 15-minute mark from 70.6% to 87.3%.

Moore BOE's Proposed Plan

#	Name	Address
1	Agricultural Center	707 Pinehurst Ave Carthage, NC 28327
2	Pinehurst Community Center	210 Rattlesnake Trl Pinehurst NC 28374

Additional Sites Under Alternative Plan

#	Name	Address
1	Bensalem Presbyterian Church	2891 Bensalem Church Road, Eagle Springs, NC 27242
2	James H Garner Westmoore Center	2332 NC Highway 705, Robbins, NC 27325
3	Vass Town Hall	140 S Alma Street, Vass, NC 28394

For the reasons further expounded upon herein as well as in the Analysis, the State Board should reject the Moore BOE's Proposed Plan and should instead adopt the proposed Alternative Plan, thereby providing all voters of Moore County increased opportunities to participate in our democratic process.

AGGRIEVED VOTERS

Under the Moore BOE's Proposed Plan nearly 30% of the registered voters in Moore County are without reasonable access to an early voting location. Accordingly, TFHE proposes this Alternative Plan on behalf of all Moore County voters who will

suffer if Moore BOE's Proposed Plan is to be adopted. TFHE submits this plan in conjunction with and on behalf of the specific aggrieved voters listed below.

The Aggrieved Party is Moore County voter Sammy McNeill. Mr. McNeill is registered to vote at 2851 NC Hwy 705, Robbins, North Carolina. Due to the location of his residence, Mr. McNeill is 18.6 miles and a 26-minute drive away from the closest county early voting site. Mr. McNeill is also 26 miles and a 34 minute drive away from the only other available early voting site. Approval of the additional early voting sites would reduce Mr. McNeills travel just 1.2 miles and 3 minutes from his residence.

ANALYSIS

The State Board should reject the Moore BOE's Proposed Plan as it fails to provide adequate coverage of the Moore County electorate. In order to provide the voters of Moore County the opportunity to participate in our democratic process as required by law, the State Board should instead adopt the Alternative Plan.

The Law

The State Board is tasked with approving each county's early voting plan. In approving a county plan, the State Board must adhere to the law provided by the North Carolina General Assembly. [N.C. Gen. Stat. § 163-227.6\(a\)](#) provides, in part:

[T]he State Board may approve that proposal in a Plan only if the Plan includes at least one site reasonably proximate to the county board of elections office *and the State Board finds that the sites in the Plan as a whole provide adequate coverage of the county's electorate* The State Board, [in determining which plan to adopt], *shall take into consideration whether the Plan disproportionately favors any party, racial or ethnic group, or candidate.*

(emphasis added). Moreover, the State Board has recognized that if a county board of elections moves a site from their office "to a different area of town, the county board must consider whether an additional site or sites are necessary to reduce the

driving or commuting time for voters for whom the in lieu of site is less convenient than the previous office location.”³

The North Carolina General Assembly has made it very clear that the State Board should not approve any one-stop plans that do not provide adequate coverage of the county’s electorate or that disproportionately favor one party, voters of one party, one race, and candidates of one party. This is especially true in a General Election for local, state, and federal offices.

As the State Board has done in the past, it should correct the legal inadequacies of the Moore BOE’s Proposed Plan.⁴

Recent Moore County Election History

In 2016, Moore County had five early voting sites, providing 260 total hours of accessibility to all registered voters. In 2020, Moore County reduced the amount of sites to four, but provided a substantial increase allowing 660 total hours of early voting. These hours provided a great increase in early voting, with 10,481 more voters casting their ballots early in 2020 than in 2016. That represented a 38.95% increase in early voting.

Since the 2020 election, the number of registered voters in Moore County has increased. Specifically, from November 7, 2020 to September 3, 2022, the number of registered voters grew from 74,015 to 74,932.

This increase of voter participation was largely due to the additional hours provided to the registered voters of Moore County.

³ [NCSBE Numbered Memo 2020-13](#).

⁴ See NCSBE June 9, 2022 Meeting Minutes, at 11–19 (unanimously adopting the Franklin County Minority Plan—which doubled the number of early voting sites for the second primary—after presentation and discussion of the inadequacies of the Franklin Board of Elections Majority Plan), accessed at https://s3.amazonaws.com/dl.ncsbe.gov/State_Board_Meeting_Docs/2022-06-30/DRAFT_SBE%20Minutes%206.9.22.pdf; NCSBE August 17, 2021 Meeting Minutes at 2 (unanimously adopting the Durham County Minority Plan—which added a site to the overall plan—after consideration of “whether the plan as a whole disproportionately favors any party, racial, or ethnic group, or candidate”), accessed at https://s3.amazonaws.com/dl.ncsbe.gov/State_Board_Meeting_Docs/2021-09-10/DRAFT_SBOE%20Minutes%208.17.21.pdf.

