

From: North Carolina State Board of Elections messages@nextrequest.com
Subject: [Document Released to Requester] North Carolina State Board of Elections public records request #22-292
Date: August 25, 2023 at 1:01 PM
To: records@americanoversight.org



EXTERNAL SENDER

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

North Carolina State Board of Elections Public Records

A document has been released for record request #22-292 along with the following message:

Hi,

Please see additional responsive documents related to this request.

We believe this is all of the responsive documents. Please let us know if you have any questions or need anything else.

If we do not hear back from you, we will close this request on September 8, 2023.

Thanks,

State Board staff

- [NCSBE - Public Records Response - SCEiv.pdf](#)

View Request 22-292

<https://ncsbe-nc.nextrequest.com/requests/22-292>

Document links are valid for one month. After September 25, you will need to sign in to view the document(s).



[help page](#)

Four Eggers

From: Sen. Chuck Edwards <chuck.edwards@ncleg.gov>
Sent: Monday, May 2, 2022 9:41 AM
To: four.eggers@eggers-law.com
Subject: News Out of Raleigh; Major Updates



Having Trouble Viewing This Email? [CLICK HERE](#)

Legal Challenges, Constituent Services, & More

FROM MY SENATE DESK



While the NC Senate is not currently in session; our month has been loaded with constituent services, legal challenges, recruiting staff for my Raleigh office, and continuing to deal with the Governor's abuse of power. Following are some highlights from this interim, but busy period in Raleigh that I believe will be most interesting to you.

To get legislative news closer to the time it's happening, be sure to follow me on [Facebook](#) or frequently visit my [website](#).



Chuck Edwards, Senator
NC District 48

Update on Voter ID



Much has been asked recently about the status of Voter ID in NC. Let's take a brief look back. In 2016 NC's Voter ID law was ruled unconstitutional by the courts. So in 2018, I was proud to help bring you the option of making Voter ID a constitutional requirement by supporting [SL 2018-128](#). Of course, I voted YES to add it to the November ballot.

Our citizens overwhelming voted YES. So I was proud to help pass the enacting legislation by voting YES to [SL 2018-144](#), and then I voted YES again to override the Governor's veto.

Voter ID remains a high priority. However, we have continued to be met with executive and judicial resistance, preventing voter ID criteria from being actively implemented, and I continue to advocate to defend your choice through the courts.

The legislature has engaged in numerous legal challenges to defend the will of the people, currently, there are three voter ID-related cases pending. I would like to update you on them now.

Holmes et. al. v. Moore et. al. (State Voter ID)

- *Holmes* is the state court challenge to SB 824, the original bill vetoed by the Governor and overridden by the legislature. Plaintiffs allege the voter ID law was enacted with discriminatory intent and therefore, violates the NC Constitution's Equal Protection Clause.
- We lost at the trial court level in a 2-1 ruling in September 2021. Two democrats agreed with the Plaintiffs. The lone Republican on the panel, Judge Poovey, wrote a 100-page dissent explaining why he believed the law was constitutional. After which, we filed an appeal with the NC Court of Appeals.
- The case is now pending with the NC Supreme Court due to an appeal by the Plaintiff to bypass the Court of Appeals. Despite no rush, the Democratic-majority Supreme Court granted the petition to circumvent the Court of Appeals. We can only assume this appeal to bypass was done in an effort to rush the standard judicial process before judicial elections in November. This is just another instance of a forming trend of judicial interference to gain partisan outcomes.
- All parties have filed briefs with the Court and we are waiting on the Court to schedule oral arguments. We expect that will occur sometime in the late spring to early summer. The NC Supreme Court will likely decide the case before November's election.

Berger v. NC NAACP (Federal Voter ID)

- In addition to a state court challenge to SB 824, different plaintiffs groups filed a lawsuit in federal court against the same law. In this case, the General Assembly was not named as a defendant in court and has to ask the trial court for permission to intervene.
- The lower federal courts have thus far kept us from participating by rejecting our attempts to "intervene" in the case. We have appealed those decisions and taken the issue of intervention all the way to the Supreme Court of the United States.
- On March 21, 2022, our counsel argued in front of the Supreme Court in DC, explaining to the Court why we are entitled to participate in the case and defend SB 824 - a bill produced and passed in the legislature.
- Now that oral arguments are finished, we are waiting on the justices to issue their opinion. We expect a decision sometime in June.
- If our petition succeeds, we will be able to participate in the federal voter ID case, which is currently "stayed" pending the resolution of our US Supreme Court appeal.

