



**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 Davidson County Voters*

**CC:** Brianna Thompson  
Christopher Hargrave  
Mary Hargrave

**Re:** Memo in Support of Alternative Plan for Davidson 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 Elections<sup>1</sup> ("TFHE") and the Davidson 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 Davidson 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.

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<sup>1</sup> 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/>.

As part of the Project, TFHE conducted an Analysis of the Davidson BOE Proposed Early Voting Plan (“Davidson BOE Proposed Plan”) for the 2022 General Election. See Exhibit 1, Davidson Analysis. The Analysis shows the use of the Davidson BOE's Proposed Plan would result in inadequate coverage of the Davidson County electorate and disproportionate favorability of one race, one party, voters of one party, and some candidates. Specifically, the Davidson BOE’s Proposed Plan places only 19% of the county’s registered voters within a 5-minute drive of the voting site, 56.8% within a 10-minute drive, and 83% 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.<sup>2</sup>

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,

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<sup>2</sup> 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).

regardless of their zip code, socioeconomic status, or lack of access to reliable transportation.

For these reasons, TFHE and voters in Davidson County propose the attached Alternative Plan that would include the Davidson BOE's sites plus an additional two sites throughout the county. *See Exhibit 1.* The additional sites in the Alternative Plan have been used before as voting locations in Davidson County. The addition of those sites would increase the number of voters within a 5-minute drive from 19% to 21.2%, voters within the 10-minute drive from 56.8% to 63.8%, and voters in the 15-minute mark from 83% to 91%.

*Davidson BOE's Proposed Plan*

#	Name	Address
1	Denton Library	310 W. Salisbury St. Denton, NC 27239
2	Midway United Methodist Church	9795 Old US-52 Lexington, NC 27295
3	Arcadia Community Center	1281 Community Rd. Lexington, NC 27295
4	Thomasville Library	14 Randolph St. Thomasville, NC 27360
5	Davidson County BOE	945 N. Main St., Suite A Lexington, NC 27292

*Additional Sites*

#	Name	Address
1	Tyro United Methodist Church	4484 S. NC HWY 150 Lexington, NC 27295
2	Spring Hill United Methodist Church	240 Spring Hill Church Rd. High Point, NC 27262

For the reasons further expounded upon herein as well as in the Analysis, the State Board should reject the Davidson BOE's Proposed Plan and should instead adopt

the proposed Alternative Plan, thereby providing the registered voters of Davidson County increased opportunities to participate in our democratic process.

## **AGGRIEVED VOTERS**

Under the Davidson BOE's Proposed Plan, 17% of the registered voters (or 19,434) in Davidson County are without reasonable access to an early voting location. Accordingly, TFHE proposes this Alternative Plan on behalf of all Davidson County voters who would suffer if the Davidson BOE's Proposed Plan were to be adopted. Moreover, TFHE submits this plan in conjunction with and on behalf of the specific aggrieved voters listed below.

The first Aggrieved Party is Davidson County voter Brianna Thompson. Ms. Thompson is registered to vote at 200 St. Andrews Ct, in High Point, North Carolina. Due to the location of this residence, Ms. Thompson is 8.6 miles and a 13-minute drive from the closest precinct. The second closest precinct to Ms. Thompson is 10.2 Miles and a 16-minute drive. Approval of the additional early voting sites will reduce Ms. Thompson's travel to 3.1 miles and a 6-minute drive.

The second and third Aggrieved Parties are Davidson County voters Mr. Christopher Hargrave and Mrs. Mary Hargrave who are both registered to vote at 412 Old Belmont Road, in Linwood, North Carolina. Due to the location of their residence, both Mr. and Mrs. Hargrave are 9.6 miles and 12 minutes away from the closest early voting site. The second closest voting site is 17 miles and a 17-minute drive. Approval of the additional early voting sites will reduce Mr. and Mrs. Hargraves' travels to 3.7 miles and a 5-minute drive.

## **ANALYSIS**

The State Board should reject the Davidson BOE's Proposed Plan as it (1) fails to provide adequate coverage of the Davidson County electorate and (2) disproportionately favors one party, voters of one party, one race, and some candidates. In order to provide all registered voters of Davidson 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.”<sup>3</sup>

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 some candidates. 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 Davidson BOE's Proposed Plan.

