

Today, North Carolina voters Jerry Green and Linda Petrou filed a lawsuit against Karen Brinson Bell, Executive Director of the North Carolina Board of Elections, with support from the Honest Elections Project. The complaint alleges that North Carolina is failing to meet its obligations to “maintain clean and accurate voter-registration records.”

The Honest Elections Project is a nonpartisan, nonprofit group devoted to defending the right of every lawful voters to participate in free and fair elections.

#### Summary of the complaint:

- North Carolina is “failing to make a reasonable effort to conduct appropriate list maintenance as required by the [National Voter Registration Act].” Section 8 of the NVRA requires that states maintain reliable voter lists; specifically, federal law requires states to remove the names of voters who have died or moved away.
- The lawsuit compares voter registrations to Census Bureau data on citizen voting-age population.
- At least 40 North Carolina counties have registration rates “that far eclipse the national and statewide voter-registration rate in recent elections”—a “telltale” sign of poor maintenance.
  - 9 counties have more registered voters than adult citizens (Brunswick, Cabarrus, Currituck, Dare, Durham, Johnston, Mecklenburg, Union, and Wake)
  - 31 counties have a voter registration rate that exceeds 90 percent, which is unusually high (Alamance, Buncombe, Camden, Carteret, Catawba, Cherokee, Clay, Davie, Forsyth, Franklin, Gaston, Guilford, Halifax, Haywood, Henderson, Iredell, Lincoln, Macon, Madison, Mitchell, Moore, Nash, New Hanover, Orange, Pender, Perquiman, Polk, Rowan, Transylvania, Wilson, and Yancey)
- Voter list maintenance is necessary for ensuring that voter rolls are reliable. States like North Carolina that “keep voter rolls bloated with ineligible voters harm[] the electoral process, heighten[] the risk of electoral fraud, and undermine[] public confidence in elections.”
- Poor list maintenance is a common problem nationwide:
  - In 2012, Pew researchers discovered that roughly one in eight voter registrations nationwide—24 million in total—were inaccurate, outdated, or duplicative.
  - In 2020, Michigan automatically mailed ballot applications to every registered voter. At least 500,000 were returned undeliverable. Earlier this year, Michigan pledged to remove 177,000 outdated registrations following an HEP-supported lawsuit.
- The NVRA “empowers any ‘person who is aggrieved by a violation’ to ‘provide written notice’” and to file a lawsuit if no corrective action is taken within 90 days. Green and Petrou sent a notice letter last year, but North Carolina has taken no action.

#### The lawsuit seeks, among other relief:

- A declaratory judgment that North Carolina is failing to comply with the NVRA.
- A permanent injunction requiring North Carolina to adhere to the requirements of the NVRA, and an order instructing officials to implement a “reasonable and effective” list maintenance program that ensures no ineligible registrants remain on North Carolina’s rolls.

About the plaintiffs: Jerry Green and Linda Petrou are registered North Carolina voters who regularly vote and plan to do so in the future. Green is a retired principal. Both are civically engaged in their communities.