

1 NORTH CAROLINA
2 COUNTY OF WAKE

BEFORE THE
STATE BOARD OF ELECTIONS
& ETHICS ENFORCEMENT

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4 IN RE: INVESTIGATION OF ELECTION |
5 IRREGULARITIES AFFECTING COUNTIES |
6 WITHIN THE NINTH CONGRESSIONAL |
DISTRICT |
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EVIDENTIARY HEARING

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Location: North Carolina State Bar
217 East Edenton Street
Raleigh, North Carolina

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11

MONDAY, FEBRUARY 18, 2019
10:00 a.m.

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Board members in attendance:
Mr. Robert B. Cordle, Chairman
Mr. T. Jeff Carmon, III
Mr. Ken Raymond
Dr. Stella E. Anderson
Mr. David C. Black

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Board's staff present:
Ms. Kim Westbrook Strach, Executive Director
Mr. Joshua Lawson, General Counsel
Ms. Katelyn Love, Deputy General Counsel
Ms. Joan Fleming, Chief Investigator

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Also present:
Mr. Mark Elias
Mr. Jon Berkon
Mr. David Freedman
Mr. Alex Dale
Mr. William Gilkeson
Ms. Sarah Fairess
Mr. Timothy Haga
Mr. Jeff Scott

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PROCEEDINGS

10:00 a.m.

CHAIRMAN CORDLE: Good morning, ladies and gentlemen. This is the opening of an evidentiary hearing by the North Carolina State Board of Elections. I would start by thanking the North Carolina State Bar for allowing us to use their building to conduct this hearing. It is a beautiful building, a great place to have hearings like this.

By statute at the opening of each meeting we must read a conflict of interest statement and check to see if any members of the Board might have a conflict of interest.

In accordance with the State Government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict.

Does any board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board today?

MR. RAYMOND: Mr. Chairman.

CHAIRMAN CORDLE: Yes.

MR. RAYMOND: During the course of the investigation, the State Board of Elections staff discovered the involvement of an individual that I know. I just wanted to let the Board members know that individual is Mr. Andy Yates.

I met Mr. Andy Yates during the time he lived in

1 Forsyth County years ago. And I just wanted to say at this
2 time that my acquaintance with Mr. Yates will not affect my
3 judgment one way or the other.

4 CHAIRMAN CORDLE: All right. Thank you very
5 much.

6 MR. BLACK: Mr. Chairman.

7 CHAIRMAN CORDLE: Yes.

8 MR. BLACK: I also know Andy Yates, have
9 known him for a number of years, but would have no problem
10 making any kind of decision regarding any evidence today
11 should he come forward.

12 CHAIRMAN CORDLE: Did either one of you have any
13 business interest--

14 MR. BLACK: Never had any business--

15 MR. RAYMOND: No business.

16 CHAIRMAN CORDLE: Thank you very much. I think
17 that we will get started with a short history of how we got
18 to the place we're in today with the State Board.

19 The General Assembly, back in 1901, set up an
20 administration for elections in North Carolina to a five-
21 member State Board. Late in 2016 the Legislature
22 consolidated the Board of Elections with the Ethics Board
23 for an eight member board. Later that number was changed
24 to nine members.

25 There were legal battles between the Governor and

1 the Legislature over the meanings of Executive Powers, as
2 used in our constitution which gives all the executive
3 powers to the governor.

4 The courts decided that both the eight-man board
5 and the nine-member board were unconstitutional and should
6 be dissolved. The last decision was in the fall of 2018
7 when there was--the election had already begun with early
8 voting. So as a practical matter the court allowed the nine
9 member board to finish conducting the 2018 election.

10 In the weeks following the election this nine
11 member board was notified by its staff of irregularities,
12 some complaints, and from a very limited investigation in
13 Bladen and in the Ninth District, thus the Board took action
14 to delay certification of certain elections in the Ninth
15 District including some--well, they're all here today, and
16 we'll get into that in a minute.

17 The State Board continued its investigation. It
18 went on longer than anybody thought it would originally.
19 They asked for further delays from the courts, and the court
20 finally said, "That's long enough." And on December 28th,
21 it went ahead and dissolved the State Board.

22 The Legislature by that time had passed a new law
23 setting up a five-member board much like it had been
24 historically, but it was only to take effect on January 31.
25 Thus there was no State Board of Elections.

1 The Board members--there were no Board members
2 from that date December 28th until January 31 at which time
3 the Governor appointed new members to the Board. The
4 Governor appoints three members from names given to the
5 Governor by the Democratic Party and two names given by the
6 Republican Party. The party of the Governor is always
7 entitled to have three members on the State Board.

8 Now, three members of our Board previously served
9 on the nine-member board, Dr. Stella Anderson here from
10 Watauga County, Ken Raymond from Forsyth County, and I was
11 appointed to the nine-member board in early December but
12 never attended a meeting before it was dissolved because
13 there were no meetings.

14 We have two completely new members now serving on
15 the State Board, David Black on my left is a Republican
16 nominee from Cabarrus County and Jeff Carmon, my far right,
17 is the Democratic nominee from Durham County.

18 And we have 100 counties in North Carolina, and
19 each one has a county board of elections that runs the
20 elections in their county under the supervision of the State
21 Board. Each county also has a director of elections which
22 is a full-time employee that runs the staff of the county
23 boards.

24 Now, the Board has publicly announced that this
25 election investigation has been and continues to be an

1 investigation by our staff, not by the Board because for
2 most of this time there was no board.

3 The staff investigation was led by Executive
4 Director Kim Strach who is seated down here in front of us.
5 She's been with the election board for almost 20 years now.
6 Our chief investigator is Joan Fleming, and Joan was with
7 the FBI for, well, 26 years or more, stationed for the most
8 part in the Raleigh office, has been with the State Board
9 as our chief investigator since 2015, and then our Chief
10 Counsel is Josh Lawson who is also seated down here.

11 The Democratic Party candidate for the Ninth
12 District election, or his counsel at least, are seated to
13 our left, and the attorneys for Mr. Harris, the Republican
14 candidate, are seated to our right on the front tables.

15 Some of the other candidates involved in the
16 election are seated behind these tables because there's just
17 not enough room to have everybody here.

18 There are a number of things about absentee
19 ballots in North Carolina that are involved in this hearing.
20 And absentee ballots are really two kinds in North Carolina.
21 One is the early voting absentee ballot that is considered-
22 -you have to vote in person in the early voting, and it is
23 considered a form of an absentee ballot.

24 Now, many people in North Carolina use that.
25 There are huge numbers that vote early, and in this election

1 the early voting in this hearing involvement comes from
2 apparent opening of the tallying machine for the early
3 voting site on Saturday before the election on Tuesday and
4 whether or not that was disclosed to anybody.

5 There are different things for mail-in absentee
6 ballots. They are sent by mail, required to be sent by the
7 county Board of Elections to the voter. There has to be a
8 request form, and the voter fills out the application, marks
9 the ballot in the presence of two witnesses, and then mails
10 the absentee ballot back to the county board where it is
11 checked and then voted on election day.

12 Our law makes it a felony for someone other than
13 the voter or a very close relative to the voter to handle
14 the absentee ballot and to take the absentee ballot from the
15 voter to mail it or return it to the election site.

16 Under our state law, it appears that the State
17 Board of Elections has at least two options in a hearing
18 like this. It may order a new election or it can vote that
19 no new elections is needed, and it can confirm a candidate.

20 A new election can be given in one of two
21 circumstances. One is when enough ineligible voters voted
22 or eligible voters were prevented from voting or some other
23 reason, quote, "sufficient in number to change the outcome
24 of the election."

25 The second say is where, quote, "irregularities

1 or improprieties occurred to such an event (sic) that they
2 taint the results of the entire election and cast doubt on
3 its fairness."

4 The State Board and I believe the people of North
5 Carolina believe that our voters must have trust in our
6 process, believe their vote must be counted, and they
7 believe that elections must be fair that way. That is why
8 we have hearings to try to determine these things here in
9 North Carolina.

10 Now, there are a number of lawyers here
11 representing the parties, and I wish they would identify
12 themselves at this time starting with our State Board.
13 Lawyers.

14 MR. LAWSON: Joshua Lawson, General
15 Counsel.

16 MS. LOVE: Katelyn Love, Deputy General
17 Counsel.

18 CHAIRMAN CORDLE: And over to our left.

19 MR. ELIAS: Mark Elias, on behalf of Mr.
20 McCready, and I want to thank you for the opportunity to
21 allow us out of towners to be here today.

22 MR. BERKON: I'm Jon Berkon, on behalf of
23 Mr. McCready.

24 CHAIRMAN CORDLE: I believe both of you all have
25 been allowed in pro hac vice.

1 MR. ELIAS: We have.

2 CHAIRMAN CORDLE: And is there anybody else here
3 who wants to be admitted pro hac?

4 (No response)

5 CHAIRMAN CORDLE: Mr. Freedman.

6 MR. FREEDMAN: David Freedman, for Dr. Mark
7 Harris.

8 MR. DALE: Alex Dale, for Dr. Mark
9 Harris.

10 CHAIRMAN CORDLE: And then we have some of the
11 folks in the back.

12 MR. GILKESON: Bill Gilkeson and Sarah
13 Fairness for Vanessa Burton, candidate for District Court
14 Judge in Robeson County.

15 MR. SCOTT: My counsel Michael Monaco is
16 sick today, won't be present. Thank you.

17 CHAIRMAN CORDLE: And you are?

18 MR. SCOTT: Jeff Scott.

19 CHAIRMAN CORDLE: Jeff Scott. You're the
20 Libertarian candidate.

21 MR. SCOTT: That's right. I'm the
22 Libertarian Party candidate. Thank you.

23 CHAIRMAN CORDLE: Thank you.

24 MR. HAGA: And Tim Haga for Jack
25 (unintelligible).

1 CHAIRMAN CORDLE: And that's in the judicial
2 election.

3 MR. HAGA: Yes, sir.

4 CHAIRMAN CORDLE: Is anybody here for the Bladen
5 Soil & Water Conservation District Superintendent's race?

6 (No response)

7 CHAIRMAN CORDLE: I believe we're ready to get
8 started, and I think we'll start with the State Board's
9 staff presenting an overview or review of what they believe
10 the testimony will say today.

11 Our proceeding today is going to be with the State
12 Board's staff making a presentation of its evidence and
13 calling witnesses which each of the parties will be able to
14 examine and cross examine.

15 We're going to try to limit the witnesses'
16 appearance to one time if we can do that. If there's an
17 absolute necessity to re-call somebody, we'll consider that
18 as well. But after the State Board presents them, I think
19 we've made arrangements for the McCreedy campaign attorneys
20 to present evidence and then the Harris campaign to present
21 evidence, and then others that are involved in the
22 (unintelligible).

23 So we can start with the State Board.

24 DIRECTOR STRACH: Thank you, Mr. Chairman,
25 members of the Board. Over the past two and a half months

1 the staff of the State Board had been fully committed, and
2 committed their resources to investigating these
3 irregularities and alleged additional irregularities in this
4 congressional district physically in Bladen County
5 initially.

6 And today we hope to show you and preview the
7 evidence that we have found over these past two and a half
8 months, understanding that the criminal investigation will
9 continue to go on after today.

10 We believe the evidence that we will provide today
11 will show that a coordinated unlawful and substantially
12 resourced absentee ballot scheme operated during the 2018
13 general election in Bladen and Robeson Counties.

14 I want to talk a little bit about--so you can have
15 an understanding of the scope of our investigation. We had
16 basically four primary investigators. We used some
17 additional resources because we had a lot of voters that we
18 needed to contact.

19 Over these two and a half months we were able to
20 complete 142 voter interviews. That was along with
21 additional over 401 total attempts in order to complete
22 those 142 completed voter interviews.

23 In addition to voters, there were a number of
24 subject and witness interviews. We did more than 30 of
25 those, and some of those were multiple interviews with us

1 trying to uncover the irregularities here.

2 And then there were subpoenas of documents for
3 various committees and organizations that we reviewed
4 including financial records and phone records that we used
5 to conduct our investigation.

6 So these are the actual results we wanted to
7 remind you of; that in the race, in the Harris and McCready
8 race, there was a 905 margin of victory. Because we are
9 only looking really--what we discovered is irregularities
10 are with absentee ballots. You will see that in Bladen
11 County, there were 420 mail absentee ballots for Mr. Harris
12 and 258 absentee ballots for Mr. McCready.

13 In Robeson County there were 259 absentee ballots
14 for Mr. Harris and 403 absentee ballots for Mr. McCready.
15 Those are ballots that are actually--were counted, so those
16 were returned and counted by those two boards of elections.

17 But it was important from our investigation, we
18 needed to look at additional ballots because it's not just
19 about when you have an absentee ballot scheme; it's not just
20 about those that have been returned. It's potentially about
21 those that haven't been returned.

22 And so this chart will sort of show you what we
23 did in trying to understand how we would tackle these
24 interviews. And so we talked about the ones that had been
25 counted. There were 595 voters that did not return their

1 absentee ballots in the Ninth Congressional District in
2 Bladen County.

3 Bladen is in the Ninth Congressional District, and
4 there's part of it in the Seventh Congressional District.
5 There were 728 absentee ballots that were returned. In
6 Robeson County there were 1,493 absentee ballots that were
7 not returned, and 776 absentee ballots that were returned.

8 Understanding that--looking at the non-returns,
9 there always can be other reasons for absentee ballots by
10 mail not being returned. Simply--sometimes the voter just
11 simply decides they don't want to return the ballot.
12 Sometimes there can be other reasons. They decided they
13 wanted to vote in person.

14 There was also--in these particular months, we
15 should also understand that Hurricane Florence devastated
16 both Bladen and Robeson Counties, so there were issues there
17 with people being displaced from their homes. We've tried
18 to make sure that we've taken all those things into account
19 in conducting our interviews.

20 There were three main areas, as the Chair alluded
21 to two of those, that we were looking at based on our
22 investigation. Number 1 is the absentee by mail
23 irregularities, and what we see, that they were confined to
24 Bladen and Robeson Counties.

25 The disclosure of early voting results in Bladen

1 County, and then office security in Bladen County. Election
2 security is something that the nation is very, very
3 concerned about. It's something that the State Board in its
4 various forms, as Mr. Cordle talked about, the various forms
5 of the Board, we've been very, very concerned about that
6 for the past two elections cycles.

7 And we're been very fortunate to have the
8 assistance of Department of Homeland Security helping us
9 secure our elections internally at the State Board through
10 our machines that we will be purchasing, understanding that,
11 but we've also had them be very helpful with our 100 County
12 Boards of Elections in helping our Boards of Elections
13 secure their offices. Through their work and some of the
14 work of our own investigators in going down to Bladen County
15 that we had some concerns about their office.

16 So I want to begin with the absentee by mail
17 irregularities in both Bladen and Robeson Counties and show
18 you some of the evidence we plan to show.

19 First of all, before doing that, I want to talk
20 a little bit about--and the chair talked about this too
21 during this opening remarks--about voting an absentee
22 ballot, and I think it's very important that we sort of
23 understand why the law is the way it is.

24 A ballot can only be marked by the voter or a
25 qualified assistant following the voter's instructions while

1 in the voter's presence. The voter or qualified assistant
2 must seal the ballot in the contained return envelope in the
3 voter's presence.

4 And then it's North Carolina law that two
5 witnesses or a notary must see the voter mark her ballot and
6 sign the container return envelope. And number 3, respect
7 of secrecy of the ballot and the privacy of the absentee
8 voter.

9 And then very importantly, only a voter or a
10 voter's near relative can return the ballot to the County
11 Board of Elections or mail the ballot. And that is because
12 we are so concerned; we're always concerned with the
13 security of every individual vote, and with mail absentee,
14 we want to make sure that only the voter is the person, or
15 the voter's near relative, that maintained custody of that
16 ballot until it is in the hands of the Board of Elections
17 for counting.

18 So our evidence will show that in April 2017
19 McCrae Dowless was hired to conduct an absentee ballot
20 operation for the 2018 elections. In June 2017 the Mark
21 Harris campaign hired Red Dome Consulting, and which
22 thereafter Mr. McCrae Dowless was paid by Red Dome, and Red
23 Dome would deal with Mark Harris campaign for these
24 expenses.

25 McCrae Dowless was also paid by other candidates

1 including to but not limited to the sheriff, Jim McVicker,
2 from Bladen County.

3 McCrae Dowless hired workers that he paid in cash
4 to collect absentee requests, to collect absentee ballots,
5 and to falsify absentee ballot witness certifications.
6 McCrae paid generally \$150 for 50 absentee ballot requests,
7 and \$125 for 50 absentee ballots collected.

8 There were other amounts that we found in the
9 course of our investigation that were paid per ballot, or
10 in some parts of the operation where a flat rate was paid
11 to workers.

12 The activities, as I said earlier, identified, we
13 were able to say that they are predominantly what we see the
14 evidence is in Bladen and Robeson Counties, and what we
15 found, that there appears to be two phases of the operation
16 which is basically how the absentee ballot process worked,
17 the absentee ballot requests collection and then the
18 absentee ballot collection being the second phase.

19 So I want to talk a little bit about that first
20 phase. The operation that Mr. Dowless used was using what
21 a lot of Get Out The Vote groups use are blank forms to
22 solicit voters, but in addition to the blank forms, Mr.
23 Dowless also utilized previous forms that had been obtained
24 in prior elections to pre-fill the top forms--top part of
25 these forms so that the workers could then go out and find

1 these individuals and get them to sign request forms.

2 For the general election at least 788 absentee
3 ballot request forms in Bladen County were submitted by
4 either McCrae Dowless or one of his workers, and for the
5 general election at least 231 absentee ballot request forms
6 in Robeson County were submitted by McCrae Dowless workers.
7 Though we do have e-mail through our--an-e-mail and some e-
8 mails from our production that show that that number could
9 have been at least 449.

10 This is sort of walking you through the program
11 as far as how it works. This program worked for the
12 requests. This is what I would call Phase 1, the request
13 part. The first part of the phase is the Dowless workers
14 would take absentee ballot request forms to the voters.
15 They would go out to get these.

16 The workers should provide the collected absentee
17 ballot request forms to Dowless for payment, and request
18 forms were photocopied and copies maintained at Dowless's
19 office in Bladenboro, and then request forms were then
20 delivered to the Board of Elections by Dowless or his
21 workers.

22 Phrase 2 is--was the part where he would pay
23 individuals to collect the actual absentee ballot and
24 deliver to McCrae Dowless himself. That is certainly a
25 violation of the law. People are allowed to go and assist

1 voters. You can serve as witnesses as long as you follow
2 the law that we just discussed, but you cannot collect the
3 ballot unless you are the voter's near relative. And then
4 it was taking it to either mail it or provide it to the
5 Board of Elections.

6 Here absentee ballots were collected directly from
7 voters including ballots with no witness signing or only one
8 witness signing. Ballots were collected that were unsealed.
9 Ballots collected by workers were provided to Dowless in
10 order to obtain payment.

11 Dowless held absentee ballots at not only his
12 office but at his home, and Dowless instructed workers to
13 falsely sign as witnesses. Blank or incomplete ballots were
14 voted in Dowless's home and office.

15 In addition to this program, there were also
16 actions we identified that were actions taken to hide this
17 conduct from the Board of Elections and from the greater
18 public, and that small batches of these ballots, when they
19 were collected, were taken to the post office limiting the
20 number that would be received by the Board of Elections.

21 There was ensuring that ballots were mailed at a
22 post office that was geographically close to the voter, and
23 ensuring witnesses signed and dated the same date as the
24 voter's signature that had signed the container return
25 envelope.

1 There were also efforts to ensure that the same
2 color ink by the witnesses was used, so if a witness had
3 signed in a different color ink, tracing sometimes over that
4 with a different color, an ink pen that would be similar to
5 that of the voter was used.

6 There were also efforts to ensure stamps were not
7 turned in a way on the envelope to be a red flat to the
8 Board of Elections staff. And then finally there was taking
9 of collected ballots, ballots that Mr. Dowless had received,
10 giving those back to the voters for hand delivery to the
11 Board of Elections.

12 Because both of these, Phase 1 and Phase 2,
13 required payment, we received information from Red Dome in
14 their production that shows that from July 3rd, 2017, which
15 is the time that the Mark Harris campaign organized, through
16 the date of the general election, Red Dome paid McCrae
17 Dowless \$131,375.57.

18 I will say that we have not been able to interview
19 Andy Yates prior to this hearing, and so some of those
20 payments may not be for this absentee program. They may be
21 for other things that Red Dome was paying him for, including
22 paying him for other candidates.

23 The total general election payments that Red Dome
24 paid to McCrae Dowless, and what that was we consider to be
25 any payment that was after the main primary, to be for the

1 general election, and that was from 6/8 to 11/7, and that
2 was \$83,693.57.

3 And again I would say that was also payments that
4 were made to him, and we're unsure exactly whether or not
5 they're all for the absentee program. It could be also for
6 other things that Red Dome was paying Mr. Dowless for
7 including for other candidates.

8 There were additional payments paid to McCrae
9 Dowless. There was \$5,000, the purpose being Get Out The
10 Vote efforts, a total of that between July 3rd, 2017 and
11 election day from the Jim McVicker payment.

12 We will also show in our evidence that efforts
13 were made to obstruct this investigation and the testimony
14 provided at this hearing.

15 The second part of what we were looking at was the
16 disclosure of early voting results in Bladen County. We
17 were able to determine that results were tabulated on
18 November 3rd, 2018, which is that last day of early voting,
19 that last Saturday of early voting, and early voting
20 personnel working at the site had access to those results.

21 We have no information that anyone other than an
22 early voting--early voting personnel was in the site when
23 these tapes were run, and we have been unable to confirm
24 whether any early voting personnel divulged those results
25 to anyone outside the early voting site.

1 With respect to office security, as I talked about
2 earlier, that was a concern. Part of that concern is
3 because the Bladen County Board of Elections is co-located
4 with the Bladen County Veterans Affairs Administration.

5 And this is the Veterans Affairs Administration
6 simply office inside the Bladen County Board of Elections,
7 and the office is right across from the room that houses the
8 tabulation software computer.

9 This is the computer which election results are
10 uploaded during the election. Homeland Security conducted
11 a review and also saw that as a office security concern.

12 The Bladen County Board of Elections itself
13 unanimously requested security updates in 2018 that had not
14 been made, and our review from our staff of the site found
15 several problematic practices including labeled keys to the
16 ballot room were observed hanging on the wall in a common
17 space where it could accessed by people coming into the
18 building.

19 Non-election staff had an access to the building,
20 and also the recommendations from Homeland Security were not
21 implemented prior to the general election.

22 Because of this, we wanted to make sure because
23 there were potentially the ability to access ballots or the
24 room in which the tabulation software computer was held.
25 We thought it was incumbent upon us to conduct additional

1 audits.

2 As a matter of course before any canvass, we all
3 do post election audits, and those were done in Bladen
4 County with no issues found, but we thought it was important
5 that we dig deeper than that, so we wanted to ensure that
6 we could make sure that no unvoted ballots were unaccounted
7 for.

8 So we went straight back to the printers so that
9 we obtained exactly from the invoices from the printers of
10 the ballots to see just how many ballots were printed in
11 Bladen County for the November election, and that number was
12 23,585.

13 We then took the canvass ballots that we had
14 possession of and looking at the tapes and having the
15 ballots, we subtracted 12,977--those were the number of
16 ballots that were canvassed by the Bladen County Board of
17 Elections. There were 9,377 unvoted ballots that our staff
18 hand-counted to make sure that 9,377 unvoted ballots were
19 in our possession, and then there were 1,170 spoiled or non-
20 returned ballots, and that would also include provisional
21 ballots that were not counted.

22 And then finally we're always happy to see that
23 the Bladen County Board of Elections did use 57 ballots to
24 conduct logic and accuracy testing which is what is done
25 before every election to ensure the voting equipment is

1 operating properly.

2 And after doing that, there was a difference of
3 four ballots. Our data folks have looked at that, and we
4 do not believe that there is any issue with ballots being
5 unaccounted for. The four could have been a miscount in our
6 9,377, and we believe that the ballots there are all
7 accounted for.

8 Additionally I did want to say on that, we did an
9 additional audit because the ballot room being close by, we
10 wanted to make sure that we went into the internal log--we
11 have the internal logs of that system--to see if there was
12 any access that was from anyone outside of the election
13 personnel or at a time that didn't seem appropriate.

14 We extensively looked at that and did not see any
15 intrusions by anyone outside of staff or anyone at a time
16 that did not seem appropriate for an election.

17 And that would conclude my preview.

18 CHAIRMAN CORDLE: So we're ready to call
19 witnesses for the staff after--I would suggest we take about
20 a five minute break.

21 MR. LAWSON: If we can, that would be
22 great. So if we get down there, we'll get the first witness
23 up.

24 CHAIRMAN CORDLE: All right. We'll take a ten
25 minute break then. Start back at 10:43.

1 (Whereupon, a brief recess was taken
2 from 10:33 a.m. to 10:48 a.m.)

3 CHAIRMAN CORDLE: The State Board's staff has
4 its first witness here.

5 MR. RAYMOND: Mr. Chairman.

6 CHAIRMAN CORDLE: Yes.

7 MR. RAYMOND: Before we proceed, I'd like
8 to ask a direct question of the presentation if I may.

9 CHAIRMAN CORDLE: Sure.

10 MR. RAYMOND: Director Strach, during your
11 presentation, you said that--and correct me if I'm wrong--
12 at least 788 mailed in absentee ballots were handled by Mr.
13 Dowless and his associates in Bladen County, and 231
14 confirmed handled in Robeson County; is that correct?

15 DIRECTOR STRACH: Those are absentee requests,
16 not ballots.

17 MR. RAYMOND: Yes, that's I mean.

18 DIRECTOR. STRACH: Yes.

19 MR RAYMOND: Do we know now many of these
20 ballots were sealed or if it appeared as if the seal on it
21 was tampered with in any way?

22 DIRECTOR STRACH: Mr. Raymond, I'm hoping that
23 through this testimony that you're getting ready to hear
24 with your witnesses, that you'll get that information.

25 MR. RAYMOND: Okay. Thank you.

1 CHAIRMAN CORDLE: Dave, you had a question.

2 MR. BLACK: I had one question. Of the
3 absentee ballots that were received in Bladen County that
4 you presented today, are these ballots that you presented
5 today only from the Ninth District?

6 DIRECTOR STRACH: Yes. We excluded the Seventh
7 District.

8 MR. BLACK: Thank you.

9 CHAIRMAN CORDLE: Madam Court Reporter, will you
10 swear the witness please.

11 (Whereupon,

12 LISA BRITT,

13 having first been duly sworn, was
14 examined and testified as follows:

15 CHAIRMAN CORDLE: Would you state your name for
16 the record please.

17 THE WITNESS: Lisa Britt.

18 CHAIRMAN CORDLE: And where do you live, Ms.
19 Britt?

20 THE WITNESS: Bladenboro.

21 CHAIRMAN CORDLE: Bladenboro. Ms. Strach.

22 MR. LAWSON: Mr. Chairman, could you please
23 confirm with the witness that she's here voluntarily.

24 CHAIRMAN CORDLE: Sure. As the Chair of this
25 Board, I issued the subpoena requiring you to attend this

1 hearing, Ms. Britt. I now excuse you from that subpoena,
2 and you are free to leave at any time.

3 You're not required to answer questions, but if
4 you do, these answers are voluntary and under oath. Do you
5 understand that?

6 THE WITNESS: Yes, sir.

7 CHAIRMAN CORDLE: Do you have an attorney?

8 THE WITNESS: No, sir.

9 CHAIRMAN CORDLE: If you do not understand a
10 question, please ask for a clarification. If you don't know
11 the answer to a question, you should say so, you don't know,
12 and let's don't speculate. Is that all right?

13 THE WITNESS: Yes, sir.

14 CHAIRMAN CORDLE: You understand. Okay. Thank
15 you. Witness is yours, Ms. Strach.

16 DIRECTOR STRACH: Thank you, Mr. Chair.

17 DIRECT EXAMINATION BY DIRECTOR STRACH: 10:52 a.m.

18 Q Good morning, Ms. Britt.

19 A Good morning.

20 Q You and I, along with Chief Investigator Fleming,
21 met on several occasions; is that correct?

22 A Yes, ma'am.

23 Q And during those times had either Chief
24 Investigator Fleming or I ever promised you anything in
25 exchange for testimony here today?

1 A No.

2 Q I want to start by showing you a part of an
3 interview you did late last year, if you could watch.

4 [Transcript of the video presented follows:

5 MS. BRITT: As far as I'm aware of, no,
6 there's not been any crimes committed. We did not go pick
7 up absentee ballots, (unintelligible) being told any of
8 that. We did go register people to vote, to receive their
9 absentee ballot in the mail, but as far as going and picking
10 up ballots, no, sir. That didn't take place.

11 END OF VIDEO]

12 Q Do you recall that interview, Ms. Britt?

13 A Yes, ma'am.

14 Q And where were you when you sat for that
15 interview?

16 A I was in Mr. Dowless's kitchen.

17 Q And who was present at Mr. Dowless's home while
18 you were conducting that interview--or sitting for that
19 interview?

20 A Mr. Dowless, his girlfriend at the time, his
21 grandson, his grandson's girlfriend, my son, and I think
22 there was another person present, but I'm not 100 percent
23 sure if there was anyone else present.