## *Recent Davidson County Election History*

In 2016, Davidson County had five early voting sites, with 553 total hours of early voting. In 2020, Davidson County had six early voting sites, with 990 total hours of early voting. These additional sites provided a great increase in early voting, with

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<sup>3</sup> [NCSBE Numbered Memo 2020-13](#).

14,592 more registered voters casting their ballots early in 2020 than in 2016. That represented a 35.67% increase in early voting.

Since the 2020 election, the number of registered voters in Davidson County has increased. Specifically, from November 7, 2020 to September 3, 2022, the number of registered voters grew from 113,764 to 114,381.

This increase in voter participation was largely due to the extended hours and additional sites provided to the registered voters of Davidson County.

### *Failure to Provide Adequate Coverage of the Electorate*

The Davidson BOE met on July 25, 2022, at which time the Davidson BOE voted on the one-stop early voting plan for the 2022 General Election. The Davidson BOE was unable to vote unanimously to approve their plan. The Davidson BOE Proposed Plan includes five early voting sites in Davidson County for the General Election.

In 2022, Davidson County has multiple races<sup>4</sup> 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.

The Davidson BOE Proposed Plan limits voter accessibility to only five sites—three in Lexington, one in Denton, and one in Thomasville. The five sites are located in the Northern and Eastern regions of Davidson County. *See Exhibit 1 at 3. See Exhibit 1 at 5.*

Registered voters in the Western portion of Davidson County are being severely alienated from the early voting access with the restrictions proposed by the

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<sup>4</sup> (1) U.S. Senate, (2) U.S. House District 08, (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 (9) N.C. Senate District 30, (10) N.C. House District 80, (11) N.C. House District 81, (12) District Attorney Prosecutorial District 33, (13) Davidson County Clerk of Superior Court, (14) Davidson County Sheriff, (15) N.C. Superior Court Judge District 22B Seat 01, (16) N.C. District Court Judge District 22B Seat 01, (17) N.C. District Court Judge District 22B Seat 02, (18) N.C. District Court Judge District 22B Seat 03, (19) N.C. District Court Judge District 22B Seat 04, (20) N.C. District Court Judge District 22B Seat 05, and (21) N.C. District Court Judge District 22B Seat 06.

Davidson BOE. These areas represent over 19,400 registered voters who will not be able to cast an early vote in the next election without a trip well over 30 minutes in total, not accounting for time at the polls. *See* Exhibit 1 at 6. This is an undue burden placed on a significant number of registered voters in Davidson County and hinders accessibility and participation in the elections process.

Of the number of voters who would reside more than 15-minutes from the closest early voting site under the Davidson BOE Proposed Plan, 47.2% of those would enjoy easy access to early voting under the Alternative Plan. *See* Exhibit 1 at 6. The Alternative Plan will reach a larger number of voters than the Davidson BOE Proposed Plan by increasing overall coverage of Davidson County from 83% to 91%. *Id.*

Moreover, the Davidson BOE's Proposed Plan decreases the hours of early voting to 775 hours—a 21.8% reduction from 2020 when there were 990 hours of early voting in the county.

Under the Davidson BOE Proposed Plan, lower turnout would be expected among voters from the Western regions of Davidson County because those voters would have to travel farther and, in fact, to a different city to reach the voting locations.

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

### *Disproportionate Favorability*

Under the Davidson BOE's Proposed Plan, there are alarming disparities for protected classes and their access to early voting as compared to their proportion of the population of the voters in Davidson County. The Davidson BOE's Proposed Plan is in no way representative of the electorate in Davidson County and, in fact, disproportionately favors one party, one party's voters, and some candidates.

Moreover, the Davidson BOE's Proposed Plan would disproportionately favor the Democrat Party over other parties. While Democrat voters represent 19.44% of the Davidson County electorate, 28.89% of voters covered at the 5-minute mark under the Davidson BOE's Proposed Plan would be Democrats. *Id.* In contrast, Republican

voters represent 48.20% of the electorate, but only 39.20% of voters covered at the Davidson BOE's Proposed Plan 5-minute mark would be Republicans. *Id.* In sum, the Davidson BOE's Proposed Plan would have a 18.45% variance in favor of Democrats over Republicans at the 5-minute mark. *See id.*

The Davidson BOE's Proposed Plan would provide easier access to Democrat voters while forcing Republican voters to travel longer distances to cast their ballot. Accordingly, the Davidson BOE's Proposed Plan disproportionately favors the Democrat Party and Democrat voters.