NAACP v. Moore (Usurper/Constitutional Amendment Case)

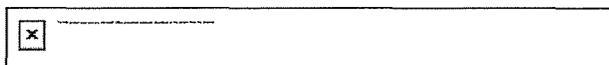
- In this case, plaintiffs have challenged the voter ID constitutional amendment, arguing that, because the legislature put the amendment on the ballot after a federal court declared certain districts to be the product of racial gerrymandering, the General Assembly was a "usurper" body lacking power to place such an amendment on the ballot.
- This case is fully briefed and was argued in February in front of the NC Supreme Court. We are waiting on a decision, which we expect will come before or at the beginning of summer.

As you can tell, the legislature is aggressively fighting to defend voter ID laws. We are hopeful that the conclusion of these legal challenges will pave the way for the implementation of voter ID in North Carolina. Something that should have been done in 2018.

*Oral arguments in front of the Supreme Court in the case detailing the General Assembly's ability to intervene to defend our Voter ID law took place on Monday, March 21, and audio recordings of the arguments [can be found here](#).

NC Values Coalition A+ Rating

I'm honored to be recognized with an A+ rating as a 2022 "Champion of the Family" by the NC Values Coalition, a non-partisan, non-profit organization that supports and advocates for the life, liberty, and families of NC citizens.



This award comes as a result of my steadfast actions to support the rights of WNC citizens.

A few of the accomplishments that led me to this recognition during the 2021 Session include:

- Sponsorship of S105, North Carolina's most recent budget which continues to prioritize working-class families and the financial security of NC communities.
- Sponsorship of S326, which would have helped to preserve the integrity of our elections by requiring mail-in ballots be received by the Board of Elections by the closing time of county polls before Governor Cooper proved his lack of support for securing state elections by vetoing the bill.
- Sponsorship of S693, requiring faster permanency placements for children in foster care.
- Vehement opposition to the injection of CRT in public schools
- Opposition to legalizing sports betting in North Carolina
- Opposition to discriminatively ending the life of an unborn child in North Carolina based on race or projected disorders.

NC Anti-CRT Bill Deemed National Standard



In September of 2021, in an effort to eliminate critical race theory from penetrating the public school curriculum, I supported HB 324, *Ensuring*

Dignity & Nondiscrimination/Schools.

I have steadfastly fought against CRT to reduce ideological adoptions from forcibly permeating our students' history classes, and I was confident that HB 324 struck a balance between continued education and the protection of our state's youth necessary to preserve history classes void of indoctrination.

My views on this bill were only solidified when policy analysts across the nation began to praise North Carolina's HB 324 as being the national standard to combat CRT. The American Enterprise Institute stated that our policy, "strikes the best balance between addressing parents' concerns about indoctrination without posing any risk of substantive curriculum imposition", going on to state that HB 324 was "worthy of emulation in other states".

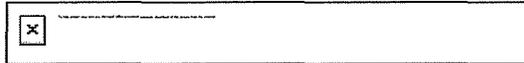
It was also noted that HB 324 uniquely and narrowly avoids the politicization of public school classrooms while preserving honest instruction.

Our language has become the poster child for CRT bans, with numerous states duplicating our bill. But despite support from across the nation towards our attempt to limit discrimination in the classroom, Governor Cooper vetoed HB 324 almost as quickly as it was passed. Although this veto serves as a setback to putting an end to CRT in NC, it has in no way prevented me from continuing to adamantly oppose CRT.

We continue to work towards a solution that preserves our children's education while dispelling discrimination, and I am proud that the General Assembly's previous efforts have successfully protected students in other states across the nation from indoctrination.

