



# NORTH CAROLINA STATE BOARD OF ELECTIONS

COMPLAINT AGAINST  
COUNTY BOARD OF  
ELECTIONS MEMBER

P.O. Box 27255  
Raleigh, NC  
27611-7255  
Mailing Address

legal  
@ncsbe.gov  
E-mail

(919) 814-0700 or  
(866) 522-4723  
Phone

(919) 715-0135  
Fax

Submitting fraudulently or falsely  
completed declarations is a Class I  
felony under Chapter 163 of the  
General Statutes.

## Instructions (08 NCAC 03 .0101)

Any voter desiring to bring charges of a violation of the North Carolina Administrative Code or of Chapter 163 of the North Carolina General Statutes with the State Board of Elections against a member of any county board of elections may do so by filing with the Board a written statement, signed and sworn under oath or affirmation of the voter. The statement must contain:

- 1) the name, residence address, and county of the member against whom the charges are brought;
- 2) a statement of the facts constituting the violation alleged, with a reference to the date and place of such misconduct; and
- 3) the names and addresses of persons who have knowledge or information of the matters referred to in the charges as filed.

Visit <https://bit.ly/2Z89VtS> for all requirements.

## 1 Information About Person Filing Complaint

Name Christine Livingston County Johnston  
Address 435 Stephenson Rd  
Benson NC 27504  
City CLivingston825@gmail.com State NC Zip Code 27504  
E-Mail Address CLivingston825@gmail.com Telephone Number 919-524-1935

## 2 Information about County Board Member Against Whom You are Filing a Complaint

Name David Spain / member of Johnston County BOE County Johnston  
Address 205 S 2nd St  
Smithfield NC 27577  
City Smithfield State NC Zip Code 27577

NC STATE BOARD OF ELECTIONS

Date the alleged violation occurred:

June 4th 2026

Place the alleged violation occurred:

Johnston County GOP meeting

*adh*



# NORTH CAROLINA

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### Description of Violation

Provide a statement of the facts constituting the violation alleged.

Be as specific as you can, providing all relevant facts and circumstances of the potential violations.

You should also include a citation to the applicable rule, law, or duty you believe has been violated. 08 NCAC 03 .0102 states that the State Board shall set a hearing if the charges preferred include prima facie evidence of any of the following: "(1) a violation of these Rules or of any election law under Chapter 163 of the North Carolina General Statutes; (2) a breach of a duty imposed by Chapter 163; or (3) participation in irregularities, incapacity, or incompetency to discharge the duties of the office." **Attach additional pages if needed.**

See Attachments please  
3 pages.

*Qib*

I submit this complaint pursuant to 08 NCAC 03 .0101–.0105, which governs complaints against County Board of Elections members. This complaint concerns the conduct of Board Member David Spain, who appeared and spoke at a partisan Republican Party meeting and made statements that constitute prohibited partisan activity, misuse of his official position, and violations of the neutrality required of County Board members.

At this partisan meeting, Mr. Spain made the following statements:

He directly encouraged attendees to “volunteer and work the polls for the Republican Party, for our candidates.”

He stated that the Board of Elections was “having to depend on unaffiliateds” and “having to depend on Democrats,” expressing dissatisfaction with non-Republican poll workers.

He used his position as a Board member to recruit partisan-aligned poll workers, stating that he wanted the Republican audience to sign up for paid poll work.

He discussed internal Board of Elections matters, including the number and placement of early voting sites, in a partisan setting, stating: “We’re going to have five early voting sites... We’re trying to center those where the largest population and the largest turnout.”

He encouraged attendees to contact the Director of Elections, Leigh Anne Price, in connection with his partisan recruitment efforts.

He warned attendees about upcoming “mass mailings from probably the Republican Party,” providing insider election-related information in a partisan context.

These statements were made while identifying himself as a member of the Johnston County Board of Elections and while speaking in his capacity as a Board member. His remarks were framed as updates and directives from the Board of Elections.

This conduct demonstrates:

Partisan advocacy

Partisan recruitment of election workers

Disparagement of non-Republican workers

Use of BOE authority in a partisan environment

Disclosure of internal BOE information to a partisan audience

Improper alignment of BOE functions with a political party

Attachment 1  
CAH

These actions undermine public confidence in the neutrality of election administration and violate the standards of conduct required of County Board members.

#### **VIOLATIONS OF LAW AND ADMINISTRATIVE CODE**

Mr. Spain's conduct violates the following provisions of the North Carolina Administrative Code:

08 NCAC 03 .0103 – Standards of Conduct, requiring impartiality, neutrality, and avoidance of political activity that compromises public confidence.

08 NCAC 03 .0104 – Prohibited Activities, which bars County Board members from engaging in partisan political activity, advocating for candidates or parties, or using their position to influence partisan outcomes.

08 NCAC 03 .0105 – Duty to Maintain Public Confidence, requiring Board members to avoid any appearance of bias or preferential treatment.

