

Senate Republicans Grill Board of Elections Director Over 2020 Election Rules Changes

By Administrator

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Republican legislators on the Senate Elections Committee this afternoon grilled N.C. State Board of Elections Executive Director Karen Brinson Bell on her conduct during last year's election.

After voting began, Ms. Brinson Bell and Democratic Attorney General Josh Stein secretly negotiated with the national Democratic Party's top lawyer, Marc Elias, to reach a "settlement" deal that changed election laws after voting began.

Simultaneous to their secret negotiations after voting began, the Board of Elections told a federal judge that they could not act to assist visually impaired voters in a different lawsuit because, "These changes would need to be made while voting is actually happening which presents particular risk that could jeopardize the ongoing election process."

Sen. Paul Newton (R-Cabarrus), who co-chairs the Senate Elections Committee, said, "**Legislators and many voters have no confidence in Ms. Brinson Bell's impartial administration of the election, and her testimony today did nothing to change that. That the Board of Elections would bend over backwards to settle a case for Democratic Party lawyer Marc Elias while simultaneously denying relief for visually impaired voters further cements how improper her behavior was.**"

Sen. Warren Daniel (R-Burke), who co-chairs the Senate Elections Committee, said, "**Ms. Brinson Bell refuses to even concede that she changed state law. Multiple federal judges issued blistering rebukes of the Board's conduct under her tenure and overturned much of the settlement deal, yet Ms. Brinson Bell told us today that she only changed 'rules,' not 'laws.'** There is a severe lack of trust in the partisan Board of Elections, and Ms. Brinson Bell is only making it worse."

Ms. Brinson Bell revealed to legislators today that the person in charge of negotiating the "settlement" with Elias's team was Swain Wood, who is Attorney General Stein's top political lieutenant. He is not a career civil service attorney as Ms. Brinson Bell claimed during the hearing. He is a political hire.

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Attorney General Stein was on the ballot in 2020. His top political lieutenant negotiated in secret with the national Democratic Party's top lawyer to change the rules of his own election after voting began.

When pressed about why she kept the negotiations with Elias secret, Ms. Brinson Bell said, "That was not a point for me to be concerned about."

A previous chair of the State Board of Elections resigned because of politically charged tweets that called into question his ability to act impartially. Before Ms. Brinson Bell's hiring was publicly announced, she made all of her tweets inaccessible to the public by deactivating her Twitter account. In light of the distrust surrounding Ms. Brinson Bell's conduct for the past year, lawmakers today pressed Ms. Brinson Bell on whether her past tweets would reveal her to be a political activist.

Ms. Brinson Bell repeatedly declined to share her past statements, calling the matter "irrelevant" even though a previous Board chair faced scrutiny over the exact same topic.

Ms. Brinson Bell also doubled down on the debunked claim that she didn't change state election laws in the secretive settlement deal, saying, "The rules were changed but the law was not changed." Multiple federal judges disagreed. Here are a few excerpts from the multiple opinions against Ms. Brinson Bell's conduct:

- "For the second time in this case, **this court has serious concerns about the conduct of the North Carolina State Board of Elections.**

" – Judge William Osteen

- The State Board's behavior was "a **flagrant misuse** of this court's injunctive relief" and the Board's actions "appear to **ignore the rule of law.**"

– Judge William Osteen

- "In all candor, **this court cannot conceive of a more problematic conflict** with the provisions [the law] than the procedures implemented by the [Board of Elections] Revised 2020–19 memo and the Consent Order." – Judge William Osteen

- "At bottom, the [Board of Elections] has **ignored the statutory scheme** and arbitrarily created multiple, disparate regimes under which North Carolina voters cast absentee ballots." –

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Judge James Dever

- “When, as here, the plain wording of those [legislative] enactments is transgressed, the **entire body politic pays a grievous price.**”

– 4th Circuit Court of Appeals

At the end of the day, Senate Republicans made clear that the issue here is not whether the secret settlement worked to Democrats' favor. The issue here is how to ensure such secret settlements that change election laws without legislative involvement never happen again. The issue is about election integrity and the confidence North Carolinians deserve to have in the elections process.