First in Constituent Services

Regardless of whether we are in session or not, our top priority is constituent services. Often, I'm able to use the position you have entrusted me with to help our citizens solve problems. Often these problems are with state departments. Many times they are issues with the private sector, where sometimes I can act as a mediator.



Over the past few months, we've been receiving exorbitantly high numbers of calls from constituents experiencing difficulties with NCDOT, NC DMV, the Department of Revenue, the Department of Natural and Cultural Resources, and NC DHHS.

Our most consistent request for assistance is with NCDOT, and I've made numerous field visits across Transylvania, Henderson, and Buncombe Counties to meet with community members and NCDOT staff. Issues that don't require in-person remedy are typically resolved through my office staff, who diligently communicate with representatives of state departments to remedy our constituent's issues.

Sometimes all it takes to resolve an issue is a little shake of the tree. My office is happy to serve as the shaker.

Of the hundreds of constituents who have reached out to us in 2022, we have successfully resolved about 93% of the issues brought to our attention. Many of the remaining issues are from late last week, we are working through them and we are hopeful they will be resolved soon.

If we can help you or someone you know, be sure to call us at (919) 733-5745 where you will reach a live person or a frequently monitored line. You may also email me directly at chuck.edwards@ncleg.gov.

Overused Party Trick: No End in Sight



783 days. That's how long Gov. Roy Cooper has kept North Carolina in a "state of emergency", despite the disappearance of numerous COVID-19 restrictions and

guidelines.

Traditionally, emergency declarations are used for a short period of time to address *immediate* needs, like severe weather, when the General Assembly cannot convene quickly enough. After more than 2 years, the General Assembly has convened for complete sessions to draft and pass legislation supportive of COVID relief and recovery, and there is no longer an immediate need to respond to the pandemic.

North Carolina's COVID-19 metrics are on a steady downward curve. According to the Mayo Clinic, as of April 25, 2022, positive COVID-19 tests have dropped since February to 7.1%. NC DHHS has reported that hospitalizations have declined to 254, compared to 1,248 at the end of February. And the seven-day average of new COVID-19 cases dropped to 1,254, compared to over 3,470 at the end of February.

Today's state of emergency continued through Governor Cooper's abuse of power, has granted public officials the ability to encroach on civilian rights in the name of 'public safety'. Enough is enough. It is well past time for Gov. Cooper to acknowledge what everyone else already knows: This is no longer an emergency. The state of emergency needs to end immediately.

When the pandemic began public health officials and elected leaders said they would be guided by science and data. Now, Gov. Cooper is ignoring the science. He's continuing to extend a state of emergency when no emergency exists. It's like an overused party trick. His desire to cling to power is overwhelming and atrocious, all at the expense of North Carolinians.

Gov. Cooper's office claimed the reason the state of emergency hasn't ended is because he wants to work with the legislature to "pass laws that serve the same purpose." Well, we're waiting Governor Cooper? The General Assembly was in session for over a year, from January 2021 to February 2022; yet, we *never* heard from him on specific measures relating to his emergency declaration.

Broadband Connectivity & Grant Applications

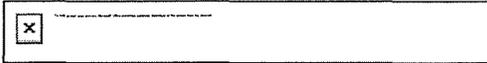
In North Carolina's 2021-22 Budget, my co-legislators and I appropriated \$1 billion for broadband infrastructure development and expansion to rural communities across the state. These funds have turned the attention of multiple broadband companies around NC, and applications are flooding to fund broadband expansion across the state and in WNC.



I'm proud to say I've supported applications to bridge the gap in rural and urban access to broadband infrastructure in all three counties of District 48.

These funds are the first step towards uniting our communities, increasing employee pools/employment opportunities for businesses and citizens state-wide, providing rural citizens with critical healthcare and educational resources, and ensuring rural communities - such as those that cover my mountainous district - do not get left behind.

Judicial Meddling Appeal by Legislature



In late February, an NC court challenged the separation of powers by unconstitutionally outsourcing for, and approving, Congressional district maps produced by a non-legislative panel. Both the Federal and North Carolina Constitutions specifically vest redistricting and elections law authority in the legislature. Nonetheless, the judicial branch, which is responsible for upholding the Constitution, has become the same branch violating it by attempting to devise its own elections law.

