

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
NORTH CAROLINA STATE CONFERENCE

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Rev. Dr. T. Anthony Spearman
State President

Mr. Joseph M. Alston
Executive Director



The Honorable Paul Ridgeway
Senior Resident Judge
Wake County Justice Center
300 S. Salisbury Street
Raleigh, NC 27602

The Honorable Alma L. Hinton
Senior Resident Judge
Halifax County Courthouse
357 Ferrell Lane
Halifax, NC 27839

The Honorable Joseph N. Crosswhite
Senior Resident Judge
Hall of Justice
226 Stockton Street
Statesville, NC 28677

Re: Sealed files of Dr. Thomas B. Hofeller

Dear Judges Ridgeway, Hinton, and Crosswhite:

On behalf of the North Carolina State Conference of the NAACP (“NC NAACP”), I write to express my organization’s strong support for the public disclosure of files currently under seal of the Court relating to political consulting by Dr. Thomas B. Hofeller (“Hofeller files”). As demonstrated by those files released in the partisan gerrymandering case before this Court, as well as census litigation in the United States District Courts for the Southern District of New York and District of Maryland, the Hofeller files contain extensive evidence of the use of race and ethnicity to further the partisan political goals of the Republican Party in North Carolina and nationally.

Founded in 1909, the NAACP is the nation’s oldest and largest grass-roots civil rights organization. The NAACP’s mission is to ensure the rights of all persons to political, educational, social, and economic equality, and to eliminate racial discrimination. In North Carolina, a critical aspect of the work of the NC NAACP has been to protect and expand hard-won voting rights and to advocate for a more open and democratic voting system. To that end, the NC NAACP has

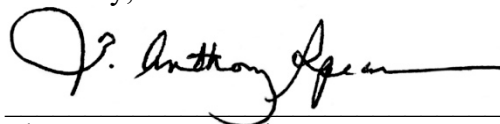
embraced legislative action aimed at expanding access to the ballot box and, when necessary, filed litigation to prevent the implementation of laws and practices that restrict that access.

Members of the NC NAACP have followed with great interest the so-far limited disclosures of information from the Hofeller files. As this Court has found, those limited disclosures called into question the credibility of lawmakers in North Carolina specifically relating to their compliance with a federal court order to cure an unconstitutional racial gerrymander of state legislative districts. Moreover, the Hofeller files reveal highly-important information about the truthfulness of legislators' representations to the federal court that race was not, and could not, be taken into account in drawing the new House and Senate districts. Similarly, the Hofeller files relating to the addition of a citizenship question to the decennial census reflect a strategy to suppress the count of Latinx residents in order to achieve political advantage for the Republican Party.

The NC NAACP brought a successful challenge to a state voter suppression law advanced by some of the same leaders of the General Assembly whose credibility is now under suspicion in the racial gerrymandering case, as well as in the Common Cause litigation pending before this Court. In our challenge to the voter suppression law, the United States Court of Appeals for the Fourth Circuit found that the General Assembly, led in part by State Representative David R. Lewis, a defendant in this case, had acted "with surgical precision" to restrict the rights of African American voters, and that "at least in part, discriminatory racial intent motivated the enactment of the challenged provisions" of the voter suppression law.

Inasmuch as Dr. Hofeller was a consultant to the General Assembly long before he drafted new legislative maps in June of 2017, we have strong reason to believe that other evidence of the impermissible use of race in North Carolina and elsewhere exists in the undisclosed materials. Given what is known so far, it is unquestionably in the public interest that the Hofeller files be disclosed in their entirety so that, in the light of day, the people of North Carolina and the rest of the country may understand how voters' interests have been manipulated in continuation of a long history of race-based voter suppression to advance the partisan political interests of one party.

Sincerely,



The Rev. Dr. T. Anthony Spearman
President
N.C. State Conference of the NAACP