24 Q Did you know you were going to be interviewed
25 prior to arriving at Mr. Dowless's home that day?

1 A No, ma'am.

2 Q And do you recall why you were going to Mr.
3 Dowless's home that day?

4 A To go over some paperwork.

5 Q Did Mr. Dowless call you and ask you to come over?

6 A I don't remember if he had called me or if I had
7 actually called him because I speak to him on a daily basis.
8 I really don't remember who called who on that part.

9 Q When you arrived at Mr. Dowless's home what did
10 he say that led to that interview?

11 A I remember I had spoke with him for a few minutes.
12 The interviewer pulled up. He explained that was a friend
13 of his; that he had spoke with him a few times, and that he
14 would like for me to give Mr. Ochsner an interview.

15 Q After looking at that and recalling that
16 interview, Ms. Britt, were all the statements you made
17 during that interview truthful?

18 A No, ma'am.

19 Q Is it true that you had spoken with Chief
20 Investigator Fleming and myself prior to giving that
21 interview?

22 A Yes, ma'am.

23 Q And had you at that time provided statements to
24 us that were not consistent with the statements you gave
25 during that interview?

1 A Yes, ma'am.

2 Q Can you tell the Board why you agreed to be
3 interviewed knowing that you had already told us a very
4 different story than you provided during that interview?

5 A As I told you and Ms. Fleming, that my mother was
6 married to Mr. Dowless back in--I want to say it was around
7 1989, so Mr. Dowless has always been a father figure to me,
8 even--well, I'm not sure how to say, but even before, I mean
9 until--up until now I've always--if I've ever needed
10 anything, I've always been able to call Mr. Dowless who's
11 always helped me.

12 So I mean, of course, I don't want to get him in
13 any trouble; I don't want to get anyone in any trouble for
14 anything.

15 Q So today, and you know that you're under oath and
16 that everything you tell this Board must be the truth and
17 nothing but the truth; you understand that, correct?

18 A Yes, ma'am.

19 Q So let's talk a little bit more about your
20 relationship with Mr. Dowless. As you said, Mr. Dowless was
21 married to your mother. Would you say again about how many
22 years ago that was?

23 A I want to say it was around 1989. I think it was
24 right after my grandfather passed away.

25 Q And so how long have you considered him your step

1 father?

2 A I still consider him my step father.

3 Q And after their divorce, did you maintain contact
4 with Mr. Dowless?

5 A Yes, ma'am. I even stayed with Mr. Dowless and
6 his new wife, the lady he married after my mother, on
7 several occasions throughout the years.

8 Q And in fact at some point in 2018 did you move
9 into his residence?

10 A Yes, ma'am.

11 Q And can you talk about how that happened?

12 A I was in a bad relationship with my boyfriend and
13 ended up staying in a shelter with my--I have a two year
14 old--well, at that time I had a two year old and a four year
15 old, and Mr. Dowless came and got me, to help me, with
16 helping him do the ballot, the actually going and getting
17 absentee request forms and stuff, and I stayed with him
18 during the time that I was doing that.

19 Q Did he require you to pay rent while you were
20 there?

21 A No, ma'am.

22 Q And since this election, have you continued to
23 communicate with Mr. Dowless?

24 A Yes, ma'am.

25 Q And since the election, has he provided you any

1 financial support?

2 A No, ma'am.

3 Q And has he ever asked you for any financial
4 support?

5 A I think, yes, ma'am, I let him borrow, I think,
6 \$50 one time. I mean I guess it's been a--practically a
7 father-daughter type relationship for 30 years, so.

8 Q Family.

9 A Yes, ma'am.

10 Q So is it fair to say that you considered yourself
11 having a fairly good relationship with McCrae?

12 A Yes, ma'am.

13 Q I want to switch gears just a little bit and ask
14 you, are you currently on probation?

15 A Yes, ma'am.

16 Q And is that probation for a felony offense?

17 A Yes, ma'am.

18 Q And did you vote in November?

19 A Yes, ma'am.

20 Q Did Mr. Dowless give you any advice or information
21 with respect to voting with your felony status?

22 A I think he did, but I'm not 100 percent positive
23 that he did.

24 Q Okay.

25 A I think because it was in a different county.

1 Q So your probation was in a different county than
2 Bladen?

3 A Yes, ma'am.

4 Q And do you recall ever having discussion with him
5 about the fact that you were a convicted felon and were
6 going to vote in the November election?

7 A Yes, ma'am.

8 Q Well, let's talk about why we're here today, and
9 that is the absentee ballot program. When did you first
10 learn that Mr. Dowless was involved in any way with
11 elections?

12 A Back around 2010 or 2012, somewhere around that
13 time.

14 Q Prior to the November 2018 election, and I'm
15 talking about that, did you work or assist him at any time
16 prior to that in any of his election efforts?

17 A I worked with him for a few weeks in Robeson
18 County back in 2014. It was right after my first son was
19 born.

20 Q And did you work in the May 2018 primary?

21 A No, ma'am.

22 Q So let's move to the general election. For the
23 general election, when did you first begin to work with Mr.
24 Dowless with his election efforts for the November general
25 election?

1 A I'm not 100 percent sure on the dates, but I think
2 it was about the end of June, beginning--I mean end of July,
3 beginning of August.

4 Q And what was your understanding of what Mr.
5 Dowless's efforts were for the November 2018 election? Who
6 was he working for?

7 A He was working--at that point in time he was
8 working for Mr. Harris.

9 Q Were there other candidates he was working for?

10 A I think he may have been working for Mr. McVicker
11 also.

12 Q Were you ever aware of what each candidate was
13 paying him for his efforts?

14 A No, ma'am.

15 Q So prior to doing any work with Mr. Dowless, did
16 you personally have any understanding of North Carolina
17 absentee ballot laws or the process of absentee voting?

18 A No, ma'am.

19 Q And how did you come to understand that process?

20 A It was explained to us by Mr. Dowless.

21 Q Did Mr. Dowless ask you to go out and request
22 absentee ballots from potential voters?

23 A He did. We were told to--Bladen County is a poor
24 county, so we were actually going out with absentee request
25 forms to give people the opportunity--so everybody would

1 have the opportunity to vote, so we were taking them the
2 request forms, so that way they could receive their ballot
3 in the mail.

4 So that way it would give everyone the option to
5 vote because I think prior to this year Bladen County had
6 had several spots that were open for, like, a week for the
7 early voting, and I don't think they had it in the November
8 election of this year.

9 Q That's correct.

10 A So we were trying to give everybody the
11 opportunity to be able to vote.

12 Q Which is the right thing to do. Did you have--
13 use blank request forms for that?

14 A Yes, ma'am. Some of them--again, on some, I think
15 it may have been people who had voted in previous elections
16 or whatever, so we would fill out the top part. It would
17 be older people. That way it would already be filled out.
18 All we would need them to do is sign it, and that way they
19 wouldn't have to sit there and wait for us to fill out all
20 the information.

21 Q Sure, and the information that you used to pre-
22 fill those forms, where did that information come from?

23 A It was information, I guess, that Mr. Dowless had
24 from previous elections.

25 Q Were you part of the team, I guess, of people that

1 actually helped to fill in those--the top part--

2 A Yes, ma'am. I did fill in the top part of some
3 of the ballots. Yes, ma'am.

4 Q And were you aware of other people that were doing
5 that as well?

6 A I think he had several other people in the office
7 who had helped do it also. Yes, ma'am. But I'm not 100
8 percent sure on that.

9 Q You don't have to answer with 100 percent surety.
10 So you had these pre-printed forms in the office. How were
11 they disbursed out to the workers so they could go out and
12 get the signature from the actual voter?

13 A Prior to--the Board of Elections would send out
14 a list, I guess, of registered voters in different
15 precincts, but prior to that list being sent out, we would
16 just kind of, you know, go with the ones that we already had
17 that had received an absentee request or absentee ballot in
18 the mail in the previous elections. We would go to their
19 houses and see if they would like to register to receive one
20 for this election.

21 Q I guess my question really is, is that even
22 though--you filled out a pre-filled part of the form; does
23 that mean you're going to be the person that goes and finds
24 that voter or is it done where people can take forms
25 wherever they happen to go?

1 A It's done where people can take forms wherever
2 they happen to go because if I work in the Bladenboro area
3 and we've got, say, from Elizabethtown, we have someone else
4 working the Elizabethtown area; the one from Elizabethtown
5 take Elizabethtown area. White Oak would do the same with
6 their area.

7 Q And were those forms maintained somewhere in the
8 office in Bladenboro?

9 A They were in a folder in the office.

10 Q So people could get them.

11 A Yes, ma'am.

12 Q So to your knowledge, who was working for Mr.
13 Dowless during this time to get just requests? We're just
14 talking about requests.

15 A Myself, Jennifer Boyd, Tracy Cook. There was
16 another lady working with Tracy Cook, but I cannot remember
17 her name.

18 Q Okay.

19 A Jimmy Singletary. I think Woody Hester may have,
20 but I don't know if Woody Hester actually was going out and
21 getting people or if it was just Woody's family because I
22 think he may have a large family.

23 I don't recall whether Ginger Eason and Cheryl
24 Kinlaw were working at that time or not. So it's basically
25 just--

1 Q Okay. And do you recall which counties you or the
2 others were working in?

3 A I myself worked Bladen and Columbus County because
4 I knew quite a bit of the people in Columbus County. I
5 think everyone else just pretty much the Bladen County area.

6 Q Was Robeson County also--

7 A Yes, ma'am.

8 Q --part of that?

9 A Yes, ma'am. I think Jennifer Boyd may have knew
10 some people in the Robeson County area. So she may have.
11 But I think hers was more neighbors and friends that she
12 knew in the Robeson County area.

13 Q Were you aware of other workers working in
14 different counties other than--you mentioned Columbus,
15 getting requests in Bladen and Robeson. Are you aware of
16 any other workers that were working for Mr. Dowless that
17 worked in any other counties, especially in the Ninth
18 Congressional District?

19 A I never met any workers who worked in other
20 counties. I've heard--I don't know if it may have been on
21 the media that I heard it or where I heard it, but I think
22 it actually was the media where that I heard that he had 80
23 employees working for him in different counties, but as far
24 as me meeting other people, I never met any.

25 Q Did he ever tell you he had 80 people working in

1 other counties?

2 A No, ma'am.

3 Q For the absentee ballot requests, were you paid
4 to get absentee ballot requests?

5 A Yes, ma'am.

6 Q And so can you sort of explain what your
7 understanding or at least the pay structure that you were
8 paid in?

9 A We were paid by the amount of people we had
10 registered.

11 Q And so would there be a certain number that would
12 equate to a certain dollar amount?

13 A Yes, ma'am. For every 50, myself and whoever my
14 partner was at the time, we'd receive a certain amount.

15 Q Do you remember what that amount was for 50?

16 A I think the amount was between \$150 and \$175.

17 Q And did you additionally get any money for gas or
18 food?

19 A Yes, ma'am.

20 Q So with respect to the process, when a worker
21 collected requests from voters, what would they do with
22 those requests?

23 A After the work that I did, I would take mine back
24 to the office just for my own personal--my own personal
25 reasons, I would make copies of mine and put them in a

1 folder, so that way I would know what voters that I had
2 actually registered to vote for their ballots to come in the
3 mail, and so I made a copy of mine and put it in a folder.

4 Q And what would you do with the originals?

5 A The originals would be given to Dowless.

6 Q To Mr. Dowless. So would you deliver absentee
7 requests to the Board of Elections?

8 A No, ma'am. I never delivered anything to the
9 Board of Elections.

10 Q And in order to get paid, you would have to
11 provide those requests to Mr. Dowless, correct?

12 A Yes, ma'am.

13 Q And you talked about making the copies. Was that
14 at the office in Bladenboro?

15 A Yes, ma'am.

16 Q Are you aware of any other place that workers
17 could turn in their requests to Mr. Dowless?

18 A No, ma'am, not that I'm aware of.

19 Q So would you get paid every time you turned in
20 requests? Is that sort of how it worked is when you turned
21 them in, you got paid?

22 A Yes, ma'am, when I turned in 50.

23 Q And would it be Mr. Dowless that personally paid
24 you each time?

25 A Yes, ma'am.

1 Q And did he pay you in cash?

2 A Yes, ma'am.

3 Q Are you aware of what Mr. Dowless did with those
4 requests once you turned them in to him?

5 A He turned them in to the Board of Elections.

6 Q We were talking about the office in Bladenboro.
7 Did you ever do any work in that office in Bladenboro?

8 A Yes, ma'am.

9 Q So can you tell us a little bit about the things
10 that you would do while you were in the office?

11 A The absentee request forms were--like I said, I
12 made copies of mine, and they were kind of kept in books in
13 the precincts, so that way when the absentee ballots come
14 back and we would go back to witness them, we would kind of
15 know this is one that I actually went out and got, so these
16 people will be familiar with me, so then it would be easier
17 for me to go back out and witness it rather than it would
18 be for me to go back and witness one that you had went out
19 and registered to vote.

20 Q There was a copier in that office, I assume.

21 A Yes, ma'am.

22 Q So you talked about making copies of your own
23 requests. Did you ever make copies of anyone else that came
24 into the office with their requests?

25 A There was another lady and gentleman who came in,

1 yes, ma'am, that--

2 Q Do you recall the names of those individuals?

3 A I think one of the lady is named Ms. Wooten, and
4 the other gentleman I saw earlier, but I'm not sure of his
5 name.

6 Q And you say Ms. Wooten. Is it Lola Wooten?

7 A Yes, ma'am, I think so.

8 Q And as far as the other gentleman, do you see him
9 in this room?

10 A Yes, ma'am.

11 Q Can you point him out?

12 A He's sitting here in a chair.

13 CHAIRMAN CORDLE: Would that gentleman please
14 stand?

15 DIRECTOR STRACH: Would you stand, please, sir?

16 (Male in the audience stands up)

17 Q That's the person you saw that would deliver
18 requests to your office which you made copies.

19 A Yes, ma'am.

20 CHAIRMAN CORDLE: Thank you, sir.

21 Q Did you know who Lola Wooten was when she first
22 came into your office?

23 A No, ma'am.

24 Q Did you believe that Ms. Wooten was supporting the
25 same candidates as Mr. Dowless?

1 A In the beginning when I first--when they first
2 came in, no, I had no clue who they were.

3 Q You just made the copy of the requests, and then
4 would you keep the original or would you give it back
5 to--

6 A We'd give them back the original.

7 Q About how many times did you see Ms. Wooten in the
8 office?

9 A Maybe once a week.

10 Q About once a week, and how about the gentleman you
11 just identified?

12 A Maybe the same.

13 Q Do you know if when you made these copies, were
14 they maintained separately from the copies of other requests
15 from the other of Mr. Dowless workers?

16 A Yes, ma'am.

17 Q And how do you know that?

18 A Those copies were actually kept in his office, I
19 think, so they wouldn't be mixed up with our copies.

20 Q So sort of revisiting one more time the absentee
21 requests, were you given any instructions about where you
22 were to go to obtain requests; were you or any other workers
23 given instructions about where they needed to go and get
24 requests?

25 A No, ma'am. We basically went to areas where there

1 were more people because it would make it easier to get--I
2 mean you would rather go to a area that's got 100 people and
3 try to get as many as you could as going to a single home
4 where you're only going to get two or three at the most.

5 Q Right, because you wanted to get--

6 A At least 50 to get paid, so as many as possible.

7 Q So there was no limiting you on where you could
8 go and get absentee requests.

9 A No, ma'am.

10 Q And do you have any reason to believe that any
11 requests were not turned in to the Board of Elections?

12 A No, ma'am.

13 Q You personally, as you said--I think you were
14 alluding to it. So, for you, the way you determined where
15 you would go is where you could get the most number of
16 requests done. Is that a correct--a fair statement?

17 A Yes, ma'am.

18 Q Thinking about it today, do you know how much you
19 personally got paid just for getting the requests? Do you
20 have a dollar amount you think you got paid?

21 A All throughout the--you know, like throughout the
22 election or--

23 Q For the requests, or throughout the election.

24 A For the requests it was either \$150 or \$175 for
25 every 50, but throughout the whole thing I have no idea what

1 that number would total up to

2 Q So you don't know how many requests you were
3 personally responsible for.

4 A No, ma'am. We dealt with a lot of people, so, you
5 know, I'm not 100 percent sure how many people it was we
6 registered to vote.

7 Q And that's a good clarify--I want to clarify that.
8 So when you--we're talking about requests. Did you also get
9 people to register to vote? Was that something else you
10 did?

11 A Yes, ma'am.

12 Q And would those be done at the same time?

13 A Yes, ma'am.

14 Q So you would have a registration form, and then
15 you would also offer them the option to fill out a request?

16 A Yes, if they were not already registered, yes,
17 ma'am.

18 Q Were the registrations--did you get paid for those
19 in addition or was that just part of the package?

20 A It was just a package deal.

21 Q I want to show you a document.

22 (Pause)

23 Q We'll come back to--okay, we'll revisit that. So
24 let's move on now. We've talked about the requests. Let's
25 talk about we call the second part of the program which was

1 sort of the collection.

2 Would you say that Phase 2 of the absentee ballot
3 program was simply going back to the voter's home, offering
4 to serve as a witness, and then encouraging the voter to put
5 their ballot in the mail that day? Is that what you were
6 tasked to do?

7 A We were sent back out to their homes once their
8 ballots came back in the mail, to explain again if the
9 ballot wasn't correctly witnessed by two voters, that the
10 Board of Elections would kick it out and the vote wouldn't
11 count.

12 So in the event that they had two witnesses, then
13 they could use their two witnesses, but in the event that
14 they didn't, we would explain to them, well, I mean I can
15 witness it for you or I can have it witnessed for you by two
16 voters, and then I can go ahead and place it in the mail for
17 you.

18 Q Was there any time that you can recall that Mr.
19 Dowless had the group of you that were going to be going out
20 and doing the Part 2 of the program, that he had you in his
21 office and sort of explained to you what the process was?
22 Do you recall that?

23 A I think the way he explained it to us was the same
24 way I just explained it to you maybe.

25 Q Did he explain to you what--would you just leave

1 the ballot there? What were his instructions about what to
2 do with the ballot from the voter?

3 A If they didn't have the witnesses for the ballot,
4 we would bring the ballot back as with the absentee request
5 forms, so then we also got paid for the ballots according
6 to how many ballots.

7 Q Go ahead and answer that. So you got paid to
8 collect the ballots.

9 A Yes, ma'am.

10 Q How much were you paid to collect the ballots?

11 A We weren't paid as much with the ballots as we
12 were the request forms, but say I go to your house and you,
13 your sister, and your husband were all there, and your
14 sister and your husband witnessed your ballot, and that
15 ballot would still count. I would still get paid for that
16 ballot, so--

17 Q Did you have to collect it and bring it back to
18 get--

19 A No. As long as we could--I mean we would mark it
20 off of our list as, okay, this person's ballot has already
21 been taken care of. There was the witnesses; it's been
22 signed, and all that, so.

23 Q But if they didn't have the witnesses--

24 A Then we would bring it back with us.

25 Q --you would collect it.

1 A Yes, ma'am.

2 Q As far as the amount, do you remember--you said
3 it was less--you got paid less for picking up the absentee
4 ballots than the requests. Do you remember exactly what
5 that payment structure was for picking up ballots?

6 A I think it may have been \$125 for 50, but I'm not
7 100 percent sure.

8 Q And did that payment structure change at any time?

9 A It did during the end. I think I worked with him
10 for maybe two, three weeks with picking up the actual
11 ballots, and after everyone realized it was harder with the
12 ballot, I mean, we were just paid a weekly amount. I want
13 to say it was around \$200 a week.

14 Q Okay, \$200 a week, so a flat rate.

15 A Yes, ma'am.

16 Q And when you say it was harder, can you give us
17 a reason why it was harder to pick up ballots rather than
18 to get request forms?

19 A Because a lot of people don't want to give you
20 their absentee ballot.

21 Q Right. So you ran into that. You ran into people
22 where you would go and they didn't want to give you their
23 ballot.

24 A Yes, ma'am.

25 Q Okay.

1 A I wasn't aware at the time that it had been a big
2 ordeal back in 2016 with the same ordeal, so--

3 Q You were not--

4 A --I guess, because I wasn't around Bladen County
5 at the time, and I guess a lot of the other people were, so
6 they (unintelligible).

7 Q Were you told by Mr. Dowless or anyone else on his
8 behalf not to touch the ballot or not to take possession of
9 the ballot?

10 A No, ma'am.

11 Q So with respect--we talked about the requests.
12 Now let's talk about going back for collecting the ballots
13 from the voters. How did you know where to go back to?

14 A The Board of Elections mailed out a list of the
15 absentee ballots that had been mailed out. This all was
16 happening right during the hurricane, so I think it actually
17 pushed it back a couple of days.

18 So there was--they e-mailed a letter out, well,
19 a list out, I guess, daily as to what ballots had been
20 mailed out, so.

21 Q And so you--were you limited in any way on who you
22 could go see that had--was going to be receiving an absentee
23 ballot?

24 A No, ma'am, not originally in the beginning.

25 Q So I want to show you--

1 MR. LAWSON: Mr. Chair, since this is the
2 first exhibit, it may be good to instruct the court reporter
3 to keep track of what number we're at, and then if you want
4 to have a pattern of us handing things up and then--to
5 counsel and the court reporter and the Board.

6 CHAIRMAN CORDLE: All right. Are they pre-
7 marked?

8 MR. LAWSON: They're not pre-marked because
9 we didn't know the sequencing.

10 Q Ms. Britt, you have in front of you an absentee
11 envelope, correct?

12 A Yes, ma'am.

13 Q Do you know--

14 CHAIRMAN CORDLE: Excuse me. Is it a copy of
15 the absentee envelope?

16 DIRECTOR STRACH: It is a copy of the absentee
17 envelope.

18 CHAIRMAN CORDLE: And is it marked as--you want
19 to mark it as an exhibit?

20 MR. LAWSON: Yes.

21 MR. ELIAS: Is it Exhibit 1?

22 (Whereupon, Exhibit No. 1
23 was marked for identification.)

24 CHAIRMAN CORDLE: And it is Exhibit 1 then?

25 DIRECTOR STRACH: Exhibit 1.

1 Q So Ms. Britt, do you know Emma Shipman?

2 A No, ma'am.

3 Q Did you go to her house to collect her ballot?

4 A Yes, ma'am.

5 Q Could you tell the Board what happened the night
6 you went to her house to collect her ballot?

7 A When I went to Ms. Emma's house, there was
8 actually a gentleman there. I don't think Ms. Emma had--I
9 think she may have been at church actually and hadn't--she
10 hadn't arrived home yet.

11 I sat and talked to the gentleman for a few
12 minutes. At that time Ms. Shipman pulled up. So I was
13 explaining to Ms. Shipman about the witnesses on the ballot
14 and whatever.

15 Ms. Shipman informed me that she could not see
16 very well, so I told her that I could help her with it and
17 read the ballot off to her and I could mark it that way and
18 witness it that I had helped her--assisted her with her
19 ballot or that I could--if she had someone she felt
20 comfortable (sic) who could help her with her ballot, that
21 I would gladly go and get that person to get them to come
22 help her because she said her niece--well, she actually told
23 me, I think, her sister stayed next door.

24 So I went to her sister's house. Her niece was
25 there. Her niece came over and helped her fill out her

1 ballot. Myself and my son stayed outside while they filled
2 out the ballot. Once they had filled out the ballot, she
3 handed--her niece actually handed me the signed sealed
4 ballot, and I took the signed sealed ballot with me and
5 witnessed the ballot.

6 Q Do you leave her home with the ballot?

7 A Yes, ma'am.

8 Q And so when you left her home with the ballot,
9 what did you do with that ballot?

10 A The ballot was turned back in with the other
11 ballots I had collected on that day.

12 Q And who were those ballots turned in to?

13 A Mr. Dowless.

14 Q At some point after you delivered that ballot, did
15 Mr. Dowless contact you specifically regarding that ballot?

16 A The gentleman sitting here in this chair, I think,
17 contacted Mr. Dowless about this ballot.

18 Q And what was said to you about it? Did Mr.
19 Dowless convey to you what--about the phone call he had
20 received about it?

21 A That the ballot should not have been taken from
22 Ms. Emma Shipman and to take Ms. Emma Shipman's ballot back
23 to her home.

24 CHAIRMAN CORDLE: Excuse me. But she said the
25 man sitting in the chair. Are we talking about--

1 DIRECTOR STRACH: The man she identified.

2 CHAIRMAN CORDLE: Can we get his name, please,
3 for the record.

4 DIRECTOR STRACH: For the record, the
5 gentleman's name is Horace Munn.

6 CHAIRMAN CORDLE: Are you Mr. Munn?

7 MR. MUNN: Yes, sir, I am.

8 CHAIRMAN CORDLE: All right. Thank you, sir.

9 Q So Mr. Dowless said he had a conversation with Mr.
10 Munn, and that then he contacted you and told you you needed
11 to take that ballot back to Ms. Shipman. Did you do that
12 immediately, take it back to Ms. Shipman?

13 A I took it--I worked another job at the time, so
14 once I got off work at my other job that night, I took it
15 back to Ms. Emma Shipman.

16 Q Did you have to go to Mr. Dowless to get the
17 ballot?

18 A Mr. Dowless had gave it to me, I think, the night
19 that we had the conversation, and the next--I had to be at
20 work at nine o'clock the next morning, so once I got off
21 work, I took it back to Ms. Shipman.

22 Q Do you know about how much time went by from the
23 time that you collected that ballot, took it to Mr. Dowless,
24 and then getting the call about taking that ballot back?

25 A I'm not 100 percent sure.

1 Q Do you have--was it a day or two? Was it more
2 than a week?

3 A It was more like maybe a week.

4 Q Do you think that was unusual that ballots would
5 not have been mailed or taken to the--mailed to the Board
6 of Elections after they'd been collected for more than a
7 week?

8 A Yes, ma'am.

9 Q Do you know why this happened? Do you have an
10 understanding of why a phone call was made to Mr. Dowless
11 and then he wanted you to take a ballot that you had
12 collected back to that voter?

13 A I think that, to my knowledge, that Ms. Lola
14 Wooten was working for Bladen Improvements, and this may
15 have been some of the people she had registered to vote, and
16 then they had--I guess she felt like Mr. Dowless had us
17 going and picking up the ballots from her people who she had
18 registered to vote, which really wasn't the case because I
19 was not aware that that was one of her people, but I'm
20 assuming that's what it was.

21 Q So after that happened, did something additional
22 happen that changed how you determined where you would go
23 back to collect ballots?

24 A We were given a list of people that Ms. Wooten
25 had registered to vote in the Bladenboro, Fayetteville

1 areas, in those areas, because to not--

2 Q And do you know how you were given that list?

3 A I think it was the same gentleman sitting there
4 who had actually called Mr. Dowless and told Mr. Dowless to
5 name the people.

6 Q And so that phone conversation, the gentleman had
7 called back and was given the names. Were you present for
8 that conversation?

9 A Yes, ma'am.

10 Q And what did you do with the names that he
11 provided?

12 A I marked them off the list of people.

13 Q To know not to go back to those houses.

14 A Yes.

15 Q And you were there. Was the phone on speaker-
16 phone? Was that how you were able to hear who that was?

17 A Yes, ma'am.

18 Q Was that something generally Mr. Dowless did when
19 he talked on the phone? Did he talk to the speakerphone?

20 A Yes. He--yes, ma'am, he speaks on the speaker-
21 phone.

22 COURT REPORTER: Please keep your voice up,
23 ma'am, Ms. Britt.

24 A Yes, ma'am. He speaks on the speakerphone most
25 of the time.

1 Q Ms. Britt, you can probably pull that microphone
2 down a little bit if it's more comfortable for you.

3 A Is that better?

4 Q Was there any other time you can think of that
5 you collected a ballot and delivered it to Mr. Dowless that
6 he contacted you to return that ballot to someone else?

7 A No, ma'am.

8 Q So you're not aware of any other time that--

9 A Oh, yes, ma'am. Yes, ma'am. I'm sorry. I'm
10 thinking as to with Lola Wooten and them.

11 Q Right.

12 A Brenda Outlaw and Tammy Outlaw.

13 Q You had collected their ballots?

14 A I had collected their ballots and was told to
15 return their ballots to them also.

16 Q And do you know why he asked you to return their
17 ballots?

18 A I think their--Tammy, the mother, worked with Jeff
19 Smith.

20 Q And was Jeff Smith the one that was not working
21 with Mr. Dowless?

22 A No, ma'am. I think Mr.--I think Jeff Smith and
23 McCrae actually had a falling out, and to keep it from being
24 a problem, their ballots were just returned to them. That
25 was on the same day, I think, the ballots were picked up

1 from them.

2 Q And you did return those ballots.

3 A Yes, ma'am.

4 Q And looking one more time back at the container
5 return envelope for the Shipman ballot, the two signatures
6 on that container return envelope, one is your signature and
7 the other is James Singletary. When you collected that
8 ballot at Ms. Shipman's house, was James Singletary with
9 you?

10 A No, ma'am. My four year old son, he was with me
11 at that time.

12 Q And were you present when James Singletary signed
13 this absentee ballot certificate?

14 A Yes, ma'am. I was present when he signed it.

15 Q Where was it when he signed it?

16 A I think we were at Mr. Dowless's house or
17 either--I'm pretty sure we were at Mr. Dowless's house.

18 Q I want to ask you about Datesha Montgomery. Do
19 you know Datesha Montgomery?

20 A I don't personally know Datesha Montgomery, but
21 I do know who you're referring to with Datesha Montgomery
22 because I saw her on TV. Also she stays in an apartment
23 complex going out of Dublin or back towards Elizabethtown.

