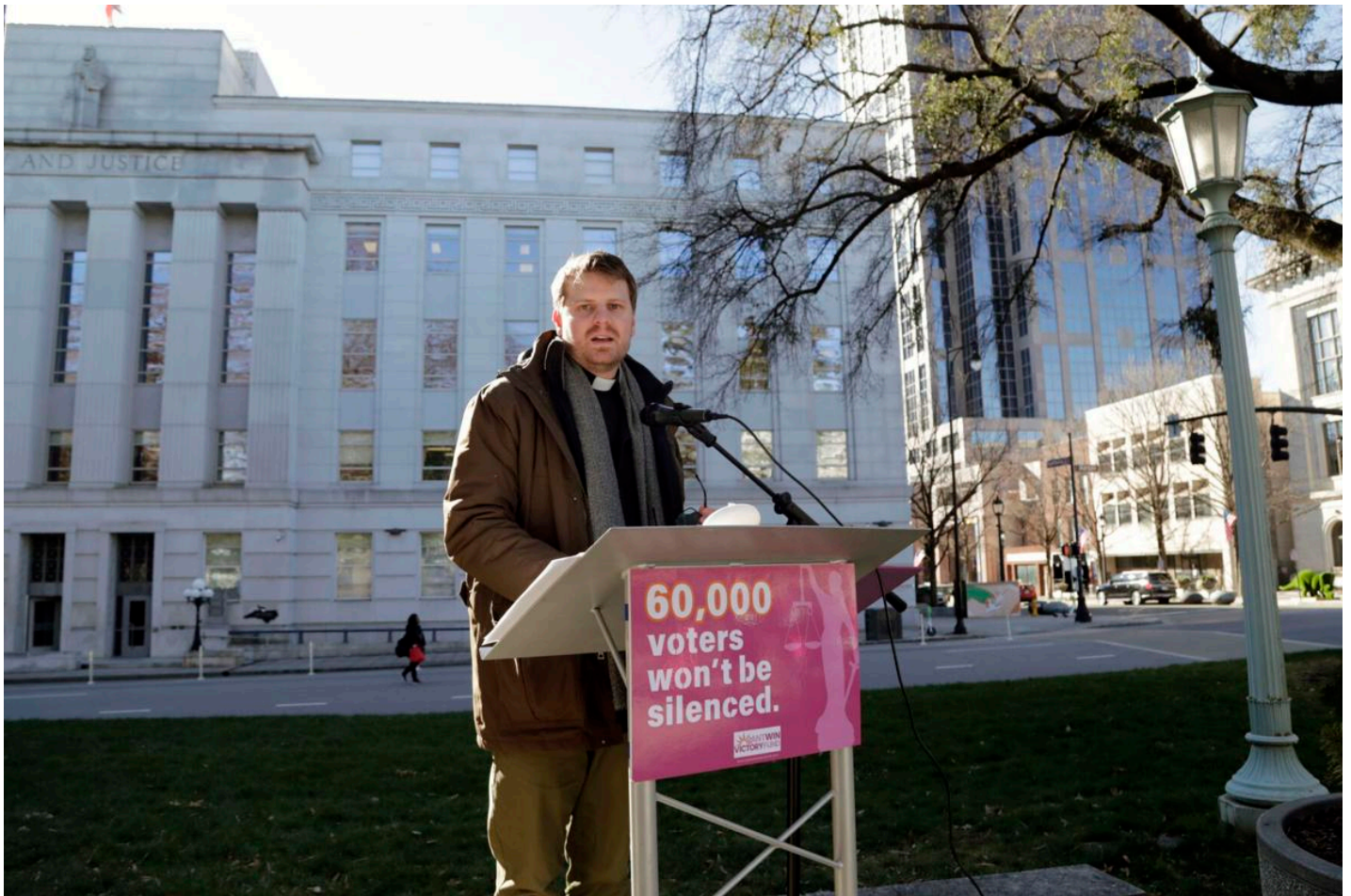


https://greensboro.com/opinion/column/allison-riggs-jefferson-griffin-nc-supreme-court/article_ed86d802-e13d-11ef-ad4f-f732d2d16f13.html

Phoebe Zerwick: A losing candidate wants valid votes disallowed ... including mine

Feb 2, 2025



On Jan. 14 in Raleigh, Ian McPherson reads names from a list of more than 60,000 people who cast ballots in the November 2024 election but whose votes have been challenged by Republican state Supreme Court candidate Jefferson Griffin in his extremely close race with Democratic Associate Justice Allison Riggs.

Chris Seward, THE ASSOCIATED PRESS

I registered to vote in North Carolina in 1987 and have voted in every primary and general election for national, state and local races ever since. Sometimes my candidates won; more often they lost.

