

March 11, 2024

Personal Delivery

Bell County Attorney James E. Nicols
1201 Huey Road
Belton, Texas 76513

RE: Precinct 4 County Commissioner Louis Minor – Violation of Texas Election Code 61.001

Mr. Nicols:

I am writing to request an investigation and Class C Misdemeanor Charges against Precinct 4 County Commissioner Louis Minor for violation of Texas Election Code 61.001 Unlawful Presence in a Polling Site.

BACKGROUND

During Early Voting period and on Election Day during the 5 March 2024 Primary Election, Commissioner Minor entered 6 Bell County Polling Sites for purposes other than voting.

Attached statements from 6 Election Judges indicate that his only purpose was to “offer assistance”, 2 of the election sites were out of his Commissioners Precinct. Commissioner Minor is not a member of the Bell County Elections Commission, and is not recognized as a person who can be lawfully present in a polling site per TEC 61.001

I personally contacted the Texas Secretary of State Elections Division to confirm the language and intent of TEC 61.001. The attached email from Ryan Jimenez, Texas Secretary of State Elections Division confirms the violation and is a Class C Misdemeanor.

Your attention to this matter is greatly appreciated.



Jeff S Howard
Bell County Republican Party Elections Director
5613 Hamlet Drive
Belton, TX 76513

jeffshoward58@gmail.com

From: Ryan Jimenez <RJimenez@sos.texas.gov>
Sent: Monday, March 11, 2024 8:11 AM
To: 'jeffshoward58@gmail.com'
Subject: Loitering

Hello,

Per our telephone conversation here are the facts as I understand them. A county commissioner who was not on the ballot was visiting polling locations during the voting period and asking if they needed help. Your question is, is there authority in the election code for this to be done.

Texas Election Code 61.001 sets out a list of people to be authorized at polling location during the voting period. If a person is not expressly authorized by this code to be present and are at a polling location, than a violation of this code is a Class C Misdemeanor.

If you have any other questions please do not hesitate to contact our office.

Best,

Ryan Jimenez
Staff Attorney – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov

Sec. 61.001. BYSTANDERS EXCLUDED; UNLAWFUL PRESENCE OF CANDIDATE. (a) Except as permitted by this code and as described by Subsection (a-1), a person may not be in the polling place from the time the presiding judge arrives there on election day to make the preliminary arrangements until the precinct returns have been certified and the election records have been assembled for distribution following the election.

(a-1) Under this code, a person may be lawfully present in a polling place during the time described by Subsection (a) if the person is:

- (1) an election judge or clerk;
- (2) a watcher;
- (3) the secretary of state;
- (4) a staff member of the Elections Division of the Office of the Secretary of State performing an official duty in accordance with this code;
- (5) an election official, a sheriff, or a staff member of an election official or sheriff delivering election supplies;

- (6) a state inspector;
- (7) a person admitted to vote;
- (8) a child under 18 years of age who is accompanying a parent who has been admitted to vote;
- (9) a person providing assistance to a voter under Section 61.032 or 64.032;
- (10) a person accompanying a voter who has a disability;
- (11) a special peace officer appointed by the presiding judge under Section 32.075;
- (12) the county chair of a political party conducting a primary election, as authorized by Section 172.1113;
- (13) a voting system technician, as authorized by Section 125.010;
- (14) the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or
- (15) a person whose presence has been authorized by the presiding judge in accordance with this code.

(b) A candidate in the election commits an offense if the candidate is in a polling place during the period described by Subsection (a) for a purpose other than:

- (1) voting; or
- (2) official business in the building in which the polling place is located.

(c) It is an exception to the application of Subsection (b) that the candidate:

- (1) is not within plain view or hearing of the persons in the voting area or the area in which voters are being accepted for voting; and
- (2) is not engaged in campaign activity.

(d) An offense under this section is a Class C misdemeanor.

From: [REDACTED]
Sent: Thursday, March 7, 2024 10:57 AM
To: 'jeffshoward58@gmail.com'
Subject: minor

From: [REDACTED]
To: "jeffshoward@gmail.com"
Cc:
Sent: Thursday March 7 2024 10:26:31AM
Subject: Louis Minor

To Whom It May Concern:

Louis Minor made a visit to site JPLC 016 in Killeen.Texas on the 21st Of February. He entered in the Hallway door and was greeted by clerk. He then came into the voting site and visited with all. introducing himself to ones he had not met and acquaintances of old. Visited approximately 10 minutes between time frame arrival 9:30 to 11:00 am.
Thank you for your time.

