

March 21, 2024

Before the Federal Election Commission

Respondents:

MUR # 8233

Surry County (North Carolina) Republican Party (Executive Committee)

Chair: William Keith Senter

Vice-Chair: Gayle Grey Norman

Secretary: Paula Key Stanley

Treasurer: Jessica McCarty Milwood

Executive Committee Members: Wanda Stanley and Dr. William Barham

OFFICE OF
GENERAL COUNSEL
2024 MAR 25 PM 13:13

Complainant: Billie R. Goins, Jr.

██████████
Mount Airy, NC 27030

COMPLAINT:

1. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that the Surry County Republican Party Executive Committee has violated the Federal Election Act ("FECA") in connection with the 2024 North Carolina GOP Primary Election on March 5, 2024, which includes two federal offices for election- President and the United States House of Representatives 5th District Seat.

2. The Surry County Republican Party Executive Committee created, funded, and ensured the wide distribution of the "Surry County Local Straw Poll Results" that supported/endorsed federal, state, and local Republican candidates running for office in Surry County, North Carolina in the March 5, 2024 Republican Primary.

3. And the Surry County Republican Party itself, despite having become a “political committee” within the meaning of 11 C.F.R. § 100.5(c), did not file a Statement of Organization with the Federal Election Commission, and/or register as a political committee within 10 days thereafter, in apparent violation of 11 C.F.R. § 102.1(d).

1 Copy of the Original Surry Straw Poll Results/Surry Republican Voter Guide.

2 Copy of the second Surry Straw Poll Results card.



SURRY REPUBLICAN Voter Guide

This guide was created by the vetting committee's thorough and even-headed research. The information contained here can be verified by personal surveys, witnesses, videos, recordings of statements and past actions.

Surry Straw Poll Results

February 06, 2024

The Surry County Executive Committee held a straw poll following two evenings of Candidate Forums and evaluating responses from an extensive Candidate Questionnaire and the results of the straw poll are below.

President	Donald Trump
Governor	Dale Folwell
Lt. Governor	Hal Weatherman
US House 5th District	Ryan Mayberry
Secretary of State	Christine Elise Villaverde
Comm. of Labor	Luke Farley
NC State Auditor	Gerald Clark
Superintendent of Public Instruction	Michele Morrow
NC State Treasurer	AJ Daoud
Comm of Insurance	Clyde Robert Brawley
NC Senate 36th District	Eddie Settle
NC House of Rep District 9	Sarah Stevens
NC Court of Appeals Judge Seat 15	Christopher Freeman
Surry County Register of Deeds	Todd Harris
County Commissioner	Van Tucker
County Commissioner	Melissa Hiatt
Mt. Airy Commissioner North	John Pritchard
Mt. Airy Commissioner North	David Ralph Hall
Mt. Airy Commissioner South	Gene Clark
Mt. Airy Commissioner At Large	Deborah Cochran
Surry Co. School Board	Walter Lassiter
Surry Co. School Board	Madge Russell
Mt. Airy School Board	Randy Moore
Mt. Airy School Board	Mark Welch

