



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 Union County Voters*

CC: Antonio Bolanos
Phil Thomas
Randy Baucom

Re: Memo in Support of Alternative Plan for Union 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 Union 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 Union County. Whether a voting site is reasonably close in proximity makes a real difference to voters when

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/>.

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 Union BOE Proposed Early Voting Plans (“Union BOE Proposed Plan”) for the 2022 General Election. *See* Exhibit 1, Union Analysis. The Analysis shows the use of the Union BOE's Proposed Plans would result in inadequate coverage of the Union County electorate.

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.

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).

For these reasons, TFHE and voters in Union County propose the attached Alternative Plan that would include the Union BOE's sites plus an additional three sites throughout the county. See Exhibit 1. The additional sites in the Alternative Plan have been used before as voting locations in Union County.

Union BOE Proposed Plan

#	Name	Address
1	Union County Public Library	316 E Windsor St # A, Monroe, NC 28112
2	Edwards Memorial Library	414 Hasty St, Marshville, NC 28103
3	Hemby Bridge VFD	6628 Mill Grove Rd, Indian Trail, NC 28079
4	Mineral Springs VFD	5804 Waxhaw Hwy, Monroe, NC 28112
5	Stallings VFD	4616 Old Monroe Rd, Indian Trail, NC 28079
6	Wesley Chapel VFD	8821 New Town Rd Waxhaw, NC 28173
7	Wesley Chapel VFD (MAIN)	315 Waxhaw Indian Trail Rd S, Waxhaw, NC 28173

Additional Sites Under the Alternative Plan

#	Name	Address
1	Union Baptist Church	4312 Old Pageland Monroe Road, Monroe, NC 28112
2	Unionville VFD	4919 Unionville Road, 4919 Unionville Road, Monroe, NC 28110
3	Euto Baptist Church	6019 Highway 205, Marshville, NC 28103

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

AGGRIEVED VOTERS

TFHE proposes this Alternative Plan on behalf of all those Union County voters who would suffer if the Union 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.

AGGRIEVED VOTERS

The first Aggrieved Party is Union County registered voter Antonio Bolanos. Mr. Bolanos is registered to vote at 7607 Concord Hwy in Monroe, North Carolina. Due to the location of his residence, Mr. Bolanos is over 8 miles away and a 12 minute drive from his closest voting site. The second closest voting site for Mr. Bolanos is the Union County Public Library which is 13 miles away and a 19 minute drive. However, with the adoption of our Alternative Plan, Mr. Bolanos will only have to drive 5 miles-an 8 minute drive to cast his ballot.

The second Aggrieved Party is Union County registered voter Phil Thomas. Mr. Thomas is registered to vote at 7607 Unionville Brief Rd in Monroe, North Carolina. Due to the location of his residence, Mr. Thomas is 9.3 miles away and a 16 minute drive from the closest voting site. Additionally, Mr. Thomas is 13.3 miles away and a 19 minute drive. However, with the adoption of our Alternative Plan, Mr. Thomas will only have to travel 4 miles, a 7 minute drive to the Unionville Volunteer Fire Department.

The third Aggrieved Party is Union County registered voter Randy Baucom. Mr. Baucom is registered to vote at 1908 Sikes Mills Rd in Monroe, North Carolina. Due to the location of his residence, Mr. Baucom is forced to drive up to 9.2 miles, a 16 minute drive to his closest voting site. The second closest site for Mr. Baucom is up to 13 miles away, a 21 minute drive. However, the Alternative Plan would reduce Mr. Baucom's travel time to just 1.7 miles, only requiring a 4 minute drive to cast his ballot.

ANALYSIS

The State Board should reject the Union BOE's Proposed Plan as it fails to provide adequate coverage of the Union County electorate. In order to provide the voters of

Union 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 Union BOE's Proposed Plan.⁴

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%20Min

Recent History of Union County Electorate

In 2016, Union County had seven early voting sites, with 924 total hours of early voting. In 2020, Union County had eight early voting sites, with 1,336 total hours of early voting. These additional sites provided a great increase in early voting, with 20,943 more voters casting their ballots early in 2020 than in 2016. That represented a 29.97% increase in early voting.

Since the 2020 election, the number of registered voters in Union County has increased. Specifically, from November 7, 2020 to September 3, 2022, the number of registered voters grew from 168,322 to 169,090.

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

Failure to Provide Adequate Coverage of the Electorate

The Union BOE met on July 12, 2022, at which the Union BOE voted on the one-stop early voting plan for the 2022 General Election. The Union BOE was unable to unanimously approve their plan. Both the Majority and Minority plans include the same seven early voting sites—none of which are the Union BOE’s office—in Union County for the General Election.

[utes%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.

In 2022, Union 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.

The Union BOE Proposed Plans would include seven sites—two in Monroe, two in Indian Trail, two in Waxhaw, and one in Marshville. The seven sites are located in the Central and North-Western regions of Union County. *See Exhibit 1 at 3.*

Voters in the Southern and North-Eastern portions of Union County are being completely excluded from the early voting access. *See Exhibit 1 at 3.* These areas represent over 10,000 voters who will not be able to cast an early vote in the next election without a trip of well over 30 minutes in total, not accounting for time at the polls. *See Exhibit 1 at 4.* This is an undue burden placed on a significant number of voters in Union County.

Moreover, the Union BOE's Proposed Plans decrease the hours of early voting to only 1,162 hours—a 13.1% reduction from 2020 when there were 1,336 hours of early voting in the county.

The Union BOE's Proposed Plans severely cripple voters' opportunity to participate in the elections process and in no way provides adequate coverage of the electorate. Under the Union BOE's Proposed Plans, lower turnout would be expected among voters from all over Union County because those voters would have to travel farther to reach the sole voting location and would have limited hours in which to cast their ballots. *See Exhibit 1 at 3.*

ALTERNATIVE PLAN

⁵ (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 29, (10) N.C. Senate District 35, (11) N.C. House District 055, (12) N.C. House District 068, (13) N.C. House District 069 (14) N.C. District Court Judge District 20B Seat 02, (15) District Attorney District 30, (16) Union County Board of Commissioners, (17) Union County Board of Education, (18) Union County Clerk of Superior Court, and (19) Union County Sheriff.

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

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

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

The Alternative Plan would cover the entire County by including Union Baptist Church, Unionville Volunteer Fire Department, and the Euto Baptist Church. *See Exhibit 1 at 5.* Under the Alternative Plan, the 168,692 registered voters of Union County will have reasonable access to an early voting site. Specifically with adoption of the Alternative Plan, 31,795 registered voters (18.8%) would be within a 5-minute drive, 133,245 registered voters (79%) within a 10-minute drive, and 163,518 registered voters (96.9%) within a 15-minute drive from the voting sites. *See Exhibit 1 at 6.* This provides nearly improved access to a voter site for nearly 5,600 registered voters in Union County.

If the State Board were to apply the hours provided by the Union BOE's Proposed Plan to the Alternative Plan, there would be 1,660 hours of early voting in Union County as compared to the 1,162 hours of early voting offered under the Union BOE's Proposed Plan.

These additional sites and increased hours are needed to give voters in Union 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 should reject the Union 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 Union 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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