24 Q Do you believe that you're the person that went
25 to her to get her absentee request form?

1 A I think we went to several people in that
2 apartment complex to get the absentee request forms.

3 Q So it's possible you could have obtained a request
4 form from her.

5 A Yes.

6 Q Are you aware of what she had stated, that someone
7 meeting your description came to her house, collected her
8 ballot that was not voted or not fully voted?

9 A Yes, ma'am.

10 Q Did you go back to her house to collect a ballot?

11 A No, ma'am. I want to say in that area had
12 actually been affected by the hurricane pretty bad, and I
13 don't think no one was able to even get into that area when
14 the ballots were mailed back out.

15 But I'm not 100 percent sure as to why that area
16 wasn't--I know there was one couple who stayed in the very
17 front apartment of that complex, that their absentee
18 ballots--I can't recall their name, but it was a man and his
19 elderly mother actually had also requested an absentee
20 ballot. They received theirs back.

21 They--I went back to their home. I think I may
22 have actually witnessed theirs, but I witnessed the son and
23 then the mother witnessed the son's and then the opposite
24 way around with the other ballot, and then they mailed
25 theirs in on their own.

1 Q They mailed it in.

2 A Yes, ma'am.

3 Q But you still--that might have been the same
4 neighborhood, but you don't think you went back to Ms.
5 Montgomery's home.

6 A No, ma'am.

7 Q Okay.

8 A There was probably 15 people registered to vote
9 from out in that area. I don't think any of the other ones
10 were picked up.

11 Q You don't remember going to any other houses in
12 that--

13 A No, ma'am.

14 Q --neighborhood. Okay. I want to show you Exhibit
15 2.

16 (Whereupon, Exhibit No. 2
17 was marked for identification.)

18 CHAIRMAN CORDLE: Are we at a stopping point for
19 a minute? We can take a ten minute break.

20 DIRECTOR STRACH: Yes, sir.

21 CHAIRMAN CORDLE: All right. Let's do that.

22 We'll be on break for ten minutes.

23 (Whereupon, a brief recess was taken
24 from 11:42 a.m. to 11:52 a.m.)

25 CHAIRMAN CORDLE: Ms. Strach, I believe we're

1 on Exhibit 2 at this time.

2 DIRECTOR STRACH: Yes, Mr. Chairman.

3 Q Ms. Britt, do you see a State absentee ballot
4 request form in front of you?

5 A Yes, ma'am.

6 Q And do you see the name James Shipman on that?

7 A Yes, ma'am.

8 Q Do you recognize the handwriting on the top part
9 of that form?

10 A Yes, ma'am. That's my handwriting.

11 Q And I think you've probably got a redacted
12 signature on it, but do you know--do you remember ever going
13 to this house in Bladenboro?

14 A No, ma'am.

15 Q And I know you can't see the signature. I don't
16 think we have one that's unredacted, but--

17 DIRECTOR STRACH: Can we show her one that's not
18 redacted?

19 MR. LAWSON: Yes. The parties won't be
20 able to look at that. But you can come up and see it.

21 CHAIRMAN CORDLE: Okay.

22 MR. ELIAS: I assume you're going to
23 suggest the signature's a forgery, and if so, I don't know
24 that the privacy concerns me.

25 MR. LAWSON: As I understand it, sir, the

1 questioning is going to try to establish whether that's the
2 case.

3 MR. ELIAS: Okay. Well, why don't you
4 establish with the witness, and then we can--depending on
5 how the witness answers, then we will not have to abide by
6 the confidentiality, and it's genuine, then we will.

7 CHAIRMAN CORDLE: Sounds a good way to proceed.

8 MR. FREEDMAN: And I would also suggest
9 neither counsel suggest what the answer may be of the
10 witness publicly before the witness gives a response.

11 CHAIRMAN CORDLE: All right.

12 (Whereupon, Exhibit No. 3
13 was marked for identification.)

14 Q Ms. Britt, I guess this is sort of to confirm what
15 you sort of already testified to. You completed the top of
16 this. Where would you get the information to complete the
17 top of this form?

18 A If it was someone who had voted in a previous
19 election--well, if we had received the absentee ballot in
20 a previous election, we had information on some of the
21 people. So we could fill it out, the top part, and then
22 just go back, and that way all they had to do was sign it.

23 Q Yes. And if you look at the--now you can see the
24 signature at the bottom.

25 A Yes, ma'am.

1 Q That's not your signature, is it?

2 A No, ma'am.

3 Q As you recall, you and I discussed this particular
4 form before, correct?

5 A Yes, ma'am.

6 Q You understand that Mr. Shipman was deceased at
7 the time this form was signed.

8 A Yes, ma'am.

9 Q Do you know anything about how this form got
10 submitted?

11 A No, ma'am.

12 Q Do you see at the very bottom of this form--can
13 you read what's at the very bottom of that form?

14 A "Brought in by McCrae Dowless, 10/4/2018."

15 DIRECTOR STRACH: That's all with that.

16 MR. ELIAS: Mr. Chairman, I would move
17 that in light of the witness's testimony to be able to have
18 copies of the unredacted signature based on the witness's
19 testimony.

20 CHAIRMAN CORDLE: I think she has--she has one
21 now.

22 MR. ELIAS: I know, but we don't.

23 CHAIRMAN CORDLE: Well, we will get your copies
24 of it.

25 MR. ELIAS: Thank you.

1 Q Okay, Ms. Britt, let's move on. Let's get back
2 to--we were talking about sort of the Phase 2 of the
3 process, the collection of the ballots. And I wanted to
4 talk about when you went to collect ballots, did another
5 person go into the home with you when you collected ballots?

6 A No, ma'am.

7 Q So you went alone.

8 A Yes, ma'am.

9 Q Did you collect ballots where the ballot, as you
10 had talked about earlier, had already been voted and
11 properly witnessed by two people? Did you ever pick up any
12 ballots like that?

13 A No, ma'am, not that I recall.

14 Q So if you went to pick up a ballot and it didn't
15 have the witnesses on it, what would you tell the voter
16 about the witnesses being blank if you were there to collect
17 it?

18 A That we had two people; we could witness it for
19 them. Told them we'd witness it for them and we'd just go
20 ahead and mail that ballot off to the Board of Elections for
21 them.

22 Q And then if they agreed, you would collect that
23 ballot.

24 A Yes, ma'am.

25 Q And then what would you do when you collected that

1 ballot? Who would you take that ballot to?

2 A We would take them to the office or to McCrae
3 Dowless at his home.

4 Q Did you ever collect ballots that the envelope was
5 unsealed?

6 A Yes, ma'am.

7 Q Do you have any idea of how many that you remember
8 collecting that were unsealed?

9 A I remember one that I'm 100 percent sure of that
10 was unsealed.

11 Q And when you would get these that were unsealed
12 for whatever reason, what would you do with those ballots?
13 Did you do anything different with them?

14 A Of course, out of curiosity I peeked at one to see
15 who they had voted for, and I think I had told you that in
16 the beginning and even told you the person's name as to who
17 it was.

18 And on that ballot they had actually voted for--
19 we were doing ours--we were campaigning for Republicans, and
20 that person had voted straight Democrats, and I think you
21 said y'all may have checked into that one to make sure that
22 that ballot actually had been turned in.

23 So I think some of the other ones--if it was--if
24 some of the things hadn't been filled in, we would fill in
25 the ones who had not been filled in.

1 Q So if it was unsealed and the ballot was not
2 completely voted, you would fill in the other offices?

3 A Yes, ma'am.

4 Q And where would you do that?

5 A Either at the office or at the home.

6 Q And who would have directed you to do that?

7 A We were directed by Mr. Dowless that if a lot of
8 them were--came in that--and it would just be like the
9 simple ones, like for Board of Elections or like something
10 simple like that, it wasn't--I think the sheriff, congress,
11 and then I can't remember what the other one was that was
12 up top, but those three were the main three that the voters
13 were concerned with and voted.

14 So I don't recall ever having one that those
15 weren't filled in on, but with the other, like, little stuff
16 on it, we would fill--just pick a block and fill it in on
17 them.

18 Q Were you directed to mark a ballot of a particular
19 candidate in those other races?

20 A No, ma'am.

21 Q And so do you believe that--was Mr. Dowless
22 working for any of those other races?

23 A Not to my knowledge. Basically what we would
24 do--well, what I would do would be just to vote whoever was
25 the Republican on there as far as that would go.

1 Q Was there a reason you just didn't leave the
2 ballot blank for the offices that were not voted?

3 A Because I guess we didn't want to throw up a red
4 flag with the Board of Elections as to why there's so many
5 ballots; there's only these three people that are being
6 voted for.

7 Q Was that brought to your attention as to why you
8 were doing that?

9 A Yes, ma'am.

10 Q And who brought that to your attention?

11 A Mr. Dowless, like it was brought to our attention
12 about the--it would throw up a red flags with me witnessing
13 so many ballots.

14 Q And just talking about those unsealed ballots, you
15 talked about "we." Were there other people that were in
16 your presence that would also mark unsealed ballots or blank
17 ballots?

18 A I know that Ginger Eason marked an unsealed
19 ballot.

20 Q Have you ever advised a voter not to seal their
21 ballot?

22 A No, ma'am.

23 Q Was there ever a time that you collected a ballot
24 that you did not provide it to Mr. Dowless?

25 A No, ma'am. I gave all of them to Mr. Dowless.

1 Q And where would you do that? Would there be--the
2 office; would there be any other place you would deliver
3 ballots to Mr. Dowless?

4 A I would either take them to him at the office or
5 at his home because at the time I was staying with him also,
6 and because of the fact that I did work another job and I
7 didn't get off my other job until 5:00 or either 6:00 in the
8 afternoon, it would be late by the time I went and picked
9 up the absentee ballots, so.

10 Q And since you actually lived in the home, do you
11 know where he maintained or kept these ballots until they
12 were mailed?

13 A I'm not 100 percent positive, but I think it was
14 like a little shelf thing that--he would keep stuff on a
15 little shelf thing, so maybe they wouldn't just be laid out.
16 Like I have a two year old and a three year old--or a two
17 year old and a four year old at that time. Be easy for a
18 two year old and four year old to get ahold of them, mark
19 on them or anything else.

20 Q Did that ever happen?

21 A No.

22 Q So you were--as you said, you were the only person
23 that would go into a house to collect a ballot. So there
24 was not another witness; there would only be you that could
25 serve as a witness. Did you ever turn ballots over to Mr.

1 Dowless that only had one witness or maybe no witnesses?

2 A Yes, ma'am.

3 Q And are you aware of how those witness signatures
4 would get completed?

5 A In the beginning myself and Mr. Singletary would
6 witness them, but then I think myself and Mr. Singletary
7 witnessed them for maybe a week and a half, if that long,
8 as far as the dates show on ours, and then after that, I
9 think because of me and Mr. Singletary witnessing so many
10 ballots, that maybe it did throw up a red flag as to why--
11 "Hold on, wait a minute, why are these people the only two
12 who are witnessing ballots?" So after that time I guess
13 he'd have other people to witness the ballots.

14 Q So do you remember a conversation where Mr.
15 Dowless contacted you about the fact that you and Mr.
16 Singletary needed to stop signing?

17 A Yes, ma'am.

18 Q And so after that point, did you just bring them
19 to him without the signatures?

20 A Yes, ma'am.

21 Q Was there any time that you signed a different
22 signature?

23 A I signed my mother's name. I contacted my mother
24 and had let her know that I had witnessed too many ballots,
25 and it was throwing up a red flag, and she told me I could

1 either bring them to her or that I could just sign her name
2 to them. I think it was maybe seven ballots that I signed
3 her name to.

4 Q And was Mr. Dowless aware that you were signing
5 your mother's name?

6 A He was there when that occurred, yes, ma'am.

7 Q Were you ever aware or asked to mark a blank
8 ballot that was not your own?

9 A No, ma'am. I wasn't asked to, but I have saw
10 someone else mark a blank ballot that wasn't their own.

11 Q But you never were asked that at Mr. Dowless's
12 home or at his office? He never brought in ballots that
13 were not marked and asked you to mark them?

14 A No, ma'am.

15 Q Were you ever instructed to sign the witness
16 signature on absentee container return envelopes for which
17 you had not been in the presence of the voter?

18 A Sign the witness--not to sign--not sign the
19 voter's name, but sign the witness.

20 Q That you didn't pick it up.

21 A Right. Yes, ma'am.

22 Q There were ballots or envelopes that didn't have
23 witnesses. Were you ever asked to be the other witness?

24 A Yes, ma'am. I witnessed ballots that I was not
25 there.

1 Q Other than Jimmy Singletary, have you ever seen
2 any other person sign the name of a witness when they were
3 not in the presence of the voter?

4 A To my knowledge, Jessica Dowless never went and
5 picked up any ballots, but to my knowledge, maybe she may
6 have, but I don't recall her ever doing it.

7 Q Did you ever see her signing a witness signature?

8 A Yes, ma'am.

9 Q And where would you see her doing that?

10 A At the office.

11 Q Ms. Dowless, to your--was Ms. Dowless--to your
12 knowledge, was she someone that worked for McCrae Dowless?

13 A She worked in the office, yes, ma'am.

14 Q So do you know--based on living in the house or
15 working in the office, do you know what McCrae Dowless did
16 with the ballots he collected?

17 A He mailed them in to the Board of Elections.

18 Q Were you ever asked to mail ballots to the Board
19 of Elections?

20 A Yes, ma'am.

21 Q And were you provided any special instructions
22 about how to do that?

23 A If they were ballots from Bladenboro area, we
24 mailed them from the Bladenboro post office. If they were
25 from the Dublin area, we mailed them from the Dublin post

1 office.

2 Q Were there certain numbers--would you mail as many
3 as you wanted?

4 A No. We didn't mail over nine or ten at a time.
5 He said we didn't want that to throw up a red flag either.

6 Q Did he talk about why he didn't want you to mail
7 more than nine?

8 A So it wouldn't throw up a red flag with the Board
9 of Elections.

10 Q The Board of Elections. Were you ever given any
11 instructions by Mr. Dowless about the placement of stamps
12 on the envelopes?

13 A Yes, ma'am.

14 Q Can you explain that?

15 A Yes. I had placed a stamp upside down, and Mr.
16 Dowless fussed at me about that because I guess one or two
17 wouldn't have mattered, but if you've got ten or fifteen
18 coming in that way, then they're going to go "Oh, wait a
19 minute; why are all of these being done that way," which I
20 didn't think anything of it at the time, but after the whole
21 ordeal, it kind of makes sense that that would have looked
22 kind of obvious if you've got that many coming in with the
23 stamps turned the exact same way on it.

24 DIRECTOR STRACH: I want to provide you another
25 document that'll be Exhibit 4.

1 (Whereupon, Exhibit No. 4
2 was marked for identification.)

3 CHAIRMAN CORDLE: Ms. Strach, as I understand,
4 the copy--Exhibit 2 that has a signature on it is Exhibit
5 3.

6 THE WITNESS: It's at the bottom of Exhibit
7 2.

8 COURT REPORTER: That's right.

9 MR. LAWSON: That's right, sir. The
10 Exhibit 2 was redacted; Exhibit 3 was unredacted.

11 CHAIRMAN CORDLE: Okay.

12 Q Do you see the document, the absentee by mail
13 application log?

14 A Yes, ma'am.

15 Q Have you ever seen this document before?

16 A Yes, ma'am.

17 Q And what is this document?

18 A This is showing the absentee ballots that are
19 turned in.

20 Q And is your name on this document anywhere?

21 A Oh, wait a minute. This is actually showing the
22 amount of absentee ballots--the absentee request forms
23 turned in.

24 Q Yes, the request forms.

25 A Yes. No, ma'am, my name's not on this document.

1 Q Do you see McCrae Dowless's name on it?

2 A Quite a few times.

3 Q And do you recognize any other person on here that
4 worked for Mr. Dowless that turned in absentee requests?

5 A Jessica Dowless.

6 Q Is that the only other person?

7 A I see Woody Hester's name on here. But there's
8 like two or three, so that I'm assuming they are family
9 members.

10 Q And do you also see Lola Wooten's name on this
11 log?

12 A Yes, ma'am.

13 Q And do you see the number of requests that is
14 associated with her name on various days?

15 A Yes, ma'am.

16 Q Do those numbers look in the ballpark of the
17 amount of number of requests you were copying for Ms.
18 Wooten?

19 A Yes, ma'am.

20 Q I want to hand you another document, which will
21 be Exhibit 5. Actually this part of the exhibit, Ms. Britt,
22 you already had. I think it is Exhibit 1. Do you see that?
23 It's a stapled--several absentee envelopes?

24 A The one I've got for Exhibit 1 was just Emma
25 Shipman.

1 CHAIRMAN CORDLE: Yes, it just--there's a
2 separate one for Emma Shipman marked.

3 COURT REPORTER: The one that I have had
4 several attached, stapled together.

5 DIRECTOR STRACH: Just a second. We'll figure
6 it out.

7 CHAIRMAN CORDLE: There were three others
8 attached in what you gave us, but not what you gave the
9 witness.

10 MR. LAWSON: I'll represent to you that
11 this is yet another of Counsels' copies for Exhibit 1. She
12 apparently had just this one sheet.

13 CHAIRMAN CORDLE: Yes.

14 MR. LAWSON: I'll give her--

15 (Pause)

16 CHAIRMAN CORDLE: So you've given her a four
17 page Exhibit 1 now replacing--

18 MR. LAWSON: Please keep them together.

19 CHAIRMAN CORDLE: --replacing what was Exhibit
20 1, correct?

21 MR. LAWSON: Yes, sir.

22 Q Ms. Britt, I just want to call your attention to
23 the envelopes, the first one being from Steven Alexander
24 Buie, and the second one, a Sheila Carol Babson, and there's
25 a third one for Franklin Evers, and really the only thing

1 I want you to look at is the witness signatures on each of
2 those ballots. Do you recognize anything unusual about
3 those signatures?

4 A The fact that when we signed it, we were all told
5 to sign in the same color ink as the witness--or as the
6 voter had signed with. So you can kind of tell where some
7 of the signatures were gone over so it would have the same
8 color ink.

9 Q So is it your understanding that the ballot came
10 back to the office or Mr. Dowless, and if it was not in the
11 same color ink as the voter. Is that what you're referring
12 to, would it be--

13 A Right. Mr. Dowless wanted the voter's signature
14 and the witness's signatures to be in the same color ink.

15 DIRECTOR STRACH: Then I want to hand up another
16 document.

17 (Whereupon, Exhibit No. 5
18 was marked for identification.)

19 Q I'm told this is Exhibit 5. Ms. Britt, do you
20 have that in front of you?

21 A Yes, ma'am.

22 Q It's heavily redacted, but I think you might can
23 see on the left-hand side under the redaction--can you read
24 the name that's under that redaction?

25 A Ted Roland Smith.

1 Q Ted Roland Smith. Do you know Ted Roland Smith?

2 A Yes, ma'am.

3 Q And Ms. Britt, did you collect this ballot?

4 A Yes, ma'am.

5 Q And when you collected this ballot, did it have
6 any witness signatures on it?

7 A No, ma'am.

8 Q And where did you take this ballot once you
9 collected it?

10 A I think I took this one to the office, but I'm--
11 I took it to Mr. Dowless. I'm not sure if I took it to the
12 office or to the home.

13 Q You're just not sure where he was.

14 A Yes, ma'am.

15 DIRECTOR STRACH: All right, I've got one more
16 exhibit with this. Keep that one handy. This is Exhibit
17 6.

18 (Whereupon, Exhibit No. 6
19 was marked for identification.)

20 Q I think if you'll turn in this document about 14
21 pages in, and I hope my counting was correct.

22 CHAIRMAN CORDLE: Can you tell us what the
23 document is, please?

24 DIRECTOR STRACH: This document is the absentee
25 by mail hand-delivered ballot log.

1 CHAIRMAN CORDLE: For Bladen County.

2 DIRECTOR STRACH: For Bladen County.

3 CHAIRMAN CORDLE: Thank you.

4 Q And Ms. Britt, are you familiar with this hand-
5 delivered ballot log for Bladen County?

6 A Yes, ma'am.

7 Q And are you looking at--I think it's around Page
8 14. So you see--

9 A Yes, on 10--on the date of 10/9.

10 Q Exactly. Do you see Ted Smith's name on that?

11 A Yes, ma'am.

12 Q And do you know what his signature on this
13 document represents?

14 A That he turned his ballot in himself.

15 Q And you just testified earlier that you collected
16 his ballot.

17 A Yes, ma'am.

18 Q So how did--do you have an understanding of how
19 his ballot would have been hand-delivered to the Bladen
20 County Board of Elections?

21 A To my knowledge, Mr. Dowless had Mr. Smith to go
22 to the Board and he gave the ballot back to him and had him
23 go to the Board and turn it in.

24 Q Do you have any knowledge of why Mr. Dowless would
25 have given it back to the voter?

1 A No, ma'am. That part I don't understand. I don't
2 know why that was done. But there's also another one on
3 there that I picked up.

4 Q And I want to give you that document as well.
5 It's going to be the next exhibit. You keep that log handy.

6 (Pause)

7 Q Ms. Britt, we might not have that, but stay on
8 that same page. On that same page, you said you picked up
9 another ballot. Can you tell me which other ballot you
10 picked up that you see the signatures or names on that page?

11 A On this one, on the same page that you're on,
12 Ginger Eason was in the vehicle with me. We went to--she
13 stays with her mother. We went by her mother's house. She
14 picked up Christopher Eason's ballot.

15 And Ms. Ginger filled that ballot out in my
16 vehicle and went to--Christopher Delane Eason, I think, is
17 the second one on this list, but the fourth person on the
18 list is Kim Spurling. We went to Kim Spurling's house.

19 Ginger walked in the house with Kim. I can't
20 remember if she had completed the ballot by the time she
21 went in Kim's house or not, but they went in and actually
22 Kim witnessed Christopher Eason's ballot at that time.

23 Q And were you aware of news accounts that Mr. Eason
24 had stated that McCrae Dowless picked up his unvoted ballot?

25 A Yes, ma'am.

1 Q And so is it your testimony that Mr. Eason's
2 ballot was in possession of Ginger Eason in your vehicle?

3 A Yes, ma'am.

4 Q Do you know what happened to that ballot? Was it
5 delivered to Mr. Dowless?

6 A Myself and Ginger Eason, after we went and picked
7 up--actually I think we picked up her other brother Jerry
8 Eason's at the same time, but I'm not 100 percent sure on
9 that one, but after Ginger filled out Chris's ballot and
10 picked up Kim Spurling's ballot--Kim Spurling's ballot,
11 we--I dropped Ginger off with Cheryl because I think her and
12 Cheryl had to go pick up some more ballots that they--

13 Q What's Cheryl's last name?

14 A Kinlaw.

15 Q Cheryl Kinlaw.

16 A Yes, ma'am. I think Cheryl Kinlaw was going to
17 pick up her mom and dad's ballot and some more ballots that
18 same day, and then I'm not sure if it was that same day that
19 they took them all down to the Board and signed them in at
20 the Board, or I don't know how that actually went, if it was
21 a few days later or whatever, but I see where Ginger signed
22 on there that she's the one who turned in Chris Eason's
23 ballot.

24 Q Did you ever see those ballots at either the
25 office or Ms. Dowless's house?

1 A No, ma'am. I actually didn't because, like I
2 said, I dropped her off at Cheryl's, so I don't know if they
3 went on down to the Board of Elections that day and turned
4 them in or if it was the next day or how that went.

5 Q But you didn't go to the Board of Elections.

6 A No, ma'am. I never went to the Board of
7 Elections.

8 Q Do you know how many ballots you collected in all?

9 A No, ma'am. I have no idea.

10 Q And do you know how many times you signed as a
11 witness on an absentee ballot envelope?

12 A I think I read it was 49 times.

13 Q Have you ever done any sort of independent
14 verification of that number?

15 A No, ma'am.

16 Q You spoke about earlier that you were riding with
17 Ginger Eason. Did you collect ballots with any other
18 workers?

19 A I collected ballots with Jennifer Boyd in Robeson
20 County when they were first rode out because that was right
21 after the storm and also they were actually mailed out on
22 a Sunday, so I rode with her that Sunday and witnessed some
23 in Robeson County, and then I rode with her maybe two or
24 three days after that.

25 At that time we went to--I can't remember the

1 lady's name, the lady who was--I think her name was Rhonda,
2 but I don't remember Rhonda's last name, and we went to
3 Rhonda's house to get Rhonda's absentee ballots, and at the
4 time Rhonda wanted us to call because she was leaving to
5 work and she knew a lot of people that myself and Tracy Cook
6 had registered to vote.

7 So she went back to work with Jennifer Boyd in
8 the Robeson County area because they were familiar with
9 people in Robeson County. That's where I really didn't
10 really know anyone in Robeson County.

11 Q So did you ask Rhonda to work in Robeson County?

12 A Rhonda actually asked me if I would contact Mr.
13 Dowless and ask him if she could come back to work because
14 she was getting evicted from her home and she just had a lot
15 going on and needed to go back to work.

16 Q So the Sunday you worked in Robeson County with
17 Jennifer Boyd and you collected ballots, what did you do
18 with those ballots once you collected them?

19 A Jennifer Boyd had them in a clipboard. Jennifer
20 Boyd--we took the ballots back with us to Bladen County
21 because she had to actually take me home because at that
22 time I didn't have a vehicle.

23 So when she took me back home, we told Mr. Dowless
24 how many we had received in Robeson County, but I don't
25 recall us ever giving him the ballots from Robeson County.

1 I think Jennifer kind of kept those in her clipboard because
2 I think Jennifer may have mailed those from Robeson County
3 because most of them--or she may have actually turned some
4 in to the Board of Elections in Robeson County too because
5 a lot of them were her family members, her neighbors, and
6 people like that.

7 Q That was from Robeson County. Was this at his
8 office or at his house?

9 A I worked with her three or four days, I think.
10 She would drop me off at the office some and she would drop
11 me off at the house some, depending on how late it was for
12 me to work.

13 Q Was the purpose of coming back to the office--did
14 you--did she go in to get paid for the ballots that the two
15 of you had collected?

16 A Yes, ma'am.

17 Q And so you're saying she might not have given them
18 to him. Did she show him how many she had collected?

19 A I don't think that we ever even showed them to him
20 either, because, like I said, we were getting paid by the
21 amount we collected, but there may have been--a couple of
22 times we may have told him we had 50 and only had 44, 45,
23 so.

24 Q But he took your word for it.

25 A Yes, ma'am. And that's why I don't think that

1 those actually were turned in to Mr. Dowless.

2 Q So we talked about Jennifer Boyd collecting
3 ballots and Ginger Eason riding with you. Were there other
4 individuals that you know personally collected ballots?

5 A Just it was me, Jennifer Boyd, Tracy Cook, but I'm
6 not sure if Tracy Cook even worked.

7 Q Did Tracy Cook collect ballots?

8 A I'm not--that's what I'm saying; I'm not sure if
9 she even worked in that part with it as far as collecting
10 ballots. Rhonda, Kelly Hendrix had worked in the primary.
11 I'm not 100 percent sure if she collected ballots in the
12 election other than just her family universe and her friends
13 right there in the White Oak area.

14 Woody, I think, collected his family members,
15 close friends, and then Jimmy Singletary did about the same
16 with his family and friends.

17 Q At any time did you--at any time you were
18 collecting ballots, did you ever tell the voter that you
19 were going to be taking their ballots back to McCrae Dowless
20 rather than mailing it to the Board of Elections?

21 A No, ma'am.

22 Q Ms. Britt, have you ever met Dr. Mark Harris?

23 A Yes, ma'am.

24 Q And can you tell the Board about the times that
25 you've met Dr. Harris.

1 A I met him prior to any of this, at the Peanut
2 Festival Parade. I've met him during the hurricane when Mr.
3 Harris brought stuff down to, I think, several different
4 areas, but I know he brought stuff down to Bladen County
5 also because we were without power for two weeks. And there
6 may have been one or two more, a couple of functions I met
7 Mr. Harris at.

8 Q At any of those times did you ever get to talk to
9 him and have a conversation with him?

10 A No more than just, say, a regular general
11 conversation, like "Hey, how are you?"

12 Q At any time did you tell him about your efforts
13 or what you were doing with collecting ballots in Bladen
14 County?

15 A No, ma'am. I mean I think Mr. Harris was
16 completely clueless as to what was going on as far that was
17 concerned.

18 Q Did he ever ask you anything about what you were
19 doing in Bladen County?

20 A No, ma'am.

21 Q Do you have any information or knowledge that Dr.
22 Harris or anyone on the campaign knew about this collection
23 of ballots?

24 A I think Mr. Yates may have known.

25 Q Why do you think Mr. Yates may have known?

1 A Mr. Yates and McCrae would talk on the phone a
2 lot, and that--and I could be wrong about that because maybe
3 they were speaking of other numbers, but I did hear--
4 overhear several conversations between Mr. Yates and Mr.
5 Dowless about, "Well, we've got so many on this side," and
6 then "The Democrats have turned in so--this number, and
7 we've got this number of Republicans."

8 So he kind of--I think his relationship with Ms.
9 Wooten was to kind of give him a number so he would know
10 what numbers they were working with, so that way he would
11 know what number he needed in order to beat out the people
12 on the other side.