Surry County Straw Poll Results

February 06, 2024

President

Governor

Lt. Governor

US House 5th District

Secretary of State

Comm. of Labor

NC State Auditor

Superintendent of Public Instruction

NC State Treasurer

Comm of Insurance

NC Senate 36th District

NC House of Rep District 9

NC Court of Appeals Judge Seat 15

Surry County Register of Deeds

County Commissioner

County Commissioner

Mt. Airy Commissioner North

Mt. Airy Commissioner North

Mt. Airy Commissioner South

Mt. Airy Commissioner At Large

Surry Co. School Board

Surry Co. School Board

Mt. Airy School Board

Mt. Airy School Board

Donald Trump

Dale Folwell

Hal Weatherman

Ryan Mayberry

Christine Elise Villaverde

Luke Farley

Gerald Clark

Michele Morrow

AJ Daoud

Clyde Robert Brawley

Eddie Settle

Sarah Stevens

Christopher Freeman

Todd Harris

Van Tucker

Melissa Hiatt

John Pritchard

David Ralph Hall

Gene Clark

Deborah Cochran

Walter Lassiter

Madge Russell

Randy Moore

Mark Welch

Surry County Local Straw Poll Results

Surry Co. School Board

Walter Lassiter

Surry Co. School Board

Madge Russell

Mt. Airy School Board

Randy Moore

Mt. Airy School Board

Mark Welch

Mt. Airy Commissioner North

John Pritchard

Mt. Airy Commissioner North

David Ralph Hall

Mt. Airy Commissioner South

Gene Clark

Mt. Airy Commissioner At Large

Deborah Cochran

County Commissioner

Van Tucker

County Commissioner

Melissa Hiatt

Surry County Register of Deeds

Todd Harris

FACTS

4. The Surry County Republican Party is the Republican Party Executive Committee for Surry County, North Carolina and was granted powers and obligations by the Plan of Organization of the North Carolina Republican Party. According to the Federal Election Commission website, the Surry County Republican Party is not registered as a political committee with the FEC.

5. The North Carolina Republican Party Plan of Organization clearly prohibits local county Republican organizations from endorsing federal, statewide, or local candidates in primary elections.

6. As early as May, 2022, and continuing through the current primary election, the Surry County Republican Party Executive Committee has violated the Plan of Organization as set forth by the North Carolina Republican Party. The Surry County Republican Party Executive Committee began handing out the "Surry REPUBLICAN Voter Guide" during the first few days of early voting (on or around Thursday, February 15, 2024). I have included a copy of this card. This card had a disclosure statement that indicated that it was paid for by the Surry Republican Party. Several people called to complain to Mr. Jack Simms, the 5th District Republican Chair. He worked with the North Carolina State Republican Party to stop the cards from being handed out because they violated the NC Republican Party Plan of Organization. A few days later during the week of February 19, 2024, another edition of the card arrived at the polls, which was the same card from the previous week with the title "Surry County Local Straw Poll results" and no disclosure statement as to who paid for the handout was printed on the card. A representative from the NC Republican Party visited the early voting site in Mount Airy, NC on Wednesday, February 21, 2024, to speak to Ms. Gayle Norman, Vice- Chair of the Surry County GOP and Dr. William "Bill" Barham, member of the Surry County GOP Executive Committee. This representative told me that the legal counsel for the North Carolina Republican Party had deemed the cards legal. I

questioned him about the fact that they did not have a disclosure statement and he again said the state party was good with the card as printed. During the week of February 26, 2024, the Surry County Republican Party mailed the "Surry County Local Straw Poll Results" to selected Republican and Unaffiliated voters in Surry County.

7. The Surry County Republican Party ignored the directives of the Surry County Board of Elections about handing out the cards without a disclosure statement and instead chose to double down on its decisions. This is evident in the evolution of the card from the start to the point it was mailed. Again, it included certain federal candidates on the mailing for the March 5, 2024 primary election.

8. During an executive meeting of the Surry County Republican Party on February 1, 2024, after they had held a vetted candidates and held a forum for candidates, they approved the "Surry County Local Straw Poll Results" and made the decision to print the handout cards and post the list on the Surry County Republican Party website. The "Surry County Local Straw Poll Results" were posted on the Surry County Republican Party website by Mr. William Keith Senter, Chairman of the Surry County Republican Party. Screenshots of the website are provided for evidence. There are 25 members of the Surry County Executive Committee. Seven or eight walked out that night or did not vote. Sixty-percent of the membership of the executive committee that was left decided who was on the "Straw Poll" list. I have included a list of the Surry County Republican Party Executive Committee who voted, did not vote, or left the meeting before voting. There are also several recordings of the February 1, 2024, Surry County Republican Party Executive Committee Meeting. I can get copies of the recordings upon request.

9. During the early voting period (February 15, 2024 to March 2, 2024), the Surry County Republican Party either handed out or mailed a card that endorsed federal, state, and local candidates

in contested Republican primary elections. In talking to several executive committee members, no vote was taken by the executive committee to mail the card, so a select group decided on the mailer. On information and belief, the Surry County Republican Party circulated the mailer to voters in Surry County, NC through direct mail, Internet, and early voting electioneering distribution. On information and belief, the identical mailer was sent in the United States mail to more than 25,000 people within a one-week period. Witnesses reported that many voters took this document to the polls as they participated in early voting. **The Mount Airy News** did an article titled- "GOP 'Straw Poll' raises questions of legality".

10. The mailer was unambiguously and intentionally promoted and supported the election of one or more clearly identified federal candidates. 11 C.F.R. §§ 100.26, 100.27.