When my children were little, I'd take them with me on Election Day to my precinct in the high school gym near our house. Usually, the elections official there recognized me. Once early voting became an option, I lined up outside the county government building downtown, happy when the line was long because that meant that others cherished their right to vote as much as I do.

Last fall, for the first time in my life, I voted absentee because I was leading a group of 18 Wake Forest University students at the college's study abroad program in Venice. My only hesitation about spending the fall overseas was my fear that my absentee ballot would never arrive in time through the unreliable Italian mail. Fortunately, state and federal law provides for those serving in the military and American citizens living abroad with a secure online system for overseas absentee voting.

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My ballot arrived by email on Sept. 20. The following month, well ahead of Election Day, my husband and I each logged in and cast our votes. I missed the ritual of voting in person but still felt the familiar gratitude for American citizenship.

The election has been over for more than two months, and a lot has changed in our country, changes I don't agree with. But until last week, when I learned that the losing candidate for the state Supreme Court has challenged my ballot, it never occurred to me that my vote might not count, that I might lose the most basic right of citizenship.

The challenge comes from Jefferson Griffin, a judge on the N.C. Court of Appeals, where he already wields considerable power. Griffin lost his bid for a seat on the N.C. Supreme Court to incumbent Allison Riggs by 734 votes. He now claims that 65,000 ballots are invalid.

Out of a sense of duty, my husband and I went to a protest last weekend organized by the local Democratic Party. The state Supreme Court shouldn't be partisan, but it is, and Riggs is one of two Democrats on a seven-member bench. We also got in touch with Riggs' campaign to find out what we could do as individuals to defend our ballots, and we donated \$200 to her legal fund. And my husband reluctantly posted a video about the challenge to our ballots on Facebook, a space he normally uses for family photos and announcements from our neighborhood association but now seemed like a place to take a stand for democracy.

Most of the ballots Griffin has challenged were cast by voters whose registration was incomplete, but they were still able to prove their identity when they voted by showing a photo ID. Griffin also says that 5,509 overseas absentee or military ballots are invalid because the online system my husband and I used does not require a photo ID.

The federal law that governs overseas ballots, passed in 1986, was meant to protect active-duty soldiers from barriers to voting, and North Carolina rules explicitly exempt military voters and those of us casting ballots from overseas from the requirement to present a photo ID. I checked with the N.C. Board of Elections and learned that, in the fall election, 10,500 military voters and 21,534 civilian voters living overseas voted under these federal protections. Note that Griffin is not challenging all of these federally protected ballots, only those in Forsyth County,

where I live, Guilford County and in two other counties that lean Democratic. Those cast by voters in the other 96 counties in North Carolina, among them counties with military bases, escaped Griffin's scrutiny.

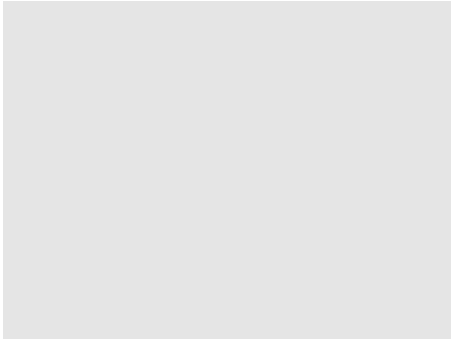
Griffin had ample time to challenge voting procedures before the election. Indeed, in the years leading up to the 2024 election, the Republican Party redefined how we vote in North Carolina. The Republican-controlled General Assembly reinstated the photo ID requirements for in-person voting. They redrew congressional districts and state House and Senate districts to make it easier for Republicans to hold those seats. But the rules on overseas ballots didn't change. In fact, they were unanimously upheld by the N.C. Rules Review Commission, whose members were appointed by Republican legislative leaders, and when the National Republican Party tried in October to block a portion of overseas ballots, a federal judge in North Carolina denied the request.

On election night it looked as though Griffin were winning, but by the next day his lead evaporated. That's not unusual in a close race. It can take several days to count all the votes.

Rather than honor the will of the voters and concede, Griffin has decided to try to change the rules. The N.C. Board of Elections heard Griffin's challenge in December and denied it. The State Supreme Court heard his complaint early in January and sent it back to a trial court in Wake County for review. And now this past week, the U.S. Court of Appeals in Richmond heard arguments from Griffin and the N.C. Board of Elections. Its decision is pending.

I called Griffin on Monday at his office at the Court of Appeals and left a message. I emailed him at his campaign. And I called his lawyer, Craig Schauer. By press time, neither had replied. They must know that there's nothing wrong with the individual ballots they are challenging, that the facts won't support the fiction they are trying to spread.

On his website, Griffin says he believes in judicial restraint. But there is nothing restrained about his effort to deny my ballot or any of the others he has challenged.



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David Rolfe/Winston-Salem Journal

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