13 Q So it was based on the conversations that you
14 overheard; that's what makes you think--

15 A That's what makes me think that, but I can't be
16 100 percent.

17 Q Mr. Dowless ever tell you that Mr. Yates knows
18 about--

19 A No, ma'am.

20 Q Ms. Britt, let's just go--I want to visit just one
21 more area about when you would go to a voter's house to
22 collect their ballot. If that voter had not voted their
23 ballot, would you watch them vote their ballot?

24 A I wasn't per se as to watch them vote their
25 ballot. There was maybe one or two instances where I was

1 standing there and having a conversation with them while
2 they were voting, so it wasn't so much as watching them vote
3 their ballot as--we never tried to--well, I never tried to
4 personally steer anyone as to vote--how to vote because
5 personally, it didn't--it didn't really benefit us either
6 way as far as the workers because we were getting paid by
7 the amount. We weren't getting paid by who they voted for.

8 Q So did you ever--were you ever able to look and
9 see how many--how people were voting so you could report
10 that back to Mr. Dowless?

11 A No, ma'am. I may have seen one or two people
12 vote. Like I said, I don't think I even reported that back
13 to Mr. Dowless, not that I remember.

14 Q After the election and the congressional
15 certification was delayed, was there a time that Mr. Dowless
16 called you and others to his home?

17 A Yes, ma'am.

18 Q And at that meeting at his home, who was present?

19 A It was myself, Jimmy, Woody, Jennifer, and Mr.
20 Dowless.

21 Q And as he had you all assembled, what did Mr.
22 Dowless say to all of you?

23 A "As long as we all stick together, we'll all be
24 fine because they don't have anything on us."

25 Q Did he provide you with instructions about not

1 admitting to collecting ballots?

2 A Yes, ma'am. Still says he never told us to
3 collect any ballots.

4 Q Is that true?

5 A No, ma'am. I had no reason to go collect ballots.
6 It wouldn't have done me any good.

7 Q And wasn't that what he was paying you for?

8 A Yes, ma'am.

9 Q This past Thursday evening, did Mr. Dowless
10 contact you and ask you to come by his house?

11 A Yes, ma'am.

12 Q And when you got there, did he provide you
13 something?

14 A Yes, ma'am. He provided me and my mother both
15 with a letter.

16 DIRECTOR STRACH: I'm going to show you a
17 document.

18 MR. LAWSON: This is 7.

19 (Whereupon, Exhibit No. 7
20 was marked for identification.)

21 Q Ms. Britt, this is a text that--did you take the
22 picture of what's in this picture?

23 A I think my mother did, yes, ma'am.

24 Q And you sent a text to Ms. Fleming, correct?

25 A Yes, ma'am. I think--actually I think my mother

1 did because my phone was dead, but yes, ma'am.

2 Q Can you read what--first of all, was this piece
3 of paper in the size--was this what Mr. Dowless provided you
4 on that Thursday evening?

5 A Yes, ma'am.

6 Q And can you read that to the Board?

7 A "I can tell you I haven't done anything wrong in
8 this election, and McCrae Dowless has never told me to do
9 anything wrong, and to my knowledge, he has never done
10 anything wrong, but I am taking the Fifth Amendment because
11 I don't have an attorney and I feel like you'll try to trip
12 me up. I'm taking the Fifth."

13 Q Did Mr. Dowless ask you to read that at this
14 hearing today?

15 A He told us to let you guys know that at this
16 hearing today, yes, ma'am.

17 COURT REPORTER: Please speak up.

18 A Yes, yes, ma'am, he told us to let--that that is
19 what we were to say at the hearing today.

20 Q At that meeting did he give one of these to your
21 mother or did he give you one to give to your mother?

22 A He gave me one to give to my mother.

23 Q Are you aware of any other people that Mr. Dowless
24 gave this piece of paper with this message on it?

25 A No, ma'am. I was under the impression that he was

1 supposed to give it to some other people, but I don't think
2 he ever actually gave it to the other people.

3 Q Ms. Britt, do you believe you've not done anything
4 wrong?

5 A Yes, ma'am, I do feel that I've done--I have done
6 wrong. Did I know I was doing wrong? No, ma'am, I didn't,
7 but yeah, I do feel like I've done wrong.

8 Q Do you believe that Mr. Dowless has done things
9 wrong in this election?

10 A Yes, ma'am.

11 DIRECTOR STRACH: Thank you, Ms. Britt.

12 THE WITNESS: Thank you. Can I say one more
13 thing?

14 DIRECTOR STRACH: Yes.

15 THE WITNESS: I think you've got one
16 innocent person in this whole thing who had no clue as to
17 what was going on, and he's the one getting the really bad
18 end of the deal here, and that's Mr. Mark Harris.

19 CHAIRMAN CORDLE: Are you finished with the
20 witness?

21 DIRECTOR STRACH: Yes, Mr. Cordle.

22 CHAIRMAN CORDLE: Why don't we take a break for
23 lunch. We'll start cross examination when we get back
24 unless it's going to be very short.

25 MR. ELIAS: It will not be short.

1 CHAIRMAN CORDLE: All right. Let's take a break
2 till two o'clock.

3 (Whereupon, a lunch recess was taken
4 from 12:39 p.m. to 2:02 p.m.)

5 CHAIRMAN CORDLE: The meeting of the Board is
6 back in order please. I believe Mr. Elias, we're with you;
7 the witness is with you.

8 MR. ELIAS: Thank you, Mr. Chairman.

9 CHAIRMAN CORDLE: For a few minutes.

10 MR. ELIAS: We'll try to move as briskly
11 as possible.

12 CROSS EXAMINATION BY MR. ELIAS: 2:02 p.m.

13 Q Ms. Britt, thank you for your willingness to
14 testify today, and I will try to be as quick as I can be,
15 but I have questions. I represent Dan McCready. As I go
16 along, I'm going to ask a number of questions. If I get
17 anything wrong, I want you to stop me and correct me.

18 A Okay.

19 Q And if you don't understand what I'm asking, I
20 want you to stop and correct me.

21 A Okay.

22 Q And if I speak too fast--I have been known to do
23 that on occasion--either you can tell me to slow down or the
24 court reporter can tell me to slow down.

25 A Okay.

1 Q You and I have never met or spoken before, have
2 we?

3 A No, sir.

4 Q You testified, I believe, that Mr. Dowless was--
5 I think this was your words from this morning--working for
6 Mr. Harris; is that correct?

7 A Yes, sir.

8 Q And you were working for Mr. Dowless.

9 A Yes, sir.

10 Q Do you know what Mr. Dowless's arrangement was for
11 working for Mr. Harris?

12 A No, sir.

13 Q Do you know if he had personally met Mr. Harris?

14 A I'm sure he had. I'm sure he has, but I don't
15 know.

16 Q Why are you sure he has?

17 A I mean he was working for him. Obviously, he
18 would have met him, but I mean I don't know.

19 Q Do you know--do you have any sense of whether they
20 were long time friends or worked together in the past or
21 whether it's a new--

22 A No, sir. I don't know.

23 Q Do you know who Ray Britt is?

24 A I think Ray Britt may own a furniture store in
25 Elizabethtown, but I don't personally know Ray Britt.

1 Q How about Pat Melvin?

2 A Pat Melvin owns a hamburger place in
3 Elizabethtown, but I don't personally know Mr. Melvin
4 either.

5 Q Walter McDuffie?

6 A I have no idea.

7 Q Do you know how much Mr. Harris paid Mr. Dowless
8 for the work?

9 A No, sir.

10 Q So you know what you were paid, but you don't know
11 what he was paid.

12 A No, sir.

13 Q You mentioned the 2016 ballot scandal. I think
14 you called it an incident or a--I forget the exact words you
15 used. What were you referring to?

16 A When I said that I didn't realize that--you're
17 asking about when I said the people didn't--won't as easy
18 to give up their ballots as what people thought they were,
19 I didn't realize that there was something that had went on,
20 and I'm not even 100 percent sure what it was that went on
21 in 2016 because I wasn't living in this area around that
22 time.

23 Q You said though that voters knew about something;
24 when you knocked on their doors, sometimes it would be heard
25 for them to give--they'd be unwilling to give up their

1 ballots, right?

2 A Yes, sir.

3 Q So what did they tell you?

4 A They didn't necessarily say anything. Just some
5 voters would be willing to let you witness their ballots or
6 whatever; where other voters were like, "No, I'll go to the
7 polls on my own."

8 Q And did they connect it up to some past experience
9 with 2016?

10 A No, sir.

11 Q Then I guess I'm just curious why you said that
12 you know that--you know that there was some uneasiness on
13 their parts.

14 A After all of this had happened, I read it in the
15 media.

16 Q All right. After 2018.

17 A Yes, sir.

18 Q I see. Okay. Did Mr. Dowless ever tell you who
19 he worked for in past elections?

20 A No, sir.

21 Q So do you know who he worked for, for example, in
22 the 2016 congressional election?

23 A No, sir.

24 Q And do you know who the incumbent Republican
25 member of congress was?

1 A No, sir.

2 Q Just so that I'm clear, I want to run through--
3 hopefully save some time by running through kind of as I
4 understand your testimony from this morning.

5 On a number of occasions you filled out the top
6 of the request forms based on information that Dowless
7 already had; is that correct?

8 A Yes, sir.

9 Q And you made copies of the signed absentee ballot
10 request forms that you collected so that Dowless could use
11 them in the future.

12 A Actually I made copies so I would have it for my
13 personal records so that way I would know that I'm the one
14 who collected this person's absentee request form, so that
15 way I would know when their ballots were mailed back out,
16 that it would be easier for me to go speak with that person
17 because they would be familiar with me because I was the one
18 who helped them fill out their request form.

19 Q So you didn't share those with Mr. Dowless.

20 A They were kept in an envelope in the office, but
21 the originals were then given to Ms. Dowless.

22 Q And the copies you made, did you redact or black
23 out any of the personal identifying information?

24 A No, sir.

25 Q So they had the voter's last--it had the Social

1 Security number and signature?

2 A Yes, sir.

3 Q And as you said, you kept these in a separate
4 envelope.

5 A Yes, sir.

6 Q So where was the envelope, just so I can envision
7 this?

8 A When you walk in the office, there was like a
9 table to the right and there was a desk, and then if you go
10 behind the desk, there was another little office that had
11 a copier and it had like a built-in wall shelf, and the
12 folders were kept in the built-in wall shelf.

13 Q As I understand it, you'd also go door to door
14 later and collect ballots from people who you had previously
15 collected request forms; is that correct?

16 A Yes, sir.

17 Q And you'd sometimes witness the forms yourself
18 without the second person present.

19 A Yes, sir.

20 Q And sometimes you witnessed forms that you were
21 not present for at all.

22 A Yes, sir.

23 Q And sometimes you witnessed forms signing someone
24 else's name other than your own.

25 A Yes, sir.

1 Q And sometimes the envelopes you collected were
2 sealed.

3 A Yes, sir.

4 Q And sometimes you collected the envelopes and they
5 were unsealed.

6 A All the envelopes I collected were sealed, to my
7 knowledge, other than one envelope.

8 Q And that was whose?

9 A It was Christina Hester, I think, is the lady's
10 name.

11 Q So if other voters have said that they gave you
12 unsealed envelopes, either they're mistaken or not telling
13 the truth.

14 A They're mistaken or either I don't recall them
15 giving them to me unsealed.

16 Q Is it possible that you don't recall?

17 A I think I would recall that, so, no, sir. I don't
18 think anyone else gave me an envelope that was unsealed.

19 Q So if someone else said that they gave you an
20 envelope that was unsealed, they're either mistaken or not
21 telling the truth.

22 A Right. Yes, sir.

23 Q We're going to come back to that.

24 A Okay.

25 Q But I want to keep going so that I understand as

1 a baseline your testimony from this morning. You would
2 sometimes look and see who the voter (sic) and cast their
3 ballot.

4 A On the one envelope of Christina Hester who wasn't
5 sealed, out of curiosity, yes, sir, I did peek and look, but
6 I told--

7 Q So I guess what I don't understand is you
8 testified that if the ballot hadn't been completely filled
9 in, you'd fill in the remaining ovals.

10 A Yes, sir.

11 Q So how would you do that if the envelopes are
12 already sealed?

13 A Well, that may have--it was--that wasn't some that
14 I had picked up. That was some that other people had picked
15 up because I didn't only deal with ballots that I had picked
16 up. We dealt with ballots that everyone had picked up.

17 Q So you were filling in the ovals and voting for
18 other people, right?

19 A Yes, sir.

20 Q You were voting other people's ballots.

21 A Yes, sir.

22 Q And you have a felony conviction.

23 A Yes, sir.

24 Q What is that felony conviction for?

25 A It's for pills. It was a pill conviction.

1 Q A what?

2 A Selling pills.

3 Q Oh, pills, okay. And the--when you were voting
4 other people's ballots, you were not legally permitted to
5 vote your own ballot.

6 A Yes, sir, but I wasn't aware of that.

7 Q But I assume you knew that it was not legal to
8 vote other people's ballots.

9 A Right, but we were doing what we were under the
10 discretion as to--we were doing what we were paid to do.

11 Q I understand, but you were paid to do something
12 that you knew was wrong.

13 A Yes, sir.

14 Q So it's not like you only since the election
15 figured out that was wrong. You knew at the time you were
16 voting other people's ballots it was wrong.

17 A Yes, sir.

18 Q And you knew it was illegal.

19 A Yes, sir.

20 Q So, again, just so I understand this, there
21 were--there is one instance where you can recall, and you
22 think you would recall, of a ballot being unsealed. There
23 were other instances where other people collected ballots
24 that were unsealed and you would fill in their ballots.

25 A Yes, sir.

1 Q And you were at the time working for Mark Harris's
2 campaign--working for Mark Harris, right?

3 A I was working for McCrae Dowless.

4 Q --who was working for Mark Harris. This was
5 during that time period.

6 A Yes, sir.

7 Q And you would bring these ballots either back to
8 Mr. Dowless's house or to his office; is that correct?

9 A Yes, sir.

10 Q And how did you decide which ones to bring back
11 to his house and which ones to bring to the office?

12 A I stayed with Mr. Dowless at that time. I worked
13 a job where I didn't get off work until 6:00 p.m., and that
14 was in Whiteville which is a 30 minute ride to Bladenboro.
15 Depending on what time it was whenever I finished up
16 working, I mean sometimes he would already be left the
17 office and would be at home.

18 Q Now, I want to understand, because I'm trying to
19 picture it and we don't have color copies, the issue with
20 the same color ink. So Mr. Dowless told you to use the same
21 color ink as the voter or as the other witness?

22 A The voter. The voter and the witnesses would all
23 be signed in the exact same color ink.

24 Q I see. So you would get it--you would get the
25 ballot envelope with the voter's ink and then you would have

1 to match that color ink.

2 A Yes, sir.

3 Q I see. And that was to conceal the fact that you
4 were not actually witnessing it.

5 A Yes, sir.

6 Q So--and you were told to use the same ink, right?

7 A Yes, sir.

8 Q And were there times where that wasn't in fact the
9 date that you had signed it; that you signed at a later
10 date?

11 A Yes, sir.

12 Q Okay, so you were told to line up the ink and line
13 up the date.

14 A Right.

15 Q And you were told to make sure that the stamps
16 were straight.

17 A Yes, sir.

18 Q And not to drop off more than nine, I think you
19 said, at a time?

20 A Yes, sir.

21 Q And all of these things, the ink, the date, the
22 stamps, and the number dropped were all to conceal from the
23 election officials that something wrong was going on.

24 A Yes, sir.

25 Q Right?

1 A Yes, sir.

2 Q And you knew that at the time.

3 A Well, no, I didn't realize at the time that's why
4 he was doing it the way he was doing it, but yes, sir.

5 Q Oh, you didn't know at the time that was why. So
6 at the time when he said, "Make sure you have straight
7 stamps," you didn't know why he wanted you to have straight
8 stamps?

9 A No, that didn't--that didn't register to me as to
10 why it would matter if the stamps were--I mean if I'm
11 mailing a letter, I wouldn't think the post office would
12 care whether my stamp's upside down or not.

13 Q And you never asked him why is this a problem?

14 A No. He's the one who said that he didn't--he
15 wanted the stamps the same so that way it did not throw up
16 a red flag with the Board of Elections.

17 Q Right, and so the fact that it didn't throw up a
18 red flag with the Board of Elections meant that you were all
19 hiding something from the Board of Elections.

20 A Yes, sir.

21 Q Presumably you were hiding something from the
22 Board of Elections because it's something the Board of
23 Elections would find wrong.

24 A Right.

25 Q So when you say that you didn't know that what you

1 were doing was wrong until after the election, that's really
2 not correct.

3 A No, I said after the fact. I didn't say until
4 after the election.

5 Q When did you place that time?

6 A Once I had placed them on the envelope and then
7 he said something about it, then that's when I realized
8 that, okay, when he said they all need to be placed the
9 correct way or it's going to raise a flag.

10 Q And then you kept doing the activity at that
11 point.

12 A I think I'm mailed them maybe three times, yes,
13 sir.

14 Q So even when you knew it was wrong, you didn't
15 stop.

16 A No, sir.

17 Q And when he told you to match the ink, did you
18 know why that was important?

19 A No, sir.

20 Q So you never asked why, "Why do we need to change
21 the ink?"

22 A Mr. Dowless has been a father figure to me for 30
23 years, so no. There's a lot of things that you kind of
24 would place trust in, in someone that's your father that's
25 not going to put you out here to do something illegal. I

1 mean you kind of have got to look at it from that
2 perspective, too.

3 Q All right, but you don't feel badly for Mr.
4 Dowless, right, despite the fact that he's your father
5 figure?

6 A Do I feel bad for him? Yeah, I feel very bad.

7 Q Okay, because the only person previously you had
8 expressed you felt bad for was Mr. Harris, not Mr. Dowless.

9 A Right.

10 Q Okay. So I just want to get back to this ink
11 thing. On the ink, when you were asked to match the ink,
12 did you think that that was because you were doing something
13 wrong?

14 A I didn't think--I didn't put any thought into it.

15 Q Okay. That's fair. When you were only putting
16 nine in the mailbox at a time, you said that that was to
17 prevent a red flag from going up.

18 A Right.

19 Q So you knew that you were hiding something from
20 the Board of Elections because you didn't want a red flag
21 to go up.

22 A Right.

23 Q So you knew that was wrong.

24 A Well, he said that he only liked to mail a certain
25 number at a time.

1 Q But you said it was to avoid a red flag, right?

2 A Right.

3 Q And a red flag from the Board of Elections.

4 A Yes, sir.

5 Q To hide the fact that you were doing something
6 wrong.

7 A Yes, sir.

8 Q Do you know whether Mr. Dowless turned in all the
9 absentee ballots he collected?

10 A To my knowledge, yes, sir.

11 Q I didn't ask that. Do you know for a fact that
12 he turned them in?

13 A I don't know for a fact that anyone did.

14 Q Right. You don't know whether he turned them all
15 in.

16 A Right.

17 Q And you don't know whether he turned in all the
18 ballots you personally collected.

19 A No, I don't know for a fact what anyone did.

20 Q He could have taken them and thrown them out.

21 A Yeah, I mean I guess he could have.

22 Q Right, you don't have--you weren't monitoring--

23 A Right.

24 MR. FREEDMAN: Let her finish her answers,

25 Mr. Chairman.

1 CHAIRMAN CORDLE: Yes. Slow down till she is
2 finished answering.

3 MR. ELIAS: Will do, Mr. Chairman.

4 A No, I don't know for a fact what anyone did.

5 Q And so he could have discarded ballots and you
6 wouldn't know.

7 A No, sir.

8 Q No, you wouldn't have known or yes, you would have
9 known?

10 A No, I wouldn't have known. I mean there's no way
11 I would've known what he did.

12 Q I want to show you a document that's been
13 previously marked as Exhibit 1. Do you still have it?

14 A It was Ms. Emma Shipman's ballot. I handed mine
15 back in.

16 COURT REPORTER: The originals are here.

17 (Pause to retrieve Exhibit 1.)

18 Q Do you have it in front of you?

19 A Yes, sir.

20 Q You were asked certain questions about this form;
21 is that correct?

22 A Yes, sir.

23 Q Do you know Ms. Shipman?

24 A No, sir.

25 Q Do you recall her?

1 A I do recall Ms. Emma Shipman.

2 Q And what do you remember about her?

3 A I remember she was an older lady who could not see
4 good which is why I went next door to her sister's house,
5 got her niece to come and help her fill out her ballot. Me
6 and my son stayed outside. She had baby kittens outside and
7 my four year old played with her kittens while her niece
8 helped her fill out her ballot.

9 Q And I think you said when you arrived she wasn't
10 at the house.

11 A No, she had--okay, she had not come home from
12 church. She pulled up right after we pulled up.

13 Q So I think you referenced earlier some media
14 coverage of an affidavit of a different voter. Do you
15 remember that? That you saw--that you heard or saw an
16 affidavit that another voter submitted.

17 A I haven't said anything about I saw an affidavit
18 of any other voter. I think that's referring to Datesha
19 Montgomery.

20 Q Yes.

21 A Yes. When I was asked if I knew who Datesha was,
22 I said no. I do know who Datesha Montgomery is. I saw her
23 on the news.

24 Q Got it. Thank you. Are you aware that Ms.
25 Shipman submitted an affidavit in connection with this

1 proceeding?

2 A I have read that in the news also, yes, sir.

3 Q And have you seen the affidavit?

4 A No, sir.

5 MR. ELIAS: So I'm going to hand up a copy
6 of the affidavit.

7 CHAIRMAN CORDLE: Do you want to get that marked
8 as an exhibit?

9 MR. ELIAS: Yes. I'll do it.

10 CHAIRMAN CORDLE: Do you want a separate exhibit
11 number?

12 MR. ELIAS: Do you want us to do
13 sequentially or do you want us to use--

14 CHAIRMAN CORDLE: It's easier to use everything
15 sequential.

16 MR. ELIAS: Let's do sequential.

17 COURT REPORTER: This will be Exhibit Number
18 8.

19 (Whereupon, Exhibits Nos. 8 and 9
20 were marked for identification.)

21 CHAIRMAN CORDLE: Do you have a copy to put up?

22 MR. ELIAS: Yes.

23 (Pause)

24 Q I'm showing you the first of two pages, the first
25 of two affidavits submitted by Ms. Shipman. I just want to

1 give you a chance to read it to yourself.

2 CHAIRMAN CORDLE: This is what number?

3 MR. BLACK: 8, I think.

4 Q Have you had a chance to read it? Or let me know
5 when you have.

6 (Witness reviews document.)

7 A Yes, sir. I've read it.

8 Q Do you recall going to her house on the Sunday
9 after Hurricane Florence?

10 A Yes, sir.

11 Q And did you tell her you were assigned to the
12 district to collect ballots?

13 A No, sir. I never told anyone that.

14 Q So Mr. Shipman is either mistaken or not telling
15 the truth.

16 A She may be mistaken. I don't think Ms. Shipman
17 --I mean a 87 or 86 year old lady, I don't think she would
18 knowingly lie to anyone about anything, but--

19 Q So you don't have any reason to believe she's a
20 liar.

21 A Well, no, sir. I mean I don't think she would,
22 but her affidavit said two separate things--

23 Q I'm going to--we're going to walk through--

24 CHAIRMAN CORDLE: Let her finish, please. You
25 may finish.

1 A I'm not saying she's a liar, but I'm saying at her
2 age she may not recall some things correctly.

3 Q You don't know whether--you don't know Ms.
4 Shipman.

5 A No, I do not know Ms. Shipman.

6 Q So you don't know whether she recalls it clear as
7 day or is very foggy, do you?

8 A No, sir.

9 Q So you said that you never told her that you were
10 assigned to the district to collect absentee ballots.

11 A No, sir.

12 Q I understand your prior testimony is that you
13 would agree that she filled out the ballot while you waited
14 outside.

15 A Yes, sir.

16 Q And that she gave it to you when you came back.

17 A No. I stood outside while her and her niece
18 filled out the ballot.

19 Q The next sentence, can you read that aloud?

20 A The one that says, "I suffered no"--

21 Q No, no. "She took." "She took the ballot." I
22 can read it. "She took"--

23 A "Are you the lady who positively"--

24 Q I'm being confused.

25 A Yeah, I--

1 Q I apologize. Do you see where it says, "She took
2 the ballot and put it in an envelope and never sealed it or
3 asked me to sign it"?

4 A Yes, sir. I see that.

5 Q And is that a correct statement?

6 A No, sir, it's not.

7 Q And you don't--so she's either not telling the
8 truth or misremembering?

9 A Ms. Shipman is actually not even the one who
10 handed me the ballot. Her niece handed me her signed and
11 sealed ballot at the door.

12 Q So Ms. Shipman is either mistaken or not telling
13 the truth.

14 A Yes, sir.

15 Q Now I want to turn to the next heading which is
16 a supplemental affidavit from Ms. Shipman. You mentioned
17 that there were two. I wanted to give you an opportunity
18 to read both, so let me know when you're done.

19 A I read that one also whenever you gave me the
20 first one.

21 Q Do you see Paragraph number 6?

22 A Yes, sir.

23 Q Do you see that she then said, "I did not seal the
24 absentee ballot in the absentee ballot envelope"?

25 A Yes, sir. But I also see on the other one where

1 she says that she--that I took the ballot, put it in the
2 envelope, and never sealed it or she never signed it, so
3 doesn't that kind of contradict itself there?

4 Q Do you see that Paragraph 7 in regards to--

5 A Yes, sir.

6 Q She says that she was told that her ballot had not
7 been received by the proper county election officials. Do
8 you know--do you have any insight into who might have told
9 her that or why she may have been told that?

10 A No, sir. I never dealt with anyone at the Board
11 of Elections, so, no, sir.

12 Q And you see that she said in Paragraph 8 that she
13 prepared to sign a complaint with the Bladen County Board
14 of Elections regarding the status of her absentee ballot?

15 A Yes, sir.

16 Q Now, Paragraph 9 refers to the same young woman,
17 I assume, that's you?

18 A Yes, sir.

19 Q And then you came and brought the absentee ballot
20 and absentee ballot envelope back.

21 A Yes, sir.

22 Q Is that accurate?

23 A Yes, sir. I testified under oath to all that
24 earlier.

25 Q I understand. I'm just--I want to make sure I

1 understand which portions you agree with and which portions
2 you don't agree with.

3 A Well, if you can see her ballot here and if you've
4 got the one that's not blacked out, with her signature, you
5 can tell the same signature on these affidavits are the same
6 signature that's on her ballot.

7 So, I mean, if she handed it to me unsigned and
8 unsealed, how did her signature get on the ballot or on
9 the--well, yeah, it would be the ballot envelope.

10 Q Do you know whether or not she filed a complaint
11 with the Bladen County Board of Elections?

12 A I know I read in the media there were no
13 complaints filed with the Bladen County Board of Elections.

14 Q I'm asking if you know whether she filed a
15 complaint.

16 A All I know is what I've read in the media. No.
17 How would I--I mean I have no knowledge of that.

18 Q Well, because you have--you offered testimony
19 about the circumstances of the return of Ms. Shipman's
20 ballot.

21 A Okay.

22 Q Is that correct?

23 A Yes, sir.

24 Q And you said that Mr. Dowless told you to return
25 the ballot.

1 A Yes, sir.

2 Q Do you know whether Mr. Dowless told you that
3 because a complaint had been filed with the--

4 A No. Mr. Dowless told me that because of other
5 reasons, and I testified to those reasons earlier.

6 Q Why don't you tell me what those reasons are
7 again.

8 A The reasons were because these were Lola Wooten's
9 people, and I guess Lola Wooten felt that we were going in
10 and stepping on her toes by going and pick up ballots of
11 her--the people she had registered to vote.

12 Q And did Lola Wooten tell you this herself, heard
13 directly?

14 A No, sir. I've never spoke to Lola Wooten.

15 Q So you don't know that Lola Wooten said that.

16 A No, but I know the gentleman who was sitting over
17 here that I pointed out earlier did, the same gentleman that
18 you were sitting in here whenever I pointed him out when I
19 testified to that.

20 Q And you know that he knows what?

21 A I know that he called and said that--gave a list
22 of people that were their people they had registered to vote
23 which was, I guess, their people that they were working
24 with. I don't know--maybe they were--well, I'm not going
25 to speculate anything because you're trying to jump all over

1 the place with anything I say.

2 So I know that the gentleman sitting there called
3 and said to take Ms. Shipman's ballot back to her.

4 Q So all you know is that the gentleman said or
5 called and said to take the ballot back.

6 A Yes, sir.

7 Q So you don't know whether that's because he heard
8 a complaint from the Bladen County Board?

9 A No, sir.

10 Q So you don't know whether she filed a complaint.

11 A No, sir.

12 Q And you don't know whether that complaint is what
13 caused the return of the ballot.

14 A No, sir.

15 Q Do you know--I think you testified earlier that
16 you don't know Ms. Montgomery, but you know of Ms.
17 Montgomery.

18 A Yes, sir.

19 MR. ELIAS: Mr. Chairman, I want to hand
20 to the witness a copy of an affidavit provided by Datesha
21 Montgomery.

22 CHAIRMAN CORDLE: Do you have copies for the
23 Board members?

24 MR. ELIAS: Yes, we do.

25 (Whereupon, Exhibit No. 10

1 was marked for identification.)

