



NORTH CAROLINA GENERAL ASSEMBLY

NORTH CAROLINA SENATE

September 25, 2020

Ms. Karen Brinson Bell
State Board of Elections Executive Director
PO Box 27255
Raleigh, NC 27611-7255

VIA ELECTRONIC DELIVERY

Dear Ms. Brinson Bell,

G.S. 120-19 grants the legislature broad authority to access Executive Branch records. The statute says, "All officers, agents, agencies and departments of the State are required to give...upon request, all information and all data within their possession, or ascertainable from their records. This requirement is mandatory and shall include requests made by any individual member of the General Assembly."

Pursuant to our authority under G.S. 120-19, we request immediate production of the following records:

- Copies of any memos, reports, or other written material discussing components or possible components of a settlement in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 produced by you or State Board of Elections staff since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with Marc Elias, Uzoma Nkwonta, Lalitha Madduri, Jyoti Jasrasaria, Ariel Glickman, Molly Mitchell, Narendra Ghosh, Burton Craige, or Paul Smith discussing components or possible components of a settlement in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;
- Copies of any non-privileged communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with Attorney General Josh Stein, Swain Wood, Sripriya Narasimhan, Alexander Peters, Terrance Steed, or any other employees of the North Carolina Department of Justice discussing components or possible components of a settlement in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with any officers or employees of the North Carolina Democratic Party discussing components or possible components of a settlement in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board

of Elections staff with any candidate for political office appearing on the 2020 general election ballot discussing components or possible components of a settlement in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;

- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with Marc Elias, Uzoma Nkwonta, Lalitha Madduri, Jyoti Jasrasaria, Ariel Glickman, Molly Mitchell, Narendra Ghosh, Burton Craige, or Paul Smith discussing extending the return deadline for postmarked absentee ballots, the absentee ballot witness requirement, or whether a ballot shall be disapproved because it was placed in an unmanned drop box since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with Attorney General Josh Stein, Swain Wood, Sripriya Narasimhan, Alexander Peters, Terrance Steed, or any other employees of the North Carolina Department of Justice discussing extending the return deadline for postmarked absentee ballots, the absentee ballot witness requirement, or whether a ballot shall be disapproved because it was placed in an unmanned drop box since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with any officers or employees of the North Carolina Democratic Party discussing extending the return deadline for postmarked absentee ballots, the absentee ballot witness requirement, or whether a ballot shall be disapproved because it was placed in an unmanned drop box since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with any candidate for political office appearing on the 2020 general election ballot discussing extending the return deadline for postmarked absentee ballots, the absentee ballot witness requirement, or whether a ballot shall be disapproved because it was placed in an unmanned drop box since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with Marc Elias, Uzoma Nkwonta, Lalitha Madduri, Jyoti Jasrasaria, Ariel Glickman, Molly Mitchell, Narendra Ghosh, Burton Craige, or Paul Smith discussing possible strategies and timing of announcing a settlement, including considerations of changing the rules of an election that is already underway, in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with Attorney General Josh Stein, Swain Wood, Sripriya Narasimhan, Alexander Peters, Terrance Steed, or any other employees of the North Carolina Department of Justice discussing possible strategies and timing of announcing a settlement, including considerations of changing the rules of an election that is already underway, in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;
- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with any officers or employees of the North Carolina Democratic Party discussing possible strategies and timing of announcing a

settlement, including considerations of changing the rules of an election that is already underway, in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020;

- Copies of any communications, including, but not limited to, email, text messages, written correspondence, or recordings, between you or State Board of Elections staff with any candidate for political office appearing on the 2020 general election ballot discussing possible strategies and timing of announcing a settlement, including considerations of changing the rules of an election that is already underway, in NC Alliance for Retired Americans v. State of NC, 20-CVS-8881 since Aug. 1, 2020.

North Carolinians deserve to feel confident that the State Board of Elections will protect the integrity of their vote and fairly report the outcome of the upcoming election without interference or deception. Two members of the Board resigned this week, stating that they felt misled and key information was withheld by Attorney General Josh Stein's office regarding the settlement agreement. These events do not elicit confidence from the electorate.

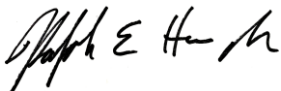
The legislature has a constitutional duty to exercise oversight of the Executive Branch. Not only are these documents in the public interest, they contain information that's fundamental to ensuring that the upcoming election is held in a fair, honest, and secure manner.

You are required by state law to comply with this request. Please inform us of the expected date of production of these records by Tuesday, September 29, 2020.

Sincerely,



Senator Warren Daniel
Co-Chair
Senate Committee on Redistricting and Elections



Senator Ralph Hise
Co-Chair
Senate Committee on Redistricting and Elections



Senator Paul Newton
Co-Chair
Senate Committee on Redistricting and Elections