

NC Attorney General Josh Stein Releases Information About 2020 Election Safety

On September 25 NC Attorney General Josh Stein released a Fact Sheet_SBOE & a Summary of Consent Decree to provide further information about North Carolina's work to keep voters safe and healthy while also ensuring that every vote counts.

Attorney General Josh Stein also released the following statement: "These Republican leaders are lying about the consent decree to create mistrust in our elections. That's disgraceful and un-American. They should care more about helping people stay safe, healthy, and have their vote count than they do about power."

Fact Sheet: The Truth about the State Board of Election's Work to Protect Voters During COVID-19

In Democracy North Carolina v. State Board of Elections (SBOE), the Court held that the plaintiffs had demonstrated a likelihood of success that lack of a cure process for correcting material defects in absentee ballots, such as a signature mismatch or deficient witness information, violates the Due Process Clause of the U.S. Constitution.

The Court observed that when a ballot is rejected for a reason that is curable, like incomplete witness information or a signature mismatch, and the voter is not given notice or an opportunity to be heard on this deficiency, it is a deprivation of the right to vote and violates the Constitution.

Below are a series of claims that have been made about the SBOE's work:

1) FALSE CLAIM: The actions in the proposed consent decree represent wholesale changes to NC elections laws that flout state law and court decisions.

TRUTH: These proposed actions comply with a federal court order and respond to the coronavirus pandemic in a limited way that respects NC law.

The federal court ordered the State Board to create a cure process for absentee-ballot errors, including the witness requirement, which this settlement does.

The touchless handoff at ballot delivery requires the person delivering the absentee ballot to provide the same information as required by law – the person's name and relationship with the voter – as previously but orally rather than in writing. The pen remains with the elections official rather than going back and forth between the elections official and the voter.

All mail in ballots must be postmarked by November 3rd – just as before. But they will be counted if received by November 12, the date North Carolina law already permits for mail in ballots from servicemembers. This is in response to the USPS's communications that it cannot guarantee that a ballot postmarked on November 3rd will get to the county board of elections in time.

2) FALSE CLAIM: These changes will allow anonymous drop boxes for ballot harvesters, which was at the heart of the Republican election fraud in the Congressional 9th election in 2018.

TRUTH: There is no ballot harvesting. There are no anonymous drop boxes.

The person dropping off a ballot must still identify themselves and their relationship to the voter just as before but orally rather than in writing to reduce the risk of transmission of COVID-19 between the elections worker and the person.

None of the aspects of the proposed consent judgment change any of the laws passed after the 2018 investigation to prevent absentee ballot fraud. These laws will be enforced. Unmanned drop boxes are NOT permitted.

The proposed consent judgment is designed to implement a federal court order and respond to the problems caused by COVID-19 in elections administration to ensure that every eligible North Carolinian's vote counts, not impact the results one way or another.

3) MYTH: The proposed consent decree allows for unmanned anonymous absentee drop boxes.

FACT: No early voting site or county board office may have unmanned drop boxes for absentee ballots. Every absentee ballot that is dropped off is logged by an elections official. The county board decides whether to approve a ballot in accordance with the factors specified in State Board agency regulations. None of these factors have been modified by the proposed consent decree.

4) FALSE CLAIM: This settlement is a collusive deal among Democrats and the Board Members were not briefed about its details.

TRUTH: The settlement was a response to a number of outstanding lawsuits concerning the administration of elections during a public health pandemic—lawsuits in which the Attorney General has actively defended, and is continuing to defend, the State Board of Elections.

The Board made a reasoned determination to settle some claims while rejecting others in order to achieve certainty and to structure the modifications in a manner consistent with law and secure administration of elections.

The decision by the Board was unanimous and bipartisan and made after lengthy deliberation, notwithstanding the revisionist history by the two Board members.

5) FALSE CLAIM: This settlement eliminates the witness requirement.

TRUTH: The settlement does NOT eliminate the witness requirement.

In response to the federal court order to allow a voter to cure a mail in ballot with errors, the settlement fulfills the purpose of the witness requirement – to confirm that the person voting the ballot is the right person. The cure process achieves this by having the actual voter later confirm that the ballot was his or hers.

6) FALSE CLAIM: Allowing ballots to be counted that are postmarked by Election Day will enable fraud.

TRUTH: The state already counts absentee ballots that arrive after 3 days after the election when they are mailed by service people.

While the vast majority of ballots postmarked on or before Election Day will arrive within three days of the election, federal courts have found that the operational changes made by USPS came "at the cost of service" and mail delivery has slowed down. *Mondaire v. USPS*, No. 20 CV 6516 (S.D.N.Y.) Decision and Order at 26. The voter can only control whether he or she mails the ballot by election day; he or she cannot control the post office. There is no reason to penalize a voter who met the statutory requirement by having ballot postmarked on or before Election Day when the elections administration already process ballots that arrive up to 9 days after the election.

SUMMARY OF CONSENT DECREE

1. Cure Provision for Witness Requirement If there is a problem with information on the absentee ballot container envelope (i.e., voter signature, witness signature, witness name/address), the county board will send a certification to the voter for the voter to affirm that she is the one who marked and returned the ballot and that the voter will not vote more than one ballot in this election.

The modification maintains the witness requirement. As ordered by a federal judge, it permits a cure consistent with the purpose of the witness requirement – to ensure that the actual voter cast his or her ballot. The voter swears or affirms, under pain of criminal penalty, to the board of the elections that he or she was the person who mailed in the ballot previously.

Preexisting Rule: The one-witness requirement was enacted in 2020, but Judge Osteen in the Middle District of North Carolina ruled that the absentee ballot requirements (including the witness provisions) were likely unconstitutional without an adequate cure procedure. He entered an order enjoining the State Board from rejecting any ballots that failed to meet the witness requirement without allowing for an adequate cure procedure.