2 MR. ELIAS: Do you have an exhibit as
3 well? My apologies.

4 CHAIRMAN CORDLE: This is marked as Exhibit 9?

5 THE WITNESS: 10.

6 CHAIRMAN CORDLE: 10.

7 MR. ELIAS: It's not 9.

8 THE WITNESS: It's marked as Exhibit 10 on
9 mine.

10 MR. ELIAS: Oh, that is marked.

11 CHAIRMAN CORDLE: It's Exhibit 10.

12 (Pause)

13 CHAIRMAN CORDLE: Are you ready to proceed?

14 MR. ELIAS: As soon as the witness tells
15 me she's ready.

16 THE WITNESS: Yes. Yes, sir.

17 MR. ELIAS: Oh, my apology.

18 THE WITNESS: I finished reading it. You
19 never asked me.

20 MR. ELIAS: I apologize. I was just
21 making sure I didn't rush you.

22 Q Did you collect Datesha Montgomery's ballot?

23 A No, sir.

24 Q Do you know who did?

25 A No, sir.

1 Q Do you know if it was returned to the Board?

2 A No idea.

3 Q Do you know if you collected a absentee ballot
4 request form from Ms. Montgomery?

5 A We requested absentee ballot request forms from
6 several people out at the apartment complex that Ms.
7 Montgomery stayed in. There was me and another lady working
8 together. There was several people out on the porch. I'm
9 not 100 percent sure that I am the one who filled out
10 Datesha Montgomery.

11 (Pause)

12 Q Do you recognize the handwriting on either form?

13 A On this exhibit you gave me, the affidavit has--

14 Q It has no attachment.

15 A No, sir.

16 (Pause)

17 (Whereupon, Exhibit No. 11
18 was marked for identification.)

19 MR. ELIAS: My apologies. We're having
20 copies pulled here.

21 CHAIRMAN CORDLE: This is Exhibit 11?

22 THE WITNESS: Yes, sir.

23 A But, no, sir, I do not recognize that handwriting.

24 Q On either one.

25 A No. Well, the one I have is her affidavit, and

1 the other is her request form, and neither one of them--

2 Q You don't recognize it.

3 A No, sir.

4 Q All right. We will get copies to others to make
5 sure everyone has copies. But let's move on.

6 Q Do you know someone named Lonnie Bullard?

7 A Is it a Lonnie Irene Bullard?

8 Q Yes.

9 A Yes, I do, but I know her by Irene. That's why
10 I asked.

11 Q Thank you. And do you know a Douglas Bullard?

12 A Yes, sir.

13 Q What is the relationship between Lonnie Irene--

14 A --and Douglas? They're married to each other.

15 Q And you know both of them.

16 A Yes, sir.

17 Q And how do you know them?

18 A I know their daughter.

19 Q And are you aware that they submitted affidavits?

20 A No, sir.

21 (Whereupon, Exhibit No. 12
22 was marked for identification.)

23 A I'm ready.

24 Q Did you approach the Bullards to see whether they
25 wanted to submit absentee ballot request forms?

1 A Yes, sir.

2 Q And did they decline?

3 A Their daughter actually went in. No, they did not
4 decline. Actually their daughter went in, and there was
5 Lonnie Bullard, Douglas Bullard, David Shaw, Jennifer Shaw,
6 and Willie Edwards. I think all actually--overall about--
7 Brittany may not have been 18 at the time. All submitted
8 a request form at the same time.

9 Q And did you collect those request forms?

10 A Yes, sir.

11 Q So it says that you and the Bullards agree that
12 you approached them for absentee request forms.

13 A Yes, sir. And their daughter Jennifer went in.

14 Q And the disagreement between you and the Bullards
15 appears to be that they say they declined and you say they
16 didn't decline.

17 A Yes, sir.

18 Q Do you have any reason to believe that the
19 Bullards would have a reason to lie or be mistaken?

20 A I don't have any reason to believe they would lie,
21 but it also says they suffer no legal disabilities, and both
22 of them are on disability, so I don't know; you can go from
23 there. But apparently that shows there that they're not 100
24 percent honest because no legal disability--do you receive
25 disability if you have no legal disabilities?

1 Q I'll leave it to the Board to conclude what "legal
2 disability" means in an affidavit.

3 A Well, I mean I was asking for my--

4 Q I'm not here to answer questions. I'm here to ask
5 them. The--

6 CHAIRMAN CORDLE: Let me just say, Ms. Britt,
7 the legal disability spoken on in the affidavit is whether
8 or not you're mentally capable to sign, and whether you're
9 on a--it's not about whether you're on a physical
10 disability.

11 THE WITNESS: Okay. Thank you, sir.

12 Q So do you know of any reason they would have to
13 not be telling the truth?

14 A No, sir. But that's just--I'll wait till you ask
15 that question.

16 Q I want to--I'd like to turn to the one unsealed
17 ballot that you said that you collected. And who was that
18 ballot cast by?

19 A Christina Hester.

20 Q Do you know Ms. Hester?

21 A Yes, sir.

22 Q And you said you were curious to see who she voted
23 for.

24 A Yes, sir.

25 Q Why was that?

1 A I guess because of curiosity. Anybody would have
2 been curious.

3 Q Why were you curious?

4 A Because I'm just like anyone else.

5 Q You mentioned that Ms. Strach checked to see that
6 the ballot was counted.

7 A I think they did check the register and it was
8 counted, and her ballot had been turned in.

9 Q And how do you know that?

10 A And maybe I'm mistaken on that part.

11 Q I don't know that you are or you're not. I don't
12 mean to be misleading; I don't want to suggest otherwise.
13 I don't know, but I'm just wondering how you know that she
14 checked that the ballot was counted.

15 A That's--like I said, I'm not sure about that.
16 Maybe I'm--

17 Q I mean did Ms. Strach tell you that she checked?

18 A Yes, sir, they did check to make sure that ballot
19 had been turned in.

20 Q And Ms. Strach told you that she had checked it.

21 A Yes, sir.

22 Q Okay. Do you know whether--did Ms. Strach
23 indicate to you whether the vote--whether it had been voted
24 all Democrats?

25 A No, she did not tell me that.

1 Q And when you returned that ballot to Mr. Dowless,
2 did you seal it?

3 A Yes, sir.

4 Q So you sealed it in between getting it, peeking,
5 and giving it to Mr. Dowless.

6 A Yes, sir.

7 Q So you don't actually know whether that was a
8 ballot that was counted.

9 A No, sir. (unintelligible)

10 Q You referred to Lola Wooten several times in your
11 testimony.

12 A Yes, sir.

13 Q Who is Lola Wooten?

14 A I have no idea. I read about Lola Wooten in the
15 media also.

16 Q Do you know whether Ms. Wooten was working for Mr.
17 Dowless?

18 A Not to my knowledge.

19 Q But you--it doesn't sound like you know because
20 you only read about her in the media.

21 A Right, so yes.

22 Q Do you know if she was paid by Mr. Dowless?

23 A Not to my knowledge, she wasn't paid by Mr.
24 Dowless.

25 Q To your knowledge, was she not paid by Mr.

1 Dowless?

2 A I have no idea.

3 Q You have no idea one way or the other.

4 A Right, yeah, I don't know who he paid. For all
5 I know he could've been paying you. I mean I don't know who
6 he paid.

7 Q What about Mr. Munn?

8 A I don't know whether he was paid by Mr. Dowless
9 either.

10 Q And do you know Mr. Munn?

11 A No, I do not. I've seen Mr. Munn, but I do not
12 know Mr. Munn.

13 Q Do you know how many people Mr. Dowless was
14 paying?

15 A No, sir.

16 Q Can you estimate how many people were involved in
17 the ballot collection process in 2018?

18 A In 2018?

19 Q Yeah, for Mr.--the average. You were involved and
20 how many other people were.

21 A Five to six people.

22 Q We saw a presentation from the State Board
23 earlier. I don't know how hard or easy it will be to put
24 that back up.

25 (Pause)

1 Q So this is the State Board staff's numbers, not
2 mine. According to the State Board, the evidence will show
3 that McCrae Dowless was paid \$131,375.57 from July 3rd, 2017
4 till election day, and \$83,694.57 for that general election
5 period. Do you see that?

6 A Yes, sir, I see that.

7 Q Do those numbers surprise you?

8 A Yes, sir, they would surprise me because I had
9 no--I mean I didn't discuss personal finances with Mr.
10 Dowless either.

11 Q Right, but you said you had--you thought that this
12 was like six or seven people.

13 A That--to my knowledge, yes, but I don't know who
14 he had working anywhere else.

15 Q You mentioned Mr. Yates.

16 A Yes, sir.

17 Q Do you know Mr. Yates?

18 A I've met Mr. Yates.

19 Q Who is he?

20 A I think he is the one that was over Red Dome, but
21 I'm not 100 percent sure as to who Mr. Yates is.

22 Q What is Red Dome?

23 A Red Dome is the company, the consulting firm that
24 Mr. Dowless worked for.

25 Q You said you met Mr. Yates. How many times?

1 A I've met Mr. Yates one time.

2 Q Okay, and tell me about the one time.

3 A The one time I met Mr. Yates was during the time
4 of the hurricane when Mr. Yates came down with Mr. Harris,
5 whenever they came down to Bladen County as well as other
6 areas, to help the people of the communities who were
7 without power for two or three weeks with no food or
8 anything.

9 Q So Mr. Yates worked for Mr. Harris.

10 A I have no clue if Mr. Yates worked for Mr. Harris.

11 Q He was with Mr. Harris.

12 A No. He was down around the same time.

13 Q Around the same time.

14 A Yes. He didn't--as far as--I don't know who rode
15 with who. I don't know. I didn't see them pull up; didn't
16 see them leave out. So, no, I don't know whether--

17 Q So where were you when met Mr. Yates?

18 A They were at a barbecue restaurant up in
19 Bladenboro, and when I pulled up to the restaurant in
20 Bladenboro, there was several people there. It wasn't just
21 Mr. Harris. It wasn't just Mr. Yates. It wasn't just Mr.
22 Dowless. There was probably 20 people there. So, I mean,
23 as to who rode with who, who did what with who, I don't
24 know.

25 Q Do you recall--so you've mentioned three. Do you

1 recall who else was in the 20?

2 A Yes. Terry Dove who owns the barbecue restaurant,
3 his wife, several of his employees; I mean people who were
4 out there volunteering their time trying to help feed a
5 community that's been without power.

6 Q With respect to--do you know what the
7 relationship--let me back up. Strike that. You mentioned
8 a phone call that you overheard, but it was on speakerphone
9 so you could hear, between Mr. Yates and Mr. Dowless; is
10 that correct?

11 A Mr. Yates and Mr. Dowless used to speak on the
12 phone, yes, sir.

13 Q How frequently did they speak?

14 A They would speak pretty frequently.

15 Q And what was the nature of their conversations?

16 A I'm not 100 percent sure what their conversations
17 were. I wasn't in the room. I stayed with Mr. Dowless at
18 the time, like I said. It would be early in the morning.
19 I had a two year old and a four year old. I would be
20 getting my children dressed while he would be on the phone
21 with Mr. Yates.

22 So I don't want to sit here and tell you that such
23 and such was said between the two and then that not be what
24 was said, and then it get turned around now that, well, Lisa
25 testified under oath that this is what was said when I'm not

1 100 percent sure.

2 Q I only want you to testify as to what you recall,
3 but I thought earlier you said you recalled some
4 conversations about numbers. So I was just trying to--

5 A Yes, sir.

6 Q --understand what that--what those conversations
7 were.

8 A That they would have conversations about "I've got
9 this many as far as this (indiscernible word). We've got
10 so many absentee request forms from, I guess, the Bladen
11 Improvements," which is who Lola Wooten worked for. Is that
12 correct?

13 Or before I put that wrong, because I think that's
14 what I read in the media, but I could be wrong on that. So
15 let me back that up. He had so many as far as Lola Wooten
16 and then so many as far as what his people had done.

17 Q And this would be Mr. Dowless reporting to Mr.
18 Yates.

19 A Yes, sir.

20 Q Not the other way around.

21 A No, sir.

22 Q I want to turn back to the discussion that you had
23 with the State Board regarding--is it Roland Smith or Ted
24 Smith?

25 A I think his name is Roland Ted--Ted Roland Smith,

1 I think, is actually his name.

2 Q Do you know him?

3 A I do know Ted Smith, yes, sir.

4 Q So I'll go with Ted Smith for purposes of the
5 questioning. Will you walk me through the sequence of
6 events as you recall them with respect to Mr. Smith? I
7 simple didn't track--

8 A Doug and Irene's daughter--

9 Q Doug and Irene--

10 A Bullard.

11 Q --Bullard.

12 A Their daughter stays at Mr. Smith's house--well,
13 was staying at Mr. Smith's house in a camper in the back
14 yard with her boyfriend. So I had went over to see her.
15 Mr. Smith had received his ballot in the mail. He had
16 filled--well, actually I think he had his ballot filled out,
17 gave me his ballot.

18 I turned the ballot back in to McCrae, and then
19 the ballot was witnessed, and from there I guess Mr. Smith
20 turned it in to the Board of Elections. I don't--

21 Q So when you got the ballot from Mr. Smith, it had
22 not yet been witnessed.

23 A No, sir, it had not been witnessed.

24 Q And then it was subsequently witnessed.

25 A Yes, sir.

1 Q And then did you give it to the Board of
2 Elections?

3 A No, sir. I've never turned anything in to the
4 Board of Elections.

5 Q Just--I just want to clarify from this morning
6 that I understood, and so you turned it in to Mr. Dowless.

7 A Yes, sir. Ted--Mr. Smith turned it in. I mean
8 it's on one of these exhibits here where it's got Ted Smith
9 turned it in.

10 Q Well, that's what I'm trying to understand is how
11 could Mr. Smith have turned it in if you had given the
12 ballot to Mr. Dowless. How does the ballot wind up back
13 with Mr. Smith?

14 A I don't know how Mr. Smith got the ballot back.

15 Q Okay. That was my question. Do you know Avery
16 Carroll?

17 A I do know Avery Carroll.

18 Q And do you know Ryan Deaver?

19 A Yes, sir.

20 Q Who are they? How do you know them?

21 A Their mother used to live with us when they were
22 younger children.

23 Q Did you collect their ballots?

24 A Yes, sir.

25 Q And did you collect their ballots unsealed?

1 A No, sir.

2 Q Did you ever tell them or anyone else words to the
3 effect that "As long as you vote for Harris and McVicker,
4 the rest doesn't matter"?

5 A No, sir.

6 Q Did McCrae Dowless ever tell you that?

7 A No, sir.

8 Q So anyone who would say that that's what they were
9 told would be mistaken?

10 A Yes. If they're saying that I told them that,
11 then yes, sir, they'd be mistaken. I can't speak for what
12 McCrae told anyone.

13 Q Fair enough. You mentioned a meeting at Mr.
14 Dowless's house after the Board decided not to certify the
15 election.

16 A Yes, sir.

17 Q So I want to jump back a little bit in time. Do
18 you recall after--on or after election night learning of the
19 unofficial election results in the congressional race?

20 A If you're asking do I recall on the election night
21 hearing that Mr. Harris had won, yes, sir, I can recall
22 that.

23 Q And who were you with?

24 A I was home with my children more than likely.

25 Q Were you with Mr. Dowless?

1 A No, sir. I was with my mother at that time.

2 Q And between that time and the 27th--and I'll
3 represent to you that November 27th is when the Board met
4 and refused to certify the election--what conversations did
5 you have with Mr. Dowless regarding the collection of
6 absentee ballot applications or absentee ballots?

7 A That Mr. Dowless had not told any of us to pick
8 up any ballots.

9 Q He said that to you before the 27th.

10 A I don't know because you're confusing me on the
11 dates and I don't--

12 (Crosstalking)

13 Q I don't want--no, I don't want--and I don't--
14 actually I don't want to confuse you.

15 A Yeah, and so--

16 Q So the 27th is the date that the Board, this Board
17 or the predecessor to this Board, determined that they were
18 not going to certify the elections.

19 A Right.

20 Q You can just take that as a fact. I think the
21 other side would agree. Was the meeting that you referred
22 to with Mr. Dowless and others before or after that?

23 A It was after that.

24 Q Okay. That's what I thought you testified.

25 A Yes, sir.

1 Q So now what I'm asking is were there any
2 conversations with Mr. Dowless before that--

3 A No, sir.

4 Q --regarding the collection of ballots?

5 A No, sir. No, sir.

6 Q How about with anyone else?

7 A Not to my knowledge.

8 Q So now tell me about the conversation that took
9 place after the 27th.

10 A That is when we were all told to--as long as
11 everyone sticks together, that everything will be fine.

12 Q You said that this was at Mr. Dowless's house.

13 A Yes, sir.

14 Q And who was in attendance?

15 A Myself, Jimmy Singletary, Woody Hester, Jennifer
16 Boyd, and Mr. Dowless.

17 Q And did Mr. Harris (sic) say why you all needed
18 to stick together?

19 A Mr. Harris had--

20 Q I'm sorry. I'm sorry. I apologize. Mr. Dowless.
21 Did Mr. Dowless say why you all had to stick together?

22 A No, sir. He just told us we all needed to stick
23 together on this.

24 Q Did you understand the context of what he was
25 saying?

1 A No, sir. That was when we had media at our door
2 every day. You couldn't walk outside without the media,
3 seven or eight media crews at your house.

4 Q So you understood it to relate to the collection
5 of absentee ballots.

6 A Yes, sir.

7 Q Okay. So it just kind of contextually made sense.

8 A Yes, sir.

9 Q What else did he say?

10 A He has--other than the fact like I've told y'all
11 several times already, that he never told anyone to pick up
12 absentee ballots.

13 Q And what did you all say to that?

14 A I didn't respond anything. I don't--I don't
15 recall what anyone else's response was.

16 Q How long did the meeting last?

17 A Five, ten minutes tops.

18 Q And no one else said anything?

19 A I don't--I'm not telling you that. I'm telling
20 I don't recall what anyone else said.

21 Q You don't recall. Do you recall if other people
22 spoke but you don't remember what they said or you don't
23 remember if anyone said anything?

24 A I don't remember if anyone said anything or not.
25 I don't know if you have children, but like I said, I have

1 a two year old and a four year old. Anywhere I go, those
2 two are with me. So it's kind of hard to pay attention to
3 what's going on anywhere else.

4 Q I appreciate that. I appreciate your patience to
5 that. I know it's not easy. You mentioned an interview
6 that you did with a reporter.

7 A Yes, sir.

8 Q Do you remember the name of the reporter?

9 A Nick Ostrich (sic).

10 Q And do you know what news outlet he worked for?

11 A I have no idea.

12 Q Do you know how he obtained access to unredacted
13 voter request forms from Emma Shipman?

14 A I have no idea.

15 Q Would those be materials that you would have kept
16 in your envelope?

17 A Wait a minute. What is it you're asking me did
18 I keep so I make sure I understand your question.

19 Q Do you know how the reporter obtained access to
20 unredacted voter request forms for Emma Shipman?

21 A No, sir. Emma Shipman I didn't register to vote,
22 so I wouldn't have had that. That's like I don't know how
23 all these--they're either being blacked out and it's made
24 a big deal in court, but yeah, they were leaked all over the
25 news with everybody's name, signature, address, and

1 everything on them.

2 Q And that's what I'm asking about. Do you know how
3 they were leaked out?

4 A No, sir. But I'd like to know because mine was
5 also one of the ones leaked out.

6 Q Did you provide any documents or information to
7 the media?

8 A No, sir. That's not documents I would have had
9 access to.

10 Q That's fair. I'm just asking. Have you had any
11 contact with Mr. Harris or his attorneys or anyone
12 representing him?

13 A No, sir.

14 Q How did you prepare for your testimony today?

15 A I didn't prepare for my testimony. I came in here
16 and told the truth.

17 Q And I appreciate that. Did you meet with anyone
18 in advance?

19 A I've spoke with the State Board, but--

20 Q Anyone--

21 A And was I prepped by the State Board? No. None
22 of that occurred, no.

23 Q I was asking if you talked to anyone other than
24 the State Board.

25 A No, sir.

1 Q Reflecting back on the activity that we've all
2 been discussing in 2018, you now appreciate that what you
3 were involved in was wrong.

4 A Yes, sir.

5 Q And what Mr. Dowless was involved in was wrong.

6 A Yes, sir.

7 Q The application that you--

8 MR. ELIAS: Why don't you show her. This
9 way we'll follow long. Exhibit 5?

10 MR. BECKON: It's Exhibit 5.

11 Q Let him show you Exhibit 5.

12 A I've got it here, I think, if it's the same
13 Exhibit 5 we had a minute ago. It would be Roland Ted
14 Smith.

15 Q How many of these forms like this do you think you
16 handled during 2018?

17 A Oh, I have no clue.

18 Q Dozens?

19 A Yes, sir.

20 Q Hundreds?

21 A No, I wouldn't say hundreds.

22 Q And as you were handling those dozens, did you
23 read where it said "Fraudulently or falsely completing this
24 form is a Class 1 felony under Chapter 163 of the North
25 Carolina General Statutes"?

1 A No, sir, I didn't, because I didn't think my
2 father would send me out to do anything illegal.

3 Q I didn't ask you if you--

4 A No. And I told you no--and I told you, no, I
5 didn't read it.

6 Q You didn't read it.

7 A No, sir.

8 Q Did you read the witness certification, right
9 above where--

10 A No, sir. Are you talking about the one at the
11 bottom where it says--no, I didn't read the witness
12 certification either.

13 Q So you didn't read either this box or the witness
14 certification box.

15 A No, sir.

16 Q Reflecting back on the activities that you were
17 involved in and Mr. Dowless directed, I assume from your
18 testimony you regret participating in it.

19 A Yes, sir.

20 Q Do you think it was fair to the candidates
21 involved?

22 A No, sir, I do not.

23 Q Can you understand why it casts doubt in the minds
24 of voters--

25 A Yes, sir.

1 Q --on the fairness of the election?

2 A Yes, sir, I do.

3 Q And I assume you agree that the activity of
4 collecting the ballots and filling them out and everything
5 else you talked about was improper.

6 A Yes, sir.

7 Q And irregular.

8 A Yes, sir.

9 Q Highly irregular.

10 A Are you asking me was it irregular or is it
11 something that happens regularly?

12 Q Irregular.

13 A Yes, sir, it was irregular.

14 MR. ELIAS: Thank you. No further
15 questions.

16 MR. FREEDMAN: Mr. Chairman, are you ready?

17 CHAIRMAN CORDLE: Yes. Please.

18 CROSS EXAMINATION BY MR. FREEDMAN: 3:07 p.m.

19 Q Let's go back--good afternoon, Ms. Britt. My name
20 is David Freedman. I represent Dr. Mark Harris. I know
21 it's been--

22 (Pause to adjust microphone)

23 MR. ELIAS: You want to borrow mine?

24 (Laughter)

25 MR. FREEDMAN: I'm on now?

1 MR. LAWSON: Okay.

2 MR. FREEDMAN: There we go. It wasn't
3 lighting up.

4 CHAIRMAN CORDLE: I thought you were loud enough
5 anyway.

6 MR. FREEDMAN: I am.

7 Q Good afternoon, MS. Britt. My name is David
8 Freedman, representing Dr. Mark Harris. I know it's been
9 a long afternoon. I'll try not to make it too much longer
10 for you. Going back to Exhibit Number 5, it was just shown
11 to you.

12 A Yes, sir.

13 Q That's actually the container of the ballot; is
14 that correct?

15 A No. My Exhibit 5 is Ted Roland Smith's affidavit,
16 or is it?

17 Q Oh, I'm sorry.

18 A Are you on the--

19 Q Ted Roland Smith. The absentee application and
20 certificate.

21 A Yes, sir.

22 Q So that was not--the ballots are actually inside
23 this envelope; is that correct?

24 A Yes, sir.

25 Q All right. So the envelope was sealed when you

1 signed that; is that correct?

2 A Yes, sir.

3 Q So you didn't actually--by the time you got it,
4 he gave it to you, it was sealed, right?

5 A Yes, sir.

6 Q You started--you did not work on the primary in
7 May 2018, correct?

8 A No, sir.

9 Q You started sometime, you said, in late July?

10 A Yes, sir.

11 Q And what you were asked to do was--were you living
12 with Mr. Dowless at that time?

13 A Yes, sir. I moved in with Mr. Dowless shortly
14 after that.

15 Q So he was kind of supporting you and your kids?

16 A Yes, sir.

17 Q And in addition to supporting you and your kids,
18 he paid you some additional income for the work that he
19 asked you to do?

20 A Yes, sir.

21 Q And initially what he wanted you to do was to get
22 people to sign the absentee ballot request forms; is that
23 correct?

24 A Yes, sir.

25 Q And do you know what rolls--was he using rolls

1 from people who had voted Republican in prior elections?

2 A Originally I think it was more of a--we were just
3 going with a list from everybody. Then after that--I don't
4 ever remember it being broken down by Democrat and
5 Republican.

6 It may have been broken down the Democrats and
7 Republicans, but we just had--the Board of Elections would
8 send a list of every person registered to vote at each
9 precinct, and we would go by that as to which houses to go
10 to, to see if they would like to request an absentee ballot.

11 Q Do you know how he--did you ever discuss with him
12 how you picked those various houses to go to?

13 A No, sir.

14 Q And sometimes when you would go see those people,
15 the ballot would be--the request form would be blank,
16 correct?

17 A Yes, sir.

18 Q And the people there would fill in the entire
19 request form.

20 A Yes, sir, but most of the time even if it was
21 blank, we would fill in the top part for them because it was
22 quicker and easier for us to fill it out than it was to sit
23 there and--and for the person to actually fill it out, and
24 then them just sign it and date it.

25 Q And there was nothing improper about you filling

1 out the top part of that form; is that correct?

2 A No, sir.

3 Q But you didn't--when you went to go see the
4 people, you had them actually sign it.

5 A Yes, sir.

6 Q You were never told to sign any absentee ballot
7 request forms for these individuals--

8 A No, sir, we were told on many occasions by Mr.
9 Dowless, "Do not sign anybody's name to these papers."

10 Q And you never did.

11 A No, sir. Not on the request forms, no, sir.

12 Q And then you returned those request forms to Mr.
13 Dowless for you to receive credit for them; is that correct?

14 A Yes, sir.

15 Q And then he would actually personally take those
16 down to the Board of Elections and turn them in himself,
17 correct?

18 A Yes, sir.

19 Q And you said when you were there, you would go--
20 Mr. Dowless's office was actually at his house?

21 A No, he had a office in Bladenboro, and then--but
22 from where I stayed at his house, sometimes it would be
23 easier for me to take them and go to his house than it would
24 be to go all the way to Bladenboro because I also worked
25 another job.

1 So sometimes it would be 10:00, 10:30 before I
2 ever got in from doing both of the jobs, so sometimes I
3 would take them to the house.

4 Q And when you went to--you said that you also saw
5 Lola Wooten at his office; is that correct?

6 A Yes, sir.

7 Q And she was not working for Mr. Dowless, was she?

8 A No, sir.

9 Q She had her own organization, did she not?

10 A Yes, sir.

11 Q And that was the Bladen Improvement PAC; is that
12 correct?

13 A Yes, sir.

14 Q And they primarily were focusing on Democratic
15 votes; is that correct?

16 A Yes, sir.

17 Q And they were funded by the Democratic Party; is
18 that correct?

19 A Yes, sir.

20 Q And she and Mr. Dowless were meeting and
21 comparing--you said that when she would take her absentee
22 ballot request forms and take them to Mr. Dowless's office,
23 he would make copies of those?

24 A And keep those in his office, yes, sir.

25 Q And he would keep those in a separate envelope.

1 A Yes, sir.

2 Q And that was--so he had his envelope for people
3 that y'all had recruited, and then he had a separate
4 envelope for people that Bladen Improvement PAC had
5 recruited; is that correct?

6 A Yes, sir.

7 Q Did you ever listen in when the two of them were
8 talking?

9 A No, sir, because he would kind--at the office--it
10 would early in the mornings when they would come to the
11 office before anyone else got there. So he kind of--I mean
12 I guess he would close the door to his office so you
13 couldn't really overhear their conversation.

14 Q Did you know that Mr. Dowless had actually filed
15 a complaint against the Bladen Improvement PAC back in 2016?

16 A No, sir.

17 Q But the two of them would meet. How did you know
18 they made--how did you know they made copies of what Ms.
19 Wooten brought to him?

20 A Because I've actually made copies for them several
21 times.

22 Q Did you ever talk to her when she was there?

23 A Nothing other than just general, "Hey, how are
24 you?"

25 Q Would Mr. Munn, who was sitting over there

1 earlier--

2 A Yes, sir.

3 Q --would he come over there too?

4 A Yes, sir.

5 Q Would he bring those things to Mr. Dowless?

6 A Yes, sir.

7 Q And do you know Mr. Michael Cogdell?

8 A I don't know Mr. Cogdell.

9 Q So you wouldn't know whether you saw him there or
10 not?

11 A No, sir.

12 Q And did you ever ask Mr. Dowless why was he
13 meeting with the competitor and they were both making copies
14 for each other?

15 A That was kind of his secret weapon, I guess, so
16 she--

17 CHAIRMAN CORDLE: Excuse me. I don't believe
18 anybody said Mr. Dowless was making copies for Ms. Wooten.

19 Q Did Mr. Dowless make--well, Ms. Wooten was
20 bringing him--

21 THE WITNESS: Ms. Wooten was making copies,
22 yes, sir.

23 CHAIRMAN CORDLE: Oh, okay.

24 THE WITNESS: Yes, sir.

25 CHAIRMAN CORDLE: She was.

1 Q So Ms. Wooten was making copies too, and she was
2 making copies of what Mr. Dowless had.

3 A No. She wasn't making copies of what he had. No,
4 sir. I'm sorry. I misunderstood that question.

5 Q So she was coming and using his copy machine to
6 make copies for both him and for her of what she had.

7 A Yes, sir.

8 Q And she was willingly--even though she was
9 recruiting for the Democrats, she was willingly bringing
10 things over to Mr. Dowless.