Failure to Provide Adequate Coverage of the Electorate

In 2022, Moore County has multiple races⁵ on the ballot and it is necessary to ensure every registered voter within the county has the ability to vote for all the candidates they so choose. Simply put, the use of only two early voting sites for the 2022 general election fails to provide the nearly 75,000 registered voters in Moore County a reasonable opportunity to make their voices heard.

Neither of the two sites proposed would be at the Moore BOE office, but rather in Carthage and Pinehurst. These sites are located in the Central-Southern portion of Moore County. *See* Exhibit 1 at 3. For example, a registered voter living in Haw Branch, North Carolina would have to drive up to 27 minutes to their closest voting site to participate in the elections process. Additionally, a registered voter in Addor, North Carolina is forced to commute up to 23 minutes to cast a ballot at their closest site under the Moore BOE Proposed Plan.

Moreover, the Moore BOE's Proposed Plan decreases the hours of early voting to only 465 hours—a 29.5% reduction from 2020 when there were 660 hours of early voting in the county.

Under the Moore BOE's Proposed Plan, lower turnout would be expected among voters from all over Moore County because those voters would have to travel farther and, for the vast majority, to a different city to reach the sole voting location. *See* Exhibit 1 at 3.

The Moore BOE's Proposed Plan severely cripples voters' opportunity to participate in the elections process and in no way provides adequate coverage of the electorate.

⁵ (1) U.S. Senate, (2) U.S. House District 03, (3) N.C. Supreme Court Seat 03, (4) N.C. Supreme Court Seat 05, (5) N.C. Court of Appeals Seat 08, (6) N.C. Court of Appeals Seat 09, (7) N.C. Court of Appeals Seat 10, (8) N.C. Court of Appeals Seat 11, (15) Moore County Board of Commissioners, (16) Moore County Board of Education, (17) Moore County Clerk of Superior Court, (18) Moore County Sheriff, (19) Moore County Soil & Water Conservation District Supervisor, and other races.

ALTERNATIVE PLAN

As explained supra, the Moore BOE Proposed Plan fails on multiple fronts. Namely, it fails to provide adequate accessibility to the electorate of Moore County to participate in the elections process.

To ameliorate the issues present in the Moore BOE's Proposed Plan, TFHE and the Moore County voters included herein offer the attached Alternative Plan. The Alternative Plan vastly improves coverage of the Moore county electorate and corrects the disproportionate favorability issues.

Adoption of the Alternative Plan will substantially increase accessibility for all registered voters of Moore County. Specifically, our proposal seeks to increase the early voting sites from 2 to 5, which will reduce travel burdens currently placed on the voters of Moore County.

The Alternative Plan would cover the entire County by including Bensalem Presbyterian Church, James H Garner Westmoore Center, and Vass Town Hall. *See Exhibit 1 at 5.* Under the Alternative Plan, the 74,762 currently registered voters of Moore County will have reasonable access to an early voting site. Specifically with adoption of the alternative plan, 1,726 registered voters (22.96%) would be within a 5-minute drive, 5,937 registered voters (22.32%) within a 10-minute drive, and 12,525 registered voters (21.23%) within a 15-minute drive from the voting sites. *See Exhibit 1 at 6.* This provides over 20,000 registered voters in Moore County with reasonable access to a voting site.

If the State Board were to apply the hours provided by the Moore BOE's Proposed Plan to the Alternative Plan, there would be 1,163 hours of early voting in Moore County as compared to the mere 465 hours of early voting offered at the Moore BOE's two sites.

These additional sites and increased hours are needed to give registered voters in Moore County greater access to early voting locations and a reasonable opportunity to cast their ballot in the General Election.

CONCLUSION

Based upon the foregoing, the State Board must reject the Moore BOE's Proposed Plan because it fails to provide adequate coverage of the electorate.

In order to address this legal inadequacy, the State Board should adopt the Alternative Plan. By doing so, the State Board will ensure that each voter in Moore County has a reasonable opportunity to make their voice heard through the election process.

An electronic copy of this Memorandum and Exhibit 1, the Analysis and Alternative Plan has been provided to the following:

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