2. Absentee Ballot Receipt Deadline A voter's absentee ballot will be counted as absentee if it is marked in the county board of elections by 5 p.m. on Election Day or it is postmarked on or before Election Day and it is delivered by the postal service or commercial carrier to the county board of elections before 5 p.m. on November 12.

This modification does not change the date by when the ballot must be mailed; it still must be postmarked on or before Election Day. The requirement of the voter is the exact same.

This modification aligns the receipt deadline to the deadline under North Carolina law for when absentee ballots of military personnel must be received.

This modification was made in response to the letter written by the United States Postal Service declaring that it does not guarantee delivery consistent with North Carolina law.

Preexisting Rule: The ballot must be returned by 5 p.m. on Election Day or be postmarked on or before Election Day and it must be delivered by the postal service or commercial carrier to the county board of elections before 5 p.m. on November 6.

3. Absentee Ballot Logging Procedure The person returning an absentee ballot in person confirms the person's name and whether that person is the voter or the voter's near relative or guardian to the county board official or election official orally. That information is logged by the elections official or county board official. If the official is unable to confirm that the person is the voter or the voter's near relative or guardian, the official will record the person's name, address, and phone number.

This modification is to allow touchless return of ballots to minimize risk of transmission of COVID-19. There are NO unmanned drop-boxes.

Furthermore, this procedure is entirely consistent with state law that requires that only a voter or near relative may possess a ballot. This procedure simply modifies an existing agency rule to accommodate public health concerns; it does not change law.

Preexisting Rule: The person returning an absentee ballot in person confirms the person's name, provides identifying and contact information, and confirms whether that person is the voter or the voter's near relative or guardian to the county board official or election official in writing.

Child Passenger Safety - Is Your Child in the Right Car Seat?

Vehicle crashes #1 cause of death among children

In recognition of Child Passenger Safety Awareness Week the last week in September, Insurance Commissioner Mike Causey joined the Governor's Highway Safety Program in urging parents and caregivers to ensure children are secured in a properly installed child safety seat when riding in a vehicle to save lives.

A child's age, weight, and height can all play a factor when determining proper safety harnesses, so it's important to stay informed with all current regulations and suggestions.

"Child safety seats are the single most effective traffic safety device for saving lives and preventing injury in car crashes," said Insurance Commissioner Mike Causey. "I hope everyone uses Child Passenger Safety Awareness Week as a time to learn why seat belts are important and what you can do to ensure you and your loved ones are properly buckled up every time."

According to Safe Kids North Carolina, motor vehicle crashes are the number one cause of death among children ages 1 to 19. Of those children ages 12 and under who died in vehicle crashes in 2017, nearly 40% were not properly restrained.

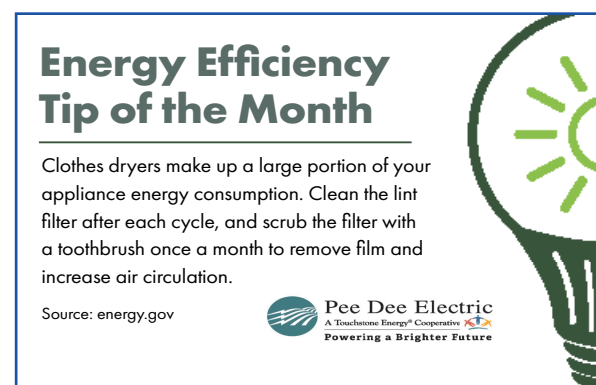
Also, a child's injury to 5 who use safety belts prematurely are four times more likely to suffer a serious injury if in an accident.

"North Carolina law requires that all occupants younger than age 16 be restrained in an age and size appropriate restraint, and those under 8 must be in a seat appropriate to their child's weight," said NCGHSP Director Mark Ezzell. "Because of our 25-year partnership with the Department of Insurance, there are thousands of trained experts in communities across the state to help parents and caregivers correctly install safety and comply with this law. North Carolina has become a national model in keeping infants, children with disabilities and older kids safe on our state's roadways."

Insurance Commissioner Mike Causey and NCGHSP Director Mark Ezzell offer the following safety tips for car seat safety:

- Choose a car seat that fits your child and your vehicle.
- Install the seat rear-facing as long as possible, often until after age 2 and 30 pounds.
- Once installed, the seat should not move at the belt path more than 1 inch from side to side or back to front.
- When buckling your child, keep the chest clip at armpit level; the harness straps should be tight enough that you cannot pinch the webbing together vertically.
- Use the car seat until your child reaches the top height or weight allowed by the manufacturer.

There are more than 230 permanent checking stations located at fire stations and other sites in North Carolina that can provide these services year-round. Stations can be found at www.buckleupnc.org.



Low or No Income? Uninsured?

We're here for you, taking care to make sure our clients stay safe and healthy. You can still receive Family Planning Services.

Schedule a Physical and/or Birth Control Consult at the
ANSON COUNTY HEALTH DEPARTMENT

110 Ashe Street
Wadesboro
704-694-5188

Funded by Title X
Reproductive
Health Services

Unauthorized Hydrant Use

The use of Anson County Water Department fire hydrants for obtaining water for agricultural or any other purpose without written consent of the Water Department is a violation of state and federal law. Hydrants are for use by written-permitted users, water company or fire department personnel only.

The Anson County Water Department will take legal action against any individual or business that unlawfully obtains water from the Anson County water system. Please report suspicious activity to the Anson County Sheriff's Office or the Water Department.

Hydrant use permit information is available from the Anson County Water Department. Information is available at 704-694-5208.