11. The mailer sent by the Surry County Republican Party lacked a clear and conspicuous disclaimer to indicate clearly and unmistakably who had paid for the advertisement as required by 11 C.F.R. § 110.11(a)(2), (b), and (c)(1)-(2).

3 Copy of screenshots of the Surry County Republican Website.

4 Copy of the Surry County Straw Poll Results mailer.

5 Copy of the The Mount Airy News article March 1, 2024 – "GOP 'Straw Poll' raises questions of legality"

6. List of the Surry County Republican Party Executive Committee who voted, left the meeting, or did not vote.

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Charlotte, NC
Permit #3609

Murry County Local Election Draw Poll Results

· Co. School Board	Walter Lassiter
· Co. School Board	Madge Russell
· Murry School Board	Randy Moore
· Murry School Board	Mark Welch
· Murry Commissioner North	John Pritchard
· Murry Commissioner North	David Ralph Hall
· Murry Commissioner South	Gene Clark
· Murry Commissioner At Large	Deborah Cochran
· County Commissioner	Van Tucker
· County Commissioner	Melissa Hiatt
· County Register of Deeds	Todd Harris



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CONCERNED VOTER

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MOUNT AIRY NC 27030 ██████1█████

For Information Only - Do Your Own Research!

Surry County Straw Poll Results

February 06, 2024

President

Governor

Lt. Governor

US House 5th District

Secretary of State

Comm. of Labor

NC State Auditor

Superintendent of Public Instruction

NC State Treasurer

Comm of Insurance

NC Senate 36th District

NC House of Rep District 9

NC Court of Appeals Judge Seat 15

Surry County Register of Deeds

County Commissioner

County Commissioner

Mt. Airy Commissioner North

Mt. Airy Commissioner North

Mt. Airy Commissioner South

Mt. Airy Commissioner At Large

Surry Co. School Board

Surry Co. School Board

Mt. Airy School Board

Mt. Airy School Board

Donald Trump

Dale Folwell

Hal Weatherman

Ryan Mayberry

Christine Elise Villaverde

Luke Farley

Gerald Clark

Michele Morrow

AJ Daoud

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Lt Governor	Hal Weatherman
US House 5th District	Ryan Mayberry
Secretary of State	Christine Elice Villaverde



AA

surry.nc.gop



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US House 5th District Mayberry	Ryan
Secretary of State Elise Villaverde	Christine
Comm. of Labor Farley	Luke
NC State Auditor Clark	Gerald
Superintendent of Public Instruction Morrow	Michele
NC State Treasurer Comm of Insurance	AJ Daoud Clyde
Robert Brawley NC Senate 36th District	Eddie
Settle NC House of Rep District 9	Sarah
Stevens NC Court of Appeals Judge Seat 15	
Christopher Freeman Surry County Register of Deeds	Todd
Harris County Commissioner	Van
Tucker County Commissioner	Melissa
Hiatt Mt. Airy Commissioner North	John
Pritchard Mt Airy Commission North	David
Ralph Hall	

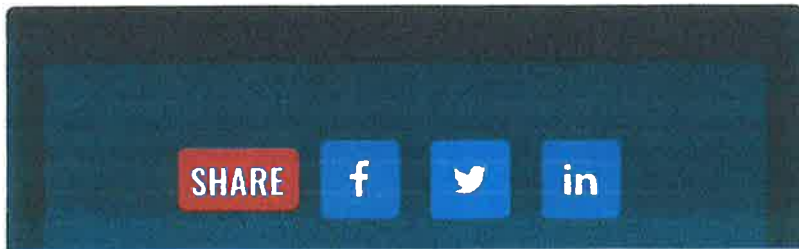


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LTE

Harris	
County Commissioner	Van
Tucker	
County Commissioner	Melissa
Hiatt	
Mt. Airy Commissioner North	John
Pritchard	
Mt Airy Commissioner North	David
Ralph Hall	
Mt. Airy Commissioner South	Gene
Clark	
Mt. Airy Commissioner At Large	Deborah
Cochran	
Surry Co. School Board	Walter
Lassiter	
Surry Co. School Board	Madge
Russell	
Mt. Airy School Board	Randy
Moore	
Mt. Airy School Board	Mark
Welch	