11 A Yes, sir.

12 Q Was it your understanding at any point the reason
13 they were doing that was so that Mr. Dowless knew who he
14 had to go recruit and Ms. Wooten know who she was supposed
15 to recruit?

16 A Yes, sir.

17 Q So they were sort of staying off each other's
18 turf.

19 A Yes, sir. That is kind of how the Emma Shipman
20 got--

21 Q Right.

22 A --the heat from that one.

23 Q And Ms. Shipman had originally been--she was part
24 of Bladen Improvement PAC turf, correct?

25 A Yes, sir.

1 Q And you went and got her ballot.

2 A Yes, sir.

3 Q And then Mr. Munn came and said, "You shouldn't
4 have her ballot; that should be something Bladen Improvement
5 PAC"--

6 A Mr. Munn actually called him and told him that,
7 yes, sir.

8 Q Said, "You're sort of going on our turf."

9 A Yes, sir.

10 Q "And you don't recruit from our people."

11 A Correct.

12 Q And Mr. Dowless still had that ballot, correct?

13 A Yes, sir.

14 Q And he had not disposed of that ballot.

15 A No, sir.

16 Q And did you say the ballot was sealed?

17 A Yes, sir.

18 Q And he gave that--you gave that back to her.

19 A Yes, sir.

20 Q You were asked a question. You never--so when you
21 went back to--when you went back to pick up the absentee
22 ballots from people, those were people that were on Mr.
23 Dowless's list.

24 A Yes, sir.

25 Q So the people you were picking up the absentee

1 ballots for were Republicans, correct?

2 A Say he received a list and it's got--well, the
3 list--let's see how it was printed out. Lists are printed
4 out like this, and it's got maybe 20 people on each page.
5 Okay, if it was somebody from the Bladen Improvement, it
6 would be highlighted out. If it was someone we had already
7 picked up their ballot, it would be highlighted out.

8 So that way--because with five or six people
9 working, everybody had a copy, and that way everybody would
10 know not to go back to that house so we're not bothering the
11 same person five or six times.

12 Q So this was sort of based upon mutual respect of
13 each other.

14 A Yes, sir.

15 Q And you were not to bother the people that Bladen
16 Improvement PAC were recruiting, and they were not to bother
17 your people.

18 A Yes, sir.

19 Q So your people were people you were hoping were
20 going to be voting--

21 A For Mr. Harris.

22 Q --and Republicans.

23 A Yes, sir.

24 Q So you were asked the question by Mr. Elias. You
25 certainly never threw away any ballots.

1 A No, sir.

2 Q You never saw Mr. Dowless throw any ballots away.

3 A No, sir.

4 Q There would be no reason for Mr. Dowless to throw
5 away any of his ballots because you had the Republican
6 ballots, correct?

7 A Correct.

8 Q And Bladen Improvement PAC had the Democratic
9 ballots; is that correct?

10 A Right.

11 Q You also testified--when you--initially you did
12 not want to pick up the actual absentee ballots; you wanted
13 people to send those in because that was inconvenient for
14 you, correct?

15 A Yes, sir. It was--I mean he said that it would
16 be easier that way, but it actually wasn't easier that way,
17 so you had to pick them up because people didn't want to
18 give you their absentee ballots.

19 Q Do you know how many absentee ballots you actually
20 pick--did you pick up more than 10 or 15?

21 A Yes, sir.

22 Q Twenty?

23 A I probably picked up around 35 or 40.

24 Q About 35 or 40?

25 A Yes, sir.

1 Q That's the total. And of the absentee ballot--30
2 to 40 absentee ballots you picked up, were a number of those
3 properly witnessed when you picked them up? Can you
4 remember?

5 A Yes. Yes, sir. Some of them were properly
6 witnessed when they were picked up, and that's because some
7 of them had actually been witnessed by two people and
8 already been witnessed, and we just mailed them back in for
9 them.

10 Q So maybe about half of the ballots of the 30 or
11 40 you actually picked up were properly witnessed; is that
12 correct?

13 A Yes, sir.

14 Q So the other 15 to 20 ballots you had that were
15 not properly witnessed, then you or somebody for Mr. Dowless
16 actually witnessed those ballots; is that correct?

17 A Yes, sir.

18 Q And of the ballots that you picked up, the vast
19 ma--well, those were all sealed; is that correct?

20 A Yes, sir.

21 Q You said you saw--and as far as you know, like,
22 well, as far as you know, those ballots were sent in because
23 those were people that y'all were recruiting.

24 A Yes, sir.

25 Q And you never talked to Mr. Dowless about why he

1 sat on those ballots, or did you?

2 A No, sir.

3 Q You said the one ballot you saw that was unsealed
4 was a Democratic ballot; is that correct?

5 A Yes, sir. It was Christina Hester.

6 Q Christina Hester. And you went over that with Ms.
7 Strach. That's correct?

8 A Yes, sir.

9 Q And that was a ballot that Mr. Dowless sent in.

10 A Yes, sir.

11 Q Is that correct?

12 A Yes, sir.

13 Q And you told her--you told Ms. Strach that when
14 you saw that ballot, it was all for Democrats, correct?

15 A Yes, sir.

16 Q And you checked that ballot to make sure that
17 ballot had gone in.

18 A Yes, sir.

19 Q And you found out that ballot not only went in,
20 but it went in properly.

21 A Yes, sir.

22 Q You also testified that a few occasions--on a few
23 occasions you filled in some of the lesser candidates; is
24 that correct?

25 A Yes, sir.

1 Q And you said that general--you said you didn't
2 have to fill in Mr. Harris's name or Sheriff McVicker's
3 name.

4 A No. Most people, the only thing they were really
5 concerned with were the top three, and I can't remember what
6 the third person was. The third--it was Congress, sheriff,
7 and then there was somebody else on that top row with them,
8 and I can't remember who it was. It may have been--I
9 honestly don't remember.

10 I'm not even going to try to remember because I
11 honestly don't remember, but that's the one that most people
12 were concerned with because most people aren't concerned
13 with the school board or the other little people on there.

14 Q So how many ballots did you see--how many ballots
15 did you assist the filling in, five or ten ballots?

16 A Uh-huh (affirmative). If that many.

17 Q If that many.

18 A Yes, sir.

19 Q All right, so ten or less.

20 A Yes, sir.

21 Q Ten, maybe five, somewhere in that region.

22 A Yes, sir.

23 Q And in all of those ballots, Dr. Harris's name had
24 already been voted for.

25 A Yes, sir.

1 Q So the names you filled in had nothing to do with
2 Dr. Harris's race.

3 A No, sir.

4 Q Is that correct?

5 A Yes, sir.

6 Q So all the ballots as far as--from everything you
7 know, every ballot that you either helped recruit or got
8 sent in that was a vote for Dr. Harris, the voter who filled
9 that ballot in was voting for Dr. Harris.

10 A Yes, sir.

11 Q You didn't submit one vote the voter did not
12 intend to vote for Dr. Harris; is that correct?

13 A No, sir. If I was going to do that, I would've
14 done away with Christina Hester's who I knew didn't vote for
15 Mr. Harris.

16 Q And you may have--you or somebody on Mr. Dowless's
17 behalf shouldn't have handled those ballots, right?

18 A No, sir, and I know that now.

19 Q But the voters whose ballots you shouldn't have
20 handled still voted for Dr. Harris.

21 A Yes, sir.

22 Q And the few times you filled someone else in,
23 those voters voted for Dr. Harris; is that correct?

24 A Yes, sir.

25 Q You were asked about Lonnie Bullard's ballot. I

1 think that--is that Number 11? I'm sorry.

2 A Yeah, it's number 12 on here.

3 Q Number 12. I'm sorry. You're keeping better
4 track of the numbers than I am. He was asking you, do you
5 know whether--do you see the language, how this was written
6 on this affidavit?

7 A Yes, sir.

8 Q Do you see Number 4 where he says "Prior to 2018
9 general election, Lisa Britt came to my residence to ask
10 whether I would like to submit an absentee ballot request
11 form"?

12 A Yes, sir.

13 Q Have you ever heard Ms. Bullard talk like that?

14 A No, sir.

15 Q So that's not her language. I mean that's not
16 her--somebody else wrote that language for her, right?

17 A Yes, sir.

18 Q And look at the rest of these lines. Have you
19 ever heard Ms. Bullard speak anything like that's on the
20 rest of this affidavit?

21 A No, sir.

22 Q If you go to--do you have Ms. Shipman's affidavit
23 in front of you, her first affidavit, Number 8?

24 A I have it. Ms. Shipman is Exhibit--well, yeah,
25 8 and 9.

1 Q The first one.

2 A Yes, sir.

3 Q That's the first one. Do you see who witnessed
4 that affidavit?

5 A Michael Cogdell.

6 Q Do you see the date of that affidavit?

7 A October 29th.

8 Q So that affidavit was filled out prior to the
9 election.

10 A Yes, sir.

11 Q Witnessed by Mr. Cogdell.

12 A Yes, sir.

13 Q Do you know whether Mr. Cogdell's involved with
14 Bladen Improvement PAC?

15 A No, sir. I'm not--I'm not sure who Mr. Cogdell
16 is. I've heard his name, but I'm not 100 percent sure of
17 who he is.

18 Q Go back to Exhibit Number 4. I believe that's the
19 absentee by mail application log.

20 (Pause)

21 Q You got that?

22 A Yes, sir.

23 Q Can you go to the first page which says--starts
24 in August, and the very first name is McCrae Dowless; is
25 that correct?

1 A Yes, sir.

2 Q And that's what he turned, 120 absentee ballot
3 requests; is that correct?

4 A Yes, sir.

5 Q What's the next name after that?

6 A Lola Wooten.

7 Q How many did she turn in?

8 A 184.

9 Q Do you see her name--if you drop down under--Mr.
10 Dowless is on there a couple of times more. If you drop
11 down again, do you see Lola Wooten's name on there?

12 A 17.

13 Q And do you see her name--if you go to the--

14 A I see Cogdell's name here.

15 Q How many did Mr.--as long as we're there at Mr.
16 Cogdell, do you see how many he turned in?

17 A 100.

18 Q Mr. Cogdell turned in 100, and he was the same one
19 who witnessed the--that affidavit, the first affidavit from
20 Ms. Shipman, right?

21 A Yes, sir.

22 CHAIRMAN CORDLE: Mr. Freedman, I want to give
23 you a lot of abilities to go around on here, but we're off
24 the topic unless it's your client's position that Bladen
25 Improvement Association was also committing election fraud

1 with absentee ballots. If that is your position, that's
2 fine.

3 MR. FREEDMAN: Well, if I may state in
4 response to that question, there are two expert reports that
5 have been submitted by Mr. McCready that talked about the
6 high rate of non-return for absentee ballot request forms.

7 And I'm just anticipating introduction of that
8 testimony in the future. I was just trying to show that the
9 Democratic people organizing for the Democratic candidates
10 were generating as many absentee ballot request forms as the
11 Republicans as an explanation as to why there may be a high
12 rate of non-return in this election. Both sides are sort
13 of doing the same thing.

14 Not so much they're committing fraud, but as an
15 explanation for future purposes.

16 CHAIRMAN CORDLE: All right. Proceed.

17 MR. FREEDMAN: Thank you.

18 Q And do you see--without going through each one,
19 do you see Lola Wooten or Michael Cogdell on there a number
20 of more times?

21 A Yes, sir.

22 Q And you also see McCrae Dowless's name on there
23 a number of more times as well; is that correct?

24 A Yes, sir.

25 MR. FREEDMAN: May I just have a minute?

1 (Pause)

2 Q Ms. Britt, so there were, as we stated before, all
3 of the ballots that you saw or handled or mishandled were
4 all--you didn't change a vote or put a vote in for Dr.
5 Harris; is that correct?

6 A No, sir.

7 Q So would you consider it unfair to challenge Dr.
8 Harris's seat when all of the voters--all of the votes
9 accounted for Dr. Harris were properly cast by the voters?

10 A Yes.

11 CHAIRMAN CORDLE: This is obviously not a proper
12 question for her.

13 MR. FREEDMAN: Same question was asked of
14 her--

15 CHAIRMAN CORDLE: I don't think it was asked
16 quite that way.

17 MR. FREEDMAN: I respect the Board's opinion.
18 May I ask that question--

19 CHAIRMAN CORDLE: I would strike that.

20 MR. FREEDMAN: I was only asking how it was
21 asked by Mr. McCready.

22 CHAIRMAN CORDLE: I don't think it was asked
23 that way. I think there are ways you can ask a question
24 like that, but that's not--

25 MR. FREEDMAN: I will rephrase the question.

1 Q Dr. Harris--you said Dr. Harris came down to
2 provide ministry and comfort to the people hit by the
3 hurricane.

4 A Yes, sir.

5 Q You started going back out to try and gather some
6 of these absentee ballots because of the hurricane, correct?

7 A Yes, sir.

8 Q The hurricane had hit Bladen County so bad, people
9 were having trouble just getting out to cast their ballots.

10 A Yes, sir.

11 Q And that condition stayed the same through the
12 election; is that correct?

13 A Yes, sir.

14 Q And you have also--you stated earlier Dr. Harris
15 has done nothing wrong in this situation.

16 A Yes, sir.

17 Q That he's a good man.

18 A Yes, sir.

19 Q Do you think it would be fair to him to not seat
20 him in the Ninth Congressional District?

21 CHAIRMAN CORDLE: I'm going to object to that
22 and move to strike it. That's not a proper question for
23 this witness.

24 MR. RAYMOND: Mr. Chairman.

25 CHAIRMAN CORDLE: Yes.

1 MR. RAYMOND: Mr. McCready's counsel did ask
2 about fairness.

3 CHAIRMAN CORDLE: Yes, but not whether it was
4 fair to elect or seat a congressman, and that's what the
5 question was.

6 MR. FREEDMAN: If I may try and rephrase
7 that, Mr. Chairman.

8 Q Do you think it would be fair to the voters of the
9 Ninth Congressional District to not seat Dr. Harris?

10 CHAIRMAN CORDLE: Well, objection there again.
11 That is not a proper question for this witness, and it does
12 not go to the facts you're looking--

13 MR. FREEDMAN: And again, I don't wish to get
14 in a debate with the Chairman, but Mr. Elias was asking her
15 fairness questions.

16 CHAIRMAN CORDLE: Yeah, but not that fairness
17 question. That is improper question for this witness. I
18 mean we can ask everybody that voted down there whether it's
19 fair or not to elect somebody or not elect somebody, and
20 that's not proper.

21 MR. ELIAS: I asked about her conduct,
22 whether her conduct was fair. You're asking about whether
23 the Board's future actions would be fair, which is quite a
24 different matter.

25 MR. FREEDMAN: Can I ask this question?

1 Q Do you think it would be fair to Dr. Harris to
2 punish him for your conduct?

3 A No, sir.

4 MR. FREEDMAN: I have no further questions.

5 CHAIRMAN CORDLE: Let me see. Do any of the
6 other lawyers have questions for this witness representing
7 the other people involved here?

8 MR. SCOTT: I have no questions for this
9 witness.

10 CHAIRMAN CORDLE: All right. Thank you.

11 MS. FAIRESS: For Vanessa Burton, we do not.

12 CHAIRMAN CORDLE: Thank you. Do you have
13 something else?

14 MR. ELIAS: I will be brief. I have just
15 a couple of quick follow-ups.

16 CROSS EXAMINATION BY MR. ELIAS: 3:32 p.m.

17 Q I thought we had exhausted your knowledge of Ms.
18 Wooten and Mr. Munn. You seemed to gain a lot more insight
19 into their behaviors when being asked by opposing counsel,
20 so let me double-back to this. Do you know Ms. Wooten?

21 A No, sir, I do not know--

22 Q Do you know who she was working for?

23 A I told you that she was working for Bladen
24 Improvements; that I had also read that in the paper she
25 was working for Bladen Improvement.

1 Q So you read that in your newspaper.

2 A Yes, sir.

3 Q Do you know--other than what you read in the
4 newspaper, do you know who she was working for?

5 A No, sir.

6 Q So you don't know whether she was being paid by
7 Mr. Dowless.

8 A You asked me that a minute ago. No, sir, I don't.
9 I don't know who Mr. Dowless paid.

10 Q And you don't know whether she was working for
11 Bladen Improvement.

12 A No, sir.

13 Q And you don't know if she was working for the
14 Democrats?

15 A No, sir.

16 Q And with Mr. Munn, do you know if he was working
17 for the Democrats?

18 A No, sir.

19 Q Do you know if he was working for Bladen
20 Improvement?

21 A No, sir.

22 Q Okay, that's where I thought we left off, and I
23 just wanted to make sure that I hadn't missed something in
24 our exchange.

25 A I think it's been proved just as well as the other

1 stuff that they were working for Bladen Improvement. I
2 think--well--

3 Q Proved--

4 A --maybe me--I think that Akeen Brown actually made
5 a statement, a public statement for where he paid Bladen
6 Improvement with Lola Wooten and Mr. Munn that wasn't
7 reported in.

8 So I'm pretty sure that, yes, they were working
9 for the Democrats, but that's what I read, so I can't be
10 quoted on that, but I'm pretty sure that's what I read in
11 the paper.

12 Q Okay, so Mr. Dowless was working for Mr. Harris,
13 correct?

14 A Mr. Dowless was working for Red Dome, yes, sir,
15 and Mr. Harris.

16 Q I think we started with he was working for Mr.
17 Harris.

18 A Yes, sir.

19 Q Do you know if Ms. Wooten or Mr. Munn was working
20 for the Democrats?

21 CHAIRMAN CORDLE: If you know, you may answer
22 that. If you don't know, you're welcome to say "I don't
23 know."

24 THE WITNESS: Yes, sir.

25 A I don't know.

1 Q And do you know whether Ms. Wooten or Mr. Munn
2 were working for Mr. McCready?

3 A No, sir.

4 MR. ELIAS: Thank you.

5 MR. FREEDMAN: Mr. Chairman, based on that
6 line of questioning, I would just direct the Board to Page
7 4 of Exhibit 22--2.2.2.1 that is the Board--let's see--that
8 has been presented to the Board as an exhibit from Executive
9 Committee that discusses the employees or people associated
10 with the Bladen Improvement PAC, and that's been an exhibit
11 that's been produced by the--

12 CHAIRMAN CORDLE: I think we're familiar with
13 the Bladen Improvement PAC.

14 MR. FREEDMAN: I just--I want to make sure
15 there was no misleading about who is involved with the
16 Bladen Improvement PAC, and it was stated by the executive
17 board.

18 CHAIRMAN CORDLE: Is there any further
19 questioning by the State Board's staff?

20 DIRECTOR STRACH: No. Thank you.

21 CHAIRMAN CORDLE: No?

22 MS. FLEMING: No.

23 CHAIRMAN CORDLE: I would excuse Ms. Britt. Oh,
24 excuse me. Any questions from the members of the Board?

25 MR. CARMON: Excuse me. Mr. Chairman,

1 there was one exhibit that she testified that she saw, and
2 it was not--the Exhibit 5. You asked her a line of
3 questioning. It's actually an exhibit that she did not
4 sign--I mean a form that she did not sign.

5 CHAIRMAN CORDLE: It was an exhibit put up here.
6 That may not have been--

7 THE WITNESS: It was the Ted Roland Smith.
8 I think actually what he asked me was did I pick that one
9 up.

10 MR. CARMON: You testified that was
11 just--you witnessed it. And I just wanted to--

12 THE WITNESS: I'm sorry. Yeah, I thought
13 he had asked if I had picked that ballot up, and yes, sir,
14 I did pick that ballot up, but I actually thought that he
15 had asked.

16 MR. CARMON: I have just one question.
17 earlier you stated that when you saw some ballots that
18 hadn't been fully completed, initially you said it didn't
19 matter to you, but then you said you completed them and you
20 completed them all for Republican. Could you tell us why?

21 THE WITNESS: Because McCrae was working for
22 the Republican Party, so I guess that's why, but then some
23 of them were--

24 MR. CARMON: Speak into your mike.

25 THE WITNESS: Oh, I'm sorry. Some of them

1 were some who weren't even--it didn't have Republican,
2 Democrat, and stuff like that on it. May have been Soil and
3 Water, something to that nature, and it didn't have anything
4 on it because there was--like the bottom was on the back
5 page of the ballot.

6 And I can't remember 100 percent sure what seats
7 they were for, so I don't want to sit here and try to tell
8 you what these were for when I'm not 100 percent positive.

9 MR. CARMON: Thank you.

10 CHAIRMAN CORDLE: Further questions?

11 (No response)

12 CHAIRMAN CORDLE: We'll excuse you, ma'am.

13 Thank you very much.

14 THE WITNESS: You're welcome.

15 (Witness leaves the stand.)

16 CHAIRMAN CORDLE: Do you want to call your next
17 witness?

18 DIRECTOR STRACH: Yes, Mr. Chairman. We would
19 call Kelly Hendrix.

20 (Pause)

21 CHAIRMAN CORDLE: Could we come back to order
22 please. Our witness is here. Ms. Hendrix, if you will come
23 forward please.

24 (Witness comes forward.)

25 (Whereupon,

1 KELLY HENDRIX,
2 having first been duly sworn, was
3 examined and testified as follows;)

4 CHAIRMAN CORDLE: Would you state your name
5 please.

6 THE WITNESS: Kelly Hendrix.

7 CHAIRMAN CORDLE: You may sit down, Ms. Hendrix.
8 And where do you live, Ms. Hendrix?

9 THE WITNESS: I reside at 1568 Tar Heel
10 Road, Tar Heel.

11 CHAIRMAN CORDLE: And you look a little nervous;
12 is that correct?

13 THE WITNESS: Yeah, a little.

14 CHAIRMAN CORDLE: Maybe you'll feel better if-
15 -let me ask you some questions.

16 MR. LAWSON: Sir, do you mind reminding her
17 that she's here voluntarily?

18 CHAIRMAN CORDLE: Oh, of course. Thank you.
19 Ms. Hendrix, we've got something we've got to go through
20 about the subpoena. As chair of this board, I issued the
21 subpoena for your presence here, and you're now excused from
22 the subpoena and free to go if you wish.

23 You can leave at any time. You're not required
24 to answer any of our questions, but if you do answer, then
25 they are voluntary answers and you are under oath. Do you

1 understand?

2 THE WITNESS: Yes, sir.

3 CHAIRMAN CORDLE: Do you have an attorney?

4 THE WITNESS: I don't.

5 CHAIRMAN CORDLE: Okay. If you don't understand
6 a question, you ought to ask for clarification. If you
7 don't know the answer to a question, you ought to just say
8 "I don't know," and let's don't speculate or guess about
9 answering. Do you understand that?

10 THE WITNESS: Yes, sir.

11 CHAIRMAN CORDLE: All right. Thank you. Go
12 ahead.

13 DIRECTOR STRACH: Thank you, Mr. Chairman.

14 DIRECT EXAMINATION BY DIRECTOR STRACH: 3:40 p.m.

15 Q Good afternoon, Ms. Hendrix. It's been a long
16 day, hasn't it?

17 A (unintelligible)

18 Q And luckily we don't have a whole lot of
19 questions. I wanted to start off by asking you, did you
20 work for McCrae Dowless during the November 2018 election?

21 A Yes, ma'am.

22 Q And would you tell the Board how you first met Mr.
23 McCrae Dowless.

24 (Witness becomes emotional.)

25 Q Take your time.

1 A I was working at Hardee's, and he come to the--
2 through, and from there, I needed a ride to work one day,
3 and a lady that knew him who I also knew told me that he
4 might would give me a ride to work.

5 And he gave me a ride to work that day, and just
6 from there--he resembled my dad, but I just--I connected
7 with him, and from there--I mean that's how I met him.

8 Q He was somebody that was kind to you.

9 A (Witness nods head.)

10 Q So do you remember when you first worked with him
11 in an election?

12 A I believe it was the 2016 election.

13 Q And was the work that you did for him in 2016 and
14 2018, was it just with the absentee ballots and requests for
15 absentee ballots?

16 A Yes, ma'am.

17 Q So let's just talk about the November 2018
18 election.

19 A Okay.

20 Q Did you go out and get requests from voters to
21 vote absentee by mail?

22 A Yes, ma'am.

23 Q And when you received those requests from the
24 voters, what did you do with those requests?

25 A I took them back to McCrae.

1 CHAIRMAN CORDLE: And, Ms. Strach, if you could
2 get a little closer to the microphone also.

3 MS. STRACH: I'm sorry.

4 CHAIRMAN CORDLE: That's quite all right.

5 Q Did you get paid to get request forms?

6 A He would never really say that he was paying me
7 for the request forms. I would sometimes need gas, and he
8 would give me money for gas and stuff like that, but he
9 never specifically, you know, told me "This is for a certain
10 amount of ballots."

11 Q So you didn't have to bring in a certain amount
12 of request forms to get paid.

13 A No, ma'am.

14 Q He would just give you money.

15 A (Witness nods head affirmatively.)

16 Q Would it be a certain amount--

17 A No, ma'am.

18 Q --or would it be just for gas?

19 A Yes, ma'am.

20 Q And so you did the requests. Did you also collect
21 ballots once the voter had received their ballot?

22 A Yes, ma'am.

23 Q And who was it that asked you to collect the
24 ballots?

25 A Mr. Dowless.

1 Q And when you collected ballots, were you alone or
2 did you go with someone else to the house?

3 A I would always pick them up alone.

4 Q You would be by yourself. And like the requests,
5 when you would get collected ballots, what would you do with
6 those collected ballots?

7 A I would take them to Mr. McCrae.

8 Q And would you always--every ballot that you
9 collected, did you always--were you always able to hand it
10 to Mr. McCrae Dowless?

11 A No.

12 Q The requests, were you paid for collecting
13 ballots?

14 A I'm sorry, could you repeat that one more time.

15 Q Were you paid for collecting ballots? You said
16 you got paid gas money and things like that for requests.
17 Did you get paid just gas money for collecting ballots or
18 did you get any other money for collecting ballots?

19 A No, it was--I mean he never actually specifically
20 said this is for so many amounts of ballots. He was just
21 give me some money for like gas and if I needed anything
22 else.

23 Q Do you remember about how much, during the whole
24 time of the November election, about how much total you
25 think he paid you?

1 A No, ma'am, I couldn't.

2 DIRECTOR STRACH: I'm going to give you just a
3 few envelopes. I think this is Exhibit--

4 COURT REPORTER: 13.

5 MR. LAWSON: 13.

6 DIRECTOR STRACH: --13.

7 (Whereupon, Exhibit No. 13
8 was marked for identification.)

9 Q Ms. Hendrix, we're just going to go through each
10 one of these pretty quickly. Can you look--is the first one
11 on yours the ballot of Deborah Smith Davis?

12 A Yes, ma'am.

13 Q And do you see your name as a witness on that?

14 A Yes, ma'am.

15 Q Did you pick up that ballot? Did you collect that
16 ballot?

17 A I did.

18 Q And do you know Cheryl Kinlaw?

19 A I don't.

20 Q So when you gave your ballot--did you give your
21 ballot to Mr. Dowless?

22 A I did.

23 Q And when you gave your ballot to Mr. Dowless, was
24 only your name on that ballot?

25 A Yes, ma'am.

1 Q In terms of the second one, Ricky Lee Davis--

2 A Yes, ma'am.

3 Q Is this a ballot that you collected?

4 A Yes, ma'am.

5 Q And you see your signature on the witness line?

6 A Yes, ma'am.

7 Q And you once again see Cheryl Kinlaw's. You don't
8 know Cheryl Kinlaw, correct?

9 A Yes.

10 Q So once again, when you gave Mr. Dowless this
11 ballot, it only had your signature on it, correct?

12 A Yes, ma'am.

13 Q The next one is Ronnie Davis.

14 A Yes, ma'am.

15 Q Did you collect his ballot?

16 A Yes, ma'am.

17 Q And like before, the only--you signed on this as
18 a witness.

19 A Yes, ma'am.

20 Q And were you alone when you picked up that ballot?

21 A Yes, ma'am.

22 Q And do you know James Singletary?

23 A I met him once or twice, but I don't really know
24 him.

25 Q Was he with you when you collected this ballot?

1 A Not when I collected this ballot, no, ma'am.

2 Q Well, did you see him sign as witness on this
3 ballot?

4 A No, ma'am.

5 Q Did you give this ballot to Mr. Dowless?

6 A Yes, ma'am.

7 Q And when you gave it to Mr. Dowless, did it only
8 have your signature on it?

9 A Yes, ma'am.

10 Q And the voter's signature. The next one is Velma
11 Davis.

12 A Yes, ma'am.

13 Q Did you collect this ballot?

14 A (Witness nods head.)

15 Q And once again, did you sign as the witness on
16 this ballot?

17 A Yes, ma'am.

18 Q And did you give this ballot to McCrae Dowless?

19 A Yes, ma'am.

20 Q And this one has Cheryl Kinlaw again. So, as you
21 said, you don't know Cheryl Kinlaw, correct?

22 A No, ma'am.

23 Q And you can't see it, but they're redacted, the
24 signatures, but can you tell us that all the ballots that
25 we've talked about, did the voter sign each one of these

1 ballots?