[REDACTED]
Co Deputy Early Voting Judge
JPLC 016

From: [REDACTED]
Sent: Thursday, March 7, 2024 11:10 AM
To: jeffshoward58@gmail.com
Subject: Entry into active poling site by County Commissioner Louie Minor

During the first week of early voting between February 20 - 24 I'm not sure of the exact day, at site 017 Lions Club Senior Center I was serving as an Election Judge and met with Bell County Commissioner Louie Minor as he entered the polling room wearing a blue polo shirt with the Bell County Emblem with the embroidered stitching identifying him as Louie Minor Bell County Commissioner. It being the first week of early voting at the time of his visit there was no voters on location at the time, so I greeted him in his official capacity as County Commissioner and introduced the new clerks to him. The only statement made by Commissioner Minor was to thank the Poll workers for their service and to ask if we needed anything from the county in the form of support, I advised the Election Office has supplied us with all the necessary supplies, forms and equipment at which time he thanked us all again and departed the site, It is noted that at no time during his visit did he or anyone on site discuss any political issues or affiliations. If that had occurred, I would have called Dr. Roberts at the Situation immediately! It is also noted that the entire contact with Commissioner Minor was less then 5 minutes and I along with Co-judge Bettie Haskin believed the visit to be in his official capacity as a Bell County Official.

[REDACTED]
 Co-Judge
 Site 017 Lions Club Park
 Primary Election 2024

From: [REDACTED]
Sent: Tuesday, March 5, 2024 9:02 PM
To: Jeff Howard
Subject: Visitor

About 10am this morning Louis Minor came by the Triple 7 fire station while we were holding the election he introduced himself to the workers and visited with several I didn't think much about it since he was not on the ballot He came into the Polling place and talked to the clerks That were working on the computers.

[REDACTED]

Judge
Triple 7 fire station

Sent from my iPhone

From: [REDACTED]
Sent: Wednesday, March 6, 2024 7:13 PM
To: 'Jeff Howard'
Subject: FW: incident during election yesterday

Hi Jeff,

As previously discussed with you, approximately 9:00, after the polls opened , 5 March 2024, polling site 41, Journey Church on Bunny Trail in Killeen, County Commissioner, Louie Minor, came into our polling site. He asked if we needed anything or had any problems. I asked him if he was there to vote and he said, no, he already had, that he just wanted to check with us about how the election was going so far. I should have asked him to leave at that point but was curious why he was really there. I should not have given him any information and regret doing so, but I said things were good, except one of the laptops had gone off line during the night and I had reported it to the situation room so they were sending a tech. He said he would give Dr. Roberts a call. I told him NO, I had reported it and a tech was coming. Two more times he said he would contact Dr. Roberts and two more times I told him emphatically NO, the situation was under control. I thanked him for his concern and said goodbye, which he finally took as a hint and left. That was when I texted you about his coming.

I knew he was not supposed to be inside the polling site since he wasn't voting and regret not asking him to leave immediately. I was harsh in my voice the second two times I told him not to contact Dr. Roberts. Dr. Roberts does not need to be bothered with problems that others are responsible to take care of. I don't remember any voters being in the poll at the time he came and don't believe there were. After he left, my co-judge, Jacqueline Smith, and a couple of the clerks congratulated me on how I handed the situation. But in the future, I won't make the same mistake with him or anyone else who shouldn't be at the polls and will not discuss anything except their leaving.

[REDACTED]

From: [REDACTED]
Sent: Thursday, March 7, 2024 2:48 PM
To: Jeff Howard

Jeff,

Commissioner Minor came to Site 027-TISD HQ on Tuesday 05Mar-2024 midday. Possibly between 11:30 and 1:00pm - we were short-handed and busy. The co-judge, Roosevelt Ellis, was at the kiosk terminal, and I was at the center of the check-in table. He asked who was the Judge. I responded, we are the two co-judges. I got up and walked to the end of the table, about two feet to Roosevelt's left. I first asked was he on the ballot, because if so he would have to leave. He responded, no. Then I asked what he wanted, and he told me he was there checking up on the security problems that the precinct was facing. I responded that there were not any security problems, and any possible prior security concerns were ameliorated by the Temple Superintendent of Education and his staff before we got there. I thanked him for his concerns and returned to the voting check in process. I believe he subsequently left.

[REDACTED]

From: [REDACTED]
Sent: Friday, March 8, 2024 5:14 PM
To: Jeff Howard
Subject: Election Day Visitor into our Site

Pct 4 Commissioner Lou Minor came into our site at VFW 1820 on Airport between 4p-5pm. He said he was out visiting sites and checking to see how our site was doing. Both my Counterpart Lauren Edwards and I spoke to him at our site.

This occurred on Election Day March 5, 2024.

Respectfully submitted,

[REDACTED]
Presiding Judge.