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7:07

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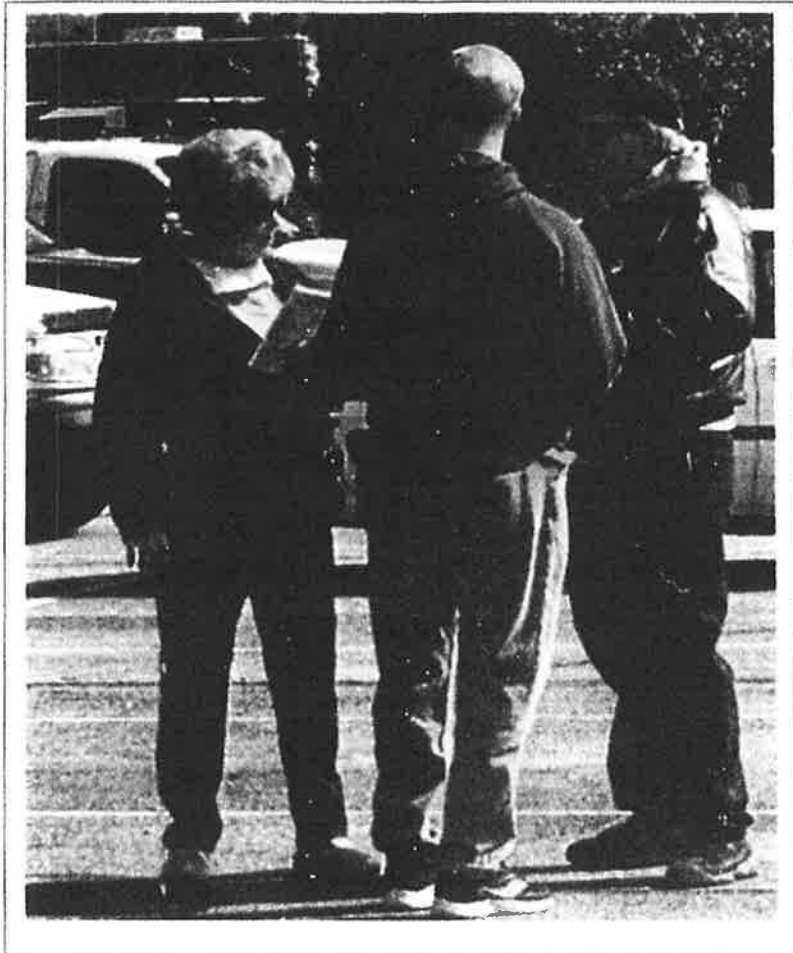
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The Mount Airy News

Saturday, March 2, 2024 • Edition: Home • Page 1

GOP 'Straw Poll' raises questions of legality

Ryan Kelly, r.kelly@mountairynews.com



It has been a few years since the ground shook beneath Surry County when a magnitude 5.1 earthquake was felt in the morning of August 9, 2021, but the tremors are being felt all over again beneath the feet of the Grand Old Party in Surry County.

Confusion has arisen over what appears to be the endorsement of candidates by some members of the county Republican party leadership prior to the March 5 primary.

Results of a Straw Poll were found online with a statement of endorsement, handouts were distributed at polling places, and this week a mailer arrived without the endorsement or any statement as to who paid for the mailer. This had led to complaints filed with the North Carolina State Board of Elections and the Federal Election Commission (FEC).

Surry County Board of Elections Director Michella Huff said she was well aware of the issue as were her counterparts in Raleigh at the state elections office.

"Our office has received calls each day of Early Voting, including today about concerns over the Surry GOP flyer that is missing a disclosure statement. All complaints about campaign finance matters are handled by the State Board of Elections," she said.

"Our office has received calls each day of Early Voting, including today about concerns over the Surry GOP flyer that is missing a disclosure statement. All complaints about campaign finance matters are handled by the State Board of Elections," she said.

This week's mailing contained a permit number for a bulk mailer but did not list the sender or a "paid for by" statement which is required by both state and federal election law.

The Federal Elections Commissioner said, "Communications paid for by an individual but not authorized by a candidate's campaign, must contain a disclaimer notice identifying who paid for the communication and indicating whether any candidate authorized the communication."

North Carolina statute 163.278.39 (a) concurs with the FEC, "It shall be unlawful for any sponsor to sponsor an advertisement in the print media or on radio or television that constitutes an expenditure or contribution... unless it bears the legend or includes the statement: "Paid for by."