2 A Yes, ma'am.

3 Q The next one is Derek Hendrix.

4 A Yes, ma'am.

5 Q And you see your signature as a witness?

6 A Yes, ma'am.

7 Q Did you collect this ballot?

8 A Yes, ma'am.

9 Q And do you know Jessica Dowless?

10 A I don't.

11 Q And so Jessica Dowless was not with you when you
12 collected that ballot?

13 A No, ma'am.

14 Q Was Jessica Dowless--did you see Jessica Dowless
15 sign as witness on this ballot?

16 A No, ma'am.

17 Q Did you provide this ballot to Mr. Dowless?

18 A I did.

19 Q The next one is Joseph Lloyd Norris. Do you see
20 this one?

21 A Yes, ma'am.

22 Q Did you collect this ballot?

23 A I did not.

24 Q And do you know Joseph Lloyd Norris?

25 A I don't.

1 Q Were you at his house when he signed his absentee
2 ballot?

3 A No, ma'am.

4 Q Do you know Ginger Eason?

5 A I've heard of her, but I don't know her.

6 Q Do you know how your name was on this ballot as
7 a witness?

8 A I believe maybe when I went and dropped off one
9 of the other ballots, McCrae asked me to witness it for him.

10 Q So you believe Mr. Dowless asked you to sign as
11 witness on this ballot?

12 A Yes, ma'am.

13 Q And this was not one you collected?

14 A No, ma'am.

15 Q The next one's a little bit harder to read. I
16 think that it is Sarah Sykes Norris.

17 A Yes, ma'am.

18 Q Did you collect this ballot?

19 A No, ma'am.

20 Q And once again, we see your signature and Ginger
21 Eason's signature. Was this a ballot that Mr. Dowless asked
22 you to sign?

23 A Yes, ma'am.

24 Q And it was not one you collected.

25 A No, ma'am.

1 Q The next one is Jane Wilson Smith.

2 A Yes, ma'am.

3 Q Did you collect this ballot?

4 A I did.

5 Q And were you by yourself, or alone, when you
6 collected this ballot?

7 A Yes, ma'am.

8 Q Once again, James Singletary is on this. James
9 Singletary was not with you--

10 A No, ma'am.

11 Q --when you picked it up?

12 A (Witness shakes head.)

13 Q And you didn't see James Singletary sign this in
14 your presence?

15 A No, ma'am.

16 Q It's a ballot you gave to Mr. Dowless?

17 A Yes, ma'am.

18 Q The next one is Donna Faye Ward.

19 A Yes, ma'am.

20 Q Is this a ballot you collected?

21 A Yes, ma'am.

22 Q And were you alone when you collected this ballot?

23 A Yes, ma'am.

24 Q And once again, it's James Singletary. James
25 Singletary was not with you when collected this ballot,

1 correct?

2 A No.

3 Q And you provided this ballot to Mr. Dowless,
4 correct?

5 A Yes, ma'am.

6 Q And this last one is James--I think it's James
7 Glenn Wilkins.

8 A Yes, ma'am.

9 Q Did you collect this ballot?

10 A This one here is one that I didn't actually
11 collect. Me and Lisa met at this gentleman's house. McCrae
12 called me. I live right down the road from him. Lisa was
13 going to go pick the ballot up.

14 McCrae knew I lived right down the road and asked
15 me would I meet her to witness the ballot with her so that
16 she could pick it up.

17 Q So when you went down to do that, did you both go
18 inside the house to witness the ballot?

19 A No, ma'am, I stood outside in the yard and
20 witnessed it and got back in my car and left because my
21 family was at home waiting on me.

22 Q So did you witness--put your signature on the
23 ballot after Ms. Britt brought the ballot outside?

24 A Yes, ma'am.

25 Q And did you leave with the ballot or did Ms. Britt

1 leave with the ballot?

2 A Ms. Britt left with it.

3 CHAIRMAN CORDLE: Excuse me. You're calling
4 this the ballot. Is this--

5 DIRECTOR STRACH: It's the ballot container
6 return envelope.

7 CHAIRMAN CORDLE: All right.

8 DIRECTOR STRACH: The ballot's inside.

9 That's all the questions I have.

10 CHAIRMAN CORDLE: Do you have some, Mr. Elias?

11 MR. ELIAS: I have just a few.

12 CROSS EXAMINATION BY MR. ELIAS: 3:54 p.m.

13 Q You mentioned, I think, that you--well, first of
14 all, thank you for being here. I know this is difficult.
15 My name is Mark Elias, and I represent Dan McCready.

16 If you don't understand any questions I ask, just
17 ask me to rephrase them or if I speak too fast, tell me to
18 slow down.

19 I think you said that you started helping Mr.
20 Dowless with his absentee ballot program in 2016; is that
21 correct?

22 A I did.

23 Q Was that in the primary or the general; do you
24 remember?

25 A I don't remember exactly.

1 Q Do you remember who he was working for, what
2 candidate or party?

3 A I'm not really sure. I can't recall at this time.

4 Q How about in 2018; do you recall which candidate
5 or group of candidates or party he was trying to help?

6 A I know he had Mark Harris signs on his car, but
7 that's all I really know.

8 Q I know you listed a few of the names. I just want
9 to make sure that I have them all. Who else, to your
10 personal knowledge, was involved in the collection of
11 ballots?

12 A To my personal knowledge, I mean I knew Lisa was
13 helping him, but other than that, I mean I really--I don't
14 know anybody else. I mean I really--

15 Q So just--so only Lisa is the only person.

16 A Yes. To my knowledge.

17 Q Yes, and is it fair to say that as between the two
18 of you, she was kind of in charge?

19 A I don't really know.

20 Q As between you and her. In other words, she was
21 the more--were you equal in rank or--

22 A I wouldn't say there was a rank. I mean--

23 Q Do you know what happened after you gave the
24 ballots to Mr. Dowless?

25 A I was assuming he was turning them in.

1 Q But do you know what he did with them?

2 (No audible response)

3 Q If he had thrown any out, would you have known?

4 A No.

5 Q Were all of the ballot envelopes--and I realize
6 we're not talking about ballots. We're actually talking
7 about envelopes. Were any of the ballot envelopes unsealed?

8 A No. They were always sealed. Always sealed.

9 MR. ELIAS: I have nothing further. Thank
10 you.

11 CHAIRMAN CORDLE: Mr. Freedman.

12 MR. FREEDMAN: Yes.

13 CROSS EXAMINATION BY MR. FREEDMAN: 3:57 p.m.

14 Q Good afternoon, Ms. Hendrix. Again, I know this
15 is emotional for you. I'm David Freedman for Dr. Mark
16 Harris.

17 You just said that all the--Exhibit 13 that you've
18 still got in front of you, all of those were sealed; is that
19 correct?

20 A Yes, sir.

21 Q You never assisted anyone voting; is that correct?

22 A No, sir.

23 Q And you gave all these ballots to Mr. Dowless; is
24 that correct?

25 A Yes, sir.

1 Q Did you go over this information with either Ms.
2 Strach or Mr. Lawson or Ms. Fleming?

3 A Yes, sir.

4 Q And did they specifically go over these documents
5 with you?

6 A Yes, sir.

7 Q And did you ever find out--was it ever discussed
8 these ballots were not properly filed at the Board of
9 Elections?

10 A Could you repeat that?

11 Q It was never discussed with you that these ballots
12 didn't make their way to the Board of Elections, was it?

13 A To my knowledge, I don't know whether they were
14 turned in or not.

15 Q But you went over this information with the Board
16 of Elections.

17 A Yes, sir.

18 Q Were there other--were these all of the ones that
19 you witnessed or were there more?

20 A I believe these were all the ones that I witnessed
21 because I really didn't help too much with this election.

22 MR. FREEDMAN: I've got no further questions.
23 Thank you.

24 CHAIRMAN CORDLE: Does any member of the Board
25 have questions?

1 MR. BLACK: I'll just ask one. I notice
2 the town of Tar Heel has 117 people in their population.
3 Were these people that you signed up or registered--were
4 these neighbors, friends, relatives?

5 THE WITNESS: They were pretty much my in-
6 laws; they were my boyfriend's family, my family, but one,
7 Glenn, he's--I've been knowing him from the Hardee's that
8 I work at. He was a customer that come in, and I know him.
9 So for the most part, I know all of them.

10 MR. BLACK: Okay. Thank you.

11 CHAIRMAN CORDLE: Any further questions?

12 (No response)

13 CHAIRMAN CORDLE: Thank you, ma'am. You're
14 excused.

15 THE WITNESS: Thank you.

16 (The witness exits the stand.)

17 CHAIRMAN CORDLE: Thank you a lot.

18 Have we got a short witness right now or is it
19 break time?

20 DIRECTOR STRACH: We've got a very short
21 witness.

22 MR. ____: We're bringing her right up,
23 sir.

24 CHAIRMAN CORDLE: Okay, let's bring her up.

25 Then we'll take a break.

1 (Pause)

2 DIRECTOR STRACH: Mr. Chair, it might be short
3 from my side, but it might not be actually short, now that
4 I think about it. You might want to take that break.

5 CHAIRMAN CORDLE: Well, let's go ahead and take
6 our break then for ten minutes. Be back at 4:10.

7 (Whereupon, a brief recess was taken
8 from 4:00 p.m. to 4:14 p.m.)

9 CHAIRMAN CORDLE: It looks like we will try to
10 go tonight till about six o'clock instead of stopping at
11 5:00, and we will start in the morning at 9:30 and go as
12 late as we can, hopefully get finished. I'm looking at you.

13 MR. FREEDMAN: I was looking over there, Mr.
14 Chairman.

15 CHAIRMAN CORDLE: I was looking at everybody.

16 MR. FREEDMAN: I respect your opinion.

17 MR. ELIAS: I'm refusing to look up.

18 (Laughter)

19 CHAIRMAN CORDLE: Are we ready?

20 MR. LAWSON: Has she been sworn, sir?

21 CHAIRMAN CORDLE: Oh, okay. Would you state
22 your name please.

23 MS. DOWLESS: Sandra Dowless.

24 CHAIRMAN CORDLE: As the Chair, I issued the
25 subpoena requiring you to attend the hearing. I now excuse

1 you from the subpoena, and you're free to leave at any time.
2 You're not required to answer questions, but if you do, the
3 answers are voluntary and are under oath. Do you
4 understand?

5 MS. DOWLESS: Yes, sir.

6 CHAIRMAN CORDLE: All right. Do you have an
7 attorney?

8 MS. DOWLESS: No, sir.

9 CHAIRMAN CORDLE: If you don't understand a
10 question, you should ask for it to be clarified, and if you
11 don't know the answer, please don't guess or speculate.
12 Just say "I don't know."

13 MS. DOWLESS: I will.

14 CHAIRMAN CORDLE: That's perfectly acceptable.

15 (Whereupon,

16 SANDRA DOWLESS,

17 having first been duly sworn, was

18 examined and testified as follows;)

19 DIRECT EXAMINATION BY DIRECTOR STRACH: 4:16 p.m.

20 Q Good afternoon, Ms. Dowless. How are you?

21 A I'm good. And how are you?

22 Q I'm good. Thank you. Ms. Dowless, are you Lisa
23 Britt's mother?

24 A Yes, I am.

25 Q And could you tell us what your relationship is

1 with McCrae Dowless?

2 A I was married to him from 1991 to '93.

3 Q And was there a time in 2018 that you lived at Mr.
4 Dowless's home?

5 A Yes.

6 Q And can you tell us the circumstances of that?

7 A Yes. I had had surgery in February of 2018, and
8 he let me stay there to recover for maybe six or seven
9 months.

10 Q So is it fair to say you have a fairly good
11 relationship with your former spouse?

12 A Yeah, we do now.

13 Q Did you work--do any sort of election work for
14 McCrae Dowless in the November 2018 election?

15 A No, I didn't.

16 Q Actually I want to go back to April of 2018 when
17 you were there. Do you remember being present in his house
18 on April 8th, 2018?

19 A Yes, I was there.

20 Q And do you recall a meeting that was held at his
21 house that evening?

22 A Yes, I remember that meeting.

23 Q And were you in the house during that meeting?

24 A I was there in the house.

25 Q And were you in the room with the people that were

1 attending the meeting?

2 A No, I was not.

3 Q But could you hear the people that were in
4 attendance of the meeting?

5 A Yes.

6 Q Now, from what you could hear, who would you say
7 was conducting that meeting?

8 A McCrae had called some people over to talk with
9 Mr. Jeff Smith about he needed some workers to help him on
10 his campaign. I didn't know anyone other than McCrae.

11 Q So did you know or did you see any of the other
12 participants that had come over for the meeting?

13 A Yes, I did. I don't remember seeing them. I mean
14 I could hear them, but I didn't know who they were.

15 Q But you did recognize certainly McCrae's voice.
16 Did you recognize Jeff Smith's voice?

17 A No. I still have never met him.

18 Q How do you know that it was Jeff Smith that was
19 at the meeting?

20 A After the meeting, well, he had signed a note.

21 Q And actually I'll show you that note.

22 MR. LAWSON: Exhibit 14.

23 (Whereupon, Exhibit No. 14
24 was marked for identification.)

25 Q Ms. Dowless, is this the note you were referring

1 to?

2 A Yes.

3 Q And you could--can you tell me when--when did you
4 see this note? Did you see this after the meeting?

5 A Right after the meeting I came out to ask McCrae
6 about something that had been said. And he said, "No,
7 that's not me. That's Jeff Smith, and I've got insurance
8 right here because he signed it."

9 Q And what was it you heard that concerned you?

10 A That they said to pick up the ballots, whether
11 they were sealed or unsealed, and bring them to him.

12 Q And so after the meeting, you had a discussion
13 with Mr. Dowless about that.

14 A Yes.

15 Q Did he say that he had said that during the
16 meeting or was he saying that Mr. Smith had said that during
17 the meeting?

18 A He said that it was Mr. Smith, and he also told
19 whoever was there from--that they would go meet with Mr.
20 Smith at his place.

21 Q He told--

22 A The ones that went to work with Mr. Smith were to
23 go meet him--Jeff, to go over to where Jeff was.

24 Q And did he discuss this particular note with you
25 that night?

1 A I got up, and I said, "Why would he say to turn
2 in an unsealed ballot?" I said, "Who people vote for is
3 none of your business, you know. That's not right. I don't
4 want y'all picking up mine." And he said, "No, that was
5 Jeff."

6 Q And you said he mentioned something about an
7 insurance policy.

8 A He said that's his insurance policy right there
9 to prove that that was Jeff doing that, not him.

10 Q And do you know if Jeff Smith was working with Mr.
11 Dowless in the primary election?

12 A I don't think they were.

13 Q Do you think they were working for separate
14 candidates?

15 A Yes.

16 Q Did Mr. Dowless ever tell you really what was the
17 purpose of that meeting that night?

18 A That Jeff needed some workers for his campaign
19 that he was running.

20 Q And so do you know if Mr. Dowless set up that
21 meeting and arranged for the people that were in attendance
22 that night?

23 A Yes, he did. He did.

24 Q And you said you didn't know who those individuals
25 were.

1 A I didn't.

2 Q So you don't know if those people worked for Mr.
3 Dowless himself or they were different people?

4 A I don't know.

5 Q Did you ever meet Dr. Mark Harris?

6 A I saw him at a parade, but I never actually got
7 to meet him.

8 Q And did Mr. Dowless--Mr. Dowless--I guess if you
9 lived in the home with him, you've heard him talk on the
10 phone before.

11 A Yes.

12 Q And does he generally use the speaker phone for
13 his calls?

14 A Yes, he does.

15 Q And did you ever overhear a conversation between
16 Mr. Dowless and Mr. Harris?

17 A Yes.

18 Q And did you ever hear the two of them discuss Mr.
19 Dowless's absentee program or Mr. Dowless discuss any data
20 or predictions about the campaign?

21 A Yes.

22 Q And what did you hear during that conversation?

23 A Mr. Harris called McCrae, and he apologized, said
24 he'd been busy all day, and McCrae said, "I want you to know
25 that you're way in the lead."

1 He said, "Things are looking good here," and
2 he--well, you know, "That's good news. I'm glad to hear
3 that."

4 And then he said, "Well, how would you know that,
5 McCrae?" He said, "I went to the election board and, you
6 know, could see how many ballots or who had turned their
7 ballots in."

8 And so there was a little bit of silence on the
9 other end, and Mr. Harris says, "Is that legal?" He says,
10 "Yes, it's legal. I wouldn't do anything that's illegal.
11 Anybody can go pick up the same data that I pick up." He
12 says, "And I know the people, know how they voted."

13 Q And after that phone call, did you have any
14 conversation with Mr. Dowless about that?

15 A I don't remember. Yeah, I think I said, "I can
16 go pick them up too," but I never picked nothing up.

17 Q And having lived in the home, when did you say
18 that you moved out of the--Mr. Dowless's home?

19 A I moved out maybe a week or two--September the
20 10th maybe, and I moved in there the first of March.

21 Q So did you ever see anyone deliver absentee
22 ballots to Mr. Dowless's home?

23 A He was given a lot of paperwork, but I don't know
24 what it was.

25 Q So you don't know if you ever saw him deliver

1 ballots.

2 A No, I don't.

3 Q And you never--did you ever serve as a witness on
4 any of the ballots since you were living at his home?

5 A No.

6 Q Did he ever ask you to serve as a witness?

7 A No, he didn't.

8 MS. STRACH: That's all the questions I
9 have.

10 CHAIRMAN CORDLE: All right. Mr. Elias.

11 CROSS EXAMINATION BY MR. ELIAS: 4:26 p.m.

12 Q Thank you for being here. I know it's been a
13 long day already. I'll try to be--I'll try to be brief.
14 If I speak too fast or I don't make any sense, just let me
15 know, and I can rephrase or repeat a question.

16 A Okay.

17 Q Do you know who--let me back up. Did you know
18 that Mr. Dowless was involved in politics prior to April
19 8th, 2018?

20 A Yes.

21 Q And do you know--did you know that he was involved
22 in ballot collection and Get Out The Vote activity and the
23 like in the 2016 election?

24 A No, I didn't know that.

25 Q What did you know about his background in

1 politics?

2 A I just know that he likes to get out and talk
3 about who to vote for or go around talking to people.

4 Q And did you know--do you recall which candidates
5 he supported and told people to vote for in 2016?

6 A No. I didn't see him that whole year.

7 Q In 2018, is it fair to say that he was working for
8 Mr. Harris?

9 A Yeah.

10 Q And that he was urging people to vote for Mr.
11 Harris?

12 A I don't know that he was urging them, but he had
13 like signs and stuff.

14 Q Did you know--did you know that he was--he was
15 being paid by the Harris campaign?

16 A Yeah, because he said that was for to pay the
17 workers and himself.

18 Q Do you know how much he was being paid?

19 A No, I don't.

20 Q I want to--this is a--this is a summary that was
21 put together by the State Board, so this is--these are not
22 my numbers. These were produced by the State Board earlier
23 today in their summary opening.

24 Do you know what Red Dome is--what Red Dome was?

25 A That was the ones that were--had hired McCrae?

1 Q Right. And do you see that he was paid--that Red
2 Dome paid McCrae Dowless \$131,375 from--

3 A I see.

4 Q And then do you see 86,693 (sic) from 6/8/15 to
5 11--

6 CHAIRMAN CORDLE: I think it was 83,000.

7 Q I'm sorry. It was 83,000. Do you see those
8 numbers?

9 A I see those numbers. Yeah, I see them.

10 MR. FREEDMAN: Mr. Chair, if I may, he's
11 asked a number of witnesses about numbers they say they know
12 nothing about, and I just believe that goes beyond the
13 competence of the witness.

14 CHAIRMAN CORDLE: Well, let's see what his
15 question about it is.

16 Q If those numbers are accurate, does it surprise
17 you?

18 A Yeah.

19 Q Why so?

20 A Because he didn't never have any money.

21 (Laughter)

22 Q Do you know how many workers he was hiring for
23 that kind of money?

24 A No.

25 Q So turning to the meeting on April 8, you said

1 that you know that in attendance were McCrae and Jeff Smith.

2 A Yes.

3 Q And do you know Jeff Smith?

4 A No. I know of him. I don't know him.

5 Q But you obviously know your ex-husband.

6 A Yeah.

7 Q So could you distinguish the voice of your ex-
8 husband from others?

9 A Yes, yeah.

10 Q I'm sorry. You speak to the microphone or she
11 gets mad at me.

12 A I'm sorry. Yes. I know which one was McCrae.

13 Q And when you heard the conversation you heard, who
14 was speaking?

15 A It wasn't McCrae. It was--it had to have been
16 Jeff.

17 Q That's what I was asking. And I assume you know
18 your ex-husband's handwriting.

19 A Yes.

20 Q And looking at this note, does this look like his
21 handwriting or not?

22 A No, it doesn't.

23 Q You said that you didn't know--do you know if Jeff
24 Smith was supporting a candidate other than Mr.--Dr. Harris?

25 CHAIRMAN CORDLE: Well, I don't think they said

1 that Jeff Smith was supporting Dr. Harris.

2 Q No. I said do you know--do you know--do you know
3 Dr.--do you know if Jeff Smith was supporting a candidate?

4 A For the congress?

5 Q For the congressional race.

6 A I didn't know who he was supporting.

7 MR. ELIAS: I want to show you a
8 demonstrative.

9 (Whereupon, Exhibit No. 15
10 was marked for identification.)

11 MR. FREEDMAN: Mr. Chairman, I do understand
12 we're supposed to reserve objections, but there's been a
13 number of questions--repeated questions coming up now which
14 unless the witness has personal knowledge, I believe, is
15 inappropriate.

16 CHAIRMAN CORDLE: Well, let's see what his
17 question is, but I don't disagree generally with how she's
18 going to know about--

19 MR. FREEDMAN: Thank you.

20 CHAIRMAN CORDLE: --vote totals and the--

21 MR. ELIAS: I wasn't going to ask her if
22 she knew about the vote totals. I think that this
23 demonstrative itself is compiled from the State Board's own
24 data, so I think it is admissable on its own merits.

25 CHAIRMAN CORDLE: Well, I'm not going to argue

1 about that. It's just what this witness might know about
2 it--

3 MR. ELIAS: Fair enough.

4 CHAIRMAN CORDLE: --or be able to give any
5 opinion about it because I don't think she's very involved
6 in politics, she said.

7 Q Do you know whether your ex-husband has worked
8 with Mr. Smith in the past?

9 A I read in the paper that he had.

10 Q And based on your knowledge of your husband and
11 his temperament and his experience--or your experience with
12 him, does he usually work for free?

13 A No.

14 Q So based on your experience and observation of
15 your ex-husband, if he was helping Jeff Smith, would you
16 have expected that he was doing it out of the goodness of
17 his heart or for an economic reason or otherwise?

18 A Well, if Jeff was getting paid, I'm sure he was
19 too, but if not, maybe he would--

20 Q So if Jeff was getting paid, you think that--

21 A McCrae would've wanted to be in on that too.

22 Q I'm just going to ask as a foundational question,
23 and counsel may be correct that there is no foundation, but
24 we'll see.

25 MR. FREEDMAN: It's already been published

1 so.

2 MR. ELIAS: Do you have an objection?

3 MR. FREEDMAN: I do. Until there's a
4 foundation for the exhibit, I believe it should not be
5 published.

6 CHAIRMAN CORDLE: Well, let's see what he wants
7 to ask about it--

8 MR. FREEDMAN: Yes.

9 CHAIRMAN CORDLE: --as he starts out.

10 MR. FREEDMAN: Yes, Mr. Chairman.

11 Q In 2018--do you see the top chart?

12 A Yes, sir.

13 Q Where it says, "2018 Primary Election"?

14 A Uh-huh (affirmative).

15 Q Do you know who Mr. McCrae was--I'm sorry--Mr.
16 Dowless was working for?

17 A Out of those three, he was working for Mr. Harris.

18 Q Okay. And do you know which county he was working
19 for Mr. Harris in?

20 A Bladen.

21 Q And can you tell us what the total was?

22 CHAIRMAN CORDLE: Well, unless she knows. I
23 mean that's--

24 MR. ELIAS: Fair enough. I have no
25 further questions.

1 CHAIRMAN CORDLE: Thank you.

2 CROSS EXAMINATION BY MR. FREEDMAN: 4:36 p.m.

3 Q Ms. Dowless. You said that the person you heard
4 talking in that room was not Mr. Dowless, right?

5 A No, it wasn't.

6 Q And the handwriting, that's not Mr. Dowless,
7 correct?

8 A No.

9 Q You said that you heard--the one conversation you
10 testified to was with Mr. Dowless was saying that any of
11 the information he had obtained legally, correct? Dr.
12 Harris.

13 A When he was talking to Mr. Harris, yes.

14 Q Yes. He told him that he'd obtained that
15 information by determining how many Democrats and how many
16 Republicans had voted, and that was a matter of public
17 record.

18 A That's what he told him.

19 MR. FREEDMAN: I have no further questions.

20 MR. ELIAS: I have a brief redirect--
21 recross, I should say.

22 CROSS EXAMINATION BY MR. ELIAS: 4:36 p.m.

23 Q I just want to clarify because I heard the--I
24 thought I understood what you said the first time, and I
25 maybe misunderstood. Did he say--is it true that what Mr.

1 McCrae--what Mr. Dowless told Mr. Harris was, "I want you
2 to know we're way in the lead and things are looking good"?
3 Is that what you testified?

4 A Yeah, it was something to that effect.

5 Q Right.

6 A He said, "You're way in the lead here," yeah.

7 Q And then, as I recall your testimony, you said,
8 "How would you know that?"

9 A Yeah. Well, first of all, he said that was great;
10 he was glad to hear that, and then he said, "Well, how do
11 you know that," like he--

12 Q And then what was the answer to that question?

13 A McCrae said he goes by the Board and looks at the
14 data sheet.

15 Q So you don't know what data sheet that is,
16 correct?

17 A No idea.

18 Q So you don't know whether that's public data or
19 confidential data.

20 A No. He said it was public, but I don't know.

21 Q And do you know whether it was partisan break down
22 or voter break down? Do you know anything about the data?

23 CHAIRMAN CORDLE: Well, I think she's already
24 testified that's all she knows.

25 MR. ELIAS: Well, except Mr. Freedman

1 elicited testimony in a leading question that what she
2 looked at was--what he was relaying was that he looked
3 partisan data, and I don't think the witness had testified
4 to that.

5 CHAIRMAN CORDLE: I don't recall her saying that
6 either, but I couldn't--

7 MR. ELIAS: So I just want to clarify with
8 the witness whether that's, in fact, what Mr. Dowless said.

9 THE WITNESS: What was the question?

10 Q Did Mr. Dowless indicate what the nature of the
11 data was that he was looking at at the State Board of
12 Election?

13 CHAIRMAN CORDLE: I think it was at the county
14 level.

15 A He just--

16 Q I'm sorry. At the county board of election.

17 A He was saying that he went by the names, how they
18 voted. That he didn't--you know, he just says, "I know how
19 the people vote."

20 MR. ELIAS: Thank you.

21 MR. LAWSON: Mr. Chairman, could I have
22 just one clarifying question?

23 CHAIRMAN CORDLE: Sure.

24 REDIRECT EXAMINATION BY MR. LAWSON: 4:38 p.m.

25 Q Ms. Dowless, you indicated that this meeting that

1 occurred was in April 2018; is that right?

2 A The one with Mr. Smith?

3 Q That's right.

4 A Yes.

5 Q And April of 2018, was that prior to the primary?

6 It would've been--

7 A Yes.

8 Q --prior to the primary.

9 A Yes.

10 Q Was there any discussion on that phone call as to
11 how one would know who was in the lead, if it was public
12 data and all that had been collected were Republican or
13 unaffiliated ballots for the primary?

14 A Well, the primary--I thought you was talking about
15 in April when he was talking to Mr. Smith.

16 Q That's right.

17 A He wouldn't have mentioned that about--

18 Q That's right. So April would come before June,
19 so the universe of time that we're talking about is prior
20 to the primary. So any representations, were you
21 considering those to have been made about the primary
22 efforts that were underway at the time?

23 A Whatever was--are you asking me when he was
24 talking to Mr. Smith?

25 Q It was April and it was before the primary.

1 A Yeah. The primary wasn't until November.

2 Q I'm sorry. I'm talking about the phone call you
3 overheard. I'm sorry I was unclear. The phone call that
4 you overheard between Dr. Harris--

5 A Was sometime before the middle of September.

6 Q Sometime before the middle of September.

7 A But I don't know what was--

8 MR. LAWSON: That clarifies it for me. I
9 appreciate that. Thank you.

10 CHAIRMAN CORDLE: The Board have any questions?
11 Ms. Dowless--oh, okay.

12 DR. ANDERSON: I have one. Ms. Dowless, on
13 this note that has been represented as Jeff Smith's, the
14 first line says, "Picking up existing ballots unsealed."
15 "Unsealed" is kind of underlined two times to--

16 THE WITNESS: Yeah.

17 DR. ANDERSON: --emphasize. You mentioned
18 overhearing at least some of the conversation. And was it
19 the reference to unsealed that kind of caught your attention
20 or no?