The General Assembly challenged the court's decision to approve non-legislatively drawn Congressional maps in early March, but the Supreme Court denied this challenge. Regardless of this ruling, we did not give up on fighting for the restoration of order among North Carolina's three branches.

The General Assembly has recently taken the next step in challenging the court's actions by petitioning the United States Supreme Court to take up the question of whether the federal constitution, through its Election Clause, prevents state courts and election officials from devising their own election laws. Article 1, Section 4, Clause 1 specifically designates "the Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof". The clause does not vest power in the state, but in an organ of government - the legislature.

Though this petition specifically deals with the court-enacted congressional plan, the goal of limiting judicial meddling in congressional redistricting is just the beginning of what this case could mean for legislative power and elections law. If accepted for review by the Court, this case will determine how much power, if any, state courts and executive branch bureaucrats have to influence a whole waterfront of voting issues from absentee voting deadlines to witness requirements, voter ID to curbside voting.

The case has not been accepted yet. Challengers will file a response to our filing in about a month, after which it could sit for a few more months while the justices decide if they want to take the case. But rest assured we have not given up on vying for the proper restoration of powers.

Felon Enfranchisement

In an all too common theme, judges once again tried to legislate from the bench by rewriting NC's felon voting law.



Under Article VI, Section 2 of the North Carolina constitution, convicted felons may not vote 'unless that person shall be restored to the rights of citizenship in the manner prescribed by law'. A felon must complete the entirety of their sentence including parole, probation, jail time, or post-release supervision, after which they shall automatically have their citizenship rights restored.

Felony disenfranchisement was ruled to not violate 14th Amendment rights and was deemed constitutional in the 1974 US Supreme Court ruling of *Richardson v. Ramirez*. States were given the freedom to determine if and how they would like to enact disenfranchisement laws for felons following the Ramirez ruling. In two states, Maine and Vermont, as well as the District of Columbia, felons never lose the right to vote. But in the remainder of the states, felons are stripped of the ability to vote until the completion of their prison time or sentence. 27 states, including NC, currently require felons to complete their entire sentence before potentially regaining the ability to vote.

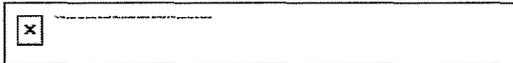
Despite the Supreme Court ruling, plaintiffs of *Community Success Initiative v. Moore* are challenging state law preventing felon enfranchisement, arguing it is racially motivated and unconstitutional. On March 28, 2022, a divided three-judge panel of 2 Democratic judges versus one dissenting Republican,

ruled NC's 1973 felon enfranchisement law unconstitutional. They didn't strike the law down though, instead, they tried to rewrite the law by allowing all felons not currently serving an active sentence to register to vote.

This would have allowed nearly 56,000 convicted felons who are actively still serving their sentence the ability to vote with elections approaching, if not for our appeal to the NC Court of Appeals, where a "stay" was issued blocking felons from registering to vote until appeals in the case are resolved.

The State Supreme Court has the opportunity to hear the case next if they so choose; however, the bottom line is simple: North Carolina's felon enfranchisement laws are not discriminative against a specific population, nor do they unconstitutionally prevent law-abiding citizens from exercising their right to vote. NC's judicial system needs to stop trying to legislate from the bench.

Raleigh Office Seeking Summer Intern



Are you a college student interested in gaining knowledge and experience of the legislative process? Are you an ambitious, go-getter with a

knack for hard work and problem-solving? Are you creative and innovative? Are you seeking an internship for the Summer of 2022?

We want to hear from you!

My Raleigh office is seeking a paid intern for the Summer of 2022. The Summer term begins May 1st and ends August 30th. Interns may select to work full-time or part-time at the onset of their employment term. Actual start and end dates may vary based on the quality of the applicant and availability.

