



District Attorney

Proudly serving the citizens of three great counties

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Jon David—District Attorney

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Interim Assistant Director Dirk German
NCSBI Special Investigations Unit
3320 Garner Road
Raleigh, NC 27610

Dear Special Agent German,

Greetings! The purpose of this letter is to address the investigation, and prosecution if necessary, of several matters originally handled by the North Carolina State Board of Elections and Ethics Enforcement Team (hereinafter NCSBE) and now under your review. Specifically, the NCSBE has opened up three investigations: Case number 2016-141, concerning possible absentee ballot fraud committed by Patriots for Progress IE PAC; Case number 2016-142, concerning possible absentee ballot fraud committed by the Bladen County Improvement Association PAC; and Case number 2016-166, voter fraud allegations and possible false statements to affect election outcome allegedly perpetrated by McCrae Dowless. The above cases are related investigations originating in Bladen County and opened by the NCSBE in November 2016.

Bladen County has a troubled history of political groups exploiting the use of absentee ballots in an effort to skew support for a specific candidate or group of candidates. Indeed, as a local elected official myself, I have had numerous encounters with various such groups, some of whom are the subject of the above stated cases. These groups package the anticipated ability to garner absentee ballots as a commodity to be brokered. As a candidate, I have never engaged the services of any group to get out the vote (GOTV) and as District Attorney I have been outspoken in my criticism of their efforts. In fact, I sponsored a voter information meeting at the Bladen County Courthouse in 2012, together with Gary Bartlett, then Executive Director of the NCSBE. The purpose of the meeting was to educate the public about the appropriate procedures to follow in the collection of absentee ballots. At that time, representatives from both of the above named groups were in attendance. Sadly, it appears that these groups have failed to heed our advice.

During my election run for District Attorney in 2010, a local media outlet WWAY ran a story featuring Mr. McCrae Dowless' effort to get out the vote for the benefit of my opponent, Harold (Butch) Pope. Moreover, on the other side of the political aisle, the Bladen Improvement Society was rumored to have packaged a considerable number of votes in favor of my opponent Rex Gore, in the 2006 election for District Attorney. In short, given my personal history with both of these groups in general, and Mr. Dowless in particular, I perceive a conflict of interest in my office handling this perspective litigation.

As you are aware, case number 2016-166 involving Mr. McCrae Dowless alleges criminal behavior which occurred in Wake County. Accordingly, District Attorney Lorrin Freeman has jurisdiction over that matter. Given the interlocking nature of these cases, coupled with the fact of District Attorney Freeman's concurrent jurisdiction, and considering my perceived conflict, I feel it appropriate for her office to handle all of these matters. I have previously discussed this situation with District Attorney Freeman and she is prepared to accept responsibility for all of these cases.

By copy of this letter, I am requesting that you report directly to District Attorney Freeman and allow her to handle all of these matters. Please do not hesitate to contact me if you have any questions or concerns. Thank you in advance for your commitment to ensure the integrity of the voting process in Bladen County by holding any wrongdoers accountable.

Sincerely,

Jon David
District Attorney
13th Prosecutorial District

cc: District Attorney Lorrin Freeman
cc: NCSBE Director Kim Strack