21 THE WITNESS: Yes, it was.

22 DR. ANDERSON: Okay. That's all.

23 THE WITNESS: Okay. Thank you.

24 CHAIRMAN CORDLE: Ms. Dowless, you're excused
25 and free to go.

1 THE WITNESS: Thank you, sir.

2 CHAIRMAN CORDLE: Do we have another witness
3 now?

4 MS. STRACH: We do.

5 THE WITNESS: Do I leave these here?

6 CHAIRMAN CORDLE: Please.

7 MR. ELIAS: Yes.

8 (The witness exits the stand.)

9 CHAIRMAN CORDLE: I think we'll stand at ease
10 for a minute until the next witness gets here.

11 (Pause)

12 (Ms. Robinson comes forward)

13 CHAIRMAN CORDLE: Would you state your name,
14 please, ma'am.

15 MS. ROBINSON: Kimberly Robinson.

16 CHAIRMAN CORDLE: Ms. Robinson, as the chair of
17 this board, I issued a subpoena for you requiring you to
18 attend the hearing. I now excuse you from that subpoena,
19 and you're free to leave at any time. You're not required
20 to answer questions, but if you do, the answers are
21 voluntary, and they're under oath. Do you understand that?

22 MS. ROBINSON: Yes, sir.

23 CHAIRMAN CORDLE: Do you have an attorney here
24 to represent you?

25 MS. ROBINSON: No, sir.

1 CHAIRMAN CORDLE: Okay. Well, if you don't
2 understand the question, you should ask for it to be
3 clarified, and if you don't know the answer to a question,
4 you should just say so and don't try to guess or speculate.

5 Now, if you could be sworn in, please. Madam
6 Court Reporter.

7 (Whereupon,

8 KIMBERLY SUE ROBINSON,

9 having first been duly sworn, was
10 examined and testified as follows:)

11 CHAIRMAN CORDLE: Staff, it's your witness.

12 MS. STRACH: Thank you, Mr. Chairman.

13 DIRECT EXAMINATION BY MS. STRACH: 4:57 p.m.

14 Q Ms. Robinson, so it's about five o'clock so we're
15 glad to get you in today. Ms. Robinson, how long have you
16 lived in Bladen County?

17 A For about five years now.

18 Q About five years?

19 A Yes, ma'am.

20 Q And have you been an active voter in Bladen County
21 since you've lived there?

22 A Yes, ma'am.

23 Q Did you recently, in the 2018 election, vote?

24 A Yes, ma'am.

25 Q Did you vote absentee by mail?

1 A Yes.

2 Q And do you remember who came and got you to
3 complete a request?

4 A I remember talking to McCrae, and I had signed the
5 paper for an absentee, and I received my ballot in the mail.
6 And once I received my ballot, I did not fill it out, but
7 I turned it in.

8 I can't recall if it was--I think it was Ginger,
9 and I can't recall the other girl. I think it was Lisa.
10 I'm not for sure. They was in a van. I was just getting
11 off of work or something whenever I got home, and they came
12 and they picked it up.

13 And I remember signing my name, and, you know,
14 Ginger signed, but nobody else signed with her. And I
15 turned in a blank ballot.

16 Q You turned in a blank ballot.

17 A Yes, ma'am.

18 Q And why did you do that?

19 A Because I was told that if I didn't fill it out,
20 that it would be filled out for me.

21 Q And who told you that?

22 A Well, McCrae--he not only helped me, like he would
23 tell me who to elect, because I was not--you know, I was not
24 familiar with the politics so.

25 Q But you didn't actually vote the ballot yourself.

1 A No, ma'am.

2 Q You--

3 A I actually turned in a unsealed envelope.

4 Q With a blank ballot.

5 A Yes, ma'am.

6 Q Had you ever done that in the past?

7 A Yes, I've done it before.

8 Q And about how many times have you done that?

9 A Maybe a couple of times.

10 Q Couple of times?

11 A Yes, ma'am.

12 Q So in this election though you got your ballot.

13 You received it in the mail.

14 A Yes.

15 Q You knew it was coming. Did you know someone was

16 going to come get it?

17 A Yes. I was familiar with that.

18 Q You were familiar with someone coming.

19 A Yes, ma'am.

20 Q And you said you believed that it was Ginger

21 Eason?

22 A Yes. I'm thinking--I think that's who signed the

23 paper with me.

24 Q But was she the person--who actually came to pick

25 up and collect your ballot?

1 A It was her and Lisa.

2 Q And when they came inside, what did they say to
3 you?

4 A They didn't come inside. I was just pulling up
5 at my house.

6 Q Right.

7 A And they were just there to pick up my ballot for
8 me.

9 Q And so did they have you sign your--the envelope
10 that it came in?

11 A Yes, ma'am.

12 Q So you signed the envelope, and you--was the
13 ballot inside the envelope or did you just give them the
14 ballot and the envelope?

15 A No. It was inside the envelope.

16 Q But it was not sealed.

17 A No, ma'am.

18 Q And you believe it was two people. Is that what
19 you said?

20 A Yeah.

21 Q Ginger and Lisa?

22 A Yeah, I can't recall, but I mean I know them when
23 I see them, but I mean I don't really associate with people
24 in Bladenboro.

25 Q And do you know about how long before the election

1 or how (indiscernible word) that this happened?

2 A Say that again.

3 Q Do you know when the election was in November?

4 A Yeah, but I believe I signed the paper back in
5 October.

6 Q Back in October.

7 A Yes, ma'am.

8 Q And when they came and you gave it to them, they
9 left?

10 A Yes, ma'am.

11 Q Did you have any other contact with them?

12 A No, ma'am.

13 DIRECTOR STRACH: I want to hand you up a
14 document just for you to look at.

15 (Whereupon, Exhibit No. 16
16 was marked for identification.)

17 MR. LAWSON: We at 14?

18 CHAIRMAN CORDLE: 16.

19 COURT REPORTER: 16.

20 MR. LAWSON: 16. Sorry.

21 Q I would ask you if this looks familiar to you.

22 Yours has a redacted copy, isn't it?

23 A Yes, I'm familiar with it.

24 Q You're familiar with it?

25 A Yes, ma'am.

1 Q I can't really see your signature on it, but is
2 there anything about this that lets you know that you signed
3 this?

4 A Yes, ma'am. I signed it.

5 Q You signed it?

6 A That's my signature.

7 Q That's your signature?

8 A Yes, ma'am.

9 Q And you see the other names, Ginger Eason and
10 Cheryl Kinlaw?

11 A Yeah.

12 Q Did you see Cheryl Kinlaw?

13 A No, ma'am.

14 Q Okay.

15 A I don't recall seeing her. It was Lisa.

16 Q So it was Lisa and Ginger.

17 A Yeah.

18 Q And you said you had done this in previous
19 elections--

20 A Yes, ma'am.

21 Q --with McCrae. Has Mr. McCrae ever offered you
22 anything, money, gas, food, anything in order to get your
23 ballot?

24 A No, ma'am.

25 MS. STRACH: That's all the questions I

1 have.

2 CHAIRMAN CORDLE: Mr. Elias.

3 MR. ELIAS: Thank you.

4 CROSS EXAMINATION BY MR. ELIAS: 5:04 p.m.

5 Q Thank you for being here. I know it's been a long
6 day. I assume you know Lisa.

7 A No, I don't. I just know--I know her from being
8 here today. I just recognized who she was.

9 Q And you're 100 percent sure she was the person who
10 came.

11 A Yeah, she was. She was driving.

12 Q And you are 100 percent certain that you delivered
13 to her and to Ginger--

14 A Yes.

15 Q --the unsealed ballot.

16 A Yes.

17 Q And it was blank.

18 A Yes, sir.

19 Q And you have no doubt in your mind.

20 A I have no doubt.

21 Q So if Lisa testified that she never collected a
22 unsealed ballot, that would be untrue.

23 A Yes, sir.

24 Q Do you recall if you voted in the 2018 primary?

25 That would have been in the spring of 2018.

1 A No, I did.

2 Q Do you know if you voted in the 2016 general
3 election?

4 A I think so. I'm not familiar--I mean I'm not--
5 that's been a while back.

6 MR. ELIAS: That's been--it is a while
7 back, and it's easy to--not to remember. Thank you so
8 much.

9 CHAIRMAN CORDLE: Mr. Freedman?

10 CROSS EXAMINATION BY MR. FREEDMAN: 5:05 p.m.

11 Q Ms. Robinson, you had known Ginger Eason from
12 before?

13 A Well, I don't--I don't know her. I actually
14 worked at a store, and I know a lot of people from working
15 in the--you know, there in town. But I don't--I'm not
16 familiar with--you know, I don't know her personally.

17 Q And had she been to see you about getting an
18 absentee ballot request form before you got this ballot?

19 A No. I actually signed a paper with McCrae for the
20 absentee.

21 Q So that got sent in, and then you got your ballot.

22 A Yes, sir.

23 Q And then you said Lisa was driving?

24 A Yes, sir.

25 Q So you handed it to Ginger.

1 A Huh?

2 Q Lisa was driving the car?

3 A Yes.

4 Q You handed the ballot to Ginger?

5 A Yes. And she--I signed the paper and she signed
6 it, but Lisa did not sign it.

7 Q Lisa didn't sign it.

8 A No. And Cheryl did not. Cheryl was not in the
9 vehicle.

10 Q Oh. But it--the person who signed it and the
11 person you actually handed the ballot to was Ginger.

12 A Yes, sir.

13 Q And you said that you have done this before for
14 McCrae?

15 A Yes.

16 Q So you gave that to McCrae with the idea that he
17 was going to fill in who he wanted. Was that your idea?

18 A I'm guessing because I'm not--I mean I know McCrae
19 from past, and I trusted him. So I didn't feel like--you
20 know, I didn't--I didn't know I was doing anything wrong,
21 to be honest with you.

22 Q So if instead McCrae had called you and said,
23 "These are the people I want you to vote for," you'd have
24 voted for them.

25 A Not necessarily, because I've got my own opinion,

1 I mean, but that's who he suggested.

2 Q Generally, had you actually filled in the ballot
3 in the past based on his suggestions?

4 A Yes.

5 Q And usually if he suggests someone, that's who
6 voted for?

7 A Yes, because I'm not familiar with the town of
8 Bladenboro because I'm not from Bladen County. I've just
9 been residing there for five years, so I'm--

10 Q So if he would've suggested to you in October who
11 to vote for, more than likely that's who you would've voted
12 for.

13 A It's probably more likely.

14 MR. ELIAS: I have no further questions.

15 CHAIRMAN CORDLE: Anybody on the Board have any
16 questions?

17 MR. CARMON: I have one. He didn't ask you
18 or tell you who--suggest for--who--he did not make the
19 suggestion for who you to vote--for--

20 CHAIRMAN CORDLE: Start over. Start--

21 MR. CARMON: In the November elections, you
22 were not consulted on your--what vote you want--who you
23 wanted to vote for.

24 THE WITNESS: No, sir.

25 MR. CARMON: No questions. That's all.

1 CHAIRMAN CORDLE: Mr. Gilkeson.

2 MR. GILKESON: One question. Did you live
3 and vote in Bladen County?

4 THE WITNESS: Yes.

5 MR. GILKESON: And not Robeson County.

6 THE WITNESS: Yes, sir. I mean I'm from
7 Robeson County, but I live--I've lived in Bladen County for
8 the past five years, and I reside in Bladenboro.

9 MR. GILKESON: Okay, and all the things
10 you're talking about here were--

11 THE WITNESS: Bladen County.

12 MR. GILKESON: --were Bladen County related
13 and not Robeson County.

14 THE WITNESS: Yes, sir.

15 MR. GILKESON: Thank you.

16 CHAIRMAN CORDLE: Ms. Robinson, thank you.
17 You're excused.

18 THE WITNESS: All right. Thank you.

19 (The witness exits the stand.)

20 CHAIRMAN CORDLE: Josh, may I see you for a
21 second? Have we got another witness?

22 MR. ___: Yes, sir, we have one.

23 MS. ___: They're on the way.

24 CHAIRMAN CORDLE: Thank you.

25 (Chairman Cordle and Mr. Lawson confer.)

1 (Ms. Hall comes forward.)

2 MS. HALL: Precious Hall.

3 CHAIRMAN CORDLE: Ms. Hall, as the Chair, I
4 issued the subpoena that--requiring you to attend this
5 hearing, and I now excuse you from that subpoena, and you're
6 free to leave at any time.

7 You're not required to answer questions, but if
8 you do, the answers are voluntary and are under oath. Do
9 you understand?

10 MS. HALL: Yes.

11 CHAIRMAN CORDLE: Do you have an attorney with
12 you today?

13 MS. HALL: No, sir.

14 CHAIRMAN CORDLE: Well, if you don't understand
15 a question, you should ask for clarification, and if you
16 don't know the answer to the question, please just say so,
17 "I don't know," and don't speculate or guess what an answer
18 ought to be.

19 THE WITNESS: Okay.

20 CHAIRMAN CORDLE: All right. Could you stand
21 to be sworn please.

22 (Whereupon,

23 PRECIOUS NICOLE HALL,
24 having first been duly sworn, was
25 examined and testified as follows:)

1 CHAIRMAN CORDLE: It's with the staff. Oh,
2 excuse me. Before we go any further, I know we'd earlier
3 said we'd go to 6:00. I understand the Capital Police have
4 asked us to leave earlier because they have to leave at
5 6:00, and they want to be here while people are leaving, so
6 we'll probably stop around 5:45.

7 Excuse me. Go ahead.

8 DIRECT EXAMINATION BY MS. STRACH: 5:12 p.m.

9 Q Ms. Hall, thank you for being here at this late
10 hour. Can you tell me where you currently live?

11 A Right now, I'm in Greensboro, North Carolina.

12 Q And during the November election, where did you
13 live?

14 A Elizabethtown, North Carolina.

15 Q And prior to that, how long had you lived in
16 Bladen County in 2018 prior that election?

17 A I want to say all year.

18 Q All year. Where did you live before that.

19 A Fayetteville.

20 Q Fayetteville. Do you remember someone coming and
21 getting you to complete an absentee request form stating
22 that you wanted to receive an absentee ballot?

23 A No, I don't remember.

24 Q Did at some point you receive an absentee ballot
25 in the mail?

1 A Yes, ma'am.

2 Q Were you surprised when you received that absentee
3 ballot in the mail?

4 A Yes.

5 Q Do you usually vote?

6 A Yes, ma'am.

7 Q Do you usually vote in person?

8 A Yes.

9 Q So when you got that absentee ballot in the mail,
10 did someone come to see you?

11 A Yes, ma'am.

12 Q And did you know the people? Was it one person
13 or two people?

14 A It was two.

15 Q And did you know who they were?

16 A Yes, ma'am.

17 Q What did they say they were there to do?

18 A I don't remember, but I just know I filled out my
19 ballot, and they did their signature and took the ballot.
20 They took the ballot.

21 DIRECTOR STRACH: They took the ballot. I'm
22 just going to hand you up a document.

23 MR. LAWSON: 17.

24 (Whereupon, Exhibit No. 17
25 was marked for identification.)

1 (Pause)

2 Q Ms. Hall, does this form look familiar to you?

3 A Yes, ma'am.

4 Q And I don't think on the copy you have--can you
5 tell if any of that--can you see your signature?

6 A No.

7 MR. LAWSON: Mr. Chairman, we have an
8 unredacted copy. And the question is--we don't want her
9 exposing her own signature in whatever gets released
10 publicly. It would be admissable for your purposes to not
11 have it up on the--

12 CHAIRMAN CORDLE: Yes, you may show it to her.

13 (Whereupon, Exhibit No. 17A
14 was marked for identification.)

15 MR. LAWSON: I'm going to mark it as 17A.

16 CHAIRMAN CORDLE: Can you recognize your
17 signature on that, Ms. Hall?

18 THE WITNESS: Yes, sir.

19 CHAIRMAN CORDLE: All right.

20 Q And do you recognize--on that, do you recognize
21 the witness signatures on that?

22 A Yes, ma'am.

23 Q And did you say--do you know who these individuals
24 are?

25 A Yes, ma'am.

1 Q So do you know Lola Wooten?

2 A I've seen her around, but I've never really, like,
3 known her.

4 Q Had you ever had conversation with her?

5 A Well, today.

6 Q Today? She's here.

7 A Yes.

8 Q And the other name is Sandra Goins?

9 A Yes.

10 Q Do you know her?

11 A Yes, ma'am.

12 Q And do you know her as Sandra Goins?

13 A No, ma'am.

14 Q How do you know her?

15 A By her nickname.

16 Q What's her nickname?

17 A Squeaky.

18 Q So you knew her as Squeaky.

19 A Yes, ma'am.

20 Q So did you know her as Squeaky and Lola Wooten
21 when they came to your house?

22 A Yes.

23 Q Did they assist you in voting your ballot?

24 A Yes.

25 Q How did they do that?

1 A She would just reciting while I was, you know,
2 filling it out. She never, you know, told me who to vote
3 for or anything. I just did it myself, and she just put her
4 signature and sealed it.

5 Q And then what did they say? Did they tell you
6 where they were going to take the ballot?

7 A No.

8 Q Did they give you the option to mail it yourself?

9 A I'm not really sure.

10 Q But they left with your ballot.

11 A Yes.

12 MS. STRACH: That's all the questions I
13 have.

14 CHAIRMAN CORDLE: Mr. Elias.

15 CROSS EXAMINATION BY MR. ELIAS: 5:17 p.m.

16 Q I'll be brief. Thank you for coming today. My
17 name is Mark Elias. I represent Dan McCready in this
18 matter. So just so I understand, Ms. Wooten and Ms. Goins
19 came to your residence.

20 A Yes.

21 Q And witnessed you voting your ballot.

22 A Yes.

23 Q And you voted freely the candidates of your
24 choice.

25 A Yes.

1 Q They didn't tell you who to vote for.

2 A No.

3 Q Who not to vote for.

4 A No.

5 Q You voted your free will, and then the ballot was
6 sealed.

7 A Yes.

8 Q Did you seal it?

9 A Yes.

10 Q And it was given to them, and as far as you know,
11 did your vote count?

12 A Yes.

13 MR. ELIAS: I have no further questions.

14 CROSS EXAMINATION BY MR. FREEDMAN: 5:18 p.m.

15 Q Thank you, Ms. Hall. It's late in the day. My
16 name is David Freedman representing Dr. Harris. You are a
17 registered Democrat; is that correct?

18 A Yes.

19 Q And you voted in the 2018 election consistent with
20 your party affiliation.

21 A Yes.

22 Q So you voted for representative--you voted for
23 Dan McCready, correct?

24 CHAIRMAN CORDLE: I don't think it's appropriate
25 to ask the witness who they voted for unless it has

1 something to do directly with what we're here for, and she
2 said she's a registered Democrat.

3 MR. FREEDMAN: I would beg to disagree, Mr.
4 Chairman. The reason I asked that question is the inference
5 is, at least for Mr. McCready's campaign, is the only votes
6 that have been tarnished or taken were Dr. Harris's, and
7 this is a way to impeach what the McCready campaign has been
8 inferring by--because there are questions--

9 CHAIRMAN CORDLE: I understand what you're
10 saying. If you don't mind telling him how you voted--

11 MR. ELIAS: May I be heard on that before
12 you rule because I think this is being represented that this
13 line of questioning which is to undermine the secret ballot,
14 which is both in state law and in the tradition of the
15 United States in voting.

16 So before the Board rules to destroy the sanctity
17 of the private ballot, the secret ballot, what we have in
18 front of us--the position we have laid out is that the
19 Harris campaign, through a vendor hired by Dr. Harris
20 personally, engaged in massive ballot fraud, full stop.

21 That is different than saying that only one
22 side--that all the votes were for one candidate; all the
23 votes were the other candidates. If Dr. Harris engaged in
24 massive voter fraud to have ballots for Dan McCready, it's
25 still massive voter fraud, and it still meets Prong 4 of the

1 statute.

2 So who they voted for is not what's relevant.
3 What's relevant is that the Harris campaign, under the
4 direction of the candidate, engaged in this activity.

5 CHAIRMAN CORDLE: I believe you're trying to
6 show that this was not done by the Harris campaign.

7 MR. FREEDMAN: That's correct. I'm trying
8 to show--

9 CHAIRMAN CORDLE: I think we recognize that.

10 MR. FREEDMAN: Then I withdraw the question.

11 CHAIRMAN CORDLE: Thank you. I mean the
12 testimony has been that these people were not working for
13 Mr. Dowless or for the Harris campaign.

14 MR. FREEDMAN: And again, just to respond to
15 Mr. Elias, they have hired experts to sit around and say
16 that absentee ballot campaign was conducted by one side,
17 which apparently is not correct, and we're just trying to
18 impeach upcoming witnesses for Mr. Elias that he knows it's
19 coming up, but I'll withdraw the question. I do not mean
20 to get into a constitutional issue here at 5:20.

21 Q You gave your ballot--you had not requested the
22 absentee ballot; is that correct?

23 A I don't remember.

24 Q Didn't you just--and again, I--I may be wrong.

25 CHAIRMAN CORDLE: I think she testified she

1 didn't remember.

2 Q Okay, well, I apologize. Then I apologize. But
3 Ms. Wooten took your ballot.

4 A Yes.

5 Q And had you asked her to come to your house?

6 A No.

7 Q Do you remember how it was that she showed up at
8 your house?

9 A What do you mean?

10 Q I mean did she just all of a sudden show up at the
11 door and knock on the door, if you remember?

12 A I don't really remember.

13 Q Did she bring the absentee ballot with her?

14 A No. I think they were mailed to the house.

15 Q So you'd already received it.

16 A Yes.

17 Q And then did she say she was coming up as a follow
18 up to the absentee ballot you received?

19 A I'm not sure.

20 Q Was there anything particularly about the
21 conversation--you didn't think you'd be questioned about
22 this some year later, correct?

23 A No.

24 Q But you did know she--had anyone--had you ever
25 voted absentee before that?

1 A I don't remember. I really don't remember.

2 Q So you have any--do you have any recollection of
3 voting for absentee on any occasion except for this
4 occasion?

5 A I really don't remember.

6 Q And Squeaky was there as well?

7 A Yes.

8 Q And they both signed it--did they both sign the
9 ballot in front of you?

10 A Yes.

11 Q And they had no suggestions on who to vote for?

12 A No.

13 MR. FREEDMAN: I have no further questions.

14 CHAIRMAN CORDLE: Any questions from the Board?
15 Staff?

16 (No response)

17 CHAIRMAN CORDLE: Ms. Hall, thank you very much.
18 You're excused.

19 (The witness exits the stand.)

20 CHAIRMAN CORDLE: Is the staff going to call
21 another witness?

22 MS. STRACH: Yes, Mr. Chair. We would call
23 McCrae Dowless.

24 CHAIRMAN CORDLE: Mr. Dowless.

25 MS. SINGLETARY: Mr. Chairman, if I may?

1 CHAIRMAN CORDLE: Yes, ma'am.

2 MS. SINGLETARY: I'm Cynthia Singletary of the
3 Bladen County Bar. I represent Mr. McCrae Dowless. We are
4 here under your subpoena, and we are complying in that we
5 have appeared as the subpoena has directed us to do.

6 CHAIRMAN CORDLE: Right.

7 MS. SINGLETARY: Is he being directed by this
8 Board to testify?

9 CHAIRMAN CORDLE: No, ma'am, he is not. It will
10 be the same thing I've said to the other subpoena witnesses.

11 MR. ELIAS: Mr. Chairman, may I be heard?

12 CHAIRMAN CORDLE: Just one second. Are you
13 saying he is not here willing to testify today?

14 MS. SINGLETARY: I'm saying that he is willing
15 to testify if he is so ordered by this Board to testify
16 under the provisions of 1391.

17 CHAIRMAN CORDLE: That would mean he would
18 be--

19 MS. SINGLETARY: It would mean what the
20 provisions of that statute--

21 CHAIRMAN CORDLE: That would be immunity to any
22 testimony he might give.

23 MR. ELIAS: That is not correct, Mr.
24 Chairman, and that is the nature of the letter we submitted
25 on February 16th. Mr. Dowless, along with others, should

1 be--if they want to invoke the Fifth Amendment, you should
2 not compel them to testify over the Fifth Amendment which
3 is what confers immunity.

4 But we are not asking you to exercise state
5 process to force them to obviate their Fifth Amendment
6 right, but we have a right to have them take the stand,
7 probe, whether he would invoke the Fifth as to all
8 questions, whether it's only to certain subjects, and I
9 think it is a gross misreading of 163A-1391 to suggest
10 otherwise, and I'd ask the Board to at least consider
11 argumentation on this as we've submitted, like I said, a lot
12 of legal analysis.

13 CHAIRMAN CORDLE: We've received your letters
14 and a response.

15 MS. SINGLETARY: Yes. Mr. Chairman, his
16 subpoena--we are here as complied (sic), and our subpoena
17 said only--or his subpoena only says for him to appear. We
18 have appeared. I'm not advising him to take the stand if
19 he is not subpoenaed to come and to take the stand and
20 testify.

21 CHAIRMAN CORDLE: Can we have a minute, please,
22 with counsel?

23 MS. SINGLETARY: Yes, sir.

24 (Discussion was held off the record.)

25 CHAIRMAN CORDLE: Counsel has advised me for us

1 to discuss something with him, we have go into closed
2 session so we're moving to a closed session, and we will go
3 outside, and you all can stay in here.

4 MS. SINGLETARY: Yes, sir.

5 MR. CARMON: I second the motion.

6 (Unanimous vote in favor.)

7 (Board met in closed session
8 from 5:27 p.m. to 5:40 p.m.)

9 CHAIRMAN CORDLE: Can you give me your name,
10 please? It's Cynthia--

11 MS. SINGLETARY: Cynthia Singletary.

12 CHAIRMAN CORDLE: Singletary?

13 MS. SINGLETARY: Cynthia Singletary.

14 CHAIRMAN CORDLE: Thank you.

15 MS. SINGLETARY: S-i-n-g-l-e-t-a-r-y.

16 CHAIRMAN CORDLE: Thank you.

17 MS. SINGLETARY: I'm pretty loud anyway.

18 CHAIRMAN CORDLE: Well, I just don't remember
19 names like I used to, so.

20 MS. SINGLETARY: You might remember it today.

21 CHAIRMAN CORDLE: We have a statute in North
22 Carolina that is probably stronger than the Fifth Amendment,
23 and the way this Board has interpreted the statute: If
24 someone is compelled to testify, then--and they do testify
25 about such matters, they're given immunity from what they

1 testified about.

2 And this Board is unwilling to give a witness
3 here, particularly Mr. Dowless, immunity from his testimony.

4 MS. SINGLETARY: Yes, sir.

5 CHAIRMAN CORDLE: We would request him to come
6 forward like all our other witnesses have come forward and
7 testify voluntarily, and if he refuses to do that, we have
8 the right under our rules and our orders in this case to
9 take negative inferences concerning his actions that we have
10 had evidence about.

11 MS. SINGLETARY: Yes, sir.

12 CHAIRMAN CORDLE: So it's your decision, Mr.
13 Dowless.

14 MS. SINGLETARY: Mr. Dowless will only be
15 complying with the subpoena he was given which was to appear
16 without something further, so he will not be taking the
17 stand.

18 CHAIRMAN CORDLE: All right. Thank you, ma'am.
19 I would say he's dismissed now.

20 MS. SINGLETARY: From all parties and--

21 CHAIRMAN CORDLE: Well, he's dismissed at least
22 from our calling him. I don't think under this thing anyone
23 else is going to be able to call him either.

24 MR. FREEDMAN: He would be dismissed?

25 CHAIRMAN CORDLE: I would not allow him to be

1 called. Let me put it that way.

2 MR. FREEDMAN: Well, we will issue a
3 subpoena.

4 CHAIRMAN CORDLE: And you say you do.

5 MR. FREEDMAN: Yes.

6 CHAIRMAN CORDLE: All right. And I understand
7 your argument from your letters, but I believe the
8 interpretation this Board has taken on this statute, it goes
9 further than the Fifth Amendment.

10 All right, and the Fifth Amendment can still arise
11 if he's called to testify.

12 MR. ELIAS: I'm understanding that that
13 is the ruling, and as long as it's noted in the record, we'd
14 continue to disagree with that interpretation. We will
15 release him because it's going to be futile to call him
16 during the course of this proceeding.

17 CHAIRMAN CORDLE: Thank you, sir. And it is
18 noted--should be noted in the record that way.

19 MS. SINGLETARY: Thank you.

20 CHAIRMAN CORDLE: You're free to go, Ms.
21 Singletary. Thank you.

22 So it's almost 5:45, so I think we will stop for
23 the day and start back at 9:30 in the morning. I don't know
24 if the Board has more witnesses to call at that time, but
25 I would hope you all would be ready.

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(Whereupon, the proceedings
adjourned at 5:44 p.m.
to be reconvened on February 19, 2019.)

1 STATE OF NORTH CAROLINA

2 COUNTY OF ALAMANCE

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C E R T I F I C A T E

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I, G. Lynn Bodenheimer, Certified Verbatim Reporter and Notary Public, do hereby certify that I was present and served as court reporter for the foregoing proceeding held at the North Carolina State Board of Elections & Ethics Enforcement in Raleigh, North Carolina, on February 18, 2019; that said proceeding was reported by me and transcribed by me personally; and that the foregoing pages 1 through 232 constitute a true and accurate transcription of the proceeding.

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I do further certify that I am not of counsel for or in the employment of either of the parties to this action, nor am I interested in the results of this action.

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21

G. Lynn Bodenheimer

22

23

G. LYNN BODENHEIMER
Certified Verbatim Reporter/
Notary Public No. 19942140002

24

My Commission Expires:

25

August 3, 2019