"I don't know who sent it," party member Kevin Shinault said. "But as a party, I haven't seen them endorsing a candidate. As an American citizen we can support who we want but you have to take off your hat as an executive committee member when you support someone in the primary."

Some members of the county GOP took questions to party leadership and were told that the mailings are fully legal and above-board. That led Dobson resident Allen Poindexter to place calls to both U.S. Rep. Virginia Foxx's office and the state board of elections for guidance.

Foxx's office said he needed to follow up with the local board of elections for complaints – which he has now done by filing a complaint with the state board of elections. He contends that the endorsements of candidates during the primary is in violation of the North Carolina Republican Party bylaws.

The North Carolina Republican Party Plan of Organization states, "Each officer and each member of any Committee... shall refrain from utilizing the powers and dignity of his office or position in any Republican primary for public office at any level. Nor shall any Committee make or issue, in any way, manner or form, any endorsement in and Republican primary for public office."

"If it's not an endorsement and says, 'Do your own research,' why doesn't it have all the candidates in every race listed?" Poindexter asked.

People may be under the impression it was the party's endorsement since the first version of had the Surry County GOP logo on it and was called the Surry Republican Voter Guide with "Paid for by the Surry Republican Party" on it.

The letter of the law begins to get tricky here for the Straw Poll results card being mailed to Republican voters does not explicitly endorse a candidate one over the other. Rather it goes down a list of all races from president through local races and lists only one name for each race.

According to a resident who got the mailing and also saw earlier versions, the implication is that the Surry County GOP, or their leadership at minimum, voted on and approved the list of winners. However, Precinct Chair Teresa Leiva confirmed that she was one of several chairs who did not participate in the straw poll due to absence or abstention.

Party Chair Keith Senter said the county party approved the process for the poll, he said, last November. He spoke to the North Carolina Republican Party who sent a representative last week to look at the Straw Poll cards and gave it their seal of approval.

"This was for informational purposes only," he said Friday. The state GOP gave him guidance on earlier versions which is why the endorsement statement was removed. He did not explain why a "paid for" statement was not found on the most recent mailing.

One candidate whose name appeared as a Straw Poll winner, and asked not to be identified, said they had no idea why they were being listed on the mailing. It concerned them so much they called the state elections board's department of campaign finance to make sure they were still in compliance with campaign contribution reporting rules.

A current party precinct chair, who given their role asked not to be identified, said they found it ironic that their party had been clamoring about election security and the sanctity of the vote for the past two years while operating outside of the lines of ethics and their own party bylaws by making endorsements during the primary.

One former precinct chair decided that being part of the process, at least right now, was not the best fit for him.

"At this point I am no longer holding any position with the Surry County Republican Party," John Jonczak said Friday. "I resigned my position as precinct chair for Dobson Combined and told Keith (Senter) that it was what was best for me and the values that I associate myself with."

**Surry County Executive Committee Meeting
February 1, 2024**

Members who walked out because they were dissatisfied with decisions made on the "Straw Poll List" and did not vote:

**Mr. Kevin Shinault
Mr. Treva Kirkman
Mrs. Teresa Leiva
Mr. John Jonczak
Mr. Dwight Seal**

Executive Committee Members present who did not vote:

**Mrs. Andrae DeHaan- asked the Executive Committee not to vote/did not for for the "Straw Poll"
Mrs. Jessica George- abstained**

Executive Committee Members who voted or it is believe they voted for the "Straw Poll":

**Mr. William Keith Senter- Chairman
Ms. Gayle Norman- Vice-Chairwoman
Mrs. Paula Stanley- Secretary
Ms. Jessica Milwood- Treasurer
Mrs. Wanda Stanley
Mr. William "Bill" Barham
Ms. Delena Fletcher
Mrs. June Miller
Ms. Sharon Dawson
Mrs. Shannon Senter
Mrs. Rita Johnson
Mount Airy #6 Precinct Chair- not listed on website/not sure what his name is**