Moreover, the Davidson BOE's Proposed Plan would disproportionately favor three candidates in the Non-Partisan countywide Soil & Water Conservation District Supervisor race over a fourth candidate. Under the Davidson BOE's Proposed Plan, the early voting sites would disproportionately favor the candidates from Thomasville and Lexington over Candidate Shane Snider<sup>5</sup>. Mr. Snider's place of residence is in Linwood, NC, which is located in the unrepresented Western section of Davidson County. *See Exhibit 1 at 5; Exhibit 2.*

Accordingly, the Davidson BOE Proposed Plan would provide the other candidates, as "local candidates,"<sup>6</sup> a disproportionate advantage in the Soil & Water Conservation District Supervisor race.

## **ALTERNATIVE PLAN**

As explained *supra*, the Davidson BOE's Proposed Plan fails on multiple fronts. Namely, it fails to provide adequate coverage of the electorate while also providing disproportionate favorability to the Democrat party, Democrat voters, and certain

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<sup>5</sup> Candidates for "Soil & Water Conservation District Supervisor" are: (1) Jonathan Hill, 213 Park Street, Lexington, NC 27292, (2) Katrina Milburn, 1809 Augusta Dr, Thomasville NC, 27360 (3) Shane Snider, 109 Will Snider Rd, Linwood, NC 27299 and (4) Stephen Briggs, 200 Sunset Dr, Thomasville, NC, 27360.

<sup>6</sup> The research has shown and continues to show that the electorate is more likely to vote for members from their neighborhood and community. *See Key, V. (1949). Southern politics in state and nation.* New Yorks: Vintage Books; *See also* Childs, S., & Cowley, P. (2011). *The politics of local presence: Is there a case for descriptive representation?* England Political Studies, 59, 1–19; *See also* Campbell, R., Cowley, P., Vivyan, N., & Wagner, M. (2019). *Why friends and neighbors? Explaining the electoral appeal of local roots.* The Journal of Politics, 81, 937–951; *See also* Schulte-Cloos, J., Bauer, P.C. *Local Candidates, Place-Based Identities, and Electoral Success.* Political Behavior (2021).



candidates in the Soil & Water Conservation District Supervisor election. That Plan should be outright rejected by the State Board.

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

Adoption of the Alternative Plan will substantially increase accessibility for all registered voters within Davidson County. Specifically, our proposal seeks to increase the early voting sites from five to seven, which will reduce travel burdens currently placed on the voters of Davidson County. *See Exhibit 1 at 6.*

Under the Alternative Plan, a greater number of active voters will have access to an early voting site. Specifically, 24,163 voters (21.2%) would be within a 5-minute drive, 72,786 voters (63.8%) within a 10-minute drive, and 103,908 voters (91%) within a 15-minute drive from the voting sites. *See Exhibit 1 at 6.* This represents an overall improvement in accessibility for 19,434 voters.

If the State Board were to apply the hours provided by the Davidson BOE's Proposed Plan to the Alternative Plan, there would be 1,085 hours of early voting in Davidson County as compared to the mere 775 hours of early voting offered under the Davidson BOE's Plan. This would provide flexibility and opportunity for all registered voters in Davidson County to cast their ballots.

Additionally, the addition of the sites found in the Alternative Plan moves towards the elimination of the disproportionate favoribilities present in the Davidson BOE's Proposed Plan. Specifically, the Alternative Plan, at the 5-minute mark, would decrease the total countywide variance in favor of Democrats over Republicans to 17.48%. *Id.* Democrat voters would still be overrepresented by 8.71% and Republican voters would be underrepresented by 8.77% at the 5-minute mark. *Id.*

Additionally, the Alternative Plan would provide sites at the Tyro United Methodist Church voting location in the Western section of Davidson County, thereby alleviating the disproportionate favor towards certain Soil & Water District candidates. *See Exhibit 1 at 5.*

Ultimately, the Alternative Plan would not flip any favorability, rather, it would create a more equal playing field and provide greater accessibility for all voters in Davidson County.

## **CONCLUSION**

Based upon the foregoing, the State Board must reject the Davidson BOE's Proposed Plan for the failure to provide adequate coverage of the electorate and disproportionately favoring one party, voters of one party, and some candidates over another.

In order to address these legal inadequacies, the State Board should adopt the Alternative Plan. By doing so, the State Board will ensure that each registered voter in Davidson 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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