By advocating for the Republican Party, recruiting partisan poll workers, expressing dissatisfaction with Democratic and unaffiliated workers, and discussing BOE operations in a partisan setting, Mr. Spain violated these provisions.

#### **EVIDENCE**

I am prepared to provide:

A transcript of Mr. Spain's statements

*(included) CLK*

Audio/video recordings if requested

Witnesses who were present

Copies of correspondence with the Johnston County Board of Elections

*included CLK*

#### **REQUESTED ACTION**

I respectfully request that the North Carolina State Board of Elections:

Open a formal investigation into the conduct of Board Member David Spain.

Determine whether his actions constitute violations of 08 NCAC 03 .0101–.0105.

Impose appropriate disciplinary action, up to and including removal from the Johnston County Board of Elections, if violations are substantiated.

Issue any additional directives necessary to protect the neutrality and integrity of election administration in Johnston County.

*Attachment 2  
CLK*

This is the transcript it came up with. I stopped about 2/3 through. I do have a video with words only proof as well.

*These are his words.*

- \ We encourage people, if you want to come to our meetings, we have open meetings that we also have an opportunity for the public to ask questions.

So a couple of things I want to mention.

Most importantly, we need people, paid workers. I want y'all to volunteer and work as polls for the Republican Party, for our candidates,

but it's also important for us to have the best elections for having poll-paid poll people. And we're running a short supply. We're having to depend on unaffiliateds. We're having to depend on Democrats, and we're just not getting enough. There is pay for this. It doesn't matter how much you work. You can work part of one day, four hours, three hours, but as long as you can sign up and get trained and you'll get paid and work the polls, we do need that.

We're going to have five early voting sites. That's gone before the State Board of Elections. We're going to try to center those where the largest population and the largest turnout. We're trying to get that down as far as per head cost, and then we will have, again, all the precincts.

So there are a lot of things that we're trying to do with the Board of Elections to make it run better. I will say this up front. It's Leanne Price who runs that. She does a fabulous job. Anytime you have an opportunity to see her, tell her thank you. Her and her staff do a phenomenal job to make the elections fair, equitable, and free for us and keep the cost down because we're funded by your county commissioners. So your tax money goes to performing elections, and elections are a duty as a citizen. So please, if you want to sign up, let me know or contact Leanne.

I want to mention a couple other things. Voter registration is out there now. One thing that if you see patrons and they ask you, there are going to be mass mailings from probably the Republican Party, other unaffiliateds. They're going to be coming out, mass mailings. People need to be aware of what kind of mailings they are receiving. //

*Attachment 3*  
*CLB*



Christine Livingston <clivingston825@gmail.com>

## Follow-Up Regarding Complaint Process for Board Member Spain

1 message

Christine Livingston <clivingston825@gmail.com>

Sat, Jun 13, 2026 at 10:11 AM

To: Leigh Anne Price <leighanne.price@johnstonnc.gov>, jshallcrossjr@aol.com, gwoodruff@wrflaw.com

Director Price and Members of the Johnston County Board of Elections,

Thank you for your response dated June 10, 2026, and for clarifying the proper procedure for submitting a complaint regarding a County Board member under **08 NCAC 03 .0101-.0105**.

I want to confirm that I have reviewed the information you provided and have now **submitted the formal complaint to the North Carolina State Board of Elections** as directed. I appreciate your guidance and the prompt acknowledgment of my earlier correspondence.

Please consider this message part of the official record reflecting that the matter has been escalated to the State Board through the appropriate channels.

Thank you for your time and for your continued service to Johnston County voters.

Sincerely,

**Christine Weber Livingston**

.919-524-1935

Jeremiah 29:11 For I know the thoughts and plans that I have for you, says the LORD, thoughts & plans for welfare & peace & not of evil, to give you hope in your final outcome.

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Names &  
Addresses of  
Persons who  
Have Knowledge  
Related to the  
Charges Filed

Provide the names and addresses, so far as you know, of persons who have knowledge or information of the matters referred to in the charges as filed.

Attach additional pages if necessary.

Leighanne Price - Director of JCBOE

Name #1

205 S 2nd St

Address

Smithfield

NC

27577

City

State

Zip Code

John Shallcross - Chairman of JCBOE

Name #2

205 S 2nd St

Address

Smithfield

NC

27577

City

State

Zip Code

See

back

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Attestation

I hereby swear or affirm, under penalty of perjury and other penalties established by North Carolina law, that the information provided in this complaint is true, correct, complete, and of my own personal knowledge, or if not, I believe the information to be true based upon the following:

x Christine Anne Livingston

06/17/26

Signature of Complainant

Date

6

Notarization

State of North Carolina, County of Nash

Sworn to (or affirmed) and subscribed before me,

This 17 day of June, 2026

Signature of Notary Public:

Candace E Watson

Printed Name of Notary Public:

Candace E Watson

My Commission Expires 03/03/2029

CANDACE E WATSON  
Notary Public, North Carolina  
Nash County  
Notary Stamp & Seal  
My Commission Expires  
March 03, 2029