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MARCH PRIMARY SIGNALS BIG PROBLEMS FOR NC VOTERS

WHAT HAPPENED: Today, citing findings from the March Primary, Democracy North Carolina has filed an amicus brief asking the Fourth Circuit Court of Appeals to reverse the lower court ruling and overturn NC's 2013 voting law before the November General Election.

According to Democracy North Carolina's research, the March Primary revealed major problems with the implementation of North Carolina's 2013 voter suppression law, previewing significant problems in store for November.

- New photo ID requirements implemented for the first time in the March Primary, resulted in 1,419 provisional ballots cast that were not counted because North Carolina voters did not have acceptable photo ID. African American voters were 50% more likely to not have an acceptable ID than other voters.
- In contrast, over 29,000 voters were able to participate in the political process by using either Same-Day Registration (SDR) or Out-Of-Precinct (OOP) provisional voting – two key voter “safety nets” that, pending an appeal in federal court, would be eliminated by the General Assembly's 2013 Monster Voting Law, also known as House Bill 589.
- The confusion around the ID law magnified the difficulty of handling administrative problems at the polls, causing delays that led voters to leave without voting, such as long wait-times at the help stations designed to handle ID and provisional ballot issues and pulling poll workers away from assisting curbside voters.

Democracy North Carolina's Executive Director Bob Hall says the huge difference between the number of votes saved by SDR and OOP voting, as compared to the number of votes lost due to the photo ID requirement, reveals an important lesson for November. “The repeal of Same-Day Registration and Out-of-Precinct voting, tacked on to the so-called “Voter ID law,” affects tens of thousands more voters than the ID requirement. Looking ahead, we estimate that as many as 100,000 votes will be lost in the November election if these options are not available to voters,” said Hall.

WHO WAS AFFECTED: The amicus brief highlights the stories of many voters negatively impacted by the inconsistent implementation of the photo ID provision, including:

- Charles Young, a 73-year-old registered voter and former attorney in Catawba County who voted successfully in North Carolina 64 times between 1977 and 2015. In March, Mr. Young, who is white, was turned away from the polls for lack of an acceptable ID and was encouraged to go home and find his passport. He returned with an expired passport. Despite

the fact that poll workers knew Mr. Young personally, he was not told of the “reasonable impediment” exception nor offered a provisional ballot. He was turned away a second time. “I had previously voted for almost four decades without any issues,” said Young.

- Jazlin Laboy, a 21-year-old Hispanic female who is a junior at UNC-Chapel Hill. After waiting 30-minutes to early vote, Jazlin presented an out-of-state driver’s license and was sent to another line to vote a provisional ballot. She was not told about a “reasonable impediment” declaration. After waiting 50-minutes, Ms. Laboy was forced to leave the polling place to make it to her job. Her work and school schedule prevented her from returning to the polls. “I am upset by how complicated the voting process was, and that because of the extra photo ID requirement I was unable to vote in my first presidential primary.”
- Creola Clark, an 89-year-old African-American in Forsyth County who has voted for decades. In March, Ms. Clark, who has only one leg, voted curbside where voters are not required to present photo ID, but can instead present a non-photo ID, such as a utility bill. Despite doing so, Ms. Clark was given a provisional ballot (not a regular ballot), which later was not counted.
- Darlene Azarmi, a registered voter in Buncombe County and Democracy North Carolina’s Western North Carolina field organizer, who was initially told she could not vote because she had lost her N.C. driver’s license. She was eventually given a provisional ballot without the “reasonable impediment” declaration. Only after personally visiting her county Board of Elections Director was Ms. Azarmi able to have her vote counted. Unlike Ms. Azarmi, most voters have not been trained in state voting procedures.

WHAT’S NEXT: Because of widespread confusion and problems, the N.C. State Board of Elections has delayed the official state canvass of election results that typically occurs within three weeks of the election. Instead, the State Board launched an “audit” to review county canvasses, resulting in re-evaluations of Primary votes in 19 counties where ballots were found to be wrongly rejected. The state canvass is scheduled for May 31, 2016.

“We applaud the actions of the State Board to correct many of the wrongs identified from the March Primary election process,” said Hall. “Nevertheless, the evidence of the voting law’s harms to voters and the integrity of the voting process continues to mount.”

The Fourth Circuit Court of Appeals is set to hear arguments on June 21 in an appeal of the trial court’s ruling, which upheld North Carolina’s 2013 voting law. Its decision could impact the availability of SDR and OOP during the 2016 General Election as well as the photo ID requirement.

“The problems Democracy North Carolina documented in the March 2016 Primary represent a smaller-scale preview of the massive problems that await voters in November: longer lines, more delays and problems, greater confusion, and more disenfranchisement and distrust,” said Hall. “We are hopeful that after reviewing the evidence, the Fourth Circuit will act swiftly to prevent this negative, but predictable, outcome.”