An internship with my Raleigh office is an immersive opportunity to experience the inner workings of government on an intimate level. Interns may be tasked with answering emails or phone calls to get to know and support the needs of constituents; utilizing problem-solving techniques while communicating with state departments to address constituent concerns; researching important policy topics for use in developing new State legislation; attending daily sessions and committee meetings; assisting with the production and distribution of written documents, including but not limited to: newsletters, social media posts, and press releases; among more. No two days are the same.

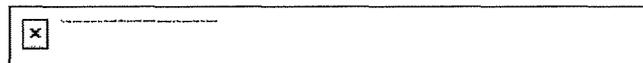
At the end of the program, interns can expect to have a strong understanding of the North Carolina State Government in action, and what full-time public service affords and demands.

The internship is located in Raleigh, North Carolina. North Carolina residents or out-of-state students attending a North Carolina school who are 18-years of age or older are eligible to apply.

Please contact my office at (919) 733-5745 or email me at chuck.edwards@ncleg.gov if you are interested in applying.

Page Program Now LIVE

Calling all high school juniors and seniors interested in government and the legislative process!

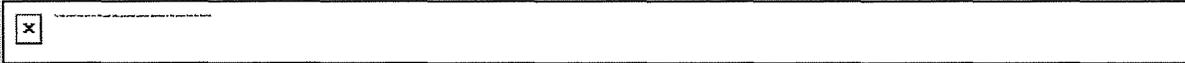


Applications for the North Carolina Senate Page Program are now *live* and you should apply!

The Senate Page program offers young men and women an opportunity to learn about and participate firsthand in the legislative process of North Carolina. Senate Pages assist members and staff of the Senate during the legislative session. They are provided the unique opportunity of working alongside North Carolina's legislative leaders on the Senate Chamber floor in the midst of legislative action.

Do I have your attention? If so, I'm sure you're curious about what a Senate Page might do during their time in my office. Pages may be tasked with an array of duties including, but not limited to delivering messages and materials within the legislative complex, participating in daily sessions and committee meetings, answering constituent phone calls, collaborating with my office staff, and passing out documents or running errands in the Senate Chamber during daily sessions.

I'm excited to have the opportunity to once again sponsor new Pages this legislative session. If you or someone you know might be interested, you may visit: [here for more information](#), or contact my office at (919) 733-5745. Requests for an application may be sent via email to chuck.edwards@ncleg.gov.



Follow me on Facebook & Twitter and visit my [website](#) for the most current legislative updates

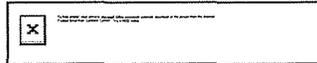


Sen. Chuck Edwards, District 48 | 300 N. Salisbury St. #628 , Raleigh, NC 27603

[Unsubscribe four.eggerts@eggerts-law.com](mailto:four.eggerts@eggerts-law.com)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by chuck.edwards@ncleg.gov powered by



Try email marketing for free today!

Four Eggers

From: Mary Summa <mpsumma@gmail.com>
Sent: Wednesday, July 13, 2022 10:35 AM
To: Four Eggers
Subject: Fwd: [External]Court Order re Assistance to Disabled Absentee Voters
Attachments: image001.jpg; 39 Order granting MSJ and mtn to expedite.pdf

----- Forwarded message -----

From: Dickerson, Michael <Michael.Dickerson@mecklenburgcountync.gov>
Date: Mon, Jul 11, 2022 at 9:20 PM
Subject: Fwd: [External]Court Order re Assistance to Disabled Absentee Voters
To: crhwilliams <crhwilliams@aol.com>, Beverly Earle <beverly3@bellsouth.net>, Liz McDowell <emmcd2012@gmail.com>, John Gresham <jgresham@tinfulton.com>, Mary Summa <mpsumma@gmail.com>

All

Please see the attached email from State. We ca discuss at tomorrow's meeting.

Michael

Sent from my iPhone

Begin forwarded message:

From: "Love, Katelyn" <Katelyn.Love@ncsbe.gov>
Date: July 11, 2022 at 8:14:41 PM EDT
Cc: SBOE_Grp - Legal <Legal@ncsbe.gov>
Subject: [External]Court Order re Assistance to Disabled Absentee Voters

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Directors,

Earlier today, a federal court issued an order that struck down state laws barring certain individuals from helping disabled voters request, complete, and submit absentee ballots. The court determined that these laws, as applied to disabled voters, violate the federal Voting Rights Act. That order is attached.