***There are several recordings of the meeting. I can get copies of the recordings if they are needed.**

Apparent Violations of the Federal Election Campaign Act

Count 1: Party Expenditures

12. Federal law requires that any funds “expended or disbursed for Federal election activity by a State, district, or local committee of a political party ... shall be made from funds subject to the limitations, prohibitions, and reporting requirements of the FECA.” 52 U.S.C 30125(b)
13. An expenditure for a mailer by a local party committee that “promotes” or “supports” a clearly identified candidate for Federal Office “must be allocated between or among Federal, non-federal, and Levin accounts. Only Federal Funds may be used.” 11 C.F. R 300.33(c).
14. The Surry County Republican Party’s disbursements for the direct mail communication promoted and supported two federal candidates for election, and, therefore, appears to have constituted “Federal election activity” as defined by 52 U.S. C 3010 (20)(a)(iii).
15. Accordingly, because the direct mail communication constituted “Federal election activity” in the form of public communication as defined by 11 C.F.R. § 100.26 that promoted and supported the candidacy of clearly identified candidates for Federal office, The Surry County Republican Party was required to fund it exclusively with funds subject to the limitations, prohibitions, and reporting requirements of the FECA. See 52 U.S.C. § 30125(b); 11 C.F.R. § 300.33(c).
16. Because the North Carolina Republican Party has adopted rules that prohibit local county Republican organizations from endorsing candidates in a Republican primary, it is improbable that the Surry County Republican Party would maintain a federal account. Furthermore, any relevant meeting minutes and financial reports are not shared with anyone. In fact, several executive committee meetings have been closed to anyone, except the executive committee, which is a violation of the Plan of

Organization as well. The Surry County Republican Party had no need to maintain a federal account. The Surry County Republican Party likely lacked the ability to comply with Federal laws and regulations limiting the sources and amounts of money used in connection with Federal election activities when it contributed funds to and made disbursements to send out the “Straw Poll” mailer.

Count 2: Failure to Register as a Political Committee

17. FEC regulations define a local committee of a political party – like the Surry County Republican Party – as a “political committee” if, among other things, the local committee makes payments exempted from the definition of “contributions” under 11 CFR 100.80 and exempted from the definition of “expenditure” under 11 CFR 100.140 in excess of \$5,000 during a calendar year. 11 CFR 100.5(c).

18. Based on the number of mailers that went out, the Surry County Republican Party qualifies as a political committee under federal law because it meets this threshold.

19. Because the mailer is in “support” of particular federal candidates and the funds spent on it by the Surry County Republican Party are exempted from the definition of “contribution” under 11 CFR 100.80 and from the definition of “expenditure” under 11 CFR 100.140, the Surry County Republican Party became a political committee at least when it spent in excess of \$5,000 during the 2024 calendar year to create, print, and distribute it.

20. Once the Surry County Republican Party became a political committee, it had to register as such with the FEC, which it failed to do in apparent violation of 11 C.F.R. 102(d).

Count 3: Failure to Include Disclaimer

21. Federal law requires public communications authorized by a political party committee, that qualifies as exempt activity under 11 C.F.R 110.11(a)(2), (b), and (c)(2).

22. Among other things, those sections require that public communications such as the Surry

County Republican Party's "Straw Poll" must include a disclaimer that clearly and conspicuously gives the reader adequate notice of the identity of the political committee that paid for it. And where the public communication is printed, the disclaimer "must be contained in a printed box set apart from the other contents of the communication." 11C.F.R. 110.11(c)(2).

23. The mailer lacked a clear and conspicuous disclaimer to indicate clearly and unmistakably who had paid for the advertisement as required by 11 C.F. R 110.11 (a)(2), (b), and (c)(1)-(2).

Prayer of Relief

1. Wherefore, the Commission should find sufficient reason to believe that the Surry County Republican Party violated 52 U.S.C 30101, et seq., and conduct an immediate investigation under 52 U.S.C 30109(a)(2).
2. Further, the Commission should seek appropriate remedies and sanctions for any and all violations, including requiring Respondents to file true and accurate reports reflecting all contributions, make appropriate registrations, and pay appropriate civil penalties, as well as any other such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

Respectfully Submitted



Billie "Bill" R. Goins, Jr.
Complainant

VERIFICATION

STATE OF NORTH CAROLINA)
) SS.
County of Surry)

I, Billie "Bill" R. Goins, Jr, being duly sworn, deposes and says:

That I signed the above Complaint, and believe the allegations therein to be true and correct to the best of my knowledge, information, and belief.

Billie R Goins Jr
Billie "Bill" R. Goins, Jr

State of North Carolina, County of Surry

Sworn to (or affirmed) and subscribed before me,

This 22nd day of March, 20 24

Signature of Notary Public:

Sydney Bedsaul Romine

My Commission Expires 6/28/2025

