



# New election ordered in Pembroke

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**By Mark Binker**

**RALEIGH, N.C.** — Voting and administrative irregularities were so widespread in the Town of Pembroke's fall elections that a new election must be held in 2014, the State Board of Elections ruled Friday.

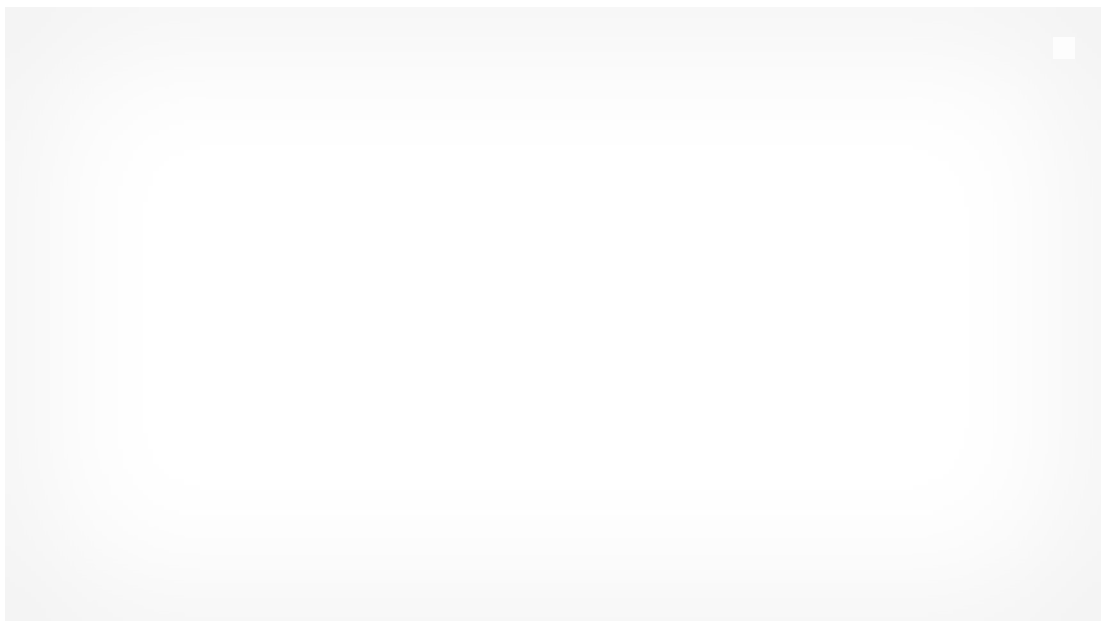
Pembroke voters went to the polls in November to select two council members for full four-year terms and fill a third seat left vacant when another council member died this year.

During a two-hour hearing Friday at the State Board of Elections, members sorted through appeals from the Robeson County Board of Elections that included allegations of ineligible voters, questionable administrative processes and a possible violation of the state's open meetings law.

The board reviewed evidence that at least two candidates helped bring people to the town's early voting location who were ineligible to vote. Some of those people, including several young men who came from out of state to attend a basketball program, managed to cast ballots because they were mistakenly registered during one-stop absentee voting.

"Because of the taint, the multiple allegations in this matter, unless this board orders a new election, the will of the people won't be known," said Joshua Malcolm, a state board member who lives in Pembroke.

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The state board also referred all of the material they gathered Friday to the local district attorney for a possible criminal investigation.

A new date for the town election has not been set, but it likely won't be before the first week of March.

Until winners of the fall elections are certified and take their oath of office, the prior members of the town council will remain in office.

State board members on Friday picked through a thorny set of facts and voluminous filings that included transcripts of two local board hearings and complaints filed by candidates for the council.

Incumbent Councilman Allen Dial and challenger Theresa Locklear are tied for one of the full council terms, with 300 votes each. The local board of elections found a tie after two formal counts.

During Friday's hearing, Dial alleged that he had identified at least eight voters who should not have been allowed to cast their ballots. Those young men were part of a group of 20 that came in during the one-stop absentee voting period. It later came to light the men were part of a basketball program that prepares players for college.

However, they did not provide identification needed under state and federal law to establish they were residents of the town.

Those initial eight members of what the state board referred to as the "basketball team" were allowed to register using a lease as their documentation. Local election officials noticed the mistake after registering them and then challenged the men who had driven them to the election site.

The remaining team members did not try to vote. However, those eight had already cast their ballots.

The board also reviewed evidence that Dial himself had driven a van full of ineligible voters to the early voting site. A transcript of a lower board hearing showed he was accused of coaching those people on how to present their residency.

Dial acknowledged driving the people but said he didn't know they were ineligible at the time.

The 2013 municipal elections are likely the last elections for which North Carolina voters would be able to register to vote and cast a ballot on the same day. The General Assembly outlawed the practice as part of a law that goes into effect in 2014, but it is being challenged in court.

Steve Stone, chairman of the Robeson County Board of Elections, said one-stop voting was a major cause of problems during the 2013 election, as well as prior elections.

"There's been a playbook that was written in 2005 (when one-stop voting first started), and every election since someone else seems to get a hold of it," Stone said.

During local hearings over the matter, discussions seemed to become heated. At one point, the local board's attorney asked that the board go into closed session. But neither he nor local board members stated an allowable reason, according to the local transcript. That error alone, Malcolm said, could call into question the administrative process used to hear election complaints and lead to other courts overturning some decisions.

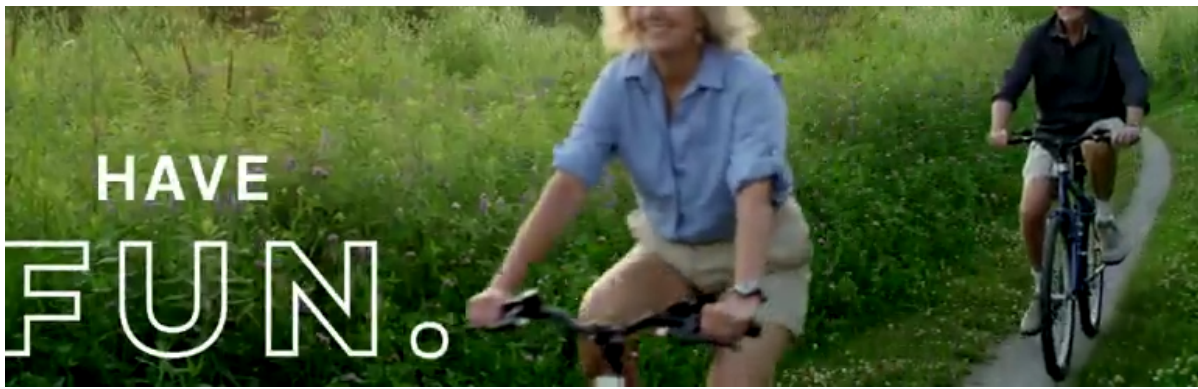
State board member Rhonda Amoroso worried that a new election could be costly for the town. Stone said the cost would probably be somewhere between \$3,000 and \$10,000.



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