Effective immediately, a disabled absentee voter may receive assistance from any person they choose. They may still request and use a MAT team, but they are not required to do so. They may receive assistance from the staff of the hospital, clinic, nursing home, or rest home where they are a patient or resident. They may also receive assistance from an elected official, political party officeholder, or candidate.

The following individuals are still prohibited from assisting absentee voters who are not disabled with their absentee request, completing their ballot, or returning their ballot, if that voter is a patient/resident of a hospital, clinic, nursing home or rest home:

- Any owner, manager, director, or employee of the hospital, clinic, nursing home, or rest home
- An individual who holds any elective office
- An individual who holds any office in a State, congressional district, county, or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party

We will discuss this decision further during Wednesday's Huddle. In the meantime, because voting is ongoing:

- Please provide a copy of this email to your board members and staff so they are aware of this change immediately.
- Please ensure that your MAT members are made aware of this change as soon as possible.

It is too late for absentee and MAT materials to be revised for the ongoing election. We will, however, update the State Board's website as soon as possible to reflect these changes, and you should do the same if you have any materials on your website discussing who may assist absentee voters.

Please let us know if you have any questions.

Sincerely,

Katelyn Love | General Counsel

o: 919-814-0756 | f: 919-715-0135

Four Eggers

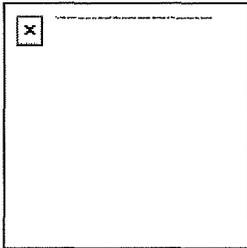
From: Mary Summa <mpsumma@gmail.com>
Sent: Wednesday, January 12, 2022 4:58 AM
To: Four Eggers
Subject: CRS report on sec. 3, 14th Amendment
Attachments: Cawthorne-CRS paper on insurrection.pdf

Thought this paper might be of interest. Have found CRS to be fairly objective.
MPS

Four Eggers

From: Legal Team <legal@taxpayersforhonestelections.com>
Sent: Saturday, September 10, 2022 2:29 PM
To: Tommy Tucker; Four Eggers
Subject: Fw: Alternative Plan for Moore County Early Voting
Attachments: Exhibit 1 - Moore County Analysis State Board (9-1-22).pdf; TFHE Memo in Support of Moore County Alternative Plan (9-9-22).pdf

3 of 5



Legal Team
taxpayersforhonestelections.com
legal@taxpayersforhonestelections.com
Taxpayers for Honest Elections is a nonprofit 501(c)(4)

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

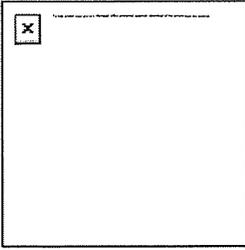
From: Legal Team <legal@taxpayersforhonestelections.com>
Sent: Friday, September 9, 2022 4:56 PM
To: paul.cox@ncsbe.gov <paul.cox@ncsbe.gov>; karen.bell@ncsbe.gov <karen.bell@ncsbe.gov>; four.eggers.board@ncsbe.gov <four.eggers.board@ncsbe.gov>; tommy.tucker.board@ncsbe.gov <tommy.tucker.board@ncsbe.gov>; Jeff.Carmon.board@ncsbe.gov <Jeff.Carmon.board@ncsbe.gov>; Stella.Anderson.Board@ncsbe.gov <Stella.Anderson.Board@ncsbe.gov>; Damon.Circosta.board@ncsbe.gov <Damon.Circosta.board@ncsbe.gov>
Cc: Bethany Hudson <press@taxpayersforhonestelections.com>
Subject: Alternative Plan for Moore County Early Voting

State Board Members and staff,

Please see attached an Analysis & Alternative Plan for the early voting period in Moore County for the 2022 General Election as well as a Memo in Support of the Alternative Plan. Let me know if you have any questions.

Thanks,

Philip



Legal Team

legal@taxpayersforhonestelections.com

Taxpayers for Honest Elections is a nonprofit 501(c)(4)

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.