

Board of Elections pulls convicted felon's ballot

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SHELBY - The Cleveland County Board of Elections unanimously voted to pull a ballot illegally cast during early voting.

They also voted during the Tuesday meeting to report the incident to the Cleveland County District Attorney.

The board determined that Robert Dean Hudson, 40, of Shelby, was ineligible to vote in the 2016 election due to being convicted of a felony charge of breaking and entering of a motor vehicle on Sept. 22, 2016, and being sentenced to probation.

The board made its determination after hearing testimony from Dawn Bowland, the Cleveland County registered voter who filed the election protest, as well as testimony from Dayna Causby, director of elections at the Cleveland County Board of Elections.

Hudson did not attend the Tuesday hearing.

Causby noted during her testimony that voters must fill out a form prior to casting a ballot that states they are not currently serving a sentence, probation or parole for a felony conviction. Fraudulently or falsely filling out that form is a class one felony, Causby said.

The board is able to remove Hudson's ballot because he participated in early voting and those ballots are retrievable, said board chairman Wayne King. In addition to pulling Hudson's ballot, the case will be sent to the Cleveland County District Attorney.

"He has technically, in my opinion, violated his probation and he could possibly be criminally indicted on this, so this is nothing to take lightly, and the board did not take this lightly," King said.

Hudson cast a ballot in the 2016 general election during early voting Oct. 20 at Bethel Baptist Church. According to Causby, the Cleveland County Board of Elections had not received an updated list of felons from the state since Aug. 9, which is why Hudson was able to cast a ballot despite the September conviction.

Bowland testified that she was contacted by a representative from the NCGOP about the legitimacy of a vote cast in Cleveland County. After receiving Hudson's name, Bowland looked at online records and determined the vote could be classified as an illegitimate or questionable.

The election protest was filed by Bowland via email at 10:13 a.m. last Thursday.

The Cleveland County Board of Elections held a preliminary hearing on Friday, where they established probable cause of a violation of election law, irregularity or misconduct and set the date of the Tuesday hearing.

Hudson now has the right to appeal the county board's findings to the North Carolina Board of Elections.

King said a letter will be drafted to the Cleveland County District Attorney's office where further action could possibly be taken.

